



**PART I: GENERAL INFORMATION**

PROJECT NAME Four Sparrows Retail Center at Mill Basin

**1. Reference Numbers**

CEQR REFERENCE NUMBER (To Be Assigned by Lead Agency) <b>10DME005K</b>	BSA REFERENCE NUMBER (If Applicable) <b>N/A</b>
ULURP REFERENCE NUMBER (If Applicable) <b>TO BE ASSIGNED</b>	OTHER REFERENCE NUMBER(S) (If Applicable) (e.g., Legislative Intro, CAPA, etc.) <b>N/A</b>

**2a. Lead Agency Information**

NAME OF LEAD AGENCY  
**Office of the Deputy Mayor for Economic Development**

NAME OF LEAD AGENCY CONTACT PERSON  
**Robert R. Kulikowski, Ph.D.**

ADDRESS  
**253 Broadway, 14th Floor**

CITY <b>New York</b>	STATE <b>NY</b>	ZIP <b>10038</b>
-------------------------	--------------------	---------------------

TELEPHONE  
**212-788-2937**

FAX  
**212-788-2941**

EMAIL ADDRESS  
**rkulikowski@cityhall.nyc.gov**

**2b. Applicant Information (see also page 1a)**

NAME OF APPLICANT  
**Mill Basin Associates, LLC (c/o Forest City Ratner Companies)—(see also page EAS-1A)**

NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON  
**Richard G. Leland, Esq., Fried, Frank, Harris, Shriver & Jacobson LLP**

ADDRESS  
**One New York Plaza**

CITY <b>New York</b>	STATE <b>NY</b>	ZIP <b>10004</b>
-------------------------	--------------------	---------------------

TELEPHONE  
**212-859-8978**

FAX  
**212-859-4000**

EMAIL ADDRESS  
**Richard.leland@friedfrank.com**

**3. Action Classification and Type**

**SEQRA Classification**

UNLISTED       TYPE I; SPECIFY CATEGORY (see 6 NYCRR 617.4 and NYC Executive Order 91 of 1977, as amended): **Facility greater than 240,000 gsf [6 NYCRR 617.4(b)(6)(v)]**

**Action Type** (refer to Chapter 2, "Establishing the Analysis Framework" for guidance)

LOCALIZED ACTION, SITE SPECIFIC       LOCALIZED ACTION, SMALL AREA       GENERIC ACTION

**4. Project Description:**

The proposed project is a retail center that would contain of mix of commercial uses. The entire project site is currently City-owned land. The project site fronts on Flatbush Avenue northeast of the interchange with the Belt Parkway. The proposed retail center would include an automotive dealership on the north end of the site, and a retail complex on the south end of the site. In addition, an existing retail building (a Toys 'R' Us) would be part of the disposition. With the proposed project approximately 294,000 gross square feet (gsf) of commercial space would be provided, including 46,000 square feet in the existing Toys 'R' Us. (See also Table 1.) In addition, the proposed project includes mapping Four Sparrows Marsh as 46 acres of parkland. See Attachment A.

**4a. Project Location: Single Site** (for a project at a single site, complete all the information below)

ADDRESS <b>2875 Flatbush Avenue</b>	NEIGHBORHOOD NAME <b>Mill Basin</b>
TAX BLOCK AND LOT <b>Block 8591, Lots 100, 125, 175</b>	BOROUGH <b>Brooklyn</b>
DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS <b>Northeast of Belt Parkway Interchange with Flatbush Avenue</b>	COMMUNITY DISTRICT <b>18</b>
EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY <b>C3</b>	ZONING SECTIONAL MAP NO: <b>29a, 29c</b>

**4b. Project Location: Multiple Sites** (Provide a description of the size of the project area in both City Blocks and Lots. If the project would apply to the entire city or to areas that are so extensive that site-specific description is not appropriate or practicable, describe the area of the project, including bounding streets, etc.)

**N/A**

**5. REQUIRED ACTIONS OR APPROVALS** (check all that apply)

<p><b>City Planning Commission:</b></p> <p><input checked="" type="checkbox"/> CITY MAP AMENDMENT      <input type="checkbox"/> ZONING CERTIFICATION</p> <p><input checked="" type="checkbox"/> ZONING MAP AMENDMENT      <input type="checkbox"/> ZONING AUTHORIZATION</p> <p><input type="checkbox"/> ZONING TEXT AMENDMENT      <input type="checkbox"/> HOUSING PLAN &amp; PROJECT</p> <p><input checked="" type="checkbox"/> UNIFORM LAND USE REVIEW PROCEDURE (ULURP)      <input type="checkbox"/> SITE SELECTION—PUBLIC FACILITY</p> <p><input type="checkbox"/> CONCESSION      <input type="checkbox"/> FRANCHISE</p> <p><input type="checkbox"/> UDAAP      <input checked="" type="checkbox"/> DISPOSITION—REAL PROPERTY</p> <p><input type="checkbox"/> REVOCABLE CONSENT</p> <p>ZONING SPECIAL PERMIT, SPECIFY TYPE <b>See Page 1a</b></p> <p><input type="checkbox"/> MODIFICATION OF</p> <p><input type="checkbox"/> RENEWAL OF</p> <p><input type="checkbox"/> OTHER</p>	<p><b>Board of Standards and Appeals:</b></p> <p><input type="checkbox"/> SPECIAL PERMIT      YES <input type="checkbox"/> NO <input checked="" type="checkbox"/></p> <p>EXPIRATION DATE      MONTH      DAY      YEAR</p> <p><input type="checkbox"/> VARIANCE (USE)</p> <p><input type="checkbox"/> VARIANCE (BULK)</p> <p>SPECIFY AFFECTED SECTION(S) OF THE ZONING RESOLUTION</p>
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

**Department of Environmental Protection:** YES  NO  **See page 2a**

**Other City Approvals:** YES  NO

**2b. APPLICANT INFORMATION**

**Toys 'R' Us—Delaware Inc.**

NAME OF APPLICANT

**David Picot**

NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON

**1 Geoffrey Way**

ADDRESS

**Montvale NJ 07470**

CITY STATE ZIP

**(973) 617-5717 (973) 617-4061**

TELEPHONE FAX

**David.Picot@toysrus.com**

EMAIL ADDRESS

**2b. APPLICANT INFORMATION**

**Bical Development Corporation**

NAME OF APPLICANT

**Sammy Bical**

NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON

**5200 Kings Highway**

ADDRESS

**Brooklyn NY 11234**

CITY STATE ZIP

**(718) 253-7575 (718) 253-2028**

TELEPHONE FAX

**sbical@aol.com**

EMAIL ADDRESS

The following City actions are necessary for the proposed project to move forward:

- Rezoning of the development parcel from C3 to C8-1;
- Demapping of the unbuilt portions of Flatbush Avenue and Marginal Street, Wharf, or Place that cross the site, and remapping of the easterly Flatbush Avenue right-of-way line to reflect the limits of the existing built street;
- Disposition of the development parcel and the demapped portion of Flatbush Avenue to EDC for further disposition to three private entities, and approval of the business terms of such disposition pursuant to Section 384(b)4 of the New York City Charter by the Office of the Mayor and the Brooklyn Borough Board;
- Special permit pursuant to ZR Section 62-836 to modify height and setback regulations on a waterfront block for Four Sparrows Retail Center and Kristal Auto Mall sites;
- Certification of the site plan on a waterfront block pursuant to ZR Sections 62-811;
- Certification of zoning lot subdivision pursuant to ZR Section 62-812; and
- Mapping of Four Sparrows Marsh and the Mill Basin Public Land as parkland.

Certain of these actions are subject to the City's Uniform Land Use Review Procedure (ULURP). Additional related actions would include review of the project's business terms in accordance with 384(b)(4) of the City Charter, permits and approvals from the New York City Department of Transportation (NYCDOT) for proposed signal and roadway improvements, and the New York State Department of Environmental Conservation (NYSDEC) for activities on a site that contains tidal wetlands and for stormwater management during construction and operation. In addition, the proposed project requires an amended drainage plan which is subject to the approval of the New York City Department of Environmental Protection (NYCDEP). Additional approvals would also be required from NYCDEP for the extension of sanitary sewer lines and storm sewers. Depending on the design of the stormwater systems, federal permits may also be necessary for the structures in navigable waters as well as activities in wetlands.



<input type="checkbox"/> LEGISLATION <input type="checkbox"/> FUNDING OF CONSTRUCTION; SPECIFY <input type="checkbox"/> POLICY OR PLAN; SPECIFY <input type="checkbox"/> LANDMARKS PRESERVATION COMMISSION APPROVAL (not subject to CEQR) <input checked="" type="checkbox"/> 384(B)(4) APPROVAL <input type="checkbox"/> PERMITS FROM DOT'S OFFICE OF CONSTRUCTION MITIGATION AND COORDINATION (OCMD) (not subject to CEQR)	<input type="checkbox"/> RULEMAKING <input type="checkbox"/> CONSTRUCTION OF PUBLIC FACILITIES <input type="checkbox"/> FUNDING OR PROGRAMS; SPECIFY <input type="checkbox"/> PERMITS; SPECIFY <input type="checkbox"/> OTHER; EXPLAIN
---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

**6. State or Federal Actions/Approvals/Funding:** YES  NO  IF "YES," IDENTIFY

**Possible activities in tidal wetland adjacent area for public trails and stormwater management as well as new stormwater outlets. Permits requirements for these proposed activities are described on page 2a.**

**7. Site Description:** Except where otherwise indicated, provide the following information with regard to the directly affected area. The directly affected area consists of the project site and the area subject to any change in regulatory controls.

**GRAPHICS** The following graphics must be attached and each box must be checked off before the EAS is complete. Each map must clearly depict the boundaries of the directly affected area or areas, and indicate a 400-foot radius drawn from the outer boundaries of the project site. Maps may not exceed 11x17 inches in size and must be folded to 8.5x11 inches for submission.

<input checked="" type="checkbox"/> Site location map	<input checked="" type="checkbox"/> Zoning map	<input checked="" type="checkbox"/> Photographs of the project site taken within 6 months of EAS submission and keyed to the site location map
<input checked="" type="checkbox"/> Sanborn or other land use map	<input checked="" type="checkbox"/> Tax map	<input type="checkbox"/> For large areas or multiple sites, a GIS shape file that defines the project sites <b>N/A</b>

**PHYSICAL SETTING** (both developed and undeveloped areas)

Total directly affected area (sq. ft.): <b>61 acres<sup>1</sup></b>	Type of waterbody and surface area (sq. ft.): <b>Mill Basin<sup>2</sup></b>	Roads, building and other paved surfaces (sq. ft.): <b>15 acres</b>
Other, describe (sq. ft.):		

**8. Physical Dimensions and Scale of Project** (if the project affects multiple sites, provide the total development below facilitated by the action)

Size of project to be developed: **294,000 gsf** (gross sq. ft.)

Does the proposed project involve changes in zoning on one or more sites? YES  NO

If "Yes," identify the total square feet owned or controlled by the applicant: **All land currently owned by City of New York.** Total square feet of non-applicant owned development:

Does the proposed project involve in-ground excavation or subsurface disturbance, including but not limited to foundation work, pilings, utility lines, or grading? YES  NO

If "Yes," indicate the estimated area and volume dimensions of subsurface disturbance (if known):

Area: <b>15 acres (±900 l.f. x ±700 l.f.)</b>	sq. ft. (width x length)	Volume:	cubic feet (width x length x depth)
-----------------------------------------------	--------------------------	---------	-------------------------------------

Does the proposed project increase the population of residents and/or on-site workers? YES  NO

Number of additional residents?	Number of additional workers?	<b>665</b>
---------------------------------	-------------------------------	------------

Provide a brief explanation of how these numbers were determined:

Does the project create new open space? YES  NO  If Yes: **The proposed project would map an existing open space, the 46 acres at Four Sparrows Marsh and would provide a public nature path.** (sq. ft)

Using Table 14-1, estimate the project's projected operation solid waste generation, if applicable: **27,650** (pounds per week)

Using energy modeling or Table 15-1, estimate the project's projected energy use: **62.9 million** (annual BTUs)

**9. Analysis Year CEQR Technical Manual, Chapter 2**

ANTICIPATED BUILD YEAR (DATE THE PROJECT WOULD BE COMPLETED AND OPERATIONAL): <b>2014</b>	ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: <b>±12-18 months (each phase)</b>
----------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------

WOULD THE PROJECT BE IMPLEMENTED IN A SINGLE PHASE? YES  NO  IF MULTIPLE PHASES, HOW MANY PHASES: **3**

BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE:

**Phase I – minor site improvements at Toys 'R' Us site**  
**Phase II – Development of Kristal Auto Mall site (12 months)**  
**Phase III – Development of Four Sparrows Marsh Retail Center (12-18 months)**

**10. What is the Predominant Land Use in Vicinity of Project?** (Check all that apply)

<input type="checkbox"/> RESIDENTIAL	<input type="checkbox"/> MANUFACTURING	<input checked="" type="checkbox"/> COMMERCIAL	<input checked="" type="checkbox"/> PARK/FOREST/OPEN SPACE	<input checked="" type="checkbox"/> OTHER, Describe: <b>Marina</b>
--------------------------------------	----------------------------------------	------------------------------------------------	------------------------------------------------------------	--------------------------------------------------------------------

<sup>1</sup> Includes area of proposed parkland although no development is proposed on that site with the exception of a trail. The area proposed for commercial development is about 15 acres.

<sup>2</sup> No activities are proposed in the Mill Basin waterway.

**Table 1**

<b>Building</b>	<b>Use(s)</b>	<b>Gross Square Footage</b>	<b>Stories</b>	<b>Height (feet above grade)</b>
Kristal Auto Mall	Auto sales and service (proposed)	110,000	2	35
Four Sparrows Retail Center at Mill Basin	Retail sales (proposed)	137,967 <sup>1</sup>	1-2	30-45
Subtotal (new development)		247,748		
Toys 'R' Us	Retail sales (existing)	45,969	1	20
<b>TOTAL</b>		<b>293,936</b>		
<b>Notes:</b> 1. Under one proposed development scenario, the amount of square footage to be developed is 137,967 gsf in two separate buildings, a one-story building and a two-story building. Under another development scenario the amount of new development is 127,340 gsf in a single-story, 30-foot-high building.				

**DESCRIPTION OF EXISTING AND PROPOSED CONDITIONS**

The information requested in this table applies to the directly affected area. The directly affected area consists of the project site and the area subject to any change in regulatory control. The increment is the difference between the No-Action and the With-Action conditions.

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
<b>Land Use</b>				
<b>Residential</b>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	<b>N/A</b>
If yes, specify the following:				
No. of dwelling units				
No. of low- to moderate-income units				
No. of stories				
Gross Floor Area (sq. ft.)				
Describe Type of Residential Structures				
<b>Commercial</b>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
If yes, specify the following:				
Describe type (retail, office, other)	<b>Retail</b>	<b>Retail</b>	<b>Retail</b>	
No. of bldgs	<b>1</b>	<b>1</b>	<b>3-4</b>	<b>+2-3</b>
GFA of each bldg (sq. ft.)	<b>46,000 gsf</b>	<b>46,000 gsf</b>	<b>46,000, 110,000 gsf, 138,000 gsf</b>	<b>±248,000 gsf</b>
<b>Manufacturing/Industrial</b>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
If yes, specify the following:				
Type of use				
No. of bldgs				
GFA of each bldg (sq. ft.)				
No. of stories of each bldg.				
Height of each bldg				
Open storage area (sq. ft.)				
If any unenclosed activities, specify				
<b>Community Facility</b>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
If yes, specify the following:				
Type				
No. of bldgs				
GFA of each bldg (sq. ft.)				
No. of stories of each bldg				
Height of each bldg				
<b>Vacant Land</b>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
If yes, describe	<b>Vacant City Property</b>	<b>Vacant City Property</b>		<b>-9.5 acres</b>
<b>Publicly Accessible Open Space</b>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
If yes, specify type (mapped City, State, or Federal Parkland, wetland—mapped or otherwise known, other)	<b>Unmapped City Parkland<sup>1</sup></b>	<b>Unmapped City Parkland</b>	<b>Mapped City Parkland<sup>2</sup></b>	<b>0</b>
<b>Other Land Use</b>	Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	
If yes, describe				
<b>Parking</b>				
<b>Garages</b>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
If yes, specify the following:				
No. of public spaces				
No. of accessory spaces				
Operating hours				
Attended or non-attended				

<sup>1</sup> This includes the unmapped Four Sparrows Marsh Park.

<sup>2</sup> The proposed mapping action would map 46 acres of City parkland and create a small nature path within the park.

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
<b>Parking (continued)</b>				
<b>Lots</b>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
If yes, specify the following:				
No. of public spaces				
No. of accessory spaces	±350	±350	±820	±470
Operating hours	10 AM to 10 PM	10 AM to 10 PM	7 AM to 10 PM	+3 AM hours
<b>Other (includes street parking)</b>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
If yes, describe				
<b>Storage Tanks</b>				
<b>Storage Tanks</b>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
If yes, specify the following:				
Gas/Service stations:	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	500 gallon motor oil tank <sup>1</sup>
Oil storage facility:	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Other; identify:	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	
If yes to any of the above, describe:	Marina fueling tank	Marina fueling tank	Marina fueling tank	N/A
Number of tanks	2	2	2	N/A
Size of tanks	4,000	4,000	4,000	N/A
Location of tanks				
Depth of tanks				
Most recent FDNY inspection date				
<b>Population</b>				
<b>Residents</b>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
If any, specify number				
Briefly explain how the number of residents was calculated				
<b>Businesses</b>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
If any, specify the following:				
No. and type	1-Commercial retail	1-Commercial retail	3-9 Commercial retail	+2-8
No. and type of workers by business	±70	±70	±735	±665
No. and type of non-residents who are not workers	±200 (retail customers)	±200 (retail customers)	±200 (retail customers)	±4,000 (retail customers)
Briefly explain how the number of businesses was calculated	The businesses were determined based on the proposed development program and objective of the applicants.			
<b>Zoning*</b>				
Zoning classification	C3	C3	C8-1	
Maximum amount of floor area that can be developed (in terms of bulk)	326,700 zsf	326,700 zsf	653,400 zsf	+326, 700
Predominant land use and zoning classification within a 0.25-radius of proposed project	open space/commercial	open space/commercial	open space/commercial	
Attach any additional information as may be needed to describe the project. SEE ATTACHED PROJECT DESCRIPTION AND SCREENING ANALYSES				
If your project involves changes in regulatory controls that affect one or more sites not associated with a specific development, it is generally appropriate to include the total development projections in the above table and attach separate tables outlining the reasonable development scenarios for each site.				

\*This section should be completed for all projects, except for such projects that would apply to the entire city or to areas that are so extensive that site-specific zoning information is not appropriate or practicable.

1. The proposed Kristal Auto Mall would provide auto service, but no fueling.

## PART II: TECHNICAL ANALYSES

**INSTRUCTIONS:** For each of the analysis categories listed in this section, assess the proposed project's impacts based on the thresholds and criteria presented in the *CEQR Technical Manual*. Check each box that applies.

- If the proposed project can be demonstrated not to meet or exceed the threshold, check the 'NO' box.
- If the proposed project will meet or exceed the threshold, or if this cannot be determined, check the 'YES' box.
- For each 'Yes' response, answer the subsequent questions for that technical area and consult the relevant chapter of the *CEQR Technical Manual* for guidance on providing additional analyses (and attach supporting information, if needed) to determine whether the potential for significant impacts exists. Please note that a 'Yes' answer does not mean that EIS must be prepared—it often only means that more information is required for the lead agency to make a determination of significance.
- The lead agency, upon reviewing Part II, may require an applicant to either provide additional information to support the Full EAS Form. For example, if a question is answered 'No,' an agency may request a short explanation for this response.

YES	NO
-----	----

<b>1. LAND USE, ZONING AND PUBLIC POLICY: CEQR Technical Manual, Chapter 4</b>			
(a)	Would the proposed project result in a change in land use or zoning that is different from surrounding land uses and/or zoning? Is there the potential to affect an applicable public policy? If 'Yes,' complete a preliminary assessment and attach.	✓	
(b)	Is the project a large, publicly sponsored project? If 'Yes,' complete a PlaNYC assessment and attach.		✓
(c)	Is any part of the directly affected area within the City's Waterfront Revitalization Program boundaries? If 'Yes,' complete the Consistency Assessment Form.	✓	
<b>2. SOCIOECONOMIC CONDITIONS: CEQR Technical Manual, Chapter 5</b>			
(a)	Would the proposed project:		
	• Generate a net increase of 200 or more residential units?		✓
	• Generate a net increase of 200,000 or more square feet of commercial space?	✓	
	• Directly displace more than 500 residents?		✓
	• Directly displace more than 100 employees?		✓
	• Affect conditions in a specific industry?		✓
(b)	If 'Yes' to any of the above, attach supporting information to answer the following questions, as appropriate. If 'No' was checked for each category above, the remaining questions in this technical area do not need to be answered.		
<b>(1) Direct Residential Displacement</b>			
	If more than 500 residents would be displaced, would these displaced represent more than 5% of the primary study area population?		✓
	If 'Yes,' is the average income of the directly displaced population markedly lower than the average income of the rest of the study area population?		✓
<b>(2) Indirect Residential Displacement</b>			
	Would the expected average incomes of the new population exceed the average incomes of the study area populations?		✓
	If 'Yes,' would the population increase represent more than 5% of the primary study area population or otherwise potentially affect real estate market conditions?		✓
	If 'Yes,' would the study area have a significant number of unprotected rental units?		✓
	Would more than 10 percent of all the housing units be renter-occupied and unprotected?		✓
	Or, would more than 5 percent of all the housing units be renter-occupied and unprotected where no readily observable trend toward increasing rents and new market rate development exists within the study area?		✓

		YES	NO
<b>(3) Direct Business Displacement</b>			
Do any of the displaced businesses provide goods or service that otherwise could not be found within the trade area, either under existing conditions or in the future with the proposed project?			✓
Do any of the displaced businesses provide goods or services that otherwise could not be found within the trade area, either under existing conditions or in the future with the proposed project?			✓
Or is any category of business to be displaced the subject of other regulations or publicly adopted plans to preserve, enhance, or otherwise protect it?			✓
<b>(4) Indirect Business Displacement</b>			
Would the project potentially introduce trends that make it difficult for businesses to remain in the area?			✓
Would the project capture the retail sales in a particular category of goods to the extent that the market for such goods would become saturated as a result, potential resulting in vacancies and disinvestment on neighborhood commercial streets?			✓
<b>(5) Effects on Industry</b>			
Would the project significantly affect business conditions in any industry or any category of businesses within or outside the study area?			✓
Would the project indirectly substantially reduce employment or impair the economic viability in the industry or category of businesses?			✓
<b>3. COMMUNITY FACILITIES: CEQR Technical Manual, Chapter 6</b>			
<b>(a)</b> Would the project directly eliminate, displace, or alter public or publicly funded community facilities such as educational facilities, libraries, hospitals and other health care facilities, day care centers, police stations, or fire stations?			✓
<b>(b)</b> Would the project exceed any of the thresholds outlines in Table 6-1 in Chapter 6?			✓
<b>(c)</b> If 'No' was checked above, the remaining questions in this technical area do not need to be answered. If 'Yes' was checked, attach supporting information to answer the following, if applicable.			
<b>(1) Child Care Centers</b>			
Would the project result in a collected utilization rate of the group child care/Head Start centers in the study area that is greater than 100 percent?			
If 'Yes,' would the project increase the collective utilization rate by 5 percent from the No-Action scenario?			
<b>(2) Libraries</b>			
Would the project increase the study area population by 5 percent from the No-Action levels?			
If 'Yes,' would the additional population impair the delivery of library services in the study area?			
<b>(3) Public Schools</b>			
Would the project result in a collective utilization rate of the elementary and/or intermediate schools in the study area that is equal to or greater than 105 percent?			
If 'Yes,' would the project increase this collective utilization rate by 5 percent from the No-Action scenario?			
<b>(4) Health Care Facilities</b>			
Would the project affect the operation of health care facilities in the area?			
<b>(5) Fire and Police Protection</b>			
Would the project affect the operation of fire or police protection in the area?			
<b>4. OPEN SPACE: CEQR Technical Manual, Chapter 7</b>			
<b>(a)</b> Would the project change or eliminate existing open space?			✓
<b>(b)</b> Is the project located within an underserved area in the Bronx, Brooklyn, Manhattan, Queens, or Staten Island?			✓
<b>(c)</b> If 'Yes,' would the proposed project generate more than 50 additional residents or 125 additional employees?			
<b>(d)</b> Is the project located within a well-served area in the Bronx, Brooklyn, Manhattan, Queens, or Staten Island?		✓	
<b>(e)</b> If 'Yes,' would the project generate more than 350 additional residents or 750 additional employees?			✓
<b>(f)</b> If the project is not located within an underserved or well-served area, would it generate more than 200 additional residents or 500 additional employees?			
<b>(g)</b> If 'Yes' to any of the above questions, attach supporting information to answer the following:			
• Does the project result in a decrease in the open space ratio of more than 5%? <b>See Attachment A, "Screening Analyses."</b>			
• If the project site is within an underserved area, is the decrease in open space between 1% and 5%?			
• If 'Yes,' are there qualitative considerations, such as the quality of open space, that need to be considered?			

