

A. INTRODUCTION

This chapter of the Final Environmental Impact Statement (FEIS) summarizes and responds to the substantive oral and written comments received during the public comment period for the Draft Environmental Impact Statement (DEIS) for the Coney Island Rezoning project. Public review began on January 16, 2009, with the issuance of the Notice of Completion for the DEIS. The public hearing on the DEIS was held concurrently with the hearing on the project's Uniform Land Use Procedure (ULURP) applications on May 6, 2009 at the Klitgord Center Auditorium, New York City College of Technology, 285 Jay Street, Brooklyn, NY 11201. Public notices advertising the date, time and location of the public hearing were published in the *City Record* on April 6-8, 2009 and in newspapers of general circulation in the potentially affected area. The comment period for the DEIS remained open until 5:00 P.M. on Monday, May 18, 2009. In addition, this chapter also responds to substantive comments submitted as part of the Community Board hearing on March 3, 2009 and the Borough President's hearing on March 30, 2009, both undertaken pursuant to ULURP.

Sections B, C, and D list the elected officials, organizations, and individuals that provided relevant comments on the DEIS. Section E contains a summary of these relevant comments and a response to each. 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 DEIS. Where more than one commenter expressed similar views, those comments have been grouped and addressed together. A number of commenters submitted general comments about the proposed project. These comments were given due consideration but are not itemized below.

Some commenters did not make specific comments related to the proposed approach or methodology for the impact assessments. Others had suggested editorial changes. Where relevant and appropriate these edits, as well as other substantive changes to the Draft EIS, have been incorporated into the Final Environmental Impact Statement ("FEIS").

**B. LIST OF ORGANIZATIONS AND INDIVIDUALS WHO
COMMENTED AT THE COMMUNITY BOARD 13 HEARING,
MARCH 3, 2009.****ORGANIZATIONS**

Brooklyn Chamber of Commerce, Carl Hum, President and CEO, written submission dated March 3, 2009 (BCC: CB 13 Hearing 3/3/09)

Brooklyn Chapter of the American Institute of Architects, Urban Design Committee, Don Weston, Chairman, oral comments (Brooklyn AIA: CB 13 Hearing 3/3/09)

Coney Island Rezoning

Coney Island ACORN, Carmen Gonzalez, Leader, oral comments and written submission dated March 6, 2009; Willie May Harrison, Leader, oral comments (ACORN: CB 13 Hearing 3/3/09)

Coney Island Development Corporation, Sol Adler, oral comments and written submission dated March 3, 2009 (Adler: CB 13 Hearing 3/3/09)

Coney Island Generation Gap, Pam Harris, Executive Director, oral comments and undated written submission (Harris: CB 13 Hearing 3/3/09)

Coney Island Generation Gap, Ken Jones, oral comments (Jones: CB 13 Hearing 3/3/09)

Coney Island History Project, Charles Denson, Director, oral comments (Denson: CB 13 Hearing 3/3/09)

Coney Island History Project, Tricia Vita, Administrative Director, oral comments (Vita: CB 13 Hearing 3/3/09)

Coney Island Hospital Community Advisory Board, Martin L. Levine, Chairman, written submission dated March 3, 2009 (Levine: CB 13 Hearing 3/3/09)

Coney Island Hospital Community Advisory Board, Sarah Mook, oral comments (Mook: CB 13 Hearing 3/3/09)

Coney Island Hospital Community Advisory Board, Queenie Huling, oral comments (Huling: CB 13 Hearing 3/3/09)

Coney Island United, Arthur Melnick, oral comments undated written submission (Melnick: CB 13 Hearing 3/3/09)

Municipal Art Society, Stuart Pertz, oral comments (MAS: CB 13 Hearing 3/3/09)

Natural Resources Protective Association, Ida Sanoff, Chair, oral comments (Sanoff: CB 13 Hearing 3/3/09)

Pratt Center for Community Development, Paula Crespo, Planner, oral comments and written submission dated March 3, 2009 (Pratt: CB 13 Hearing 3/3/09)

Regional Plan Association, L. Nicolas Ronderos, Senior Planner, oral comments and written submission dated March 3, 2009 (RPA: CB 13 Hearing 3/3/09)

Service Employees International Union 32BJ, Kyle Bragg, Vice President, oral comments (32BJ: CB 13 Hearing 3/3/09)

COMMUNITY BOARDS

Brooklyn Community Board 13, Marion Cleaver, Chairperson, recommendations to New York City Council dated April 1, 2009 (CB 13 Recommendations: 4/1/09)

INTERESTED PUBLIC

Mohamed Abdelrahman, oral comments (Abdelrahman: CB 13 Hearing 3/3/09)

Emmanuel Adenyi, oral comments (Adenyi: CB 13 Hearing 3/3/09)

Carol Hill Albert, oral comments (Albert: CB 13 Hearing 3/3/09)

Darnell Canada, oral comments (Canada: CB 13 Hearing 3/3/09)

Ann Carney, oral comments (Carney: CB 13 Hearing 3/3/09)

Ann Carney, oral comments (Carney: CB 13 Hearing 3/3/09)

Callison Architects, P.C., Tom Bowen, Vice President, oral comments written submission dated March 3, 2009 (Callison: CB 13 Hearing 3/3/09)

Central Amusement International, LLC, Valerio Ferrari, President, oral comments (Ferrari: CB 13 Hearing 3/3/09)

Shani Coleman, oral comments (Coleman: CB 13 Hearing 3/3/09)

Coney Island Gospel Assembly, Constance Hulla, Pastor, oral comments and written submission dated March 3, 2009 (CIGA, CB13 Hearing 3/3/09)

Kevin Davis, Jr., oral comments (Davis: CB 13 Hearing 3/3/09)

Deno's Wonder Wheel Amusement Park, Dennis Vourderis, oral comments (Vourderis: CB 13 Hearing 3/3/09)

Richard Eagan, oral comments (Eagan: CB 13 Hearing 3/3/09)

Donnarin Elliott, oral comments (Elliott: CB 13 Hearing 3/3/09)

Fara Fifhteen, oral comments (Fifhteen: CB 13 Hearing 3/3/09)

David Finkelstein, New York City Region, American Coaster Enthusiasts, oral comments (Finkelstein: CB 13 Hearing 3/3/09)

Gargiulo's Restaurant, Nino Russo, oral comments (Russo: CB 13 Hearing 3/3/09)

GordonRides, Jonathan L. Gordon, President, oral comments and undated written submission (GordonRides: CB 13 Hearing 3/3/09)

Brian L. Gotlieb, oral comments (Gotlieb: CB 13 Hearing 3/3/09)

Christopher D. Greif, oral comments (C. Greif: CB 13 Hearing 3/3/09)

Debra L. Greif, oral comments (Greif: CB 13 Hearing 3/3/09)

Joaquil Harden, oral comments (Harden: CB 13 Hearing 3/3/09)

Diana Ijelu, oral comments (Ijelu: CB 13 Hearing 3/3/09)

Jones Lang LaSalle Hotels, Bruce Sternerman, Managing Director of Strategic Advisory & Asset Management, oral comments and written submission dated March 3, 2009 (Sternerman: CB 13 Hearing 3/3/09)

Fred Kahl, oral comments (Kahl: CB 13 Hearing 3/3/09)

Scott Kennedy, oral comments (Kennedy: CB 13 Hearing 3/3/09)

Elizabeth Kinkel, oral comments and written submission dated March 4, 2009 (Kinkel: CB 13 Hearing 3/3/09)

Harold Kramer, oral comments (Kramer: CB 13 Hearing 3/3/09)

Lococo Company, Jeff Lococo, President, oral comments and written submission dated March 3, 2009 (Lococo)

Ruth Magwood, oral comments (Magwood: CB 13 Hearing 3/3/09)

Reverend Frank Mason, oral comments (Mason: CB 13 Hearing 3/3/09)

Coney Island Rezoning

Nathan's Famous, Inc., Eric Gatoff, Chief Executive Office, written submission dated March 3, 2009 (Nathan's: CB 13 Hearing 3/3/09)

New York Aquarium, John Dohlin, Director, oral comments (Dohlin: CB 13 Hearing 3/3/09)

Daisy O'Malley, oral comments (O'Malley: CB 13 Hearing 3/3/09)

Juan Rivera, oral comments (Rivera: CB 13 Hearing 3/3/09)

Abida Satar, oral comments (Satar: CB 13 Hearing 3/3/09)

Sheila Smalls (on behalf of Reverend Smalls), oral comments (Smalls: CB 13 Hearing 3/3/09)

Taconic Investment Partners, Ari Shalam, Senior Vice President, oral comments (Shalam: CB 13 Hearing 3/3/09)

Diana Taft Shumate, oral comments and written submission dated March 3, 2009 (Taft Shumate: CB 13 Hearing 3/3/09)

Thinkwell Design and Productions, oral comments and undated written submission (Thinkwell: CB 13 Hearing 3/3/09)

United Community Baptist Church, Inc., Pastor Connis M. Mobley, oral comments (Mobley: CB 13 Hearing 3/3/09)

Wachtel & Masyr, Jesse Masyr, oral comments (Masyr: CB 13 Hearing 3/3/09)

World Famous BoB, oral comments (BoB, CB13 Hearing 3/3/09)

Dick Zigun, oral comments (Zigun: CB 13 Hearing 3/3/09)

C. LIST OF ORGANIZATIONS AND INDIVIDUALS WHO COMMENTED AT THE BOROUGH PRESIDENT'S HEARING, MARCH 30, 2009.

ELECTED OFFICIALS

Marty Markowitz, Brooklyn Borough President, Recommendations for the Proposed Coney Island Plan dated April 27, 2009 (Markowitz: 4/27/09)

Michael C. Nelson, Council Member, 48th Council District, written submission dated 3/30/09 (Nelson: BP Hearing 3/30/09)

ORGANIZATIONS

AIA Brooklyn, I. Donald Weston, Chair, Urban Design Committee, written submission dated 3/30/09 (Weston: BP Hearing 3/30/09)

Coney Island ACORN, Carmen Gonzalez, Leader, written submission dated 3/30/09 (ACORN: BP Hearing 3/30/09)

Coney Island ACORN, Priscilla Smith, written submission dated 3/30/09 (ACORN: BP Hearing 3/30/09)

Coney Island United, Arthur Melnick, undated written submission (Melnick: BP Hearing 3/30/09)

Jewish Community Council of Greater Coney Island, David M. Anderson, Director of Development, written submission dated 3/30/09 (D. Anderson: BP Hearing 3/30/09)

New York Aquarium, Jon Forrest Dohlin, Director, undated written submission (Dohlin: BP Hearing 3/30/09)

New York Building Congress, Richard Anderson, President, written submission dated 3/30/09 (R. Anderson: BP Hearing 3/30)

Pratt Center for Community Development, Vicki Weiner, Director of Planning and Preservation, written submission dated 3/30/09 (Pratt: BP Hearing 3/30/09)

INTERESTED PUBLIC

Gargiulo's Restaurant, Nino Russo, written submission dated 3/30/09 (Russo: BP Hearing 3/30/09)

Catherine Jenkins, written submission dated 3/30/09 (Jenkins: BP Hearing 3/30/09)

Harold Kramer, written submission dated 4/16/09 (Kramer: BP Hearing 3/30/09)

Astrudge McLean, written submission dated 3/18/09 (McLean: BP Hearing 3/30/09)

Angie Pontani, Miss Cyclone, written submission dated 4/17/09 (Pontani: BP Hearing 3/30/09)

Juan Rivero, written submission dated 4/17/09 (Rivero: BP Hearing 3/30/09)

Taconic Investment Partners, Ari Shalam, Senior Vice President, written submission dated 3/30/09 (Shalam: BP Hearing 3/30/09)

Janet Trill, undated written submission (Trill: BP Hearing 3/30/09)

Tricia Vita, written submission dated 3/30/09 (Vita: BP Hearing 3/30/09)

D. LIST OF ORGANIZATIONS AND INDIVIDUALS WHO COMMENTED AT THE CITY PLANNING HEARING, MAY 6, 2009.

ELECTED OFFICIALS

Senator Carl Kruger, Member of the New York State Senate, 27th Senate District, oral comments and written submission dated 5/6/09 (Kruger: CPC Hearing 5/6/09)

Marty Markowitz, Brooklyn Borough President, oral comments and written submission dated May 6, 2009 (Markowitz: CPC Hearing 5/6/09)

ORGANIZATIONS

Brooklyn Chamber of Commerce, Carl Hum, President and CEO, oral comments (Hum: CPC Hearing 5/6/09)

Brooklyn Chapter of the American Institute of Architects, Urban Design Committee, Don Weston, Chairman, oral comments and undated written submission (Brooklyn AIA: CPC Hearing 5/6/09)

Coney Island ACORN, Carmen Gonzalez, Leader, oral comments (ACORN: CPC Hearing 5/6/09)

Coney Island Rezoning

Coney Island Development Corporation, Lynn B. Kelly, President, oral comments and written submission dated May 6, 2009 (CIDC: CPC Hearing 5/6/09)

Coney Island Generation Gap, Pam Harris, Executive Director, oral comments (Harris: CPC Hearing 5/6/09)

Coney Island Homeowners and Residents Association, Queenie Huling, President, oral comments and written submission dated May 6, 2009 (Huling: CPC Hearing 5/6/09)

Coney Island Homeowners and Residents Association, Joan Corney (Corney: CPC Hearing 5/6/09)

Coney Island Hospital Community Advisory Board, Martin L. Levine, Chairman, oral comment (Levine: CPC Hearing 5/6/09)

Municipal Art Society, Lisa Kersavage, Director of Advocacy and Policy, oral comments and written submission dated May 6, 2009; written submission dated May 15, 2009 (MAS: CPC Hearing 5/6/09)

Natural Resources Protective Association, Ida Sanoff, Chair, written submission dated May 15, 2009 (Sanoff: CPC Hearing 5/6/09)

New York City Economic Development Corporation, Seth W. Pinsky, President, oral comments and written submission dated May 6, 2009 (NYCEDC: CPC Hearing 5/6/09)

New York City Economic Development Corporation, Madeline Wils, Executive Vice President, oral comments (NYCEDC: CPC Hearing 5/6/09)

New Yorkers for Parks, written submission dated May 6, 2009 (NYP: CPC Hearing 5/6/09)

Regional Plan Association, L. Nicolas Ronderos, Senior Planner, oral comments and written submission dated May 6, 2009 (RPA: CPC Hearing 5/6/09)

South Canarsie Civic Association, Inc., undated written submission (SCCA: CPC Hearing 5/6/09)

COMMUNITY BOARDS

Community Board 13, Chuck Reichenthal, oral comments (CB 13 Reichenthal: CPC Hearing 5/6/09)

INTERESTED PUBLIC

Carol Hill Albert, oral comments (Albert: CPC Hearing 5/6/09)

Martin Allen, oral comments (Allen: CPC Hearing 5/6/09)

Eddie Brumfield, oral comments (Brumfield: CPC Hearing 5/6/09)

Steven Byrdsell, oral comments (Byrdsell: CPC Hearing 5/6/09)

Darryl Caliph-Lee, oral comments (Caliph-Lee: CPC Hearing 5/6/09)

Keith Carter, oral comments (Carter: CPC Hearing 5/6/09)

Deno's Wonder Wheel Amusement Park, Dennis Vourderis, oral comments and written submission dated May 6, 2009 (Vourderis: CPC Hearing 5/6/09)

Patrick Fiore, written submission dated May 7, 2009 (Fiore: CPC Hearing 5/6/09)

GordonRides, Jonathan L. Gordon, President, oral comments and undated written submission (GordonRides: CPC Hearing 5/6/09)

Lorraine Henn, oral comments (Henn: CPC Hearing 5/6/09)

Catherine Jenkins, oral comments, (Jenkins: CPC Hearing 5/6/09)

Rochelle Kelly, oral comments and written submission dated May 6, 2009 (Kelly: CPC Hearing 5/6/09)

Neil Kittredge, oral comments (Kittredge: CPC Hearing 5/6/09)

Mehmet Kiyat, written submission dated May 6, 2009 (Kiyat: CPC Hearing 5/6/09)

Lynn Kowalewski, written comment dated 5/17/09 (Kowalewski: CPC Hearing 5/6/09)

Carolyn E. McCrory, oral comments and written submission dated 5/6/09 (McCrory: CPC Hearing 5/6/09)

Pastor Connis Mobley, oral comments (Mobley: CPC Hearing 5/6/09)

Margery Perlmutter, land use lawyer for Bryan Cave representing the Russo family, oral comments and undated written submission (Perlmutter: CPC Hearing 5/6/09)

Nan Piat, oral comments (Piat: CPC Hearing 5/6/09)

Laura L. Pryor, oral comments (Pryor: CPC Hearing 5/6/09)

Juan Rivera, oral comments (Rivera: CPC Hearing 5/6/09)

Nino Russo, Gargiulo's Restaurant, oral comments and undated written submission (Russo: CPC Hearing 5/6/09)

Ronald Stewart, oral comments (Stewart: CPC Hearing 5/6/09)

Mark Strauss, oral comments (Strauss: CPC Hearing 5/6/09)

Taconic Investment Partners, Ari Shalam, Senior Vice President, oral comments (Shalam: CPC Hearing 5/6/09)

Unidentified speaker, oral comments (Unidentified: CPC Hearing 5/6/09)

Unidentified speaker, Coney Island Fares, oral comments (Coney Island Fares: CPC Hearing 5/6/09)

Wachtel & Masyr, LLP, representing Thor Equities, LLC, Jesse Masyr, written submission dated May 15, 2009 (Masyr: CPC Hearing 5/6/09)

Wachtel & Masyr, LLP, representing Thor Equities, LLC, Raymond Levin, oral comments (Levin: CPC Hearing 5/6/09)

Dick Zigun, oral comments (Zigun: CPC Hearing 5/6/09)

E. COMMENTS AND RESPONSES

PROJECT REVIEW PROCESS AND PUBLIC PARTICIPATION

- Comment 1:** There is no developer committed in writing to building the proposed development - no Memorandum of Understanding with either Thor, or Taconic, or Horace Bullard. The plan lacks funding, developers, leadership, and the property to go forward. (Kruger: CPC Hearing 5/6/09)
- Response 1:** As an area-wide rezoning, the City's practice is to establish development guidelines and thresholds in order to create new development opportunities. No Memorandum of Understanding is required for the rezoning.
- Comment 2:** We don't have the resources to build the project you're proposing and there are many who question both the intelligence and practicality of plunking down \$100 million for "dirt" in Coney Island when a large proportion of our residents are barely scraping by and so many other pressing needs would seem to take priority. The proposed park mapping in Coney East provides a level of uncertainty that will inhibit private redevelopment efforts in the surrounding area. (Kruger: CPC Hearing 5/6/09)
- Response 2:** The public investment in Coney Island in terms of the rezoning initiative, the development of a plan and vision for the amusement district, and the commitment to undertake needed infrastructure improvements, is intended to benefit all current and future residents of Coney Island, Brooklyn, and the city as a whole. The public investment is anticipated to leverage considerable private investment and development in the community.
- Comment 3:** A project as massive as the rezoning of Coney Island shouldn't proceed without overwhelming support from the community and the elected officials and community board who represent the community. At the moment, there isn't even tepid support for the project. There's fear and distrust, and that doesn't make for a sound future for Coney Island. The City of New York should withdraw the application and review the process and make the community's elected officials real partners in the Coney Island Development Plan. Costly and time-consuming litigation could prevent this vision for Coney Island from being realized. (Kruger: CPC Hearing 5/6/09, R. Anderson: BP Hearing 3/30/09)
- Response 3:** The proposed Coney Island Rezoning has been based on many years of planning and extensive public outreach to solicit and incorporate public

input. The rezoning was approved (with conditions) by both the Community Board and the Borough President.

