A. PROJECT DESCRIPTION

PROJECT IDENTIFICATION

The proposed actions are projected to result in the development of an approximately 214,000 square-foot (sf), 60-foot-tall commercial building (63.5 feet to the top of the parapet) currently anticipated to be a BJ's Wholesale Club, along with up to three other retail stores on the second level; a three-level public parking garage with approximately 690 parking spaces; and approximately 2.4 acres of publicly accessible waterfront open space on the project site (see **Figures S-1** through **S-3**). The project site is located in Brooklyn at 1752 Shore Parkway (Block 6491, Lots 207 and 292), on the west side of the Shore Parkway South between 24th Avenue and Bay 37th Street, east of Gravesend Bay (Lower New York Bay). The project site, which is currently occupied by a bus storage company, contains a two-story building, one-story storage building, and bus parking lot in the rear of the site.

As part of the proposed project, the existing buildings on the project site would be demolished. An existing berm located on the western end of the site would be removed, and the shoreline would be stabilized. The project site would be re-graded to level the site to an elevation of approximately +13 feet. Absent the proposed actions, current conditions are expected to remain unchanged, and the bus storage operation would remain on the project site. (See **Figures S-4** and **S-5**.)

As part of the proposed actions, the fencing that currently lines the Shore Parkway South street frontage adjacent to the project site would be replaced with a 14-foot-tall screen wall. The Shore Parkway South sidewalk adjacent to the project site would have one additional curb cut than currently exists (three in total) to provide private vehicular access and access to a loading dock area located on adjacent to the building's east façade. Vehicular and pedestrian access to the proposed commercial building and a new waterfront public open space and esplanade would be provided on the northern side of the proposed building. The Shore Parkway South street frontage, adjacent to the project site, would be improved with a new sidewalk.

If approved, it is anticipated that the proposed development would be complete and operational by 2013.

SITE CONDITIONS

The project site is an approximately 358,976-sf of upland property located along Shore Parkway South (the service road on the west side of Leif Ericson Drive, which is also known as the Belt Parkway) between 24th Avenue and Bay 37th Street. The project site, which is occupied by a bus storage company, contains a two-story building, one-story storage building, and bus parking lot in the rear of the site. The project site comprises distinct eastern and western portions. The western area of the project site (western plateau) extends approximately 600 feet into Gravesend Bay, with a vegetated berm is located along its waterfront perimeter. The eastern portion extends approximately 600 feet beginning at Shore Parkway South. Currently, the elevation of the

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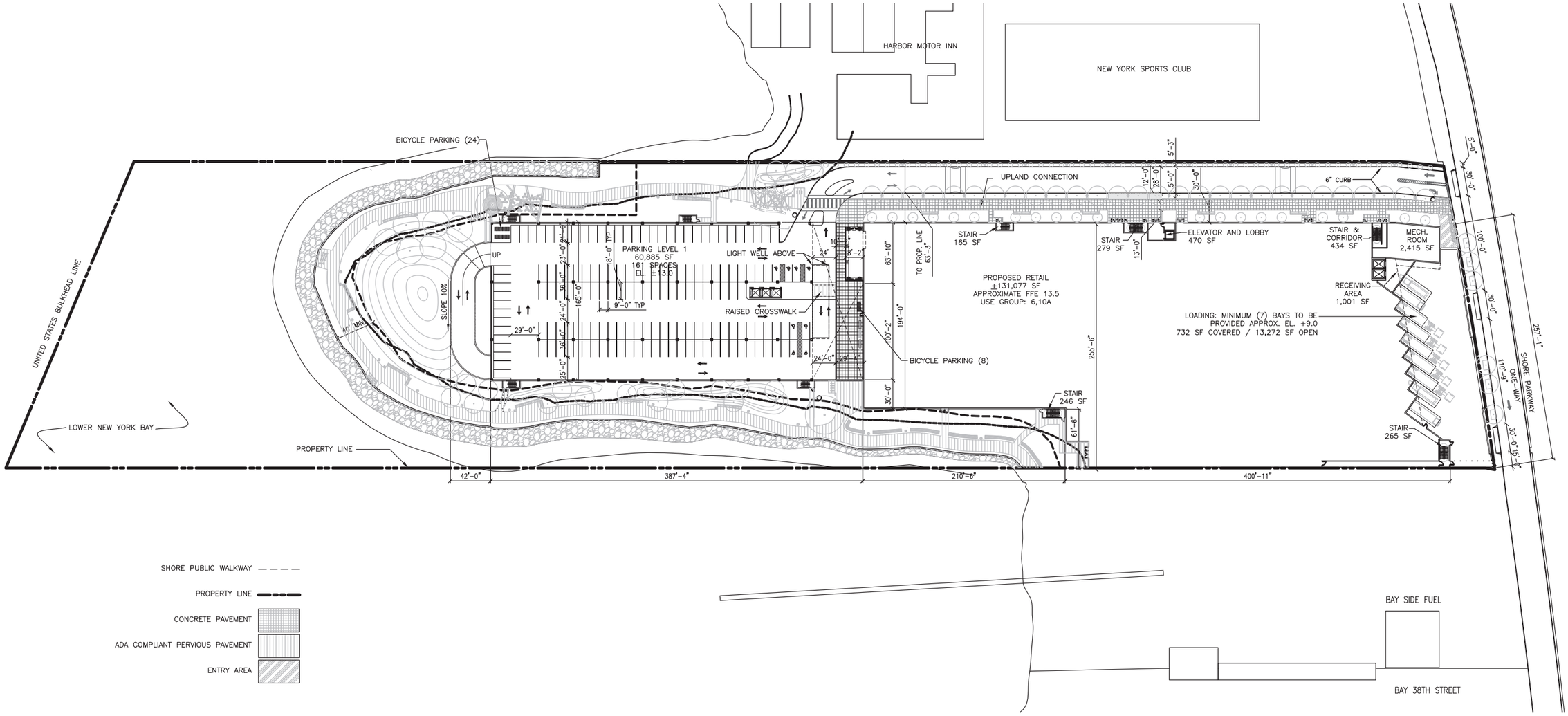


