



## City Environmental Quality Review

### ENVIRONMENTAL ASSESSMENT STATEMENT (EAS) FULL FORM

Please fill out and submit to the appropriate agency ([see instructions](#))

#### Part I: GENERAL INFORMATION

**PROJECT NAME** Seaside Park and Community Arts Center

#### 1. Reference Numbers

CEQR REFERENCE NUMBER (to be assigned by lead agency)  
13DME014K

BSA REFERENCE NUMBER (if applicable)

ULURP REFERENCE NUMBER (if applicable)

OTHER REFERENCE NUMBER(S) (if applicable)  
(e.g., legislative intro, CAPA)

#### 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 100 Gold Street, 2nd Floor

CITY New York

STATE NY

ZIP 10038

TELEPHONE (212) 788-2937

EMAIL

rkulikowski@cityhall.nyc.gov

#### 2b. Applicant Information

NAME OF APPLICANT

Coney Island Holdings LLC

NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON

Howard Weiss, Davidoff Hutcher & Citron LLP

ADDRESS 605 Third Avenue

CITY New York

STATE NY

ZIP 10158

TELEPHONE (212) 557-7200

EMAIL HSW@dhclegal.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): An Unlisted Action occurring wholly or partially within and contiguous to a historic building and designated open space (6 NYCRR Part 617.4 (a) (b) (9,10)).

**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 applicant proposes to construct the Seaside Park and Community Arts Center ("proposed project"), which would introduce a mix of entertainment and commercial uses, as well as publicly accessible open space along the western portion of the Riegelmann Boardwalk in Coney Island. The proposed development would include the construction of an approximately 5,000-seat amphitheater that would be a seasonal concert venue use from late spring through early fall and would provide the community with additional publicly accessible recreational and entertainment opportunities throughout the year. The proposed project also involves the restoration and adaptive reuse of the approximately 60,000 sf historic Childs Restaurant building (a designated NYC landmark) for a restaurant, banquet, and indoor entertainment uses with indoor seating for approximately 384 diners, as well as rooftop outdoor seating. The Childs restoration would include the proposed amphitheater's stage. In addition, the project would include the development of publicly accessible open space that would extend to West 23<sup>rd</sup> Street and provide passive recreational opportunities. The project would continue the City of New York's efforts to reinvigorate Coney Island by introducing a new recreation and entertainment destination. The proposed amphitheater would be an interim use authorized for a period of ten years. It would be owned by the City of New York and operated by a non-profit entity under a ten-year lease with the City. The amphitheater would serve as a venue for a variety of concerts, community events, and public gatherings. Please refer to Attachment A for more details.

#### Project Location

BOROUGH Brooklyn

COMMUNITY DISTRICT(S) 13

STREET ADDRESS N.A.

TAX BLOCK(S) AND LOT(S) Block 7071, Lots 231, 226, 142, 130, 81, 79, 76, 34, 32, 30, 28, 27

ZIP CODE 11224

DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS Generally bounded by the Riegelmann Boardwalk to the south, West 23<sup>rd</sup> Street to the west, West 21<sup>st</sup> Street to the east, and Surf Avenue to the north

EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY  
R7D/C2-4, Special Coney Island District (CI)

ZONING SECTIONAL MAP NUMBER 28d

#### 5. Required Actions or Approvals (check all that apply)

**City Planning Commission:**  YES

NO

UNIFORM LAND USE REVIEW PROCEDURE (ULURP)

CITY MAP AMENDMENT

ZONING CERTIFICATION

CONCESSION

ZONING MAP AMENDMENT

ZONING AUTHORIZATION

UDAAP

ZONING TEXT AMENDMENT

ACQUISITION—REAL PROPERTY

REVOCABLE CONSENT

SITE SELECTION—PUBLIC FACILITY

DISPOSITION—REAL PROPERTY

FRANCHISE

HOUSING PLAN & PROJECT

OTHER, explain:

SPECIAL PERMIT (if appropriate, specify type:  modification;  renewal;  other); EXPIRATION DATE: 2025  
 SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION pursuant to proposed text amendment to allow an amphitheater with a capacity of 5,000 seats as an interim use for ten years

**Board of Standards and Appeals:**  YES  NO  
 VARIANCE (use)  
 VARIANCE (bulk)  
 SPECIAL PERMIT (if appropriate, specify type:  modification;  renewal;  other); EXPIRATION DATE:  
 SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

**Department of Environmental Protection:**  YES  NO If "yes," specify:

**Other City Approvals Subject to CEQR** (check all that apply)  
 LEGISLATION  FUNDING OF CONSTRUCTION, specify:  
 RULEMAKING  POLICY OR PLAN, specify: WRP  
 CONSTRUCTION OF PUBLIC FACILITIES  FUNDING OF PROGRAMS, specify: City Capital Funding  
 384(b)(4) APPROVAL  PERMITS, specify:  
 OTHER, explain:

**Other City Approvals Not Subject to CEQR** (check all that apply)  
 PERMITS FROM DOT'S OFFICE OF CONSTRUCTION MITIGATION AND COORDINATION (OCMC)  LANDMARKS PRESERVATION COMMISSION APPROVAL  
 OTHER, explain: Public Design Commission, Dept. of Buildings

**State or Federal Actions/Approvals/Funding:**  YES  NO If "yes," specify:

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

**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 11 x 17 inches in size and, for paper filings, must be folded to 8.5 x 11 inches.*

SITE LOCATION MAP  ZONING MAP  SANBORN OR OTHER LAND USE MAP  
 TAX MAP  FOR LARGE AREAS OR MULTIPLE SITES, A GIS SHAPE FILE THAT DEFINES THE PROJECT SITE(S)  
 PHOTOGRAPHS OF THE PROJECT SITE TAKEN WITHIN 6 MONTHS OF EAS SUBMISSION AND KEYED TO THE SITE LOCATION MAP

**Physical Setting** (both developed and undeveloped areas)  
 Total directly affected area (sq. ft.): 136,404 sq. ft. (3.1 acres) Waterbody area (sq. ft.) and type: 0 sq. ft.  
 Roads, buildings, and other paved surfaces (sq. ft.): 122,247 sq. ft. Other, describe (sq. ft.): 14,157 sq. ft.- vacant improved land

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

SIZE OF PROJECT TO BE DEVELOPED (gross square feet): TBD  
 NUMBER OF BUILDINGS: An amphitheater /existing Childs Restaurant building GROSS FLOOR AREA OF EACH BUILDING (sq. ft.): Amphitheater is TBD; Existing Childs Restaurant- 60,000 sq. ft.  
 HEIGHT OF EACH BUILDING (ft.): Amphitheater height is TBD; Existing Childs Restaurant is 40 feet in height NUMBER OF STORIES OF EACH BUILDING: Existing Childs Restaurant- 2-stories plus basement and mezzanine

Does the proposed project involve changes in zoning on one or more sites?  YES  NO  
 If "yes," specify: The total square feet owned or controlled by the applicant: 57,561 sq. ft.  
 The total square feet non-applicant owned area: 78,843 sq. ft.

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 OF TEMPORARY DISTURBANCE: TBD sq. ft. (width x length) VOLUME OF DISTURBANCE: TBD cubic ft. (width x length x depth)  
 AREA OF PERMANENT DISTURBANCE: TBD sq. ft. (width x length)

**8. Analysis Year** [CEQR Technical Manual Chapter 2](#)

ANTICIPATED BUILD YEAR (date the project would be completed and operational): 2016

ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: 12-24 months

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

BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE:

**9. Predominant Land Use in the Vicinity of the Project** (check all that apply)  
 RESIDENTIAL  MANUFACTURING  COMMERCIAL  PARK/FOREST/OPEN SPACE  OTHER, specify: Vacant land/parking, public facilities



**Seaside Park and Community Arts Center**

**Figure 1**  
**Project Site**

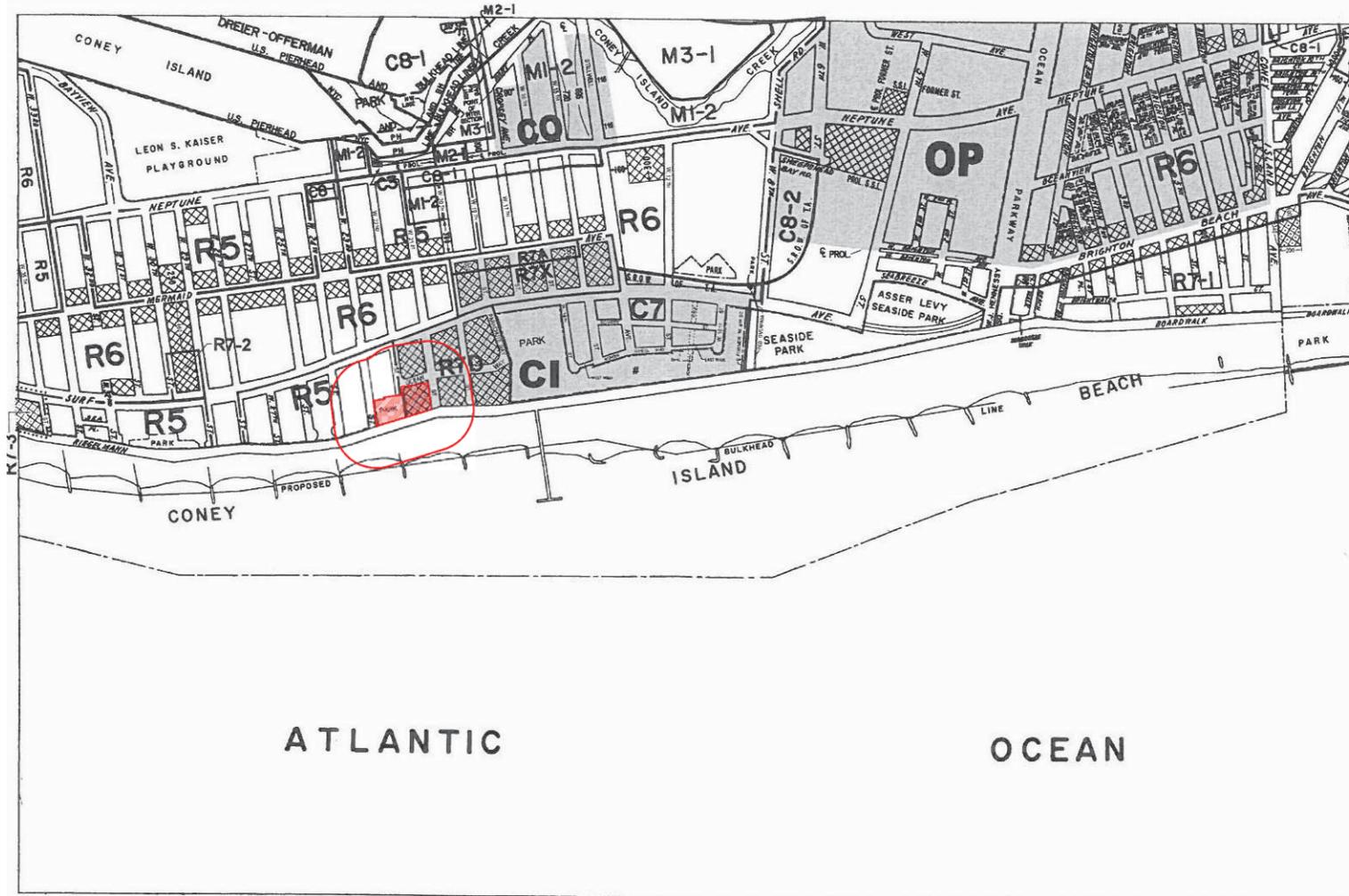


**Legend**

- Project Site
- 400 Foot Radius

**Land Use**

- |   |  |  |   |   |
|---|--|--|---|---|
| <span style="display: inline-block; width: 20px; height: 10px; background-color: yellow; margin-right: 5px;"></span> One & Two Family Buildings | <span style="display: inline-block; width: 20px; height: 10px; background-color: orange; margin-right: 5px;"></span> Multi-Family Walkup Buildings               | <span style="display: inline-block; width: 20px; height: 10px; background-color: blue; margin-right: 5px;"></span> Public Facilities                       | <span style="display: inline-block; width: 20px; height: 10px; background-color: lightgreen; margin-right: 5px;"></span> Open Space           | <span style="display: inline-block; width: 20px; height: 10px; background-color: grey; margin-right: 5px;"></span> Parking Facilities |
| <span style="display: inline-block; width: 20px; height: 10px; background-color: purple; margin-right: 5px;"></span> Industrial/Manufacturing   | <span style="display: inline-block; width: 20px; height: 10px; background-color: pink; margin-right: 5px;"></span> Transportation/Utility                        | <span style="display: inline-block; width: 20px; height: 10px; background-color: black; margin-right: 5px;"></span> Vacant Land                            | <span style="display: inline-block; width: 20px; height: 10px; background-color: lightgrey; margin-right: 5px;"></span> All Others or No Data |   |
| <span style="display: inline-block; width: 20px; height: 10px; background-color: red; margin-right: 5px;"></span> Commercial/Office Buildings   | <span style="display: inline-block; width: 20px; height: 10px; background-color: lightorange; margin-right: 5px;"></span> Mixed Commercial/Residential Buildings | <span style="display: inline-block; width: 20px; height: 10px; background-color: yelloworange; margin-right: 5px;"></span> Multi-Family Elevator Buildings |   |   |



### ZONING MAP

THE NEW YORK CITY PLANNING COMMISSION

**Major Zoning Classifications:**  
 The number(s) and/or letter(s) that follows an R, C or M District designation indicates use, bulk and other controls as described in the text of the Zoning Resolution.