Comment 4: Modifications should be shown to the public and put through a similar process before approval. (McCrory: CPC Hearing 5/6/09)

Response 4: The proposed “A” text Uniform Land Use Review Procedure (ULURP) modifications under consideration by the City Planning Commission (CPC) have been formulated in response to public comment, and were made available in April 2009. As set forth in City regulations, ULURP modifications that take the form of an “A” application are heard at the public hearing of the original application and the modification is provided to the Community Board, Borough President, and stated in the public hearing notice. Following the receipt of public comments and the conduct of a public hearing, the CPC can also make modifications to the proposed actions in conjunction with its vote. Nothing in the City charter or applicable rules or regulations requires the CPC to solicit public comments on modifications made at the time of the vote.

CHAPTER 1: PROJECT DESCRIPTION

Comment 1-1: We support the project. (Abdelrahman, Elliott, Ijelu: CB 13 Hearing 3/3/09, Kittredge: CPC Hearing 5/6/09, Brooklyn AIA, D. Anderson: BP Hearing 3/30/09 and CPC Hearing 5/6/09, Pontani, Rivero, Kahl: BP Hearing 3/30/09, Shalam: CPC Hearing 5/6/09 and BP Hearing 3/30/09, Finkelstein: CB 13 Hearing 3/3/09)

We support the plan, but with concerns which require strenuous study. (CB 13 Reichenthal: CPC Hearing 5/6/09)

We support the overall plan, but with reservation. (Brumfield: CPC Hearing 5/6/09)

I support the plan, but a flaw is that the alternatives are being proposed by developers. (Rivera: CPC Hearing 5/6/09)

I support the plan because we have nothing. (Caliph-Lee: CPC Hearing 5/6/09)

Coney Island is suffering, and the plan is a blessing. (Allen: CPC Hearing 5/6/09)

The Chamber of Commerce is happy something is being done to rejuvenate the area. (BCC: CPC Hearing 5/6/09)

I support the rezoning because it will allow the Coney Island Community and the City of New York to provide a diverse consortium

of opportunities for the people who live there. (Adenyi, Fifteenth, Harden: CB 13 Hearing 3/3/09)

Although the plan is not perfect, it will rejuvenate Coney Island and give it the retail assets it deserves and will vastly improve the aesthetic of the neighborhood. It will create 25,000 temporary jobs and ultimately 6,000 permanent jobs. (Adler: CB 13 Hearing 3/3/09, R. Anderson: BP Hearing 3/30/09)

500,000 square feet (sf) of retail will create new jobs. (BCC: CPC Hearing 5/6/09)

The plan put forth by the Coney Island Development Corporation gives us the opportunity to move forward both as a global icon and a neighborhood. The commencement of the building of the YMCA is a huge and monumental step in the right direction because it sends a resounding signal that the strategic plan was created in the best interests of all members of the community. (Coleman: CB 13 Hearing 3/3/09)

The rezoning gives us the opportunity to challenge the dire economic times awaiting many. (Davis: CB 13 Hearing 3/3/09)

This rezoning has the opportunity to help revive a landmark, build up the tourism industry, construct an amazing flagship amusement park, and help the residents of Coney Island and New York City. (GordonRides: CB 13 Hearing 3/3/09 and CPC Hearing 5/6/09)

This plan represents the greatest employment and economic opportunities to the neighborhood. It is a well-known fact that neighborhoods thrive and are successful when residents have access to economic opportunities within their own community. (BCC: CB 13 Hearing 3/3/09)

We support the commitment that has been demonstrated by all parties involved to identify the best way to renew Coney Island and to bring greater economic activity to the area while paying appropriate respect to its rich history. (Nathan's, Vourderis: CB 13 Hearing 3/3/09)

The proposed rezoning will lead to vital redevelopment that will take place according to a thoughtful and integrated plan. It will maintain Coney Island's rich history and character and will insure that the surrounding neighborhood directly benefits. (Shalam: CB 13 Hearing 3/3/09)

Bringing state-of-the-art attractions and amusements to the area is a positive change. (Dohlin: CB 13 Hearing 3/3/09)

Approving the City's rezoning plan will enable the creation of a robust economic engine at Coney Island that will employ many people and

benefit the local community, especially during the recession. (GordonRides: CB 13 Hearing 3/3/09 and CPC Hearing 5/6/09, Pratt: BP Hearing 3/30/09)

The establishment of year-round activity will spur job creation in industries from entertainment to hospitality to retail and will employ tens of thousands of people as build-out is completed. (CIDC: CPC Hearing 5/6/09]

The plan prioritizes the creation of a year-round Coney Island. (Markowitz: CPC Hearing 5/6/09, R. Anderson: BP Hearing 3/30/09)

An amusement park is like a small city and requires a full staff to operate. The majority of those positions are year-round. (GordonRides: CPC Hearing 5/6/09)

The City's plan is the best chance to secure the future of Coney Island. Without the passage of the zoning, Coney Island Development Corporation's (CIDC) role is unclear and investments CIDC has made in the past will be in jeopardy going forward. We have a choice to make. The time to act is now. We don't want to let this community down. (CIDC: CPC Hearing 5/6/09)

Coney Island needs this development, firstly to help the west end: employment, retail services, a grasp on our children, and investment in infrastructure. (Harris: CPC Hearing 5/6/09)

New Yorkers for Parks strongly supports the City's efforts to preserve the unique character of Coney Island and its amusement legacy. We ask again that the City recognize the need for committed funding to ensure public safety and the sustainability of the beach and Riegelmann Boardwalk (the Boardwalk). (NYP: CPC Hearing 5/6/09)

Response 1-1: Comments noted.

Comment 1-2: The "Viability of an Amusement Destination" plan put together by David Malmuth for the Municipal Art Society, presented on February 11, 2009 at their Imagine Coney presentation, is the only realistic plan for the future of Coney, and the only plan put together by people in the amusement industry. (Kramer: BP Hearing 3/30/09)

Response 1-2: Comment noted.

Comment 1-3: The City's proposal to put the amusement area in a city park was a great idea. (Brooklyn AIA: CB 13 Hearing 3/3/09 and CPC Hearing 5/6/09)

Response 1-3: Comment noted.

Coney Island Rezoning

Comment 1-4: Because of the recession, people are opting for “stay-cations,” which means that local amusement parks near large population centers will do well and a new park at Coney Island, if done correctly, could be very successful. (Ferrari, GordonRides: CB 13 Hearing 3/3/09, GordonRides: CPC Hearing 5/6/09)

Response 1-4: Comment noted.

Comment 1-5: Any plan that doesn’t address providing well paying jobs, careers, good housing, improved infrastructure, and a revived amusement district should not go forward. (Mobley: CB 13 Hearing 3/3/09)

Response 1-5: The proposed Coney Island Rezoning provides a comprehensive approach to achieving the goals noted above. The project will generate thousands of construction and permanent jobs. The rezoning has at its core the creation of a 27-acre amusement district that is intended to revive and expand Coney Island’s historic role as a regional destination.

Comment 1-6: The new rezoning will allow the rebirth of what was the world’s most famous amusement area, but this time on a year-round basis. We anticipate the amusement area will have a need to expand in years to come and hope that adequate expansion space has been provided. The plan, as proposed, does not do enough to ensure that sufficient space for amusements would be available. Although the Department of City Planning (DCP) issued a modification to the proposed zoning text amendment, still more can be accomplished to bolster the presence of amusement options at Coney Island. Add 100,000 sf of amusements. Ensure that Coney Island remains an amusement park. (Markowitz, 4/27/09 and CPC Hearing 5/6/09, Brooklyn AIA: CB 13 Hearing 3/3/09 and CPC Hearing 5/6/09, Huling: CPC Hearing 5/6/09)

Response 1-6: By creating a 27-acre amusement district with a mix of amusement and related uses, year-round opportunities for indoor and outdoor activities, and the preservation in perpetuity of the 9-acre open amusement core, the City believes that the proposed Coney Island Rezoning will accommodate new growth and vitality for many decades.

Comment 1-7: Because Coney Island is easily accessible via public transportation, it is exceptionally easy for people in the area to get to and from the park, and the Metropolitan Transportation Authority (MTA) will benefit from the resulting increase in traffic. (GordonRides: CB 13 Hearing 3/3/09 and CPC Hearing 5/6/09)

Response 1-7: Comment noted.

Comment 1-8:	Investing in Coney Island now will improve the quality of life for residents and for New Yorkers too. (GordonRides: CB 13 Hearing 3/3/09 and CPC Hearing 5/6/09)
Response 1-8:	Comment noted.
Comment 1-9:	Any redevelopment should preserve and strengthen the “people’s playground” through an open, affordable, and vibrant amusement area, with spaces for vendors and small businesses, and investments in historic resources. The amusement area should remain available to all economic backgrounds and accessible and affordable for all community members. (CIGA: CB 13 Hearing 3/3/09, Huling, ACORN, Piat, Jenkins: CPC Hearing 5/6/09, Melnick: CB 13 Hearing 3/3/09 and BP Hearing 3/30/09, Vita, Pratt: BP Hearing 3/30/09, Kennedy, CB Hearing 3/3/09)
Response 1-9:	Comment noted.
Comment 1-10:	I urge the Borough President to vote no, with recommendations, on the zoning. We need more acreage for amusements, not less, to enhance Coney Island’s economic potential as a world class amusement and tourism destination. The plan is flawed, rash, and short-sighted. (Vita, Rivero: BP Hearing 3/30/09)
Response 1-10:	Comment noted.
Comment 1-11:	The only way to make the Coney Island amusement portion of the City’s plan viable is by designing the entire development area into a multi-level, year-round, mixed-use destination experience. (Lococo: CB 13 Hearing 3/3/09)
Response 1-11:	By creating a 27-acre amusement district with a mix of amusement and related uses, year-round opportunities for indoor and outdoor activities, and the preservation in perpetuity of the 9-acre open amusement core, the City’s plan balances the preservation of historic character of Coney Island’s open amusement with the potential for more diverse and year-round economic activity.
Comment 1-12:	The successful development of Surf Avenue will be difficult with all the entertainment appeal directed toward the ocean side of the plan. (Lococo: CB 13 Hearing 3/3/09)
Response 1-12:	Surf Avenue is the central spine of the amusement district and is the focus of substantial new development opportunities, including hotels and a mix of amusement and related retail development that define the

Coney East subdistrict. Surf Avenue will be the major commercial corridor providing for amusement and retail uses and will serve as the key gateway to accessing many of Coney Island's key attractions, including the existing and proposed amusement areas closer to the Boardwalk, the New York Aquarium (the Aquarium) further to the east, and KeySpan Park just to the west.

Comment 1-13: The City proposal will bog down redevelopment, continuing the decades-long decline of the Coney Island amusement area. The proposed zoning should encourage and facilitate private sector investment. Thor Equities has concluded that government "implementation of numerous moving parts" may bog down redevelopment, dooming Coney East to further decades of neglect (Masyr: CB 13 Hearing 3/3/09, Levin: CPC Hearing 5/6/09)

Response 1-13: To overcome the long decline of Coney Island amusement area, the proposed Coney Island Rezoning provides for substantial new private development opportunities through additional allowable uses and greater density, by investing in the infrastructure necessary to enable new development, and to improve conditions on Coney Island in general. The rezoning establishes a unified vision for a 27-acre amusement district, with a mix of new and year-round uses, that also preserves the core open amusement area vital to retaining the character of Coney Island.

Comment 1-14: The following principles should guide this project: (1) Develop Coney Island as a truly regional destination; (2) Serve a wide range of incomes; (3) Maximize transit access to the site; and (4) Expand housing affordability and other assets for local residents. The proposed plan is a well-designed proposal for meeting these objectives. (RPA: CB 13 Hearing 3/3/09 and CPC Hearing 5/6/09)

Response 1-14: The principles mentioned in the comment underlie the proposed Coney Island Rezoning.

Comment 1-15: Without subsidization or some secondary revenue stream, the ticket prices will be inordinately high and the quality, design, and safety of the experiences will suffer as the operator cuts costs and seeks to maximize the profit margin. The City and taxpayers should cover the revenue gap and the owner/operator of the rides should have a share in a secondary revenue stream. (Thinkwell: CB 13 Hearing 3/3/09)

The City should provide residential discounts for local attractions and amusements. This can be modeled on other amusements such as

- Disneyland and Lego Land. (Markowitz 4/27/09, ACORN: CPC Hearing 5/6/09)
- Response 1-15:** The City is committed to making the amusement area open, accessible, and affordable to all visitors. It is premature to confirm ticket prices or additional subsidies before operational elements are defined.
- Comment 1-16:** The density of the attractions depicted in the renderings does not match that shown in the footprints. (Thinkwell: CB 13 Hearing 3/3/09)
- Response 1-16:** Renderings are conceptual and give an idea and flavor to what could be expected in the future. They are not intended to provide a specific footprint of future attractions.
- Comment 1-17:** If the rides are independently owned and operated, competition will inevitably devolve it back to its current condition over time. (Thinkwell: CB 13 Hearing 3/3/09)
- The current amusement plan is less like the original Coney Island than it is a conventional ride park. One of the most interesting things about Coney historically, was that there was no organization to the mix of use. (Thinkwell: CB 13 Hearing 3/3/09)
- The current plan threatens to change the character and diversity of vendors, small businesses and outdoor pavilions. It should be altered to better preserve and promote small, independent retail businesses. (Pratt: BP Hearing 3/30/09)
- We are concerned about the proposal by City Planning to have the New Coney Island Park operated by one single entity because this is not an entity, nor is it Six Flags. It is mom and pop businesses. Coney Island has always been and continues to be made up of several different parts. Visitors will benefit from the competition and creativity of individual mom and pop businesses. The commission should add more amusement operators. ((Vourderis: CPC Hearing 5/6/09, Melnick: BP Hearing 3/30/09, Vita: BP Hearing 3/30/09, Albert: CB 13 Hearing 3/3/09, BoB: CB 13 Hearing 3/3/09)
- Response 1-17:** The proposed amusement district would provide a protected area to ensure an open amusement area and opportunities for independent amusement uses throughout the 27-acre amusement district. This is based on the cohesive overall vision established for the district.
- Comment 1-18:** What will be in place by summer 2010? (Thinkwell: CB 13 Hearing 3/3/09)

Response 1-18: The City is committed to keeping Coney Island active during the summer season and continues to look for opportunities wherever possible to provide for a variety of rides, games and performances. For example, in the summer of 2009, the City worked with local property owners to bring the Ringling Brothers circus to Coney Island.

Comment 1-19: We cannot expand our business, and build enclosed parking and new market-rate and affordable housing above because the City planners turn a deaf ear to all but our most trivial concerns. (Russo: CPC Hearing 5/6/09)

Allow Gargiulo's Restaurant to construct new building(s) that will enable a new Surf Avenue entrance restaurant and a 1,000-seat catering hall on the roof. Railroad Avenue, no longer an existing street, must be removed from all mapping plans so that the resultant Gargiulo's building will have continuity in height and architecture. Gargiulo's shall be allowed to build a parking garage atop new stores/facilities on West 19th to 20th Streets, with possible six stories of indoor parking area, with an exterior façade that will match the architecture of the new building. The new building, on the southside of Surf Avenue directly across from the current Gargiulo's parking lot, shall have a floor area ratio (FAR) lower than that of the northside new building. (CB 13 Recommendations: 4/1/09)

Gargiulo's Restaurant, which has been a fixture of the community, wants to develop their property in such a manner to create affordable and low-income housing as well as a new catering facility with parking. While the current plan does not allow Gargiulo's to do so, we are asking City Planning to continue to work with the owners so that they might be able to accomplish their goals. Further dialogue is required regarding specific zoning regulations and how they pertain to the development plans of individual property owners such as Nino Russo of Gargiulo's, who has plans to create a new Gargiulo's restaurant and banquet hall. Gargiulo's Restaurant should remain a viable part of the community. (Markowitz, 4/27/09, CB 13 Recommendations: 4/1/09], ACORN, Kennedy: CPC Hearing 5/6/09)

We need help offsetting our extraordinary construction costs by allowing us to build more market-rate housing than the proposed 3.75 total FAR will permit. We need 5.8 FAR to subsidize building the restaurant, the 675 parking spaces, and the affordable housing. (Russo: CPC Hearing 5/6/09; BP Hearing 3/30/09, CB13 Hearing 3/3/09)

Response 1-19: In general, the proposed rezoning framework allows for new development opportunities through a wider range of allowable uses and greater density. The City has been working with the community for the

past five years in developing the conceptual plans and the proposed rezoning currently under consideration. There has been extensive outreach to the residential and business community in Coney Island, and the plan was developed with such public feedback. As set forth in the FEIS, the current Proposed Action does not use the railroad cut as an unbuildable right-of-way. The City will continue to meet and work with property owners to implement development projects based on the new zoning.

Comment 1-20: Amusements should be at the storefront, especially from the Stillwell Avenue station to the beach. Increase ground-floor amusement space to a minimum of 15 percent of frontage on Surf and Stillwell Avenues and West 10th Street. In order to ensure that the blocks between Surf Avenue and the open amusement area are dominated by traditional amusement uses, changes should be made to ensure that 150,000 sf of ground-floor traditional amusement space is achieved. (Markowitz, 4/27/09 and CPC Hearing 5/6/09, Pratt: BP Hearing 3/30/09)

Response 1-20: These recommendations are currently under review by the CPC. Any CPC modifications related to this issue will be the subject of further environmental review.

Comment 1-21: There is concern that the Aquarium is being left outside of the plans. (Dohlin: CB 13 Hearing 3/3/09 and BP Hearing 3/30/09)

The future of the Aquarium is insecure. (Kruger: CPC Hearing 5/6/09)

We hope that renewed commitment by the City will enable our planned new Shark Exhibit to move forward. (Dohlin: BP Hearing 3/30/09)

Initiate work on the long-planned upgrading of the New York Aquarium, which should remain a key anchor to both the amusement district and the peninsula. Money the Aquarium needs for its new Shark Tank and other exhibits should be made available now. (CB 13 Recommendations: 4/1/09)

Response 1-21: The plans for the New York Aquarium are not part of the Coney Island Rezoning Project. However, as a vibrant regional draw, the anticipated revitalization of the Coney Island amusement area would be expected to have a beneficial effect on attracting visitors to the Aquarium.

Comment 1-22: The developer of one of the City-owned properties in either the Coney West or Coney North districts should provide a supermarket, and such a requirement should be included in all RFPs. (Markowitz, BP 4/27/09 and CPC Hearing 5/6/09)

Coney Island Rezoning

Any new development should create public amenities for local residents of the area, including a school and a supermarket to meet local demand, and significantly improved public transportation. (CIGA: CB 13 Hearing 3/3/09, Pratt: BP Hearing 3/30/09)

The plan should include supermarkets. (ACORN: CPC Hearing 5/6/09 and BP Hearing 3/30/09, Pratt: BP Hearing 3/30/09)

Response 1-22: Pursuant to the proposed rezoning, schools and supermarkets would be allowed in Coney West, Coney North, and Mermaid Avenue subdistricts.

Comment 1-23: The City's plan does not provide for general retail uses, which eliminates the majority of revenue-generating tenants. Strong, diverse national retailers establish credibility, stability, long-term leases, and sufficient revenue streams, which would in turn allow for the "mom and pop" retail uses desired by the City. Unfortunately, amusement and leisure retail, which are called for by the City's plan, historically do not pay adequate rents, cannot secure credit or financing, and will not provide tenant improvements built out of adequate quality. It is shown that without a stronger base of general retail, there is high potential turnover and default by amusement and leisure retail tenants. (Callison: CB 13 Hearing 3/3/09)

A Formula Business Restriction policy within Coney East should be adopted to prevent national retailers and fast food restaurants from locating there. (Pratt: BP Hearing 3/30/09)

Response 1-23: General retail uses will be allowed in the Coney West and Coney North subdistricts. In the Coney East subdistrict, retail and services would be limited to those that would complement the amusements and would be well-integrated into the 27-acre amusement and entertainment district. The adequacy of rents paid by certain types of uses and the ability of certain tenants to secure credit and financing is outside the scope of environmental review.