	YES	NO
<b>5. SHADOWS: CEQR Technical Manual, Chapter 8.</b>		
(a) Would the proposed project result in a net height increase of any structure of 50 feet or more?		✓
(b) Would the proposed project result in any increase in structure height and be located adjacent to or across the street from a sunlight-sensitive resource?	✓	
(c) If 'Yes' to either of the above questions, attach supporting information explaining whether the project's shadow reach any sunlight-sensitive resource at any time of the year.		
<b>6. HISTORIC AND CULTURAL RESOURCES: CEQR Technical Manual, Chapter 9</b>		
(a) Does the proposed project site or an adjacent site contain any architectural and/or archaeological resource that is eligible for, or has been designated (or is calendared for consideration) as a New York City Landmark, Interior Landmark or Scenic Landmark; is listed or eligible for listing on the New York State or National Register of Historic Places; or is within a designated or eligible New York City, New York State, or National Register Historic District? If "Yes," list the resources and attach supporting information on whether the proposed project would affect any of these resources.		✓
<b>7. URBAN DESIGN AND VISUAL RESOURCES: CEQR Technical Manual, Chapter 10</b>		
(a) Would the proposed project introduce a new building, a new building height, or result in any substantial physical alteration to the streetscape or public space in the vicinity of the proposed project that is not currently allowed by existing zoning?	✓	
(b) Would the proposed project result in obstruction of publicly accessible views to visual resources that is not currently allowed by existing zoning?		✓
(c) If "Yes" to either of the questions above, please provide the information requested in Chapter 10.		
<b>8. NATURAL RESOURCES: CEQR Technical Manual, Chapter 11</b>		
(a) Is any part of the directly affected area within the Jamaica Bay Watershed? If "Yes," complete the Jamaica Bay Watershed Form.	✓	
(b) Does the proposed project site or a site adjacent to the project contain natural resources as defined in Section 100 of Chapter 11? If "Yes," list the resources: Attach supporting information on whether the proposed project would affect any of these resources.	✓	
<b>9. HAZARDOUS MATERIALS: CEQR Technical Manual, Chapter 12</b>		
(a) Would the proposed project allow commercial or residential use in an area that is currently, or was historically, a manufacturing area that involved hazardous materials?		✓
(b) Does the proposed project site have existing institutional controls (e.g., (E) designations or a Restrictive Declaration) relating to hazardous materials that preclude the potential for significant adverse impacts?		✓
(c) Does the project require soil disturbance in a manufacturing zone or any development on or near a manufacturing zone or existing/historic facilities listed in Appendix 1 (including nonconforming uses)?		✓
(d) Does the project result in the development of a site where there is reason to suspect the presence of hazardous materials, contamination, illegal dumping or fill, or fill material of unknown origin?	✓	
(e) Does the project result in development where underground and/or aboveground storage tanks (e.g., gas stations) are or were on or near the site?	✓	
(f) Does the project result in renovation of interior existing space on a site with potential compromised air quality, vapor intrusion from on-site or off-site sources, asbestos, PCBs or lead-based paint?		✓
(g) Does the project result in development on or near a government-listed voluntary cleanup/brownfield site, current or former power generation/transmission facilities, municipal incinerators, coal gasification or gas storage sites, or railroad tracks and rights-of-way?		✓
(h) Has a Phase I Environmental Site Assessment been performed for the site? If 'Yes,' were RECs identified? Briefly identify:	✓	
(i) Based on a Phase I Assessment, is a Phase II Assessment needed?	✓	
<b>10. WATER AND SEWER INFRASTRUCTURE: CEQR Technical Manual, Chapter 13</b>		
(a) Would the project result in water demand of more than one million gallons per day?		✓
(b) Is the proposed project located in a combined sewer area and result in at least 1,000 residential units or 250,000 sq. ft. or more of commercial space in Manhattan or at least 400 residential units or 150,000 sq. ft. or more of commercial space in the Bronx, Brooklyn, Staten Island or Queens?		✓
(c) Is the proposed project located in a separately sewered area and result in the same or greater development than that listed in Table 13-1 in Chapter 13?	✓	
(d) Does the proposed project involve development on a site five acres or larger where the amount of impervious surface would increase?	✓	
(e) Would the proposed project involve development on a site one acre or larger where the amount of impervious surface would increase and is located within the Jamaica Bay Watershed or in certain specific drainage areas including: Bronx River, Coney Island Creek, Flushing Bay and Creek, Gowanus Canal, Hutchinson River, Newtown Creek, or Westchester Creek?	✓	
(f) Would the proposed project be located in an area that is partially sewered or currently unsewered?	✓	
(g) Is the project proposing an industrial facility or activity that would contribute industrial discharges to a WWTP and/or generate contaminated stormwater in a separate storm sewer system?		✓
(h) Would the project involve construction of a new stormwater outfall that requires federal and/or state permits?	✓	
(i) If "Yes" to any of the above, conduct the appropriate preliminary analyses and attached supporting documentation.		

		YES	NO
<b>11. SOLID WASTE AND SANITATION: CEQR Technical Manual, Chapter 14</b>			
(a)	Would the proposed project have the potential to generate 100,000 pounds (50 tons) or more of solid waste per week?		✓
(b)	Would the proposed project involve a reduction in capacity at a solid waste management facility used for refuse or recyclables generated within the City?		✓
<b>12. ENERGY: CEQR Technical Manual, Chapter 15</b>			
(a)	Would the proposed project affect the transmission or generation of energy?		✓
<b>13. TRANSPORTATION: CEQR Technical Manual, Chapter 16</b>			
(a)	Would the proposed project exceed any threshold identified in Table 16-1 in Chapter 16?	✓	
(b)	If "Yes," conduct the screening analyses, attach appropriate back up data as needed for each stage, and answer the following questions:		
(1)	Would the proposed project result in 50 or more Passenger Car Equivalents (PCEs) per project peak hour? If "Yes," would the proposed project result in 50 or more vehicle trips per project peak hour at any given intersection? **It should be noted that the lead agency may require further analysis of intersections of concern even when a project generates fewer than 50 vehicles in the peak hour. See Subsection 313 in Chapter 16 for more information.	✓	
(2)	Would the proposed project result in more than 200 subway/rail or bus trips per project peak hour? If "Yes," would the proposed project result per project peak hour, in 50 or more bus trips on a single line (in one direction) or 200 subway trips per station or line?		✓
(3)	Would the proposed project result in more than 200 pedestrian trips per project peak hour? If "Yes," would the proposed project result in more than 200 pedestrian trips per project peak hour to any given pedestrian or transit element, crosswalk, subway stair, or bus stop?		✓
<b>14. AIR QUALITY: CEQR Technical Manual, Chapter 17</b>			
(a)	<i>Mobile Sources:</i> Would the proposed project result in the conditions outlined in Section 210 in Chapter 17? <i>Stationary Sources:</i> Would the proposed project result in the conditions outlined in Section 220 in Chapter 17?	✓	
(b)	If "Yes," would the proposed project exceed the thresholds in the Figure 17-3, Stationary Source Screen Graph? (attach graph as needed)	✓	
(c)	Does the proposed project involve multiple buildings on the project site?	✓	
(d)	Does the proposed project require Federal approvals, support, licensing, or permits subject to conformity requirements?		✓
(e)	Does the proposed project site have existing institutional controls (e.g., (E) designations or a Restrictive Declaration) relating to air quality that preclude the potential for significant adverse impacts?		✓
(f)	If "Yes," conduct the appropriate analyses and attach any supporting documentation.		
<b>15. GREENHOUSE GAS EMISSIONS: CEQR Technical Manual, Chapter 18</b>			
(a)	Is the proposed project a city capital project, a power plant, or would fundamentally change the City's solid waste management system?		✓
(b)	If "Yes," would the proposed project require a GHG emissions assessment based on the guidance in Chapter 18?		✓
(c)	If "Yes," attach supporting documentation to answer the following; Would the project be consistent with the City's GHG reduction goal?		
<b>16. NOISE: CEQR Technical Manual, Chapter 19</b>			
(a)	Would the proposed project generate or reroute the vehicular traffic?	✓	
(b)	Would the proposed project introduce new or additional receptors (see Section 124 in Chapter 19) near heavily trafficked roadways, within one horizontal mile of an existing or proposed flight path, or within 1,500 feet of an existing or proposed rail line with a direct line of sight to that rail line?		✓
(c)	Would the proposed project cause a stationary noise source to operate within 1,500 feet of a receptor with a direct line of sight to that receptor or introduce receptors into an area with high ambient stationary noise?	✓	
(d)	Does the proposed project site have existing institutional controls (e.g., E-designations or a Restrictive Declaration) relating to noise that preclude the potential for significant adverse impacts?		✓
(e)	If "Yes," conduct the appropriate analyses and attach any supporting documentation.		
<b>17. PUBLIC HEALTH: CEQR Technical Manual, Chapter 20</b>			
(a)	Would the proposed project warrant a public health assessment based upon the guidance in Chapter 20?		✓
<b>18. NEIGHBORHOOD CHARACTER: CEQR Technical Manual, Chapter 21</b>			
(a)	Based upon the analyses conducted for the following technical areas, check "Yes" if any of the following technical areas required a detailed analysis: Land Use, Zoning, and Public Policy; Socioeconomic Conditions; Open Space; Historic and Cultural Resources; Urban Design and Visual Resources; Shadows; Transportation; Noise.	✓	
(b)	If "Yes," explain here why or why not an assessment of neighborhood character is warranted based on the guidance in Chapter 21, "Neighborhood Character." Attach a preliminary analysis, if necessary.		




		YES	NO
<b>19. CONSTRUCTION IMPACTS: CEQR Technical Manual, Chapter 22</b>			
Would the project's construction activities involve (check all that apply):			
• Construction activities lasting longer than two years;			✓
• Construction activities within a Central Business District or along an arterial or major thoroughfare;	✓		
• Require closing, narrowing, or otherwise impeding traffic, transit or pedestrian elements (roadways, parking spaces, bicycle routes, sidewalks, crosswalks, corners, etc);	✓		
• Construction of multiple buildings where there is a potential for on-site receptors on buildings completed before the final build-out;	✓		
• The operation of several pieces of diesel equipment in a single location at peak construction;	✓		
• Closure of community facilities or disruption in its service;			✓
• Activities within 400 feet of a historic or cultural resource; or			✓
• Disturbance of a site containing natural resources.			✓
<p>If any boxes are checked, explain why or why not a preliminary construction assessment is warranted based on the guidance of in Chapter 22, "Construction." It should be noted that the nature and extent or any commitment to use the Best Available Technology for construction equipment or Best Management Practices for construction activities should be considered when making this determination.</p> <p><b>A preliminary assessment is appropriate given the size of the development area and its location adjacent to open space and waterways. See the attached preliminary assessment.</b></p>			

**20. APPLICANT'S CERTIFICATION See also page EAS-9a**

I swear or affirm under oath and subject to the penalties for perjury that the information provided in this Environmental Assessment Statement (EAS) is true and accurate to the best of my knowledge and belief, based upon my personal knowledge and familiarity with the information described herein and after examination of pertinent books and records and/or after inquiry of persons who have personal knowledge or such information or who have examined pertinent books and records.

Still under oath, I further swear or affirm that I make this statement in my capacity as the

 of Fred, Frank, Harris, Shivers & Jacobson LLC  
APPLICANT/SPONSOR NAME OF THE ENTITY OR OWNER

the entity which seeks the permits, approvals, funding or other governmental action described in this EAS.

Check if prepared by:  APPLICANT/REPRESENTATIVE or  LEAD AGENCY REPRESENTATIVE (FOR CITY-SPONSORED PROJECTS)

mill Basin Associates, LLC APPLICANT/SPONSOR NAME By: RRG mill Basin, LLC LEAD AGENCY REPRESENTATIVE NAME:  
By: [Signature] SIGNATURE: DATE:

**PLEASE NOTE THAT APPLICANT MAY BE REQUIRED TO SUBSTANTIATE RESPONSES IN THIS FORM AT THE DISCRETION OF THE LEAD AGENCY SO THAT IT MAY SUPPORT ITS DETERMINATION OF SIGNIFICANCE.**

**20a. APPLICANT'S CERTIFICATION**

I swear or affirm under oath and subject to the penalties for perjury that the information provided in this Environmental Assessment Statement (EAS) is true and accurate to the best of my knowledge and belief, based upon my personal knowledge and familiarity with the information described herein and after examination of pertinent books and records and/or after inquiry of persons who have personal knowledge or such information or who have examined pertinent books and records.

Still under oath, I further swear or affirm that I make this statement in my capacity as the

of

APPLICANT/SPONSOR

NAME OF THE ENTITY OR OWNER

the entity which seeks the permits, approvals, funding or other governmental action described in this EAS.

Check if prepared by:

APPLICANT/REPRESENTATIVE

or

LEAD AGENCY REPRESENTATIVE (FOR CITY-SPONSORED PROJECTS)

Lilaahon Biriw

KRISTAL NABONG

APPLICANT/SPONSOR NAME

LEAD AGENCY REPRESENTATIVE NAME

[Signature]

12/9/10

SIGNATURE

DATE

**20b. APPLICANT'S CERTIFICATION**

I swear or affirm under oath and subject to the penalties for perjury that the information provided in this Environmental Assessment Statement (EAS) is true and accurate to the best of my knowledge and belief, based upon my personal knowledge and familiarity with the information described herein and after examination of pertinent books and records and/or after inquiry of persons who have personal knowledge or such information or who have examined pertinent books and records.

Still under oath, I further swear or affirm that I make this statement in my capacity as the

of

APPLICANT/SPONSOR

NAME OF THE ENTITY OR OWNER

the entity which seeks the permits, approvals, funding or other governmental action described in this EAS.

Check if prepared by:

APPLICANT/REPRESENTATIVE

or

LEAD AGENCY REPRESENTATIVE (FOR CITY-SPONSORED PROJECTS)

DAVID P. PIROT

APPLICANT/SPONSOR NAME

LEAD AGENCY REPRESENTATIVE NAME

[Signature]

12/9/10

SIGNATURE

DATE

**PART III: DETERMINATION OF SIGNIFICANCE (To Be Completed by Lead Agency)**

**INSTRUCTIONS:**

In completing Part III, the lead agency should consult 6 NYCRR 617.7 and 43 RCNY §6-06 (Executive Order 91 of 1977, as amended) which contain the State and City criteria for determining significance.

1. For each of the impact categories listed below, consider whether the project may have a significant effect on the environment. For each of the impact categories listed below, consider whether the project may have a significant adverse effect on the environment, taking into account its (a) location; (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude

**Potential Significant Adverse Impact**

IMPACT CATEGORY	YES	NO
Land Use, Zoning, and Public Policy	X	
Socioeconomic Conditions	X	
Community Facilities and Services		X
Open Space		X
Shadows		X
Historic and Cultural Resources		X
Urban Design/Visual Resources	X	
Natural Resources	X	
Hazardous Materials	X	
Water and Sewer Infrastructure	X	
Solid Waste and Sanitation Services		X
Energy		X
Transportation	X	
Air Quality	X	
Greenhouse Gas Emissions		X
Noise	X	
Public Health	X	
Neighborhood Character	X	
Construction Impacts	X	

2. Are there any aspects of the project relevant to the determination whether the project may have a significant impact on the environment, such as combined or cumulative impacts, that were not fully covered by other responses and supporting materials? If there are such impacts, explain them and state where, as a result of them, the project may have a significant impact on the environment.

**3. LEAD AGENCY'S CERTIFICATION**

Assistant to the Mayor  
TITLE

Robert R. Kulikowski, Ph.D.  
NAME

Office of the Deputy Mayor for Economic Development  
LEAD AGENCY

  
SIGNATURE

12-10-10

- Check this box if the lead agency has identified one or more potentially significant adverse impacts that MAY occur.
- Issue Conditional Negative Declaration**  
 A **Conditional Negative Declaration** (CND) may be appropriate if there is a private applicant for an Unlisted action AND when conditions imposed by the lead agency will modify the proposed project so that no significant adverse environmental impacts would result. The CND is prepared as a separate document and is subject to the requirements in 6 NYCRR Part 617.
- Issue Positive Declaration and proceed to a draft scope of work for the Environmental Impact Statement.**  
 If the lead agency has determined that the project may have a significant impact on the environment, and if a conditional negative declaration is not appropriate, then the lead agency issues a Positive Declaration.

NEGATIVE DECLARATION (To Be Completed By Lead Agency)

**Statement of No Significant Effect**

Pursuant to Executive Order 91 of 1977, as amended, and the Rules of Procedure for City Environmental Quality Review, found at Title 62, Chapter 5 of the Rules of the City of New York and 6NYCRR, Part 617, State Environmental Quality Review, the [ ] assumed the role of lead agency for the environmental review of the proposed project. Based on a review of information about the project contained in this environmental assessment statement and any attachments hereto, which are incorporated by reference herein, the [ ] has determined that the proposed project would not have a significant adverse impact on the environment.

Reasons Supporting this Determination

The above determination is based on information contained in this EAS that finds, because the proposed project:

No other significant effects upon the environment that would require the preparation of a Draft Environmental Impact Statement are foreseeable. This Negative Declaration has been prepared in accordance with Article 8 of the New York State Environmental Conservation Law (SEQRA).

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**A. INTRODUCTION**

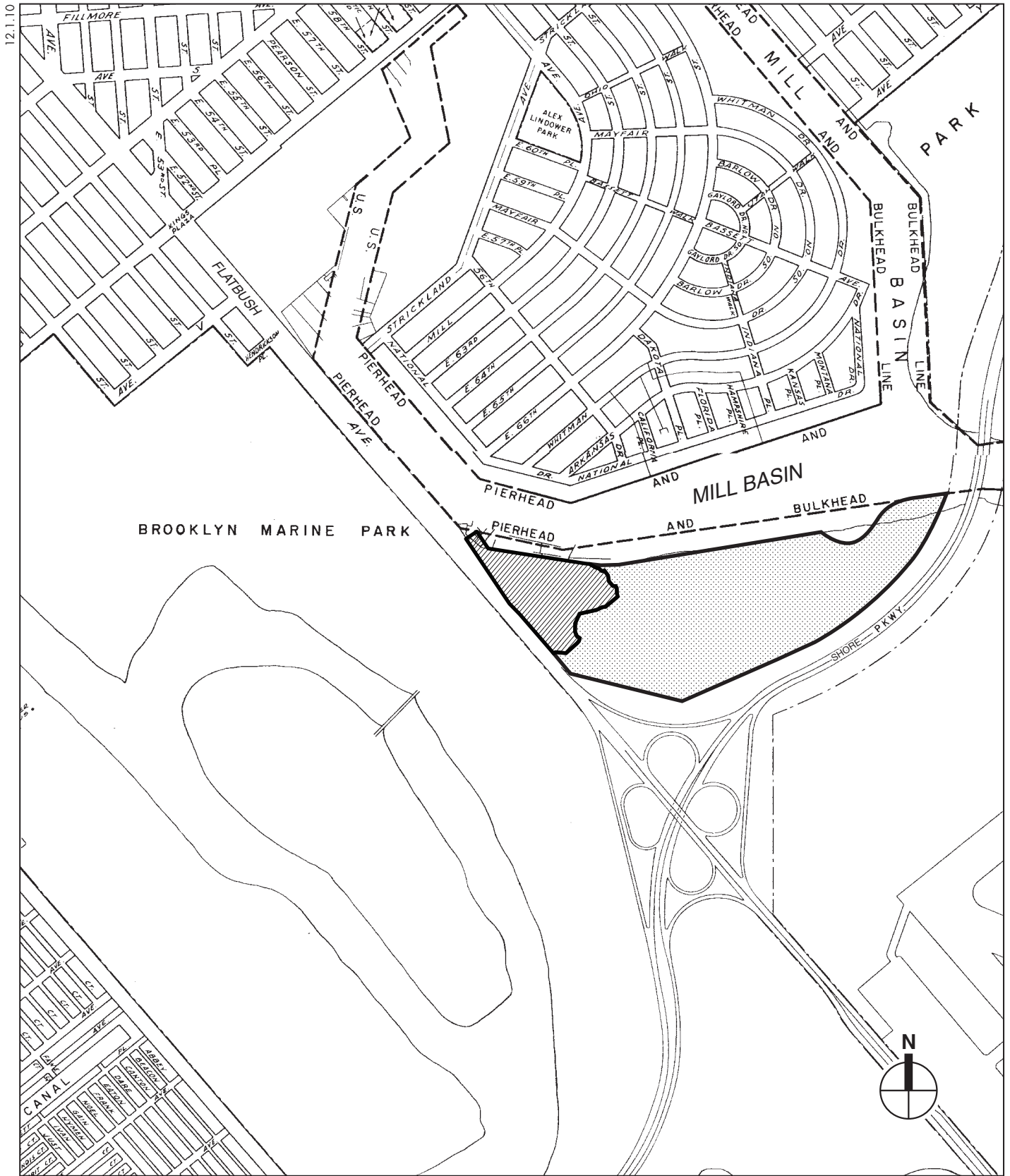
This attachment provides a description of the proposed project, the project objectives, purpose and need, the proposed development plan and the discretionary approvals required for implementation. In addition, this attachment examines the potential for the proposed actions to result in significant adverse environmental impacts based on the screening procedures of the 2010 *City Environmental Quality Review (CEQR) Technical Manual*. For each of the impact categories, the screening analysis is used to determine whether a more detailed impact assessment is required and, therefore, will be described in the attached “Draft Scope of Work to prepare an Environmental Impact Statement” (the “Draft Scope”).

The “proposed actions” would allow for redevelopment of vacant City-owned waterfront property fronting on Flatbush Avenue in Brooklyn Community District 18 (see Figure A-1). If approved, the proposed actions would facilitate the construction of approximately 248,000 square feet (gsf) of retail development on a development parcel of about 15 acres, which is part of an approximately 61-acre City-owned property (Block 8591, Lots 100, 125 and 175). Including the existing retail use on site, the total retail use at the site would be 294,000 gsf. As one of the proposed actions, the larger portion of the City property—46 acres that is known as Four Sparrows Marsh—would be formally mapped as parkland. The project site is located north and east of the interchange of the Belt Parkway with Flatbush Avenue and about 0.5 mile south of Avenue U. It is bounded by the Mill Basin waterway to the east, the Belt Parkway to the east and south, and Flatbush Avenue to the west.

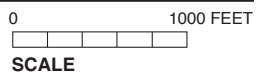
The proposed actions include rezoning a portion of the project site from C3 to C8-1, disposition of the development parcel from the City to the New York City Economic Development Corporation (NYCEDC) for the purposes of disposition to private entities; demapping and disposition of the unbuilt portions of Flatbush Avenue adjacent to the development parcel; mapping of Four Sparrows Marsh as public parkland; a waterfront zoning lot subdivision; zoning special permits and authorizations and Mayoral approval of the terms of the disposition pursuant to Section 384 (b)(4) of the City Charter. The proposed site plan calls for the protection of natural features and a high quality and interconnected retail center with public access. Under this proposal, site redevelopment could proceed, providing economic redevelopment, job growth, private investment and improvements at an underutilized City property.

**B. PROJECT PURPOSE AND NEED**

The purpose and need for the proposed actions is to allow redevelopment of an underutilized City property with a new commercial retail center, thereby allowing the site to realize its potential to provide economic and fiscal benefits to the City and its residents. Redevelopment of the site would create new jobs, sales tax revenue, and private investment.



-  Proposed Development Parcel
-  Proposed Parkland



## **Four Sparrows Retail Center at Mill Basin EAS**

---

In addition, an objective of the project is to develop a quality site plan that provides redevelopment in a way that does not negatively impact the environment. To that end, project design guidelines will be established by the City to ensure that the proposed project has minimal impact on the adjoining natural resources. The design guidelines would facilitate proper internal site circulation for vehicles, pedestrians, and cyclists while maintaining access to the Sea Travelers Marina on the waterfront. The design guidelines would also ensure high quality site design and landscaping, including a landscaped buffer between the development parcel and the adjoining parkland, and landscaped parking areas. The proposed project includes mapping 46 acres of existing open space as City parkland for the purposes of permanently protecting Four Sparrows Marsh. The majority of this open space is comprised of important tidal wetlands and coastal habitat. Thus, it is an important objective of the proposed project to avoid development activities that may adversely impact tidal wetlands or adjacent areas and to provide a landscaped buffer between the proposed commercial development and the adjoining parkland.

### **C. PROJECT DESCRIPTION**

#### **PROJECT IDENTIFICATION**

The area of the proposed actions consists of City-owned Tax Block 8591, Lots 100, 125, and 175 totaling 61 acres (see Figures A-1 through A-3). The area of the proposed actions would include commercial development on about 15 acres while the balance, 46 acres, would be mapped as City parkland. The proposed commercial development is a retail center that would include 46,000 gsf of existing retail space (a Toys ‘R’ Us) that would remain in its current location as well as 248,000 square feet of new commercial retail space. Adjacent to the development parcel, directly on the Mill Basin waterfront, is the existing Sea Travelers Marina. This use, also on City property, would be subdivided from the development parcel and would continue to be leased as a separate City-owned parcel. It would therefore remain as a water-dependent commercial maritime use.