- R - RESIDENTIAL DISTRICT
- C - COMMERCIAL DISTRICT
- M - MANUFACTURING DISTRICT

**SPECIAL PURPOSE DISTRICT**  
 The letter(s) within the shaded area designates the special purpose district as described in the text of the Zoning Resolution.

**AREA(S) REZONED**

**Effective Date(s) of Re zoning:**  
 09-08-2011 C 110058 ZMK

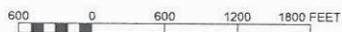
**Special Requirements:**  
 For a list of lots subject to CEQR environmental requirements, see APPENDIX C.  
 For a list of lots subject to "D" restrictive declarations, see APPENDIX D.  
 For Inclusionary Housing designated areas on this map, see APPENDIX F.

MAP KEY

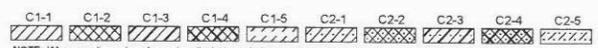
28a	28c	29a
28b	<b>28d</b>	29b

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ZONING MAP **28d**



# NOTE: STREETS FOR THE STREET MAP CHANGE C 090107 MMK AND N 090107(A) MMK ARE SHOWN ON THIS MAP PRIOR TO BECOMING EFFECTIVE IN ORDER TO LOCATE ZONING DISTRICT BOUNDARIES.



NOTE: Where no dimensions for zoning district boundaries appear on the zoning maps, such dimensions are determined in Article VII, Chapter 6 (Location of District Boundaries) of the Zoning Resolution.

Project Site 400 Foot Radius

Seaside Park & Community Arts Center

Figure 3  
Existing Zoning



NYC Digital Tax Map

Effective Date : 04-28-2009 11:25:30  
End Date : Current  
Brooklyn Block: 7071

Legend

- Streets
- Miscellaneous Text
- ↓ Possession Hooks
- - - Boundary Lines
- ↓ Lot Face Possession Hooks
- Regular
- Underwater
- Tax Lot Polygon
- Condo Number
- Tax Block Polygon

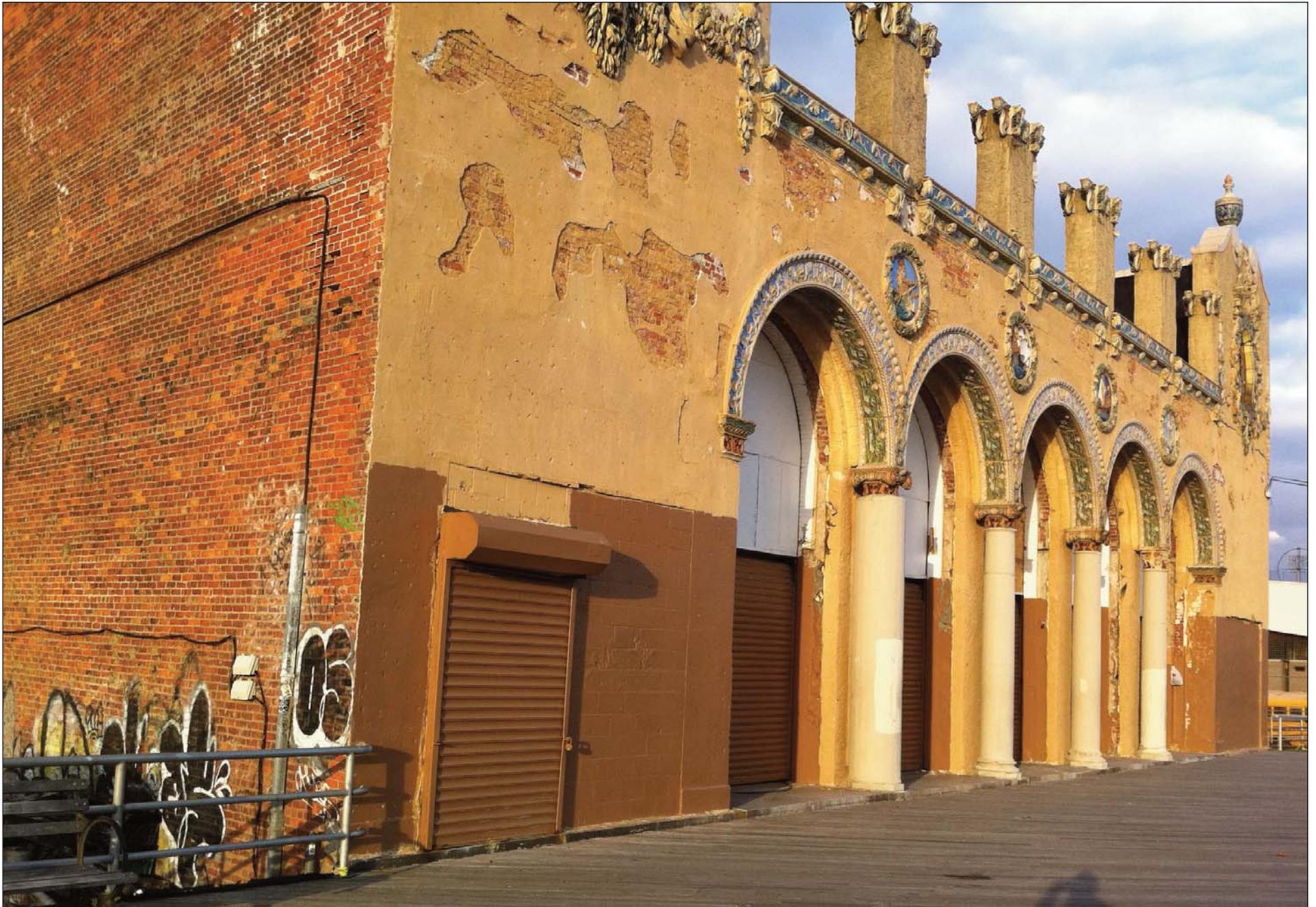
□ Project Site





Seaside Park & Community Arts Center

Figure 5  
Project Site Photograph Key



(1) View looking northeast from the Riegelmann Boardwalk to the former Childs Restaurant Building at 3052-3078 West 21st Street (Block 7071, Lot 130), which is a designated NYCLPC landmark and currently vacant.

**Seaside Park and Community Arts Center**

**Figure 5A  
Project Site Photograph**



(2) View looking north from the Riegelmann Boardwalk to the decommissioned community garden occupying Lot 142 on Block 7071. The western facade of the former Childs Restaurant Building is visible in the foreground of the photograph.

**Seaside Park and Community Arts Center**

**Figure 5B  
Project Site Photograph**



(3) View looking northwest from the Riegelmann Boardwalk to the decommissioned community garden occupying Lot 142 on Block 7071.



(4) View looking southwest on West 21st Street to the eastern facade of the former Childs Restaurant Building (Lot 130, Block 7071).

**Seaside Park and Community Arts Center**

**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>	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If "yes," specify the following:				
Describe type of residential structures		Multiunit apartments		
No. of dwelling units		223 DUs		- 223 DUs
No. of low- to moderate-income units		Approx. 45 DUs		-45 DUs
Gross floor area (sq. ft.)		Approx. 223,119 sq. ft.		- 223,119 sq. ft.
<b>Commercial</b>	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
If "yes," specify the following:				
Describe type (retail, office, other)		Local Retail/Restaurant & Banquet	Restaurant & Banquet	
Gross floor area (sq. ft.)		Approx. 93,978 sq. ft.	Approx. 60,000 sq. ft.	-33,978 sq. ft.
<b>Manufacturing/Industrial</b>	<input checked="" type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If "yes," specify the following:				
Type of use	Vehicle Storage			
Gross floor area (sq. ft.)				
Open storage area (sq. ft.)	Approx. 18,000			
If any unenclosed activities, specify:	Vehicle Storage Lot			
<b>Community Facility</b>	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If "yes," specify the following:				
Type				
Gross floor area (sq. ft.)				
<b>Vacant Land</b>	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If "yes," describe:	Unimproved and Paved Lots- Approx. 20,157 sq. ft.			
<b>Publicly Accessible Open Space</b>	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
If "yes," specify type (mapped City, State, or Federal parkland, wetland—mapped or otherwise known, other):		1.41 acres of parkland; "Highland View Park" passive/active recreation	2.55 acres of publicly accessible open space, which includes an amphitheater	1.14 acres of publicly accessible open space (amphitheater)
<b>Other Land Uses</b>	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If "yes," describe:				
<b>PARKING</b>				
<b>Garages</b>	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If "yes," specify the following:				
No. of public spaces		None.		
No. of accessory spaces		167 spaces		-167 spces
Operating hours		24/7		
Attended or non-attended				
<b>Lots</b>	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If "yes," specify the following:				
No. of public spaces				
No. of accessory spaces				
Operating hours				
<b>Other</b> (includes street parking)	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If "yes," describe:				

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
<b>POPULATION</b>				
<b>Residents</b>	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If "yes," specify number:		524		-524
Briefly explain how the number of residents was calculated:	Calculation based on average of 2.35 persons per household (2010 US Census for Brooklyn Community District 13 provided by NYCDCP).			
<b>Businesses</b>	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
If "yes," specify the following:				
No. and type		Restaurant/Banquet, & Local Retail along the Boardwalk	Restaurant/Banquet, & Amphitheater	Amphitheater Loss of Local Retail along Boardwalk
No. and type of workers by business		Restaurant: 180 Local Retail: 102	Restaurant: 180 Amphitheater: up to 90	-12 workers
No. and type of non-residents who are not workers			Approx. 6,000 concert attendees	6,000 concert attendees
Briefly explain how the number of businesses was calculated:	No-Action retail/restaurant use calculated based on 3 workers/1,000 sf. Attendance figures conservatively assume 5,000 seats and an additional 1,000 standing patrons. Refer to Attachment A for details.			
<b>Students (non-resident)</b>	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If any, specify number:				
Briefly explain how the number of students was calculated:				
<b>ZONING</b>				
Zoning classification	R7D/C2-4/ CI	R7D/C2-4/CI	R7D/C2-4/CI	No Change
Maximum amount of floor area that can be developed	Residential- 4.35 FAR (bonusable to 5.8 FAR) Community Fac.- 2.0 FAR Commercial- 2.0 FAR	Residential- 4.35 FAR (bonusable to 5.8 FAR) Community Fac.- 2.0 FAR Commercial- 2.0 FAR	Residential- 4.35 FAR (bonusable to 5.8 FAR) Community Fac.- 2.0 FAR Commercial- 2.0 FAR	No Change
Predominant land use and zoning classifications within land use study area(s) or a 400 ft. radius of proposed project	Vacant land/Vehicle Storage, open space, amusement, commercial, residential public facilities; R7D/C2-4, Special Coney Island District, R5, R6	Vacant land/Vehicle Storage, open space, amusement, commercial, residential public facilities; R7D/C2-4, Special Coney Island District, R5, R6	Vacant land/Vehicle Storage, open space, amusement, commercial, residential public facilities; R7D/C2-4, Special Coney Island District, R5, R6	No Change
Attach any additional information that may be needed to describe the project.				
If your project involves changes that affect one or more sites not associated with a specific development, it is generally appropriate to include total development projections in the above table and attach separate tables outlining the reasonable development scenarios for each site.				

