City Environmental Quality Review
ENVIRONMENTAL ASSESSMENT STATEMENT (EAS) FULL FORM

Please fill out and submit to the appropriate agency (see instructions)

Part I: GENERAL INFORMATION

PROJECT NAME 307 Kent Avenue

1. *Reference Numbers*

CEQR REFERENCE NUMBER (to be assigned by lead agency)	BSA REFERENCE NUMBER (if applicable)
20DCP100K	
ULURP REFERENCE NUMBER (if applicable)	OTHER REFERENCE NUMBER(S) (if applicable) (*e.g.*, legislative intro, CAPA)
Pending	

2a. *Lead Agency Information*			**2b. *Applicant Information***		
NAME OF LEAD AGENCY New York City Department Of City Planning			NAME OF APPLICANT 307 Kent Associates		
NAME OF LEAD AGENCY CONTACT PERSON Olga Abinader			NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON CB Mobley, Bryan Cave LLP		
ADDRESS 120 Broadway, 31st Floor			ADDRESS 1290 Avenue of the Americas		
CITY New York City	STATE New York	ZIP 10271	CITY New York City	STATE New York	ZIP 10104
TELEPHONE 212-720-3493	EMAIL oabinad@planning.nyc.gov		TELEPHONE 212-541-2153	EMAIL cbmobley@bclplaw.com	

3. *Action Classification and Type*

SEQRA Classification

☒ UNLISTED ☐ TYPE I: Specify Category (see 6 NYCRR 617.4 and NYC Executive Order 91 of 1977, as amended):

Action Type (refer to Chapter 2, "Establishing the Analysis Framework" for guidance)

☐ LOCALIZED ACTION, SITE SPECIFIC ☒ LOCALIZED ACTION, SMALL AREA ☐ GENERIC ACTION

4. *Project Description*

The applicant, 307 Kent Associates, is seeking a zoning map amendment in order to facilitate the construction of a nine-story mixed-use building (the Proposed Project) at 307 Kent Avenue (Block 2415, Lot 1: the Development Site or Projected Development Site 1) in the Williamsburg neighborhood of Brooklyn Community District 1. The amendment would convert a portion of the existing M3-1 zoning district to M1-5 (affecting Lots 1, 6, 10, 7501, and 7502); and extend the existing MX-8 (M1-4/R6A) boundary (affecting Lots 6, 16, 38, 7501, and 7502). As the existing MX-8 district is being extended, a text amendment to Map 2 for Community District 1, Brooklyn within Appendix F of the Zoning Resolution is also necessary to remove this 90-foot wide portion of the Subject Block from the "Excluded Area" shown on this map in order to establish a Mandatory Inclusionary Housing (MIH) area and to make MIH regulations applicable for the area that is proposed as MX-8 (M1-4/R6A). The proposed zoning map amendment and zoning text amendment collectively respresent the Proposed Actions. The Project Area, coterminous with the Rezoning Area, totals 50,767 sf is composed of seven tax lots: Block 2415, Lot 1 (Projected Development Site 1), Lot 6 (Projected Development Site 2), Lot 10, Lot 7501, Lot 7502 and p/o Lot 16 and p/o Lot 38.

The Proposed Project would have a build year of 2022 and would total approximately 101,000 gsf, including approximately 9,000 gross square feet (gsf) of retail uses, 70,000 gsf of office uses, and up to 22,000 gsf of community facility use. The proposed M1-5 district encourages commercial and light industrial uses, and manufacturing uses would be subject to stringent performance standards consistent with the mixed-use character of the neighborhood. For the purposes of the CEQR analyses, the Proposed Project is analyzed as Projected Development Site 1, and a portion of the 70,000 gsf commercial uses are assumed to be light industrial in order to present a conservative analysis for certain technical areas, such as Air Quality, and a portion is assumed to be office in order to present a more conservative analysis in other technical areas, such as transportation.) Projected Development Site 2 (Block 2415, Lot 6) is also anticipated to be redeveloped as a result of the proposed rezoning, and is projected to contain an 80,500-gsf, nine-story, mixed-use building with approximately 55,000 gsf of office uses, 17,500 gsf of community facility uses, and 8,000 gsf of retail uses.

Project Location

BOROUGH Brooklyn	COMMUNITY DISTRICT(S) 1	STREET ADDRESS 307 Kent Avenue
TAX BLOCK(S) AND LOT(S) Block 2145, Lots 1, 6, 10, 7501, 7502, part of 16, 38		ZIP CODE 11249

DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS The proposed rezoning area is bounded by Kent Avenue, South 2nd St, South 3rd Street, and Wythe Avenue

EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY M3-1, MX8 (M1-4/R6A)	ZONING SECTIONAL MAP NUMBER 12d

5. *Required Actions or Approvals* (check all that apply)

City Planning Commission: ☒ YES ☐ NO ☒ UNIFORM LAND USE REVIEW PROCEDURE (ULURP)

☐ CITY MAP AMENDMENT	☐ ZONING CERTIFICATION	☐ CONCESSION
☒ ZONING MAP AMENDMENT	☐ ZONING AUTHORIZATION	☐ UDAAP
☒ ZONING TEXT AMENDMENT	☐ ACQUISITION—REAL PROPERTY	☐ REVOCABLE CONSENT
☐ SITE SELECTION—PUBLIC FACILITY	☐ DISPOSITION—REAL PROPERTY	☐ FRANCHISE
☐ HOUSING PLAN & PROJECT	☐ OTHER, explain:	

☐ SPECIAL PERMIT (if appropriate, specify type: ☐ modification; ☐ renewal; ☐ other); EXPIRATION DATE:
SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

Board of Standards and Appeals: ☐ YES ☒ NO

☐ VARIANCE (use)
☐ VARIANCE (bulk)
☐ SPECIAL PERMIT (if appropriate, specify type: ☐ modification; ☐ renewal; ☐ other); EXPIRATION DATE:
SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

Department of Environmental Protection: ☐ YES ☒ NO If "yes," specify:

Other City Approvals Subject to CEQR (check all that apply)

☐ LEGISLATION	☐ FUNDING OF CONSTRUCTION, specify:
☐ RULEMAKING	☐ POLICY OR PLAN, specify:
☐ CONSTRUCTION OF PUBLIC FACILITIES	☐ FUNDING OF PROGRAMS, specify:
☐ 384(b)(4) APPROVAL	☐ PERMITS, specify:
☐ OTHER, explain:	

Other City Approvals Not Subject to CEQR (check all that apply)

☒ PERMITS FROM DOT'S OFFICE OF CONSTRUCTION MITIGATION AND COORDINATION (OCMC)	☐ LANDMARKS PRESERVATION COMMISSION APPROVAL
	☐ OTHER, explain:

State or Federal Actions/Approvals/Funding: ☐ YES ☒ NO If "yes," specify:

6. *Site Description:* *The directly affected area consists of the project site and the area subject to any change in regulatory controls. Except where otherwise indicated, provide the following information with regard to the directly affected area.*

Graphics: *The following graphics must be attached and each box must be checked off before the EAS is complete. Each map must clearly depict the boundaries of the directly affected area or areas and indicate a 400-foot radius drawn from the outer boundaries of the project site. Maps may not exceed 11 x 17 inches in size and, for paper filings, must be folded to 8.5 x 11 inches.*

☒ SITE LOCATION MAP	☒ ZONING MAP	☒ SANBORN OR OTHER LAND USE MAP
☒ TAX MAP	☐ FOR LARGE AREAS OR MULTIPLE SITES, A GIS SHAPE FILE THAT DEFINES THE PROJECT SITE(S)	

☒ PHOTOGRAPHS OF THE PROJECT SITE TAKEN WITHIN 6 MONTHS OF EAS SUBMISSION AND KEYED TO THE SITE LOCATION MAP

Physical Setting (both developed and undeveloped areas)

Total directly affected area (sq. ft.): 14,425 (Projected Development Site 1); 11,330 (Projected Development Site 2)

Waterbody area (sq. ft.) and type: 0

Roads, buildings, and other paved surfaces (sq. ft.): 14,425 (Projected Development Site 1); 11,330 (Projected Development Site 2)

Other, describe (sq. ft.): 0

7. *Physical Dimensions and Scale of Project* (if the project affects multiple sites, provide the total development facilitated by the action)

SIZE OF PROJECT TO BE DEVELOPED (gross square feet): 181,500 total; 101,000 (Projected Development Site 1); 80,500 (Projected Development Site 2)

NUMBER OF BUILDINGS: 2

GROSS FLOOR AREA OF EACH BUILDING (sq. ft.): 101,000 (Projected Development Site 1); 80,500 (Projected Development Site 2)

HEIGHT OF EACH BUILDING (ft.): ~151 (Projected Development Site 1); ~125 (Projected Development Site 2)

NUMBER OF STORIES OF EACH BUILDING: 9 (Projected Development Site 1 and Projected Development Site 2)

Does the proposed project involve changes in zoning on one or more sites? ☒ YES ☐ NO

If "yes," specify: The total square feet owned or controlled by the applicant: 14,425 (Lot 1)

The total square feet not owned or controlled by the applicant: 45,635 (Lots 6, 10, 16, 38, 7501, 7502)

Does the proposed project involve in-ground excavation or subsurface disturbance, including, but not limited to foundation work, pilings, utility lines, or grading? ☒ YES ☐ NO

If "yes," indicate the estimated area and volume dimensions of subsurface disturbance (if known):

AREA OF TEMPORARY DISTURBANCE: 14,425 (Projected Development Site 1); 11,330 (Projected Development Site 2) sq. ft. (width x length)

VOLUME OF DISTURBANCE: 144,250 (Projected Development Site 1); 113,300 (Projected Development Site 2) cubic ft. (width x length x depth)

AREA OF PERMANENT DISTURBANCE: 14,425 (Projected Development Site 1); 11,330 (Projected Development Site 2) sq. ft. (width x length)

8. *Analysis Year* CEQR Technical Manual Chapter 2

ANTICIPATED BUILD YEAR (date the project would be completed and operational): 2022

ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: 21

WOULD THE PROJECT BE IMPLEMENTED IN A SINGLE PHASE? ☒ YES ☐ NO | IF MULTIPLE PHASES, HOW MANY?

BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE:

9. *Predominant Land Use in the Vicinity of the Project* (check all that apply)

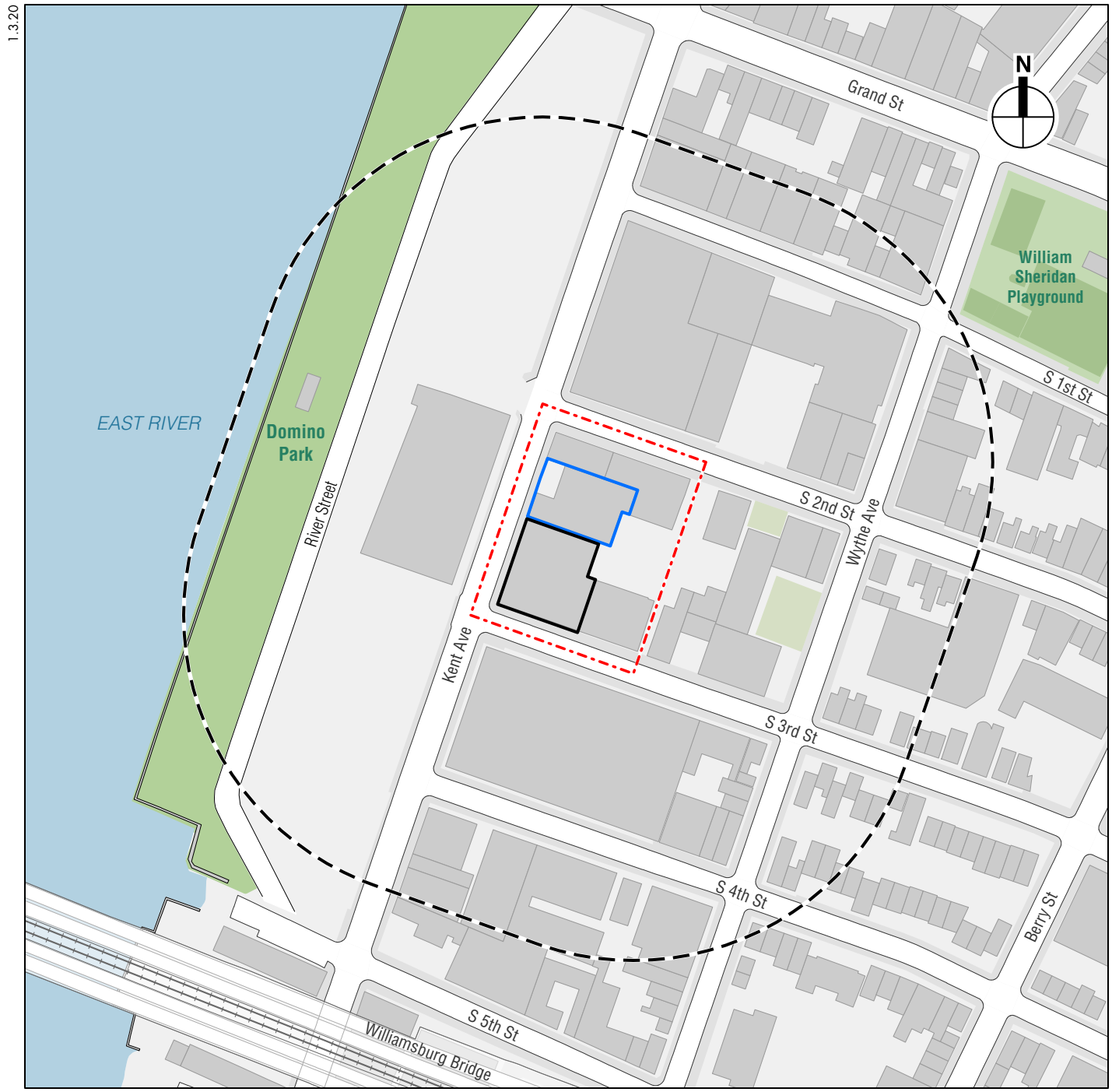
☒ RESIDENTIAL ☒ MANUFACTURING ☒ COMMERCIAL ☒ PARK/FOREST/OPEN SPACE ☒ OTHER, specify: Construction; Mixed Use

DESCRIPTION OF EXISTING AND PROPOSED CONDITIONS

The information requested in this table applies to the directly affected area. The directly affected area consists of the project site and the area subject to any change in regulatory control. The increment is the difference between the No-Action and the With-Action conditions.

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
LAND USE				
Residential	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify the following:				
Describe type of residential structures				
No. of dwelling units				
No. of low- to moderate-income units				
Gross floor area (sq. ft.)				
Commercial	☒ YES ☐ NO	☒ YES ☐ NO	☒ YES ☐ NO	
If "yes," specify the following:				
Describe type (retail, office, other)	Warehouse; Warehouse, production events (UG 16)	Warehouse; Warehouse, production events (UG 13)	Office & Retail (UG 6)	
Gross floor area (sq. ft.)	26,640 (Lot 1: 15,296; Lot 6: 11,344)	26,640	17,000 (retail); 78,333 (office)	68,693
Manufacturing/Industrial	☐ YES ☒ NO	☐ YES ☒ NO	☒ YES ☐ NO	
If "yes," specify the following:				
Type of use			Light Industrial & Manufacturing (UG 9A, 10A, 11A, 13A, 16A, 17B, 17C, 18A)	
Gross floor area (sq. ft.)			46,667	46,667
Open storage area (sq. ft.)				
If any unenclosed activities, specify:				
Community Facility	☐ YES ☒ NO	☐ YES ☒ NO	☒ YES ☐ NO	
If "yes," specify the following:				
Type			Medical Office (UG 4A)	
Gross floor area (sq. ft.)			39,500	39,500
Vacant Land	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," describe:				
Publicly Accessible Open Space	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify type (mapped City, State, or Federal parkland, wetland—mapped or otherwise known, other):				
Other Land Uses	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," describe:				
PARKING				
Garages	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify the following:				
No. of public spaces				
No. of accessory spaces				
Operating hours				
Attended or non-attended				
Lots	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify the following:				
No. of public spaces				
No. of accessory spaces				
Operating hours				
Other (includes street parking)	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," describe:				

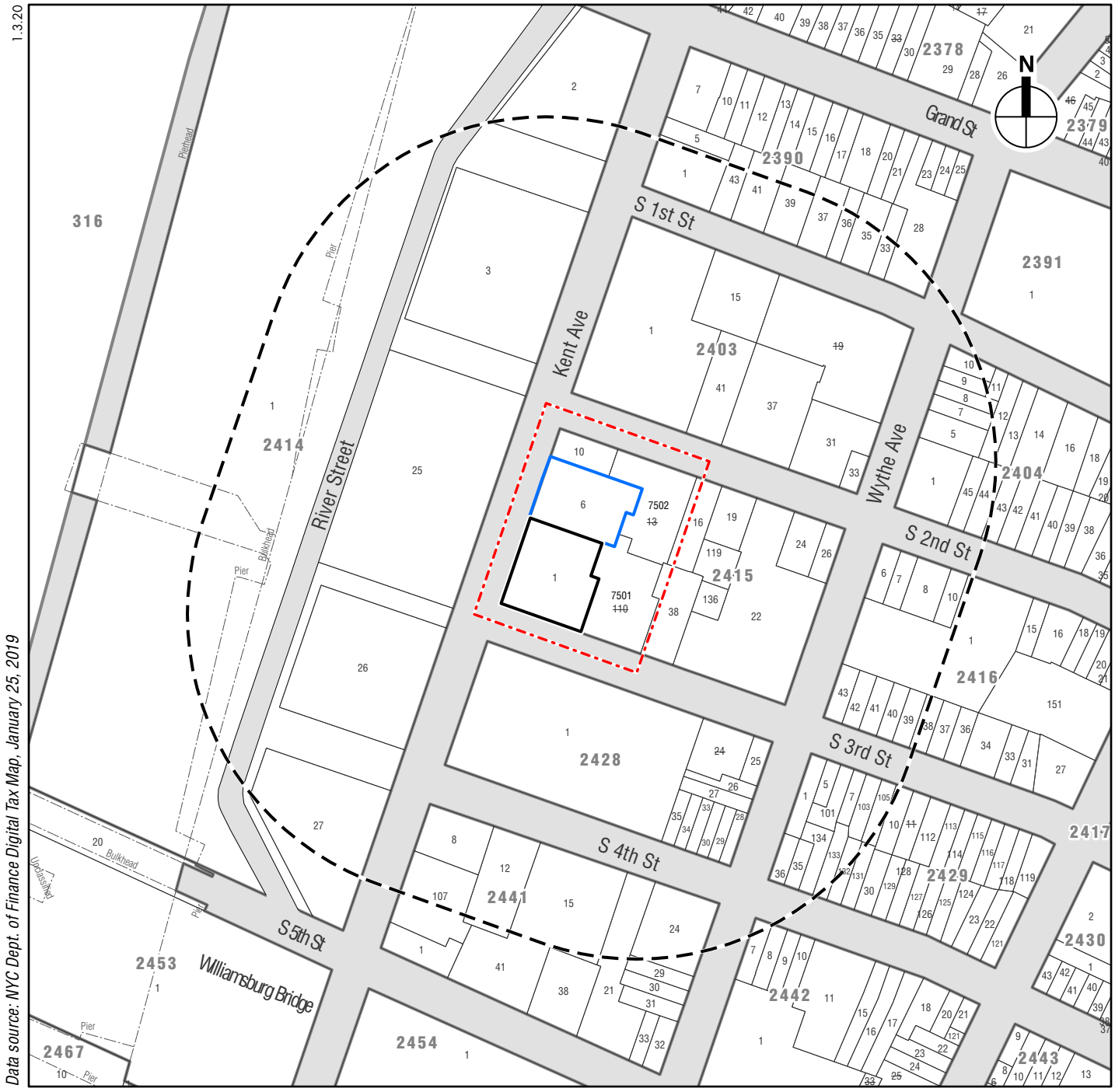
	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
POPULATION				
Residents	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify number:				
Briefly explain how the number of residents was calculated:				
Businesses	☒ YES ☐ NO	☒ YES ☐ NO	☒ YES ☐ NO	
If "yes," specify the following:				
No. and type	2 businesses	2 businesses	No. of businesses TBD: UG 6 retail & office, UG 4A medical office, and a mix of light industrial uses	
No. and type of workers by business	53	53	51 workers (retail), 313 workers (office), 119 workers (medical office), 93 workers (light industrial), 576 total workers	523
No. and type of non-residents who are not workers	N/A	N/A	N/A	
Briefly explain how the number of businesses was calculated:	No Action: 1 worker/500 gsf of commercial (service to businesses) uses. With Action: 1 worker/333 gsf of retail and medical office uses; 1 worker/250 gsf of office uses; 1 worker/500 gsf light industrial manufacturing			
Other (students, visitors, concert-goers, *etc.*)	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If any, specify type and number:				
Briefly explain how the number was calculated:				
ZONING				
Zoning classification	M3-1	M3-1	M1-5	
Maximum amount of floor area that can be developed	2	2	5 (+1.5 UG 4A)	
Predominant land use and zoning classifications within land use study area(s) or a 400 ft. radius of proposed project	Commercial, Residential, Mixed-Use District (MX-8)	Commercial, Residential, Mixed-Use District (MX-8)	Commercial, Residential, Mixed-Use District (MX-8)	
Attach any additional information that may be needed to describe the project. If your project involves changes that affect one or more sites not associated with a specific development, it is generally appropriate to include total development projections in the above table and attach separate tables outlining the reasonable development scenarios for each site.				



