

**Final Scope of Work for an Environmental Impact Statement  
Coney Island Rezoning  
CEQR No. 08DME007K**

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**A. PROJECT HISTORY**

In November 2007, Mayor Bloomberg unveiled the Coney Island Comprehensive Rezoning Plan, putting forward a vision for the future of Coney Island. The proposal encompassed an approximately 20-block area of the Coney Island peninsula generally bounded by Mermaid Avenue to the north, West 24th Street to the west, the Riegelmann Boardwalk to the south, and West 8th Street to the east.

Following the mayoral announcement, the Department of City Planning (DCP), the New York City Economic Development Corporation (NYCEDC) and the Coney Island Development Corporation (CIDC) conducted extensive public outreach to elected officials, key stakeholders and local residents to solicit feedback on the plan. The formal public review process for the plan was initiated at a first public scoping meeting for the preparation of an Environmental Impact Statement (EIS) held on February 13, 2008.

Subsequent to the initial public scoping meeting in February 2008, the City remained engaged in dialogue with all stakeholders and reviewed and considered comments received during this process. In response to these comments, the City proposed modifications to the Coney Island Comprehensive Rezoning Plan while remaining committed to the following core principles:

- Preservation and growth of open amusements through the mapping of parkland and creation of a world-class amusement park;
- Creation of a year-round entertainment district to complement the open amusement park through the development of enclosed amusements, entertainment retail, and hotels; and
- Facilitating neighborhood revitalization through the redevelopment of vacant and underutilized land for housing, including affordable housing, and providing local retail, services and job opportunities.

The following is a summary of the changes made to the Rezoning Plan subsequent to the February 2008 scoping meeting:

- Achieving a better balance between indoor and outdoor amusement and entertainment uses in Coney East. The allowed uses in Coney East will remain the same: enclosed and open amusements, entertainment, hotel uses, and small-scale retail uses complementary to the beach and amusements, providing a necessary year-round complement to the open amusement park.
- Reduction of the proposed mapped parkland to accommodate the additional development of enclosed amusements and entertainment uses.

## Coney Island Rezoning

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As a result of the modifications made to the original plan, the Draft Scope of Work for the EIS was amended and a second public scoping meeting was held on Tuesday, June 24, 2008. Comments that were made during the public comment period for the two scoping meetings on February 13, 2008 and June 24, have been taken into account and are reflected in this Final Scope of Work, as appropriate.

### **B. PROJECT IDENTIFICATION**

The Office of the Deputy Mayor for Economic Development, in coordination with NYCEDC and DCP, proposes to rezone, obtain other land use approvals, and implement a comprehensive development plan in a portion of Coney Island, Brooklyn. The primary goal of the proposed actions is to safeguard and expand upon Coney Island's iconic amusements to transform the area into an affordable, year-round urban amusement and entertainment destination while building upon the prime beachfront location to facilitate the development of new housing, including affordable housing, and retail uses outside the amusement area.

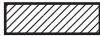

The proposed actions call for the redevelopment of approximately 47 acres of developable land on the Coney Island peninsula. The rezoning area is generally bounded to the east by West 8th Street, to the west by West 24th Street, to the north by Mermaid Avenue, and to the south by the Riegelmann Boardwalk (see Figure 1). The proposed actions would result in the creation of a 9.39-acre mapped open amusement park, which would become the centerpiece of a 27-acre amusement and entertainment district, a 1.41-acre mapped neighborhood park, and the incremental increase in development of approximately 251,411 square feet of amusement uses, 333,253 square feet of amusement enhancing uses such as eating and drinking establishments, 606 hotel rooms, 2,408 residential units (of which 607 would be affordable), 320,951 square feet of small-scale accessory retail, and 3,453 parking spaces, including 566 spaces for public parking.

Adoption and implementation of the proposed actions would require public review and approvals by a number of government agencies, including the New York City Department of Housing Preservation and Development (HPD), and the New York City Planning Commission (CPC), as well as public review and approvals by the City Council and the New York State Legislature. With the exception of State legislative actions, the proposed actions would also require public review by the local Community Board and the Brooklyn Borough President. The proposed actions require environmental review and the preparation of an EIS under City Environmental Quality Review (CEQR).

This Final Scope of Work for the preparation of an EIS provides a description of the proposed actions, the projected reasonable worst-case development scenario under the proposed actions, and the methods and technical approaches for all technical areas to be analyzed in the EIS. The EIS will be prepared in conformance with all applicable laws and regulations, including Executive Order No. 91 of 1977, as amended, and the Rules of Procedure for City Environmental Quality Review found at Title 62, Chapter 5 of the Rules of the City of New York and will follow the guidance of the *CEQR Technical Manual*. The EIS will contain:

- A description of the proposed actions and development program, and their environmental setting;
- An identification of the environmental impacts of the proposed actions and development program, including their short- and long-term effects;
- An identification of any significant adverse environmental impacts that cannot be avoided if the proposed actions and development program are implemented;



-  Rezoning Area
-  West 25th Street Parking Site

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- A discussion of reasonable alternatives to the proposed actions and development program;
- An identification of any irreversible and irretrievable commitments of resources that would be involved in the proposed actions and development program should they be implemented; and
- The identification and analysis of mitigation measures proposed to minimize significant adverse impacts to the greatest extent practicable.

## C. PROJECT CONTEXT

### BACKGROUND

In September 2003, the Mayor, the City Council, and the Brooklyn Borough President formed the CIDC to spearhead and implement a comprehensive planning process for Coney Island and create a coordinated economic development strategy for the area. The CIDC consists of 13 members, including City officials, local and Brooklyn-wide business and community leaders, and area residents.

In 2005, Mayor Michael Bloomberg announced the release of the Coney Island Strategic Plan, developed by CIDC. Based on an analysis of the area's assets and development constraints, the Strategic Plan identified a set of land use and economic goals to be achieved through development within Coney Island, as follows:

- Strengthen the Coney Island amusement area by creating an enhanced district with new uses that are complementary to those allowed under existing zoning;
- Create a vibrant new mixed-use destination that capitalizes on the beachfront location and historic amusement area;
- Create year-round activity through new entertainment, retail, and residential uses; and
- Provide new job opportunities.

The rezoning proposal and related actions establish a comprehensive development plan to facilitate the redevelopment of Coney Island, furthering the goals outlined in the Strategic Plan.


### SITE DESCRIPTION

Coney Island is located at the southern border of Brooklyn, on the Coney Island peninsula, which is defined by Coney Island Creek and the Atlantic Ocean. Coney Island is the western neighborhood of the peninsula; Brighton Beach and Manhattan Beach are located to the east. The rezoning area is accessible to the entire New York City metropolitan area via the N, Q, D, and F subway lines at the recently renovated Stillwell Avenue subway station. The area is accessible by car from the Belt Parkway, which connects Brooklyn to Staten Island over the Verrazano-Narrows Bridge, and which also connects the area with Manhattan and Queens via the Brooklyn-Queens Expressway. The area is also in close proximity to JFK International Airport.

The rezoning area is approximately 47 acres of developable land. About 28 of these acres are publicly owned land, and about 22.5 acres are mapped parkland. The area comprises 200 tax lots located on 20 blocks (see Figure 2 and Table 1).

Coney Island's emergence as a world-renowned, one-of-a-kind amusement destination dates back to the mid-19th century. Over the years, Coney Island has experienced the development and the destruction of some of the most well-known amusement parks in America, including Luna Park, Dreamland, and Steeplechase Park. Since the closing of Steeplechase Park in 1964,



-  Rezoning Area
-  West 25th Street Parking Site
- 7073** Block Number
- 101 Lot Number

Project Area Blocks and Lots  
**Figure 2**

**Coney Island Rezoning**

the amusement area has significantly declined, consisting today of only a few blocks of largely seasonal amusement attractions. Some of the historic amusement structures remain and are Coney Island icons. A number of these structures are New York City Landmarks (NYCLs), including the Cyclone roller coaster, the Wonder Wheel, the Parachute Jump, and the Childs Restaurant building on Riegelmann Boardwalk. However, despite its decline, Coney Island’s amusement area continues to attract millions of visitors per year, demonstrating its potential and its unique legacy as an urban beachfront amusement destination.

**Table 1**  
**Tax Blocks and Lots in the Proposed Rezoning Area**

<b>Block</b>	<b>Lots</b>
7060	1, 3-12, 14, 16-22, 24, 27, 31, 32, 35, 41-51, 147 (entire block)
7061	1-6, 8, 9, 11, 14, 16, 20, 21, 27, 39, 40-43, 45 (entire block)
7062	1, 4-11, 14, 25, 28, 34 (entire block)
7063	1-4, 6, 8, 9, 11, 12, 32-35, 38-41 (entire block)
7064	1, 2, 4, 5, 7, 14, 16, 27, 28, 31, 32, 35, 37, 38, 43, 45, 101 (entire block)
7069 <sup>1</sup>	14 (entire block)
7070	148, <u>portion of 138</u> (southern portion of the block)
7071	26, 27, 28, 30, 32, 34, 76, 79, 81, 83, 85, 226, 231 (portion of block west of West 22nd Street)
7071	100, 123, 130, 142 (portion of block east of West 22nd Street)
7072	1 (entire block)
7073	portion of 101 (western portion of block/lot)
7074	1, 4, 6, 20, 23, 89, 105, 170, 190 (portion of block west of West 15th Street)
7074	250, 254, 256, 300, 310, 340, 348, 360, 382 (portion of block east of West 15th Street)
8694	1, 5, 11, 12, 14, 16, 18, 25, 30, 33, 421 (entire block)
8695	61, 64, 72, 85, 104, 120, 433, 468 (entire block)
8696	35, 37, 44, 47-50, 53, 70, 75, 140, 145, 166, 211, 212 (entire block)
8697	4, 8 (entire block)
8698	Portion of Lot 50 (western portion of block/lot)
7268	190, 213, 218, 225, 228, 234, 236, 244, 250, 254, 344 (southern portion of block)
7266	249, 250, 252, 254, 260, 261, 265, 270 (southern portion of block)
<b>Sources:</b> MapPluto, New York City Department of City Planning, 2006	
<b>Notes:</b>	
1. Block 7069 is a project site but it is located outside of the proposed rezoning area.	

Much of the land throughout the proposed rezoning area is either vacant or underutilized. Most block frontages on the north and south sides of Surf Avenue—the district’s major east-west thoroughfare—are either vacant or used as parking lots. KeySpan Park—built by the City in 2001—is home to the Brooklyn Cyclones, a minor league baseball team owned by the New York Mets. KeySpan Park attracts thousands of visitors a year during the summer baseball season, which runs from the end of June through early September.

To the west of KeySpan Park and south of Surf Avenue, between West 19th Street and West 22nd Street, are two parking lots currently mapped as parkland. These lots, totaling approximately 420,000 square feet in area, serve the Brooklyn Cyclones during baseball season and are inactive the rest of the year. The seasonality of these lots creates a desolate landscape between Surf Avenue and the Boardwalk, separating the surrounding community from the beach.

Between KeySpan Park and the New York Aquarium, located on Surf Avenue and West 8th Street, are a number of vacant blocks. The Aquarium is currently undergoing a renovation and expansion that may include a new exhibit and a revamped exterior treatment focusing on the Boardwalk side. The Aquarium is an important visitor attraction at the eastern end of the

proposed rezoning area and reflects the type of entertainment uses that the rezoning seeks to preserve and grow.

The area containing active amusements and entertainment venues is limited to portions of three block frontages along Surf Avenue, and two blocks between Surf Avenue and the Boardwalk between West 12th Street and the Cyclone roller coaster. During the summer, thousands of visitors come to enjoy the attractions located here: Nathan's Famous Hot Dogs, Astroland (which closed permanently at the end of the summer in 2008), Deno's Wonder Wheel, the Cyclone, and Coney Island USA. During the winter, the area is largely boarded up and empty. Since 2007, the New York City Department of Parks and Recreation (DPR) has been making on-going repairs to the Boardwalk. Repairs will continue throughout 2009 and will be coordinated accordingly with the summer merchants.

The neighborhood immediately north and west of the proposed rezoning area consists of low-scale, one- and two-family homes, low-rise apartment buildings, and 15- to 20-story residential complexes, built largely as a result of the urban renewal plans of the 1960s and 1970s. Local retail is primarily located along Mermaid Avenue.

## **D. PROJECT DESCRIPTION**

### **PROJECT OBJECTIVES**

The comprehensive rezoning plan seeks to build on the area's attractions and strengths to create a development framework that will respect and enhance Coney Island's history while providing incentives to help the area realize its full potential. The proposed rezoning and other actions establish a framework for redevelopment of Coney Island that:

- Maintain Coney Island's unique history, character, and culture, and ensure the future of the amusement area by designating this public asset as parkland, and developing a vibrant affordable urban amusement and entertainment destination;
- Redevelop Coney Island as part of an integrated vision by strengthening existing amusements, growing indoor entertainment uses, and capitalizing on beachfront location to bring a critical mass of people who live and work there; and
- Foster economic activity that creates job opportunities for local residents by creating year-round activity and bringing new housing and retail services to the neighborhood.

### **PROPOSED ACTIONS**

#### *CITY ACTIONS*

The proposed actions require CPC and City Council approvals through the Uniform Land Use Review Procedure (ULURP) and under Section 200 of the New York City Charter, and include the following actions:

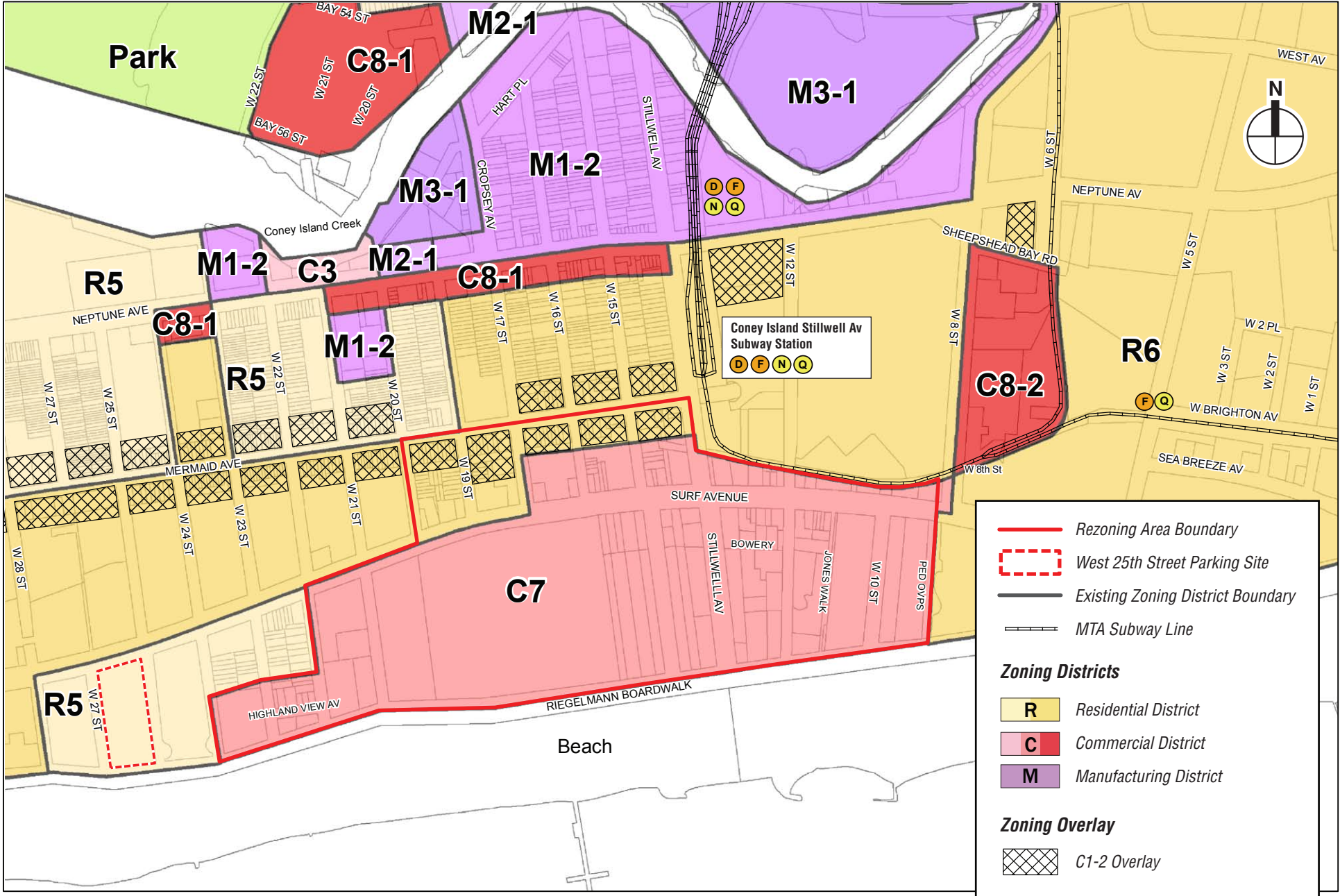
- Mapping of Block 7074 (portion west of West 15th Street), portions of Lots 20, 23, 105 and 190; Block 7074 (portion east of West 15th Street), Lot 382 and portions of Lots 256, 310 and 360; Block 8695, Lots 85, 104, 120, 468, and portions of Lots 72 and 433; and Block 8696, Lots 75, 166 and portions of Lots 70, 140, 145, and 212 as parkland of 9.39 acres for the purpose of protecting open amusement uses in the historic amusement area and for the development of an affordable vibrant open amusement park. Portions of West 10th Street,

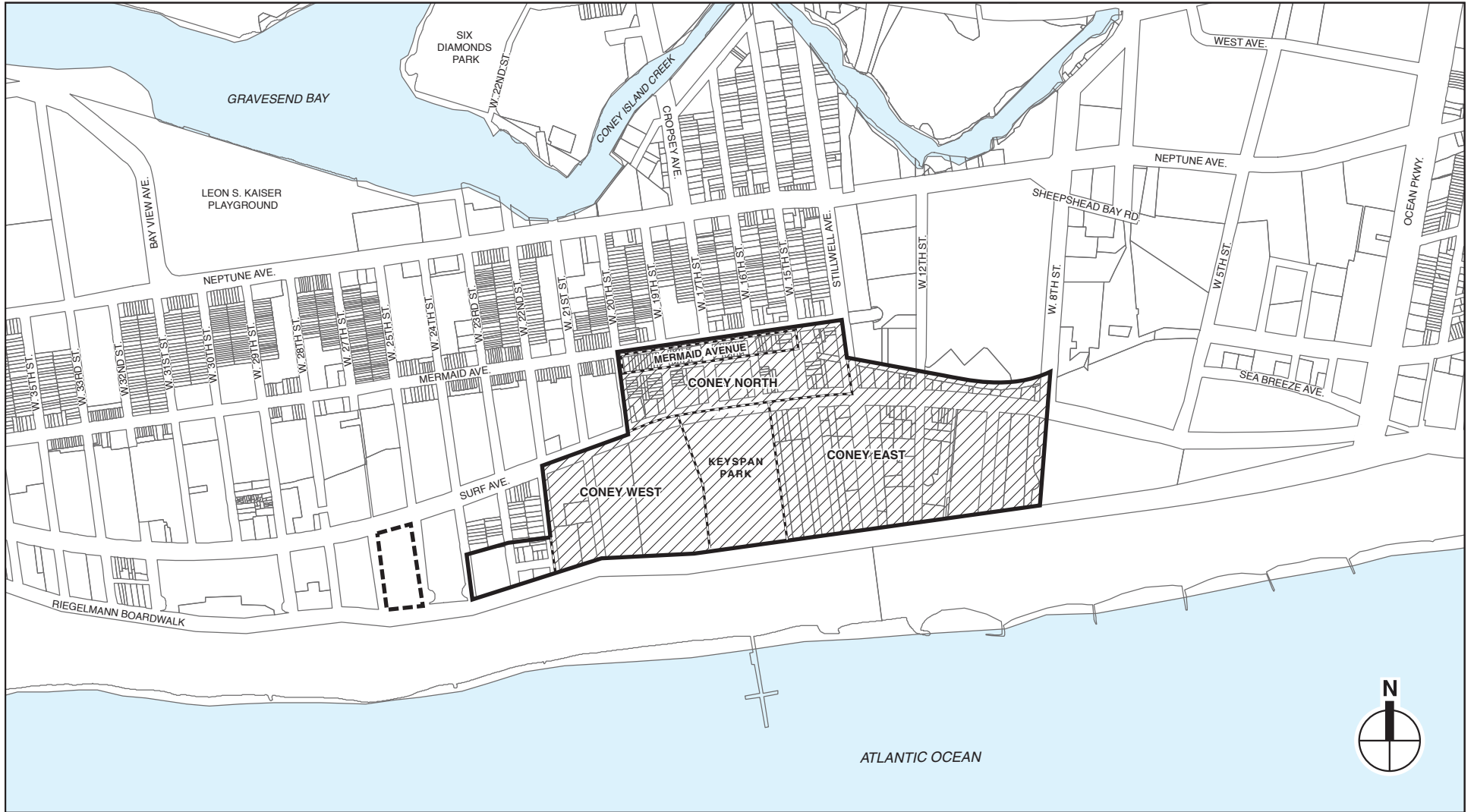
## Coney Island Rezoning





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- West 12th Street, Stillwell Avenue, and West 15th Street would also be demapped as streets and mapped as parkland as part of the open amusement park. Private properties to be mapped as parkland would be acquired by the City through sale or land transfer.
- Mapping of Block 7071, Lots 27, 28, 30, 32, 34, 76, 79, 81, 226, and 231 as parkland of 1.41 acres for the purpose of creating a new neighborhood park, tentatively named Highland View Park. Highland View Avenue and portions of West 22nd Street would also be demapped as streets and mapped as parkland as part of Highland View Park. Private properties to be mapped as parkland would be acquired by the City through sale or land transfer.
  - A zoning map amendment to change the zoning in the affected areas from C7, R6, and R6/C1-2 districts to R7X/C2-4, R7D/C2-4, R7A/C2-4 and R5 districts, and create an amended C7 district and a Special Coney Island District that would define uses, density bulk, and parking regulations for four subdistricts: Coney North, Coney West, Coney East, and Mermaid Avenue. The Coney North subdistrict would be rezoned from C7, R6, and R6/C1-2 to R7X/C2-4 and the Coney West subdistrict would be rezoned from C7 to R7D/C2-4. Four block frontages of 100 feet in depth along Mermaid Avenue between West 15th Street and West 20th Street would be rezoned from R6/C1-2 to R7A/C2-4. Portions of Blocks 7070 and 7071 between West 22nd Street and West 24th Street would be rezoned from C7 to R5, extending the existing adjacent R5 district. The existing zoning is shown on Figure 3, the proposed subdistricts are shown on Figure 4, and the proposed zoning is shown on Figure 5.
  - A zoning text amendment establishing a Special Coney Island District with four subdistricts: Coney North, Coney West, Coney East, and Mermaid Avenue (see Figure 4). The Special Coney Island District would establish use, floor area ratio (FAR), parking, and bulk regulations to facilitate the development of a year-round entertainment and amusement district as well as extensions of the existing residential community to the north and west on long-time vacant land. The Special District would encourage varied building heights and control tower dimensions to respect the neighborhood context, and ensure that new development respects views to the landmarked structures such as the Parachute Jump, the Wonder Wheel, the Cyclone roller coaster, and the Childs Restaurant building on the Boardwalk.
  - A zoning text amendment to include the Coney North, Coney West, and Mermaid Avenue subdistricts within the Inclusionary Housing Program to facilitate the development of affordable housing.
  - Amendments to the City Map to demap Highland View Avenue and West 22nd Street to be included in Highland View Park and portions of West 10th Street, West 15th Street, Stillwell Avenue, and West 12th Street to be included in the proposed mapped amusement park; amendments to the City Map to demap portions of Bowery between West 15th Street and West 16th Street to facilitate the creation of a larger development block able to accommodate large-scale amusement uses.
  - Amendments to the City Map to map new streets: Wonder Wheel Way from West 10th Street to Steeplechase Plaza; West 16th Street from Surf Avenue to Wonder Wheel Way; West 20th Street from Surf Avenue to the Boardwalk as an extension of the existing street north of Surf Avenue; West 19th Street (aka Parachute Way) from Surf Avenue to the proposed Ocean Way; Ocean Way, an east-west street from the proposed Parachute Way to West 22nd Street between Surf Avenue and the Boardwalk.

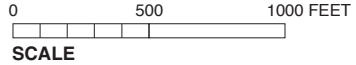
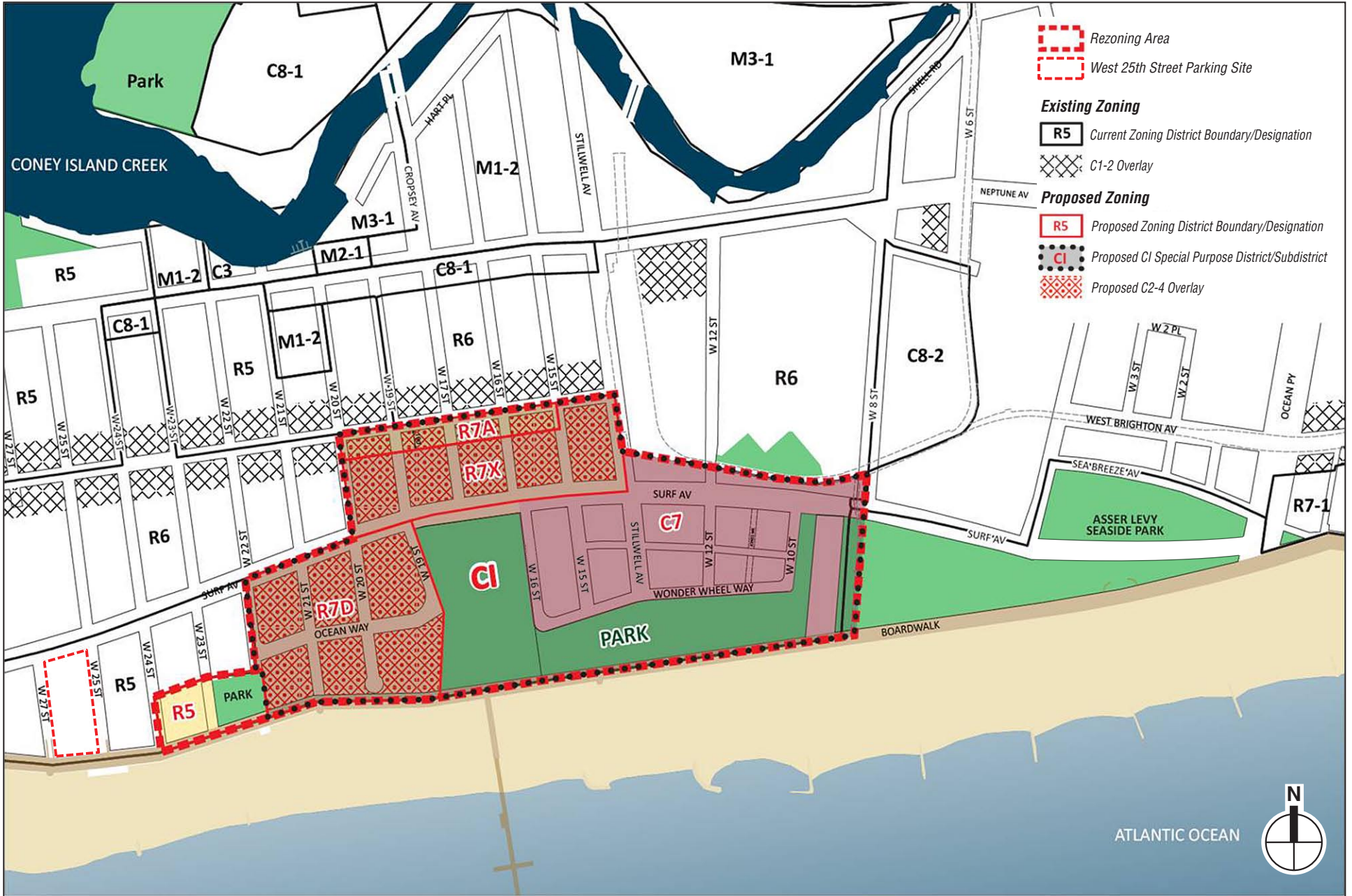






-  Rezoning Area Boundary
-  Special Coney Island District
-  Special District Subdistrict Boundary
-  West 25th Street Parking Site





**CONEY ISLAND REZONING**



Proposed Zoning  
**Figure 5**

- Disposition by the New York City Department of Citywide Administrative Services (DCAS) of City-owned property to NYCEDC to facilitate development by a private entity under proposed zoning on Block 7073, portion of Lot 101, and Block 7071, Lot 100, which are currently mapped parkland and leased to the New York Mets for accessory parking for KeySpan Park; and Block 7071, Lot 142, vacant except for a Green Thumb Garden. Block 7071, Lot 142 is not mapped parkland.
- Acquisition of privately-owned property by the City through HPD on Block 7060 to consolidate with existing City-owned properties on the block for future development.
- Acquisition of privately-owned property by the City through the Department of Small Business Services (DSBS) on Blocks 7074, 8694, 8695, and 8696 to facilitate the development of a 27-acre amusement and entertainment district.
- Urban Development Action Area Program (UDAAP) designation and project approval for the City-owned assemblage on Blocks 7060 and 7061.
- Disposition by HPD of the City-owned assemblage on Blocks 7060 and 7061 to a private developer for development of residential buildings with ground floor retail pursuant to the proposed zoning.
- Disposition by DCAS of City-owned properties on Blocks 7074, 8694, 8695, and 8696 to NYCEDC to facilitate the development of a 27-acre amusement and entertainment district pursuant to the proposed zoning.

#### STATE ACTIONS

Implementation of the proposed actions requires State Legislation for parkland alienation. The legislation would provide for the following:

- Alienation of Block 7073, portion of Lot 101 and Block 7071, Lot 100, which are currently mapped parkland, to facilitate disposition to a private developer pursuant to ULURP for development under the proposed zoning.
- Authorization for the City to enter into a long-term lease for the development and operation of the amusement park mapped pursuant to ULURP.

With the exception of the State legislative actions, the proposed actions are subject to CEQR procedures. An Environmental Assessment Statement (EAS) has been prepared and the Lead Agency (the Deputy Mayor's Office for Economic Development) has determined that the proposed actions would have the potential for significant adverse impacts. Therefore, a detailed assessment of likely effects in those areas of concern must be prepared and disclosed in an EIS.

This final scoping document sets forth the analyses and methodologies proposed for the EIS. The public, interested agencies, Brooklyn Community Board 13, and elected officials were invited to comment on the revised Draft Scope of Work, either in writing or orally, at the second public scoping meeting held on June 24, 2008. Written and oral comments received during both public scoping meetings and comment periods were considered and incorporated, as appropriate, into this Final Scope of Work. This Final Scope of Work will be used as a framework for preparing the Draft EIS (DEIS) for the proposed actions. Once the lead agency is satisfied that the DEIS is complete, the document will be made available for public review and comment. The DEIS will accompany the ULURP application through the Community Board, Borough President, and CPC public hearings. A public hearing will be held on the DEIS in conjunction with the CPC hearing on the ULURP applications to afford all interested parties the opportunity

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to submit oral and written comments. The record will remain open for 10 days after the public hearing to allow additional written comments on the DEIS. At the close of the public review period, a Final EIS (FEIS) will be prepared that will incorporate all relevant comments made on the DEIS, along with any revisions to the technical analyses necessary to respond to those comments. The FEIS will then be used by the decision-makers to prepare CEQR findings, which address project impacts and proposed mitigation measures, before deciding whether to approve the requested discretionary actions.

### **E. DESCRIPTION OF THE PROPOSED ACTIONS**

The Office of the Deputy Mayor for Economic Development, in coordination with DCP, NYCEDC, DPR, HPD, DCAS, and DSBS is proposing zoning map and text amendments, street mapping and demapping, acquisition of privately-owned land, UDAAP designation and project approval, disposition of City-owned land for development, and park mapping affecting the Coney Island area of southern Brooklyn within Community District 13. The area affected by the proposed actions covers approximately 20 blocks in Coney Island, and is bounded generally by West 8th Street to the east, West 24th Street to the west, the Riegelmann Boardwalk and the beach to the south, and Mermaid Avenue to the north (see Figures 1 and 2). Table 1 provides a list of all the blocks and lots that fall within the proposed action area.

#### **PARKLAND MAPPING**

##### *OPEN AMUSEMENT AND ENTERTAINMENT AREA*

The City is proposing to map approximately 9.39 acres of parkland located between KeySpan Park and the landmarked Cyclone roller coaster in order to protect the open amusement uses in the historic amusement area, and develop an affordable, vibrant, open amusement park. In addition, the City proposes to create a 1.41-acre mapped Highland View Park for a total of 10.8 acres. With the proposed alienation of 9.3 acres, these proposed mapping actions would result in a net increase of 1.5 acres of parkland in Coney Island and would establish a recreational network of parks along the beachfront of about 44 acres from the proposed Highland View Park to Asser Levy Park. It is envisioned that the amusement park would include—but not be limited to—entrances on Surf Avenue at the location of the existing landmarked Cyclone and through all the existing mapped streets and proposed streets.

Section D: “Project Description,” above, provides a list of all the blocks and lots that fall within the proposed mapped parkland (see also Figure 2). Private properties within this proposed mapped parkland would be acquired by the City through sale or land transfer. The City would then issue a Request for Proposal (RFP) or Request for Expression of Interest (RFEI) to seek an amusement developer to build, manage, and maintain the amusement park. Uses within the mapped park would range from rides, open and enclosed amusements, restaurants, indoor and outdoor performance venues, and accessory retail to park activities. As part of the alienation legislation, the City would seek a long-term lease to facilitate the development and long-term management of the proposed open amusement park.

##### *HIGHLAND VIEW PARK*

DPR is proposing to map about 1.41 acres of parkland located on Block 7071 between West 22nd Street and West 23rd Street to create a new neighborhood park, tentatively named Highland View Park. Section D: “Project Description,” above, provides a list of all the blocks

and lots that fall within this proposed mapped parkland (see also Figure 2). Private properties within this proposed mapped parkland would be acquired by the City through sale or land transfer.

## ZONING MAP CHANGES

DCP proposes the creation of a Special Coney Island District that would define development parameters and urban design controls. The Special Coney Island District would include four subdistricts: Coney East, the amusement and entertainment core; Coney North, with residential, hotel, and retail uses; Mermaid Avenue, with residential and neighborhood retail uses and contextual zoning regulations transitioning to the existing neighborhood; and Coney West, a new beachfront residential neighborhood with retail and improved connections between KeySpan Park and western Coney Island, and between Surf Avenue and the Boardwalk.

As shown on Figure 3, the majority of this area is currently zoned C7, which allows a limited range of uses related to the operation of large-scale open amusements parks. The remaining portion of the rezoning area between Mermaid and Surf Avenues, West 20th Street, and Stillwell Avenue is zoned R6 with a C1-2 commercial overlay along Mermaid Avenue. The four subdistricts created within the proposed rezoning area are described below. Figure 4 shows the proposed zoning subdistricts, and Figure 5 shows the proposed zoning.

### *SPECIAL CONEY ISLAND DISTRICT*

#### *Coney East Subdistrict*

The Coney East subdistrict comprises all or parts of seven blocks (8697, 8696, 8695, 8694, 7074, 7268, and 7266) encompassing the historic amusement area located between Steeplechase Plaza and KeySpan Park, and the New York Aquarium. It also includes a narrow portion of Block 8698 at the easternmost edge. The existing C7 zoning district permits development of large scale, open amusement uses at FAR 2.0. The existing land uses within Coney East include seasonal open amusement rides, arcades, accessory retail, limited restaurant uses, and large parcels of vacant land. The parking requirements for open amusement uses are 1 space per 2,000 square feet and vary for other permitted uses.

In the rezoned Coney East subdistrict, a new 56-foot-wide mapped street would be created: Wonder Wheel Way, a diagonal street creating a direct connection from West 10th Street to Steeplechase Plaza and adjacent to the proposed mapped parkland boundary. Other streets that would be created are: a segment of West 16th Street between Surf Avenue and the newly established Wonder Wheel Way at a width of 56 feet; a newly established West 10th Street between Wonder Wheel Way and Surf Avenue at a width of 56 feet; and an extension of Bowery from Jones Walk to the newly established West 10th Street at a width of a 38 feet. The mapping of Wonder Wheel Way between West 10th Street and Steeplechase Plaza would facilitate the creation of larger blocks to accommodate the proposed large-scale amusement and entertainment uses. The existing Henderson Walk, running between Surf Avenue and the existing Bowery, as well as the existing Jones Walk, running from Surf Avenue to the proposed Wonder Wheel Way, would be maintained to divide the two long blocks and provide access points to the open amusement area. The existing Bowery between West 10th and West 15th Streets would remain a public street, and the existing Bowery between West 15th and West 16th Streets would be demapped.

## **Coney Island Rezoning**

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The properties fronting Surf Avenue located outside of the mapped parkland would be rezoned to an amended C7 district that would permit a broader range of amusement-related uses, including enclosed amusements, hotels, small-scale accessory retail, dining and drinking establishments of all sizes, and performance venues. These uses would complement the uses allowed within the mapped parkland and would facilitate the creation of a year-round entertainment and amusement district. Hotel uses would be restricted to the blocks fronting Surf Avenue.

FARs in Coney East would range from 2.6 to 4.5. Building heights, setback regulations and tower footprints would be defined in the Special District text.

### *Coney North Subdistrict*

The Coney North subdistrict would include portions of five blocks (7064, 7063, 7062, 7061, and 7060) between Mermaid and Surf Avenues, West 20th Street, and Stillwell Avenue. This area is currently zoned C7, R6, and R6/C1-2 and contains predominantly vacant land and accessory parking lots fronting on Surf Avenue. As described above, the C7 district permits development of large open amusement uses at 2.0 FAR. The C7 parking requirements for open amusement uses are 1 space per 2,000 square feet and vary for other permitted uses. The R6 district designation permits a maximum FAR of 3.0 for residential developments and 4.8 FAR for developments containing community facilities, and has an on-site parking requirement for at least 70 percent of the residential units.

Under the proposed action, the Coney North subdistrict would be rezoned to R7X with a C2-4 commercial overlay, allowing for high-density residential development with ground-floor retail. Developments in this district would have a maximum base FAR of 3.75, which could be increased up to 5.0 with the provision of affordable housing. Hotel uses would be permitted on Blocks 7063 and 7064 at a maximum depth of 200 feet from Surf Avenue at up to 3.75 FAR. These two blocks are located across the street from the Coney East subdistrict and would provide a transition between the amusement and entertainment uses in Coney East and the residential community to the north and west. Retail ranging from local stores and services to regional retail and entertainment uses would be allowed up to two stories and commercial ground floors would be mandated on Surf Avenue. Community facilities would be allowed but limited to the second floor. Residential building heights and setback regulations would differ from the standard R7X zoning regulations and would be defined in the proposed Special District text. Parking requirements for these blocks would be 60 percent for the residential portion of the buildings and 1 space per 1,000 square feet for the commercial and community facility portion. Required parking and public parking would be exempted from the FAR definition.

### *Mermaid Avenue Subdistrict*

Portions of Blocks 7060, 7061, 7062, and 7063 between West 15th Street and West 20th street within 100 feet of Mermaid Avenue would be rezoned from R6/C1-2 to R7A with a C2-4 commercial overlay at a 100-foot depth. Most of the parcels are currently vacant or occupied by one-story commercial uses and two- to four-story residential buildings with ground-floor retail.

R7A contextual zoning districts permit a maximum FAR of 4.6 for residential developments with the provision of affordable housing through the Inclusionary Housing Program. Developments that do not elect to participate in the Inclusionary Housing Program would be limited to an FAR of 3.45. The contextual regulations of R7A zoning districts would apply to all new developments. Overall building heights would be limited to 80 feet and streetwall heights

limited to 65 feet; base heights would be required to be a minimum of 40 feet. New multi-family residences would be required to provide one off-street parking space for 50 percent of the dwelling units. The proposed C2-4 commercial overlay district permits 2.0 commercial FAR and allows for a broader range of commercial retail and service uses than the existing C1-3 district. The proposed C2-4 district would reduce the parking requirement for most commercial uses from 1 parking space for every 300 square feet to 1 parking space for every 1,000 square feet for commercial development with more than 40,000 square feet of commercial floor area. Required parking spaces for developments within the Mermaid Avenue subdistrict could be accommodated within the portions of the development site blocks that are located within the Coney North subdistrict.

#### *Coney West Subdistrict*

The Coney West subdistrict would include Block 7072 and portions of Blocks 7071 and 7073 located between KeySpan Park and West 22nd Street. These blocks are located within the C7 district and contain mostly vacant land and parking lots, with the exception of the landmarked Childs Restaurant building, which is being used as a temporary roller skating rink, and a privately owned office building containing offices for the Human Resources Administration of New York City. Portions of Block 7073, Lot 101 and Block 7071, Lot 100 are currently mapped parkland, and are used as parking lots for the adjacent KeySpan Park. Block 7073, Lot 101 also contains the Abe Stark Skating Rink, owned by DPR and used primarily for ice-hockey leagues. In addition, Block 7071, Lot 142, which is owned by DPR, contains a Green Thumb community garden but is otherwise vacant.

Under the proposed actions, portions of Block 7073, Lot 101 within the Coney West subdistrict, and Block 7071, Lot 100 would be demapped as parkland through State alienation and rezoned to allow future development. The Abe Stark Skating Rink would be relocated and replaced at a location to be determined prior to redevelopment. The existing Green Thumb community garden would also be replaced within the community.

A new 56-foot-wide street, Parachute Way, would be mapped between Surf Avenue and the newly established Ocean Way as an extension of West 19th Street. A new 75-foot-wide street, Ocean Way, would be mapped from east to west between West 22nd Street and the newly established Parachute Way to break down the blocks and create a new street network between Surf Avenue and the Boardwalk. In addition, a new 68-foot-wide street would be mapped between Surf Avenue and the Boardwalk as an extension of West 20th Street.

Block 7072 and portions of Blocks 7071 and 7073 located between KeySpan Park and West 22nd Street would be rezoned from C7 to R7D with a C2-4 commercial overlay. Developments located between the proposed Parachute Way and West 20th Street in this district would have a maximum base FAR of 4.15, which could be increased up to 5.5 with the provision of affordable housing, and on the two westernmost blocks (between West 20th and 22nd Streets) a maximum base FAR of 4.35, which could be increased up to 5.8 with the provision of affordable housing. Despite the change in FAR from that presented in the January 2008 Draft Scope and at the February 2008 public scoping meeting, the proposed development on these blocks remains the same. The change in FAR accounts for the loss of development from the mapping of the streets on private property. Mapped streets do not generate FAR. The proposed FAR in the January 2008 Draft Scope did not account for this loss in development. Massing controls for this district would be defined by the Special District zoning text.



## Coney Island Rezoning

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Local retail and community facilities and offices would be allowed up to two stories and local retail would be mandated on the ground-floor frontages along Surf Avenue. Buildings fronting on the Boardwalk would be required to provide two stories of commercial space, including beach and amusement related uses as well as small scale hotels limited to the second story. Residential uses would not be permitted directly on the Boardwalk. Residential building heights and setback regulations would differ from the R7D regulations and would be defined in the Special District text. Parking requirements for these blocks would be 60 percent for the residential portion of the buildings and 1 space per 1,000 square feet for the commercial portion. Required parking and public parking would not count toward allowable FAR and would be required to be wrapped by active uses on all street frontages.

### MAP CHANGES OUTSIDE THE SPECIAL CONEY ISLAND DISTRICT

Portions of Blocks 7070 and 7071 located between West 22nd and West 24th Streets and within the C7 district that would not be mapped as parkland as part of the creation of Highland View Park would be rezoned to R5 as an extension of the existing adjacent R5 zoning district. These two portions of blocks contain vacant land, surface parking, and a health care facility. The R5 district designation allows for residential development at 1.25 FAR with a maximum building height of 40 feet.

### ZONING TEXT AMENDMENTS

#### *SPECIAL CONEY ISLAND DISTRICT*

DCP proposes zoning text changes to create a Special Coney Island District, establishing distinctive massing and design regulations to accompany the zoning map changes.

The goals of the Special District are to grow the amusement district by facilitating the development of amusement-related and entertainment uses and to extend existing residential uses to the north and west of the rezoning area by allowing for residential development with ground floor retail. The Special District would redevelop Surf Avenue as a commercial boulevard with entertainment uses, establishing the 120-foot-wide road as the spine of the district. The massing would also respect the historic legacy of Coney Island's New York City Landmarks: the Parachute Jump, the Cyclone roller coaster, the Wonder Wheel, and the Childs Restaurant building on Riegelmann Boardwalk. The rezoning proposal would establish height limits and massing controls that would create visual corridors to ensure that future developments do not block views to these historic icons.

The proposed street network would create new east-west and north-south connections, facilitating access to the Boardwalk and the beach as well as the amusement district, linking the proposed entertainment and amusement area to the rest of the peninsula. Views to and from the beach and the Boardwalk would be protected by limiting the location and heights of towers within the proposed developments and creating visual corridors and connections to the ocean.

Residential building heights and setback regulations defined in the Special District text would ensure that a transition is created between proposed high density developments and the lower density of existing residential neighborhoods north of Mermaid Avenue and west of West 22nd Street.

*Coney East*

The proposed open amusement area would be located south of Wonder Wheel Way up to the Boardwalk between Steeplechase Plaza and the Cyclone roller coaster. The blocks and portions of the blocks between Surf Avenue and Bowery would be developed with hotel, enclosed amusements, eating and drinking establishments, and small-scale accessory retail uses. Blocks located between the existing Bowery and the proposed Wonder Wheel Way would be developed with uses limited to enclosed amusements, eating and drinking establishments, and retail.

Tower location and heights would be limited on the development sites. Towers would be allowed at limited locations for buildings fronting on Surf Avenue and would set back to respect the historic scale of the Bowery. Heights would be limited at lower levels for the buildings fronting on Wonder Wheel Way to provide a transition to the open amusement area. Heights would decrease eastward from West 16th Street towards the Cyclone roller coaster at West 10th Street.

Special District regulations would also include measures to facilitate the provision of on-site and off-site parking spaces. The expansion of the buildable area in the Coney East subdistrict (from that presented in the January 2008 Draft Scope) would increase the capacity for on-site parking. Block 7074 between the proposed West 16th Street and West 15th Street, which is the largest block in Coney East, has the capacity to accommodate up to 200 spaces in an above-ground structured parking garage located at the core of the building. The garage would have to be wrapped on Surf Avenue, West 15th Street and Wonder Wheel Way by active uses. The Special District text would also allow parking spaces to be satisfied on sites located within an expanded radius from the development. Two sites have been identified as potential sites for parking garages for the amusement park and beach-related uses: Block 7069, Lot 14 located outside rezoning area between West 25th Street and West 27th Street, and Block 8697, Lot 8, which is currently occupied by a surface parking lot for the Aquarium and is located within the rezoning area. These two sites have the capacity to accommodate up to 340 and 400 parking spaces, respectively.

Provisions to encourage the development of public parking spaces in the Coney North subdistrict would also be developed within the Special District regulations. These provisions are described in more details in the section below. It is estimated that up to 300 additional public parking spaces could be accommodated in the Coney North blocks.

*Coney North*

Developments in the Coney North subdistrict would be regulated through a base, a transition zone, and towers. Tower location and heights would be limited on the development sites. The highest towers would be mandated to be located on the 120-foot-wide Surf Avenue to create a transition with the 80-foot maximum height within the R7A district on Mermaid Avenue. Setbacks would be defined to ensure visual connections to Surf Avenue and the ocean from Mermaid Avenue and the streets perpendicular to Surf Avenue. Parking would be required to be wrapped by active uses on all street frontages.

To provide a transition between the proposed higher densities in the Coney North subdistrict and the lower density scale on Mermaid Avenue, the Special District would specify that for lots or portions of lots located in the Coney North subdistrict within 40 feet of the Mermaid Avenue subdistrict, the maximum building height would be limited to 23 feet.

## **Coney Island Rezoning**

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To encourage the provision of public parking spaces in addition to the required spaces, public parking would be exempted from the FAR definition.

### *Coney West*

The creation of Ocean Way would bisect the blocks in Coney West into boardwalk parcels located south of Ocean Way and the Surf Avenue parcels located north of Ocean Way. The blended FAR would be allocated on boardwalk and Surf Avenue parcels within the same block. Massing envelopes would control FAR allocation.

The proposed text regulations would define massing regulations for blocks fronting on the Boardwalk to preserve openness and views to and from the beach. Base heights would be defined at approximately the height of the landmarked Childs Restaurant building, which is approximately 40 feet tall. Developments would be regulated through a base, a transition zone, and towers. Tower location and heights would be limited on all development sites, and taller towers would be permitted along Ocean Way, away from the Boardwalk.

Blocks fronting Surf Avenue, a 120-foot-wide corridor, would be allowed more bulk and height. Developments would be regulated through a base, a transition zone, and towers. Towers would be limited to Surf Avenue and Ocean Way. Height limits would be defined and are anticipated to be in the range of the Parachute Jump, which is approximately 270 feet high.

The replacement of the existing parking spaces used by KeySpan Park would be required within any future development on Block 7073 and Block 7071 (the existing KeySpan Park surface parking lots). This would represent approximately 750 spaces on Block 7073 and 350 spaces on Block 7071. The parking garages would be required to be wrapped by active uses on all street frontages. An interim parking plan will be developed for the KeySpan parking lot during the Coney West construction period.

### *INCLUSIONARY HOUSING PROGRAM*

The proposed Coney Island Rezoning proposal would apply the Inclusionary Housing Program to the Coney North, Mermaid Avenue, and Coney West zoning districts, establishing incentives for the creation and preservation of affordable housing in conjunction with new development in those subdistricts. Under the Inclusionary Housing Program, developments providing affordable housing are eligible for a floor area bonus. Affordable units can be provided either on the same site as the development earning the bonus or off-site either through new construction or preservation of existing affordable units. Off-site affordable units must be located within the same Community District or within a half-mile of the compensated development. Available City, State, and federal housing finance programs may be used to finance affordable units.

### **STREET DEMAPPING**

The City is proposing to amend the City Map to demap several streets within the rezoning area boundary in order to facilitate the development of the open amusement area and Highland View Park, and to allow for larger buildable footprints along Surf Avenue.

In Coney East, portions of West 10th Street, West 12th Street, Stillwell Avenue, and West 15th Street to be included in the mapped parkland area—as well as portions of the Bowery from West 15th Street to KeySpan Park—are proposed to be demapped..

In the westernmost portion of the rezoning area outside of the Special District, Highland View Avenue and portions of West 22nd Street are proposed to be demapped to facilitate the development of Highland View Park, a neighborhood amenity.

