

- Since construction of Buildings 6, 7, and 8 would occur following disposition approval from the U.S. Department of Housing and Urban Development (HUD) under Section 18 of the U.S. Housing Act of 1937, HPD (acting as Responsible Entity for NYCHA) would require preparation of a Phase II Investigation, and if necessary, a site-specific RAP/CHASP for these building sites. The Phase II Investigation must follow DEP protocols for soil, groundwater, and/or soil gas. Written approval of the testing work plan and RAP/CHASP (if necessary) by HPD and DEP would be required prior to HPD's submission of environmental clearance documentation to HUD for these sites. Implementation of any approved RAP/CHASP would occur as part of construction and would be required through a Development Agreement between NYCHA and the applicant/developer or a Restrictive Declaration. Written approval from DEP of any required RAP/CHASP would also be needed prior to loan closings for any components of the project that may seek financing from HPD for the construction of affordable housing (i.e., Buildings 6, 7, and 8 or any inclusionary housing proposed on other sites).

It should be noted that a sampling protocol for the building sites that would be disposed of to the Applicant (Buildings 6 and 7) has been prepared and approved by DEP. It is anticipated that the Phase II Investigation pursuant to the protocol may be conducted between the Draft and Final Environmental Impact Statement (EIS). If available, the results of the Phase II Investigation will be summarized in the Final EIS (FEIS) as will any additional RAP/CHASP elements necessary for these sites based on the results.

The text of the (E) designations for the sites of Buildings 1 through 5 would be as follows:

- **Task 1: Sampling Protocol**
  - **Prior to construction, the Applicant submits to MOER, for review and approval, a Phase II Investigation protocol, including a description of methods and a site map with all sampling locations clearly and precisely represented.**
  - **No sampling should begin until written approval of a protocol is received from MOER. The number and location of sample sites should be selected to adequately characterize the site, the specific source of suspected contamination (i.e., petroleum-based contamination and non-petroleum-based contamination), and the remainder of the site's condition. The characterization should be complete enough to determine what remediation strategy (if any) is necessary after review of the sampling data. Guidelines and criteria for selecting sampling locations and collecting samples are provided by MOER upon request.**
- **Task 2: Remediation Determination and Protocol**
  - **A written report with findings and a summary of the data must be submitted to MOER after completion of the testing phase and laboratory analysis for review and approval. After receiving such results, a determination is made by MOER if the results indicate that remediation is necessary. If MOER determines that no remediation is necessary, written notice shall be given by MOER.**
  - **If remediation is indicated from the test results, a proposed remedial action plan must be submitted to MOER for review and approval. The Applicant must complete such remediation as determined necessary by MOER. The**

## **Halletts Point Rezoning**

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**Applicant should then provide proper documentation that the work has been satisfactorily completed.**

- **A MOER-approved construction health and safety plan would be implemented during evacuation and construction and activities to protect workers and the community from potentially significant adverse impacts associated with contaminated soil and/or groundwater. This plan would be submitted to MOER for review and approval prior to implementation.**

With these measures, the proposed project would not result in any significant adverse impacts related to hazardous materials. \*

*Building 5A* - The maximum 24-hour average incremental PM<sub>2.5</sub> concentration from Building 5A, 2.50 µg/m<sup>3</sup>, was predicted on the south façade of Building 5B at a height of 245 feet. At the location where the maximum 24-hour average concentration was predicted, the maximum annual frequency of concentrations greater than 2 µg/m<sup>3</sup> was one time per year, with the average frequency of less than once per year, over five years.

*Building 6A* - The maximum 24-hour average incremental PM<sub>2.5</sub> concentration from Building 6A, 2.48 µg/m<sup>3</sup>, was predicted on the east façade of Building 6B at a height of 120 feet. At the location where the maximum 24-hour average concentration was predicted, the maximum annual frequency of concentrations greater than 2 µg/m<sup>3</sup> was one time per year, with the average frequency of less than one times per year, over five years. At the same elevation, there were three locations (two on the north façade of the building, representing less than ½ of the width of the north façade at this elevation, and one on the south facade) with incremental concentrations exceeding 2 µg/m<sup>3</sup>. At these locations, 24-hour average incremental concentrations from the proposed project were predicted to exceed 2 µg/m<sup>3</sup> at a maximum frequency of ranging from one to two times per year, with an average frequency of less than one time per year.

