

395 Flatbush Avenue Extension

Draft Scope of Work in Preparation of a Draft
Environmental Impact Statement

PREPARED FOR



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Draft Scope of Work

Introduction

This Draft Scope of Work (DSOW) outlines the technical areas to be analyzed in the preparation of an Environmental Impact Statement (EIS) for the 395 Flatbush Avenue Extension project. The New York Department of Housing Preservation and Development (HPD), as Applicant, is seeking approval for a zoning map amendment, zoning text amendments, disposition of city-owned property, and an amendment to the Brooklyn Center Urban Renewal Plan (URP) (collectively, the “Proposed Actions”) to facilitate a mixed-use development in the Downtown Brooklyn neighborhood of Brooklyn, Community District (CD) 2. The Proposed Actions would facilitate the redevelopment of Brooklyn Block 2093, Lot 1 (the “Development Site”) with an approximately 1,544,875-gross-square-foot (gsf), 72-story, 840-foot-tall mixed-use building (the “Proposed Project”). The Proposed Project would include 1,233,950 gsf of residential floor area and 209,770 gsf of non-residential floor area designated for commercial uses, which would comprise 128,255 gsf of retail space and 81,515 gsf of office space.

The Proposed Project would provide a minimum of 1,263 dwelling units, of which 253 to 379 units would be designated as permanently affordable at or below an average of 80 percent of area median income (AMI), pursuant to applicable requirements of the City’s Mandatory Inclusionary Housing (MIH) Program.

The Proposed Project would also include public realm improvements, including a new open space available to the public (approximately 4,750 sf) on the southern portion of the Development Site, and an expanded sidewalk along the Development Site’s Flatbush Avenue Extension frontage.

City Environmental Quality Review (CEQR) and Scoping

The purpose of the scoping process is to focus the EIS on the potential for significant adverse environmental impacts. In addition, it allows the public, agencies, and other interested parties the opportunity to help shape the EIS by raising relevant issues regarding the focus and appropriate methods of study. The draft scoping document sets forth the analysis areas proposed to be covered in the EIS and the methodologies that are proposed to perform these analyses. During the scoping period, those interested in reviewing the published DSOW may do so and provide their comments to the lead agency.

The public, interested agencies, community boards, and elected officials are invited to comment on the DSOW, either in writing or orally, at a virtual public scoping meeting to be held on June 5, 2025. Written comments on the DSOW will be accepted by the lead agency until 5:00 PM on June 16, 2025. The Final Scope of Work (FSOW) will incorporate all relevant comments made on the DSOW, and the Draft EIS (DEIS) will be prepared in accordance with the FSOW.

Once the DEIS is determined to be complete by the lead agency, the document is published and made available for public review and comment. A public hearing will be held on the DEIS, in conjunction with the project's ULURP hearing, to afford all interested parties the opportunity to submit oral and written comments. The record will remain open for 10 days after the public hearing to allow additional written comments on the DEIS. At the close of the public review period, a Final EIS (FEIS) will be prepared that will respond to all substantive comments made on the DEIS and incorporate any necessary revisions. The FEIS will identify the required environmental findings, which are used as a basis for deciding whether to approve the requested discretionary actions, with or without modifications. According to SEQRA Part 617.11(d), these findings must:

1. Consider the relevant environmental impacts, facts and conclusions disclosed in the FEIS;
2. Weigh and balance relevant environmental impacts with social, economic and other considerations;
3. Provide a rationale for the agency's decision;
4. Certify that the requirements of this Part have been met; and
5. Certify that—consistent with social, economic, and other essential considerations from among the reasonable alternatives available—the action is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable and that adverse environmental impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigative measures that were identified as practicable.

Uniform Land Use Review Procedure

The Proposed City Actions are subject to public review under the Uniform Land Use Review Procedure (ULURP), Section 200 of the City Charter, as well as CEQR and SEQRA procedures.¹ The New York City Charter (the Charter) requires certain actions that are reviewed by the NYC City Planning Commission (CPC) to undergo a ULURP. ULURP is a standardized procedure whereby applications affecting the land use of the city would be publicly reviewed. The Charter also established mandated time frames within which application review must take place. Key participants in the ULURP process are the NYC Department of City Planning (DCP) and the CPC, the local community board, the Brooklyn Borough President, the City Council, and the Mayor.

Development Site

The Development Site (Brooklyn Block 2093, Lot 1) is owned by the City of New York, and has a lot area of approximately 49,153 square feet (sf).² As shown in **Figure 1**, the Development Site is bounded by Dekalb Avenue to the north with approximately 193 feet of frontage, Fulton Street to the south with approximately 130 feet of frontage, Hudson Avenue to the east with approximately 365 feet of frontage, and Flatbush Avenue Extension to the west with approximately 334 feet of frontage.

The Development Site, subject to a long-term lease with Fulton DeKalb Associates L.P., is currently improved with a seven-story, 375,108 gsf (307,949 zsf) commercial building with 293,370 gsf (274,431

¹ As noted above, environmental review pursuant to SEQRA would be required for any State approvals or funding, as listed above.

² The lot size is based on the site survey dated December 4, 2024.

zsf) of commercial office space, 35,548 gsf (33,518 zsf) of ground floor retail, and 46,190 gsf of below-grade parking (which accommodates 140 public parking spaces). Constructed in 1974, the existing building currently houses a Verizon call center in its office space. The ground floor retail space is primarily tenanted with local retail chains. All current leases, which are between Fulton DeKalb Associates, L. P. and sublessee, are expected to terminate before 2028, and all tenants will vacate the building by January 1, 2028.

An entrance to the Dekalb Avenue subway station (B/Q/R lines) is located at the northwest corner of the Development Site. This entrance includes a street elevator and two staircases that lead out to the plaza entrance. Additionally, there are three curb cuts located along the Hudson Avenue frontage: two of which serve the existing building's loading areas, with the third curb cut providing access to a public parking garage. The two for loading purposes measure approximately 20 feet and 60 feet in width each and are separated by approximately 50 feet, whereas the curb-cut for parking garage access measures approximately 40 feet in width. An existing Real Estate of Utility Companies (REUC) easement granted by MTA (REUC No. B119-E271) extends diagonally west to east in the Development Site which restricts development that exceeds a depth of approximately six feet below grade where the Metropolitan Transit Authority (MTA) subway lines are situated.

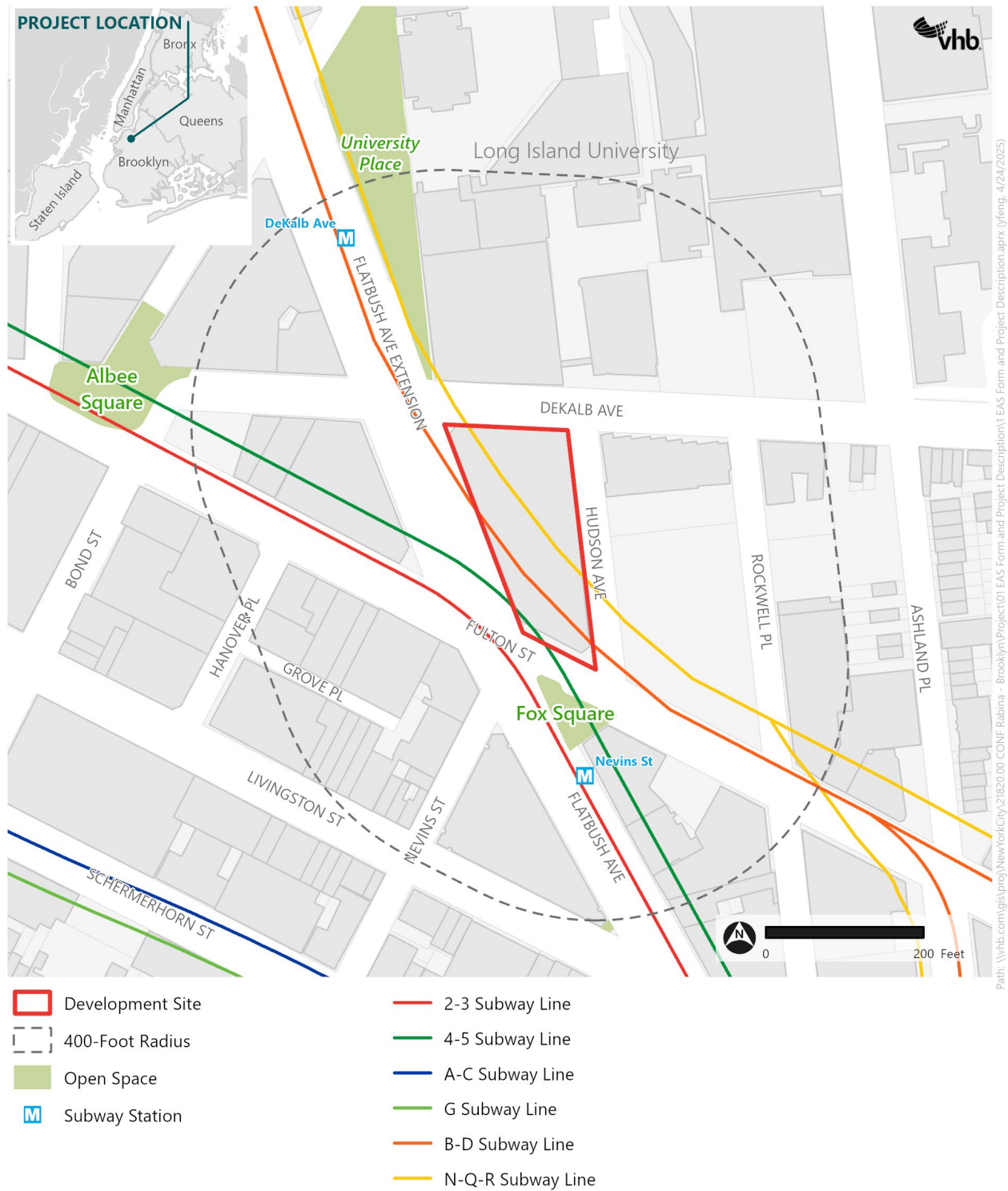
The rezoning area is coterminous with the centerline of the streets surrounding the Development Site, which is in a C6-4 zoning district within the Special Downtown Brooklyn District (DB), which permits a maximum commercial FAR of 10.0 and a maximum residential FAR of 10.0 which can be increased to 12.0 FAR in MIH areas or other qualifying affordable or senior housing. The Development Site is also within the Brooklyn Center Urban Renewal Area (URA) which was originally established in 1970 and will remain in effect until July 2044³. The goal of the Brooklyn Center URA is to strengthen and expand the commercial and retail core and the residential base of Brooklyn Center. There are a total of 21 sites within the Brooklyn Center URA, the majority of which are designated for commercial, residential, and community facility uses, with remainder being preserved for public space uses which also permit below-grade parking and accessory uses⁴. In addition, the Development Site lies within the Inner Transit Zone, a FRESH Zone, and the MetroTech Business Improvement District (BID).