Project Location

307 KENT AVENUE

Figure 1

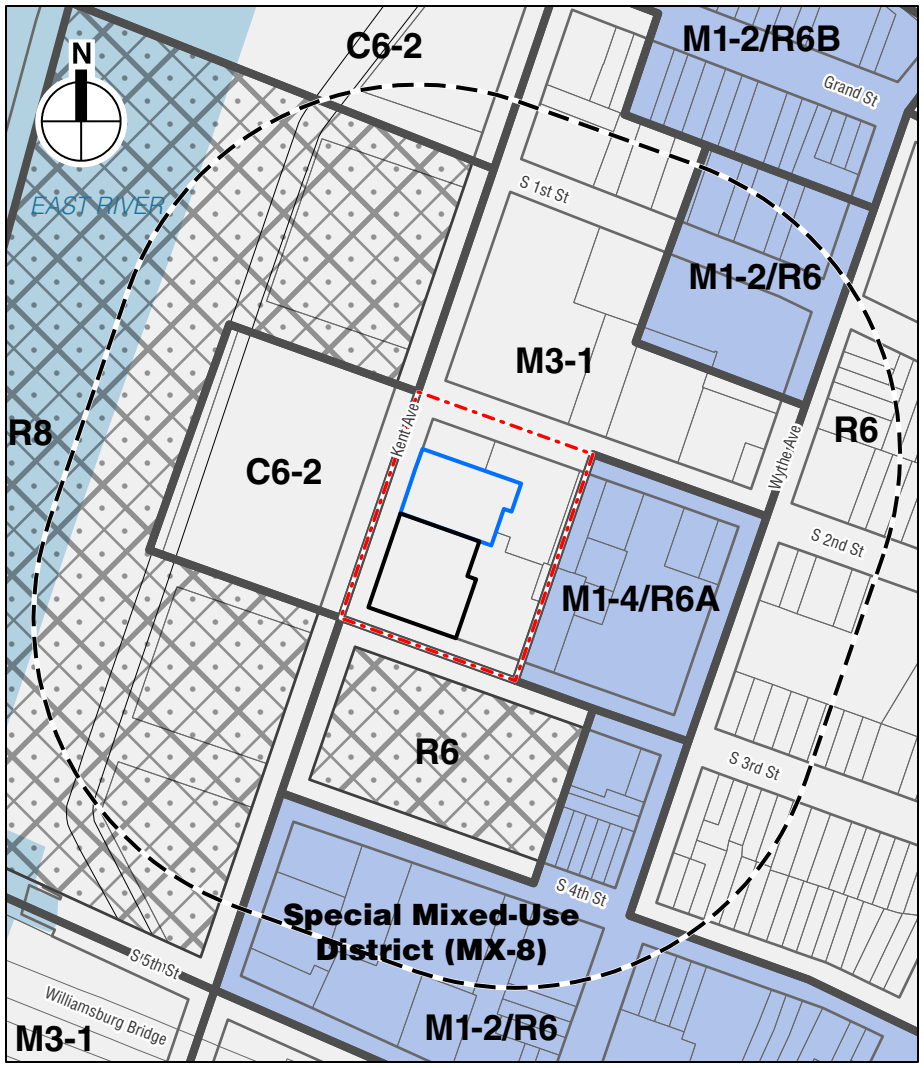


Tax Map

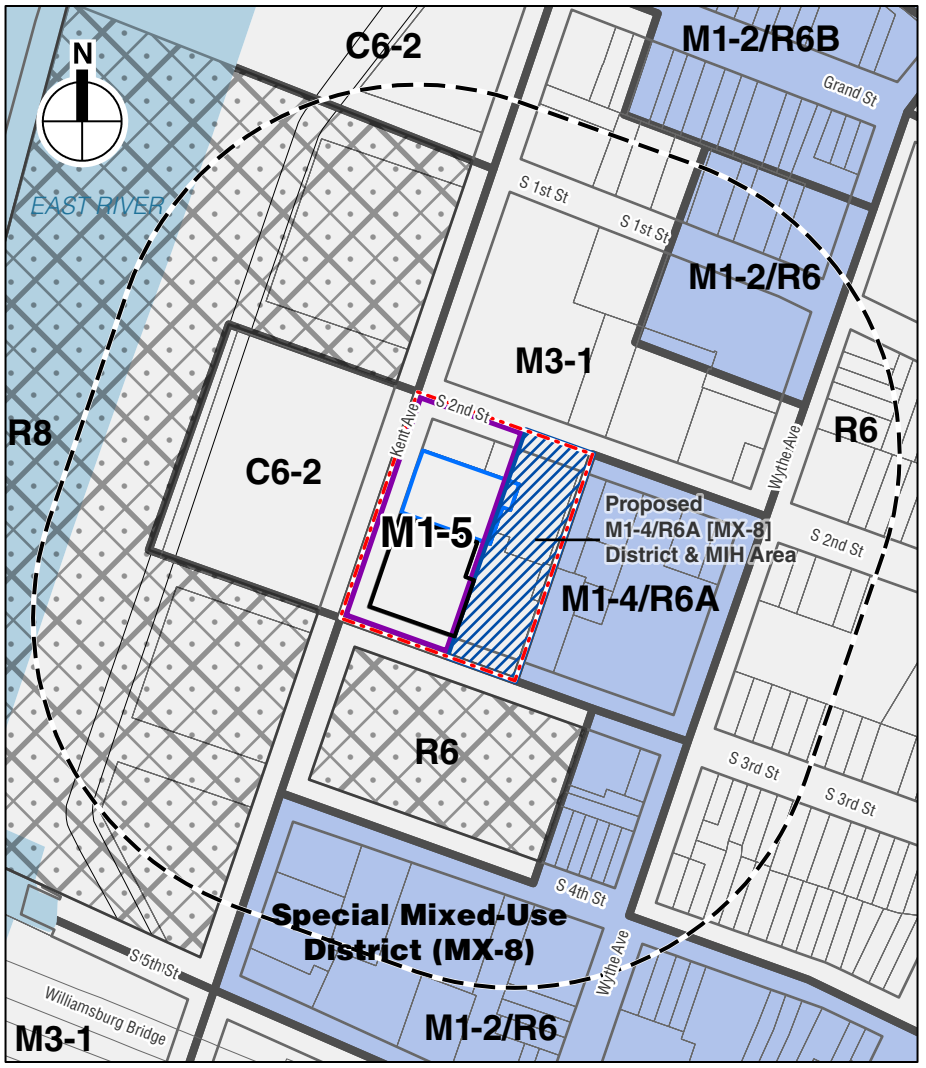
307 KENT AVENUE

Figure 2

1.7.20



Existing Zoning



Proposed Zoning

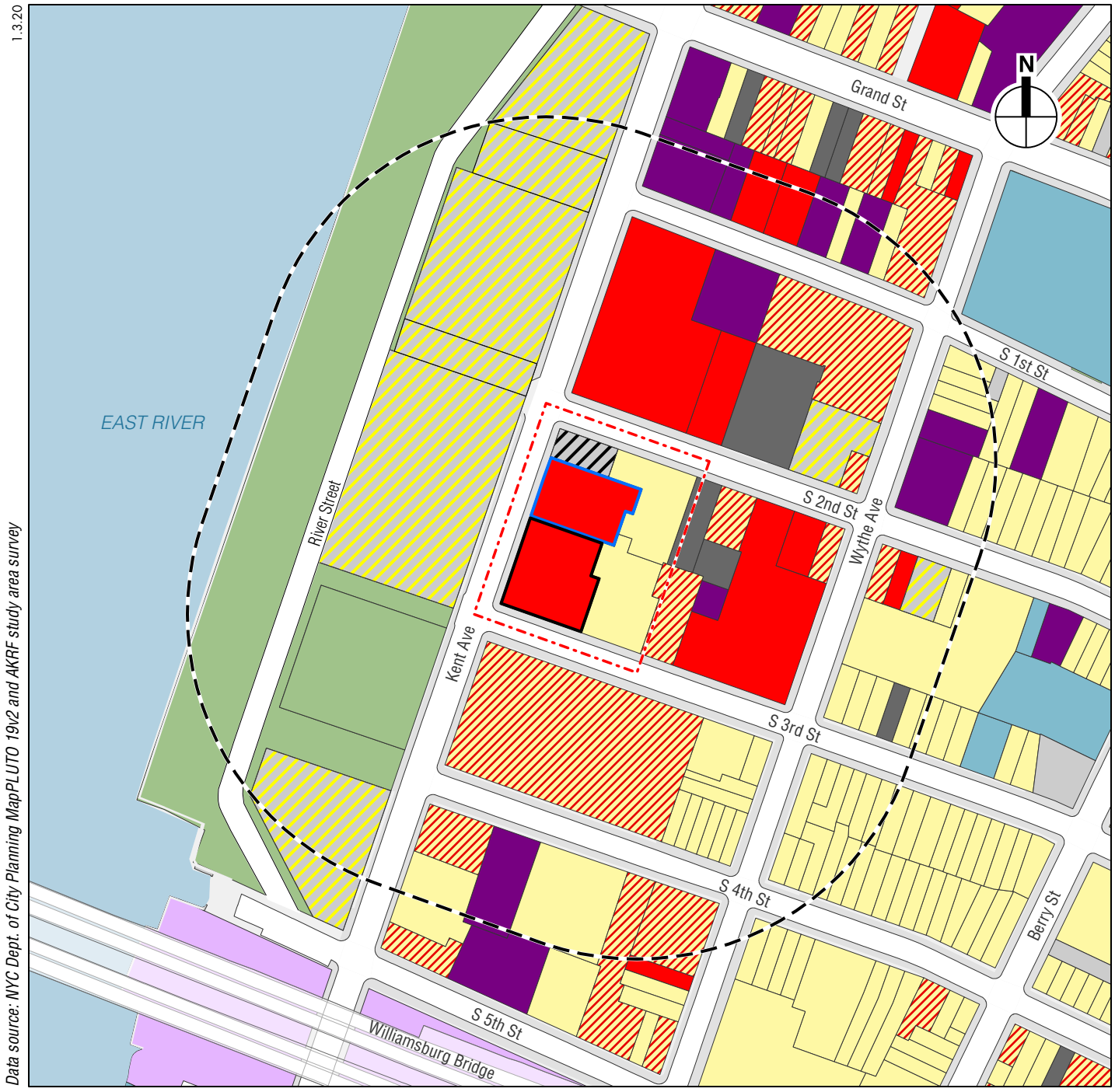
Projected Development Site 1
Projected Development Site 2
Study Area (400-foot perimeter)
Zoning District Boundaries
C2-4 Commercial Overlay District
Special Purpose District
Project Area/Proposed Rezoning Area
Proposed M1-5 District
Proposed M1-4/R6A [MX-8] District & Mandatory Inclusionary Housing (MIH) Area

0 200 FEET

Zoning Comparison Map

307 KENT AVENUE

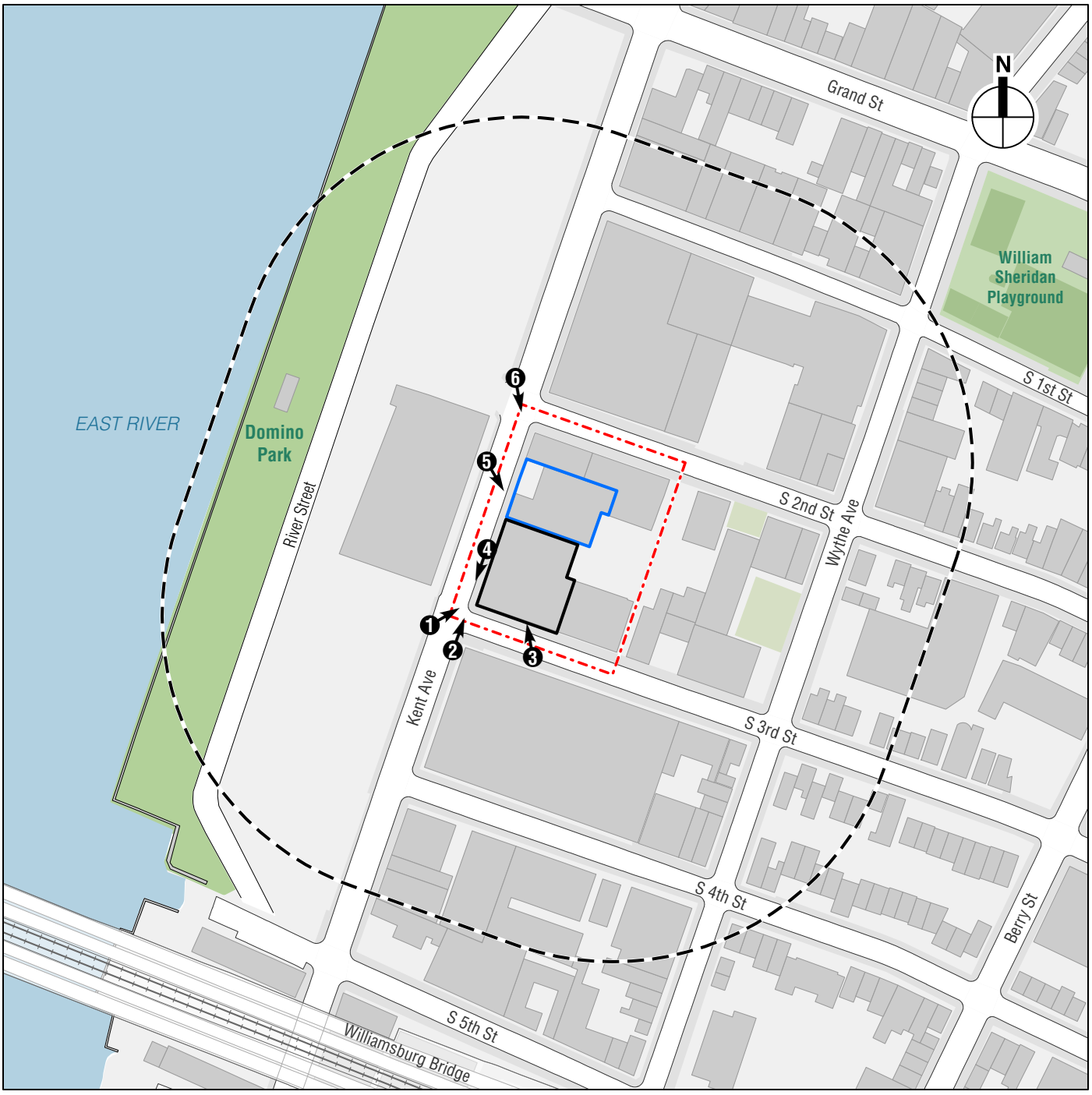
Figure 3



Existing Land Use

307 KENT AVENUE

Figure 4



Project Area (Proposed Rezoning Area)

Projected Development Site 1

Projected Development Site 2

Study Area (400-foot perimeter)

Photo View Direction and Reference Number

Photograph Key

307 KENT AVENUE

Figure 5

View looking northeast of Projected Development Site 1 from South 3rd Street and Kent Avenue **1**

View looking north on Kent Avenue from South 3rd Street with Projected Development Site 1 to the right **2**

View northwest of Projected Development Site 1 and the Havemeyers & Elder Filter, Pan & Finishing House from South 3rd Street **3**

View south along Kent Avenue with Projected Development Site 1 to the left **4**

View southeast along Kent Avenue showing, from left to right, Projected Development Site 2, Projected Development Site 1, and 325 Kent Avenue **5**

View southeast along Kent Avenue from South 2nd Street showing Projected Development Site 2 and Projected Development Site 1 **6**

Part II: TECHNICAL ANALYSIS

INSTRUCTIONS: For each of the analysis categories listed in this section, assess the proposed project's impacts based on the thresholds and criteria presented in the CEQR Technical Manual. Check each box that applies.

- If the proposed project can be demonstrated not to meet or exceed the threshold, check the "no" box.
- If the proposed project will meet or exceed the threshold, or if this cannot be determined, check the "yes" box.
- For each "yes" response, provide additional analyses (and, if needed, attach supporting information) based on guidance in the CEQR Technical Manual to determine whether the potential for significant impacts exists. Please note that a "yes" answer does not mean that an EIS must be prepared—it means that more information may be required for the lead agency to make a determination of significance.
- The lead agency, upon reviewing Part II, may require an applicant to provide additional information to support the Full EAS Form. For example, if a question is answered "no," an agency may request a short explanation for this response.

	YES	NO
1. *LAND USE, ZONING, AND PUBLIC POLICY*: CEQR Technical Manual Chapter 4		
(a) Would the proposed project result in a change in land use different from surrounding land uses?	☒	☐
(b) Would the proposed project result in a change in zoning different from surrounding zoning?	☒	☐
(c) Is there the potential to affect an applicable public policy?	☒	☐
(d) If "yes," to (a), (b), and/or (c), complete a preliminary assessment and attach. See Scope and Att B		
(e) Is the project a large, publicly sponsored project?	☐	☒
○ If "yes," complete a PlaNYC assessment and attach.		
(f) Is any part of the directly affected area within the City's Waterfront Revitalization Program boundaries?	☒	☐
○ If "yes," complete the Consistency Assessment Form.		
2. *SOCIOECONOMIC CONDITIONS*: CEQR Technical Manual Chapter 5		
(a) Would the proposed project:		
○ Generate a net increase of more than 200 residential units *or* 200,000 square feet of commercial space?	☐	☒
▪ If "yes," answer *both* questions 2(b)(ii) and 2(b)(iv) below.		
○ Directly displace 500 or more residents?	☐	☒
▪ If "yes," answer questions 2(b)(i), 2(b)(ii), and 2(b)(iv) below.		
○ Directly displace more than 100 employees?	☐	☒
▪ If "yes," answer questions under 2(b)(iii) and 2(b)(iv) below.		
○ Affect conditions in a specific industry?	☐	☒
▪ If "yes," answer question 2(b)(v) below.		
(b) If "yes" to any of the above, attach supporting information to answer the relevant questions below. If "no" was checked for each category above, the remaining questions in this technical area do not need to be answered.		
i. Direct Residential Displacement		
○ If more than 500 residents would be displaced, would these residents represent more than 5% of the primary study area population?	☐	☐
○ If "yes," is the average income of the directly displaced population markedly lower than the average income of the rest of the study area population?	☐	☐
ii. Indirect Residential Displacement		
○ Would expected average incomes of the new population exceed the average incomes of study area populations?	☐	☐
○ If "yes:"		
▪ Would the population of the primary study area increase by more than 10 percent?	☐	☐
▪ Would the population of the primary study area increase by more than 5 percent in an area where there is the potential to accelerate trends toward increasing rents?	☐	☐
○ If "yes" to either of the preceding questions, would more than 5 percent of all housing units be renter-occupied and unprotected?	☐	☐
iii. Direct Business Displacement		
○ Do any of the displaced businesses provide goods or services that otherwise would not be found within the trade area, either under existing conditions or in the future with the proposed project?	☐	☐

	YES	NO
○ Is any category of business to be displaced the subject of other regulations or publicly adopted plans to preserve, enhance, or otherwise protect it?	☐	☐
iv. Indirect Business Displacement		
○ Would the project potentially introduce trends that make it difficult for businesses to remain in the area?	☐	☐
○ Would the project capture retail sales in a particular category of goods to the extent that the market for such goods would become saturated, potentially resulting in vacancies and disinvestment on neighborhood commercial streets?	☐	☐
v. Effects on Industry		
○ Would the project significantly affect business conditions in any industry or any category of businesses within or outside the study area?	☐	☐
○ Would the project indirectly substantially reduce employment or impair the economic viability in the industry or category of businesses?	☐	☐
3. *COMMUNITY FACILITIES*: CEQR Technical Manual Chapter 6		
(a) Direct Effects		
○ Would the project directly eliminate, displace, or alter public or publicly funded community facilities such as educational facilities, libraries, health care facilities, day care centers, police stations, or fire stations?	☐	☒
(b) Indirect Effects		
i. Child Care Centers		
○ Would the project result in 20 or more eligible children under age 6, based on the number of low or low/moderate income residential units? (See Table 6-1 in Chapter 6)	☐	☒
○ If "yes," would the project result in a collective utilization rate of the group child care/Head Start centers in the study area that is greater than 100 percent?	☐	☐
○ If "yes," would the project increase the collective utilization rate by 5 percent or more from the No-Action scenario?	☐	☐
ii. Libraries		
○ Would the project result in a 5 percent or more increase in the ratio of residential units to library branches? (See Table 6-1 in Chapter 6)	☐	☒
○ If "yes," would the project increase the study area population by 5 percent or more from the No-Action levels?	☐	☐
○ If "yes," would the additional population impair the delivery of library services in the study area?	☐	☐
iii. Public Schools		
○ Would the project result in 50 or more elementary or middle school students, or 150 or more high school students based on number of residential units? (See Table 6-1 in Chapter 6)	☐	☒
○ If "yes," would the project result in a collective utilization rate of the elementary and/or intermediate schools in the study area that is equal to or greater than 100 percent?	☐	☐
○ If "yes," would the project increase this collective utilization rate by 5 percent or more from the No-Action scenario?	☐	☐
iv. Health Care Facilities		
○ Would the project result in the introduction of a sizeable new neighborhood?	☐	☒
○ If "yes," would the project affect the operation of health care facilities in the area?	☐	☐
v. Fire and Police Protection		
○ Would the project result in the introduction of a sizeable new neighborhood?	☐	☒
○ If "yes," would the project affect the operation of fire or police protection in the area?	☐	☐
4. *OPEN SPACE*: CEQR Technical Manual Chapter 7		
(a) Would the project change or eliminate existing open space?	☐	☒
(b) Is the project located within an under-served area in the Bronx, Brooklyn, Manhattan, Queens, or Staten Island?	☐	☒
(c) If "yes," would the project generate more than 50 additional residents or 125 additional employees?	☐	☐
(d) Is the project located within a well-served area in the Bronx, Brooklyn, Manhattan, Queens, or Staten Island?	☐	☒
(e) If "yes," would the project generate more than 350 additional residents or 750 additional employees?	☐	☐
(f) If the project is located in an area that is neither under-served nor well-served, would it generate more than 200 additional residents or 500 additional employees?	☒	☐
(g) If "yes" to questions (c), (e), or (f) above, attach supporting information to answer the following:		
○ If in an under-served area, would the project result in a decrease in the open space ratio by more than 1 percent?	☐	☐

	YES	NO
○ If in an area that is not under-served, would the project result in a decrease in the open space ratio by more than 5 percent?	☐	☒
○ If "yes," are there qualitative considerations, such as the quality of open space, that need to be considered? Please specify: No; See Attachment C	☐	☐
5. *SHADOWS*: CEQR Technical Manual Chapter 8		
(a) Would the proposed project result in a net height increase of any structure of 50 feet or more?	☒	☐
(b) Would the proposed project result in any increase in structure height and be located adjacent to or across the street from a sunlight-sensitive resource?	☒	☐
(c) If "yes" to either of the above questions, attach supporting information explaining whether the project's shadow would reach any sunlight-sensitive resource at any time of the year. See Attachment D		
6. *HISTORIC AND CULTURAL RESOURCES*: CEQR Technical Manual Chapter 9		
(a) Does the proposed project site or an adjacent site contain any architectural and/or archaeological resource that is eligible for or has been designated (or is calendared for consideration) as a New York City Landmark, Interior Landmark or Scenic Landmark; that is listed or eligible for listing on the New York State or National Register of Historic Places; or that is within a designated or eligible New York City, New York State or National Register Historic District? (See the GIS System for Archaeology and National Register to confirm)	☒	☐
(b) Would the proposed project involve construction resulting in in-ground disturbance to an area not previously excavated?	☒	☐
(c) If "yes" to either of the above, list any identified architectural and/or archaeological resources and attach supporting information on whether the proposed project would potentially affect any architectural or archeological resources. See Attachment E		
7. *URBAN DESIGN AND VISUAL RESOURCES*: CEQR Technical Manual Chapter 10		
(a) Would the proposed project introduce a new building, a new building height, or result in any substantial physical alteration to the streetscape or public space in the vicinity of the proposed project that is not currently allowed by existing zoning?	☒	☐
(b) Would the proposed project result in obstruction of publicly accessible views to visual resources not currently allowed by existing zoning?	☐	☒
(c) If "yes" to either of the above, please provide the information requested in Chapter 10. See Attachment F		
8. *NATURAL RESOURCES*: CEQR Technical Manual Chapter 11		
(a) Does the proposed project site or a site adjacent to the project contain natural resources as defined in Section 100 of Chapter 11?	☐	☒
○ If "yes," list the resources and attach supporting information on whether the project would affect any of these resources.		
(b) Is any part of the directly affected area within the Jamaica Bay Watershed?	☐	☒
○ If "yes," complete the Jamaica Bay Watershed Form and submit according to its instructions.		
9. *HAZARDOUS MATERIALS*: CEQR Technical Manual Chapter 12		
(a) Would the proposed project allow commercial or residential uses in an area that is currently, or was historically, a manufacturing area that involved hazardous materials?	☒	☐
(b) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to hazardous materials that preclude the potential for significant adverse impacts?	☐	☒
(c) Would the project require soil disturbance in a manufacturing area or any development on or near a manufacturing area or existing/historic facilities listed in Appendix 1 (including nonconforming uses)?	☒	☐
(d) Would the project result in the development of a site where there is reason to suspect the presence of hazardous materials, contamination, illegal dumping or fill, or fill material of unknown origin?	☒	☐
(e) Would the project result in development on or near a site that has or had underground and/or aboveground storage tanks (*e.g.*, gas stations, oil storage facilities, heating oil storage)?	☒	☐
(f) Would the project result in renovation of interior existing space on a site with the potential for compromised air quality; vapor intrusion from either on-site or off-site sources; or the presence of asbestos, PCBs, mercury or lead-based paint?	☒	☐
(g) Would the project result in development on or near a site with potential hazardous materials issues such as government-listed voluntary cleanup/brownfield site, current or former power generation/transmission facilities, coal gasification or gas storage sites, railroad tracks or rights-of-way, or municipal incinerators?	☒	☐
(h) Has a Phase I Environmental Site Assessment been performed for the site?	☒	☐
○ If "yes," were Recognized Environmental Conditions (RECs) identified? Briefly identify: Prior industrial/automotive uses, nearby industrial uses, nearby electroplating hazardous waste generator	☒	☐
(i) Based on the Phase I Assessment, is a Phase II Investigation needed? See Attachment G	☒	☐
10. *WATER AND SEWER INFRASTRUCTURE*: CEQR Technical Manual Chapter 13		
(a) Would the project result in water demand of more than one million gallons per day?	☐	☒