*Building 8* - The maximum 24-hour average incremental PM<sub>2.5</sub> concentration from Building 8, 2.66 µg/m<sup>3</sup>, was predicted on the south façade of Building 8 at a height of 265 feet. At the location where the maximum 24-hour average concentration was predicted, the maximum annual frequency of concentrations greater than 2 µg/m<sup>3</sup> was two times per year, with the average frequency of less than once per year, over five years.

Overall, the magnitude, extent, and frequency of 24-hour average PM<sub>2.5</sub> concentrations above 2.0 µg/m<sup>3</sup> are low. Therefore, it would not result in a significant impact based on the City's interim guidance criteria. Overall, the proposed project's heating and hot water systems would not result in any significant adverse air quality impacts.

To ensure that there are no significant adverse impacts of PM<sub>2.5</sub> from the proposed project's heating and hot water emissions, certain restrictions would be required regarding fuel type and exhaust stack location (no restrictions are required for Buildings 3, 6B and 8). A summary of these restrictions follows:

*WF and Eastern Parcels*

The (E) designations for the proposed buildings on these parcels would require the following:

- **Building 1 - 915/6**  
Any new development on the above-referenced property must ensure that fossil fuel-fired heating and hot water equipment exhaust stack(s) are located at Building 1B and are at least 238.4 feet above grade, and should be located at least 240 feet away from any operable windows or air intakes on the tallest portion of the approved massing envelope for proposed Building 2, to avoid any potential significant air quality impacts.
- **Building 2 - 916/10**  
Any new development on the above-referenced property must ensure that fossil fuel-fired heating and hot water equipment exhaust stack(s) are at least 298.4 feet above grade, and should be located at least 303 feet away from any operable windows or air intakes on the tallest portion of the approved massing envelope for proposed Building 3, to avoid any potential significant air quality impacts.

- **Building 4 - 490/1**  
Any new development on the above-referenced property must ensure that fossil fuel-fired heating and hot water equipment utilize only natural gas, and that heating and hot water equipment exhaust stack(s) are located at least 258.4 feet above grade, and should be located at least 171 feet away from any operable windows or air intakes on the tallest portion of the approved massing envelope for proposed Building 3, and must be fitted with low NO<sub>x</sub> burners with a maximum emission concentration of 30 ppm, to avoid any potential significant air quality impacts.
- **Building 5A - 490/11**  
Any new development on the above-referenced property must ensure that fossil fuel-fired heating and hot water equipment exhaust stack(s) are located at least 248.4 feet above grade, and should be located at least 130 feet away from any operable windows or air intakes on the tallest portion of the approved massing envelope for proposed Building 5B, to avoid any potential significant air quality impacts.
- **Building 5B - 490/1 and 11**  
Any new development on the above-referenced property must ensure that fossil fuel-fired heating and hot water equipment exhaust stack(s) are located at least 288.4 feet above grade to avoid any potential significant air quality impacts.

*NYCHA Parcel*

The development agreement between NYCHA and the applicant/developer or a Restrictive Declaration would require the following:

- **Building 6A**  
Any new development on the above-referenced property must ensure that fossil fuel-fired heating and hot water equipment exhaust stack(s) are located at least 135 feet above grade to avoid any potential significant air quality impacts.
- **Building 7A**  
Any new development on the above-referenced property must ensure that fossil fuel-fired heating and hot water equipment exhaust stack(s) are located at least 150 feet above grade to avoid any potential significant air quality impacts.
- **Building 7B**  
Any new development on the above-referenced property must ensure that fossil fuel-fired heating and hot water equipment exhaust stack(s) are located at least 150 feet above grade to avoid any potential significant air quality impacts.