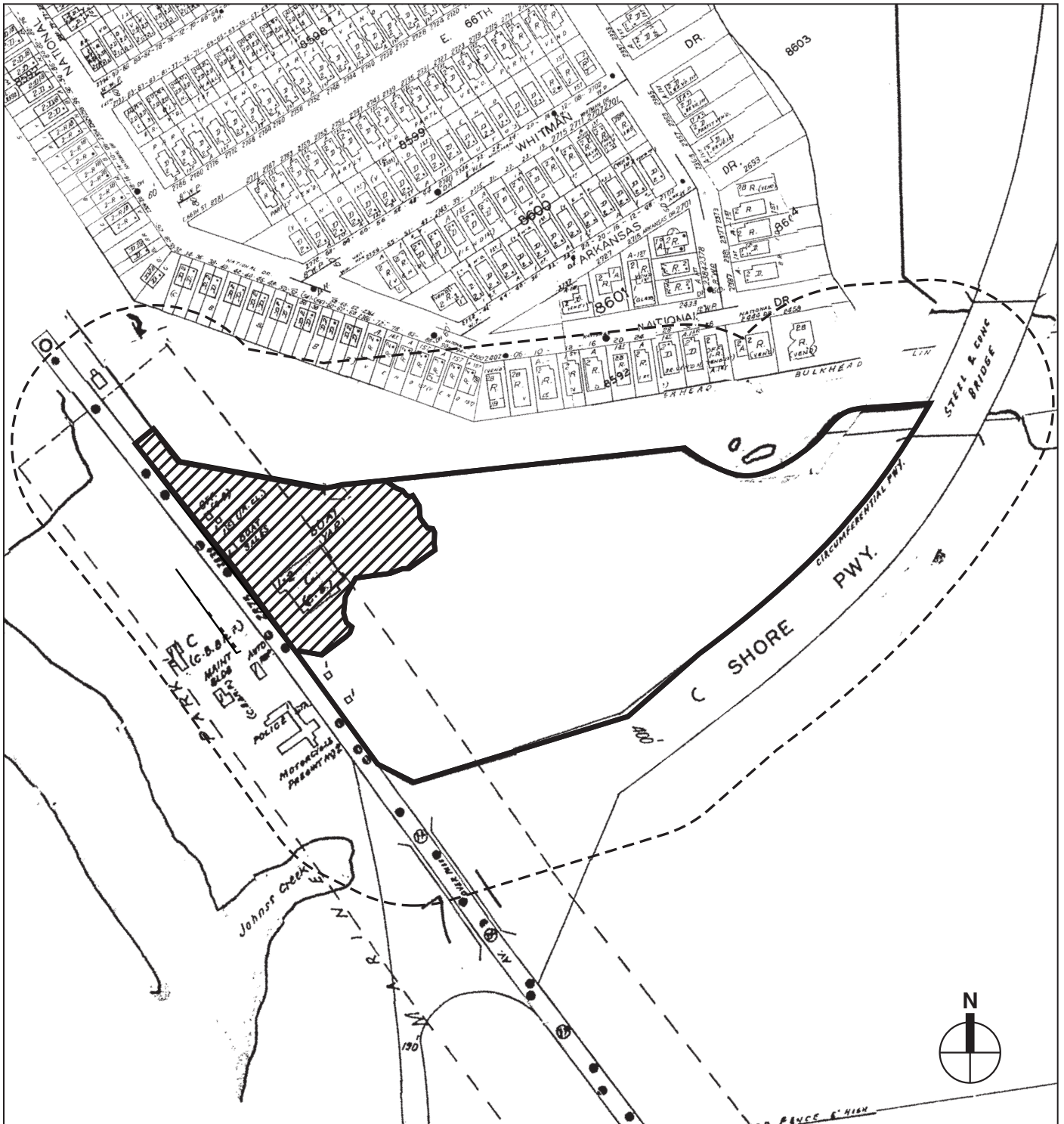
To the east and south of the development parcel is the City-owned Four Sparrows Marsh. With large areas of tidal wetlands and coastal habitats, the marsh is an undeveloped natural area. It is currently not mapped parkland (see Figure A-4). One of the proposed actions is to map this approximately 46-acre area as public parkland. An approximately 400-foot public trail proposed as part of the development component of the project would provide public access to view the park, with passive recreation opportunities such as bird watching.



As stated above, all the lands in the project area are under City ownership. Under the proposed actions, the development parcel and demapped portions of Flatbush Avenue would be conveyed to NYCEDC, which in turn would sell the property to three separate private entities as three development parcels to develop the proposed commercial retail center. Additional actions include a zoning map change from C3 to C8-1 to allow that retail development (see Figure A-3), the mapping of Four Sparrows Marsh as City parkland, and other mapping and zoning actions. If the proposed actions are approved, the proposed project is expected to be completed and occupied in 2014.

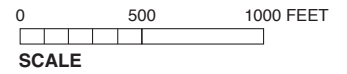
Site design guidelines to be developed by the City would require the creation of a high-quality commercial development with public waterfront views, protection of natural resources, and proper circulation for vehicle and pedestrian traffic.



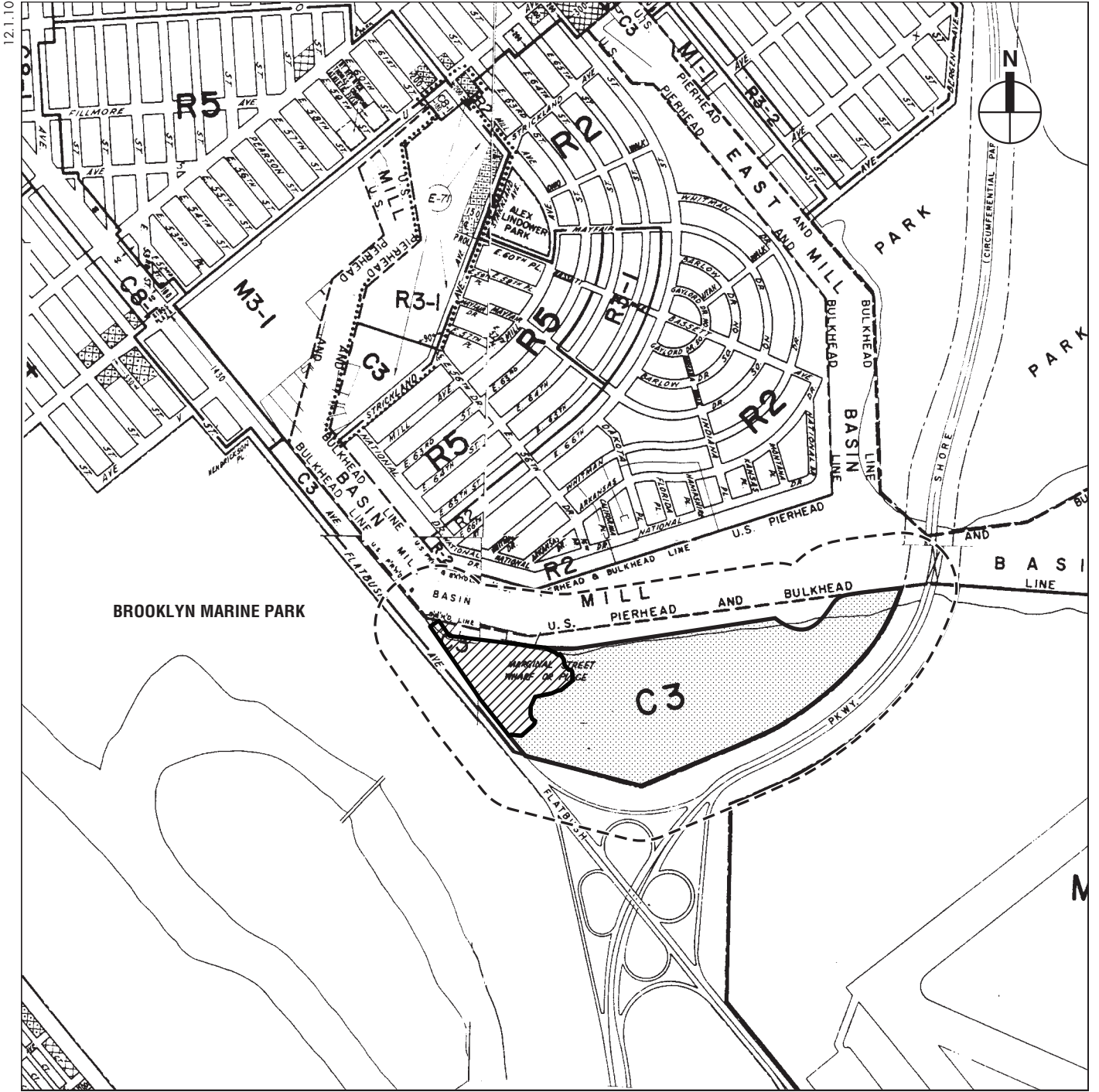
12.1.10



-  Proposed Development Parcel
-  Proposed Parkland
-  400-Foot Perimeter











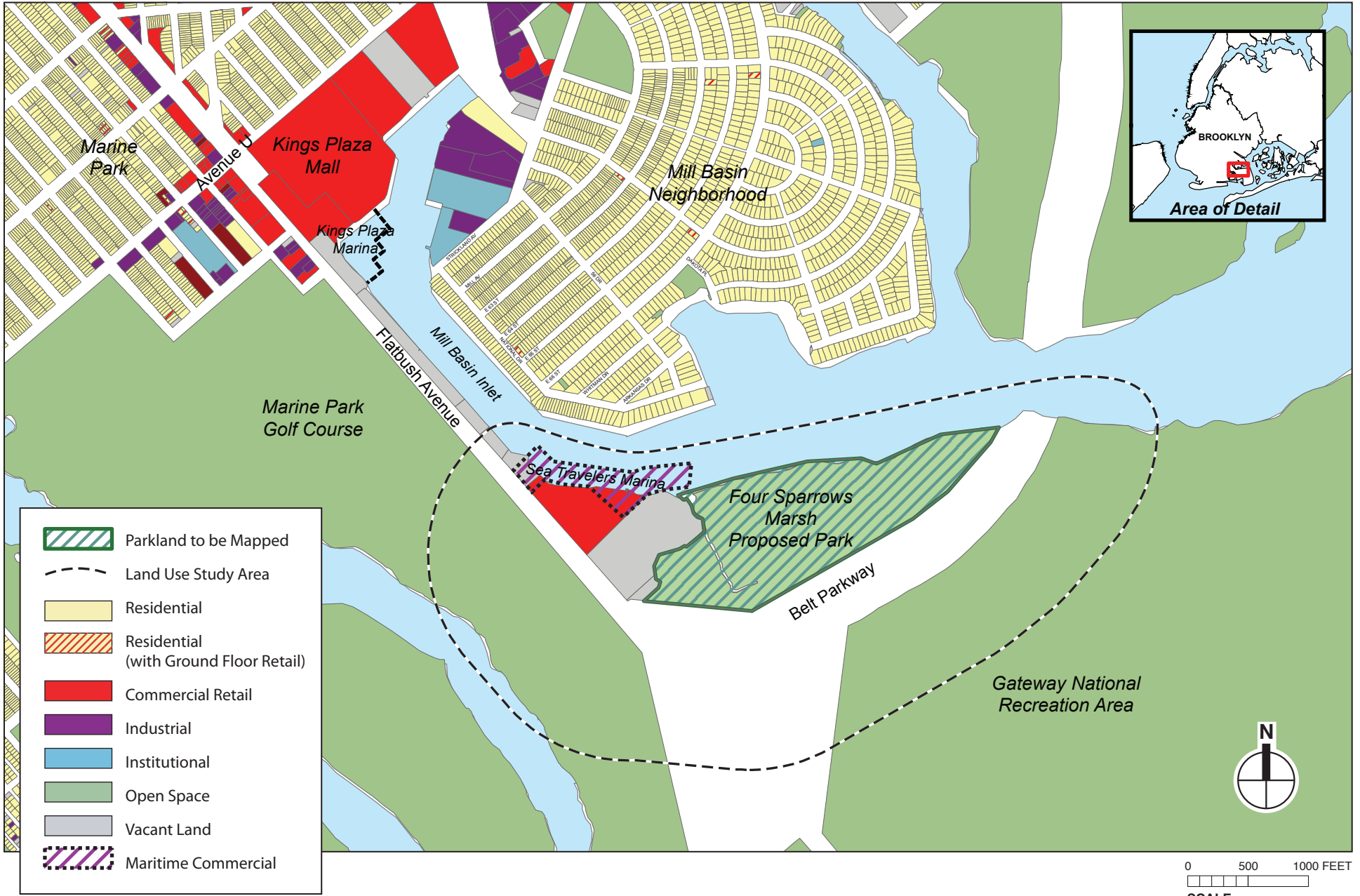


12.1.10



-  Proposed Development Parcel
-  Proposed Parkland
-  400-Foot Perimeter
-  Zoning District Boundary
-  C2-2 Overlay
-  C1-2 Overlay





## PROPOSED DEVELOPMENT PLAN

### *SITE PLAN*

As stated above, a site design principal is to create a functional, interconnected, and aesthetically appealing commercial retail center. There are three components to the retail center, which are as follows:

- A proposed auto-related commercial use referred to as the Kristal Auto Mall would be developed. To be located at the northern end of the development area (on about 2.5 acres), this proposed new use would provide automobile sales, showroom, and service space (with no fueling capacity) in a two-story building with about 104,000 zoning square feet (zsf), or 110,000 gsf. Also provided would be accessory parking for about 206 cars. This includes at-grade parking and rooftop parking. In addition to the proposed main building there would be a small accessory structure on the north side of the site, which would be used for sale of pre-owned vehicles. There would also be stormwater runoff and infrastructure improvements, as well as landscaping.
- The existing Toys ‘R’ Us, which contains about 46,000 gsf of space, would remain at its location and be integrated into the proposed commercial center. No additions or expansions to this building are proposed, with the exception of façade refurbishment. Improvements on this parcel are limited to landscaping and paving/circulation improvements with the objective of connecting the three development parcels.

The proposed commercial retail complex on the south side of the development area would be the Four Sparrows Marsh Retail Center. There are two site plans under consideration that will be analyzed in the Draft Environmental Impact Statement (DEIS). Under one scenario, the proposed development concept calls for two commercial structures with a combined total building area of 137,967 gsf. The proposed development would include a one-story commercial retail structure (with about 40,176 square feet) along the Flatbush Avenue side of the lot and a two-story commercial retail structure (with about 97,791 square feet) to the rear of the lot set back further from Flatbush Avenue. The layout of this site plan and building design would allow for multiple tenants. The building heights would be 24 and 45 feet above grade respectively (up to 29 and 50 feet, respectively, above grade). On-grade parking would be provided for 460 vehicles. This development would include landscaping in accordance with City zoning, including the planting of about 74 trees and space for about 32 bicycles. Under a second scenario, the proposed development concept calls for a single commercial structure with a total building area of 127,340 gsf. This site plan and building design assume a single tenant building. The building height would be 30 feet above grade (up to 40 feet above grade). Under this scenario, on-grade parking would be provided for 427 vehicles. This development would include the required finishes and landscaping in accordance with City zoning requirements, including the planting of about 68 trees and space for about 24 bicycles. Under either development scenario, there would be a new curb cut and relocation of the existing signalized intersection at Flatbush Avenue (which provides access to the Toys ‘R’ Us site). The relocated intersection would provide controlled access to the main access corridor of the proposed development.

Under either proposed design, all site improvements would be located outside of the tidal wetlands and the regulated adjacent area at the site (i.e., above elevation 10). In addition, a landscaped buffer of indigenous coastal shrubbery would be planted in a natural area planting buffer to be created between the proposed development and the protected wetland-adjacent area line.

## **Four Sparrows Retail Center at Mill Basin EAS**

---

No improvements are proposed for Four Sparrows Marsh with the exception of the construction of a nature trail of approximately 400 linear feet that would provide public access for viewing the natural area of the park, including birding and viewing the tidal wetlands and coastal habitats. The waterfront public open space areas would be within the proposed mapped parkland. Signage would identify the presence of publicly accessible waterfront open space at the site. The nature path and waterfront would be accessible from dawn to dusk.

Outside of the development parcels and the proposed parkland mapping, the City would retain ownership of the waterfront for the purposes of providing public access and water-related recreation. To that end, the City would continue to lease the Mill Basin frontage to the current occupant, Sea Travelers Marina. With the proposed zoning lot subdivision (see the list of actions described below), the Sea Travelers Marina would remain the sole occupant of the balance of Tax Block 8591, lots 125 and 175, and would occupy the remaining 270,000 square feet of lot area for the purposes of operating a marina. As part of the proposed project, boat storage racks would also be developed on the Sea Travelers Marina property.

### *CIRCULATION AND PARKING PLAN*

The proposed commercial retail development would be accessible via a new curb cut and signal to be provided at the retail center's main entrance from Flatbush Avenue. This signal would be relocated from the existing driveway that provides access to Toys 'R' Us and Sea Travelers Marina. This main entrance would also provide pedestrian and visual access to the waterfront. This common access corridor would provide access to the proposed Four Sparrows Marsh Retail Center, as well as to Toys 'R' Us and Sea Travelers Marina. It would also be the truck delivery access. A second driveway on Flatbush Avenue would provide access to both Kristal Auto Mall and Toys 'R' Us. Off-street parking would include 206 spaces at the Kristal Auto Mall parcel, approximately 154 spaces at the Toys 'R' Us parcel, and up to 460 parking spaces at the Four Sparrows Retail Center parcel. Thus, total parking would be about 820 spaces. In addition, the proposed site plan accommodates pedestrian and cyclist circulation both to and between the adjoining retail properties.

### *LANDSCAPING PLAN*

Project design objectives call for a landscape plan that would provide for the protection of parkland and natural resources in Four Sparrows Marsh. This landscape plan includes the designation of a green buffer to a width of 10 feet, separating the proposed development from protected natural areas, and a natural area buffer to a width of 25 feet to protect the woodlands and wetlands in the proposed park to the east and south of the development parcel. On-site landscaping would be required to use indigenous species.

### **PROPOSED ACTIONS**

The following City actions are necessary for the proposed project to move forward:

- Rezoning the development parcels from C3 to C8-1;
- Demapping and disposition of the unbuilt portions of Flatbush Avenue and Marginal Street, Wharf, or Place that cross the site, and remapping of the easterly Flatbush Avenue right-of-way line to reflect the limits of the existing built street;

- Disposition of the development parcel to NYCEDC for further disposition to three private entities, and approval of the business terms of such disposition pursuant to Section 384(b)4 of the New York City Charter;
- Special permit pursuant to ZR Section 62-836 to modify height and setback regulations on a waterfront block for Four Sparrows Retail Center and Kristal Auto Mall sites;
- Certification of the site plan on a waterfront block pursuant to ZR Sections 62-811;
- Certification of zoning lot subdivision pursuant to ZR Section 62-812; and
- Mapping of Four Sparrows Marsh and the nature path area as parkland.

Certain of the above actions (e.g., City map and zoning changes) are subject to the City's Uniform Land Use Review Procedure (ULURP) process. Additional related actions include review and approval of the project's business terms by the Mayor and Borough Board in accordance with Section 384(b)(4) of the City Charter, permits and approvals from the New York City Department of Transportation (NYCDOT) for proposed signal and roadway improvements, and the New York State Department of Environmental Conservation (NYSDEC) for activities on a site that contains tidal wetlands, for stormwater management during construction and operation, and possibly for the proposed trail. In addition, the proposed project requires an amended drainage plan, which is subject to the approval of the New York City Department of Environmental Protection (NYCDEP). Additional approvals would also be required from NYCDEP for the extension of sanitary sewer lines.

As stated above, all development activities would occur outside the regulated wetland-adjacent area. It is also the objective of the proposed project to minimize indirect impacts on wetlands during both construction and operation. Activities that may occur in the regulated area are principally related to the stormwater management and public access improvements (e.g., nature path).

Since this site lies within the designated boundaries of the City's coastal zone (see Figure A-5), the City's coastal zone management policies also apply. The New York City Planning Commission (CPC), acting as the City Coastal Commission, must therefore make a consistency determination pursuant to these policies.

Subject to the approval of the proposed actions cited above, the proposed development is expected to be completed and operational in 2014 (i.e., the project's Build year).

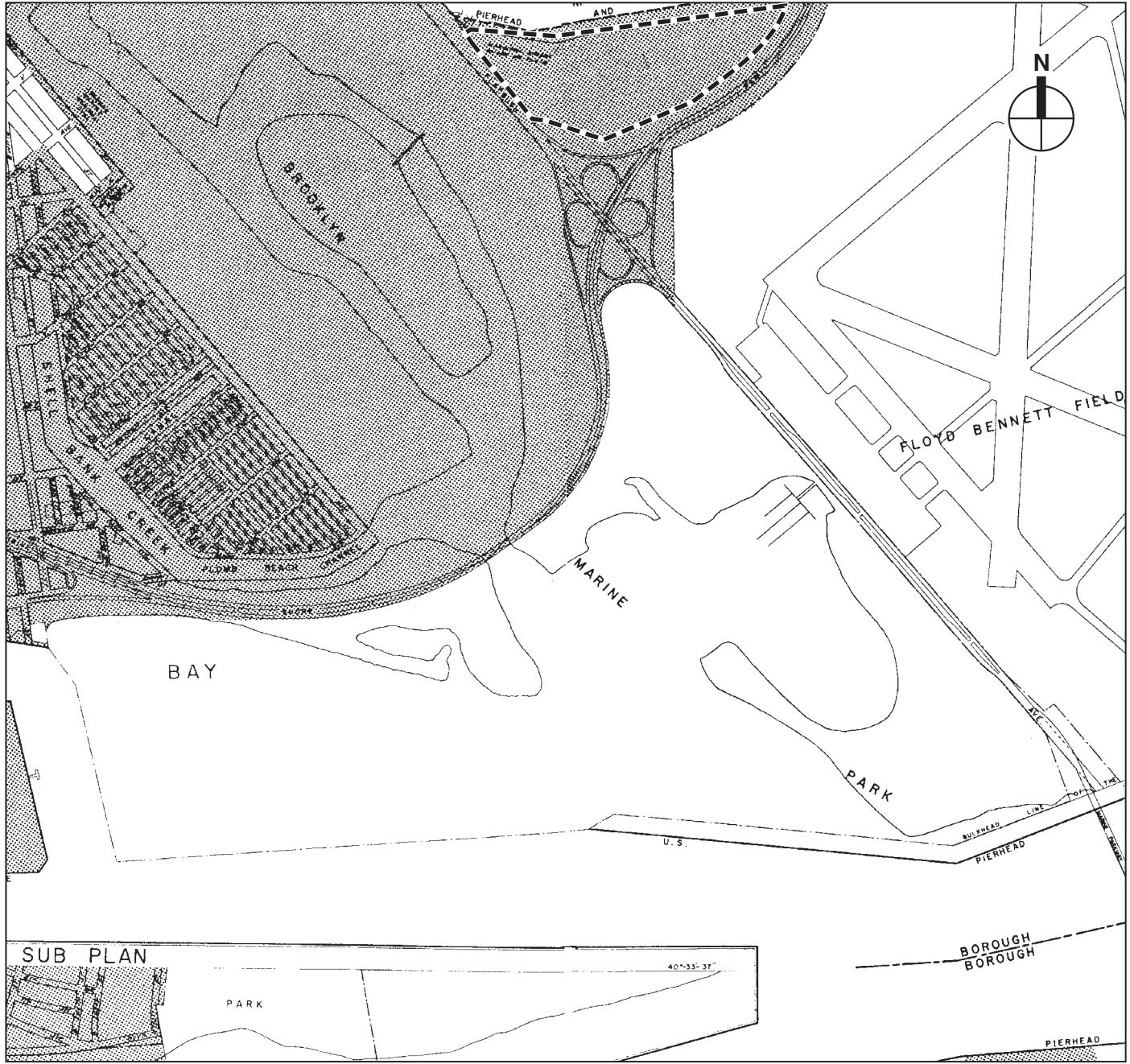
#### **D. CEQR SCREENING ANALYSES**

For each technical area, the 2010 *CEQR Technical Manual* defines thresholds that, if met or exceeded, require a detailed technical analysis be undertaken. Preliminary screening analyses were conducted for the proposed actions using the guidelines presented in the 2010 *CEQR Technical Manual* to determine whether detailed analysis of a given technical area is appropriate. These analyses are provided below and identify which impact areas will be screened out based on the CEQR Technical Manual and which will be the subject of detailed analyses in the DEIS and as presented in the Draft Scope of Work to prepare an EIS.

#### **LAND USE, ZONING AND PUBLIC POLICY**

According to the 2010 *CEQR Technical Manual*, a detailed assessment of land use, zoning, and public policy is appropriate if an action would be expected to result in a significant change in land use. In addition, a land use analysis characterizes the uses and development trends in the





- Development Parcel
- ▨ Coastal Zone

0 2000 FEET  
SCALE

## **Four Sparrows Retail Center at Mill Basin EAS**

---

area that may be affected by a proposed action. The analysis also considers the action's compliance with and effect on the area's zoning and other applicable public policies. Even when there is little potential for an action to be inconsistent with or to affect land use, zoning, or public policy, a description of land use, zoning, and public policy issues is usually appropriate to establish conditions and provide information for use in other technical areas. A detailed assessment of land use and zoning is appropriate if a proposed action would result in a significant change in land use, or would substantially affect regulations or policies governing land use.

As discussed above, the proposed actions would result in the construction of approximately 294,000 square feet of retail use, with up to 820 accessory parking spaces. A number of actions are required to facilitate this project, including: rezoning of the development parcel from C3 to C8-1; disposition of the development parcel from the City to NYCEDC for the purposes of disposition to private entities, mapping of Four Sparrows Marsh as public parkland, and map amendments related to Flatbush Avenue (demapping the unbuilt portions of the street across the proposed development parcel) along with CPC zoning authorizations and special permit approvals. As the proposed actions would result in a change in land use over a larger waterfront site, along with a change in zoning and changes in the City map, a detailed assessment of land use, zoning, and public policy is appropriate as described in the Draft Scope.