The Development Site's western frontage, Flatbush Avenue Extension is a 120-foot-wide principle arterial road that runs north-south through Brooklyn with multiple lanes of traffic, pedestrian islands, and street parking on the east side. Fulton Street, the Development Site's southern frontage, is an 80-foot-wide principle arterial and a major east-west commercial street with four lanes of traffic and bus lanes. DeKalb Avenue, the Development Site's northern frontage, is a 70-foot-wide principle arterial road with two lanes of westbound traffic, a bike lane, and landscaped sidewalks. Hudson Avenue, the Development Site's eastern frontage, is a 50-foot-wide roadway with one northbound lane (with the exception of a small northern segment providing two-way traffic and southbound traffic access to the parking garage) with approximately 13-foot-wide sidewalks and three curb cuts that provide access to the building's loading and parking areas (as is described above).

³ Fifth Amended Urban Renewal Plan of Brooklyn Center Urban Renewal Area, The City of New York Department of Housing Preservation and Development. Published in September; Revised in April 2004.

⁴ ULURP No. C040173 HUK and N040176 HGK

Figure 1 Site Location Map



Source: NYC DCP (2024), NYC Parks (2024)

Surrounding Context

The Development Site is situated in the center of the Special Downtown Brooklyn District (DB), New York City's third-largest Central Business District (CBD). Approved in 2004, the DB (ULURP No. N 040171 ZMK) provides special height and setback regulations and urban design guidelines which has allowed for some of the largest and highest density developments in the City while promoting and supporting the continued growth of Downtown Brooklyn as a unique mixed-use area. The Development Site was identified in the Downtown Brooklyn Development EIS (CEQR No. 03DME016K) as Projected Development Site S. Some recent notable developments nearby and within the DB district include the 74-story, 1,066-foot-tall Brooklyn Tower at 9 DeKalb Avenue, constructed in 2022; a 43-story, 497-foot residential tower with ground floor retail at 540 Fulton Street, constructed in 2023; a 52-story, 575-foot-tall, mixed-use residential commercial building at 589 Fulton Street, constructed in 2023; and the 27-story, 268-foot-tall Brooklyn Grove at 10 Nevins Street (constructed in 2019). City Point, a mixed-use multi-building residential and commercial complex, just to the north of the Development Site, was completed in 2020, featuring three towers that vary from 19 stories to 68 stories, and from 361 feet to 720 feet in height. Other nearby developments include The Hub (constructed in 2020), a 50-story, 577-foot-tall mixed-use residential commercial building at 333 Schermerhorn Street, and The Toren (constructed in 2009), a 38-story, 399-foot-tall mixed-use residential commercial building at 150 Myrtle Avenue.

As a result of the establishment of the DB and related rezonings, the vicinity of the Development Site (within a radius of 400 feet) has become a growing mixed-use area with diverse land uses, including residential, commercial, and mixed residential and commercial buildings. Institutional uses, hotels, and community facility uses are also nearby. The area to the west includes Fulton Mall regional shopping corridor, the 5.5 million-square-foot MetroTech commercial and academic campus, and the 1.9 million-square-foot City Point mixed-use development and shopping center. To the north are two full-block institutional campuses, including the Downtown Brooklyn campus of the Long Island University and the Brooklyn Hospital. To the east and southeast is the area known as the Brooklyn Cultural District, with more than 50 cultural institutions anchored by several Brooklyn Academy of Music theaters. This area includes the Brooklyn Academy of Music Historic District, designated in 1978 (LP-01003).

As shown in **Figure 3 Existing Zoning Map**, the vicinity of the Development Site is primarily within C6-4, C6-4.5 and C6-9 zoning districts within the DB, which all have the residential district equivalent of an R10 district. R10 districts permit up to 12.0 Residential FAR in MIH areas or other qualifying affordable or senior housing. Additionally, the area to the northeast of the Development Site is in an R6 district, which permits a maximum residential FAR of 3.9 in MIH areas or other qualifying affordable or senior housing. The majority of the surrounding area is also within the DB. The current DB has two subdistricts - Atlantic Avenue and Fulton Mall. The Atlantic Avenue subdistrict has bulk and use regulations intended to preserve the scale and character of Atlantic Avenue, including certain architectural features while Fulton Mall subdistrict' bulk and use regulations are intended to create an attractive shopping environment within the Fulton Mall subdistrict. Fulton Mall subdistrict is mapped directly west of the Development Site.

The study area surrounding the Development Site is entirely located within the boundary of the Brooklyn Center Urban Renewal Area (URA). Additionally, several sites within the study area were identified by the Brooklyn Center URA as being properties that either are or are to be acquired by the City for urban renewal, including Block 162, Lots 1, 3, 5, and 6 (Site 1); Block 161, Lots 47 and 50 (Site

3A); Block 149, Lots 14, 15, 17, 19, 22-25, and 50 (Site 4); Block 149, Lots 26, 28, 30-34 (Site 4A); Block 2106, Lots 1, 4-7, 9, 16, 19, 24, 26, 29, 35, and 40 (Site 5); and Block 2080, Lots 1, 5, and 13 (Site 9).

The surrounding area is exceptionally well-served by public transportation. In addition to the DeKalb Avenue subway station (B/Q/R lines) entrance within the Development Site, the Nevins Street subway station (2/3/4/5 lines) is just south of the Development Site. Within a nine-minute walk, less than a half-mile away, are the Fulton Street subway station (G line) and the Atlantic Terminal/Barclay Center subway station (B/Q lines), along with the Atlantic Terminal Long Island Rail Road (LIRR) station. Additionally, Metropolitan Transportation Authority (MTA) New York City Transit (NYCT) operates several bus routes in the vicinity, including the B25, B26, B38 B41, B45, B52, B67, B69, and B103 busses. A dedicated bus lane runs along Fulton Street, adjacent to the Development Site. A CitiBike station with 71 docking stations is also located along the Development Site's northern frontage facing DeKalb Avenue. Within the surrounding area, there are five CitiBike docks and bike lanes on Asheland Place, DeKalb Avenue, Bond Street, Schermerhorn Street, and Lafayette Avenue.

Required Approvals

To facilitate development of the Proposed Project, the Applicant is seeking the following actions:

- › A Zoning map amendment to rezone the Development Site from a C6-4 (DB) district to a C6-12 (DB) district;
- › Zoning text amendments to the Zoning Resolution of the City of New York ("Zoning Resolution" or "ZR") to:
 - Zoning text amendment to amend the Special Downtown Brooklyn District (ZR 101-00 et seq.) ("SDBD") to establish a C6-12 district and special bulk regulations for sites that meet certain conditions in such districts⁵.
 - Zoning text Amendment to ZR Appendix F to map MIH Options 1 and 2 over the Development Site.
- › Disposition of City-owned property;
- › An amendment to the Brooklyn Center Urban Renewal Plan ("URP") to extend its duration to 99 years from the approval of this sixth Amendment, revise the boundary of Urban Renewal Area ("URA") Site 2, and to indicate that a portion of the Development Site (URA Site 2) shall be developed as open space approved by HPD in consultation with the Department of City Planning; and
- › A Certification pursuant to ZR 66-21(c) to establish and facilitate a transit volume on the Development Site as determined by the Metropolitan Transit Authority ("MTA").

In addition, in the future following Public Design Commission (PDC) approval, the Applicant would seek the following discretionary action to facilitate the Proposed Project:

- › A Compliance Determination from the Department of City Planning for the proposed open space signage pursuant to Chapter 11 of Title 62 of the Rules of the City of New York ("POPS Rules").

Collectively, the actions described above are referred to as the Proposed Actions.

⁵ The conditions are as follows: 1) full block sites; or 2) sites with a minimum lot area of 30,000 sf with a full block frontage. Required waivers will be identified at the issuance of DEIS.

Project Purpose and Need

The Development Site, which is City-owned, is located in the Special Downtown Brooklyn District, New York City's third-largest Central Business District (CBD). Downtown Brooklyn is a unique mixed-use area with some of the tallest and highest density developments—both residential and commercial—in the city. The Proposed Project would revitalize City-owned land that currently houses underperforming commercial uses. This transformation will generate new housing opportunities, including permanently affordable units, alongside new, state-of-the-art spaces for commercial (office and retail) and/or community facility uses, providing additional job opportunities for nearby residents and benefitting the surrounding neighborhoods. The Proposed Project strategically capitalizes the Development Site's proximity to various public transportation options and the neighborhood's existing mixed-use land use character.

Given the existing housing crisis in the city and the capacity of the Development Site to support new residential and commercial and/or community facility uses, the Proposed Actions would result in more appropriate land uses and density on the Development Site in a transit-rich area of Downtown Brooklyn, compared to the conditions absent the Proposed Actions. Development of the Proposed Project would enliven the pedestrian experience at the Development Site by introducing new residential uses (including permanently affordable residential units) and would be compatible with the surrounding neighborhood and CBD by preserving commercial office and retail uses.

The additional affordable housing units generated by the Proposed Actions would align with the goals identified in the City's *Housing Our Neighbors: A Blueprint for Housing and Homelessness* report; more specifically, the Blueprint's goal to redevelop underutilized government-owned land. Additionally, City of Yes for Housing Opportunity, a city-wide zoning text amendment aimed at addressing the City's housing crisis by increasing housing availability across all neighborhoods, was adopted in December 2024. The initiative enhances flexibility and incentives for diverse and affordable housing types while reducing regulatory hurdles for development, including the establishment of new higher density zoning districts. By introducing new residential units, including permanently affordable units on the Development Site where none currently exist, the Proposed Project aims to address and further the City's goals and initiatives aimed at responding to the historic housing shortage.

Alongside with its residential offerings, the Proposed Project would also provide non-residential uses serving the local community and enhancing the pedestrian experience. By incorporating neighborhood-serving retail spaces, the Proposed Project would bolster the character of the Downtown Brooklyn neighborhood, strengthening its existing dynamic mixed-use activity with a special emphasis on commercial retail, and create a more pedestrian-friendly streetscape with public realm improvements, such as an open space that would be made available to the public. Situated in a uniquely transit-rich area, the mix of ground-floor retail and new open space is expected to continue to support the area's dynamic commercial activities while improving pedestrian experience, benefiting existing and future residents and visitors.

Furthermore, the Proposed Actions would add to the neighborhood's public amenities by providing approximately 4,750 sf of unenclosed open space available to the public located along Fulton Street on the southern end of the Development Site, and a sidewalk widening along the Development Site's Flatbush Avenue Extension frontage.

The Proposed Actions reflect the need to revitalize the site and existing building to provide much needed housing and commercial development consistent with the current housing goals of the City as well as the goals established by the Special Downtown Brooklyn District. Additionally, the Proposed Project's site planning incorporates a balanced design approach by providing ground floor retail alongside a large publicly accessible open space along the entire Fulton Street frontage to provide for much needed open space in the neighborhood and active streetscape for pedestrians.