**Part II: TECHNICAL ANALYSIS**

**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, provide additional analyses (and attach supporting information, if needed) based on guidance in the CEQR Technical Manual to determine whether the potential for significant impacts exists. Please note that a “yes” answer does not mean that an EIS must be prepared—it means that more information may be required for the lead agency to make a determination of significance.
- The lead agency, upon reviewing Part II, may require an applicant to 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:</b> <a href="#">CEQR Technical Manual Chapter 4</a>		
(a) Would the proposed project result in a change in land use different from surrounding land uses?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Would the proposed project result in a change in zoning different from surrounding zoning?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) Is there the potential to affect an applicable public policy?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) If “yes,” to (a), (b), and/or (c), complete a preliminary assessment and attach.		
(e) Is the project a large, publicly sponsored project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If “yes,” complete a PlaNYC assessment and attach.		
(f) Is any part of the directly affected area within the City’s Waterfront Revitalization Program boundaries?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
o If “yes,” complete the <a href="#">Consistency Assessment Form</a> .		
<b>2. SOCIOECONOMIC CONDITIONS:</b> <a href="#">CEQR Technical Manual Chapter 5</a>		
(a) Would the proposed project:		
o Generate a net increase of more than 200 residential units or 200,000 square feet of commercial space?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
▪ If “yes,” answer questions 2(b)(ii) and 2(b)(iv) below.		
o Directly displace 500 or more residents?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
▪ If “yes,” answer questions 2(b)(i), 2(b)(ii), and 2(b)(iv) below.		
o Directly displace more than 100 employees?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
▪ If “yes,” answer questions under 2(b)(iii) and 2(b)(iv) below.		
o Affect conditions in a specific industry?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
▪ If “yes,” answer question 2(b)(v) below.		
(b) If “yes” to any of the above, attach supporting information to answer the relevant questions below. If “no” was checked for each category above, the remaining questions in this technical area do not need to be answered.		
<b>i. Direct Residential Displacement</b>		
o If more than 500 residents would be displaced, would these residents represent more than 5% of the primary study area population?	<input type="checkbox"/>	<input type="checkbox"/>
o 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?	<input type="checkbox"/>	<input type="checkbox"/>
<b>ii. Indirect Residential Displacement</b>		
o Would expected average incomes of the new population exceed the average incomes of study area populations?	<input type="checkbox"/>	<input type="checkbox"/>
o If “yes:”		
▪ Would the population of the primary study area increase by more than 10 percent?	<input type="checkbox"/>	<input type="checkbox"/>
▪ Would the population of the primary study area increase by more than 5 percent in an area where there is the potential to accelerate trends toward increasing rents?	<input type="checkbox"/>	<input type="checkbox"/>
o If “yes” to either of the preceding questions, would more than 5 percent of all housing units be renter-occupied and unprotected?	<input type="checkbox"/>	<input type="checkbox"/>
<b>iii. Direct Business Displacement</b>		
o Do any of the displaced businesses provide goods or services that otherwise would not be found within the trade area,	<input type="checkbox"/>	<input type="checkbox"/>

	YES	NO
either under existing conditions or in the future with the proposed project?	<input type="checkbox"/>	<input type="checkbox"/>
o Is any category of business to be displaced the subject of other regulations or publicly adopted plans to preserve, enhance, or otherwise protect it?	<input type="checkbox"/>	<input type="checkbox"/>
<b>iv. Indirect Business Displacement</b>		
o Would the project potentially introduce trends that make it difficult for businesses to remain in the area?	<input type="checkbox"/>	<input type="checkbox"/>
o Would the project capture retail sales in a particular category of goods to the extent that the market for such goods would become saturated, potentially resulting in vacancies and disinvestment on neighborhood commercial streets?	<input type="checkbox"/>	<input type="checkbox"/>
<b>v. Affects on Industry</b>		
o Would the project significantly affect business conditions in any industry or any category of businesses within or outside the study area?	<input type="checkbox"/>	<input type="checkbox"/>
o Would the project indirectly substantially reduce employment or impair the economic viability in the industry or category of businesses?	<input type="checkbox"/>	<input type="checkbox"/>
<b>3. COMMUNITY FACILITIES:</b> <a href="#">CEQR Technical Manual Chapter 6</a>		
<b>(a) Direct Effects</b>		
o Would the project directly eliminate, displace, or alter public or publicly funded community facilities such as educational facilities, libraries, health care facilities, day care centers, police stations, or fire stations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>(b) Indirect Effects</b>		
<b>i. Child Care Centers</b>		
o Would the project result in 20 or more eligible children under age 6, based on the number of low or low/moderate income residential units? (See Table 6-1 in <a href="#">Chapter 6</a> )	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If "yes," would the project result in a collective utilization rate of the group child care/Head Start centers in the study area that is greater than 100 percent?	<input type="checkbox"/>	<input type="checkbox"/>
o If "yes," would the project increase the collective utilization rate by 5 percent or more from the No-Action scenario?	<input type="checkbox"/>	<input type="checkbox"/>
<b>ii. Libraries</b>		
o Would the project result in a 5 percent or more increase in the ratio of residential units to library branches? (See Table 6-1 in <a href="#">Chapter 6</a> )	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If "yes," would the project increase the study area population by 5 percent or more from the No-Action levels?	<input type="checkbox"/>	<input type="checkbox"/>
o If "yes," would the additional population impair the delivery of library services in the study area?	<input type="checkbox"/>	<input type="checkbox"/>
<b>iii. Public Schools</b>		
o Would the project result in 50 or more elementary or middle school students, or 150 or more high school students based on number of residential units? (See Table 6-1 in <a href="#">Chapter 6</a> )	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If "yes," 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 100 percent?	<input type="checkbox"/>	<input type="checkbox"/>
o If "yes," would the project increase this collective utilization rate by 5 percent or more from the No-Action scenario?	<input type="checkbox"/>	<input type="checkbox"/>
<b>iv. Health Care Facilities</b>		
o Would the project result in the introduction of a sizeable new neighborhood?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If "yes," would the project affect the operation of health care facilities in the area?	<input type="checkbox"/>	<input type="checkbox"/>
<b>v. Fire and Police Protection</b>		
o Would the project result in the introduction of a sizeable new neighborhood?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If "yes," would the project affect the operation of fire or police protection in the area?	<input type="checkbox"/>	<input type="checkbox"/>
<b>4. OPEN SPACE:</b> <a href="#">CEQR Technical Manual Chapter 7</a>		
<b>(a)</b> Would the project change or eliminate existing open space?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>(b)</b> Is the project located within an under-served area in the <a href="#">Bronx</a> , <a href="#">Brooklyn</a> , <a href="#">Manhattan</a> , <a href="#">Queens</a> , or <a href="#">Staten Island</a> ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>(c)</b> If "yes," would the project generate more than 50 additional residents or 125 additional employees?	<input type="checkbox"/>	<input type="checkbox"/>
<b>(d)</b> Is the project located within a well-served area in the <a href="#">Bronx</a> , <a href="#">Brooklyn</a> , <a href="#">Manhattan</a> , <a href="#">Queens</a> , or <a href="#">Staten Island</a> ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>(e)</b> If "yes," would the project generate more than 350 additional residents or 750 additional employees?	<input type="checkbox"/>	<input type="checkbox"/>
<b>(f)</b> If the project is located in an area that is neither under-served nor well-served, would it generate more than 200 additional residents or 500 additional employees?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>(g)</b> If "yes" to questions (c), (e), or (f) above, attach supporting information to answer the following:		