	YES	NO
(b) If the proposed project located in a combined sewer area, would it result in at least 1,000 residential units or 250,000 square feet or more of commercial space in Manhattan, or at least 400 residential units or 150,000 square feet or more of commercial space in the Bronx, Brooklyn, Staten Island, or Queens?	☒	☐
(c) If the proposed project located in a separately sewered area, would it result in the same or greater development than that listed in Table 13-1 in Chapter 13?	☐	☐
(d) Would the project involve development on a site that is 5 acres or larger where the amount of impervious surface would increase?	☐	☒
(e) If the project is located within the Jamaica Bay Watershed or in certain specific drainage areas, including Bronx River, Coney Island Creek, Flushing Bay and Creek, Gowanus Canal, Hutchinson River, Newtown Creek, or Westchester Creek, would it involve development on a site that is 1 acre or larger where the amount of impervious surface would increase?	☐	☒
(f) Would the proposed project be located in an area that is partially sewered or currently unsewered?	☐	☒
(g) Is the project proposing an industrial facility or activity that would contribute industrial discharges to a Wastewater Treatment Plant and/or contribute contaminated stormwater to a separate storm sewer system?	☐	☒
(h) Would the project involve construction of a new stormwater outfall that requires federal and/or state permits?	☐	☒
(i) If "yes" to any of the above, conduct the appropriate preliminary analyses and attach supporting documentation. See Attachment H		
11. *SOLID WASTE AND SANITATION SERVICES*: CEQR Technical Manual Chapter 14		
(a) Using Table 14-1 in Chapter 14, the project's projected operational solid waste generation is estimated to be (pounds per week): 26,617.5		
○ Would the proposed project have the potential to generate 100,000 pounds (50 tons) or more of solid waste per week?	☐	☒
(b) Would the proposed project involve a reduction in capacity at a solid waste management facility used for refuse or recyclables generated within the City?	☐	☒
○ If "yes," would the proposed project comply with the City's Solid Waste Management Plan?	☐	☐
12. *ENERGY*: CEQR Technical Manual Chapter 15		
(a) Using energy modeling or Table 15-1 in Chapter 15, the project's projected energy use is estimated to be (annual BTUs): 56,390,696		
(b) Would the proposed project affect the transmission or generation of energy?	☐	☒
13. *TRANSPORTATION*: CEQR Technical Manual Chapter 16		
(a) Would the proposed project exceed any threshold identified in Table 16-1 in Chapter 16?	☒	☐
(b) If "yes," conduct the appropriate screening analyses, attach back up data as needed for each stage, and answer the following questions:		
○ Would the proposed project result in 50 or more Passenger Car Equivalents (PCEs) per project peak hour?	☒	☐
If "yes," would the proposed project result in 50 or more vehicle trips per project peak hour at any given intersection? ***It should be noted that the lead agency may require further analysis of intersections of concern even when a project generates fewer than 50 vehicles in the peak hour. See Subsection 313 of Chapter 16 for more information.*	☒	☐
○ Would the proposed project result in more than 200 subway/rail or bus trips per project peak hour?	☒	☐
If "yes," would the proposed project result, per project peak hour, in 50 or more bus trips on a single line (in one direction) or 200 subway/rail trips per station or line?	☒	☐
○ Would the proposed project result in more than 200 pedestrian trips per project peak hour?	☒	☐
If "yes," would the proposed project result in more than 200 pedestrian trips per project peak hour to any given pedestrian or transit element, crosswalk, subway stair, or bus stop?	☒	☐
14. *AIR QUALITY*: CEQR Technical Manual Chapter 17		
(a) *Mobile Sources*: Would the proposed project result in the conditions outlined in Section 210 in Chapter 17?	☐	☐
(b) *Stationary Sources*: Would the proposed project result in the conditions outlined in Section 220 in Chapter 17?	☒	☐
○ If "yes," would the proposed project exceed the thresholds in Figure 17-3, Stationary Source Screen Graph in Chapter 17? (Attach graph as needed) See Scope of Work	☐	☐
(c) Does the proposed project involve multiple buildings on the project site?	☒	☐
(d) Does the proposed project require federal approvals, support, licensing, or permits subject to conformity requirements?	☐	☒
(e) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to air quality that preclude the potential for significant adverse impacts?	☐	☒
(f) If "yes" to any of the above, conduct the appropriate analyses and attach any supporting documentation. See Scope of Work		
15. *GREENHOUSE GAS EMISSIONS*: CEQR Technical Manual Chapter 18		
(a) Is the proposed project a city capital project or a power generation plant?	☐	☒
(b) Would the proposed project fundamentally change the City's solid waste management system?	☐	☒

	YES	NO
(c) Would the proposed project result in the development of 350,000 square feet or more?	☐	☒
(d) If "yes" to any of the above, would the project require a GHG emissions assessment based on guidance in Chapter 18?	☐	☐
○ If "yes," would the project result in inconsistencies with the City's GHG reduction goal? (See Local Law 22 of 2008; § 24-803 of the Administrative Code of the City of New York). Please attach supporting documentation.	☐	☐
16. *NOISE*: CEQR Technical Manual Chapter 19		
(a) Would the proposed project generate or reroute vehicular traffic?	☒	☐
(b) Would the proposed project introduce new or additional receptors (see Section 124 in Chapter 19) near heavily trafficked roadways, within one horizontal mile of an existing or proposed flight path, or within 1,500 feet of an existing or proposed rail line with a direct line of site to that rail line?	☒	☐
(c) Would the proposed project cause a stationary noise source to operate within 1,500 feet of a receptor with a direct line of sight to that receptor or introduce receptors into an area with high ambient stationary noise?	☒	☐
(d) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to noise that preclude the potential for significant adverse impacts?	☐	☒
(e) If "yes" to any of the above, conduct the appropriate analyses and attach any supporting documentation. See Scope and Att I		
17. *PUBLIC HEALTH*: CEQR Technical Manual Chapter 20		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Air Quality; Hazardous Materials; Noise?	☒	☐
(b) If "yes," explain why an assessment of public health is or is not warranted based on the guidance in Chapter 20, "Public Health." Attach a preliminary analysis, if necessary. See Scope of Work		
18. *NEIGHBORHOOD CHARACTER*: CEQR Technical Manual Chapter 21		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Land Use, Zoning, and Public Policy; Socioeconomic Conditions; Open Space; Historic and Cultural Resources; Urban Design and Visual Resources; Shadows; Transportation; Noise?	☒	☐
(b) If "yes," explain why an assessment of neighborhood character is or is not warranted based on the guidance in Chapter 21, "Neighborhood Character." Attach a preliminary analysis, if necessary. See Scope of Work		
19. *CONSTRUCTION*: CEQR Technical Manual Chapter 22		
(a) Would the project's construction activities involve:		
○ Construction activities lasting longer than two years?	☐	☒
○ Construction activities within a Central Business District or along an arterial highway or major thoroughfare?	☐	☒
○ Closing, narrowing, or otherwise impeding traffic, transit, or pedestrian elements (roadways, parking spaces, bicycle routes, sidewalks, crosswalks, corners, *etc.*)?	☒	☐
○ Construction of multiple buildings where there is a potential for on-site receptors on buildings completed before the final build-out?	☐	☒
○ The operation of several pieces of diesel equipment in a single location at peak construction?	☒	☐
○ Closure of a community facility or disruption in its services?	☐	☒
○ Activities within 400 feet of a historic or cultural resource?	☒	☐
○ Disturbance of a site containing or adjacent to a site containing natural resources?	☐	☒
○ Construction on multiple development sites in the same geographic area, such that there is the potential for several construction timelines to overlap or last for more than two years overall?	☐	☒

(b) If any boxes are checked "yes," explain why a preliminary construction assessment is or is not warranted based on the guidance in Chapter 22, "Construction." It should be noted that the nature and extent of any commitment to use the Best Available Technology for construction equipment or Best Management Practices for construction activities should be considered when making this determination.

As with all construction projects, work at the project site would result in temporary disruptions to the surrounding area, including occassional noise and dust. However, resulting effects would be temporary and limited to the construction period. During construction, all necessary measures would be implemented to ensure adherence to the New York City Air Pollution Control Code regulation construction-related dust emissions and the New York City Noise Control regulating construction noise.

20. *APPLICANT'S CERTIFICATION*

I swear or affirm under oath and subject to the penalties for perjury that the information provided in this Environmental Assessment Statement (EAS) is true and accurate to the best of my knowledge and belief, based upon my personal knowledge and familiarity with the information described herein and after examination of the pertinent books and records and/or after inquiry of persons who have personal knowledge of such information or who have examined pertinent books and records.

Still under oath, I further swear or affirm that I make this statement in my capacity as the applicant or representative of the entity that seeks the permits, approvals, funding, or other governmental action(s) described in this EAS.

APPLICANT/REPRESENTATIVE NAME	SIGNATURE	DATE
Lisa M. Lau, AKRF, Inc.		January 10, 2020

PLEASE NOTE THAT APPLICANTS MAY BE REQUIRED TO SUBSTANTIATE RESPONSES IN THIS FORM AT THE DISCRETION OF THE LEAD AGENCY SO THAT IT MAY SUPPORT ITS DETERMINATION OF SIGNIFICANCE.

Part III: DETERMINATION OF SIGNIFICANCE (To Be Completed by Lead Agency)

INSTRUCTIONS: In completing Part III, the lead agency should consult 6 NYCRR 617.7 and 43 RCNY § 6-06 (Executive Order 91 or 1977, as amended), which contain the State and City criteria for determining significance.

1. For each of the impact categories listed below, consider whether the project may have a significant adverse effect on the environment, taking into account its (a) location; (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude.

IMPACT CATEGORY	Potentially Significant Adverse Impact: YES	NO
Land Use, Zoning, and Public Policy	☒	☐
Socioeconomic Conditions	☐	☒
Community Facilities and Services	☐	☒
Open Space	☐	☒
Shadows	☐	☒
Historic and Cultural Resources	☐	☒
Urban Design/Visual Resources	☐	☒
Natural Resources	☐	☒
Hazardous Materials	☒	☐
Water and Sewer Infrastructure	☐	☒
Solid Waste and Sanitation Services	☐	☒
Energy	☐	☒
Transportation	☒	☐
Air Quality	☒	☐
Greenhouse Gas Emissions	☐	☒
Noise	☒	☐
Public Health	☒	☐
Neighborhood Character	☒	☐
Construction	☐	☒

2. Are there any aspects of the project relevant to the determination of whether the project may have a significant impact on the environment, such as combined or cumulative impacts, that were not fully covered by other responses and supporting materials? ☐ YES ☒ NO

If there are such impacts, attach an explanation stating whether, as a result of them, the project may have a significant impact on the environment.

3. Check determination to be issued by the lead agency:

☒ **Positive Declaration:** If the lead agency has determined that the project may have a significant impact on the environment, and if a Conditional Negative Declaration is not appropriate, then the lead agency issues a *Positive Declaration* and prepares a draft Scope of Work for the Environmental Impact Statement (EIS).

☐ **Conditional Negative Declaration:** A *Conditional Negative Declaration* (CND) may be appropriate if there is a private applicant for an Unlisted action AND when conditions imposed by the lead agency will modify the proposed project so that no significant adverse environmental impacts would result. The CND is prepared as a separate document and is subject to the requirements of 6 NYCRR Part 617.

☐ **Negative Declaration:** If the lead agency has determined that the project would not result in potentially significant adverse environmental impacts, then the lead agency issues a *Negative Declaration*. The *Negative Declaration* may be prepared as a separate document (see template) or using the embedded Negative Declaration on the next page.

4. ***LEAD AGENCY'S CERTIFICATION***

TITLE	LEAD AGENCY
Director, Environmental Assessment and Review Division	Department of City Planning, acting on behalf of the City Planning Commission
NAME	**DATE**
Olga Abinader	January 10, 2020

SIGNATURE

LAND USE, ZONING, AND PUBLIC POLICY

See the Draft Scope of Work for a Targeted Environmental Impact Statement (EIS) for 307 Kent Avenue ("Draft EIS Scope of Work") and Attachment B, "Land Use, Zoning, and Public Policy."

SOCIOECONOMIC CONDITIONS

According to the 2014 *City Environmental Quality Review (CEQR) Technical Manual*, a socioeconomics impact assessment should be conducted if a project may reasonably be expected to create substantial socioeconomic changes within the area affected by the project that would not occur in the absence of the project. Projects that would trigger a CEQR analysis include the following:

- Direct displacement of 500 or more residents or more than 100 employees.
- Direct displacement of a business that is uniquely significant because its products or services are dependent on its location; it is the subject of other regulations or publicly adopted plans aimed at its preservation because of its type or location; or it serves a population that is uniquely dependent on its services, in its particular location.
- The development of 200 residential units or more or 200,000 square feet (sf) or more of commercial use that is markedly different from existing uses, development, and activities in the neighborhood. This type of development may lead to indirect residential or business displacement, respectively.
- The development of 200,000 sf or more of retail on a single development site, creating the potential to draw a substantial amount of ales from existing businesses within the study area. This type of development may lead to indirect business displacement due to market saturation.
- Impacts on a specific industry; for example, if a substantial number of residents or workers depend on the goods or services provided by the specific affected business, or if it would result in the loss or diminution of certain product or service that is important within the city.

The proposed and projected buildings on the Projected Development Sites 1 and 2 would not exceed any of the analysis thresholds described above. Therefore, the Proposed Actions would not result in significant adverse socioeconomic impacts on the neighborhood surrounding the Project Area, and further analysis is not necessary.

COMMUNITY FACILITIES AND SERVICES

The Proposed Actions would not displace any community facilities. In addition, the Proposed Actions do not require an analysis of potential indirect effects on community facilities, following the guidance of the *CEQR Technical Manual*:

- Schools/Child Care Facilities: The Proposed Actions would not introduce new residential uses to the Project Area. As noted in the *CEQR Technical Manual*, projects that do not include a residential component need not assess public school or child care facility impacts. Therefore the Proposed Actions would not result in significant adverse impacts to schools or child care facilities in the area and no further analyses are warranted.
- Libraries: Analysis is required when a project would add 734 or more residential units in Brooklyn. The Proposed Actions would not introduce new residential uses, and therefore, no further analysis is warranted.
- Police/Fire Protection Services and Health Care Facilities: Because the Proposed Actions would not introduce a sizeable new neighborhood, an assessment of police/fire protection services and health care facilities is not warranted.

Overall, the Proposed Actions would not result in any significant adverse impacts to community facilities and services and no further analysis is necessary.

OPEN SPACE

See Attachment C, "Open Space."

SHADOWS

See Attachment D, "Shadows."

HISTORIC AND CULTURAL RESOURCES

See Attachment E, "Historic and Cultural Resources."

URBAN DESIGN AND VISUAL RESOURCES

See Attachment F, "Urban Design and Visual Resources."

NATURAL RESOURCES

A natural resources assessment is conducted when a natural resource is present on or near the project site and when an action involves the disturbance of that resource. The *CEQR Technical Manual* defines natural resources as water resources, including surface water bodies and groundwater; wetland resources, including freshwater and tidal wetlands; upland resources, including beaches, dunes, and bluffs, thickets, grasslands, meadows and old fields, woodlands and forests, and gardens and other ornamental landscaping; and built resources, including piers and other waterfront structures. The Project Area is occupied by existing buildings and a concrete-surface loading area, and is located in a fully developed area in Brooklyn. There are no significant natural resources on the site, and the Proposed Actions would not result in any significant adverse impacts on natural resources.

HAZARDOUS MATERIALS

See Draft EIS Scope of Work and Attachment G, "Hazardous Materials."

WATER AND SEWER INFRASTRUCTURE

See Attachment H, "Water and Sewer Infrastructure."

SOLID WASTE AND SANITATION SERVICES

The *CEQR Technical Manual* specifies that few projects generate substantial amounts of solid waste (50 tons a week or more) that would result in a significant adverse impact. *CEQR Technical Manual* Table 14-1 "Solid Waste Generation Rates" provides solid waste generation rates for various uses. Based on the rates presented in Table 14-1, it is estimated that the Proposed Actions would result in the generation of approximately 13.3 additional tons of solid waste per week. Therefore, the Proposed Actions are not expected to result in the production of more than 50 tons of additional solid waste requiring further analysis, and the Proposed Actions would not result in any significant adverse impacts to solid waste and sanitation services.

ENERGY

According to the *CEQR Technical Manual*, a detailed assessment of energy impacts would be limited to actions that could significantly affect the transmission or generation of energy or that generate substantial consumption of energy. The *CEQR Technical Manual* Table 15-1 provides guidance on calculating projected energy needs for various building types by square foot. Based on this guidance, the Proposed Actions are expected to result in the demand for 56,390,696 British

Thermal Units (BTUs) per year. This would be an incremental increase of 50,628,464 BTUs compared to the energy usage in the No Action condition. The Project Area would be served by available energy suppliers, and the Proposed Actions are not expected to generate a significant demand for energy as defined under CEQR. Therefore, no further analysis is required, and the Proposed Actions would not result in significant adverse impacts to the consumption or supply of energy.

TRANSPORTATION

See Draft EIS Scope of Work.

AIR QUALITY

See Draft EIS Scope of Work.

GREENHOUSE GAS EMISSIONS

Increased greenhouse gas (GHG) emissions are changing the global climate, which is predicted to lead to wide-ranging effects on the environment, including rising sea levels, increases in temperature, and changes in precipitation levels. According to the *CEQR Technical Manual*, a GHG emissions assessment is typically conducted only for larger projects undergoing an EIS, as well as in certain cases when the project would undergo an EIS and would result in development of 350,000 sf or greater, when the project is a City capital project, or when the project includes larger-scale power generation or has the potential to fundamentally change the City's solid waste management system. A GHG emissions assessment has not been performed, as the development projected to result from the Proposed Actions do not meet the criteria that would warrant assessment.

NOISE

See Draft EIS Scope of Work and Attachment I, "Noise."

PUBLIC HEALTH

See Draft EIS Scope of Work.

NEIGHBORHOOD CHARACTER

See Draft EIS Scope of Work.

CONSTRUCTION

As with all construction projects, construction activities associated with the Proposed Actions would result in temporary disruptions to the surrounding area, including occasional noise and dust. However, such effects would be temporary and would be limited to the construction period. The Proposed Project would result in the demolition of an existing warehouse/production uses on Projected Development Site 1 (Block 2415, Lot 1), and the construction of a new mixed-use building along Kent Avenue. The construction components and logistics for the Proposed Project would not be substantially different than other construction done within the area. The proposed building would be constructed in a single phase with an anticipated construction period of approximately 21 months and would be considered short-term (i.e., less than 2 years) in accordance with the *CEQR Technical Manual*. Phases of construction would consist of the following primary stages: Construction of the proposed building would consist of the following primary construction stages: demolition, excavation, and foundation (approximately 4 months); superstructure and exteriors (approximately 8 months); and interiors and finishing (approximately 9 months). It is estimated that the Proposed Project would be complete by 2022.

As described above, the Proposed Actions are also expected to result in a new development within the Project Area beyond what is proposed by the applicant. Based on the proposed rezoning and current market and site conditions, Projected Development Site 2 (Block 2415, Lot 6) could also be redeveloped by the proposed analysis year of 2022. It is anticipated that any construction on Projected Development Site 2 would be completed within 18 months, and would therefore also be considered short-term. Phases of construction for Projected Development Site 2 would also consists the primary stages of: excavation and foundation; superstructure and exteriors; and interiors and finishing.

Construction resulting from the Proposed Actions would be carried out in accordance with New York City laws and regulations, which allow construction activities between 7:00 AM and 6:00 PM on weekdays. If work is required outside of normal construction hours, necessary approvals would be obtained from the appropriate agencies (i.e., the New York City Department of Buildings). During construction under the Proposed Actions, all necessary measures would be implemented to ensure adherence to the New York City Air Pollution Control Code to minimize construction-related air and dust emissions. In addition, construction noise is regulated by the requirements of the New York City Noise Control Code (also known as Chapter 24 of the Administrative Code of the City of New York, or Local Law 113) and the New York City Department of Environmental Protection (DEP)'s Notice of Adoption of Rules for Citywide Construction Noise Mitigation (also known as Chapter 28). These requirements mandate that specific construction equipment and motor vehicles meet specified noise emission standards; that construction activities be limited to weekdays between the hours of 7:00 AM and 6:00 PM; and that construction materials be handled and transported in such a manner as not to create unnecessary noise. Furthermore, during construction under the Proposed Actions, Maintenance and Protection of Traffic (MPT) plans would be developed for any curb-lane and/or sidewalk closures that may be required. Approval of these plans and implementation of all temporary closures during construction would be coordinated with the New York City Department of Transportation's (DOT) Office of Construction Mitigation and Coordination (OCMC).

As discussed in detail in Attachment E, "Historic Resources," the former Havemeyers & Elder Filter, Pan & Finishing House (the Domino Sugar Refinery building), an architectural resource, is located within 90 feet from Projected Development Sites 1 and 2. Therefore, to avoid inadvertent demolition and/or construction-related damage to these resources from ground-borne construction period vibrations, falling debris, collapse, etc., it would be included in a Construction Protection Plan (CPP) for historic structures that would be prepared in coordination with the New York City Landmarks Preservation Commission (LPC). With the implementation of the CPP, the Proposed Actions would not result in any significant adverse direct impacts to architectural resources.

As discussed in detail in Attachment G, "Hazardous Materials," following implementation of an approved Work Plan for a Phase II Investigation of Projected Development Site 1 and preparation of a report documenting its performance and describing its findings, a Remedial Action Plan (RAP) and associated Health and Safety Plan (HASP) would be prepared and submitted to DEP for review and approval, after which the RAP and HASP would be implemented during subsurface disturbance activities associated with construction. For Projected Development Site 2, an (E) Designation for hazardous materials would be placed on the NYC Zoning Map as part of the Proposed Actions to ensure requirements pertaining to hazardous materials would be addressed during any future redevelopment involving soil disturbance, which would impose pre- and post-construction requirements overseen by the New York City Office of Environmental Remediation (OER).

Overall, the duration and severity of potential construction effects would be short-term and adverse effects associated with the proposed construction activities would be minimized through

implementation of the measures described above. Accordingly, the Proposed Actions would not result in significant adverse impacts during construction, and no further analysis is required.