With these restrictions, emissions from the proposed project's boiler exhaust stacks would not result in any significant adverse air quality impacts.

To the extent permitted under Section 11-15 of the Zoning Resolution, the requirements of the (E) designations may be modified, or determined to be unnecessary, based on new information or technology, additional facts or updated standards that are relevant at the time each building is ultimately developed.

*Industrial Sources*

As discussed above, a study was conducted to identify manufacturing and industrial uses within the 400-foot study area. DEP-BEC and EPA permit databases were used to identify existing

The levels of attenuation specified in **Table 18-9** and **Table 18-11** could be achieved with the use of standard windows; no additional measures would be necessary to meet the required attenuation levels.

The required CEQR building attenuation levels for Buildings 3, 4, and 5 would be mandated by (E) designations on all affected building sites specifying the appropriate amount of window/wall attenuation. The text of the (E) designation for Buildings 3, 4, and 5 (located on Block 916, Lot 1 and a portion of Lot 10 and Block 490, Lots 1 and 11)<sup>1</sup> requiring 28 dBA of attenuation would be as follows:

**“To ensure an acceptable interior noise environment, the building façade(s) of future residential uses must provide a minimum of 28 dBA composite building façade attenuation with windows closed, in order to maintain an interior noise level of 45 dBA. The minimum required composite building façade attenuation for future commercial uses would be 5 dBA less than that for residential uses. To maintain a closed-window condition, an alternate means of ventilation that brings outside air into the building without degrading the acoustical performance of the building façade(s) must also be provided.”**

Therefore, the proposed project would provide sufficient attenuation to achieve the *CEQR Technical Manual* interior noise level guidelines of 45 dBA  $L_{10}$  for residential uses and 50 dBA  $L_{10}$  for commercial uses and, if HUD project funding is used, to achieve the HUD interior noise level guideline of 45 dBA  $L_{dn}$  for residential use.

Therefore, the proposed project would not result in any significant adverse impacts related to building attenuation requirements.

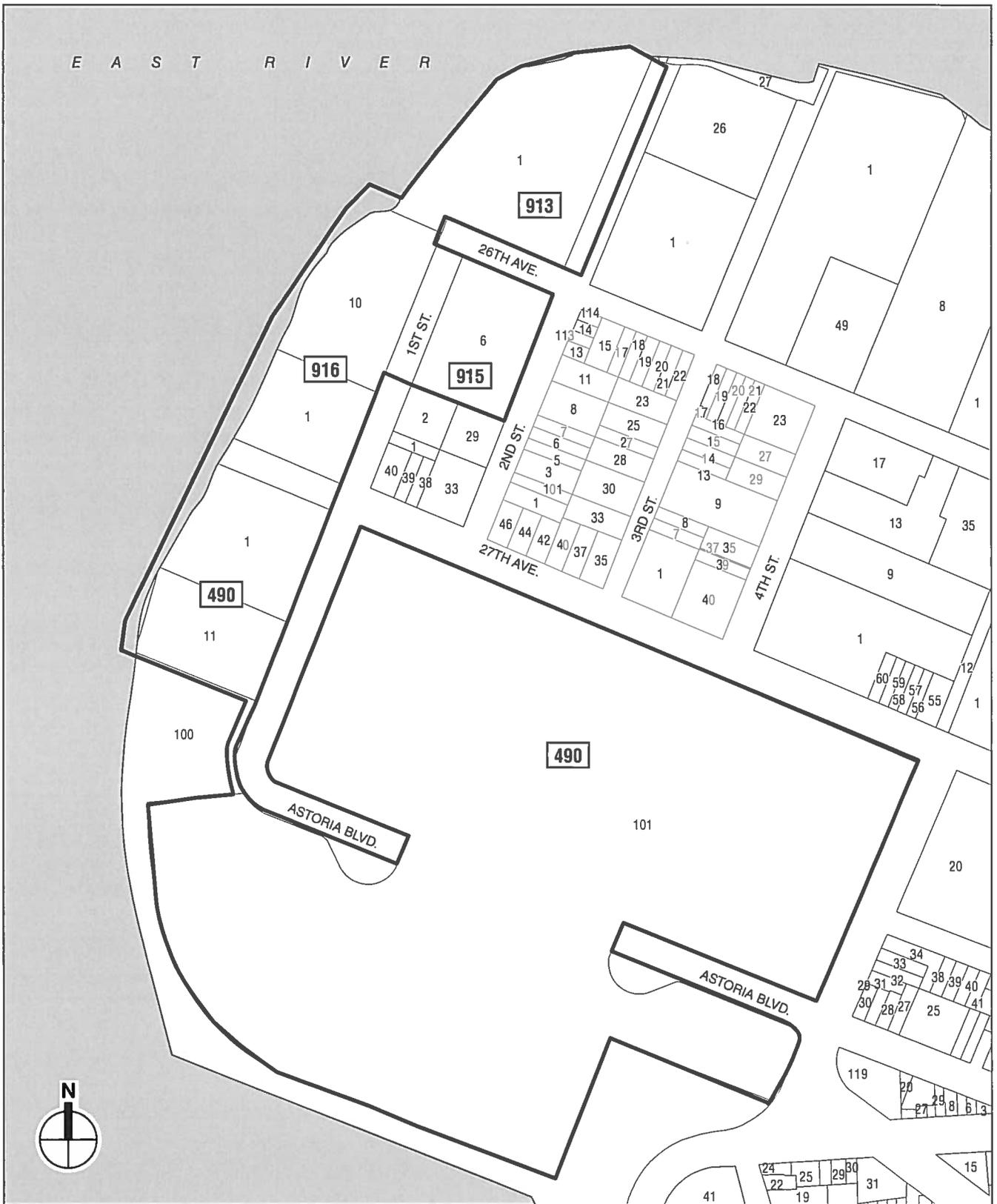
#### **NOISE LEVELS AT THE PROPOSED PROJECT’S OPEN SPACE AREAS**

