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DEPARTMENT OF CITY PLANNING  
CITY OF NEW YORK

ENVIRONMENTAL ASSESSMENT AND REVIEW DIVISION

Amanda M. Burden, AICP, *Director*  
Department of City Planning

July 30, 2003

Mr. Raymond Levin  
Wachtel & Masyr, LLP  
110 East 59<sup>th</sup> Street  
New York, NY 10022

Re: **Boerum Place Rezoning**  
CEQR No. 02DCP041K  
ULURP Nos. C020097ZMK, C020098ZSK  
BZ No. 46-02

Dear Mr. Levin:

We have reviewed your letter dated June 13, 2003, submitted in connection with the Boerum Place Rezoning proposal (ULURP Nos. C020097ZMK, C020098ZSK). The letter describes recent changes that have been made to the proposed project.

As noted in your letter, an Environmental Assessment Statement (EAS) dated March 20, 2002 was prepared for the proposal, and a Negative Declaration was issued by the City Planning Commission (CPC), as lead agency, on March 20, 2002. The original proposal involved an application by Brooklyn Law School for an amendment to the City zoning map to change the zoning designation of the affected area from C6-2A and C5-2A to a C5-4 zoning district, and a special permit pursuant to section 74-52 of the Zoning Resolution for a 215-space public parking garage. In addition, the project required height and setback variances from the Board of Standards and Appeals (BSA). The applicant also applied for funding through the Dormitory Authority of the State of New York (DASNY), which is a discretionary action involving the authorization of the issuance of Dormitory Authority tax-exempt bonds. The approvals were to facilitate a proposal by the applicant to develop a 22-story dormitory with approximately 251,079 gross square feet (gsf) of space above grade (381 beds), and 63,951 gsf below grade with public parking for approximately 215 cars. The proposed dormitory would occupy two contiguous lots (Block 271, Lots 1 and 8), located at the northwest corner of the intersection of State Street and Boerum Place, at 58 Boerum Place and 205 State Street.

Robert Dobruskin, *Director*  
James P. Merani, R.A., *Deputy Director*  
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As stated in your June 13, 2003 letter, the proposal was revised subsequent to the issuance of the Negative Declaration. The revisions to the proposed building consist of the addition of one floor, which was accomplished by reducing the typical floor-to-floor heights from 9'7" to 9'1". The proposed building would remain within the envelope originally approved by the BSA. The number of beds and the population of the building would not change as a result of this added floor. A line of units originally programmed to contain "4-bedrooms" has been reconfigured into two lines: one containing "1-bedroom" and one containing "2-bedrooms". This loss of one bed per floor would be compensated for on the added floor. Also, the proposed building would no longer contain a Sub Sub-Cellar. There would be no other changes to the project.

The changes to the project do not require any modifications to the zoning map amendment and special permit applications (C020097ZMK, C020098ZSK) approved by the CPC on June 26, 2002. Also, the BSA has confirmed that the changes to the project are in substantial compliance with their August 13, 2002 approval. DASNY has not yet acted on the funding application for the project and, as an involved agency, has requested confirmation that the Negative Declaration issued on March 20, 2002 for the original proposal remains valid.

The changes to the project are minor in nature and do not alter any of the conclusions of the CEQR review. Therefore, no further environmental review is needed and the Negative Declaration issued on March 20, 2002 remains valid.

Sincerely,

*Robert Dobruskin*

Robert Dobruskin

enclosure

c:	Amanda M. Burden	Regina Myer
	The City Planning Commission	James Mcrani
	Marty Markowitz	Pat Bussey
	Gail Benjamin	Susan Wong
	Community Board 2	Phil Sperling
	Robert Kulikowski	Jack Homkow, DASNY
	Laurence Parnes	Rory Levy, BSA

C: Merani  
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June 13, 2003

**BY HAND**

James Merani, Deputy Director  
Environmental Assessment and Revision Division  
Department of City Planning  
22 Reade Street  
New York, NY 10007

**Re: Brooklyn Law School Dormitory  
Block 271, Lots 1 and 8, Brooklyn  
ULURP Nos. 020097 ZMK, 0020098 ZSK  
BSA Cal. No. 46-02-BZ  
CEQR No. 02 DCP 026K**

Dear Jim:

We are writing at the request of the Dormitory Authority of the State of New York ("DASNY"), an involved agency in the review of the referenced project. I believe Jack Homkow of DASNY discussed the background for this letter with you within the last couple of weeks.

We represent Brooklyn Law School, the applicant for the referenced approvals to permit construction of a 22-story, 381 bed dormitory with a 215 car public garage on the north west corner of Smith Street and Boerum Place, Brooklyn. An Environmental Assessment Statement was prepared with the Department of City Planning, acting as lead agency, and

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a negative declaration was issued on March 20, 2002. The ULURP approvals were granted by the City Planning Commission on June 26, 2002 and by the City Council on July 24, 2002. The variance application was approved by the Board of Standards of Appeals (the "BSA") on August 13, 2002.

Following the approvals, detailed drawings were prepared based on the schematic plans approved by the BSA pursuant to the variance. In creating the final working drawings, minor variations to the BSA approved conditions were needed. In a June 4, 2003 letter, the BSA confirmed that those variations were in substantial compliance with their August 13, 2002 approval.

The changes to the building as previously proposed include:

- The addition of one floor which was accomplished by reducing the typical floor-to-floor heights from 9'7" to 9'1". The Building will remain within the envelope originally approved by the BSA.
- The number of beds and the population of the building will not change as a result of this added floor. A line of units originally programmed to contain "4-bedrooms" has been reconfigured into two lines: one containing "1-bedroom" and one containing "2-bedrooms." This loss of one bed per floor will be compensated for on the added floor.

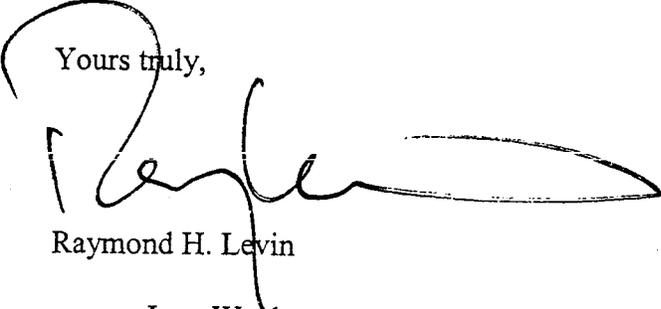
- The building will no longer contain a Sub Sub-Cellar.

The EAS prepared for the actions necessary (zoning change, public parking garage special permit and BSA variance) to allow for the construction of the dormitory for Brooklyn Law School contemplated (i) the same number of beds as is currently proposed, (ii) in a building of the same shape as is currently proposed and (iii) with a public parking garage analysis that provided for a garage of the size currently proposed.

We would most appreciate your concurrence, as lead agency, with our determination that the changes as outlined above to the referenced project do not require additional environmental analysis pursuant to the City Environmental Quality Review.

Please contact me if you have any questions or require additional information. Thank you for your expeditious attention to this request.

Yours truly,



Raymond H. Levin

cc: Joan Wexler  
Jack Homkow