Comment 1-24: The City's plan to create a framework of North, East, and West zones will put the North and West zones at risk of never meeting the expectation of the planned design. These will be challenging sections to develop because of their isolation from the more popular densely used East Zone. Most developers will seek to locate in the East Zone, especially if their business is retail-oriented in nature. (Lococo: CB 13 Hearing 3/3/09)

Response 1-24: The four subdistricts would not be isolated from each other. Surf Avenue, a major corridor that would be developed with new hotel,

amusement, retail, and residential uses, would link the Coney East, West, and North subdistricts. In addition, the proposed Ocean Way would create new east-west connections from the Coney West subdistrict to Steeplechase Plaza, and from there to Coney East. Under the proposed zoning, general retail uses would be allowed in the Coney North and Coney West subdistricts.

Comment 1-25:

At least 50 percent of the housing units in this development should be slotted as affordable housing for low-, moderate-, and middle-income residents. (ACORN, Melnick, Pratt: CB 13 Hearing 3/3/09] (Markowitz, 4/27/09, Melnick, ACORN, Trill, Pratt: BP Hearing 3/30/09, Carney: CB 13 Hearing 3/3/09)

The Community Board wants to see the creation of Workforce Housing in the North and West sectors. The pattern of 80 percent to 20 percent (market rate to affordable) must remain the norm from which negotiations may proceed. (CB 13 Recommendations: 4/1/09)

20 percent affordable housing is not enough. (ACORN: CPC Hearing 5/6/09)

Affordable housing should be at least 40 percent. (Brumfield, Henn: CPC Hearing 5/6/09)

Local residents should be given first preference for the purchase of the involved housing units. Ascertain that all new housing construction in the North and West sectors be affordable, including Work Force Housing. (CB 13 Recommendations: 4/1/09)

Affordable housing in Coney Island under New York City Housing Authority (NYCHA) is a myth; sometimes there are three, four, and five generations living in one apartment. (Carter: CPC Hearing 5/6/09)

Any redevelopment plan should designate at least 40 percent of the housing to low-, moderate-, and middle-income New Yorkers, with at least half of the affordable units reserved for families at or below the median income for households in Coney Island. (CIGA: CB 13 Hearing 3/3/09)

There must be a commitment at Coney Island to create and preserve housing that working families can afford. (32BJ: CB 13 Hearing 3/3/09, Markowitz, 4/27/09, Jenkins, ACORN: BP Hearing 3/30/09, Kennedy: CPC Hearing 5/6/09, Albert: CB 13 Hearing 3/3/09, Magwood: CB 13 Hearing 3/3/09, Gotlieb: CB 13 Hearing 3/3/09, Denson: CB 13 Hearing 3/3/09, O'Malley: CB 13 Hearing 3/3/09, Smalls: CB 13 Hearing 3/3/09, Mason: CB 13 Hearing 3/3/09)

Special provisions should be made to ensure that the median income household for the Western portion of Coney Island is used when determining affordable housing, not the median income for New York City. According to the last Census, the median income household for Coney Island was \$29,087, whereas New York City was \$64,217, which by comparison is a huge difference. The definition of affordable housing should conform to that of the existing community. (Huling, ACORN, Pryor: CPC Hearing 5/6/09, Melnick: BP Hearing 3/30/09)

We need guarantees that affordable housing will be built. (Kelly: CPC Hearing 5/6/09)

1,000 units of affordable housing, preferably low rent, will address the rent problem. (BCC: CPC Hearing 5/6/09)

Affordable housing in Coney Island West or North districts should be 20 to 35 percent of total units through disposition of City properties. With more than two million square feet of development rights on the City-owned sites, a substantial amount of that floor area can be targeted to accommodate affordable housing while accounting for sufficient market-rate floor area for commercial and housing to offset the cost of replacing the stadium parking. The blending of the private sites, leveraging the 20 percent affordable units, will allow 35 percent of the units to be affordable. (Markowitz, 4/27/09 and CPC Hearing 5/6/09)

The plan offers insufficient affordable housing and instead relies on 4,500 units of market-rate housing to make it economically feasible. This may be on some developer's wish list, but it's not on the community's wish list. (Kruger: CPC Hearing 5/6/09)

Response 1-25:

The inclusionary housing program, proposed to be part of the Coney Island Rezoning Project, is a City-wide program that provides an incentive for developers of private sites to include affordable housing as part of new developments. As noted in the comment, the affordable housing model (or "pattern") is that in exchange for a 33 percent density bonus, the developer must provide 20 percent of the residential floor area as affordable housing for individuals or families earning up to 80 percent of the Department of Housing and Urban Development Income Limits (HUD IL). In practice, because the inclusionary program can be layered with federal, state, and local subsidies, the populations served by these units are frequently those earning 50 percent and 60 percent of HUD IL. Beyond the inclusionary housing program, additional affordable housing units can be developed on HPD-owned properties, such as the Coney Island Commons site, within the Community District. It is noted that all HPD affordable housing units (including those developed through Inclusionary Zoning) are subject to 50 percent local preference requirements.

- Comment 1-26:** The existing 57 high rises are deteriorating and are in bad shape. The families in these buildings should be given the opportunity to move and purchase apartments in the new development. (CIGA: CB 13 Hearing 3/3/09)
- Current affordable housing—NYCHA, Mitchell-Lama, Section 8—should be maintained, and repairs and improvements made as necessary. (Melnick: CB 13 Hearing 3/3/09 and BP Hearing 3/30/09)
- Response 1-26:** The existing housing and its conditions, as mentioned in the comment, is independent of the proposed actions. It is noted that all HPD affordable housing units developed as part of the proposed actions (including those developed through Inclusionary Zoning) are subject to 50 percent local preference requirements.
- Comment 1-27:** Coney Island has one of the highest rates of unemployment in the city. With this development there will be an influx of jobs. People within the community should have an opportunity to gain these jobs, with proper training programs and placement into jobs that pay a living wage. (ACORN: CB 13 Hearing 3/3/09 and CPC Hearing 5/6/09, Albert: CPC Hearing 5/6/09, Melnick: CB 13 Hearing 3/3/09 and BP Hearing 3/30/09, Jenkins: BP Hearing 3/30/09)
- We need guarantees of affordable housing. We need guarantees that the jobs created by Coney Island will be good jobs. We support the Coney Island for All Plan. (ACORN, Jenkins, Trill: BP Hearing 3/30/09, R. Kelly: CPC Hearing 5/6/09)
- The redevelopment plan must ensure that Coney Island remains a place that creates opportunity for working New Yorkers. Any redevelopment effort should guarantee good jobs, with a commitment that local residents can get these jobs in every part of the project. (CIGA: CB 13 Hearing 3/3/09, Unidentified speaker: CPC Hearing 5/6/09, Pratt: BP Hearing 3/30/09, Canada: CB 13 Hearing 3/3/09, Magwood: CB 13 Hearing 3/3/09, Gotlieb: CB 13 Hearing 3/3/09)
- The commute from Coney Island is too long for residents to get to non-local jobs on time. (Piat: CPC Hearing 5/6/09)
- The community needs job training now, and not only for construction jobs, but for jobs that will continue into the future. (CB 13 Reichenthal: CPC Hearing 5/6/09)
- A genuine first-source hiring program for local residents needs to be established that gives first consideration to local residents for the new post-construction jobs that will be created from development including, but not limited to, service and retail positions. Job training would be a

key element of such a program. At least 30 percent of the permanent jobs created at Coney Island should go to local residents. (Pratt: CB 13 Hearing 3/3/09, ACORN: CPC Hearing 5/6/09 and BP Hearing 3/30/09)

The Coney Island Plan must guarantee good jobs, with responsible contractors and employers, and with a commitment that at least 50 percent of the jobs are obtained by local residents. Affordable housing is ultimately affordable when you have a job, and I am asking the Commission to guarantee the people of Coney Island good jobs and affordable housing. (Markowitz, 4/27/09, Pryor: CPC Hearing 5/6/09)

The residents of Coney Island need good jobs. (Carter, Kelly: CPC Hearing 5/6/09)

We need jobs for youth and residents. (Byrdsell, Stewart, Kennedy: CPC Hearing 5/6/09)

The community needs job training programs and union apprenticeship activities to prepare the local residents for jobs during the revitalization phase. Local residents should be given preference for employment and paid prevailing wages. (CB 13 Recommendations: 4/1/09, Unidentified speaker: CPC Hearing 5/6/09, Melnick: BP Hearing 3/30/09)

Union jobs will enable people to afford to own homes. (Carter: CPC Hearing 5/6/09)

Developers must commit to job training with accountability. Local residents that are unemployed and underemployed must get first preference at all jobs. (Huling: CPC Hearing 5/6/09)

The current plan does not ensure that new development will create the good-paying jobs and affordable housing the community really needs. (Kiyat, Unidentified speaker, Huling: CPC Hearing 5/6/09)

The park will increase both tourism and local business. Job creation is essential, especially during a recession. (GordonRides: CPC Hearing 5/6/09)

The Coney Island amusement parks do provide year-round jobs. (Albert: CPC Hearing 5/6/09)

Any corporation which develops in Coney Island should make a commitment to dedicate five percent of its profits to in-house training and workforce development. (Ijelu: CB 13 Hearing 3/3/09)

People in the Coney Island area, where unemployment is 13 percent, truly need the jobs this development will provide. However, jobs that pay only minimum wage do not help families rise out of poverty, and workers who do not receive health care through their jobs will rely on public health programs. The City must require developers to create the

good jobs that pay prevailing wages and provide the benefits New Yorkers need to support their families. (32BJ: CB 13 Hearing 3/3/09)

The City should require the following in all RFPs it issues: Targeted outreach and assistance for Coney Island residents to benefit from obtaining not less than 50 percent of new jobs created as a result of the Coney Island Plan; all contractors, subcontractors, and employers pay prevailing or area-wide wages for every trade and position; all contractors, subcontractors, and employers must have a track record in certain areas for at least the past five years; all building service workers must be paid the prevailing wage and supplement rates; livable wages must be paid for non-union eligible jobs; to the greatest extent possible, contracts and suppliers should be minority- and women-owned business enterprises and local-owned business enterprises; and opportunities for neighborhood entrepreneurs should be promoted by encouraging developers to provide space for small businesses. (Markowitz, 4/27/09 and CPC Hearing 5/6/09, Huling, Brumfield, Allen: CPC Hearing 5/6/09)

Response 1-27:

Over 30 years, the redevelopment of Coney Island is projected to generate over \$14 billion in economic activity. The project will create over 25,000 construction jobs and more than 6,000 permanent jobs in industries including amusements, tourism, retail, entertainment, restaurants, and hospitality.

In anticipation and in advance of future development, the Coney Island Development Corporation (CIDC), working with the City of New York and partnering with local institutions and service providers, has activated a short-term workforce development strategy that targets local residents of Coney Island. In spring 2008, CIDC launched a series of job readiness workshops held in the Coney Island community focusing on competencies such as resume preparation, interview skills, and job search techniques. In August 2008, CIDC and local co-sponsors hosted the largest job fair in Coney Island's recent history, attended by over 400 residents and by over 30 employers. In the future, as the proposed development proceeds and new jobs are generated, local workforce preparedness efforts and employment outreach will build on partnerships that have been established and strengthened with local organizations, job training providers, and local employers

Comment 1-28:

The City should require targeted outreach to community residents and businesses to ensure that they get rewards and resources. (ACORN: CPC Hearing 5/6/09)

Response 1-28:

Comment noted.

Comment 1-29: Either significant affordable housing should be included on the City-owned sites (or sites swapped for them), or the proposed new amusement area should be expanded westward to encompass parts of Coney West, particularly the area surrounding the Parachute Jump. As currently proposed, this is simply privatization of City-owned land for no public benefit. (Pratt: CB 13 Hearing 3/3/09)

The City has not expressed eagerness to use its land for more affordability than Inclusionary Zoning (IZ) alone (on privately owned land) could create. The City claims that its requirement that the 1,100 parking spaces in the current KeySpan parking lot and the Abe Stark Skating Rink be preserved or replaced within new residential development impedes opportunities for deeper affordability despite the large proportion of City-owned land in Coney West. However, under this argument, the only public benefits from new market-rate development are two facilities (parking and the rink) that already exist today without the development. (Pratt: CB 13 Hearing 3/3/09)

Response 1-29: The mapping and demapping of parkland as set forth in the proposed actions would establish a 44-acre recreational network of parks along the beachfront from the proposed Highland View Park to Asser Levy Park through KeySpan Park and Steeplechase Plaza (a park that will be constructed in the future without the proposed actions), the proposed amusement park, and the Aquarium. The proposed amusement park will be adjacent to the new Steeplechase Plaza that will be constructed at the base of the Parachute Jump, and the proposed Wonder Wheel Way would create new pedestrian access from the Cyclone through the Coney East subdistrict to Steeplechase Plaza, which would be connected to Coney West and Highland View Park with the proposed Ocean Way. The proposed actions would also create new development opportunities for new housing, with IZ provisions and much-needed retail.

Comment 1-30: Maintain the KeySpan parking lot, with a multi-level parking lot for additional autos. There should be no building and/or construction on this site where parking is needed until such time as more-than-sufficient off-street parking areas are identified. There shall be no Alienation of Parkland on this entire KeySpan parking lot area. (CB 13 Recommendations: 4/1/09)

Response 1-30: The KeySpan parking spaces will be replaced on site in structured parking garages within the proposed developments. As noted above, the demapping of parkland in Coney West is part of the comprehensive and cohesive vision for the rezoning area that not only results in better

public open spaces but also creates new development opportunities for a range of market and affordable housing and much-needed retail.

Comment 1-31: The alienation of parkland on the KeySpan parking lot is central to the development of Coney West. Without it, there will be no mapped streets, making the proposed retail and residential development in Coney West, for all practical purposes, inaccessible. Without this access, a restored Childs building and all of the associated significant employment and housing benefits in Coney West will be jeopardized. Without the alienation, regulations that govern development near parkland could result in the residential buildings not being viable. (Shalam: BP Hearing 3/30/09)

Response 1-31: Comment noted.

Comment 1-32: The Boardwalk should be kept active with street life. The proposed plan seems to envision the open-air amusements directly abutting the Boardwalk. The existing bars and fast food establishments enliven and activate the Boardwalk and help to create the feel of an urban “street-like” feel. The Boardwalk’s restaurants, amusements, and bars should be retained in the new plan. (MAS: CPC Hearing 5/6/09)

Response 1-32: The interface between the Boardwalk and the Coney East subdistrict is intended to be a very vibrant and active area, with direct connections from the beach and the Boardwalk to the open amusement area and to West 10th Street, Stillwell Avenue, and West 15th and 16th Streets. Furthermore, food and drink establishments are allowed to operate within the Amusement Park area and could continue to serve patrons of both the Boardwalk and open amusement area. It is also noted that amusements and food and drink establishments are the only uses proposed to be allowed along the Coney West boardwalk frontage.

Comment 1-33: Remove from consideration the construction of Wonder Wheel Way. With its removal, more open acreage will be available for needed additional rides and amusement area attractions. The Bowery will continue to be the main walkway linking the iconic amusement features and the new ones. We oppose construction of a one-way vehicular street right at the foot of the Wonder Wheel. We would lose at least one of our rides and two of our gaming centers, changing the feel of Wonder Wheel Park, contradictory to the City’s plan to preserve amusements. The road should be rerouted around the Wonder Wheel. (CB 13 Recommendations: 4/1/09, Vourderis: CPC Hearing 5/6/09)

Response 1-33: The purpose of Wonder Wheel Way is to provide a physical connection between the historic Coney Island icons—the Cyclone, the Wonder

Wheel, and the Parachute Jump. It also would provide improved circulation and linkages throughout the amusement district, and creates new view corridors leading toward the Parachute Jump at the proposed Steeplechase Plaza and the Cyclone.

CHAPTER 2: LAND USE

Comment 2-1: The City’s plan places too many restrictions on use type, zoning, FAR, and floor plates to permit developments of sufficient size and mass. To attract development to this area, the potential commercial success of each development parcel is paramount. As proposed, the restrictions imposed by this plan do not allow for this economic outcome. This plan will create isolated pockets of sub-optimal development. For example, the East-West bifurcation of the Commercial and Entertainment uses on the Coney East subdistrict creates an undesirable subdivision of zone, none of which are adequately connected to each other. (Callison: CB 13 Hearing 3/3/09)

Response 2-1: The proposed Coney Island Rezoning is a comprehensive approach to creating new development opportunities that provide for substantially more allowable uses and greater density, all while enhancing and preserving the 27-acre core amusement area of Coney East. The creation of districts would allow for a new mix of uses that would provide new development opportunities while respecting and transitioning to surrounding neighborhoods. In this way, Coney East would be a 27-acre amusement and entertainment district focused around the existing amusement area, with KeySpan Park establishing a boundary or transition point toward Coney West which is more residential and neighborhood retail-oriented, including a new community park shared by the existing and new neighborhoods alike (Highland View Park). Within Coney East, uses would not be bifurcated, with amusement uses allowed throughout the subdistrict. In addition, Surf Avenue, a major corridor, would be developed with a mix of amusement, retail, hotel, and residential uses, and would link the Coney East, Coney North, and Coney West subdistricts.

Comment 2-2: The community does not want “two Coney Islands.” Do not separate east and west when there are real human beings who live on the west end of Coney Island. (Harris: CPC Hearing 5/6/09, Mason: CB 13 Hearing 3/3/09)

Response 2-2: The comprehensive and cohesive vision for the proposed Coney Island Rezoning is intended to revitalize and reinvest in the heart of Coney Island in a manner that supports the whole community. In addition to

the core 27-acre amusement district, Coney North and West provide new development opportunities including much needed retail for the larger community and provides improved street linkages, open space connections, and infrastructure to support new and existing uses in the rezoning area.

Comment 2-3:

The City's limitation on the maximum size of retail uses for the Coney East subdistrict is unreasonable. The 2,500-square-foot retail size restriction is an arbitrary number that is impractical. A successful retail merchandising mix requires tenants of varying sizes, from 500 sf to 10,000 sf. The 2,500-square-foot size limit would eliminate many potentially attractive retail tenants. There should be an alteration to the plans for stores that are no more than 10,000 sf of footage in order to draw potential new shop owners. (Callison: CB 13 Hearing 3/3/09, CB 13 Recommendations: 4/1/09)

A mix of small retail spaces ranging from 300 to 1,500 sf must be achieved by each new development within Coney Island. The currently proposed 2,500-square-foot size cap is too large for small amusement-related businesses to thrive. (Pratt: BP Hearing 3/30/09)

For any commercial developments over 50,000 sf, owners should be required to include businesses at a range of sizes going down to 250 sf, and should be required to have seasonal roll-up storefronts for at least 25 percent of their retail frontage. There should also be targets for locally owned small businesses. Many small businesses are far smaller than the 2,500 sf proposed by the City; most are under 1,000 sf, and many are as small as 500 sf. Space must be made available to accommodate these small businesses. (Pontani, Rivero, Kahl: BP Hearing 3/30/09, Pratt: CB 13 Hearing 3/3/09))

Response 2-3:

The proposed zoning for Coney East does not require a minimum size; a range of sizes could be as small as 250 sf, but with a maximum of 2,500 sf. A larger floor area such as the 10,000 sf suggested in the comment was considered too large for the scale and character of the amusement and related uses appropriate for the Coney East district. It is noted that larger retail sites can be developed elsewhere in the rezoning area.

Comment 2-4:

Coney Island not a place for Big Box retail. I am not in agreement with the Community Board in allowing greater square footage for retail. Coney Island must not become another retail mall. Big box retail should not be allowed. (Melnick: CB 13 Hearing 3/3/09 and BP Hearing 3/30/09, Markowitz: CPC Hearing 5/6/09, Vita: BP Hearing 3/30/09)

Rezoning is absolutely necessary. I strongly advise against zoning that will allow retailers to open large shops in the amusement district. Developers who lease to retail stores should consider adjacent locations that will profit more from the crowds. Developers allowing shopping centers to be placed along the Boardwalk would demonstrate shortsightedness and greed. (GordonRides: CPC Hearing 5/6/09)

I am concerned that CB 13 amendments will (1) quadruple the retail space allowed within the 27-acre district, and (2) scrap plans to designate some of the district as parkland. If it is true that the community board is doing the direct bidding of a developer, Coney Island residents who have made the effort to become involved in the redevelopment of our community now feel completely betrayed and shut out of the process. (McLean: BP Hearing 3/30/09)

Response 2-4: Comments noted.