ALTERNATIVES

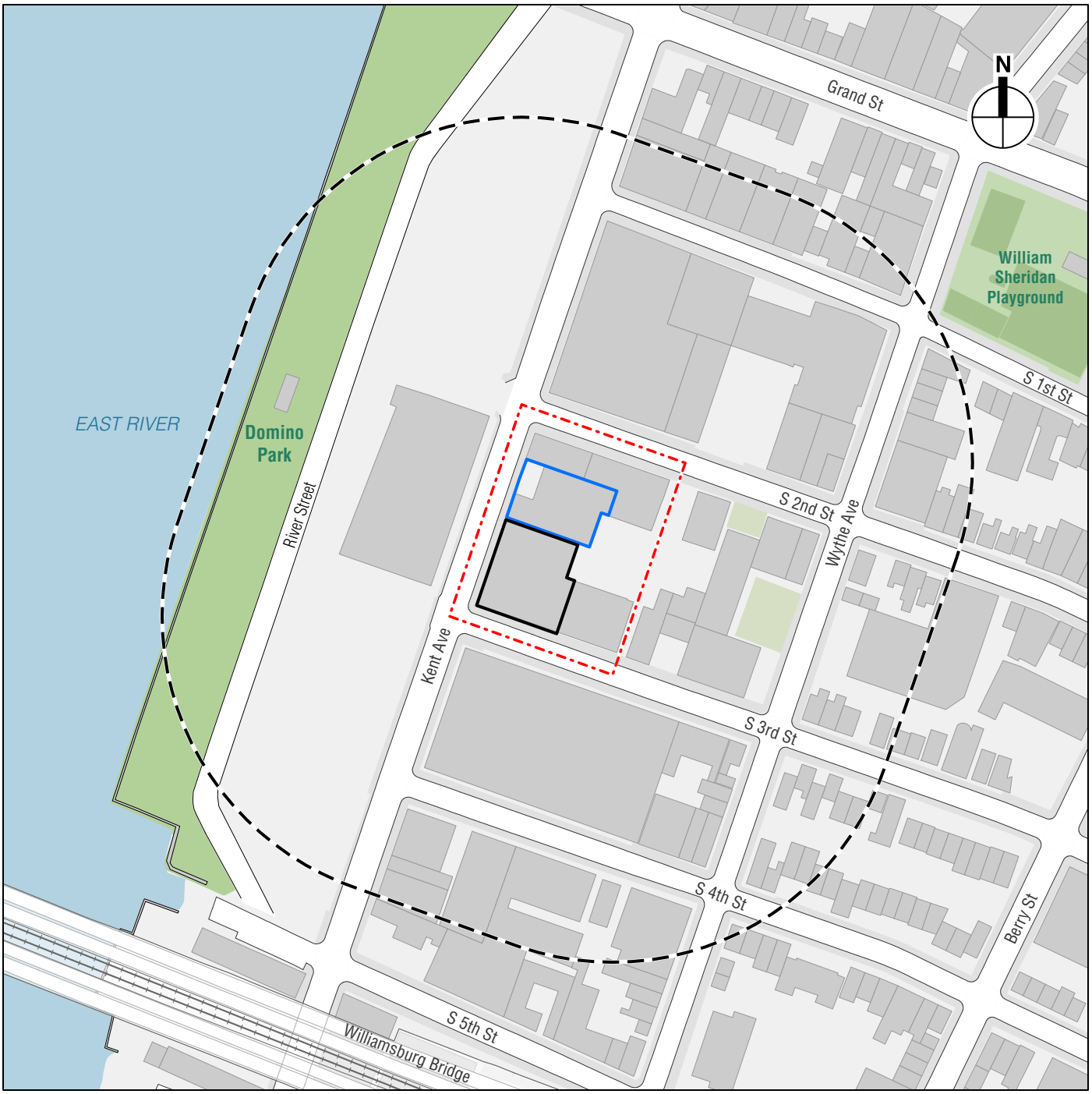
See Draft EIS Scope of Work.

A. INTRODUCTION

The applicant, 307 Kent Associates, proposes the construction of a mixed-use office, light manufacturing, community facility, and retail building (the Proposed Project) at 307 Kent Avenue (Block 2415, Lot 1, Projected Development Site 1), a site controlled by the applicant in the Williamsburg neighborhood of Brooklyn, Community District 1 (see **Figure A-1**). To facilitate the Proposed Project, the applicant is requesting a zoning map amendment from the New York City Planning Commission (CPC) in order to rezone the western portion of Block 2415 around the Proposed Project including Block 2415, Lots 1, 6, 10, 7501, 7502, and a portion of (p/o) Lots 16 and 38 (the Rezoning Area), from M3-1 and M1-4/R6A to M1-5, as well as a text amendment to Map 2 for Community District 1, Brooklyn within Appendix F of the Zoning Resolution to remove a portion of Subject Block from the "Excluded Area" shown on this map in order to establish a Mandatory Inclusionary Housing (MIH) area and to make MIH regulations applicable. Collectively, the proposed zoning map amendment and zoning text amendment represent the Proposed Actions. Together, the lots identified within the Rezoning Area compose the Project Area.

The Proposed Actions would facilitate the development of a nine-story mixed-use building on Projected Development Site 1. The Proposed Project would require the demolition of the existing single-story warehouse building located on the site, to be followed by the construction of the new mixed-use building. The Proposed Project on Projected Development Site 1 would contain approximately 101,000 gross square feet (gsf), including 70,000 gsf of office uses, 22,000 gsf of community facility uses, and 9,000 gsf of retail uses. (The proposed M1-5 district encourages commercial and light industrial uses, and manufacturing uses would be subject to stringent performance standards consistent with the mixed-use character of the neighborhood. For the purposes of the CEQR analyses, a portion of the 70,000 gsf commercial uses are assumed to be light industrial in order to present a conservative analysis for certain technical areas, such as Air Quality, and a portion is assumed to be office in order to present a more conservative analysis in other technical areas, such as Transportation.) It is estimated that the Proposed Project would be completed by 2022, identified as the analysis year for this Environmental Assessment Statement (EAS).

The Proposed Actions could result in additional development within the Project Area beyond what is proposed by the applicant for Block 2415, Lot 1. Based on the proposed rezoning, current market and site conditions, and consultation with the Department of City Planning (DCP), Block 2415, Lot 6, could also be redeveloped by the proposed analysis year, and therefore this site is analyzed in this EAS as Projected Development Site 2. Block 2415, Lots 10, 7501, and 7502 are under Board of Standards and Appeals (BSA) jurisdiction per a 2003 BSA resolution (BSA Cal. No 102-03-BZ), which granted a variance for the development of three buildings that have subsequently been completed. As these lots remain under BSA jurisdiction, any redevelopment or enlargement of the existing buildings on these lots under the proposed rezoning would be contingent upon a



Project Location

307 KENT AVENUE

Figure A-1

further discretionary BSA approval process separate from the Proposed Actions. Similarly, the potential transfer of additional excess development rights from these lots to Projected Development Sites 1 and/or 2 would also be contingent upon a further discretionary BSA approval process. Therefore, the transfer of any excess development rights is not reasonably considered as part of this EAS.

B. PROJECT DESCRIPTION

PROPOSED ACTIONS

The applicant is seeking a zoning map amendment to Zoning Map Section 12d, to rezone the Block 2415, Lots 1, 10, and part of (p/o) Lots 6, 7501, and 7502 from M3-1 to M1-5. In addition, the existing MX-8 (M1-4/R6A) district covering the eastern half of the block would be extended westwards by 90 feet to meet the boundary of the proposed M1-5 district, rezoning p/o Lots 6, 16, 38, 7501, and 7502, thereby eliminating an existing split-lot condition. A text amendment to Map 2 for Community District 1, Brooklyn within Appendix F of the Zoning Resolution is also necessary to remove a 90-foot wide portion of the Subject Block from the "Excluded Area" shown on Map 2 in order to make MIH regulations applicable for the proposed MX-8 (M1-4/R6A) rezoning area (see **Figure A-2**).

DESCRIPTION OF THE DEVELOPMENT SITE

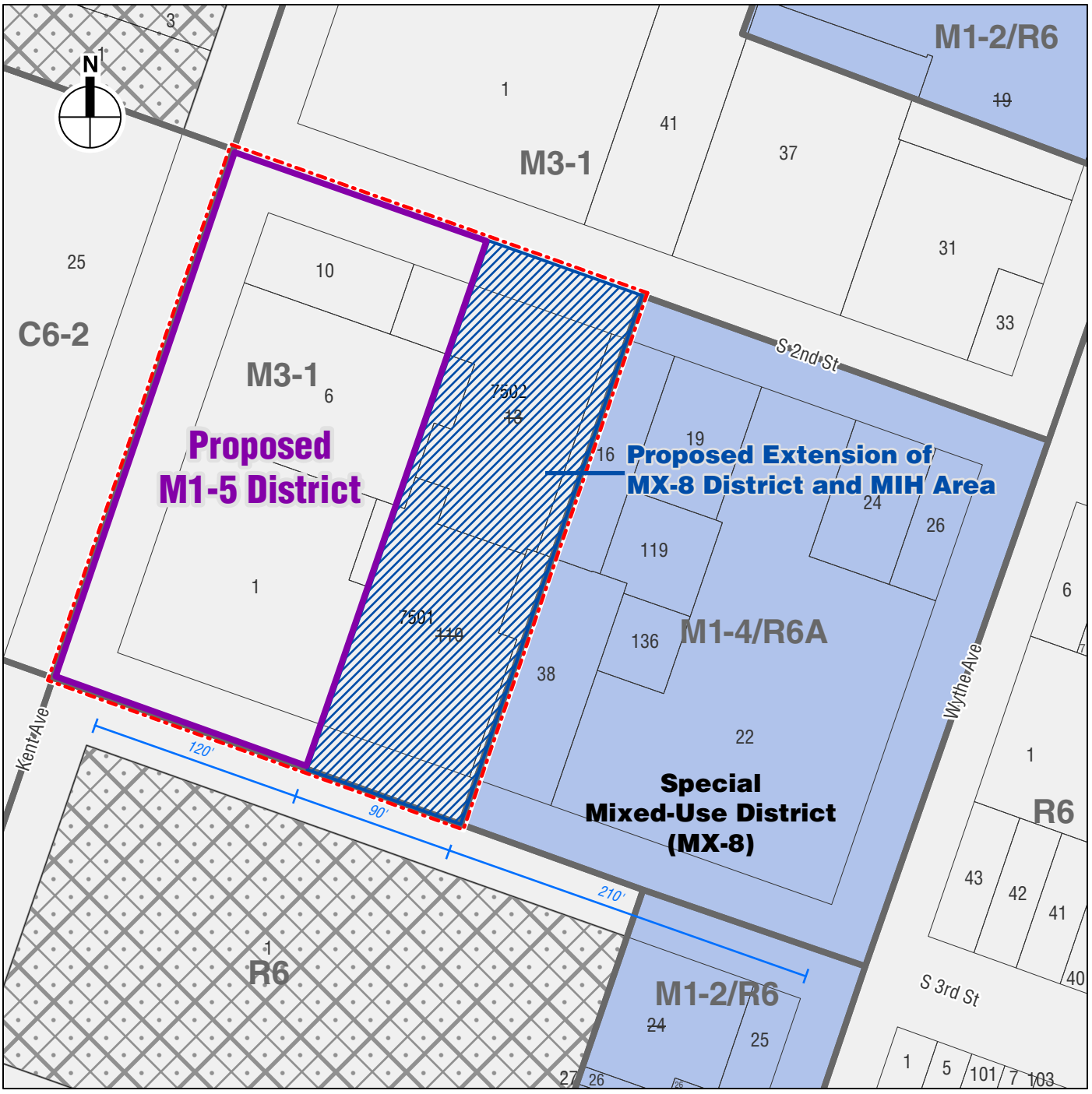
Projected Development Site 1 (Block 2415, Lot 1), which is 14,425 sf in size, is currently occupied by a 15,296-gsf single-story warehouse with a mezzanine. The existing warehouse on Projected Development Site 1 is occupied by Villain, a warehouse/production event space.

DESCRIPTION OF THE PROJECT AREA

The Project Area, coterminous with the Rezoning Area, totals 50,767 sf is composed of seven tax lots (see **Figure A-3**):

- Block 2415, Lot 1 (Projected Development Site 1);
- Block 2415, Lot 6 (Projected Development Site 2);
- Block 2415, Lot 10;
- Block 2415, Lot 7501;
- Block 2415, Lot 7502;
- Block 2415, p/o Lot 16; and
- Block 2415, p/o Lot 38.

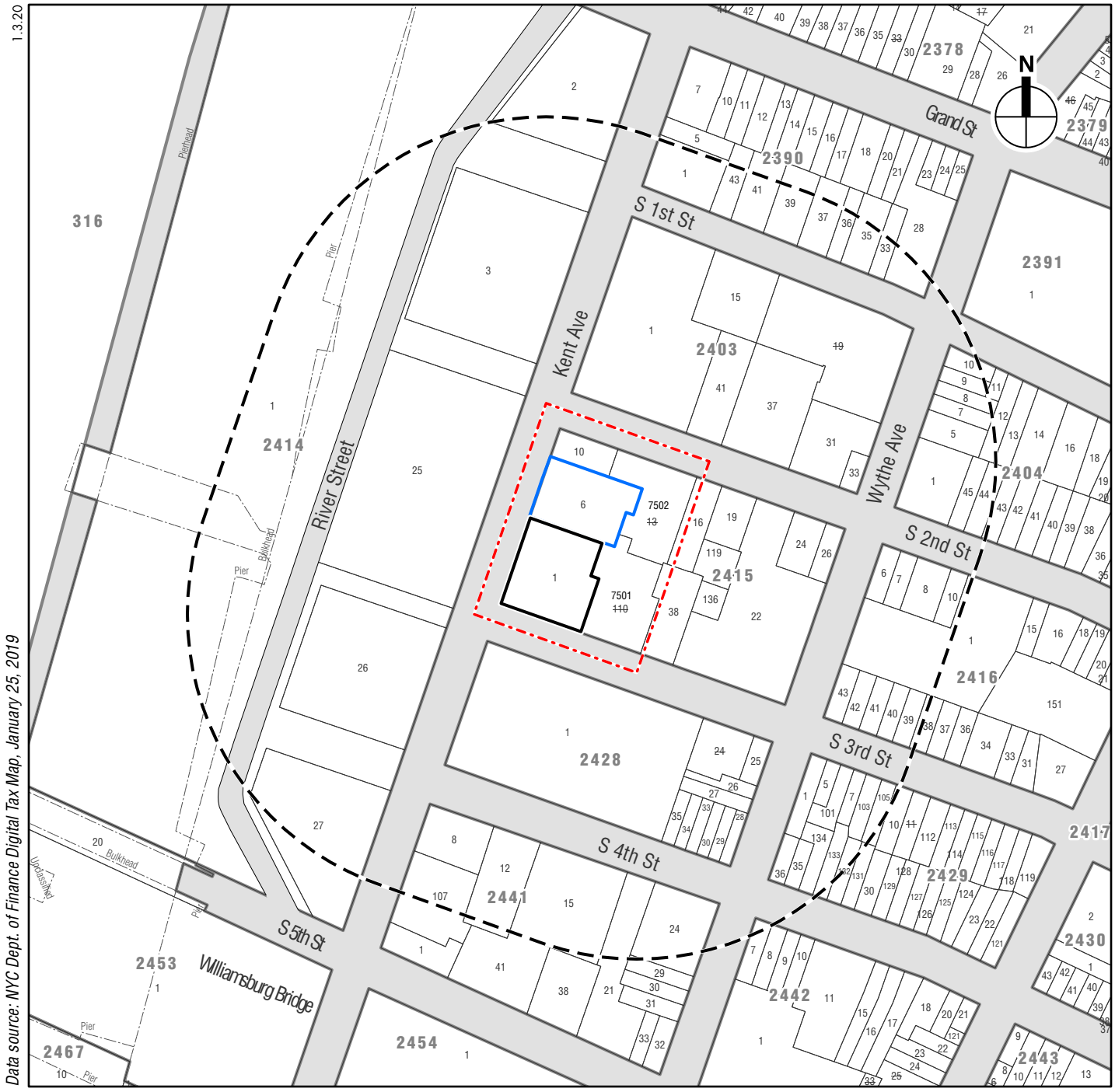
The Project Area, located within an M3-1 zoning district, includes a mix of single- and multi-story residential, commercial, retail, and warehouse uses. Lot 6 (Projected Development Site 2) is occupied by a single-story warehouse. Lot 10 is occupied by a single-story commercial building containing a restaurant and Lots 7501 and 7502 are occupied by two four-story residential condominium buildings. Lot 16 currently contains a private accessory parking lot associated with an adjacent daycare use at 56 South 2nd Street, while Lot 38 contains a four-story residential walk-up with ground floor retail.



Proposed Zoning

307 KENT AVENUE

Figure A-2



Tax Map

307 KENT AVENUE

Figure A-3

DESCRIPTION OF THE PROPOSED PROJECT

Approval of the Proposed Actions would facilitate the demolition of the approximately 15,296-gsf of existing warehouse/production uses on Projected Development Site 1, followed by the construction of the proposed nine-story mixed-use building. The new building would contain approximately 101,000 gsf, including 70,000 gsf of office uses (split between 1/3 office use and 2/3 light industrial and manufacturing use for the purposes of analysis); as noted above, for the purposes of the CEQR analyses, a portion of the 70,000 gsf commercial uses are assumed to be light industrial in order to present a conservative analysis for certain technical areas, such as Air Quality, and a portion is assumed to be office in order to present a more conservative analysis in other technical areas, such as Transportation), 22,000 gsf of community facility (medical office) uses, and 9,000 gsf of retail uses. Proposed Use Groups (UG) would include retail and office (UG 6), community facility (UG 4A), commercial and light manufacturing (UG 9A, 10A, 11A, 16A, 17B, 17C, and 18A), and storage and mechanical space. Approximately 6,000 gsf of loading and mechanical space has been included in the office uses gsf total. The Proposed Project would have a total floor area ratio (FAR) of up to 6.5 (including up to 1.5 FAR of UG 4A community facility uses).

C. PURPOSE AND NEED FOR THE PROPOSED ACTIONS

The Proposed Actions are necessary to allow the proposed building and its mix of uses, which would bring more diverse uses to the area and meet the demands of the surrounding growing neighborhood, which continues to transform from a manufacturing area to a mixed-use area. The proposed zoning map amendment would convert a portion of the existing M3-1 zoning district to M1-5 (affecting Lots 1, 6, 10, 7501, and 7502); and extend the existing MX-8 (M1-4/R6A) boundary (affecting Lots 6, 16, 38, 7501, and 7502). The proposed M1-5 district encourages commercial and light industrial use at a higher FAR (5.0 FAR) than currently allowed by the existing M3-1 district (2.0 FAR), and like the M3-1 district, the proposed M1-5 district would continue to prohibit residential use. As the existing MX-8 district is being extended, a text amendment to Map 2 for Community District 1, Brooklyn within Appendix F of the Zoning Resolution is also necessary to remove this 90-foot wide portion of the Subject Block from the "Excluded Area" shown on this map in order to establish a Mandatory Inclusionary Housing (MIA) area and to make MIH regulations applicable for the area that is proposed as MX-8 (M1-4/R6A). The proposed zoning map amendment and zoning text amendment collectively represent the Proposed Actions. The Proposed Actions would facilitate the creation of new quality light manufacturing, office, community facility, and retail spaces to serve what has become a mixed-use area. The rezoning would also allow for the replacement of the windowless warehouse currently located on the Development Site with ground-floor retail development on Kent Avenue and South 3rd Street; it is the applicant's opinion that this would activate the street and improve the site's engagement with the neighborhood, consistent with more modern quality-of-life standards.

D. ANALYSIS FRAMEWORK

The Proposed Actions would change the regulatory controls governing land use and development within the Project Area and would allow the construction of the Proposed Project on Projected Development Site 1. The Proposed Actions would permit development on Projected Development Sites 1 and 2, and this environmental review document examines a Reasonable Worst Case Development Scenario (RWCDS) approved by DCP. The approach to the analysis framework is further discussed below.

RESONABLE WORST CASE DEVELOPMENT SCENARIO

The Proposed Actions would allow new development on Projected Development Sites 1 and 2. A RWCDS has been established that maximizes the range of uses and building bulk and height that would be achievable with the Proposed Actions. The RWCDS is used as a framework in the environmental review to assess potential impacts.

The proposed rezoning area would cover the western half of Block 2415, between South 2nd and South 3rd Streets, beginning at a distance of 220 feet from Wythe Avenue and extending westerly to Kent Avenue, which consists of Block 2415, Lots 1, 6, 10, 7501, and 7502. The proposed rezoning boundaries would also contain a small portion of Lot 38 (approximately 325 sf) at its western edge. As part of the proposed rezoning the existing MX (M1-4/R6A) district covering the eastern half of Block 2415 would also be extended westerly from its existing boundary 210 feet from Wythe Avenue, to 220 feet from Wythe Avenue. This extension would also cover the westerly portion of Lot 16 that is currently mapped in the existing M3-1 district, as well as an approximately 488 sf portion of Lot 7501 that is also currently mapped in the M3-1 district. As these M3-1 zoned portions of Lots 16 and 38 are currently located less than 25 feet from the existing zoning district boundary line between the M3-1 and MX (M1-4/R6A) districts, the entirety of Lots 16 and 38 can, under existing zoning (ZR Sec. 77-11), be treated as if wholly located within the MX district in any event.

As shown in **Table 1-1**, the RWCDS represents the increment for analysis, understood as the difference between the Future with the Proposed Actions (the With Action condition) and the Future without the Proposed Actions (the No Action condition), to be analyzed in the EAS. Based on the comparison between the No Action and With Action conditions, the RWCDS includes an incremental increase of 68,693 gsf of commercial uses, 46,667 gsf of light manufacturing and manufacturing uses, and 39,500 gsf of community facility uses. As a result of the Proposed Actions, an additional 523 workers are expected within the Project Area.[1]

[1] Incremental worker population was calculated by multiplying the proposed and projected development programs by industry employment ratios commonly used for CEQR analysis: 1 worker/500 gsf of commercial (service to businesses) uses; 1 worker/333 of retail and medical office uses; 1 worker/250 gsf of office uses; and 1 worker/500 gsf of light industrial and manufacturing uses.

Table A-1
Reasonable Worst Case Development Scenario

Use	Existing Condition (gsf)	No Action Condition (gsf)	With Action Condition (gsf)	Increment (gsf)
Commercial				
Service to Businesses	Projected Development Site 1 – 15,296 Projected Development Site 2 – 11,344 **Total – 26,640**	Projected Development Site 1 – 15,296 Projected Development Site 2 – 11,344 **Total – 26,640**	-	-26,640
Office	-	-	Projected Development Site 1– 23,333 Projected Development Site 2– 55,000 **Total – 78,333**	+78,333
Retail	-	-	Projected Development Site 1– 9,000 Projected Development Site 2– 8,000 **Total – 17,000**	+17,000
Manufacturing/Industrial				
Light Industrial and Manufacturing	-	-	Projected Development Site 1– 46,667 Projected Development Site 2– 0 **Total – 46,667**	+46,667
Community Facility				
Medical Office	-	-	Projected Development Site 1– 22,000 Projected Development Site 2– 17,500 **Total – 39,500**	+39,500

Note: Approximately 6,000 gsf of loading and mechanical space has been included in the office uses gsf total.
Source: 307 Kent Associates, DCP-approved 307 Kent RWCDS

ANALYSIS YEAR

The Proposed Project is anticipated to enter the City's Uniform Land Use Review Procedure (ULURP) in 2020 upon certification of the Draft Environmental Impact Statement (DEIS) and complete this process in 2021, after which construction would begin. The Proposed Project would be constructed in a single phase; construction of the Proposed Project is anticipated to take 21 months. Construction of the proposed building would consist of the following primary construction stages: demolition, excavation and foundation (approximately 4 months); superstructure and exteriors (approximately 8 months); and interiors and finishing (approximately 9 months). Therefore, a future build year of 2022, when the project is anticipated to be completed and operational, will be examined to assess the potential impacts of the Proposed Actions.

EXISTING CONDITIONS

For each technical area assessed in this EAS, the existing conditions within the Project Area and relevant study areas will be established. The analysis framework begins with an assessment of existing conditions because these can be most directly measured and observed. The assessment of existing conditions serves as a starting point for the projection of conditions in the With Action condition and the No Action condition and the analysis of potential impacts that could result from the Proposed Actions.