0 50 100 FEET

SCALE

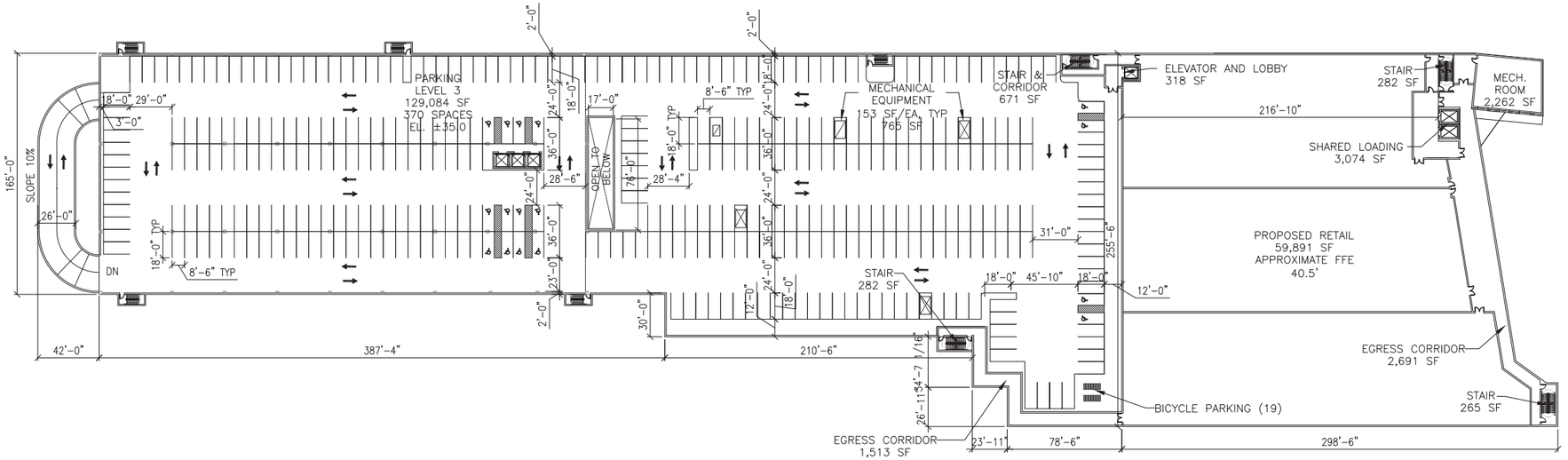
INTERIOR LAYOUTS FOR ILLUSTRATIVE PURPOSES ONLY

BROOKLYN BAY CENTER

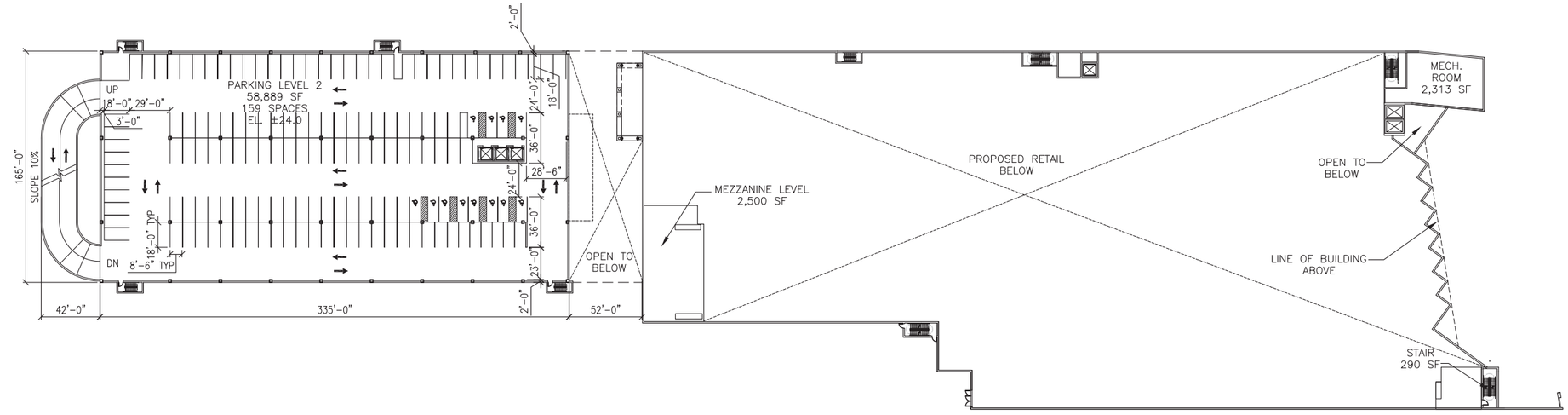
Ground Floor Plan/Landscape Site Plan

Figure S-1

12.15.09



2 – SECOND FLOOR/ PARKING LEVEL 3



1 – PARKING LEVEL 2

0 50 100 150 FEET

SCALE

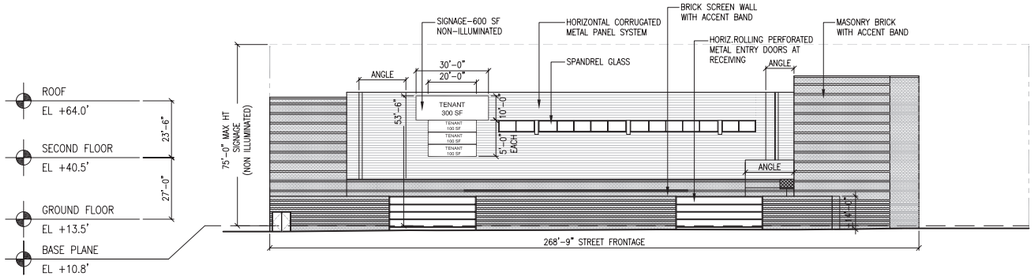
INTERIOR LAYOUTS FOR ILLUSTRATIVE PURPOSES ONLY