Comment 2-5: The allowable floor plates of 8,500 sf are not viable. In the best case scenario, this results in approximately 10 to 12 rooms per floor, which is too small to be economically successful. The cost to build and operate each floor would exceed the potential revenue stream. (Callison: CB 13 Hearing 3/3/09)

If you assume that a typical guest room is approximately 320 sf, and add space for corridors, elevators, stairs, storage, and other necessary, non-usable space, there will likely be only 14 or 15 guest rooms per floor, a relatively small number of rooms per floor, which is likely to create operational, as well as financial, inefficiencies. (Sternerman: CB 13 Hearing 3/3/09)

The typical hotel requires 20 percent of its total area for back-of-house and support functions. This, combined with the 20 percent amusement use, would mean that 40 percent of the hotel would be non-revenue generating. It is clear that this would not be economically viable for any hotel operator's financial pro forma. (Callison: CB 13 Hearing 3/3/09)

The requirement for hotels in the East zone to reserve 20 percent of their floor area for amusement use, when combined with the height restrictions, could cause major hotel chain operators with established brand building models and floor plans to move away from the proposed project. (Lococo: CB 13 Hearing 3/3/09)

Proposing a 20 percent commitment to amusement uses within any hotel that is built in the Coney East subdistrict would be difficult to achieve for a typical hotel product other than a water park hotel. (Sternerman: CB 13 Hearing 3/3/09)

The proposed 20,000-square-foot floor plate for hotels, especially entertainment oriented hotels such as an indoor water park resort, is simply not possible on this small a parcel, especially considering the recommended building height restrictions. Generally, the minimum amount of space to accommodate just the water park area is 35,000 to 50,000 sf. (Lococo: CB 13 Hearing 3/3/09)

The City's imposed location and orientation of hotels along Surf Avenue eliminates the possibility of a resort-type hotel that would necessarily require direct connections to key uses such as the Boardwalk, the beach, entertainment, parking, and transportation. (Callison: CB 13 Hearing 3/3/09)

Response 2-5:

The proposed zoning standards for the hotels are based on maximizing development opportunity within an urban design context and preservation of view corridors into the amusement district from Surf Avenue. The inclusion of leasable or hotel-controlled ground-floor retail uses is typical of an urban hotel setting (though in this case it is retail and amusement uses) and should not be considered a non-revenue source. The City will continue to work with all property owners and interested hotel developers to implement the zoning in the most economically viable manner. Hotels located on lots larger than 20,000 sf would be required to provide 20 percent of the floor area as amusements, as defined in Use Group A(1), either on site or off site anywhere in the district.

Comment 2-6:

The four high rise hotels that are currently located on the south side of Surf Avenue—and would rise up to 270 feet—should be moved to the north side of Surf Avenue. Their current location walls off pedestrians from the ocean, changes the Coney skyline from amusements to high rises, and would privatize the amusement area. Putting the hotels north of Surf as a mixed-use development in the KeySpan parking lot would give proximity to the action without being in the middle of a loud outdoor amusement area. The current plans have them in the worst possible place. Hotels will create a visual wall and dazzle people coming out of the station with the display of amusements. 8,500 sf is not that small. (MAS, Vita, Zigun: CB 13 Hearing 3/3/09, MAS: CPC Hearing 5/6/09, Rivera: CPC Hearing 5/6/09)

A maximum of three hotels should be considered, with one of them a water park hotel. They should be built on the north side of Surf Avenue. (CB 13 Recommendations: 4/1/09)

Do not let the latest effort to place high rises on the south side of Surf succeed. (Vita: BP Hearing 3/30/09)

There should be no hotels or residential buildings south of Surf Avenue and east of KeySpan Park. High rise hotels should only be allowed north of Surf Avenue. Pedestrians should not be walled off from the ocean by a row of high rise hotels on the south side of Surf Avenue. (Kinkel, Kramer: CB 13 Hearing 3/3/09, Fiore: CPC Hearing 5/6/09, Melnick: BP Hearing 3/30/09, Pontani, Rivero, Kahl: BP Hearing 3/30/09)

Response 2-6:

Surf Avenue is the central spine of the proposed Coney East subdistrict and a mix of uses are allowed on both sides of the avenue. In fact, as noted in the RWCDs presented in the FEIS, hotel parcels are located on the north side of Surf Avenue. The opportunity to develop hotels on the south side of Surf Avenue is intended to fully integrate the mixed-use and year-round activity sought in the core of the amusement district. With limited base heights, restricted tower locations, open streets leading toward the Boardwalk, and the view sheds toward iconic Coney Island features such as the Wonder Wheel and Parachute Jump, the potential hotel development on the south side of Surf Avenue would not be expected to cut off or create a visual wall.

The new Coney East subdistrict zoning regulations permit hotel uses along Surf Avenue and, in order to provide a conservative assessment, up to four hotels were included in the RWCDs. Private investment market factors may ultimately result in fewer hotels, particularly in the earlier phases of the new development generated by the rezoning.

Comment 2-7:

The correct use of the land is for a large, unified amusement park capable of generating income that can assist Coney Island residents and the City of New York. By rezoning the amusement district, the land will be available for creating a large, profitable amusement park and the support structure that it requires. The 27-acre area is adequate for the creation of a quality amusement park. This size allows for the installation of several large rollercoasters, which attract crowds and are essential to the success of any park. (GordonRides: CB 13 Hearing 3/3/09 and CPC Hearing 5/6/09)

Response 2-7:

Comment noted.

Comment 2-8:

DCP was correct to modify the zoning text to require that the amusement use floor area generated by hotel development be limited to traditional amusements rather than the movie theaters, bowling alleys, billiard parlors, etc., as in the initial text proposal. The requirements of the modified text that these uses be limited to lobbies only on the ground floor, with the primary floor area being on the upper floors, will foster Coney Island's pedestrian nature. (Markowitz, 4/27/09)

Response 2-8: Comment noted.

Comment 2-9: The proposed action contemplates eradicating the streetwall of buildings that house amusements, souvenir shops, and concession stands on the north side of the Boardwalk between West 10th Street and Stillwell Avenue, in favor of amusements that would directly abut the Boardwalk, with intermittent concession stands. This is a significant adverse impact; the DEIS is incomplete in that it inappropriately omitted a discussion of mitigation measures that would address this loss, including a requirement that the Boardwalk continue to be lined on its north side with single-story restaurants and amusements to ensure that it remains active and inviting. (MAS: CPC Hearing 5/6/09)

Response 2-9: The land uses identified in the comment are anticipated to be a continued presence throughout the Coney East amusement district, and the FEIS identifies no significant adverse land use impact as a result of the proposed open amusement mapped park and the zoning of the remainder of Coney East. The interface between the Boardwalk and the Coney East subdistrict is intended to be a very vibrant and active area, with direct connections from the beach and the Boardwalk to the open amusement area and to West 10th Street, Stillwell Avenue, and West 15th and 16th Streets. Furthermore, food and drink establishments are allowed to operate within the amusement park area and could continue to serve patrons of both the Boardwalk and open amusement area.

Comment 2-10: Twenty-five acres should be set aside for amusements. The City must buy this land, create a vision for the amusement area, and lease it to third-party vendors. (Kinkel: CB 13 Hearing 3/3/09)

Twelve acres of open-air amusements is too small to attract enough rides and attractions to bring back the big crowds. It is essential to set aside 25 acres for open-air amusements to ensure Coney Island has enough space to accommodate the potential attendance of 3.5 million visitors and create a truly world class amusement area. (Kramer, MAS: CB 13 Hearing 3/3/09, Kramer: BP Hearing 3/30/09)

Some options regarding rezoning of the amusement area lack insight or are for personal gain and at the expense to the residents of Coney Island and New York City. (GordonRides: CPC Hearing 5/6/09)

There should be serious thought about an expanded amusement area. The Coney Island brand will not grow if there are indoor games or hotels. Architectural amusements should continue the Coney Island brand. (Albert: CB 13 Hearing 3/3/09 and CPC Hearing 5/6/09)

As the City's plan originally proposed, the amusement area should be extended to the Bowery, and this will give enough space to accommodate an amusement destination. (Rivera: CPC Hearing 5/6/09)

The area devoted exclusively to amusements must be bigger. Amusements should extend, at a bare minimum, from the Boardwalk to the Bowery. (Rivero: BP Hearing 3/30/09)

The plan needs more acreage for outdoor amusements. (Zigun: CB 13 Hearing 3/3/09, Rivero: CB 13 Hearing 3/3/09, Denson: CB 13 Hearing 3/3/09, Finkelstein: CB 13 Hearing 3/3/09, Eagan: CB 13 Hearing 3/3/09, Kahl: CB 13 Hearing 3/3/09)

We need more acreage for amusements, not less, to enhance Coney Island's economic potential as a world class amusement and tourism destination. More acreage for amusements will create not only jobs but careers for our residents. (Vita: CB 13 Hearing 3/3/09 and BP Hearing 3/30/09)

Hotel uses would encroach on the already limited area devoted to amusements. The frontage and a sizable percentage of the first two stories of any hotel south of Surf should be devoted to uses that complement amusements. Any hotel south of Surf should also provide a minimum of on-site amusements so that it may better integrate itself into the district. (Pontani, Rivero, Kahl: BP Hearing 3/30/09)

The proposed rezoning would permanently reduce the amount of land set aside for open-air amusements from the 65 acres that are currently zoned C7 to approximately 12 acres. This reduction is a significant adverse impact, particularly because these amusements constitute a major amenity for residents and visitors to the city. Alternatives to address this should be included in the EIS. The 15-acre Mapped Amusement Parkland Alternative does not adequately address the need to preserve New York City's open-air amusement resources. (MAS: CPC Hearing 5/6/09)

I thought it was a misprint when I read that 15 acres was designated as parkland for rides. That was cut back to nine acres, and we're not even sure if that is all dedicated for amusements. (Zigun: CPC Hearing 5/6/09)

Nine acres being reserved for actual amusements is not enough. (Albert: CPC Hearing 5/6/09, Rivero: CB 13 Hearing 3/3/09)

The open-air amusement district should be expanded to accommodate the potential attendance. RCLCO estimated that the potential attendance for Coney Island was 3.5 million annual visitors, or 15,000 at any one time. This requires approximately 25 acres of land set aside for open-air

amusements based on a conservative requirement of 75 sf per person. The City should set aside more than 12 acres of land for open-air amusements. Acquiring additional land and utilizing 5 acres of publicly owned land could expand the area of outdoor amusements from 12 to 24 acres. (MAS: CPC Hearing 5/6/09)

Response 2-10: The rezoning will create a 27-acre mixed use entertainment and amusement district that includes an approximately 9-acre open amusement area adjacent to the Boardwalk. Together with Steeplechase Plaza and the Cyclone roller coaster that sit on parkland, the amusement park will be about 12.4 acres. This amusement park is proposed to be mapped as parkland, and thus will be preserved in perpetuity. The remainder of the 27 acres could accommodate a range of amusement-related uses, such as indoor amusement facilities, a movie theater, restaurants, performance venues, limited amusement-related retail, and hotels. The vast majority of the 65 acres that are currently zoned C7 are currently vacant, demonstrating the incapacity of the existing C7 zoning to develop amusements. The City's plan builds upon the few remaining amusement uses in the Coney East subdistrict to develop a year-round amusement and entertainment district.

Comment 2-11: The zoning is very complex and does not support the inevitable future expansion and programmatic alterations. Coney's number one enemy will be vacancies. Within this zoning structure, it will be hard to respond quickly to tenant change and to minimize vacancies. (Thinkwell: CB 13 Hearing 3/3/09)

Response 2-11: The rezoning establishes a comprehensive framework for future development in Coney Island. However, private sector market responses will determine when and which parcels get developed, including interim vacancies that might arise.

Comment 2-12: Amusements should be limited to amusement parks, animal exhibits, camps, dark rides, ferris wheels, fortune tellers, freak shows, miniature golf courses, games of skill, water parks, food stalls and souvenir stands. Local recreational uses, restaurants, and retail should be located only in the periphery of this core amusement area. (Rivero, Pontani, Kahl: BP Hearing 3/30/09)

Movie theaters and bowling alleys should be removed from the list of allowed uses within Coney East, as neither are truly an amusement, and as both typically require large ground floor lobbies that would detract from the amusement park ambiance of the streetscape. (Pratt: BP Hearing 3/30/09)

Response 2-12: On April 9, 2009, DCP filed a modified application for the zoning text amendment. The modified application divides Use Group A (amusements) into two subgroups: Use Group A(1) encompasses the traditional amusement uses such as roller coasters, dark rides, circuses, arcades and midway attractions; and Use Group A(2) contains entertainment and amusement-related uses that could be found more easily anywhere in the City. Theaters, gymnasiums, billiard parlors, skateboard parks and performance venues are proposed to be listed under Use Group A (2). Amusement requirements are proposed to be restricted to Use Group A(1): building frontage along Wonder Wheel Way and Bowery would be required to be occupied by at least 50 percent amusement uses within Use Group A1 and hotels located on lots larger than 20,000 sf would be required to dedicate 20 percent of their floor area towards Use Group A1 whether located on-site or off-site anywhere in the proposed Coney East subdistrict. This modification would strengthen the ground-floor requirements for traditional amusement uses to ensure that Coney Island maintains its one-of-a-kind amusement character.

Comment 2-13: Vacant lots with interim activity should be programmed immediately. (Kinkel, Kramer: CB 13 Hearing 3/3/09)

Response 2-13: The CIDC, with the City of New York, is working to program vacant lots with interim activities as soon as possible. In just three months, the city and CIDC was able to successfully work with private landowners and Feld Entertainment to bring Ringling Brothers & Barnum and Bailey Circus to Coney Island this summer. It is the City's intention to continue to program Coney Island to keep it vibrant.

Comment 2-14: It is not that C7 doesn't protect the amusements; it is the City's refusal to enforce its own zoning laws. Right now there are businesses in Coney Island that are not zoned for C7. These include school bus parking lots and furniture stores. (Kramer: CB 13 Hearing 3/3/09)

Response 2-14: As part of the City's multi-year effort in the Coney Island planning and rezoning effort, it was determined that the existing C7 zoning district was limited in the range of allowable uses and in the permitted densities of uses in the district. The presence of several non-conforming uses in the district has not been a driving force in the decline of Coney Island's amusements over many decades.

Comment 2-15: We need the C7 zoning to protect the birthplace of the amusement industry, along with the mom and pop style businesses that are so desperately needed during these economic times. In the past few

months, mom and pop business are thriving while the larger-name stores are laying people off. (Taft Shumate: CB 13 Hearing 3/3/09)

Response 2-15: The goal of the plan is to preserve and grow Coney Island as a vibrant urban amusement area. For the amusement areas of Coney East, the proposed regulations specifically respond to the unique character of the amusement area by requiring small-scale spaces that limit any given storefront to a maximum of 2,500 sf.

Comment 2-16: The rezoning will increase the value of the land that the City needs to acquire to remake Coney Island. This was made as a compromise to Joe Sitt. (Kramer: CB 13 Hearing 3/3/09)

Response 2-16: The proposed Coney Island Rezoning is intended to bring more economic activity throughout the rezoning area, which will increase overall land values, attract new development opportunities, and provide for a revitalized amusement district. As an area-wide rezoning responding to extensive public outreach, it is not a plan built around one property or one owner.

Comment 2-17: If the City's schedule for acquisition stalls, the zoning proposal takes the C7 zone, which the City says "restricts growth" and "limits development opportunities," and would further limit uses by removing even the opportunity to provide a restaurant, ice cream store, or enclosed sidewalk café. (Masyr: CB 13 Hearing 3/3/09)

Response 2-17: Parcel 1 is included in the area proposed for mapping as parkland and improvement as a City-sponsored amusement park that will contain a vibrant mix of amusement and related uses.

Comment 2-18: The City's advancement of this zoning proposal exhibits an unbridled optimism that makes no provision for delays or obstacles, putting in place a flawed zoning which will stifle private initiatives and further erode the remains of a once-vibrant Coney Island. (Masyr: CB 13 Hearing 3/3/09)

Response 2-18: Since the completion of KeySpan Park in 2000, the City has been invested in building a long-term plan for Coney Island based on extensive community outreach to residents, businesses, and property owners. The rezoning, the commitment to invest in needed infrastructure, and the focused effort to preserve and enhance the amusement district represent substantial opportunities to engage the private sector in rebuilding Coney Island.

Coney Island Rezoning

Comment 2-19: With only rides in the amusement district, even though some of them are covered, off-season traffic will be hard to come by. Every area needs enough “critical mass” of programming so that there is life on every corner, even though some of the attractions are closed for the season. The area will need attractors that appeal to people who aren’t inclined to go on the rides. (Thinkwell: CB 13 Hearing 3/3/09)

Response 2-19: The 9-acre open amusement area is a core element but is only a small portion of the 27-acre amusement district with its array of indoor and outdoor uses, and year-round activities. As noted in the Chapter 1, “Project Description,” of the EIS, uses within the mapped parkland can include open and enclosed amusements, indoor and outdoor performance venues, restaurants, and accessory retail-to-park activities. Thus, it is anticipated that the open amusement area could contain year-round activities as well as seasonal rides.

Comment 2-20: Deno’s can readily co-exist with any future amusement development, and the City should continue to work with the owner to identify the means of keeping this amusement park intact and consistent with the vision of the property owner. (Markowitz, 4/27/09, ACORN: CPC Hearing 5/6/09)

Response 2-20: The City remains committed to working with all property owners and businesses, particularly existing amusement operators that can help retain and grow the historic amusement uses in Coney Island.

Comment 2-21: Reconstruction of the Boardwalk must be initiated. Thanks to the federal government's stimulus package, it appears that approximately 15 blocks of the Boardwalk can be rebuilt. That leaves approximately 35 more to go. What about those? Funds must be guaranteed to see that this begins in light of the fact that the Boardwalk is a pivotal link to the other parts of the community—Brighton to the east, and Seagate to the west—as well as its own attraction. (CB 13 Recommendations: 4/1/09)

Response 2-21: While not part of the Coney Island Rezoning EIS, it is noted that the New York City Department of Parks and Recreation (DPR) is currently rebuilding portions of the Boardwalk, with a master plan to restore the entire length of the Boardwalk over time.

Comment 2-22: No comprehensive plan is in place to address the commercial district along Brighton Avenue. (Kruger: CPC Hearing 5/6/09)

Response 2-22: Brighton Avenue is not part of the Coney Island Rezoning initiative.

Comment 2-23: Remove any potential eminent domain and/or condemnation consideration in order to allow extant small businesses and rides (e.g., Eldorado and its neighbors) to continue operating without threats or anxiety over the future. No eminent domain and/or condemnation may be considered. (CB 13 Recommendations: 4/1/09)

We remain concerned about some of the issues that have yet to be resolved with landowners in the area. We are hopeful that the City will be able to resolve these questions or otherwise reach an accommodation with the affected parties. (R. Anderson: BP Hearing 3/30/09)

Response 2-23: The City seeks to purchase properties through negotiated sales and uses eminent domain only when other options are exhausted.

Comment 2-24: We are opposed to the designation of our property as parkland. Designation of the parkland would mean that the land—the Wonder Wheel—would no longer be owned by us. We ask the Commission to remove the Wonder Wheel property from the parkland designation. (Vourderis: CPC Hearing 5/6/09)

Response 2-24: While the portion of the Wonder Wheel property that would be part of the new mapped parkland would transition to City ownership, it is noted that the same uses and activities would be permitted as currently exists. The fundamental purpose of the mapped parkland is to preserve in perpetuity the open amusement areas that are a defining element of the Coney Island amusement district.