Projected Development Site 1

As described above, Projected Development Site 1 (Lot 1) is currently a 15,296-gsf single-story warehouse/production event space.

Projected Development Site 2

In addition to the Proposed Project on Projected Development Site 1, development is projected to occur on Lot 6 (Projected Development Site 2), as a result of the Proposed Actions. Lot 6 is currently occupied by an 11,334-gsf single-story warehouse.

Remainder of the Project Area

The Project Area also includes five additional lots on Block 2415: Lots 10, 7501, 7502, and p/o Lots 16 and 38. Lot 10 is occupied by a 3,212-gsf single-story commercial building containing a restaurant and Lots 7501 and 7502 are occupied by two four-story residential condominium buildings with a total floor area of 57,819 sf. Lots 7501 and 7502 also share an accessory parking area in between them containing 29 parking spaces for residents. Lot 16 currently contains a private accessory parking lot associated with an adjacent daycare use at 56 South 2nd Street, while Lot 38 contains a 12,172-gsf four-story residential walk-up with ground floor retail.

The neighborhood surrounding the Project Area is composed of a mix of residential, commercial, industrial, and open space uses. Residential uses range in size from four-story apartment buildings to high-rise multifamily elevator apartment buildings with ground floor retail. Commercial uses include office buildings, ground-floor retail, restaurants, and bars. Industrial uses are composed of low-rise warehouse and light manufacturing buildings. Domino Park, located across Kent Avenue from the Project Area along the East River, is a large open space opened in 2018. The remaining grounds of the former Domino Plant surrounding this new open space are currently undergoing redevelopment as a mixed-use development with large residential and commercial components.

NO ACTION CONDITION

Absent the Proposed Actions, no new development is anticipated to occur within the Project Area. Existing buildings and uses observed in the existing condition would remain through the 2022 build year.

WITH ACTION CONDITION

Projected Development Site 1

As described above, in the With Action condition, Projected Development Site 1 would be redeveloped with a new, approximately 101,000-gsf, nine-story mixed-use building containing office, community facility, and retail uses. The building would include 70,000 gsf of office uses (split between 1/3 office use and 2/3 light industrial and manufacturing use for the purposes of analysis), 22,000 gsf of community facility (medical office) uses, and 9,000 gsf of retail uses.

Projected Development Site 2

For the purposes of conservative analysis it is assumed that the Proposed Actions would facilitate the development of Projected Development Site 2 (Lot 6). It is assumed that Projected Development Site 2 would be redeveloped as a new, approximately 80,500-gsf, nine-story mixed-use building containing office, community facility, and retail uses. The building would include

55,000 gsf of office uses, 17,500 gsf of community facility (medical office) uses, and 8,000 gsf of retail uses.

Remainder of the Project Area

It is expected that Block 2415, Lots 10, 7501, 7502, and p/o Lots 16 and 38 would remain the same in both the No Action and With Action conditions. Lots 10, 7501, 7502, and p/o Lots 16 and 38 do not meet the criteria of a "soft site" as defined by the 2014 *City Environmental Quality Review (CEQR) Technical Manual*. As previously mentioned Lots 10, 7501, and 7502 would remain under Board of Standards and Appeals (BSA) jurisdiction per the 2003 BSA resolution. Any redevelopment or enlargement of the existing buildings on these lots would be contingent upon further discretionary a BSA approval process. The Proposed Actions would not increase the development potential of Lots 16 and 38, and no changes to these lots are anticipated.

E. ENVIRONMENTAL REVIEW PROCESS

The Proposed Actions are subject to the City's ULURP. The Proposed Actions are also subject to the City's CEQR procedures. These review processes are described below.

UNIFORM LAND USE REVIEW PROCEDURE (ULURP)

ULURP, mandated by Sections 197-c and 197-d of the City Charter, is a process specially designed to allow public review of a proposed project at four levels: the Community Board, the Borough President and (if applicable) Borough Board, the CPC, and the City Council. The procedure sets time limits for review at each stage to ensure a maximum total review period of approximately seven months.

The ULURP process begins with a certification by CPC that the ULURP application is complete, which includes satisfying CEQR requirements (see the discussion below). If the particular application is subject to environmental review (see below), a negative declaration, conditional negative declaration, or a notice of completion of a DEIS must be issued before an application can be certified.

The application is then forwarded to the Community Board (in this case, Brooklyn Community Board 1 [CB1]), which has 60 days to review and discuss the proposal, hold public hearings, and adopt recommendations regarding the application. Once this step is complete, the Borough President has up to 30 days to review and discuss the proposal, hold public hearings, and adopt recommendations regarding the application. CPC then has 60 days to review the application, during which time a ULURP/CEQR public hearing is held. Comments made at the DEIS public hearing (the record for commenting remains open for 10 days after the hearing to receive written comments) are incorporated into a FEIS; the FEIS must be completed at least 10 days before CPC makes its decision on the application. CPC may approve, approve with modifications, or deny the application.

If the ULURP application is approved, or approved with modifications, it moves to the City Council for review. The City Council does not automatically review all ULURP actions that are approved by CPC. Zoning map changes and zoning text changes (not subject to ULURP) nevertheless must be reviewed by the City Council; the Council may elect to review certain other actions. The City Council, through the Land Use Committee, has 50 days to review the application and, during this time, will hold a public hearing on a proposed project. The Council may approve, approve with modifications, or deny the application. If the Council proposes a modification to a

proposed project, the ULURP review process stops for 15 days, providing time for a CPC determination on whether the modification is within the scope of the environmental review and ULURP review. If it is, then the Council may proceed with the modification; if it is not, then the Council may only vote on the project as approved by CPC. Following the Council's vote, the Mayor has five days in which to veto the Council's actions. The City Council may override a Mayoral veto within 10 days.

NEW YORK CITY ENVIRONMENTAL QUALITY REVIEW

Pursuant to the State Environmental Quality Review Act (SEQRA) and its implementing regulations, New York City has established rules for its own environmental review process known as CEQR. The CEQR process provides a means for decision-makers to systematically consider environmental effects along with other aspects of project planning and design, to evaluate reasonable alternatives, and to identify, and identify practicable mitigation for, significant adverse environmental impacts. CEQR rules guide environmental review through the following steps:

- **Establish a Lead Agency**. Under CEQR, the "lead agency" is the public entity responsible for conducting the environmental review. The lead agency is typically the entity principally responsible for carrying out, funding, or approving the proposed actions. For this application, DCP is the lead agency on behalf of CPC.
- **Determine Significance**. The lead agency's first charge is to determine whether the Proposed Actions may have a significant impact on the environment. To make this determination, the Applicant prepared an Environmental Assessment Statement (EAS). Based on the information contained in the EAS, the lead agency determined that the Proposed Actions could have the potential to result in significant adverse environmental impacts and issued a Positive Declaration on January 10, 2020.
- **Scoping**. Once the lead agency issues a Positive Declaration, it must then issue a draft scope of work for the EIS. "Scoping," or creating the scope of work, is the process of establishing the type and extent of the environmental impact analyses to be conducted in the EIS. Along with the Positive Declaration, the Draft Scope of Work for the Proposed Action was issued on January 10, 2020. A public scoping meeting will be held on February 13, 2020 at the NYC Department of City Planning Hearing Room, 120 Broadway-Concourse Level, New York, NY 10271. The comment period will remain open until February 24, 2020. A Final Scope of Work will take into consideration comments received during the public comment period.
- **Draft Environmental Impact Statement**. In accordance with the Final Scope of Work, a DEIS will be prepared. The lead agency will review all aspects of the document, calling on other involved and interested agencies to participate as appropriate. Once the lead agency is satisfied that the DEIS is complete, it will issue a Notice of Completion and circulate the DEIS for public review. When a DEIS is required, it must be deemed complete before the ULURP application can also be found complete.
- **Public Review**. Publication of the DEIS and issuance of the Notice of Completion signals the start of the public review period. During this period, which must extend for a minimum of 30 days, the public may review and comment on the DEIS either in writing or at a public hearing convened for the purpose of receiving such comments. When the CEQR process is coordinated with another City process that requires a public hearing, such as ULURP, the hearings may be held jointly. The lead agency must publish a notice of the hearing at least 14 days before it takes place and must accept written comments for at least 10 days following the

close of the hearing. All substantive comments become part of the CEQR record and are summarized and responded to in the FEIS.

- **Final Environmental Impact Statement**. After the close of the public comment period for the DEIS, the lead agency prepares the FEIS. The FEIS incorporates and responds to relevant comments on the DEIS in a separate chapter and in changes to the body of the text, graphics, and tables. Once the lead agency determines that the FEIS is complete, it will issue a Notice of Completion and circulate the FEIS.
- **Findings**. To demonstrate that the responsible public decision-maker has taken a hard look at the environmental consequences of a proposed project, any agency taking a discretionary action regarding a project that has been the subject of an FEIS must adopt a formal set of written findings, reflecting its conclusions about the significant adverse environmental impacts of the proposed project, potential alternatives, and practicable mitigation measures. The findings may not be adopted until 10 days after the Notice of Completion (pursuant to CEQR) has been issued for the FEIS. Once findings are adopted, the lead and involved agencies may take their actions (or take "no action"). ✷

A. INTRODUCTION

As described in Attachment A, "Project Description," the Proposed Actions would rezone the western portion of a block in the Williamsburg neighborhood of Brooklyn (the Project Area, coterminous with the Rezoning Area). This would facilitate the construction of a new mixed-use building containing office, light industrial, community facility, and retail uses (the Proposed Project) on the site of an existing single-story warehouse located at 307 Kent Avenue (the Development Site, or Projected Development Site 1). This attachment assesses the potential impacts of the Proposed Actions on land use, zoning, and public policy, as compared with conditions in the Future without the Proposed Actions (the No Action condition). As described below, the assessment concludes that the Proposed Actions would be compatible with existing land uses, zoning, and public policies in the surrounding area.

B. METHODOLOGY

The Project Area is located in the Williamsburg neighborhood of Brooklyn Community District 1. The analysis of land use, zoning, and public policy assesses the area within 400 feet of the Project Area, which is where the Proposed Actions could reasonably be expected to cause potential effects, according to the 2014 *City Environmental Quality Review (CEQR) Technical Manual*. The land use study area is generally bounded by South 1st Street to the north, Wythe Avenue to the east, South 5th Street to the south, and the East River to the west (see **Figure B-1**).

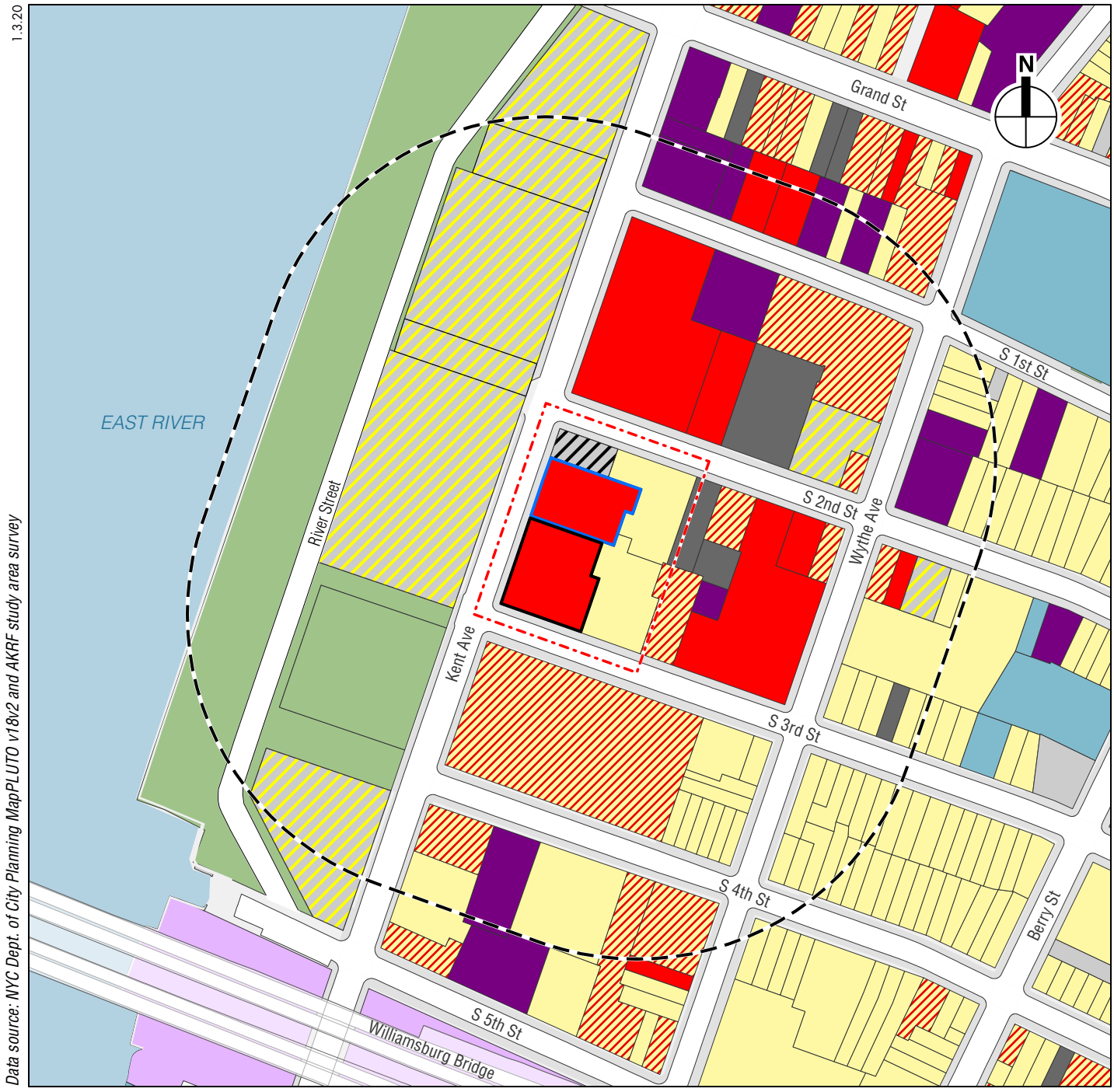
The analysis begins by considering existing conditions in the study area in terms of land use, zoning, and public policy. The analysis then considers land use, zoning, and public policy in the No Action condition in the 2022 analysis year by identifying developments and potential policy changes expected to occur within that timeframe. Probable impacts of the Proposed Actions are then identified by comparing conditions in the Future with the Proposed Actions (the With Action condition) with those conditions in the No Action condition.

C. EXISTING CONDITIONS

LAND USE

PROJECTED DEVELOPMENT SITE 1

The Project Area covers the western portion of Brooklyn Block 2415 and includes five tax lots and portions of two more tax lots. Projected Development Site 1 on which the Proposed Project is to be constructed consists of Lot 1, and measures approximately 14,425 square feet (sf) in size. Projected Development Site 1 is currently improved with a single-story warehouse building with a mezzanine that is used as a warehouse/production event space known as "Villain." The existing



Existing Land Use

307 KENT AVENUE

Figure B-1

building was constructed in 1971 and contains approximately 15,296 gross square feet (gsf) of floor area.

Projected Development Site 1 is currently owned by the applicant, 307 Kent Associates.

PROJECTED DEVELOPMENT SITE 2

In addition to the Proposed Project, the Project Area contains another site that could be redeveloped by the analysis year as a result of the Proposed Actions. This site, Projected Development Site 2, consists of Lot 6 and measures approximately 11,330 sf in size. Projected Development Site 2 is currently occupied by an 11,334-gsf single story warehouse constructed in 1962.

This applicant does not control this site.

REMAINDER OF THE PROJECT AREA

The Project Area also includes three additional lots and portions of two more lots on Block 2415 that are not anticipated to be redeveloped as a result of the Proposed Actions. These are Lots 10, 7501, 7502, and portions of (p/o) Lots 16 and 38. Lots 10, 7501, and 7502 were redeveloped pursuant to 2003 BSA Resolution (BSA Cal. No 102-03-BZ), which granted a variance for the development of three buildings that have subsequently been completed. This development consists of two four-story residential condominium buildings with a combined floor area of 57,819 gsf on Lots 7501 and 7502, which were completed in 2009 and 2010, and a single-story commercial building with a floor area of 3,212 gsf on Lot 10 completed in 2008. A shared accessory parking lot also exists in the rear yard and rear yard equivalent of Lots 7501 and 7502 containing 29 parking spaces for building residents.

Lot 16 currently contains a private accessory parking lot associated with an adjacent daycare use at 56 South 2nd Street (Lot 19), while Lot 38 contains a 12,172-gsf four-story residential walk-up with ground floor retail constructed in 1920 and converted to the current use in 2000.

STUDY AREA

Uses within the land use study area include residential, commercial, industrial, and open space uses and range from large buildings to single-story structures. The remainder of Block 2415 to the east of the Project Area contains residential uses with commercial and community facility uses below, fully commercial buildings, and manufacturing/heavy commercial uses in one- to five-story buildings. Notably, a new five story mixed-use building that will contain retail, office, and residential uses is under construction at 60 South 2nd Street fronting Wythe Avenue.

The portion of the block across Wythe Avenue to the east within the study area includes several multifamily residential walk-up buildings, some with commercial uses below, two vacant lots, and a new 19-story residential apartment building at 321 Wythe Avenue completed in 2018. The block to the southeast of the Project Area also contains several multifamily residential walk-up buildings, though without commercial uses on the ground floors.

The block directly south of the Project Area is primarily residential, with some ground floor commercial uses. The eastern portion of the block is occupied by several multi-story walkup residential-only buildings, both new and old, and the eastern portion consists of 325 Kent Avenue, a new residential development. Opened in 2018 as the first building of the former Domino Sugar Refinery project, 325 Kent Avenue (the only part of the project located to the east of Kent Avenue), is a 16-story, 383,249-gsf residential building containing 522 dwelling units (DUs) and

commercial uses on its ground floors. The southernmost block in the study area, south of South 4th Street, has a mix of uses including residential, residential with commercial, and industrial uses. Building types include single-story warehouses and bars, multifamily walkup residential buildings, and multifamily elevator apartment buildings, some with ground floor retail. A project to convert an existing warehouse to a mixed-use building containing commercial and residential uses is also under construction at 333 Kent Avenue.

West of the Project Area is the aforementioned site of the former Domino Sugar Refinery, which extends from Kent Avenue to the East River between South 5th Street and Grand Street. Since the refinery closed in 2004, the site has been undergoing a redevelopment process that will lead to a mix of residential, commercial, and park uses spread out amongst four new buildings, a new park, and a renovated and reimagined refinery building, which is a NYC Landmark.[1] The plan for the site includes improved public access to the waterfront and affordable housing.[2] As previously described, the first of these buildings, 325 Kent Avenue, containing 522 DUs, is the only part of the project located to the east of Kent Avenue and opened in 2018. Domino Park, a new 5-acre public park also opened in 2018 and extends the length of the site along the East River with several upland connections to Kent Avenue. The northernmost of the project's new residential towers, at 260 Kent Avenue, which will contain 332 DUs, is currently under construction. Two additional residential towers are planned at 280 Kent Avenue and 350 Kent Avenue, containing 680 and 422 DUs respectively, and the landmarked former refinery building at 314 Kent Avenue will be renovated and redeveloped as commercial space.

The block to the north of the Project Area also contains a mix of uses including commercial, industrial, residential with commercial below, and parking uses. The western portion of the block is occupied by the two-story headquarters of Vice, a media organization. Other buildings on the block include single-story warehouse buildings and art studios, a single multifamily walkup residential building with commercial uses on the ground floor, and an eight-story multifamily elevator apartment building with commercial uses on the ground floor. The portions of the northernmost block within the study area contain several single-story manufacturing buildings and multifamily walkup residential buildings, both with and without ground floor commercial uses. The small portion of the block to the northeast of the Project Area that is within the study area includes two single-story manufacturing buildings and several multifamily walkup residential buildings without ground floor commercial uses.

ZONING

PROJECT AREA

The Project Area is currently zoned as M3-1 (see **Figure B-2**). M3-1 districts are manufacturing districts that are intended for heavy industrial uses that generate noise, traffic, or pollutants and are generally located some distance from residential areas with a buffer district in between the two uses to ensure safety. M3-1 districts were extensively mapped along the City's waterfront as part of the comprehensive 1961 Zoning Resolution, a reflection of the past working waterfronts. M3-1 districts have a manufacturing and commercial floor to area ratio (FAR) maximum of 2.0 while

[1] See individual designation report by the Landmarks Preservation Commission (LPC), LP-2268, for the former Havemeyers & Elder Filter, Pan, & Finishing House, also known as the Domino Sugar Refinery building, at 219-314 Kent Avenue.

[2] See CPC Lead Report (C 100187 ZSK).

Existing Zoning

307 KENT AVENUE

Figure B-2

residential use and community facility uses are prohibited. Building heights in M3-1 districts may reach up to 60 feet before a setback is required. One parking space per 300 sf of floor area is required for most retail and service uses. Industrial and manufacturing uses require a range of one space per 1,000 to 2,000 sf of floor area. Large parts of this M3-1 district have subsequently been rezoned to allow for more mixed uses, including the eastern portion of the Project Area's block, which was rezoned in 2010 from M3-1 to become part of an MX district further described below (Wythe Avenue rezoning, CEQR Number 07DCP035K).

Portions of Lot 16 and 38 are zoned as M3-1 and are located in the Project Area, while the remainder of these lots are zoned as an MX (M1-4/R6A) district, described further below, and are located outside of the Project Area. As the M3-1 zoned portions of Lots 16 and 38 are currently located less than 25 feet from the existing zoning district boundary line between the M3-1 and MX (M1-4/R6A) districts, the entirety of Lots 16 and 38 can, under existing zoning (ZR Sec. 77-11), be treated as if wholly located within the MX district.

STUDY AREA

The remainder of Block 2415 is located within a Special Mixed Use District (MX), specifically MX-8, which was established as a result of the Greenpoint-Williamsburg Rezoning adopted in 2005. MX districts, by pairing M1 light manufacturing districts with a residential district (potentially R3 through R10), encourage investment in mixed residential and industrial neighborhoods by permitting expansion and new development of a wide variety of uses in a manner ensuring the health and safety of people using the area, promote the opportunity for workers to live in the vicinity of their work, create new opportunities for mixed use neighborhoods, and recognize and enhance the vitality and character of existing and potential mixed use neighborhoods. Residential uses in MX districts are generally governed by the underlying residential district's FAR regulations, while commercial, manufacturing, and community facility uses are generally governed by the underlying manufacturing district's FAR controls.[3] The MX-8 Special Mixed-Use District was established in the Williamsburg area as part of a 2004 rezoning (Greenpoint-Williamsburg Rezoning, CEQR Number 04DCP003K) intended to facilitate new housing and commercial development on vacant and underutilized land. The portion of the MX-8 district mapped on the eastern portion of Block 2415 is designated as an M1-4/R6A district and located within an Inclusionary Housing designated area (IHDA).[4] IHDA are designated areas in which a developer may construct more floor area if they provide a specified amount of affordable housing.

When M1 districts are districts paired with a residential district within an MX district, the underlying M1 uses regulations are modified by dividing heavy commercial and industrial uses into three categories: (i) uses permitted as-of-right, (ii) uses with restrictions and (iii) excluded uses. M1 districts are light manufacturing districts that permit uses such as woodworking, repair facilities, wholesalers, and storage facilities. Industrial uses are permitted in M1 districts if they meet M1 performance standards, and office and retail uses are also permitted.[5] M1-4 districts have a manufacturing and commercial FAR of 2.0. Community facility uses in Use Group 4 are also permitted as of right in M1-4 districts, with a maximum FAR of 3.0 when located within an MX

[3] With the exception of community facility FAR being governed by the MX's residential district.