The combination of affordable housing and new public open space access facilitated by the Proposed Actions would support the "Thriving Neighborhoods" initiative of *OneNYC 2050*, which aims to foster communities that have safe and affordable housing and are well-served by parks, cultural resources, and shared spaces. The Proposed Project seeks to transform an underutilized site in Downtown Brooklyn into a mixed-use, vibrant community hub, that aims to provide much-needed affordable housing, commercial amenities, and new public open space.

Project Description

The Proposed Actions would facilitate the redevelopment of the Development Site (Brooklyn Block 2093, Lot 1). The existing building on the Development Site would be demolished (with the exception of several columns located over the MTA easement, which will be retained) and redeveloped with a 72-story (840-foot-tall, including 40 feet bulkhead), mixed-used building consisting of approximately 1,544,875 gsf (1,075,100 zsf, 21.8 FAR). The Proposed Project would include 1,233,950 gsf (933,820 zsf, 19.0 FAR) of residential floor area and 209,770 gsf (141,280 zsf, 2.9 FAR) of non-residential floor area designated for commercial uses, which would comprise 128,255 gsf of retail space and 81,515 gsf of office space.. The fifth, 23rd and 65th floors, as well as the lower tower roof deck and building roof top are planned for residential amenities, and residential units would be provided on the remainder of floors six and above. Additionally, the Proposed Project would include 101,155 gsf of mechanical space primarily located in the cellar and on the fifth, 23rd, 42nd, and 65th floors.

The Proposed Project would provide a minimum of 1,263 apartments, of which 253 to 379 units would be designated as permanently affordable at or below an average of 80 percent AMI, pursuant to applicable requirements of the City's MIH Program. The Proposed Project would not include any accessory parking spaces. The Proposed Project's loading areas, which will include two loading berths, are proposed to be located along the Development Site's Hudson Avenue frontage. Access to the Proposed Project's office and residential uses would be located along the site's Dekalb Avenue frontage, whereas the project's proposed retail uses would generally be accessed along Dekalb Avenue, Flatbush Avenue, Fulton Street, and potentially portions of Hudson Avenue.

The podium would have a maximum base height of 80 feet, and the tower is expected to reach a height of 800 feet, with another 40 feet allowance for the building bulkhead, for a total height of 840 feet).

The Proposed Project would also include a number of public realm improvements:

- › A new open space available to the public (approximately 4,750 sf) on the southern portion of the Development Site;
- › an expanded sidewalk along Flatbush Avenue Extension.⁶

⁶ It should be noted that the proposed sidewalk widening along Flatbush Avenue Extension does not require a City Map action.

Analysis Framework

This document has been prepared in conformance to the guidelines presented in the *2021 CEQR Technical Manual*. For each technical area, the EIS analysis will include a description of existing conditions, an assessment of conditions in the future without the Proposed Actions (the No-Action condition), and an assessment of future conditions with the Proposed Actions (the With-Action condition). The incremental difference between the No-Action and With-Action conditions will serve as the basis for the impact analysis of the environmental review.

Study Area

The study area consists of the Development Site, where the potential effects of the Proposed Actions would be directly experienced, as well as neighboring areas within an appropriate perimeter of the Development Site, accounting for natural boundaries and land use patterns and trends (see **Figure 1**).

Analysis (Build) Year

It is anticipated that the Proposed Project would be completed and occupied in 2032, following completion of the land use review process in 2026, expiration of all existing tenant leases by 2028, and approximately 60 months of construction. Accordingly, the EIS will use a 2032 build year.

Existing Conditions

The existing conditions exhibit those as discussed above under the **Development Site** section.

Future No-Action Condition

In the future absent the Proposed Actions, it is anticipated that no new development would occur at the Development Site. As such, under No-Action conditions, the existing 7-story commercial office and retail building currently occupying the Development Site is expected to remain as under existing conditions and be fully occupied.

The Development Site's maximum permitted residential FAR under the existing C6-4 (DB) district is 12.0 (607,146 zsf) (in MIH areas or other qualifying affordable or senior housing). Considering that the existing lot coverage is over 50 percent and that the remaining FAR is less than 50 percent of maximum allowed FAR, the Development Site is unlikely to be redeveloped within the underlying zoning district (C6-4 [DB]). Additionally, as the existing floor plates are unsuitable for residential conversion, the existing commercial building is expected to remain unchanged and would continue to function as an office building with ground-floor retail. Therefore, the Development Site would continue to be improved with a seven-story, commercial office building comprising 293,370 gsf of commercial office space, 35,548 gsf of ground floor retail, and 46,190 gsf of below-grade parking garage space (140 parking spaces), totaling 375,108 gsf of floor space.

Future With-Action Condition

In the future With-Action condition, the Applicant would construct the Proposed Project on the Development Site, as described previously.

However, for conservative analysis purposes, the With-Action condition assumes a development that would include slightly more commercial office and retail spaces. As such, under the With-Action condition, the Development Site would be redeveloped with a 72-story (840-foot-tall, including bulkhead), 1,552,605 -gsf mixed-use building, including 1,233,950 gsf of residential space, 88,500 gsf of commercial office and/or community facility space, and 129,000 gsf of commercial retail and/or community facility space (see **Table 1**)⁷. Like the Proposed Project, development under the With-Action condition would include 101,155 gsf of mechanical space on the cellar, fifth, 23rd, 42nd, and 65th floors. No accessory parking spaces would be provided in the With-Action condition. The With-Action condition will include 1,263 residential units, of which 253 to 379 units would be permanently affordable at or below an average of 80 percent of AMI depending on the MIH Option selected, as under the Proposed Project. Additionally, a new open space available to the public (approximately 4,750 sf) would be provided in the With-Action condition.

Increment for Analysis

The program details under No-Action condition, With-Action condition, and increments over the No-Action condition for the Proposed Project are presented in **Table 1**.

Table 1 Future No-Action and With-Action Comparison

	No-Action Condition	With-Action Condition	Increment
Commercial Office (GSF)	293,370	88,500 ²	-204,870
Commercial Retail (GSF)	35,548	129,000 ²	+93,452
Residential GSF	0	1,233,950	+ 1,233,950
<i>DUs</i>	0	1,263	+ 1,263
<i>Affordable DUs¹</i>	0	253 to 379	+253 to 379
Parking (SF)	46,190	0	-46,190
<i>Parking (Spaces)</i>	140	0	-140
Total Proposed Project GSF	375,108	1,552,605³	+1,177,497
Open Space SF	0	4,750	+4,750
Residential Population	0	2,564	+2,564
Non-Residential Population	1,283	792	-491

Notes:

¹ For CEQR analysis purposes, affordable units are identified as those at or below an average of 80 percent of AMI

² As described above, while the Proposed Project's non-residential spaces are intended to include a mixture of office and retail spaces, it is possible that under With-Action conditions all or portions of the future non-residential spaces could include community facility uses. However, as the future non-residential tenants are not known at this time, the With-Action conditions (at the time of publication of this EAS) are not accounting for community facility uses.

³ Total floor area for the Proposed Project includes 101,155 gsf of mechanical space.

⁷ While the Proposed Project's non-residential spaces are intended to include a mixture of office and retail spaces, it is possible that under With-Action conditions all or portions of the future non-residential spaces could include community facility uses. However, as the future non-residential tenants are not known at this time, the With-Action conditions (at the time of publication of this EAS) are not accounting for community facility uses.

Proposed Scope of Work for the DEIS

The Draft EIS will be prepared in conformance with all applicable laws and regulations, including SEQRA (Article 8 of the New York State Environmental Conservation Law) and its implementing regulations found at 6 NYCRR Part 617, New York City Executive Order No. 91 of 1977, as amended, and the Rules and Procedure for CEQR, found at Title 62, Chapter 5 of the Rules of the City of New York. As described previously, the environmental review provides a means for City and State Agencies with technical expertise to systematically consider environmental effects along with other aspects of project planning and design, to evaluate reasonable alternatives, and to identify, and mitigate where practicable, any significant adverse environmental impacts.

The EIS, following the guidance of the *CEQR Technical Manual*, will contain:

- › A description of the proposed discretionary actions, the Proposed Project, the RWCDs, and its environmental setting;
- › An analysis of the potential of the Proposed Actions to result in significant adverse impacts in a range of environmental categories, comparing conditions with the Proposed Actions in the proposed build year against conditions that would exist in the absence of the Proposed Actions;
- › A statement of the potential significant adverse environmental impacts of the Proposed Actions;
- › A description of feasible mitigation measures that would eliminate or minimize adverse environmental impacts;
- › An identification of any adverse environmental effects that cannot be avoided if the Proposed Actions are implemented because mitigation is not practicable;
- › A discussion of alternatives to the Proposed Actions; and
- › A discussion of any irreversible and irretrievable commitments of resources to develop the project.

As noted above, the EIS will analyze the Proposed Actions for all technical areas of concern. The specific technical areas to be included in the EIS are identified in the EAS dated May 1, 2025. The EAS identified the following technical areas as having the potential to result in significant adverse impacts, and therefore warranting additional analysis in the EIS: land use, zoning, and public policy; socioeconomic conditions; community facilities and services; open space; shadows; historic and cultural resources; urban design and visual resources; hazardous materials; transportation; air quality; greenhouse gas emissions and climate change; noise; public health; neighborhood character; and construction. As concluded in the EAS, the Proposed Actions would not have the potential to result in significant adverse impacts to energy, natural resources, water and sewer infrastructure, and solid waste and sanitation services, and therefore, these technical areas will not be analyzed in the EIS.

The first step in preparing the EIS is the preparation of a DSOW and public scoping process. Scoping is the process of focusing the environmental impact analysis on the key issues that are to be studied in the EIS. The proposed scope of work for each technical area to be analyzed in the EIS follows. The scope of work and the proposed impact assessment criteria below are based on the methodologies and guidance set forth in the *CEQR Technical Manual*.

Task 1: Project Description

As the first chapter of the EIS, the Project Description introduces the reader to the Proposed Project and sets the context in which to assess impacts. This chapter will contain a description of the

Proposed Project: its location; the background and/or history of the project; a statement of the purpose and need; key planning considerations that have shaped the current proposal; a description of the Proposed Actions including discretionary and ministerial actions; and a discussion of the approvals required, procedures to be followed, and the role of the EIS in the process. This chapter gives the public and City/State stakeholders a base from which to evaluate the Proposed Actions and the Proposed Project. In addition, the Project Description chapter will present the framework for the analysis of the environmental impacts of the Proposed Project and identify the analysis year(s) and anticipated construction timeline.

Task 2: Land Use, Zoning, and Public Policy

This chapter analyzes the potential impacts of the Proposed Actions on land use, zoning, and public policy, pursuant to the methodologies presented in the *CEQR Technical Manual*. A land use analysis characterizes the uses and development trends in the area that may be affected by a proposed project, describes the zoning controls and public policies that guide development, and determines whether a proposed project is compatible with an area's land use patterns and trends or may alter them. Similarly, the analysis considers the action's compliance with, and effect on, the area's zoning and other applicable public policies, including the Brooklyn Center Urban Renewal Plan (URP).

