ERIC PALATNIK, P.C.
ATTORNEY AT LAW
32 BROADWAY, SUITE 1811
NEW YORK, NEW YORK 10004

(212) 425-4343
FAX (212) 968-7129
E-MAIL ERIC@ERICPALATNIKPC.COM

March 18, 2025

Theresa Scavo, Chairperson
Brooklyn Community Board 15
2001 Oriental Boulevard, Room C124
Brooklyn, NY 11223

Re: ***Proposed ULURP Application***
1946 East 7th Street
Block 6682, Lots 41, 43
Brooklyn, New York (the "Development Site")

Dear Chair Scavo:

The above-referenced Development Site - which is a 100% affordable senior residential development - has been the subject of a ULURP application for the past several years, as the Zoning Resolution (ZR) and policies under the Housing Preservation and Development (HPD) for senior housing have been significantly modified. This letter serves to outline three significant changes to the proposal that resulted from these regulatory and zoning changes, while making the best effort to minimize height and provide ample light and air for surrounding buildings. The attached graphic illustrates these **three scenarios** and their differences.

1. The **Original Proposal** for 1946 East 7th Street featured an **8-story**, 85-foot-tall building with a total floor area of 33,056 square feet (3.6 FAR). This version included 36 residential units, all of which were affordable for seniors, and provided a rear yard depth of **54 feet**. While this design maximized height, it maintained a generous rear yard space of over 50 feet, where only 30 feet is required. This proposal included approximately 3,700 square feet of supporting community facility space.
2. The **Revised Proposal (Pre-City of Yes)** reduced the building height to **6 stories** (**62 feet, with basement)** while slightly decreasing the floor area to 32,237.40 square feet (3.5 FAR). Despite the lower height, the total unit count increased to 47, all of which remain as affordable units for seniors. However, to accommodate the additional units without additional height, the rear yard depth was reduced to **33 feet**, where 30 feet is required. This proposal included approximately 2,500 square feet of supporting community facility space.

3. The **Current Proposal** accounts for a modest increase in floor area for senior affordable units under City of Yes seeks a middle ground between the previous two designs. It proposes a **7-story (73 feet, with basement)** with a floor area of 35,787 square feet (3.89 FAR). This version includes the highest number of units at 53, all of which are affordable. Additionally, it restores some open space by providing a rear yard depth of **35 feet**, slightly increasing it from the Revised Proposal while still attempting to maximize unit count.

It should be noted, the most recent modification occurred under ***City of Yes***, which increased the permitted floor area ratio (FAR) of the proposal's R6A district from **3.6 FAR** to **3.9 FAR (+9%)**, which increased the roof height of the building from 62 feet to 73 feet. This increase accommodates an additional 6 affordable units without the need to maximize height in the R6A district, which can rise to 95 feet with qualifying affordable units – or an additional 22 feet in height than the proposed 73 foot building.

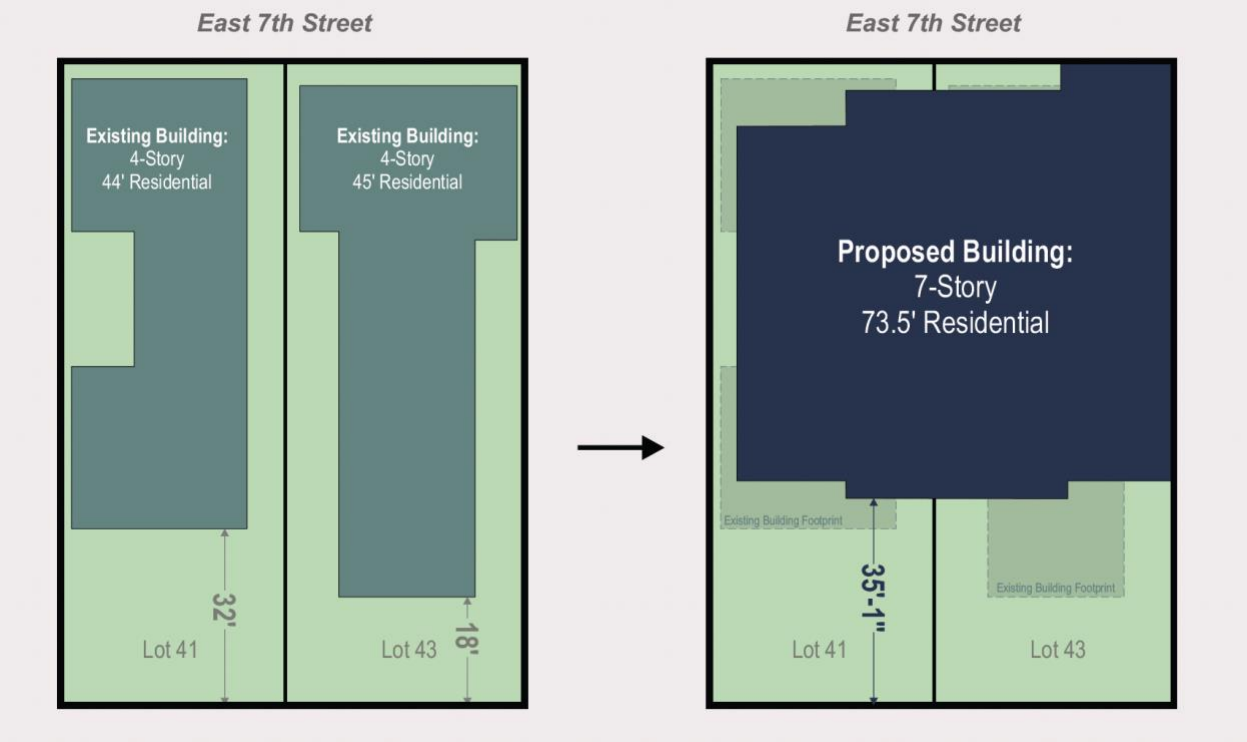
The Proposed Development would utilize the Section 202 program from HUD. This program provides capital advances and rental assistance to develop and operate housing for low-income seniors (62+ years old). The program is designed to promote independent living with access to supportive services such as meals, transportation, and healthcare coordination. The program is currently designed to be affordable to households at 50% AMI and below and will be operated in tandem with the adjacent 1960 and 1965 East 7th Street senior affordable developments, which currently operate under the same program, as well as the Section 8 voucher program to ensure affordable rents for lower-income residents.