	YES	NO
○ If in an under-served area, would the project result in a decrease in the open space ratio by more than 1 percent?	<input type="checkbox"/>	<input type="checkbox"/>
○ If in an area that is not under-served, would the project result in a decrease in the open space ratio by more than 5 percent?	<input type="checkbox"/>	<input type="checkbox"/>
○ If “yes,” are there qualitative considerations, such as the quality of open space, that need to be considered? Please specify:	<input type="checkbox"/>	<input type="checkbox"/>
<b>5. SHADOWS:</b> <a href="#">CEQR Technical Manual Chapter 8</a>		
(a) Would the proposed project result in a net height increase of any structure of 50 feet or more?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) If “yes” to either of the above questions, attach supporting information explaining whether the project’s shadow would reach any sunlight-sensitive resource at any time of the year.		
<b>6. HISTORIC AND CULTURAL RESOURCES:</b> <a href="#">CEQR Technical Manual Chapter 9</a>		
(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; that is listed or eligible for listing on the New York State or National Register of Historic Places; or that is within a designated or eligible New York City, New York State or National Register Historic District? (See the <a href="#">GIS System for Archaeology and National Register</a> to confirm)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Would the proposed project involve construction resulting in in-ground disturbance to an area not previously excavated?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) If “yes” to either of the above, list any identified architectural and/or archaeological resources and attach supporting information on whether the proposed project would potentially affect any architectural or archeological resources.		
<b>7. URBAN DESIGN AND VISUAL RESOURCES:</b> <a href="#">CEQR Technical Manual Chapter 10</a>		
(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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Would the proposed project result in obstruction of publicly accessible views to visual resources not currently allowed by existing zoning?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) If “yes” to either of the above, please provide the information requested in <a href="#">Chapter 10</a> .		
<b>8. NATURAL RESOURCES:</b> <a href="#">CEQR Technical Manual Chapter 11</a>		
(a) Does the proposed project site or a site adjacent to the project contain natural resources as defined in Section 100 of <a href="#">Chapter 11</a> ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
○ If “yes,” list the resources and attach supporting information on whether the proposed project would affect any of these resources.		
(b) Is any part of the directly affected area within the <a href="#">Jamaica Bay Watershed</a> ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
○ If “yes,” complete the <a href="#">Jamaica Bay Watershed Form</a> and submit according to its <a href="#">instructions</a> .		
<b>9. HAZARDOUS MATERIALS:</b> <a href="#">CEQR Technical Manual Chapter 12</a>		
(a) Would the proposed project allow commercial or residential uses in an area that is currently, or was historically, a manufacturing area that involved hazardous materials?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Does the proposed project site have existing institutional controls (e.g., (E) designation or Restrictive Declaration) relating to hazardous materials that preclude the potential for significant adverse impacts?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Would the project require soil disturbance in a manufacturing area or any development on or near a manufacturing area or existing/historic facilities listed in <a href="#">Appendix 1</a> (including nonconforming uses)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) Would 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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(e) Would the project result in development on or near a site that has or had underground and/or aboveground storage tanks (e.g., gas stations, oil storage facilities, heating oil storage)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(f) Would the project result in renovation of interior existing space on a site with the potential for compromised air quality; vapor intrusion from either on-site or off-site sources; or the presence of asbestos, PCBs, mercury or lead-based paint?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(g) Would the project result in development on or near a site with potential hazardous materials issues such as government-listed voluntary cleanup/brownfield site, current or former power generation/transmission facilities, coal gasification or gas storage sites, railroad tracks or rights-of-way, or municipal incinerators?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(h) Has a Phase I Environmental Site Assessment been performed for the site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
○ If “yes,” were Recognized Environmental Conditions (RECs) identified? Briefly identify:	<input type="checkbox"/>	<input type="checkbox"/>
(i) Based on the Phase I Assessment, is a Phase II Investigation needed?	<input type="checkbox"/>	<input type="checkbox"/>
<b>10. WATER AND SEWER INFRASTRUCTURE:</b> <a href="#">CEQR Technical Manual Chapter 13</a>		
(a) Would the project result in water demand of more than one million gallons per day?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) If the proposed project located in a combined sewer area, would it result in at least 1,000 residential units or 250,000	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	YES	NO
square feet or more of commercial space in Manhattan, or at least 400 residential units or 150,000 square feet or more of commercial space in the Bronx, Brooklyn, Staten Island, or Queens?	<input type="checkbox"/>	<input type="checkbox"/>
(c) If the proposed project located in a <a href="#">separately sewered area</a> , would it result in the same or greater development than that listed in Table 13-1 in <a href="#">Chapter 13</a> ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) Would the project involve development on a site that is 5 acres or larger where the amount of impervious surface would increase?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(e) If the project is located within the <a href="#">Jamaica Bay Watershed</a> or in certain <a href="#">specific drainage areas</a> , including Bronx River, Coney Island Creek, Flushing Bay and Creek, Gowanus Canal, Hutchinson River, Newtown Creek, or Westchester Creek, would it involve development on a site that is 1 acre or larger where the amount of impervious surface would increase?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(f) Would the proposed project be located in an area that is partially sewered or currently unsewered?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(g) Is the project proposing an industrial facility or activity that would contribute industrial discharges to a Wastewater Treatment Plant and/or contribute contaminated stormwater to a separate storm sewer system?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(h) Would the project involve construction of a new stormwater outfall that requires federal and/or state permits?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(i) If "yes" to any of the above, conduct the appropriate preliminary analyses and attach supporting documentation.		
<b>11. SOLID WASTE AND SANITATION SERVICES:</b> <a href="#">CEQR Technical Manual Chapter 14</a>		
(a) Using Table 14-1 in <a href="#">Chapter 14</a> , the project's projected operational solid waste generation is estimated to be (pounds per week): 57,654 lbs/wk		
o Would the proposed project have the potential to generate 100,000 pounds (50 tons) or more of solid waste per week?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If "yes," would the proposed project comply with the City's Solid Waste Management Plan?	<input type="checkbox"/>	<input type="checkbox"/>
<b>12. ENERGY:</b> <a href="#">CEQR Technical Manual Chapter 15</a>		
(a) Using energy modeling or Table 15-1 in <a href="#">Chapter 15</a> , the project's projected energy use is estimated to be (annual BTUs): 14,658,138,544 annual BTUs		
(b) Would the proposed project affect the transmission or generation of energy?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>13. TRANSPORTATION:</b> <a href="#">CEQR Technical Manual Chapter 16</a>		
(a) Would the proposed project exceed any threshold identified in Table 16-1 in <a href="#">Chapter 16</a> ?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) If "yes," conduct the appropriate screening analyses, attach back up data as needed for each stage, and answer the following questions:		
o Would the proposed project result in 50 or more Passenger Car Equivalents (PCEs) per project peak hour?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If "yes," would the proposed project result in 50 or more vehicle trips per project peak hour at any given intersection? <b>**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 of <a href="#">Chapter 16</a> for more information.</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
o Would the proposed project result in more than 200 subway/rail or bus trips per project peak hour?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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/rail trips per station or line?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
o Would the proposed project result in more than 200 pedestrian trips per project peak hour?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>14. AIR QUALITY:</b> <a href="#">CEQR Technical Manual Chapter 17</a>		
(a) <i>Mobile Sources:</i> Would the proposed project result in the conditions outlined in Section 210 in <a href="#">Chapter 17</a> ?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) <i>Stationary Sources:</i> Would the proposed project result in the conditions outlined in Section 220 in <a href="#">Chapter 17</a> ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If "yes," would the proposed project exceed the thresholds in Figure 17-3, Stationary Source Screen Graph in <a href="#">Chapter 17</a> ? (Attach graph as needed)	<input type="checkbox"/>	<input type="checkbox"/>
(c) Does the proposed project involve multiple buildings on the project site?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d) Does the proposed project require federal approvals, support, licensing, or permits subject to conformity requirements?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(e) Does the proposed project site have existing institutional controls (e.g., (E) designation or Restrictive Declaration) relating to air quality that preclude the potential for significant adverse impacts?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(f) If "yes" to any of the above, conduct the appropriate analyses and attach any supporting documentation.		
<b>15. GREENHOUSE GAS EMISSIONS:</b> <a href="#">CEQR Technical Manual Chapter 18</a>		
(a) Is the proposed project a city capital project or a power generation plant?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Would the proposed project fundamentally change the City's solid waste management system?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	YES	NO
(c) Would the proposed project result in the development of 350,000 square feet or more?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) If "yes" to any of the above, would the project require a GHG emissions assessment based on guidance in <a href="#">Chapter 18</a> ?	<input type="checkbox"/>	<input type="checkbox"/>
o If "yes," would the project result in inconsistencies with the City's GHG reduction goal? (See <a href="#">Local Law 22 of 2008</a> ; § 24-803 of the Administrative Code of the City of New York). Please attach supporting documentation.	<input type="checkbox"/>	<input type="checkbox"/>
<b>16. NOISE:</b> <a href="#">CEQR Technical Manual Chapter 19</a>		
(a) Would the proposed project generate or reroute vehicular traffic?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Would the proposed project introduce new or additional receptors (see Section 124 in <a href="#">Chapter 19</a> ) 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 site to that rail line?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d) Does the proposed project site have existing institutional controls (e.g., (E) designation or Restrictive Declaration) relating to noise that preclude the potential for significant adverse impacts?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(e) If "yes" to any of the above, conduct the appropriate analyses and attach any supporting documentation.		
<b>17. PUBLIC HEALTH:</b> <a href="#">CEQR Technical Manual Chapter 20</a>		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Air Quality; Hazardous Materials; Noise?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) If "yes," explain why an assessment of public health is or is not warranted based on the guidance in <a href="#">Chapter 20</a> , "Public Health." Attach a preliminary analysis, if necessary.		
<b>18. NEIGHBORHOOD CHARACTER:</b> <a href="#">CEQR Technical Manual Chapter 21</a>		
(a) Based upon the analyses conducted, do any of the following technical areas require 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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) If "yes," explain why an assessment of neighborhood character is or is not warranted based on the guidance in <a href="#">Chapter 21</a> , "Neighborhood Character." Attach a preliminary analysis, if necessary. The proposed project has the potential to alter certain constituent elements of the affected area's neighborhood character, including traffic and noise levels, and therefore an analysis will be provided in the EIS.		
<b>19. CONSTRUCTION:</b> <a href="#">CEQR Technical Manual Chapter 22</a>		
(a) Would the project's construction activities involve:		
o Construction activities lasting longer than two years?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Construction activities within a Central Business District or along an arterial highway or major thoroughfare?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Closing, narrowing, or otherwise impeding traffic, transit, or pedestrian elements (roadways, parking spaces, bicycle routes, sidewalks, crosswalks, corners, etc.)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
o Construction of multiple buildings where there is a potential for on-site receptors on buildings completed before the final build-out?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o The operation of several pieces of diesel equipment in a single location at peak construction?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
o Closure of a community facility or disruption in its services?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Activities within 400 feet of a historic or cultural resource?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
o Disturbance of a site containing or adjacent to a site containing natural resources?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Construction on multiple development sites in the same geographic area, such that there is the potential for several construction timelines to overlap or last for more than two years overall?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) If any boxes are checked "yes," explain why a preliminary construction assessment is or is not warranted based on the guidance in <a href="#">Chapter 22</a> , "Construction." It should be noted that the nature and extent of 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>The former Childs Restaurant building, the only designated historic resource in close proximity to the project site, is being restored as part of the project in consultation with LPC and is not expected to experience any negative impacts as a result of the proposed construction. The proposed project, similar to all other projects, would result in temporary disruptions to the surrounding area that include noise, dust, and traffic associated with the delivery of materials and arrival of workers at the site. These effects, however, would be temporary (approximately 12-24 months) and all applicable city, state, and federal guidelines and regulations would be followed to ensure that any impacts are properly mitigated. An assessment of construction impacts will be provided in the EIS.</p>		

**20. 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 the pertinent books and records and/or after inquiry of persons who have personal knowledge of 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 applicant or representative of the entity that seeks the permits, approvals, funding, or other governmental action(s) described in this EAS.

APPLICANT/REPRESENTATIVE NAME Nina Matis, Coney Island Holdings LLC	SIGNATURE 	DATE 5/16/13
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**PLEASE NOTE THAT APPLICANTS 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.**

**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 or 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 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.

IMPACT CATEGORY	Potentially Significant Adverse Impact	
	YES	NO
Land Use, Zoning, and Public Policy	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Socioeconomic Conditions	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Community Facilities and Services	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Open Space	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Shadows	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Historic and Cultural Resources	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Urban Design/Visual Resources	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Natural Resources	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Hazardous Materials	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Water and Sewer Infrastructure	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Solid Waste and Sanitation Services	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Energy	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Transportation	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Air Quality	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Greenhouse Gas Emissions	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Noise	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Public Health	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Neighborhood Character	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Construction	<input checked="" type="checkbox"/>	<input type="checkbox"/>

2. Are there any aspects of the project relevant to the determination of 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, attach an explanation stating whether, as a result of them, the project may have a significant impact on the environment.

3. Check determination to be issued by the lead agency:

**Positive Declaration:** 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* and prepares a draft Scope of Work for the Environmental Impact Statement (EIS).

**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 of 6 NYCRR Part 617.

**Negative Declaration:** If the lead agency has determined that the project would not result in potentially significant adverse environmental impacts, then the lead agency issues a *Negative Declaration*. The *Negative Declaration* may be prepared as a separate document (see [template](#)) or using the embedded Negative Declaration on the next page.

**4. LEAD AGENCY'S CERTIFICATION**

TITLE Assistant to the Mayor	LEAD AGENCY Office of the Deputy Mayor for Economic Development
NAME Robert R. Kulikowski	SIGNATURE 
	DATE May 16, 2013

**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 6 NYCRR, Part 617, State Environmental Quality Review, [ ] 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 lead agency 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, which that finds 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).

TITLE	LEAD AGENCY	
NAME	SIGNATURE	DATE

# Seaside Park and Community Arts Center EAS

## ATTACHMENT A: PROJECT DESCRIPTION AND PRELIMINARY SCREENING

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### I. INTRODUCTION

This attachment provides a description of the proposed Seaside Park and Community Arts Center (the “proposed project”), and examines the project’s potential for significant adverse impacts in CEQR technical areas. Using the guidelines and methodologies set forth in the *2012 CEQR Technical Manual*, preliminary screening assessments were conducted for each impact category to determine whether more detailed impact assessment in the Draft Environmental Impact Statement (EIS) is appropriate for this proposed project, or whether the potential for adverse impacts can be ruled out without detailed analysis.

The proposed project involves the development of approximately 2.55-acres of publicly accessible open space, which would include an approximately 5,000-seat amphitheater, as well as the restoration and adaptive reuse of the former Childs Restaurant building (a designated New York City landmark) in the Coney Island neighborhood of Brooklyn Community District 13. The project is intended to continue the City of New York’s efforts to reinvigorate Coney Island by introducing a new recreational and entertainment destination on the Riegelmann Boardwalk. It is anticipated that the proposed amphitheater and other project components would be completed by summer 2015. The first full year of operation would be 2016. The proposed amphitheater would be an interim use authorized for a period of ten years pursuant to a City Planning Commission Special Permit. Upon completion, the amphitheater would be owned by the City of New York and operated by a not-for-profit entity under a long term lease with the city. The amphitheater would serve as the venue for a variety of concerts, community events, and public gatherings, such as the Seaside Summer Concert Series.

### II. EXISTING CONDITIONS

#### Project Site

The project site is located in Brooklyn Community District 13 along a western portion of the Riegelmann Boardwalk at Coney Island Beach. As shown in Figure 1, the project site is a rectangular-shaped parcel generally bounded by the boardwalk to the south, West 23<sup>rd</sup> Street to the west, West 21<sup>st</sup> Street to the east, and Surf Avenue to the north. The site is an assemblage of twelve tax lots (Block 7071, Lots 27, 28, 30, 32, 34, 76, 79, 81, 130, 142, 226, 231) and also includes the bed of Highland View Avenue and a portion of West 22<sup>nd</sup> Street (approved for demapping in 2009 in the Coney Island Rezoning— see the Coney Island Rezoning Final Environmental Impact Statement [FEIS]; CEQR number 08DME007K). The site covers an aggregate lot area of approximately 136,404 sf (3.1 acres) (see Figure 4). It consists of both privately-and City-owned property. The project site is primarily undeveloped. The only built structure is the approximately 60,000 sf former Childs Restaurant building at 3052-3078 West 21<sup>st</sup> Street (25,400 sf; Lot 130), which is a designated New York City landmark. As shown in Figures 5A to 5D, the historic building is in deteriorated condition and vacant. The remainder of the project site is occupied by two vehicular storage lots with access from West 22<sup>nd</sup> Street (18,004 sf; Lots 27, 28, 30, 32, 34, 76), paved lots (6,000 sf; Lots 79, 81), vacant unimproved land (14,157 sf; Lots 231, 226), a decommissioned community garden (44,327 sf; Lot 142), and approximately 28,516 sf of paved streets, (Highland View Avenue and a portion of West 22<sup>nd</sup> Street,). The former community garden and streets (72,843 sf) are City-owned, and the remainder of the site is either under ownership of the Applicant (57,561 sf) or other private ownership (6,000 sf; Lots 79, 81).