CHAPTER 3: SOCIOECONOMIC CONDITIONS

Comment 3-1: Existing small businesses must be sustained by the rezoning plan, not bought out. (Vita: CB 13 Hearing 3/3/09 and BP Hearing 3/30/09)

Local small businesses within the amusement district should be protected and given assurance that they will remain. A separate area should be set up for them. (Fiore: CPC Hearing 5/6/09)

The City should establish areas on City-owned property where seasonal vendors can operate. (Pratt: CB 13 Hearing 3/3/09)

The Board refuses to believe that mapping this area as parkland is the only way to ensure that amusements remain amusements. How can we forget those people who continue to operate amusements year after year after year? Why can't a special Coney Island Amusement area be created? (CB 13 Recommendations: 4/1/09)

Response 3-1: The 27-acre entertainment and amusement district includes a 9-acre open air amusement area to be mapped as parkland and preserved in

perpetuity. The parkland mapping does not preclude the continued operation of amusements by independent or seasonal operators. The Special District text encourages the development of small retail spaces (i.e., a maximum of 2,500 sf) as further encouragement of small and independent businesses.

Comment 3-2: Any small businesses that are forced to relocate should be provided with real relocation assistance. (Pratt: CB 13 Hearing 3/3/09)

Response 3-2: The City is continuing to meet with business and property owners. Assistance would be provided for any relocation, if necessary.

Comment 3-3: Housing and neighborhood-oriented retail outside of the amusement district in Coney West and Coney North will spark both construction and permanent year-round jobs for residents. (Shalam: CPC Hearing 5/6/09 and BP Hearing 3/30/09)

Response 3-3: Comment noted.

Comment 3-4: Taconic residential development will take place on abandoned lots and will not cause displacement. Taconic residential development will produce lively, vibrant streets, retail, and retail public spaces. 20 percent of our residential units will be affordable housing. 80 percent of our residential units will be developed at market rate, which is critical to financial balance of the property. (Shalam: CPC Hearing 5/6/09 and BP Hearing 3/30/09)

Response 3-4: Comment noted.

CHAPTER 4: COMMUNITY FACILITIES

Comment 4-1: There need to be additional schools to support the new residents moving into the neighborhood. One of the new schools should reflect the new development and should harness green energy. (Abdelrahman, Ijelu: CB 13 Hearing 3/3/09, Gotlieb: CB 13 Hearing 3/3/09)

Schools must be expanded, with the possible addition of new elementary and middle schools. School programs, including after school programs, should be expanded. (Melnick: CB 13 Hearing 3/3/09 and BP Hearing 3/30/09)

A new school shall be built at the available site at Surf Avenue and West 29th Street. The mayor should advance the design and construction of the P.S. 188 Gymnasium project. (CB 13 Recommendations: 4/1/09; Markowitz, 4/27/09 and CPC hearing 5/6/09)

With the increase in population, a new school must be built within the community. The School Construction Authority should consult with the Board and the local communities in determining what type of school—elementary, intermediate or high school—should be constructed on the Surf Avenue and West 29th Street site. (CB 13 Recommendations: 4/1/09)

When new families come in, we will need new schools and businesses that meet community needs. (Kiyat, ACORN, Piat: CPC Hearing 5/6/09, ACORN: BP Hearing 3/30/09)

Response 4-1:

As established in Chapter 5, “Community Facilities,” it is anticipated that the proposed Coney Island Rezoning will not generate significant adverse impacts on schools and no new school construction is proposed as part of the Proposed Actions. The Department of Education monitors enrollment projections to determine school facility needs and will take into account school demand that may occur in the future.

Comment 4-2:

Coney Island Hospital should receive funding as part of the Coney Island Development so that it can modernize and continue to serve the residents of southern Brooklyn. With the new residents of the area, it’s important that the hospital has the room and updated equipment to serve everyone. (Greif, C. Greif: CB 13 Hearing 3/3/09, Melnick: CB 13 Hearing 3/3/09 and BP Hearing 3/30/09)

The Coney Island Hospital Modernization Plan should be part of the rezoning process. The hospital modernization is as important and pertinent to ULURP as is the creation of fire and police access streets in the development area. We reject any argument that seeks to exclude this phase of the hospital modernization from its relevance to this development package. (Levine: CB 13 Hearing 3/3/09, Nelson: BP Hearing 3/30/09)

With the increase of visitors and residents, funds must be made available for Coney Island Hospital; specifically, a new emergency room must be built to handle the anticipated increase. Funds should also be made available for upgrading existing Hospital facilities that need modernization to serve this new era of Coney Island. (CB 13 Recommendations: 4/1/09, Nelson: BP Hearing 3/30/09, Gotlieb: CB 13 Hearing 3/3/09, Monk: CB 13 Hearing 3/3/09, Satar: CB 13 Hearing 3/3/09, Huling: CB 13 Hearing 3/3/09)

Since Coney Island Hospital is the only hospital in the area and is near a beach and a major highway, it should be funded for a Level 1 trauma unit. (Greif, C. Greif: CB 13 Hearing 3/3/09)

Response 4-2: These comments are outside the scope of the EIS assessment. As noted in Chapter 4, “Community Facilities,” the potential development generated by the Coney Island Rezoning is not expected to result in new significant adverse impacts on the provision of local health care.

Comment 4-3: Police patrols should be expanded, with additional anti-crime units. Known gang and drug activity must be monitored more closely. Crime and violence in the community, including shootings and stabbings, need to be addressed. (Melnick: CB 13 Hearing 3/3/09 and BP Hearing 3/30/09, Huling, Corney: CPC Hearing 5/6/09)

Both the police and the community need to be engaged to combat increased crime. (Corney: CPC Hearing 5/6/09)

Increased employment will alleviate crime. (Daryl, Allen: CPC Hearing 5/6/09)

Response 4-3: While crime and security continue to be a critical community issue in Coney Island, the proposed Coney Island Rezoning itself is not expected to directly impact police resources and would not be expected to result in adverse impacts on police services. The New York Police Department (NYPD) regularly evaluates its staffing needs and assigns personnel based on a variety of factors, including projected population increases and demographic shifts, calls for service, and crime conditions. It is generally accepted that the addition of new economic activity, job opportunities (over 25,000 construction jobs and more than 6,000 permanent jobs), and new mixed-use development in the community can be expected to help counteract crime and increase security in the community.

Comment 4-4: Senior citizens are frightened of local children out of control on the streets. A local gym or YMCA open to local children on a Friday night will give them a place to go. (Pryor: CPC Hearing 5/6/09)

Three of our community centers have been closed down under NYCHA. Young people turn to crime because they have no place to go. They need hope. High levels of crime and incarceration, and joblessness, despite seminars, are due to lack of structure. (Carter: CPC Hearing 5/6/09, Harris: CPC Hearing 5/6/09)

Response 4-4: These important community concerns are unrelated to an environmental assessment. In response to comments expressed by the community during the preparation of the Strategic Plan for Coney Island, HPD, along with NYCEDC, has selected a developer for Coney Island Commons, a project with independent utility located on Surf Avenue between West 29th and 30th Streets involving the construction of up to

190 cooperative residential units, all of which would be affordable units, a 40,000-square-foot YMCA community center, and accessory parking. As noted above, it is anticipated that the project would be a positive contribution to the community in terms of job creation and new resources to counteract crime and security.

Comment 4-5: Fire service must be enhanced to meet demand if building plans are to be realized. (Melnick: CB 13 Hearing 3/3/09 and BP Hearing 3/30/09)

Response 4-5: As set forth in the EIS in Chapter 4, “Community Facilities,” the New York City Fire Department (FDNY) has indicated that it can support the expected development generated by the Coney Island Rezoning, although the increased residential and visitor populations would likely require allocation of additional Emergency Medical Service (EMS) tours and fire resources. The FDNY conducts ongoing evaluations of the need for personnel and equipment, and makes necessary adjustments to adequately serve a specific area.

Comment 4-6: Ideas such as outdoor ice skating should be investigated. (Albert: CPC Hearing 5/6/09)

Response 4-6: Comment noted.

Comment 4-7: The Shore Theater should be purchased for use as a community facility. (CB 13 Recommendations: 4/1/09)

Response 4-7: Comment noted.

CHAPTER 5: OPEN SPACE

Comment 5-1: Create a special amusement zone, but the City should not zone the area as parkland unless it owns all of the property involved. The Community should be part of the RFP process for the park. Two members of the Community must be part of the RFP process. (CB 13 Recommendations: 4/1/09)

The City doesn’t own most of the land it wants to develop. The land it does own is parkland. This plan must proceed without the alienation of existing parkland. (Kruger: CPC Hearing 5/6/09)

Response 5-1: The City currently controls approximately 50 percent of the proposed mapped parkland. It is the City’s intention to assemble all of the proposed mapped parkland so that it can issue a Request for Proposals (RFP) for an amusement developer/operator. Prior to issuing the RFP, the City intends to engage local stakeholders in the process.

Coney Island Rezoning

Comment 5-2: Two rounds of RFP for the Steeplechase site never resulted in open space parkland or amusement park use; rather, it is a private ball field open to the public 40 days a year, and only for an admission fee. Therefore, historically, City ownership has not always been in the best interest of Coney Island. (Masyr: CPC Hearing 5/6/09)

Response 5-2: City ownership of property in Coney Island has not been the cause of decline and disinvestment in past decades. Notable City investments in important assets such as the Cyclone, Parachute Jump, Stillwell Avenue Station, and KeySpan Park are cornerstones of Coney Island redevelopment.

Comment 5-3: The Boardwalk Garden is located on West 22nd Street between Surf Avenue and the Boardwalk (block 7071, lot 142). This is an incredible piece of land, growing fresh food for the neighborhood. There is a proposal that this land be disposed to a private developer for development (page 5 in the DEIS). Surprisingly, at a panel discussion last week at New York University, a plan for a condominium to be built by Taconic was unveiled. I would strongly encourage the City to keep this land as mapped parkland and have Taconic build instead on the neighboring lot (block 7071 lot 100). (McCrory: CPC Hearing 5/6/09)

We applaud the city for assuring the community that the Abe Stark Rink will be relocated in the immediate area prior to the demolition of the current rink. As the only indoor skating rink in Brooklyn, is it a unique amenity to the area. Furthermore, it is one of six ice skating rinks citywide, and concessions bring in almost \$2.5 million to the City's General Fund annually. We urge the City to make a similar commitment to relocate the existing GreenThumb community garden, El Jardin de Boardwalk, within the residential study area as well. (NYP: CPC Hearing 5/6/09)

Response 5-3: The City would dispose of Block 7071, Lot 142, a partially vacant lot containing a community garden that fronts the Riegelmann Boardwalk between West 21 and West 22 Streets. As part of the KeySpan Park project, this site was officially decommissioned as a GreenThumb garden through the execution of a surrender agreement by the gardener of record who is now deceased. Although there is now no obligation to replace this garden, the City remains committed to replacing the existing community garden at a location to be determined in the Coney Island area.

Comment 5-4: I strongly support the proposed creation of Highland View Park across the street from the garden and the proposed mapping of this land (block

7071, lots 27, 28, 30, 32, 34, 76, 79, 81, 226, and 231) as parkland (page 4 in the DEIS). (McCrary: CPC Hearing 5/6/09)

Community members have voiced skepticism that the proposed 1.5 acre Highland View Park on the western end of the development area will actually be built. As the only parcel of traditional parkland included in the alienation mitigation, this small park is essential to the future quality of life in the neighborhood. We urge the City to make every effort to purchase the property and ensure that this new park be built for the community. (NYP: CPC Hearing 5/6/09)

Response 5-4: Comment noted.

Comment 5-5: There are community gardens on West 20th Streets between Surf and Neptune, (block 7060 lots 32, 35, 41, 43, 42, 46, 47, 1, 2, 3, 4.). These should be preserved. (McCrary: CPC Hearing 5/6/09)

Response 5-5: There are three community gardens— Unity Tower Tenants Association Community Garden, Cyclone Community Garden, and the Senior Association of Mermaid Avenue Community Garden—located on West 20th Street between Surf and Neptune Avenues. These community gardens are located on HPD property and their occupancy is subject to the settlement between the New York State Attorney General and the City of New York. The settlement requires that the City offer sites within ½ mile of the existing garden for relocation, if such sites are available. If such sites are available, the gardeners may relocate to them and have the gardens become permanent DPR sites.

Comment 5-6: The proposed development includes two separate instances of parkland alienation: the de-mapping of parkland south of Surf Avenue between 19th and 22nd Streets, and the planned lease of the 9-acre open air amusement area—future parkland—to an amusement operator. To comply with SEQRA, a full environmental review, including public hearings and the consideration of public comments, must be conducted prior to the New York City Council's passage of a home rule resolution to request alienation authority from the State Legislature. The New York State Department of Environmental Conservation (NYSDEC) recently affirmed this requirement, which prudently requires completion of the SEQRA process prior to the State Legislature's action on the proposed alienation. New Yorkers for Parks applauds the City for delaying its passage of a home rule resolution on the proposed alienation until a full and necessary environmental review is completed. (NYP: CPC Hearing 5/6/09)

Coney Island Rezoning

- Response 5-6:** The comment sets forth a legal conclusion regarding SEQRA procedure that is beyond the scope of the EIS itself. It is anticipated that the SEQRA process will be completed before the State Legislature takes action on the parkland alienation component.
- Comment 5-7:** Legislation for the change in state law that is necessary to effectuate their redevelopment plan has not been introduced in Albany, and it is unclear if the City will be able to spend hundreds of millions of taxpayer dollars to acquire the necessary property unless and until the State has acted. (Masyr: CB 13 Hearing 3/3/09)
- Response 5-7:** In Chapter 1: “Project Description,” the FEIS sets forth that the legislation noted in the comment is one of the actions necessary for the overall proposed Coney Island Rezoning project to move forward. There is no prescribed sequence of City and state actions.
- Comment 5-8:** New Yorkers for Parks recommends that future lease-holders, hotel operators, and large-scale property-owners within the Coney Island redevelopment area contribute to a dedicated funding mechanism, such as a Business Improvement District (BID) that includes the Boardwalk within its boundaries and which will support the increased maintenance needs along the Boardwalk and beach. (NYP: CPC Hearing 5/6/09)
- Response 5-8:** The CIDC currently pays for the Doe Fund each summer. The Doe Fund provides supplemental maintenance and sanitation services in the area. The City will consider various models for providing maintenance with the future development.
- Comment 5-9:** The Abe Stark Skating Rink should be made more accessible to the general public and more attractive for use by the local community. (Melnick: CB 13 Hearing 3/3/09 and BP Hearing 3/30/09)
- Response 5-9:** Comment noted.
- Comment 5-10:** The Abe Stark Rink should continue in operation until a replacement rink has been constructed at an alternative location. (Markowitz, 4/27/09 and CPC Hearing 5/6/09, CB 13: CPC Hearing 5/6/09)
- The Rink makeover should begin as soon as possible. If the Rink must be moved, it must be restructured conveniently within the Coney Island peninsula. Should a new site be selected, the current rink must continue to operate until the opening day of any new rink. (CB 13 Recommendations: 4/1/09)

Response 5-10: Based on the likely construction phasing and infrastructure development, the rink may not be redeveloped for a number of years, and it is anticipated that it would remain in operation until that time. As a result, DPR would continue to maintain the facility. While it is expected that the rink would be located in the general Coney Island area, no specific location within the peninsula has been identified.

Comment 5-11: Relocation sites for the Abe Stark Skating Rink and the New York City Department of Human Resources Administration have not been identified. Therefore, the impacts on potential relocation sites have not been analyzed. The continued use of these facilities is contrary to the proposed plan. No alternative was advanced to demonstrate the impact of the retention of these uses at their current locations. In fact, it appears more likely that the skating rink would remain, since DPR has issued a competitive sealed bid, due June 1, 2009, for renovations at the skating rink. This too, is contrary to the proposed plan. (Masyr: CPC Hearing 5/6/09)

Response 5-11: While the relocation of these two facilities is not yet certain, neither is likely to result in significant adverse impacts that cannot be mitigated, as discussed below.

Abe Stark Rink

The Abe Stark Rink is under the jurisdiction of DPR, and the siting requirements for a new site would minimize the potential for any significant adverse impacts.

The relocated facility would be within a New York City Parks property, and skating rinks are allowed within a mapped park. There are many examples of rinks located in City parks, as well as state and regional parks, in the City and in the larger metropolitan area. As a result, potential adverse impacts on land use or zoning are unlikely to result. Since the relocation would not result in an increase in population, significant adverse impacts on community facilities or open space are also unlikely. Since the use and the concession operation are not being eliminated, there would not likely be any impacts on direct or indirect commercial displacement (or on residential displacement, since the new site would be within mapped parkland). Based on siting and design criteria that would be established by DPR, adverse impacts on the new facility's contextual relationship to nearby historic resources, urban design, or neighborhood character would not be expected. As a relocated use, there would be little or no incremental change in the demand for water and sewer infrastructure, solid waste, or energy, and no significant adverse impacts would be expected. Additionally, given

the ability to implement newer and more efficient systems, the relocation could result in a reduction in demand for these resources.

The site for the new facility would be selected to meet the design criteria necessary to accommodate a full-sized rink and the requisite parking areas. Since the rink currently attracts users on a region-wide basis, the site would be located at a site accessible to major roads and highways, and transit facilities. In this manner, it may offer improved regional access compared to the current site location. In general, given that the relocation would not be creating new traffic regionally, and with an accessible location, impacts on traffic, parking, transit and pedestrians, air quality, or traffic-related noise, are not likely to result.

DPR would adhere to requirements and Best Management Practices (BMPs) relating to the design and construction that would effectively avoid or mitigate any potential significant adverse impacts, including stormwater management, potential archeological resources or adjacent historic resources that might be disturbed, or potential noise impacts that might be generated by the proposed facility. As a result there would be little potential for significant adverse impacts that could not be mitigated relating to natural resources, cultural resources, or stationary source noise effects. Appropriate venting and location of emission points for any required heating, ventilation, and air condition (HVAC) would be implemented to avoid any unmitigated stationary source air quality impacts. Similarly, adherence to the testing and remediation of potential soil and groundwater contamination would help ensure that there would be no unmitigated significant adverse impacts relating to hazardous materials. The construction of a new rink would be a relatively small, short-term effort, and there would be only temporary potential disruptions that would be unlikely to result in a significant adverse construction impact.

An environmental assessment of the site would have to be conducted by DPR as part of completing any capital financing or business terms, (i.e., a franchise or concession agreement) and would address any site-specific conditions.

Department of Human Resources Administration

The Department of Human Resources Administration (HRA) would be expected to consolidate with other existing office space it already owns or leases, or would seek to find new office space to relocate the Coney Island location. It is assumed that HRA would seek to find suitable space in areas that are commercially zoned and that allow office uses. Such locations are located within reasonable proximity to the current site and are common throughout the larger area. City agencies routinely seek administrative and office space in commercially zoned locations;

this routine activity is not expected to result in any significant adverse impacts, and would be classified as a Type II Action under SEQRA.

In terms of both or either use remaining in place, the EIS does consider the possibility of the rink and HRA facility remaining at their current location in both the No Action and No Demapping and Mapping Action Alternatives. Further, while the environmental assessment is based on an RWCDs which looks at a reasonably conservative development scenario and anticipates the relocation of the rink and HRA facility, it is possible that the private sector may implement the new regulations in a variety of ways, possibly including retention of either facility.

As noted above, the rink may not be redeveloped for many years, and it is anticipated that it would remain in operation until that time. As a result, DPR would continue to maintain the facility. Regarding the RFP noted in the comment, DPR indicates that it is for a new interior scoreboard and dashboards that would be used until the relocation and would most likely be re-used in the new facility.

CHAPTER 6: SHADOWS

Comment 6-1: A scale rendering of those buildings with people cowering in their monstrous shadow would show why the idea of hotels is horrendous, not a hand-drawn conceptual rendering of people basking in the sun. The hotels belong elsewhere. (Rivera: CPC Hearing 5/6/09)

Response 6-1: An analysis of potential shadow impacts was completed and is presented in Chapter 6, "Shadows." The analysis indicates that there would be no significant adverse impact on shadows.

Comment 6-2: You said we would have to build up to get that much affordable housing because there is not enough room to build out. A 26-floor luxury building is across the street from the 14-floor building where I live, and I haven't heard any complaints about tall buildings and shadows. (ACORN: BP Hearing 3/30/09)

Response 6-2: Comment noted.