### **STREET MAPPING**

The City is proposing to amend the City Map to map new streets within the rezoning area boundary: Wonder Wheel Way between Steeplechase Plaza and West 10th Street; a segment of West 16th Street from Surf Avenue to Wonder Wheel Way; West 20th Street from Surf Avenue to the Boardwalk as an extension of the existing street north of Surf Avenue; an extension of West 19th Street as Parachute Way from Surf Avenue to the newly established Ocean Way; and Ocean Way, an east-west street from the proposed Parachute Way to West 22nd Street between Surf Avenue and the Boardwalk.

### **ACQUISITION, UDAAP DESIGNATION AND PROJECT APPROVAL, AND DISPOSITION OF CITY-OWNED PROPERTY**

HPD is proposing the acquisition of privately owned properties on Block 7060 for the purpose of consolidation with other City-owned properties on the block for future development. HPD is also proposing UDAAP designation and project approval and disposition of City-owned parcels on Blocks 7060 and Block 7061, where HPD also currently owns some parcels. The parcels are located in the Coney North and Mermaid Avenue subdistricts and are currently vacant. HPD would dispose of the properties to a private developer for the development of affordable and market rate housing under the proposed zoning regulations for the area.

The City is proposing to acquire privately-owned properties on Blocks 7074, 8694, 8695, and 8696 located both within and outside of the area to be mapped as parkland. In addition, on those blocks, the City will dispose of City-owned properties that are located outside of the area to be mapped as parkland to NYCEDC to facilitate the development of the 27-acre amusement and entertainment district pursuant to the proposed zoning.

The City, through DCAS, would dispose of Block 7071, Lot 142, which is partially vacant and contains the Green Thumb community garden located on the Boardwalk in the Coney West subdistrict between West 21st Street and West 22nd Street. The parcel would be disposed of to NYCEDC and then to a private developer for development under the proposed zoning regulations for the area. The Green Thumb community garden would be replaced in the Coney Island area at a location to be determined.

Contingent upon State alienation legislation approval, the City, through NYCEDC, is proposing to dispose of Block 7073, Lot 100 and Block 7071, portions of Lot 101, currently mapped parkland in City ownership. The City, through NYCEDC, would dispose of these to a private entity for development under proposed zoning regulations for the area described in the zoning map and text amendments. Block 7073, Lot 100, and Block 7071, portions of Lot 101 (existing KeySpan Park parking lots) would be disposed under the conditions that 750 spaces on Block 7073 and 350 spaces on Block 7071, Lot 100 would be replaced as part of the development.

### **PARKLAND ALIENATION**

As described above, the City of New York is proposing to demap two parcels mapped as parkland. The parcels (Block 7071, Lot 100, and portions of Block 7073, Lot 101) contain two asphalt parking lots currently leased in accordance with prior State legislation for use as

## **Coney Island Rezoning**

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accessory parking for KeySpan Park during the baseball season, an average of 90 days a year. The lots are used for public parking and are inactive the rest of the year.

Alienation legislation by the New York State legislature would allow for implementation of ULURP approvals to demap the following of:

- Approximately 331,291 square feet of the 11.7-acre KeySpan Park lot, located between KeySpan Park and the proposed West 20th Street between Surf Avenue and Ocean Way. This mapped parkland contains the asphalt parking lot for KeySpan Park and the Abe Stark Skating Rink. This parcel would be rezoned to permit residential and retail development. The Abe Stark Skating Rink would be replaced at a location to be determined. An interim parking plan will be developed for the KeySpan parking lot during the construction period.
- A 73,560- square-foot parcel located on Surf Avenue between West 21st and West 22nd Streets. This parkland is also used as a satellite parking lot for KeySpan Park. This parcel would also be rezoned to permit residential and retail uses.

Development of these two parcels would be allowed under the condition that existing KeySpan Park parking spaces be replaced as part of the residential development. The replacement of approximately 750 spaces on Block 7073 and 350 spaces on Block 7071, Lot 100 would be required within future developments. The parking garages would be required to be wrapped by active uses on all street frontages.

The parkland to be demapped under the proposed actions would total approximately 9.3 acres. As described above, the project would result in the creation of the 1.41-acre mapped Highland View Park and the 9.39-acre mapped amusement park. These mappings would replace more than the area of the proposed demapped parkland in the Coney West subdistrict, resulting in an additional 1.5 acres of mapped parkland in Coney Island.

### **PROJECT PURPOSE AND NEED**

The proposed actions are intended to protect the open amusements in the historic amusement area and facilitate its development as a year-round affordable amusement and entertainment destination. Over the last decades, the historic amusement area, located in the proposed Coney East subdistrict, has been slowly declining. Today, due to recent real estate speculation, most of the rides and amusement uses have disappeared. Most of the amusement area is now vacant, and all uses (except Nathan's) are open only during the summer. However, despite these issues, Coney Island continues to attract millions of people, capitalizing on its unique legacy as one of the greatest urban amusement parks in the world.

The parkland mapping action proposes to maintain Coney Island's history, culture, and character by preserving the open amusements for generations to come. The 9.39-acre newly mapped parkland would be developed as a 21st-century amusement park, continuing Coney Island's legacy as a one-of-a-kind entertainment destination. By mapping the open amusement area, the City proposes to create a contiguous 44-acre beachfront parkland recreational network from the proposed Highland View Park to Asser Levy Park. The network would include Highland View Park, KeySpan Park, the redesigned Steeplechase Plaza, the proposed open amusement area, the landmarked Cyclone roller coaster, the New York Aquarium, and Asser Levy Park.

The majority of the land within the rezoning area boundary is either vacant or underutilized despite its beachfront location. The majority of this land is zoned C7, an outdated designation that only allows for large-scale open amusement parks and very limited amusement and boat-related uses. The proposed Special Coney Island District would amend the existing C7 zoning

district to allow for the wider range of amusement and entertainment-related uses and facilitate the development of a year-round entertainment district.

The proposed actions in the Coney North, Coney West, and Mermaid Avenue subdistricts would allow for the development of housing and retail services to support the entertainment district by creating a critical mass of people living and working in Coney Island, and would offer a wider range of opportunities for housing in a neighborhood currently dominated by publicly subsidized housing. The retail component of the residential districts would allow for the expansion of the entertainment uses outside of the Coney East subdistrict as well as the development of local amenities able to service the existing and future residents. The proposal would produce new waterfront development with a sensitive transition to the adjoining neighborhoods, a pedestrian-friendly streetscape, and a compelling skyline.

## **F. FRAMEWORK FOR ENVIRONMENTAL ANALYSES**

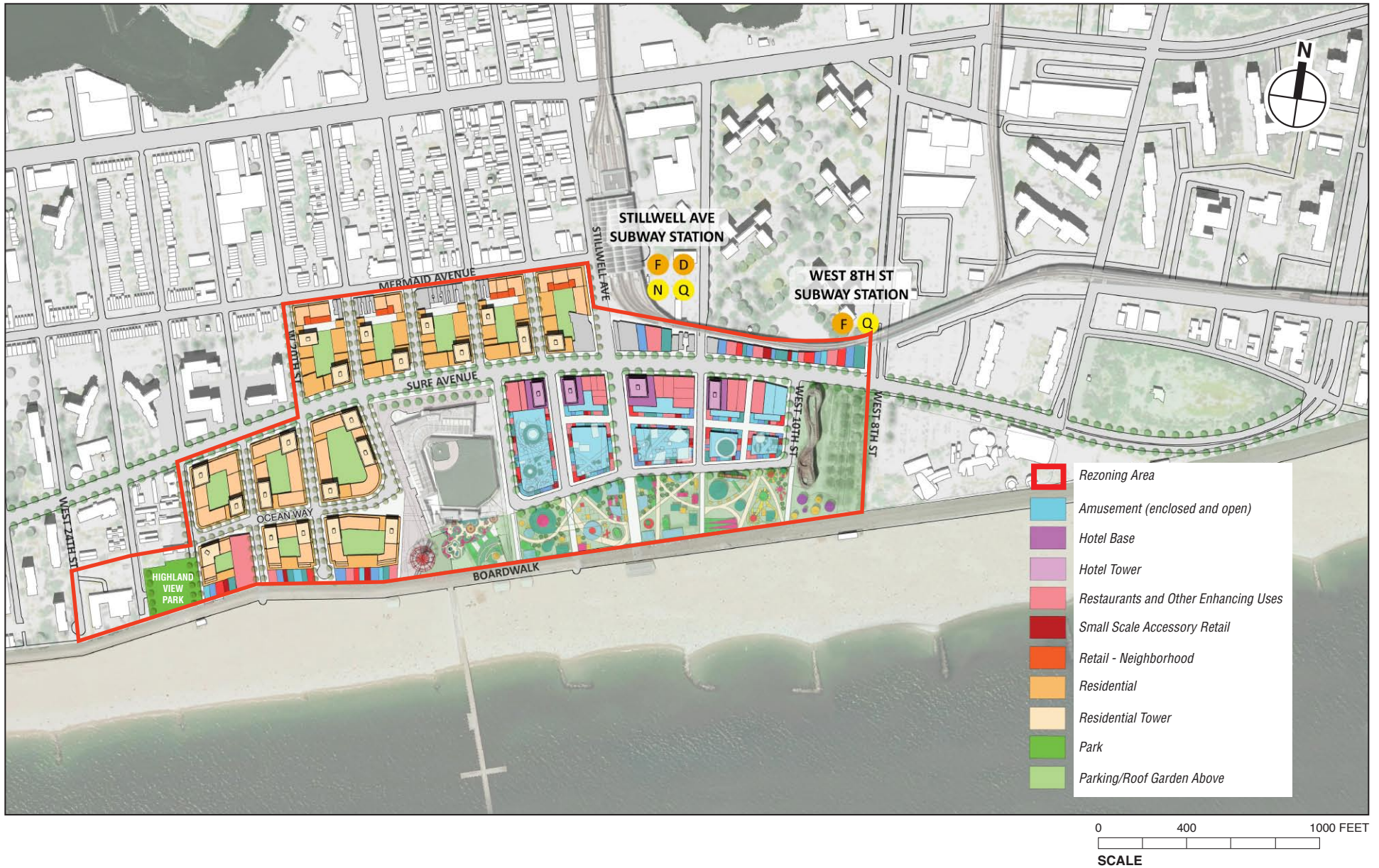
### **SCOPE OF ENVIRONMENTAL ANALYSIS**

As set forth in the Positive Declaration, the lead agency has determined that the size and scope of the proposed actions may result in one or more significant adverse environmental impacts and thus requires preparation of an EIS. For area-wide rezonings, a 10-year period is typically considered to be the length of time over which developers would act on the change in zoning, and the effects of the proposed action would be felt. Therefore, the analysis year, or Build year, is 2019.

### **REASONABLE WORST CASE DEVELOPMENT SCENARIO (RWCDS)**

The proposed actions would change the development potential of sites within the Coney Island area and, as a result, a range of new development would occur. While the actual development would depend on a multitude of factors—including developer proposals, future market conditions, public review and input, and site constraints—the City has developed a maximum development envelope, or reasonable worst-case development scenario (RWCDS). The RWCDS is defined by “Projected Development Sites” that reflect the most likely location of new development. The Coney Island Rezoning plan is expected to result in new development that would occur on 20 Projected Development Sites. These 20 sites are the basis for estimating the total amount of development expected to occur as a result of the proposed actions. The analysis recognizes that there are a number of other sites that could potentially be developed under the proposed zoning but are less likely to do so. These “Potential Development Sites” consist primarily of smaller assemblages and/or irregularly-shaped parcels. DCP has determined that the RWCDS contains 11 of these second-tier Potential Development Sites. Since Potential Development Sites are less likely to be developed, they are not included in the RWCDS for purposes of analysis but will be examined in the DEIS for their potential site-specific impacts to address the possibility that one or more of them is developed in lieu of a Projected Development Site. Figure 6 provides an illustrative site plan of the RWCDS.

To the extent that actual development proposals sponsored by HPD or NYCEDC differ from the RWCDS, they would be subject to additional environmental review, if warranted. This RWCDS, described in general terms below, will be more fully described in the DEIS and will be used as a framework to assess potential impacts in the DEIS.



**For Illustrative Purposes Only**  
**CONEY ISLAND REZONING**

Illustrative Development Site Plan  
**Figure 6**

## **Coney Island Rezoning**

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In addition to the creation of the 9.39-acre mapped amusement park and the 1.41-acre mapped Highland View Park, the rezoning could generate in total up to a maximum of approximately 684,326 square feet of amusement uses and amusement enhancing uses like eating and drinking establishments, 667,477 square feet of hotel and retail space, 3,035,410 square feet of residential space (approximately 3,035 dwelling units), and 4,420 parking spaces. Compared to conditions in the future without the proposed actions, the RWCDs represents an increment in development of up to 584,664 square feet of amusement uses and amusement enhancing uses like eating and drinking establishments, 606 hotel rooms, 320,951 square feet of general retail uses, and 2,408 dwelling units, of which 607 would be affordable units. Parking would be provided to meet the demand generated by the proposed uses. The RWCDs is anticipated to provide an increment of approximately 3,803 parking spaces for the entire rezoning area, including 1,100 KeySpan Park replacement parking spaces.

### *CONY EAST*

The Coney East subdistrict would be rezoned to facilitate the development of an expanded amusement district with enclosed amusements, eating establishment uses, hotels and accessory retail.

FARs in Coney East would range from 2.6 to 4.5. The rezoning could generate on the Projected Development Sites up to a maximum of 346,317 square feet of new amusement uses in addition to the 9.39-acre mapped amusement park, 411,300 square feet of new hotel space (or about 468 rooms), and 338,009 and 70,500 square feet of enhancing uses and small-scale accessory retail, respectively. In Coney East, 1,100 parking spaces would be required by zoning to meet the demand generated by the proposed uses. Five parking locations have been identified: the Aquarium parking lot, which could provide up to 400 spaces; new development in the Coney North subdistrict, which could provide up to 300 spaces; new development on Block 7074 in Coney East, which could provide up to 200 spaces; Block 7069 between West 25th and West 27th Streets, Surf Avenue, and the Boardwalk, which could provide up to 340 spaces; and a commercial development on Stillwell Avenue at Coney Island Creek that would be built in the future without the proposed actions and could provide up to 200 spaces for use by the new development in Coney East.

### *CONY NORTH*

For purposes of analysis, the average net dwelling unit size for new construction is assumed to be 1,000 square feet.

The Coney North subdistrict would be rezoned for residential use with ground-floor retail and wrapped parking with a maximum base FAR of 3.75, which could be increased up to 5.0 FAR with participation in the Inclusionary Housing Program. Hotels would also be allowed on Blocks 7063 and 7064 up to 3.75 FAR. The rezoning could generate on the Projected Development Sites up to a maximum of 1,382 dwelling units and 308,023 square feet of retail and hotel space. It is anticipated that the approximately 100,000-square-foot Shore Theater at 1301 Surf Avenue would be redeveloped as a commercial or residential building. The developments would require the provision of up to 1,702 parking spaces. Zoning regulations would encourage the provision of public parking spaces to service the entertainment area beyond the required spaces. Up to 300 public spaces could be created.



*MERMAID AVENUE*

For purposes of analysis, the average net dwelling unit size for new construction is assumed to be 1,000 square feet.

The Mermaid Avenue subdistrict would be rezoned for residential use with ground-floor retail at 4.6 FAR with participation in the Inclusionary Housing Program. On the Projected Development Sites, the rezoning could generate up to a maximum of 134 dwelling units and 28,115 square feet of local retail and service space. The developments would require the provision of up to 95 parking spaces. Required parking would be provided on site or within the base of the Coney North buildings and would be required to be wrapped by active uses.

*CONEY WEST*

For purposes of analysis, the average net dwelling unit size for new construction is assumed to be 1,000 square feet.

The Coney West subdistrict would be rezoned for residential use with ground-floor retail and wrapped parking. Developments located between the proposed Parachute Way and West 20th Street would have a maximum base FAR of 4.15 that could be increased up to 5.5 with participation in the Inclusionary Housing Program, and on the two westernmost blocks a maximum base FAR of 4.35 that could be increased up to 5.8 with participation in the Inclusionary Housing Program. On the Projected Development Sites, the rezoning could generate up to a maximum of 1,520 dwelling units and 260,839 square feet of retail space. It is projected that the 60,000-square-foot landmarked Childs Restaurant would be redeveloped as a commercial building. The developments would require the provision of 1,523 parking spaces, including 1,100 KeySpan Park replacement parking spaces. Required parking and KeySpan Park replacement parking would be provided within the base of the buildings and would be required to be wrapped by active uses.

*REZONING AREA OUTSIDE OF THE SPECIAL CONEY ISLAND DISTRICT*

The RWCDS also includes the creation of the 1.41-acre Highland View Park along the Boardwalk between West 22nd and West 23rd Streets (Block 7071). The rezoning of the portion of Block 7070 within the existing C7 district to 1.25 FAR would not generate new development. It is occupied by a health care center that is already built at more than the proposed FAR.

*AFFORDABLE UNITS*

For analysis purposes, it is estimated that approximately 1,801 dwelling units would be market-rate and 607 would be low- to moderate-income units. These estimates are based on the projection that approximately 20 percent of the dwelling units in the RWCDS would be low- to moderate-income units. It is assumed that developers would utilize voluntary mechanisms such as the Inclusionary Housing Program to benefit from density bonus in exchange for the provision or preservation of affordable housing units.

## G. EIS SCOPE OF WORK

### TASK 1. PROJECT DESCRIPTION

The first chapter of the EIS introduces the reader to the proposed actions and sets the context in which to assess impacts. The chapter contains a project identification (brief description and location of the proposed actions), the background and/or history of the proposed actions, a statement of the public purpose and need for the proposed actions, key planning considerations that have shaped the current proposal, a detailed description of the project overall, and a discussion of the approvals required, procedures to be followed, and the role of the EIS in the process. This chapter is the key to understanding the proposed actions and gives the public and decision-makers a base from which to evaluate the proposed actions against both Build and No Build options.

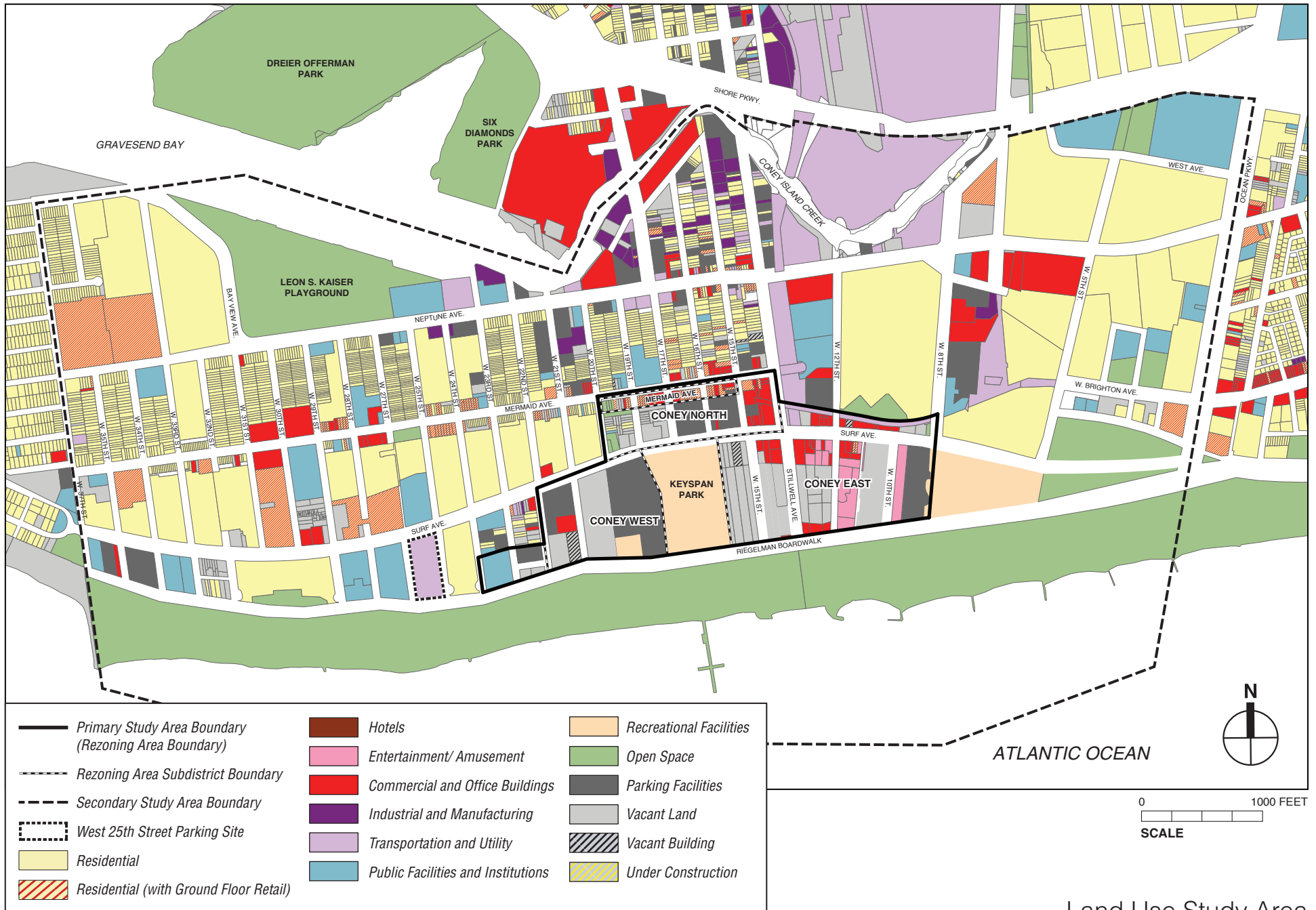
The project description chapter will present the planning background and rationale for the proposed zoning map and text amendments, demapping and mapping of parkland, disposition of City-owned property, street demapping and mapping, and UDAAP designation and project approval. In addition, the chapter will summarize the RWCDs for analysis in the EIS and present its rationale.

The section on approval procedures will explain the City's ULURP and City Charter Section 200 processes, timing, and hearings before the Community Board, the Brooklyn Borough President's office, CPC, and the New York City Council. The role of the EIS as a full-disclosure document to aid in decision-making will be identified and its relationship to ULURP and the public hearings described.

### TASK 2. LAND USE, ZONING, AND PUBLIC POLICY

The proposed actions would affect the land use on approximately 47 acres in and around the Coney Island central amusement district and KeySpan Stadium. This chapter will analyze the potential impacts of the proposed actions on land use, zoning, and public policy. The land use study area will consist of the proposed rezoning area, where the potential land use effects of the proposed actions will be straightforward and direct (reflecting the development scenario), and neighboring areas within an approximately ½-mile radius that could experience indirect impacts. The analysis will describe any potential impacts on land use, zoning, and public policy resulting from the proposed actions. Subtasks will:

- A. Provide a detailed description of land use, zoning, and public policy applicable in the rezoning area and study area, including City-wide policies such as PlaNYC. Based on *CEQR Technical Manual* guidelines, the study area will extend approximately ½ mile from the borders of the proposed rezoning area; the northern boundary of the study area will be Coney Island Creek and the Belt Parkway, which create physical borders to the area (see Figure 7). This task will be closely coordinated with the socioeconomic conditions analysis described below, which will provide a qualitative analysis of the proposed actions' effect on businesses and employment in the rezoning area and study area. Recent land use trends in the study area will also be identified.
- B. Based on field surveys and prior studies, identify, describe, and graphically portray predominant land use patterns for the study area. Describe recent land use trends and major factors influencing land use trends in the study area based, as applicable, on discussions with public or private agencies and local real estate brokers.



**CONEY ISLAND REZONING**

Land Use Study Area  
**Figure 7**

- C. Describe and map existing zoning and recent zoning actions in the study area.
- D. Prepare a list of future development projects in the study area that would be expected to influence future land use trends. Also, identify pending zoning actions or other public policy actions that could affect land use patterns and trends in the study area. Based on these changes, assess land use and zoning conditions in the future without the proposed actions.
- E. Describe the potential land use changes in the proposed rezoning area based on the RWCDs.
- F. Assess impacts of the projected development resulting from the proposed actions on land use and land use trends, public policy, and zoning. Discuss the proposed actions' potential impacts related to issues of compatibility with surrounding land use, the consistency with zoning and other public policies, and the effect of the proposed actions on ongoing development trends and conditions in the area.

### **TASK 3. SOCIOECONOMIC CONDITIONS**

This chapter will examine the effects of the proposed actions on socioeconomic conditions in the study area, including population characteristics, increase in economic activity, and the potential displacement of businesses and employment from the proposed rezoning area. The analysis will provide an assessment of potential socioeconomic changes associated with the proposed actions, including: direct displacement of residential population, businesses, or employees; new development that is markedly different from existing uses and activities within the neighborhood; potential changes in conditions in the real estate market in the area; or an adverse impact on socioeconomic conditions in a specific industry, including the amusement industry.

Screening analyses will be conducted pursuant to the *CEQR Technical Manual* methodology. The analysis will present sufficient information regarding the effects of the proposed actions to rule out the possibility of significant impacts through a preliminary assessment, or to determine that more detailed analysis is required to make a determination as to impacts. The preliminary assessment will examine the following five areas of concern: (1) direct residential displacement; (2) direct business and institutional displacement; (3) indirect residential displacement; (4) indirect business and institutional displacement; and (5) adverse effects on specific industries, including the amusement industry. If it is determined that a socioeconomic impact is likely or cannot be ruled out based on the preliminary assessment, then a detailed analysis will be conducted.

The socioeconomic conditions study area will be delineated to reflect boundaries of census tracts lying approximately within a ½-mile radius of the rezoning area and a study area map will be provided in the EIS. Subtasks for the analysis will include the following:

#### *POPULATION CHARACTERISTICS*

- A. Based on the U.S. Census of Population and Housing, describe the 2000 population characteristics of the project and study areas, updated where possible to reflect 2008 conditions.
- B. Based on RPAD data and other sources, present estimates of changes in demographic conditions in the study area since 2000, and discuss population trends.
- C. Estimate population characteristics associated with development resulting from the proposed actions, and assess impacts on population.

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### *HOUSING CHARACTERISTICS*

- A. Using 2000 Census data and other information, such as reports on housing value and median rents, describe the housing characteristics of the project and study areas.
- B. Assemble and discuss information on housing market conditions, including identification of the presence of any unique or predominant population groups or presence of populations particularly vulnerable to economic changes, using census data and other sources.
- C. Estimate housing changes associated with the proposed actions and assess impacts on housing, if any, and housing trends.

### *ECONOMIC CHARACTERISTICS*

- A. Describe existing economic activity in the rezoning area and study area (using the most recently available data), including the number and types of businesses and institutions and employment by key sectors.
- B. Describe the existing economic characteristics (i.e., visitor estimates, seasonality, and visitor spending potential) of the existing amusement area, New York Aquarium, and the beach.
- C. Describe the physical characteristics of the existing commercial (including amusement) and manufacturing buildings in the rezoning area and surrounding areas, including the general size of the structures, configurations, and condition. Determine the approximate vacancy rate and rent levels for buildings in the study area. This will be based on visual inspections, discussions with the Brooklyn Office of DCP, and discussions with real estate brokers.
- D. Describe recent trends in commercial, manufacturing, and institutional uses.
- E. Estimate net new employment and other economic activity in the study area under the RWCDs.
- F. Estimate direct displacement of commercial and manufacturing businesses and institutions and employment based on sites identified for likely development. Identify the types of businesses and employment that would be directly displaced, and determine whether the businesses have substantial economic value to the City or regional area. After accounting for currently vacant properties, configurations and conditions, use a ratio of number of properties converted to total properties to estimate potential displacement.
- G. Assess the impact of displacement, if any. Identify likely relocation areas nearby if necessary.
- H. Assess the potential effects of the proposed actions on the current amusement industry present in Coney Island.

### **TASK 4. COMMUNITY FACILITIES AND SERVICES**

The demand for community facilities and services is directly related to the type and size of the new population generated by development resulting from the proposed actions. New workers tend to create limited demands for community facilities and services, while new residents create more substantial and permanent demands. The *CEQR Technical Manual's* Table 3C-1: Community Facilities and Services Thresholds provides thresholds for analyses of indirect effects. Based on these thresholds, the incremental addition of 2,408 dwelling units, of which 607 would be low- to moderate-income dwelling units, generated by the proposed actions over

conditions in the future without the proposed actions will require detailed analyses of potential impacts on public schools, libraries, out-patient health care facilities, and publicly funded day care centers.

The proposed study area for community facilities will be located at, or close to, ½ mile, ¾ mile or a 1-mile radius of the rezoning area depending on the type of community facility, as per CEQR guidelines. The EIS will identify and locate/map all community facilities within the defined study area for general informational purposes, including schools, libraries, health care facilities, police precincts, fire houses, etc. Separate maps for each kind of facility will be provided. Subtasks will include:

### *PUBLIC SCHOOLS*

The proposed actions are expected to generate an increment of 2,408 residential units (including 607 affordable units) over conditions in the future without the proposed actions. Up to 987 elementary and intermediate school students and 337 high school students could be generated by the proposed actions, more than the CEQR threshold of 50 or more elementary/middle school students or 150 high school students. A detailed analysis is required.

In November 2008, the School Construction Authority (SCA) and the New York City Department of Education released updated public school generation rates for the projection of school children associated with new development, in conjunction with the release of SCA's new five year (2010-2014) capital plan based on this information. The capital plan is based on student generation rates (i.e., the number of school age children per household) that differ from those used by SCA in the past and from those presented in the 2001 CEQR Technical Manual. The new rates for Brooklyn are 0.29 elementary, 0.12 intermediate, and 0.14 high school students per household, regardless of income level. Using these new student generation rates, this analysis will:

- Identify and locate public schools within the project study area.
- Consider impacts at the study area (school planning zone 1) and community school district levels. A high school analysis will be borough-based, although public high schools within the study area will be identified and their locations shown on the Public School map in the EIS.
- Assess conditions in the project study area and for Community School District 21 as a whole, in terms of enrollment and utilization during the current school year, noting any specific shortages of school capacity.
- Identify conditions that will exist in the future without the actions, taking into consideration projected increases in future enrollment, including those associated with other developments in the vicinity of the rezoning area and plans to increase school capacity either through administrative actions on the part of the NYC Department of Education (DOE) or as a result of the construction of new school space.
- Analyze future conditions with the proposed actions, adding students likely to be generated by the actions to the projections for the future without the actions. Project impacts will be assessed based on the difference between the future with proposed actions projections and the future no action projections (at the sub-area and school district levels) for enrollment, capacity, and utilization in 2019.
- Planned new capacity projects from the DOE's Five Year Capital Plan, if any, will not be included in the quantitative analysis unless the projects have commenced site preparation

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and/or construction. They may, however, be included in a qualitative discussion after impacts, if any, have been identified. Sources for the information will be noted in the EIS text or footnotes.

### *HEALTH CARE*

The proposed actions are projected to generate 607 affordable (low- to moderate-income) housing units, more than the CEQR threshold of 600 units of low-moderate income housing (*CEQR Technical Manual*, Table 3C-1). A detailed analysis of health care facilities is required. This analysis will:

- Identify hospital emergency room services and outpatient ambulatory care facilities (regulated by the NYS Department of Health and Office of Mental Health) within approximately one mile of the rezoning area.
- Describe each facility in terms of its address, the type of service provided, an indicator of its size, capacity or utilization, and any other relevant existing conditions based on publicly available information and/or consultation with health care officials. Sources for the information will be noted in the EIS text or footnotes.
- Identify conditions that will exist in the future without the actions, taking into account any planned capacity changes for hospital facilities that serve the rezoning area and the impact of any new low- to moderate-income population on these facilities.
- Analyze future conditions with the proposed actions. The effects of the addition of a low- to moderate-income population resulting from the projected development will be assessed.

### *DAY CARE*

The proposed actions would generate 437 children eligible for publicly funded daycare, more than the CEQR threshold of 50 children eligible for publicly funded daycare (*CEQR Technical Manual*, Tables 3C-1 and 3C-4). A detailed analysis of day care facilities is required.

In November 2008, DCP released updated generation rates for the projection of children from affordable housing units who would be eligible for publicly funded day care facilities. These rates differ from those provided in Table 3C-4 of the 2001 CEQR Technical Manual. The new generation rates differentiate between the projected number of children under age 6 who are eligible for publicly funded day care programs and the projected number of children ages 6 to 12 who are eligible for publicly funded after school day care programs. Using these new rates, this analysis will:

- Identify existing public day care and Head Start facilities within approximately one mile of the rezoning area.
- Describe each facility in terms of its location, ages served, number of slots (capacity), existing enrollment and length of waiting list. Information will be based on publicly available information and/or consultation with the Administration for Children's Services' Division of Child Care and Headstart (CCHS). Sources for the information will be noted in the EIS text or footnotes.
- For conditions in the future without the proposed actions, information will be obtained on any changes planned for day care programs or facilities in the area, including closing or expansion of existing facilities and establishment of new facilities. Any expected increases in the population of children under 12 within the eligibility income limitations, based on CEQR methodology and the Fall 2008 updated multipliers, will be discussed as potential

additional demand; and the potential effect of any population increases on demand for day care services in the study area will be assessed.

- The potential effects of the additional eligible children resulting from projected developments induced by the proposed actions will be assessed by comparing the estimated net demand over capacity to the net demand over capacity estimated in the future without the proposed action analysis.

### *LIBRARIES*

The proposed actions would generate 2,408 residential units, more than the CEQR threshold of 734 units in Brooklyn for public libraries (*CEQR Technical Manual*, Tables 3C-1 and 3C-3). A detailed analysis of library facilities is required. This analysis will:

- Identify the local public library branch(es) serving the area.
- Describe existing population served by the branch(es), using information gathered for Socioeconomic conditions assessment.
- Describe the library branch collections in terms of the number of items (books, CD-roms, etc.), circulation or level of utilization, and other relevant existing conditions based on publicly available information and/or consultation with the Brooklyn Public Library administration. Sources for the information will be noted in the EIS text or footnotes.
- Identify conditions that will exist in the future without the actions, taking into account projections of population change in the area (based on the EIS Socioeconomics chapter analysis) and information on any planned changes in the capacity of the library facilities. The effects of these changes will be assessed.
- Analyze future conditions with the proposed actions. The effects of the addition of the population resulting from the projected development will be assessed in comparison to the condition in the future without the proposed actions.

### *POLICE AND FIRE SERVICES*

The Police and Fire Departments routinely evaluate the need for changes in personnel, equipment, or facilities based on population, response times, crime levels, or other local factors. Therefore a detailed assessment of service delivery is usually conducted only if a proposed action would directly affect the physical operations of a station house or precinct house, which is not the case with the proposed actions. Nonetheless, the EIS will provide a description of the existing police and fire services in or near the project study area and will qualitatively assess the proposed actions' incremental effects on police and fire protection services, including on emergency vehicle response times.

### **TASK 5. OPEN SPACE**

New residents, workers, and temporary amusement users generated by new development in the rezoning area would place added demands on existing open space and recreational facilities, and the proposed actions would generate more than the CEQR threshold of 200 residents, thereby requiring further assessment of open space. In addition, the proposed actions would demap existing parkland (occupied by two parking lots) and directly affect an existing GreenThumb community garden, the Boardwalk Garden on West 22nd Street at the Boardwalk. The project would also create the 1.41-acre mapped Highland View Park and the 9.39-acre mapped amusement park, which would replace more than the area of the proposed demapped parkland in



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the Coney West subdistrict. Therefore, a detailed open space analysis will be conducted according to the tasks below. This analysis will assess open space conditions with amusement area and beach visitors, utilizing the data collected for the socioeconomic conditions analysis.

- A. Following *CEQR Technical Manual* guidelines, inventory existing active and passive open spaces within a ¼-mile study area for the non-residential population and a ½-mile study area for the residential population. The condition and usage of existing facilities will be described based on the inventory and field visits. Jurisdiction, features, user groups, quality/condition, factors affecting usage, hours of operation, and access will be included in the description of facilities. Acreage of these facilities will be determined and total study area acreage calculated. The percentage of active and passive open space will also be calculated.
- B. Prepare a demographic analysis of the commercial open space study area worker, visitor, and residential population, and residential population in the residential open space study area, including information available from the 2000 Census.
- C. Based on the inventory of facilities and study area residential, visitor, and worker population, calculate the open space ratios for the study areas, and compare to City guidelines to assess adequacy.
- D. Assess expected changes in future levels of open space supply and demand in the analysis year, based on other planned development projects within the study area. Also take account of any new open space and recreational facilities expected in the study area. Open space ratios will be developed for future conditions without the proposed actions and compared with existing ratios to determine changes in future levels of adequacy.
- E. Based on the residential, visitor, and worker population added by the RWCDs, assess project effects on open space supply and demand. The assessment of impacts will be based on a comparison of open space ratios with the proposed actions (and their associated new public space) and open space ratios in the future without the proposed actions. The analysis will also qualitatively consider new open space provided by the proposed actions.

### **TASK 6. SHADOWS**

The proposed actions will result in the creation of multiple tall new buildings within the rezoning area. Therefore, an analysis of shadows will be prepared focusing on the relation between the incremental shadows created by the RWCDs buildings on sensitive receptors, specifically, public open spaces, historic resources with sunlight-dependent features, and natural resources. The RWCDs for the shadow analyses will assume the maximum heights of proposed buildings, in relation to sun-sensitive uses. This analysis will include the following tasks:

- A. Identify sun-sensitive landscapes and historic resources within the path of the proposed actions' shadows. In coordination with a survey for the open space and historic resources analyses, map and describe any sun-sensitive receptors. For open spaces, map active and passive recreation areas and features of the open spaces, such as benches or play equipment.
- B. Prepare a three-dimensional CAD model of the rezoning area, including existing structures and topology as well as the proposed structures. The data for this model will come from Sanborn Fire maps, U.S. Geological Survey (USGS) topological data, surveys prepared as part of the project design, and other plans available for the proposed actions and RWCDs.
- C. Prepare shadow diagrams for time periods when shadows from the new buildings could fall onto publicly accessible open space as well as project-created open spaces. The analysis will

also take into account any historic resources that may have significant sunlight-dependent features. These diagrams will be prepared for up to four representative analysis days if shadows from the proposed buildings would fall onto any of the open spaces on that day. The four analysis days will be:

- March 21—the vernal equinox, which is the equivalent of September 21, the autumnal equinox
  - May 6—the midpoint between the vernal equinox and the longest day of the year, which is the equivalent to August 6—the midpoint between the longest day of the year and the autumnal equinox
  - June 21—the longest day of the year
  - December 21—the shortest day of the year
- D. Describe the effect of the incremental shadows on the sensitive receptors based on the shadow diagrams for each of the analysis dates. Assess the effects of the proposed actions' incremental shadow compared with shadows expected in the future without the proposed actions.
- E. If vegetation or sun-sensitive activity areas will be covered by the proposed actions' incremental shadow for a significant amount of time, the duration of the increment will be compared with the amount of sunlight on those areas in the future without the proposed actions.

#### **TASK 7. HISTORIC RESOURCES**

The *CEQR Technical Manual* identifies historic resources as districts, buildings, structures, sites, and objects of historical, aesthetic, cultural, and archaeological importance. This includes designated NYC Landmarks; properties calendared for consideration as landmarks by the New York City Landmarks Preservation Commission (LPC); properties listed on the State/National Registers of Historic Places (S/NR) or contained within a district listed on or formally determined eligible for S/NR listing; properties recommended by the New York State Board for listing on the S/NR; National Historic Landmarks; and properties not identified by one of the programs listed above, but that meet their eligibility requirements. Because the proposed actions would induce new development, which could result in in-ground disturbance, the proposed actions have the potential to result in impacts to archaeological and architectural resources. There are known historic buildings and structures located within and adjacent to the rezoning area that include the Parachute Jump, the Wonder Wheel, the Cyclone, and the Childs Restaurant building on the Boardwalk at West 21st Street.

Impacts on historic resources will be considered in the rezoning area and in a 400-foot radius area surrounding the rezoning area. This study area may be expanded as necessary in conjunction with the shadows analysis if the buildings in the reasonable worst-case development scenario have the potential to cast shadows on historic resources outside of the 400-foot area. Archaeological resources will be considered only in those areas where new in-ground disturbance is likely to occur; these are limited to sites that may be developed under the proposed actions. Subtasks will include:

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### ARCHAEOLOGICAL RESOURCES

- A. Submit the proposed project description and site maps to LPC for its review and determination regarding archaeological sensitivity.
- B. If requested by LPC, research and describe the area's development history and the potential archaeologically sensitive locations in the rezoning area as identified by LPC.
- C. Based on City and State files, identify and map inventoried archaeological resources and/or sensitive locations, as appropriate.
- D. Identify any other areas thought to be archaeologically sensitive within the rezoning area, as appropriate.
- E. Identify sites within the rezoning area where new in-ground disturbance is expected to occur as a result of the proposed actions and any resulting potential archaeological impacts, as appropriate.

### ARCHITECTURAL RESOURCES

- A. Research and describe the area's development history and architecturally sensitive locations in the rezoning area.
- B. Identify, map, and describe LPC-designated, S/NR-listed, and LPC- and S/NR-eligible architectural resources in the proposed rezoning area. Field survey the rezoning area and the study area to determine whether there are any potential architectural resources that could be affected by the proposed actions. Potential architectural resources comprise properties that may be eligible for listing on the Registers and/or designation as a NYC Landmark. Identification of potential architectural resources will be based on criteria for listing on the National Register as found in the Code of Federal Regulations, Title 36, part 60, and LPC's criteria for Landmark and Historic District designation. This analysis will also evaluate the potential eligibility of seven properties identified by Coney Island USA. In consultation with LPC, seek determinations of eligibility for any potential resources in the rezoning area and study area that would be affected by the proposed actions.
- C. Qualitatively discuss any impacts on architectural resources that are expected in the future without the proposed actions.
- D. Assess any direct physical impacts of the proposed actions on architectural resources. In conjunction with the urban design task, assess the proposed actions' potential to result in any visual and contextual impacts on architectural resources.

### TASK 8. URBAN DESIGN AND VISUAL RESOURCES

The proposed actions would result in the construction of new structures and, therefore, have the potential to result in impacts related to urban design and visual resources. This chapter will assess the urban design and visual resources of the rezoning area and within a 400-foot radius of the rezoning area, and the effects on these of the proposed actions. Following the recommendations of the *CEQR Technical Manual*, the EIS will consider the following urban design characteristics: building bulk including height, setback, and density characteristics; building use; building arrangement; block form and street pattern; streetscape elements; and street hierarchy. Visual resources that will be considered include important public view corridors, vistas, or natural or built features. A detailed list of tasks follows:

- A. Describe the urban design and visual resources of the proposed rezoning area and adjacent areas, using photographs and other graphic material as necessary to identify critical urban design features such as use, bulk, form, scale, and streetscape elements and to identify important visual resources.
- B. Describe the changes expected in the urban design and visual character of the proposed rezoning area resulting from developments in the study area in the future without the proposed actions.
- C. Assess the potential changes in urban design and visual resources that could result from the proposed actions and RWCDs and evaluate the significance of those changes. An assessment of the modifications to the use and bulk regulations through the zoning map and text amendments will be included in the analysis, as these affect height, dimensions, and scale of the development in the rezoning area. Photographs and/or other graphic material will be utilized, where applicable, to assess the potential effects on urban design and visual resources in the study area.

#### **TASK 9. NEIGHBORHOOD CHARACTER**

The character of a neighborhood is established by numerous factors, including land use patterns, the scale of its development, the design of its buildings, the presence of notable landmarks, and a variety of other physical features that include traffic and pedestrian patterns, noise, and socioeconomic conditions. The proposed actions would permit new development that has the potential to alter certain constituent elements of the affected area's neighborhood character, including land use patterns, socioeconomic conditions, traffic and noise levels, and urban design features, and could affect historic resources. An amalgam of impact categories, a neighborhood character analysis considers the combined impacts of land use, urban design, visual resources, historic resources, socioeconomic conditions, traffic, and noise. As suggested in the *CEQR Technical Manual*, the study area for neighborhood character will be coterminous with the ½-mile land use study area. The EIS will:

- A. Describe the predominant factors that contribute to defining the character of the area, drawing on the related EIS sections.
- B. Based on planned development projects, public policy initiatives, and planned public improvements, summarize changes that can be expected in the character of the neighborhood in the future without the proposed actions.
- C. Drawing on the analysis of impacts in various other EIS chapters, assess and summarize the proposed actions' impacts on neighborhood character.

#### **TASK 10. NATURAL RESOURCES**

This chapter will assess the degree to which natural resources of the Atlantic Ocean, Coney Island Creek, Gravesend Bay, and waterfront and upland areas could be affected by the new activities that would be expected from the proposed actions. The potential disturbances stem primarily from construction activities and increases in residential and commercial development. Stormwater runoff from such development activities may have the potential to degrade water quality and affect natural resources. While potential impacts on dune habitat and vegetation need to be considered, there may also be opportunities for enhancing the existing terrestrial habitat that occupies portions of the rezoning area. Because the proposed rezoning area is within the

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designated boundary for the Brooklyn-Queens aquifer, it is necessary to assess the potential for impacts to groundwater resources.

### *WATER QUALITY*

The Coney Island area of Brooklyn has a separate stormwater system that is maintained and operated by the New York City Department of Environmental Protection (DEP). Land cover within the rezoning area is mostly impervious surfaces with some areas of vegetation. While the proposed rezoning would not lead to an increase in impervious surface within the rezoning area, it would result in an increase in land area draining to Coney Island Creek. Therefore, the EIS will include an assessment of the potential for stormwater generated within the rezoning area to affect the water quality within Coney Island Creek. This assessment will be coordinated with Task 13, “Infrastructure,” which includes a stormwater assessment.

In addition, the site is located over the Brooklyn-Queens Aquifer, which is a federal and state designated sole source aquifer. Even though Coney Island does not use the aquifer for drinking water and no wells are found down gradient of the rezoning area, the potential for impacts on the aquifer must be assessed.

Specific tasks include:

- A. Summarize relevant information on existing water quality and sediment conditions in the Atlantic Ocean, Gravesend Bay, and Coney Island Creek in the project vicinity. Physical characteristics such as water quality characteristics (dissolved oxygen, water temperature, salinity, turbidity, etc.) will be described based on existing information such as the DEP New York Harbor Water Quality Survey, U.S. Environmental Protection Agency (EPA) STORET (Storage and Retrieval) water quality database, water quality data compiled by the U.S. Army Corps of Engineers as part of the Harbor Navigation Improvement projects and Dredge Material Management Plan, water quality data compiled by DEP as part of the Combined Sewer Overflow (CSO) Abatement Program, and water quality information compiled as part of the Harbor Estuary Plan (HEP). Bottom substrate conditions and sediment quality characteristics will also be described based on existing information such as sediment sampling conducted as part of the EPA’s Regional Environmental Monitoring and Assessment Program (R-EMAP), and results of sediment sampling conducted for historical studies. No field sampling will be conducted.
- B. Existing information on groundwater quality in the vicinity of the proposed project will be summarized. No field sampling will be conducted. Summarize the description of the existing storm sewer system serving the area that will be provided as part of Task 13.
- C. Provide an assessment of the future conditions for water and sediment quality, and groundwater quality within the rezoning area without the proposed actions. This will consider effects on water quality and sedimentation rates of proposed in-water activities that may occur independently of the proposed actions, as well as the potential for future projects to affect groundwater quality. The evaluation of surface water and sediment quality will be based upon the detailed description of the existing conditions and any continued improvements to water quality, sediment quality, and habitat quality that would result from ongoing programs being conducted by the City such as the Avenue V Pumping Station Upgrade, CSO Abatement Program, Shoreline Survey Program, and Floatables Program, continued infrastructure improvements such as improvements to existing sewage treatment plants and construction of additional plants, improved stormwater management, water

- quality improvement measures identified by the Interstate Environmental Commission (IEC), and implementation of water quality and habitat improvement measures identified by HEP and the Hudson-Raritan Estuary Ecosystem Restoration project, and potential effects of other projects planned within the New York City metropolitan region.
- D. Based on the assessment of the storm sewer system to meet the demand generated by the RWCDS, conducted under Task 13, below, assess the potential effects of the proposed RWCDS activities on water and sediment quality, and groundwater resources within the rezoning area. The assessment will consider potential water quality effects from project construction and operation and increased stormwater runoff from the RWCDS. The parameters to be assessed will include temperature, pH, dissolved oxygen and biochemical oxygen demand in the areas close to the outfalls. The change in the volume of stormwater percolating into the aquifer at the site will be estimated, and the potential impacts discussed qualitatively. If activities extend to the water, effects of temporary increases in resuspended materials, potential releases of contaminants from disturbed sediments, and changes in turbidity will be evaluated.

#### *BIOLOGICAL RESOURCES*

National Marine Fisheries of the United States Department of the Interior has designated waters around parts of Coney Island as an Essential Fish Habitat. The mouth of Gravesend Bay supports marshes and wetlands, which are productive nurseries for many fish and amphibian species. Using the water quality assessment described above, the potential for adverse changes to affect the productivity of these resources will be assessed. Because of the rezoning area's proximity to the waters of the Atlantic Ocean, Gravesend Bay and Coney Island Creek, birds, mammals, reptiles and amphibians could use the area for foraging, resting and/or breeding. The effects of the RWCDS on these resources will be assessed, and the significance of those effects will be evaluated. An assessment of impacts on plant species will be done similar to that for animal species. The EIS will:

- A. Conduct literature review and site visits to describe the existing terrestrial and aquatic resources in the rezoning area. Existing information on aquatic biota prepared by the U.S. Fish and Wildlife Service (USFWS), New York State Department of Environmental Conservation (NYSDEC), DEP, and other published and grey literature sources will be used. Describe the existing condition of the regional phytoplankton and other primary producers, zooplankton, and benthic communities.
- B. Assess the importance of this region for supporting marine fish populations, as well as its role as a migratory route for other fish species. Determine if an Essential Fish Habitat study is necessary, based on the reasonable worst-case development program.
- C. Contact the New York State Natural Heritage Program, the National Marine Fisheries Service, and USFWS to determine whether there is a potential for threatened, endangered, rare or other protected species to occur within or near the rezoning area.
- D. Assess the future conditions for natural resources within the rezoning area without the proposed actions. Assess the extent to which future programs intended to improve water and sediment quality may affect biological resources. Consider effects of upland and in-water activities that may be planned without the proposed actions on terrestrial and aquatic resources.

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- E. Assess the potential effects of the RWCDs on terrestrial and aquatic biota and habitats within the rezoning area. Consider potential impacts to shorebirds associated with increased human activity along the beachfront.
- F. Assess the potential for terrestrial habitat enhancement. This assessment will explore opportunities for the addition of habitat enhancement features, and will investigate the use of native plants in landscaped areas to provide possible nesting or feeding habitat.