#### Surrounding Area

The area surrounding the project site is characterized by a variety of uses, densities, and building types. Development is most concentrated along the area’s main pedestrian and automotive thoroughfares, including Surf Avenue and Mermaid Avenue, and buildings tend to range from one-to six-stories in height. Predominant land uses

include vacant land/parking/vehicle storage, public facilities and institutional, residential, and commercial uses (see Figure 3). Along the east side of West 21<sup>st</sup> Street between Surf Avenue and the boardwalk, immediately to the east of the project site, is a vacant lot that serves as the existing location of the Seaside Summer Concert Series (see Figure 1). Two blocks to the east of the project site are MCU Park, the home of the Brooklyn Cyclones baseball team, and the Parachute Jump, Coney Island's iconic open-frame steel tower and a designated New York City landmark. These attractions and other landmarks including the Cyclone Roller Coaster and the Wonder Wheel are directly accessible from the project site via the Riegelmann Boardwalk and Coney Island Beach to the south; the Shore Theatre is located northeast of the site at Surf and Stillwell Avenues. Due to the seasonal nature of the amusement uses, pedestrian activity within the vicinity of the project site is at its peak during the summer months and declines considerably during the winter. The areas immediately to the west and north of the project site are generally characterized by low- to mid-rise multi-family apartment buildings, parking lots, and vacant land.

### III. FUTURE WITHOUT THE PROPOSED PROJECT (NO-ACTION SCENARIO)

#### Coney Island Rezoning

In 2009, the eastern portion of the project site<sup>1</sup>, comprising the area to the east of West 22<sup>nd</sup> Street, was rezoned from C7 to R7D with a C2-4 commercial overlay as part of the Coney Island Rezoning plan, which was the subject of the *Coney Island Rezoning EIS* (CEQR No. 08DME007K) and two subsequent Technical Memoranda dated June 15, 2009 and July 22, 2009, respectively. The Coney Island Rezoning plan also established the Special Coney Island District (CI) along the southern shoreline of Brooklyn Community District 13, which overlays approximately 17 blocks located between the New York Aquarium, the Riegelmann Boardwalk, Mermaid Avenue, and West 22<sup>nd</sup> Street and includes four subdistricts (including Coney East, Coney North, Coney West, and the Mermaid Avenue subdistricts) (see Figure 2). The eastern portion of the project site is mapped within the Special Coney Island District and comprises Parcel B of the Coney West subdistrict. As part of the Coney Island Rezoning Plan, the western portion of the project site was envisioned to be an approximately 1.41-acre neighborhood park, Highland View Park, which would include both active and passive recreational amenities.<sup>2</sup> To facilitate the development of Highland View Park, Highland View Avenue between West 22<sup>nd</sup> and West 23<sup>rd</sup> Streets and the southern portion of West 22<sup>nd</sup> Street were proposed to be demapped, as part of the Coney Island Rezoning plan.

#### Project Site

The *Coney Island Rezoning EIS* (2009) identified the eastern portion of the project site (Lots 130 and 142) as falling within the boundaries of projected development site 2 of the Coney West subdistrict. As projected development site 2 includes all lots between West 21<sup>st</sup> and West 22<sup>nd</sup> Street between Surf Avenue and the Riegelmann Boardwalk, the 2009 EIS does not provide a programmatic breakdown on a lot by lot basis. However, based on the programming for the entire projected development site and the illustrative development site plans provided in the 2009 EIS, the eastern portion of the project site was intended for new residential and commercial development (Lot 142) as well as the restoration and adaptive reuse of the Childs Restaurant building (Lot 130). The western portion of the project site was intended for an approximately 1.41 acre public park.

Assuming the upper limits of development allowable under R7-D/C2-4 zoning and the Special Coney Island District regulations, Lot 142 would accommodate approximately 33,978 sf of commercial and 223,118 sf (223 DUs) of residential in the future without the proposed project. As illustrated in the 2009 EIS, commercial development would extend the full length of the boardwalk frontage (approximately 162 feet) and would be built to a depth of 70 feet, as only commercial uses are allowed within 70 feet of the boardwalk pursuant to the special district regulations. As the maximum allowable base height is 40 feet (estimated at 3 floors), approximately 33,978 sf of commercial uses could reasonably be built. Given the lot size of 44,327 sf and the maximum allowable FAR of 5.8 (pursuant to Inclusionary Housing bonus), Lot 142 could reasonably accommodate approximately 223,118 sf (223

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<sup>1</sup> The eastern portion of the project site consists of Lots 130 and 142 on Block 7071, which comprised a portion of projected development 2 (i.e., 2 South) in the *Coney Island Rezoning EIS*.

<sup>2</sup> The western portion of the project site consists of Lots 27, 28, 30, 32, 34, 76, 79, 81, 226, and 231 on Block 7071.

DUs) of residential uses (minus commercial floor area). Additionally, the former Childs Restaurant building on Lot 130 would be restored and adaptively reused at its current floor area of approximately 60,000 sf, and the western portion of the site would be converted to an approximately 1.41 acre public park. Thus, in the future without the proposed project, the project site would be developed with approximately 223,118 sf (223 DUs) of residential, 93,978 sf of commercial, and 1.41 acres of publicly accessible open space. For conservative environmental analyses purposes, these projected future conditions were used as a baseline for determining incremental impacts of the proposed project.

#### **IV. PROJECT PURPOSE AND NEED**

The purpose of the proposed project is to continue the City of New York's efforts to reinvigorate Coney Island by introducing a new recreational and entertainment destination along the Riegelmann Boardwalk. The proposed project would create a modern performance venue to host concert events, such as the Seaside Summer Concert Series, as well as provide the community with a public space for festivals, cultural events, public gatherings, and recreational activities. Additionally, the proposed project would restore and adaptively reuse the former Childs Restaurant building as an indoor entertainment, banquet, and restaurant facility – providing further opportunity for entertainment in this area of Coney Island and extending pedestrian activity eastward along the boardwalk.

#### **V. THE PROPOSED PROJECT**

The proposed project includes the construction of publicly accessible open space containing an approximately 5,000-seat amphitheater and the restoration and adaptive reuse of the former Childs Restaurant building in the Coney Island neighborhood of Brooklyn Community District 13. The project is intended to continue the City of New York's efforts to reinvigorate Coney Island by introducing a new recreational and entertainment destination on the boardwalk. It is anticipated that the proposed amphitheater and other project components would be completed by summer 2015, with the first full year of operation in 2016. Upon completion, the amphitheater would be owned by the City of New York, under the jurisdiction of the New York City Economic Development Corporation (EDC) and operated by a not-for-profit entity under a ten year lease with the City.

##### **Proposed Site Plan**

The proposed publicly accessible open space and amphitheater would extend outward from the western façade of the restored Childs Restaurant building and would be roughly bound by the Riegelmann Boardwalk to the south, West 23<sup>rd</sup> Street to the west, and Surf Avenue to the north. While the site plan and design of the proposed project have not yet been finalized, amphitheater seating would generally be concentrated between the Childs Restaurant building and West 22<sup>nd</sup> Street, with greenspace and landscaping extending westward from the amphitheater to West 23<sup>rd</sup> Street. A pathway from the northern edge of the project site at West 22<sup>nd</sup> Street to the Boardwalk would provide pedestrian access to the Boardwalk and beach as well as the proposed open space and amphitheater.

The restored Childs Restaurant building and proposed amphitheater would be physically connected, sharing some stage and "back of house" areas that would make it possible for the Childs Restaurant building to provide year-round indoor entertainment. Restaurant and banquet uses would occupy the remaining space in the Childs Restaurant building and would operate year-round in conjunction with the indoor entertainment use.

##### **Proposed Amphitheater**

The proposed public open space and amphitheater would occupy approximately 111,004 sf (2.55 acres) along the Riegelmann Boardwalk at Coney Island. The amphitheater would be comprised of a stage house and paved seating areas for approximately 5,000 attendees. As previously noted, the amphitheater would serve as the new home of the Seaside Summer Concert Series as well as other concert events, cultural performances, and public events. For conservative environmental analysis purposes, it is assumed that the amphitheater would attract an additional 1,000 standing attendees (for a total of 6,000 patrons) and that the concert season would extend for

approximately 15 weeks, from Memorial Day through the end of September (currently the concert season extends from Independence Day to Labor Day). It is also anticipated that the proposed amphitheater would host a combination of free and paid events both during the week and on weekends.

The proposed publicly accessible open space and amphitheater would enable the 34 year old Seaside Summer Concert Series to continue to host top-name performers in a broad range of musical genres, thereby also serving area residents that would otherwise have to travel to other concert venues in the City. During the summer months, it is envisioned that the proposed amphitheater would host evening concert events on both weekdays and weekends. In addition, the proposed amphitheater would also provide a space for smaller events such as cultural performances, school graduations, and fairs. The new public open space and amphitheater would also provide the community with year-round recreational opportunities, as it is expected that the amphitheater would be available for public use and events during the off-season.

The proposed amphitheater would operate in compliance with the Administrative Code of the City of New York, which prohibits amplified sound within 500 feet of a school, courthouse, or church, during the hours of school, court, or worship, respectively.

## VI. TECHNICAL SCREENING ANALYSIS

For each technical area, the *2012 CEQR Technical Manual* defines thresholds which, if met or exceeded, require that a detailed technical analysis be undertaken. Preliminary screening analyses were conducted for the proposed project using the guidelines presented in the *2012 CEQR Technical Manual*, to determine whether detailed analysis of a given technical area is appropriate. These screening analyses are provided below and identify which areas require more detailed analysis in the Environmental Impact Statement. As shown below, several of the technical areas (e.g., community facilities, socioeconomic conditions, natural resources, solid waste and sanitation services, energy, water and sewer infrastructure) do not warrant further assessment as part of the proposed project. As such, the EIS document will be targeted to those technical areas identified as warranting further analysis, as detailed below and presented in the Draft Scope of Work for the EIS.

### Land Use, Zoning and Public Policy

Under CEQR, a land use analysis characterizes the uses and development trends in the area that may be affected by a proposed project. The analysis also considers the project'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 or affect land use, zoning, or public policy, a description of these issues is appropriate to establish conditions and provide information for use in other technical areas. A detailed assessment of land use is appropriate if the action would result in a significant change in land use, or would substantially affect regulations or policies governing land use.

As the proposed project would include zoning map and text amendments, and other land use approvals, a land use analysis has been proposed for the EIS to analyze potential land use and zoning impacts and to provide baseline conditions for other analyses in the EIS (see Draft Scope of Work). In addition, the project site is within the City's Waterfront Revitalization Program (WRP) boundaries. The WRP Consistency Assessment Form (CAF) is included in this EAS as Appendix 1. Therefore, consistent with the guidelines of the *2012 CEQR Technical Manual*, the EIS will assess, for those relevant policies identified on the CAF, the consistency of the proposed project with the WRP. Specifically, the EIS will assess the proposed development's consistency with WRP Policies 1, 6, 6.1, 7.2, 8, 9, 9.1, and 10. The EIS will also assess the proposed project's consistency with other applicable public policies, including the Coney Island Strategic Development Plan.

### Socioeconomic Conditions

The purpose of the socioeconomic assessment is to identify changes that would be created by the proposed project and identify whether they rise to a significant level. According to the *CEQR Technical Manual*, the five principal issues of concern with respect to socioeconomic conditions are whether a proposed action would result

in significant adverse impacts due to: (1) direct residential displacement; (2) direct business and institutional displacement; (3) indirect residential displacement; (4) indirect business and institutional displacement; and (5) adverse effects on specific industries. The *2012 CEQR Technical Manual* further states that a residential development of 200 units or less or a commercial development of 200,000 sf or less would typically not result in socioeconomic impacts, unless it generates socioeconomic conditions that are very different from prevailing conditions.

The proposed project would not directly displace any residences or have the potential to affect conditions within a specific industry. Excluding vehicle storage uses, the project site does not support any active uses or existing business establishments/institutions, and therefore the proposed project would not result in the direct displacement of any businesses or institutions. The proposed project would introduce a mix of commercial and entertainment uses, as well as publicly accessible open space to the largely vacant project site. The proposed development would include an approximately 5,000-seat amphitheater and involve restoration and adaptive reuse of the 60,000 sf historic Childs Restaurant building as a restaurant, banquet and entertainment venue. The Childs Restaurant renovation would also include the proposed amphitheater's stage and "back of house" operations. The proposed project would not exceed the *2012 CEQR Technical Manual* thresholds of 200 residential units or 200,000 sf of commercial uses for assessing indirect residential or indirect business and institutional displacement, nor would it result in socioeconomic conditions that are very different from prevailing conditions. Therefore, the proposed project is not expected to have any significant adverse impacts on socioeconomic conditions, and no further analysis of direct and indirect residential and business/institutional displacement or adverse effects on specific industries is warranted. This technical area will not be included in the EIS.

## Community Facilities

As defined for CEQR analysis, community facilities are public or publicly funded schools, libraries, child care centers, health care facilities and fire and police protection. A project can affect facility services directly, when it physically displaces or alters a community facility; or indirectly, when it causes a change in population that may affect the services delivered by a community facility.