CHAPTER 7: HISTORIC RESOURCES

Comment 7-1: A hotel should not be built in front of the Wonder Wheel, a designated landmark. (Zigun: CPC Hearing 5/6/09)

Response 7-1: As described in Chapter 2, "Land Use, Zoning and Public Policy," and Chapter 8, "Urban Design and Visual Resources," hotels would not be permitted under the proposed zoning on the blocks between the

proposed Wonder Wheel Way and Bowery, and therefore would not be located adjacent to the Wonder Wheel. Hotels would be permitted in the Coney East subdistrict along the south side of Surf Avenue. The proposed actions seek to preserve views to the Wonder Wheel through bulk regulations and tower location restrictions.

Comment 7-2: Preserving the Coney Island amusement landmarks—the Wonder Wheel and the Cyclone—is strongly supported by members of the amusement community. (Ferrari: CB 13 Hearing 3/3/09)

Response 7-2: The Wonder Wheel and the Cyclone are both designated New York City Landmarks, and are intended to be cornerstones of the proposed amusement district. Therefore, they would be preserved under the proposed actions.

Comment 7-3: Nathan’s building, the Shore Public Theater, and other historic structures in the rezoning area (including Henderson’s Music Hall, Childs Restaurant, the Grashorn Building, and the Old Bank Building) are at risk of destruction and should be landmarked. Historic structures must be protected. (Kinkel, Kramer, MAS, Zigun: CB 13 Hearing 3/3/09, MAS: CPC Hearing 5/6/09, Huling: CPC Hearing 5/6/09, Kramer: BP Hearing 3/30/09)

Preserving the structures that remain at Coney Island is a key part of safeguarding Coney Island’s heritage. The total amount of area that historic buildings take up is a fraction of the land available for new development. There is no need to make a choice between preservation and new development; both can and should be accommodated. (MAS: CPC Hearing 5/6/09)

The designation of the Parachute Jump, Cyclone, and Wonder Wheel as landmarks arguably stabilized Coney Island during a period when it was at risk of vanishing altogether. Similarly, preserving the existing unprotected historic buildings and structures is essential to the future success of Coney Island. (MAS: CPC Hearing 5/6/09)

Protect historic structures. (Melnick: BP Hearing 3/30/09)

Response 7-3: As described in Chapter 7, “Historic Resources,” an inventory of 28 potential architectural resources (i.e., buildings that appeared to meet one or more of the National Register criteria) was submitted to the New York City Landmarks Preservation Commission (LPC) for review and evaluation. The inventory of potential resources included the six buildings listed in the comment; LPC determined that only two of the buildings in the comment appear eligible for Landmark designation. LPC determined that both the Shore Theater and the Childs Restaurant

on Surf Avenue appear eligible for Landmark designation and listing on the Registers. LPC determined that Nathan's Famous restaurant appears eligible for listing on the Registers, but not for Landmark designation. LPC determined that the other three properties listed in the comment (Henderson's Music Hall, the Grashorn Building, and the Coney Island Bank) do not appear to meet the eligibility criteria for Landmark designation or listing on the Registers. Of the 28 potential resources, LPC also determined that the Astro Tower and Astroland Park Rocket appear eligible for listing on the Registers, the row houses at 2841-2863 West 20th Street (outside of the rezoning area) appear eligible for listing on the Registers, and that the Our Lady of Solace complex (outside of the rezoning area), the school appears eligible for Landmark designation and listing on the Registers, and the church and convent appear eligible for listing on the Registers.

Designation of any building in the rezoning area as a City Landmark will be at the discretion of the LPC and is not part of the Proposed Actions. However, both the Shore Theater and Childs Restaurant would be preserved under the Proposed Actions. In 2008, Coney Island USA purchased Childs Restaurant on Surf Avenue, with assistance from the City of New York, on condition that it be preserved for continued amusement and cultural uses, and one of the goals of the proposed special district is ensuring that the existing iconic amusements in Coney Island (such as the Parachute Jump, the Cyclone, Wonder Wheel, Childs Restaurant building on the Boardwalk, and the Shore Theater) are integral to the redevelopment effort. Further, NYCEDC accepted the donation of the Astroland Park Rocket from the former owners of Astroland Amusement Park in January 2009, and the rocket was moved to a storage facility in anticipation of its possible replacement in Coney Island within the proposed amusement park.

Comment 7-4: It is possible for the Parachute Jump to once again bring enjoyment to thousands of Coney Island visitors. A feasibility study should be done to determine if it can be updated to today's technology to bring it back as a thrill ride. (Markowitz, 4/27/09 and CPC Hearing 5/6/09)

Response 7-4: Since the Parachute Jump has been in City ownership, the prospect of reactivating the ride has been discussed and assessed. As early as 1969, and since then, DPR has studied the operational constraints on the ride's activation, determining that the prospect of identifying a concessionaire who could profitably operate the ride was problematic. In 2002, in connection with the structural enhancements to the Parachute Jump by STV, Inc., it was discussed that activation of the structure would require additional interventions and potential structural changes (that would likely alter that appearance and integrity of the designated New York

City Landmark), both of which were exorbitantly expensive and determined infeasible. As recently as 2007, NYCEDC and DPR discussed the prospect of activating the Parachute Jump with Sandor Kernacs, President of Intamin Rides, LLC, a preeminent designer and engineer of amusement park rides. Mr. Kernacs met with City officials to discuss the challenges associated with the potential reactivation of the Parachute Jump. While no formal assessment was solicited, Mr. Kernacs again clarified that the Parachute Jump, should it operate in today's environment and meet modern safety standards, would necessarily be substantially altered, and that the capital needed for stabilizing the structure (as assessed by STV, Inc.) and installing the necessary ride infrastructure (cables, winches, conduit, etc.) would be substantial.

Additionally, with a review of the historic operations and expenses and the operational requirements and constraints associated with the operation of the Parachute Jump, DPR has, at several junctures, assessed the feasibility of a stand-alone concession for the Parachute Jump at various price points (including \$15, \$20, and \$25 per ride), and determined that, when weighing potential seasonal revenue against operational costs associated with personnel and other expenses, a stand-alone concession is likely infeasible.

Comment 7-5: The City should consider protecting the Astro Tower, one of the remaining artifacts from the 1964 World's Fair. (MAS: CPC Hearing 5/6/09)

Response 7-5: Although LPC determined the Astro Tower to appear eligible for listing on the State and National Registers of Historic Places, they determined that it did not appear eligible for Landmark designation. It is noted that the tower is currently located on private property and is already anticipated to be removed in the Future Without the Proposed Actions.

Comment 7-6: The FEIS should include official determinations from the State Historic Preservation Officer (SHPO). If there are additional determinations of significance, the FEIS must include a study of the impacts and appropriate mitigation. (MAS: CPC Hearing 5/6/09)

Response 7-6: Since the project is a New York City-sponsored initiative, the LPC is the appropriate review agency for the evaluation of potential architectural resources.

Comment 7-7: Coney Island should be viewed as a historic landmark, similar to Nathans, the Cyclone, and the Wonder Wheel. (Fiore: CPC Hearing 5/6/09)

Response 7-7: Coney Island as an area would not appear to meet the eligibility criteria for historic district designation because much of the historic amusement area is vacant land and many of the remaining structures have been determined to not meet the eligibility criteria for Landmark designation or National Register listing. (See also Response 7-3.)

CHAPTER 8: URBAN DESIGN

Comment 8-1: The visual and pedestrian connection between Surf Avenue and the Boardwalk has been effectively eliminated. The City does not take into account the necessary path required for a hotel guest to access the Boardwalk and beach, or for a beach user to purchase a beach towel at a retail store. This clearly demonstrates the lack of integration and flexibility in the plan. Depending upon the operating conditions of the amusement park, including issues such as admission, safety, and security, the amusement park could, in fact, create a five-block-long physical barrier between Surf Avenue and the Boardwalk. (Callison: CB 13 Hearing 3/3/09)

Response 8-1: Currently, there is no visual connection between Surf Avenue and the beach because of the elevated boardwalk that blocks views. Under the Proposed Actions, there would be new visual as well as enhanced pedestrian connections between Surf Avenue and the Boardwalk with the creation of raised street grades (see Chapter 8, “Urban Design and Visual Resources”). Planning for amusement park operations will take into consideration public access to the Boardwalk and the beach.

Comment 8-2: Zoning should be amended to keep the south side of Surf Avenue low-rise (below 25 feet). Buildings south of Surf should be limited to six stories. (MAS: CPC Hearing 5/6/09, Pontani, Rivero, Kahl: BP Hearing 3/30/09, Eagan: CB 13 Hearing 3/3/09, Kahl: CB 13 Hearing 3/3/09, Denson: CB 13 Hearing 3/3/09, Albert: CB 13 Hearing 3/3/09, BoB: CB 13 Hearing 3/3/09)

Response 8-2: As described in Chapter 8, “Urban Design and Visual Resources,” base heights on the south side of Surf Avenue in the Coney East subdistrict would be limited to a minimum height of 35 feet and a maximum height of 45 feet in keeping with existing conditions where buildings range from one to three stories. The south side of Surf Avenue currently has a mix of buildings that includes several three-story structures, which are some of the older buildings in the subdistrict.

Coney Island Rezoning

Comment 8-3: No new housing should be contemplated on the south side of Surf Avenue that will be higher than whatever height is allowed on the north side. (CB 13 Recommendations: 4/1/09)

Response 8-3: The proposed zoning has the same maximum height on either side of Surf Avenue.

Comment 8-4: The City proposes to raise the elevation of several streets, which would better relate to active ground floors of buildings, which must be located above the 100-year flood elevation. This will greatly improve the pedestrian experience throughout the area.

Because of existing conditions, not all streets can be raised to the new elevation. Where the street cannot be raised, there will be a height difference between the sidewalk and ground-floor retail. This would occur on parts of Surf Avenue and parts of Ocean Way. Ramps and stairs may be required, and because of this it is difficult to provide access to more than two retail establishments per block. Retail frontage requirements should be steady as one way to reduce the number of entrances. Our goal is to avoid a steep climb up to the Boardwalk and to create a better transition to the beach and pedestrian-friendly access to neighboring buildings, including Childs. This requires very careful design to succeed in accommodating 20-foot-wide sidewalks, tree pits, and sidewalk walking areas, as well as ramps and steps to get up to the store and the maximum height differential of up to five feet. (Kittredge: CPC Hearing 5/6/09)

Response 8-4: This issue is currently under review by the CPC. Any CPC modifications related to this issue will be the subject of further environmental review.

Comment 8-5: Childs Restaurant and other existing buildings should be restored, but these neighborhood assets also constrain the site, pushing more of the building bulk vertically into taller towers. Regarding building, we have proposed alternate dimensions which will improve significantly on marketability and economic feasibility of the project, yet preserve the plan. (Kittredge: CPC Hearing 5/6/09, Shalam: CPC Hearing 5/6/09)

Response 8-5: This issue is currently under review by the CPC. Any CPC modifications related to this issue will be the subject of further environmental review.

Comment 8-6: The City's exclusion of retail, entertainment, or restaurant uses directly adjacent to the Boardwalk, in concert with the City's imposed limit on Use Group C of 50 percent of the frontage along Wonder Wheel Way

and Bowery, eliminates substantial retail opportunities, effectively relegating retail to the side streets, along blocks with shorter dimensions. (Callison: CB 13 Hearing 3/3/09)

The City's plan will likely isolate most of the major points of sale and retail locations proposed along Bowery, Wonder Wheel Way, and Surf Avenue. Unlike the Thor Stillwell design, which takes the natural flow of pedestrian traffic into account, the City's rezoning plan runs the risk of cutting off retailers from the major thoroughfare. The amusement zone in the City's rezoning plan has merit as a traditional open amusement park design, but lacks integration with the major indoor entertainment, hotels, and shopping experiences. The end result is the creation of isolated areas of development subject to hot and cold traffic areas and thus less appealing rental space. (Lococo: CB 13 Hearing 3/3/09)

The plan isolates programming in such a way that none of it can succeed independently. A healthy mix of use will drive traffic year-round and keep the area active and vital. (Thinkwell: CB 13 Hearing 3/3/09)

Plenty of indoor amusement uses could anchor the district as a year-round destination; non-amusement uses are not necessary. (Rivero: BP Hearing 3/30/09)

Beyond a certain point, the effort to turn Coney into a year-round district will undermine its success as a seasonal destination. The City needs to understand seasonality primarily as an asset and an opportunity, not as an obstacle. The off season has potential for all manner of temporary uses and events, e.g., Christmas villages and ice sculpture competitions. Coney's off season could host a variety of citywide events far more exciting and unique than ordinary year-round recreational uses or retail could ever hope to be. The City needs to envision a larger and unfailingly unique Coney Island amusement park, rather than squander the district's potential in the name of a commonplace formula that, in playing it safe, excites no one. (Rivero: BP Hearing 3/30/09)

Response 8-6:

The Coney East subdistrict is based on a cohesive vision for the 27-acre amusement district that enhances and expands the range of allowable uses and the density of new development along with the 9-acre open amusement area that will be preserved in perpetuity through parkland mapping. Overall, the interface between the Boardwalk and the Coney East subdistrict is intended to be a very vibrant and active area, with direct connections from the beach and the Boardwalk to the open amusement area and to West 10th Street, Stillwell Avenue, and West 15th and 16th Streets. Surf Avenue will be the major commercial

corridor providing for amusement and retail uses and will serve as the key gateway to accessing many of Coney Island's key attractions, including the existing and proposed amusement areas closer to the Boardwalk, the Aquarium further to the east, and KeySpan Park just to the west. In addition, Wonder Wheel Way and Bowery provide for additional pedestrian and vehicular circulation and activate more amusement and retail frontages. They also link key Coney attractions including the Cyclone, the Wonder Wheel, and the Parachute Jump, and create new view corridors leading toward the Parachute Jump at the proposed Steeplechase Plaza.

Comment 8-7: The City's proposed outdoor area will be lifeless and absent of any activity in the winter months, as the rides are winterized and closed off for the season. (Lococo: CB 13 Hearing 3/3/09)

Response 8-7: As described in the Chapter 1, "Project Description," 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. This would be accomplished by creating a 27-acre amusement and entertainment district that includes a 9.39-acre mapped amusement park. Under the proposed zoning, enclosed amusements could be located within the mapped amusement park—in addition to the enclosed amusements outside of the park boundaries—to provide year-round activity. Further, Coney Island's historic amusement character is defined by a combination of both open and enclosed amusements. Coney Island's three remaining iconic amusements—the Cyclone, the Wonder Wheel, and the Parachute Jump—are open amusements.

Comment 8-8: The street pattern proposed by the City, which contributed to the inability to provide on-site parking, also compromises the idea of attracting and supporting year-round uses. The City's proposals require open-air connections between uses, a distinct disadvantage for nine months of the year on a temperate zone oceanfront. The failure to allow the creation of developments responsive to New York City's sometimes harsh climate will further retard a viable future for Coney East. (Masyr: CB 13 Hearing 3/3/09)

Response 8-8: The proposed zoning for the amusement district would allow for a balance between indoor and outdoor uses. In addition, the proposed street pattern would create new north-south and east-west connections through the Coney East subdistrict, integrating the various uses and

blocks and improving pedestrian access through the area. The proposed Wonder Wheel Way and Ocean Way would also create new east-west connections between the Coney East and Coney West subdistricts. The street pattern would conform to the typical New York City urban design form of street grids that create walkable blocks with active ground-floor uses.

Comment 8-9: Through the utilization of savvy urban planning and superior architecture, Taconic’s residential development will produce lively, vibrant streets filled with light, activity, retail, and public spaces. (Shalam: CB 13 Hearing 3/3/09)

Response 8-9: Comment noted.

Comment 8-10: View sheds to the present landmarks are all cut off, except along the Boardwalk. This would be improved if Wonder Wheel Way were straightened. (Thinkwell: CB 13 Hearing 3/3/09)

Response 8-10: As described in Chapter 8, “Urban Design and Visual Resources,” the proposed Wonder Wheel Way would create new east-west view corridors through the Coney East subdistrict to the Parachute Jump, Wonder Wheel, and Cyclone. The extension of Bowery between West 10th and West 15th Streets would extend east-west views along this view corridor, creating new views to the Cyclone. Bulk regulations in the Coney East subdistrict would preserve existing southward views on Jones Walk from Surf Avenue to the Wonder Wheel and would improve eastward views on Surf Avenue to the Cyclone. Further, the proposed Parachute Way would create enhanced southward views to the Parachute Jump from Surf Avenue.

Comment 8-11: The Wonder Wheel will be lost in the mix at its current location and should perhaps be moved to the end of Stillwell Avenue. (Thinkwell: CB 13 Hearing 3/3/09)

Response 8-11: The Wonder Wheel is a designated New York City Landmark and cannot be moved without approvals from the LPC. As described in Chapter 8, “Urban Design and Visual Resources,” the height, setback, and bulk regulations described above are intended to create a compelling skyline, transition downward from the higher-density development along Surf Avenue to the open amusement park and the beach and the Boardwalk, and preserve views of the Wonder Wheel, as well as the Cyclone and Parachute Jump. Further, as described in Chapter 7, “Historic Resources,” by mandating low-rise buildings on the blocks between the proposed Wonder Wheel Way and Bowery, the iconic presence of the Wonder Wheel would be preserved within the

amusement area. In addition, the proposed actions would have beneficial effects on the settings of the Wonder Wheel by including it within the new large open amusement area; while the Wonder Wheel is currently located within an existing amusement park, that park is small and partially surrounded by vacant land and parking lots. As described in the response to Comment 8-14, the creation of Wonder Wheel Way would create a new east-west view corridor between the Cyclone and Parachute Jump that would pass alongside the Wonder Wheel, providing new views of these resources.

Comment 8-12: With no one to enforce the quality, diversity, and design of the offering, Coney will devolve to the least common denominator. Who will maintain the design intent after opening? A Coney Island Design Committee should be established that will ensure that a link exists between the new zoning and the overall design aesthetic with regards to architecture, signage, lighting, and the preservation of appropriate buildings and amusements. Along with these, the committee will be tasked with upholding certain aesthetic values for an over-the-top design for both now and in the future, while giving the best consideration to having iconic sites incorporated as sites redevelop. Creation of a design committee will ensure preservation of Coney Island's glitz and bling. (Thinkwell: CB 13 Hearing 3/3/09, Markowitz: BP Hearing 4/27/09 and CPC Hearing 5/6/09)

Response 8-12: Comment noted. The Special District regulations promote a diversity of uses and flexibility of design, and will help promote vibrant design consistent with the amusement area character of Coney Island.

Comment 8-13: The impact of the proposed towers on the south side of Surf Avenue would be significant from numerous vantage points, including, crucially, from that of visitors arriving by subway at the Stillwell Avenue station. In particular, the DEIS understates the impact of the proposed towers on views of iconic landmarks, including the Wonder Wheel, and the entire amusement skyline. (MAS: CPC Hearing 5/6/09, CB 13: CPC Hearing 5/6/09, Kahl: CB 13 Hearing 3/3/09)

Response 8-13: Chapter 8, "Urban Design and Visual Resources," of the DEIS assessed the potential impacts of the proposed towers in the Coney East subdistrict on urban design and visual resources and concluded that there would be no significant adverse impacts. Bulk regulations would limit development to only one tower per block on the south side of Surf Avenue, with towers located at the corners of blocks so as not to eliminate views of the historic amusement visual resources. The FEIS includes an expanded discussion of the proposed actions' effects on

views of the Wonder Wheel in Chapter 8, “Urban Design and Visual Resources.”