BROOKLYN BAY CENTER

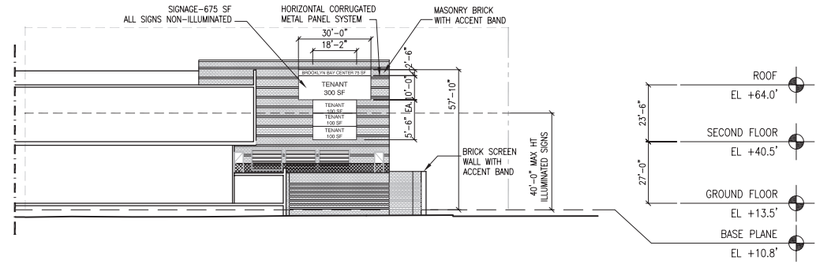
Parking Levels and 2nd Floor Tenants

Figure S-2

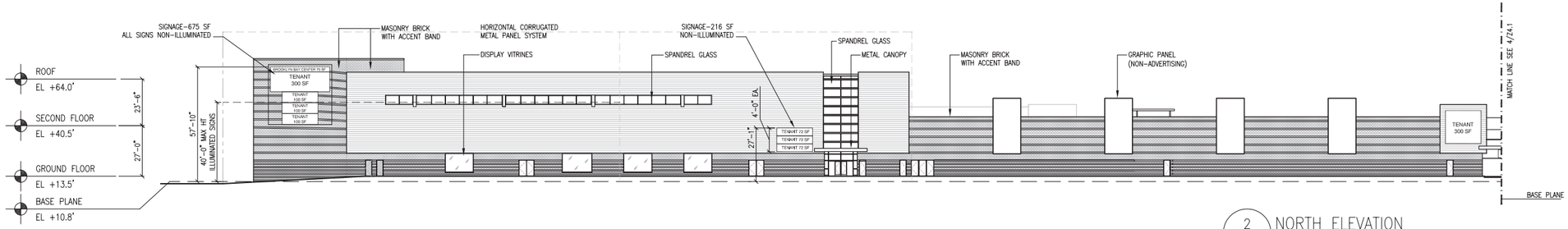
12.28.09



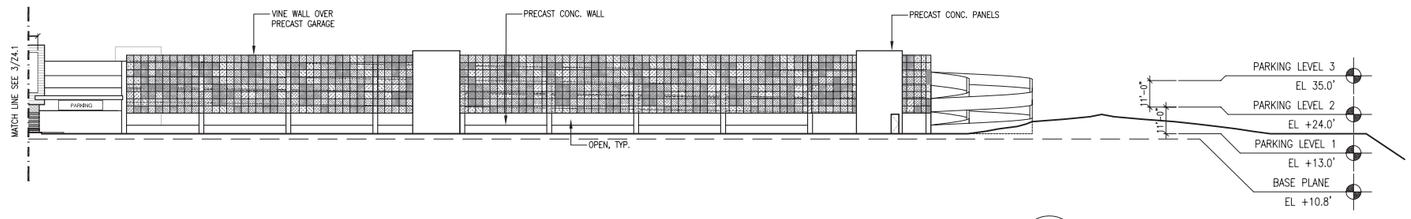
5 – EAST ELEVATION



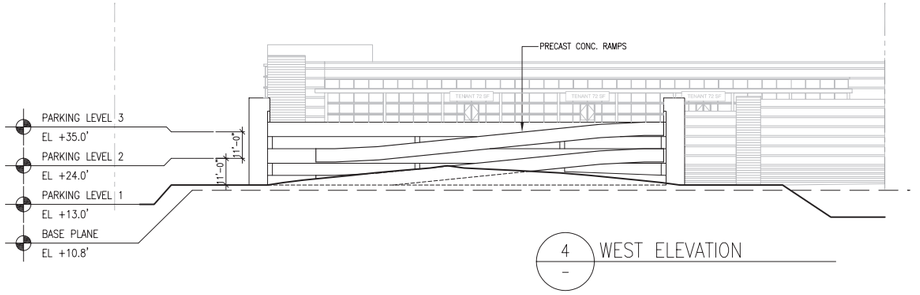
1 – SOUTH ELEVATION



2 – NORTH ELEVATION



3 – NORTH ELEVATION



4 – WEST ELEVATION

FOR ILLUSTRATIVE PURPOSES ONLY

BROOKLYN BAY CENTER

Proposed Building Elevations
Figure S-3

FOR ILLUSTRATIVE PURPOSES ONLY

Aerial View - No Build Conditions

Figure S-4

12.16.09

FOR ILLUSTRATIVE PURPOSES ONLY

Aerial View - Proposed Project

Figure S-5

BROOKLYN BAY CENTER

western portion of the site ranges from +12 feet to approximately +30 feet while the elevation of the eastern portion is at approximately +7 feet. There are two vehicular entrances to the property along Shore Parkway South located at the northern end of the project site and a gated entrance at the southern end of the project site.

APPROVALS REQUIRED

Development of the proposed project requires approvals from the City Planning Commission (CPC) and City Council for the following discretionary actions:

- Zoning map amendment, to change zoning on the project site from M3-1 to M1-1;
- Special permit pursuant to New York City Zoning Resolution (ZR) §74-922 to permit certain large retail establishments greater than 10,000 square feet;
- Special permit pursuant to ZR §62-836 to modify bulk regulations on a waterfront block;
- Special permit pursuant to ZR §74-744(c) to permit modification of signage regulations in General Large-Scale Developments;
- Special permit pursuant to ZR §74-512 to permit a public parking garage with rooftop parking outside a high-density central area; and
- CPC Authorization pursuant to ZR §62-822(a) to modify waterfront public access and visual corridors.

In addition to the discretionary land use approvals listed above, the project is located on a waterfront block, and is therefore subject to the following ministerial action:

- Chairperson certification pursuant to ZR §62-811 that the required waterfront public access and visual corridors have been provided pursuant to ZR §62-50 and 62-60.

The project would also require the following State and Federal approvals and actions:

- Joint Permit Application from the New York State Department of State Environmental Conservation (NYSDEC) and the Army Corps of Engineers (ACE) (for NYSDEC Tidal Wetlands Article 25, NYSDEC Protection of Waters Article 15, Coastal Erosion Hazard Area, NYSDEC Water Quality Certification Section 401, ACE Nationwide Permit #13, and ACE Rivers/Harbors Section 10 Permits) to permit any in-water work, stabilization of riprap, outfalls, upland building, and esplanade coverage;
- State pollutant discharge elimination system (SPDES) Permit from NYSDEC, to permit the discharge of stormwater during and after construction;
- Beneficial Use Determination (BUD), including a Soil Management Plan (SMP) from NYSDEC to permit the on-site reuse of soil from the western half of the project site to the eastern half of the project site.

A Joint Permit Application (for Article 15 Title 5 Excavation & Fill in Navigable Waters, Section 401 Clean Water Act Water Quality Certification, and Article 25 Tidal Wetlands Permits) has been submitted to the NYSDEC. The Joint Permit Application was deemed complete on July 27, 2011 following the issuance of the Notice of Completion of the CEQR DEIS by CPC on March 11, 2011, and the NYSDEC review process is underway in accordance with 6NYCRR Part 621.7.

PROJECT PURPOSE AND NEED

The proposed actions would facilitate the redevelopment of a currently undertutilized parcel in the Bensonhurst neighborhood of Brooklyn by replacing the existing bus storage facility with an

active retail use. The proposed project would create new employment opportunities for local residents, would create fiscal benefits to the City in the form of increased tax revenues, and would provide a new shopping opportunity for area residents. In addition, the project would provide approximately 2.4 acres of publicly accessible waterfront open space.

The proposed zoning map amendment would make the project site eligible for a special permit that would allow retail establishments greater than 10,000 square feet in floor area. The proposed special permit (ZR §74-922) would permit the development of a commercial building with Use Group 6 and 10 retail uses on an underdeveloped site that would provide jobs and address a need for convenient commercial retail goods and services in the area. This use would be consistent with the concentration of commercial retail buildings along Shore Parkway.

The proposed special permit (ZR §62-836) to permit bulk modifications on waterfront blocks is being sought because the proposed approximately 60-foot tall building would exceed the maximum permitted height of 30 feet.

The proposed special permit (ZR §74-744) to permit modification of signage requirements is being sought, pursuant to paragraph (c), to modify the provisions of ZR §42-54 to allow portions of the proposed illuminated signage to reach approximately 58 feet, which exceeds the 40-foot maximum height requirement; this waiver is being sought to allow for an improved site plan.

Waterfront zoning does not allow rooftop parking above 23 feet; the proposed special permit pursuant (ZR §74-512) to permit a public parking garage outside a high-density central area is being sought to permit spaces to be located on the roof of a garage located on a waterfront parcel. It should be noted that this special permit would not permit the development of a larger number of parking spaces on the site than could be developed as-of-right, and therefore would not result in an increase in parking on the project site.

The proposed CPC Authorization (ZR §62-822(a)) for modification of waterfront public access area and visual corridor requirements is being sought, pursuant to paragraph (a)(2), to modify the provisions of ZR §62-50 that require that an upland connection be provided at least every 600 feet along a shore public walkway, due to site constraints.

The Chairperson certification (ZR §62-811) (Waterfront Public Access and Visual Corridors) is being south because the proposed project is located on a waterfront block, and the regulations of Article VI, Chapter Two state that no excavation or building permit shall be issued for any development on a waterfront block, until the CPC Chairperson certifies that a site plan has been submitted showing compliance with the provisions of ZR §62-50 (General Requirements for Visual Corridors and Waterfront Public Access Areas) and ZR §62-60 (Design Requirements for Waterfront Public Access Areas) as modified by the requested authorizations.