The New York City Waterfront Revitalization Program (WRP) is the City's principal coastal zone management tool. As originally adopted in 1982 and revised in 1999, it establishes the City's policies for development and use of the waterfront. All proposed actions subject to CEQR, ULURP, or other local, state, or federal agency discretionary actions that are situated within New York City's designated Coastal Zone Boundary must be reviewed and assessed for their consistency with the WRP.

The entire project site is located within the City's designated Coastal Zone Boundary (see Figure A-5). In addition, the portion of the project site to be mapped as public parkland (Four Sparrows Marsh) is located within the Jamaica Bay Special Natural Waterfront Area (SNWA). Therefore, in accordance with the guidelines of the 2010 *CEQR Technical Manual*, a preliminary evaluation of the proposed actions' consistency with WRP policies was undertaken (see Appendix B for the WRP Coastal Assessment Form [CAF]).

As indicated by the CAF, the proposed actions require detailed assessment for several WRP policies. Policies of particular interest for the proposed actions are 4, 5, 7, 18, 19, 21, 25, 26, 27, 32, 33, 40, 43, 47, and 48. Thus, a detailed assessment of the proposed actions' consistency with applicable WRP policies is warranted, as discussed in the Draft Scope.

Given the above, the DEIS will include a detailed analysis of land use, zoning, and public policy.

### **SOCIOECONOMIC CONDITIONS**

According to the 2010 *CEQR Technical Manual*, a socioeconomic assessment should be conducted if an action may reasonably be expected to create substantial socioeconomic changes in an area. This can occur if an action would directly displace a residential population, substantial numbers of businesses or employees, or eliminate a business or institution that is unusually important to the community. It can also occur if an action would bring substantial new development that is markedly different from existing uses and activities in the neighborhood, and therefore would have the potential to lead to indirect displacement of businesses or residents from the area.

According to the *CEQR Technical Manual*, residential development of less than 200 units or commercial development less than 200,000 square feet is generally not considered “substantial” new development and typically is assumed to not result in significant socioeconomic impacts (the CEQR guideline for which more detailed analyses may be required is 200,000 square feet of commercial space).

The proposed actions would result in the construction of a commercial retail development that would include a total of approximately 294,000 square feet of retail uses (including 46,000 square feet of existing retail space) and the mapping of a 46-acre public park. The proposed actions would not directly displace any existing residential or commercial tenants, and would develop only commercial space (no residential units are proposed). About 46,000 of the 294,000 square feet of commercial space is existing space at the Toys ‘R’ Us, which would remain in active use on the site irrespective of the proposed project. Therefore, the proposed project would result in an increment of 248,000 square feet of retail space. Based on the guidance of the 2010 *CEQR Technical Manual*, the following would apply to the proposed actions with respect to socioeconomic conditions:

- The proposed actions would not result in direct residential displacement and would not alter the local neighborhood.
- The proposed actions would not result in any direct business or institutional displacement nor would it displace any unusually important businesses.
- The proposed actions would not result in any indirect residential displacement nor would it develop any residential uses.
- The proposed actions would not develop any uses that are markedly different from uses in the area and would not result in indirect business displacement due to increased rents.
- The proposed actions would not have any adverse effect on any specific industry.
- The proposed actions would introduce more than 200,000 square feet of local-serving or regional-serving retail on a single development site, and therefore requires an assessment of potential indirect business displacement due to market saturation.

Based on the above, the DEIS will include a preliminary assessment of indirect business displacement due to market saturation to determine the potential for significant adverse socioeconomic impacts. If the preliminary assessment finds that the proposed actions have the potential to saturate the market for particular retail goods, a detailed analysis will be conducted, as described in the draft scope.

## **COMMUNITY FACILITIES AND SERVICES**

The 2010 *CEQR Technical Manual* specifies that actions that would add fewer than 100 residential units to an area generally do not need to consider community facility and service impacts unless the proposed action would have a direct effect on a community facility (e.g., demolition or relocation). The proposed actions would result in commercial development only; they would not generate any residential units. There would also not be any direct displacement of any community facilities. Therefore, under the proposed actions there would be:

- No added demands on public education facilities.
- No added demands on public libraries.
- No added demands on day care facilities.



## **Four Sparrows Retail Center at Mill Basin EAS**

---

- No significant added demands on health care facilities.
- No significant added demands on police and fire services.

Thus, the proposed actions would not result in any development that would exceed *CEQR Technical Manual* thresholds for potential significant impacts to community facilities. It is therefore concluded that the proposed actions would not result in any significant adverse impacts to community facilities and services, and based on this screening, no further analysis is required in the DEIS.

### **OPEN SPACE**

The 2010 *CEQR Technical Manual* recommends performing an open space impact assessment for projects that either physically displace an open space or generate enough new residents or workers to noticeably diminish the capacity of an area's open spaces to serve existing or future populations. Open space is defined as publicly or privately owned land that has been designated for leisure, play, or sport, or land set aside for the protection and/or enhancement of the natural environment.

The 2010 *CEQR Technical Manual's* threshold for a detailed analysis is an expected population increase of 200 or more residents, or 500 or more employees, except in areas that are designated "under-served" or "well-served." The proposed actions would not displace any existing public open spaces, but would result in an increase of 500 or more employees.<sup>1</sup> The proposed project site is located within a designated well-served area in Community District 18 in Brooklyn. Therefore, the threshold for the incremental increase in workers generated by the proposed project is 750, not 500.

Since the proposed project would generate only 665 new, incremental workers, the threshold of 750 for well-served areas is not met and no further analysis is required.

### **SHADOWS**

As stated in the 2010 *CEQR Technical Manual*, an adverse shadow impact may occur when the shadow from a proposed project would fall on a publicly accessible open space, an important natural feature, a historic landscape or other historic resource (if the features of that resource are sunlight-dependent), or an important natural resource (if the new shadow would adversely affect its use/and or the landscaping and vegetation). Shadows assessments are typically prepared for actions resulting in structures 50 feet tall or taller, and for shorter structures adjacent to important sunlight sensitive features, as listed above. There are no historic sunlight sensitive historic resources in the area and therefore this analysis focuses on the adjoining open space and natural resources.

The proposed retail development comprises two new retail structures under the multiple tenant development scenario and one single retail building and one tenant under another development scenario. Heights of the proposed buildings are, under the multiple tenant plan, two stories and 45 feet (up to 50 feet with the rooftop mechanized space for the east building, Retail A) and one story and 24 feet (up to 29 feet with the rooftop mechanized space for the west building Retail

---

<sup>1</sup> The proposed 294,000 gsf of retail development is expected to result in approximately 735 workers based on 1 worker per 400 square feet of retail space (about 665 added workers excluding the existing Toys 'R' Us workers.).

B); there is one 30 foot building under the single tenant scenario. To the north, east and south of the proposed retail development site is the City-owned Four Sparrows Marsh. One of the proposed actions is to map this undeveloped natural area as public parkland. Abutting the proposed retail development site to the north, a public trail would be developed, providing public access to the park. To the east and south, an approximately 40 foot wide natural area buffer would separate the retail development site from the proposed public parkland.

The proposed actions include both the retail development and the mapping of the Four Sparrows Marsh Park. The 2010 *CEQR Technical Manual* states that project-generated public open space cannot experience a significant adverse shadow impact from the project because in the absence of the project the open space would not exist. However, since the adjoining Four Sparrows Marsh exists and the proposed parkland would be adjacent to the retail development, a shadows assessment is presented below to determine whether shadows from the proposed structures could fall on the proposed parkland, and, if so, to disclose and describe any such shadows, following standard CEQR methodology.

#### *METHODOLOGY*

In accordance with 2010 *CEQR Technical Manual* guidelines, the preliminary screening assessment consists of three tiers of analysis. The first tier determines a simple radius around the proposed structures representing the longest shadow that could be cast. If there are sunlight-sensitive resources within this radius, the analysis proceeds to the second tier, which reduces the area that could be affected by project shadow by accounting for the fact that shadows can never be cast between a certain range of angles south of the project site due to the path of the sun through the sky at the latitude of New York City. If the second tier of analysis does not eliminate the possibility of new shadows on sunlight-sensitive resources, a third tier of screening analysis further refines the area that could be reached by project shadow by looking at specific representative days of the year and determining the maximum extent of shadow over the course of each representative day.

As the first step, a base map was developed showing the location of the proposed project on an aerial photo. A site plan for each of the two development scenarios was superimposed on an aerial photo delineating the proposed structures, parking lot areas, and project area boundary (see Figures A-6 and A-7).

Given the fact that the proposed development site is adjacent to the existing Four Sparrows Marsh natural resource and proposed parkland, the assessment proceeded directly to a Tier 3 screening analysis.

The direction and length of shadows vary throughout the course of the day and also differ depending on the season. In order to determine if and when project generated shadow could fall on a sunlight-sensitive resource, computer mapping software is used to calculate and display the proposed project's shadows over the course of individual representative days of the year.

In accordance with the guidance of the 2010 *CEQR Technical Manual*, shadows on the summer solstice (June 21), winter solstice (December 21) and spring and fall equinoxes (March 21 and September 21, which are approximately the same in terms of shadow patterns) are modeled, to represent the full range of possible shadows over the course of the year. An additional representative day during the growing season is also modeled, generally the day halfway between the summer solstice and the equinoxes, i.e., May 6 or August 6, which are approximately the same.







**Four Sparrows Retail Center at Mill Basin EAS**

In accordance with 2010 *CEQR Technical Manual* guidelines, the shadow assessment only considers shadows occurring between 1.5 hours after sunrise and 1.5 hours before sunset.

*MULTIPLE TENANT DEVELOPMENT SCENARIO SHADOW DURATIONS*

Figures A-8 through A-11 show the range of shadows that would occur over the course of each analysis day from the two proposed buildings on the four representative days of the year. The figure shows the shadows occurring approximately every 60 minutes from the start of the analysis day (1.5 hours after sunrise) until the end of the analysis day (1.5 hours before sunset). Table A-1, below, summarizes the entry and exit times and total duration of project-generated shadow that would fall beyond the proposed retail development property line and onto portions of the adjacent proposed parkland.

**Table A-1**  
**Shadow Durations – Multiple Tenant Scenario**

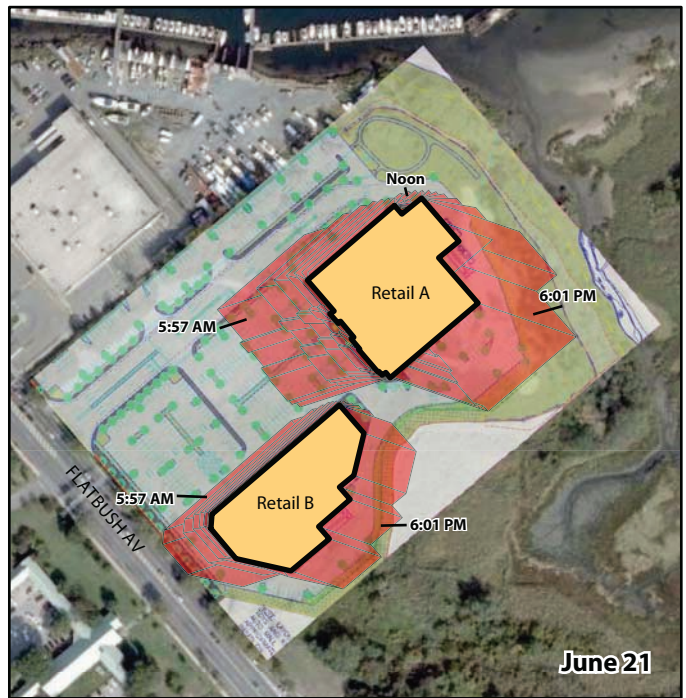
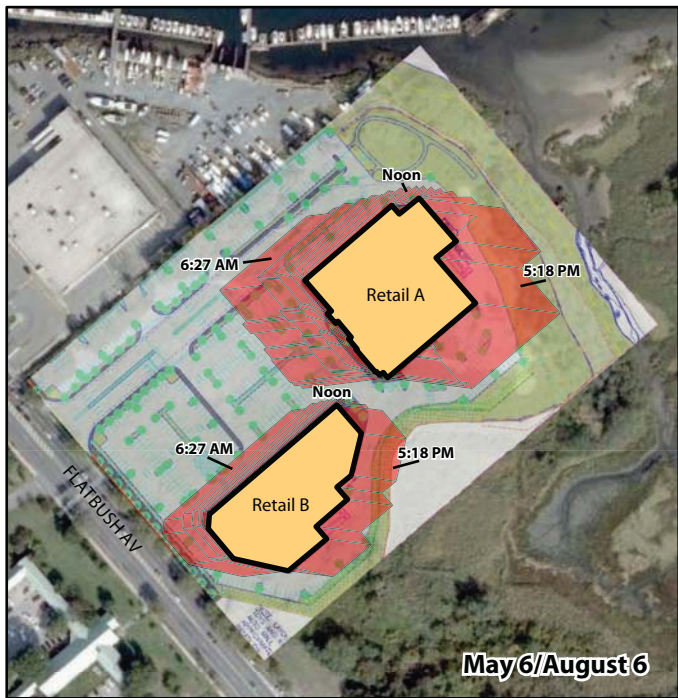
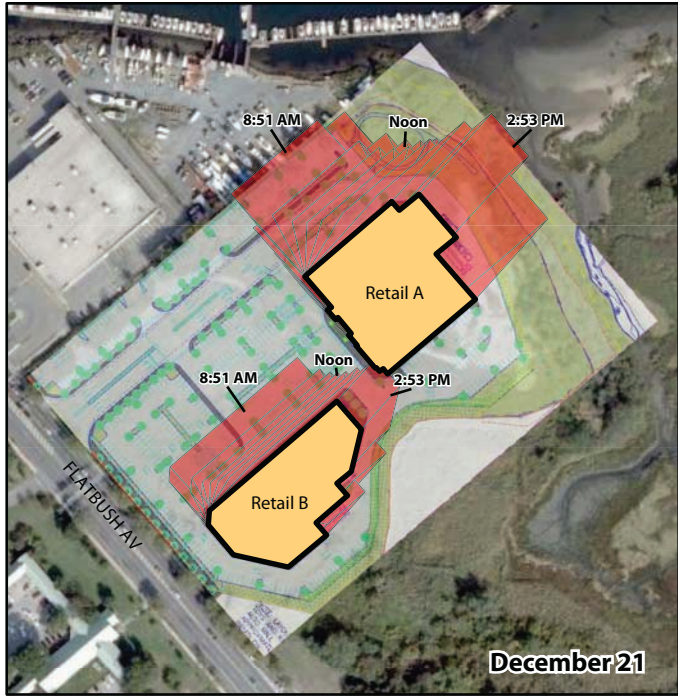
<b>Analysis day and timeframe window</b>	<b>December 21 8:51 AM-2:53 PM</b>	<b>March 21 / Sept. 21 7:36 AM-4:29 PM</b>	<b>May 6 / August 6 6:27 AM-5:18 PM</b>	<b>June 21 5:57 AM-6:01 PM</b>
Proposed Four Sparrows Park (outside proposed property line)	Retail A bldg: 8:51 AM–2:53 PM Total: 6 hr 2 min  Retail B bldg: —	Retail A bldg: 1:45 PM–4:29 PM Total: 2 hr 44 min  Retail B bldg: 4:25 PM–4:29 PM Total: 4 min	Retail A bldg: 2:50 PM–5:18 PM Total: 2 hr 28 min  Retail B bldg: 5:00 PM–5:18 PM Total: 18 min	Retail A bldg: 3:20 PM–6:01 PM Total: 2 hr 41 min  Retail B bldg: 5:30 PM–6:01 PM Total: 31 min
<b>Notes:</b> Table indicates entry and exit times and total duration of shadow from retail development. Daylight saving time is not used.				

On the December 21 analysis day, shadows are longer than at any other time of year. At this time period, shadow from the proposed Retail A building would fall northward and portions would reach beyond the proposed property line, though not past the 10-foot elevation line, throughout the morning and early afternoon of the analysis day (see Figure A-9). From approximately 2:00 PM until the end of the analysis day at 2:53 PM a portion of the incremental shadow would move beyond the 10-foot elevation line and onto a small section of the proposed nature path. Shadow from the Retail B building would not fall beyond the proposed property line or 10-foot elevation line at any time on December 21.

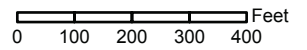
On the March 21/September 21 analysis day, shadow from the Retail A building would fall to the west in the morning, and would reach northward to approximately the edge of the proposed property line from late morning just after 1:30 PM (see Figure A-10 depicting shadows at 1:30 PM). Beginning around 1:45 PM the proposed Retail A building’s shadow would begin to move northeast and beyond the proposed property line, gradually lengthening over the course of the afternoon. At about 4:20 PM a small section of the shadow would extend beyond the 10-foot elevation line and into the adjacent public open space area to the northeast, and remain there for the final 9 minutes of the analysis day, until 4:29 PM (see Figure A-11). Shadow from the proposed Retail B building would remain on the adjacent parking areas throughout the analysis day, not crossing the proposed property boundary to the east until the final minutes of the day.

On the May 6/August 6 and June 21 analysis days, shadows are shorter than in other seasons, but fall further to the south in the early morning and late afternoon. The shadow from the two proposed



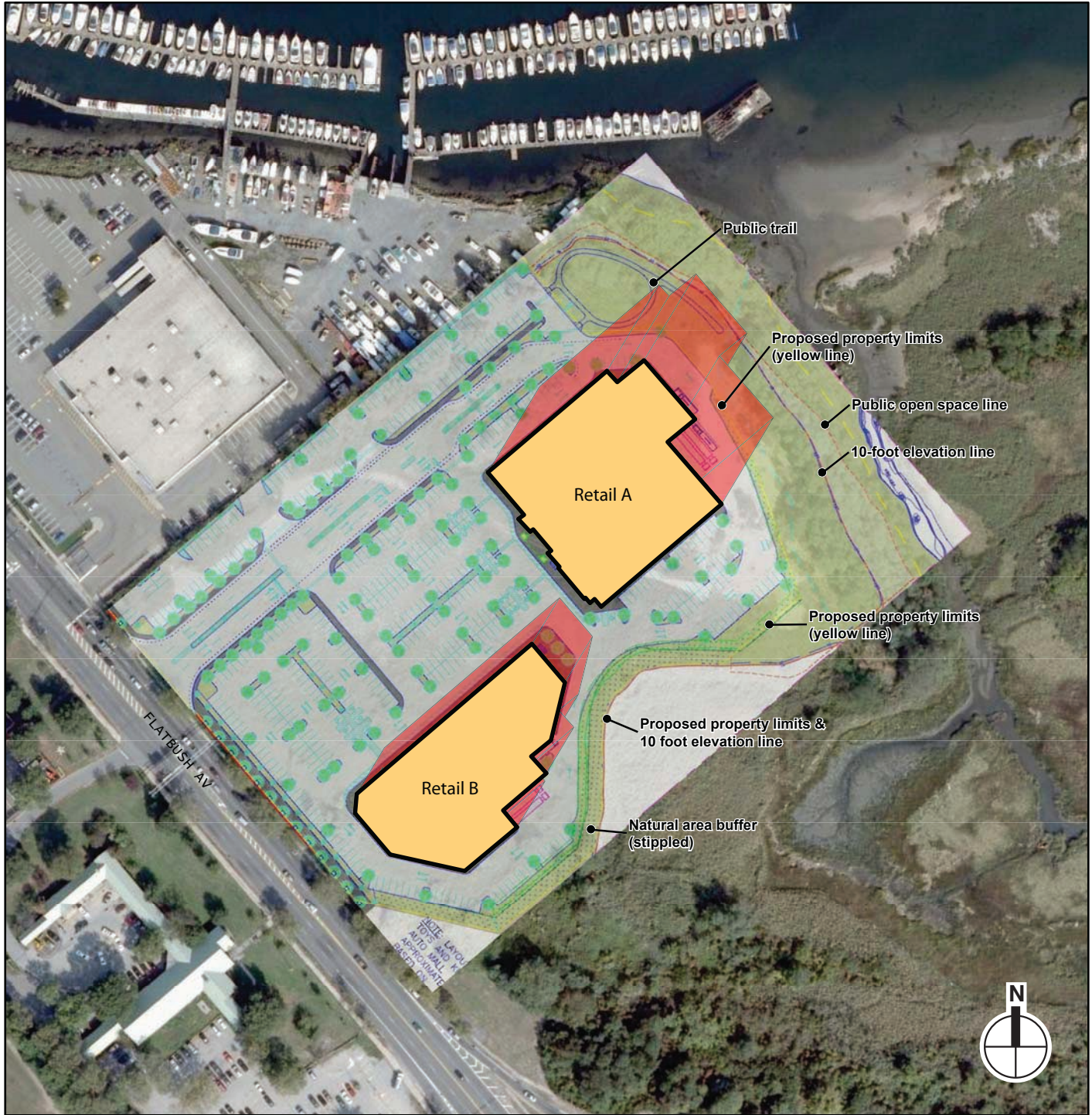


- Proposed buildings
- Shadow from proposed buildings in one-hour increments.  
Note: Daylight Saving Time not used.

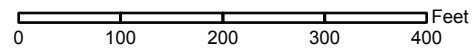


Maximum Daily Range of Shadows  
Multiple Tenant Scenario  
**Figure A-8**



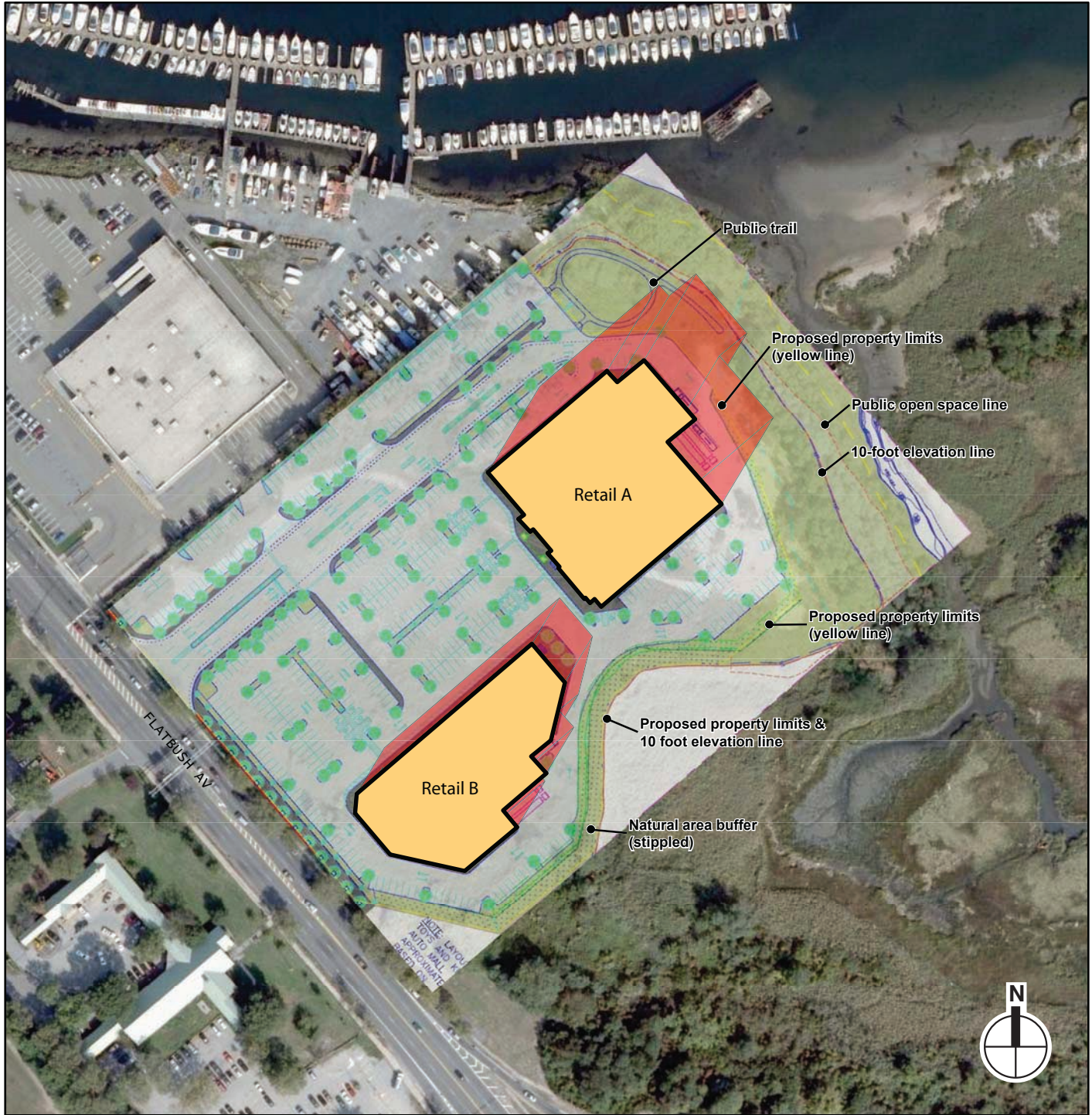


- Proposed buildings
- Shadow from proposed buildings  
Note: Daylight Saving Time not used.