Comment 8-14: One of the dominant natural features of Surf Avenue is its sense of openness and horizon. The proposed towers—even the development of their bases up to 45 feet as proposed—would irrevocably alter the pedestrian experience of the Avenue. (MAS: CPC Hearing 5/6/09)

High rises would cast a pall over Coney’s seaside atmosphere. The City made a promise in 1972 never to build high rises in the amusement zone. (Denson: CB 13 Hearing 3/3/09)

Response 8-14: The existing open character of Surf Avenue is largely due to the presence of numerous vacant lots and surface parking lots along the avenue. While development along Surf Avenue under the proposed actions would alter the urban design of the avenue, the replacement of mostly vacant and underutilized lots with new buildings containing amusement, retail, hotel, and residential uses would improve the streetscape and pedestrian experience along Surf Avenue and throughout the rezoning area. The proposed bulk regulations governing streetwall locations, base heights, transition heights, and maximum building heights were carefully considered to: preserve views to the Parachute Jump, Cyclone, Wonder Wheel, and beach; decrease building heights and bulk to the north from Surf Avenue to match the contextual low-rise residential neighborhood to the north of Mermaid Avenue; decrease building heights and bulk southward from Surf Avenue to preserve the sense of openness along Riegelmann Boardwalk and the beach, and to preserve east-west views along the Boardwalk; decrease building heights eastward on Surf Avenue in Coney East to preserve views of the Cyclone roller coaster; and decrease building heights southward in Coney East to create a low-scale character along the open amusement park.

Comment 8-15: The DEIS does not include renderings which demonstrate the impact of the proposed developments. This should be addressed in the FEIS by including renderings of the proposed towers from as many significant vantage points as possible, especially looking east along Surf Avenue, from the Stillwell Avenue subway station and Riegelmann Boardwalk. The renderings of the project do not realistically depict the actual finished product. Scale, physics, and architecture are all exaggerated, so it’s hard to make totally informed comments. (MAS: CPC Hearing 5/6/09, Thinkwell: CB 13 Hearing 3/3/09)

Response 8-15: The Proposed Actions include mapping and zoning actions not associated with specific developments, so it is not possible to present

renderings of what would actually be constructed pursuant to the proposed actions. Therefore, the DEIS assessed an RWCDs of what could be built in terms of amount, type, and location, and it presented five conceptual renderings of what could reasonably occur pursuant to the proposed actions. Further, the urban design analysis presented a detailed assessment of the RWCDs based on the proposed text amendment and its regulations governing use, bulk, and height.

Comment 8-16: Avoid any construction of new buildings that eclipse the height of the Parachute Jump. (CB 13 Recommendations: 4/1/09)

Response 8-16: Maximum building heights would be limited to 270 feet, which is the height of the Parachute Jump. This height could only be achieved through the provision of affordable housing. No structures would be allowed to be taller than the Parachute Jump.

Comment 8-17: If the Russos are to participate in Coney Island's renewal, it needs to construct a new 25,000-square-foot restaurant fronting on Surf and 375 restaurant-devoted parking spaces, with housing built on top of that.

Regarding the Russos's blocks in Coney North and Mermaid:

1) What urban design principle is served by the Buffer Zone if it yields a Section that looks like this?

i) With the 15th and 16th Street mid-blocks stepping down from tower height at Surf to 85 feet, then 60 feet, then 23 feet at the Buffer Zone and back up to 80 feet on Mermaid;

ii) Causing the rear of the Mermaid facades to face the blank wall of the five-story parking garage opposite;

iii) Depriving nearly every unit of housing in the perimeter block the benefit of the interior gardens.

2) How does the massing shown on the Section and Axo (stepping from Tower and 85 feet base height on Surf, down to 60 feet at the mid-block, and back up to 80 feet on Mermaid) reflect the ever-decreasing scale of Mermaid and the area to the north of it, as the EIS states it should?

3) What purpose is served by preventing four stories of perimeter housing from wrapping around an interior garden, which would have been possible if the midblock could rise to 80 feet, with a 6th floor setback, as it already can on Mermaid?

4) What is the intent behind limiting the Tower floor plates to 8,500 sf, when that would, at great cost, allow for only seven units per floor? (Perlmutter: CPC Hearing 5/6/09)

Response 8-17: The transition area will provide an appropriate transition between the higher-density Coney North subdistrict and the lower-density Mermaid Avenue subdistrict. Tower floor plates were defined to facilitate the development of the parcels while protecting views to the ocean and the historic icons from the side streets.

CHAPTER 10: NATURAL RESOURCES

Comment 10-1: Native trees and shrubbery should be used throughout the rezoning area to provide habitat for the large number of migratory birds that pass over the Coney Island peninsula. (Sanoff: CPC Hearing 5/6/09)

Response 10-1: Comment noted.

Comment 10-2: What measures will be taken to collect dead and dying rodents so that they are not consumed by birds of prey? Who will be responsible for enforcing those measures? (Sanoff: CPC Hearing 5/6/09)

Response 10-2: Construction activities are assumed to be in compliance with all regulations pertaining to control of debris from construction sites.

CHAPTER 13: INFRASTRUCTURE

Comment 13-1: There needs to be additional infrastructure to support the new development. (Abdelrahman, GordonRides, Harris: CB 13 Hearing 3/3/09, GordonRides: CPC Hearing 5/6/09, ACORN: BP Hearing 3/30/09 and CPC Hearing 5/6/09, Gotlieb: CB 13 Hearing 3/3/09)

Infrastructure has to be corrected and fixed; we have been struggling with it for years. (CB 13 Reichenthal, Mobley; 5/6/09, Huling: CPC Hearing 5/6/09, Smalls: CB 13 Hearing 3/3/09)

Sewers are already overloaded, electrical blackouts are constant, and there is a lack of heat in high rise buildings. (CIGA, Melnick: CB 13 Hearing 3/3/09 and BP Hearing 3/30/09, ACORN: CPC Hearing 5/6/09 and BP Hearing 3/30/09)

This is an opportunity to improve infrastructure. (Pratt: BP Hearing 3/30/09)

Institute work on the antiquated infrastructure on the peninsula in order to safeguard any new construction. The problems of drainage, sewers, waterlines, electricity, power, and other infrastructure needs must be

eradicated to ensure quality of life for current residents of Coney Island. (CB 13 Recommendations: 4/1/09, Carney: CB 13 Hearing 3/3/09)

Response 13-1:

City Environmental Quality Review (CEQR) analysis looks at water and sewer infrastructure in Chapter 13, “Infrastructure,” and potential impacts on electricity and gas are collectively examined in Chapter 15, “Energy.” In general, localized delivery infrastructure to new water, sewer, electrical, and gas services would be provided to support the new development in the rezoning area and design and installation of new or upgraded utility systems would be coordinated with the appropriate utility provider.

The EIS addresses infrastructure issues regarding sanitary and storm sewer systems and an Amended Drainage Plan (ADP) associated with the rezoning project is being prepared and will be implemented by DEP. The ADP will identify sanitary and storm sewers required to accommodate increased flows generated by the proposed rezoning. The ADP scope of work includes the rezoning area, as well as the downstream sewers that would convey sanitary and storm flow from the rezoning area to the downstream discharge points at the interceptor in Neptune Avenue for sanitary flow and Coney Island Creek or the Atlantic Ocean for storm flow. The ADP will address Rezoning, Mapping/De-Mapping, and any major changes to the existing sewer network.

The delivery of heat (or lack of heat) within existing high rise towers would be unaffected by the Proposed Actions and is beyond the scope of the EIS assessment.

Comment 13-2:

Sewers and street improvements should extend to 20th and 22nd Streets to include 21st Street. (Shalam: CPC Hearing 5/6/09)

Response 13-2:

West 21st Street is included in the ADP.

Comment 13-3:

A moratorium should be placed on further construction until infrastructure needs are completely satisfied and compatibility with the existing residential and amusement communities established. (Melnick: CB 13 Hearing 3/3/09 and BP Hearing 3/30/09)

Response 13-3:

The ADP currently being prepared and implemented by the City will identify the timing and sequencing of infrastructure improvements and how development may proceed based on the improved infrastructure. In addition, as set forth in Chapter 13: “Infrastructure,” self-certification of site connection applications will not be permitted by the Department of Buildings in connection with any proposed development in the subject rezoning area and all applicants will be required to submit a site-specific

hydraulic analysis to DEP to establish the adequacy of existing sanitary and storm sewers to serve the proposed developments, in order to obtain site connection approval.

Comment 13-4: Page 13-18 of the DEIS mentions redirecting stormwater runoff to Coney Island Creek. With the Avenue V Pumping Station being upgraded, there is an opportunity to improve water quality in the Creek. Diverting more stormwater defeats that objective. Furthermore, the Creek enters Gravesend Bay, which provides Essential Fish Habitat for many species of fish and borders Dreier Offerman Park, which provides habitat for many species of shorebirds. (Sanoff: CPC Hearing 5/6/09)

Response 13-4: The ADP currently under development is based on a separate storm drain system; its discharge into Coney Island Creek would not be related to a Combined Sewer Overflow (CSO) event and would not increase untreated sanitary sewage into the Creek. Therefore, it would not adversely affect the benefits associated with the Avenue V Pump station improvements. In addition, required on-site detention and treatment for all new development based on City-wide regulations would further minimize pollutant loading from the storm discharge into Coney Island Creek.

Comment 13-5: Are plans to use stormwater detention facilities really feasible? Page 13-14 of the DEIS indicates that sanitary sewer trunk mains are already at capacity and that there are similar issues with surcharged sewer lines. The DEIS avoids the issue and suggests that increased development will be acceptable if stormwater can be addressed with detention facilities and stormwater BMPs. A previous attempt to use retention basins at Seaside Park, right outside the planned development area, has been a total failure. Bioswales, mentioned in the DEIS, do not function if groundwater is too close to the surface. Use of green roofs and porous pavements will help somewhat with stormwater retention, but is not adequate. (Sanoff: CPC Hearing 5/6/09 and CB13 Hearing 3/3/09)

Response 13-5: As discussed in Chapter 13, "Infrastructure," on-site detention of stormwater will primarily take place with either underground detention chambers or roof detention facilities, with a controlled outflow device to an adjacent storm sewer. Both of these practices are feasible and currently used throughout New York City to provide on-site stormwater detention. Additional BMPs, such as infiltration or bioretention, may be utilized to further enhance the detention facilities as field conditions allow.

Comment 13-6: The impact of the Rezoning Plan on the potable water supply to areas west of the planned redevelopment needs more study. (Sanoff: CPC Hearing 5/6/09 and CB13 Hearing 3/3/09)

Response 13-6: As set forth in Chapter 13, “Infrastructure,” the EIS assessment indicates that there would be no significant adverse impact on the provision of potable water generated by the Proposed Actions. This includes both the regional supply and delivery of water, as well as local water pressure. As with many buildings throughout the City, taller buildings in the rezoning area may require supplemental pressure boosters, and this has no affect on the distribution system. Additionally, as noted in the EIS, DEP is planning future water supply improvements within Coney Island to improve water pressure within the area. Based on information obtained from DEP regarding their proposed improvements, it is understood that one 36-inch trunk main would be required in the following locations: Stillwell Avenue between Surf and Neptune Avenues; Surf Avenue between Stillwell Avenue and West 31st Street; West 31st Street or West 37th Street between Surf and Neptune Avenues; and Neptune Avenue between Stillwell Avenue and West 31st Street.

Comment 13-7: There were no attempts to consider the impacts of the planned amphitheater at Surf Avenue and West 5th Street. Even though it’s outside the rezoning area, it will result in increased water usage, stormwater runoff, and demand on sewage pipes. (Sanoff: CPC Hearing 5/6/09)

Response 13-7: There would be little or no cumulative impact of these projects on the water supply and storm or sanitary sewer systems. The only overlap is in the separate storm systems, and the ADP will consider the incoming flows from the area of the planned amphitheater. The sanitary system is within a separate sub-basin district, and water supply is provided on a regional basis.

Comment 13-8: The commitment of resources to construct the infrastructure necessary to support the level of proposed multi-use development has not been identified. The replacement of sanitary and storm sewers, freestanding parking garages, and relocation of City facilities are precursors to various aspects of the Coney Island Plan. Yet the timing and funding of these substantial projects have been overlooked and dismissed with a “we don’t do it this way” response. We do not believe this is an adequate response, nor is it in compliance with State law. (Masyr: CPC Hearing 5/6/09, Denson: CB 13 Hearing 3/3/09)

- Response 13-8:** SEQRA does not estimate the funding required for infrastructure improvements. The various infrastructure improvements associated with the proposed Coney Island Rezoning will be undertaken pursuant to the City's capital budget and construction processes. As described in Chapter 13, "Infrastructure," an Amended Drainage Plan is currently being developed, with an expected completion date of mid-2010. Beginning in Fiscal Year 2010, money will be allocated in the City's budget for design and construction of the "Coney North B" and "Coney East" phases of the proposed water and sewer infrastructure plan (see Figure 13-6 in Chapter 13, "Infrastructure").
- Comment 13-9:** Although the Knapp St. Water Pollution Control Plant (WPCP) currently has enough capacity to accommodate the Rezoning Plan, it gives a false sense of security. It drains a huge area where development has been ongoing, e.g., Sheepshead Bay and Brighton Beach. Single-family homes are routinely turned into multi-family dwellings. Yet there was no attempt to assess the cumulative impacts of the development planned for the Rezoning Plan in conjunction with other large projects that are underway or planned within the Knapp Street WPCP's drainage area. (Sanoff: CPC Hearing 5/6/09)
- Response 13-9:** As set forth in Chapter 13, "Infrastructure," the EIS assessment looks at the new sanitary sewage flows generated by the project in the context of long-range demand forecasts established by DEP for the WPCP, and therefore incorporates the trends noted above and known development projects in the drainage area.
- Comment 13-10:** There were no attempts to address and acknowledge "end of pipe" issues. Centrate water from the Knapp Street WPCP contains nitrogen compounds that cause overgrowth of algae, oxygen depletion, and marsh destruction in Jamaica Bay. There are also both estrogens and endocrine disrupters in WPCP centrate, which in Jamaica Bay has caused physical anomalies in various species of fish and shifts in the male/female ratio. These impacts will increase as increased amounts of sewage are treated at the plant. (Sanoff: CPC Hearing 5/6/09)
- Response 13-10:** Given that the increased sanitary waste is within the capacity limit for the WPCP, as specified in the State Pollutant Discharge Elimination System (SPDES) permit, the change in flow generated by the Proposed Actions would not affect compliance with the effluent limits in the SPDES permit, and the proposed actions would not result in significant adverse impacts to water quality of Shell Bank Creek or Jamaica Bay.

Coney Island Rezoning

Comment 13-11: Previous attempts to establish the adequacy of existing sanitary and storm sewers have created more problems than they solved. What steps will be taken to detect improper sewer connections? (Sanoff: CPC Hearing 5/6/09)

Response 13-11: Enforcement of existing sanitary connections is outside the scope of the EIS assessment. However, it is noted that within the area of new infrastructure, as described in Chapter 13, "Infrastructure," any new sewers placed in the street will have to make new connections for existing users so that proper connections are in place going forward.

Comment 13-12: Increasing dry weather flows to the Knapp Street WPCP decreases wet weather capacity. This will lead to decreased water quality and increased amounts of floatable debris on area beaches. (Sanoff: CPC Hearing 5/6/09)

Response 13-12: As noted above, the WPCP has sufficient capacity to serve new development generated by the proposed Coney Island Rezoning. Specifically, since the rezoning area is in an area of separate sanitary and storm sewers, it is noted that the Proposed Actions sanitary waste is directly drained to the WPCP and other drainage subareas with combined sewers would not be affected by project. Additionally, their CSO diversions (where regulators allow two times the dry weather flow) would have occurred prior to arrival at the plant.

Comment 13-13: Our current sewage system backs up into the streets and people's homes. Our streets are flooded with water from the ocean every time there are heavy rain storms. Flooding must be addressed before building is considered. (CB 13 Reichenthal: CPC Hearing 5/6/09, Huling: CPC Hearing 5/6/09, Gotlieb: CB 13 Hearing 3/3/09)

Response 13-13: With the infrastructure improvements incorporated into the new ADP, and as analyzed in the EIS, the proposed Coney Island Rezoning would not exacerbate flooding conditions or sewer backups in the larger area. Within the boundaries of the ADP, the project would provide storm sewers where none currently exist, which should improve localized street flooding.

CHAPTER 14: SOLID WASTE

Comment 14-1: There needs to be strict enforcement of laws concerning merchants' use of private sanitation and better supervision of sanitation workers. (Melnick: CB 13 Hearing 3/3/09 and BP Hearing 3/30/09)

Response 14-1: Chapter 14, “Solid Waste and Sanitation,” presents an overview of how solid waste is handled in New York City, including the coverage provided by the Department of Sanitation (DSNY) and that provided by private carters. The EIS indicates that new solid waste generated by the Proposed Actions can be accommodated and would be within the parameters of the City’s Solid Waste Management Plan. Enforcement of sanitation process is beyond the scope of the EIS assessment.

CHAPTER 15: ENERGY

Comment 15-1: Con Edison and Verizon must bring their systems up to standard and enhance it in anticipation of possible expansion. (Melnick: CB 13 Hearing 3/3/09 and BP Hearing 3/30/09)

Telephone service in Coney Island must be improved. (Carney: CB 13 Hearing 3/3/09)

Response 15-1: Chapter 15, “Energy,” indicates that the project’s energy demand can be accommodated within the regional supply and distribution of energy. Like all development projects, some improvements to the local utility infrastructure may be required to connect with the local utility distribution networks for electricity and natural gas. The City and individual developers will coordinate directly with Con Edison and other service providers. While not an impact assessment subject to environmental review, telecommunication providers such as Verizon and local cable service would require similar coordination.

CHAPTER 16: TRAFFIC AND PARKING

Comment 16-1: The issue of parking seems to be an afterthought. Based upon the restrictions placed upon the development parcels, parking on-site or even in close proximity is not possible. In the case of hotel operators, this is unacceptable. (Callison: CB 13 Hearing 3/3/09)

Searches should be ongoing to determine potential sites for off-site parking. Restaurants and other new businesses should not be responsible for handling their own off-street parking measures; it should be the role of the City. (CB 13 Recommendations: 4/1/09)

Response 16-1: DCP has worked very carefully throughout the process to develop an illustrative plan and zoning requirements that would be economically and operationally viable. Coney East is the only subdistrict in which the projected parking demand could not be accommodated entirely within the subdistrict. It is envisioned that Coney East would become an amusement destination with a variety of active uses, where quality pedestrian experience is of the utmost importance. There would

nevertheless be some parking available within the subdistrict to accommodate some of the parking demand generated by future hotel developments within Coney East. Substantial additional supply would also be available at the adjacent Aquarium parking lot, and within and nearby Coney North. The FEIS analyses indicates that the combined supply from these parking locations would adequately accommodate Coney East's weekday and weekend demand. Also, the approximately 350 parking spaces that would be created to replace the 200 parking spaces in the KeySpan Park satellite parking lot on West 21st Street could serve to accommodate potential overflow from Coney East during peak season.

Comment 16-2:

The new street grid pattern in Coney East has sliced and diced economically viable property assemblages. This, combined with rigid bulk requirements, has led to acknowledgement that provision of accessory parking space on-site in Coney East is limited. But since this is a necessary condition to obtaining any building permits, how will this problem be solved? Coney East property owners will be allowed to buy or lease additional property as far as a mile away to locate the required parking, but this is not really accessory. Closer spaces in public garages that may be built by the City on public land at public expense some time in the future cannot be relied on. Self-help by Coney East owners will be made more difficult and costly, since off-site garages must be underground or interior to a building mandated to contain other uses. This construction is an impediment rather than aid to encouragement of development. No purely privately financed development can occur with such conditions. (Levin: CPC Hearing 5/6/09)

Accessory parking is required for any development to proceed. The City has neither identified any available sites nor offered to make available space in the public garages that they may build on City land at public expense some time in the future. They will only allow a Coney East property owner to buy or lease additional property as far as a mile away to locate the required parking. The off-site garages must be underground or interior to a building which is mandated to contain other uses. This situation is an impediment rather than an aid to development. Searches should be ongoing to determine potential sites for off-street parking. Restaurants and other new businesses should not be responsible for handling their own off-street parking measures; it should be the role of the City. (Masys: CB 13 Hearing 3/3/09, CB 13 Recommendations: 4/1/09)

Response 16-2:

Like many pedestrian-oriented and small-scale but active urban districts, the streetscape is diminished by too much parking that can disrupt active sidewalks and continuous retail and amusement frontages.