### **TASK 11. HAZARDOUS MATERIALS**

The hazardous materials assessment will determine which, if any, portions of the rezoning area may have been adversely affected by current or historical uses at or adjacent to the rezoning area. A preliminary environmental site assessment prepared pursuant to the *CEQR Technical Manual* and Rules of the City of New York Title 15 (Department of Environmental Protection), Chapter 24 governing the placement of E-designations will be conducted for the rezoning area to determine which of the RWCDs parcels warrant an E-designation or similar mechanism requiring preparation of a Phase I assessment and Phase II report and remediation as necessary. If the potential for contamination is not identified on a development parcel, the screening assessment will be conducted on adjacent properties. If impacts are not identified on the adjacent properties, the screening assessment will be expanded to include properties within 400 feet of the development parcels to determine if an E-designation on the development parcel is warranted.

For City-owned sites or sites that are proposed for City ownership, E-designations will not be placed on development parcels. In the case of lots owned by HPD, Land Disposition Agreements would be created between HPD and the development sponsor and would require measures related to subsurface testing and remediation. For other City-owned lots, NYCEDC and DPR will enter into a Memorandum of Understanding with DEP stipulating implementation of the environmental review process for site testing and any required remediation. Restrictive declarations would be placed on any sites to be subsequently disposed of by NYCEDC to a private developer, in accordance with the Memorandum of Understanding for that site. Any investigative and/or remedial work plans will be submitted to DEP for review and approval prior to start of any work.

The hazardous materials assessment will be conducted according to the following tasks:

- A. Review United States Geological Society (USGS) topographical maps to ascertain the topography. Available USGS and New York State Geological Survey documents will be reviewed for surface and subsurface geological conditions in addition to the groundwater conditions in the rezoning area and adjacent areas.
- B. Review Sanborn Fire Insurance Maps to develop a profile on the historical uses of properties.
- C. Perform field reconnaissance to identify existing uses and assess existing conditions. The field reconnaissance will consist of observing the development parcels from public access ways (i.e., sidewalks and streets) and noting the general uses of the properties (i.e., industrial, manufacturing, residential, commercial, etc.). The field reconnaissance will include the following:
  - Characterization of the range of uses and activities performed in the rezoning area;
  - Notation of surrounding properties to assess potential impacts on the subject property;

- Observation of illegal dumping of domestic refuse, hazardous waste, and/or construction debris on the development parcels or in the area;
- Evidence of electrical transformers or large capacitors on the development parcels; and
- Review of data for underground storage tanks or aboveground storage tanks (USTs and/or ASTs) in the area. In addition to the environmental database search, readily available public records will be requested and reviewed, where applicable. Freedom of Information Law (FOIL) requests will be submitted to various City and State agencies, including NYSDEC, New York City Department of Health, DEP, FDNY, and the New York City Department of Sanitation, regarding the release of petroleum products and/or hazardous materials or any other environmental concerns at the subject sites. A database search will be conducted for each development parcel on the New York City Department of Buildings website.

The mapping, literature, and field data will be evaluated to assess the potential for environmental concerns at the development parcels. A summary of findings and conclusions will be prepared for inclusion in the EIS to determine where E-designations or similar mechanisms may be appropriate. The E-designations, Land Disposition Agreements, and Memorandums of Understanding would require that the fee owner of the property conduct a testing and sampling protocol, and remediation, where appropriate, to the satisfaction of DEP before the issuance of a building permit by the Department of Buildings (pursuant to ZR Section 11-15 [Environmental Requirements]). These mechanisms would also include mandatory construction-related health and safety plans that must be approved by DEP.

#### **TASK 12. WATERFRONT REVITALIZATION PROGRAM**

The New York State Coastal Management Program (CMP) is designed to balance economic development and preservation by promoting waterfront revitalization and water-dependent uses while protecting fish and wildlife, open space and scenic areas, public access to the shoreline, and minimizing adverse effects on ecological systems and erosion and flooding. New York City's Local Waterfront Revitalization Program (LWRP) was approved by the New York State Department of State for inclusion in the New York State CMP. DCP is responsible for determining a project's consistency with the policies and intent of the City's LWRP.

Because the entire rezoning area is located within the designated boundaries of New York City's Coastal Zone with much of the area below the base flood elevation, the proposed actions will be reviewed, as specified in the Waterfront Revitalization Program and in the *CEQR Technical Manual*, for consistency with all the policies comprising the LWRP. This review will incorporate the results of the analyses of potential impacts to the resource areas addressed by the LWRP. The waterfront revitalization analysis will draw from various impact analyses throughout the EIS, as relevant. These impact analyses will be based on different study areas reflecting the requirements of each analysis.

#### **TASK 13. INFRASTRUCTURE**

This chapter will describe the existing infrastructure in the proposed rezoning area. According to the *CEQR Technical Manual*, the City's infrastructure comprises the physical systems supporting its population, including water supply, wastewater treatment and stormwater disposal. The proposed actions would induce new development that could place additional demands on infrastructure, and the *CEQR Technical Manual* specifies that an assessment of impacts on the City's water supply system be conducted for actions in Coney Island, which is at the end of the water system where water pressure can be low. Within the rezoning area, the



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sewers operate with a separate system for sanitary and stormwater. The sanitary sewer system ultimately discharges to the Coney Island Water Pollution Control Plant (WPCP) and the stormwater sewer system ultimately discharges to the Atlantic Ocean or to the Coney Island Creek. The CEQR Technical Manual specifies that an assessment of impacts to the WPCP be conducted for actions in Coney Island to estimate future flows to the WPCP. An area-wide hydraulic study will be completed to determine whether the separate sanitary and storm sewer systems in the rezoning area have sufficient capacity to accommodate flows generated by existing and proposed zoning demands.

The infrastructure analysis conducted per CEQR will include:

### *WATER SUPPLY*

Describe the existing water distribution system serving the proposed rezoning area based on information obtained from the DEP Bureau of Water Supply and Wastewater Collection.

- A. Examine the current water usage in the area.
- B. Assess the likely demand in the future without the proposed actions, and describe the effects on the system.
- C. Project water demand for the reasonable worst-case development induced by the proposed actions.
- D. Assess the effects of the incremental demand on the system to determine if there is sufficient capacity to maintain adequate supply and pressure.

### *SANITARY SEWAGE*

- A. In this area, the sanitary sewage system is separate from the stormwater system, and the existing sewer systems serving the proposed rezoning area will be described from information obtained from DEP, including available as-built sewer maps and infiltration/inflow maps.
- B. Existing and future sanitary flows to the Coney Island WPCP that serves the area will be calculated and estimated.
- C. An area-wide hydraulic study will be completed to analyze the following and will be summarized in the EIS:
  - a. Short-term development opportunities based on the proposed actions and existing infrastructure;
  - b. Intermediate development potential based on the proposed actions and incremental infrastructure improvements within the study area; and
  - c. Long-term development potential based on the proposed actions and area-wide infrastructure improvements through the implementation of an Amended Drainage Plan (ADP).
- D. Any expected changes in sewer conditions to occur in the future without the proposed actions will be discussed in the chapter.

- E. The effects of the proposed actions' incremental demand will be assessed to determine if there will be any impact on the WPCP, or on its State Pollution Discharge Elimination System (SPDES) permit conditions.

#### *STORMWATER DISPOSAL*

- A. In this area, the stormwater system is separate from the sanitary sewer system. Information on the existing storm sewer system serving the area will be obtained from DEP, including available as-built sewer maps and infiltration/inflow maps, and described.
- B. An area-wide hydraulic study will be completed to analyze the following and will be summarized in the EIS:
  - a. Short-term development opportunities based on the proposed actions and existing infrastructure;
  - b. Intermediate development potential based on the proposed actions and incremental infrastructure improvements within the study area; and
  - c. Long-term development potential based on the proposed actions and area-wide infrastructure improvements through the implementation of an ADP.
- C. Stormwater management and Best Management Practice (BMP) for proposed RWCDs sites will be described in the EIS.

#### **TASK 14. SOLID WASTE AND SANITATION SERVICES**

The proposed actions would induce new development that would require sanitation services. This chapter will provide an estimate of the additional solid waste expected to be generated by the projected RWCDs and assess its effects on the City's solid waste and sanitation services. This assessment will:

- A. Describe existing and future New York City solid waste disposal practices.
- B. Forecast solid waste generation by the projected development induced by the proposed actions based on CEQR guidelines.
- C. Assess the impacts of the proposed actions' solid waste generation on the City's collection needs and disposal capacity.

#### **TASK 15. ENERGY**

According to the *CEQR Technical Manual*, because all new structures requiring heating and cooling are subject to the New York State Energy Conservation Code, which reflects State and City energy policy, actions resulting in new construction would not create significant energy impacts, and as such would not require a detailed energy assessment. For CEQR purposes, energy impact analysis focuses on an action's consumption of energy. A qualitative assessment/screening analysis will be provided in the EIS, as appropriate. This would include an estimate of the additional energy consumption associated with the RWCDs induced by the proposed actions, including an estimate of the demand load on electricity, gas, and other energy sources; and an assessment of available supply.

## TASK 16. TRAFFIC AND PARKING

The EIS will contain a detailed assessment addressing the traffic and parking-related issues associated with the increased vehicular traffic and changes in the parking supply and projected parking demand resulting from the proposed actions. This study will include a description of existing conditions, projection of future transportation conditions, and identification of potential adverse impacts of the proposed actions. Feasible mitigation measures for impacts will be identified. The RWCDs will include a range of uses that generates traffic during different peak periods of the week. The EIS will also account for the heightened intensity of activity in the Coney Island area during the summer, including on days when there is a ballgame at KeySpan Stadium.

The traffic and parking analysis will include the following tasks:

### *TRAFFIC*

- A. Identify traffic analysis locations. A set of 30 analysis locations have been identified in the rezoning area and along key traffic routes to and from the area. These locations include 22 intersections along Surf and Mermaid Avenues plus 8 intersections along Cropsey Avenue, Neptune Avenue, and Ocean Parkway leading to the rezoning study area (see Figure 8). These analysis locations were selected based on the results of trip generation estimates and detailed traffic assignments with concurrence from the New York City Department of Transportation (NYCDOT).
- B. Conduct trip generation projections for potential peak traffic analysis hours for each of the development uses contemplated under the proposed actions. This will be based on trip generation rate data, temporal distribution information, modal split data, and average vehicle occupancy data available from other EISs/EASs or available professional literature such as the Institute of Transportation Engineers' (ITE) Trip Generation Manual. This set of projections will provide the approximate volume of traffic that would be generated by time period, accounting for all potential land uses and linkages among these uses, and will be used to identify the appropriate traffic analysis peak hours.
- C. Prepare traffic assignments using the above trip generation projections and expected trip origins and destinations to determine the incremental trips at the 30 traffic analysis locations.
- D. Conduct a detailed traffic data collection program for the 30 intersection analysis locations for the following five peak traffic analysis conditions: weekday AM, midday, and PM peak hours; and summer weekend midday and PM peak hours. The traffic data collection program includes a mix of 24-hour Automatic Traffic Recorder (ATR) machine counts, manual intersection through and turning movement counts, and vehicle classification counts at select representative locations.
- E. Inventory street and lane widths, traffic flow directions, number of moving lanes, parking regulations, official signal timing (cycle length, phases), traffic control devices (stop sign, signal), the location of bus stops, as well as other items required for traffic analysis. The most recent signal timings from NYCDOT for each study area intersection will be obtained.
- F. Prepare traffic volume networks for each of the intersections for each of the five peak traffic analysis hours.



- G. Determine existing traffic operating characteristics—volume-to-capacity (v/c) ratios, average vehicle delays, and levels of service using 2000 Highway Capacity Manual (HCM) procedures.
- H. Conduct travel speed and delay runs along key corridors, which will be analyzed for air quality and/or noise conditions. These corridors are expected to include Surf Avenue, Mermaid Avenue, Cropsey Avenue, and Ocean Parkway. The EIS will examine speeds for the existing conditions for each peak hour.
- I. Determine the volume of traffic that would be generated by development projects expected to be built and operational by the proposed actions' Build year of 2019. These traffic volumes will be assigned to traffic study area intersections and combined with an annual background traffic growth rate of one percent per year, in order to develop traffic volume maps for the future without the proposed actions. These projects will be identified in conjunction with DCP, and their trip generation will be quantified using standard travel demand forecasting methodologies. Changes to the roadway network expected to occur by the project analysis year will also be identified and reflected in the traffic volume network.
- J. Determine traffic operating characteristics in the future without the proposed actions—v/c ratios, average vehicle delays, and levels of service using 2000 HCM procedures.
- K. Assign project-generated traffic volumes to and through each of the traffic analysis locations for each of the peak traffic hours and analysis conditions described above. Traffic volume maps will be prepared for each analysis condition in the future with the proposed actions.
- L. Determine traffic operating characteristics in the future with the proposed actions—v/c ratios, average vehicle delays, and levels of service using 2000 HCM procedures.
- M. Identify significant traffic impacts by comparing conditions in the future without and with the proposed actions as per criteria specified in the *CEQR Technical Manual*. Identify and evaluate traffic capacity improvements that would be needed to mitigate significant adverse traffic impacts.

#### *PARKING*

- A. Identify off-street parking lots and garages within a one-quarter mile radius of the project study area (i.e., the parking study area)—their locations, capacities, and occupancy levels during representative summer weekday and weekend conditions. Identify projected utilization levels in the future without the proposed actions.
- B. Identify the amounts of off-street parking that would be removed and added under the proposed actions and develop parking accumulation profiles. Parking shortfalls, if any, will be identified.
- C. Identify the typical parking regulations within the parking study area and the percentage those on-street spaces are currently used and would be expected to be used in the future without the proposed actions.
- D. Estimate the extent that available on-street parking spaces might be used by projected traffic under the proposed actions.

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### TRAFFIC AND SAFETY

Review the most recent three years of accident data from the New York State Department of Transportation for intersections in the vicinity of the rezoning area. High accident locations will be identified in accordance with criteria prescribed in the CEQR Technical Manual. Where appropriate, improvement measures will be identified to enhance pedestrian safety.

### **TASK 17. TRANSIT AND PEDESTRIANS**

The proposed project is situated in an area served by several local and express bus routes and by the D, F, N, and Q subway lines. While vehicular travel to and from the various uses in the RWCDs is likely to be substantial, the area's transit network is also expected to experience a notable increase in activities as a result of the proposed actions. Similarly, pedestrian activities can be intense during peak periods; this high level of activity is basic to the character of the amusement area.

Similar to what was discussed above for the traffic and parking analysis, numerous peak hours will need to be analyzed for transit and pedestrian conditions to address specific travel characteristics associated with the range of possible land uses and during time periods when project-generated trips overlap with event activities at KeySpan Stadium and summer traffic to Coney Island attractions. Based on the travel demand estimates and determination of development program elements, analysis peak periods will be selected for inclusion in the EIS. Because of the current level of trip-making and the increment anticipated from the proposed actions, a detailed analysis of transit and pedestrian operations would be required for most of the peak periods identified for the traffic and parking analyses.

The transit and pedestrian studies will include a description of existing conditions, projection of future conditions, identification of potential adverse impacts, and recommendation of feasible mitigation measures. The specific elements of the analysis are outlined below.

- A. Identify transit and pedestrian study areas. Rapid transit service is currently available along the eastern edge of the proposed rezoning area via the number D, F, N, and Q subway lines at the terminal at Stillwell Avenue and the West 8th Street/NY Aquarium station, both of which have recently undergone major renovation and reconfiguration. Bus service is available throughout and around the rezoning area via the B36, B64, B68, B74, B82, X28, X29, and X38 bus routes. A detailed analysis of control areas and circulation elements at the Stillwell Avenue and West 8th Street subway stations will be conducted. A detailed analysis of the area bus routes will also be conducted. This analysis will primarily address the increased demand anticipated for the three express bus routes (X28, X29, and X38) serving the study area and the local routes (B36 and B74) that provide connection to the two study area and other nearby subway stations, as well as the other local bus routes that serve local bus travel. To address existing and future pedestrian conditions, sidewalks, crosswalks, and corner reservoirs along key routes to the Stillwell Avenue and West 8th Street subway stations, as well as specific intersections along Surf and Mermaid Avenues, will be analyzed. A total of six intersections and their adjoining sidewalks have been selected for analysis.
- B. Review travel demand estimates for the proposed development and determine the appropriate analysis time periods. Typically, a detailed transit analysis is not required for non-commuter time periods. However, due to the level of cumulative activities anticipated for KeySpan Stadium and other Coney Island attractions, such as the beach and boardwalk, the amusement area, and the New York Aquarium, a detailed assessment of transit

- operations during the weekend midday and later afternoon peak periods, in addition to the weekday AM and PM peak periods, will also be conducted. To assess pedestrian operations, a detailed analysis will be conducted for all critical time periods described for the traffic and parking assessment.
- C. Assemble available data and collect new data. New data were collected at the Stillwell Avenue and West 8th Street subway stations, at nearby bus routes, and at surrounding pedestrian elements in July 2006. This effort also included the inventory of station and pedestrian element geometries and line-haul observations at key bus stops.
  - D. Determine existing transit and pedestrian operating conditions. A detailed analysis will be conducted for the transit and pedestrian elements identified above and presented for the critical time periods. For the transit analysis, it is expected that a quantified analysis will be conducted for the summer weekday AM and PM (with a ballgame at KeySpan Park) peak periods, as well as the weekend midday and late afternoon (with a ballgame) peak periods. For the pedestrian analysis, all five primary analysis peak periods identified for the traffic analysis will be assessed.
  - E. Determine future transit and pedestrian operating conditions. Analyses of the futures without and with the proposed actions will be conducted, incorporating background growth, trips associated with other developments in the area, and increments induced by the proposed actions. For conditions in the future with the proposed actions, the analysis will also address the anticipated effects associated with any anticipated changes in the area's infrastructure. Potential significant impacts will be identified in accordance with *CEQR Technical Manual* guidelines. Where appropriate, viable mitigation measures, such as stairway and crosswalk widenings, as well as an increase in bus service frequency, will be recommended and discussed with the appropriate approval agencies (i.e., MTA and NYCDOT).

## **TASK 18. AIR QUALITY**

The proposed actions would generate traffic, thus requiring an assessment of mobile sources to estimate the potential air quality impacts. For purposes of analyzing the proposed actions' RWCDs for mobile source air quality, the analysis will incorporate the reasonable worst-case findings of the traffic analysis. In addition, the proposed actions will be assessed for potential impacts associated with stationary sources, specifically: (1) the potential effects from heating, ventilation, and air conditioning (HVAC) system emissions from action-induced development on nearby receptor sites; (2) the potential effects from HVAC system emissions from action-induced development on nearby action-induced development receptors (project-on-project); and (3) the potential for future residential and commercial land uses induced by the proposed actions to be affected by air pollutants emitted from existing nearby industrial, commercial, institutional, or large-scale residential uses. The potential for impacts from mobile and stationary sources will be assessed in the EIS following the general procedures outlined in the *CEQR Technical Manual*.

### *MOBILE SOURCE ANALYSES*

The specific work program for the mobile source (traffic-related) air quality studies is as follows:

- A. Gather existing air quality data. Summarize existing ambient air quality data for the study area published by the NYSDEC.

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- B. Determine receptor locations for the carbon monoxide (CO) microscale air quality analysis. Intersections in the traffic study area with the greatest expected changes in traffic volumes that exceed the CEQR screening threshold for this area of the City would be identified for analysis. Selection of specific intersections for analysis will depend on the baseline and future without the proposed actions conditions along with the vehicular trip generation and distribution under the proposed actions.
- C. At each intersection selected for analysis, multiple receptor sites will be simulated in accordance with CEQR guidelines and EPA-454/R-92-005 Guideline for Modeling CO from Roadway Intersections.
- D. Select dispersion model for microscale carbon monoxide analysis. At the receptor sites, it is anticipated that the U.S. Environmental Protection Agency's (EPA) mobile source CAL3QHC dispersion model will be used for the carbon monoxide microscale analysis. The CAL3QHCR modeling will be performed to determine impacts at intersections where significant impacts are predicted with the CAL3QHC model.
- E. Emissions from any on-site parking facilities will be modeled using the procedures outlined in the *CEQR Technical Manual*.
- F. Select meteorological conditions. For refined mobile source modeling with CAL3QHCR, actual meteorological data will be employed instead of worst-case assumptions concerning wind speeds, wind direction frequencies, and atmospheric stabilities. The latest available meteorological data with surface data from John F. Kennedy Airport and concurrent upper air data from Brookhaven, New York, will be used for the simulation program.
- G. Select appropriate background levels. Appropriate background levels for the study area will be obtained from DEP, or from the closest NYSDEC ambient air quality monitoring station from the proposed rezoning area.
- H. Select emissions methodology. Vehicular emissions will be computed using the EPA-developed MOBILE6 2.03 model. DEP/NYSDEC-supplied information will be used regarding credits to account for the state vehicle emission inspection and maintenance program, and the state anti-tampering program.
- I. Determine pollutant levels. At each microscale analysis site, calculate maximum 1- and 8-hour carbon monoxide concentrations for existing, future without the proposed actions, and future with the proposed actions conditions. Contributions from any on-site parking facilities will be included where appropriate.
- J. Compare existing and future levels with standards. Future carbon monoxide pollutant levels with and without the proposed actions will be compared with the National Ambient Air Quality Standards (NAAQS) to determine compliance with standards, and the City's *de minimis* criteria.
- K. Assess the consistency of the proposed actions with the strategies contained in the State Implementation Plan (SIP) for the area. Consistency with the applicable SIP for the area will be determined.
- L. At any receptor sites where violations of standards occur, determine what mitigation measures will be required to attain standards.
- M. Assess particulate matter impacts from all types of vehicles. Pollutant levels for particles with an aerodynamic diameter less than 10 microns  $\mu\text{g}/\text{m}^3$  ( $\text{PM}_{10}$ ) and less than 2.5 microns



(PM<sub>2.5</sub>) will be determined using available modeling tools. The PM<sub>2.5</sub> analysis would follow the EPA, NYSDEC, and DEP interim guidance. It is assumed that a refined mobile source modeling with CAL3QHCR, using actual meteorological data will be employed, along with vehicle emissions computed with EPA's MOBILE6 emissions model. Future pollutant levels with the project will be assessed to determine the potential for significant impacts from PM<sub>10</sub> and PM<sub>2.5</sub>. This analysis will be performed for PM<sub>10</sub> and PM<sub>2.5</sub> at the location in the area where the greatest particulate emissions would be expected.

#### STATIONARY SOURCE ANALYSES

##### *HVAC Analysis*

An analysis will be performed of the potential for the emissions from the HVAC systems of the RWCDs buildings to significantly impact existing land uses or any of the other development buildings. An HVAC stationary source analysis will be conducted as follows:

- A. Assumptions regarding building heights and distances for locating nearest receptors will be determined based on the RWCDs.
- B. The analysis will be performed as a screening analysis for individual development sites and for a cumulative (or cluster) analysis. The analyses will be performed in accordance with the methods presented in Section 322 of the *CEQR Technical Manual*.
- C. Three criteria pollutants will be considered for the cumulative analysis: NO<sub>2</sub>, PM<sub>10</sub>, and SO<sub>2</sub>.
- D. In the event that significant impacts are predicted using screening analyses, examine the use of fuel restrictions and other measures that would be applied as E-designations to avoid significant adverse air quality impacts.
- E. In the event of predicted exceedances associated with individual development sites, a detailed dispersion modeling analysis using the EPA AERMOD dispersion model will be performed. The estimated short-term and annual pollutant concentrations of the criteria pollutant(s) of concern will be added to appropriate background levels, and total pollutant concentrations will be compared with the NAAQS to determine whether there will be the potential for a violation of these standards.
- F. To address potential PM<sub>2.5</sub> impacts from the proposed rezoning, an analysis will be performed for a single site using worst-case assumptions in terms of development size, fuel type, and source-receptor distance. In the event that impacts greater than the City's current PM<sub>2.5</sub> interim guidance criteria are predicted, appropriate measures will be proposed and additional sites will be analyzed to ensure that the proposed actions would not result in any significant impacts on PM<sub>2.5</sub>.

##### *Industrial Sources*

An industrial analysis will be conducted as follows:

- A. In accordance with the *CEQR Technical Manual*, emissions from industrial/manufacturing or commercial facilities located within 400 feet of any proposed new residential and commercial development will be considered.
- B. The *CEQR Technical Manual* also requires the consideration of large emission sources, such as power plants or asphalt plants and concrete plants, located within 1,000 feet of the proposed new residential and/or commercial areas. This assessment will be conducted for

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these large sources, if any, within 1,000 feet and potential cumulative impacts from these uses will be analyzed.

- C. A list of potential emission sources within the air quality study area will be compiled based on EPA, NYSDEC, and DEP's databases and field observations. For facility types commonly associated with potentially harmful pollutants, emission information for these facilities will be requested from DEP's Bureau of Environmental Compliance (BEC). Emission and stack parameter data contained in BEC operating permits will then be used to estimate any potential for these sources to result in air quality levels at the new residential, commercial, and amusement sites that exceed applicable air quality standards and guidelines. Field surveys and consultation with DCP and DEP will be used to determine which, if any, of these permits are associated with businesses that are no longer in operation. No analysis would be conducted for such facilities.
- D. Estimates will be made using the EPA's AERMOD refined dispersion model for each of the pollutants in the permits to calculate cumulative impacts. In the event that potential violations of standards are estimated, measures to reduce pollutant levels to within standards will be examined for these sources.
- E. Guideline values, developed by EPA and NYSDEC (as described in the *CEQR Technical Manual*) will be used for determining potential air toxics impacts. These are short-term (1-hour) SGC and long-term (annual) AGC guideline concentration values (NYSDEC Air Guide-1, *Guidelines for the Control of Toxic Air Contaminants*), and EPA's unit risks factors for inhalation (EPA Integrated Risk Information System (IRIS) and EPA Health Effect Assessment Summary Tables).
- F. Conducted for Task 21, "Public Health," below, EPA's "Hazard Index Approach" will be utilized to assess exposure levels associated with non-carcinogenic toxic air pollutants, and EPA's unit risk approach will be used to assess potential long-term impacts of the carcinogenic pollutants. The "Hazard Index Approach" is based on estimating the ratio of pollutant concentrations divided by their respective health-related Guideline Values (GVs).
- G. For the Public Health analysis, (Task 21, below), results of the stationary source air quality analysis for air toxics will be compared to the appropriate measures of environmental impact, as follows:
  - Non-carcinogenic air pollutant results will be compared with applicable guideline values. If the total ratio of pollutant concentrations obtained by dividing by their respective GV is found to be less than 1 for all pollutants combined, no significant air quality impacts will be predicted to occur due to non-carcinogenic toxic pollutant releases; and
  - Carcinogenic air pollutant results will be compared with EPA cancer risk threshold level of one-in-one million. Potential impacts will be reported if the total incremental cancer risk estimated from the emissions of all of the carcinogenic toxic pollutants combined is greater than one-in-one million. Future development, where mitigation may be required as a result of proposed action, may receive an E-designation to ensure compliance with applicable air quality standards.

### **TASK 19. NOISE**

The noise study will focus on assessing: (1) potential noise impacts due to project-generated traffic (mobile sources); (2) potential noise impacts due to building operations (i.e., stationary source noise from mechanical equipment); and (3) the level of attenuation needed in the

proposed residential buildings and other proposed development buildings to satisfy CEQR requirements. For the purposes of analyzing the proposed actions' RWCDs for mobile source noise, the analyses will incorporate the reasonable worst-case findings of the traffic analyses.

The EIS noise study will include the following tasks:

- A. Select appropriate noise descriptors. Appropriate noise descriptors that characterize the noise environment and the impact of the proposed actions will be selected based on current CEQR criteria. Consequently, the 1-hour equivalent ( $L_{eq(1)}$ ) and, where appropriate, the  $L_{10}$  noise levels will be examined.
- B. A screening analysis will be performed to determine locations where there is the potential for significant impacts due to the proposed actions. In general, these locations would be places where traffic generated by the proposed actions would result in a doubling of passenger car equivalents (PCEs). Techniques used for this screening analysis will include proportional modeling and/or use of the Traffic Noise Model (TNM).
- C. Select receptor locations for detailed analysis. Two types of receptor sites will be selected: receptor sites for detailed impact analysis, and receptor sites for building attenuation purposes. In general, receptor sites selected for impact analysis will be those locations where the proposed actions have the potential for significant impacts (based upon a screening analysis that will look for a doubling of traffic). These receptor sites would include locations where the proposed actions would have the greatest potential to affect ambient noise levels. Receptor sites for building attenuation purposes will be locations where building design measures would be necessary to meet CEQR requirements, but where no detailed impact analysis is necessary (because project-generated traffic would not result in a significant increase in noise levels). Receptor sites will include locations adjacent to busy streets, KeySpan Stadium, and the open amusement area. Particular attention will be paid to sensitive land uses—parks, open space, residences, etc.
- D. Determine existing noise levels. At each of the impact receptor sites, existing noise levels will be measured during five time periods—weekend midday; weekend late afternoon/early evening; and weekday AM, midday, and PM. Measurements will be made using a Type 1 instrument, and  $L_{eq}$ ,  $L_1$ ,  $L_{10}$ ,  $L_{50}$ , and  $L_{90}$  values will be recorded. At each site, 20-minute spot measurements will be made. Existing noise levels were measured in December 2007. Existing noise levels will be adjusted to reflect the summer peak periods using traffic data and the TNM.
- E. Noise due to amusement-related mechanical equipment and activities will be based on literature or field measurements.
- F. Determine future noise levels without the proposed actions. At each of the impact receptor locations, noise levels without the proposed actions will be determined for the project analysis year using existing noise levels, acoustical fundamentals, and mathematical models. Noise from traffic and mechanical equipment operation will be included in the analysis. Techniques used for this analysis will include proportional modeling, the Federal Transit Administration (FTA) model, and use of the TNM.
- G. Determine future noise levels with the proposed actions. At each of the impact receptor locations, noise levels with the proposed actions will be determined using existing noise levels, acoustical fundamentals, and mathematical models. Noise from traffic and mechanical equipment operation will be included in the analysis. Techniques used for this

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analysis will include proportional modeling, the FTA model, and use of the TNM. Noise due to stationary sources (including the proposed HVAC equipment) will be included in the analysis.

- H. Compare noise levels with CEQR impact evaluation criteria. Existing noise levels and future noise levels, both with and without the proposed actions, will be compared with the CEQR noise impact criteria to determine project impacts. In addition, noise from mechanical equipment will be compared with other relevant City noise criteria (e.g., New York City Noise Code).
- I. Determine level of building attenuation required. For the buildings analyzed as part of the proposed actions, the level of attenuation and the types of measures (e.g., alternative ventilation, double-glazed windows, etc.) necessary to achieve the attenuation specified in the *CEQR Technical Manual* will be examined.
- J. Examine mitigation measures, if necessary. If significant noise impacts are predicted to occur with the proposed actions, possible mitigation measures will be examined to reduce or eliminate such impacts. These measures will include possible rerouting of traffic and building attenuation measures (e.g., retrofitting windows and providing alternative ventilation), as well as design modifications for mechanical equipment.

### **TASK 20. CONSTRUCTION IMPACTS**

Construction impacts, though temporary, can have a disruptive and noticeable effect on the adjacent community, as well as people passing through the area. Construction impacts are usually important when construction activity could affect traffic conditions, archaeological resources and the integrity of historic resources, community noise patterns, air quality conditions, and mitigation of hazardous materials. Because there are no specific plans for individual buildings, the construction assessment for the proposed actions will be qualitative, focusing on areas where construction activities may pose specific environmental problems. The chapter will address all proposed development sites for technical areas of concern related to construction in accordance with *CEQR Technical Manual* guidelines. The EIS will detail information on project sequencing and construction staging, especially as they relate to street and sidewalk closure and parking. The EIS will also include a projection of construction worker and delivery activities during peak construction. The assessment will include a discussion of the unique characteristics of Coney Island and a qualitative analysis of transportation-related issues. Suggestions on incorporating measures to avoid potential impacts will also be included such as odor suppression, etc. Construction phase noise impacts will be qualitatively assessed and recommendations will be made to comply with DEP guidelines contained in Report #CON-79-001 and the New York City Noise Code. Noise and ground-borne vibration impacts during construction will be addressed at vulnerable sites and if necessary, appropriate recommendations will be made for their control. Should potential impacts be identified, practicable mitigation measures will be developed.

### **TASK 21. PUBLIC HEALTH**

Public health involves the activities that society undertakes to create and maintain conditions in which people can be healthy. Many public health concerns are closely related to air quality, hazardous materials, construction and natural resources. A public health assessment may be warranted if a proposed action results in a) increased vehicular traffic or emissions from stationary sources resulting in significant air quality impacts; b) increased exposure to heavy

metals and other contaminants in soil/dust resulting in significant impacts, or the presence of contamination from historic spills or releases of substances that might have affected or might affect groundwater to be used as a source of drinking water; c) solid waste management practices that could attract vermin and result in an increase in pest populations; d) potentially significant impacts to sensitive receptors from noise and odors; or e) vapor infiltration from contaminants within a building or underlying soil that may result in significant hazardous materials or air quality impacts. Based on the findings of the tasks discussed above, the EIS will provide an assessment of potential public health impacts, following the guidelines presented in the *CEQR Technical Manual*.

#### **TASK 22. MITIGATION**

Where significant impacts have been identified in Tasks 2 through 21, measures to mitigate those impacts will be described. These measures will be developed and coordinated with the responsible City/State agencies as necessary, including LPC, NYCDOT, and DEP. Where impacts cannot be mitigated, they will be described as unavoidable adverse impacts.

#### **TASK 23. ALTERNATIVES**

The purpose of an alternatives section in an EIS is to examine development options that would tend to reduce action-related impacts. The alternatives are usually defined when the full extent of the proposed actions' impacts are identified, but at this time it is anticipated that they will include the following:

- The “No Action” Alternative, which assumes no rezoning area rezoning or any elements of the other proposed actions, i.e., text amendments, mapping actions, etc., but includes as-of-right development in the rezoning area;
- A lesser density alternative, which assumes a rezoning to a lower density district than what is proposed;
- A 15-acre amusement park alternative, which assumes the proposed actions, 15-acre mapped amusement park, and RWCDS described in the January 2008 Draft Scope of Work and presented at the February 13, 2008 scoping hearing; and
- An alternative that assumes creation of the Special Coney Island District and development of amusement, residential, hotel, and retail uses but without the demapping and mapping of parkland in the rezoning area.

The alternatives analysis is primarily qualitative, except where impacts of the proposed actions have been identified. For technical areas where impacts have been identified, the alternatives analysis will determine whether these impacts would still occur under each alternative.

#### **TASK 24. EIS SUMMARY CHAPTERS**

In accordance with CEQR guidelines, the EIS will include the following three summary chapters, where appropriate to the proposed actions:

- Unavoidable Adverse Impacts—which summarizes any significant adverse impacts that are unavoidable if the proposed actions are implemented regardless of the mitigation employed (or if mitigation is impossible);
- Growth-Inducing Aspects of the Proposed Actions—which generally refers to “secondary” impacts of a proposed action that trigger further development; and

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- Irreversible and Irretrievable Commitments of Resources—which summarizes the proposed actions and their impacts in terms of the loss of environmental resources (loss of vegetation, use of fossil fuels and materials for construction, etc.), both in the immediate future and in the long term.

### **TASK 25. EXECUTIVE SUMMARY**

The executive summary will utilize relevant material from the body of the EIS to describe the proposed actions, their significant and adverse environmental impacts, measures to mitigate those impacts, and alternatives to the proposed actions. \*

## **Appendix A: Coney Island Rezoning Responses to Scoping Comments**

### **A. INTRODUCTION**

This document summarizes and responds to comments on the proposed Draft Scope of Work (“Draft Scope”), issued originally on January 11, 2008, and re-issued on May 23, 2008 for the preparation of the Coney Island Rezoning Draft Environmental Impact Statement (DEIS). Oral and written comments were received during the public hearings held by the Office of the Deputy Mayor for Economic Development on February 13, 2008 and again on June 24, 2008. Written comments were accepted from issuance of the Draft Scope through the public comment period, which ended July 11, 2008.

Section B lists the elected officials, organizations, and individuals who provided comments on the January and May Draft Scope and is delineated by the January and May Scopes. Section C contains a summary of these comments and a response to relevant comments. These summaries convey the substance of the comments made, but do not necessarily quote the comments verbatim. Comments are organized by subject matter and generally parallel the chapter structure of the proposed DEIS. Where more than one commentator expressed similar views, those comments have been grouped and addressed together. The comments are also identified by the Draft Scope of Work to which they refer. Where relevant and appropriate, substantive changes and other edits to the Draft Scope have been incorporated into the Final Scope.

It is noted that for the Coney Island Rezoning Draft Scope, many of the comments offered substantive concerns, issues, and recommendations about the overall plan itself, but not specifically on EIS technical issues. In these instances, the responses include either an acknowledgment of the comment (“Comment noted.”) or an indication that the comment raised issues beyond CEQR and the technical scope of the EIS.

### **B. LIST OF ORGANIZATIONS AND INDIVIDUALS WHO COMMENTED ON THE DRAFT SCOPE OF WORK**

#### **JANUARY 2008 DRAFT SCOPE**

##### *ELECTED OFFICIALS*

1. Domenic M. Recchia, Jr., Council Member, 47th District, Brooklyn, written comments dated February 29, 2008 (Recchia)

##### *COMMUNITY BOARDS*

2. Executive Committee, Brooklyn Community Board 13, written comments dated February 22, 2008 (CB13)

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### *ORGANIZATIONS*

3. Martin Allen, People for Political and Economic Empowerment, testimony at public scoping hearing February 13, 2008 (PPEE)
4. Charles Denson, Director, Coney Island History Project, written comments dated February 29, 2008 (Denson)
5. David Gratt, Coney Island USA, testimony at public scoping hearing February 13, 2008 (Gratt)
6. Arthur Melnick, Brooklyn City Street Car Company, testimony at public scoping hearing February 13, 2008 (Melnick)
7. The Municipal Art Society of New York, undated written comments (MAS)
8. Natural Resources Protective Association of Staten Island, Brooklyn-Queens Division, written comments dated February 28, 2009 (NRPA)
9. Nicholas Ronderos, Regional Plan Association, testimony at public scoping hearing February 13, 2008 (RPA)
10. Society for the Architecture of the City, undated written comments (SFAC)
11. South Brooklyn Legal Services, representing the Fifth Avenue Committee, written comments dated February 28, 2008 (Legal Services)
12. Trump Village Section 4, Inc., written comments dated February 28, 2008 (Trump Village)

### *INTERESTED PUBLIC*

13. Charles Bendit, Taconic Investment Partners LLC, written comments dated February 15, 2008 (Bendit)
14. Paul Bergante, testimony at public scoping hearing February 13, 2008 (Bergante)
15. Noel Campbell, testimony at public scoping hearing February 13, 2008 (Campbell)
16. Darnell Canada, testimony at public scoping hearing February 13, 2008 (Canada)
17. Stephen Cohen, testimony at public scoping hearing February 13, 2008 (Cohen)
18. Brian L. Gotlieb, testimony at public scoping hearing February 13, 2008 and written comments dated February 29, 2008 (Gotlieb)
19. Rene Handwerker, written comments dated February 27, 2008 (Handwerker)
20. Anton Krylov, testimony at public scoping hearing February 13, 2008 (Krylov)
21. Carolyn McCrory, testimony at public scoping hearing February 13, 2008 and written comments dated March 4, 2008 (McCrory)
22. Ruth Magwood, testimony at public scoping hearing February 13, 2008 (Magwood)
23. Jesse Masyr, Wachtel & Masyr, LLP, representing Thor Equities, LLC, testimony at public scoping hearing February 13, 2008 and written comments dated February 26, 2008 (Masyr)



24. Margery Perlmutter, Bryan Cave LLP, representing the Russo Family, testimony at public scoping hearing February 13, 2008 and written comments dated February 28, 2008 (Perlmutter)
25. Nino Russo, testimony at public scoping hearing February 13, 2008 (Russo)
26. Dennis Vourderis, testimony at public scoping hearing February 13, 2008 (Vourderis)
27. Dick Zigun, testimony at public scoping hearing February 13, 2008 (Zigun)

**MAY 2008 REVISED DRAFT SCOPE**

**ELECTED OFFICIALS**

1. Domenic M. Recchia, Council Member, 47th District, written comments submitted July 1, 2008 (Recchia)

**COMMUNITY BOARDS**

2. Marion Cleaver, Chair Brooklyn Community Board 13, testimony at public scoping hearing June 24, 2008 (CB13)

**ORGANIZATIONS**

1. Rick Russo, Vice President, Economic Development and Strategic Partnerships, Brooklyn Chamber of Commerce, testimony at public scoping hearing June 24, 2008 (Commerce)
2. Joshua Sirefman, chair, Coney Island Development Corporation (CIDC), testimony (Nathan Bliss, speaking on behalf) at public scoping hearing June 24, 2008 (CIDC-Sirefman)
3. Sol Adler, CIDC Board member, testimony (Nathan Bliss, speaking on behalf) at public scoping hearing June 24, 2008 (CIDC-Adler)
4. Dick Zigun, founder/director, Coney Island USA, testimony at public scoping hearing June 24, 2008 (CUSA-Zigun)
5. Mark Alhadeff, board member, Coney Island USA, testimony at public scoping hearing June 24, 2008, (Alhadeff)
6. Pastor Constance Hulla and Anthony Williamson, co-chairs Coney Island Community Labor Economy Alliance for Redevelopment (CLEAR), written comments submitted July 11, 2008 (CLEAR)
7. Alfie Davis, Coney Island CLEAR, testimony at public scoping hearing June 24, 2008 (ADavis)
8. Sheila Boyd, Coney Island CLEAR, written comments submitted June 25, 2008 (Boyd)
9. Michael Halpin, Coney Island CLEAR, testimony at public scoping hearing June 24, 2008 (Halpin)
10. Darnell Canada, Rebuild, testimony (Paul Kelly speaking on behalf) at public scoping hearing June 24, 2008 (Canada)

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11. Charles Denson, Director, Coney Island History Project, testimony at public scoping hearing June 24, 2008 and written comments submitted June 24, 2008 (Denson)
12. David Finkelstein, New York City Region, American Coaster Enthusiasts, testimony at public scoping hearing June 24, 2008 (Finkelstein)
13. Christabel Gough, Society for the Architecture of the City, testimony at public scoping hearing June 24, 2008 (Gough)
14. South Brooklyn Legal Services on behalf of the Fifth Avenue Committee, written comments submitted July 11, 2008.(FifthAve)
15. Katherine Greenberg, South Brooklyn Legal Services on behalf of the Fifth Avenue Committee, testimony at public scoping hearing June 24, 2008 (Greenberg)
16. Pam Harris, Coney Island Generation Gap, testimony at public scoping hearing June 24, 2008 (Harris)
17. Arthur Melnick, Brooklyn City Street Car Company, testimony at public scoping hearing June 24, 2008 (Melnick)
18. Bob Catell, CEO, National Grid, testimony (Daniel Milan speaking on behalf) at public scoping hearing June 24, 2008 and written comments submitted June 24, 2008 (Grid)
19. Pat Minichello, Luna Park Housing, testimony at public scoping hearing June 24, 2008 (Luna)
20. Wayne Norbitz, CEO, Nathan's Famous, written comments submitted June 20, 2008 (Norbitz)
21. Stuart Pertz, Municipal Art Society, testimony at public scoping hearing June 24, 2008 and written comments undated (MAS)
22. James Prince, Major Meat Market, testimony at public scoping hearing June 24, 2008 (Prince)
23. James Quigley, Peggy O'Neill's, testimony at public scoping hearing June 24, 2008 (Quigley)
24. Chuck Reichenthal, District Manager, CB 13, written comments undated.(Reichenthal)
25. L. Nicolas Ronderos, Senior Planner, Regional Plan Association, testimony at public scoping hearing June 24, 2008 (RPA)
26. Ida Sanoff, Natural Resources Protective Association, testimony at public scoping hearing June 24, 2008 (Sanoff)
27. George Shea, Chair, Major League Eating, testimony at public scoping hearing June 24, 2008 (Shea)
28. Pat Singer, Brighton Neighborhood Association, testimony at public scoping hearing June 24, 2008 (Singer)
29. Reverend Billy Talen, Church of Stop Shopping, testimony at public scoping hearing June 24, 2008 (Talen)
30. Michael O'Neill, parishioner, Church of Stop Shopping, testimony at public scoping hearing June 24, 2008 (O'Neill)

31. Charles Bendit, Taconic Investment Partners, testimony at public scoping hearing June 24, 2008 (Ari Shalam, speaking on behalf) and written comments submitted July 3, 2008 (Taconic)
32. Jodi Siegel, counsel to Thor Equities, testimony at public scoping hearing June 24, 2008 (Thor)
33. Michael White, Noticing New York, testimony at public scoping hearing June 24, 2008 (White)

**INTERESTED PUBLIC**

34. Khalid Abdelrahman, graduate, P.S. 209, testimony at public scoping hearing June 24, 2008 (Abdelrahman)
35. Ariela, written comments submitted June 26, 2008 (Ariela)
36. Rick Artickle, written comments submitted July 11, 2008 (Artickle)
37. Michael Azerrad, written comments submitted June 23, 2008 (Azerrad)
38. Zoe Beloff, written comments submitted June 26, 2008 (Beloff)
39. Patrick Brennan, written comments submitted July 3, 2008 (Brennan)
40. Paul Brigandi, Coney Island historian, testimony at public scoping hearing June 24, 2008 (Brigandi)
41. Crosby Brooke, written comments submitted July 4, 2008 (Brooke)
42. Dianna Carlin, written comments submitted July 10, 2008 (Carlin)
43. Brenna Chase, written comments June 26, 2008 (Chase)
44. Katie Chen, written comments submitted July 2, 2008 (Chen)
45. Fred Cheyunski and Jeanne Blais-Cheyunski, written comments submitted June 22, 2008 (Cheyunski)
46. Joe Coffman, written comments submitted July 8, 2008 (Coffman)
47. Thomas Couteau, testimony at public scoping hearing June 24, 2008 (Couteau)
48. James Marshall Crotty, written comments submitted July 4, 2008 (Crotty)
49. Paula D'Alessandris, written comments submitted June 24, 2008 (D'Alessandris)
50. Kevin Davis, graduate, P.S. 209, testimony at public scoping hearing June 24, 2008 (KDavis)
51. James Douglas, written comments submitted July 4, 2008 (Douglas)
52. Savitrid Durkee, testimony at public scoping hearing June 24, 2008 (Durkee)
53. Richard Eagan, written comments submitted July 10, 2008 (Eagan)
54. Paul Easton, testimony at public scoping hearing June 24, 2008 (Easton)
55. Cole Ettman, testimony at public scoping hearing June 24, 2008 (Ettman)
56. Fireflye, written comments submitted July 7, 2008 (Fireflye)

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57. Rosemary Flannery, written comments submitted June 24, 2008 (Flannery)
58. Johanna Gargiulo-Sherman, testimony (Nicole Etienne speaking on behalf) at public scoping hearing June 24, 2008 and written comments undated (Gargiulo-Sherman)
59. Aaron Garovoy, written comments submitted June 27, 2008 (Garovoy)
60. Victoria Gershik, testimony at public scoping hearing June 24, 2008 (Gershik)
61. Kathy Giaimo, written comments submitted June 12, 2008 (Giaimo)
62. Frank Goldblatt, testimony at public scoping hearing June 24, 2008 (Goldblatt)
63. Brian Gotlieb, testimony at public scoping hearing June 24, 2008 (Gotlieb)
64. Joseph Guastella, testimony at public scoping hearing June 24, 2008 (Guastella)
65. Lloyd Handwerker, testimony at public scoping hearing June 24, 2008 (Handwerker)
66. McCall Hawkins, written comments submitted June 21, 2008 (Hawkins)
67. Hans Heesen, written comments submitted July 5, 2008 (Heesen)
68. Joyce Hochman, written comments submitted July 9, 2008 (Hochman)
69. Diane Howley, written comments submitted June 21, 2008 (Howley)
70. Hawley Husey, written comments submitted July 11, 2008 (Husey)
71. Brian Jones, written comments submitted July 2, 2008 (Jones)
72. Fred Kahl, webmaster, coneyisland.com, testimony at public scoping hearing June 24, 2008 (Kahl)
73. Anthony Killiebrew, testimony (Shani Coleman speaking on behalf) at public scoping hearing June 24, 2008 and undated written comments (Killiebrew)
74. Anne King, written comments submitted June 24, 2008 (AKing)
75. Matthew S. King, written comments submitted July 11, 2008 (MKing)
76. Natalie Kocsis, written comments submitted June 24, 2008 (Kocsis)
77. Clare Kopulakis, testimony at public scoping hearing June 24, 2008 (Kopulakis)
78. Harold Kramer, testimony at public scoping hearing June 24, 2008 (Kramer)
79. Scott Krivitsky, teacher, testimony at public scoping hearing June 24, 2008 (Krivitsky)
80. M.E. Lawrence, written comments submitted June 20, 2008 (Lawrence)
81. Martin Lewison, written comments submitted June 18, 2008 (Lewison)
82. Legs Malone, written comments submitted July 4, 2008 (Malone)
83. Kevin McEvoy and Barbara Epstein, written comments submitted July 11, 2008 (McEvoy)
84. Ruth Magwood, testimony at public scoping hearing June 24, 2008 (Magwood)
85. Kim Marks, written comments submitted June 24, 2008 (Marks)
86. Kathleen Matthews, written comments submitted July 11, 2008 (Matthews)
87. Susan McCartney, written comments June 24, 2008 (McCartney)

88. Carolyn McCrory, testimony at public scoping hearing June 24, 2008 and written comments submitted July 11, 2008 (McCrory)
89. Sara Lee McWhite, testimony at public scoping hearing June 24, 2008 and written comments submitted June 26, 2008 (McWhite)
90. Richard Mott, written comments submitted July 11, 2008 (Mott)
91. James Mundie, written comments submitted July 11, 2008 (Mundie)
92. Eric Muzzy, written comments submitted July 10, 2008 (Muzzy)
93. Joseph Pagano, written comments submitted June 25, 2008 (Pagano)
94. Jessica Rae Patton, written comments submitted July 4, 2008 (Patton)
95. Margery Perlmutter, on behalf of Russo Family, testimony at public scoping hearing June 24, 2008 (Perlmutter)
96. Lila Place, written comments submitted June 23, 2008 (Place)
97. Lou Powsner, testimony at public scoping hearing June 24, 2008 (Powsner)
98. Damian Panitz, written comments submitted June 11, 2008 (Panitz)
99. Tim Perrins, written comments submitted July 11, 2008.(Perrins)
100. Shaquana Rankins, testimony at public scoping hearing June 24, 2008 (Rankins)
101. RobeBc, written comments submitted Jun 19, 2008 (RobeBc)
102. Kristen M. Roth, written comments submitted July 11, 2008 (Roth)
103. Michael Russo, on behalf of Russo Family, testimony at public scoping hearing June 24, 2008 (Russo)
104. Sarah-Anne, testimony at public scoping hearing June 24, 2008 (Sarah-Anne)
105. Sheila Smalls, testimony (Nicole Etienne speaking on behalf) at public scoping hearing June 24, 2008 (Smalls)
106. Christine C. Soper, written comments submitted June 22, 2008 (Soper)
107. Aaron Sosnick, testimony at public scoping hearing June 24, 2008 (Sosnick)
108. Kathleen Sousa, written comments submitted July 10, 2008 (Sousa)
109. Pamela Sparacino, written comments submitted July 3, 2008 (Sparacino)
110. Morgan Taylor, testimony at public scoping hearing June 24, 2008 (Taylor)
111. Jennifer Tomforde, written comments undated (Tomforde)
112. Eileen L. Trotta, written comments submitted June 22, 2008 (Trotta)
113. Tricia Vita, testimony at public scoping hearing June 24, 2008 (Vita)
114. Gloria Watkins, testimony at public scoping hearing June 24, 2008 (Watkins)
115. Amos Wengler, Coney Island songwriter, testimony at public scoping hearing June 24, 2008 (Wengler)
116. Mark Weinstein, written comments submitted June 30, 2008 (Weinstein)

117. William John Whalen, written comments submitted July 2, 2008 (Whalen)
118. Peter Wicklein, written comments submitted June 24, 2008 (Wicklein)
119. Crystal Wigfall, written comments submitted July 2, 2008 (Wigfall)
120. Jeffery L. Wilson, written comments submitted July 8, 2008 (Wilson)
121. Eliot Wofse, written comments submitted June 30, 2008 (Wofse)

## **C. COMMENTS AND RESPONSES**

### **GENERAL COMMENTS**

#### *PROJECT REVIEW PROCESS AND PUBLIC PARTICIPATION*

**Comment 1:** The cost and specifics of this development plan must be provided. The developers, if any, for this plan must be named and the RFPs and proposals made public. Rezoning without any prospects of a development of the amusement area or the other areas will likely result in the creation of even more City-owned vacant land and land for the CIDC to acquire and own and keep vacant. (Handwerker, Jan.)