The analysis of the Proposed Project within the context of land use, zoning, and public policy chapter will provide information necessary for the analysis of the environmental impacts of the Proposed Actions under several technical areas within the EIS.

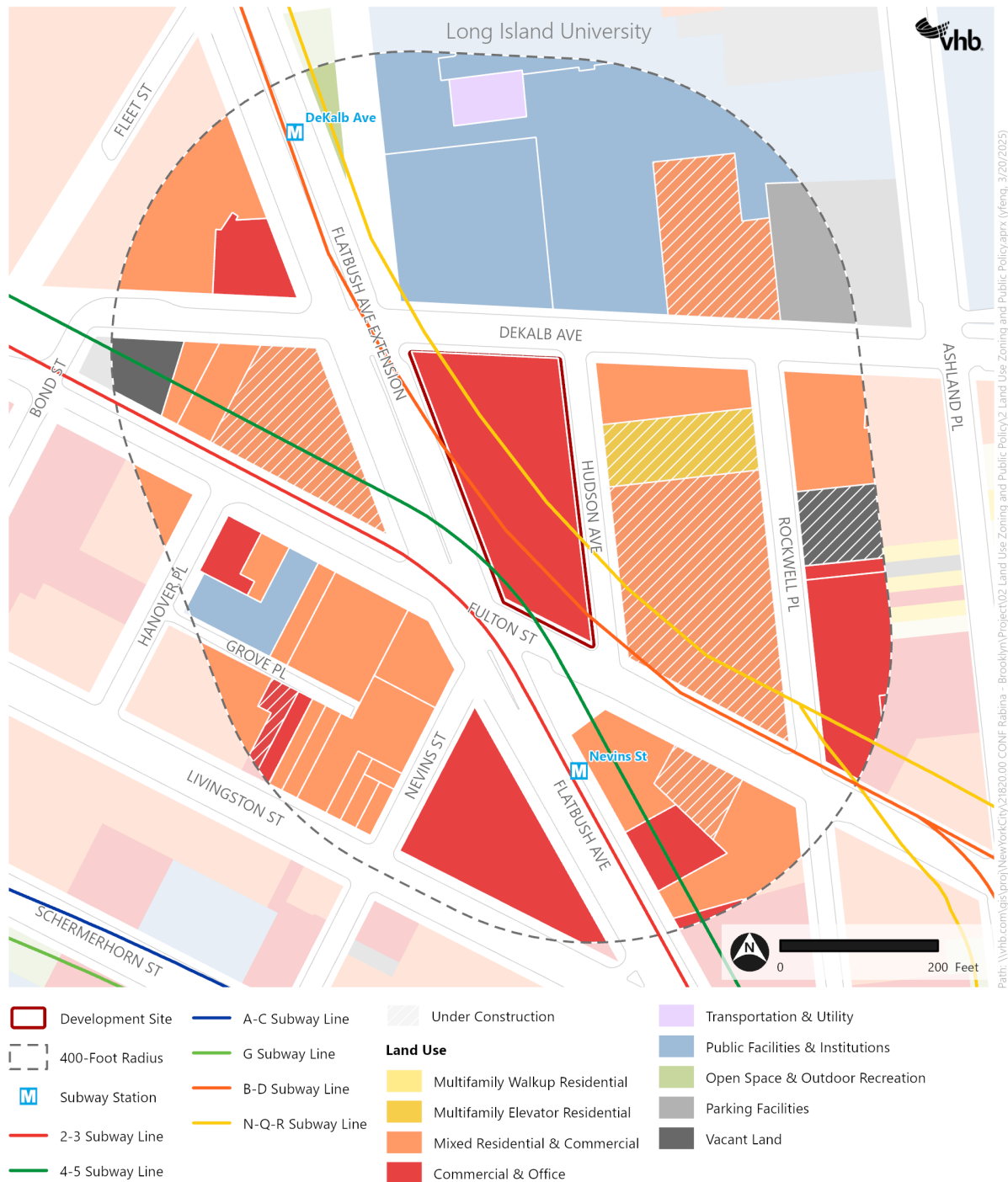
The land use study area will consist of the Development Site, where the potential effects of the Proposed Actions would be directly experienced, as well as within neighboring areas within a 400-foot radius of the perimeter of the Development Site, accounting for natural boundaries, land use patterns, and trends (see **Figure 2**). The analysis will include the following subtasks:

- › Provide a description of land use, zoning, and public policy in the study area under current conditions. Recent trends in the study area will be noted. Other public policies that apply to the study area will also be described.
- › Based on field surveys and prior studies, identify, describe, and graphically portray current land use patterns in the study area. Describe the study area's development history and recent land use trends and identify major factors influencing the area's land use trends.
- › Describe and map existing zoning (see **Figure 3**) and any recent zoning actions in the study area. Prepare a list of future development projects in the study area that are expected to be constructed by the build year. Also, identify pending or known proposed zoning actions or other public policies that could affect land use in the study area. Based on these planned projects and initiatives, assess future land use and zoning conditions in the future without the Proposed Actions (No-Action condition).
- › Describe proposed land use changes that would occur with the Proposed Project based on the With-Action condition.
- › Discuss the potential effects of the Proposed Actions related to issues of compatibility with surrounding land use, zoning, and other public policies, and the effect of the Proposed Project on ongoing development trends in the study area.
- › Assess the Proposed Actions' conformity to City goals, including consistency with the City's housing goals as outlined in *Housing Our Neighbors: A Blueprint for Housing and Homelessness*,

OneNYC 2050, and Where We Live NYC/Fair Housing Together Plan, and any other relevant public policies in Brooklyn such as the *Brooklyn Center Urban Renewal Plan*.

- › If significant adverse impacts are identified, identify feasible mitigation measures, if any, to avoid or reduce potential significant adverse land use, zoning, and/or public policy impacts.

Figure 2 Land Use, Zoning, Public Policy Study Area



Source: NYC DCP (2024), NYC Parks (2024)

Figure 3 Existing Zoning Map



- Development Site
- Special Purpose District
- 400-Foot Radius
- Zoning District
- Zoning**
- Special Purpose Subdistrict

Source: NYC DCP (2024), NYC Parks (2024)

Task 3: Socioeconomic Conditions

The socioeconomic character of an area includes its population, housing, and economic activity. Socioeconomic changes may occur when a project directly or indirectly changes any of these elements. Although socioeconomic changes may not result in impacts under CEQR, they are disclosed if they would affect land use patterns, low-income populations, the availability of goods and services, or economic investment in a way that changes the socioeconomic character of the area.

According to the *CEQR Technical Manual*, the five principal issues of concern with respect to socioeconomic conditions are whether a proposed project would result in significant 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 a specific industry.

As discussed in the **EAS Part II: Supplemental Analysis**, while it is assumed that the Development Site's largely vacant commercial space would be retented under No-Action conditions, there are currently 61 workers employed at the building's tenanted commercial spaces. Therefore, no direct business or institutional displacement would result from the project. As the project would not introduce more than 200,000 gsf of retail, there is no potential for retail market saturation. Because the project is not expected to adversely affect the economic and operational conditions of any specific industries in the city, an analysis of adverse effects on specific industries is not warranted. As there are no existing residential uses at the Development Site, there is no potential for direct residential displacement.

Since the Proposed Actions would introduce 1,263 new housing units, exceeding the threshold of 200 residential units, the EIS will evaluate the potential for indirect residential displacement. The scope of work for this analysis is described below.

Indirect Residential Displacement

The purpose of the indirect residential displacement is to determine whether a proposed project—by introducing a substantial new development that is markedly different from existing uses, development, and activities within the neighborhood—could lead to increases in property values, and thus rents, making it more difficult for some residents to afford their homes. The objective of the indirect residential displacement assessment is to determine whether a proposed project would either introduce a trend or accelerate a trend of change in socioeconomic conditions that may potentially displace a vulnerable population to the extent that the socioeconomic character of the neighborhood would change.

The indirect residential displacement analysis will use the most recent available U.S. Census data, as well as current real estate market data, to present demographic and residential market trends and conditions within the quarter-mile study area. This information will include population estimates, housing tenure and vacancy status, median housing value and rent, median household income, and a discussion of rent-protected housing. The preliminary assessment will consist of a step-by-step evaluation, as described in the *CEQR Technical Manual*, to determine whether the Proposed Actions would add substantial new population with higher incomes as compared with the income of the study area population and evaluate whether the study area has already experienced a readily observable trend toward increasing rents.

The preliminary analysis would include the following steps, as described in Section 322.1 of the *CEQR Technical Manual*:

- › Determine if the Proposed Actions would add new population with higher average incomes compared to the average incomes of the existing populations and any new population expected to reside in the study area without the project.
- › Determine if the Proposed Actions' increase in population is large enough relative to the size of the population expected to reside in the study area without the project to affect real estate market conditions in the study area.
- › Consider whether the study area has already experienced a readily observable trend toward increasing rents and the likely effect of the action on such trends.

If the preliminary assessment reveals the potential for the Proposed Actions to introduce a trend of change in socioeconomic conditions, a detailed analysis will be conducted in accordance with the *CEQR Technical Manual*, if warranted.

Task 4: Community Facilities and Services

The demand for community facilities and services is directly related to the type and size of the new population generated by the development resulting from the Proposed Actions. New workers tend to create limited demands for community facilities and services, while new residents create more substantial and permanent demands.

As described in the **EAS Part II: Supplemental Analysis**, the Proposed Actions would not directly eliminate, displace, or alter public or publicly funded community facilities such as health care facilities, police stations, or fire stations. Therefore, the Proposed Actions do not warrant an analysis of direct effects on these community facilities.

The *CEQR Technical Manual* recommends a detailed analysis of indirect impacts on police, fire, and healthcare services in cases where the proposed project would either introduce a sizeable new neighborhood where one has not previously existed or displace or alter an existing facility. As described in the **EAS Part II: Supplemental Analysis**, the Development Site is located in a developed area that is served by existing police, fire, and healthcare services, and would not introduce a sizeable new neighborhood. Therefore, the Proposed Actions do not have the potential to result in significant adverse environmental impacts related to police, fire, and healthcare services, and thus no further analyses of police, fire, and healthcare services are warranted.

As detailed in **Section 2, Community Facilities and Services** of the EAS, there are four Brooklyn Public Library (BPL) branches identified within 0.75 miles of the Development Site: the Walt Whitman Library, the Pacific Library, the Center for Brooklyn History, and the Brooklyn Heights Library. For purposes of a conservative assessment, an assessment of public libraries assumed that projected residents in the With-Action Condition would primarily use the Walt Whitman Library, which is the closest library to the Development Site. As stated in the *CEQR Technical Manual*, a significant adverse impact would occur if a project would increase the population of the library catchment area by five percent or more, as this increase could impair the delivery of library services in the study area. As shown in **Section 2** of the EAS, the catchment area population would increase by 2.68 percent from the No-Action to With-Action condition and the holdings per resident would decrease from 0.196 in the No-Action condition to 0.191 in the With-Action condition. Therefore, the Proposed Actions would not result in a significant adverse impact on public libraries, and no further analysis of public libraries is warranted.