The proposed project would not have direct effects on community facilities, because it would not physically displace or alter any community facilities. As the proposed project would not add any residents or residential units to the area, it also would not have an indirect effect on community facilities and services. As the proposed project is not anticipated to directly or indirectly affect community facilities and services, it does not meet the CEQR criteria for the analysis of community facilities, and this technical area will not be included in the EIS.

## Open Space

Based on the *2012 CEQR Technical Manual*, an analysis of open space is conducted to determine whether or not a proposed project would have a direct impact resulting from the elimination or alteration of open space and/or an indirect impact resulting from overtaxing available open space. Direct effects may occur when a proposed project would encroach on, or cause a loss of, open space. Direct effects may also occur if the facilities within an open space would be so changed that the open space no longer serves the same user population. Limitation of public access and changes in the type and amount of public open space may also be considered direct effects. Other direct effects include the imposition of noise, air pollutant emissions, odors, or shadows on public open space that may alter its usability. Assessment of these effects is addressed in the relevant technical chapters of the manual and referenced for the open space analysis. Indirect effects may occur when the population generated by a proposed project overtaxes the capacity of existing open spaces so that their service to the future population of the affected area would be substantially or noticeably diminished. Assessment of indirect effects is typically warranted if a proposed project would increase the population by more than 200 residents or 500 workers (these thresholds apply to areas that do not fall in areas that have designated as "well-served" or "underserved").

The proposed project would result in changes to the planned approximately 1.41-acre neighborhood park ("Highland View Park") that was envisioned to occupy the western portion of the project site and include both active and passive recreational amenities as part of the Coney Island Rezoning. The proposed project would involve

the development of approximately 2.55 acres of publicly accessible open space on the project site, which would include an approximately 5,000-seat amphitheater and passive recreational amenities. Therefore, an assessment of the proposed project's potential for direct impacts on open space is warranted, and will be provided in the EIS (refer to the Draft Scope of Work for an EIS). This assessment would be coordinated with the assessment of urban design and visual resources as applicable.

The proposed project would not result in a net increase of more than 200 residential or 500 employees as compared to the future without the proposed project. Although the proposed project would result in the temporary increase in the number of visitors at the site when there is an event taking place in the new amphitheater during the concert (summer) season, primarily during the evenings. The new amphitheater would also host other smaller community events throughout the year, though these are not expected to noticeably increase the number of visitors. As the increase in event attendees would be a temporary occurrence associated with any given event and would be specifically associated with the proposed recreational use, it would not place additional demand on existing open space resources in the surrounding area. Therefore, the proposed project would not trigger the CEQR threshold for analysis of indirect open space impacts, and none will be provided in the EIS.

## Shadows

The *2012 CEQR Technical Manual* requires a shadow assessment for proposed actions that would result in new structures or additions to existing structures, which are greater than 50 feet in height and/or adjacent to an existing sunlight-sensitive resource. While the design of the proposed amphitheater has not yet been finalized, it is expected that the structure's roof would be the tallest portion of the structure and could exceed 50 feet in height. Thus, the proposed amphitheater would have the potential to cast incremental shadows on nearby sunlight-sensitive resources, including the Riegelmann Boardwalk and Coney Island Beach. Consistent with the guidelines of the *2012 CEQR Technical Manual*, an analysis of the amphitheater's potential to result in shadow impacts on open spaces in the area is warranted, and will be included in the EIS, as described in the Draft Scope of Work.

## Historic and Cultural Resources

According to the *CEQR Technical Manual*, a historic and cultural resources assessment is required if there is the potential to affect either archaeological or architectural resources. According to *2012 CEQR Technical Manual* guidelines, impacts on historic resources are considered on those sites affected by a proposed action and in the area surrounding identified development sites. Archaeological resources usually need to be assessed for projects that would result in any in-ground disturbance (defined as any disturbance to an area not previously excavated, including new excavation that is deeper and/or wider than previous excavation on the same site). Architectural resources are typically assessed within a 400-foot radius from the borders of the project site.

As written in an Environmental Review letter dated October 30, 2007 for the *Coney Island Rezoning EIS* (CEQR No. 08DME007K), LPC determined that none of the 12 lots<sup>3</sup> comprising the project site possess any archaeological significance (see Appendix 2 for LPC correspondence). Therefore, the proposed project would not have a significant adverse impact on archaeology, and no further consideration of archaeological resources is warranted.

The project site includes the historic former Childs Restaurant building (occupying Lot 130), which is an LPC-designated historic landmark. The proposed project would involve the restoration and adaptive reuse of the Child Restaurant building with restaurant, banquet, and entertainment uses with indoor seating for approximately 384 diners, as well as rooftop outdoor seating. The Childs Restaurant building would also be renovated to include the stage for the proposed amphitheater along its western façade as part of the project. Therefore, it is necessary to analyze the potential impacts of the proposed project on historic architectural resources, and an assessment of historic architectural resources will be provided in the EIS, as described in the Draft Scope of Work.

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<sup>3</sup> The project site includes the following 12 lots on Block 7071: 231, 226, 142, 130, 81, 79, 76, 34, 32, 30, 28, and 27.

## Urban Design

The *CEQR Technical Manual* outlines an assessment of urban design when a project may have effects on one or more of the elements that contribute to a pedestrian's experience of public space. These elements include streets, buildings, visual resources, open spaces, natural resources, wind, and sunlight. According to the *2012 CEQR Technical Manual*, a preliminary analysis of urban design and visual resources is considered appropriate when there is the potential for a pedestrian to observe, from the street level, a physical alteration beyond that allowed by existing zoning, including the following: 1) projects that permit the modification of yard, height, and setback requirements; and 2) projects that result in an increase in built floor area beyond what would be allowed "as-of-right" or in the future without the proposed action. CEQR stipulates a detailed analysis for projects that would result in substantial alterations to the streetscape of the neighborhood by noticeably changing the scale of buildings.

The project site is located at the southern border of Brooklyn on the Coney Island peninsula along the north side of Riegelmann Boardwalk. The Coney Island Beach and the Atlantic Ocean are located directly to the south of the project site. In addition, the proposed project would involve the restoration and adaptive reuse of the historic Childs Restaurant building at 3052-3078 West 21<sup>st</sup> Street, which is a designated New York City Landmark. Therefore, a preliminary assessment of urban design is warranted in the EIS in order to determine whether the proposed project could cause a significant change to the pedestrian experience that could disturb the vitality, the walkability, or the visual character of the area.

## Natural Resources

A natural resources assessment is conducted when a natural resource is present on or near the project site and when an action involves the disturbance of that resource. The *2012 CEQR Technical Manual* defines natural resources as water resources, including surface water bodies and groundwater; wetland resources, including freshwater and tidal wetlands; upland resources, including beaches, dunes, and bluffs, thickets, grasslands, meadows and old fields, woodlands and forests, and gardens and other ornamental landscaping; and built resources, including piers and other waterfront structures.

The Coney Island Beach serves as the boundary between the project site and the Atlantic Ocean, and as such it represents the limit of the regulated Littoral Zone and adjacent area. As such, the project site is located directly adjacent to wetland resources of the Atlantic Ocean tidal wetlands as well as the upland resources in the form of the Coney Island beaches and dunes. The proposed project would involve the development of approximately 2.55 acres of publicly accessible open space that would include an approximately 5,000-seat amphitheater and the restoration and adaptive reuse of the Childs Restaurant building.

The project site primarily consists of underdeveloped property that includes a vacant two-story building, paved vacant lots and vehicle storage lots, a decommissioned community garden, and two unimproved vacant lots. The two unimproved lots (Lots 226 and 231 on Block 7071) and the decommissioned community garden, which extend along the north side of the Boardwalk west of the former Childs Restaurant building to West 23<sup>rd</sup> Streets, are the only parcels that contain any existing vegetation, which consists of mostly grasses, and a few shrubs and small trees. According to the *Coney Island Rezoning EIS* (2009), most of the plant communities present within undeveloped portions of the 47-acre project area, which included the project site, are common to urban vacant land and are primarily populated by introduced, invasive, and urban tolerant species. The *Coney Island Rezoning EIS* (2009) concluded that any construction would not impact these terrestrial resources from activities such as grading, land clearing, excavation, and removal of the existing urban structure exterior habitat. However, the wildlife species expected to occur within this area are common to urban areas, and the loss of some individuals would not result in a significant adverse impact on wildlife resources of the New York City metropolitan region.

No disturbance of natural resources identified near the project site is anticipated and therefore, no further analysis of natural resources is warranted in the EIS.

## Hazardous Materials

According to the *2012 CEQR Technical Manual*, the potential for significant impacts from hazardous materials can occur when: a) hazardous materials exist on a site and b) an action would increase pathways to their exposure; or c) an action would introduce new activities or processes using hazardous materials. An analysis should be conducted for any site with the potential to contain hazardous materials or if any future redevelopment of the property is anticipated. The project site has a documented history of hazardous materials conditions and therefore, the EIS will include an assessment of hazardous materials (refer to Draft Scope of Work).

## Water and Sewer Infrastructure

Given the size of New York City's water supply system and the City's commitment to maintaining adequate water supply and pressures, few actions have the potential to cause significant impacts on this system. Therefore, only very large developments or actions having exceptionally large water demands (e.g., more than 1 million gallons per day) would warrant a detailed water supply assessment. The proposed project would involve the construction of approximately 2.55 acres of publicly accessible open space, including an approximately 5,000-seat amphitheater, and the restoration and adaptive reuse of the historic Childs Restaurant building, and is therefore not expected to result in water consumption in excess of 1 million gallons per day. The *2012 CEQR Technical Manual* also indicates that a water supply assessment is warranted if a project is located in an area that experiences low water pressure (e.g., areas at the end of the water supply distribution system such as the Rockaway Peninsula and Coney Island). Although the project site is located in Coney Island, an area identified as potentially experiencing low water pressure, the proposed project would not result in any measurable increase in water consumption, and would not be expected to result in any significant adverse impact on water supply. Therefore, an analysis of water supply is not warranted in the EIS.

For wastewater and stormwater conveyance and treatment, the *2012 CEQR Technical Manual* indicates that a preliminary assessment would be needed if a project: (a) is located in a separately sewered area and would exceed the incremental development of residential units or commercial space shown in Table 13-1 of the *2012 CEQR Technical Manual*; or (b) involves development on a site five acres or larger where the amount of impervious surface would increase. The approximately 3.1-acre project site is within the Coney Island Water Pollution Control Plant (WPCP) sewershed, and is serviced by separate sanitary and storm sewer system, where stormwater runoff is generally directed to storm sewers that discharge to the Lower Bay. As compared to the future No-Action condition, the proposed project would not result in any incremental residential or commercial development, and therefore would not exceed the incremental development thresholds of Table 13-1 of the *2012 CEQR Technical Manual*. In addition, the project site comprises less than five acres. Therefore, an analysis of wastewater and stormwater conveyance and treatment is not warranted in the EIS.

It should also be noted that extensive infrastructure planning for the surrounding area has already been undertaken in conjunction with the redevelopment of Coney Island. An amended drainage plan (ADP) prepared in conjunction with the Coney Island Rezoning project, identified drainage improvements for the Coney Island rezoning area and downstream of the rezoning area, including changes to the storm sewer network, as well as the construction of new sewers for proposed streets that are to be constructed under the approved actions. Specifically, the ADP includes:

- Replacing watermains, as required, to allow for the construction of the sanitary and stormwater sewer systems as per the approved ADP;
- Upgrading the existing stormwater sewer system to accommodate DEP's current 5-year storm design criteria and upgrading the existing sanitary system to accommodate wastewater flows from the proposed rezoning;
- Constructing stormwater sewer mains in areas that do not currently provide stormwater sewer mains;
- Constructing stormwater sewer mains to reroute stormwater currently discharging to the Atlantic Ocean to outfalls discharging to the Coney Island Creek where feasible;
- Upgrading private utilities (including gas and electric services) as required by the utility companies, to allow for the construction of the sanitary and stormwater systems as per the approved ADP;

- Raising the legal grades in the Coney East and Coney West subareas per the street alteration maps and mapping proposal; and,
- Defining Developer responsibilities to include site improvements related to detention, BMPs, adjacent sidewalks, street trees, electrical vaults, and connections to in-street infrastructure at the time of site development.

As the ADP already accounted for redevelopment of the project site, the area's infrastructure system would readily accommodate the sanitary and stormwater sewage generated from the proposed project, and therefore no significant adverse impacts on the sewer infrastructure system would be expected.