**Response:** The Coney Island EIS will analyze a reasonable worst-case development scenario (RWCDs) that reflects a realistic amount of development, and where it is most likely to occur, in the rezoning area. No developer RFPs or other specific development projects have been established and would not be expected until after the rezoning actions are in place. Therefore, no specific programs or costs will be considered in the analysis of the Coney Island Rezoning EIS. As noted in the goals and objectives set forth in this Scope (and as will be delineated in the EIS), the project's purpose is to encourage a diversity of new development in the rezoning area and not to retain vacant land.

**Comment 2:** Overall, the Draft Scope does not include a discussion of the public funds that will be made available for this project, nor does the Draft Scope discuss the amount of private funds that will be sought. An analysis of costs, particularly the cost of the infrastructure, the cost to the public and the cost to the private developers should be discussed as part of the Final Scope. (Masyr, Jan.)

The description of a project involving City acquisitions and disposition should account for its anticipated fiscal impact on the City. As such, this section should: (a) provide an estimate of the cost of the public acquisitions of private property, including an assessment of the historic accuracy of such projections by the City over similar timeframes; (b) indicate where those funds will be coming from; and (c) identify any anticipated subsidies and tax abatements and exemptions associated with the proposed actions.

The description should evaluate and describe the anticipated capital infrastructure needs associated with the proposed actions, including their projected cost at the time of implementation. It should also identify who will assume said costs. (Carlin, May)

**Response:** The purpose of the Coney Island Rezoning EIS is to provide a comprehensive assessment of the environmental consequences of the proposed rezoning and this analysis does not include the private or public costs that could accrue. With an understanding of the environmental consequences, City decision-makers can then weigh and balance relevant environmental impacts with social, economic, and other considerations pursuant to the intent of SEQRA and CEQR.

**Comment 3:** The entire process of this plan, the acquisition and disbursement of land is a non-transparent process. The entire process and all the related deals, acquisitions and dispositions of land, costs, financial transactions, proposals, qualifications of all personnel and developers, including the CIDC, must be open to the public and completely transparent. (Handwerker, Jan.)

**Response:** The proposed acquisitions and dispositions of property will be described in the EIS and the environmental consequences of development under the proposed rezoning facilitated by the acquisitions and dispositions will be described. The aspect of the comment with regard to costs, financial transactions, proposals and qualifications of personnel and developers is beyond the scope of the EIS technical studies.

**Comment 4:** It is important that the City opened up dialogue and have kept it open and will continue to keep it open as the project moves forward. We know that there is still a lot of work to be done. But we just want the City to continue to talk to us to keep us filled in on their progress and to let us know about every job opportunity that results from or because of this project. And all of the people who have stood up and slammed this project don't realize that this is the first time that a project like this is coming to this area and the first chance to add quality jobs for a lot of people. So let's stop being negative and look at this positively instead of saying what's wrong with the project and stop it from going through. Let's have dialogue and work together to make the project work for everyone. (Canada, Jan./ Canada, May/Gershik, May/Halpin, May/Magwood, May)

The CIDC rezoning process through February was exemplary. Since February, something has gone awry. A new, totally different plan has appeared with no public input. It would appear that the new plan is driven by the desires of a single Coney Island landowner, albeit a large and recent one. This landowner had every opportunity to know the history, culture, importance and zoning of Coney Island before he bought. It's perfectly fair for him to argue for his interests. It isn't fair for him to bargain in bad faith, threaten scorched-earth

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policies, or to subvert a public process intended to serve all stakeholders. (Sosnick, May)

There is a disrespect for the amusement industry which has not been at the negotiating table and that is not right. (CUSA-Zigun, May/Vita, May)

**Response:** Comment noted. These comments are beyond the scope of the EIS technical analyses. However, it should be noted that since 2004, more than 300 meetings have been held that involved more than 1,500 people, including representatives of the amusement industry.

**Comment 5:** Based upon the November 30, 2007 Advisory Opinion from the New York State Department of Environmental Conservation (NYSDEC), SEQRA applies to the alienation of municipal parkland. Specifically, the NYSDEC stated that “a municipal resolution requesting legislation to alienate parkland” is considered an “action,” and therefore, any reviews under SEQRA “should be complete prior to the adoption of the resolution requesting legislation authorizing the alienation of parkland.” Therefore, we request that the New York City Economic Development Corporation (NYCEDC) conduct an environmental review of the proposed parkland alienation, and that this review be concluded before any municipal resolution to request alienation legislation from the State Legislature is introduced. (MAS, Jan./MAS, May)

**Response:** This is a legal issue and, therefore, is outside the scope of the responses to comments. The EIS will examine open space based on the proposed project and will include an assessment of the proposed changes to City parklands.

**Comment 6:** I beg you to cancel this plan, fix the process, and come back to us here in two months with yet a third Draft EIS hearing. You will tell me that's unlikely or impossible. The precedent for just that was set only two months ago. (CUSA-Zigun, May)

By changing a deal in the middle of the deal, you betrayed New York City street rules, and worse than that, the entire democratic process. This committee worked for years to develop a plan and overnight you changed it. (Durkee, May)

The fact that the City proposal has changed so much as to require this meeting is proof positive that this is a flawed plan that was revised in bad faith with the community that contributed to the consensus plan. (O’Neil, May)

**Response:** Comments noted. The May 2008 Scoping meeting was held in order to give the public an opportunity to comment on changes to the plan that occurred since the January 2008 Scoping meeting.

**Comment 7:** The rezoning plan is still unclear. In the Coney East subdistrict, the vague references to the permitted bulk, heights, and uses such as entertainment retail



have not been defined. The absence of clearly defined, economically viable enclosed amusement and retail uses is out of sync with the City's goal of attracting year-round visitors to Coney Island. Scoping documents are published so that the affected communities have an opportunity to comment on the actions being proposed. However, with the critical issue of use and bulk still left undefined in the Scope, it is impossible to comprehensively comment on it. (Thor, May)

**Response:** The EIS will contain a comprehensive presentation of the proposed zoning and will consider use and bulk insofar as they are relevant to the technical analyses. A RWCDs has been prepared by the City to represent a reasonable and realistic development plan under the proposed rezoning, which forms the basis for analyzing the potential environmental impacts of the proposed actions. A public hearing will be held on the EIS at a future date.

**Comment 8:** Public outreach in the design of the park could prove extremely helpful in determining what the public would like their Coney Island to have. In the published renderings, I see an exciting place, though it seems more like big cities in China or Japan (or even a little like Times Square). I like the idea that this may be one aspect of Coney Island's redesign—state of the art! I can imagine it grounded however, by working with and around a lot of the existing structures. This would also help maintain Coney Island's beloved authenticity and history, as well as some of its beloved and authentic places and employees. I think that the new and the old could be entwined in a truly wonderful, original way and encourage the CIDC to explore this possibility. Even if the land needs to be gutted before rebuilding I believe the older structures can still somehow be saved and included in the final design. I think this would give the new park great depth and integrity, as well as great new heights and thrills. (McCrary, Jan.)

**Response:** The fundamental goal of the redevelopment plan is to retain Coney Island's legacy as an amusement destination and keep its unique character and identity through careful urban design regulations in the Special Coney Island District. The goal of the plan is to recognize and enhance the existing icons in Coney Island and incorporate them in the proposed redevelopment. With respect to park design, at a minimum DPR anticipates following its normal policy, which includes outreach to the community several times during the design process – when the scope of the design has been finalized, at the schematic design phase and again prior to final design.

*CONTENTS OF THE EAS AND DRAFT SCOPE*

**Comment 9:** The public scoping process requires the preliminary trip generation assessments or trip assignment data to be included in the Traffic section of the Draft Scope.

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Neither, the preliminary trip generation assessments nor the trip assignment data has been provided. The omission of this information does not provide sufficient information to justify the proposed traffic analysis locations. (Masyr, Jan.)

**Response:** SEQRA/CEQR do not require that generation estimates be included as part of the Draft Scope. The Draft Scope specifically notes that the preliminary trip generation and assignment analyses are among the first tasks in conducting the EIS impact analysis. The review of traffic impact study assumptions including trip generation and assignment is then reviewed in coordination with New York City Department of Transportation (NYCDOT) and modifications to the traffic study area or other aspects of the impact analysis are established. The Final Scope contains transportation planning assumptions that were developed in conjunction with the NYCDOT.

**Comment 10:** In the Draft Scope of Work, there are four parcels of land that are currently community gardens, but that are listed as vacant land. Two of the parcels are Parks Department land, while the others are HPD: Block 7071, Lot 142 (a permanent GreenThumb Parks Department garden, “The Boardwalk Garden”); Block 7060, Lot 1 (“The Cyclone Community Garden,” Parks Department); Block 7060, Lot 44 (“Senior Citizens Block Association of Mermaid Avenue,” HPD); and Block 7060, Lot 32 (“Unity Tower Tenant Association,” HPD). In the document, there are community gardens that are listed as vacant land that are actually not vacant. There are people on that land growing food for themselves. On page 10 of the Scope, the notation of moving the GreenThumb to another site must be fully explained. (McCrorry, Jan./ McCrorry, May/Reichenthal, May)

**Response:** The Final Scope has been corrected to account for the community gardens on Block 7060, although it is noted that the Cyclone and Senior Citizens Block Association gardens are considered as one facility, thus there are two community gardens identified on Block 7060, not three. The Block 7060 gardens will be included in the EIS assessment of open space. The community garden on Block 7071, Lot 142, will be relocated to a location to be determined.

**Comment 11:** The Positive Declaration, Draft Scope, and Environmental Assessment Statement (EAS) contain many errors, omissions, and discrepancies. Page 1 of the Positive Declaration states that the project area is 47 acres, but page 7a of the EAS states that less than 46 acres are affected. Several examples are omission of Block 7074, Lot 433, Block 7071, Lot 32, and Block 7073, Lot 100 from Figure 2 in the Draft Scope. These Blocks and Lots are included in the section of Public Actions in the Positive Declaration. In the Draft Scope, the site description on page 3 states that the area comprises 198 tax lots on 19 blocks, referring to Figure 2 and Table 1. Figure 2, however, shows 17 blocks and Table

1 lists 16 blocks. These documents must be revised and the errors corrected and reissued for review and for comments by the public. (Handwerker, Jan.)

**Response:** As set forth in the Final Scope, the rezoning area is approximately 47 acres. The Final Scope also contains a revised statement of blocks and tax lots identified within the rezoning area.

**Comment 12:** The EAS on page 3, item in the description of mapped City, State, and Federal parkland refers to unreadable Figures 2 and 3. Readable maps need to be provided. (Handwerker, Jan.)

**Response:** The EIS will include a comprehensive range of maps and figures to identify parkland in the rezoning area. Legible maps are included in the Final Scope and will be included in the EIS.

**Comment 13:** Page 4, item 7, Historic Resources, in the EAS omits the historic railroad right-of-way. This needs to be included in the paragraph on historic resources on page 7b and elsewhere in these documents. (Handwerker, Jan.)

**Response:** The EIS will examine all potential historic resources that are known or found to be potentially eligible resources as set forth in the *CEQR Technical Manual*, including “districts, buildings, structures, sites, and objects of historical, aesthetic, cultural, and archeological importance.”

**Comment 14:** Page 5, item 10, Land Use, needs to identify the exact number of stories and placement of mid-rise and high-rise apartment buildings with retail and parking at the base. This item also does not identify parking garages that are discussed in the plan. (Handwerker, Jan.)

**Response:** The EIS will present a description of the RWCDs, a realistic and likely development scenario, and each technical chapter of the EIS, as appropriate, will provide information on the height, and other potential site configuration aspects.

**Comment 15:** The Mermaid Avenue blocks being proposed for up zoning are not underutilized as stated in the plan. They have a much greater number of apartments and stores than the north side of Mermaid Avenue and other Coney Island blocks. (Handwerker, Jan.)

**Response:** The Final Scope has been revised to reflect conditions on Mermaid Avenue and the EIS will specifically identify and lay out existing development patterns on all blocks in the rezoning area.

**Comment 16:** The plan proposes to make Asser Levy Park contiguous with the amusement area to KeySpan Park. The EAS and Scope do not show that Surf Avenue

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borders this park from West 5th Street to Ocean Parkway. Asser Levy Park is incorrectly shown connected directly to the Boardwalk in Figure 7 of the Scope and on page 6 is the proposal to make Asser Levy Park contiguous with land to Steeplechase Plaza. Surf Avenue, which is currently between this park and the Boardwalk, provides much needed access from Surf Avenue to Ocean Parkway and must not be demapped. (Handwerker, Jan.)

**Response:** The Final Scope has been revised in response to this comment. See Figure 7.

**Comment 17:** The Draft Scope/EIS must be qualified so as to explain how each number/result was obtained, calculated, and identified. (Gotlieb, Jan.)

**Response:** The Final Scope contains thorough descriptions of the CEQR methodology that is followed for each of the EIS tasks, and the EIS will present a thorough explanation and basis for all quantitative impact analyses.

**Comment 18:** In the Positive Declaration on p. 4 and in the Draft Scope of Work, p.5, the Satellite Parking Lot is called Block 7073(sic), Lot 100 and should read Block 7071, Lot 100. (Bendit, Jan.)

**Response:** The Final Scope reflects the correction.

**Comment 19:** Taconic Investments and the Mercator Survey provided by NYCEDC (updated version November 29, 2007) both list the area of the Bath Parcel, Block 7072, Lot 1, as approximately 181,007 sf. The EAS (p.3e on table 4) lists the area as 167,672 sf. (Bendit, Jan.)

**Response:** The Mercator Survey provides the correct information and this is reflected in the revised EAS and revised Draft Scope that was issued in May 2008.

**Comment 20:** Taconic Investments lists the area for the New York City Department of Parks and Recreation (DPR) Parcel, Block 7071, Lot 100, as 76,692 sf. The EAS (p.3e table 4) lists the area as 70,505 sf, whereas the Mercator Survey and the Draft Scope of Work, p. 13 list the area as 73,561 sf. (Bendit, Jan.)

**Response:** See Response to Comment 18.

**Comment 21:** Taconic Investments and the Mercator survey list the area for the Community Garden, Block 7071, Lot 142, as approximately 45,000 sf, but the EAS (p.3e table 4) lists the area as 74,400 sf. (Bendit, Jan.)

**Response:** See Response to Comment 18.

**Comment 22:** In the EAS (p.3e table 4), Block 7060, lots 19 (2,475 sf), 31 (1,200 sf) and 41 (2,185 sf) are not listed for a total lot area of 5,860 sf. In addition, Block 7062, lot 14, (9,503 sf) is also not listed. (Bendit, Jan.)

**Response:** The revised EAS and revised Draft Scope issued in May 2008 reflects the correction.

**Comment 23:** The second paragraph in the “Site Description” section should not refer to “47 acres of developable land” since 22.5 of those acres are mapped parkland and thus not developable absent State legislation.(Carlin, May)

**Response:** The 47 acres describes the overall Coney Island rezoning area and the extent of mapped parkland is clearly set forth in the same paragraph. With the proposed actions and State legislation to address the alienation of parkland, a mix of amusement, recreational, and private development can be expected to occur throughout the 47 acres.

#### *STUDY AREAS AND GENERAL METHODOLOGIES*

**Comment 24:** Comment 23: Given the disproportionate concentration of disadvantaged and minority residents in this neighborhood, the Scope of Work should discuss and assess the environmental justice implications of the proposed actions. Particular attention should be paid in undertaking Tasks 2, 3, 4, 5, 12, 13, 14, 15, and 16.(Carlin, May)

**Response:** Consistent with the CEQR Technical Manual the EIS will contain a detailed socioeconomic profile and impact assessment, as well as an analysis of the potential of the Proposed Actions to affect neighborhood character.

**Comment 25:** This Scope proposes as a study area the area circumscribed by a 1/2-mile radius. That 1/2-mile radius, however, is significantly curtailed to the north by the Coney Island Creek and to the south by the Atlantic Ocean. Precisely, however, because of the physical isolation and geographic uniqueness of this island peninsula, the study area should comprise the peninsula in its entirety—an area whose size would approximate more closely the size of an uninterrupted 1/2-mile radius. This relates particularly, but not exclusively, to Tasks: 2, 3, 4, and 9. Discussion should be included regarding the western end of Coney Island, which is left out entirely of the plan, whether it be in the plan itself or in the EIS, which only looks at an area 400 feet to a ¼-mile surrounding the rezoning area.(Gotlieb, May/ Smalls, May/ Carlin, May)

**Response:** The study areas are established in accordance with the *CEQR Technical Manual* and are defined to encompass an area most likely to be affected by a project and to assess the potential for environmental impacts.

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**Comment 26:** The Draft Scope/EIS will not secure the information it is designed to obtain as it will be impossible to accurately depict the full effect of each variable within the EIS. This is because it fails to incorporate the entire Coney Island community. Geographically speaking, the study area for each variable listed extends between a few hundred feet and a half mile from the boundaries of the proposed actions area. At no time does it ever incorporate the entire community and it completely ignores the western portion of Coney Island. At no point are the residents of Trump Village, Brightwater Towers, Amalgamated Warbasse, and Luna Park addressed in the Draft Scope/EIS even though they reside in Coney Island. (Gotlieb, Jan.)

**Response:** The study areas established for each technical area of the EIS are based on the criteria and methodologies established in the *CEQR Technical Manual* and reflect the area in which potential environmental impacts from the development project are most likely to occur.

**Comment 27:** The current study area represents only a small portion of the broader Coney Island area. We therefore urge the city to take the opportunity to develop a broader plan for Coney Island, and consider developing a planning framework that not only includes the current study area but also considers the future of Coney Island Creek, the Coney Island Rail Yards and the entire stretch of Surf and Mermaid Avenues and how potential land-uses for those areas might relate to and complement planning for the rezoning area. (MAS, Jan.)

**Response:** As noted in the Final Scope, the proposed Coney Island Rezoning area encompasses approximately 20 blocks of mostly vacant and underutilized land. The EIS is specifically scoped to assess the potential environmental consequences of the proposed actions on these areas and the surrounding study areas as determined by CEQR.

**Comment 28:** The EIS should compile a full inventory of all the “soft sites” that are likely to be redeveloped in future years within the expanded study area (that would include both sides of Coney Island Creek, the Coney Island Rail Yards, and the full peninsula of Coney Island, including Seagate, Brighton Beach, and Manhattan Beach) and the likely impact of this redevelopment on the project and study areas. (MAS, Jan./MAS, May)

**Response:** The EIS will include a comprehensive assessment of soft site locations within the rezoning area.

**Comment 29:** The EIS should conduct a full review of the proposed actions to ensure they are fully compatible and consistent with the goals set out in the Mayor’s PlaNYC 2030. These include the relationship of the project to the following goals: the goal of creating a million more housing units by the year 2030; ensuring that all New Yorkers live within a 10-minute walk of a park; the opening up of 90

percent of our waterways—in this case the Ocean and Coney Island Creek—for recreation by reducing water pollution, the instance of CSOs, and the preservation of natural areas; the improvement of travel times by the addition of transit capacity; the reaching of a full “state of good repair” on New York City’s roads, subways and rails; the upgrading of our energy infrastructure to provide cleaner, more reliable power; achieving the cleanest air of any big city in America; and the reduction of global warming emissions by more than 30 percent. (MAS, Jan./MAS, May)

**Response:** As noted in the Final Scope, the EIS, as required, will consider the project’s consistency with relevant public policy, including PlaNYC 2030.

**Comment 30:** The Framework for Environmental Analyses section of the Draft Scope briefly addresses the possibility that the actual development proposal may differ from the RWCDs by stating that those differences would be “subject to additional environmental review as appropriate” (Draft Scope, page 14). A more detailed explanation of how this additional environmental review will occur and in what way the impacts of any changes will be addressed should be included in the Final Scope. (Masyr, Jan.)

**Response:** As described in the Final Scope, any changes to the proposed actions will be analyzed in accordance with all relevant regulations as warranted.

**Comment 31:** Since there is no phasing analysis with respect to the development of the Rezoning, a review of the possibility that certain components of this redevelopment may be delayed or may not proceed at all should be included in the RWCDs. For example, there has been no discussion in the Draft Scope of how a delay in the alienation of parkland for Block 7073, part of Lot 101 and Block 7071, Lot 100 would affect parking, housing and amusements. Correspondingly, there has been no discussion of what will happen if there are no acceptable responses to any of the proposed RFPs, which is not unusual in Coney Island. Failure to address elements that are beyond the City's control is an oversight that must be corrected in the Final Scope. The benefits of the rezoning that may be compromised by these phasing gaps should be analyzed so any adverse impacts identified will be disclosed. (Masyr, Jan.)

**Response:** Based on prevailing CEQR practice, a RWCDs for an areawide rezoning such as the proposed action is typically based on a ten-year time frame. The ten year project is based on conservative assumptions designed to predict long-term growth. The RWCDs provides a conservative assumption of the overall amount of development, which leads to a conservative assessment of the potential for significant adverse impacts.

**Comment 32:** In both the Project Context and Framework for Environmental Analyses section, it is stated that Coney Island attracts “millions of visitors per year” (Draft

Scope, pages 3 and 14). However, it is unclear whether these people are visiting the area to go to the beach, the amusement park, the aquarium or live in the area. Nor does the Draft Scope differentiate the 90 day “summer season” from the remainder of the year. Reliance on the visitor base to support economic development in the “off-season” may be misplaced. A study that assesses the temporal distribution of visitors to Coney Island and the number of visitors to each of the attractions of Coney Island should be compiled in order to predict the future patronage patterns for the proposed development. (Masyr, Jan.)

**Response:** The EIS will identify and describe the visitation data and assumptions that underlie the impact assessment for any given technical analysis.

**Comment 33:** The community is concerned that the proposed study area surrounding the proposed rezoning project would further eliminate more retail and residential area from West 21st to West 12th Street. It would expand across Mermaid Avenue that would include the library, another community organization, and more than four blocks of residential areas. The community is also concerned that if the study area is eventually included in the rezoning plan, it will be done as a discretionary amendment to the zoning plans as opposed to a public hearing. The community is asking that all discretionary amendments to the rezoning plan be eliminated, and that each change or add-on to the rezoning plan be made through public hearings. The community is requesting that Community Board 13 request a public hearing if the study area is allowed into the rezoning plan. (CLEAR, May/ Boyd, May)

**Response:** Study areas utilized for EIS technical analyses extend beyond the rezoning area in order to allow for consideration of whether the rezoning may have environmental consequences in locations beyond its boundaries, but not in order to consider whether to extend the rezoning itself. Any changes to the rezoning area would be subject to all applicable rules and regulations. Under those rules and regulations, no expansion of a rezoning area is possible without a public hearing.

**Comment 34:** There’s still no clear timetable for us and the community to work with. The Draft Scope still fails to provide a timeline for the myriad of issues that need to be addressed, including planning, city and state approvals, and request for proposals. At the top of that timeline needs to be a groundbreaking on the proposed community center. It will serve as an anchor for revitalization and demonstrate that this project is going forward with community needs as the top priority. After years of planning, the act of setting a reasonable, achievable timetable will help us better understand the task in front of us, and guide us toward our goal. (Recchia, May)

**Response:** The current timetable anticipates a seven-month public process through ULURP, where the public will have an opportunity to provide input at a



Community Board, Borough, and City-wide level. The community center is not part of this project and is on its own timeline. The Community Center project led by HPD, also known as “Coney Island Commons,” was certified into ULURP on January 5, 2009. Following certification, the ULURP process defines a clear timetable for completion of discretionary approvals required to facilitate the project and provides ample opportunity for public input.

**Comment 35:** For the sake of clarity, the Framework for Analysis should provide a table that compares the reasonable worst-case scenario against the no-action base-line scenario. The table should include for both scenarios (a) maximum allowable number of development units; (b) maximum allowable number of parking spaces; and (c) maximum allowable square feet of commercial uses. (Carlin, May)

**Response:** The EIS will present the information noted in the comment in terms of the RWCDs, which represents the City’s analysis and assessment of the mostly likely redevelopment scenario with the proposed rezoning. As required by CEQR, the EIS will contain an Alternatives analysis that will specifically compare the No Action base line with the proposed action.

**Comment 36:** The Framework for Analysis should include a projection of the highest number of expected visitors to the neighborhood under a worst-case scenario. (Carlin, May)

**Response:** The EIS will look at activity levels during peak summer periods.

**Comment 37:** Given the Site's immediate proximity to the Jamaica Bay Watershed, this project should be viewed and assessed in light of the principles of the Jamaica Bay Watershed Plan.(Carlin, May)

**Response:** The Infrastructure and Natural Resources assessments in the EIS will look at the project in light of applicable City policies regarding environmental protection, including the Jamaica Bay Watershed Protection Plan pursuant to Local Law 71 of 2005.

**Comment 38:** In analyzing whether the proposed area for open-air amusements is of sufficient size and capacity, the EIS should conduct a full analysis of the market for a revitalized amusement area at Coney Island and what proportion of this market the amusement area is likely to capture. Specifically, the EIS should study:

- The population that lives within a 100 mile radius of Coney Island (the industry standard distance for “day-trip” range)
- The likely “capture rate” or proportion of this market likely to visit a revitalized Coney Island based on comparable parks including: Morey’s Piers, Wildwood, New Jersey; Tivoli Gardens, Copenhagen, Denmark;

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Pleasure Beach, Blackpool, UK; Six Flags, Great Adventure, Jackson, New Jersey; Hershey Park, Hershey, Penn; Santa Cruz, California

- The potential attendance given the size of the potential market and the likely capture rate
- The “design day” capacity of the proposed 9-acre open-air amusement area and overall annual attendance capacity
- Options for expanding the size of the open-air amusement area to accommodate the maximum attendance, including: Expanding the area set aside or zoned for open air amusements to the full area of Coney East or the full area south of Surf Avenue (including Coney West); Constructing piers into the water containing open-air amusements
- As a guide to potential attendance, the EIS should study attendance at the beach at Coney Island

The City’s plan proposes the creation of “entertainment retail” in Coney Island East. The EIS should explore the likely market for entertainment-oriented retail, and in particular whether this type of land-use will draw tourists and visitors from around the City or from a more limited market. Finally, the EIS must draw a clear distinction throughout between open-air amusements and the far broader “entertainment” category. The latter category—which includes retail and other functions—is entirely different in impact, appeal and character from open-air amusements. The EIS should make the respective sizes of the open air amusement area and the overall entertainment area clear throughout, but also analyze the economic impact, market size, attendance and impact on neighborhood character separately. (MAS, May)

**Response:** The proposed actions are based on extensive planning, design, and market evaluations for various elements of the Coney Island plan, most notably the amusement area. However, the EIS focus is specifically in assessing the potential environmental impacts of the rezoning plan (i.e., the RWCDS) and its scope of study does not include the market basis for the project.

**Comment 39:** The EIS should study whether the proposed design of the amusement will: retain retail and amusement booths adjacent to the Boardwalk to retain the lively streetscape experience there; and contain enough space for new modern rides, especially roller coasters. (MAS, May)

**Response:** See response to Comment 8.

### *GENERAL COMMENTS ON THE PROJECT*

**Comment 40:** Real-estate and commercial development should not take place on Coney Island, a national landmark that can never be recovered. Coney Island is a singular place with an incredible history. I believe we have an opportunity and obligation to respect and build on that history rather than dismiss that history in favor of

another generic development with no ties to its very particular past. (Matthews, May/Wigfall, May/Howley, May/Soper, May/Hochman, May/Whalen, May/Jones, May/Wengler, May/Hawkins, May/Tomforde, May/Lawrence, May/Melnick, May/Crotty, May/Handwerker, May/Prince, May/Gough, May/Taylor, May/Marks, May/Perrins, May/AKing, May/D'Alessandris, May/Wicklein, May/Chen, May/Heesen, May/Fireflye, May/Douglas, May/Eagan, May/Panitz, May/McCartney, May/Roth, May/MKing, May/Flannery, May/Giaimo, May/Garovoy, May/Patton, May/Sousa, May/Azerrad, May/Husey, May/Wofse, May/Mundie).

**Response:** As described in the Final Scope, the primary goal of the proposed actions is to safeguard and expand upon Coney Island's iconic amusements and to transform the area into a 27 acre, affordable, year-round urban amusement and entertainment destination. True to coney Island's historic amusement legacy, no residential or general retail uses would be permitted within the amusement and entertainment district. Further, the actions include the mapping of parkland along the boardwalk to preserve amusement uses in perpetuity and facilitate the future creation of an open and accessible amusement park.

**Comment 41:** I'd like to commend Mayor Bloomberg, the CIDC, and the NYCEDC for their effort to preserve Coney Island's unique cultural heritage through rezoning. The City's rescue of the B&B Carousel and purchase of the Childs building for a nonprofit arts organization show that the Bloomberg administration understands the importance of the area at this critical juncture. The proposed parkland will serve to connect the existing landmarks within a protected amusement/entertainment district and ensure the preservation of the amusement area for future generations. (Denson, Jan.)

**Response:** Comment noted.

**Comment 42:** The upcoming redevelopment of Coney Island is both an exciting and terrifying prospect to me as it is one of my most favorite places. I applaud the CIDC for its aim of retaining and building on Coney Island's charm and authenticity, and for involving the community in the redevelopment plans. I agree these things are vitally important for the project. (McCrary, Jan.)

**Response:** Comment noted.

**Comment 43:** Coney Island was once one of the greatest amusement districts in the world and remains hugely popular, even iconic, despite years of decline. Restoring Coney Island to its place as a truly great entertainment district is of huge importance to all New Yorkers. The Municipal Art Society therefore congratulates the city on focusing on this challenge and producing a plan for Coney Island that is already far superior than any recent development proposal for the area. (MAS, Jan.)

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**Response:** Comment noted.

**Comment 44:** The current plan appears to be a well-designed proposal for meeting the following objectives: developing Coney Island as a regional destination; serving a wide range of incomes; maximizing transit access to the site; and expanding housing affordability and other assets for local residents. It maintains Coney Island's unique history, character, and culture by preserving its remaining iconic features. It ensures the future of the amusement area by formalizing this public asset as parkland and it develops a vibrant urban amusement and entertainment destination that would be open to the public and provide entertainment at a range of price levels. This will foster economic activity that creates job opportunities for local residents by creating year-round activity and bringing new housing and retail services to the neighborhood. (RPA, Jan.)

**Response:** Comment noted.

**Comment 45:** I think what the City is talking about doing with Coney Island is wonderful. The City now sees the dream and potential of Coney Island. Congratulations, welcome aboard. It's about time. There's a lot of magic, enough for everyone in the sand at Coney Island. We have been working hard for many years to keep that dream alive. (Vourderis, Jan.)

**Response:** Comment noted.

**Comment 46:** The Russo family supports the need to rezone Coney Island. (Russo, Jan.)

**Response:** Comment noted.

**Comment 47:** As a member of the Coney Island community, Thor is extremely appreciative of the City's efforts in addressing the years of neglect that have burdened the businesses and residents of this world-renowned neighborhood. (Masyr, Jan.)

**Response:** Comment noted.

**Comment 48:** Let's remember what happened with the previous effort to redevelop this neighborhood by a private developer. He got nowhere. Why? I cannot tell you that I understand it fully. But I think overall what happened, a lot of different groups came and said, let's preserve the history, whatever that history is, even if it's a sad history. And with all due respect to the racial history of Coney Island, let's not get stuck in history. Let's analyze reality and move forward and think about the future. What we want is for the City to take a bold action, do something. Just take a bold action and develop, build. That's what this neighborhood needs, investment and action and it needs it badly. (Krylov, Jan.)

**Response:** Comment noted.

**Comment 49:** I would like to reiterate my support of the City’s proposed zoning framework with changes. This plan represents the best way to encourage development in Coney Island while also ensuring its position as a world-class amusement center. (Gratt, Jan.)

**Response:** Comment noted.

**Comment 50:** I am proud to defend the CIDC’s strategic plan even though I was not a board member when it was drafted. I’ve been a vocal advocate because I admire the balance and the wisdom in the strategic plan. I also admire the competence of the Bloomberg administration for putting forth a bold and innovative plan and having the departure from the usual vested interests. (Zigun, Jan.)

**Response:** Comment noted.

**Comment 51:** The City’s project is about more than just amusement parks and hotels, more than just the Boardwalk. It is important to build these things and to restore the neighborhood. But what is most important are jobs. The City’s plan looks like a good one as far as bringing good-paying, quality construction jobs in and hopefully the same thing once construction is completed. And in that sense, the scope of this project is perfect for the large number of people in need of work. (Canada, Jan.)

**Response:** Comment noted.

**Comment 52:** We [ReBuild] have been here and we have supported many in the community in obtaining jobs. I support this project because it does bring along good to the community. But with this community you have to think about the people that live here. We need better jobs, better places for the residents who are here who, because of this project, might not be able to stay here. (Campbell, Jan.)

**Response:** Comment noted.

**Comment 53:** Coney Island has been suffering for the last 30 to 40 years. Coney Island needs this project to survive. We want Coney Island to have jobs. We want Coney Island to have training programs. We want it to have day cares, good schools. None of these things are in Coney Island anymore. This project will resurrect Coney Island. The people of Coney Island need affordable housing. You’ve got small contractors out here. They need some of the jobs that are coming. Coney Island needs the City, the developers and everybody to get together to make this project work. This project is for us all. (Allen, Jan.)

**Response:** Comment noted.

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**Comment 54:** Through the expansion of the zoning to allow new mixed-use entertainment development and the parallel mapping of parkland in the amusement area, the City is giving the amusements a permanent lease on life. And by weaving this plan with existing landmarks, like the Cyclone, the Wonder Wheel and the Parachute Jump, and improving connections throughout the district, the City's plan sets the stage for a development that looks back to the past while also looking far forward.(CIDC-Sirefman, May/Minichello, May)

For those of us who have invested in this community, the City's plan represents an exciting opportunity to grow our businesses and be part of a Coney Island transformation that has been much too long in coming.(Norbitz, May/ Watkins, May)

The future economic development of a year-round, sustainable, structured commercial endeavor is necessary. In fact, it is the breath of life for Coney Island.(Gargiulo-Sherman, May/Cheyunski, May/Trotta, May/Catell, May)

The City's revised zoning framework for Coney Island represents the best hope for the future of Coney Island, one that addresses the needs of local residents, landowners and businesses, community-based organizations, roller coaster riders, hot dog eaters, baseball fans and just about anyone else who has ever set foot in this great neighborhood.(Catell, May)

After a long, thorough process the Administration has crafted a plan for revitalization that reflects smart urban planning combined with an inspired vision for restoring Coney Island's energy and excitement. The City has engaged in extensive good faith negotiations with much of the local property owners, community leaders and elected officials. We believe that it is fair to all stakeholders and now the plan must move forward on a fast track before this opportunity to revitalize one of the City's most precious neighborhoods is lost.(Taconic, May)

**Response:** Comment noted.

**Comment 55:** I think it is critical that as we begin this scoping process that we understand that corporate amusements do not represent the soul of Coney Island. However, in my twenty years in Coney Island I have seen, other than a few notable exceptions, very little progress on revitalization. I personally believe that the City has made extraordinary strides in this effort and I believe that it is possible in this scoping process to find a way within the plan we are talking about now to promote a solution that includes individual, entrepreneurial operators that can do things that corporations cannot. I also think it is a mistake to throw out what has been done so far by the City. And I know that's an unpopular plan, but I believe that it is a mistake to get distracted by things that are not at the core of this issue and to focus on what is.(Shea, May)

**Response:** Comment noted.

**Comment 56:** Some have chosen to focus only on Coney East, the area surrounding Astroland Park, but the city's plan does so much more than just bring a world class amusement park back to New York City. In addition to the 9 acres of parkland being set aside for the open amusement zone, the plan calls for 500,000 square feet of new neighborhood retail. For too long Coney Island has been filled with vacant lots and abandoned buildings. By bringing people into the neighborhood and developing these lots, not only will the iconic character of Coney Island return, but our streets will once again be made safe for residents and visitors alike.(CIDC-Adler, May)

**Response:** Comment noted.

**Comment 57:** What troubles me the most right now is that more than 70 percent of Coney Island's historic amusement core currently sits vacant and lies dormant. I cannot believe that some people are advocating for no development. We have a high unemployment rate in the community amongst adults and youth. In these dire economic times, the next generation needs all you to work together. We need you to aggressively pursue the economic development of Coney Island. Making Coney Island a year-round destination will give me and other young people the hope needed to set goals, stay in school and graduate as well as the opportunity to gain a career and not just a job.(Abdelrahman, May)

**Response:** Comment noted.

**Comment 58:** The real opportunity of this plan is its potential to regrow and revitalize our neighborhood by getting rid of the empty lots, by bringing in places where people can shop without having to leave their neighborhood, by bringing much needed jobs and affordable housing to our community.(Killiebrew, May)

**Response:** Comment noted.

**Comment 59:** From an economic development point of view, the City's proposed zoning framework has much to offer the neighborhood. The addition of 500,000 square feet of new retail in the northern and western portion of the neighborhood will be the first large scale retail area in Coney Island. This will create a large number of jobs in the neighborhood as well as provide the residents of Coney Island with local shopping options that have not existed here previously in the past.(Commerce, May)

The City's plan looks like a good one as far as bringing in good paying, quality construction jobs in, and hopefully the same thing once construction is complete.(Canada, May/Powsner, May)

**Response:** Comment noted.

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**Comment 60:** The retail end of the plan just doesn't belong there. But there has to be homes and there has to be indoors. And I don't see a better solution at the moment than what is being proposed. I am pro amusement more than anyone. But yet it has to be a happy balance. How would business survive?(Brigandi, May)

**Response:** Comment noted.

**Comment 61:** As an actor, writer and burlesque performer I am worried about the disappearance of a haven for artists, theatre and circus people, street performers and the people who operate the rides, games and food stalls. Coney has a noble and fascinating history of providing asylum to artists, freaks and other outsiders. People like us need a place to be able to do our art, to be part of a community and to present our sometimes off-beat work to the world—something New York City in general has historically offered, but is dwindling due to economic pressures and development (e.g., the Lower East Side). The world is a richer place because of the music, art, and performance that have come out of Coney and New York City and that have become cultural monuments.(Roth, May)

**Response:** Comment noted.

**Comment 62:** Long overdue economic investment will require a vibrant Coney Island that successfully functions not only in the heat of summer but also throughout the inclement months of winter. To do any less will negatively impact Coney Island and its surrounding community. It will leave Coney Island barren of sustainable economic development and deprive the community of the vision long promised.(Thor, May)

**Response:** Comment noted.

**Comment 63:** As Coney develops into a year-round destination, the Shore Theater building is critical. Ground floor may be in sad shape, but the Loew's ceiling and other areas are still there and can create the proper atmosphere for live theater and for film. There is also plenty of room for restaurant use, for galleries, for upstairs studios of all kinds – recording studio, dance, theater, etc., etc. Perhaps even the Chamber of Commerce office, and other elements that keep the area going, especially during its growth. (Reichenthal, May)

**Response:** The Shore Theater was not included as a projected development site for in the RWCDs because it could be redeveloped absent the proposed actions. Therefore, the adaptive reuse of the existing structure would be consistent with the overall goals and objectives of the Coney Island Comprehensive Rezoning Plan. The rezoning envisions active reuse of this historic structure and would allow for a wide range of uses including residential or entertainment-related uses including, but not limited to, a movie theater, performance venue, restaurant or hotel.



**Comment 64:** I support the Save Coney Island Coalition and agree with their opinions.

Yes to revitalizing Coney’s world famous amusement zone!

NO to 26 New High Rises of up to 30 stories each in the current Amusement District!

NO to Retail, Malls or “Entertainment Retail” in the Amusement District!

NO to shrinkage of the Amusement District from 61 acres to 9 acres!

YES to preserving Amusement Zoning in the Amusement District!!

YES to keeping Coney Island the People's Playground- providing accessible Amusements for ALL to enjoy!!

While many will immediately become outraged at the idea of changing or adding to the area, the fact is that Coney Island cannot stay in its state of disarray forever. Everyone—residents, employees, and neighbors—can benefit from a healthy restoration of the amusements and the surrounding area. However, the presentation made clear that the final outcome of this “restoration” brings Coney Island nowhere close to the state of glory it once was. Nearby residents and tourists will take the long subway ride down to this new Coney Island only to find that they have wasted two hours to see brand new, giant structures housing Applebees, McDonalds and the Disney Store, with a shiny new roller coaster just like the ones at Six Flags. The Coney Island of yesteryear was visited by people the world over because of its intriguing character and its impressive amusements that could be found nowhere else. It is clear that the CDIC’s plan does not maintain this distinctive charm in its plan for the future of the area. I would like to see everybody start thinking about the millions of people down here instead of the millions of dollars that one man can make through this rezoning process. Hotels don't belong in an amusement district. Retail doesn't belong in an amusement district. I'd like to see a great amusement park down here and not a great mall. There should be a hotel and retail in Coney Island. However, the hotel and big box stores doesn't need to be sitting on top of the amusement park. The latest rezoning proposal would be terrible economic policy. (Kocsis, May/Coffman, May/Sparacino, May/Malone, May/Brooke, May/ Chase, May/ Goldblatt, May/Ettman, May/Sosnick/May)

**Response:** See response to Comment 39.

**Comment 65:** Build for the future, but don't destroy our past. We need affordable housing. We need jobs. We need to cherish our amusement park for its resiliency and its historic role which is accepted internationally. We're for redevelopment. We're for development. But we're for development that represents the interests of the people who have held this community together all this time to thus far. (Singer, May/Weinstein, May/ADavis, May).

**Response:** See response to Comment 39.

## Coney Island Rezoning

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**Comment 66:** I know that job retention and tax dollars are important to any city. Can I assume that there are proposed tax abatements for the mall in question that will overtake Coney Island? How does this truly serve you and your community? In a time when people are feeling the constant pinch of financial woes, do you really feel that building a mall will solve it? To all those who say fill that area of eighteen acres with retail instead of amusements, I say fill the stores in the Stillwell Avenue Station before you talk about eighteen acres of retail. The plan should move the retail mall to the seaside get-away zone, where it can serve the needs of the West End community. Shopping malls are not park or public space. Even if you call a shopping mall amusement shopping, it does not make it an amusement park. (AKing, May/Kahl, May/ White, May/Denson, May/ Talen, May)

Introducing a mall, with its faceless chain stores and chain restaurants, will not only decimate the distinctive character of Coney Island but will not do much to enrich the local economy, since money spent there will flow out of the neighborhood just as quickly as it flowed in.(Azerrad, May)

Entertainment retail is failing all across this country. Shopping malls are closing across the country. And you call that a plan for the future? The U.S. government says consumer sentiment is the lowest in sixteen years. When consumer sentiment is poor, it means no consumer spending and the Gross Domestic Product is two thirds consumer spending. (Durkee, May/Quigley, May)

**Response:** See response to Comment 39.

**Comment 67:** We would urge the City to consider the potential of developing Coney Island East with a greater emphasis to enclosed amusement and retail uses, and thereby create physical structures that are inviting to community residents throughout the year. For Coney Island to succeed, it must be able to operate twelve months out of the year and not just ninety days. And the City proposal is, in our opinion, too reliant on unenclosed attractions that will not allow maximum utilization of Coney Island East for the vast majority of the year. It is our opinion that the current City proposal will result in less economic development, fewer jobs, less tax revenues, and a more precarious future for all the businesses and residents of Coney Island. We urge you to expand your review to consider alternative development plans that empower private land owners who stand ready to invest in the future of Coney Island and free up precious tax dollars for more immediate community needs. (Masyr, Jan.)

**Response:** As described in the Final Scope, in order to facilitate year-round activity in the amusement and entertainment district, the proposed rezoning would broaden permitted enclosed uses to include: enclosed amusements, eating and drinking establishments of all scales, hotels and small-scale retail complementary to the amusements and beach.

**Comment 68:** I urge this body to revert to the plan the city announced before this current one was proposed. To reduce the amusement zone from 61 acres to nine, and consider national retail chains admissible as amusements because of some retail marketing techniques they may have is beyond cynical. Reducing sixty acres to nine acres is unacceptable. I oppose the drastic reduction of the amusement zone, most particularly in the area of Coney North between the Bowery and Surf Avenue. The previous plan that reduced the amusement zone from sixty down to fifteen acres, how that was unfavorable to the amusement zone, but we accepted it as a compromise that would stay true to Coney Island's heritage as a people's playground. The tradeoff was Coney West is for residential development as long as there is a vital amusement core. (Eagan, May/Durkee, May/O'Neil, May/Kramer, May/White, May/Weinstein, May/Wilson, May/McEvoy, May/Handwerker, May/Fireflye, May/Mott, May/Azerrad, May/Howley, May/Pagano, May/Place, May/Wofse, May/Reichenthal, May/Guastella, May/Kahl, May)

If the plan remains as it originally was, to modernize the attractions of amusement area, and build condos further back, that is fine, and nobody sensible would oppose that, but to cut down the amusement park's size and build expensive housing virtually on the beach, that is entirely another. (McCartney, May)

The original plan develops the core amusement area south of Surf as a 21st century amusement park. Now there is a thirty-story hotel in front of a landmark which builds a nice innovative shopping mall for South Brooklyn leaving a small playground of amusements for tourists. To call this new plan "the world's playground" is George Orwell doublespeak. (CUSA-Zigun, May)

The proposal to map approximately nine acres of parkland may seem an inappropriate scale-down of the original plan. The proposed changes to the redistricting of the amusement park area in Coney Island, from 12 to 9 acre's will destroy the unique community that the amusement area can be. People have been flexible about development. We've given inch. Please, don't take 7 acres. There is no reason why we can't reserve the fifteen-acre amusement area and leave all other development on the periphery. MAS is concerned about the substantial reduction in the size of the area set aside for open-air amusements from 16 to 9 acres in the revised plan released in April. We are not aware of any other amusement areas of a comparable scale that come close to achieving the number of visitors that is the market for a revitalized Coney Island or even Coney Island today. We are concerned that the proposed area set aside for open-air amusements is of insufficient size and that as a result this revitalization effort will not be successful. (Reichenthal, May/Muzzy, May/Alhadeff, May/Handwerker, May/MAS, May)

**Response:** The proposed actions facilitate the creation of a year-round 27-acre entertainment and amusement district in Coney East to include both indoor and

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outdoor amusements. The revised actions were based on achieving a better balance between indoor and outdoor uses to ensure year-round activity while preserving and building upon what remains of the historic amusement area.

**Comment 69:** There's been no discussion of the beach. Why? There's no big money in the beach. (Cocteau, May)

**Response:** The beach is not part of the rezoning area, though the project's potential effects on the beach will be considered in the EIS.

### *CLIMATE CHANGE AND GREEN DESIGN*

**Comment 70:** One glaring environmental issue that is not addressed at all in the EIS Scoping Document is that Coney Island is a flood plain, a barrier island six feet above sea level that is long overdue for a direct hit by a hurricane. With global warming and a rising sea level, the potential for flooding needs to be given careful consideration, including the proposal for new towers t susceptible to the dangers of storm surges.

The inherent problems of massive residential development on a flood plain during a period of global warming should be addressed. In recent reports by NASA-Goddard Center at Columbia University, it is estimated that the sea level in New York City may rise 0.24–1.08 meters above late 1980 levels, and, the interval of the 100-year storm flood could shorten to as little as 4 to 60 years. Many aspects of the infrastructure and environment in New York City could be significantly impacted if these predictions are realized. Further, the recently released IPCC 2007 Assessment predicts a rise in mean temperature, even if GHG emissions remain at the current level, and a “*very likely* increase in frequency of hot extremes, heat waves, and heavy precipitation.” Based upon the recent predictions of the effects of climate change, it is necessary that the lead agency discuss whether climate change will exacerbate the environmental impacts of an action (or create additional environmental effects). The concerns of climate change are especially worrisome in a beach community such as Coney Island. Further, an EIS must include an examination of the long-term effects of a proposed action—this certainly includes the long term impacts of climate change on the action. To comply with the mitigation and avoidance requirements of CEQR/SEQRA, and to best prepare for, and adapt to, climate change, the EIS should examine adaptation and mitigation measures which may reduce the impact climate change will have on an action in the future. (White, May/Denson, Jan./MAS, Jan./MAS, May)

**Response:** The City is currently developing a comprehensive strategy with regard to climate change adaptation. The City has a Climate Change Adaptation Task Force, which is working to develop strategies to secure the City's critical infrastructure against rising seas, higher temperatures, and increasing

precipitation projected to result from climate change. The Task Force is composed of over 35 City and State agencies, public authorities and companies that operate, regulate, or maintain critical infrastructure in New York City. The task force is assisted by the New York City Panel on Climate Change (NPCC) that includes leading climatologists, sea-level rise specialists, adaptation experts, and engineers, as well as representatives from the insurance and legal sectors. The NPCC is providing the city and task force members with information about climate risks (including climate change projections), adaptation, and risk assessment. The NPCC is expected to issue preliminary climate change projections in 2009. DEP is also in the process of evaluating adaptive strategies for City infrastructure, including a long-term planning and conceptual engineering effort. Other initiatives include a task force to amend the building code to incorporate climate change adaptation measures on a City-wide basis.