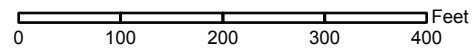


December 21 - 2:00 PM EST  
Multiple Tenant Scenario  
**Figure A-9**



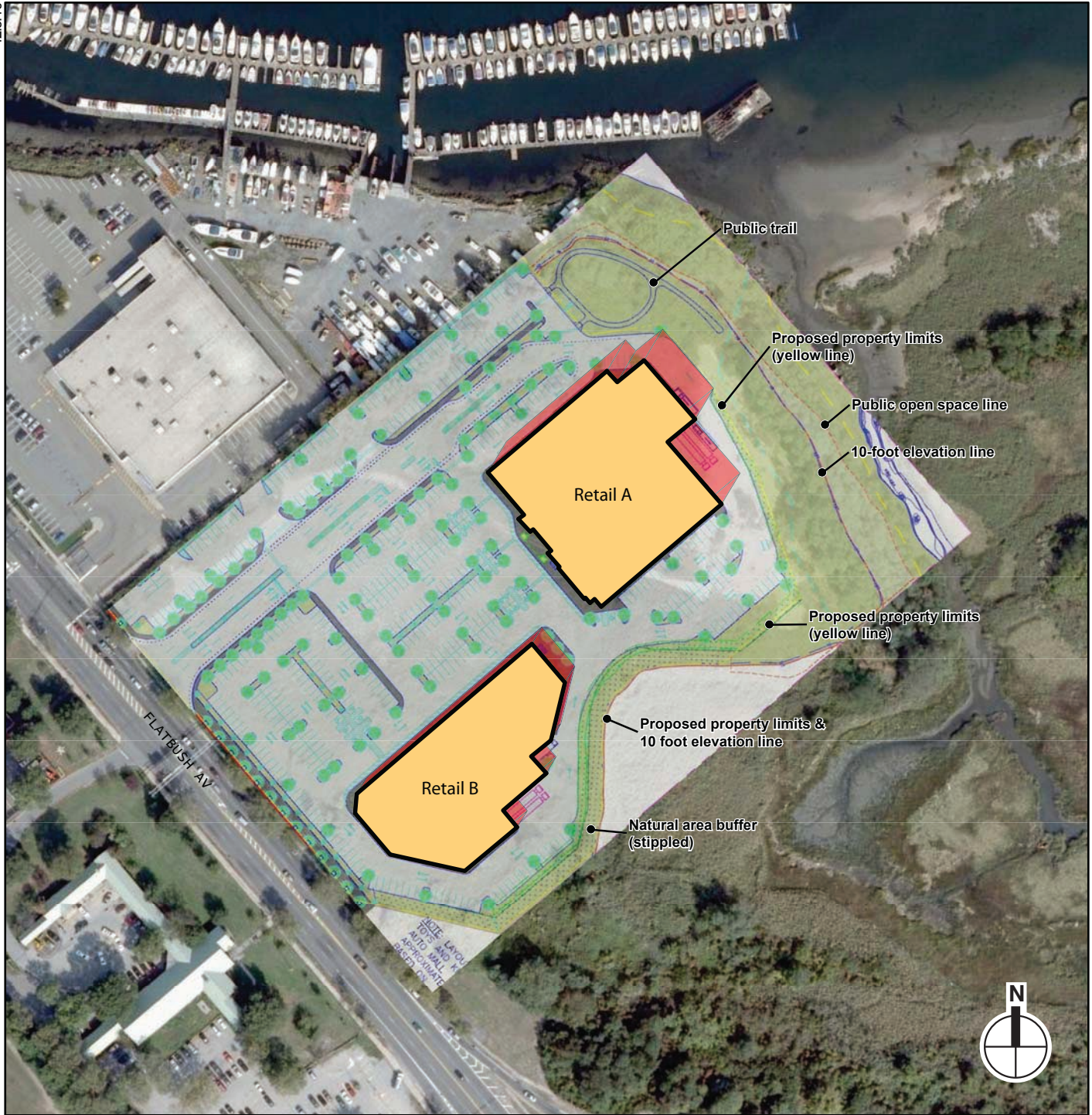


- Proposed buildings
- Shadow from proposed buildings  
Note: Daylight Saving Time not used.

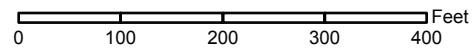


December 21 - 2:00 PM EST  
Multiple Tenant Scenario  
**Figure A-9**





- Proposed buildings
- Shadow from proposed buildings  
Note: Daylight Saving Time not used.

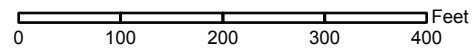


March 21/Sept. 21 - 1:30 PM EST  
Multiple Tenant Scenario  
**Figure A-10**





- Proposed buildings
- Shadow from proposed buildings  
Note: Daylight Saving Time not used.



May 6/August 6 - 3:00 PM EST  
 Multiple Tenant Scenario  
**Figure A-11**

**Attachment A: Project Description and Screening Analysis**

buildings would follow a similar pattern on these analysis days, remaining on the adjacent parking areas in the morning through the mid-afternoon and reaching eastward beyond the proposed property line in the late afternoon. On the May 6/August 6 analysis day the shadow from Retail A would move past the proposed property line at about 2:50 PM, but would only fall on a very small area of the proposed open space, until nearly the end of the day at 5:18 PM. Similarly, on the June 21 analysis day, shadow from Retail A would move beyond the proposed property line at 3:20 PM, but would remain on the proposed open space until nearly the end of the day at 6:01 PM. Project-generated shadow would not be long enough on the late spring and summer analysis days to reach beyond the 10 foot elevation line east of the Retail A building. Shadow from Retail B would fall beyond the proposed property line for the final 20 to 30 minutes of the late spring and summer analysis days.

*SINGLE TENANT DEVELOPMENT SCENARIO: SHADOW ANALYSIS*

Figure A-12 presents the shadow analysis for the proposed building on the four representative days of the year and shows the shadows occurring approximately every 60 minutes from the start of the analysis day (1.5 hours after sunrise) until the end of the analysis day (1.5 hours before sunset). Table A-2 summarizes the entry and exit times and total duration of project-generated shadow that would fall beyond the proposed retail development property line and onto portions of the adjacent proposed parkland.

**Table A-2  
Shadow Durations – Single Tenant Scenario**

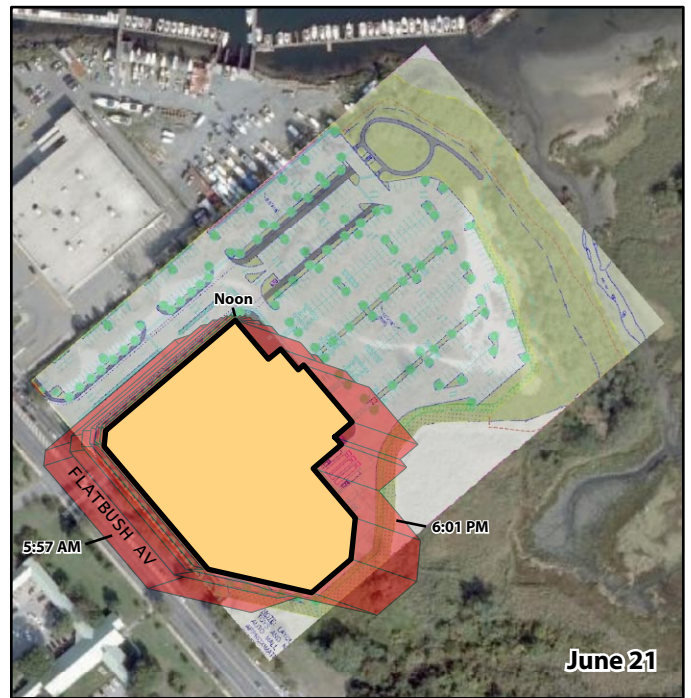
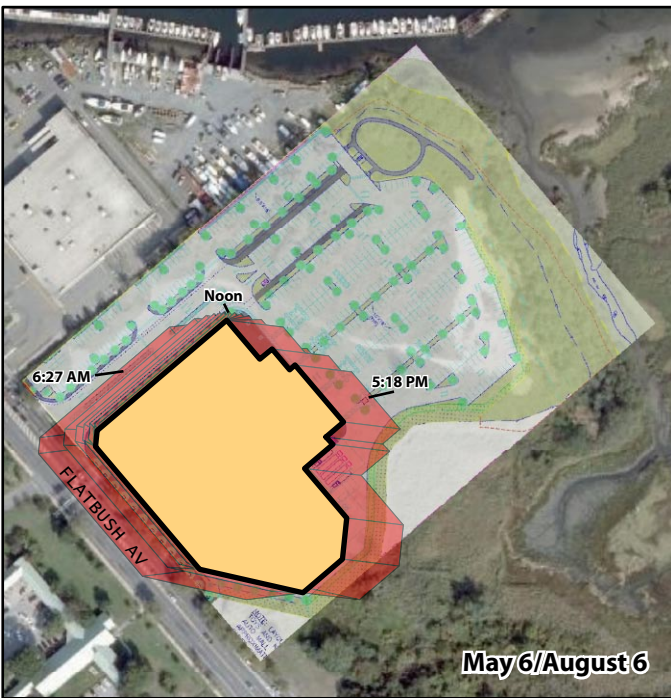
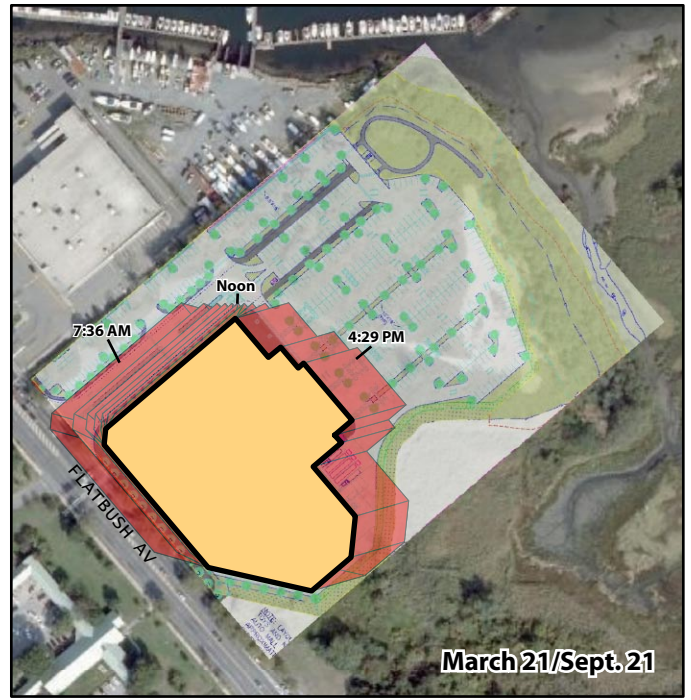
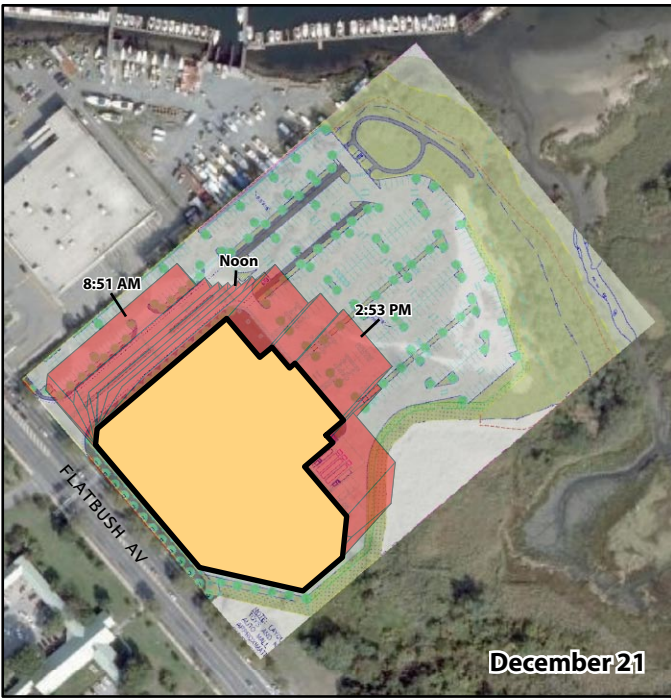
<b>Analysis day and timeframe window</b>	<b>December 21 8:51 AM-2:53 PM</b>	<b>March 21 / Sept. 21 7:36 AM-4:29 PM</b>	<b>May 6 / August 6 6:27 AM-5:18 PM</b>	<b>June 21 5:57 AM-6:01 PM</b>
Proposed Four Sparrows Park (outside proposed property line)	2:45 PM–2:53 PM Total: 8 min	4:00 PM–4:29 PM Total: 29 min	4:30 PM–5:18 PM Total: 48 min	5:00 PM–6:01 PM Total: 1 hr 1 min
<b>Notes:</b> Table indicates entry and exit times and total duration of shadow from retail development. Daylight saving time is not used.				

On all four analysis days, the proposed building’s shadow would remain completely on the adjacent parking areas until very late on each day. Near the end of each analysis day, the proposed building’s shadow would stretch eastward over the proposed property line, affecting a small area of the proposed parkland beyond. The proposed public trail area north of the retail development site, and the adjacent natural area northeast of the site, would not be affected by shadow with the single tenant scenario.

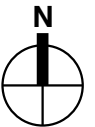
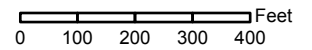
On December 21, a portion of the proposed building’s shadow would move eastward beyond the proposed property boundary and 10-foot elevation line in the final minutes of the analysis day. On March 21/September 21, the proposed building’s shadow would reach the proposed property boundary and 10-foot elevation line to the east at about 4:00 PM, and would move onto a small section of the adjacent area for the final half-hour of the analysis day. On May 6/August 6, the proposed building’s shadow would fall beyond the property boundary and 10-foot elevation line to the east onto a small section of the adjacent area for about 45 minutes (4:30 PM to 5:18 PM). On June 21, the proposed building’s shadow would reach the property boundary and 10-foot elevation line to the east at about 5:00 PM, and would move onto a small section of the adjacent area for the final hour of the analysis day.



12.9.10



- Proposed building
- Shadow from proposed building in one-hour increments.  
Note: Daylight Saving Time not used.



Maximum Daily Range of Shadows  
Single Tenant Scenario  
**Figure A-12**

*CONCLUSION*

In general, an incremental shadow is not considered significant when its duration is no longer than 10 minutes at any time of year and the resource continues to receive substantial direct sunlight. A significant shadow impact generally occurs when the incremental shadow added by a proposed project falls on a sunlight sensitive resource and substantially reduces direct sunlight exposure, reduces direct sunlight to unacceptable levels, or completely eliminates all direct sunlight for longer than 10 minutes at any time of year. This includes the following situations:

- Substantial reduction in sunlight where the sensitive use is already subject to substandard sunlight (i.e., less than the minimum time necessary for its survival).
- Reduction in sunlight available to a sensitive use to less than the minimum time necessary for its survival (when there was sufficient sunlight in the future without the proposed project).
- Substantial reduction in the usability of the open space as a result of increased shadow.
- Substantial reduction in sunlight available for the use enjoyment or appreciation of the sunlight sensitive features of a historic resource.
- Complete elimination of all direct sunlight on the sunlight-sensitive resource for longer than 10 minutes at any time of year.

Shadows occurring during the cold-weather months generally do not affect the growing season of outdoor vegetation; however, their effects on other uses and activities should be assessed. The proposed project would have a limited impact on the adjoining open space and natural resources, as follows:

- Under the multiple tenant scenario, project shadows would fall on limited portions of the adjacent proposed open space north and east of the retail development site throughout the December 21 analysis day. Since this analysis day is in the winter months and outside the principal use days for the nature park and growing season, the shadow impact on the potential park user and vegetation would be very minimal, if at all. In the spring and summer periods, smaller areas of shadow would fall on adjacent open space for the final two and a half to three hours of the analysis day. These affected areas would get direct sunlight for the balance of the day and given the limited extent of the impact, the project-generated shadow would not affect the health or growth of park vegetation.
- Under the single tenant scenario, the shadow effects are even less. The proposed building would cast only a very minimal shadow in both extent and duration on adjoining parkland and natural areas. This very limited shadow coverage would not affect either the use of the nature path or the health of the vegetation in the open space.

Therefore, in sum, as the proposed project would cast a shadow on the adjoining parkland, this impact is limited and would not adversely affect the use of the proposed nature path or the vegetation of the proposed open space. Therefore, since no impact would occur, the proposed project would not result in any significant adverse impacts on sunlight sensitive resources and no further analysis is necessary in the DEIS.

**HISTORIC RESOURCES**

As described below, historic resources include both historic archaeological and historic architectural resources.

### *ARCHAEOLOGICAL RESOURCES*

For archaeological resources, the study area is defined as the project site, i.e., the area that would be disturbed by project construction. In a technical review memorandum dated May 14, 2010, the New York City Landmarks Preservation Commission (LPC) concluded that the proposed actions would not have an adverse impact on archaeology (see Appendix A).

### *ARCHITECTURAL RESOURCES*

Historic architectural resources include designated New York City Landmarks (NYCLs); or properties calendared for landmark status; properties listed on or eligible for listing on the State and/or National Register of Historic Places (S/NR); and National Historic Landmarks (NHLs). Study areas for architectural resources are determined based on the area of potential visual or construction-period effects, such as ground-borne vibrations. The proposed buildings are modest in height and size and there are no known architectural resources on the project site or in the surrounding area. Thus, for the purposes of this screening analysis a study area of 400 feet was used.

As stated above, there are no designated NYCL or S/NR landmarks in the study area. Thus, the only potential historic architectural resources of concern would be those resources that are identified as potentially eligible and not yet designated or listed. However, an investigation of the area did not identify any potential historic architectural resources in the study area that could be impacted by the proposed project.

It is therefore concluded that the proposed actions are not expected to result in adverse impacts to historic resources and based on this screening, no further analysis is required in the DEIS.

### **URBAN DESIGN AND VISUAL RESOURCES**

The 2010 *CEQR Technical Manual* states that an assessment of potential impacts to urban design and visual resources is generally considered appropriate if a proposed action would result in structures that are substantially different in height, bulk, form, setbacks, size, scale, use, or arrangement from those that already exist or if the action would change the form, arrangement, or use of blocks and streets to interrupt the general pattern of an area, or the consistency of street walls, curb cuts, pedestrian flow, or other streetscape elements. A visual resources assessment is generally appropriate when above-ground construction would limit or alter existing view corridors.

The area of the proposed actions is an approximately 61-acre parcel located to the north and east of the interchange of the Belt Parkway with Flatbush Avenue along the western bank of the Mill Basin waterway. The proposed actions would not result in any structures of a significantly different height, bulk, form size, scale, or arrangement from existing structures (e.g., the existing Toys 'R' Us on the project site, and Kings Plaza to the north at Avenue U and Flatbush Avenue).

Given that the site is large and visually prominent, fronts on a major street (Flatbush Avenue), and is a waterfront site adjacent to open space and natural resources, and because there are zoning actions that need to be addressed relative to site design and view corridors (see the description above), an assessment of urban design and visual resources will be undertaken, as described in the attached "DEIS Draft Scope of Work."

## **NATURAL RESOURCES**

A natural resources assessment is conducted when a natural resource is present on or near a development site and the proposed project may involve the direct or indirect disturbance of that resource. The 2010 *CEQR Technical Manual* defines natural resources as water resources, including surface water bodies and groundwater; wetlands, including freshwater and tidal wetlands; terrestrial resources, such as grasslands and thickets; shoreline resources, such as beaches, dunes, and bluffs; gardens and other ornamental landscaping; and natural resources that may be associated with built resources, such as old piers and other waterfront structures.

The area of the proposed actions is located along the Mill Basin waterfront and includes the Four Sparrows Marsh, a 46-acre natural area to be mapped as public parkland under the proposed actions. The portion of the project site to be mapped as parkland contains tidal wetlands, including intertidal and high marsh, and coastal shoals. These resources are adjacent to the proposed development parcel and stormwater outlets from the proposed project may drain to these wetlands. The development site contains flora features that are more characteristic of a disturbed site and include mixed grassland and woody thickets with invasive species. Because the wetlands of the adjacent Four Sparrows Marsh property will be protected as part of the project, the greatest potential for adverse natural resources impacts under the proposed actions are the possible indirect impacts on tidal wetlands and wildlife habitats of Four Sparrows Marsh or Mill Basin.

Therefore, due to the potential for significant adverse impacts to natural resources from the proposed development, a detailed assessment of the potential for impacts from natural resources will be performed as described in the attached “DEIS Draft Scope of Work.”

## **HAZARDOUS MATERIALS**

The 2010 *CEQR Technical Manual* states that the potential for significant impacts related to hazardous materials can occur when elevated levels of hazardous materials exist on a site, an action would increase pathways to their exposure, or an action would introduce new activities or processes using hazardous materials and the risk of human or environmental exposure is increased.

Although the development site is largely vacant or paved, many previously built urban sites have a development history that may have included the use, handling, or storage of hazardous materials, or the sites may have been used to some degree for unauthorized disposal of trash and other debris. Another potential source of contaminants is urban fill that may have been used to fill a site.

Prior studies of the project site (Phase 1 Environmental Site Assessments) have identified the following potential hazardous materials impacts due to prior uses:

- Petroleum storage including underground storage tanks;
- Prior industrial uses including maritime light industrial and a gas station;
- Urban fill of unknown origin; and
- Limited contamination was identified in sampling.

Based on the above, a detailed assessment of the potential for hazardous materials impacts will be performed as described in the attached “DEIS Draft Scope of Work.”

## **WATER AND SEWER INFRASTRUCTURE**

Under CEQR, infrastructure analyses address issues of water supply, wastewater treatment, and stormwater management. As stated in the 2010 *CEQR Technical Manual*, an assessment of a project's effects on the City's water supply is necessary only for projects that would have an exceptionally large demand for water (e.g., more than one million gallons per day [gpd]) or is located in an area that experiences low water pressure. The proposed actions would result in the construction of approximately 248,000 square feet of new retail uses and the mapping of a 46-acre public park. The additional water demand associated with the proposed actions (an estimated 90,000 gpd) would be well below the CEQR analysis threshold of one million gpd.

With respect to sanitary wastewater and stormwater management, the site of the proposed project currently has no sanitary sewer service nor does it have stormwater management (i.e., no sewer or drainage structures). Since the project site and adjacent area are currently unsewered, development of the site is greater than five acres in size, and the site is located within the Jamaica bay watershed, a detailed analysis of impacts is appropriate for sanitary wastewater and stormwater infrastructure.

Based on the above, a detailed assessment of the potential for impacts on sewer infrastructure (focusing on sanitary wastewater and stormwater management) will be undertaken as described in the attached "DEIS Draft Scope of Work."

## **SOLID WASTE AND SANITATION SERVICES**

According to the 2010 *CEQR Technical Manual*, a solid waste and sanitation services assessment is recommended to be conducted for larger projects and projects that involve regulatory changes affecting the generation or management of the City's waste or if the action involves the construction, operation, or closing of any type of solid waste management facility. The manual also states that actions involving construction of housing or other development do not require evaluation of solid waste unless they are unusually large. However, the 2010 *CEQR Technical Manual* recommends that an action's solid waste and service demand (if relevant) be disclosed.

The proposed commercial retail uses on the project site would generate commercial solid waste that would require the hauling and disposal of solid waste and recyclables by private carters (the New York City Department of Sanitation [DSNY] is not responsible for solid waste management related to private commercial operations). It is expected to generate a demand of about 56,880 pounds per week of solid waste and recyclables that would be handled by private carters. The proposed actions would not require any regulatory changes in the management of the city's solid waste, nor would they involve the construction, operation, or displacement of a solid waste management facility.

Therefore, based on this screening, no impacts on solid waste or sanitation services would occur and no further analysis is required in the DEIS.

## **ENERGY**

The 2010 *CEQR Technical Manual* recommends performing a detailed assessment of energy impacts for actions that could significantly affect the transmission or generation of energy or that generate substantial indirect consumption of energy (such as a new roadway). The proposed project is estimated to have a limited energy demand of about 29 billion British Thermal Units annually (for the new development). While the proposed project would require standard site



## **Four Sparrows Retail Center at Mill Basin EAS**

---

connections for electricity and gas it would not require the installation of major new electrical or gas transmission system infrastructure and the demands of the proposed project would not overburden the local grid. In addition, all new structures requiring heating and cooling must conform to the *New York State Energy Conservation Code*, which reflects State and City energy policy. Therefore, based on this screening, no further analysis of energy services is required in the DEIS.

### **TRANSPORTATION**

#### *TRAFFIC AND PARKING*

The objective of traffic and parking analyses is to determine the potential effect of a proposed action on local traffic or parking conditions in the surrounding area. These analyses typically include an assessment of the sufficiency of the street network to process the project-generated traffic and the availability of area-wide parking to accommodate the projected increase in parking demand. The 2010 *CEQR Technical Manual* specifies that if a proposed action would result in fewer than 50 peak-hour vehicle trips, it is unlikely to result in significant adverse traffic impacts, and detailed quantified analyses are not warranted.

The project site is located to the north and east of the interchange of the Belt Parkway with Flatbush Avenue, about ½ mile south of Avenue U. All access to the proposed development would be provided via the proposed relocation of a signalized intersection and main access driveway from Flatbush Avenue. Anticipated new trips to the project site would include: worker and patron vehicle trips associated with the proposed retail development, truck deliveries for the proposed retail development, and vehicle trips for the anticipated users of the new nature path. As described in the “Transportation Planning Assumptions and Preliminary Travel Demand Forecast,” (see Attachment B), the proposed project would exceed the CEQR threshold of 50 vehicle trips in a peak hour (the maximum number of vehicle trips is approximately 924 in the Saturday midday peak hour) and the distribution of trips is expected to affect already heavily used local intersections (e.g., Avenue U and Flatbush Avenue). Therefore, it is anticipated that potential adverse impacts may occur, and a detailed traffic assessment is warranted and will be provided as described in the Draft Scope.