B. PROBABLE IMPACTS OF THE PROPOSED ACTIONS

LAND USE, ZONING, AND PUBLIC POLICY

The proposed actions would replace the existing buildings and parking lot on the project site with a commercial retail building with a parking garage and publicly accessible waterfront open space. It is currently planned that tenants of the proposed building would include a BJ's Wholesale Club and other retailers. Approximately 2.4 acres of public waterfront access area would be provided, which would include a shore public walkway, other public access areas, and an upland connection. The proposed actions would also provide sufficient bicycle parking spaces to comply with zoning requirements.

The proposed actions would have no direct effect on land uses in the study area, and the proposed project would be compatible with the existing commercial retail uses in the study area. The study area contains a mixture of uses, including residential uses such as a health club, restaurant, medical spa, hotel, furniture store, storage, a car dealership, and the Caesar's Bay Shopping Center. The proposed retail use would be consistent with existing uses in the study area.

The proposed actions would represent a change in zoning on the project site from M3-1 heavy manufacturing to M1-1 light manufacturing. The zoning change would allow retail uses on the project site, which would be consistent with land use trends in the area, specifically being similar to the large commercial use to the northwest. Under existing zoning, a number of retail uses (Use Group 6) with no limitation on floor area per establishment are allowed as-of-right on the site. These uses include hardware stores, bookstores, toy stores, music stores, drug stores, and sporting good stores. However, certain retail establishments—such as department stores, variety stores, food stores, and dry goods/fabric stores—are limited to 10,000 sf per establishment at the site. A special permit would allow certain Use Groups 6 and 10 uses at a size greater than 10,000 square feet to locate at the site. The proposed uses would be compatible with the types of uses permitted under the existing M3-1 zoning. Moreover, they would be consistent with the large-scale retail and other commercial uses that have been developed along the waterfront in the study area pursuant to use variances granted by the Board of Standards and Appeals.

The proposed actions are also consistent with the goals set forth in the *Plan for the Brooklyn Waterfront*, which is part of New York City's Comprehensive Waterfront Plan and is designed to present a long-range vision for the City's waterfront. The *Plan for the Brooklyn Waterfront* recommended that the project site and surrounding area along Gravesend Bay retain its M3 and M1 zoning to allow the continued operation and limited development of commercial, water-dependent, municipal, and industrial uses. The proposed actions would replace the M3 zoning of the project site with M1 zoning. Therefore, the zoning of the project site would remain consistent with the recommendations of the *Plan for the Brooklyn Waterfront*. Furthermore, the proposed zoning would allow the development of a commercial use with a new publicly accessible waterfront esplanade, which is consistent with the Plan's recommendations to allow for the limited development of commercial uses in the area and to reestablish the public's connection to the waterfront.

The proposed project would also be compatible with the Shore Parkway Greenway Connector Master Plan, released by the New York City Department of City Planning in 2005. The purpose of the master plan was to guide the implementation of new or improved bicycle facilities (including a Class 1 or 2 route) on a five-mile stretch of Class 3 bicycle path along the Brooklyn waterfront, including along Shore Parkway South where the project site is located. The proposed project would not preclude the City's future implementation of new or improved bicycle facilities along Shore Parkway South. Furthermore, the proposed project would introduce new waterfront access and open space, which would be compatible with the Plan's goals to expand waterfront recreational opportunities.

The project site is located within the City's coastal zone and is subject to the City's Coastal Zone Management Program. The Waterfront Revitalization Program (WRP), originally adopted in 1982, established the City's policies for development and use of the waterfront and provided a framework for evaluating discretionary actions in the coastal zone. A WRP Consistency Assessment Form (WRP review number: CEQR 10DCP002K/WRP 09-053) was completed for the project and reviewed by the NYCDCP Waterfront and Open Space Division, which

determined that the application appears to be consistent with the NYC Waterfront Revitalization Program on June 30, 2011. The proposed actions would remediate an environmentally impaired and underutilized site for redevelopment with a new retail building that would be compatible with similar retail uses in the surrounding area, and would provide a new 2.4-acre waterfront open space that would attract public use and enliven the waterfront. With the proposed project, stormwater on the site would be subject to a stormwater quality treatment device in accordance with NYSDEC requirements and subject to a SPDES permit. In addition, the proposed actions would decrease impervious surfaces within the adjacent wetland area and result in a reduction of stormwater discharge into Gravesend Bay. The analysis determined that the proposed project—including its proposed measures to ensure that no significant adverse impacts from any hazardous materials would occur—would not have a significant adverse impact on the City's coastal zone.

Overall, the proposed actions would not have any significant adverse impacts on land use, zoning, and public policy.

SOCIOECONOMIC CONDITIONS

The proposed actions would not result in significant adverse socioeconomic impacts with respect to any of the five areas of socioeconomic concern outlined in the *CEQR Technical Manual*. The proposed actions would not:

- Directly displace any residential population.
- Directly displace substantial numbers of businesses or employees, or directly displace any businesses or institutions that are unusually important to the economic conditions of the local area.
- Substantially alter or accelerate residential or commercial trends in the local study area such that significant indirect displacement would result.
- Significantly affect conditions in the real estate market.
- Adversely affect economic conditions in a specific industry.

With respect to potential competitive effects on neighborhood commercial areas within the Primary Trade Area, the products offered at the stores anticipated as a result of the proposed actions would overlap with products sold at existing retail stores in the Primary Trade Area. The analysis finds that in the future with the proposed project there would continue to be sufficient unspent consumer expenditure potential within the Primary Trade Area, and that the proposed actions would therefore not significantly affect competitive stores within the Primary Trade Area.

Recognizing that competitive effects on stores closest to a project site can occur even when there are substantial unspent expenditures within a trade area, the analysis also considered the potential for neighborhood character impacts resulting from the potential displacement of local businesses. Smaller food stores and shopping goods stores are less likely to experience competitive pressure, if any, and neighborhood services stores and eating and drinking places would not be adversely affected. Local residents would continue to shop at existing food stores and shoppers' goods stores for reasons of convenience, variety and selection of items, public transit accessibility, and absence of membership fees.

Larger supermarkets within the Local Area of Potential Competitive Impact could experience competition from the anticipated BJ's Wholesale Club. While the possibility of indirect business

displacement due to competition cannot be ruled out, the impacts would be limited, and would not result in significant adverse impacts to neighborhood character. Competitive effects would not jeopardize the viability of any local retail corridors that substantially contribute to neighborhood character.

SHADOWS

The proposed commercial retail building on the eastern part of the project site would be approximately 60 feet tall at its eastern end (63.5 feet to the top of the parapet), and approximately 53 feet tall (56.5 feet to the top of the parapet) at other portions. The parking garage on the western part of the site would be up to approximately 30 feet tall (33.5 feet to the top of the parapet). A ring of publicly accessible waterfront open space would be developed around the parking garage and western portions of the commercial retail building. According to CEQR methodology, since the proposed open space doesn't currently exist and wouldn't exist in the future without the proposed project, it cannot be adversely affected by the project.