[4] See Appendix F of the Zoning Resolution, Brooklyn Community District 1, Map 2.

[5] While transient hotels are generally prohibited on an as-of-right basis in M1 districts, they are permitted in MX districts.

district and paired with an R6A district.[6] No parking for non-residential uses is required in M1-4/R6A districts. The maximum residential FAR in an R6A district in an IHDA is 2.7 (rising to 3.6 when affordable housing is provided in accordance with ZR § 23-90, inclusive).

Height limitations are uniformly established within MX districts for all permitted uses. In this M1-4/R6A district, the height regulations follow an R6A building envelope. R6A districts are medium-density contextual residential districts in which Quality Housing bulk regulations are mandatory. Quality Housing bulk regulations have high lot coverage allowances and height and setback rules that ensure the construction of buildings that either maintain or establish a scale similar to older buildings. The minimum and maximum base heights range from 40 feet to 50 feet (above which a setback is required) and the maximum building height is 70 feet.[7] Parking is required for 50 percent of DUs.[8]

The three blocks in the eastern portion of the study area to the east of Wythe Avenue between South 1st and South 4th Street have an R6 zoning designation and within an IHDA. R6 districts within IHDA permit a base residential FAR of 2.2 beyond 100 feet of a wide street and a base residential FAR of 2.7 within 100 feet of a wide street.[9] Through the provision of affordable housing, FAR may be increased to 2.42 and 3.6, respectively. The maximum base height is 65 feet within 100 feet of a wide street and 45 feet beyond 100 feet of a wide street. Parking is required for 50 percent of DUs.[10]

The western portion of the block to the south of the Project Area (the portion containing the 325 Kent Avenue building) is also zoned as an R6 district but with a C2-4 commercial overlay. C2 commercial overlay districts are mapped within residential districts along streets that serve local retail needs and are found extensively throughout the City's lower- and medium-density areas and occasionally in higher-density districts. These districts preserve the underlying residential zoning regulations while allowing for ground-level retail uses in residential buildings. Typical retail uses include neighborhood grocery stores, restaurants, and beauty parlors, as well as a wider range of uses such as funeral homes and automotive repair services. When mapped in R6 through R10 districts, the maximum commercial FAR is 2.0, and commercial buildings are subject to commercial bulk rules.

The eastern portion of the block located directly south of the Project Area as well as the southernmost block in the study area are also zoned as part of the MX-8 Greenpoint-Williamsburg MX District. This portion of the MX-8 district is designated as an M1-2/R6 mixed-use district, combining an M1-2 manufacturing district with the R6 residential zoning district described above.

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[6] When community facility use is located within a building containing residential use in an MX district and within an IHDA area, the maximum community facility FAR cannot exceed the maximum residential FAR (whether the base FAR of 2.7 or the increased FAR of 3.6 through the provision of affordable housing).

[7] In an M1-4/R6A district, if affordable housing is provided in accordance with ZR § 23-90 et seq., the maximum base height and maximum building height may be increased from 50 feet to 65 feet and from 70 feet to 80 feet, respectively.

[8] Parking requirements are further modified in certain areas for lots less than 10,000 sf in size and for income restricted DUs within the Transit Zone.

[9] A wide street is a street that is 75 feet or more in width, while a narrow street has a width of less than 75 feet.

[10] Parking requirements are further modified in certain areas for lots less than 10,000 sf in size and for income restricted DUs within the Transit Zone.

M1-2 manufacturing districts are similar to the M1-4 district also described above, but require one parking space for every 300 sf of floor area.

The approximate 9.8 acre former Domino Sugar Refinery site to the west of Kent Avenue, while mapped within R6/C2-4, R8/C2-4 and C6-2 districts, is under the jurisdiction of the City Planning Commission (CPC) as part of a 2010 Large Scale General Development (LSGD), which substantially modifies the underlying bulk regulations for this site. The 2010 CPC actions included a zoning map amendment that rezoned approximately 11 acres[11] of M3-1-zoned land to a combination of R6/C2-4, R8/C2-4 and C6-2 districts with height and setback modifications that allow significantly taller buildings than would otherwise be permitted by the underlying regulations for these districts. On March 5, 2014, the CPC, through special permits, authorizations and certifications,[12] amended a large-scale general development[13] plan originally approved on July 29, 2010 for the former Domino Sugar Refinery site. As part of this effort, the redevelopment of the site will provide waterfront public access and affordable housing, and ensures the preservation of the landmarked former Domino Sugar Refinery building.

Most of the remaining portion of the study area to the north of the Project Area is zoned as an M3-1 district; the only exception is the northeastern corner of the study area, which is part of the MX-8 Greenpoint-Williamsburg MX District with M1-2/R6 zoning.

[11] The Domino Site LSGD is comprised of an approximately 9.8-acre site on "waterfront blocks" to the west of Kent Avenue and the Project Area, and a separate approximately 1.3-acre site to the east of Kent Avenue directly to the south of the Project Area across South 3rd Street.

[12] See CPC Lead Report (C 140132 ZSK).

[13] ZR §12-10, in addition to other requirements, defines a LSGD as treating contiguous zoning lots as a single development site notwithstanding their separation by a street.

Table B-1
Zoning Districts Located in the Study Area

Zoning District	Maximum FAR[1,2]	Uses/Zone Type
R6	3.0 (2.2 on narrow streets) under Quality Housing; 2.43 under Height Factor	Medium-density residential district
R8	7.2 (6.02 on narrow streets) under Quality Housing; 6.02 under Height Factor	Medium- to high-density residential district
C2-4 overlay	2.0 commercial	Commercial overlay[3]
C6-2	6.0 commercial	Medium- to high-density commercial district
M1-2	2.0 manufacturing	Light manufacturing district
M1-4	2.0 manufacturing	Light manufacturing district
M3-1	2.0 manufacturing	Heavy manufacturing district
MX-8 (M1-2/R6)	3.0 residential (2.2 on narrow streets) under Quality Housing; 2.43 residential under Height Factor; 2.0 manufacturing; 2.0 commercial; 6.5 community facility[4]	Mixed-use district
MX-8 (M1-4/R6A)	3.0 residential; 2.0 manufacturing; 2.0 commercial; 3.0 community facility[3]	Mixed-use district

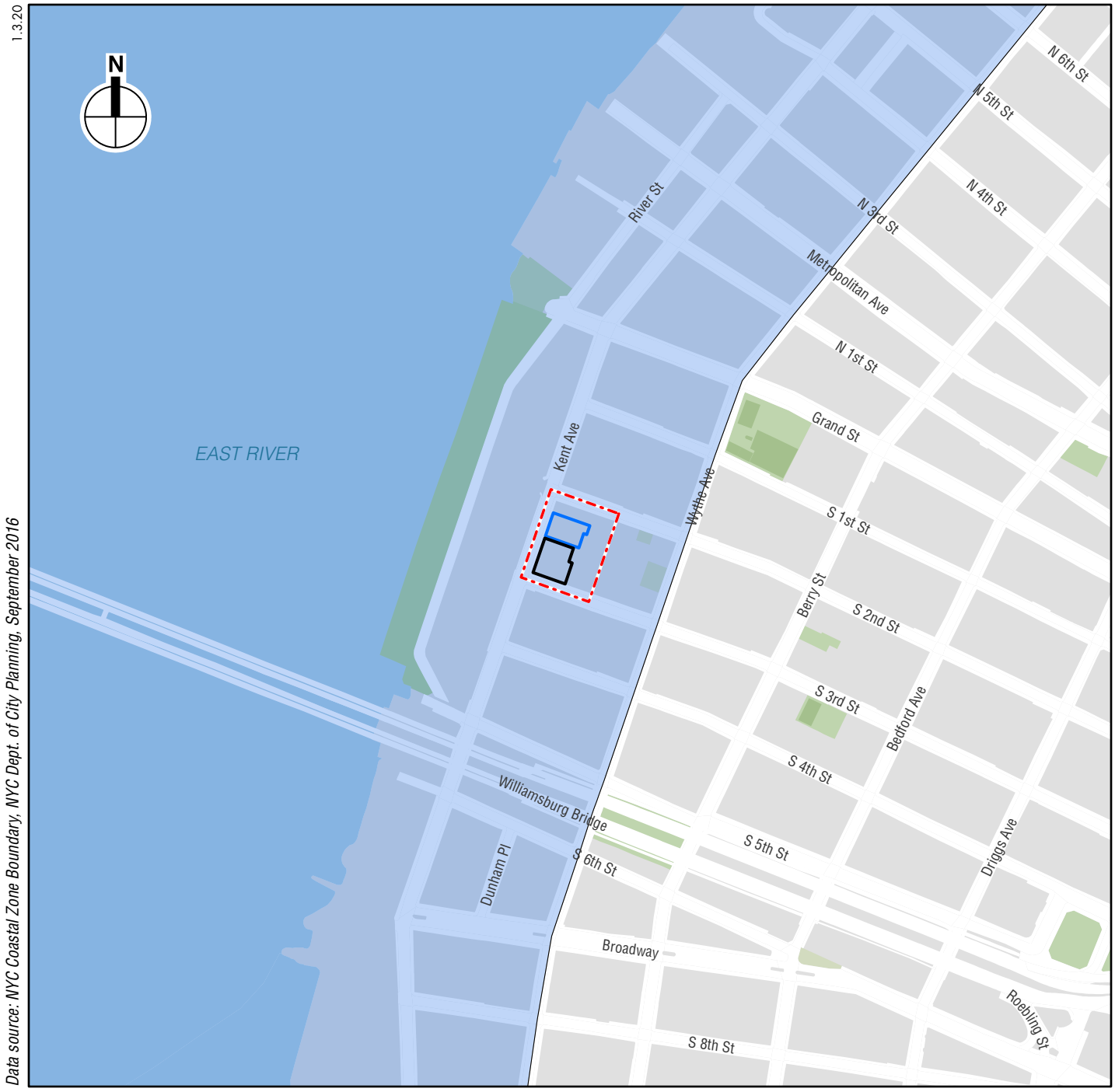
Notes:
[1] FAR is a measure of density establishing the amount of development allowed in proportion to the lot area. For example, a lot of 10,000 sf with a FAR of 1 has an allowable building area of 10,000 sf. The same lot with an FAR of 10 has an allowable building area of 100,000 sf.
[2] FAR and bulk regulations are substantially modified when mapped within a LSGD or IHDA.
[3] In mixed-use buildings, commercial uses must always be located beneath residential uses.
[4] Only community facility uses in UG 4 are permitted.
Source: *New York City Zoning Resolution*

PUBLIC POLICY

WATERFRONT REVITALIZATION PROGRAM (WRP)

The Project Area and portions of the study area are located within the boundaries of New York City's Coastal Zone (see **Figure B-3**). Therefore, the Proposed Actions are subject to a consistency review under the City's WRP. The WRP is the City's principal Coastal Zone management tool and establishes a broad range of public policies for the City's coastal areas. A local Waterfront Revitalization Program (WRP), such as New York City's, is subject to approval by the New York State Department of State (NYSDOS) with the concurrence of the United States Department of Commerce pursuant to applicable State and federal law, including the Waterfront Revitalization of Coastal Areas and Inland Waterways Act and the Federal Coastal Zone Management Act. The WRP was originally adopted by the City of New York in 1982, revised in 2002, and revised again in 2013. The most recent versions were approved by the City Council in 2013 and adopted by NYSDOS (with the concurrence of the U.S. Department of Commerce) in 2016.

The guiding principle of the WRP is to maximize the benefits derived from economic development, environmental conservation, and public use of the waterfront, while minimizing the conflicts among these objectives. The recent revisions' incorporation of climate change and sea level rise considerations to increase the resiliency of waterfront areas, promotion of waterfront



NYC Coastal Zone Boundary

307 KENT AVENUE

Figure B-3

industrial development, as well as commercial and recreational waterborne activities, increased restoration of ecologically significant areas, and best practices for the design of waterfront open spaces. In addition, as part of the WRP revisions, the Coastal Zone boundary has been extended further inland in many locations to reflect alterations to Federal Emergency Management Agency (FEMA) flood zone maps. All proposed actions subject to CEQR, the Uniform Land Use Review Procedure (ULURP), or other City, State, or federal agency discretionary actions that are situated within New York City's designated Coastal Zone boundary must be reviewed and assessed for their consistency with the WRP. An assessment of the Proposed Actions' consistency with applicable WRP policies is warranted, and will be included in the environmental impact statement (EIS).

PLANYC/ONENYC

In April 2007, the Mayor's Office of Long Term Planning and Sustainability released PlaNYC: A Greener, Greater New York (PlaNYC). Since that time, updates to PlaNYC have been issued that build upon the goals set forth in 2007 and provide new objectives and strategies. In 2015, One New York: The Plan for a Strong and Just City (OneNYC) was released by the Mayor's Office of Sustainability and the Mayor's Office of Recovery and Resiliency. OneNYC builds upon the sustainability goals established by PlaNYC and focuses on growth, equity, sustainability, and resiliency. Goals outlined in the report include those related to housing (ensuring access to affordable, high-quality housing) and thriving neighborhoods (ensuring that neighborhoods will be well-served).

NEW YORK WORKS

In June 2017, the New York City Office of the Deputy Mayor for Housing and Economic Development released New York Works, an economic development plan focused on supporting growing industries and employment opportunities through City investments and direct actions, with the goal of creating 100,000 new quality jobs. The plan focuses on key sectors that have the potential to support well-paid jobs, including technology, life sciences and healthcare, industrial and manufacturing, and creative and cultural sectors, and also supports the revitalization of the traditional commercial office sector. The plan also outlines several strategies for public support, including modernizing and repurposing City-owned properties for commercial or manufacturing uses, financing and tax incentives, and infrastructure investments.

D. THE FUTURE WITHOUT THE PROPOSED ACTIONS

LAND USE

PROJECTED DEVELOPMENT SITE 1

In the No Action condition, it is expected that the existing conditions within the Project Area would remain in 2022. The Project Area would not be rezoned from M3-1 to M1-5 and the nine-story mixed-use building proposed for Lot 1 would not be constructed. The existing use of the site as a warehouse/production event space is assumed to continue under the No Action condition.

PROJECTED DEVELOPMENT SITE 2

In the No Action condition, it is expected that the existing warehouse use on Lot 6 would remain in 2022 and the site would not be redeveloped.

REMAINDER OF THE PROJECT AREA

In the No Action condition, it is expected that the existing conditions and uses within the remainder of the Project Area would remain in 2022. Lots 10, 7501 and 7502, would remain under Board of Standards and Appeals (BSA) jurisdiction per the 2003 BSA resolution. Any redevelopment or enlargement of the existing buildings on these lots would be contingent upon further discretionary a BSA approval process. No changes to Lots 16 and 38 are anticipated.

STUDY AREA

Within 400 feet of the Project Area, there are seven background development projects that are currently anticipated to be completed by 2022. These include four different buildings that are part of the redevelopment of the former Domino Sugar Refinery site, as well as three additional projects.[14]

The four buildings that are part of the Domino Sugar Refinery redevelopment are three mixed-use towers at 260, 280, and 350 Kent Avenue and the adaptive reconstruction and reuse of the landmarked former Domino Refinery building (the former Havemeyers & Elder Filter, Pan & Finishing House) at 314 Kent Avenue. 260 Kent Avenue, which is under construction and expected to be completed in late 2019, will contain 332 DUs and 159,652 zoning square feet (zsf) of commercial space. The next tower planned in the development at 280 Kent Avenue will contain 680 DUs, 11,018 zsf of commercial space, 75,145 zsf of community facility space, which will be a 375-seat new elementary school, and 481 parking spaces. The completion of 280 Kent Avenue will be followed by the construction of the final tower planned at 350 Kent Avenue, which will contain 422 DUs, 41,801 zsf of commercial space, and 300 parking spaces. The reconstruction and adaptive reuse of the former Domino Refinery building at 314 Kent Avenue will yield 429,068 zsf of commercial space and 35,753 zsf of community facility space (artist/studio spaces). The estimated completion years for the buildings at 280 and 350 Kent Avenue are currently unknown, and are expected to occur after the Proposed Project's 2022 build year. The adaptive reuse of the former Domino Refinery building at 314 Kent Avenue is expected to be completed by the 2022 build year.

The other three development projects within the study area planned for completion by 2022 are smaller in scale. These include 60 South 2nd Street, which will contain 28 DUs, 50,902 zsf of commercial space, and 14 parking spaces; 72 South 2nd Street, which will contain 7 DUs, 2,611 zsf of commercial space, 1,139 zsf of community facility space, and 1 parking space; and 333 Kent Avenue, an alteration to an existing building, which will contain 2 DUs, and 8,879 zsf of commercial space.

[14] The first building to be built as part of the redevelopment of the former Domino Sugar Refinery site, 325 Kent Avenue, was completed and opened in 2018.

Table B-2
No Build Projects

Fig Ref.[1]	Project Name/Address	Project Description/Program
Land Use Study Area (400-foot Radius)		
1	260 Kent Avenue	DUs: 332 Commercial: 159,652 zsf
2	280 Kent Avenue[2]	DUs: 680 Commercial: 11,018 zsf Community Facility: 75,145 zsf (375-seat school) Parking: 481 spaces
3	350 Kent Avenue[2]	DUs: 422 Commercial: 41,801 zsf Parking: 300 spaces
4	314 Kent Avenue (former Domino Sugar Refinery building)	Commercial: 429,068 zsf Community Facility: 35,753 zsf
5	60 South 2nd Street	DUs: 28 Commercial: 50,902 zsf Parking: 14 spaces
6	72 South 2nd Street	DUs: 7 Commercial: 2,611 zsf Community Facility: 1,139 zsf Parking: 1 space
7	333 Kent Avenue[3]	DUs: 2 Commercial: 8,879 zsf

Notes:
[1] See **Figure B-4**.
[2] The completion years for 280 Kent Avenue and 350 Kent Avenue are currently unknown, but are expected to occur after the Proposed Project's 2022 build year.
[3] Alteration enlarging an existing building.
[*] Unless noted otherwise, planned projects are assumed for purposes of this analysis to be complete by the analysis year of 2022.
Sources:
DOB; AKRF, Inc., field survey, February and December 2018; New York YIMBY (http://newyorkyimby.com); CityRealty (https://www.cityrealty.com/)

ZONING AND PUBLIC POLICY

No changes to zoning or public policy applicable to the Project Area are expected by 2022.

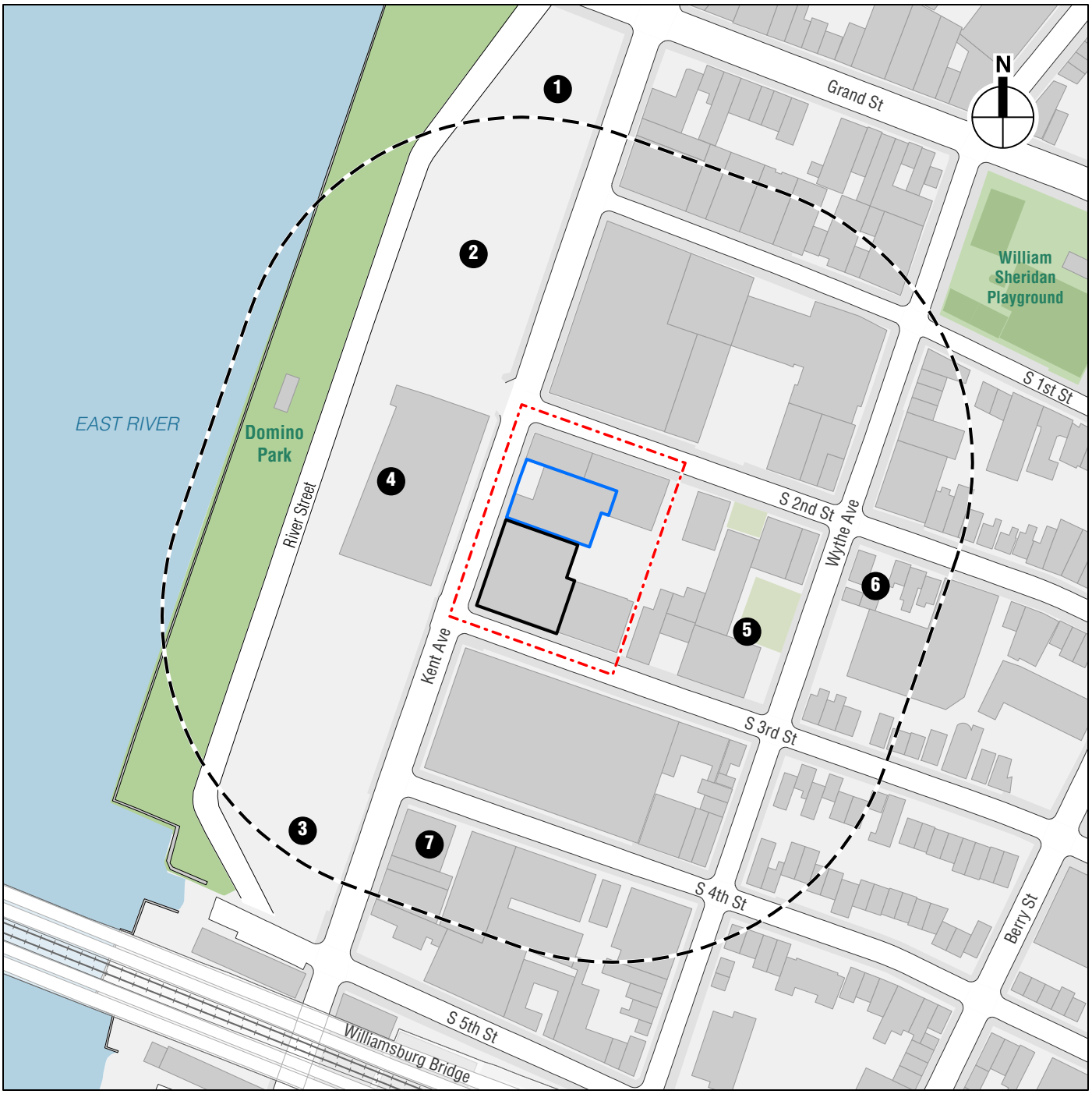
E. THE FUTURE WITH THE PROPOSED ACTIONS

LAND USE

PROJECTED DEVELOPMENT SITE 1

In the With Action condition, the applicant would demolish the existing single-story building on Projected Development Site 1 and construct the Proposed Project, a nine-story mixed-use building. The proposed building would contain approximately 101,000 gsf of floor area, including 70,000 gsf of office uses (split between 1/3 office use and 2/3 light industrial and manufacturing use for

1.3.20



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Project Area (Proposed Rezoning Area)

Projected Development Site 1

Projected Development Site 2

Study Area (400-foot perimeter)

1 *No Build Project*

No Build Projects

307 KENT AVENUE

Figure B-4

the purposes of analysis), 22,000 gsf of community facility (medical office) uses, and 9,000 gsf of retail uses on the ground floor.[15]

PROJECTED DEVELOPMENT SITE 2

It is assumed that the Proposed Actions would facilitate the development of Projected Development Site 2 (Lot 6). It is anticipated that the site would be redeveloped with a new nine-story mixed-use building containing approximately 80,500 gsf of floor area. This would include 55,000 gsf of office uses, 17,500 gsf of community facility (medical office) uses, and 8,000 gsf of retail uses on the ground floor.

REMAINDER OF THE PROJECT AREA

No changes are anticipated in the remainder of the Project Area as a result of the Proposed Actions. Lots 10, 7501, 7502, and p/o Lots 16 and 38 do not meet the criteria of a "soft site" as defined by the *CEQR Technical Manual*. As previously mentioned, Lots 10, 7501, and 7502 would remain under Board of Standards and Appeals (BSA) jurisdiction per the 2003 BSA resolution. Any redevelopment or enlargement of the existing buildings on these lots would be contingent upon a further discretionary BSA approval process. The portions of Lots 16 and 38 that are within the Project Area can currently be developed under the existing M1-4/R6A zoning covering the remaining portion of these lots, and this situation would remain in the With Action condition. As such, the Proposed Actions would not increase the development potential of Lots 16 and 38, and no changes to these lots are anticipated.