Although the entire parking demand from the proposed actions—which includes the proposed retail uses and proposed nature path—would be accommodated on site, an assessment of the proposed actions’ compliance with parking requirements will also be provided in the DEIS.

#### *TRANSIT AND PEDESTRIANS*

The 2010 *CEQR Technical Manual* specifies that if a proposed action would result in fewer than 200 peak-hour transit or pedestrian trips, it is unlikely to result in significant adverse transit or pedestrian impacts, and detailed quantified analyses are not warranted.

The project site is located at a location where there are no subway stations in the vicinity of the project site and only one New York City Transit (NYCT) bus route: the Q35, which travels along Flatbush Avenue between Midwood (Brooklyn) to the north and Rockaway Beach (Queens) to the south. As such, it is anticipated that an overwhelming majority of the new workers and customers associated with the proposed retail development and the anticipated users of the new nature path would drive to the site (see the discussion above). In addition, as described in Attachment A, “Transportation Planning Assumptions and Preliminary Travel Demand Forecast,” it is expected that the proposed project would result in fewer than 200

pedestrian or transit trips, which is the threshold for performing a detailed transit or pedestrian analysis (anticipated are a maximum number of 71 transit trips in the Saturday midday [peak hour]). Therefore, a detailed transit analysis is not necessary for the proposed project and will not be presented in the DEIS. Similarly, pedestrian trips would be less than the 200 per peak hour at any pedestrian element (no walk trips to the site are anticipated with the proposed project and all walk trips are assumed to be internal between the proposed buildings). Therefore, a detailed evaluation of transit and pedestrian conditions will not be presented in the DEIS. However, the DEIS will present the transit services available to the site, pedestrian facilities on site (e.g. sidewalks and crosswalks) and bicycle circulation it relates to site design and interconnecting the three elements of the proposed commercial retail center.

## **AIR QUALITY**

### *INTRODUCTION*

According to the 2010 *CEQR Technical Manual*, detailed air quality analyses are performed in order to model the effects of a proposed action on ambient air quality (i.e., the quality of the surrounding air) or to ascertain the suitability of ambient air quality as it relates to the site of a proposed action. Air quality impacts can be characterized as either direct or indirect impacts. Direct impacts stem from emissions generated by stationary sources, such as stack emissions from fuel burned for heating, ventilation, and air conditioning (HVAC) systems. Indirect effects include emissions from motor vehicles (“mobile sources”) traveling to and from a project site. Provided below is a summary of how these pollution sources could potentially affect local air quality under the proposed actions.

### *STATIONARY SOURCES*

Under the proposed actions, stationary source impacts could result from the new stationary sources of pollutants, such as emissions from building boiler stacks used for heating systems. The proposed actions would result in two to three new modest-sized retail buildings on the development site, resulting in new source(s) of emissions. As such, a stationary source air quality screening will be conducted based on the methodologies of the 2010 *CEQR Technical Manual* in order to determine the effects of air emissions from the proposed HVAC systems (i.e., sulfur dioxide, carbon monoxide, particulate and/or nitrogen dioxide concentrations) on local ambient air quality and receptors.

## **HEAT AND HOT WATER SYSTEMS SCREENING ANALYSIS**

### *FOUR SPARROWS MARSH RETAIL CENTER*

A screening analysis was performed to assess the potential for air quality impacts associated with emissions from the heat and hot water systems associated with the Four Sparrows Marsh Retail Center at Mill Basin. The methodology described in the 2010 *CEQR Technical Manual* was used for the analysis. The screening procedures utilize information regarding the type of fuel to be burned, the maximum development size, and the boiler exhaust stack height to evaluate whether a significant adverse impact is likely. Based on the distance from the development to the nearest building of similar or greater height, if the maximum development size is greater than the threshold size in the 2010 *CEQR Technical Manual*, there is the potential for significant air quality impacts, and a refined dispersion modeling analysis would be required. Otherwise, the source passes the screening analysis, and no further analysis is required.

## **Four Sparrows Retail Center at Mill Basin EAS**

---

The primary stationary source of air pollutants associated with the proposed project would be emissions from the combustion of natural gas and/or No. 2 fuel oil by the heat and hot water systems. The primary pollutant of concern when burning natural gas is NO<sub>x</sub>. The primary pollutant of concern when burning No. 2 fuel oil is SO<sub>2</sub>. The development sizes for each of the proposed scenarios in square feet were used to determine impacts along with the stack height (i.e., building height plus three feet, as per the 2010 *CEQR Technical Manual*). The proposed development under one scenario would include two commercial structures, consisting of a one-story retail structure with a development size of 40,176 square feet and a stack height of 27 feet, and a two-story retail structure with a development size of 97,791 square feet and a stack height of 48 feet. The development size under the second development scenario would include a single commercial structure with a total building area of 127,340 square feet and a stack height of 33 feet. Both scenarios of the proposed retail complex were evaluated, and under each scenario, the closest building of similar or greater height found in the study area was analyzed as a potential receptor, including project on project impacts where applicable. From this information, it was determined that the proposed project would not result in any significant stationary source air quality impacts based on Figure 17-6 and 17-8 of the 2010 *CEQR Technical Manual Air Quality Appendix* (see also Figures A-13 through A-18). Therefore, no further analysis is necessary for the DEIS.

### **MOBILE SOURCES**

Based on the preliminary vehicle trip generation for the proposed project (see the discussion above), the number of project-generated vehicle trips is expected to exceed the 2010 *CEQR Technical Manual* screening threshold of 170 vehicles through an intersection during any peak hours. In addition, the number of project-generated vehicle trips is expected to exceed the applicable threshold in the 2010 *CEQR Technical Manual* requiring a microscale analysis of PM<sub>2.5</sub>. Therefore, a modeling of potential air quality impacts due to mobile sources will be performed in order to estimate the potential for any mobile source air quality impacts as described in the attached "DEIS Draft Scope of Work."

### **GREENHOUSE GAS ANALYSIS**

As stated above, the proposed project would total about 294,000 gsf of commercial retail space of which about 248,000 gsf would be new space at the site. The 2010 *CEQR Technical Manual* suggests a greenhouse gas analysis for projects greater than 350,000 gsf in size, or projects that have unique energy demands. The proposed project does not meet any of these thresholds. Therefore, based on this screening, no further analysis is required in the DEIS relative to greenhouse gasses.

### **NOISE**

According to the 2010 *CEQR Technical Manual*, a noise analysis should be undertaken when an action would generate any mobile or stationary sources of noise, or would be located in an area with high ambient noise levels. Stationary sources include rooftop equipment such as emergency generators, cooling towers, and other mechanical equipment; mobile sources include traffic generated by an action.

For the proposed action, there are two major areas of concern regarding noise:

- The effect of noise from vehicular traffic associated with the proposed action on local ambient noise levels; and

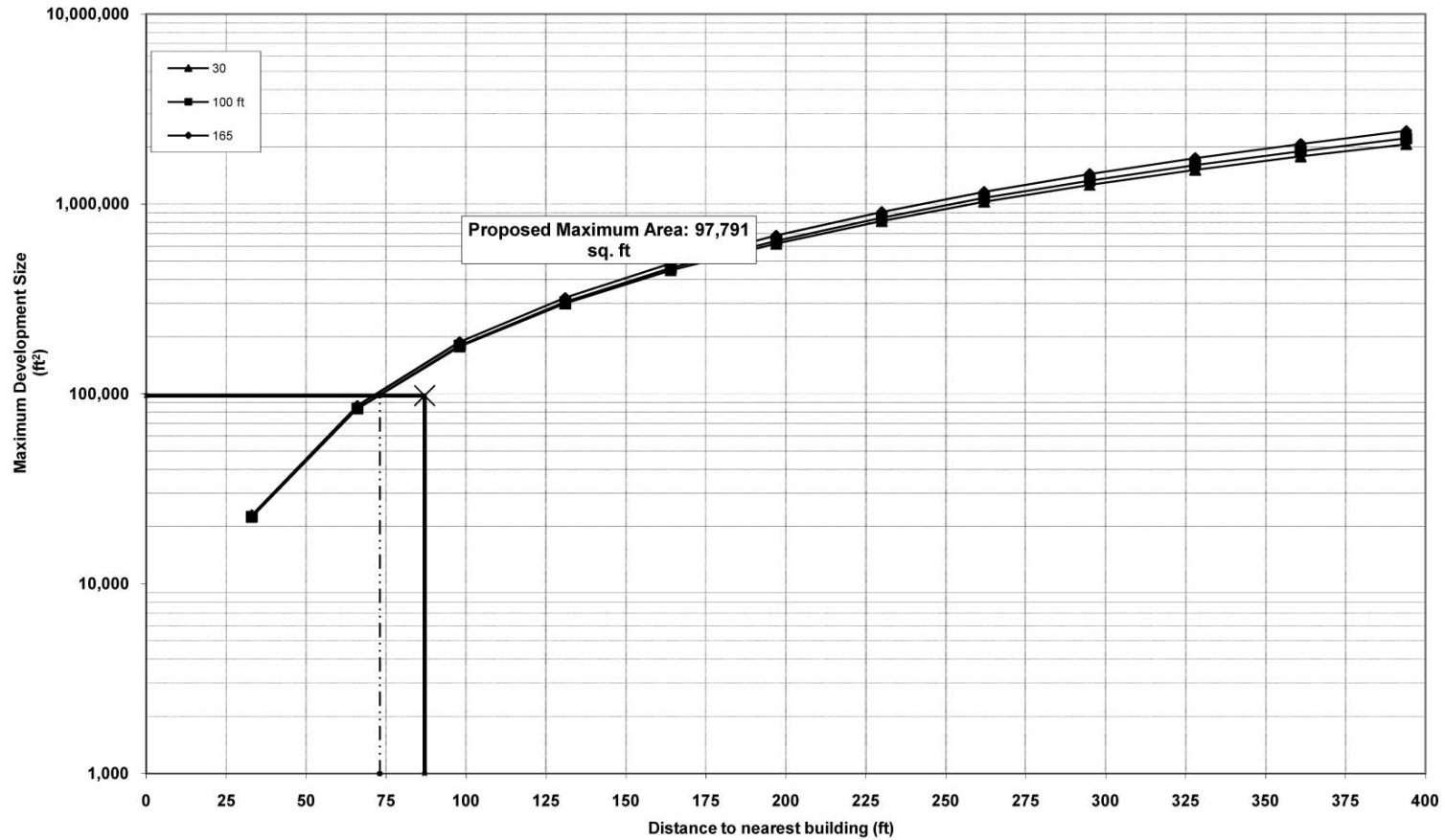
**FIG App 17-6  
SO<sub>2</sub> BOILER SCREEN  
COMMERCIAL AND OTHER NON-RESIDENTIAL DEVELOPMENT - FUEL OIL #2**

**HVAC Screening Analysis**

**Site:** Retail A (two-story)

**Date:** 11/22/2010

**Pass**



**Stack Height:** 48 ft  
**Distance to Nearest Building of Similar or Greater Height:** 87 ft  
**Proposed Maximum SQFA:** 97,791 sq. ft  
**Minimum Allowable Distance to Nearest Building:** 73 ft

**Notes:** Four Sparrows: two commercial structures--impacts from Retail A

Two-Story Retail HVAC Screening  
Analysis for Fuel Oil No.2  
**Figure A-13**

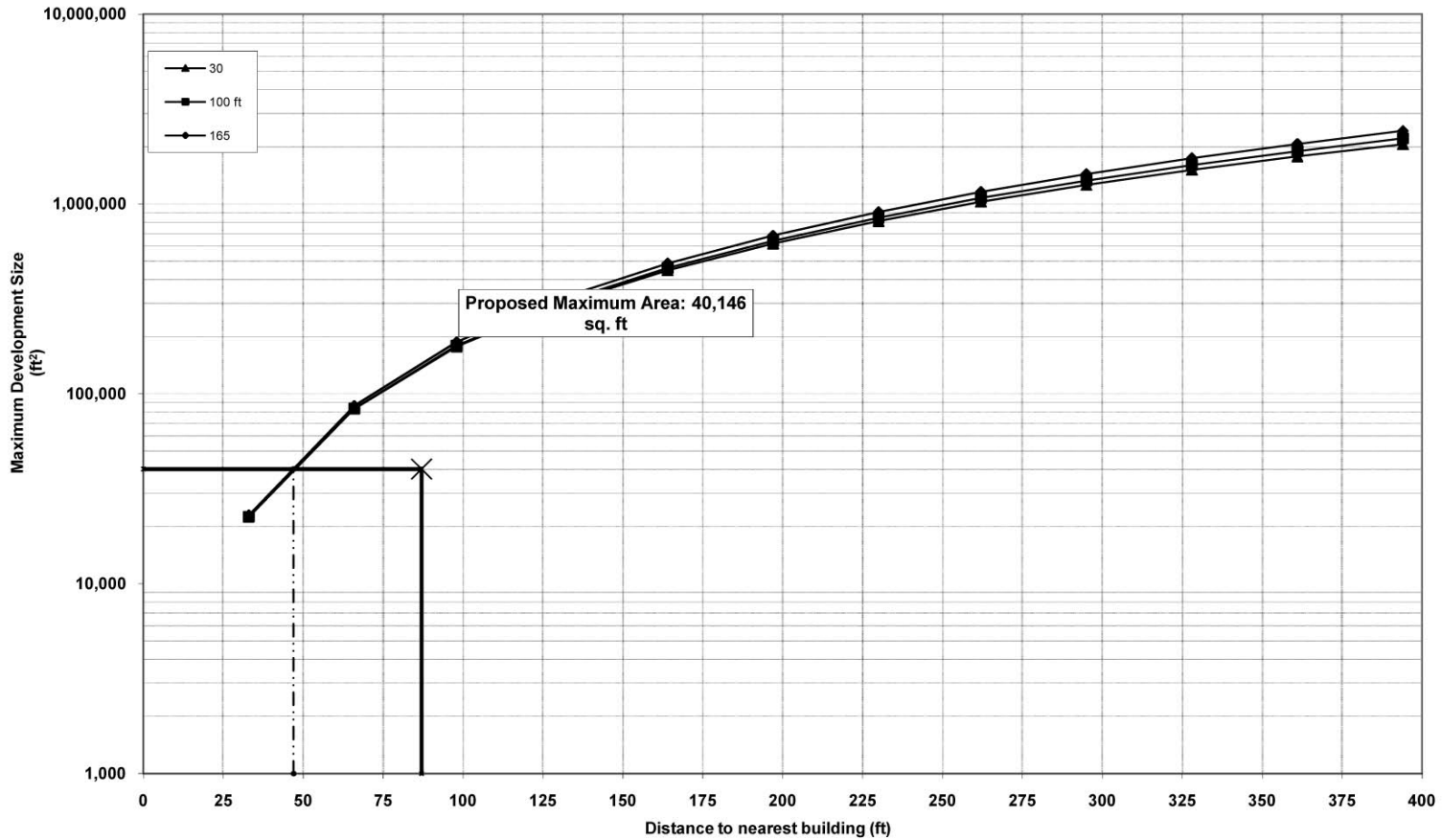
**FIG App 17-6  
SO<sub>2</sub> BOILER SCREEN  
COMMERCIAL AND OTHER NON-RESIDENTIAL DEVELOPMENT - FUEL OIL #2**

**HVAC Screening Analysis**

Site: Retail B (one-story)

Date: 11/22/2010

**Pass**

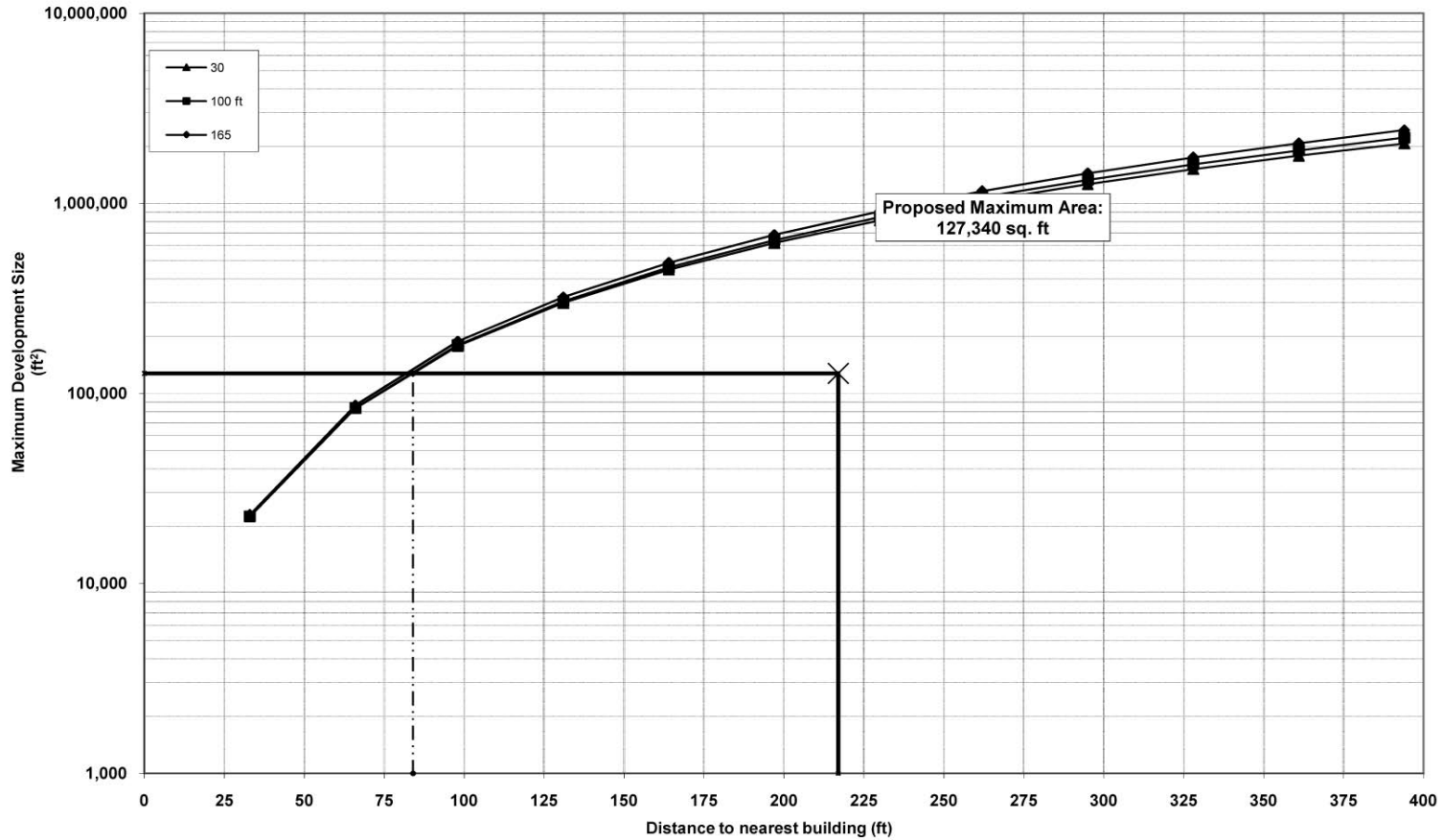


Stack Height: 27 ft  
 Distance to Nearest Building of Similar or Greater Height: 87 ft  
 Proposed Maximum SQFA: 40,146 sq. ft  
 Minimum Allowable Distance to Nearest Building: 47 ft

**Notes:** Four Sparrows: two commercial structures--impacts from Retail B

**FIG App 17-6  
SO<sub>2</sub> BOILER SCREEN  
COMMERCIAL AND OTHER NON-RESIDENTIAL DEVELOPMENT - FUEL OIL #2**

**HVAC Screening Analysis**  
**Site:** Retail (as one building)  
**Date:** 11/22/2010  
**Pass**

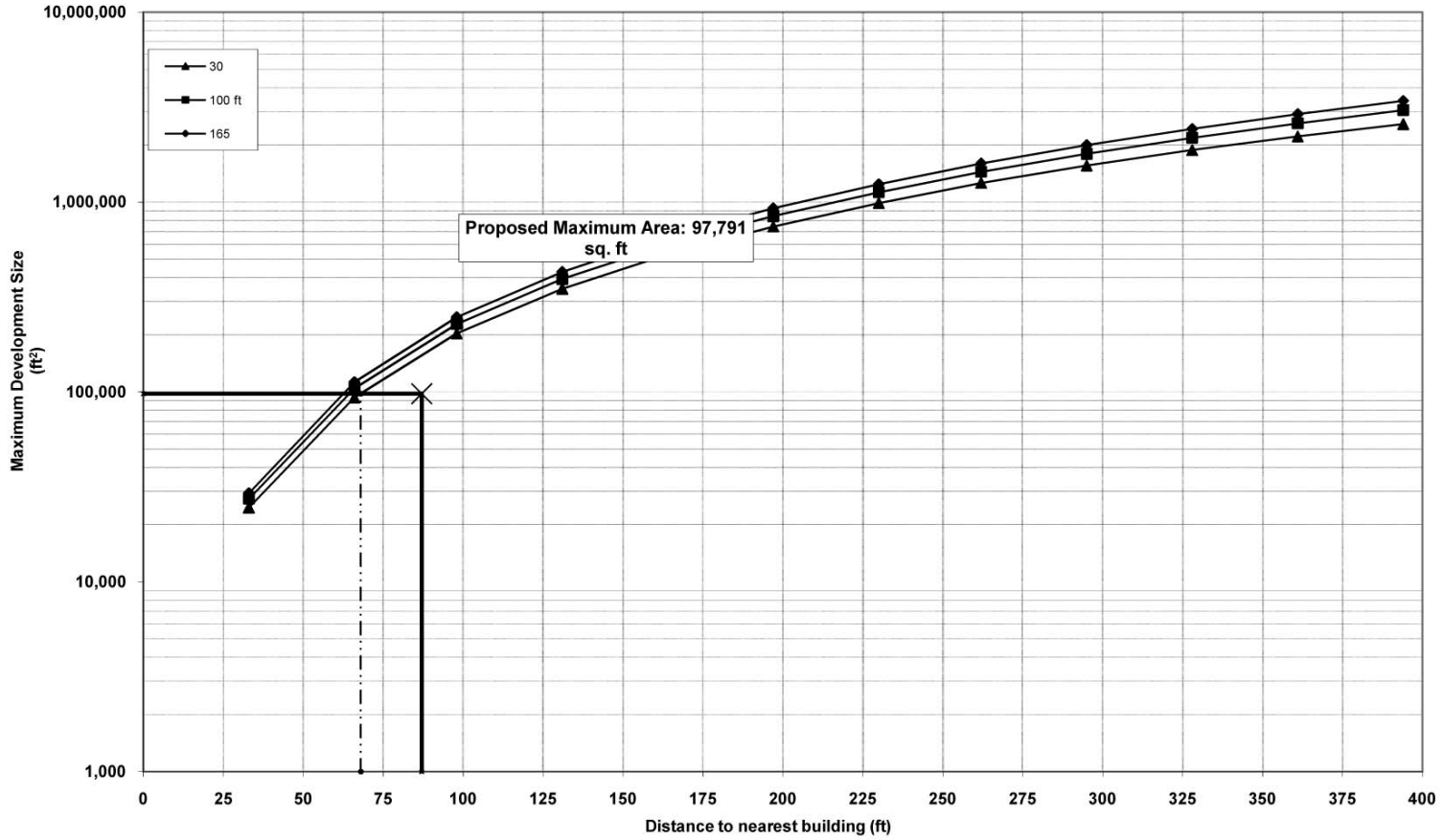


**Stack Height:** 33 ft  
**Distance to Nearest Building of Similar or Greater Height:** 217 ft  
**Proposed Maximum SQFA:** 127,340 sq. ft  
**Minimum Allowable Distance to Nearest Building:** 84 ft