Shadow Study

In addition to outlining the changes that have occurred to this project over the last few years, concern has been expressed on potential shadow impacts on neighboring properties – in particular rear yard areas of homes.

In response, a detailed shadow analysis was prepared (attached to this letter) that evaluates incremental shadow increases and decreases on December 21, March 21, May 6th and June 21, focusing on shadow extent, duration, and balance with additional sunlight across adjacent properties. These analysis days represent different seasonal conditions for sunlight and shadow impacts.

- Although the proposed building is taller than the existing structure, its deeper rear yard (***35 feet vs an existing rear yard of 18 feet***) helps balance sunlight and shadow distribution (see comparison image below)
- While some new shadows appear in certain locations, they are minimal and offset by increased sunlight in other areas
- By 11:00 AM, no additional shadow effects occur on all analysis periods, meaning that later parts of the day remain unaffected.
- Existing neighborhood buildings already cast morning shadows, and the proposed development does not introduce excessive new shading.



Winter Solstice (December 21):

• Shadows are longest in the morning, with new minor shadows affecting rear yards of adjacent properties by 10:00 AM and concluding by 11:00 AM.

• Despite the increase in shadow coverage, some rear yards receive more sunlight at different times due to the proposed building's deeper rear yard, balancing impacts.

Spring Equinox (March 21):

• Shadows are shorter and shift more rapidly than in December, affecting properties generally beginning at 9:30am, but diminishing significantly by 10:30 AM.

• Given the increased setback, certain areas receive more sunlight exposure, offsetting any incremental shadow additions.

Mid-Point to Summer Solstice (May 6th)

• Shadows are minimal and dissipate quickly, with early morning shadowing at 6:27 AM, but by 10:30 AM, shadows dissipate.

• By 10:30 AM, properties receive full sunlight, and any incremental shadow impact is negligible. Some areas receive incumbently new sunlight at 10:30 AM.

Summer Solstice (June 21):

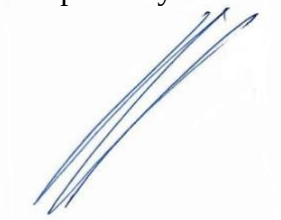
• Shadows are minimal and dissipate quickly, with early morning shadowing at 6:27 AM, but by 10:00 AM, coverage is significantly reduced.

• By 10:00 AM, most properties receive full sunlight, and any incremental shadow impact is negligible. Some areas receive incumbently new sunlight at 10:00 AM.

In summary, the impact of the proposed building's new shadows are extremely limited, with small changes during the morning in incremental shadow and sunlight areas, illustrating minimal effect. Given the balance between added shadowing and increased sunlight, there is no significant cause for concern regarding excessive shading. The design ensures that homes near Ocean Parkway continue receiving ample sunlight during key morning hours, maintaining the area's existing conditions.

We thank you in advance for your review of the foregoing. Please let us know if you need any additional materials in advance of our meeting.

Respectfully Submitted,



Eric Palatnik, Esq