STUDY AREA

The Proposed Actions would not result in any land use changes outside of the Project Area. The study area would continue to be characterized by a mix of predominately residential, commercial, industrial, and park uses. The Proposed Project's commercial, light industrial and manufacturing, community facility, and retail uses would be consistent with the mixed-use nature of the surrounding neighborhood and further reinforce it. Local retail uses that would be facilitated on Projected Development Site 1 would be similar to existing local retail uses in the study area. At a height of nine stories, the Proposed Project would be at a similar scale to several existing buildings within the study area such as 390 Wythe Avenue and 330 Wythe Avenue. The Proposed Project's build scale would be smaller than several existing and proposed buildings within the study area including 325 Kent Avenue, 321 Wythe Avenue, and the planned buildings of the Domino Sugar Refinery redevelopment. The building anticipated to be developed on Projected Development Site 2 and its mixed uses would also be consistent with land uses in the study area and be at a scale similar to or smaller than several existing and planned buildings within the study area. The building's local retail uses would further activate the street at the ground level and provide additional retail opportunities to the local population. The building's new office, light industrial, and medical office uses would provide additional space for employment in a mix of uses within

[15] Approximately 6,000 gsf of loading and mechanical space has been included in the office uses gsf total. As discussed in Attachment A, "Project Description," the proposed M1-5 district encourages commercial and light industrial uses, and manufacturing uses would be subject to stringent performance standards consistent with the mixed-use character of the neighborhood. For the purposes of the CEQR analyses, a portion of the 70,000 gsf commercial uses are assumed to be light industrial in order to present a conservative analysis for certain technical areas, such as Air Quality, and a portion is assumed to be office in order to present a more conservative analysis in other technical areas, such as Transportation.

the neighborhood. Overall, the Proposed Actions would be compatible with and supportive of land uses in the surrounding area and would not result in significant adverse land use impacts.

ZONING

The Proposed Actions are a zoning map amendment and a zoning text amendment. The zoning map amendment that would change a portion of the existing M3-1 zoning in the Project Area to M1-5. This new zoning district would cover the western portion of Block 2415, extending from Kent Avenue to a boundary 120 feet eastwards. In addition, the existing MX-8 (M1-4/R6A) district covering the eastern half of the block would be extended westward by 90 feet to meet the boundary of the proposed M1-5 district, rezoning p/o Lots 6, 16, 38, 7501, and 7502, thereby eliminating an existing split-lot condition (see **Figure B-5**). M1-5 districts are manufacturing zoning districts similar to the M1-2 and M1-4 districts described above. However, M1-5 districts have a maximum manufacturing and commercial FAR of 5.0, a maximum community facility FAR of 6.5, and maximum total FAR of 6.5 if community facility use is provided.[16] Heights are governed by a sky exposure plane, which begins at 85 feet above the street line, and no accessory parking is required.

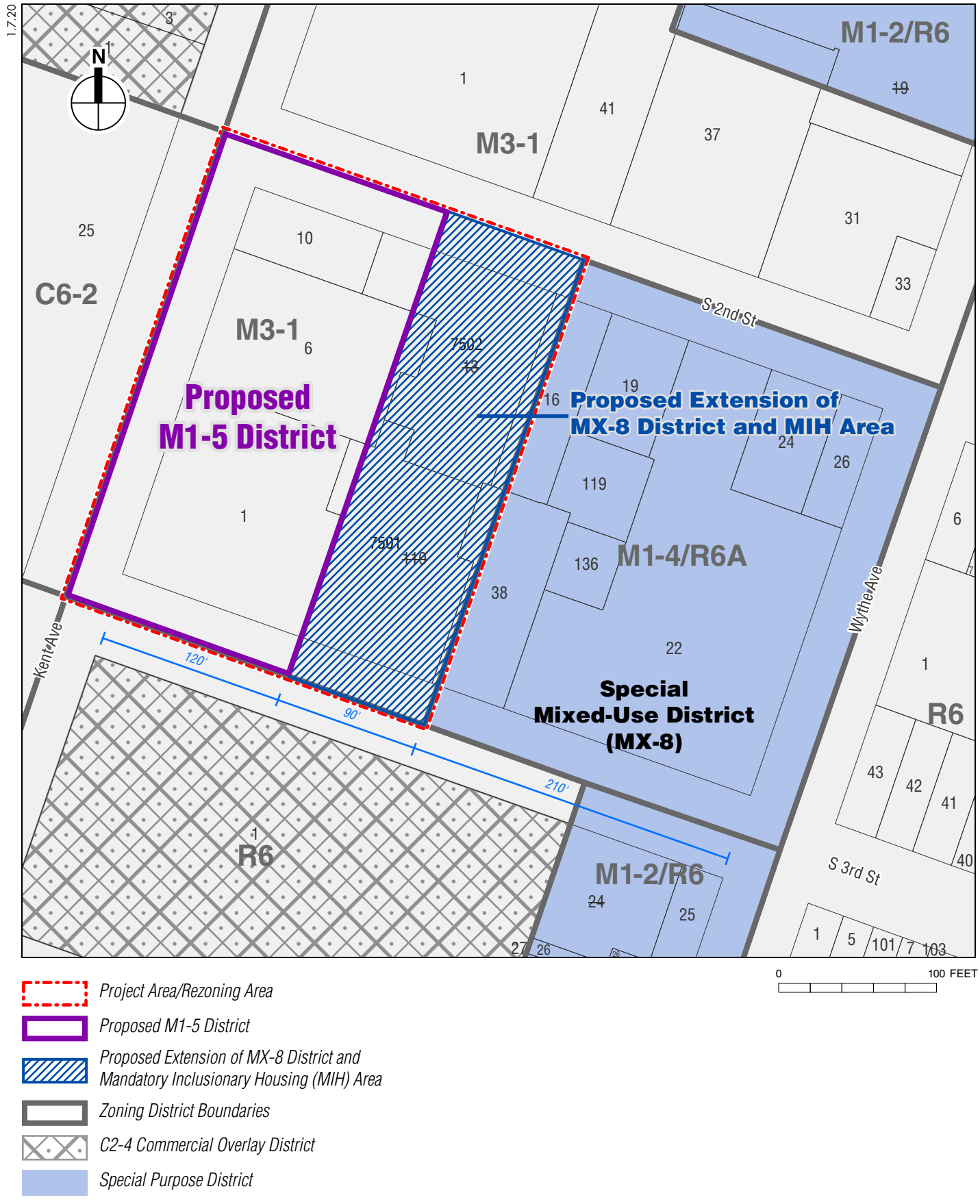
As a result of the proposed extension of the MX-8 district westwards by 90 feet, a text amendment to Map 2 for Community District 1, Brooklyn within Appendix F of the Zoning Resolution is also necessary to remove a 90-foot wide portion of the Subject Block from the "Excluded Area" shown on Map 2 in order to make Mandatory Inclusionary Housing (MIH) regulations applicable for the proposed MX-8 (M1-4/R6A) rezoning area.

Overall, there are no sites that would be redeveloped as a result of the Proposed Actions within the Project Area and/or the study area other than the Projected Development Sites 1 and 2. As described above, the Proposed Project, which would be facilitated by the proposed rezoning, would be similar to the mix of uses and mixed-use buildings in the study area, and would not represent a significant increase in built scale as compared to the existing and planned buildings in the study area. Therefore, the Proposed Actions would be consistent with existing zoning in the study area and would not result in any significant adverse zoning impacts.

PUBLIC POLICY

The Proposed Project would be consistent with public policies. In particular, the Proposed Actions would contribute to the ongoing transformation of the neighborhood from a former industrial area to a mixed-use area as consistent with OneNYC's goal of thriving neighborhoods. The mix of uses within the Proposed Project would be consistent with the City's vision for the neighborhood, codified in the previous rezoning of parts of the study area to MX-8. The Proposed Project would also support the goals of New York Works by facilitating the creation of at least 70,000 gsf of space (up to 125,000 gsf including Projected Development Site 2) for well-paid jobs in the light industrial and manufacturing and office sectors as envisioned by the plan. The Proposed Actions' consistency with the City's WRP will be assessed as part of the EIS. The Proposed Actions would contribute to several public policy goals.

[16] Community facility uses in M1 districts are generally limited to UG 4.



Proposed Zoning

307 KENT AVENUE

Figure B-5

F. CONCLUSION

The Proposed Project would be compatible with existing land uses, zoning, and public policies in the study area. The EIS will include additional data, and the conclusions of this assessment will be updated if warranted. ✷

A. INTRODUCTION

This attachment assesses the potential impacts of the Proposed Actions on open space resources. Open space is defined in the 2014 *City Environmental Quality Review (CEQR) Technical Manual* as publicly accessible, publicly, or privately owned land that is available for leisure, play, or sport, or serves to protect or enhance the natural environment. An open space assessment should be conducted if a project would have a direct effect on open space, such as eliminating or altering a public open space, or an indirect effect, such as when a substantial new population could place added demand on an area's open spaces.

As discussed in Attachment A, "Project Description," under the Reasonable Worst Case Development Scenario (RWCDS), the Proposed Actions are expected to result in the development of approximately 78,833 gross square feet (gsf) of office uses, 17,000 gsf of retail uses, 46,667 gsf of light industrial and manufacturing uses, and 39,500 gsf of medical office uses within the Project Area. This program, a net increase of 155,360 total gsf over the existing of 26,640 gsf of service to businesses commercial uses on Projected Development Sites 1 and 2 (Block 2415, Lot 1, and Block 2415, Lot 6, respectively), represents the increment of the Proposed Actions when compared to the existing conditions and the Future without the Proposed Actions (the No Action condition) of the Project Area. As discussed in more detail below, the Proposed Actions would result in the introduction of non-residential uses that would increase the non-residential population within the Project Area and in the study area. Therefore, in accordance with *CEQR Technical Manual* guidelines, an open space assessment was conducted to determine whether the Proposed Actions would result in significant adverse open space impacts. This assessment finds that the Proposed Actions would not result in significant adverse open space impacts.

B. METHODOLOGY

As defined by the *CEQR Technical Manual*, public open space is accessible to the public on a constant and regular basis, including for designated daily periods. Public open space may be under government or private jurisdiction and typically includes City, state, and federal parkland, esplanades, and plazas designated through regulatory approvals such as zoning. Private open space is not publicly accessible or is available only to limited users. It is not available to the public on a regular or constant basis. Examples of private open space are natural areas with no public access, community gardens, front and rear yards, rooftop recreational facilities, and stoops or landscaped grounds used by community facilities, such as public and private educational institutions, where the open space is accessible only to the institution-related population.

Open spaces can be characterized as either active or passive depending on the activities the space allows. In many cases, open space may be used for both active and passive recreation. Open space that is used for sports, exercise, or active play is classified as "active open space," and consists primarily of recreational facilities. Passive open spaces are used for relaxation, such as sitting or strolling. Active and passive open spaces are further defined in Section C, "Existing Conditions."

DIRECT EFFECTS

According to the *CEQR Technical Manual*, a proposed action 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, odor, or shadows that would temporarily or permanently affect the usefulness of a public open space. This attachment will determine whether the Proposed Actions would directly impact any open spaces within, or in close proximity to, the Project Area.

INDIRECT EFFECTS

As described in the *CEQR Technical Manual*, open space can be indirectly affected by a proposed action if a project would add enough population, either residential or non-residential, to noticeably diminish the capacity of open space in the area to serve the future population. If a proposed action is not located within an underserved or well-served area, such as the Project Area, an open space assessment should be conducted if that project would generate more than 200 residents or 500 employees. In accordance with *CEQR Technical Manual* guidelines, the open space analysis and impact assessment is based on the proposed redevelopment of Projected Development Site 1. As discussed in Attachment A, "Project Description," the Proposed Actions would introduce up to 523 new employees to the study area as compared with the No Action condition. No new residents would be introduced by the Proposed Actions. Therefore, an open space assessment for only non-residential populations is warranted.

STUDY AREA

The *CEQR Technical Manual* recommends establishing a study area or areas as the first step in an open space assessment. The study areas are based on the distances that the respective users—workers (or non-residents) and residents—are likely to walk to an open space. According to the *CEQR Technical Manual*, workers typically use passive open spaces and are assumed to walk approximately 10 minutes, or ¼-mile from their place of work to an open space. Residents are assumed to walk approximately 20 minutes, or ½-mile, to reach both passive and active open spaces.

The Proposed Actions would not include any new residential units; therefore, a residential open space assessment was not warranted. However, the Proposed Actions are expected to result in new institutional development that would introduce a new non-residential population to the area. The Proposed Actions would introduce new non-residential population above the 500-worker threshold described in the *CEQR Technical Manual*. Therefore, the effect of the Proposed Actions on open spaces was analyzed following *CEQR Technical Manual* guidelines.

The non-residential open space study area comprises all Census Tracts with at least 50 percent of their area within a ¼-mile of the project area. As shown in **Figure C-1**, the ¼-mile study area includes the area within Census Tracts 549 and 551.[1] This area of census tracts is bounded approximately by Grand Street to the north, Driggs Avenue to the east, South 8th Street to the south, and the East River to the west (see **Figure C-1**). These census tracts are mapped within Brooklyn Community District 1.

[1] 2010 U.S. Census.

Project Area (Proposed Rezoning Area)
Projected Development Site 1
Projected Development Site 2
Quarter-mile Boundary
Census Tracts
Open Space Study Area
Open Space Resources

0 400 FEET

Open Space Study Area and Resources

STUDY AREA POPULATION

EXISTING CONDITIONS

Information regarding the existing worker population within the non-residential study area was compiled based on data from ESRI Business Analyst, a national provider of geographic planning data.

NO ACTION CONDITION

The non-residential population in the study area in the No Action condition was determined by adding the number of non-residents anticipated to result from developments that are expected to be completed in the study area by 2022 to the existing non-residential population.

WITH ACTION CONDITION

The non-residential population in the study area in the future with the Proposed Actions (the With Action condition) was determined by adding the number of non-residents anticipated to result from the Proposed Actions to the non-residential population in the No Action condition. It is anticipated that the Proposed Actions would introduce 576 workers to the Project Area, an increment of 523 additional workers than in the No Action condition.

INVENTORY OF OPEN SPACE RESOURCES

Publicly accessible open spaces and recreational facilities within the study area were inventoried to determine their size, character, utilization, and condition. In accordance with the *CEQR Technical Manual*, publicly accessible open space is defined as facilities open to the public at designated hours on a regular basis and is assessed for impacts using both a quantitative and a qualitative analysis, whereas private open space is not accessible to the general public on a regular basis and is considered qualitatively. Open spaces that are not accessible to the general public or that do not offer usable recreational areas were excluded from the survey. Information on the size of the open spaces was obtained from the New York City Department of Parks and Recreation (NYC Parks) and using Geographic Information System (GIS) measurements. The amenities, condition, and utilization of the resources was determined through field surveys conducted during working hours in April 2019.

At each open space, active and passive recreational spaces were noted. Active open space acreage is used for activities such as jogging, field sports, and children's active play. Passive open space usage includes activities such as strolling, reading, lounging, and people watching. Some spaces, such as lawns and public esplanades, can be considered both active and passive recreation areas since they can be used for passive uses such as sitting or strolling, as well as active uses, such as jogging. For the purpose of this analysis, special attention was paid to the passive open space resources in the study area, as non-residential users are unlikely to participate in activities that require active space during the day. Based on the methodology in the *CEQR Technical Manual*, the utilization level at each facility was determined based on observations of the amount of open space or equipment seen to be in use. Open spaces with less than 25 percent of space or equipment in use were categorized as low usage, those with 25 to 75 percent utilization were classified as moderate usage, and those with over 75 percent utilization were considered to have heavy usage.

ADEQUACY OF OPEN SPACE RESOURCES

COMPARISON TO GUIDELINES

The adequacy of open space in the study area are quantitatively assessed using a ratio of usable open space acreage to the study area population; this is referred to as the open space ratio. To assess the adequacy of open space resources, open space ratios are compared with planning goals set by the City as described in the *CEQR Technical Manual*. Although these open space ratios are not meant to determine whether a proposed action might have a significant adverse impact on open space resources, they are helpful guidelines in understanding the extent to which user populations are served by open space resources. For non-residential populations, 0.15 acres of passive open space per 1,000 non-residents is typically considered adequate.

C. EXISTING CONDITIONS

STUDY AREA NON-RESIDENTIAL POPULATION

Based on the data compiled from ESRI Business Analyst, the Census Tracts in the open space study area (Census Tracts 549 and 551) contain 410 businesses employing 2,370 people (see **Table C-1**).

Table C-1
Existing Non-Residential Population within the Study Area

Census Tract	Non-Residential Population
549	1,469
551	901
Total	**2,370**
Source: *ESRI Business Analyst; 2019 Infogroup, Inc.*	

STUDY AREA OPEN SPACE RESOURCES

As shown in **Table C-2** and **Figure C-1**, there are six open space resources with passive features located within the non-residential study area. These open space resources are well suited for passive recreational use and include a plaza, a pedestrian pathway, two playgrounds, and two parks.

Table C-2
Inventory of Publicly Accessible Open Space in the Non-Residential Study Area

Map No.[1]	Name	Location	Owner/ Agency	Amenities	Total Acres	Active Acres	Passive Acres	Condition	Utilization
1	George B. Post Plaza	Broadway, South 6th Street, and Bedford Avenue	DOT	Benches, tables with chairs, water fountain, information kiosk, landscaping, plaza area	0.12	0	0.12	Excellent	Moderate
2	Williamsburg Bridge Pedestrian Pathway	Williamsburg Bridge and Bedford Avenue	DOT	Pedestrian pathway	0.43[2]	0.22	0.22	Adequate	Heavy
3	Berry Playground	South 3rd Street between Bedford Avenue and Berry Street	NYC Parks	Basketball, benches, playground equipment, swings, flagpole, water fountain, spray showers	0.33	0.30	0.3	Adequate	Moderate
4	William Sheridan Playground	Grand Street, Wythe Avenue, and South 1st Street	NYC Parks/ DOE	Basketball, benches, handball, playground equipment, bathrooms, water fountains, swings, softball area	1.17	1.05	0.12	Adequate	Moderate
5	Grand Ferry Park	Grand Street and River Street	NYC Parks	Historic structure, benches, picnic tables, water fountains, tree coverage, shore area	1.7	0	1.7	Adequate	Moderate
6	Domino Park	Grand Street, River Street, South 5th Street, and the East River	Domino A LLC	Playground equipment, taco restaurant, beach volleyball, dog park, bocce courts, turf areas, lawn areas, benches, waterfront esplanade, lounge chairs, landscaping, spray showers, misters, tables with chairs, water fountains, water features, stepped seating, historic artifacts, elevated walkway	5.0	2.5	2.5	Excellent	Moderate
				Totals	**2.61**	**1.80**	**0.81**		

Notes:
[1] See **Figure C-1** for a map of open space resources.
[2] Williamsburg Bridge Pedestrian Pathway acreage includes only the portion located within the Open Space Study Area.
Sources:
NYC Parks; Field Surveys, April 2019; MapPLUTO.

George B. Post Plaza is a new plaza constructed at the intersections of Broadway, South 6th Street, and Bedford Avenue to the southeast of the Project Area. The resource is completely passive, consisting of a plaza area with benches, tables with chairs, landscaping, a water fountain, and an informational kiosk. Well-suited for passive recreational use, this open space is currently in excellent condition and experience moderate utilization.

The Williamsburg Bridge Pedestrian Pathway runs along the south side of the Williamsburg Bridge from Bedford Avenue in Brooklyn to Clinton Street in Manhattan. The pedestrian pathway can be used for both passive recreational uses such as walking and active recreational uses such as jogging, and therefore has been considered to be 50 percent active and 50 percent passive in nature. This resource is currently in adequate condition and experiences heavy utilization.

Berry Playground is a mid-sized playground located on the south side of South 3rd Street between Bedford Avenue and Berry Street, to the east of the Project Area. This resource is primarily active, offering active amenities such as basketball, playground equipment, swings, and spray showers. The playground does offer some passive amenities as well, including benches, a flagpole, and water fountains. This resource is currently in adequate condition and experiences moderate utilization.

William Sheridan Playground is a large playground located on the east side of Wythe Avenue between Grand Street and South 1st Street. This resource is also primarily active and offers basketball, handball, playground equipment, swings, and a softball area as active features. Passive features include benches, bathrooms, and water fountains. This resource is currently in adequate condition and experiences moderate utilization.

Grand Ferry Park is a medium-sized park located at the East River terminus of Grand Street. The park is entirely passive and its amenities include a historic factory smoke stack, benches, picnic tables, water fountains, tree coverage, and a rock-lined shore area that can be sat on. This resource is currently in adequate condition and experiences moderate utilization.

Domino Park, opened in 2018, is the largest open space resource in the study area. The park includes many different areas, some more passively oriented and others oriented towards active recreation. Features include playground equipment, a taco restaurant, beach volleyball, a dog park, bocce courts, a turf area, lawn areas, benches, a waterfront esplanade, lounge chairs, landscaping, spray showers, misters, tables and chairs, water fountains, water features, a stepped seating area, historic artifacts, and an elevated walkway. This resource is currently in excellent condition and experiences moderate utilization.

ADEQUACY OF OPEN SPACE RESOURCES

QUANTITATIVE ASSESSMENT

As described above, this analysis focuses on passive open space resources as these are the open space resources that non-residents would be most likely to use. To assess the adequacy of open space resources in the study area, the ratio of non-residents to acres of passive open space is compared with the City's planning goal of 0.15 acres of passive open space per 1,000 non-residents. The open space study area has an existing ratio of 1.975 acres of passive open space per 1,000 non-residents, which is well above the City's planning goal (see **Table C-3**).

Table C-3
Existing Conditions: Adequacy of Open Space Resources

Total Population (Non-residents)	Passive Open Space Acreage	Passive Open Space Ratio per 1,000 People	Passive Open Space Goal
2,370	8.75	1.975	0.15

Notes:
Ratios in acres per 1,000 people.
The City's open space ratio goals for total and active open spaces are not applicable to the Proposed Project under *CEQR Technical Manual* methodology, as the project would only be introducing a non-residential population to the study area.
Sources: NYC Parks; Field Surveys, April 2019; MapPLUTO.

QUALITATIVE ASSESSMENT

The six existing open space resources within the study area that contain passive features are varied in size, well-suited for passive recreation, and in adequate to excellent condition. Utilization varies through the resources, with four of the six resources experiencing moderate utilization and the remaining two experiencing heavy utilization. Domino Park, the largest of the resources and containing many passive features, is located just to the west of the Project Area and would be particularly suitable for lunchtime recreation. These factors make the existing open space resources in the study area well-suited to providing passive recreation opportunities for the existing non-resident population in the study area.

A community garden, the Berry Street Garden, is also located within the study area to the east of the Project Site on Berry Street between South 2nd Street and South 3rd Street and would be available to and likely used by non-residents within the study area for passive recreation.

THE FUTURE WITHOUT THE PROPOSED ACTIONS

STUDY AREA NON-RESIDENTIAL POPULATION

PROJECT AREA

Absent the Proposed Actions, no new development is anticipated to occur within the Project Area. Existing buildings and uses observed in the existing condition would remain through the 2022 build year.

STUDY AREA

Thirteen development projects within the study area are currently planned or underway, and are expected to introduce non-residents by 2022, the Proposed Actions' build year. The independent No Action condition projects within the study area are expected to introduce 2,987 additional non-residents to the study area by 2022. Two additional development projects (280 and 350 Kent Avenue) are located within the study area, but are not expected to be completed until after the Proposed Actions' build year.