The EIS will examine the infrastructure needs associated with the proposed development and will describe the project's raising the elevation of certain streets in the rezoning area to be closer to or at the 100-year floodplain elevation as defined by Federal Emergency Management (FEMA) Regulations. Further, the EIS will also contain a consistency analysis of the proposed project with PlaNYC, the City's long-term sustainability plan that encompasses such initiatives as reducing the City's carbon footprint, improving surface water quality, energy efficiency and open space, among others.

**Comment 71:** Global climate change is a real environmental concern that is currently being raised and discussed at the international, national, statewide, and local level. While climate change is of global concern, we can act environmentally responsible on a local level in order to not exacerbate a growing problem. Through PlaNYC 2030, the City has positioned itself to be a leader in the fight to curb the effects of global climate change by articulating the lofty goal of a 30 percent reduction in the City's "carbon footprint" by 2030. In New York City, according to the New York Greenhouse Gas Emissions Inventory, citywide carbon dioxide equivalent emissions were approximately 58 million metric tons in 2005, with an astounding 79 percent coming from buildings. Therefore, when we plan, we must simultaneously assess a project's impact upon climate change and how best to reduce such impact. With regard to this Scope and an environmental review, an EIS under SEQRA/CEQR is required to examine a proposed project's effect upon energy, natural resources, air quality and air pollution. The main contributor to global climate change, carbon dioxide, was recently declared by the United States Supreme Court in the landmark case, *Massachusetts v. EPA*, to be an air pollutant. Under the current structure and mandate of SEQRA/CEQR, the lead agency not only has the ability to examine a project's impact upon climate change, but is under obligation to do so. While the tools and methods for measuring (1) a building's output of greenhouse gases

and (2) that output's impact on global climate change are still under development, the lead agency can nonetheless quantify the direct and indirect carbon dioxide emissions resulting from a project by using existing energy modeling software. Regardless of how the carbon dioxide emissions are measured, by disclosing the greenhouse gas emissions of a project, the lead agency can identify the opportunities to economically and practicably reduce such emissions through simple mitigation measures. Other mitigation measures can include reducing the traffic impacts, working with MTA early in the process to develop a better and more comprehensive transit system to serve this area, and working with Con Edison to provide the cleanest energy possible. (MAS, Jan./MAS, May)

**Response:** The EIS will contain a consistency analysis of the proposed project with PlaNYC, the City's long-term sustainability plan that encompasses such initiatives as reducing the City's carbon footprint. Planning for the proposed Coney Island Rezoning has taken into account that the project location is supported by excellent transit access and has walkable connections to important open space and recreational resources, and therefore can support higher densities in a sustainable manner.

**Comment 72:** Coney Island is a barrier island barely seven feet above sea level. The City is proposing a massive residential development on a flood plain during a time of climate change, rising sea levels, and increased global warming. You are now proposing a massive residential development in a location that's long overdue for devastating hurricanes. A direct hit from a hurricane could cause flooding that will block evacuation routes from the densely populated West End and could result in loss of life. The proposed development creates choke points on Surf Avenue and Mermaid Avenue, blocking escape routes on the only two streets out of Coney Island. (Denson, May/Gotlieb, May/Kopulakis, May)

Hurricane evacuation routes should be investigated and methods of how people will be evacuated from Coney Island in cases of emergency/disaster should be investigated and formalized. (Gotlieb, Jan.)

**Response:** The EIS will examine traffic conditions in the future with the proposed actions and potential mitigation measures will be proposed for any intersections with significant adverse impacts. New York City actively plans for emergency situations throughout the City through its public safety agencies (the Police and Fire Departments and the Office of Emergency Management [OEM]). OEM maintains and updates its hurricane and flood response plans on a city-wide basis.

*NO BUILD PROJECTS*

**Comment 73:** We are concerned about the proposed amphitheater at Asser Levy Park. Our information leads us to believe that there will be eight thousand permanent seats with an additional four to five thousand temporary seats, and that the number of annual events would be increased from eight to approximately fifty. During the summer months, Borough President Markowitz sponsors eight concerts at this site. Attendance very often exceeds ten thousand people, and the attendees come from all over the city. This has been a mixed bag for us and the parking and traffic congestion pose a real problem. First and foremost this is a residential community. To expand the number of seats would seriously diminish the play area for our children, and to increase the number of events would be catastrophic to our neighborhood and the immediate environment. It is proposed that the parking would be provided at the KeySpan stadium site and that attendees would be transported via jitnies. This does nothing to ease the traffic congestion and additional vehicles would have a negative environmental impact, if this is even a workable solution to the transportation issue. We suggest, and will support, a new indoor facility be built at the proposed parking site, adjacent and to the west of KeySpan stadium thus alleviating the negative impact to our community and enhancing the CIDC's plan for expanded amusement and entertainment in the development zone. (Trump Village, Jan.)

**Response:** The Asser Levy amphitheater is a separate project with independent utility and is currently undergoing its own environmental review. The proposed Asser Levy amphitheater project will be included in the No Build scenario for the EIS technical analyses.

**Comment 74:** The plan to create indoor amusements on Asser Levy Park takes away a much-needed green outdoor space that is much loved and needed by the neighborhood. The park needs to remain an outdoor-only park and not developed for indoor entertainment. Although it was not discussed in the Scope of Work, the plans for Seaside Park [Asser Levy] were mentioned in a recent meeting of the CIDC. This is the only green space in a certified "grey zone." We are opposed to construction of any amphitheaters or other permanent entertainment venues on this site. It should remain what it is—open, green space and parkland. (Handwerker, Jan./ NRPA, Jan.)

**Response:** There are no proposed new uses in the existing mapped parkland of Asser Levy Park associated with the proposed actions.

**Comment 75:** The Draft Scope/EIS must incorporate the development that is currently progressing in Brighton Beach and Sheepshead Bay, the proposed Marine Transfer Waste Transfer Station (at the site of the former southwest Brooklyn incinerator). It is imperative that this be done so that we may secure an accurate

picture of how the Coney Island Rezoning project affects the people of Coney Island. The Draft Scope/EIS fails to account for the Marine Waste Transfer Station. Although the proposed station is not physically located in Coney Island, its proximity makes Coney Island vulnerable to any incident that occurs at the station. Like the incinerator that preceded it, the Marine Waste Transfer Station has the potential to wreak environmental havoc on Coney Island and its residents. In the event an accident occurs at this station, it is likely that any debris, including toxic chemicals, will adversely affect Coney Island's beaches and water. The Draft Scope/EIS must look at how Coney Island is affected health-wise and environmentally by this station. (Gotlieb, Jan.)

**Response:** The study areas defined for any given technical analysis in the EIS are determined based on methodologies set forth in the *CEQR Technical Manual* and in coordination with the lead agency and other involved agencies. Similarly, a comprehensive review of the No Build projects that have the most potential to cumulatively affect conditions in the EIS study areas will be conducted in the EIS. The Marine Transfer Station was included in the EIS for the City's Comprehensive Solid Waste Management Plan.

*COMMENTS ON TRANSITION AREA BETWEEN CONEY NORTH AND MERMAID AVENUE*

**Comment 76:** The Scope proposes that the former Coney Island Railroad lots that parallel Mermaid Avenue and located 100 feet south of the street line will be used as buffers between the proposed Mermaid Avenue R7A district and the Coney North R7X development. It also proposes that they be used as access roads to reach the on-site parking for the new Coney North developments. This is a concept that our architects first proposed and one that we continue to support. However, the Scope is silent as to the nature of the buffer area. We want to take this opportunity to point out that these lots should not be viewed as a public street or road from which the new development must be set back. Any such setbacks on an already constrained site will prove to be unworkable from the perspective of utilizing all of the available development potential on the sites. (Bendit, Jan.)

According to the Draft Scoping Document, the Buffer Zone is being proposed to "provide a physical transition" between high and low densities and access to parking garages, "but would not be open to general circulation." In land use planning, buffer zones are provided to separate incompatible and inconsistent uses from each other, not to negotiate between scales. Transitions from one scale to another are accomplished by building massing, as where Quality Housing bulk regulations step down from avenue frontages to the mid-block and require streetwall alignments. Nowhere else in New York City does a physical transition from one density to another depend on a 40-foot-wide undevelopable, privately-owned buffer zone. There is no precedent for this type of urban design element for this purpose; indeed the idea runs completely counter to City



Planning's expressed preference everywhere else in New York for streetwall continuity in contextual zones, where properties are developed from lot line to lot line, abutting building wall to building wall. (Perlmutter, Jan.)

The Buffer Zone is neither a pedestrian circulation area (which would be redundant at this location in any event and draw much-needed pedestrian traffic away from Mermaid Avenue) a charming mews, a public garden, a commercial mall, an area for parking, nor an actual route for train travel. Located only 100 feet from Mermaid Avenue, the Buffer Zone slices the typical 500 to 1000 foot long block front into a narrow 100 foot wide sliver without a frontage of its own, since the buildings located on the side streets have their main frontages on Mermaid Avenue. Furthermore, the buildings fronting on Mermaid Avenue will expose their backs and rear walls to the Buffer Zone, while the building located on the Coney North portion, the first 50 feet in height of which is a garage, will present its windowless sidewall to the Buffer Zone. The EIS should consider how the proposed buffer zone in the Coney North subdistrict will be treated by the Department of Buildings, Transportation, Fire, Police, and Sanitation with respect to street, yard, and court regulations, and emergency vehicle access. (Perlmutter, Jan./Perlmutter, May/Russo, Jan./Russo, May)

ZR 23-711 establishes minimum distances of 50 to 60 feet between legally required windows and walls of buildings on the same zoning lot. Table 3-4 of the Building Code requires up to 60 feet of minimum distance between window walls and adjoining properties to prevent fire spread if the windows do not face a street. The 40-foot Buffer Zone is too narrow to allow windows to be constructed along these side walls and consequently will have none or few, particularly because the better part of it would be the garage levels. Mews development, therefore, would not be possible along the Buffer Zone because (i) on the Russo Property the properties on Mermaid Avenue are out parcels with no right of access through the Russo's Buffer Zone, (ii) both the zoning and building codes prevent legally required windows from facing onto it and (iii) site planning requirements force the five decks of parking to turn their side walls onto it. (Perlmutter, Jan./ Perlmutter, May/Russo, May)

At 40 feet wide, the Buffer Zone resembles a narrow street without being one. We believe that because there will be access from both side streets to the alley, one to enter and the other to exit from the parking garages, the Department of Buildings and Transportation will require that the alley be treated like a street, with curbs, sidewalks, paving, drainage systems and lighting. To prevent non-residents from accessing the new alleyway so created and the general public from using it as a through-fare, security gates will need to be placed at both ends of the way. Unlike the monumental iron grille gates that open to the charming pedestrian, low-scale mews typical of Greenwich Village, these gates will defend parking garage driveways and trash receptacles. The EIS must consider impacts from the proposed buffer zone in the Coney North subdistrict on

neighborhood safety, caused by open or fenced, inadequately lit, lifeless, windowless alleyways. (Perlmutter, Jan./Perlmutter, May)

The Buffer Zone will prevent reasonable development of the parcels and proper and efficient building configurations and will create dark, dangerous, inaccessible, litter-strewn, asphalt-paved alleyways between the 80-foot-high unarticulated rears of the Mermaid Avenue buildings and the even taller unanimated sides of the Coney North buildings, to be experienced only by those driving cars into parking garages. The old Railroad Avenue easement should not impact the future of Gargiulo's, nor should it prove a problem for other C-7 operations and Mermaid Avenue businesses. The Draft Scope still doesn't address the concerns we've raised with regard to the Vourderis property, nor does it eliminate the easement running through the parking lot of Gargiulo's Restaurant, where an alternative must be considered. It also lessens the amount of potential parking in the midblock, semi-hidden parking garage. What is left is a window-less "alley." The potential for construction on both sides will make it a walled in alley and a damned uncomfortable place in which to drive to the garage. And it will have to be gated in at night. Alleyways are always an invitation to problems. And it doesn't indicate any major alteration in traffic patterns (i.e., autos will still be using Mermaid and Surf Ave., the latter where the new entrance will be). The Buffer Zone is actually in the wrong location for parking garage access, which should be closer to Surf Avenue near the major retailers and amusements. (Perlmutter, Jan./Reichenthal, May/Russo, May/Recchia, May)

The EIS should consider impacts from the proposed buffer zone in the Coney North subdistrict on the urban streetscape and design, neighborhood character, block form, street pattern and hierarchy. The Buffer Zone will negatively impact neighborhood character by breaking the streetwall continuity of the R7A to R7X contextual zoning and will not function as the transition zone described in the Draft Scoping Document. It will be incompatible with surrounding land uses and inconsistent with zoning policy. The EIS should also address impacts on sustainable design, caused by the buffer zone's necessitating duplicate exterior walls, more exposed surface areas to heat and cool, sewer and storm drain runoff. The EIS should consider the following scenario in lieu of the Buffer Zone: (1) A Build Transition Zone should be created in the same location as the Buffer Zone, with bulk regulations that require development to step up from the low rise R7A in the Mermaid Avenue subdistrict to the maximum base height of the higher rise R7X Coney North subdistrict; and (2) Access to the parking garages should remain on the side streets as presently proposed but should be located 100 feet north of Surf Avenue in order to provide better access to the larger retail activities on Surf Avenue and to the south of it. (Perlmutter, Jan./Perlmutter, May/Russo, May)

**Response:** The Final Scope has redefined this area as a transition area and it no longer prohibits construction. The transition area will provide an appropriate transition between the higher-density Coney North subdistrict and the lower-density Mermaid Avenue subdistrict and thus is consistent with the comment's suggested transition zone. Special district regulations will provide for a maximum building height in the transition area of 23 feet and will define locations for parking access.

**Comment 77:** The Draft Scope states that the Buffer Zone is "an historic railroad right-of-way" and that the properties on which it was located were "historically vacant." We would like to include in the record the results of our research about the status of the proposed Buffer Zone area, which reveals that there is no existing right of way and that with respect to the Russo Property, the properties on which the Buffer Zone would be located were not historically vacant. Our research reveals that in June 1948, the South Brooklyn Railway Company conveyed to the City of New York all of the relevant parcels located within the proposed Buffer Zone without reserving any rights of way. In 1954 and 1960, the two parcels located on the Russo Property (block 7063, lot 15 and block 7064, lot 14) were conveyed by the City to the Russo's predecessors in title pursuant to Board of Estimate resolutions. No right of way was reserved by the City in those conveyances either. The 1954 and 1960 Board of Estimate resolutions state that the lots to be conveyed each contain existing improvements: on lot 14 (block 7064) the improvement consists of "a one-story brick building containing three stores occupied by tenants ... the approximate age of the building on the property is 60 years old;" on lot 15 (block 7063) "the improvements consist of a one-story brick building, approximately 40 feet by 40 feet and a parking lot." As shown on the aerial views of block 7064, and on the certificate of occupancy, a store has existed on lot 14 since the 1960's and on lot 43 (through which the right of way also traveled) since before that time. These facts certainly establish that the right of way had been ignored and abandoned and belie the statement in the Draft Scoping Document that the area in which the right of way was located has been "historically vacant." According to our records, therefore, the right of way has not existed for almost 60 years. The intent and purpose of the Buffer Zone as referent to a non-element in the urban landscape—whose memory was intentionally erased six decades ago by City action—is confusing at best and does not justify the significant hardships it will impose on the community and property owners who will be affected by it. (Perlmutter, Jan.)

**Response:** See response to Comment 76.

**Comment 78:** The proposed buffer zone in the Coney North subdistrict will eliminate 7,000 square feet of rooftop open space from each block. (Perlmutter, May/Russo, May)

## Coney Island Rezoning

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**Response:** Rooftops are not considered publicly accessible open space and there would be no affect on the open space impact assessment based on the building configuration variation created by the transition area. As noted in the response to Comment 76, the Final Scope sets forth that the transition area can now have buildings up to 23 feet in height.

**Comment 79:** The EIS must consider health impacts caused by untended private alleywalls that will be strewn with trash as a result of the proposed buffer zone in the Coney North subdistrict.(Perlmutter, May/Russo, May)

**Response:** See response to Comment 76, above.

**Comment 80:** Where a zoning lot spans into the Mermaid Avenue subdistrict, the Buffer Zone would force construction of two facades exposed to the Buffer Zone and one facade on Mermaid Avenue, as opposed to a single facade on Mermaid Avenue absent the Buffer Zone. Development of this sort for no apparent public purpose runs counter to sustainable design practices in which more exposed surface areas increase heating and air conditioning costs and the amount of materials required to construct the project (hence is wasteful). The no build area of the Buffer Zone will create five 40 foot wide by 237 foot long asphalt-paved zones that cannot be planted with greenery or surmounted with green roofs that would control storm water runoff, improve air quality and ambient temperatures and provide habitats for local flora and fauna. Furthermore, any underground contamination that may be present in the Buffer Zone as a result of historic uses on those properties, will not be remediated prior to construction operations for the installation of foundations, since the areas will be paved over and undisturbed. All of this is inconsistent with recently stated New York City public policy and the Mayor's PlanNYC 2030 program. The EIS should study the Buffer Zone's impact on the sustainable environment. (Perlmutter, Jan.)

**Response:** See response to Comment 76, above.

### CHAPTER 1: PROJECT DESCRIPTION

**Comment 81:** In addition to the mapping of parkland, the proposed actions section also discusses the alienation of parkland located in the Coney West subdistrict and used for parking lots for the adjacent KeySpan Park, by the State Legislature (Draft Scope, page 5). However, the Draft Scope does not mention the involvement of any other State agencies such as the New York State Office of Parks, Recreation and Historic Preservation, NYSDEC, or the New York State Department of Transportation (NYSDOT) in the environmental review. The role of involved State agencies should be discussed in the Final Scope. This includes the New York State Historic Preservation Office which has been omitted from the Historic Resources section of the Draft Scope, as well as the NYSDEC

which has been overlooked with respect to the hazardous materials assessment for the Hazardous Materials section of the Draft Scope. These State agencies are integral to the State review process and their exclusion results in an incomplete analysis of the necessary courses of action. (Masyr, Jan.)

Since the action will require parkland demapping, which is a State Legislative Action, please indicate whether OEC was consulted in order to decide whether a City or State Agency should take the lead. The State rules allow for the selection of a City Agency as lead agency when the primary location is local and/or the impacts are of local significance. Given the unique attributes of the area as a regional recreational attraction, was the State contacted by OEC or by the lead agency to determine appropriateness of the lead agency declaration? If so, who was the discussion between and is there documentation available regarding the discussion(s)? (Carlin, May)

**Response:** The involved agencies for the Coney Island Rezoning EIS have been established in accordance with applicable environmental review procedures, consistent with the nature of the proposed actions.

**Comment 82:** The “Description of the Proposed Actions” section of the Draft Scope states that the Abe Stark Rink, located in the Coney West subdistrict, will have to be relocated to a location yet to be determined (Draft Scope, page 9). Not mentioned in the Draft Scope, but discussed in the EAS, is that the office of the New York City Department of Human Resources Administration (NYCHRA), also located in the Coney West subdistrict, will have to be relocated and that no site has yet been selected (EAS, page 6). With the lack of identified sites for both the Abe Stark Rink and the NYCHRA, the Draft Scope should have accounted for the continuation of these facilities at their current locations, which seems to conflict with the proposed development plan, or analyze potential relocation sites or account for the discontinuance of these facilities. Currently, the Draft Scope has not discussed studying any of these scenarios. Any relocation study must include a Fair Share analysis associated with the required Site Selection approval process. The City should establish a definitive timeframe for the relocation of the HRA facility so as to ensure that it does not serve as an impediment to the creation of New Bowery and the private development on Block 7071. (Masyr, Jan./Bendit, Jan./Reichenthal, May)

**Response:** The continued presence of these facilities is a presumed element of the No Action Alternative. A relocation site will be determined when a firm development proposal has been identified.

**Comment 83:** The Framework for Environmental Analyses section identifies the Build year for the proposed rezoning as 2019 based on the typical 10-year period which is considered to be the length of time over which developers would act on this change in zoning (Draft Scope, page 14). The proposed actions include mapping

of parkland, demapping of streets, acquiring private property, issuance of RFPs, assessing the responses to the RFPs if any, review by the FCRC, negotiating and concluding development agreements, obtaining financing, constructing the developments and occupancy. The use of the word “typical” to categorize this process is not self-evident and a detailed justification should be included in the Final Scope. In order to accomplish the goals of the City's Project, we need to develop a realistic development schedule and Build year. The Draft Scope fails to discuss an in-depth timeline for the necessary planning, City and State approvals, request for proposals, and other details that are involved in such a large-scale redevelopment. Therefore it is impossible to determine whether the Build year is appropriate. An interim Build year should be examined. The residents and business owners in Coney Island cannot afford to wait years to experience a revival of their neighborhood; they need our help now. (Masyr, Jan./Recchia, Jan.)

**Response:** Based on prevailing CEQR practice, a RWCDs for an areawide rezoning such as the proposed action is typically based on a ten-year time frame. The ten year project is based on conservative assumptions designed to predict long-term growth. The RWCDs provides a conservative assumption of the overall amount of development, which leads to a conservative assessment of the potential for significant adverse impacts.

**Comment 84:** Because the construction of the parking decks is so costly to build and maintain, forcing construction of taller, bulkier buildings that are also more costly to build (not to mention the added costs associated with design and construction methods that will be necessary to satisfy the Building Code's flood plain requirements), and revenues from parking space rentals would be insufficient to offset significantly enhanced costs, the remainder of the development must support both the cost of the parking construction, its own costs and realize a reasonable return on investment. Our studies show that 3.75 floor area ratio (FAR) of as-of-right residential and commercial development in the Coney North subdistrict is insufficient to achieve this. As currently proposed, a 3.45 to 3.75 FAR is too low and is more typical of three-family townhouses like you would see on Staten Island. This won't allow for the growth of Coney Island's housing. The Coney North, Mermaid Avenue, and Coney West subdistricts will be required to use “wrapped parking” (Draft Scope, pages 15 and 16). A 60 percent parking requirement combined with a substantial affordable housing component and the increased cost of wrapped parking calls into question the feasibility of the housing proposed in these subdistricts and therefore the expected parking resource. The Draft Scope fails to anticipate what will happen if the residential components become prohibitively expensive and these mixed-use buildings do not get constructed. (Perlmutter, Jan./Masyr, Jan.)

**Response:** Cost issues are outside the scope of the EIS. The EIS utilizes a conservative estimate of the anticipated amount of redevelopment that in order to provide a

reasonable worst case assessment of the potential of the proposed actions to result in significant adverse impacts.

**Comment 85:** The EIS should clearly set out both the need for and the goals for the redevelopment of Coney Island, including but not limited to the anticipated catchment area for the redeveloped Coney Island Amusement and Entertainment District and the extent to which the lead agency expects the project to be a truly regional destination. The EIS should also attempt to establish clearly the city's priorities with regards to the project. RPA wants to ensure that the proposed actions are successful and truly accommodate the needs of this amusements and entertainment destination. To this effect, we suggest the following principles should guide this project: Develop Coney Island as a truly regional destination; Serve a wide range of incomes; Maximize transit access to the site; and Expand housing affordability and other assets for local residents. The proposed rezoning should require uses that are compatible with a regional destination area such as entertainment and other complementary retail uses. The EIS should rigorously examine the proposed plan to ensure that these criteria are met. (MAS, Jan./RPA, May)

**Response:** The Final Scope will presents the purpose and need for the project, stating its goals and objectives, which also will be discussed in the EIS.

**Comment 86:** Over the past generation, nearly all of New York's iconic places, including Central and Prospect Parks, Times Square, and Grand Central Terminal have been reclaimed, reinvented and given new life in our 21st-century metropolis. One of the last of these as yet to be reclaimed iconic places is Coney Island. The vestiges of its glorious past, such as the Parachute Jump and the Cyclone roller coaster remain. But the reality of the place is that it is now composed largely of vacant lots and a small number of entertainment uses. To succeed, the project will need to preserve the authenticity and diversity of Coney Island's amusements and its visitors and residents. RPA wants to ensure that the proposed actions are successful and truly accommodate the needs of this amusement and entertainment destination. To this effect, we suggest the following principles should guide this project: First, develop Coney Island as a truly regional destination; second, serve a wide range of incomes; three, maximize transit access to the site; and four, expand housing affordability and other assets for local residents. The EIS should rigorously examine the proposed plan to ensure that these criteria are met. (RPA, Jan.)

**Response:** As described in the Final Scope, the proposed project remains committed to the preservation and growth of open amusements, including the creation of an affordable year-round entertainment district which would be easily accessible by the existing four subway lines at the Stillwell Avenue station and would be a regional attraction. In addition, the proposed project includes the development

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of affordable and market rate housing and the provision of local retail services and job opportunities.

**Comment 87:** If the purpose of the proposed rezoning is to “create a vibrant new mixed-use destination” and “create year-round activity through new entertainment, retail and residential uses,” in the nearer future, the rezoning must consider current market conditions, construction constraints, neighborhood character, socio-economic mix, area incomes, crime rates, safety, accessibility by public transportation and the realistic socio-economic profiles of potential market rate and affordable dwelling unit tenants and owners as these factors exist today, so that the careful development that occurs little by little over the next many years will, in fact, realize the positive and successful future depicted in the CIDC's hopeful renderings of the New Coney Island. (Perlmutter, Jan.)

**Response:** Comment noted.

**Comment 88:** We must find a way to balance those who are visiting Coney Island, with those who call Coney Island home. With the revitalization of Coney Island, there will be thousands of new residents throughout the area. We must insure that there are the resources in place to make a residential neighborhood thrive. The EIS must assess how the infrastructure must be upgraded to accommodate the new visitors to Coney Island (Recchia, Jan./KDavis, May)

**Response:** The primary goal of the proposed actions is to safeguard and expand upon Coney Island's iconic amusements and to transform the area into an affordable, year-round urban amusement and entertainment destination while building upon the prime beachfront location. The proposed actions will also facilitate the development of new housing, including affordable housing, and retail uses outside the amusement area. The EIS will analyze the potential impacts generated by new residents in the area. The EIS will include an analysis of infrastructure issues.

**Comment 89:** I feel like with all the big money that is going to be invested in Coney Island's future, there should be many tangible improvements for the surrounding community. Perhaps systems can be created whereby a certain percentage of investments and proceeds go directly into improving the existing community. This would allow for better schools, improved housing, and programming to help eradicate the poverty and crime which currently exist. A better quality of life for all Coney Island residents would be guaranteed, which would in turn help the redevelopment plans succeed. (McCrorry, Jan.)

**Response:** Comment noted.



**Comment 90:** We need to make Coney Island a destination that people will come to from the outside area. We need to attract tourists who visit New York from other parts of the country and from other countries in general. Just like tourists would go to Yankee Stadium or the Bronx Zoo, they should know to come to Coney Island. What I think we can benefit from is not overdevelopment, but a change of development. We need mixed uses. We need more than just the ballpark or amusement area. We should have a larger amusement area, but it doesn't necessarily have to encompass all the property there. For example, it may be beneficial to have one if not two hotels that would be of mixed use. They could have a convention center bringing groups here for a weekend or several days. And I think that when we have a large, mixed-use area it will bring in people from the City, the suburbs, around the country. (Cohen, Jan.)

The Draft Scope describes the goal of the project as “to transform the area into an affordable, year-round urban amusement and entertainment destination”. The MAS strongly supports this, but believes that we should go further and set a goal of ensuring that the redeveloped Coney Island is once again a magnet for visitors not only locally but regionally, attracting visitors and tourists not just from Brooklyn, but from the five boroughs of New York and the wider region, especially Long Island. Historically, Coney Island was able to achieve this by meeting two critical criteria: it had an amusement and entertainment district of sufficient “critical mass” to attract visitors from throughout region and the transportation infrastructure—railways, subways and ferries—in place to ensure that visitors could easily access Coney Island. For the district to once again become a regional destination, these two criteria must be met in the planning for the new Coney Island. (MAS, Jan.)

Will the new parkland area proposed be sufficient to provide the critical mass for a successful return to Coney Island's glory days? How does it compare to other mass entertainment destinations? (SFAC, Jan.)

**Response:** The goals of the project, which are to safeguard and expand upon Coney Island's iconic amusements and to transform the area into an affordable, year-round urban amusement and entertainment destination while building upon the prime beachfront location to facilitate the development of new housing, including affordable housing, and retail uses outside the amusement area, are consistent with the comment.

**Comment 91:** The City should study other amusement areas to determine whether the factors that make them successful are present in this project. These amusement areas could include: Disneyland, CA; Tivoli Park, Denmark; Myrtle Beach, SC; Rye Playland, NY; and Wildwood, NJ. The City should study what the right balance of indoor and outdoor amusements is to create a successful amusement district and to ensure the right mix of uses to ensure that Coney Island becomes a true year-round destination. We must allow greater diversity of uses in Coney Island

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and mixed uses in buildings to meet the specific needs and very special character of Coney Island, and to encourage year-round use, not just seasonal use. (MAS, Jan./Perlmutter, Jan.)

**Response:** While beyond the scope of the EIS, it is noted that a number of local, national, and international amusement parks, including those cited above, were used to research and reference in formulating the redevelopment plan.

**Comment 92:** The CIDC's own brochures and artwork promotional materials feature movie theaters across from KeySpan Park and along Surf Avenue throughout Coney Island North and West. Those are not reflected in the current plan. You must correct it from the ground floor in the current C-7 zone, when it was a trade-off, to the areas in the north and west and keep entertainment retail on the ground floor and put housing above. You must fix that with fine tuning. To not fine-tune, to not fix it, diminishes the world-class tourist experience. We do not need two Coney Islands, one for the rich people and the condos below Surf Avenue, and another shopping area on Mermaid Avenue for the poor residents between Mermaid and Neptune. The people who will be moving to Coney Island, who will have terrific homes and be our terrific neighbors, can walk two blocks. Give me bowling alleys, roller rinks, IMAX theaters, movie theaters, live theaters, theme restaurants. I do not need a hardware store or a butcher or a pharmacist who are already available on Mermaid Avenue. The original plan takes the empty lots north of Surf Avenue and west of KeySpan for housing but wisely places the entertainment retail on the ground level, a wise exchange of air rights, but now the ground floor is ordinary dry cleaners and hardware stores available one block away on Mermaid. That is not only a land grab, it is apartheid retail. (Zigun, Jan./ CUSA-Zigun, May)

I'm concerned about your business zone. Please keep amusement. The area really has been an amusement area for over 100 years. It's a place where people can go and enjoy themselves. It's not a place you can go to see your doctor or have your taxes done. There are plenty of spots where we can do that. (Magwood, Jan.)

**Response:** The primary goal of the proposed actions is to safeguard and expand upon Coney Island's iconic amusements and to transform the area into an affordable, year-round urban amusement and entertainment destination while building upon the prime beachfront location to facilitate the development of new housing, including affordable housing, and retail uses outside the amusement area.

**Comment 93:** The Bloomberg Administration has focused on mixed-use clusters, which means conversion and compatible residential development. These clusters need a catalyst to be successful. In Coney Island we have an amusement park. And in keeping with the theme of fun and history and nostalgia, the resident businesses of Coney Island would like to see creativity in design and flexibility in planning.

In order to be successful, the plan needs to be focused more on year-round activities as opposed to just summer activities to keep people in Coney Island. If you see Key Span Park, it's beautiful during the summer when there are people there, but during the winter there's no activity at all. City Planning must keep flexibility in mind when finalizing the Scope of Work for the EIS. (Russo, Jan.)

**Response:** Year-round activity is a primary goal of the proposed actions.

**Comment 94:** Ensuring the right retail mix will be essential to the success of this project. The EIS should study zoning text that limits uses that will not contribute to the success of the entertainment district. The City should study the relevance of zoning text in the Madison Avenue Special Preservation District, Fifth Avenue Special District, and the recent 125th Street rezoning for restricting retail uses that will not serve the goals of the project and encouraging uses that will. For example, the City should consider zoning text that requires retail occupancy by local merchants; arts and performance spaces; restricts "formula retail" and banks; and other strategies that will serve the goals of the project. (MAS, Jan./MAS, May)

**Response:** The proposed Special District text, which will be included with the EIS, will address retail uses as noted in this comment.

**Comment 95:** A plan for high and dense development will result in increased pollution, loss of sunlight, loss of green spaces, loss of public parking, loss of open air, introduction of health hazards, increased sewage, and water overflow and other environmental problems to an area where visitors come to enjoy the open ocean air. The neighborhood character will be significantly altered. (Handwerker, Jan.)

**Response:** The EIS will examine the potential impacts of the proposed Rezoning with respect to air quality, open space, parking, infrastructure, and public health.

**Comment 96:** The historic characteristic and appeal of Coney Island is the outdoor recreation and fresh ocean air visitors greatly enjoy. Indoor entertainment and dense development will alter the character of Coney Island and reduce its appeal. This plan to rezone, while it may have some good intentions, is overly aggressive, not well designed, and not in the best interest of the community or the public. (Handwerker, Jan.)

**Response:** As noted in the Final Scope, the proposed Coney Island Rezoning focuses on 20 blocks of mostly vacant and underutilized land. The proposed rezoning is based on extensive planning and analysis by the City and is intended to balance the need to encourage new and diverse development with maintaining Coney Island's historic role as a destination.

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**Comment 97:** Designation of the core C-7 zone as parkland will prove beneficial to preserving the amusement status of the shorefront, but longtime stakeholders with a proven track record and a commitment to preserving Coney Island should not lose their property through any form of eminent domain. Despite claims to the contrary, mapping the amusement area as parkland effectively constitutes eminent domain. (Denson, Jan./Gotlieb, Jan.)

The “Proposed Actions” section of the Project Description anticipates the mapping of parkland on private property (Draft Scope, page 4). The Draft Scope states that “private properties within this proposed mapped parkland would be acquired by the City through sale or land transfer and disposed to [the New York City Department of Parks and Recreation] DPR” (Draft Scope, page 7). The Draft Scope fails to discuss whether the use of eminent domain would be an alternative for acquiring the private property in the case that the consensual sale or transfer of private land is not possible. (Masyr, Jan.)

**Response:** It is expected that property acquisition will be achieved through negotiated land sale.

**Comment 98:** Although current property owners are not required to sell their property to the City, their options have become limited in that prospective purchasers are aware of the City’s desire to oversee and manage, either directly or indirectly, the operation of the amusement area—something the City has no experience doing. The EIS must answer the question of what would be the active role of DPR regarding the maintenance and operation in the parkland amusement area. This situation is of great concern due to the lack of personnel currently in the Parks Department’s shorefront area. There is a shortage of personnel to maintain the beach, the Boardwalk, and the local parks. If the State agrees that the parkland issue is in the domain of the City of New York, how will the Parks Department handle the multitude of added responsibilities? (Gotlieb, Jan./CB13, Jan.)

**Response:** This comment is outside the scope of the EIS.

**Comment 99:** In the Draft Scope, the “City Actions” section on Page 4 reads, in part, “Private properties to be mapped as parkland as part of the open amusement park. Private properties to be mapped as parkland would be acquired by the City through sale or land transfer ....” It had been verbally promised that should Dennis Vourderis and his family decide not to sell to the City (as they had not sold to Thor Equities), they would then be assured that they would be able to remain and not be threatened by any action resembling eminent domain. In the course of the next decade, in particular, Deno’s Wonder Wheel Park and Astroland must be maintained in order to keep some of the amusement action highly visible and crowd-pleasing. Without them, the desolate amusement district will not attract visitors, and the same visitors may not return in the future. The Vourderis family must be assured of no kidnapping of land, no matter how it is worded in the

plan. Part of the Coney Island rezoning area includes thirteen landowners in the Coney East subdistrict. The City's project affects landowners such as the Vordaris [sic] and Russo families that have been in Coney Island for generations. It is unrealistic to believe that the City can afford to purchase all the private properties and meet each landowner's expectations. In addition, the community is hesitant to accept the notion of mapped parkland and is concerned with their beloved landowners who have been icons in the community for generations. We must ensure that the people who have been in Coney Island through the bad times are allowed to remain for the good times that are on the horizon. Think about the existing businesses and owners of the amusement area, because they have been there for many years through the bad times and the better times. They really need to be considered in the plan. (CB13, Jan./Recchia, Jan./Magwood, Jan.)

**Response:** The EIS looks at potential environmental impacts resulting from the proposed rezoning and the development that may occur as a result. Individual land owners or businesses are not specifically considered in the analysis.

**Comment 100:** There should be investigation as to how to keep Astroland in operation despite its sale to Thor Equities. People will come to Coney Island's amusement area to watch the development (as they did for two years prior to the World's Fair in the 1960s), but there must be operating amusements to keep their attention or else the plans will simply appear as turning Surf Avenue into a replica of West 57th Street in Manhattan—a wall of buildings. In the most recent document, the Astroland site seems to be readied for construction uses, and I still find this disturbing. The Cyclone will lose impact for riders if it is abutted by buildings that obscure the fact that the cars are launching into space...not into buildings. Astroland should be saved. (CB13, Jan./Reichenthal, May)

**Response:** The previous owner of Astroland has sold its land to a developer. The new owner has refused to renew Astroland's lease. Astroland subsequently closed at the end of summer 2008. This condition will be reflected in the EIS.

**Comment 101:** The Draft Scope does not consider whether the park designation combined with the failure to acquire the property so mapped would intensify rather than relieve the deterioration of the Coney Island amusement area. The "single-operator" plan should be re-examined, as this scenario leaves the amusement area vulnerable to unforeseeable circumstances such as bankruptcy or litigation that could close the entire amusement area for an extended period. Coney Island has traditionally had multiple operators, and this is one reason it has survived. The "single-operator" plan should also be re-examined, as this scenario leaves the amusement area vulnerable to unforeseeable circumstances such as bankruptcy or litigation that could close the entire amusement area for an extended period. Coney Island has traditionally had multiple operators, and this is one reason it

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has survived. Coney needs multiple visions for the future. (Masyr, Jan./Denson, Jan./Denson, May)

The City shares the same values as my family in terms of building a bigger, brighter future for Coney Island. But the question my family has is this: why does the current plan need to designate our property as parkland? The City wants an amusement park and we already operate one. The City wants to preserve the historic aspect of Coney Island and I respect that. We have been preserving that aspect since 1983 when my family bought the Wonder Wheel and ever since 1966 when my dad sold his first hot dog at the Yankee Park on West 10th Street. Forty two years later, when the future of Coney Island looks its brightest and the moment we have been waiting for finally comes, the only way it can happen is if our land is designated parkland. Meanwhile, the property directly across from us on Bowery gets to be developed and improved while maintaining private ownership. Why would one private owner be given development opportunities but not our family? We want to support a plan that allows for growth and improvement in Coney Island, but if you designate our property as parkland, you will limit our ability to further develop our land into more year-round uses and it will not be our land anymore. By restricting us to open-air amusement while other properties are given increases in their FAR, you place unfair limits on private business development. We need to be mindful of the people who have invested in Coney Island over the years – many of whom did so when no one else would. (Vourderis, Jan./Recchia, May)

**Response:** This comment is outside the scope of the EIS. The EIS will look at the environmental consequences of a development program that could result from the rezoning and related actions.

**Comment 102:** In the Coney East subdistrict, the proposed mapping of parkland will be home to an open amusement and entertainment area (Draft Scope, page 4). In order to operate these amusements on parkland, permission from the Franchise and Concession Review Committee is required. The New York City Concession Rules states that no agency shall enter into a concession agreement for a term of more than 20 years, including option periods, except in extraordinary cases. New York City Concession Rules, 12 NYCRR §1-05. The Draft Scope fails to discuss whether the request for proposals (RFP) for development of the amusements will be categorized as “extraordinary cases” or will be subject to the 20 year term limit for concession agreements and how such limitations may effect the financing of the proposed development. The Franchise and Concession Review Committee approvals should be added to the list of required actions in the Final Scope. (Masyr, Jan.)

**Response:** The intent is not to create short-term concessions. As noted in the proposed actions for the Final Scope of Work, the City will ask the New York State Legislature for the ability to enter into a long-term lease for an amusement

developer to create a world-class amusement park in the proposed 9.39-acre mapped parkland.

**Comment 103:** Part of the City's proposal for open space as outlined on page 4 of the Scope includes the mapping of certain tax lots (Block 7071, Lots 27, 28, 30, 32, 34, 76, 79, 81, 226, and 231), together with portions of the Highland View Avenue and West 22nd Street roadbeds as parkland for a new Highland View Park. This new park will replace the parkland located along Surf Avenue between West 21 and 22nd Streets, the sole use of which is for periodic parking for KeySpan Park (the "Satellite Lot"). Including sites that are already within the control of the South Venture [Taconic Investment Partners], together with the de-mapped roadbed, there is approximately 58,000 square feet of area already available for this new replacement park. This comes very close to replacing the 75,000-square-foot Satellite Lot, especially when consideration is given to the generous new green space that will also be created within the New Bowery of Coney West. With the proposed increase in public parkland on Coney East by approximately 650,000 square feet, we feel that the City and developers will have provided sufficient replacement park area for the Satellite Lot and would therefore request that the separately owned, lots 79 and 81 be treated as optional additions to the new Highland View Park. (Bendit, Jan.)

**Response:** Comment noted.

**Comment 104:** The specific development proposals for the Russo Property (Blocks 7063 and 7064), which have been provided to the Department of City Planning (DCP) and to NYCEDC, should be included in the reasonable worst-case development scenario and on the list of "future development projects" that will influence future land use trends. (Perlmutter, Jan.)

**Response:** The RWCDS will identify a likely redevelopment program consistent with the proposed rezoning for all key parcels in the rezoning area, including the identified parcels.

**Comment 105:** The proposal is ambiguous and contradictory. The notion that rezoning for high density residential, retail, hotel, and year-round amusement and entertainment will enable Coney Island to thrive as a year-round community is not based on any facts and appears to be only an assumed. The exact nature and characteristics of the amusements, the entertainment, the amount of hotels and units, and the development in totality must be clearly defined and presented to the public for review and comment. (Handwerker, Jan.)

**Response:** The EIS will set forth a RWCDS which details a likely and realistic development scenario based on the proposed actions. This information will be defined and presented for the public review and comment.

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**Comment 106:** The Childs building, which will soon serve as a revitalized and restored anchor to Coney Island, should be allowed to use a greater than 2 FAR for commercial and that its level below the Boardwalk should not be counted against the FAR. The revitalization of the Childs Restaurant building on the Boardwalk can be one of the centerpieces of Coney Island's renaissance. However, the building predates the Zoning Resolution and as built exceeds 2.0 FAR in density. If it is improved and expanded as intended in the first phase of our [Taconic's] development, the zoning must be crafted for that block to allow for the additional commercial density needed to permit the legal renovation and expansion of this landmarked property on an as-of-right basis. Therefore, the zoning text should be written so as to permit the enlargement of the building to a size in excess of the 2.0 commercial FAR that is permitted in the zoning districts anticipated to be mapped. (Recchia, Jan./Bendit, Jan.)

**Response:** The Special District text, which will be included with the EIS, will describe the future allowed development for this building.

**Comment 107:** The Draft Scope/EIS should look at the effect of requiring developers who are selected to construct portions of the project to rehabilitate the existing NYCHA buildings. (Gotlieb, Jan.)

**Response:** The proposed Coney Island Rezoning does not affect existing NYCHA buildings and they are not part of the proposed actions and this comment is therefore outside the scope of this EIS.

**Comment 108:** The City should consider as part of its Special District designation requiring that local developers do outreach to low-income community residents and to those who are at risk of losing current employment as a result of proposed development in the area. Job training and hiring preferences should be offered to those populations by developers seeking to capitalize on the zoning changes. Any developer acquiring City-owned land and land currently zoned as parkland on Block 7073 for commercial development should do so only on the condition that local hiring preferences be honored. (Legal Services, Jan./ FifthAve, May)

**Response:** Comment noted.

**Comment 109:** While there are glittery plans for the amusement district, and, thus, for the entire shorefront, an element completely missing from the Draft Scope entails the Boardwalk without which the lure of the area becomes considerably diminished. To enhance the amusement area, repairs must be made to the Boardwalk, which seems to be ignored by the proposed actions. Due to a variety of factors, the Boardwalk has fallen into a state of disrepair, and the potential for an ever increasing number of accidents—and lawsuits stemming from those accidents—exists. There are areas that are filled with trip hazards, including loose wooden boards, gaping holes, and other trip hazards—the worst of which may well be in



the amusement area itself from Coney West at the Stadium to Coney East at the Aquarium. The city should commit to a maintenance and repair plan for the Boardwalk proper, ensuring its safe and enjoyable usage both now and into the future. There was no discussion in the Draft Scope about repairing or replacing the deteriorating Riegelmann Boardwalk, a place where every resident and visitor enjoys and utilizes and has deteriorated and now poses a great safety hazard. The plan should include the renovation of the Boardwalk from 36th Street to the end of Brighton Beach (CB13, Jan./Gotlieb, Jan./MAS, Jan./Recchia, Jan./KDavis, May)

**Response:** It is noted that the Boardwalk itself is not part of the proposed actions. The EIS will disclose and summarize ongoing Parks Department efforts for the rehabilitation of the Boardwalk.

**Comment 110:** On page 13 of the Scope, the City states that “the Green Thumb community garden would be replaced in its entirety, in one or several parcels in the Coney Island area, to a location to be determined.” While the Scope does not specify who will be responsible for this action, we continue to believe that the undertaking to facilitate the relocation should be administrated by the City, either in conjunction with the mapping of new parkland in Coney East or by some other relocation action. It is stated in the Draft Scope that the Green Thumb Garden “would be disposed to a private developer for development under the proposed zoning regulations for the area. The Green Thumb community garden would be replaced in its entirety, in one or several parcels in the Coney Island area, to a location to be determined.” Considering the massive land grabs in the peninsula and other developmental searches in Coney Island, the area(s) for Green Thumbs should be analyzed in the EIS, and potential sites for the change should be discussed. (Bendit, Jan./CB13, Jan.)

**Response:** Potential sites for relocation of replaced gardens will be determined once a firm development proposal has been identified.

**Comment 111:** What are the plans for the Abe Stark Rink? Under the current plan, the rink would be demolished and an ice skating rink would be built at the base of the Wonder Wheel. While I fail to see how this is logistically possible, the demolition of the Abe Stark Rink will adversely affect hundreds of community residents who participate in various ice hockey and skating programs at the rink. What are the plans for Abe Stark Rink facility? It is supposedly in need of work to keep it running efficiently. Will that work be done in its current spot? Or will it be moved? Where? The community has long felt alienated from the Rink’s timetables. But it is of great importance to hundreds, if not more, young people and adults. The EIS must be specific on whether or not it will be razed, and, if so, where will it next reside? (Gotlieb, CB13, Jan.)

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**Response:** The Abe Stark Rink will remain in its current location until a firm development proposal has been identified.

**Comment 112:** It will take several years before redevelopment of Coney Island is complete—and perhaps even begins, after what is likely to be an unpredictable land-use approval process, RFP period, and design phase. In this interim period, we believe it is essential that the City develop an interim plan to keep Coney Island a vital, active place. The city should explore ways of keeping the current amusement uses for the foreseeable future, programming events and activities throughout the upcoming years, and creating exciting, interim uses for the vacant sites along the Boardwalk—such as a market, performance space, art installations, and more. (MAS, Jan.)

**Response:** Comment noted.

**Comment 113:** Historically, the Coney Island experience consisted not just of the Boardwalk and the amusement districts but also Surf and Mermaid Avenues. To create a truly vital amusement area, the EIS should review strategies to create a lively and engaging streetscape along both Surf and Mermaid Avenues. This EIS should study the following elements: (1) requiring illuminated signage, comparable to Times Square, to create an exciting pedestrian experience; (2) designing unique street furniture and paving, including lampposts, benches, news racks and that reflect the character of Coney Island and contribute to a unique streetscape experience. The EIS should explore whether the elements that make international precedents for this kind of experience—including the Copacabana boardwalk in Rio de Janeiro—are present in the Coney Island plan; and (3) the restoration of a “trolley” on Surf Avenue and other major thoroughfares. The historical character and success of Coney Island relied strongly on the creation of a uniquely architectural “brand” that established the district as an international icon. To be successfully revitalized and become an iconic area once more, Coney Island will need high-quality, original and evocative architecture that reflects its unique identity. It seems questionable that this standard of architecture would be accomplished under the standard provisions of New York City zoning. The City should therefore study the creation of a design review process for new buildings in the rezoning area to ensure that they meet the threshold required. (MAS, Jan./MAS, May)

**Response:** The City shares the goal of maintaining Coney Island as a truly unique destination. The Special District text will define special regulations for the area, including signage regulations.

**Comment 114:** The EIS should study how biking can be facilitated throughout the project and study area through the creation of bike routes, lanes and racks to store bicycles. Specifically, NYCEDC should study the creation of a Class 2 (or better) bike

lane to connect the Shore Parkway Greenway to the amusement area. (MAS, Jan.)

Please include more discussion about bike lanes, and to include golden standard—please include the golden standard bike lanes like on Ninth Avenue in Manhattan. (Gershik, May)

The EIS should study how biking can be facilitated throughout the project and study area through the creation of bike routes, lanes and racks to store bicycles. Specifically, NYCEDC should study the creation of a Class 2 (or better) bike lane to connect the Shore Parkway Greenway to the amusement area. (MAS, May)

**Response:** No bike lanes are specifically included in the proposed actions associated with the Coney Island Rezoning. The transit and pedestrian analyses will identify any known changes or plans by the City for bike lanes on streets in the traffic impact study area. The EIS will examine the project’s effects on all modes of transportation, including bike routes, pedestrian routes, transit service, and motor vehicle traffic. It should be noted that the City-wide Bicycle Parking Text Amendment that requires secure, indoor bicycle parking facilities as part of new developments would apply to the Special Coney Island District.

**Comment 115:** The creation of the New Bowery provides the perfect access for those visiting the Stadium, Steeplechase Plaza, and other Coney West sites, to extend their stay in the area and to move onto the Coney Island East section. But this new walkway should creatively link the Plaza and Stadium locales with the Cyclone and Aquarium. A suggestion might involve the construction of something akin to a “yellow brick road” unity, with a roadbed that intriguingly unites the areas. Such a colorful route would carry the eye from one end of the area to the other, and people would automatically move, and enjoyably move, from Coney East to Coney West and vice versa. There was a suggestion that this “yellow brick road” could be paved with people's names carved into them. Mr. Vourderis has stated that it would help defer the cost of this New Bowery. It has been done before, e.g., Greenwich Street, and its forerunner is the name-plated walkway in the Brooklyn Botanic Garden. (CB13, Jan.)