## Solid Waste and Sanitation Services

A solid waste assessment is warranted if a proposed project would cause a substantial increase in solid waste production that would overburden available waste management capacity or otherwise be inconsistent with the City's Solid Waste Management Plan (SWMP) or with state policy related to the City's integrated solid waste management system. According to the 2012 *CEQR Technical Manual*, few projects have the potential to generate substantial amounts of solid waste (defined as 50 tons [100,000 pounds] per week or more), thereby resulting in a significant adverse impact.

As shown in Table 1, it is estimated that the proposed project would result in a net decrease of approximately 4,727 pounds of solid waste per week (2.4 tons), compared to future No-Action conditions. Therefore, an analysis of solid waste and sanitation services is not warranted in the EIS, as the proposed project would not generate 50 tons (100,000 pounds) or more per week, nor would it generate wastes with special characteristics, and would therefore not result in a significant adverse solid waste and sanitation services impact.

**TABLE 1**

**Expected Solid Waste Generation at the Project Site – 2016 No-Action vs. 2016 With-Action Conditions**

	Use	Size (gsf)	Solid Waste Handled by DSNY (lbs/wk)	Solid Waste Handled by Private Carters (lbs/wk)	Total Solid Waste (lbs/wk)
<b>No-Action Condition</b>	Residential	223 DU	9,143		9,143
	Commercial – Retail	33,978		8,058	8,058
	Commercial – Restaurant	60,000		45,180	45,180
	<b>Total</b>		<b>9,143</b>	<b>53,238</b>	<b>62,381</b>
<b>With-Action Condition</b>	Commercial – Restaurant	60,000		45,180	45,180
	Amphitheater (5,000 seats and additional 1,000 standing)	6,000 attendees		12,474	12,474
	<b>Total</b>		<b>0</b>	<b>57,654</b>	<b>57,654</b>
<b>Net Difference: No-Action V. With-Action Condition</b>			<b>- 9,143</b>	<b>4,416</b>	<b>-4,727</b>

**Notes:** Based on citywide average waste generation rates presented in Table 14-1 of the *CEQR Technical Manual*: Residential use: 41 lbs/wk per unit; Retail use: 79 lbs/wk per employee and 3 employees per 1000 sf for general retail; and Restaurant use: 251 lbs/wk per employee and 3 employees for restaurant space. The waste generation rate for the proposed amphitheater is based on a rate of 0.693 lbs/event per attendee, which was the solid waste generation rate used in *The Ballpark at St. George Station, Staten Island EIS (1999, CEQR No. 99DMo001R)*. It is conservatively assumed that there would be up to three concert events per week with an attendance of approximately 6,000 patrons per event during the peak season in the summer

## Energy

According to the guidance of the *CEQR Technical Manual*, a detailed assessment of energy impacts would be limited to 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 would introduce publicly accessible open space that would include an approximately 5,000-seat amphitheater and restore and adaptively reuse the former approximately 60,000sf Childs Restaurant building as a restaurant, banquet, and

entertainment venue. The restoration of the Childs Restaurant building would also include the proposed amphitheater's stage.

The proposed project would not be expected to significantly affect the transmission or generation of energy, and therefore an energy assessment is not warranted and will not be provided in the EIS. The proposed project is subject to New York City Local Law 86 of 2005 and would comply with the requirements thereof. Additionally, the project would be designed to provide sustainable elements where possible.

In accordance with CEQR guidelines, this environmental assessment discloses the proposed project's energy consumption. As shown in Table 2, the proposed project would be expected to require up to approximately 14.66 billion British Thermal Units (BTUs) of energy annually, or a reduction of approximately 33.94 billion BTUs compared to No-Action conditions. According to the guidance of the *CEQR Technical Manual*, a detailed assessment of energy impacts would only be required for projects that may significantly affect the transmission or generation of energy.

**TABLE 2**  
**Expected Energy Use at the Project Site –2016 No-Action vs. 2016 With-Action Conditions**

	Use	Size (gsf)	Rate (BTU/sf)	Annual Energy Use (BTU)
No-Action Condition	Residential	223,119	126,700	28,269,177,300
	Commercial – Retail	33,978	216,300	7,349,441,400
	Commercial – Restaurant	60,000	216,300	12,978,000,000
	<b>Total</b>			<b>48,596,618,700</b>
With-Action Condition	Commercial – Restaurant	60,000	216,300	12,978,000,000
	Amphitheater (5,000 seats and additional 1,000 standing attendees)	6,000		1,680,138,544
	<b>Total</b>			<b>14,658,138,544</b>
<b>Net Difference: No-Action V. With-Action Condition</b>				<b>-33,938,480,160</b>

**Notes:** Based on citywide average annual energy use rates presented in Table 15-1 of the *CEQR Technical Manual*. Annual energy use for the proposed amphitheater is based on average energy rates for concert venues provided by the applicant. During the peak concert season, which is expected to consist of 40 concerts, the proposed amphitheater is anticipated to use approximately 160 Kilowatts per hour with 16 hour days for a total energy usage of approximately 102,400 Kilowatts per hour. Average energy use for the amphitheater during the remainder of the year would be less and is expected to be approximately 120 Kilowatts per hour with 10 hour days for a total energy usage of approximately 390,000 Kilowatts per hour. Therefore, the proposed amphitheater's annual average energy usage would be approximately 492,400 Kilowatts per hour.

## Transportation

The CEQR Technical Manual states that a quantified transportation analysis may be warranted if a proposed project is expected to generate more than 50 peak hour vehicle trips at an intersection, 200 peak hour subway, bus, or railroad riders on a transit facility, and 200 peak hour person trips on a pedestrian element. The proposed project would generate additional vehicular travel and increased demand for parking, as well as increased pedestrian traffic and subway and bus riders. These new trips have the potential to affect the area's transportation systems. Therefore, the EIS will include an analysis of transportation (see Draft Scope of Work).

## Air Quality

Under CEQR, an air quality analysis determines whether a proposed project would result in stationary or mobile sources of pollutant emissions that could have a significant adverse impact on ambient air quality, and also considers the potential of existing sources of air pollution to impact the proposed uses.

The proposed project will require an air quality analysis including both mobile and stationary sources (see Draft Scope of Work). A screening analysis will be performed to determine whether the net increase in traffic would exceed the thresholds of the 2012 *CEQR Technical Manual*. In the event that the number of trips exceeds the carbon monoxide (CO) and/or PM<sub>2.5</sub> thresholds, a microscale analysis at critical intersection(s) will be performed. A stationary source air quality analysis will be used to determine the effects of emissions from the proposed fossil fuel-fired HVAC system of the Child's Restaurant building, which is expected to be reactivated in both the No-

Action and With-Action scenarios and would house an entertainment, banquet, and restaurant facility as well as the stage for the proposed amphitheater. It is important to note that the proposed amphitheater would not have an HVAC system and, therefore, is not expected to have an impact on ambient air quality.

## Greenhouse Gas Emissions

The *2012 CEQR Technical Manual* notes that while the need for a greenhouse gas (GHG) emissions assessment is highly dependent on the nature of the project and its potential impacts, the GHG consistency assessment currently focuses on city capital projects, projects proposing power generation or a fundamental change to the City's solid waste management system, and projects being reviewed in an EIS that would result in development of 350,000 square feet or greater (or smaller projects that would result in the construction of a building that is particularly energy-intensive, such as a data processing center or health care facility). The proposed project is a city capital project and, therefore, a GHG assessment is warranted and will be provided in the EIS.

## Noise

According to the *2012 CEQR Technical Manual*, a noise analysis is appropriate if an action would generate any mobile or stationary sources of noise or would be located in an area with high ambient noise levels. The proposed project would involve the construction of an approximately 5,000-seat amphitheater, and therefore, a detailed stationary source (i.e., concert) noise analysis is warranted and will be provided in the EIS, as detailed in the Draft Scope of Work. Additionally, the proposed project may generate sufficient traffic during the weekday and/or weekend analysis periods to warrant a detailed mobile source noise analysis. Therefore, consistent with the guidelines of the *CEQR Technical Manual*, a detailed analysis of the proposed project's potential mobile noise impacts will be provided in the EIS, including a discussion of applicable noise codes and criteria.

## Public Health

Public health involves the activities that society undertakes to create and maintain conditions in which people can be healthy. Many public health concerns are closely related to air quality, hazardous materials, construction, and natural resources. The *CEQR Technical Manual* indicates that for most proposed projects, a public health analysis is not necessary. Where no significant unmitigated adverse impact is found in other CEQR analysis areas, such as air quality, water quality, hazardous materials, or noise, no public health analysis is warranted. If, however, an unmitigated significant adverse impact is identified in other CEQR analysis areas, such as air quality, water quality, hazardous materials, or noise, the lead agency may determine that a public health assessment is warranted for that specific technical area.

As none of the relevant analyses have yet been completed, the potential for an impact in these analysis areas, and thus potentially to public health, cannot be ruled out at this time. Should the technical analyses conducted for the EIS indicate that significant unmitigated adverse impacts would occur in the areas of air quality, water quality, hazardous materials, or noise, then an assessment of public health would be provided in the EIS, as discussed in the Draft Scope of Work.

## Neighborhood Character

As defined in the *2012 CEQR Technical Manual*, neighborhood character is considered to be an amalgam of the various elements that give a neighborhood its distinct personality. These elements include land use, socioeconomic conditions, open space, urban design and visual resources, historic and cultural resources, transportation, and noise. The proposed project has the potential to alter certain constituent elements of the affected area's neighborhood character, including historic and cultural resources, traffic and noise levels, and therefore the potential for impacts on neighborhood character cannot be ruled out at this time. Therefore, as described in the Draft Scope of Work, the EIS will analyze the proposed project's impact on neighborhood character.

## Construction Impacts

Construction impacts, although temporary, can include disruptive and noticeable effects of a project. Determination of their significance and need for mitigation is generally based on the duration and magnitude of the impacts. Construction impacts are usually important when construction activity could affect traffic conditions, archaeological resources, integrity of historic resources, community noise patterns, and air quality conditions. In addition, because soils are disturbed during construction, any action proposed for a site that has been found to have the potential to contain hazardous materials should also consider the possible construction impacts that could result from contamination.

The proposed project would involve the construction of publicly accessible open space that would include an approximately 5,000-seat amphitheater and the restoration and adaptive reuse of the historic Childs Restaurant building as an indoor entertainment, banquet, and restaurant facility. Construction of the proposed project would be implemented in a single phase and would be temporary lasting for less than two years. The *2012 CEQR Technical Manual* recommends an assessment of construction-related impacts if a project involves construction activities within 400-feet of a historic resource. As the proposed project would entail the restoration and adaptive reuse of a designated historic resources, the EIS will include an analysis of potential construction impacts (refer to Draft Scope of Work).

# **APPENDIX 1**

***New York City Waterfront Revitalization Program***

***Consistency Assessment Form***

For Internal Use Only:

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

Date Received: \_\_\_\_\_

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

## NEW YORK CITY WATERFRONT REVITALIZATION PROGRAM Consistency Assessment Form

Proposed actions that are subject to CEQR, ULURP or other local, state or federal discretionary review procedures, and that are within New York City's designated coastal zone, 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 subsequently approved by the New York State Department of State with the concurrence of the United States Department of Commerce pursuant to applicable state and federal law, including the Waterfront Revitalization of Coastal Areas and Inland Waterways Act. 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 agencies or the New York City Department of City Planning in their review of the applicant's certification of consistency.

### A. APPLICANT

1. Name: \_\_\_\_\_
2. Address: \_\_\_\_\_
3. Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_ E-mail: \_\_\_\_\_
4. Project site owner: \_\_\_\_\_

### B. PROPOSED ACTIVITY

1. Brief description of activity:
  
  
  
  
  
  
  
  
  
  
2. Purpose of activity:
  
  
  
  
  
  
  
  
  
  
3. Location of activity: (street address/borough or site description):

**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:
  
- 5. Is federal or state funding being used to finance the project? If so, please identify the funding source(s).
  
- 6. Will the proposed project require the preparation of an environmental impact statement?  
 Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, identify Lead Agency:
  
- 7. Identify **city** discretionary actions, such as a zoning amendment or adoption of an urban renewal plan, required for the proposed project.

**C. COASTAL ASSESSMENT**

**Location Questions:**

**Yes No**

- 1. Is the project site on the waterfront or at the water's edge? \_\_\_\_\_
- 2. Does the proposed project require a waterfront site? \_\_\_\_\_
- 3. Would the action result in a physical alteration to a waterfront site, including land along the shoreline, land underwater, or coastal waters? \_\_\_\_\_

**Policy Questions**

**Yes No**

The following questions represent, in a broad sense, the policies of the WRP. Numbers in parentheses after each question 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.