The provision of parking balanced between limited on-site or local parking combined with accessory parking that is located adjacent or relatively nearby is a typical and reasonable planning approach. With a comprehensive parking strategy in place, this can free up development sites to have the best design unencumbered by the additional cost and space requirements of fully satisfying parking on-site. The FEIS assessment found in Chapter 16, "Traffic and Parking," identifies the Coney East parking capacity along with the identify parking capacity for Coney East demand in adjacent and nearby areas. The FEIS analyses indicates that the combined supply from these parking locations would adequately accommodate Coney East's weekday and weekend demand.

Comment 16-3: Any of the larger public assembly uses such as banquet facilities, theatres, arenas/auditoriums, and sports facilities, will require extensive parking requirements. It is unclear how parking and alternative transportation for these concentrated, high-traffic uses would be accommodated. (Callison: CB 13 Hearing 3/3/09)

Response 16-3: The illustrative plan analyzed in the DEIS encompasses a wide range of uses with different trip generation characteristics and parking requirements. In consultation with DOT, an RWCDs with conservative travel demand assumptions was developed for the impact analyses. Therefore, while some of the uses listed in this comment may be high trip generators and require extensive parking during certain time periods, they would be balanced by other less intense permitted uses.

Comment 16-4: Coney Island cannot accommodate additional vehicles from the nearly 5,000 planned new apartment units. For visitors, one or more remote parking lots should be built off the Belt Parkway. Cost of parking can include transportation into and through Coney Island on historic trolleys. (Melnick: CB 13 Hearing 3/3/09 and BP Hearing 3/30/09)

Response 16-4: In accordance with the *CEQR Technical Manual*, the EIS provides a reasonable worst case analysis to identify potential traffic impacts and recommend feasible mitigation measures. The anticipated reasonable development generated by the Proposed Actions is expected to result in about 2,400 new apartments. While the use of historic trolleys is not considered part of the proposed rezoning, the possibility of establishing other transportation demand and system management strategies to further improve transportation circulation and access is not precluded. However, the analysis of such strategies is beyond the scope of this EIS.

Comment 16-5: The pressing issue of parking capacity in Coney Island affects everyone. (Dohlin: CB 13 Hearing 3/3/09, Kahl: CB 13 Hearing 3/3/09)

Due to the lack of parking, local residents are forced to drive around for hours looking for available parking space. (Huling: CPC Hearing 5/6/09)

Response 16-5: The EIS analyses show that current parking supply in Coney Island is generally adequate but at or near capacity during summer weekends. The proposed rezoning would provide enough parking to adequately accommodate the new demand envisioned for the Coney Island districts, as well as yield additional on-street and off-street parking opportunities for the demand that may not be fully met today.

Comment 16-6: The plan acknowledges traffic issues within the development area, but not the several large projects immediately outside of the redevelopment area which will impact the entrance and exit routes to the redevelopment area. There are numerous traffic jams when entering or existing Surf, Neptune, or Cropsy Avenues. The impacts of the amphitheater at Asser Levy Park need to be studied. (Sanoff, Huling: CPC Hearing 5/6/09 and CB13 Hearing 3/3/09, Smalls: CB 13 Hearing 3/3/09, Jones: CB 13 Hearing 3/3/09)

Response 16-6: As set forth in Chapter 16, “Traffic and Parking,” and based on extensive coordination with DOT and DCP, the EIS analyses identify and incorporate as appropriate the travel demand from numerous “No Build” projects, including the amphitheater at Asser Levy Park (called the “Coney Island Center”), within and near the proposed Coney Island Rezoning in order to establish a conservative future background condition (the Future without the Proposed Actions).

Comment 16-7: There is no discussion in the DEIS of the impact on the community by development proceeding in Coney East prior to the development of the City's parking facilities. The parking spaces that the DEIS identified as necessary are, however, not prerequisites for development and are not required to be in place in conjunction with the Coney East revitalization. The DEIS does not take into consideration, year by year, how the residents will be affected by the parking shortfall that may occur, particularly during the peak summer season, when the shortage of parking is especially severe. (Masyr, Huling: CPC Hearing 5/6/09)

Response 16-7: As set forth in the final Scope, the EIS analyzes the anticipated supply and demand for parking throughout the Coney Island Rezoning area based on the RWCDS. In Coney East, new development would have to provide parking as established by the new Special Coney Island District text. As described in Chapter 1, “Project Description,” of the EIS, the City has identified five sites (two of which are owned by the City) where parking could be provided to satisfy the parking demand

generated by the hotels, restaurants, enhancing uses, and accessory retail located in Coney East, and one City-owned site to accommodate the parking demand generated by the proposed 9.39-acre amusement park. Thus, parking capacity will be expanded to meet demand as new development comes on line.

Comment 16-8: There is still no phasing plan outlined for the Coney Island Plan. The City's response to our comment on this issue was that the "RWCDs for an area-wide rezoning such as the proposed action is typically based on a ten-year time frame." However, since each aspect of the Plan—off-site parking, amended drainage plan and sewers, street grade changes, park mapping, housing including public parking, etc.—relies to some extent on the completion of some other component of the Plan, a timeline and critical path analysis should be provided so that the decision makers may assess the risks involved if one aspect of the Plan were to be delayed or canceled. This analysis would also be a reasonable basis for developing an alternative. (Masyr: CPC Hearing 5/6/09)

Response 16-8: Chapter 20, "Construction," in the FEIS describes the general phases in which the development scenario would be constructed and assigns build years for each phase. In addition, Chapter 13, "Infrastructure," of the FEIS describes the infrastructure phasing for the proposed actions. In particular, the analysis provides a critical path description of the infrastructure improvements necessary for growth in the rezoning area. The infrastructure phasing plan begins in Coney North, where drainage improvements need to be undertaken to allow connections throughout other parts of the rezoning area. From Coney North, the infrastructure improvements would next move into the Coney East subdistrict, and then to Coney West. The City has committed to initiate the first phases of these improvements in its 2010 Capital Plan.

Comment 16-9: A determination of the economic viability of requiring wrapped parking, and therefore its reasonableness, was not investigated. The response that "cost issues are outside the scope of the EIS" is inadequate. It is not outside the scope of the DEIS to determine the reasonableness of the proposal to ensure that it is not a sham. The Coney Island Plan anticipates the provision of parking in the residential developments to satisfy some of the parking demand from the Coney East amusement area. If this parking is not likely to be developed, the consequences should be addressed in the FEIS. (Masyr: CPC Hearing 5/6/09)

Response 16-9: The requirement of wrapped parking was a carefully considered design approach that balances the need for above-grade parking with

maintaining and enhancing the streetscape in Coney Island. With the proposed urban design recommendations, this balance would be achieved in Coney East. Wrapped parking is a common development practice, and is increasingly a key component of development projects throughout the United States. The FEIS analyses indicates that the combined future supply would adequately accommodate the parking demand generated by the proposed actions..

Comment 16-10: The Community Board does not want to see the elimination of the current Cyclones parking lot and the demapping of its parkland. (CB 13 Recommendations: 4/1/09)

Response 16-10: The potential redevelopment of the current KeySpan parking lot would require one-for-one replacement of the spaces currently provided at the lot. The KeySpan parking spaces will be replaced on site in structured parking garages within the proposed developments. This project provides a 1.5-acre net increase in mapped parkland in Coney Island.

Comment 16-11: Follow-up traffic studies, e.g., ingress and egress to and from the peninsula, shall be done at least once every two years, and for 20 years thereafter. Ongoing evaluations should be maintained as to the traffic patterns in and out of the peninsula, with careful analysis of the methodology of large-scale evacuations in the cases of storm surges, flood, blackouts, and other natural and/or man-made peninsula catastrophes. An immediate analysis and plan should be put into effect. (CB 13 Recommendations: 4/1/09, Melnick: BP Hearing 3/30/09)

Response 16-11: DOT regularly monitors traffic conditions on city streets and a specific Coney Island Rezoning monitoring plan has been proposed based on the findings of the detailed traffic impact assessment presented in Chapter 16, "Traffic and Parking." In terms of evacuation planning, it is noted that New York City actively plans for emergency situations throughout the City through its public safety agencies (NYPD, FDNY, and the Office of Emergency Management [OEM]). OEM maintains and updates its hurricane and flood response plans on a city-wide basis.

CHAPTER 17: TRANSIT AND PEDESTRIANS

Comment 17-1: Subway service should be enhanced, including an F express and bringing the B into Stillwell. (Melnick: CB 13 Hearing 3/3/09 and BP Hearing 3/30/09)

Create more efficient transportation to and from the 'island' with the use of express trains on existing transit lines—not only the F—but include each of the lines that reach the shore area. Extended service must be

planned for weekends, in particular, with at least increased services from 10 AM to 7 PM. In addition, there should be the initiation of ferry service to and from Lower Manhattan and Coney Island. (CB 13 Recommendations: 4/1/09, Dohlin: BP Hearing 3/30/09)

Response 17-1: The Metropolitan Transit Authority (MTA) and the New York City Transit Authority (NYCTA), subject to operational and fiscal constraints, regularly evaluate and adjust transit service based on changes in ridership levels. “With regard to ferry service between Lower Manhattan and Coney Island, there are currently several operators that provide waterborne transportation in New York City. As travel demand increases, the need for such service could materialize, making the initiation of a ferry service more viable for Coney Island.”

Comment 17-2: Brooklyn City Streetcar Company’s plan to build and operate a trolley line from the remote lots should be adopted, replacing the B36 bus on Surf Avenue. The trolley would operate on the Metrocard system, providing free transfer to MTA facilities. This would have a positive environmental impact, and the historic trolleys would bring additional people to Coney Island’s businesses. (Melnick: CB 13 Hearing 3/3/09 and BP Hearing 3/30/09)

Response 17-2: Comment noted.

Comment 17-3: There are no elevators available at Stillwell Avenue subway station to accommodate our senior citizens and the disabled. (Huling: CPC Hearing 5/6/09)

Response 17-3: The Stillwell Avenue Station is one of the most recently rehabilitated subway stations in the City. Although it does not contain elevators, it incorporates ADA-compliant ramp connections to the various subway platforms.

CHAPTER 20: CONSTRUCTION

Comment 20-1: How will construction proceed? (Thinkwell: CB 13 Hearing 3/3/09)

Response 20-1: In Chapter 20, “Construction,” the FEIS provides a detailed description of the anticipated phasing and sequencing of construction activities. In summary, construction of the buildings and other development that would result from the proposed actions is expected to occur over a 10-year period, with construction activities and intensities varying, depending on what components of the overall development are under way at any given time. While construction resulting from the proposed actions would cause some temporary disruptions to pedestrian circulation, traffic, noise, and air

quality, none of these would result in significant adverse impacts on land use since they would not occur at a single location over a prolonged time period.

Comment 20-2: What measures will be taken to prevent the dispersal of Styrofoam (and other floatable debris) onto area beaches and waterways during the extensive construction that will be generated by the Rezoning Plan (besides calling 311), and how will these measures be enforced? (Sanoff: CPC Hearing 5/6/09)

Response 20-2: Construction activities are assumed to be in compliance with all regulations pertaining to control of debris from construction sites.

CHAPTER 22: MITIGATION

Comment 22-1: The obvious mitigation step of removing the towers from the plan should be studied and allowed as an alternative to the proposed action. (MAS: CPC Hearing 5/6/09)

Response 22-1: The towers, as established in the RWCDs, were not identified as creating significant adverse impacts associated with urban design, shadows, or historic resources. Therefore, no mitigation measures are required that would assess redevelopment without the towers.

Comment 22-2: Mitigation for the interim loss of the KeySpan and Abe Stark parking lots has not been identified or studied. The loss of these lots will, in all likelihood, last for years. (Masyr: CPC Hearing 5/6/09)

Response 22-2: The FEIS identifies that the City has committed to an interim parking plan that would be developed for the KeySpan parking lot during the construction period (Chapter 1, "Project Description," of the EIS (see page 1-23). If, as anticipated, this site is one of the later parcels to be developed, it is assumed that there would have been construction of new parking capacity throughout the rezoning area to minimize the effect of the interim parking shortfall. If the parcel were developed sooner, there would likely be many vacant parcels throughout the rezoning area that could be used as part of the interim plan. Since the City is committed to developing an interim plan, there is no anticipated shortfall. In any event there is no reason to expect that an interim shortfall, should it occur, would "last for years." Accordingly, it is not anticipated that there would be significant adverse impacts associated with a shortfall resulting from loss of parking on the KeySpan parking lot.

CHAPTER 23: ALTERNATIVES

Comment 23-1: An area that should be given special attention in the FEIS is the determination and analysis of alternatives. The alternatives chosen for study seem to avoid what might reasonably occur and instead set forth options that are either impossible, already abandoned, or without justification. This would appear to be the product of an applicant that does not want to publicly expose the fact that some of the intricate choreography of the Coney Island Plan may not happen at all or may happen in an order that is disruptive to the development contemplated.

We have no quarrel with the “No Action Alternative,” but would point out that the prediction that the existing C7 district will yield “no reinvestment in amusement uses” and it “is likely that much of the vacant and underutilized land would remain” would similarly apply to the proposed Parcel 1. The Rezoning, if enacted, will further limit the uses and institute additional development controls on Parcel 1, making the prediction in the DEIS inevitable. (Masyr: CPC Hearing 5/6/09)

Response 23-1: Parcel 1 (see Map 3 of the Proposed Special Coney Island Zoning District in Appendix A) is included in the area proposed for mapping as parkland and improvement as a City-sponsored amusement park that will contain a vibrant mix of amusement and related uses.

Comment 23-2: The “Lesser Density Alternative” contemplates the abandonment of the Rezoning’s goals to “preserve, protect and enhance the character of the existing amusement district is the location of the City’s foremost concentration of amusements, and an area of diverse uses of a primary entertainment and entertainment-related nature” and “facilitate and guide development of a year-round amusement, entertainment, and hotel district.” This alternative also eliminates the affordable housing incentives, a keystone in all recent City-advanced zoning initiatives. The rationale that underpins this alternative is neither clear nor explained. It appears to have been drawn up without considering the implications contained within the 700 or so pages of the DEIS. A lesser density alternative could more reasonably focus on the elements of the Coney Island Plan that, should they not occur, would limit development. Such constraints that are discussed in the DEIS include adequacy of sewers, ability to provide required accessory parking, relocation of the Abe Stark Rink and HRA facilities, and failure to get legislation allowing greater than 20-year concessions on parkland. The State legislature’s refusal to demap parkland is discussed as part of a subsequent alternative. The inability to overcome any or all of these constraints would limit development, and an analysis of such lesser

development would provide more useful information to the decision maker than the chosen alternative, which appears to have no basis in foreseeable obstacles. Maintaining the overall goals of affordable housing and a revitalized amusement park while creating a credible alternative was not beyond the ability of the lead agency. It is our belief that setting forth the possible and realistic hurdles to the full realization of the Coney Island Plan was not pursued because that would afford the decision makers the opportunity to assess the impacts of realistic options rather than a straw-man alternative that clearly and admittedly did not reflect the goals of the Coney Island Plan and the City Administration. (Masyr: CPC Hearing 5/6/09)

Response 23-2:

Chapter 23, “Alternatives,” of the FEIS has been revised to include more detail regarding the nature and purpose of the Lesser Density Alternative. This alternative was identified to consider whether a reduction in density would reduce or eliminate impacts of the proposed action. However, a meaningful reduction of density to avoid impacts also diminishes the ability to substantively meet certain goals and objectives of the action to create new development opportunities to provide housing at all price points, including affordable housing, and much-needed retail development. As described in the EIS, the Lesser Density Alternative, unlike the Proposed Actions, would not result in a significant adverse impact on publicly-funded day care facilities, because it would not apply the Inclusionary Housing Program to the Coney North, Coney West, and Mermaid Avenue subdistricts, and it would result in somewhat fewer significant adverse traffic impacts due to the smaller development program.

The proposed Lesser Density Alternative does not contemplate the use of the Inclusionary Housing Program, since it is typically applied in districts with higher densities where developers can utilize the higher densities to make the incentive bonus attractive and viable.

Comment 23-3:

The “15-Acre Mapped Amusement Parkland Alternative” reflects a plan that has been abandoned by the applicants. The inclusion of this alternative, done for a previous plan issued in January 2008, seems to be included only because the analysis had already been completed. This is not a credible alternative and adds nothing to a serious discussion of the reasonable alternatives to the actions proposed. (Masyr: CPC Hearing 5/6/09)

Response 23-3:

The 15-Acre Mapped Amusement Parkland Alternative was included in the EIS in response to public comments made during the public scoping process.

- Comment 23-4:** The “No Demapping and Mapping Action Alternative” is flawed. It posits that the Coney East area would remain under the existing C7 zone subsequent to the State’s action on the proposed parkland demapping. This is impossible because the Coney Island Rezoning will be voted on before the State legislature decides on the proposed mapping issues. (Masyr: CPC Hearing 5/6/09)
- Response 23-4:** Chapter 23, “Alternatives,” of the FEIS has been revised to clarify that the No Demapping and Mapping Action Alternative would not include State alienation legislation. There is no requirement that State alienation legislation be in place before completion of ULURP for the Proposed Actions.
- Comment 23-5:** The mapping legislation has not even been introduced in the Senate or Assembly, and by all indications it will not be introduced and voted on prior to the expiration of the Charter-mandated period for the City Council to vote on the Rezoning. The “15-Acre Mapped Amusement Parkland Alternative” is even less reasonable than the made-up “Lesser Density Alternative” and the abandoned “15-Acre Mapped Amusement Parkland Alternative” because it cannot happen. This alternative could have looked at the enactment of the Special District, with additional controls in Coney East, on the private development that is proposed to be mapped parkland. The failure of the City to map parkland and acquire the properties in Coney East will, of necessity, prevent the State from demapping the ball field’s parking lot and the Abe Stark facility, since an equivalent amount of land would no longer be mapped as parkland. Therefore, the parkland would remain in Coney West, and its future use would be assessed with that restriction in place. The only reason the City would not study zoning-based development restrictions on private property rather than park driven control with City ownership in Coney East, which structure would achieve the same end as mapping the park and leasing it to a private operator, is a lack of sufficient City-owned land in the area to compensate for the Coney West demapping of parkland. In response, underdeveloped private property in Coney East was selected for acquisition. A more typical method for acquiring property for economic development is through the designation of an Urban Renewal Plan. In this case, this designation would not work because mere title to the property was insufficient, since parkland was needed to compensate for the demapping of parkland in Coney West. The taking of private property in order to free City-owned property from the burden of inalienability is only a part of a well-considered plan if the goals of the plan included arbitrage. (Masyr: CPC Hearing 5/6/09)

Coney Island Rezoning

Response 23-5: The purpose of mapping parkland in Coney East is to secure a permanent open amusement area to anchor the broader 27-acre amusement district.

Comment 23-6: All of the alternatives, other than the “No Action Alternative,” obscure realistic impacts rather than expose the impacts of reasonable alternatives. This is counter to State law which requires “description and evaluation of the range of reasonable alternatives to the action that are feasible, considering the objectives and capabilities of the project sponsor.” (Masyr: CPC Hearing 5/6/09)

Response 23-6: The four alternatives (No Action Alternative, Lesser Density Alternative, 15-Acre Mapped Amusement Park Alternative, and No Demapping and Mapping Action Alternative) were developed following the guidance of the *CEQR Technical Manual*. The No Action Alternative was examined in accordance with State Environmental Quality Review regulations. The Lesser Density Alternative was examined following CEQR guidance that consideration should be given to whether an alternative is available that would reduce or eliminate impacts while still meeting some or all of the goals and objectives and overall purpose of the Proposed Actions. The 15-Acre Mapped Amusement Park Alternative was examined in response to public comments. The No Demapping and Mapping Action Alternative was examined in response to public concerns about the demapping and mapping of parkland. These alternatives reflect a range of alternatives to the Proposed Actions consistent with CEQR and SEQRA. *