**Response:** Comment noted.

**Comment 116:** The Scope states that one of the proposed actions is the amendment to the City map to create new streets, such as New Bowery between West 20th and West 22nd Streets, Surf Avenue and the Boardwalk and the extension of West 19th and 20th Streets from Surf Avenue down to the Boardwalk. Portions of these proposed streets will traverse land owned by the South Venture [Taconic Investment Partners]. While our site planning for Coney West has always assumed that these streets would be improved as publicly maintained, private

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roads, we nonetheless had always counted the floor area generated from this land within our zoning calculations. Accordingly, we seek confirmation that this FAR will be available to us as well. In addition, we would like to have input on the precise dimensions for how these roads are mapped so they can appropriately integrate with our proposed building footprints. (Bendit, Jan.)

**Response:** The EIS will present a comprehensive description of new mapped roads, parks, and development parcels and the RWCDS will provide a description of the anticipated development likely to be generated by the proposed actions. The Special District text, which will be included with the EIS, is anticipated to take into account the conversion of private property into public roads in defining the FAR.

**Comment 117:** The West 8th Street overpass connects the West 8th Street station to the Boardwalk. It crosses Surf Avenue and was built with steps leading down to Surf Avenue and the Aquarium. It is now in dangerous condition and is worsening with each passing year. Portions are closed, including at least one stairway. Railings are in dismal shape as is the actual walkway. Paint (leaded?) is now falling from the surface onto the street below and passing autos. Plans for a new bridge have been in the works for years, but there have been delays, including the need to determine who will maintain it, and whether or not the Aquarium feels it is necessary. A general belief is that its construction in the 1950s helped to destroy the north side of Surf Avenue, once the site of Luna Park, for the Boston Theater and for a multitude of eateries, arcades, and entertainment. What, if any, is the role of such a span in the future of the peninsula's amusement area? (CB13, Jan.)

**Response:** The EIS will examine pedestrian flow conditions in the future with and without the proposed Coney Island Rezoning. Because the future of the pedestrian bridge is uncertain, trips have not been assigned to it in the pedestrian analysis.

**Comment 118:** The New York Aquarium should be viewed as one of the anchors in this amusement and entertainment destination and will serve as a year-round destination for residents and visitors alike. (Recchia, Jan.)

**Response:** Comment noted.

**Comment 119:** Retail uses will apparently be mandated along the entire ground floor frontage for the new developments along Surf Avenue and the New Bowery. This is certainly Taconic's intent, but we believe that certain design and use flexibility is needed for these frontages. Therefore, we would suggest that a percentage of the frontage be required to be retail, but that other uses along these elevations are permitted as well. In addition, we would anticipate that residential entrances and other ancillary uses would be explicitly permitted along such retail frontages, as they are in many other special districts, such as in the Special Downtown

Brooklyn District (See Section 101-11 of the Zoning Resolution). The Scope proposes that retail be mandated along Surf Avenue. Although we agree that retail is appropriate along Surf Avenue, we would respectfully make the following two suggestions: (i) that only the first 60 feet in depth from Surf Avenue be mandated and that retail uses at greater depths be discretionary; and (ii) that a certain percentage of other uses be permitted along Surf Avenue, such as residential lobbies. We suggest to the City that greater flexibility of uses be permitted on the Boardwalk, especially on any upper levels. Most importantly, the City is proposing to mandate a minimum of two stories of retail uses along the Boardwalk. Taconic does not believe that second story retail along the Boardwalk is likely to be economically feasible and we strongly encourage the City to consider incorporating flexibility to permit alternative uses on upper floors along the Boardwalk (i.e., residential, hotel or commercial) or based on demand, no second stories at all. We also feel that some kind of alternative uses such as ancillary residential building entrances on the Boardwalk should be permitted to enliven the area and further strengthen the economic feasibility of the ground floor commercial spaces fronting on the Boardwalk. In general, we believe that there is little value to the developer, the community, or the City to mandate the construction of building space that may not be marketable and that could remain vacant or marginally occupied. (Bendit, Jan.)

**Response:** The Special District text, which will be included with the EIS, will address ground floor uses on Surf Avenue and the proposed Ocean Way (New Bowery), as well as uses fronting the Boardwalk.

**Comment 120:** In order to facilitate the orderly assemblage and ensuing development within the western portion of Coney North, the City and HPD should continue to advance discussions along a meaningful timetable in order to facilitate the exchange of the HPD and Taconic land holdings on Blocks 7060 and 7061. (Bendit, May)

**Response:** Comment noted.

**Comment 121:** The EIS should clearly set out both the need for and the goals for the redevelopment of Coney Island, including but not limited to the anticipated market that the redeveloped Coney Island Amusement and Entertainment District intends to serve and the extent to which the City expects the project to be a truly regional destination. The EIS should also set out clearly whether the City expects the revitalized Coney Island to attract a proportion of the 44 million visitors that visit the city annually. The EIS should attempt to establish clearly the City's priorities with regards to the project. (MAS, May)

**Response:** The Final Scope contains the goals and objectives of the proposed actions.

**Comment 122:** The creation of a year-round community for residents and visitors requires a mix of uses that will enliven the streets and Boardwalk. We need to have eyes

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and feet on the streets throughout the day, making our community safe and supporting the many quality stores that we hope to attract to a revitalized Coney Island. We need to create the foot traffic that can help to support the surrounding stores, as well as provide for the street-level lights and activity that make residents comfortable on their walk home. (Recchia, May)

**Response:** This comment is consistent with the goals of the project as set forth in the project description, which is to redevelop 20 blocks of mostly vacant and underutilized land into a pedestrian-friendly mixed-use development.

**Comment 123:** C7 zoning should not be eliminated. It can be amended and modified to be less restrictive. C7 is unique in New York, the only amusement zoning left. Coney Island needs to be able to expand and evolve to meet future amusement technology. Constructing high-rises and a shopping mall will not only destroy Coney Island as a tourist destination; it will also prevent future recreational development. This rezoning allows twenty-five new high-rises as tall as the Parachute Jump, nearly thirty stories, to be built in the C-7 zone. It places a shopping center in the amusement core and reduces what was once known as the world's playground to something the size of a children's playground. (Denson, May/Artickle, May/Lewis, May)

**Response:** The existing C7 zoning district will be amended within the Coney Island Special District text to permit a broader range of amusement-related uses.

**Comment 124:** The Executive Committee of Community Board #13 recommends that the residential/hotel components of the plan be reduced by one-half. (CB13, May)

**Response:** The EIS will examine the proposed actions as set forth in the Final Scope. The EIS will also examine a lower-density alternative.

**Comment 125:** Why build on the amusement area when there are plenty of empty lots in the neighborhood of Coney Island? Besides, with all of the housing projects in the neighborhood, and the building across the street from the rides, do we need more people moving in? Who are you expecting to draw? (Wilson, May)

**Response:** Comment noted.

**Comment 126:** The emphasis on entertainment retail feels jargony and actually I have no idea what the term really means. (Handwerker, May)

The EIS must also draw a clear distinction throughout between open-air amusements and the far broader “entertainment” category. The latter category – which includes retail and other functions – is entirely different in impact, appeal and character from open-air amusements. The EIS should make the respective sizes of the open air amusement area and the overall entertainment area clear

throughout, but also analyze the economic impact, market size, attendance and impact on neighborhood character separately.(MAS, May)

A movie theater can be part of the plan, but the best shot for that is not within the amusement area but rather as a part of the overall plan that must be eventually worked out with Horace Bullard for the Loews Coney Island/Shore Theater Building. A bowling alley may be okay, but bowling alleys are shuttering in this city at a rapid rate.(Reichenthal, May)

**Response:** The Special District text, which will be included with the EIS, will define and describe retail uses. Impacts on neighborhood character will be assessed in the EIS.

**Comment 127:** The Aquarium should be included in the amusement zone. (KDavis, May)

**Response:** The Aquarium is not included in the rezoning area because it is on mapped parkland where zoning does not apply. It is, however, considered a major anchor of the amusement area.

**Comment 128:** Keep what's left of the amusement area open for all to see and enjoy. Add more attractions on the Bacon (phonetic) properties within the amusement area. Keep the existing area from West 12th to West 16th including West 10th where the Cyclone and Astroland is as the unique, historical area of Coney Island. You can change the existing vacant properties to allow for year-round amusements and attractions to accommodate the need for jobs in the area and for an attraction to come down to Coney Island in the winter.(Magwood, May)

**Response:** This comment is consistent with the current configuration of the proposed Coney Island Rezoning.

**Comment 129:** Residential towers and hotels should fit into the existing neighborhood, not overwhelm it. The area between the Boardwalk and Surf Avenue would be better served if limited to a small modular village type of development that could be repurposed during the next century instead of being locked in to high-rises that are not adaptable. (Denson, May)

**Response:** Comment noted.

**Comment 130:** Why, at this location, would we want to replace the public's amusement acres with private towers? Why when there are still other areas lying fallow and ready to be developed? At the heights being talked about, these towers could be farther away and still the ocean views could be appreciated by their limited populace. The height of the residential component must be reduced and restricted to the north side of Surf Avenue. No residential development should be permitted along the Boardwalk. (White, May/Denson, May)

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**Response:** The Special District text, which will be included with the EIS, will define height in the rezoning area and uses for properties fronting the Boardwalk.

**Comment 131:** The idea of an enclosed waterpark is great, not in the core amusement zone, because all of the operators who do indoor waterpark hotels are for guests only. They do not allow people to come in. (Vita, May)

**Response:** Comment noted.

**Comment 132:** What Coney Island needs amusement park comparable in scale and Scope to Rye Playland or Lake Compounce. What we have here is something comparable to Keansburg or Jenkinson's in Point Pleasant or even Nellie Bly here. You know, Nellie Bly is great for what it is, but Brooklyn really doesn't need two of them. That being said, yes, many amusement parks have indoor and outdoor components. Now, if each of those new buildings immediately to the north of the proposed park is filled with indoor roller coasters, indoor spinner rides, indoor water rides, and become an extension of the amusement park, that may very well be workable.(Finkelstein, May/Cocteau, May)

**Response:** Comment noted.

**Comment 133:** Our beach stretches all the way to the end of Seagate. And the one thing that I would like the board to look at is please do not in a rush decide to zone every piece that could be a part of Coney Island into those few square blocks, Coney East, Coney West, Coney West, Coney Up/Coney Down. (Ettman, May)

**Response:** As noted in the Final Scope, the proposed Coney Island Comprehensive Rezoning Plan is the culmination of an extensive, long-term planning effort that focuses on 20 blocks of mostly vacant and underutilized land.

**Comment 134:** The plan should absolutely not permit casino gambling.(McCartney, May)

**Response:** Comment noted.

**Comment 135:** I propose that the city promote a two pronged revitalization plan. The city should strongly support local entrepreneurs who want to open their own businesses along Surf Avenue and Mermaid Avenue. This would retain the flavor of the neighborhood and be an opportunity for much better careers than the kind of minimum wage service jobs that corporate fast food restaurants and stores have to offer. At the same time the City should work to turn the amusement park into a world class amusement destination. I would suggest the City capitalize on Coney Island's rich history and world renown by adding some new landmarks that will bring people from far and wide. This might involve funding one or two world -famous architects to build amazing new amusements. Though this might cost a few million it would attract a whole new kind of



visitor to Coney Island. To put it succinctly, I'm talking about rich people on the international art circuit who could easily be persuaded to come to Coney Island to experience an amazing structure by someone of the caliber of Rem Koolhaas. These are people with money to spend who don't want to eat at "TGI Fridays." This would be the economic impetus for local entrepreneurs to open expensive restaurants and boutique hotels near the amusement zone. I think it would be an investment that would more than return its costs and it would once again put Coney Island on the map. (Beloff, May)

**Response:** This comment is consistent with the goals and objectives of the proposed Coney Island Rezoning.

**Comment 136:** Economics 101 tells us that to keep a tourist overnight in Coney Island you have to provide hotels. Without hotels, Coney Island will remain a place for a day visitor. Also, keeping the tourist on Coney Island provides business and revenue for the local economy.(RobeBc, May)

**Response:** This comment is consistent with the goals and objectives of the proposed Coney Island Rezoning.

**Comment 137:** Perhaps we should also consider redeveloping the existing Bowery as the New Bowery Lane rather than adding a new Bowery separate from it. (Reichenthal, May)

**Response:** The mapping of the new proposed Wonder Wheel Way facilitates the development of amusement and entertainment-related uses in the 27-acre amusement district. It will therefore enable the redevelopment of the existing Bowery.

**Comment 138:** The proposed revised Scope includes mapping of streets in Coney West that in earlier versions were intended to be private roads, which would have therefore generated zoning floor area. In order to maintain the originally proposed building density, an adjustment in base FAR from 3.75 to 4.15 and a maximum FAR from 5 to 5.5 is being proposed. In making this technical correction, it is important there be no loss in total development area as the precise dimensions and location of the new streets are finally determined. (Taconic, May)

**Response:** The Special District text, which will be included with the EIS, is anticipated to take into account the conversion of private property into public roads in defining the FAR.

*COMMENTS ON AFFORDABLE HOUSING*

**Comment 139:** Of the 4,500 housing units proposed, 900 units, or 20 percent, would be designated as "affordable." Given that the median income in the metropolitan

area is approximately \$70,900, the resulting numbers for households with incomes up to 80 percent of AMI appear to be very high and unattainable by those who currently live in Coney Island. The Draft Scope/EIS must define and look at what is truly “affordable housing.” There must be careful study on inclusionary housing related to the new housing that is expected as part of the program. Note that the included data contains “figures based on HUD figures related 3/20/07, NY metro area median income of \$70,900.” The resulting numbers for households with incomes up to 80 percent of AMI, appear to be very high (Low Income, Moderate Income, Middle Income). If that median income is based on the entire City, its resultant may well be off with the high-income areas of Manhattan and sections of gentrified Brooklyn throwing the numbers away from the correct mark. HUD numbers for City Housing, if mathematically adjusted to the full complement of city residents, do not come up with the same figures, and other studies also may indicate widely different figures. The EIS must address a definitive look at what is the real meaning of affordable housing. The HUD numbers do not give much hope for middle or moderate income residents becoming part of the rejuvenated Coney Island. It is noted that “Initial rents must not exceed 30 percent of a tenant's income.” Clarification is mandatory if the project is to move forward in the interests of potential new residents. Are the requirements for inclusionary housing realistic for this comment? In the past, sites used for this practice have been upgraded or on-the-way-to-upgrade sites (e.g., South Park Slope, Fort Greene, Williamsburg, Hudson Yards, West Chelsea, etc.). Do they correspond adequately to the residential status in the Coney Island area and to the rest of Brooklyn as well? It does not appear so. Some of the new housing must be truly affordable. The affordability section should indicate the anticipated level of affordability of the affordable residential units. (Gotlieb, Jan./CB 13, Jan./McCrorry, Jan./Carlin, May)

The City should consider a zoning amendment that would have a greater likelihood in resulting in the development of housing units affordable to very low-income people than the City’s current Inclusionary Housing Program. A mandatory inclusionary zoning program that requires developers to set aside a percentage of new units for families on fixed governmental assistance, and/or living at or below 125 percent of the Federal poverty level, and/or formerly homeless families, would have a greater likelihood of securing housing for those who are most in need and would further the City’s goals of encouraging development while decreasing homelessness. A mandatory Inclusionary Housing Program would further the City’s parallel objectives more than its existing Inclusionary Housing Program, which is purely voluntary and permits FAR bonuses for middle-income units for which low-income people are ineligible. The City should consider requiring developers to set aside funds for the development of low-income housing as a condition of building a residential development. Any funds so obtained should be used to develop low-income

housing on Block 7060, which is owned, in part, by the City and is planned to be acquired by the City for disposition to a developer for residential development. (Legal Services, Jan.)

**Response:** Comment noted. As set forth in the Final Scope and as will be analyzed in the EIS, the proposed Coney Island Rezoning would apply the Inclusionary Housing Program where up to 20 percent of new housing units may be affordable to households earning up to 80 percent of area median income (AMI). According to HUD 2008 figures, 80 percent AMI for a family of four is \$61,450.

**Comment 140:** The Draft Scope/EIS should define affordable housing as 30 percent of one's income. (Gotlieb, Jan.)

**Response:** Comment noted.

**Comment 141:** At least half of the units to be constructed must be designated as reserved for affordable housing with the condition that local residents be given the first opportunity to rent and/or purchase them. According to your revised scoping report, HPD will bring a maximum of 200 affordable units. We assume that private developers will build only 730 affordable units. We live in an area that has lost close to 700 affordable units because of landlords opting out of the Mitchell Lama program and more than a thousand affordable units that left the Mitchell Lama Co-op Program. (Gotlieb, Jan./ CLEAR, May/Boyd, May)

**Response:** While outside the technical scope of the EIS, it is noted that HPD's marketing policy has a 50 percent set-aside for residents of the affected community board.

**Comment 142:** Allowing larger residential buildings without mandating affordable housing, Coney Island will not be attracting young people who cannot afford Tribeca or Soho. We cannot expect to see the wealthy condo owners, who subsidize the building of affordable units. All of our apartments will be affordable in Coney Island. Allow us this design flexibility. (Russo, Jan.)

We wish to reiterate our strongly held position that any zoning proposal that provides a bonus for the provision of more low income housing in the neighborhood is not appropriate for Coney Island, its existing communities, or the City. A more productive approach would be to encourage the creation of middle income, workforce housing. This type of housing will: (a) address the needs of an increasingly underserved segment of the City's population; (b) serve to underpin the economic revitalization of the area; (c) assist in improving the image of the local neighborhood as it is redeveloped; (d) help support the City's goal of creating a truly mixed income neighborhood; and (e) help support the City's goal of creating homeownership opportunities for moderate and middle income families. (Bendit, Jan.)

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The more density created for housing constructed on a site, the more units we can build and rent out at prices that appeal to middle-income people. We must be able to attract a market and offer better-priced units, and on-site greater density allows us to do that. (Perlmutter, Jan.)

**Response:** Comment noted.

**Comment 143:** Because the maximum 5.0 FAR can only be achieved by building a significant percentage of affordable or even lower income units that will not produce sufficient income to offset their own construction and maintenance costs, there is no incentive to burden the project with such additional costs. It has been suggested by others less familiar with market trends in the Coney Island area that is the subject of the rezoning that market rate residential sales prices would be sufficient to render profitable development of four decks of parking plus a significant number of lower income housing units. This is not the case. Brighton Beach and Seagate, to which this area of Coney Island is being compared, are not comparable and unit sales prices in those areas will not be achievable in Coney Island for many years to come. (2000 US Census Tract data shows Coney Island immediate area median household income ranging from approximately \$8,000 to \$33,000, which is significantly lower than the \$70,900 AMI for a family of four in New York City. Fair market rents in the Coney Island area are presently approximately equal to one-third of 80 percent of New York City Area Median Income. Under the Inclusionary Housing guidelines, both market-rate and lower income household units [as defined in ZR 23-93] would rent at the same rates. Although market rates are expected to improve as the area develops, it will be many years before such rates would reach even 125 percent of Area Median Income.) Instead projects to be built in Coney Island within the next few years must draw potential residents with the promise of significantly lower rents and on-site amenities. Development cost efficiencies resulting from construction of projects with greater density and more units are essential for new development in Coney Island to meet this market demand for below average rents. Required and desired retail at the ground and second floors and (unrequired) accessory parking floor area whittles down even further the amount of housing that can be developed in the proposed 3.75 as of right FAR zone. (Perlmutter, Jan.)

**Response:** Comment noted. The Inclusionary Housing program is a strong incentive to provide lower income housing units. When paired with the City's other affordable housing and tax benefit programs, the incentive is even more compelling. There is a FAR cap on the development unless the lower income housing units are provided.

**Comment 144:** While affordable housing is desperately needed in New York City, there is no guarantee that the proposed high-rises will indeed be affordable, or that they

won't in fact quickly be converted to hotels – which no one will patronize, thereby gutting this historic district for no reason. It is important to consider that Coney Island is unlike many other neighborhoods in the City with regard to its existing affordable housing. A significant segment of its population already is housed in permanent, low-income residences that are, thankfully, not at risk of becoming market rate. Against this context, what we believe is needed in order to create a healthy, genuinely mixed income community in Coney Island, is for the City to reorient the normal target income requirements under the zoning code in order to encourage the development of housing that is affordable to *all* incomes—especially the working families who are increasingly finding themselves priced out of New York City. We need to encourage developments that would serve all sectors of the Coney Island community, the borough and the City. (Azerrad, May/Taconic, May/Recchia, May)

**Response:** See responses to Comments 138 and 142.

**Comment 145:** The City should consider the option of a zoning amendment that would have a greater likelihood of resulting in the development of housing units affordable to very low-income people than the City's current Inclusionary Housing Program. Since 40 percent of Coney Island households have incomes below the 20th percentile citywide, and the median household income of Coney Island residents is far below that of Brooklyn as a whole, the need for housing that is affordable for very low-income residents is particularly critical. A mandatory inclusionary zoning program that requires developers to set aside a percentage of new units for families on fixed governmental assistance, and/or living at or below 125 percent of the federal poverty level, and/or formerly homeless families, would have a greater likelihood of securing housing for those who are most in need and would further the City's goals of encouraging development while decreasing homelessness. A mandatory Inclusionary Housing Program would further the City's parallel objectives more than its existing Inclusionary Housing Program which is purely voluntary and permits FAR bonuses for middle-income units for which low-income people are ineligible. In the alternative, the City should consider requiring developers to set aside funds for the development of low-income housing (as defined above) as a condition of building a residential development. Any funds so obtained, should be used to develop low-income housing on Block 7060, which is owned, in part, by the City and is planned to be acquired by the City for disposition to a developer for residential development. (FifthAve, May)

**Response:** Comment noted. In addition, see response to Comment 142.

**Comment 146:** In addition to the affordable housing and community center project that is underway, we should offer incentives to allow for middle income workforce housing that can be offered to the community as a rental, condo or co-op. This

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will allow us to ensure that we do not push the middle class further and further out of New York City. I would hope you would look at this area to be middle income—yes, for the rich and poor also—but predominately it's used by a lot of middle income people. (Recchia, Jan./Magwood, Jan.)

**Response:** See response to Comments 138 and 142.

**Comment 147:** While Taconic supports the City's policy of encouraging the creation of affordable housing in large scale development through the provision of a development bonus, we also recognize that Coney Island faces other vital needs. We urge the City to be as creative in Coney Island as it was in West Chelsea, 125th Street, and the Hudson Yards, by using alternative bonus zoning mechanisms as a means to address some of these needs. Coney Island has many unmet needs that could be creatively addressed in this manner. One may be to assist the City and State governments in providing some of the funding to restore the Riegelmann Boardwalk. (Taconic, May)

**Response:** Comment noted. In addition, see response to Comment 142.

**Comment 148:** We are concerned because the City is proposing to apply the Inclusionary Housing Program to the Coney Island area. This is likely to reduce the number of low-income housing units available because the program is purely voluntary and, therefore, developers are not likely to take advantage of it. In addition, the FAR bonuses are available for middle-income units which low-income people cannot afford. Instead of this program, the City should consider mandatory inclusionary zoning programs requiring developers to set aside funds that will be used to build low-income housing or placing a high cap on residential developments that do not include low-income units. (Greenberg, May/Sarah-Anne, May/Easton, May/Ariela, May/Flannery, May)

**Response:** See response to Comment 142.

**Comment 149:** The Inclusionary Housing Program is the incentive for private developers to include affordable housing in their developments. These developers would be eligible for a floor area bonus. The bonus is available for existing developments and new developments. The new developers that will take advantage of this program are not yet included in the rezoning plan (which simply means that the new dwelling units coming to Coney Island will be much higher than 4,800). The community strongly feels that a Housing Committee from the community (which includes a representative from South Brooklyn Legal Services) needs to be identified and recognized by Community Board 13, HPD and CIDC. The purpose of this committee would be to meet with Community Board 13, HPD and CIDC to monitor the new and existing affordable dwelling units throughout Coney Island. (CLEAR, May/Boyd, May)

**Response:** The estimated housing units generated by the RWCDs is at the maximum density so it is inclusive of the affordable housing incentives.

## CHAPTER 2: LAND USE, ZONING AND PUBLIC POLICY

**Comment 150:** The proposed actions—the creation of a revitalized amusement and entertainment area—can reasonably be expected to affect land use in an area that exceeds the proposed half-mile radius of the project boundaries. The analysis should explore the possible impact of the project on the land use of both sides of Coney Island Creek, the Coney Island Rail yards and the full peninsula of Coney Island, including Seagate, Brighton Beach and Manhattan Beach. (MAS, Jan./MAS, May)

**Response:** The study areas are established in accordance with the *CEQR Technical Manual* and are defined to encompass an area most likely to be affected by a project and to assess the potential for environmental impacts.

**Comment 151:** While there are no 197-a plans for the study area, all public policy documents created by the affected community board—including but not limited to Community District Needs Statements, annual budget priorities, and adopted resolutions pertaining to Coney Island—should be analyzed. Similarly, the recommendations made by “Coney Island: A Vision Plan,” published in 2003 by the Astella Development Corporation, should be explored for their potential to add insight to the general understanding of the area. (MAS, Jan./MAS, May)

**Response:** Pursuant to the *CEQR Technical Manual*, the EIS will assess the project in terms of adopted public policies of the City, which would not include the Astella Plan. However, that plan was considered as part of the 2005 Coney Island Strategic Plan, upon which the rezoning is based.

**Comment 152:** Replacing currently zoned areas with R7X does not respect the area’s historical or current uses. (Handwerker, Jan.)

**Response:** The EIS will examine the consistency and compatibility of the proposed zoning with the area’s historical and current land use patterns.

**Comment 153:** The EIS should explore the compatibility of residential uses so close to a major amusement district. The EIS should review both contemporary and historical precedents for how this has functioned both in New York City and other major amusement areas around the country. Study of contextual impacts should include a study of the change in character of the neighborhood from amusements and related uses to residential, as required by the *CEQR Technical Manual*. Could a change from low-rise public areas to private residences zoned R7X have a chilling effect on amusement area users of the Boardwalk and the

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beach? The DEIS should review the historic correlation between increased waterfront residential density and a decline in amusement area popularity and prosperity. What is the rationale for locating residential development near the Boardwalk? Does it conflict with the stated objective of retaining and encouraging entertainment uses? (MAS, Jan./MAS, May/SFAC, Jan.)

**Response:** Residential development will not be allowed in the Coney East subdistrict, which is the focus of preserving and expanding the historical amusement center. The EIS will assess the contextual changes in land uses in the immediate rezoning area and the surrounding land use study area. The EIS will also assess the potential for noise impacts on the proposed residential developments from the amusement uses.

**Comment 154:** The term “historic amusement area” used in the Draft Scope needs to be defined, and the real history of amusement businesses mapped. The size and location of the historic amenities, including but not limited to Luna Park, Astroland, Feltman's Bavarian Village, and Steeplechase Park should be mapped. Does KeySpan Park occupy the full 15 acres of the original Steeplechase Park? In reviewing the “historic amusement area,” the historic public bath houses and related amenities should be included (former bath houses include Steeplechase, Stauch's, Ravenhall, Washington, Jefferson, Silvers, Lincoln, Luna Villa, Kalinas Colony, Carlton Court, Ocean, Fulton, Oriole, Atlantic, et al.); they were an integral part of the Coney Island visitor's experience and a factor in his length of stay, increasing the popularity of Coney Island as a destination. The 1938 revision of the Boardwalk by Robert Moses eliminated numerous amusement businesses. These changes should be mapped for a full review of the decrease in size of the historic amusement area. Such mapping will clarify the real extent of the historic amusement area, which is very much greater than the amusement area proposed to be protected, and appears to include parkland proposed to be alienated. (SFAC, Jan.)

**Response:** The EIS will provide a historical context to the proposed Coney Island Rezoning.

**Comment 155:** As presently outlined, up to two stories of commercial use is permitted in the Coney North subdistrict along Surf Avenue. This would preclude hotel and restaurant development in the tower portions of the project where views are best, and would also preclude development of an entirely commercial (hotel/retail/restaurant/catering), full bulk project on Surf Avenue when such uses would enliven the district day and night. Hotel use on the north side of Surf Avenue on blocks 7063 and 7064 would enliven the streetscape, relate easily to the similar uses permitted on the south side of Surf Avenue and improve the feasibility of the proposed development on the Russo Property. Furthermore, a hotel is a much-needed complement to Gargiulo's Restaurant's catering and



banquet hall facility that, at present, can offer no lodging opportunities for its wedding parties and other large social events. We must allow hotel, restaurant and office uses on both sides of Surf Avenue and allow for our FAR to be used for commercial development along Surf Avenue, not limited only to one side. We must also allow commercial uses to be located in the residential buildings without regard to restrictions. Commercial uses such as offices, along with hotel and residential uses, should not be limited. Let's keep the options open to grow in 5, 10, 15, or 20 years. (Perlmutter, Jan./Russo, Jan.)

**Response:** As set forth in the Final Scope of Work, hotel uses would be permitted on Blocks 7063 and 7064.

**Comment 156:** Coney Island is unlike anywhere else and it shouldn't be planned to look like everywhere else. It must retain its unique character. So, for example, you must allow floor area to be transferred across district boundaries from the R7A, R7X and across streets within the proposed districts. We must eliminate regulations on the Mermaid Avenue subdistrict or allow lot coverage across the zoning line district boundaries. (Perlmutter, Jan.)

**Response:** Comment noted.

**Comment 157:** The current plan still calls for nine acres to be mapped as parkland. This area should be designated as a special amusement district, to allow us greater flexibility in the future when it comes to making improvements. By mapping it as parkland, we would be giving control of the area to state government. (Recchia, May)

**Response:** The mapped parkland would allow the City to preserve amusement uses in perpetuity in Coney Island. Uses within the mapped parkland would allow amusements consistent with the proposed actions. The EIS will describe and present the proposed zoning text and development guidelines for the amusement area. The mapped parkland would remain under the jurisdiction of the City of New York.

**Comment 158:** The EIS should conduct a full review of whether the proposed actions are fully consistent with the goals set out in the 2003 Coney Island Strategic Plan. (MAS, May)

**Response:** The project represents part of the implementation of the 2005 plan and the EIS will summarize and present the planning background leading the proposed actions and the project's consistency with earlier plans.

**CHAPTER 3: SOCIOECONOMIC CONDITIONS**

**Comment 159:** The socioeconomic study area, as identified in the Socioeconomic Conditions section of the Draft Scope, will only include boundaries within a ½-mile radius of the rezoning area (Draft Scope, page 18). However, this study area stops short of including the entire Coney Island peninsula, specifically excluding the private Sea Gate section of Coney Island. The socioeconomic study area should be expanded to capture the rest of the Coney Island neighborhood in order to truly measure the impacts of the proposed rezoning. (Masyr, Jan./FifthAve, May)

**Response:** The study area is determined based on the methodologies established by the *CEQR Technical Manual* to best match the area likely to be most affected by a proposed action. In fact, use of a larger socioeconomic study is likely to result in a less conservative assessment of the potential impacts of project since it would tend to minimize the effects of an incremental change against a larger background.

**Comment 160:** Coney Island’s socioeconomic characteristics are being taken advantage of. Neighboring Brighton Beach, as well as Bensonhurst and Avenue S are being down-zoned to prevent towers and high-density housing and to ensure that the characteristics of the existing houses are respected. The Coney Island plan seeks to acquire land by eminent domain and up-zone Coney Island, taking advantage of its poorer socioeconomic characteristic. The displacement of senior citizens and other Coney Island residents and businesses are not being planned for these other, wealthier communities. Under the proposed plan, it is unlikely that many of Coney Island’s current residents will be able to afford the rent and/or purchase price of one of the new units. As such, they will be forced to move out of the community because their rents will be increased as a result of the new housing. The last thing we need is an oceania-by-the-sea mega-development that will only bring in super wealthy people. That’s not what we need and this should never be supported. (Handwerker, Jan./Gotlieb, Jan./Cohen, Jan.)

**Response:** The project includes affordable housing through the inclusionary zoning program. The socioeconomic analysis in the EIS will analyze the potential for direct and indirect residential displacement based on the criteria and methodologies established in the *CEQR Technical Manual*. It is expected that property acquisition will be achieved through negotiated land sale.

**Comment 161:** The Draft Scope indicates that, in analyzing the proposed rezoning’s impact on socioeconomic conditions, the standard CEQR boundaries will be used. The City should consider, however, increasing the geographic scope to include all project-based state or federally subsidized developments in the vicinity. Project-based federal assistance typically guarantees that rents are limited to 30 percent

of resident's income for some or all of the project's residents. Residency is restricted to low-income families. There are twelve assisted, or formerly assisted, developments in the area of the proposed rezoning for a total of 3,560 units. This is a density of subsidized units that significantly surpasses that of the City as a whole. Of those twelve developments, six are in the project study area proposed by the City. Tellingly, four of those six have opted out of their subsidy programs since 2004, representing a loss of 717 subsidized units. However, because of federal laws limiting a landlord's ability to displace existing tenants when a project opts out of a federal subsidy program, many low-income tenants remain at those developments with Section 8 (enhanced) vouchers. The analysis of the socioeconomic impacts of the rezoning should reference every subsidized development in the vicinity, not simply those within ½ mile of the rezoning's boundary and the EIS should analyze the project's potential impacts on subsidized units. The existing developments that have opted out should be surveyed to determine the net impact on subsidized units occurring as a result of the transition from project-based assistance to tenant-based vouchers and as a way of analyzing the net impact of the proposed redevelopment on affordable housing in the area. The assisted and formerly assisted developments in the area are: Avenue W, 2324 West 11th Street, 51 units; Friendset Apartments, 2911 West 36th Street, 259 units; Northbay Estates, 2730 West 33rd Street, 450 units; Northbay Estates, 2830 West 24th Street, 92 units; Scheuer House, 3601 Surf Avenue, 196 units; Sea Rise I, 3335 Neptune Avenue, 334 units; Sea Rise II, 3395 Neptune Avenue, 338 units; Trump Village II, 2940 Ocean Parkway, 441 units (opted out); Harbor View, 2940 West 21st Street, 224 units; Sea Park East, 2970 West 27th Street, 360 units (opted out); Sea Park West, 2930 West 30th Street, 484 units (opted out); and Ocean Towers II, 2970 West 24th Street, 360 units (opted out). (Legal Services, Jan./Greenberg, May/FifthAve, May)

**Response:** The study area is determined based on the methodologies established by the *CEQR Technical Manual* to best match the area likely to be most affected by a proposed action. The objective of the analysis is to characterize existing conditions of residents and housing in order to identify populations in the study area that may be vulnerable to displacement.

**Comment 162:** Pursuant to Chapter 3b of the *CEQR Technical Manual*, the socioeconomic task outlined in the Draft Scope must further investigate employment and local workforce trends. The EIS will not adequately predict the impact of the proposed rezoning on these factors unless it specifically includes: (1) a current population profile that analyzes percentage of the population in the labor force, workers per household, occupation and rates of employment and unemployment; and (2) estimates of new employment for the study area, with a detailed analysis of the quality/type of employment (i.e., part-time/seasonal versus full-time, availability of pension and health benefits, career growth potential, anticipated wages, accessibility of new employment for local

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residents, etc.). I am requesting more detailed information than is usually calculated in an EIS. (Gotlieb, Jan.)

**Response:** The EIS will include a wide range of demographic and work force characteristics to the potentially affected resident and worker population. New worker demand generated by the proposed actions will also be identified, but since the uses are based on a RWCDS established to estimate future development, the EIS will not incorporate specific analyses regarding wages, health benefits and career growth of the new worker population.

**Comment 163:** There must be a commitment to job training and using union labor and minority owned businesses that will employ local residents. This is necessary so as to allow local residents to pursue careers with a future rather than a simple temporary job. This commitment must go beyond the construction phase of the project. Plans for job training for the eventual amusement/hotel/housing area have been on the discussion table for years. It is a critical issue. Job training should be underway now so that local residents have the opportunity to be prepared for the employment opportunities that will arise along with the future plans. Residents of Coney Island can feel a part of the amusement area's growth and not threatened by it. Job training is a must as an immediate aim. (Gotlieb, Jan.)

**Response:** This comment is beyond the scope of the EIS technical studies.

**Comment 164:** Historically, industrial areas have been vulnerable to the effects of secondary displacement. In this case, the introduction of an amusement district is likely to cause enough economic activity to alter existing patterns. The EIS should include a full inventory of the number of businesses operating in a broader study area (that includes the full Coney Island peninsula and both sides of Coney Island Creek), including the number of jobs in each business, particularly those in close proximity to Coney Island Creek and on Neptune Avenue. The EIS should also study conditions and trends in employment and businesses, physical and economic conditions, existing conditions and trends in real estate values and rents, the presence of categories of vulnerable businesses, and other factors specified in the *CEQR Technical Manual* in order to identify vulnerable categories of businesses that are at risk of displacement. The EIS should study appropriate steps to protect against the displacement of businesses from this area as a result of the project, including the establishment of an Industrial Business Zone (IBZ) and other industrial retention strategies. The study of job creation should go beyond analysis of the number of net new jobs, but should also provide some analysis of the likelihood of local hiring for these jobs including the potential for transitional assistance for potentially displaced employees. (MAS, Jan./MAS, May)

**Response:** Within the expected Socioeconomic study area, the EIS will identify any industries vulnerable to direct or indirect displacement as a result of the proposed actions. Potential mitigation such as those suggested in the comment would be considered as necessary.

**Comment 165:** Look what IKEA did in Red Hook. They took that community and hired eighty percent of its residents. They trained them. They made them their workforce. And that made them part of that community and made us stakeholders. The same thing should happen in Coney Island. (McWhite, May)

**Response:** Comment noted.

**Comment 166:** There have been a number of local strategies designed to support and retain small business in the study area; therefore, a study of the area's business characteristics should include analysis of the number, character and economic impact of small and locally owned businesses. Additionally, the study must provide analysis of the indirect economic impacts of this action in order to provide the most comprehensive economic picture possible. The Scope of Work should include an assessment of how this development might support locally-owned business expansion and opportunities for local entrepreneurs and start-up businesses, especially in the city-owned outdoor amusement park. We urge the City to study several different permutations for how the district could be configured, determining what ratio of uses is economically most feasible, giving high credence to how these economic development outcomes will benefit the surrounding communities through employment creation, delineating the types of jobs and possibilities for career advancement. (MAS, Jan./MAS, May)

I noticed during the presentation a difference from the second and third information sessions that were done back in January. At those information sessions we talked about careers. The jobs in play were stated as being careers and having benefits and those were the goals of the NYCEDC. In this presentation I didn't see that and I'm wondering if that's a shift in ideology, if the jobs have been cheapened, and what the goals are in relationship to career opportunities. (Halpin, May)

As part of the Economic Characteristics analysis, the proposed Scope should assess how the plan will affect ownership within the amusement area. The majority of existing rides and amusements are locally owned and run. The transformation of these open air amusements into enclosed amusement spaces will reduce ownership and management of the amusements to a small number of parties, most of whom are likely to be based outside of the Coney Island area. Since evidence suggests that local ownership promotes local reinvestment, thereby exponentially increasing input into the local economy, external ownership of Coney Island amusements will undermine this effect, draining profits out of the community and reducing the benefits to the local economy.

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The Economic Characteristics analysis should gather statistics on current ownership and local profit re-investment so as to measure the contribution that the current amusement ownership structure makes to the local economy. (FifthAve, May)

**Response:** The comments pertaining to ownership patterns economic analysis are outside the scope of CEQR. It is noted that as part of the EIS analyses, the businesses in the study area will be identified and characterized. The potential impact for direct or indirect displacement of all businesses will be determined.

**Comment 167:** In order to provide a more thorough examination of the study area, the EIS's analysis of economic and housing characteristics should be inclusive of data and information gathered from local development corporations and community based organizations that have long-term, first hand, local knowledge of Coney Island. In addition to this, analysis of the existing housing market conditions should include an examination of the potential for mandatory inclusionary housing in the study area. Study of existing housing conditions should also provide analysis of the number of rent protected units that are at risk for reaching the destabilization threshold. (MAS, Jan./MAS,May)

**Response:** The EIS analyses will include available data from a variety of sources and will be referenced in the chapter. The analysis of housing conditions specifically will examine the range of housing by type and rent regulation in the study area.

**Comment 168:** The EIS should conduct a full analysis of the potential for secondary residential displacement throughout an expanded study area that includes the full Coney Island peninsula and both sides of Coney Island Creek. This should include an analysis of the impact of the project on housing affordability throughout the area. (MAS, Jan./MAS, May)

**Response:** The EIS analyses will include an analysis of secondary residential displacement in the Socioeconomic study area, which will be defined according to CEQR methodologies. One of the secondary displacement factors analyzed is the potential for an increase of rents and housing costs.

**Comment 169:** Will families be removed and homes bought or taken over due to the rezoning from the proposed area? (Ariela, May)

**Response:** The EIS will identify and estimate direct residential displacement, if any, occurring as a result of the proposed rezoning.

**Comment 170:** Development is coming and it needs to. There are eight housing developments with people with no hope and no future who will be left out of this economic development when it comes. (McWhite, May)

**Response:** Comment noted.

**Comment 171:** I'm afraid retail space rental costs will be too high and so only corporations can rent them. My uncle is a business owner in Brooklyn and it's very expensive. And you know that you are going to build these really new retail spaces and only corporations will afford them. Barnes & Noble can't even afford Manhattan anymore. They're moving out. I mean you say you want this to help the local small businesses, but again, you're creating spaces that will just create higher costs and they won't benefit from this plan. (Gershik, May/Rankins, May/Easton, May)

**Response:** The EIS will examine the potential for direct and indirect commercial displacement. Rent pressure is considered a key indirect displacement indicator.

**Comment 172:** There have been a number of local strategies designed to support and retain small business in the study area, therefore a study of the area's business characteristics, should include analysis of the number, character and economic impact of small and locally owned businesses. Additionally, the study must provide analysis of the indirect economic impacts of this action in order to provide the most comprehensive economic picture possible. Finally, the study of job creation should go beyond analysis of the number of net new jobs, but should also provide some analysis of the likelihood of local hiring for these jobs including the potential for transitional assistance for potentially displaced employees. Considering the historical importance of Coney Island as a place of innovation and entrepreneurialism, the EIS should also consider the impact of the proposed actions on the accessibility of the area for small businesses in the future, especially those related to the amusement and entertainment industries. (MAS, May)

**Response:** As set forth in the methodologies of the *CEQR Technical Manual*, the EIS will assess the project's potential to result in direct or indirect commercial displacement. The EIS will estimate new employment generated by the project.

**Comment 173:** The modified Scope states that buildings fronting the Boardwalk must provide two stories of commercial use, including second-story small hotels. We continue to be concerned about the economic viability of any second story commercial uses fronting on the Boardwalk, and do not see the long-term viability of transient rooms of the second story. Therefore, we once again urge the City to permit rather than require commercial uses (whether retail or hotel or otherwise) for the second story in buildings that front the Boardwalk.

We note that a 100-foot deep commercial overlay will be mapped along the north and south sides of Surf Avenue and understand that commercial uses will be mandated within that corridor. However, the marketability and economic feasibility of excessively deep commercial space is, as of now, unproven.

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Therefore, we urge the City to mandate only the first 60 feet of retail use, with the opportunity but not the requirement to extend to greater depths.

As the City considers retail uses in Coney West and Coney East, we ask for reasonable flexibility in order to respond to the needs of the quality retailers we all hope to attract to Coney Island. Zoning that is not grounded in economic feasibility could lead to unmarketable, vacant spaces that will create a new blight and detract from the economic viability and vitality of Surf Avenue. (Taconic, May)

**Response:** The Special District text, which will be included with the EIS, will address retail uses.

**Comment 174:** The EIS will not adequately predict the impact of the proposed rezoning on unless it specifically includes:

- A current population profile that analyzes percentages of the population in the labor force, workers per household, occupation, and rates of unemployment and underemployment.
- Estimates of new employment for the study area, with a detailed analysis of quality/type of employment (i.e., part-time/seasonal versus fulltime, availability of pension and health benefits, career growth potential, anticipated wages, accessibility of new employment for local residents, etc.) (CLEAR, May)

**Response:** The EIS will provide a socioeconomic profile of current residents and will estimate employment generated by the RWCDs. As a general development scenario based on zoning (and not a specific development plan with a set program), the analysis does not include a detailed breakdown of job attributes as suggested in the comment.

**Comment 175:** According to your rezoning report, there will be a direct displacement of residential population, businesses, and employment. Almost three and a half blocks of residential and retail located on the Mermaid Avenue Strip and portions of the block between Mermaid and Surf Avenues are directly affected. After following your rezoning map, the community had asked the retailers and residents if they were aware that their property had been mapped for rezoning. The answer from the majority was “No.” The new rezoning plan will uproot and displace the heartbeat of the Coney Island community. Also, these properties are mostly private property that would be acquired by the City of New York through either sale or land transfer. The community strongly feels that a displacement committee be put in place and recognized by Community Board 13, the Chambers of Commerce, and the CIDC. The object of a displacement committee would be to monitor and ensure that all sales and land transfers are not infringing upon the rights of private property owners. (CLEAR, May/Boyd, May)



**Response:** The EIS will examine the potential for direct and indirect displacement of both residents and businesses as a result of the proposed actions. Potential adverse impacts, if any, would be addressed through appropriate practicable mitigation measures.

**Comment 176:** The proposed Scope's analysis of Housing Characteristics within the plan area should include a breakdown of the number and location of Single Room Occupancy (SRO) units. SROs provide very inexpensive housing that is utilized by the low-income population of Coney Island. The proposed Scope should examine where SRO units are located and who is occupying them so as to determine how this vulnerable population will be affected by implementation of the plan. (FifthAve, May)

**Response:** The EIS will identify and break down known SRO units, if any, in the study area.

**Comment 177:** For every dollar of increased tax revenue from housing, you will loose 10 dollars in revenues from tourists. Tourist dollars take very little government maintenance and up keep to support. The infrastructure for a thousand condominiums will in time be a drain on local government. It is silly how poor the quality is of Benefit-Cost analysis prepared by agencies like yourself. They always tilt to the favor of developer de jure and don't address the 10 and 20 years costs sides at all well. (Douglas, May)

**Response:** Comment noted.

**Comment 178:** Coney Island has long been an affordable recreational getaway for those without the means to travel or take part in other more expensive New York City options. It is important to keep Coney Island an affordable recreation destination. I am extremely concerned that the south portion of Coney Island East and the economic and social character of Coney Island will quickly be lost in the face of the rest of the development which appears to be a direct assault on Coney Island's affordability and unique social dynamic. (Brennan, May)

**Response:** One of the fundamental goals of the comprehensive rezoning plan is to maintain Coney Island as an affordable urban amusement and entertainment destination.

#### **CHAPTER 4: COMMUNITY FACILITIES AND SERVICES**

**Comment 179:** The Draft Scope/EIS fails to incorporate each of the schools within the Coney Island community and/or Community School District 21. As most schools within Community School District 21 are either at or near capacity, if not beyond, the EIS must take into account the ripple effect that would be created

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by the children who would reside in the 4,500 units of housing under the proposed plan. (Gotlieb, Jan.)

**Response:** The Final Scope establishes a schools analysis study area as set forth by the *CEQR Technical Manual* and in consultation with DCP, which monitors and coordinates school enrollment studies with the Board of Education.

**Comment 180:** The Draft Scope/EIS fails to incorporate either Lincoln High School or any of the schools that are currently housed at Lafayette High School. (Gotlieb, Jan.)

**Response:** High schools are analyzed on a borough-wide basis and will be part of the school assessment in the EIS.

**Comment 181:** Due to its geographic limitations, the Draft Scope/EIS fails to accurately take into account the needs and demands that will be placed on Coney Island Hospital, including the demand from development in Brighton Beach and Sheepshead Bay which is taxing the ability of the hospital to provide services. Rather than treat the rezoning area as an isolated island, the Draft Scope/EIS should incorporate factors which include the proposed closure of Victory Memorial Hospital and the explosion in development in neighborhoods of Brighton Beach and Sheepshead Bay. Although those neighborhoods are outside the scope of the proposed actions, the demands that are placed on Coney Island Hospital—the only hospital in this portion of Brooklyn—will skyrocket by virtue of the people who occupy the newly constructed units of housing in those neighborhoods. As such, the demand placed on the infrastructure of Coney Island Hospital by these individuals, along with the proposed closing of Victory Memorial Hospital, must be taken into account. The interrelationship between the amusement district, as well as the entire western end of the peninsula, relies heavily upon the services at Coney Island Hospital, especially in light of the demise of Victory Memorial Hospital. The residents of Coney Island feel that the Coney Island Hospital Advisory Board should be given the funding that they need to do the necessary expansion so that the hospital can adequately address the needs of a rapidly growing community. How can this important part of Coney Island's lifeblood be strengthened? (Gotlieb, Jan./ Gotlieb, May/CB13, Jan./Clear, May/Boyd, May)

**Response:** The EIS will examine the potential increase in demand for services at publicly funded health care facilities in the area resulting from the proposed actions. The analyses will follow the methodologies established in the *CEQR Technical Manual*.

**Comment 182:** The EIS will fail to properly take into account the project's affect on the entire community due to its geographic limitations. Should the proposed actions be approved, it will result in an increase in population, residents and visitors, for Coney Island. In order to assess the affects of this population increase, it is

necessary to account for all Coney Island. How will the increased number of housing units affect ambulance service to western Coney Island? How will the increased number of structures, as called for by the proposed actions, affect the ability of the police and fire departments to respond to emergencies? What type of additional equipment, if any, will be needed to address any expected, and unexpected, emergency? Will it be necessary to construction additional police and/or fire stations? Will emergency service vehicles have easy access throughout the entire community or will they be stretched too thin to respond in a timely manner? (Gotlieb, Jan.)

**Response:** In accordance with CEQR methodologies, the EIS will examine potential impacts on publicly funded healthcare facilities. In addition, the EIS will provide a description of the existing police and fire services in or near the project study area and will qualitatively assess the proposed actions' incremental effects on police and fire protection services.

**Comment 183:** Attention must be paid to the needs of the Department of Sanitation, the Department of Consumer Affairs, DEP, and to the agencies that have to deal with Homeless issues (a crisis in the peninsula). The Department of Homeless Services for example has a contract with Common Ground to handle Brooklyn and Queens. The Police and the Community Board office find it difficult, at many times, to reach this agency for vital needs. (CB13, Jan.)

**Response:** The EIS will examine the demand for and ability to provide sanitation services to the rezoning area. DEP is actively involved in the assessment of infrastructure demand for the Coney Island Rezoning. As noted above, NYPD is also an agency that will be contacted in preparing the EIS. Finally, while outside the scope of the EIS technical analysis, it is noted that the proposed actions would not be expected to have an effect on provision of services to the homeless or other community services provided by other agencies.

**Comment 184:** When new families, many of them younger, enter the area as a result of building construction, the schools in the area will prove in need. The situation must also be re-evaluated and planned for future needs. (CB13, Jan.)