In Brooklyn, the threshold for an analysis of early childhood programs is 110 affordable units. Under the With-Action condition, the Proposed Actions would result in the development of up to 374 affordable units pursuant to MIH. Therefore, an analysis of publicly funded early childhood programs will be undertaken in the EIS (see **Early Childhood Programs**, below).

The threshold for detailed analysis of public school impacts is the number of units that would generate a total of at least 50 elementary/intermediate school students or at least 150 high school students. Under With-Action conditions, the Proposed Actions would exceed the thresholds for elementary/intermediate schools in Brooklyn Community School District (CSD) 13, Sub-district 2. Using NYC School Construction Authority (SCA) 2024 multipliers, the Proposed Actions would generate an estimated 65 elementary school students, 15 intermediate school students (a total of 78 elementary/intermediate school students), and 63 high school students. Accordingly, an analysis of the project's effects on public elementary and intermediate schools will be undertaken in the EIS (see **Public Schools** below). No further analysis of high schools is warranted, and no high school impacts would occur as a result of the Proposed Actions.

Public Schools

As discussed above, the Proposed Actions would facilitate development that would exceed the thresholds for analyses of elementary/intermediate schools. Accordingly, detailed analyses of elementary/intermediate schools will be included in the EIS. The analysis will include the following:

- › The primary study area for the analysis of elementary and intermediate schools is the community school district sub-district in which the project is located. The Development Site is located within CSD 13, Sub-district 2, which will serve as the study area for the analysis of elementary schools and intermediate schools.
- › Public elementary and intermediate schools serving CSD 13, Sub-district 2 will be identified and located. Existing capacity, enrollment, and utilization data for all public elementary/intermediate schools within the affected sub-district will be provided for the current (or most recent) school year, noting any specific shortages of school capacity using information from the New York City DOE.
- › Conditions that would exist in the No-Action condition for the sub-district will be identified, taking into consideration projected changes in future enrollments, including those associated with other developments in the affected sub-district, using the SCA's *Projected New Housing Starts*. Plans to alter school capacity either through administrative actions on the part of the DOE or as a result of the construction of new school space prior to the 2032 analysis year will also be identified and incorporated into the analyses. Planned new capacity projects from the DOE's *2020-2024 Five Year Capital Plan* may be included in the quantitative analysis per consultation with SCA and the lead agency or in a qualitative discussion.
- › With-Action conditions will be analyzed, adding students likely to be generated by the Proposed Actions to the projections for the No-Action condition. Impacts will be assessed based on the difference between the With-Action projections and the No-Action projections at the sub-district level for elementary and intermediate school students, for enrollment, capacity, and utilization in 2029.
- › A determination of whether the Proposed Actions would result in significant adverse impacts to public schools will be made. A significant adverse impact may result, warranting consideration of mitigation, if the Proposed Actions would result in: (1) a collective utilization rate of elementary

and intermediate schools in the sub-district study area that is equal to or greater than 100 percent in the With-Action condition; and (2) 100 or more new students generated from proposed development past the 100% utilization rate. If impacts are identified, further analysis would be required to determine the number of dwelling units that may be constructed before a significant adverse impact would occur. If significant adverse impacts are identified, feasible mitigation measures (if any) will be identified to avoid or reduce these impacts.

Early Childhood Programs

As discussed above, the Proposed Actions would facilitate a development that would exceed the threshold of 110 low-income units in Brooklyn for analysis of publicly funded early childhood programs. Accordingly, a detailed analysis of early childhood programs will be included in the EIS. The analysis will include the following:

- › Existing publicly funded group childcare facilities will be identified within approximately 1.5 miles of the Development Site.
- › Using New York City Department of Education (DOE) data obtained via the Department of City Planning (DCP), each facility will be described in terms of its location, number of slots (capacity), and existing enrollment.
- › Any expected increases by the analysis year in the population of children under age 6 within the eligibility income limitations for publicly funded childcare services, based on CEQR methodology, will be assessed for the No-Action condition. This information will be used to determine the projected capacity or resulting deficiency in childcare “slots” and the utilization rate for the study area.
- › The With-Action demand will be calculated by adding the estimated number of eligible children generated by the Proposed Actions to the projected No-Action demand and calculating the effect on the number and utilization rate of childcare slots. This calculation will take into account the childcare facilities proposed as part of the project.
- › The significance of the effects of the Proposed Actions will be assessed based on methods identified in the *CEQR Technical Manual*. A significant adverse impact may result if the project would result in a collective childcare/Head Start utilization rate of 100 percent or more, and an increase of 5 percent or more in utilization rate between the No-Action and With-Action conditions.
- › If necessary, mitigation measures will be considered to address any significant adverse impacts.

Task 5: Open Space

According to the *CEQR Technical Manual*, a proposed project warrants an open space assessment if it would directly or indirectly affect open space on or surrounding a project site. A proposed project would directly affect open space conditions if it causes the loss of public open space, changes the use of an open space so that it no longer serves the same user population, limits public access to an open space, or results in increased noise or air pollutant emissions, odors, or shadows that would temporarily or permanently affect the usefulness of a public space. A project would have an indirect effect on open space through increasing worker or resident population size and therefore overtaking existing open space access through an increase in population.

An assessment of indirect effects on open space is conducted if the Proposed Actions would generate more than 200 residents or 500 non-residents. Although the Proposed Actions would not introduce an increment of more than 500 non-residents compared to No-Action conditions, the net increment of 1,263 residential units under the With-Action condition would introduce an approximately 2,564 incremental residents to the Development Site; therefore, an assessment will be prepared of open space resources within a half-mile radius of the Development Site. The Proposed Actions would generate 482 fewer workers under the With-Action condition as compared with the No-Action conditions; therefore, no indirect effects on open space from non-residents population is warranted. Furthermore, as the Proposed Actions would not lead to any direct changes to open space, no further analysis of direct effects is warranted.

The open space analysis will consider active and passive open space resources. Active, passive, and total open space ratios will be assessed in the residential study area (half-mile radius). The study area would generally comprise those census tracts that have 50 percent or more of their area located within the applicable radius of the Development Site, as recommended in the *CEQR Technical Manual*. The detailed analysis would consist of the following subtasks:

- › Identify and describe study area open spaces through data collection and site visits to determine types of facilities, utilization levels, accessibility, and current conditions.
- › Use the data gathered to assess the adequacy of the existing open space relative to the needs of study area users. This would include a quantitative and qualitative assessment that involves calculating active, passive, and total open space ratios for residential users in the half-mile study area; considering the effects of air quality, noise, shadows, wind, access, and safety issues on the usability of existing open spaces; and considering other data, including facility condition, utilization levels, and other factors that may encourage or deter park use.
- › Assess the adequacy of open space for No-Action and With-Action conditions, taking into account expected future changes in open space and in residential populations within the half-mile residential study area.
- › Assess the availability of particular types of open space for particular groups (with a focus on the residential population). In conducting this assessment, the analysis focuses on where shortfalls in open space exist now (or in the future), to identify whether the shortfalls are a result of the project.

If the Proposed Actions would result in a significant adverse impact, potential on-or off-site mitigation would be identified and assessed.

Task 6: Shadows

A shadows analysis assesses whether the proposed building mass resulting from the Proposed Actions would cast shadows on sunlight-sensitive publicly accessible resources or other resources of concern, such as natural resources, and evaluates the significance of their impact. Generally, the potential for shadow impacts exists if a project would result in new structures or additions to buildings resulting in structures over 50 feet in height that could cast shadows on important natural features, publicly accessible open space, or on historic features that are dependent on sunlight.

The Proposed Actions would enable the development of a structure greater than 50 feet in height that would be adjacent to potentially sunlight-sensitive resources. Specifically, the Proposed Actions would facilitate the construction of a 72-story, 840-foot-tall (including bulkhead) mixed-use

residential and commercial building directly across the street from a sunlight-sensitive open space resource (i.e., University Place), as well as other nearby sun-light sensitive resource as defined by CEQR. For the purpose of a conservative analysis, to analyze the potential for significant adverse shadow impacts, the EIS will include a detailed shadow analysis using the maximum building height envelope of 940 feet to identify the worst-case shadowing effects of the Proposed Actions on sunlight-sensitive resources.

The EIS will disclose the range of shadow impacts, if any, which are likely to result from the Proposed Actions. The shadows analysis will include a Tier 1 through Tier 3 screening assessment to identify whether shadows cast by the RWCDs could reach sunlight-sensitive resources at any time of year and, if so, whether the incremental shadow would be likely to cause a significant adverse impact on the resource.

- › A Tier 1 Screening Assessment will be conducted to determine the longest shadow study area for the RWCDs, which is defined as 4.3 times the height of a structure (the longest shadow that would occur on December 21, the winter solstice). A base map will be developed that illustrates the location of the Development Site in relation to the sunlight-sensitive resources and displays topographic information.
- › A Tier 2 Screening Assessment will be conducted if any portion of a sunlight-sensitive resource lies within the longest shadow study area. The Tier 2 assessment will determine the areas that cannot be shaded by projected developments, which in New York City is the area that lies beyond 108 degrees either side of true north from the southern-most portion of the Development Site.
- › If any portion of a sunlight-sensitive resource is within the area that could be potentially shadowed by the RWCDs massing, a Tier 3 Screening Assessment will be conducted. The Tier 3 Screening Assessment will determine if shadows from the RWCDs massing can, in absence of intervening buildings, reach a sunlight-sensitive resource on December 21 (the winter solstice), March 21/August 21 (the spring/fall equinox), May 6 (half-way between the equinoxes and the summer solstice), or June 21 (the summer solstice). The projected shadow will be modeled with a three-dimensional computer modeling software with the capacity to accurately calculate sun angles and shadows that could be cast by the proposed buildings to determine the extent and duration of new shadows that would be cast on sunlight-sensitive resources as a result of the Proposed Actions. A summary table could list the shadow entry and exit times for each sunlight sensitive resource on each representative analysis day that could occur on the representative analysis days in the absence of intervening buildings.

If the Tier 1 through Tier 3 analysis indicates the need for a detailed shadows analysis, the EIS will include an analysis that will take into account shadow from existing buildings. This analysis would include the following subtasks:

- › The baseline condition (No-Action condition) would be established through the use of a three-dimensional modeling program that accounts for the No-Action shadows condition. The No-Action shadows condition would be compared to the future shadows conditions that could result from the RWCDs massing (With-Action condition). The analysis would illustrate the shadows cast by existing or future buildings and distinguish the additional (incremental) shadow projected to be cast by the RWCDs massing.
- › The detailed analysis would be documented with graphics comparing No-Action and With-Action shadows on sunlight-sensitive resources that warrant detailed analysis. Graphics will

illustrate the shadows that result in the No-Action condition and the shadows projected to result in the With-Action condition, with incremental shadow outlined in a contrasting color. A summary table listing the entry and exit times and total duration of incremental shadow on each applicable representative day for each affected resource would be provided.