Following the guidelines of the *CEQR Technical Manual*, an analysis was performed to determine whether the shadow cast by the proposed structures would be long enough to reach any nearby sun-sensitive resources at any time of year on four representative days of the year: March 21 (equivalent to September 21, the equinoxes); June 21, the summer solstice; May 6 (equivalent to August 6, the midpoints between the equinoxes and summer solstice); and December 21, the winter solstice. The analysis concluded that the shadow from the proposed commercial retail building would not be long enough to reach the waters of Gravesend Bay, or any other potentially sun-sensitive resources, on any of the four analysis days. Shadow from the approximately ~~27~~33.5-foot-tall parking garage would not reach the waters of the Bay on the May 6/August 6 analysis day and only minimally at the end of the June 21 analysis day, for approximately an hour and 15 minutes, or 5:45 PM to 7:00 PM, southeast of the building. On the March 21/September 21 analysis day, a small area of shadow from the garage would reach the water at the start of the analysis day at 8:36 AM and would last for approximately an hour, affecting a very limited area of water at the shoreline northwest of the building. On the December 21 analysis day, incremental shadow from the proposed garage would fall on the waters northwest and north of the site for about an hour in the morning. Winter shadows are longer, so a slightly larger area would be affected than in March and September, but winter shadows also move more quickly and the duration would be similar.

Overall, the very limited extent and duration of new project-generated shadows would not cause a significant adverse impact to the aquatic biota and habitats of the adjacent waters of Gravesend Bay, and the proposed actions would not result in any significant adverse shadows impacts.

URBAN DESIGN AND VISUAL RESOURCES

With the proposed actions, the proposed project would improve the urban design of the project site by redeveloping the project site with new, active uses and publicly accessible waterfront open space. The proposed project would contribute new urban design and visual amenities to the project site and study area and would not result in significant adverse impacts on urban design or visual resources. In comparison to the No Action scenario, the proposed actions would not alter the topography, street pattern, block shapes, or natural features of the study area, and would be in keeping with building uses and forms found in the study area. The project would enhance the surrounding streetscape by removing fencing, adding a new sidewalk and street trees, screening loading dock uses, and providing direct access to the new waterfront public open space. In comparison, in the No Action scenario the project site would remain inaccessible to the public

and would not enhance the surrounding streetscape or the pedestrian experience of the project site or study area.

The proposed project would require one additional curb cut than currently exists and would continue to exist in the No Action scenario (for a total of three), but there are already a number of curb cuts for other commercial uses on the west side of Shore Parkway South. At its maximum height of 63.5 feet (at the top of the parapet), the eastern portion of the proposed commercial structure would be taller than other commercial structures in the study area (which range from 18 to 30 feet in height), and—given the site's waterfront location—would require a zoning waiver for height; however, this portion of the structure would be shorter than the larger residential buildings on the east side of the Belt Parkway, including the 18-story, 153-foot-tall residential building approximately 360 feet east of the project site, and shorter than would be allowed on adjoining properties. The height of the majority of the proposed development would be generally consistent with that of other commercial structures west of the Belt Parkway in the study area north and south of the project site. The proposed structures would be bulkier than the other commercial and residential structures in the study area and the project site buildings that would remain in the No Action scenario, but this bulk would be less readily perceived from the pedestrian perspective because of the screening effects of surrounding buildings, new trees on the project site, and the vegetative screening of the proposed parking garage, and because the building's main public façade is its narrow, eastern façade. The proposed actions would not block view corridors or views of any visual resources in the study area, but—unlike the No Action scenario—would create new public views and waterfront access to Gravesend Bay, a natural feature in the study area. The construction of the new waterfront open space would offer much-needed green space to the shoppers, workers, and other users in the study area. Further, in comparison to the No Action scenario, the redevelopment of the project site with active uses and new waterfront open space would improve the walkability and vitality of the project site and enhance the pedestrian experience of the project site and study area. Therefore, the proposed actions would not result in any significant adverse impacts on the urban design and visual resources on the project site or in the study area.

NATURAL RESOURCES

The proposed actions would not result in significant adverse impacts to water quality, terrestrial resources, wetlands, aquatic resources, or endangered or threatened species, or species of special concern during construction or operation of the proposed development. Further, the proposed actions may have an overall positive effect on natural resources and environmental conditions on the project site by:

- Removing mixed-fill construction and demolition debris and solid waste from the waterward edge of the existing berm (along the entire perimeter), which would eliminate the existing erosion hazard caused by the unstable slope;
- Removing an estimated 25,900 cubic yards of solid waste and mixed-fill from the project site;
- Restoring and stabilizing the shoreline by constructing a natural stone riprap edge along the entire 1,400 linear-foot project site waterfront;
- Eliminating invasive plant species from the project site, specifically those contained within the area of the perimeter berm, and eliminating areas that may be attractive to invasive species;

- Improving the quality and reducing the rate of stormwater runoff by reducing impervious surfaces within wetland areas by 17.3 percent and installing stormwater filtration devices and two new 37-inch outfalls;
- Creating a shoreline public walkway along the waterfront with native, upland maritime plant species and adjacent green pervious spaces that will reduce stormwater impacts in Gravesend Bay and create habitat for wildlife species; and
- Incorporating a vegetated "green screen" to the principal building as part of the design of the proposed development.

HAZARDOUS MATERIALS

There is a potential for adverse impacts associated with excavation for new construction resulting from the known and potential presence of subsurface contamination, and with demolition/renovation, related to materials within the structure. Although these activities could increase pathways for human exposure, significant adverse impacts would be avoided by performing construction activities in accordance with the measures identified below.

The proposed development would require extensive re-grading to level the site to an elevation of approximately +13 feet, followed by construction of a two-story retail structure (with an attached three-story parking garage) and a perimeter recreational esplanade (walkway and landscaped areas). Currently, the elevation of the western portion of the site ranges from +12 feet to approximately +30 feet while the elevation of the eastern portion is at approximately +7 feet.

The project sponsor has obtained approval from NYSDEC of a Solid Waste Mitigation and Soil Management Plan and a BUD to reuse certain materials excavated from the western portion of the project site to raise the grade on the eastern portion of the site in connection with the site redevelopment. The Plan and BUD include the following measures:

- Conducting demolition of the existing buildings, building foundations, and other above-grade structures in compliance with applicable requirements, including those relating to asbestos and lead-based paint;
- Installing and maintaining erosion and sedimentation control measures in accordance with a Stormwater Pollution Prevention Plan (SWPPP) and an Erosion and Sediment Control Plan;
- Following prescribed procedures for excavation of the western portion to the desired grade, processing the material to remove solid waste, and backfilling the remaining material;
- Following prescribed procedures for registering and removing (or closing-in-place) known and any unexpectedly encountered underground storage tanks (USTs) and aboveground storage tanks (ASTs) along with any associated contaminated soil;
- Following prescribed procedures for segregating, stockpiling, testing, transporting and disposing of contaminated soil encountered during excavation activities;
- Following prescribed procedures for importing material (soils in areas that will not be capped either by impervious structures such as building, or with concrete/asphalt pavement will be capped with clean fill meeting the 6 NYCRR Part 375 Unrestricted Use Site Cleanup Objectives [SCO]; other imported soils will meet the Restricted Commercial Use SCOs);
- Implementing a Health and Safety Plan (HASP) during all earthwork including requirements for worker training, personal protective equipment (PPE), and site and community air monitoring;

- Installing a vapor barrier in the new retail building with interior monitoring system for methane and hydrogen sulfide;
- Illustrating the locations and presenting requirements for groundwater monitoring; and
- Preparing a Site Management Plan and associated Restrictive Declaration (a legally enforceable recorded document) to ensure continued implementation of those engineering and institutional measures described above and also including: providing notice to future property owners of environmental conditions and development restrictions; inspecting and maintaining the site cover and monitoring systems; notifying the NYSDEC before certain types of ground-intrusive work; and reporting to NYSDEC.