**Response:** The EIS will include a detailed assessment of project school enrollment and study area school capacities. The need for additional capacity or other mitigation measures will be considered in the EIS as necessary.

**Comment 185:** We have a school with over eight hundred students and there is no gymnasium. If this project is going to go forward, before it does, make sure that our kids in Coney Island on the other side of this amusement park are taken care of. With the 4,800 dwelling units already included in the scoping plan, the community feels that the increase in children attending grade schools, middle schools and high schools would significantly increase, putting a very heavy burden on the

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already overcrowded schools in the Coney Island community. The community would like to put in place an education committee that would work directly with Community Board 13 and the Department of Education. The purpose of this committee would be to address the concerns of the community on overcrowded schools, busing, and the building of new schools in the Coney Island area. (Harris, May/Krivitsky, May/CLEAR, May/Gotlieb, May/Boyd, May)

**Response:** The EIS will include a detailed analysis of existing and future school enrollment projects with and without the proposed actions. The potential impact generated by the RWCDs will be evaluated for elementary and secondary schools.

**Comment 186:** The EIS should include an assessment of the emergency services necessary to conduct an evacuation in the event of a coastal hurricane or tsunami. It should also discuss what modeling has been prepared to determine how such a natural disaster would be handled. In light of the government's woefully inadequate performance in response to the Katrina disaster and the disproportionately underserved status of the Coney Island community, this aspect should receive the level of analysis and attention it deserves. The proposed actions will generate 316 children eligible for publicly funded day care, please address how these children will be cared for an evacuated when a costal emergency arises. (Carlin, May/Gotlieb, May)

**Response:** New York City actively plans for emergency situations throughout the City through its public safety agencies (the Police and Fire Departments and OEM). OEM maintains and updates its hurricane and flood response plans on a City-wide basis.

**Comment 187:** We do need Coney Island to have better services, but it shouldn't get better services because wealthier residents come in and pay more taxes. (Gershik, May)

**Response:** Comment noted.

**Comment 188:** In addition to the study areas already designated within this category, the proposed Scope should consider the additional burden that the plan will place on: (1) the Coney Island Job Center, a Human Resources Administration (HRA) site; and (2) the availability of Housing Preservation and Development (HPD) inspectors. The city is obliged to provide both of these services to any qualifying member of the community; therefore, the CEQR requires that the proposed Scope assess the plan's potential impact on their availability.

The growth in housing stock contemplated by the plan will increase the number of HPD inspections required in the plan area. This has the potential to negatively affect the availability of HPD inspector services provided to the local and incoming population. In order to ensure that there are a sufficient number of

inspectors available to deal with the additional housing stock, the proposed Scope should inquire into the number of current HPD inspectors active within the plan area and the number of additional inspectors who will be required to accommodate the new housing stock created by the plan.

The Coney Island Job center is located at 3050 West 21st Street, squarely within the plan area on land designated to be turned into residential developments. It is unclear from the plan or the proposed Scope where the center would move. At present, the Center provides Public Assistance and other services to a large area of South Brooklyn. In addition, it is one of only three centers in all of Brooklyn that serve people who are HIV positive through the HASA program. The proposed Scope should examine how moving the Center and its 70 personnel will affect the clientele whom it serves, and also how the potential increase in affordable housing in the plan area will impact the availability of services provided through the Center. (FifthAve, May)

**Response:** The continued presence of the HRA facilities is a presumed element of the No Action Alternative. A relocation site will be determined when a firm development proposal has been identified. The need for additional HPD inspectors would need to be assessed on an ongoing basis as the residential units come on line, and that this is a process HPD engages in citywide.

## CHAPTER 5: OPEN SPACE

**Comment 189:** It has been my experience that the existence of community gardens has enormous potential for improving the quality of life of surrounding neighborhoods. As community spaces they allow lives to touch, healing to happen, fresh foods to be grown and shared. I strongly believe that as part of Coney Island's redevelopment, should these four gardens—Boardwalk Garden, Cyclone Community Garden, Senior Citizens Block Association of Mermaid Avenue garden, and Unity Tower Tenant Association garden—need to be destroyed, another large parcel of land should be found to create a permanent site for something like “Coney Island Farms,” a public working Greenthumb garden site. I believe this would allow for much rehabilitation of the surrounding community if the farm/garden is created with great planning, community input, and connection to appropriate greening agencies (Green Guerillas, Greenthumb and Parks Dept, Just Food, Council for the Environment, to name a few). I understand that a park is already being planned, but I want to stress that a community garden is different from a park as it invites and requires community involvement, empowers, feeds, grows. I feel certain that there is a need and a place for both in Coney Island's future. (McCrary, Jan.)

**Response:** Comment noted.

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**Comment 190:** As a result of the increased population in Coney Island, the ability of the community's parks and playgrounds to accommodate residents will be taxed. The Draft Scope/EIS should investigate new possibilities for improving/expanding/rehabilitating existing parks and to create new ones throughout the community. (Gotlieb, Jan.)

**Response:** The proposed actions would result in development of a new 1.41-acre community park at West 22nd Street and the Boardwalk. Furthermore, the open space chapter will describe the City's goal of expanding park access in Coney Island. In addition, the EIS will examine the open spaces available to existing and future residents. Based on assessment methodologies set forth in the *CEQR Technical Manual*, potential impacts will be determined through incremental changes in the "Open Space Ratio" and mitigation measures such as those noted above will be considered as necessary.

**Comment 191:** The City recently announced that Dreier-Offerman Park (currently known as Calvert Vaux Park) will receive a \$40 million renovation. How will the increased usage of this park affect Coney Islanders? (Gotlieb, Jan.)

**Response:** The analysis of open space resources is based on the proximity of open space and park facilities to project and area residents, within a ¼ and ½ mile study area reflecting the goal of providing open space resources within a walkable distance. Calvert Vaux Park, which was formerly known as Dreier-Offerman Park, is outside the study areas but will be identified as a regional open space resource with larger facilities and amenities.

**Comment 192:** It is part of the plan to take one of the few community gardens and it would be great if there would be another site given as green space and to be developed as a permanent garden site. (McCrary, Jan.)

**Response:** As noted in the Final Scope, community gardens will be relocated to a location to be determined as part of the project.

**Comment 193:** In regards to shoreline access, currently the City of New York cannot even get its act together for a three-month season. Many of our beaches are closed. You cannot enter the water because they do not have enough lifeguards. However, in front of the luxury developments where they sell million-dollar condos their beaches are open every single season. We are concerned that when hotels come in and private development, that they will be given favoritism and their beaches will be open and everybody else's will be closed. We are also concerned about the privatization of the beaches as has occurred in New Jersey where fences—where areas of sand are fenced off to accommodate the fancy hotel guests to the detriment of residents. (Sanoff, May)

**Response:** The staffing of lifeguards on public beaches by the Parks Department is based on the availability of certified lifeguards and the public safety demands of the beach. The Coney Island Beach and Boardwalk are mapped public parks, precluding the differential treatment noted in the second part of the comment.

**Comment 194:** The new plan needs adjustment because it has all the disadvantages we noted in our comments last time, while diminishing still further the space devoted to Coney Island's traditional outdoor amusements, obliterating their traditional context by closing in on them with a semi-circle of 80-20, that's 80 percent opulent apartment towers and hotel towers, and alienating still more parkland. The EIS should evaluate the feasibility of this in light of the recent record of New York City failing to produce promised park space in exchange for the Yankee Stadium/Macomb's Dam Park incursion. We think this is not an action in the public interest. (Gough, May)

**Response:** The proposed Coney Island Rezoning plan has as one of its core goals and objectives to preserve, strengthen, and enhance the existing amusement area, which will be the centerpiece of a year-round 27-acre entertainment and amusement area.

**Comment 195:** This section should clarify with graphical images the nature and extent of existing open space and proposed parkland.(Carlin, May)

**Response:** The EIS will provide maps and figures showing current and future parklands in the study area.

**Comment 196:** The proposed Scope's open space analysis should adopt a broader geographic radius within which to examine the plan's impact on existing active and passive open spaces. The current 1/4- to 1/2-mile radius is insufficient to encompass all of the open spaces likely to be affected, because implementation of the plan will result in a dramatic increase in temporary amusement users in the Coney Island amusement area. These temporary amusement users are unlikely to stay within the 1/2-mile radius allotted for residential users. Instead, they will branch out from the Coney Island area and make use of other beachfront and recreational open spaces, including the Brighton Beach Boardwalk, the New York Aquarium, Manhattan Beach Park, and Brighton, Manhattan, and Oriental Beaches. This will increase overall use of these areas, creating an "indirect effect" as defined by the CEQR. Therefore, the proposed open space study area should be enlarged to encompass the entire 3.5-mile southern coast of the Coney Island/Brighton Beach peninsula, from 37th Street on the west to Seawall Avenue at the eastern end of Oriental Beach. (FifthAve, May)

**Response:** The established methodologies of the *CEQR Technical Manual* identify study areas for open space analyses that are consistent with determining the likely impacts on current and future residents for an area that reflects immediately

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accessible and walkable open space resources. Larger and more regional open space resources that may be outside the delineated study area are identified but typically are not included in the calculation of open space ratios.

**Comment 197:** The open space analysis should include an examination of current and projected user demographics. Presently, the Coney Island amusement area is used largely by low-income individuals and families who reside in and around the Coney Island area. It is likely that the changes to the amusement area anticipated by the plan will bring an influx of new users to the amusement area, many of whom will have a different demographic background from the population that currently uses the amusement facilities. It is vital for the proposed Scope to: (1) measure and report current user demographics for the Coney Island amusement area; (2) explore aspects of the new plan which will affect current user access to the amusement area; and (3) develop alternatives to the proposed action which would enable current users to continue participating in the life of the Coney Island amusement area. (FifthAve, May)

**Response:** One of the fundamental goals of the comprehensive rezoning plan is to maintain Coney Island as an affordable urban amusement and entertainment destination. Open space will be analyzed based upon CEQR methodologies. The future amusements on parkland will be licensed or leased by the Parks Department.

**Comment 198:** The proposed Scope should be altered to require the collection of statistics on current demographic usage of the Coney Island amusement area. Since the median household income of Coney Island residents is far below that of Brooklyn as a whole, and 40 percent of Coney Island households have incomes below the 20th percentile citywide, it is likely that the majority of current Coney Island amusement area users come from low-income backgrounds. The veracity of this assumption can be tested by amending the demographic study requirements of the open space analysis to gather data on the income level and race/ethnicity of current Coney Island amusement area users. (FifthAve, May)

**Response:** The EIS will include assessment of potential impact on open space resources consistent with the methodologies set forth in the *CEQR Technical Manual*. The request for an expanded analysis of demographics for the open space analysis is outside the scope of EIS open space technical analysis. However, NYCEDC conducted a study of visitors to Coney Island amusement area. The EIS will disclose the results of this survey.

**Comment 199:** A review of the plan reveals a number of elements that are likely to make the Coney Island amusement area less hospitable for its current users. As it is presently organized, the Coney Island amusement area is comprised of a series of small, independently-owned amusements where patrons can walk and observe amusement activities without participating or paying fees of any kind.



The plan's shift from outdoor to enclosed amusements will reduce the amount of currently existing "private open space," such as arcades and open sidewalks, in favor of fully private enclosed amusement areas. This change will visually separate the amusements from pedestrian traffic, requiring visitors to pay entrance or amusement fees in order to enter or observe the amusements. Enclosed amusements located within the hotels along Surf Avenue are particularly likely to restrict access to paying guests, to require entrance fees for non-guests, or to use hotel security to discourage non-paying customers from entering the premises. In addition to the exclusion of non-paying customers from participation in the amusement area, fees for rides and amusements are likely to rise significantly as a result of redevelopment, effectively barring low-income clientele from using the amusement area. This would represent the loss of one of the few remaining low-income amusement facilities in New York City. (FifthAve, May)

**Response:** One of the fundamental goals of the comprehensive rezoning plan is to maintain Coney Island as an affordable urban amusement and entertainment destination. Consistent with this, the Parks Department, which will have jurisdiction over the future amusements on parkland, will set limits on the range of fees charged by its concessionaires.

**Comment 200:** The CEQR manual requires an open space assessment if "the facilities within an open space would be so changed that the open space no longer serves the same user population." The proposed Scope should require consideration of the impact that the plan will have on key demographic characteristics of the amusement area's user population, such as income and race/ethnicity. (FifthAve, May)

**Response:** The EIS will include assessment of potential impact on open space resources consistent with the methodologies set forth in the *CEQR Technical Manual*.

**Comment 201:** There may well be concerns that the KeySpan Park small ballfield will be relocated in Dreier and that Dreier is too far away, and that it will take years for movement of the fields. Possibility: earmark new Highland park for the ballfield. (Reichenthal, May)

There has been concern about the loss of the community-used ballfield adjacent to the Boardwalk and KeySpan Park as development of Steeplechase Plaza gets underway. The movement of this field, which had been developed as a major amenity during the planning for the Stadium, to the still-undeveloped Dreier-Offerman Park [currently known as Calvert Vaux Park] is potentially a problem for the youth of the Island and could be alleviated. The area of the proposed Highland View Park should be discussed as a possible venue for the movement of the ballfield. (CB13, Jan.)

**Response:** The ballfield relocation would be determined as part of the development of Steeplechase Plaza, a separate project with independent utility that will be undergoing its own environmental review. In addition, the proposed Steeplechase Plaza project will be included in the No Build scenario for the EIS technical analyses.

## **CHAPTER 6: SHADOWS**

**Comment 202:** The shadows that will be cast on the area and adjoining areas will preclude the use and installation of solar panels and renewable energy in the future. Shadows cast on the rehabilitated Stillwell Avenue train station's solar panels will result in loss of this renewable energy source to this award winning station. (Handwerker, Jan.)

**Response:** The EIS will contain a comprehensive shadows impact analysis based on the criteria and methodologies established in the *CEQR Technical Manual*.

**Comment 203:** *CEQR Technical Manual* requires a study of whether that proposed action will result in a shadow being cast on a natural feature, open spaces and historic resources. The entire amusement area ought to be considered sun-sensitive for the following reasons as much of it is likely eligible for the National Register, the area is publically-accessible open space enjoyed by millions. Shadows on the entire amusement area ought to be considered a significant negative impact. Impact of shadows on ability of surrounding residences and businesses to utilize solar heating potential should be studied. (MAS, May)

**Response:** According to CEQR methodology, shadows cast on open spaces that are part of a proposed project are not considered impacts of an action because without the action, the open space would not exist. However, a qualitative assessment of shadows on the proposed mapped amusement park will be included in the EIS shadows analysis.

## **CHAPTER 7: HISTORIC RESOURCES**

**Comment 204:** All known and potential historic resources must be identified in the study area and rezoning area, not only those that could be directly impacted. All resources in the study area should be equally analyzed. (MAS, Jan./MAS, May)

**Response:** The Historic Resources chapter will examine all known and potential historic resources in the delineated study area.

**Comment 205:** While the zoning framework does propose to preserve land for amusements, it does not necessarily encourage the preservation of Coney Island's historic building stock. Coney Island has a number of important structures that may be threatened by the proposed zoning: Nathan's, Henderson's Theater, Childs 1917

building, Grashorn Building, historic Bank of Coney Island building, Shore Hotel, the Popper Building, the Boardwalk, Steeplechase Pier, Shore Theater, B&B Carousel, the properties on the south blockfront of Surf Avenue between 12th Street and Stillwell Avenue(including the 1917 Childs Restaurant, the Shore Hotel, Hotel Surf, Our Lady of Solace Shrine Church and associated buildings, including 19th-century residential buildings in the vicinity of the Shrine). In Astroland: The Astroland Tower, between Surf and the Boardwalk/West 10th and Jones Walk; Dante's Inferno Dark Ride. In Dino's: The Spookarama Dark Ride, along Jones Walk.

These and other historic structures are under consideration for landmark status, yet are not all mentioned in the Scoping Document. They are all in the area targeted for modest upzoning and for large uses that may require the demolition of these structures. By upzoning areas where current icons exist such as the two-story Nathan's building directly on Surf Avenue, such as the back porch of the Shore Theater, you do not protect those icons, you encourage their destruction. Preserving and renovating these structures would help maintain the character of the neighborhood. The Municipal Art Society concurs with the plan to study buildings identified by Coney Island USA, but they should be identified in the Scope. The EIS should therefore study zoning alternatives for the structures listed below that do not create incentives for them to be replaced with new structures. (Gratt, Jan./Zigun, Jan./Denson, Jan./Legal Services, Jan./FifthAv, May/MAS, May/SFAC, Jan.)

**Response:** In consultation with LPC, the EIS will identify potential historic resources that appear to meet the criteria of eligibility for listing on the State and National Registers of Historic Places and/or New York City Landmark designation. The potential new development resulting from the proposed actions has been projected in the RWCDS and this will serve as the basis to determine potential impacts on the historic resources identified in the study area. The EIS will evaluate potential mitigation measures if any adverse impacts to identified resources are identified.

**Comment 206:** While the historic resources section of the scoping document seeks to survey architectural resource in the area, typically, the definition of historic resources often hews to the letter and not the spirit of the law, focusing on structures that have an official designation, at the expense of buildings that do not, but that are just as compelling. As a result, buildings that have historic value or cultural import, such as Yankee Stadium and the Ward bakery, are often overlooked and sacrificed. In Coney Island, there's an opportunity to make progress while also preserving these types of structures. Specifically, the architectural resources section in the EIS should also create an inventory of amusement area buildings that pre-date 1944, the date of the Luna Park fire, and assess the threat to each by the zoning proposal. The EIS should map the historic amusement area as it was in 1900 and 1920, compared to the amusement area now, and then to what

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is left of it in the open air in the new Special District. Where is the critical mass that gives Coney Island its density? (Gratt, Jan.)

**Response:** As set forth in the Final Scope, the EIS will identify all known and potential resources and LPC will be provided with opportunities to review and make eligibility determinations regarding potential resources in the study area.

**Comment 207:** According to the *CEQR Technical Manual*, for actions that are highly visible and can be perceived from more than 400 feet, the study area must to be extended. Given the potential for adverse visual impacts to historic resources and for shadows outside of the 400 foot perimeter, the study area should be extended to 800 feet to ½-mile in order to assess any impacts. (MAS, Jan./MAS, May)

**Response:** The 400-foot boundary of the historic resources study area is based on criteria established in the *CEQR Technical Manual*. However, as described in the Final Scope, this study area may be expanded as necessary in conjunction with the shadows analysis if the buildings in the RWCDs have the potential to cast shadows on historic resources outside of the 400-foot area.

**Comment 208:** In recent large-scale rezonings, the area impacted by accelerated land values has been more generalized than the limited study area. Subsequently, attempts at the preservation of noteworthy historic buildings in the general area but not within the study area are weakened because the resources have not been adequately considered. (MAS, Jan./MAS, May)

**Response:** See response to Comment 206. In addition, the EIS will identify and assess impacts on all known and potential architectural resources in accordance with CEQR methodologies.

**Comment 209:** Two complete historic roller coaster trains are buried on Stillwell Avenue at the Bowery. One is an art deco, three-car, cast-aluminum train from the Bobsled, a World's Fair transplant that operated on the west side of the street until it was demolished in 1974. The aluminum cars were buried at the time of demolition and might be salvaged and restored. The second train belongs to the Tornado Roller Coaster operated on the east side of the street from 1928 until 1978. The Tornado train, built of wood and steel, sits in a concrete tunnel at the Bowery. It will not have the same chance of survival as the aluminum cars of the Bobsled, but it is likely that the frame has survived and has historic value. The Coney Island History Project can help locate these historical resources as well identify the location of hazardous items such as fuel oil tanks that were buried when the large bathhouses were demolished. We have interviewed many of the former workers at these establishments who are concerned about the possible damage caused by these underground hazards. All remains of former amusements ought

to be considered significant archaeological resources. (Denson, Jan./Denson, May/MAS, May)

**Response:** As described in the Final Scope, LPC will determine the project site's archaeological sensitivity.

**Comment 210:** The results of the architectural resources survey should be given to both the New York Landmarks Preservation Commission and the State Historic Preservation Office so that they may determine the eligibility of the resources. Both of their determinations should be included in the DEIS. The EIS should determine, in consultation with the State Historic Preservation Officer, whether the Coney Island Boardwalk is eligible for the State Register of Historic Places. (MAS, Jan./MAS, May/SFAC, Jan./Gough, May)

**Response:** Since the project is a New York City sponsored initiative, the LPC is the appropriate review agency for the cultural resources assessment.

**Comment 211:** Visual impact studies should be conducted for the Parachute Jump. The landmark site of the Parachute Jump is limited to its concrete base. Thus under the rezoning, development on the block where it stands will impact visibility. The Parachute Jump has been described as Brooklyn's Eiffel Tower. Its outline against the sky is iconic. Renderings of the Jump in the context of potential new development on the block, from street level viewpoints looking toward the Jump from every direction (not the angled axonometric view already provided), should be included in the DEIS, which should note how similar historic properties are treated in other jurisdictions: for instance, the Eiffel Tower in Paris is surrounded by parkland, just as the Parachute Jump is now, enabling public viewing from multiple angles. (SFAC, Jan.)

**Response:** The historic resource evaluation, as well as the urban design assessment of the EIS, will identify and assess the contextual setting of the Parachute Jump.

**Comment 212:** Visual impact studies should be conducted for Childs Restaurant on the Boardwalk. Historic photos showing the original context of Childs Restaurant should be included in the DEIS, with an analysis of the scale of development and the street pattern in that historic context. The DEIS should consider the impact of street demapping and parkland alienation, which will make the landmark part of a superblock, and review the potential massing of new development on that superblock under the proposed rezoning. (SFAC, Jan.)

**Response:** The historic resource evaluation, as well as the urban design assessment of the EIS will identify and assess the contextual setting of the Childs Restaurant building.

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**Comment 213:** Of significant historic significance are the “walks” that served as amusement thoroughfares and where small, independent amusement owners thrived: Bowery; Jones; Tilyou; Schweickert’s; Henderson’s, Kensington. (MAS, May)

**Response:** The EIS will identify potential resources that appear to meet the criteria of eligibility for listing on the State and National Registers of Historic Places and/or New York City Landmark designation in consultation with LPC.

**Comment 214:** The EIS should provide renderings of the existing landmarks and the beach, surrounded by the new towers, from street level, no bird’s eye axonometrics, no fake fireworks in the sky courtesy of NYCEDC illustrators for the DCP website. (Gough, May)

**Response:** The EIS will include site plans and renderings of the RWCDs.

**Comment 215:** Study of contextual impacts should include a study of the change in character of the neighborhood from amusements and related uses to residential, as required by the *CEQR Technical Manual*. *CEQR Technical Manual* requires the study of the visual impact of the proposed project on the historic resources. Therefore, there must be a study on the impact of tall residential buildings on two National Register listed/ NYC landmarks: The Cyclone and the Parachute Jump. As there is a potential for a significant negative impact on these resources, there must be a study of mitigation avoiding such visual impacts. (MAS, May)

**Response:** The EIS will examine potential visual and contextual impacts on historic resources.

**Comment 216:** If the project requires federal permits from any Federal agencies, or if there is federal funding used in the action, the project would likely be subject to Section 106 of the National Historic Preservation Act, which requires Federal agencies to take into account the effects of their undertakings on historic properties. According to the Section 106 regulations,

[t]he section 106 process seeks to accommodate historic preservation concerns with the needs of Federal undertakings through consultation among the agency official and other parties with an interest in the effects of the undertaking on historic properties, commencing at the early stages of project planning. The goal of consultation is to identify historic properties potentially affected by the undertaking, assess its effects and seek ways to avoid, minimize or mitigate any adverse effects on historic properties.

In order to ensure compliance with Section 106 regulations, Section 106 review ought to be conducted simultaneously with the CEQR review and the findings and mitigation that results from Section 106 review ought to be included in the DEIS.

At this time, the Municipal Art Society formally requests consulting party status in Section 106 Review. (MAS, May)

**Response:** Based on the proposed actions associated with the Coney Island Rezoning, there is no federal involvement and no Section 106 consultation is warranted.

## CHAPTER 8: URBAN DESIGN AND VISUAL RESOURCES

**Comment 217:** I'm concerned with some of the suggested high-rise housing, in that it will forever change the amazing way the sun sets over the neighborhood. I do understand that this is an important part of the plan, though perhaps development could substitute a multitude of low-rises. (McCroy, Jan.)

**Response:** The EIS will examine the urban design and shadows impacts of the RWCDs.

**Comment 218:** The plan does not respect the existing R6 zoning, which is historically characteristic of Coney Island. High-rise, high-density development does not fit in with the surrounding R5 and R6 zoning and small buildings and narrow streets in Coney Island. This will result in altered aesthetics. (Handwerker, Jan.)

**Response:** The EIS will contain an analysis of the RWCDs in terms of its urban design and its contextual relationship with the surrounding community.

**Comment 219:** The attraction of Coney Island is the outdoors and the open air. High rises, high-density housing, closed amusements, and wrapped parking garages are not a characteristic of this area or of a desirable beach destination. (Handwerker, Jan.)

**Response:** The Coney Island Rezoning has been established to result in new development and revitalization of Coney Island. Coney Island has long been a high density urban location with excellent transit access and variety of housing types as well as a recreational and beach destination.

**Comment 220:** The EIS should fully study the Coney Island Boardwalk pedestrian experience. (MAS, Jan.)

**Response:** The proposed actions do not physically impact the Boardwalk, but the Boardwalk is included in the study area and impact assessment for both Urban Design and Open Space Resources.

**Comment 221:** Urban design impacts of the rezoning on the blocks between the Boardwalk and Surf Avenue should be reviewed; these blocks have historically been low-rise, one- to three-story commercial buildings, bath-houses and fun-fair structures. (SFAC, Jan.)

**Response:** The urban design analysis of the RWCDs specifically includes the area between the Boardwalk and Surf Avenue.

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**Comment 222:** The Environmental Impact Statement should very carefully analyze the heights and densities of any proposed towers, hotels, and buildings in Coney North where they may potentially prove deleterious to the future of Gargiulo's, Surf & Turf, Footprints, and plans for the revitalization of the Shore Theater as a cultural center with possibilities for live theater, films, recording studios, dance studios, galleries, eateries, etc. The Shore Theater is in a pivotal spot, across from the Stillwell Avenue Terminal (making it easy for visitors and residents to reach) as well as across from Nathan's and the emerging amusement district. (CB13, Jan.)

**Response:** The contextual relationship of new development as projected in the RWCDs with existing community resources will be analyzed in the EIS.

**Comment 223:** We do not need rectangular development sites. Consider the regular shapes of development sites and allow for flexibility of development. We should allow for more interesting kinds of development on Coney Island, which would be allowed by special permit that would permit towers from one block to the other and would allow Coney Island to exist consistent with its character as an amusement area. (Russo, Jan./Perlmutter, Jan.)

**Response:** Comment noted. The RWCDs is based on a reasonable estimate of the amount and type of projected new development taking into account likely land assemblage, new roadway configurations, and other public actions affecting the development potential. Actual development could result in variations from the site configurations assumed for RWCDs analysis purposes, depending on land assemblage and other factors.

**Comment 224:** If I cannot see the Wonder Wheel and Parachute Jump with thirty-story towers in front of me, not acceptable. (Guastella, May/Reichenthal, May)

The Parachute Jump is a landmark, but its landmark site is its base. Some people have called it the Eiffel Tower of Brooklyn. Now it stands in parkland which is about to be alienated for residential towers. In Paris, the Eiffel Tower is framed by parkland. Why is that impossible here? (Gough, May)

Deno's Wonder Wheel, the Parachute Jump, and the Cyclone are all internationally renowned landmarks that are visible from throughout South Brooklyn. The EIS should analyze the impact of view corridors on these landmarks, including: from Surf Avenue; from Stillwell Avenue, from the Belt Parkway; from other significant vantage points throughout South Brooklyn. (MAS, May)

**Response:** The potential impacts on the context and setting of existing visual resources in the study area will be analyzed in the EIS.



**Comment 225:** Please keep Coney Island to its seaside historical character. The development plan is not of this character. Please keep the architecture and planning creative and smaller in scale. The proposed plan is too urban and reminiscent of Manhattan. Please keep architecture low to keep the sky open. Open sky is important.(Gershik, May)

**Response:** The Coney Island Rezoning plan has been established to strengthen and enhance the amusement area and its relationship to its unique oceanside setting including the beach and Boardwalk. The addition of residential development and some taller structures will be examined in context of the existing built environment in the study area.

**Comment 226:** The EIS should study specifically the impact of the proposed actions on the Bowery, which was a major amusement thoroughfare and “spine” of Coney Island. In particular, the EIS should explore whether the proposed action will retain the character of the Bowery as a core of small, diverse amusement businesses. Similar analysis should be conducted for: Jones Walk, Henderson Walk, Tilyou Walk, and Schweickert Walk. (MAS, May)

**Response:** The EIS will present the proposed actions in terms of changes to the blocks and mapped roadways that will be the framework for new development in the rezoning area. In particular, changes to Bowery, and intended effects to create a new spine for amusement uses and related commercial uses will be assessed.

**Comment 227:** The EIS should fully study the Coney Island Boardwalk pedestrian experience. In particular, the alternative of preserving low-rise retail on the northern end of the Boardwalk in the “Coney East” area should be studied in order to continue to have active uses along it that activate the Boardwalk and provide opportunities for shopping, eating and drink and amusements.(MAS, May)

**Response:** The Boardwalk would remain a central urban design feature and visual resource for the project, and its relationship, particularly with Coney East, will be assessed in the EIS.

## **CHAPTER 9: NEIGHBORHOOD CHARACTER**

**Comment 228:** The Draft Scope states that it will “[draw] on the analysis of impacts in various other EIS chapters, assess and summarize the proposed actions’ impacts on neighborhood character.” The studies conducted in the other impact categories were not analyzed in light of neighborhood character—they were analyzed in light of that impact category. Therefore, it is insufficient to rely upon the “key findings” in the analyses of other impact categories. The EIS should analyze the project’s impact upon neighborhood character in light of that impact category, and should not simply be a summary of other impact category analysis. (MAS, Jan./MAS, May)

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**Response:** The neighborhood character assessment in the EIS will be conducted pursuant to the methodologies of the *CEQR Technical Manual* which is based on creating a composite neighborhood character assessment based on the key environmental findings noted above. The approach is set forth in the Final Scope.

**Comment 229:** We don't want to see Coney Island become Miami Beach or Disneyworld. It is a very unique place and we would like to enhance this uniqueness. The CIDC plan is trying to destroy what is left of the historic amusement area.(Magwood, May)

**Response:** The EIS will assess the overall potential impact on Neighborhood Character based on the methodology established in the *CEQR Technical Manual*.

**Comment 230:** Coney Island is going to have the same gentrification that all other neighborhoods in Brooklyn have gone through if you allow this plan to go through.(Rankins, May)

**Response:** The EIS Socioeconomic impact assessment will analyze the potential for direct and indirect residential and business displacement and that analysis will be considered in the Neighborhood Character assessment of the EIS.

**Comment 231:** People come to Coney Island to get away from—to get away from the City, to come to the beach. And this plan is building yet another high-rise densely area city.(Gershik, May)

**Response:** Coney Island has always had an urban core adjacent to the beach and amusement amenities. The proposed Coney Island Rezoning looks to create a new opportunity for redevelopment and investment in the community. The overall effects of the new development on Neighborhood Character will be examined in the EIS pursuant to the methodologies set forth in the *CEQR Technical Manual*.

**Comment 232:** The Neighborhood Character analysis should include consideration of both: (1) the impact of the transition from locally owned and operated amusements to condensed foreign ownership, as discussed above in the Socioeconomic Conditions section; and (2) the likely shift in visitor demographics from current users of the amusement area to those visitors likely to frequent the area once the plan is implemented, as discussed above in the Open Space section. Analysis of the plan's impact on both of these factors is required by the CEQR, because either is sufficient to exceed the "socioeconomic conditions" threshold. (FifthAve, May)

**Response:** The comments pertaining to ownership patterns are outside the scope of CEQR review. And, as noted in response to Comment 198, the request for an expanded analysis of demographics for the open space analysis is outside the scope of EIS

open space technical analysis. However, NYCEDC conducted a study of visitors to Coney Island amusement area. The EIS will disclose the results of this survey.

**Comment 233:** The EIS should also analyze whether the creation of entertainment retail in Coney East will impact or alter the traditionally amusement-oriented character of Coney Island.(MAS, May)

**Response:** As stated in the Final Scope's summary of purpose and need and goals and objectives, the intent of the proposed actions is to create opportunities for new investment that preserve, strengthen, enhance amusement uses and its traditional core with dedicated and protected open amusement areas and new year-round economic activity.

**Comment 234:** MAS believes that ensuring that Coney Island retains and develops the appropriate character is critical to its future success and that of the overall revitalization plan. In particular, we observe that the historical character of Coney Island's Amusement Area had the following characteristics:

- Multiple owners and operators. Traditionally and even today, the Coney Island Amusement Area has been comprised of multiple smaller amusement areas and businesses from Luna Park, Steeplechase Park and Dreamland historically to Astroland and Deno's Wonder Wheel Park today. This has given Coney Island its uniquely heterogeneous, diverse flavor and cultural significance but also has ensured that the amusement area was not dependent on any individual operator for its success, thereby ensuring its long-term survival through multiple economic cycles.

- Range of sizes of different businesses. Coney Island traditionally and today has catered for a range of size businesses from the very largest amusement operators to smaller businesses. This has not only contributed to the diversity described above, but also created an environment that allowed entrepreneurialism and innovation to flourish, as the development of hot dogs, baby incubators and other inventions demonstrates.

In order to ensure these characteristics will remain in the 21st century Coney Island, the EIS should study whether the proposed management structure of the amusement park as well as the zoning text that determines what can be built in amusement or entertainment areas outside of the mapped parkland area will accommodate both multiple operators, owners and different sized businesses, including both independent and corporate ownership.(MAS, May)

**Response:** The goals established in the comment are consistent with the proposed actions. The EIS is not the proper forum for analyzing ownership and management strategies for implementation of the proposed actions.

**CHAPTER 10: NATURAL RESOURCES**

**Comment 235:** The rezoning plan calls for a tremendous increase in pedestrian and vehicular traffic as well as increasing usage from seasonal to year round. Daily wind gusts and heavy rain events carry street debris into local waterways, where it floats in and on the water. This debris, termed "floatables", is unsightly and a danger to marine and avian life. A large portion of the rezoning area has direct drainage of storm water. That means that storm water run off and the trash it contains bypasses local water treatment plants (WTPs) and is discharged directly to the beach. What measures will be taken to prevent street debris from entering local waterways? What measures will be taken to enforce anti-littering laws on the beach? These measures should include sweeping streets more than once per day, frequent emptying of street and Boardwalk trash barrels and placement of trash barrels on the beach year round. (NRPA, Jan.)

**Response:** The infrastructure systems for storm and sanitary sewers will be described in the EIS including measures for the pre-treatment of stormwater flows. Potential impacts on receiving water bodies of storm or sanitary discharges will be analyzed and mitigation considered, as necessary.

**Comment 236:** No one has looked at the impacts on the Knapp Street Water Treatment facility, which services this area as well as all the new density coming in at Brighton Beach, Sheepshead Bay, Kings Highway and a large portion of Brooklyn. The centrate from the Knapp Street WTP enters Rockaway Inlet on the incoming tide. Currently, there is a substantial problem with excessive nitrogen levels in Jamaica Bay. What impacts will thousands of units of new housing and hotels, as well as thousands of visitors year round have on nitrogen levels in Jamaica Bay? (NRPA, Jan./Sanoff, May)

**Response:** The EIS will examine the sanitary sewer capacity to treat the additional demand generated by the proposed actions and its effects on local receiving water bodies.

**Comment 237:** We are concerned that there has been no assessment of the cumulative impacts of the numerous construction projects that are ongoing within the drainage area of the Knapp Street WTP. Although the Coney Island Rezoning will be the largest project within the drainage area, its impacts should not be considered within a "stand alone" framework. It is necessary to address it in combination with the exponential development that has and continues to occur within the entire drainage area of the Knapp Street WTP. (NRPA, Jan.)

**Response:** As set forth in the Final Scope, the EIS conservatively estimates the contribution of the proposed actions as an increment above future demand as forecasted by DEP.

**Comment 238:** All construction within the rezoning area should be required to facilitate ground water absorption of storm run-off, i.e., green roofs, permeable pavement, etc. (NRPA, Jan.)

**Response:** The EIS will identify typical measure associated with stormwater pre-treatment and retention as part of RWCDs development.

**Comment 239:** The Coney Island peninsula is directly in the path of a migratory bird route. Bird flocks follow the Hudson River, then rest in Dreier-Offerman Park [currently known as Calvert Vaux Park] before continuing down the coast. What steps will be taken to prevent migratory birds from colliding with the concentration of new high rise buildings? (NRPA, Jan.)

**Response:** The EIS will examine the project's potential to exacerbate bird strikes due to new high rise buildings in Coney Island.

**Comment 240:** The concentration of high-rise buildings will surely have more impacts on the migratory bird population if these buildings are along the migratory path.(Sanoff, May)

**Response:** The EIS will examine the potential impact of increased bird strikes as a result of the proposed actions.

**Comment 241:** Based on the rare and critical habitat at and within the immediate surrounding area and based on the size and scale of the proposed actions, additional sampling should be performed to supplement and confirm the existing data, as they were performed/provided by others and not in relation to this proposal.(Carlin, May)

**Response:** The natural resources assessment will examine potential impacts on rare and critical habitat. The sensitivity of potential impacts would dictate if additional sampling or mitigation measures could be required.

## CHAPTER 11: HAZARDOUS MATERIALS

**Comment 242:** The Coney Island History Project can help identify the location of hazardous items such as fuel oil tanks that were buried when the large bathhouses were demolished. We have interviewed many of the former workers at these establishments who are concerned about the possible damage caused by these underground hazards. (Denson, Jan.)

**Response:** The hazardous materials will take a comprehensive look at historic uses and activities in the rezoning area. Additional sources of information as noted in the comment will be considered as necessary.

**Comment 243:** A considerable number of tax lots throughout Coney Island have been included in the rezoning plan. These lots have never been utilized or under-utilized for the past twenty-five years. Therefore, it is possible that there are toxins and other pollutants in the soil. The community is aware that a private developer can obtain these lots and receive almost a 40 million dollar tax incentive from the government if they clean it up. The developer's cost to clean up the toxins may be only a million dollars or less. The community is concerned that private developers may buy these lots just to collect the tax incentive from the government and then leave the lot blighted for the next ten years. Or, build more housing complexes in an already crowded community. The community is asking that Community Board 13 pick a committee to monitor and address the subject of Brownfields. The community wants the assurance that we do not open the door to developers who has little interest in the community needs and their prime focus is just to make a profit.(CLEAR, May/Boyd, May)

**Response:** The EIS will examine a broad range of potential impacts associated with development of the RWCDs in terms of potential presence of hazardous materials and contaminated ground water resulting from prior activities throughout the rezoning area. The EIS analyses do not consider the use of brownfields incentives available to property owners or developers.

**CHAPTER 12: WATERFRONT REVITALIZATION PROGRAM**

**Comment 244:** As Coney Island is an area that is prone to flooding, the Draft Scope/EIS must take into account how the project will affect the community's status as a flood zone. (Gotlieb, Jan.)

**Response:** The assessment of development within a flood prone area will be presented in the EIS.

**CHAPTER 13: INFRASTRUCTURE**

**Comment 245:** When Hurricane Donna struck New York in 1960, the storm surge caused massive flooding, and Coney Island was completely under water. The initial surge did not come from the ocean—it came from the north, through the storm sewers, and from Coney Island Creek, inundating the main escape routes before merging with the ocean at Surf Avenue. There has been little improvement of the storm sewer system since 1960, and the vastly increased population from the proposed 5,000+ new residential units will create a choke point preventing safe evacuation of Coney Island. Coney Island's sewer infrastructure has not been updated since 1960. Building twenty-five high-rise towers at a choke point on Surf Avenue places an unfair burden on a mostly minority population in the West End. It's a case of environmental injustice. Coney Island could experience a Katrina-like event resulting in a massive loss of life.(Denson, Jan./Denson, May)

This section should include an assessment of the emergency infrastructure necessary to conduct an evacuation in the event of a coastal hurricane or tsunami. It should also discuss what modeling has been prepared to determine how such a natural disaster would be handled. In light of the government's woefully inadequate performance in response to the Katrina disaster and the disproportionately under-served status of the Coney Island community, this aspect should receive the level of analysis and attention it deserves. (Carlin, May)

**Response:** The EIS will comprehensively examine the storm water sewer system and its ability to accommodate the new development. Also see the response to Comment 71.

**Comment 246:** The Coney Island area has been plagued with constant storm sewer overflows and city sewer backups under the existing zoning for over 35 years. A portion of the rezoning plan is within the one hundred year flood plain. In addition, the water table throughout the Coney Island peninsula is very close to the surface. The project areas are also located directly above the Brooklyn-Queens aquifer. Increasing the population density in the development area and non-porous, deep-foundations areas will only further increase the problems. The cellars and basements and building foundations in Coney Island will experience even higher water tables, city sewer backups, and increased storm water overflows due to the concentrated overdevelopment in this low-lying area, which is already susceptible to flooding. When the ocean rises and enters onto streets and basements as in the past, it will be that much more difficult or impossible to pump out basements. Currently, flooding occurs in the rezoning area during periods of bad weather. It is expected that this serious condition will be taken into account in the description of the existing storm sewer system and identified as part of the future storm sewer system improvements that would result with or without the proposed rezoning in the Stormwater Disposal section of the Environmental Impact Statement. The Draft Scope/EIS must account for the flooding that occurs throughout the entire community as a result of sewer lines that are routinely clogged by sand and assorted debris. (Handwerker, Jan./Masyr, Jan./Gotlieb, Jan./NRPA, Jan./Recchia, Jan.)

**Response:** The high groundwater and history of flooding is a known concern and the EIS will assess the sanitary and storm water infrastructure that presently exists and how it must be changed in order to accommodate the proposed actions.

**Comment 247:** Due to the Draft Scope/EIS's geographic limitations, it will not properly address and/or measure the effect of the proposed actions on Coney Island's infrastructure. By failing to take into account thousands of existing residents, the Draft Scope/EIS can not and will not be able to properly address the issues of water and sewage. The Draft Scope/EIS should be expanded to take into account

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the effect of the proposed plan on the entire community rather than those who reside a few hundred feet from the project's boundaries. (Gotlieb, Jan.)

**Response:** The study areas examined in the EIS are based on the methodologies established in the *CEQR Technical Manual* to focus on an area most likely to be directly affected by a proposed project and to determine the potential for environmental impacts. As set forth in the Final Scope, the infrastructure assessment does consider a much larger area (i.e., the encompassing the drainage area that includes the proposed actions).

**Comment 248:** Rather than follow through on the long-planned pumping station, it was decided that the problem would be resolved by simply cleaning out the antiquated sewage lines and installing a "liner" within them as a means of moving particles along. Given the size of the buildings that are to be constructed under the proposed plan, the plan to construct the pumping station, along with the replacement of the existing water/sewer lines, should be reinstated immediately to meet the needs of the entire community. (Gotlieb, Jan.)

**Response:** The EIS will comprehensively examine existing infrastructure capacities and identify changes necessary to accommodate future development with or without the proposed actions.

**Comment 249:** The long-planned Pumping Station, which was to be developed from the Neptune Avenue site of the old Art Deco Water Station, had reached Design & Construction several years ago. A critical need was cited for the Station in that the infrastructure of Coney Island is antiquated and that the result had long been flooding of streets, backups on thoroughfares, and other problems. The project, however, was dropped in favor of simply clearing the water/sewer lines and adding a liner in their interiors. Such a move does not mean that sand, silt, etc. do not still pose a problem in these lines. And, now, with the potential of enormous growth (e.g., high-rise condos, hotels, businesses, etc.) the situation must be reevaluated in the EIS. It may well be obvious that a new system be installed for the Island and that the design for the new Pumping Station be placed back on the table so that the old lines can be replaced for the huge new plans for the peninsula. Despite the recent clearing of the lines, flooding is still reported; and it is hoped that a second phase of cleansing is projected soon. (CB13, Jan.)

**Response:** The EIS will assess the ability of the sanitary sewers to accommodate the additional demand generated by the proposed actions. Impacts and mitigation, as appropriate, will be identified and described in the EIS.

**Comment 250:** Please improve the area's infrastructure—sewer, electric, and phone service—before you try to build. (Magwood, Jan.)



**Response:** Comment noted.

**Comment 251:** We assume that the City will fund and construct all required subsurface infrastructure, street improvements, flood drainage and other utility costs. (Bendit, Jan.)

**Response:** Comment noted.

**Comment 252:** Whether it is a situation where the infrastructure of the neighborhood will be incapable of supporting any proposed development or the lack of visitors that will be incapable of supporting the community, this has the potential of being a lose-lose situation for Coney Island. (Thor, May)

The proposed development is too dense for Coney Island. Until the infrastructure of Coney Island is upgraded, massive development is unfeasible. The best type of development in a flood plain is seasonal amusements, and that should be the focus for the core amusement area.(Denson, May)

People don't come to live here because there's no infrastructure. What we need are better streets, better sewers. (Ettman, May)

On page 6 of Scope, it says "The proposed action would result in more than 200 new residents at the project site..." This action opens up the door to even-worse conditions in the area regarding backed-up sewer and water lines. The long-sought and then abandoned plans for a new pumping station to foster an updating of the infrastructure is now shown as a much-needed part of the work. Simply cleaning out the extant lines, and still not putting in the proposed 'lining', is inadequate for these plans. DEP should reopen the plan or flooding and backups can once again be a strong part of the plan.(Reichenthal, May)

**Response:** Concurrent with the completion of the EIS, an area-wide hydraulic study will be completed to determine whether the separate sanitary and storm sewer systems in the rezoning area have sufficient capacity to accommodate flows generated by existing and proposed zoning demands.

**Comment 253:** We are concerned about the huge influx of additional visitors fouling beaches with more floatables and not enough staffing for the Parks Department.(Sanoff, May)

**Response:** The EIS will examine potential impacts from increase volume of stormwater and sanitay sewage generated by the RWCDS.

**Comment 254:** The Study should identify the cost of improvements associated with any changes to the 2006 DEP Amended Drainage Plan, including sources of funding relating to those costs. Also, please indicate why the Drainage Plan was

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amended in 2006 and whether it was done in anticipation of this project. (Carlin, May)

**Response:** Discussions of cost are outside the scope of CEQR, but this EIS will describe the existing and future infrastructure needs of the project and the larger Coney Island area. The history of the 2006 Amended Drainage Plan (ADP) will be summarized and how it has been updated and refined by DEP as planning has moved forward.

**Comment 255:** According to the revised scoping plan, the City's infrastructure comprises the physical systems supporting its population, which includes water supply, wastewater treatment and storm water disposal. It further states that NYCEDC and DEP are obtaining preliminary cost estimates for designing and installing a new infrastructure network. The community feels Community Board 13 should identify either community liaisons or professionals with knowledge of infrastructure to oversee NYCEDC and DEP to ensure that the new infrastructure system is done correctly. This is extremely important, because Coney Island over the years has experienced serious flooding due to a poor sewer and drainage system in and around the rezoning area.(CLEAR, May/Boyd, May)

**Response:** Comment noted.

**Comment 256:** We're concerned about the water pressure since this is at the end of the water line.(Sanoff, May)

**Response:** The ability of the water supply infrastructure to serve current and future users will be analyzed in the EIS.

## CHAPTER 14: SOLID WASTE AND SANITATION SERVICES

**Comment 257:** Due to the Draft Scope/EIS's geographic limitations, it will not properly address and/or measure the effect of the proposed actions on Coney Island's infrastructure. By failing to take into account thousands of existing residents, the Draft Scope/EIS can not and will not be able to properly address the issue of sanitation. (Gotlieb, Jan.)

**Response:** The assessment of demand for sanitation services will be estimated based on methodologies established in the *CEQR Technical Manual*.

**Comment 258:** The creation of high-rise condos, hotels, and businesses will create an exorbitant amount of refuse before, during, and after construction. While that is to be expected, people and their refuse are generally transient and I would expect much of the refuse that will be generated will be deposited in areas throughout

the entire community—that are not covered by the Draft Scope/EIS—rather than within the borders of the proposed project. (Gotlieb, Jan.)

**Response:** An estimate of volume of refuse generated by the project will be estimated and the additional demand assessed for potential impacts on the City’s ability to accommodate the additional demand.

## CHAPTER 15: ENERGY

**Comment 259:** Due to the Draft Scope/EIS’s geographic limitations, it will not properly address and/or measure the effect of the proposed actions on Coney Island’s infrastructure. By failing to take into account thousands of existing residents, the Draft Scope/EIS can not and will not be able to properly address the issue of electricity. The residents of Coney Island already suffer through multiple brownouts and blackouts each year. Unless major upgrades are made to accommodate the increased demand for power, this situation will see a major increase in the frequency and severity of the brownouts and blackouts. The Draft Scope ignores this by only reviewing a small area surrounding the proposed project. By dramatically increasing the site’s uses to more energy-demanding uses, there is potential for significant transmission congestion because the area may not currently be used for such energy-intensive activities. The area’s energy infrastructure and transmission capabilities may not be currently equipped for the change in energy usage, and a detailed assessment is needed in order to measure the demand increase, transmission capacity, and the potential for transmission congestion. (Gotlieb, Jan./MAS, Jan./MAS, May)

**Response:** The EIS will estimate electricity demand generated by the proposed actions based on rates provided in the *CEQR Technical Manual* and other sources as appropriate. The demand will be assessed by the local and regional capacity to provide electrical service.

**Comment 260:** The Draft Scope concludes that the added energy demand is not expected to create an adverse impact on the supply of energy with the new rezoning. The analysis will focus upon “estimate[s] of the additional energy consumption associated with the RWCDs induced by the proposed actions, including an estimate of the demand load on electricity, gas, and other energy sources; and an assessment of available supply.” However, we cannot continue to rubber-stamp the energy analysis of the EIS, simply because, in the past, the added demand has not caused environmental or economic harm. The effect of the demand from the new structures and the added car and truck traffic most certainly raise energy concerns, and must be fully detailed and studied in the EIS, examining the long term and cumulative impacts. (MAS, Jan./MAS, May)

**Response:** The EIS will estimate energy demand generated in relation to the project based on methodologies established in *CEQR Technical Manual*.

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**Comment 261:** By communicating with Con Edison early in the process, the lead agency should document and disclose the power mix (the fuels used to supply electricity and their resultant air pollutant emissions, including the emissions of carbon dioxide) for the project site. (MAS, Jan.)

**Response:** As set forth in the *CEQR Technical Manual*, the EIS analyses will specifically look at the regional capacity to provide electrical services and not at the origin of power generation.

**Comment 262:** Compliance with LEED standards should be mandatory for all projects within the rezoning area. (NRPA, Jan.)