- › The significance of any shadow impacts on sunlight-sensitive resources will be assessed. If any significant adverse shadow impacts are identified, mitigation strategies will be identified and assessed.

Task 7: Historic and Cultural Resources

Historic and cultural resources include both archaeological (below ground) and architectural (above ground) resources. Such resources are identified as districts, buildings, structures, sites, and objects of historical, aesthetic, cultural, and archaeological importance. Historic or cultural resources are New York City Landmarks (NYCLs) and Historic Districts; calendared for consideration as NYCLs by the New York City Landmarks Preservation Commission (LPC) or determined eligible for NYCL designation (NYCL-eligible); listed on the State and National Register of Historic Places (S/NR) or formally determined eligible for S/NR listing (S/NR-eligible), or contained within a S/NR listed or eligible district; recommended by the New York State Board for Historic Preservation for listing on the S/NR; and National Historic Landmarks (NHLs).

Archaeological Resources

Archaeological resources are physical remains, usually subsurface, of the prehistoric, Native American, and historic periods—such as burials, foundations, artifacts, wells, and privies. Archaeological resources are considered only for projected and potential development sites where new in-ground disturbance would occur compared to the No-Action condition. While construction of the Proposed Project would require new excavation and/or removal of fill at depths greater than currently exist on the site, a letter provided by the LPC on February 11, 2025 (refer to [Appendix A](#)) confirmed that the Development Site does not have archaeological significance. As such, an assessment of archaeological resources is not warranted, and no significant adverse impacts related to archaeological resources would result from construction of the Proposed Project.

Architectural Resources

Potential impacts to architectural resources are considered on the affected site and in the area surrounding the Development Site. The architectural resources study area is therefore defined as the directly affected area (i.e., the Development Site), plus a study area that reflects the area in which any resources may be affected by the project, as per the guidance provided in the *CEQR Technical Manual*. A quarter-mile study area is being evaluated for this project to capture the area that could receive incremental shadow from the proposed building, and a study area of 400 feet is being evaluated to capture potential effects of the Proposed Project on nearby architectural resources. The EIS will identify architectural resources within the study areas and assess the potential for the Proposed Actions to affect these resources. Additionally, there is the potential for new resources to be identified during the public review process. Architectural resources may be directly affected through demolition and construction activities and indirectly affected through visual and contextual changes.

Consistent with the *CEQR Technical Manual*, the historic and cultural resources analysis will include the following tasks:

- › Provide an overview of the study area's history and land development.
- › In consultation with LPC and consistent with the guidance of the *CEQR Technical Manual*, designated architectural resources will be identified in the study area and include: NYCLs, Interior Landmarks, Scenic Landmarks, New York City Historic Districts (NYCHDs); resources calendared for consideration as one of the above by LPC; S/NR-listed or S/NR-eligible resources, or contained within a district listed on or formally determined eligible for listing on the S/NR; resources recommended by the New York State Board for listing on the S/NR; and National Historic Landmarks.
- › Conduct a field survey of the study area to identify any properties that may meet S/NR and/or NYCL eligibility criteria but have not been designated (potential architectural resources). The field survey will be supplemented with research at relevant repositories and online sources as warranted, and information will be provided to LPC for review and determinations of significance.
- › Assess the potential impacts of the Proposed Project on any identified architectural resources, including visual and contextual changes as well as any direct physical impacts. Potential impacts will be evaluated through a comparison of the future No-Action condition and future With-Action condition, and a determination made as to whether any change would alter or eliminate the significant characteristics of the resource that make it important.
- › If necessary, measures to avoid, minimize, or mitigate potential significant adverse impacts will be identified in consultation with LPC.

Task 8: Urban Design and Visual Resources

Urban design is the totality of components that may affect a pedestrian's experience of public space. An assessment of urban design and visual resources is appropriate when there is the potential for a pedestrian to observe, from the street level, a physical alteration beyond that allowed by existing zoning. The Proposed Actions would facilitate the development of a 72-story (840-foot-tall, including bulkhead), mixed-used building with retail space in the cellar and first and second floors. As compared with the No-Action condition, the With-Action condition would result in a physical change to the streetscape that will change the pedestrian experience beyond that allowed by existing zoning. Therefore, an assessment of urban design and visual resources will be provided in the EIS.

The preliminary assessment will determine whether development resulting from the Proposed Actions would create a change to the pedestrian experience that is sufficiently significant to require greater explanation and further study. This analysis will describe the Proposed Actions in terms of how it would affect the area's defining elements of urban design in the With-Action condition compared to the No-Action condition. A three-dimensional representation of No-Action condition and With-Action condition will be provided to understand the larger context of development. Based on the configuration of the With-Action condition massing, a study of wind conditions and their effect on pedestrian level safety is not warranted. The significance of any impacts will be determined by considering the degree to which the project will change the built environment's arrangement, appearance, or functionality and whether the change would negatively affect a pedestrian's experience of the area. The impact determination will also consider the neighboring context of the Proposed Project including the scale and use of surrounding buildings including buildings that would

be completed in the No-Action conditions. If necessary, mitigation measures to avoid or reduce potential significant adverse impacts will be identified.

Task 9: Hazardous Materials

A hazardous materials assessment determines whether a proposed project may increase the exposure of people or the environment to hazardous materials and, if so, whether this increased exposure would result in potential significant public health or environmental impacts. The potential for significant impacts related to hazardous materials can occur when: (a) elevated levels of hazardous materials exist on a site and the project would increase pathways to human or environmental exposures; (b) a project would introduce new activities or processes using hazardous materials and the risk of human or environmental exposure is increased; or (c) the project would introduce a population to potential human or environmental exposure from off-site sources. The presence or likely presence of any hazardous substance or petroleum products on a site under conditions that indicate an existing release, past release, or a material threat of release of any hazardous substances or petroleum products into structures on the property or into the ground, groundwater, or surface water of the property is known as a Recognized Environmental Condition (REC), which must be disclosed under CEQR.

Additionally, as part of the Downtown Brooklyn Development Final Environmental Impact Statement (FEIS) (CEQR No. 03DME016K), an E-Designation (E-124) for hazardous materials testing and noise requirements was established on the Development Site (Block 2093, Lot 1). The (E)-Designation is expected to remain in place and will be referenced in the EIS as an institutional control placed on the Development Site as a pre-construction requirement. The (E) Designation process generally begins with the evaluation of RECs and/or areas of concern (AOCs) that may require additional investigation. Any potential RECs or AOCs identified would follow the (E) Designation protocol for additional investigation and potential remedial action.

The EIS hazardous materials chapter will include a summary of a Phase I Environmental Site Assessment (ESA) to be reviewed by the Department of Environmental Protection (DEP). The results of the Phase I for Lot 1 would determine if any RECs and/or AOCs are present at the Development Site that may warrant further investigation. The chapter will include a discussion of the Proposed Project's potential to result in significant adverse hazardous materials impacts and, if necessary, will include a description of any additional testing, remediation, or other institutional measures that would be necessary to avoid impacts.

Task 10: Transportation

The objective of a transportation analysis is to determine whether a proposed action may have a potential for significant impact (per the *CEQR Technical Manual* criteria) on traffic operations and mobility, public transportation facilities and services, pedestrian elements and flow, safety of all roadway users (pedestrians, bicyclists, and vehicles), on- and off-street parking, or goods movement, and evaluate the ability of transportation system improvements to mitigate those impacts. The Proposed Actions would facilitate the construction of a major development including residential, commercial, and community facility uses. The Proposed Actions would generate vehicular travel, additional bus, subway and rail riders, and pedestrian traffic. These new trips would have the potential to affect the area's transportation systems. Therefore, the transportation analyses of the EIS will include the subtasks outlined below.

Travel Demand Analysis

Trip generation projections will be developed by travel mode for each of the land uses associated with the RWCDs using trip generation rates, temporal distributions, modal splits, average vehicle occupancies, and in/out splits that are published in the *CEQR Technical Manual*, previously approved EISs or EASs, U.S. Census data, and NYCDOT travel demand surveys. The trip generation projections will be performed for the weekday AM, midday, and PM peak periods, and the Saturday period.

A Level 1 screening assessment will be prepared to determine whether the Proposed Actions would generate vehicle, transit, ferry, and/or pedestrian trip levels that would exceed the thresholds outlined in the *CEQR Technical Manual*. The Level 1 screening assessment will disclose projected peak hour person trips, vehicle trips, transit and ferry trips, and pedestrian trips for the analysis periods. Based on a preliminary assessment, it was determined that additional analyses of ferry service and bus service is not warranted – the Level 1 screening threshold of 50 or more ferry trips, and 200 or more bus riders, would not be exceeded.

A Level 2 screening assessment will be prepared for vehicular, subway, and pedestrian trips. This will include the distribution and assignment of trips through the study area's roadway and highway networks, subway stations, and pedestrian network. The specific intersections (for vehicular traffic and pedestrians) and subway station elements that would require detailed quantitative analyses will be identified.

A Travel Demand Analysis (TDA) Technical Memorandum will be prepared that documents the planning assumptions providing the framework for the detailed analysis to be undertaken in the EIS and will be reviewed by and coordinated with NYCDOT and New York City Transit.

Traffic

The TDA Technical Memorandum will identify intersections along logical traffic routes to and from the Development Site that will be analyzed during the peak hours. The existing traffic conditions for lane groups and intersection approaches analyzed will be expressed as volume-to-capacity (v/c) ratios, average vehicle delays, and levels of service. The analysis will be conducted using Synchro 11 software.

Future No-Action traffic volumes will be developed using the annual background traffic growth rate cited in the *CEQR Technical Manual* plus vehicle traffic to be generated by significant development projects expected to be operational near and at the Development Site by the Proposed Actions' analysis year. Any proposed changes to the street network identified to occur by the analysis year will be incorporated into the traffic analyses. Future No-Action traffic conditions for the intersections being analyzed will be determined.

Future With-Action traffic volumes will be developed by adding incremental project-generated vehicle traffic to the future No-Action traffic volumes. If any proposed changes to the street network are expected to occur in conjunction with the Proposed Actions, they will be incorporated within the traffic analysis. Future With-Action traffic conditions for the intersections being analyzed will be determined and potential significant impacts will be identified.

Pedestrians

Pedestrian analyses will be conducted for the peak hours analyzed in the TDA Technical Memorandum along key walking routes between the Development Site and bus stops, subway

stations, and ferry landings and other potentially affected locations in the study area. The analysis will focus on sidewalks, corner areas and crosswalks where new pedestrian demand would be most concentrated during the peak analysis hours.

Future No-Action pedestrian volumes will be developed using the annual background pedestrian growth rate cited in the *CEQR Technical Manual* plus pedestrian trips to be generated by significant development projects expected to be operational near and at the Development Site by the Proposed Actions' analysis year. Proposed changes to the street network identified to occur by the analysis year will be incorporated into the pedestrian analyses. Future No-Action pedestrian conditions for the elements analyzed will be determined.