**Notes:** Four Sparrows: one commercial structure

**FIG App 17-8  
NO<sub>2</sub> BOILER SCREEN  
COMMERCIAL AND OTHER NON-RESIDENTIAL DEVELOPMENT - NATURAL GAS**

**HVAC Screening Analysis**  
**Site:** Retail A (two-story)  
**Date:** 11/22/2010  
**Pass**



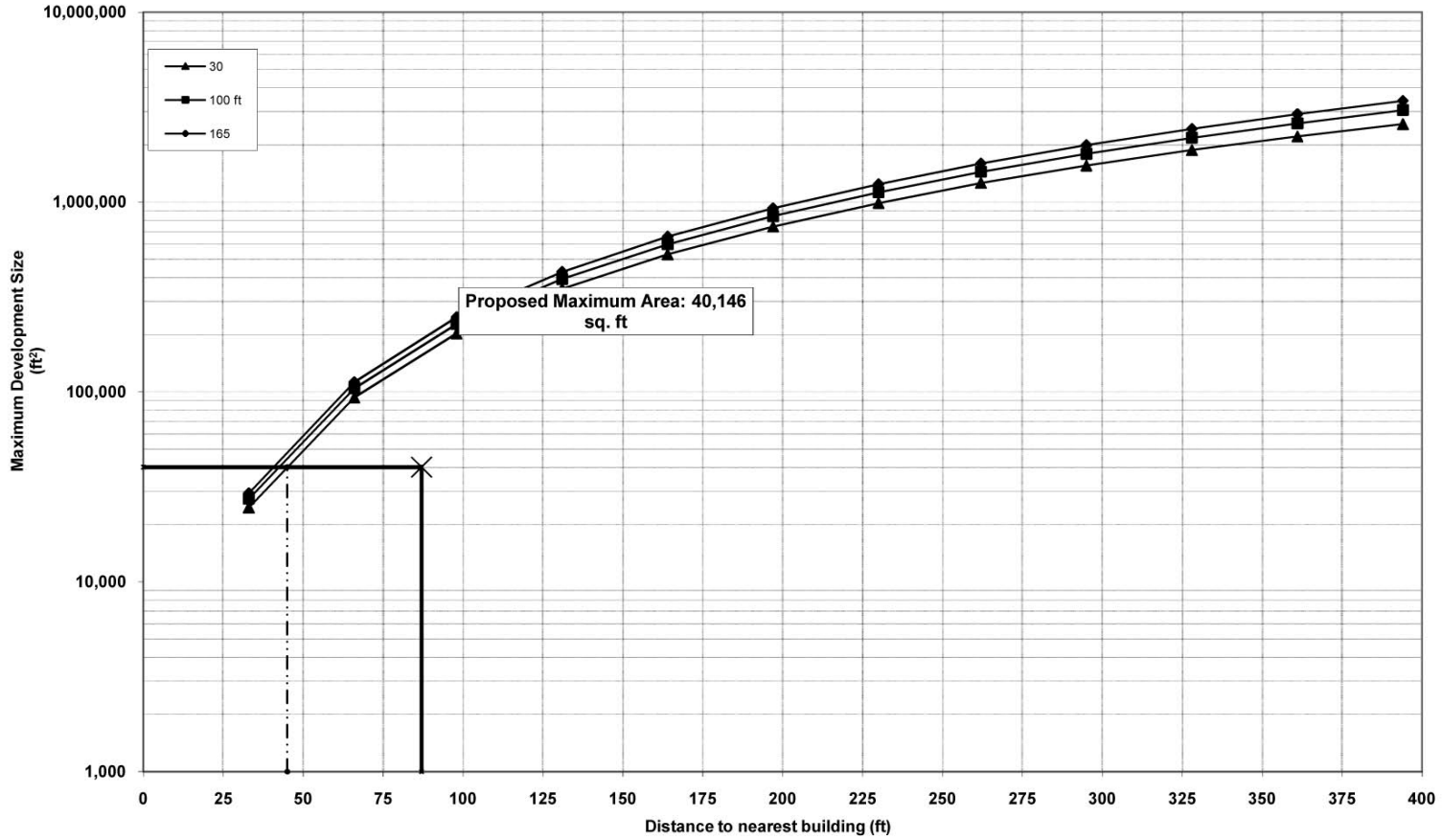
**Stack Height:** 48 ft  
**Distance to Nearest Building of Similar or Greater Height:** 87 ft  
**Proposed Maximum SQFA:** 97,791 sq. ft  
**Minimum Allowable Distance to Nearest Building:** 68 ft

**Notes:** Four Sparrows: two commercial structures--impacts from Retail A

Two-Story Retail HVAC Screening  
 Analysis for Natural Gas  
**Figure A-16**

**FIG App 17-8  
NO<sub>2</sub> BOILER SCREEN  
COMMERCIAL AND OTHER NON-RESIDENTIAL DEVELOPMENT - NATURAL GAS**

**HVAC Screening Analysis**  
**Site:** Retail B (one-story)  
**Date:** 11/22/2010  
**Pass**



**Stack Height:** 27 ft  
**Distance to Nearest Building of Similar or Greater Height:** 87 ft  
**Proposed Maximum SQFA:** 40,146 sq. ft  
**Minimum Allowable Distance to Nearest Building:** 45 ft

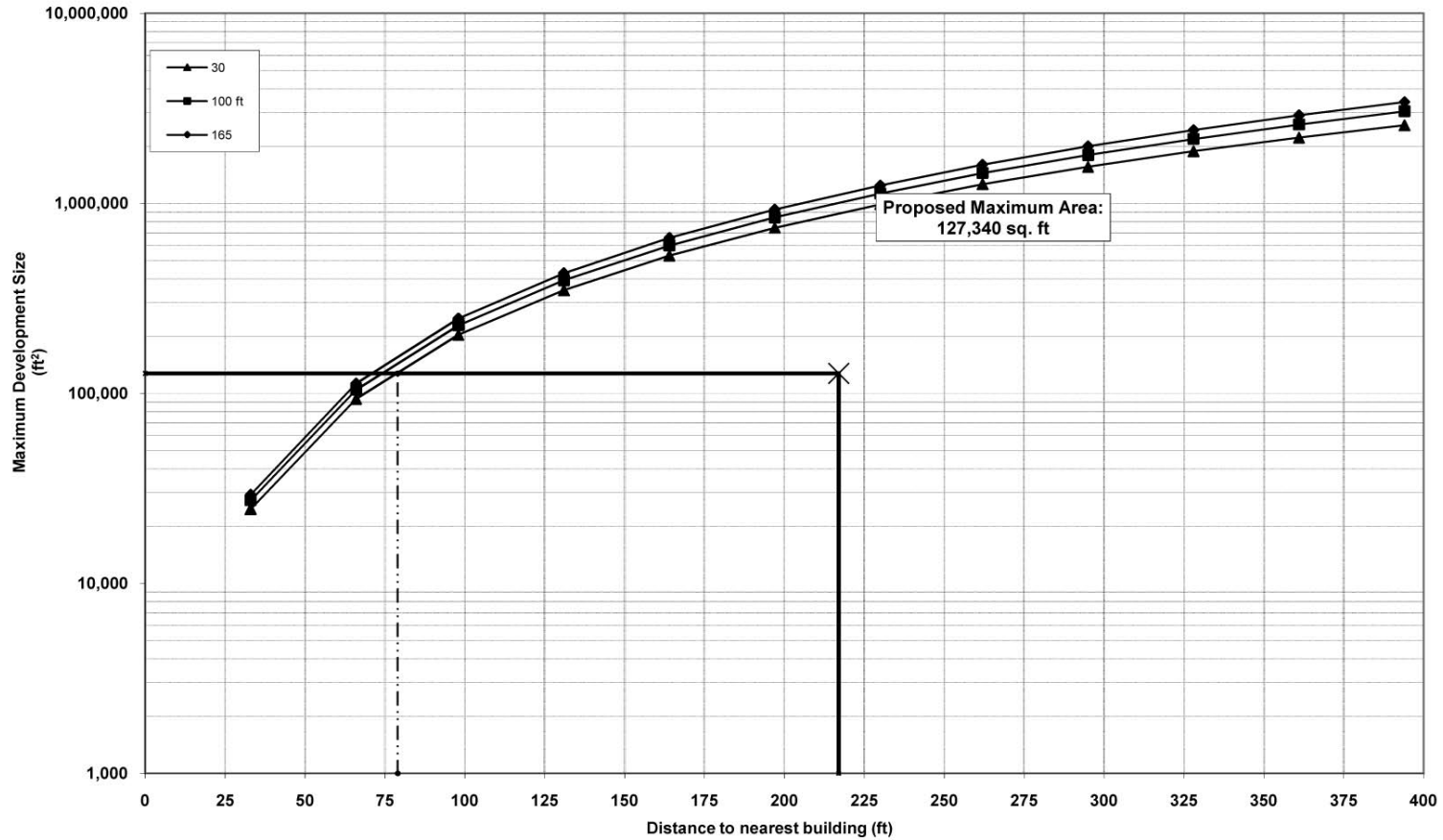
**Notes:** Four Sparrows: two commercial structures--impacts from Retail B

One-Story Retail HVAC Screening  
 Analysis for Natural Gas  
**Figure A-17**



**FIG App 17-8  
NO<sub>2</sub> BOILER SCREEN  
COMMERCIAL AND OTHER NON-RESIDENTIAL DEVELOPMENT - NATURAL GAS**

**HVAC Screening Analysis**  
**Site:** Retail (as one building)  
**Date:** 11/22/2010  
**Pass**



**Stack Height:** 33 ft  
**Distance to Nearest Building of Similar or Greater Height:** 217 ft  
**Proposed Maximum SQFA:** 127,340 sq. ft  
**Minimum Allowable Distance to Nearest Building:** 79 ft

**Notes:** Four Sparrows: one commercial structure

Retail (As One Building) HVAC Screening  
 Analysis for Natural Gas  
**Figure A-18**

- The potential for building operations and stationary sources to impact the adjoining open spaces.

Since the proposed project would generate a large volume of traffic, there is the potential for mobile source noise impacts. Therefore, as described in the attached “DEIS Draft Scope of Work” a number of locations along Flatbush Avenue may be analyzed for potential mobile source noise impacts, contingent upon on the final results of the traffic analysis.

In addition to mobile source of traffic, the proposed project would have on-site mechanical equipment and loading docks that would be adjacent to the existing and proposed open space. An analysis of potential noise impacts due to stationary sources will also be performed. It is assumed that outdoor mechanical equipment would be designed to meet applicable regulations. Consequently, the noise analysis will focus on the level of noise attenuation necessary to avoid noise impacts from stationary sources as described in the attached “DEIS Draft Scope of Work.”

### **PUBLIC HEALTH**

According to the 2010 *CEQR Technical Manual*, public health comprises the activities that society undertakes to create and promote a community’s wellness. Public health may be jeopardized by poor air quality resulting from traffic or stationary sources, hazardous materials in soil or groundwater used for drinking water, significant adverse impacts related to noise or odors, solid waste management practices that attract vermin and pest populations, and actions that result in exceedances in City, state, or federal standards. Depending on the results of the hazardous materials, air quality, and noise assessments, a public health analysis may be summarized in the DEIS. No other public health analyses are expected to be necessary for the proposed project.

Since these analyses need to be finalized in order to determine if a public health analysis is appropriate, the attached “DEIS Draft Scope of Work” includes a chapter on public health. A public health chapter will be included in the DEIS only if an unmitigated impact is determined in these technical areas.

### **NEIGHBORHOOD CHARACTER**

As defined by the 2010 *CEQR Technical Manual*, neighborhood character is a combination of social and environmental factors that collectively define a neighborhood’s distinct personality. These elements typically include land use, urban design, visual resources, historic resources, socioeconomics, traffic, and noise, as well as the other physical or social characteristics that describe the community.

According to the 2010 *CEQR Technical Manual*, an assessment of neighborhood character is generally appropriate when the action would exceed preliminary thresholds in any one of the aforementioned areas of technical analysis; an assessment is also appropriate when the action would have moderate effects on several of the aforementioned areas.

By developing a currently vacant site as a retail center, the proposed actions would result in changes to the project site that would potentially affect land use, urban design, visual resources, traffic, and noise, and therefore may affect the character of the surrounding neighborhood. Therefore, an assessment of neighborhood character is warranted and will be provided as described in the “DEIS Draft Scope of Work.”

**CONSTRUCTION IMPACTS**

As recommended in the 2010 *CEQR Technical Manual*, construction-related impacts are typically analyzed to determine if there are any disruptive or noticeable effects resulting from the proposed action. Construction on the proposed project would result in temporarily increased traffic as well as noise and dust that are typical of construction projects throughout the City. (Typical construction activities include clearing and excavation; framing, finishing and landscaping; and interior and finishing details.) In addition, the proposed action would need to avoid any potential impacts due to hazardous materials. Avoiding significant impacts to the adjoining open space and wetlands habitats of Four Sparrows Marsh and Mill Basin is expected to be the focus of this analysis.

Therefore, the potential for construction-period impacts is warranted and will be provided as described in the attached “DEIS Draft Scope of Work.” \*

For Internal Use Only:  
Date Received: \_\_\_\_\_

WRP no. \_\_\_\_\_  
DOS no. \_\_\_\_\_

**NEW YORK CITY WATERFRONT REVITALIZATION PROGRAM  
Consistency Assessment Form**

Proposed action subject to CEQR, ULURP, or other Local, State or Federal Agency Discretionary Actions that are situated within New York City's designated Coastal Zone Boundary must be reviewed and assessed for their consistency with the *New York City Waterfront Revitalization Program (WRP)*. The WRP was adopted as a 197-a Plan by the Council of the City of New York on October 13, 1999, and approved in coordination with local, state and Federal laws and regulations, including the State's Coastal Management Program (Executive Law, Article 42) and the Federal Coastal Zone Management Act of 1972 (P.L. 92-583). As a result of these approvals, state and federal discretionary actions within the city's coastal zone must be consistent to the maximum extent practicable with the WRP policies and the city must be given the opportunity to comment on all state and federal projects within its coastal zone.

This form is intended to assist an applicant in certifying that the proposed activity is consistent with the WRP. It should be completed when the local, state, or federal application is prepared. The completed form and accompanying information will be used by the New York State Department of State, other State Agency or the New York City Department of City Planning in its review of the applicant's certification of consistency.

**A. APPLICANT**

1. Name: **Mr. Richard Leland, Fried, Frank, Harris, Shriver & Jacobsen, LLP**

---

Address: **One New York Plaza, New York, NY 10004**

3. Telephone: **(212) 859-8978** Fax: **(212) 859-4000**

---

E-mail Address: **Richard.Leland@friedfrank.com**

4. Project site owner: **City of New York**

---

**B. PROPOSED ACTIVITY**

1. Brief description of activity: **The proposed project is an approximately 61 acre City-owned parcel which is proposed for redevelopment (about 15 acres) and lands to be preserved and mapped as City parkland (about 46 acres). The proposed development is a commercial retail project with about 294,000 gross square feet (gsf) of space. Adjacent to the development parcel, directly on the Mill Basin waterfront, is the existing Sea Travelers Marina, a water dependent use. Also adjacent to the site is the existing Four Sparrows Marsh park, a natural area open space that is not mapped as parkland.**

---

2. Purpose of activity: **At the redevelopment parcel, the proposed project would redevelop an underutilized City-owned waterfront property.**

---

3. Location of activity: **The project site fronts Flatbush Avenue, northeast of interchange with the Belt Parkway. Borough: Brooklyn**

---

Street Address or Site Description: **See above.**

**Proposed Activity Cont'd**

4. If a federal or state permit or license was issued or is required for the proposed activity, identify the permit type(s), the authorizing agency and provide the application or permit number(s), if known: **New York State Department of Environmental Conservation (NYSDEC) 401 Water Quality Certification, NYSDEC Tidal Wetlands Permit, NYSDEC State Pollution Discharge Elimination System (SPDES) General Permit for activities during construction**
- 
5. Is federal or state funding being used to finance the project? If so, please identify the funding source(s). **No**
- 
6. Will the proposed project result in any large physical change to a site within the coastal area that will require the preparation of an environmental impact statement? **Yes** **No**  
 If yes, identify Lead Agency: Deputy Mayor for Economic Development ✓
- 
7. Identify City discretionary actions, such as zoning amendment or adoption of an urban renewal plan, required for the proposed project.  
**The proposed involves a number of discretionary actions by the City including rezoning the development parcel from C3 to C8-1, mapping Four Sparrows Marsh and the Mill Basin Public Land as parkland, demapping the unbuilt portions of Flatbush Avenue and Marginal Street, Wharf or Place where it is mapped across the development parcel and remapping the Flatbush Avenue right-of-way line to reflect the limits of the existing built street bed, disposition of the City-owned development site to the City's Economic Development Corporation for the purposes of redevelopment, along with zoning special permits, certifications and authorizations.**
- 

**C. COASTAL ASSESSMENT**

The following questions represent, in a broad sense, the policy of the WRP. The number in the parentheses after each question indicated the policy or policies that are the focus of the question. A detailed explanation of the Waterfront Revitalization Program and its policies are contained in the publication the *New York City Waterfront Revitalization Program*.

Check either "Yes" or "No" for each of the following questions. Once the checklist is completed, assess how the proposed project affects the policy or standards indicated in "( )" after each question with a Yes response. Explain how the action is consistent with the goals of the policy or standard.

**Location Questions:**

	<b>Yes</b>	<b>No</b>
1. Is the project site on the waterfront or at the water's edge?	<u>✓</u>	<u>      </u>
2. Does the proposed project require a waterfront site?	<u>✓</u>	<u>      </u>
3. Would the action result in a physical alteration to a waterfront site, including land along the shoreline, land underwater, or coastal waters?	<u>✓</u>	<u>      </u>

**Policy Questions:**

The following questions represent, in a broad sense, the policies of the WRP. Numbers in parentheses after each questions indicate the policy or policies addressed by the question. The new Waterfront Revitalization Program offers detailed explanations of the policies, including criteria for consistency determinations.

Check either "Yes" or "No" for each of the following questions. For all "yes" responses, provide an attachment assessing the effects of the proposed activity on the relevant policies or standards. Explain how the action would be consistent with the goals of those policies and standards.

	<b>Yes</b>	<b>No</b>
4. Will the proposed project result in revitalization or redevelopment of a deteriorated or under- used waterfront site? (1)	<u>✓</u>	<u>      </u>
5. Is the project site appropriate for residential or commercial redevelopment? (1.1)	<u>✓</u>	<u>      </u>
6. Will the action result in a change in scale or character of a neighborhood? (1.2)	<u>✓</u>	<u>      </u>
7. Will the proposed activity require provision of new public services or infrastructure in undeveloped or sparsely populated sections of the coastal area? (1.3)	<u>✓</u>	<u>      </u>

<b>Policy Questions cont'd:</b>		<b>Yes</b>	<b>No</b>
8.	Is the action located in one of the designated Significant Maritime and Industrial Areas (SMIA): South Bronx, Newtown Creek, Brooklyn Navy Yard, Red Hook, Sunset Park, or Staten Island? (2)	_____	✓
9.	Are there any waterfront structures, such as piers, docks, bulkheads or wharves, located on the project sites? (2)	_____	✓
10.	Would the action involve the siting or construction of a facility essential to the generation or transmission of energy, or a natural gas facility, or would it develop new energy resources? (2.1)	_____	✓
11.	Does the action involve the siting of a working waterfront use outside of a SMIA? (2.2)	_____	✓
12.	Does the proposed project involve infrastructure improvement, such as construction or repair of piers, docks, or bulkheads? (2.3, 3.2)	_____	✓
13.	Would the action involve mining, dredging, or dredge disposal, or placement of dredged or fill materials in coastal waters? (2.3, 3.1, 4, 5.3, 6.3)	_____	✓
14.	Would the action be located in a commercial or recreational boating center, such as City Island, Sheepshead Bay or Great Kills or an area devoted to water-dependent transportation? (3)	_____	✓
15.	Would the proposed project have an adverse effect upon the land or water uses within a commercial or recreation boating center or water-dependent transportation center? (3.1)	_____	✓
16.	Would the proposed project create any conflicts between commercial and recreational boating? (3.2)	_____	✓
17.	Does the proposed project involve any boating activity that would have an impact on the aquatic environment or surrounding land and water uses? (3.3)	_____	✓
18.	Is the action located in one of the designated Special Natural Waterfront Areas (SNWA): Long Island Sound-East River, Jamaica Bay, or Northwest Staten Island? (4 and 9.2)	✓	_____
19.	Is the project site in or adjacent to a Significant Coastal Fish and Wildlife Habitats? (4.1)	✓	_____
20.	Is the site located within or adjacent to a Recognized Ecological Complex: South Shore of Staten Island or Riverdale Natural Area District? (4.1 and 9.2)	_____	✓
21.	Would the action involve any activity in or near a tidal or freshwater wetland? (4.2)	✓	_____
22.	Does the project site contain a rare ecological community or would the proposed project affect a vulnerable plant, fish, or wildlife species? (4.3)	_____	✓
23.	Would the action have any effects on commercial or recreational use of fish resources? (4.4)	_____	✓
24.	Would the proposed project in any way affect the water quality classification of nearby waters or be unable to be consistent with that classification? (5)	_____	✓
25.	Would the action result in any direct or indirect discharges, including toxins, hazardous substances, or other pollutants, effluent, or waste, into any waterbody? (5.1)	✓	_____
26.	Would the action result in the draining of stormwater runoff or sewer overflows into coastal waters? (5.1)	✓	_____
27.	Will any activity associated with the project generate nonpoint source pollution? (5.2)	✓	_____

<b>Policy Questions cont'd:</b>		<b>Yes</b>	<b>No</b>
28.	Would the action cause violations of the National or State air quality standards? (5.2)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
29.	Would the action result in significant amounts of acid rain precursors (nitrates and sulfates)? (5.2C)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
30.	Will the project involve the excavation or placing of fill in or near navigable waters, marshes, estuaries, tidal marshes or other wetlands? (5.3)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
31.	Would the proposed action have any effects on surface or ground water supplies? (5.4)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
32.	Would the action result in any activities within a Federally designated flood hazard area or State designated erosion hazards area? (6)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
33.	Would the action result in any construction activities that would lead to erosion? (6)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
34.	Would the action involve construction or reconstruction of flood or erosion control structure? (6.1)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
35.	Would the action involve any new or increased activity on or near any beach, dune, barrier island, or bluff? (6.1)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
36.	Does the proposed project involve use of public funds for flood prevention or erosion control? (6.2)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
37.	Would the proposed project affect a non-renewable source of sand? (6.3)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
38.	Would the action result in shipping, handling, or storing of solid wastes; hazardous materials, or other pollutants? (7)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
39.	Would the action affect any sites that have been used as landfills? (7.1)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
40.	Would the action result in development of a site that may contain contamination or has a history of underground fuel tanks, oil spills, or other form of petroleum product use or storage? (7.2)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
41.	Will the proposed activity result in any transport, storage, treatment, or disposal of solid wastes or hazardous materials, or the siting of a solid or hazardous waste facility? (7.3)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
42.	Would the action result in a reduction of existing or required access to or along coastal waters, public access areas, or public parks or open spaces? (8)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
43.	Will the proposed project affect or be located in, on, or adjacent to any federal, state, or city park or other land in public ownership protected for open space preservation? (8)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
44.	Would the action result in the provision of open space without the provision for its maintenance? (8.1)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
45.	Would the action result in any development along the shoreline but NOT include new water enhanced or water dependent recreational space? (8.2)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
46.	Will the proposed project impede visual access to coastal lands, waters and open space? (8.3)	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Policy Questions cont'd:**

	<b>Yes</b>	<b>No</b>
47. Does the proposed project involve publically owned or acquired land that could accommodate waterfront open space or recreation? (8.4)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
48. Does the project site involve lands or waters held in public trust by the state or city? (8.5)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
49. Would the action affect natural or built resources that contribute to the scenic quality of a coastal area? (9)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
50. Does the site currently include elements that degrade the area's scenic quality or block views to the water? (9.1)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
51. Would the proposed action have a significant adverse impact on historic, archeological, or cultural resources? (10)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
52. Will the proposed activity affect or be located in, on, or adjacent to an historic resource listed on the National or State Register of Historic Places, or designated as a landmark by the City of New York? (10)	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**D. CERTIFICATION**

The applicant must certify that the proposed activity is consistent with New York City's Waterfront Revitalization Program, pursuant to the New York State Coastal Management Program. If this certification cannot be made, the proposed activity shall not be undertaken. If the certification can be made, complete this section.

"The proposed activity complies with New York State's Coastal Management Program as expressed in New York City's approved Local Waterfront Revitalization Program, pursuant to New York State's Coastal Management Program, and will be conducted in a manner consistent with such program."

Applicant/Agent Name: Robert M. White, AKRF, Inc.

Address: 440 Park Avenue South, New York 10016

Telephone (212) 696-0670

Applicant/Agent Signature:  Date: 12-9-10





**DRAFT  
TECHNICAL MEMORANDUM**

**TO:** Project Team

**FROM:** Sarah Walter, PHA

**DATE:** December 2, 2010

**PROJECT:** Four Sparrows Retail Center at Mill Basin EIS (PHA No. 0880)

**RE:** Transportation Planning Assumptions and Preliminary Travel Demand Forecast

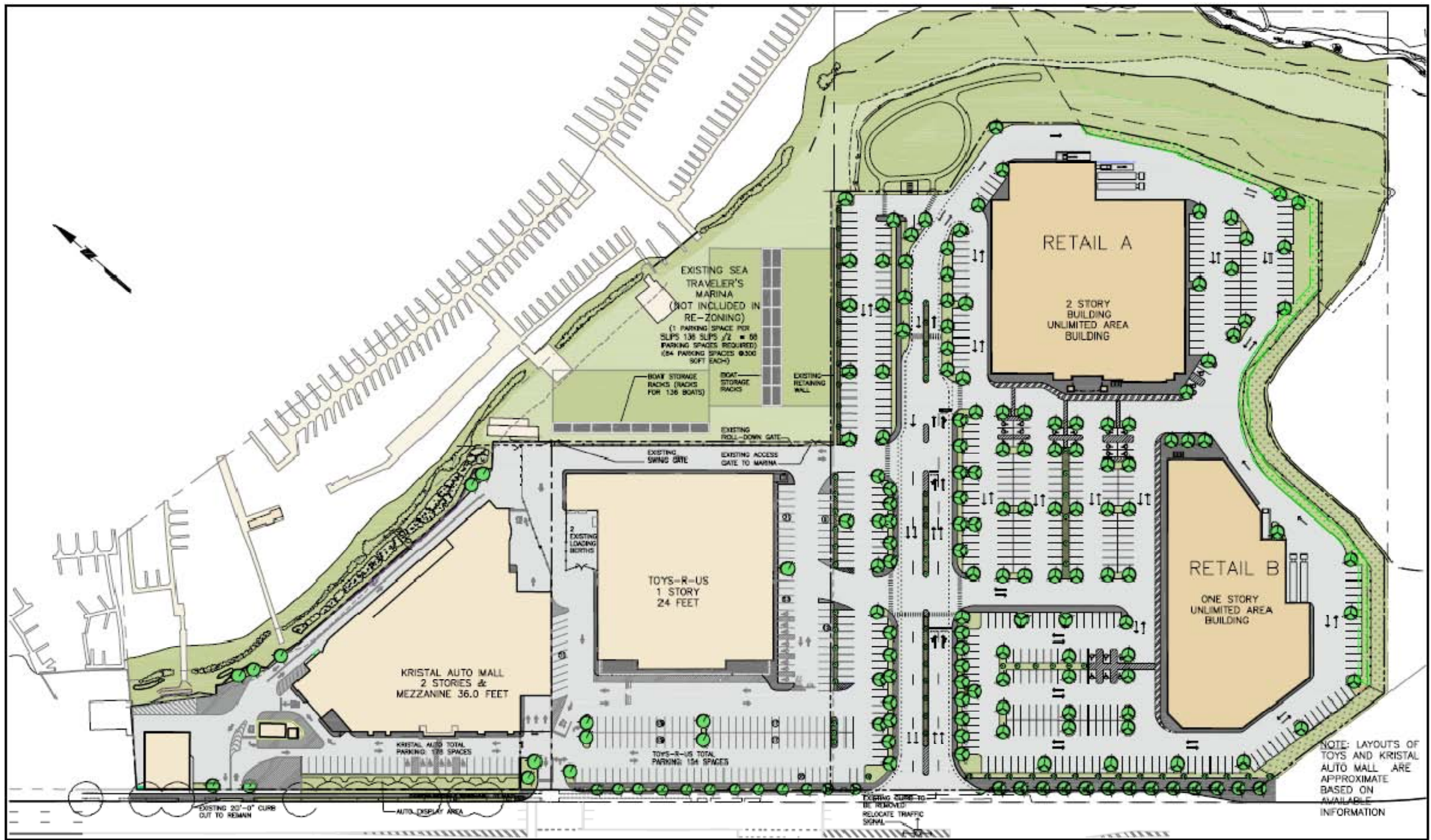
This memorandum summarizes the transportation planning assumptions to be used for the EIS analyses of traffic, parking, transit and pedestrian conditions for the *Four Sparrows Retail Center at Mill Basin* project that will have a Build Year of 2014. The proposed project currently has two proposed options:

- Single Tenant Option - includes 173,340 gsf of mixed-use shopping center [approximately 127,340 gsf of proposed retail and approximately 46,000 gsf of existing retail (ToysRUs)], 110,000 gsf commercial auto mall and 759 parking spaces.
- Multiple Tenant Option – includes 183,967 gsf of mixed-use shopping center [approximately 137,967 gsf of proposed retail and approximately 46,000 gsf of existing retail (ToysRUs)], 110,000 gsf commercial auto mall and 792 parking spaces (see Figure 1 for Site Plan).