**Response:** It is expected that the amusement park RFP and any other development RFPs issued by NYCEDC for Coney Island will contain a LEED compliance requirement, as applicable, and other sustainability measures for energy reduction, pollution control, and stormwater management.

**Comment 263:** As mitigation for the added energy use brought by the proposed actions, the EIS should analyze methods to reduce energy demand, either through green building technologies, green roofs, greywater systems, or other infrastructure improvements. A greener alternative, which will be set out in more detail below, should be examined in order to curb the significant environmental and economic harm that added energy demand may cause our city. As part of this green alternative, the EIS should also explore the possibility of using alternative energy sources, such as solar, biomass, or hydro. (MAS, May)

What if we committed to creating the first and only amusement park that is run on alternative energy? (Handwerker, May)

**Response:** Energy savings goals and alternative energy opportunities are important considerations throughout New York City. For EIS purposes, the primary focus is on estimated overall energy demand and determining the potential impacts to the existing distribution system to meet the demand. In addition, the EIS will examine the proposed action's consistency with the goals and objectives of PlaNYC, which addresses many of the methods noted above.

**Comment 264:** Since the project site is located at the end of the energy distribution grid, is of substantial size, and has an existing underserved population, a detailed assessment should be performed. (Carlin, May)

**Response:** The EIS will estimate energy demand and the ability for the existing utility system to serve the rezoning area.

**CHAPTER 16: TRAFFIC AND PARKING**

**Comment 265:** Parking and traffic solutions are key to having a successful amusement and entertainment destination. For this reason, I am troubled that several parking and traffic issues have not been fully addressed in the Draft Scope. Therefore, a further examination of the parking issues is necessary in order to ensure that the City's project is both safe and feasible. (Recchia, Jan.)

**Response:** The parking analysis will examine existing and future parking capacity and demand estimates with and without the proposed actions.

**Comment 266:** During the summer season, traffic in and out of Coney Island is overwhelming. Motorists trying to enter/exit Coney Island via Surf/Neptune/Cropsey Avenues are faced with extensive traffic jams and delays. This is particularly true before and after Cyclones games and most events held at KeySpan Park. The Draft Scope fails to address or account for how traffic generated by the proposed actions will affect the ability of residents, and emergency service vehicles, to enter or exit Coney Island. As Coney Island is a peninsula, there are limited means of travel into and out of the community. How will the mobility of community residents be affected by the proposed plan? Traffic is an issue during the peak summer months, particularly from the Belt Parkway exit on Cropsey Avenue down to the Coney Island waterfront. Neither the existing nor the future traffic issues have been addressed in the Draft Scope. Future visitors to the amusement and entertainment destination will not be willing to make return trips if they have to spend a significant portion of the day sitting in traffic. More importantly, heavy traffic poses various risks to the residents of Coney Island including dangerous conditions for pedestrians, slowing of response time for emergency vehicles (EMS, NYPD, FDNY, etc.) as well as air pollution caused by cars idling while in traffic. (Gotlieb, Jan./Recchia, Jan.)

**Response:** As set forth in the Final Scope, the EIS will analyze traffic conditions over an extensive study area that encompasses key intersections in the immediate rezoning area as well as key routes in and out of Coney Island. The peak analysis periods will be based on summer traffic conditions. Potential impacts on traffic conditions will be identified along with appropriate mitigation measures to the extent applicable.

**Comment 267:** The EIS should consider the entire traffic conditions, especially the means of ingress and egress from the peninsula by those living in the western sector of Coney Island. Cropsey Avenue, a key thoroughfare, is wide but it is the site of double and triple parking that limits movement of vehicles. The Cropsey-Neptune intersection, in particular, is a difficult one in which to maneuver, and it is the one that will continue to be the most used for cars getting in and out of Coney Island. Left turn signals have long been sought for southbound cars that

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wish to turn left into Neptune Avenue. There is no unity with West 17th Street from Cropsey Avenue so motorists may be confused as to where to go, and where cars back-up to a crawl. The entire road sphere from the Parkway to Neptune Avenue must be evaluated and altered if necessary. A possible new exit south from the Parkway to Stillwell Avenue has long been discussed. Signs and signals must be created to ease confusion. Signage helping drivers to find other streets to utilize is a possibility. (CB13, Jan.)

**Response:** As set forth in the Final Scope, the traffic impact study area has been defined to include those intersections and key routes in and out of Coney Island that have the greatest potential to be affected by the proposed actions. The determination of the study area, and the impact evaluation criteria, are based on the *CEQR Technical Manual*.

**Comment 268:** The rezoning seeks to demap Highland View Avenue, West 10th Street, and portions of West 22nd Street, West 15th Street, West 12th Street, Stillwell Avenue and Bowery between Stillwell Avenue and West 16th Street (Draft Scope, page 5). The traffic analysis described in the Draft Scope does not propose to study the effect of the loss of these streets and what it will do to the already heightened level of traffic during the peak summer months. Therefore, a study performed during the summer months, which examines the traffic reallocation due to the loss of these streets and the impact it will have during peak traffic periods should be undertaken. (Masyr, Jan.)

**Response:** The traffic impact analyses are based on peak summer period traffic and examine traffic conditions with and without the proposed street modifications.

**Comment 269:** Parking on Mermaid Avenue is said to be in the process of alteration, proving a hardship for the businesses, new and old, along this busy street. A C2-4 district would reduce parking requirements from one parking spot/200 square feet to one for 1000 square feet for commercial development while there are more than 40,000 square feet of commercial floor area. (CB13, Jan.)

**Response:** Current and proposed parking regulations throughout the traffic study area will be described in the EIS and potential impacts from changes in parking capacity and demand will be identified and described. Potential mitigation measures, as necessary, would be identified in the EIS.

**Comment 270:** As you are aware, special sandy soil conditions make development of below grade parking structures or mechanical areas impossible in this area. (Perlmutter, Jan.)

**Response:** The Final Scope's Project Description explains that parking structures would be largely above ground.

**Comment 271:** Existing parking needs to be retained for visitors to Coney Island. The residents of Coney Island already suffer from a severe shortage of parking. Even though the proposed plan calls for the creation of additional parking spots, the number is insufficient to meet the needs of the community. The Draft Scope, due to its geographic limitations, fails to take into account that fourteen out of the City's sixteen million beachgoers come to Coney Island, and many of them drive to the beach. People will also drive to the proposed amphitheater at Asser Levy Park, possible renovations to the Aquarium, and to other development projects within Coney Island. It should be investigated as to whether large parking lots and/or multi-level park and ride facilities could be constructed to ease the parking burden on residents and visitors alike. (Handwerker, Jan./Gotlieb, Jan.)

**Response:** The RWCDs anticipate that substantial new parking will be provided along with the new development. A comprehensive parking strategy will be described in the EIS the impact evaluation will estimate and compare existing and future capacities and demand for parking in the study area.

**Comment 272:** Studies should be intensified to determine where-and-how parking can be handled away from Surf and Mermaid Avenues. Many complain about current parking issues in and near the amusement area, and it has long been suggested that off-street parking sites be found so that people can ride by jitney or be able to walk from that site to the Boardwalk/beach/amusements. One site that should be studied is a large parcel at Hart and Cropsey, north of Neptune Avenue on the east side of Cropsey, across from Starbuck's and Linen's & Things. The site has been cleared of dilapidated buildings and had once been considered for a Staples structure. Those who walk from this area to the beach can pass world-famous Totonno's restaurant, as well as the aforementioned Starbuck's, Coney Island Buffet, Dunkin' Donuts, and scores of Mermaid Avenue enterprises. It can be an economic advantage to all and an aid to rid the involved area of bumper-to-bumper traffic. (CB13, Jan.)

**Response:** The EIS will examine the RWCDs which includes a wide range of off-street parking sites from those in the immediate rezoning area to those located outside the amusement and development area.

**Comment 273:** The need for parking to accommodate visitors, employees and residents is great and needs to be accommodated. The proposed 6,000 to 8,000 parking spaces are not adequate to meet the community's needs let alone the increased number of visitors that Coney Island will expect to receive upon its revitalization. (Recchia, Jan.)

**Response:** The EIS will estimate the total parking demand generated by the proposed actions and assess the parking capacity likely to be available to accommodate the incremental demand. Potential impacts due to shortfalls will be identified and mitigation considered as appropriate.

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**Comment 274:** Coney Island is in everyone's DNA. It has to draw from at least 60 miles. That means Nassau and Suffolk and New Jersey. And those people are going to come by mass transit. They are going to come by vehicles. Before, you stated that you want to add 6,000 to 8,000 parking spaces. You better add about 40,000 parking spaces, because that's what we need to draw from to make Coney Island great again. We have very limited parking and the project needs to facilitate additional parking, particularly public parking, so that we can welcome the thousands of visitors we hope to attract. We have very limited parking. (Bergante, Jan./Russo, Jan./Magwood, Jan.)

**Response:** The EIS will present an estimate of parking demand generated by the development and the existing and expanded amusement area. Demand will be estimated based on likely trip origins and different modes of arrival.

**Comment 275:** As a result of the rezoning, it is estimated that 6,000 to 8,000 parking spaces will be created, most of which will be located in the newly developed residential buildings (Draft Scope, 15). Currently, there is no discussion in the Draft Scope of the impact of the amusement area being developed prior to the parking, which is to be located within the proposed residential buildings. This is significant particularly in the Coney East subdistrict where most of the amusements, but only half of the parking spaces are located (Draft Scope, 15). An analysis that accounts for the mismatch that could occur should the phasing leave the amusement area with a parking shortfall, should be prepared as part of the RWCDs section of the Final Scope. (Masyr, Jan.)

**Response:** The EIS will estimate the total parking demand generated by the proposed actions and by the specific RWCDs components in the various subdistricts. Off street parking facilities will be identified and the EIS will assess the parking capacity likely to be available to accommodate the incremental demand. Potential impacts due to shortfalls will be identified and mitigation considered as appropriate.

**Comment 276:** The Draft Scope anticipates that in the Coney East subdistrict, only 600 of the 2,000 to 4,000 parking spaces will be able to be accommodated (Draft Scope, page 15). The Draft Scope states that the City is "exploring the off-site options for accommodating the remaining required parking spaces in the surroundings of the entertainment and amusement area" (Draft Scope, page 15). Lacking identified sites, the parking spaces must be analyzed as if all of the spaces were provided in the Coney East subdistrict, or in the alternative, the Final Scope must assume a parking shortfall will occur. The omission of either analysis does not account for the possibilities that may occur, nor is it in accordance with the City Environmental Quality Review (CEQR) procedural rules. In the Coney West subdistrict, the Draft Scope fails to address or analyze interim parking for the 1,100 KeySpan Park parking spaces owned by DPR, which would be sold to



private developers with plans for future redevelopment and with it any ability for people to have access to affordable daily parking in the Coney Island area. The impacts of non-game/non-event day parking should be analyzed separately from game day/event day parking and separate mitigation measures for each should be analyzed. These parking shortfalls are detrimental to the Coney Island neighborhood and will limit future visitors. The EIS should address where sufficient parking will be available for residents and where parking will be available for visitors to the area. (Masyr, Jan./Recchia, Jan./Recchia, May/CB13, Jan.)

**Response:** The Final Scope presents revised parking plan for the proposed actions and the EIS will comprehensively examine the existing and future capacity and demand for parking in the study area.

**Comment 277:** As we heard at the public Scoping Meeting on February 13, 2008, parking is a key concern for residents and property owners in the rezoning area. Currently, visitors to KeySpan Park who arrive by car use parking lots that accommodate 1,100 spaces. The parking lots are located on parkland which is proposed to be demapped and sold for redevelopment (Draft Scope, pages 4, 15 and 16). The Draft Scope does not propose to analyze the interim loss of this parking resource after the current lots are demolished and before new parking garages, if any, are completed. There is no indication that any of the activities at KeySpan Park or other nearby attractions will be temporarily shut down during this time period. Therefore, the loss of these parking spaces, which may be only temporary, may adversely impact the entire neighborhood, not only from a traffic point of view, but may have a serious impact on the fragile economics of the businesses in the area as well. (Masyr, Jan.)

**Response:** Given the multi-year build-out of the Coney Island Rezoning RWCDS, the potential temporary loss of parking on any given site would likely be absorbed on vacant or underutilized sites that would not be under construction at the same time.

**Comment 278:** On page 13 of the Scope (“Parkland Alienation” section), it is stated that the Satellite Lot on Surf Avenue between West 21st and West 22nd Street would be de-mapped and rezoned. The Scope goes on to say that 350 replacement spaces would therefore be replaced on Block 7071, Lot 100 with the further implication that the replacement parking is in a dedicated format. First, we believe that the number of replacement spaces required is 300, not 350, as actually exhibited in the lease for the KeySpan Stadium. Second, we want the Scope and the EIS to be clear about the nature of these replacement spaces. We do not wish to become responsible for providing spaces that would be dedicated solely to parkland use and thus remain underutilized for all but a few days of the year. Building a dedicated parking garage for this limited use creates an unnecessary

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burden on the redevelopment of the block. Alternatively, we propose the dispersion of this parking requirement throughout other garages to be built in the Coney West subdistrict on a non-dedicated basis, so that it overlaps with regular residential and retail parking that is required to be built and limits the traffic implications of concentrating parking on any specific street or site. The replacement of the spots should be in a non-dedicated manner that is accommodated throughout the garages to be constructed by the South Venture or elsewhere so long as they are in the general vicinity of the stadium and that the incremental costs of valet operation can be netted from the collected revenues. Both of these provisions are in keeping with the current Stadium Lease language. (Bendit, Jan./Taconic, May)

**Response:** The proposed requirement for replacement parking was formulated in recognition of the site's proximity to KeySpan Park and the current parking capacity provided for that facility.

**Comment 279:** The proposed rezoning, as well as the specific needs of the many commercial establishments (including Gargiulo's Restaurant and Catering) that would be located in Coney North, requires enormous amounts of parking. Parking on a very grand scale is essential to the future of Coney Island to service retail, amusement activities, catered events, field games and the needs of residents, most of whom will not come by subway for formal and late night activities. Our analyses of the potential development on the Russo Property shows that more than 1000 parking spaces, located on four to five above-grade levels of parking deck, would be necessary to meet required and additional accessory parking needs (this number is nearly equal to the total amount of parking spaces projected in the Draft Scoping Document for the entire Coney North subdistrict). (Perlmutter, Jan.)

**Response:** The proposed rezoning, and the RWCDs analyzed in the EIS, provides for a substantial increase in parking capacity in the rezoning area. The EIS will assess the potential impact or shortfall in parking capacity compared with overall demand for parking from existing and future uses.

**Comment 280:** Along with the landmarked structures in the vicinity, Gargiulo's remains a Siren's call to people seeking fine dining and/or catering. It has passed its 100th birthday, making it one of the lynchpins of the peninsula. Its owners should be allowed to create plans for their own development (subject, of course, to BSA or ULURP review). The EIS should ascertain the impact on Gargiulo's in terms, particularly, of traffic. Gargiulo's should not be boxed in by buildings that prevent access to the restaurant and buildings that deny the restaurant parking facilities or space for expansion. (CB13, Jan.)

**Response:** The EIS traffic and parking impact assessment will examine a study area that includes the identified business, though it is noted that traffic impact studies do

not specifically examine traffic impact effects on a single site or private business establishment.

**Comment 281:** Although plans for the proposed amphitheater at Asser Levy Park have yet to be finalized, it must be taken into account. Residents on the eastern end of Coney Island—specifically those who live in Trump Village, Brightwater Towers, Amalgamated Warbasse, and Luna Park—are frequently faced with traffic jams and delays as people try to enter and exit Coney Island’s amusement area. This also leads to a deprivation of parking spots for local residents and their guests as people park their vehicles on West 5th Street/West 8th Street/Neptune Avenue and the area surrounding Asser Levy Park—which is across the street from two synagogues—and walk to the amusement area. Steps must be taken to address the impacts of the rezoning and Amphitheater projects as they relate to the residents of Trump Village, Brightwater Towers, Amalgamated Warbasse, and Luna Park. (Gotlieb, Jan.)

**Response:** The amphitheater is a separate action and is not part of the proposed actions. The traffic impact study for the Coney Island Rezoning has been established to consider the cumulative effects of the amphitheater on local study area intersections.

**Comment 282:** The EIS should study traffic calming policies throughout both the project and study areas to enhance the pedestrian experience and improve road safety. (MAS, Jan./MAS, May)

**Response:** The EIS will examine both traffic and pedestrian conditions in the rezoning area.

**Comment 283:** There are only a few roads that enter the Coney Island peninsula—Ocean Parkway, Shell Road, Stillwell Avenue and Cropsey Avenue. Shell Road is not a major thoroughfare and traffic will increase when the new Sanitation garage is constructed on Neptune Avenue and West 8th Street. The Belt Parkway (Shore Parkway) is already clogged with traffic on weekends and at night. Cars that currently take the service road (Shore Parkway) to Cropsey Avenue in order to avoid the traffic, will soon encounter several hundred private and city sanitation trucks, twenty four hours a day, six days per week, entering the waste transfer station proposed for Shore Parkway and Bay 41st Street. The trucks will use Cropsey and Stillwell Avenues to get to and from the service road. Mayor Bloomberg recently announced plans to transform Dreier-Offerman Park [currently known as Calvert Vaux Park], located on the Belt Parkway service road (Shore Parkway) into a regional park. There is a children’s amusement park just north of Dreier-Offerman that attracts a large number of vehicles on weekends. The only other route into the peninsula, Ocean Parkway, is clogged with cars on weekends, especially in the warmer months. On nights when there

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is a concert at Asser Levy/Seaside Park, it is not uncommon to spend thirty to forty minutes traveling the few blocks from Shore Parkway to Brighton Beach Avenue. This trip normally takes three to five minutes. It is not possible to consider the traffic impacts solely within the proposed rezoning area without also considering the other projects planned for the immediate vicinity. (NRPA, Jan.)

**Response:** The traffic impact study will include trips generated by other known development projects in vicinity.

**Comment 284:** How many spaces will be lost from the KeySpan lot, if it is sought for other uses? Where will these parking spaces be replaced and how far away? How many? The Draft Scope states, “The replacement of the existing parking spaces used by KeySpan Park would be required within any future development.” That statement is far too vague. (CB13, Jan.)

**Response:** As stated in the Final Scope of Work, the EIS will describe the proposed actions’ parking plan, including the requirement for replacement of parking spaces, as it relates to KeySpan Park parking capacity.

**Comment 285:** The project should look towards the Brooklyn Union Gas site for a parking lot. It’s the most logical place to put a multi-story parking lot, right off the Belt Parkway. (Bergante, Jan.)

**Response:** The EIS will examine potential off-site parking locations, though at this time the Brooklyn Union Gas site is not a potential parking location.

**Comment 286:** The EIS should take into awareness the new Sanitation Garage facility on the former KeySpan property, along with the goings and comings of trucks to the site, and to the planned Waste Transfer Station just north of the CB13 boundary line at 26th Avenue. (CB13, Jan.)

**Response:** The garage’s busiest operations generally occur outside the EIS peak hours, and, more importantly, the truck trips on the street are already in the area and take place at a site that would otherwise have similar operations. Therefore, the EIS will take the truck trips into account in the No Build traffic scenario. As a result, the new Sanitation garage would not substantially affect the Coney Island Rezoning EIS traffic impact assessment.

**Comment 287:** One of the sites chosen to be off-site happens to be in Community Board #11 across the creek, and is, according to the block and lot given in the scoping document, the current site of the Sanitation garage for Community Board #11, which is between the proposed waste transfer station and is adjacent to the proposed renovation of Dreir-Offerman Park [currently known as Calvert Vaux Park]. Please explain this. (CB13, May)

**Response:** The EIS will identify potential off-site parking locations, which are anticipated to be located within Community Board 13.

**Comment 288:** The RWCDS assumes the creation of parking garages in the area. Given the area's conditions (e.g., high water table and soft sands), however, it is unlikely that the project could bear the cost of including the amount of parking that would be required on the site absent special provisions. The assumption that such parking would occur therefore requires a detailed and reasonable feasibility analysis, including economic/financial modeling and engineering studies.(Carlin, May)

**Response:** The proposed parking structures would be at or above ground level. The proposed rezoning was developed to take into account the constructability of parking structures.

**Comment 289:** The first paragraph of the Site Description indicates that the area is accessible by car via the Belt Parkway, which connects the area to the region through either the Verrazano Bridge or BQE. The Study should therefore examine and assess the existing conditions and potential impacts along the Belt Parkway rather just the effects of the proposed action on nearby highway interchanges.(Carlin, May)

**Response:** The greatest concentration and potential impact generated by the proposed actions on the regional network is specifically at the interchanges that serve the project site. Once onto the regional network, there is less distinction between project trips and the general flow of existing and future traffic volumes.

**Comment 290:** The Committee recommends the study for the construction of a bridge over the Coney Island Creek from West 22nd Street on the southside, and the recommendation that the sidewalks in the involved planning district be shortened in order to widen the streets for some traffic remediation.(CB13, May)

**Response:** Comment noted.

## CHAPTER 17: TRANSIT AND PEDESTRIANS

**Comment 291:** Very careful analysis of transit is needed. Before congestion pricing, increased tunnel and bridge fees, residential parking, and other potentials reach any kind of fruition, the peninsula's residents are in trouble. Express buses must be utilized, at all hours and on all days. Express F trains are sought as well. Should congestion pricing be put into existence, for example, what will be the result for residents? What happens to alternate side parking and street cleaning if more cars are left at home? Will summonses mount as people cannot move cars to

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other spots on the designated days? With daily re-routing of trains from one line to another, what happens to the resulting confusion? At the time of this writing, a snowstorm has halted use of the Q line from Coney Island to Kings Highway. People wonder if shuttle buses will be available at that spot, or whether or not they will be stranded. Mass transit woes are an exasperating ill for people on Coney Island. Buses are infrequent from the Stillwell Avenue Terminal to the west, especially at late hours; Dollar Cabs block traffic on Stillwell Avenue as people frantically seek alternatives to buses. (CB13, Jan.)

**Response:** The EIS will examine potential impacts on transit facilities in Coney Island, most notably the Stillwell Avenue station and local bus routes in the study area.

**Comment 292:** Congestion pricing, the turning of Coney Island into a year-round destination, and an increase of 4,500 housing units will strain Coney Island residents, making improved mass transit even more of a priority than it already is. The people of Coney Island must be provided with alternate means of transportation. This includes express bus service and the reinstatement of express service on the Culver (F train) and Brighton (Q train) lines from the Coney Island-Stillwell Avenue station. (Gotlieb, Jan.)

**Response:** The EIS analyses are conducted based on the existing and planned expansion of transit services. The potential for new demand generated by the proposed actions could impact existing transit services and, if appropriate, mitigation will be proposed to address identified impacts.

**Comment 293:** Residents must be provided with increased parking facilities at or near the Coney Island-Stillwell Avenue subway station so that they may be able to take advantage of park and ride opportunities. (Gotlieb, Jan.)

**Response:** Existing and future parking structures and lots identified in the EIS will be considered in relation to whether they can provide additional commuter parking at area stations.

**Comment 294:** The Draft Scope/EIS should investigate the effect of a trolley system transporting motorists from their vehicles, which are parked in off-site parking lots, to locations within Coney Island. The EIS should study the restoration of trolleys to Coney Island, including along the following routes: Surf Avenue; Coney Island Creek (and potential ferry landings there) to the Amusement District; and Stillwell Avenue. (Gotlieb, Jan./MAS, May)

The Brooklyn Street Car Company has had a proposal in for some time now to the CIDC to bring historic trolleys back to Coney Island, with our large parking lot, with the Belt Parkway, to bring people in and through Coney Island. The historic trolleys would be completely brought up to date with air conditioning and safety features. Trolleys run pollution free and use approximately 20

percent of the energy of City buses with twice as many people. They would bring tremendous ambience to the area. And the best part, in partnership with the City, we can attach the Metrocard system with free transfers to subway and bus systems. People riding in their cars could combine parking and a round trip on a trolley. And in partnership with the City, as a nonprofit, this could be done at virtually no cost to taxpayers. You are missing an opportunity to do something unique and wonderful and something badly needed with parking—the Surf Avenue trolley. The EIS should study the restoration of trolleys to Coney Island, including along the following routes: Surf Avenue; Coney Island Creek (and potential ferry landings there) to the Amusement District; and Stillwell Avenue. (Melnick, May/Zigun, May/MAS, May/Bergante, May)

Coney Island can only be a successful regional destination if the mass-transit options are in place to make it an easily accessible destination. For this reason, it is critical that the city study a fully array of complementary options for high-speed, direct travel to Coney Island, including express subways and both traditional and high-speed ferries that could land both on the Ocean side of Coney Island and Coney Island Creek. Special consideration should be given to how ferries would interconnect with land-based transportation. (MAS, May)

**Response:** The proposed actions do not include additional transit, ferry, or trolley services on Coney Island and are not analyzed in the EIS. The EIS will examine whether the potential for new demand generated by the proposed actions will impact existing transit services. If appropriate, mitigation, such as the different methods of transit mentioned in the comment, will be proposed to address identified impacts.

**Comment 295:** The EIS should study how to manage the anticipated increase in pedestrian traffic, and options to facilitate this including the creation of wide pedestrian pavements on routes to the Amusement area from major hubs, including subway stations, ferry landings and potential trolley stops. The EIS should also study the creation of special pavement treatments to clearly indicate pedestrian routes. (MAS, May)

**Response:** The EIS will examine critical pedestrian passageways and pathways to and from the subways and amusement areas.

**Comment 296:** The Scope should analyze the option of permitting secondary means of limited residential access from both sides of Surf Avenue as well as the Boardwalk. This will help disperse residents onto the very thoroughfares the City is seeking to enliven during the off-season and help support the very retailers that we hope will make the pioneering year-round commitment to Coney Island.(Taconic, May)

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**Response:** The proposed Special District text, which will be included with the EIS, will be established to permit limited residential access on Surf Avenue. Residential access will be prohibited on the Boardwalk.

**Comment 297:** More express trains to Coney Island are needed to attract more residents.(Ettman, May)

MAS believes that ensuring the transportation infrastructure is in place to make Coney Island a destination that is regionally accessible is critical to the success of this project. As discussed above, the city should study and the EIS should analyze a full array of complementary options for high-speed, direct travel to Coney Island, including express subways and both traditional and high-speed ferries that could land both on the Ocean side of Coney Island and Coney Island Creek. Special consideration should be given to how ferries would interconnect with land-based transportation, such as trolleys and buses.(MAS, May)

**Response:** The EIS will assess the existing transit system to meet the demand from current and future riders with and without the proposed actions. Known changes in service would be identified and incorporated into the analysis but the EIS would not speculate on an optimal transit schedule.

## CHAPTER 18: AIR QUALITY

**Comment 298:** With the proposed traffic that the rezoning may generate, the Air Quality section of the Draft Scope includes an assessment of the impact of mobile sources on air quality (Draft Scope, page 36). However, this section does not include a stationary source assessment of the air quality impacts of all of the proposed new parking garages. The proposed parking garages, particularly those wrapped by retail and residential uses, could have potential adverse impacts on the surrounding air quality and deserve further investigation. (Masyr, Jan.)

**Response:** The EIS will look at the potential air quality impacts associated with the proposed parking garages.

**Comment 299:** The cumulative air pollution impacts of the proposed rezoning and the other projects planned for the area need to be addressed in the EIS. (NRPA, Jan.)

**Response:** The EIS's air quality analyses will provide a cumulative assessment of the project along with other known projects in the vicinity.

## CHAPTER 19: NOISE

**Comment 300:** The Noise section of the Draft Scope states that the existing conditions assessment of noise was conducted in December of 2007, at a time when none of the existing amusements were running, the beach and ball field were closed



and there were few visitors to the area (Draft Scope, page 40). It is unacceptable to use this December 2007 noise assessment as the existing conditions. A new assessment of noise must be undertaken during the peak summer months in order to determine the accurate existing noise levels. Future noise conditions must look at the noise associated with the noisiest potential amusement rides or indicate what noise restrictions would be placed on potential outdoor amusements. (Masyr, Jan.)

**Response:** The EIS will describe the analysis methodologies incorporated to account for summer peak noise generation as well as noise specifically attributable to amusement uses.

**Comment 301:** High-density residences and retail close to noisy entertainment, loud music nightly, plus the large crowds that Coney Island attracts at events such as the Mermaid Avenue parade, the Hot Dog eating contest, and the baseball games are not compatible. The Draft Scope does not respect that residents of Coney Island like to open their windows for fresh air. Noise levels will be larger with opened windows. (Handwerker, Jan.)

**Response:** Noise analyses that will be presented in the EIS take into consideration and conservatively assess the potential for open windows from residential units.

**Comment 302:** The EIS should study noise impact to determine the compatibility of high density residential with proposed amusement and entertainment uses. (MAS, Jan./MAS, May)

**Response:** The EIS will assess the potential noise impacts on the proposed residential uses from the proposed amusement uses.

**Comment 303:** There is a great concern for potential noise due to construction and building operations. In the rezoning plan, Coney West ends directly at West 24th Street and Riegelmann Boardwalk. The community is very concerned that the senior housing at Haber Houses and the SeaCrest Nursing Home directly across the street would be greatly affected by the extreme noise level that is associated with construction. Directly behind the Haber Houses is an empty lot that will be used for the expansion of Highland View Park. Also, one block away between West 22nd Street and West 23rd Street the new Highland View Park is scheduled to be built. The community is requesting that Community Board 13 ensure that a major noise study be done in this area so as to best identify ways to alleviate the noise level for the seniors due to construction.(CLEAR, May/Boyd, May)

**Response:** The EIS will include a noise assessment specific to construction activities in the rezoning area.

**CHAPTER 20: CONSTRUCTION IMPACTS**

**Comment 304:** During the construction boom of the 1960s–70s, Coney Island Creek was severely impacted by illegal filling, dumping of construction materials, and water-borne pollutants that made their way through the storm drains to the waterway. Concrete trucks were cleaned on the banks of the creek, and oil and industrial solvents were dumped in sewers. Every effort should be made to protect and monitor this valuable resource through field sampling during new construction. (Denson, Jan./Denson, May)

**Response:** Comment noted.

**Comment 305:** Each structure that is erected must be built in accordance with existing codes and regulations. (Gotlieb, Jan.)

**Response:** Comment noted.

**Comment 306:** Modern construction techniques frequently entail the application of prefabricated Styrofoam panels to the exterior of buildings. As the panels are handled and sanded, fine particles of Styrofoam break off. The particles are blown around with the wind and eventually end up in the water. What measures will be required during construction to eliminate the release of Styrofoam particles? (NRPA, Jan.)

**Response:** Construction activities are assumed to be in compliance with all regulations pertaining to control of debris from construction sites.

**Comment 307:** Potential construction impacts include increased siltation in area waterways from construction site run off. The waters off Coney Island provide Essential Fish Habitat (EFH) for numerous species of both recreational and commercial fish. Information on potential impacts on both fish and bird populations should be provided in the Environmental Impact Statement. (NRPA, Jan./Sanoff, May)

**Response:** It is assumed that construction sites would be monitored for compliance with maintaining a clean work site without deposition of construction materials into storm sewers or into open waters. Therefore, this is not considered as an EIS assessment issue.

**Comment 308:** Mandating responsibility standards for all construction, operations, maintenance, and service contractors and subcontractors is the best way to ensure that the jobs created by redevelopment become good careers for Coney Island residents. These responsible employers treat their workers fairly and deliver the best products and services, without unnecessary harm to the community. Responsible employers also localize the benefits of redevelopment. They hire locally and create good career and skill training opportunities for local

residents through participation in highly-qualified New York State-approved apprenticeship programs.

A responsible contractor, subcontractor or operator is one who meets the following standards:

- Has a track record of successfully performing the services at issue
- Has a track record of providing area-standard wages and benefits to employees
- Has a history of complying with applicable public laws, including health and safety, environmental, wage and hour, and antidiscrimination laws
- Has a commitment to pay prevailing wages, area-standard wages, and benefits, as applicable, as well as a commitment to comply with all applicable public laws and card-check neutrality
- Has a commitment to give local residents a fair opportunity to obtain employment
- Participates in a highly-qualified New York State-approved apprenticeship program for each craft or classification of workers they employ
- Discloses the necessary information to determine whether the contractor, subcontractor or operator meets these standards.

Because of the economic challenges in Coney Island, these standards of responsibility must be specially and specifically required. According to City Planning's Brooklyn Community District 13 profile, the unemployment rate in the neighborhood is about 18.7 percent and 44 percent of individuals in Coney Island live below the poverty level: twice the New York City average. These residents deserve the opportunity to help themselves by being employed by contractors and developers who behave responsibly, not the type who seek to exploit workers at each and every turn. (CLEAR, May)

**Response:** The specific conditions of construction contracts by public agencies or private developers is not part of an EIS unless specific environmental mitigation measures are required.

## **CHAPTER 21: PUBLIC HEALTH**

No Comments specific to the EIS Scope

## **CHAPTER 22: MITIGATION**

**Comment 309:** The mitigation of noise by requiring closed and retrofitted windows and alternate ventilation does not respect existing neighborhood character. The plan does not provide costs for the expense of upgraded electrical service for air-conditioning in all rooms in the area and other construction costs to mitigate high levels of noise caused by the development plan. (Handwerker, Jan.)

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**Response:** If determined that noise mitigation is required, appropriate measures would be identified including those noted above.

**Comment 310:** The EIS should study appropriate measures to mitigate for secondary residential displacement and impacts on housing affordability. (MAS, Jan.)

**Response:** The EIS will examine the potential for direct and indirect displacement of both residents and businesses as a result of the proposed actions. Potential significant adverse impacts, if any, would be addressed through appropriate practicable mitigation measures.

**Comment 311:** As mitigation for the added energy use brought by the proposed actions, the EIS should analyze methods to reduce energy demand, either through green building technologies, green roofs, greywater systems, or other infrastructure improvements. (MAS, Jan.)

**Response:** The EIS will examine the potential impacts on energy use generated by the proposed actions. Potential significant adverse impacts, if any, would be addressed through appropriate practicable mitigation measures. However, it is expected that the amusement park RFP and any other development RFPs issued by NYCEDC for Coney Island will contain a LEED compliance requirement, as applicable, and other sustainability measures for energy reduction, pollution control, and stormwater management

**Comment 312:** If it is determined that the pre-1944 amusement area buildings and other historic structures are threatened by the proposed zoning, the City should then look to adapt the proposed zoning to encourage their preservation. For instance, allowing entertainment retail as opposed to local retail and spreading it out along Surf Avenue instead of focusing it in the area on Surf Avenue east of Stillwell would encourage the development of large entertainment uses such as IMAX theaters and bowling alleys, but take development pressure off the historic building stock in the preservation area between Surf Avenue, West 8th and 15th Streets. The framework could also include bonuses implemented via special permit in the same area for the preservation of historic structures. Subsidies or tax abatements could also be provided for preservation of structures within this area. These are just a few of the ways that the market could be encouraged to celebrate Coney Island's history rather than eradicate it. As places like Disneyland create faux historic districts, and as literature indicates that preservation creates stronger, more iconic communities, it would be unfortunate and shortsighted not to take these steps to preserve the last remnants of the Nickel Empire. (Gratt, Jan.)

**Response:** The EIS will examine the potential impact of the RWCDS on all known and existing historic resources. Mitigation will be developed as necessary.

**CHAPTER 23: ALTERNATIVES**

**Comment 313:** The Alternatives section of any Final Scope should fully compare different development proposals in case a proposed action is not approved or is dramatically delayed. This Draft Scope fails to provide alternatives in numerous instances. For example, there is no alternative proposed if the anticipated sale or transfer of private property does not take place. Additionally, there are several other development plans that have been proposed, such as the development plan proposed by Thor, which has similar goals for the Coney East subdistrict as the City's plan but uses private rather than public resources, and should be included and analyzed in the Alternatives section of the Draft Scope. (Masyr, Jan.)

**Response:** The Final Scope and the EIS will include four alternatives, including the No Action Alternative, as noted above.

**Comment 314:** After a comprehensive review of the Draft Scope, I am concerned as to what level of development the City's proposed actions will lead to in Coney Island. I am concerned that the project will not be able to foster both indoor and outdoor entertainment uses in a substantial capacity. The possible enclosed amusement uses that can be achieved by the project may become financially unsustainable given the limited amount of indoor entertainment that would be available during the off-season months. In order to allow Coney Island to operate during all seasons of the year, as opposed to its current 90-day summer season, an increase in the amount of enclosed amusement uses is necessary. The limited FAR does not make the true vision of Coney Island economically viable. This includes the amusement, retail and residential uses that are planned out for the rezoning area. A greater density of year-round residents in Coney West and Coney North, together with greater density of amusement uses in Coney East will all serve to underpin the year-round vibrancy, economic development, perception and viability of my district. The EIS must include an alternative which allows for greater density of amusement uses. In the course of the environmental review, we believe that the city should keep as many options available as possible by studying several different ways of envisioning the entertainment and amusement district, including the following factors: size, balance of indoor and outdoor amusements, and year-round activities. (Recchia, Jan./MAS, Jan.)

**Response:** The Final Scope's project description summarizes the proposed actions and presents the key goals and objectives sought by the rezoning and other public actions. The Alternative analysis will consider variations on the size and mix of active indoor and open amusement areas.

**Comment 315:** An alternative plan consisting of the restoration of uses under current zoning of Coney Island's long-held vacant land will enable Coney Island to thrive as a

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community and as a destination more than the overdevelopment proposed. (Handwerker, Jan.)

**Response:** There has not been a notable level of new development in Coney Island under existing zoning. The RWCDs does identify those parcels in the rezoning area that are likely to be developed in the future with or without the proposed actions and the Alternatives analysis will include a No Action Alternative.

**Comment 316:** The land area set aside for the Coney Island Amusement District is small by historical standards. While it may not be either realistic or viable to conceive of an entertainment district that matches the historic scale of Coney Island, there are several ways of potentially expanding the critical mass of the entertainment district. These include: (1) Expanding the size of the amusement park. For example, the existing mapped parkland or parts of Coney North could also serve as an extension of the amusement district; (2) Mandating entertainment rather than local or service retail in both Coney West and Coney North that will contribute to a regionally attractive district. These could include: cinemas; bowling alleys; hotels; museums; restaurants and so forth; and (3) Considering how other sites in the immediate area could be used for entertainment purposes, including Coney Island Creek, to create a potential “necklace” of connected entertainment uses spread throughout the peninsula. Trolleys or buses could connect pedestrians to the various sites, comparable to how the Heart of Brooklyn operates a trolley between the Brooklyn Public Library, Brooklyn Museum, Prospect Park Zoo, and Brooklyn Botanic Garden. (MAS, Jan.)

**Response:** The proposed Coney Island Rezoning EIS will examine alternatives with variance in the size and type of amusement uses in the immediate Coney Island East subdistrict. The EIS does not consider as alternatives proposals that relate to locations beyond the rezoning area.

**Comment 317:** The alternative of creating low-rise retail on the northern end of the Boardwalk in the Coney East subdistrict should be studied in order to create active uses along it. (MAS, Jan.)

**Response:** Consistent with the planning goals and objectives set forth in the Final Scope, the EIS does not consider an alternative that provides for low-rise retail off the waterfront in Coney East.

**Comment 318:** There are several buildings in the study area that are of cultural or architectural significance but may not rise to the standard of being NYC landmarks. However, retaining these buildings will create a more diverse, fine-grained urban fabric and a connection with the past. The EIS should therefore study zoning alternatives for those structures that do not create incentives for them to be replaced with new structures. These buildings include, but are not limited to, the following: Nathan’s Famous; Henderson’s Music Hall; former Shore

Theater; former Grashorn Building; and former Childs Restaurant, Surf Avenue. (MAS, Jan.)

**Response:** The RWCDs contains a mix of retained and new development. There are no proposed alternative development scenarios specific to the potential uses noted above.

**Comment 319:** The urban form currently envisaged by the Draft Scope consists mainly of towers on a base. Notwithstanding the advantages offered by this approach, the City should review a number of different urban typologies for the rezoning area, including the following: zoning that permits freestanding towers while maintaining a continuous street wall (i.e., not permitting “towers in the park”); zoning that calls for mid-rise development, instead of towers-on-a-base; and contextual zoning that includes height limits, such as R6A or R7A districts instead of the proposed R7X districts. (MAS, Jan.)

**Response:** The EIS will examine alternatives that examine variations in density and development potential in the rezoning area.

**Comment 320:** A greener alternative should be examined in order to curb the significant environmental and economic harm that added energy demand may cause our city. As part of this green alternative, the EIS should also explore the possibility of using alternative energy sources, such as solar, biomass, or hydro. (MAS, Jan.)

**Response:** The EIS will consider the four alternatives described in the Final Scope. These alternatives do not include an analysis of green construction development scenarios. Mitigation will be developed as necessary, including with respect to any potential impacts upon energy use.

**Comment 321:** The EIS should study alternatives that greatly reduce the required amount of parking in tandem with options that enhance mass transit and transit within the local area. (MAS, Jan.)

**Response:** The RWCDs provides for parking that balances the existing and future parking demand generated by the proposed actions, and already considers the opportunity for shared parking. Thus, no additional alternative is proposed to be examined in the EIS.

**Comment 322:** In case the parkland alienation proves not to be a viable option, the lead agency should examine maintaining the current zoning district for Coney Island amusements, the C-7 district. Here, the lead agency should examine the alternative of whether the C-7 district, or a similar zoning scheme with strict requirements for the amusements, can promote the desired future amusement

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uses for that specific area, without having to resort to the alienation of parkland. (MAS, Jan.)

**Response:** A no parkland mapping or demapping alternative will be examined in the EIS.

**Comment 323:** The off-site parking solution that will house a majority of the parking spaces for the Coney East subdistrict has not been identified or analyzed in the Draft Scope. An alternative should be analyzed which assures that privately owned vacant lots would be used to fulfill offsite parking needs. Replacement parking for the satellite parking should be allowed to be located in any lot in the neighborhood and should not have to be dedicated. (Recchia, Jan.)

**Response:** The Final Scope indicates that the EIS will present a comprehensive parking strategy that combines off-street parking in the immediately adjacent areas of Coney East as well as satellite parking facilities. As a result, no specific satellite parking facility alternative is identified to be analyzed in the EIS.

**Comment 324:** The Draft Scope places a street running directly through the parking lot of Garguilo's Restaurant. An alternative that preserves Garguilo's Restaurant, including the parking lot, should be analyzed. (Recchia, Jan.)

**Response:** The Final Scope locates all proposed mapped streets south of Surf Avenue.

**Comment 325:** Thor's development plan would eliminate many of the proposed actions and could bring the benefits of a project similar to this rezoning to the Coney East subdistrict in less than half of the time. The Thor plan should be studied as an alternative. (Masyr, Jan.)

**Response:** An alternative with no demapping or mapping actions is set forth in the Final Scope and DEIS.

**Comment 326:** We have prepared in-depth zoning and massing studies of the buildings that would be developed on the Russo Property under the proposed rezoning and have learned from these that, in order to facilitate and enhance feasible and sustainable development of the properties located within the Coney North and Mermaid Avenue subdistricts, certain modifications to the proposed rezoning should be made and such modifications considered as alternatives or options in the EIS. Gargiulo's Restaurant would be located at the top of the Surf Avenue towers and under current zoning would not be a permitted use above residential uses. The zoning should be modified to allow this layering of uses in this case and the EIS should study this scenario. Because special elevators and firestairs would be required to access Gargiulo's Rooftop Restaurant, constructing the restaurant on the roof would not be economically viable if it meant the loss of income-producing floor area from the lower floors in the building due to stairs



and elevator shafts. The EIS should study a scenario where such shafts would not count towards floor area. (Perlmutter, Jan.)

**Response:** Consistent with the planning goals and objectives set forth in the Final Scope, the EIS will not consider this alternate zoning scenario.

**Comment 327:** Development under the proposed rezoning scenario is not feasible. Hence another scenario should be considered in the EIS that increases the as-of-right FAR in Coney North to 5.0 and provides affordable housing bonuses to reflect further increases to 5.5 or 6.0 FAR. (Perlmutter, Jan.)

**Response:** The proposed zoning was developed to best balance the creation of a maximum amount of new development opportunity with the consideration of the surrounding community context. As a result, no larger density development scenarios are considered in the EIS.

**Comment 328:** Because both required and necessary accessory parking will be essential to the success of the development, both types of parking, and not merely required parking, should be exempt from floor area and lot coverage calculations and should be considered as possible scenarios in the EIS. Required plus accessory parking in combination would likely exceed limits per zoning lot set forth in Section 25-162 of the Zoning Resolution. The EIS should, therefore, reflect the actual parking needs of the development and should consider the effects of an amendment to Section 25-162. (Perlmutter, Jan.)

**Response:** The proposed zoning, as analyzed as part of the RWCDs, does allow for commercial uses to be located above residential uses under the condition that separate egress would be provided. Furthermore, the proposed zoning was developed to best balance the creation of a maximum amount of new development opportunity with the consideration of the surrounding community context. As a result, no larger density development scenarios are considered in the EIS.

**Comment 329:** The EIS should study a hotel use alternative on the north side of Surf Avenue on Blocks 7063 and 7064. (Perlmutter, Jan.)

**Response:** As set forth in the Final Scope, the proposed zoning would permit hotel development on Blocks 7063 and 7064.

**Comment 330:** I would love to connect our two blocks with a sky bridge or an elevator, for people to move, as a floating lounge, at least to evaluate the concept rather than simply foreclosing it because it hasn't been done elsewhere in the city. Please do not lock us into limited proposals. Expand our options rather than foreclose them. (Russo, Jan.)

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**Response:** Comment noted.

**Comment 331:** To ensure that the current plan maximizes the following benefits, the EIS should examine another development option as one of the alternatives studied: developing Coney Island as a regional destination; serving a wide range of incomes; maximizing transit access to the site; and expanding housing affordability and other assets for local residents. This option should include a larger parkland with more amusement and entertainment uses. We will have only one opportunity to redevelop Coney Island on this scale, and it would be valuable to have a larger destination alternative to compare to the benefits and impacts of the proposal. (RPA, Jan.)

**Response:** A larger 15 acre amusement area (versus 9 acres with the proposed actions) will be analyzed as a project alternative in the EIS.

**Comment 332:** The study should examine an alternative that modifies the C7 to include, at the current FAR limit, restaurants, retail, and other uses compatible with entertainment/recreation uses and that redraws the boundaries as follows:

- Southern boundary- Boardwalk
- Northern boundary- southern side of Surf Avenue
- Western boundary- W 16th Street (Keyspan Park)
- Eastern boundary- W 5th Street (the aquarium)

Such an alternative would maximize the size of the Amusement District within the current development boundaries. (Carlin, May)

**Response:** This proposed alternative scenario does not fully achieve the goals and objectives of the project to create a diverse array of investment and development opportunities in the rezoning area, and therefore, will not be included as an alternative in the EIS.

**Comment 333:** To ensure that we allow for the possibility of creating a larger area for open-air amusements as well as a larger broader “entertainment area” overall, the MAS recommends that the EIS study the following options as alternatives:

- Expanding the size of the amusement park by: Setting aside the entire area of Coney East for open-air amusements; Setting aside the entire area south of Surf Avenue (including Coney West) for open-air amusements; Setting aside the area designated in the original plan (November 2007) for open-air amusements. This analysis can include both mapping the land as parkland or zoning the area for open-air amusements (C7)
- Mandating entertainment rather than local or service retail in both Coney West and Coney North that will contribute to the larger entertainment area. These could include: cinemas; bowling alleys; hotels; museums; restaurants and so forth.

- Considering how other sites in the immediate area could be used for entertainment purposes, including Coney Island Creek, to create a potential “necklace” of connected entertainment uses spread throughout the peninsula. Trolleys or buses could connect pedestrians to the various sites, comparable to how the Heart of Brooklyn operates a trolley between the Brooklyn Public Library, Brooklyn Museum, Prospect Park Zoo, and Brooklyn Botanic Garden.
- Expanding the overall study area to include more land for open-air amusements, more land for the overall entertainment area, while keeping the same or similar amounts of housing and retail as proposed in the current plan. (MAS, May)

**Response:** As set forth in the Final Scope, the EIS will contain an Alternative analysis of the originally proposed 15 acre proposed open amusement area in Coney East. Setting aside a larger area in Coney East for open amusements is not consistent with a fundamental goal of the rezoning plan, which is to create a year-round entertainment district to complement the open amusement park through the development of enclosed amusements, entertainment retail, and hotels.

Connecting the cultural resources of Brooklyn is a good marketing and planning strategy, but the suggestion in the comment does not meet the criteria for examination of a reasonable alternative for the proposed actions.

**Comment 334:** The EIS should also study:

- An amusement area consisting of multiple operators and owners;
- Subdividing city-owned or controlled land to multiple smaller operators or businesses;
- Strategies that would encourage the development of local retail and independent businesses, such as restricting the size of retail establishments, a strategy recently utilized in the 125th Street rezoning. (MAS, May)

**Response:** The ultimate configuration of land ownership or amusement operator ownership is not pre-determined by the proposed rezoning (other than public ownership of the 9.39 acres of proposed mapped parkland in Coney East). The proposed Special District text will address retail development.

**Comment 335:** The urban form currently envisaged by the Draft Scope consists mainly of towers on a base. Notwithstanding the advantages offered by this approach, the City should review a number of different urban typologies for the rezoning area, including the following:

- Zoning that permits freestanding towers while maintaining a continuous street wall (i.e., not permitting “towers in the park”)
- Zoning that calls for mid-rise development, instead of towers-on-a-base
- Contextual zoning that includes height limits, such as R6A or R7A districts instead of the proposed R7X districts

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- Zoning that does not permit high-rise residential development south of Surf Avenue;
- Zoning that carries a 200ft height limit throughout the study area.(MAS, May)

**Response:** The EIS examines a RWCDS that is a realistic and likely development scenario based on the proposed zoning. Furthermore, the proposed Special District text, which will be included with the EIS, will address height limits, tower placement, and streetwall requirements. The EIS will analyze alternatives that look at different configurations of land assemblage (i.e., a no parkland mapping or demapping) and a reduced density alternative.

**Comment 336:** The EIS should study alternatives that greatly reduce the required amount of parking in tandem with the options described above that enhance mass transit and transit within the local area.(MAS, May)

**Response:** The proposed rezoning has a parking requirement that already recognizes the proximity of transit and is balanced with the known concern of maintaining a good supply of off-street parking to serve vehicle trips to Coney Island.

**Comment 337:** In case the parkland alienation proves not to be a viable option, the lead agency should examine maintaining the current zoning district for Coney Island amusements, the C-7 district. Here, the lead agency should examine the alternative of whether the C-7 district, or a similar zoning scheme with strict requirements for the amusements, can promote the desired future amusement uses for that specific area, without having to resort to the alienation of parkland.(MAS, May)

**Response:** The EIS will examine a no parkland demapping alternative. \*