Future With-Action pedestrian volumes will be developed by adding project-generated pedestrian increments to the future No-Action pedestrian volumes. Proposed changes to the street network as well as any sidewalk widening expected to occur in conjunction with the Proposed Actions, if any, will be incorporated into the pedestrian analysis. Future With-Action pedestrian conditions for the elements analyzed will be determined and potential significant impacts will be identified.

Subways

The subway routes and stations serving the Development Site will be identified and described in the EIS. The closest subway station to the Development Site is the DeKalb Avenue subway station (served by the B/Q/R subway lines). Access to this subway station is provided on the northwest corner of the Development Site block. The entrance/exit to the subway station would be maintained as part of the Proposed Project. Other nearby subway stations (within a quarter mile from the Development Site) include the Nevins Street subway station (served by the 2/3/4/5 subway lines), the Hoyt – Schermerhorn Streets subway station (served by the A/C/G subway lines), and the Fulton Street subway station (served by the G subway line).

Parking

Based on the trip generation rates and modal split estimates in the TDA Technical Memorandum, project-generated parking demand will be projected for each land use on an hourly basis for a weekday and Saturday for the existing, future No-Action, and future With-Action conditions. As parking would not be provided by the Proposed Project, an assessment will be made of the available off-street parking facilities within a quarter-mile radius of the Development Site to determine if there is sufficient parking to accommodate the project's demand.

Safety

This section of the EIS will include a review of vehicular and pedestrian crash data for the most recent three-year period for which such data are available, and a summary of the number and severity of crashes by year for each of the traffic study area intersections. Per NYCDOT's guidance, pre-COVID crash data will be assessed. The analysis will determine whether any of the analysis intersections are considered high crash locations based on *CEQR Technical Manual* criteria and will also assess whether traffic generated by the Proposed Actions would contribute materially to safety risks at such locations. The EIS will identify potential safety improvements, if warranted.

Task 11: Air Quality

The potential effects from the Proposed Project's mobile and stationary sources of air pollution on the surrounding sensitive land uses will be evaluated. Both mobile source and stationary source air quality analyses involve a multi-step process consisting of an initial screening, and then, if necessary, a detailed analysis.

Mobile Source Analysis

Intersection Analysis

Based on information from the traffic analysis that will be provided as part of **Task 10: Transportation**, a mobile source screening will be conducted to evaluate whether project-generated vehicle trips have the potential to exceed applicable thresholds defined in the *CEQR Technical Manual*. Should the project-generated vehicle trips exceed CEQR analysis thresholds for a mobile source intersection analysis, a detailed mobile source analysis will be conducted for one worst-case intersection for carbon monoxide (CO) and particulate matter (PM₁₀ and PM_{2.5}) pollutants using the latest versions of the U.S. Environmental Protection Agency's (EPA's) MOVES4 and AERMOD emissions and dispersion models. The intersection would be selected in consultation with HPD through their review of the air quality protocol.

Stationary Source Analyses

HVAC and Hot-Water Systems Analysis

It is assumed that the Proposed Project's heating, ventilation, and air conditioning (HVAC) and hot water systems will be electrical. Therefore, an analysis of HVAC and hot water systems is not warranted.

Industrial Source Analysis

A field survey will be performed to identify the presence of processing and/or light industrial facilities within 400 feet of the Development Site. A copy of the air permits for each of any identified facilities within the 400-foot study area will be requested from DEP's Bureau of Environmental Compliance, and the emissions from such sites will be considered for analysis.

A cumulative air quality impact analysis will be performed for multiple industrial sources that emit the same air contaminants. Predicted concentrations of these compounds will be compared to NYSDEC DAR-1 guideline values for short-term guideline concentrations (SGC) and annual guideline concentrations (AGC) averaging periods. If violations of standards are predicted, measures to reduce pollutant levels to fall within the applicable guideline values will be examined.

Large and Major Source Analyses

A review of NYSDEC Title V permits and the EPA Envirofacts database was performed to identify any federal or state-permitted facilities. One large source was identified approximately 800 feet east of the Development Site. Brooklyn Hospital Center, located at 121 Dekalb Avenue is identified as DEC Permit ID 2-6203-00406/00002. Therefore, an assessment of large or major sources is warranted and will be provided in the EIS.

Task 12: Greenhouse Gas Emissions and Climate Change

The Proposed Actions would result in development that would exceed the 350,000-square-foot CEQR threshold warranting an assessment of greenhouse gas (GHG) emissions. Therefore, GHG emissions generated by project operations and project-related mobile sources due to the Proposed Actions will be quantified, and an assessment of the Proposed Project's energy consumption and consistency with the City's established GHG reduction goal will be performed as part of the EIS. GHG emissions from construction will be assessed qualitatively. The chapter will discuss construction mitigation measures that reduce GHG emissions.

Task 13: Noise

Per the *CEQR Technical Manual*, a noise analysis is appropriate if an action would generate mobile or stationary sources of noise or would be located in an area with high ambient noise levels. Mobile sources include vehicular traffic; stationary sources include playgrounds and rooftop equipment such as emergency generators, cooling towers, and other mechanical equipment.

The noise analysis will consist of several components, as described below.

Mobile Source Screening

A mobile source noise screening assessment will be conducted to determine if there is the potential for vehicular traffic generated by the Proposed Actions to result in a significant adverse noise impact. Noise passenger car equivalent (PCE) values will be calculated for the existing, No-Action, and With-Action conditions at selected intersections based on the traffic analysis described above. The analysis will follow the requirements of Section 332.1 of the *CEQR Technical Manual*.

If the mobile source screening determines that existing noise PCE values would be increased by 100 percent or more due to the Proposed Actions (which is equivalent to an increase of 3 dB[A] or more), a detailed analysis will be undertaken using the Federal Highway Administration's Traffic Noise Model or Cadna-A noise prediction software. The model results would be used to evaluate the potential for noise impacts and to analyze noise mitigation measures as appropriate.

Ambient Noise Monitoring (Existing Conditions)

Noise measurements will be taken at representative locations to characterize existing noise conditions in the vicinity of the Development Site. This will include locations representative of the new receptors that would be introduced by the Proposed Actions and locations representative of receptors where vehicle trips generated by the Proposed Actions would have the greatest potential to significantly increase ambient sound levels. In accordance with the *CEQR Technical Manual*, ambient noise measurements will be conducted for 20 minutes for the area where the roadway noise is the predominant noise source. In conjunction with the traffic analysis provided in **Task 10: Transportation**, noise monitoring will be conducted during the weekday morning, midday and afternoon peak periods. Spot traffic counts will be conducted during the sound measurements to

allow the prediction of sound levels associated with the existing, No-Action, and With-Action traffic conditions analyzed in the transportation analysis.

Stationary Source Screening

The Proposed Project may introduce stationary source noise generators, such as a mechanical bulkhead for infrastructure or ventilation equipment, truck loading docks, or other similar types of sources. A qualitative assessment will be conducted to identify the types of stationary sources that would be introduced by the Proposed Project, their general proximity to sensitive receptors, and the potential for noise impact. If specific stationary sources such as mechanical equipment are found to have the potential to cause noise impacts, a quantitative stationary source analysis will be conducted.

If the Proposed Project would introduce a stationary source (e.g., outdoor playground, basketball court), a detailed noise analysis would be performed using proper methodologies as indicated in the *CEQR Technical Manual*.

Building Attenuation Analysis

An E-Designation (E-124) for hazardous materials testing and noise requirements was established on the Development Site (Block 2093, Lot 1) as part of the Downtown Brooklyn Development Final Environmental Impact Statement (FEIS) (CEQR No. 03DME016K). Since the Proposed Actions would introduce new noise-sensitive land uses and generate and reroute vehicular traffic, as well as introduce active recreational uses on the Proposed Project's terrace areas, building sound attenuation requirements will be reevaluated to maintain acceptable interior noise conditions based on the ambient noise monitoring and impact assessment results. If applicable, a summary table of window-wall attenuation requirements will be developed for each building location within the Development Site in accordance with CEQR acceptable interior noise level requirements. As warranted, E-Designation requirements will be updated as part of the Proposed Project to ensure that appropriate measures are implemented to achieve the identified attenuation requirements.

Task 14: Public Health

According to the *CEQR Technical Manual*, public health is the organized effort of society to protect and improve the health and well-being of the population through monitoring; assessment and surveillance; health promotion; prevention of disease, injury, disorder, disability and premature death; and reducing inequalities in health status. The goal of CEQR with respect to public health is to determine whether adverse impacts on public health may occur as a result of a proposed project, and if so, to identify measures to mitigate such effects. According to the guidelines of the *CEQR Technical Manual*, a public health assessment may be warranted if an unmitigated significant adverse impact is identified in other CEQR analysis areas, such as air quality, water quality, hazardous materials, or noise. For the Proposed Project, a preliminary public health assessment will be conducted that will consist of a summary of the project's potential to result in unmitigated significant adverse impacts in the areas of air quality, water quality, hazardous materials, and noise. If unmitigated significant adverse impacts are identified in any of these technical areas and the lead agency determines that a public health assessment is warranted, a detailed analysis will be provided for the specific technical area or areas.

Task 15: Neighborhood Character

The character of a neighborhood is the result of a combination of various contributing elements, including land use patterns, the scale of its development, the design of its buildings, the presence of notable landmarks, and a variety of other physical features that include traffic and pedestrian patterns and noise. This chapter of the EIS will use information from other EIS chapters to assess whether any identified significant adverse impacts in the areas of land use, zoning, and public policy; socioeconomic conditions; open space; historic and cultural resources; urban design and visual resources; shadows; transportation; or noise would have the potential to affect neighborhood character.

Based on an evaluation of the Proposed Actions' impacts, in accordance with the above-mentioned impact areas, an assessment of neighborhood character will be prepared following *CEQR Technical Manual* methodologies. This analysis will consist of describing the predominant factors that contribute to defining the character of the neighborhood within the study area for **Task 2: Land Use, Zoning and Public Policy**, summarizing changes in the character of the neighborhood that can be expected in the future No-Action condition, and evaluating the Proposed Actions' potential to affect the defining features of the neighborhood. If it is determined that the potential exists for the project to affect such features, a detailed assessment would be conducted. This assessment would involve gathering information through field visits, photographs, and other methods and predicting how the project would affect the key elements that define the study area's character.

Task 16: Construction

Construction impacts, though temporary, can have a disruptive and noticeable effect on the adjacent community, as well as people passing through the area. The EIS will present the overall construction duration for the Proposed Project to determine the peak period for each phase of construction and provide information on the entities with governmental oversight for various aspects of construction. Information on how New York City regulates construction hours will be included in this chapter. Due to the size and the construction of the Proposed Project, and the length of the construction period (i.e., over two years), a detailed construction analysis will be required. Quantitative assessments will be prepared for transportation, air quality, and noise, as described below. Consistent with the *CEQR Technical Manual*, the analysis will also assess the potential for construction-related activities to affect land use, neighborhood character, open space, historic and cultural resources, and hazardous materials.