The auto mall was originally introduced in the *Mill Basin Projects EAS, September 2008*, which is from where most of the transportation planning assumptions for the auto mall were taken that will be integrated into the planning assumptions for the new project site.

The traffic, parking, transit and pedestrians will be analyzed for the multiple tenant option (see Figure 1 for the Site Plan), which would create the worst case scenario for traffic out of the two options.

It should be noted that there will be three new access points to the site from Flatbush Avenue. The existing Toys R Us access point would be eliminated and relocated south.



SK-4I Rev.4: SITE PLAN  
June 30, 2010

SCALE: 1" = 100'-0"  
0' 50' 100' 200'

SITE PLAN  
COMPREHENSIVE SITE  
PLAN WITH ADJACENT  
DEVELOPMENTS

FORESTCITYRATNER  
COMPANIES

d.b.a. Mill Basin Associates

MILL BASIN  
BROOKLYN, NY



Four Sparrows Retail Center

Site Plan

Figure 1



## **TRANSPORTATION PLANNING FACTORS**

The travel demand forecast focuses on the project's weekday midday (12:15PM-1:15PM) and PM (5:00PM-6:00PM) and Saturday midday (2:00PM-3:00PM) peak periods. The AM period was not included in the analysis because it is anticipated that the shopping center would be close and would generate negligible demand. Additionally, the auto mall demand was sufficiently small during the AM period so that it was not included in the analysis in the *Mill Basin Projects EAS*. The transportation planning factors used to forecast changes in travel demand for the multiple tenant option during these periods are summarized in Table 1. The trip generation rates, temporal distributions and mode choice factors for the multiple tenant mixed-use shopping center shown in Table 1 are based on accepted *2010 CEQR Technical Manual* criteria, standard professional references (ITE Trip Generation Manual), studies that have been done for other similar uses in other areas of the City and recommendations made by NYC Department of Transportation. Of particular note is that approximately 98 percent of the shopping center demand is expected to access the site by auto or taxi, with the remainder distributed among transit and walk modes. The trip generation rates and mode choice factors for the auto mall shown in Table 1 are based on the trip generation table from the *Mill Basin Projects EAS*.

The proposed project would be in close proximity to the existing retail development at Mill Basin rather than an isolated new development, as such some link/pass-by trips are expected, as discussed below.

Weekday and Saturday retail trip rates were calculated based on the *2010 CEQR Technical Manual* for a typical shopping center for 183,967 sf. The square footage of the Toys R Us is included in the trip generation calculations for the overall development under Build conditions. Under No Build conditions, actual peak hour counts at the Toys R Us entrance on Flatbush Avenue would be utilized.

## **TRIP GENERATION**

Table 2 provides the overall resulting Build trip generation and weekday and Saturday peak hour demands for each mode of transportation (person and vehicle trips). As shown in Table 2, the proposed project site under Build conditions would generate a total net increase of approximately 889 vehicle trips in the midday, 833 in the PM peak hour and 934 in the Saturday midday peak hour. These net vehicle trips are calculated by subtracting the existing volumes at Toys R Us from the volume of vehicles after accounting for pass-by trips.

Peak hour transit (subway/bus) would increase by 56, 55 and 71 during these periods, respectively. This demand is a combination of subway to bus transfers as well as bus only trips. Since these transit trips are less than the 200 trips per

**Table 1**  
**Preliminary Transportation Planning Assumptions**

<b>Land Use:</b>		<b>Shopping Center (Build)</b>		<b>Auto Mall (Build)</b>	
<b>Size:</b>		183,967 gsf		110,000 gsf	
<b>Trip Generation:</b>		(1)		(3)	
<b>(Person-trips)</b>	<b>Weekday</b>	78.2		<b>MD &amp; PM</b>	5.44
	<b>Saturday</b>	92.5		<b>Saturday</b>	5.94
		(trips/1,000 gsf)		(trips/1,000 gsf)	
<b>Temporal Distribution:</b>		(1)			
	<b>MD</b>	9.0%		-	
	<b>PM</b>	9.0%		-	
	<b>SAT MD</b>	11.0%		-	
<b>Modal Split:</b>		(2)		(3)	
		<b>MD/PM</b>	<b>Sat MD</b>	<b>MD/PM/Sat MD</b>	
	<b>Auto</b>	95.1%	94.5%	90.0%	
	<b>Taxi/Black Car</b>	2.5%	3.5%	6.0%	
	<b>Subway &amp; Bus</b>	2.4%	2.0%	4.0%	
	<b>Walk</b>	<u>0.0%</u>	<u>0.0%</u>	<u>0.0%</u>	
		100.0%	100.0%	100.0%	
<b>Vehicle Occupancy:</b>		(2)		(3)	
		<b>MD/PM</b>	<b>Sat MD</b>	<b>MD/PM</b>	<b>Sat MD</b>
	<b>Auto</b>	1.40	1.72	2.00	2.00
	<b>Taxi</b>	1.65	1.75	2.00	2.00
<b>Directional Distribution:</b>		(2)		(3)	
		<b>In</b>	<b>Out</b>	<b>In</b>	<b>Out</b>
	<b>MD</b>	53.6%	46.4%	45%	55%
	<b>PM</b>	51.8%	48.2%	45%	55%
	<b>SAT MD</b>	53.6%	46.4%	51%	49%
<b>Daily Truck Trip Generation:</b>		(2)			
	<b>WEEKDAY</b>	0.33		-	
	<b>SATURDAY</b>	0.04			
		(trips/1,000 gsf)			
<b>Truck Trip Temporal Distribution:</b>		(1)			
	<b>MD</b>	11.0%		-	
	<b>PM</b>	2.0%		-	
	<b>SAT MD</b>	11.0%		-	

**Notes:**

- (1) Based on data from 2010 CEQR Technical Manual, Destination Retail.
- (2) Based on recommendations from NYCDOT.
- (3) Based on data from Kristal Auto Mall Peak Hour Trip Generation, September 2008.

**TABLE 2  
PRELIMINARY TRANSPORTATION DEMAND FORECAST SUMMARY**

Land Use:		<u>Shopping Center</u>		<u>Auto Mall</u>		<u>Total Generated Trips</u>		<u>Total</u>
Size:		183,967	gsf	110,000	gsf			
Peak Hour Trips:								
	MD	1,295		600				
	PM	1,295		600				
	SAT MD	1,872		655				
<b>Person Trips:</b>								
	<b>MD</b>	<u>IN</u>	<u>OUT</u>	<u>IN</u>	<u>OUT</u>	<u>IN</u>	<u>OUT</u>	<u>TOTAL</u>
	Auto	660	571	243	297	903	868	1771
	Taxi	17	15	16	20	33	35	68
	Subway & Bus	18	14	11	13	29	27	56
	Walk	0	0	0	0	0	0	0
	<b>Total</b>	695	600	270	330	965	930	1895
	<b>PM</b>	<u>IN</u>	<u>OUT</u>	<u>IN</u>	<u>OUT</u>	<u>IN</u>	<u>OUT</u>	<u>TOTAL</u>
	Auto	638	594	243	297	881	891	1772
	Taxi	16	16	16	20	32	36	68
	Subway & Bus	16	15	11	13	27	28	55
	Walk	0	0	0	0	0	0	0
	<b>Total</b>	670	625	270	330	940	955	1895
	<b>SAT MD</b>	<u>IN</u>	<u>OUT</u>	<u>IN</u>	<u>OUT</u>	<u>IN</u>	<u>OUT</u>	<u>TOTAL</u>
	Auto	954	826	301	289	1255	1115	2370
	Taxi	25	22	20	19	45	41	86
	Subway & Bus	24	21	13	13	37	34	71
	Walk	0	0	0	0	0	0	0
	<b>Total</b>	1003	869	334	321	1337	1190	2527
<b>Gross Vehicle Trips:</b>								
	<b>MD</b>	<u>IN</u>	<u>OUT</u>	<u>IN</u>	<u>OUT</u>	<u>IN</u>	<u>OUT</u>	<u>TOTAL</u>
	Auto(Total)	471	408	122	149	593	557	1150
	Bal Taxi	19	19	14	14	33	33	66
	Truck	3	3	1	1	4	4	8
	<b>Total</b>	493	430	137	164	630	594	1224
	<b>PM</b>	<u>IN</u>	<u>OUT</u>	<u>IN</u>	<u>OUT</u>	<u>IN</u>	<u>OUT</u>	<u>TOTAL</u>
	Auto(Total)	456	424	122	149	578	573	1151
	Bal Taxi	20	20	14	14	34	34	68
	Truck	1	1	0	0	1	1	2
	<b>Total</b>	477	445	136	163	613	608	1221
	<b>SAT MD</b>	<u>IN</u>	<u>OUT</u>	<u>IN</u>	<u>OUT</u>	<u>IN</u>	<u>OUT</u>	<u>TOTAL</u>
	Auto(Total)	555	480	150	145	705	625	1330
	Bal Taxi	27	27	15	15	42	42	84
	Truck	3	3	1	1	4	4	8
	<b>Total</b>	585	510	166	161	751	671	1422
<b>Pass-by Trips:</b>								
	<b>MD</b>	<u>IN</u>	<u>OUT</u>	<u>IN</u>	<u>OUT</u>	<u>IN</u>	<u>OUT</u>	<u>TOTAL</u>
	Auto(Total)	-94	-82	0	0	-94	-82	-176
	Bal Taxi	-4	-4	0	0	-4	-4	-8
	Truck	0	0	0	0	0	0	0
	<b>Total</b>	-98	-86	0	0	-98	-86	-184
	<b>PM</b>	<u>IN</u>	<u>OUT</u>	<u>IN</u>	<u>OUT</u>	<u>IN</u>	<u>OUT</u>	<u>TOTAL</u>
	Auto(Total)	-91	-85	0	0	-91	-85	-176
	Bal Taxi	-4	-4	0	0	-4	-4	-8
	Truck	0	0	0	0	0	0	0
	<b>Total</b>	-95	-89	0	0	-95	-89	-184
	<b>SAT MD</b>	<u>IN</u>	<u>OUT</u>	<u>IN</u>	<u>OUT</u>	<u>IN</u>	<u>OUT</u>	<u>TOTAL</u>
	Auto(Total)	-111	-96	0	0	-111	-96	-207
	Bal Taxi	-5	-5	0	0	-5	-5	-10
	Truck	0	0	0	0	0	0	0
	<b>Total</b>	-116	-101	0	0	-116	-101	-217
<b>Vehicle Trips after Pass-by Trips:</b>								
	<b>MD</b>	<u>IN</u>	<u>OUT</u>	<u>IN</u>	<u>OUT</u>	<u>IN</u>	<u>OUT</u>	<u>TOTAL</u>
	Auto(Total)	377	326	122	149	499	475	974
	Bal Taxi	15	15	14	14	29	29	58
	Truck	3	3	1	1	4	4	8
	<b>Total</b>	395	344	137	164	532	508	1040
	<b>PM</b>	<u>IN</u>	<u>OUT</u>	<u>IN</u>	<u>OUT</u>	<u>IN</u>	<u>OUT</u>	<u>TOTAL</u>
	Auto(Total)	365	339	122	149	487	488	975
	Bal Taxi	16	16	14	14	30	30	60
	Truck	1	1	0	0	1	1	2
	<b>Total</b>	382	356	136	163	518	519	1037
	<b>SAT MD</b>	<u>IN</u>	<u>OUT</u>	<u>IN</u>	<u>OUT</u>	<u>IN</u>	<u>OUT</u>	<u>TOTAL</u>
	Auto(Total)	444	384	150	145	594	529	1123
	Bal Taxi	22	22	15	15	37	37	74
	Truck	3	3	1	1	4	4	8
	<b>Total</b>	469	409	166	161	635	570	1205

Net Vehicle Trips:	Total Generated Trips		Existing Counts at Toys R Us		Total Net Increment	
	<u>IN</u>	<u>OUT</u>	<u>IN</u>	<u>OUT</u>	<u>IN</u>	<u>OUT</u>
MD	532	508	88	63	444	445
PM	518	519	107	97	411	422
SAT MD	635	570	147	124	488	446



hour requiring detailed analysis, none of the peak hours would be analyzed quantitatively.

Net incremental trips made by walking or by other modes would not increase during any peak hour. It is not expected that the proposed project would result in additional pedestrian trips. As such, a detailed analysis of pedestrians is not warranted in this study area.

### *Mixed-use Shopping Center*

Due to the location of the project site along Flatbush Avenue, a major artery of Brooklyn, and its proximity to the King Plaza Mall and the Shore Parkway, it is expected that pass-by trips would account for a portion of the mixed-use shopping center's vehicle trips. Based on ATR counts at this location on Flatbush Avenue during Fall 2008, the vehicular volumes typically fall within the range of 3,000 to 4,000 vehicles per hour during each of the peak hours that are being analyzed. Pass-by trips are expected to account for 20 percent of the vehicle trips for the shopping center at the project site.

## **TRAFFIC NETWORK**

The proposed shopping center would generate vehicle demand that would access the site from the north of the project site (using local streets) or from the south (using either the Shore Parkway or the Marine Parkway Bridge). Using population data from the 2000 Census and expected trip assignment based on geographical location with respect to the project site and the roadway network, it is expected that approximately 43 percent of the vehicle trips generated would use the Belt Parkway, approximately 56 percent of the trips would be via the local street system to the north of the project site and the remaining 1 percent would access the site using the Marine Parkway Bridge from the Rockaways (see attached appendix for trip distribution within the 5-mile market area).

The distribution of the project generated trips to and from the proposed 110,000 sf auto mall were discussed in the *Mill Basin Projects EAS, September 2008*. These trips were distributed throughout the study area based on the projected traffic conditions and the relative population of the neighborhoods that are expected to patronize the proposed project (all local Brooklyn and Queens areas). Auto mall generated volumes were assigned to intersections in the study area based on the most direct routes available between origins and destinations. The previous analysis shows that approximately 63 percent of the vehicle trips would be via the local street system to the north of the project site and the remaining 37 percent of the vehicle trips would be using the Marine Parkway Bridge and the Shore Parkway.

The vehicle volumes arriving and exiting the project site from the existing Toys 'R' Us are relatively consistent with the 63 percent/37 percent distribution shown in the previous *Mill Basin Projects EAS* for vehicles heading north and south, respectively, once exiting the parking lot at the site. Because it is expected that the future shopping center would have a more regional draw, it is expected that more vehicles would travel to the site using the Shore Parkway. As a result, the 56 percent using the local streets and 44 percent traveling from the south of the project site is used for traffic.

The demand generated by the proposed project would be assigned to the area roadways and transit facilities in order to assess any transportation impacts of the proposed project. Figure 2 shows the proposed intersections to be analyzed. Figure 3 shows the preliminary demand assignments (percentages) proposed for the mixed-use shopping center. The demand assignment for the auto mall would use the patterns shown in the *Mill Basin Projects EAS*.

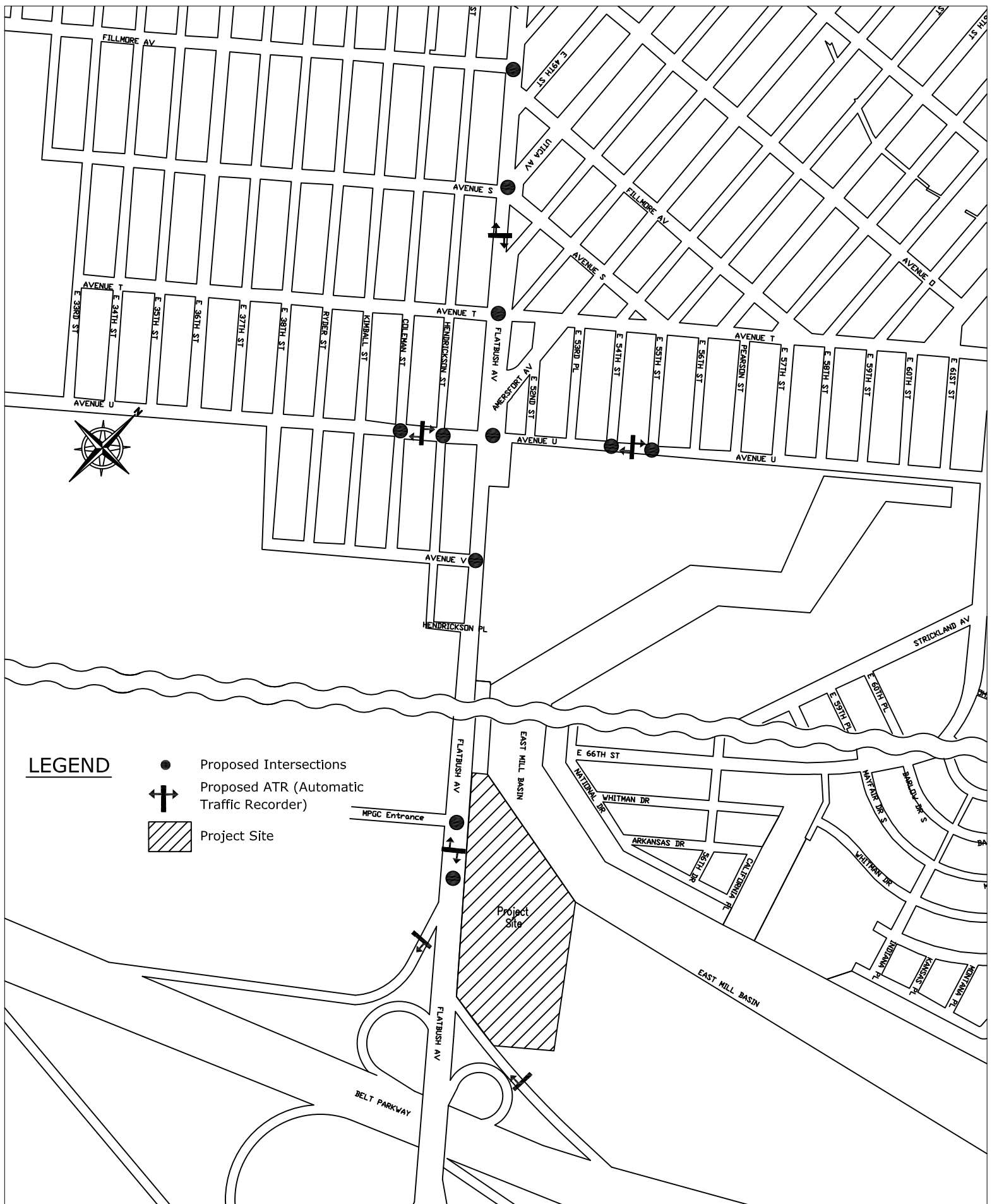
## **TRAFFIC DATA COLLECTION**

As discussed earlier, Figure 2 shows the eleven intersections where manual traffic counts were conducted during the midday, PM and Saturday midday peak periods. Also shown in this figure are the ATR count locations. Manual traffic counts were conducted in the 2008 Fall Shopping Period: on Thursday, October 30, 2008 for the weekday midday peak period between 11:30AM and 1:30PM and the PM peak period between 4:30PM and 6:30PM. The manual traffic counts for the Saturday midday peak period were conducted on Saturday, November 1, 2008 between 11:30AM – 1:30PM. ATR data was collected from Friday, October 24, 2008 through Tuesday, November 4, 2008. There is negligible pedestrian activity at this end of Flatbush Avenue, near the Shore Parkway interchange.

ATR data was collected again in November 2010. The data was inconclusive as to whether there was a uniform growth of traffic in the network area during the weekday midday and PM peak periods. As a result, the 2008 ATR volumes will be used and grown with the appropriate background growth rate for Brooklyn that is provided in the *2010 CEQR Technical Manual*. Additionally, based on comments received from NYCDOT, the Saturday midday peak period manual counts were redone between 2:00 PM and 5:00 PM on Saturday, November 6, 2010.

## **TRANSIT**

The project site is located on Flatbush Avenue, south of Kings Plaza shopping mall and north of the Shore Parkway interchange. At Kings Plaza, which is located at Flatbush Avenue and Avenue U, there is a terminus for five bus lines: B2, B3, B9, B41 and B46. The Q35, which operates between Midwood and



Proposed Intersections to be Analyzed



Rockaway Park, stops adjacent to the project site on Flatbush Avenue. The B2 operates between Midwood and Kings Plaza along Avenue S and Flatbush Avenue in the study area. The B3 operates between Bath Beach and Bergen Beach, traversing the study area via Avenue U. The B9 operates between Bay Ridge and Kings Plaza. The B41 provides local and limited-stop service via Flatbush Avenue between Kings Plaza and Downtown Brooklyn. The B46 provides local and limited-stop service between Kings Plaza and Williamsburg Bridge Plaza, traversing Flatbush Avenue in the study area.

All of the bus lines discussed above provide service 24 hours per day, 7 days a week. Other bus lines traverse portions of the study area, but they do not provide stops in close proximity to the project site.

As discussed earlier, the proposed project is not anticipated to result in transit trips that exceed the *2010 CEQR Technical Manual*, which is a net increase of more than 200 subway and bus trips. This net increase of 200 subway and bus trips is the threshold for detailed transit analysis. Since the project is not expected to exceed the 200 trip threshold during any of the peak periods, a quantitative analysis is not warranted.



## APPENDIX

### Population within 5 Mile Market Area Radius Using the Belt Parkway to Access Site

Community District Number	Population	Population Using Belt Parkway	Percent Using Belt Parkway
3	8,962	8,962	100.0%
5	88,728	88,728	100.0%
8	85,656	28,249	33.0%
9	104,014	0	0.0%
10	24,715	24,715	100.0%
11	172,129	172,129	100.0%
12	185,046	0	0.0%
13	106,120	106,120	100.0%
14	168,806	0	0.0%
15	160,319	78,327	48.9%
16	85,343	85,343	100.0%
17	165,753	0	0.0%
18	194,653	79,380	40.8%
Queens	10,958	10,958	100.0%
Total	1,561,202	682,911	43.7%

### Population within 5 Mile Market Area Radius Using the Local Streets to Access Site

Community District Number	Population	Population Using Local Streets	Percent Using Local Streets
3	8,962	0	0.0%
5	88,728	0	0.0%
8	85,656	57,407	67.0%
9	104,014	104,014	100.0%
10	24,715	0	0.0%
11	172,129	0	0.0%
12	185,046	185,046	100.0%
13	106,120	0	0.0%
14	168,806	168,806	100.0%
15	160,319	81,992	51.1%
16	85,343	0	0.0%
17	165,753	165,753	100.0%
18	194,653	115,273	59.2%
Queens	10,958	0	0.0%
Total	1,561,202	878,291	56.3%

**NOTES:**

Population of District 10 is 122,542; approximately 24,715 fall within the 5 mile radius.

Population of District 8 is 96,076; approximately 85,656 fall within the 5 mile radius.

Population of District 3 is 143,867; approximately 8,962 fall within the 5 mile radius.

Population of District 5 is 173,198; approximately 88,728 fall within the 5 mile radius.

Population of District 14 is 106,686; approximately 10,958 fall within the 5 mile radius.

Queens Population is from south of site and would access using the Marine Parkway Bridge/Flatbush Ave.