Based on their review of the previous investigations, the New York City Department of Environmental Protection (NYCDEP) has required the applicant to enter into a NYCDEP Restrictive Declaration that is consistent with the NYSDEC measures listed above. The Restrictive Declaration would serve as an additional mechanism to ensure the above measures would be implemented and would be subject to ~~NYCDEP~~ review and approval by the New York City Office of Environmental Remediation (OER). The Restrictive Declaration would also be binding on the property's successors and assigns. The NYCDEP-approved Restrictive Declaration will be executed and submitted for recording and DEP will be provided with a proof of recording. To ensure that the Restrictive Declaration will be executed and recorded, an (E) designation will be placed on the project site. The text of the (E) designation would be:

> Development on the project site shall be allowed only after that restrictive declaration, referenced to and attached to CPC report C 110047 ZMK as Exhibit A, with such administrative and technical changes as are acceptable to Counsel to the Departments of City Planning and Environmental Protection, has been executed and recorded in the Office of the Register, Kings County.

With the implementation of these measures, no significant adverse impacts related to hazardous materials would result from construction activities. Following construction, there would be no potential for the proposed actions to have significant adverse impacts.

WATER AND SEWER INFRASTRUCTURE

Compared to the future without the proposed project, the future with the proposed project would create an incremental demand for 84,932 gallons per day (gpd). Overall, the proposed actions' incremental demand for water would represent an insignificant increase in the total demand in Brooklyn. As a result, this added demand would not overburden the City's water supply or the local conveyance system. The proposed development would also comply with the City's water conservation measures as mandated by Local Law 19. Therefore, the proposed project would not result in a significant adverse impact on the water supply system's ability to adequately deliver water to Brooklyn or New York City.

It is assumed that the proposed development would generate wastewater at a rate commensurate with domestic water consumption, or about 51,360 gpd. This amount of wastewater would not cause the Owl's Head Water Pollution Control Plant to exceed its design capacity or SPDES permit flow limit. Therefore, the proposed actions would not result in a significant adverse impact on wastewater treatment.

Whereas no stormwater treatment is provided under existing conditions or in the future without the proposed project, with the implementation of the proposed actions, stormwater collection, conveyance, and disposal would be improved and stormwater treatment would be implemented.

The proposed development would construct two new 36-inch storm outfalls and a network of catch basins, roof leaders, and storm sewers to discharge stormwater runoff from the proposed development into Gravesend Bay. The proposed development would incorporate a number of NYSDEC-compliant stormwater quality treatment devices. The proposed project would include Best Management Practices (BMPs) such as surface swales known as "rain gardens" that will serve as a natural means of bio-filtration to cleanse. In accordance with the SPDES GP-0-10-001 permit, a SWPPP containing both temporary and permanent stormwater quality control measures would be prepared before commencing any construction activities. Through the incorporation of selected BMPs, stormwater runoff from the project site would not be expected to have any significant adverse impacts to the receiving waterbody or to the City's stormwater conveyance infrastructure. Furthermore, the proposed redevelopment of the project site with engineered stormwater control measures would be designed meet the requirements of the SWPPP which would erosion and sediment transport into the Gravesend Bay.

SOLID WASTE AND SANITATION SERVICES

The proposed project would increase the volume of solid waste generation at the project site. It also would be required to comply with the City's recycling program. While the proposed development would create new demands on solid waste and sanitation services, the sanitation systems serving the project site would have adequate capacity to meet the projected increases in solid waste generation. The analysis concludes that the proposed actions would not result in any significant adverse impacts on these services.

ENERGY

Though the proposed project would increase demands on electricity and gas, the increases in demand would be insignificant relative to the capacity of these systems and the current levels of service within New York City. Electricity and gas would be supplied by Con Edison or another power company, which would be used to provide heating, cooling, and lighting to the proposed development. Con Edison could supply this energy without disruption to the main distribution system. Thus, there would not be any significant adverse energy impacts from the proposed project.

TRANSPORTATION

TRAFFIC AND PARKING

The proposed project would generate approximately 850, 819, and 1,861 person trips and 606, 570, and 1,084 vehicle trips during the weekday midday, weekday PM, and Saturday PM peak hours, respectively. Vehicular access and egress at the project site would be provided via the Belt Parkway eastbound service road immediately east of the New York Sports Club. Most of the site's remaining Shore Parkway South frontage would be used to accommodate truck delivery operations with a pair of one-way head-in and head-out driveways. Currently in front of the project site, there is meter parking on the waterfront side and free on-street parking on the far side of the service road. Typical utilization of these on-street parking spaces is low because most waterfront uses on the service road have adequate on-site parking. Because the site's entering and exiting traffic volumes would be substantial, some curbside treatments are needed to maintain proper traffic flow on the service road. As part of the proposed project, it has been recommended to the New York City Department of Transportation (NYCDOT) that all meter parking in front of the project site should be eliminated and replaced with No Standing Anytime regulations on the far side, the same No Standing Anytime regulations are recommended for the length of the project site plus another

150 feet upstream to the west. These changes would allow for transition in the traffic flow on the service road for bypassing potential queues at and merging vehicles from the site's driveways.

The proposed project would result in significant adverse traffic impacts at five intersections during the weekday midday peak hour, six intersections during the weekday PM peak hour, and seven intersections during the Saturday PM peak hour. Intersections along Bay Parkway providing access to and from the project site are the most affected by project-generated traffic volumes. Traffic improvement measures—including signal timing modifications, lane restriping, and changes to parking regulations—were explored to mitigate these significant adverse impacts. With implementation of the traffic improvement measures, unmitigated impacts would remain in all three peak hours at one intersection, 20th Avenue and 86th Street, in 2013. The findings of this assessment is discussed below in "Mitigation."

Parking demand during the weekday and Saturday peak periods would be fully accommodated by the proposed parking garage, and the proposed project is not expected to result in any significant adverse parking impacts.

TRANSIT AND PEDESTRIANS

Since all site-related auto trips and taxi pick-ups/drop-offs would be accommodated at the on-site parking garage, only persons arriving by bus or walking from the surrounding neighborhood would need to access the site on foot. The proposed actions would not generate any subway trips and would result in only 17, 16, and 37 person trips by bus during the weekday midday, weekday PM, and Saturday PM peak hours, respectively. Since these project-generated incremental trips are below the CEQR threshold of 200 peak hour transit and pedestrian trips, no quantitative analyses are warranted and the proposed actions are not expected to result in any significant adverse transit or pedestrian impacts.

AIR QUALITY

Ambient air quality is affected by numerous sources and activities that introduce air pollutants into the atmosphere. A comprehensive assessment of potential air quality impacts from the proposed project was performed. The analyses were performed utilizing the procedures recommended in the *CEQR Technical Manual*.

Air quality impacts can be either direct or indirect. Direct impacts stem from emissions generated by stationary sources associated with the proposed project, such as emissions from fuel burned on-site for heating, ventilation, and air conditioning (HVAC) systems. Indirect effects include emissions from motor vehicles ("mobile sources") traveling to and from a project.

The analysis concludes that the proposed project would not cause any significant adverse air quality impacts on sensitive uses in the surrounding community, nor would the proposed project be adversely affected by new or existing air emission sources in the project area.