Transportation

The construction transportation analysis will assess the potential for construction activities to result in significant adverse effects to traffic, transit (e.g., subway and bus) and pedestrian elements (i.e., sidewalks, corners, and crosswalks), and parking conditions. The first step of the transportation assessment will be to develop estimates of construction trips by mode and vehicle during peak hours that would be generated during the peak quarter (i.e., three-month period) of construction activity. This would include both construction worker trips made by auto, transit, and walking and the volume of delivery trucks to and from the construction sites.

Once construction period trips are quantified, they will be assigned to the roadway network, and an assessment of their effects on the roadway network will be prepared. If the applicable CEQR threshold levels are exceeded, a quantitative analysis of traffic conditions will be conducted. The

Construction Traffic section will also describe whether curb parking lane closures or sidewalk closures are expected and estimate the number of construction workers likely to drive to the construction sites, the number of parking spaces needed, and the availability of off-site parking facilities to accommodate the construction parking demand.

Air Quality

The construction air quality section will evaluate impacts from on-site construction emissions and off-site mobile source emissions that result from construction equipment, delivery trucks, fugitive dust, and worker vehicles.

Construction Air Quality Protocol

Construction air quality analysis procedures will be summarized in a construction air quality protocol, which will be reviewed by the lead agency. This protocol will include the emission intensity analysis as described below. The construction air quality analysis will be conducted using the approach approved by the lead agency.

Detailed Dispersion Analysis

Air quality pollutant (CO, PM₁₀, PM_{2.5}, and nitrogen dioxide [NO₂]) concentrations from construction activities at the Development Site will be analyzed for the sensitive receptors nearby for the representative worst-case construction phase. Air pollutant sources include combustion exhaust associated with non-road construction equipment engines, trucks operating on-site, construction-generated traffic on local roadways, and onsite activities that generate fugitive dust (e.g., excavation, demolition). The potential for significant impacts will be determined by comparing predicted total concentrations to the NAAQS or applicable CEQR *de minimis* thresholds. Based on the results, possible mitigation strategies, including best management practices (BMPs) and best available technologies (BATs) for emission control will be evaluated and described to reduce air pollutant emissions associated with the project's construction activities.

Off-Site Mobile Source Analysis

A CEQR mobile source screening analysis will be conducted to determine the need for an off-site microscale intersection analysis under construction. If such an analysis is needed, a detailed microscale analysis using the EPA MOVES and AERMOD emissions and dispersion models will be completed.

Noise

Quantitative Assessment

Estimates will be made of construction noise from on-site stationary construction equipment and construction-related vehicles, including worker trips and material handling trips on adjacent roadways. Ambient sound monitoring would be conducted during the early morning period (6 to 7 AM) when there is the greatest potential for increases in noise due to mobile construction sources. If necessary, the Cadna-A model will be used to calculate the existing noise level at receptors.

Stationary and mobile construction noise levels would be predicted at nearby sensitive receptors and at the Development Site itself, including existing buildings that will continue to operate during

construction, and new noise-sensitive uses that would be introduced before/during construction. Cadna-A sound prediction software, which accounts for the type of equipment used, the usage factors, and distances from source to receptor and acoustic shielding from intervening buildings, would be used for the analysis. Construction noise from stationary sources would be evaluated according to requirements outlined in the New York City Noise Control Code. Construction noise mitigation recommendations would be developed, as needed, in accordance with CEQR and New York City Noise Control Code requirements.

Construction vibration has the potential to result in damage to adjacent structures, cause annoyance to people in nearby buildings, and/or affect vibration-sensitive equipment and operations in hospital buildings. If required, a construction vibration assessment would be conducted based on typical construction equipment that can generate vibration (i.e., pile driving, demolition, jack hammers, etc.) and prediction methods outlined in the Federal Transit Administration guidance manual. A construction vibration analysis is usually warranted if construction activities are expected to generate significant vibration within 90 feet of buildings.

Task 17: Mitigation

If significant adverse project impacts are identified, measures to mitigate those impacts will be described where feasible. These measures will be developed and coordinated with the responsible City/State agencies as necessary. If one or more significant adverse impacts cannot be mitigated, the reason that mitigation is not practicable will be discussed and these impacts will be described as unavoidable adverse impacts.

Task 18: Alternatives

SEQRA requires that alternatives to the Proposed Project be identified and evaluated in an EIS so that the decision-maker may consider whether alternatives exist that would minimize or avoid adverse environmental effects while achieving the goals and objectives of the Proposed Project. The selection of alternatives is determined by taking into account the nature of the specific project, its stated purpose and need, potential impacts, and the feasibility of potential alternatives. Consistent with SEQRA/CEQR, a No-Action Alternative will be considered. In addition, if any significant, unmitigated, adverse impacts are identified, a No Unmitigated Significant Adverse Impact Alternative will be considered, which includes an assessment of a project that would result in no unmitigated impacts. Additional alternatives to the Proposed Project may also be considered once impacts have been identified. The alternatives analysis will be qualitative, except where significant adverse impacts have been identified for the Proposed Project.

Task 19: Effects on Disadvantaged Communities

Section 8-0109(2)(k) of the New York State Environmental Conservation Law, which became effective on December 30, 2024, requires that an EIS include a statement of the effects of a proposed action on disadvantaged communities (DACs), including whether the action may cause or increase a disproportionate pollution burden. An assessment of the effects on DACs is warranted if a project site is located within, or within 0.5-miles of, an identified disadvantaged community. While the Development is not within an identified DACs area, it is within 0.5-miles of a DACs area; as such, an assessment of the effects of the Proposed Actions on DACs is warranted and will be included in the EIS.

The *2021 CEQR Technical Manual* does not provide guidance regarding the scope of this analysis. On January 29, 2025, the New York State Department of Environmental Conservation (DEC) proposed State Environmental Quality Review Act (SEQRA) amendments to implement this new statutory provision. This assessment of effects on DACs considers the impacts of the various technical areas that were identified using *CEQR Technical Manual* guidance.

For each alternative, the DAC assessment will identify and describe existing demographic data in the study area using available data from local and State agencies and other sources. Data collection will include compilation of race and ethnicity and poverty status data for the study area and identification of minority or low-income communities. To identify minority and low-income populations in the study area, U.S. Census data and data from American Community Survey (ACS) of all census block groups substantially within the study area will be used. For comparison purposes, data will be aggregated for the study area as a whole, and compiled for Brooklyn and the other four boroughs of New York City. The environmental justice analysis will identify any disproportionately high and adverse effects on minority or low-income communities associated with the No-Action Alternative within the study area. For each development alternative, the environmental justice analysis will also involve the following steps:

- › Identifying the potential for significant adverse effects on minority and low-income communities within the study area as a result of the Proposed Actions;
- › Evaluating the overall potential significant adverse effects associated with the Proposed Actions on minority and low-income communities to determine whether any potential significant adverse effects on those communities would be disproportionate and, therefore, disproportionately high and adverse;
- › Summarizing any public participation efforts associated with each alternative and specifically any targeted outreach to minority or low-income populations.

Task 20: EIS Summary Chapters

In accordance with CEQR guidelines, the EIS will include the following summary chapters, where appropriate to the Proposed Actions:

- › **Executive Summary:** The executive summary will use relevant material from the body of the EIS to describe the proposed action, its environmental impacts, measures to mitigate those impacts, and alternatives to the Proposed Actions. As described in the *CEQR Technical Manual*, it will contain:
 - A brief project description;
 - A summary and list of each action;
 - The analysis areas examined in the EIS; and
 - The analysis areas eliminated in the EIS for further study, and the reasons why.
 - A summary of the significant adverse impacts, if any;
 - A summary of the mitigation measures, if any, to reduce or eliminate any significant adverse impacts;
 - Any important trade-offs identified in the other summary chapters;
 - A summary of the unavoidable adverse impacts, if any; and
 - A short discussion of alternatives;

- › **Unavoidable Adverse Impacts:** This chapter will summarize any significant adverse impacts that are unavoidable if the Proposed Actions are implemented regardless of the mitigation employed (or if mitigation is not feasible).
- › **Growth-Inducing Aspects of the Proposed Action:** This chapter will summarize the “secondary” impacts of a proposed action that trigger further development.
- › **Irreversible and Irretrievable Commitments of Resources:** This chapter will summarize the Proposed Actions, Proposed Project, and potential impacts in terms of the loss of environmental resources (use of fossil fuels and materials for construction, etc.), both in the immediate future and in the long term.

Appendix A: LPC Correspondence

ENVIRONMENTAL REVIEW

Project number: LA-CEQR-K (HOUSING PRESERVATION AND DEV)

Project:

Address: 395 FLATBUSH AVENUE EXT BBL: 3020930001

Date Received: 1/21/2025

☒ **No architectural significance [PROJECT SITE]**

☒ **No archaeological significance [PROJECT SITE]**

☒ **IN RADIUS Designated New York City Landmark or Within Designated Historic District**

☒ **IN RADIUS Listed on National Register of Historic Places**

☒ **IN RADIUS Appears to be eligible for National Register Listing and/or New York City Landmark Designation**

☐ **May be archaeologically significant; requesting additional materials**

Comments:

RADIUS:

LPC DESIGNATED AND S/NR ELIGIBLE DIME SAVINGS BANK OF NEW YORK, 9 DEKALB AVENUE AND S/NR UNDETERMINED 33 FLATBUSH AVENUE WITHIN THE 400' RADIUS; S/NR AND LPC ELIGIBLE PIONEER WAREHOUSE, 37-53 FLATBUSH AVENUE ADJACENT TO 400' RADIUS.

SHADOW STUDY (3,268') RADIUS:

These properties should all be screened as per the CEQR Technical Manual:

THE LPC DESIGNATED FRIENDS MEETING HOUSE, 110 SCHERMERHORN STREET AND FIRST FREE CONGREGATION CHURCH, 311 BRIDGE STREET; S/NR ELIGIBLE CATHEDRAL BASILICA OF ST. JAMES, 250 CATHEDRAL PLACE AND MARY OF NAZARETH RC CHURCH, 37 ADELPHI STREET; PLUS THE FOLLOWING PROPERTIES IN THE LPC DESIGNATED AND S/NR LISTED FORT GREENE HISTORIC DISTRICT: FORT GREENE PARK; ST. MARKS & ST. MICHAEL'S EPISCOPAL CHURCH, 222-232 ADELPHI STREET; SIMPSON METHODIST EPISCOPAL CHURCH, 201-2011 CLERMONT AVENUE; LAFAYETTE AVENUE PRESBYTERIAN CHURCH, 102-108 LAFAYETTE AVENUE; EVANGELICAL LUTHERAN CHURCH OF THE HOLY TRINITY, 266 CUMBERLAND STREET; AND QUEEN OF ALL SAINTS RC CHURCH, 201-209 LAFAYETTE AVENUE.



2/11/2025

SIGNATURE

Gina Santucci, Environmental Review Coordinator

DATE

File Name: 37555_FSO_GS_02112025.docx