Based on predicted noise levels at receptors 1, 2, and 5, noise levels within the proposed project’s publicly accessible open space and waterfront esplanade are expected to be above 55 dBA  $L_{10(1)}$  and slightly above 65 dBA  $L_{dn}$ . This exceeds the recommended noise level for outdoor areas requiring serenity and quiet contained in the *CEQR Technical Manual* noise exposure guidelines (see **Table 18-2**) and falls in the “normally unacceptable” category according to HUD exterior noise exposure guidance. In the future with the proposed project,  $L_{10(1)}$  values and  $L_{dn}$  values at the proposed open space and waterfront esplanade (located along the length of the site’s waterfront with upland connections to 1st Street) would be in the mid-60s dBA. Because the dominant noise at the project site results from traffic noise, there are no practical and feasible mitigation measures that could be implemented to reduce noise levels to below the respective CEQR and HUD 55 dBA  $L_{10(1)}$  and 65 dBA  $L_{dn}$  guidelines within the proposed open space and waterfront esplanade. Although noise levels in these areas would be above the guideline noise levels, they would be comparable to noise levels in a number of existing open space areas that are located adjacent to roadways, including Hudson River Park, Riverside Park, Bryant Park, Fort Greene Park, and other urban open space areas. The guidelines are a worthwhile goal for outdoor areas requiring serenity and quiet. However, due to the level of activity present at most New York City open space areas and parks, a relatively low noise level is often not achieved. Therefore, the future projected noise levels would not constitute a significant adverse noise impact to the proposed project’s open space areas.

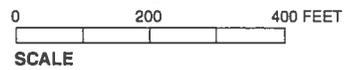
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<sup>1</sup> These are existing lot numbers for these building sites. If new lot numbers corresponding to the specific sites Buildings 3, 4, and 5 are obtained between DEIS and FEIS, these numbers will be updated accordingly.

E A S T R I V E R



- Project Site
- 916 Block Number
- 10 Lot Number





 Large Scale General Development Area

SITE PLAN SOURCE: Studio V Architects

### **HALLETT'S POINT**

Illustrative Development Site Plan  
**Figure 1-4**