MOBILE SOURCE ANALYSIS

Concentrations of carbon monoxide (CO) and fine particulate matter (PM_{10}) from project-generated traffic would not result in any violations of National Ambient Air Quality Standards (NAAQS). CO and PM_{10} concentrations would not exceed CEQR *de minimis* criteria, and $PM_{2.5}$ increments would not exceed the City's current interim guidance criteria.

PARKING GARAGE

An analysis of emissions from vehicles using the parking garage was performed using CEQR methodology. With the proposed actions, future CO levels at the receptors analyzed would be well below the applicable standard of 9 parts per million (ppm). The proposed parking garage would not result in significant adverse impacts on air quality.

HVAC EQUIPMENT IMPACTS

The primary stationary source of air pollutants associated with the proposed development would be emissions from the combustion of natural gas by the heating, ventilation, and air conditioning (HVAC) equipment, and the primary pollutant of concern when burning natural gas is NO_2. The screening methodology in the *CEQR Technical Manual* was utilized for the analysis with the size of the proposed building in square feet. The closest building of similar height (or grater) found in the project study area was a distance of 303 feet from the boiler stack on the roof (i.e., 59 feet) of the proposed building. At this distance, the project would be well below the maximum permitted size shown in Figure 3Q-10 of the *CEQR Technical Manual*; therefore, the proposed actions would not result in any significant stationary source air-quality impacts.

INDUSTRIAL SOURCE IMPACTS

The results of the field survey indicated that there were several industrial developments in the area surrounding the proposed project site. However, none of the industrial sources within 400 feet of the proposed project site had a New York City Department of Environmental Protection (NYCDEP) industrial source air permit on file with the Bureau of Environmental Compliance. In addition, there were no large sources within 1,000 feet of the project site. From this information, it was determined that nearby industrial sources would not result in any significant air quality impacts.

CONSISTENCY WITH NEW YORK STATE AIR QUALITY IMPLEMENTATION PLAN

Maximum predicted CO concentrations with the proposed actions would be less than the corresponding ambient air standard. Therefore, the proposed actions would be consistent with the New York State Improvement Plan (SIP) for the control of CO.

NOISE

The noise analysis concludes that project-generated traffic would not be expected to produce significant increases in noise levels at any location near and/or adjacent to the project site. In addition, with the design measures the applicant would incorporate in the proposed project, noise levels within the proposed development would comply with all applicable requirements. Therefore, the proposed project would not result in any significant adverse noise impacts.

However, noise levels within certain areas in the proposed open spaces that would be created on-site as part of the proposed actions would be above the 55 dBA $L_{10(1)}$ noise level recommended in the *CEQR Technical Manual* noise exposure guidelines for outdoor areas requiring serenity and quiet. While noise levels in this new open space area would be above the 55 dBA $L_{10(1)}$ guideline noise level, they would be comparable to noise levels in a number of open spaces and parks in New York City, including Prospect Park, Fort Greene Park, Hudson River Park, Riverside Park, Bryant Park, and other urban open space areas, and would not result in a significant noise impact.

PUBLIC HEALTH

The proposed project would not result in significant adverse public health impacts related to air quality, noise, hazardous materials, groundwater, or unusual solid waste management practices that could attract vermin or be a source of odors. In addition, the proposed project would not result in any exceedances of accepted federal, state, or local standards. For informational purposes, the public health assessment also considers potential health concerns related to air quality during the construction and operation of the proposed project. The proposed project does not include any actions that would result in significant public health concerns, and therefore would not result in significant adverse public health impacts.

NEIGHBORHOOD CHARACTER

The proposed project would alter the land use on the project site by bringing a new approximately 214,000-sf commercial retail building and a three-level public parking garage (with 690 spaces) to a waterfront site that is currently underutilized. The proposed building is currently anticipated to include a BJ's Wholesale Club, as well as other retailers that would be located on the second level. The proposed project would create approximately 2.4 acres of public waterfront access, including an esplanade and other landscaped public access areas, providing new public access to approximately ¼-mile of the Gravesend Bay shoreline and a new amenity to shoppers, workers, and the surrounding community.

The changes to the project site's land use and bulk would be accompanied by increases to traffic activity. Significant adverse traffic impacts would be mitigated at all but one of the intersections analyzed, as described in "Transportation," "Mitigation," and "Unavoidable Adverse Impacts." The project's pedestrian and transit trip generation falls below the CEQR threshold requiring quantified analyses, and, therefore, the project would not result in any significant adverse transit- or pedestrian-related impacts on neighborhood character.

Although some existing retail stores and larger supermarkets within the project's local area may experience the competitive pressure generated by a new chain supermarket, these potential competitive effects would be limited, and not result in significant adverse neighborhood character impacts because the competitive effects would not jeopardize the viability of any local retail corridors that substantially contribute to neighborhood character. Smaller food stores and shopping goods stores are less likely to experience competitive pressure, if any, and neighborhood services stores and eating and drinking places would not be adversely affected. Local residents would continue to shop at existing food stores and shoppers' goods stores for a number of reasons, such as convenience, variety and selection of items, public transit accessibility, and absence of membership fees. Overall, while the possibility of some limited indirect business displacement due to competition cannot be ruled out, any displacement that might occur would not result in significant adverse impacts on neighborhood character.

The proposed actions would not have any significant noise-related impacts on neighborhood character.

Furthermore, the proposed actions would not result in a combination of moderate effects on the elements contributing to the neighborhood character of the study area. Overall, the proposed actions would not adversely affect neighborhood character.

CONSTRUCTION IMPACTS

Construction activities associated with the proposed project are anticipated to last approximately 28 months. As with any new development, construction activities may be disruptive to the

surrounding area. Construction of the proposed development also would have temporary effects in the areas listed below:

- *Hazardous Materials*. Construction activities for the proposed actions could disturb hazardous materials and increase pathways for human exposure. The project sponsor has obtained approval from NYSDEC of a Solid Waste Mitigation and Soil Management Plan and a BUD, and the proposed project would include measures to ensure there would be no significant adverse impacts related to hazardous materials as a result of construction, including: conducting demolition activities in compliance with applicable requirements, including those relating to abatement of asbestos and lead-based paint; registering and removing (or close-in-place) any known or unexpectedly encountered USTs and ASTs along with any associated contaminated soil; installing and maintaining erosion and sedimentation control measures in accordance with a SWPPP and an Erosion and Sediment Control Plan; and implementation of a Construction Health and Safety Plan; among other measures. With these measures, no potential for significant adverse impacts related to hazardous materials would be expected to occur either during or following construction at the site.
- *Traffic and Parking*. The proposed project would generate trips from workers traveling to and from the site, as well as from the movement of goods and equipment. The estimated average number of construction workers on site at any one time would vary depending on the phase of construction. Construction workers would travel primarily by private automobile. Given typical construction hours, worker trips would be concentrated in off-peak hours and would not represent a substantial increment during peak travel periods. Therefore, vehicle trips associated with construction would not be likely to have significant adverse impacts on surrounding streets. Truck movements would be spread throughout the day and would generally occur between the hours of 7:30 AM and 4:30 PM, depending on the period of construction. The following numbers of trucks (for materials delivery and removal of debris/scrap from construction operations) are anticipated during the various construction stages: 10 to 15 trips per day during demolition; 25 to 35 trips per day during excavation and foundation; 30 to 40 trips per day during structure and shell; and 25 to 35 trips per day during interior construction. Construction activities would result in the short-term temporary disruption of both traffic and pedestrian movements around the project sites. Construction staging is expected to be accommodated on-site. If required, approvals for any temporary sidewalk and curb lane closures during construction would be worked out in coordination with NYCDOT's Office of Construction Management and Coordination to minimize potential impacts on pedestrian and vehicular circulation surrounding the site. Overall, construction of the proposed development is not expected to have extensive or long-term impacts on traffic or parking conditions in the surrounding area.
- *Air Quality*. The quantity of air pollutants emitted during the construction period would likely vary over time. Some level of air pollutants would be released into the atmosphere, but it is not expected that the construction activities would increase those pollutants by amounts that would be considered significant in ambient air.
- *Noise*. While noise from construction activities may be considered intrusive, potential increases in noise levels as a result of construction-related activities would be expected to occur for limited duration. Therefore, no long-term, significant adverse noise impacts on the adjacent noise-sensitive uses are expected from the proposed construction activities.