- 4. Will the proposed project result in revitalization or redevelopment of a deteriorated or under-used waterfront site? (1) \_\_\_\_\_
- 5. Is the project site appropriate for residential or commercial redevelopment? (1.1) \_\_\_\_\_
- 6. Will the action result in a change in scale or character of a neighborhood? (1.2) \_\_\_\_\_

**Policy Questions cont'd**

**Yes No**

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) \_\_\_\_\_
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 Habitat? (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? (4.1and 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) \_\_\_\_\_
28. Would the action cause violations of the National or State air quality standards? (5.2) \_\_\_\_\_

**Policy Questions cont'd**

**Yes No**

29. Would the action result in significant amounts of acid rain precursors (nitrates and sulfates)? (5.2C)

\_\_\_\_\_

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)

\_\_\_\_\_

31. Would the proposed action have any effects on surface or ground water supplies? (5.4)

\_\_\_\_\_

32. Would the action result in any activities within a federally designated flood hazard area or state-designated erosion hazards area? (6)

\_\_\_\_\_

33. Would the action result in any construction activities that would lead to erosion? (6)

\_\_\_\_\_

34. Would the action involve construction or reconstruction of a flood or erosion control structure? (6.1)

\_\_\_\_\_

35. Would the action involve any new or increased activity on or near any beach, dune, barrier island, or bluff? (6.1)

\_\_\_\_\_

36. Does the proposed project involve use of public funds for flood prevention or erosion control? (6.2)

\_\_\_\_\_

37. Would the proposed project affect a non-renewable source of sand ? (6.3)

\_\_\_\_\_

38. Would the action result in shipping, handling, or storing of solid wastes, hazardous materials, or other pollutants? (7)

\_\_\_\_\_

39. Would the action affect any sites that have been used as landfills? (7.1)

\_\_\_\_\_

40. Would the action result in development of a site that may contain contamination or that has a history of underground fuel tanks, oil spills, or other form or petroleum product use or storage? (7.2)

\_\_\_\_\_

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)

\_\_\_\_\_

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)

\_\_\_\_\_

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)

\_\_\_\_\_

44. Would the action result in the provision of open space without provision for its maintenance? (8.1)

\_\_\_\_\_

45. Would the action result in any development along the shoreline but NOT include new water-enhanced or water-dependent recreational space? (8.2)

\_\_\_\_\_

46. Will the proposed project impede visual access to coastal lands, waters and open space? (8.3)

\_\_\_\_\_

47. Does the proposed project involve publicly owned or acquired land that could accommodate waterfront open space or recreation? (8.4)

\_\_\_\_\_

48. Does the project site involve lands or waters held in public trust by the state or city? (8.5)

\_\_\_\_\_

49. Would the action affect natural or built resources that contribute to the scenic quality of a coastal area? (9)

\_\_\_\_\_

50. Does the site currently include elements that degrade the area's scenic quality or block views to the water? (9.1)

\_\_\_\_\_

**Policy Questions cont'd**

**Yes      No**

51. Would the proposed action have a significant adverse impact on historic, archeological, or cultural resources? (10)

\_\_\_\_\_

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)

\_\_\_\_\_

**D. CERTIFICATION**

The applicant or agent 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: Howard Weiss, Legal Counsel for Coney Island Holdings LLC

Address: Davidoff Citron & Hutrcher LLP, 605 Third Avenue, New York, NY

Telephone 212-557-7200

Applicant/Agent Signature: *Howard A. Weiss* Date: *5/16/2013*

## **APPENDIX 2**

***New York City Landmarks Preservation Commission Correspondence***

*Coney Island Rezoning EIS (CEQR No. 08DME007K)*

**THE CITY OF NEW YORK LANDMARKS PRESERVATION COMMISSION**  
 1 Centre Street, 9N, New York, NY 10007 (212) 669-7700 www.nyc.gov/landmarks

## ENVIRONMENTAL REVIEW

ECONOMIC DEVELOPMENT CORP./08DME007K

10/30/2007

**Project number**

**Date received**

**Project:** CONEY ISLAND REZONING 1926 MERMAID AVENUE 3070600001

**Comments:** Archeology review only; SEIS text appears to be acceptable.

**Properties with no archaeological significance:**

BBL	Address
3070600001	1926 MERMAID AVENUE
3070600003	1924 MERMAID AVENUE
3070600004	1922 MERMAID AVENUE
3070600005	1918 MERMAID AVENUE
3070600006	1916 MERMAID AVENUE
3070600007	1914 MERMAID AVENUE
3070600008	1912 MERMAID AVENUE
3070600009	1910 MERMAID AVENUE
3070600010	1906 MERMAID AVENUE
3070600011	1904 MERMAID AVENUE
3070600012	1902 MERMAID AVENUE
3070600014	WEST 19 STREET
3070600016	WEST 19 STREET
3070600017	WEST 19 STREET
3070600018	2924 WEST 19 STREET
3070600019	2926 WEST 19 STREET
3070600020	2930 WEST 19 STREET
3070600021	2934 WEST 19 STREET
3070600022	2936 WEST 19 STREET
3070600024	1901 SURF AVENUE
3070600027	1905 SURF AVENUE
3070600031	2929A WEST 20 STREET
3070600032	SURF AVENUE
3070600035	SURF AVENUE
3070600041	2929 WEST 20 STREET
3070600042	2927 WEST 20 STREET
3070600043	2925 WEST 20 STREET
3070600044	2923 WEST 20 STREET
3070600045	2921 WEST 20 STREET
3070600046	2919 WEST 20 STREET
3070600047	2917 WEST 20 STREET
3070600048	WEST 19 STREET
3070600049	WEST 19 STREET
3070600050	2938 WEST 19 STREET
3070600051	2938A WEST 19 STREET
3070600147	1924 WEST 20 STREET
3070610001	1728 MERMAID AVENUE
3070610002	1726 MERMAID AVENUE
3070610003	1724 MERMAID AVENUE
3070610004	1720 MERMAID AVENUE
3070610005	1718 MERMAID AVENUE
3070610006	1716 MERMAID AVENUE
3070610008	1712 MERMAID AVENUE
3070610009	2902 MERMAID AVENUE
3070610011	2906 WEST 17 STREET

3070610014	WEST 17 STREET
3070610016	WEST 17 STREET
3070610020	2928 WEST 17 STREET
3070610021	2930 WEST 17 STREET
3070610027	1709 SURF AVENUE
3070610039	WEST 19 STREET
3070610040	WEST 19 STREET
3070610041	WEST 19 STREET
3070610042	WEST 19 STREET
3070610043	2921 WEST 19 STREET
3070610045	WEST 19 STREET
3070620001	1622 MERMAID AVENUE
3070620004	1620 MERMAID AVENUE
3070620005	1618 MERMAID AVENUE
3070620006	1616 MERMAID AVENUE
3070620007	1614 MERMAID AVENUE
3070620008	1612 MERMAID AVENUE
3070620009	1610 MERMAID AVENUE
3070620010	1608 MERMAID AVENUE
3070620011	1604 MERMAID AVENUE
3070620014	2913 WEST 17 STREET
3070620025	1601 SURF AVENUE
3070620028	1607 SURF AVENUE
3070620034	SURF AVENUE
3070630001	1530 MERMAID AVENUE
3070630002	1528 MERMAID AVENUE
3070630003	1526 MERMAID AVENUE
3070630004	1518 MERMAID AVENUE
3070630006	1514 MERMAID AVENUE
3070630008	1512 MERMAID AVENUE
3070630009	1502 MERMAID AVENUE
3070630011	2906 WEST 15 STREET
3070630012	2910 WEST 15 STREET
3070630032	SURF AVENUE
3070630033	SURF AVENUE
3070630034	1521 SURF AVENUE
3070630035	1527 SURF AVENUE
3070630038	2933 WEST 16 STREET
3070630039	2929 WEST 16 STREET
3070630040	2927 WEST 16 STREET
3070630041	2925 WEST 16 STREET
3070640001	1416 MERMAID AVENUE
3070640002	1414 MERMAID AVENUE
3070640004	2900 MERMAID AVENUE
3070640005	2904 STILLWELL AVENUE
3070640007	2908 STILLWELL AVENUE
3070640014	2918 STILLWELL AVENUE
3070640016	1301 SURF AVENUE
3070640027	1315 SURF AVENUE
3070640028	1319 SURF AVENUE
3070640031	1323 SURF AVENUE
3070640032	1329 SURF AVENUE
3070640035	2937 WEST 15 STREET
3070640037	2931 WEST 15 STREET
3070640038	WEST 15 STREET
3070640043	2911 WEST 15 STREET
3070640045	1420 MERMAID AVENUE
3070640101	1418 MERMAID AVENUE
3070700148	2301 BOARDWALK WEST
3070710026	HIGHLAND AVENUE
3070710027	HIGHLAND AVENUE
3070710028	BOARDWALK
3070710030	WEST 23 STREET
3070710032	WEST 23 STREET
3070710034	WEST 23 STREET
3070710076	WEST 23 STREET

3070710079	WEST 23 STREET
3070710081	WEST 23 STREET
3070710083	WEST 23 STREET
3070710085	WEST 23 STREET
3070710100	SURF AVENUE
3070710123	3050 WEST 21 STREET
3070710130	3052 WEST 21 STREET
3070710142	2113 WEST 21 STREET
3070710226	WEST 23 STREET
3070710231	WEST 23 STREET
3070720001	2015 BOARDWALK WEST
3070730101	1904 SURF AVENUE
3070740001	1528 SURF AVENUE
3070740004	1520 SURF AVENUE
3070740006	1516 SURF AVENUE
3070740020	1525 BOARDWALK WEST
3070740023	1519 BOARDWALK WEST
3070740089	1508 SURF AVENUE
3070740105	1507 BOARDWALK WEST
3070740170	1502 SURF AVENUE
3070740190	1501 BOARDWALK WEST
3070740250	1318 SURF AVENUE
3070740254	1315 BOWERY
3070740256	1319 BOWERY
3070740300	1314 SURF AVENUE
3070740310	1314 BOWERY
3070740340	1302 SURF AVENUE
3070740348	1301 BOWERY
3070740360	3030 STILLWELL AVENUE
3070740382	1301 BOARDWALK WEST
3072660249	STILLWELL AVENUE
3072660250	1207 SURF AVENUE
3072660252	SURF AVENUE
3072660254	1215 SURF AVENUE
3072660260	1217 SURF AVENUE
3072660261	1223 SURF AVENUE
3072660265	1243 SURF AVENUE
3072660270	STILLWELL AVENUE
3072680190	801 SURF AVENUE
3072680213	805 SURF AVENUE
3072680218	821 SURF AVENUE
3072680225	837 SURF AVENUE
3072680228	1001 SURF AVENUE
3072680234	1013 SURF AVENUE
3072680236	1019 SURF AVENUE
3072680244	1041 SURF AVENUE
3072680250	1047 SURF AVENUE
3072680254	SURF AVENUE
3072680344	SURF AVENUE
3086940001	1227 BOWERY
3086940005	1228 SURF AVENUE
3086940011	1224 SURF AVENUE
3086940012	1220 SURF AVENUE
3086940014	1218 SURF AVENUE
3086940016	1214 SURF AVENUE
3086940018	1212 SURF AVENUE
3086940025	1205 BOWERY
3086940030	1207 BOWERY
3086940033	1215 BOWERY
3086940421	1238 SURF AVENUE
3086950061	1222 BOWERY
3086950064	1218 BOWERY
3086950072	3048 WEST 12 STREET
3086950085	1205 BOARDWALK WEST
3086950104	1213 BOARDWALK WEST
3086950120	3057 HENDERSON WALK

3086950433	3029 STILLWELL AVENUE
3086950468	1229 BOARDWALK WEST
3086960035	1105 BOWERY
3086960037	1122 SURF AVENUE
3086960044	1114 SURF AVENUE
3086960047	1110 SURF AVENUE
3086960048	1108 SURF AVENUE
3086960049	1106 SURF AVENUE
3086960050	1104 SURF AVENUE
3086960053	16 JONES WALK
3086960070	JONES WALK
3086960075	1025 BOARDWALK WEST
3086960140	3025 WEST 12 STREET
3086960145	1102 BOWERY
3086960166	1027 BOARDWALK WEST
3086960211	3001 JONES WALK
3086960212	1001 BOARDWALK WEST
3086970004	817 BOARDWALK WEST
3086970008	801 BOARDWALK WEST



11/6/2007

SIGNATURE

DATE

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