Although there would be localized, temporary disruptions, the analysis concludes that there would not be any potential for significant adverse impacts by the proposed project due to the construction period.

MITIGATION

In addition to the transportation mitigation measures described below, the proposed actions would include certain measures to ensure there would be no significant adverse impacts related to hazardous materials. In accordance with the (E) designation described above in "Hazardous Materials," ~~The project sponsor will enter into a New York State Department of Environmental Conservation (NYSDEC) Restrictive Declaration (a legally enforceable recorded document) to ensure continued implementation of these measures.~~ the project sponsor will ~~also~~ enter into a New York City Department of Environmental Protection (NYCDEP) Restrictive Declaration, which the New York State Department of Environmental Conservation has also reviewed and approved as satisfying the State's requirements ~~that is consistent with the NYSDEC measures~~.

TRANSPORTATION

As described above, the proposed actions are expected to result in significant adverse traffic impacts at five intersections during the weekday midday peak hour, at six intersections during the weekday PM peak hour, and at seven intersections during the Saturday PM peak hour. Measures are proposed to mitigate all but one of these significant adverse traffic impacts. Proposed mitigation measures consist of retiming/reconfiguring signal controls to increase green time for congested movements, lane restriping, changing parking regulations, and installing a new traffic signal. With the proposed mitigation measures in place, all but one of the significantly impacted locations would operate at the same or better service levels than the 2013 future without the proposed project.

UNAVOIDABLE ADVERSE IMPACTS

TRANSPORTATION

As noted above, all but one of the intersections with significant adverse traffic impacts would be mitigated with the proposed mitigation measures in place. Unmitigated impacts would remain at one intersection, 20th Avenue and 86th Street, for all three peak hours in 2013. This intersection could not be mitigated due to the geometric constraints of the elevated subway line and the existence of metered parking spaces in front of active retail sites.

GROWTH INDUCING ASPECTS

The term "growth-inducing aspects" generally refers to the potential for a proposed project to trigger additional development in areas outside the project site that would otherwise not have such development without the proposed project. The *CEQR Technical Manual* indicates that an analysis of the growth-inducing aspects of a proposed project is appropriate when the project:

- Adds substantial new land use, new residents, or new employment that could induce additional development of a similar kind or of support uses, such as retail establishments to serve new residential uses; and/or
- Introduces or greatly expands infrastructure capacity.

The proposed actions are projected to result in 214,000-sf of retail development occupied by stores categorized under Use Groups 6 or 10. It is anticipated that the proposed building would house a BJ's Wholesale Club and three other retail stores. As noted above in "Socioeconomic

Conditions," the proposed actions are not expected to introduce enough of a different economic activity to alter existing economic patterns in the study area. While the proposed uses would be substantial additions to the study area, they do not represent new types of land uses. Shore Parkway South is a busy thoroughfare which already contains retail and other commercial uses. Further, the proposed actions would be compatible with and complementary to existing study area land uses. The area surrounding the project site is fully developed, and the level of development is controlled by zoning. As such, the proposed actions would not "induce" new growth in the study area. The proposed project and related actions are specific to the project site only. The proposed project would not introduce or greatly expand infrastructure capacity. Therefore, that proposed project would not result in any significant growth-inducing impacts.

IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES

There are a number of resources, both natural and built, that would be expended in the construction and operation of the proposed development. These resources include the materials used in construction; energy in the form of gas and electricity consumed during construction and operation of the proposed development; and the human effort (i.e., time and labor) required to develop, construct, and operate various components of the proposed development.

The resources are considered irretrievably committed because their reuse for some purpose other than the proposed actions would be highly unlikely. The land use changes associated with the development of the proposed project site may be considered a resource loss. The proposed actions constitute an irreversible and irretrievable commitment of the development site as a land resource, thereby rendering land use for other purposes infeasible, at least in the near term.

These commitments of land resources and materials are weighed against the benefits of the proposed project. The proposed project would bring new active retail uses to an underdeveloped site, as well as create a public accessible waterfront open space. This is expected to substantially improve the condition of the waterfront and create a new waterfront amenity for the surrounding neighborhood.

C. ALTERNATIVES TO THE PROPOSED PROJECT

Two alternatives to the proposed project were considered: a No Action Alternative, in which the site would remain in its existing conditions; and a No Impact Alternative, in which the proposed actions are modified to avoid any unmitigated significant adverse impacts.

NO ACTION ALTERNATIVE

Under this alternative, the proposed commercial building would not be constructed. The project area would continue to be occupied with a bus parking facility. As with the proposed project, this alternative would not result in adverse impacts on land use, zoning, and public policy, socioeconomic conditions, community facilities, open space, shadows, historic and cultural resources, urban design and visual resources, natural resources, hazardous materials, water and sewer infrastructure, solid waste and sanitation services, energy, transit and pedestrians, air quality, greenhouse gases, noise, public health, neighborhood character, and construction impacts. Unlike the proposed project, no additional traffic trips would be generated and therefore, no adverse impacts would occur at five intersections during the weekday midday peak hour, six intersections during the weekday PM peak hour, and seven intersections during the Saturday PM peak hour.

NO IMPACT ALTERNATIVE

As described above in "Traffic and Parking," the proposed project would result in significant adverse traffic impacts at five intersections during the weekday midday peak hour, six intersections during the weekday PM peak hour, and seven intersections during the Saturday PM peak hour. However, all but one of the potential impacts identified for the proposed project could be fully mitigated. In this alternative, the proposed commercial use on the project site would be small enough to eliminate the traffic impacts associated with the proposed project.

To eliminate the traffic impacts associated with the proposed actions, the commercial uses on the project site would have to be reduced by approximately 97 percent. Such a reduction may result in a commercial building on the site that is approximately 6,000 square feet in size. With the exception of traffic, the impact conclusions for this alternative would be the same as those for the proposed project—there would not be significant adverse environmental impacts for any of the technical areas described in this EIS.

In addition, this alternative would include the same measures as the proposed project to ensure there would be no significant adverse impacts related to hazardous materials.

An alternative which eliminates all unmitigated traffic impacts would require reducing the project's commercial program to such a substantial degree that is not financially feasible and would be inconsistent with the goals and objectives of the project sponsor to economically redevelop the site. ✷