Under the No Action condition, the non-residents from additional No Action projects (2,987) expected to be completed by 2022 in the study area would increase the non-residential population in the study area from 2,370 to 5,357.

STUDY AREA OPEN SPACE RESOURCES

No new open space resources are expected to be completed within the study area by 2022.[2] Therefore, the total amount of open space within the study area would remain at 8.75 acres, with 4.07 acres of active open space and 4.68 acres of passive open space.

ADEQUACY OF OPEN SPACE RESOURCES

As shown on **Table C-4**, with a total non-residential population of 5,357 and 4.68 acres of passive open space, the passive open space ratio within the study area would decrease to 0.874 acres per 1,000 non-residents in the future without the Proposed Actions. Therefore, it would remain above the City's planning goal of 0.15 acres of passive open space per 1,000 non-residents.

Table C-4
No Action Condition: Adequacy of Open Space Resources

Total Population (Non-residents)	Passive Open Space Acreage	Passive Open Space Ratio per 1,000 People	Passive Open Space Goal
Non-Residential (¼-Mile) Study Area			
5,357	4.68	0.874	0.15

Notes:
Ratios in acres per 1,000 people.
The City's open space ratio goals for total and active open spaces are not applicable to the Proposed Actions under *CEQR Technical Manual* methodology, as the project would only be introducing a non-residential population to the study area.
Sources: NYC Parks; Field Surveys, April 2019; MapPLUTO.

D. THE FUTURE WITH THE PROPOSED ACTIONS

The assessment of conditions in the future with the Proposed Actions examines conditions that are expected to occur as a result of the Proposed Actions. The capacity of open space resources to serve future populations in the study area is examined using quantitative and qualitative factors. The potential for direct effects on open space is also considered.

DIRECT EFFECTS

As described above in the discussion of methodology, direct adverse effects on an open space occur when a proposed project would cause the physical loss of public open space; change the use of an open space so that it no longer serves the same user population; limit public access to an open space; or cause increased noise or air pollutant emissions, odors, or shadows that would affect its usefulness, whether on a permanent or temporary basis. The Proposed Actions would not directly affect public open space resources on or near the Project Area, and therefore would not have direct effects impacts on open space resources.

[2] A portion of Domino Park adjacent to Kent Avenue was formerly utilized as the publicly accessible North Brooklyn Farms, and will become part of Domino Park in the future independent of the Proposed Actions. (https://www.ediblebrooklyn.com/2019/north-brooklyn-farms/ and https://bushwickdaily.com/bushwick/categories/news/6231-beloved-nature-escape-north-brooklyn-farms-will-close-at-the-end-of-2019, both accessed January 7, 2020.) This future open space was not included in this open space analysis to ensure a conservative analysis.

STUDY AREA NON-RESIDENTIAL POPULATION

Under the With Action condition, the construction of new mixed-use building on Projected Development Site 1 and the expected construction of another mixed-use building on Projected Development Site 2 would be completed by 2022, and the non-residential population in the study area would be expected to increase as a result. It is anticipated that the Proposed Actions would introduce 576 workers to the Project Area, an increment of 523 workers over the No Action condition.

STUDY AREA OPEN SPACE RESOURCES

The Proposed Actions would not have an effect on existing or proposed open space resources within the Project Area or within the study area. The total amount of public open space within the study area would remain at 8.75 acres, including 4.07 acres of active open space and 4.68 acres of passive open space.

ADEQUACY OF OPEN SPACE RESOURCES

QUANTITATIVE ASSESSMENT

As shown on **Tables C-5 and C-6**, with a total non-residential population of 5,880 and 4.68 acres of passive open space, the passive open space ratio within the study area would decrease in the With Action condition compared with the No Action condition by approximately 9 percent. The passive open space ratio of 0.796 acres of passive open space per 1,000 non-residents would remain well above the City's planning goal of 0.15 acres of passive open space per 1,000 non-residents.

Table C-5
With Action Condition: Adequacy of Open Space Resources

Total Population (Non-residents)	Passive Open Space Acreage	Passive Open Space Ratio per 1,000 People	Passive Open Space Goal
Non-Residential (¼-Mile) Study Area			
5,880	4.68	0.796	0.15

Notes:
Ratios in acres per 1,000 people.
The City's open space ratio goals for total and active open spaces are not applicable to the proposed project under *CEQR Technical Manual* methodology, as the project would only be introducing a non-residential population to the study area.
Sources: NYC Parks; Field Surveys, April 2019; MapPLUTO.

Table C-6
Passive Open Space Ratios Summary

Ratio	City Goal (acres per 1,000 non-residents)	No Action Condition	With Action Condition	Percent Change
Passive	0.15	0.874	0.796	-8.92%

The *CEQR Technical Manual* indicates that a decrease in the open space ratio of 5 percent or more in areas that are currently below the City's median community district open space ratio of 1.5 acres per 1,000 residents would generally be considered a substantial change that requires a more detailed analysis. The Proposed Actions would result in a larger than 5 percent decrease in the

passive open space ratio in the With Action condition compared with that of the No Action condition, but at a passive open space ratio of 0.796, the study area's open space ratio would remain substantially greater than the City's planning goal of 0.15 acres of passive open space per 1,000 non-residents. The anticipated effects of the Proposed Actions on open space resources in the study area are discussed below in the qualitative assessment.

QUALITATIVE ASSESSMENT

The passive open space ratio of 0.796 with the Proposed Actions would remain well above the ratio of 0.15 acres per 1,000 non-residents recommended by the City. The public open space resources available to non-residents within the study area vary from small to large resources, and as noted above, the field survey of open spaces suggests that the majority of existing open space resources are not overcrowded by non-residents during the daytime. They are in adequate to excellent condition, and would not be overburdened by the additional non-residential population that would be introduced to the study area by the Proposed Actions. The five-acre Domino Park is located just to the west of the Project Area and includes features that would make it particularly suitable for lunchtime recreation for workers introduced by the Proposed Actions. There is also an additional passive open space resource located within the study area that could be utilized by non-residents, the Berry Street Garden.

A sufficient amount of passive open space, approximately 0.796 acres of passive open space per 1,000 non-residents, would remain in the study area to support the new non-residential population. Furthermore, the Proposed Actions would not directly impact any open space resources and would not substantially burden nearby open spaces resources through the introduction of a new non-residential population.

Currently, the passive open space ratio in the study area for non-residential users is well above the guidelines indicated in the *CEQR Technical Manual*, and would remain well above the guidelines in both the No Action and With Action conditions. Though the Proposed Actions would have the potential to result in a decrease in the passive open space ratio of more than 5 percent compared with the No Action condition, the passive open space ratio would remain substantially higher than the City's guideline (0.796 acres per 1,000 non-residents compared to the City's guideline of 0.15 acres per 1,000 non-residents). The quality of the open space resources within the study area, their moderate usage (with the exception of one resource), and the community garden within the study area would further reduce the potential effect of the additional demand generated by the proposed project. Therefore, the Proposed Actions would not have the potential result in significant adverse impacts on open space resources in the study area. ✷

A. INTRODUCTION

As described in Attachment A, "Project Description," the Proposed Actions would facilitate the construction of a nine-story mixed-use building on Projected Development Site 1 (Block 2415, Lot 1; the Proposed Project) and another nine-story mixed-use building on Projected Development Site 2 (Block 2415, Lot 6) that would rise to a maximum height, including rooftop mechanical bulkheads, of approximately 180 feet. This attachment assesses the potential for the proposed mixed-use buildings to cast new shadows on sunlight-sensitive resources. Following the guidelines of the 2014 *City Environmental Quality Review (CEQR) Technical Manual*, sunlight-sensitive resources include publicly accessible parks and open space, sunlight-dependent features of historic resources, and natural resources that depend on sunlight.

The assessment concluded the Proposed Actions would result in incremental shadows on portions of Domino Park and the East River in certain seasons, as described below, but the extent and duration of incremental shadows would be limited and would not result in significant adverse impacts on any resources.

B. DEFINITIONS AND METHODOLOGY

This analysis has been prepared in accordance with New York City CEQR procedures and follows the guidelines of the *CEQR Technical Manual*.

DEFINITIONS

Incremental shadow is the additional, or new, shadow that a structure resulting from a Proposed Action would cast on a sunlight-sensitive resource.

Sunlight-sensitive resources are those that depend on sunlight or for which direct sunlight is necessary to maintain the resource's usability or architectural integrity. Such resources generally include the following:

- *Public open space* such as parks, beaches, playgrounds, plazas, schoolyards (if open to the public during non-school hours), greenways, and landscaped medians with seating. Planted areas within unused portions of roadbeds that are part of the Greenstreets program are also considered sunlight-sensitive resources.
- *Features of architectural resources that depend on sunlight for their enjoyment by the public.* Only the sunlight-sensitive features need be considered, as opposed to the entire resource. Such sunlight-sensitive features might include design elements that depend on the contrast between light and dark (e.g., recessed balconies, arcades, deep window reveals); elaborate, highly carved ornamentation; stained glass windows; historic landscapes and scenic landmarks; and features for which the effect of direct sunlight is described as playing a significant role in the structure's importance as a historic landmark.

- *Natural resources* where the introduction of shadows could alter the resource's condition or microclimate. Such resources could include surface water bodies, wetlands, or designated resources, such as coastal fish and wildlife habitats.

Non-sunlight-sensitive resources include the following, for the purposes of CEQR:

- *City streets and sidewalks* (except Greenstreets);
- *Private open space* (e.g., front and back yards, stoops, vacant lots, and any private, non-publicly accessible open space); and
- *Project-generated open space* cannot experience a significant adverse shadow impact from the project, according to CEQR, because without the project, the open space would not exist. However, a discussion of how shadows would affect the new space may be warranted.

A significant adverse shadow impact occurs when the incremental shadow facilitated by a Proposed Actions falls on a sunlight-sensitive resource and substantially reduces or completely eliminates direct sunlight, thereby significantly altering the public's use of the resource or threatening the viability of vegetation or other resources. Each case must be considered on its own merits based on the extent and duration of new shadow and an analysis of the resource's sensitivity to reduced sunlight.

METHODOLOGY

Following the guidelines of the *CEQR Technical Manual*, a preliminary screening assessment must first be conducted to ascertain whether a project's shadow could reach any sunlight-sensitive resources at any time of year. The preliminary screening assessment consists of three tiers of analysis. The first tier determines a simple radius around the proposed building representing the longest shadow that could be cast. If there are sunlight-sensitive resources within this radius, the analysis proceeds to the second tier, which reduces the area that could be affected by project shadow by accounting for the fact that shadows can never be cast between a certain range of angles south of the project site due to the path of the sun through the sky at the latitude of New York City.

If the second tier of analysis does not eliminate the possibility of new shadows on sunlight-sensitive resources, a third tier of screening analysis further refines the area that could be reached by project shadow by looking at specific representative days in each season and determining the maximum extent of shadow over the course of each representative day.

If the third tier of analysis does not eliminate the possibility of new shadows on sunlight-sensitive resources, a detailed shadow analysis is required to determine the extent and duration of the incremental shadow resulting from the project. The detailed analysis provides the data needed to assess the shadow impacts. The effects of the new shadows on the sunlight-sensitive resources are described, and their degree of significance is considered. The results of the analysis and assessment are documented with graphics, a table of incremental shadow durations, and narrative text.

C. PRELIMINARY SCREENING ASSESSMENT

A base map was developed using Geographic Information Systems (GIS)[1] showing the location of the proposed buildings and the surrounding street layout (see **Figure D-1**). In coordination with

[1] Software: Esri ArcGIS Pro; Data: New York City Department of Information Technology and Telecommunications (DoITT) and other City agencies, and AKRF site visits.

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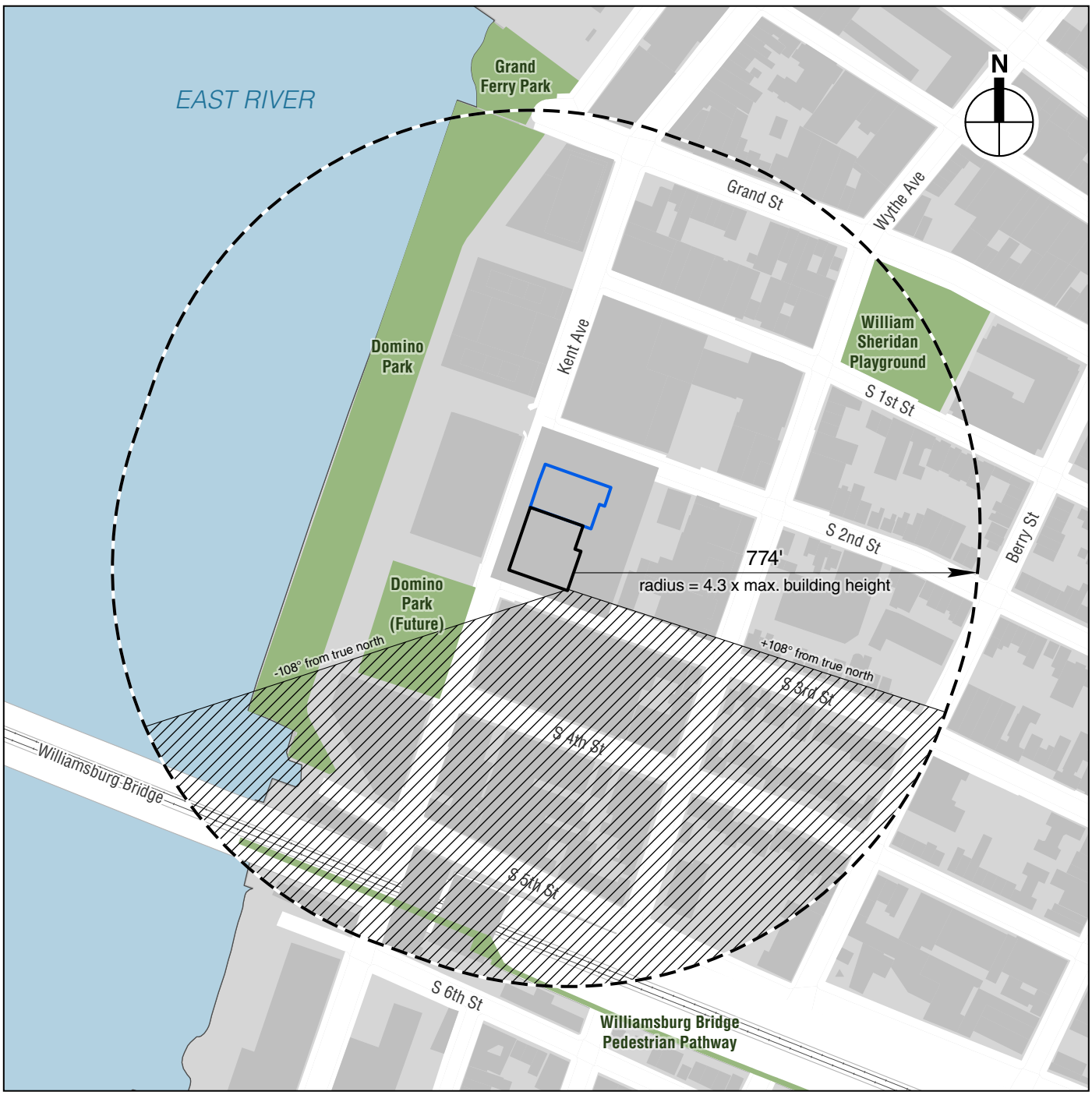

Projected Development Site1

Projected Development Site 2

*Tier 1: Longest Shadow Study Area Perimeter**

Tier 2: Area South of Site That Could Never Be Shaded by Proposed Facility

Publicly Accessible Open Space

*The building on Projected Development Site 1 would be 180' tall and could cast a shadow up to 774'. The building on Projected Development Site 2 would be 155 feet tall and could cast a shadow up to 666.5', i.e., 106.5' shorter. The longest shadow study area of Projected Development Site 2 is entirely contained within the larger longest shadow study area of Projected Development Site 1, and is therefore not shown.

Tier 1 and Tier 2 Assessments

the open space and historic and cultural resources assessments presented in other chapters of this environmental assessment, potential sunlight-sensitive resources were identified and shown on the map.

TIER 1 SCREENING ASSESSMENT

For the Tier 1 assessment, the longest shadow that the proposed buildings could cast is calculated, and, using this length as the radius, a perimeter is drawn around the project site. Anything outside this perimeter representing the longest possible shadow could never be affected by project-generated shadow, while anything inside the perimeter needs additional assessment.

According to the *CEQR Technical Manual*, the longest shadow that a structure can cast at the latitude of New York City occurs on December 21, the winter solstice, at the start of the analysis day at 8:51 AM, and is equal to 4.3 times the height of the structure.

According to the established Reasonable Worst Case Development Scenario (RWCDS) described in Attachment A, "Project Description," both new buildings resulting from the Proposed Actions would be nine stories tall. The building that would be developed on Projected Development Site 2 would reach a maximum height of approximately 155 feet including rooftop bulkhead, while the Proposed Project on Projected Development Site 1 would result in a building reaching a maximum height of approximately 180 feet including rooftop bulkhead, due to its comparatively greater floor-to-floor heights. Therefore, at a maximum height of 180 feet above curb level, including rooftop mechanical structures, the Proposed Project could cast a shadow up to 774 feet in length (180 x 4.3). Using this length as the radius, a perimeter was drawn around Projected Development Site 1 representing the longest shadow study area (see **Figure D-1**). The building that would be constructed on Projected Development Site 2 could cast a shadow up to 666.5 feet in length (155 x 4.3). Using this length as a radius, a perimeter was drawn around Projected Development Site 2. The resulting longest shadow study area of Projected Development Site 2 was entirely contained within the larger longest shadow study area of Projected Development Site 1.

The Tier 1 assessment showed that six publicly accessible open space resources were located in the longest shadow study area: Williamsburg Bridge Pedestrian Pathway, William Sheridan Playground, Grand Ferry Park, Domino Park (both the existing waterfront portion and a portion adjacent to Kent Avenue, formerly leased by the public open space North Brooklyn Farms, that will be developed in the future,[2] and portions of the East River. Therefore, the next tier of assessment was required. No historic resources with sunlight-sensitive features were located in the Tier 1 longest shadow study area and no further consideration for shadows falling on historic resources was necessary.[3]

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[2] https://www.ediblebrooklyn.com/2019/north-brooklyn-farms/ and https://bushwickdaily.com/bushwick/categories/news/6231-beloved-nature-escape-north-brooklyn-farms-will-close-at-the-end-of-2019, both accessed January 7, 2020. This future open space was included to ensure a conservative shadows analysis.

[3] The building at 288 Berry Street—the former Henry McCaddin Memorial Hall, which has been determined eligible for listing on the State and National Registers of Historic Places—is identified as the future home of the Saints Peter and Paul Church on the church's website. This building does not currently have any stained glass windows or other sunlight-sensitive features that would require an analysis of the project's shadow effects. Therefore, this building was not included in the detailed shadows analysis.

TIER 2 SCREENING ASSESSMENT

Because of the path that the sun travels across the sky in the northern hemisphere, no shadow can be cast in a triangular area south of any given project site. In New York City, this area lies between -108 and +108 degrees from true north. **Figure D-1** illustrates this triangular area south of Projected Development Sites 1 and 2. The complementary area to the north within the longest shadow study area represents the remaining area that could potentially experience new project generated shadow.

The Tier 2 assessment showed that a portion of Grand Ferry Park, William Sheridan Playground, Domino Park (waterfront and future Kent Avenue portions), and the East River are located in the remaining longest shadow study area, while the other resource identified in the Tier 1 assessment, Williamsburg Bridge Pedestrian Pathway, is located too far south ever to be shaded by project-generated shadow. Therefore, additional assessment was necessary for Grand Ferry Park, William Sheridan Playground, Domino Park, and the East River, while the Williamsburg Bridge Pedestrian Pathway did not require any further consideration.

TIER 3 SCREENING ASSESSMENT

The direction and length of shadows vary throughout the course of the day and also differ depending on the season. In order to determine whether project-generated shadow could fall on a sunlight-sensitive resource, three-dimensional computer modeling software[4] is used in the Tier 3 assessment to calculate and display the Proposed Project's shadows on individual representative days of the year. A computer model was developed containing three-dimensional representations of the elements in the base map used in the preceding assessments, the topographic information of the study area, and a reasonable worst case three-dimensional representation of the development resulting from the Proposed Actions.

REPRESENTATIVE DAYS FOR ANALYSIS

Following the guidance of the *CEQR Technical Manual*, shadows on the summer solstice (June 21), winter solstice (December 21), and spring and fall equinoxes (March 21 and September 21, which are approximately the same in terms of shadow patterns) are modeled to represent the range of shadows over the course of the year. An additional representative day during the growing season is also modeled, generally the day halfway between the summer solstice and the equinoxes, i.e., May 6 or August 6, which have approximately the same shadow patterns.

TIMEFRAME WINDOW OF ANALYSIS

The shadow assessment considers shadows occurring between one-and-a-half hours after sunrise and one-and-a-half hours before sunset. At times earlier or later than this timeframe window of analysis, the sun is down near the horizon and the sun's rays reach the Earth at very tangential angles, diminishing the amount of solar energy and producing shadows that are very long, move fast, and generally blend with shadows from existing structures. Consequently, shadows occurring outside the timeframe window of analysis are not considered significant under CEQR, and their assessment is not required.

[4] Bentley MicroStation

TIER 3 SCREENING ASSESSMENT RESULTS

As depicted in **Figure D-2**, the Tier 3 screening assessment concluded that, in the absence of intervening buildings project-generated shadow would reach Domino Park (waterfront and future Kent Avenue portions), and the East River on the May 6/August 6 and June 21 analysis days. On the December 21 and March 21/September 21 analysis days, project-generated shadow would reach Domino Park and the East River. Therefore, additional analysis was required to determine the extent and duration of project-generated incremental shadow, accounting for any intervening buildings and baseline shadows. No project-generated shadow would reach Grand Ferry Park or William Sheridan Playground on any analysis days and no other sun-sensitive resources would be affected by the Proposed Actions.

D. DETAILED SHADOW ANALYSIS

The purpose of the detailed analysis is to determine the extent and duration of new incremental shadows that fall on sunlight-sensitive resources as a result of the Proposed Actions, and to assess their potential effects. The baseline or future No Action condition is established, containing existing buildings and any future developments planned in the area, to illustrate the baseline shadows. The future condition with the Proposed Project and its shadows can then be compared to the baseline condition to determine the incremental shadows that would result with the Proposed Project.

Following the analysis framework described in Attachment A, "Project Description," the shadows assessment was performed for the analysis year of 2022, comparing the development resulting from the Proposed Actions to the future No Action condition in which the site would remain as in the existing condition.

Three-dimensional representations of the existing and planned buildings in the study area were developed using data obtained from the New York City Department of Information Technology (NYC DoITT), building plans on file with the City, and photos taken during project site visits, and were added to the three-dimensional model used in the Tier 3 assessment. In order to present a conservative analysis two planned buildings, 280 Kent Avenue and 350 Kent Avenue, were considered in the analysis, even though they are not expected to be completed until after the Proposed Project's Build Year of 2022.

Shadows are in constant movement. The computer simulation software produces an animation showing the movement of shadows over the course of each analysis period. The analysis determines the time when incremental shadow would enter each resource, and the time it would exit.

Shadow analyses were performed for each of the representative days and analysis periods indicated in the Tier 3 assessment.

Table D-1 summarizes the entry and exit times and total duration of incremental shadows on each affected sun-sensitive resource. **Figures D-3 to D-7** document the results of the analysis by providing graphic representations from the computer animation of times when incremental shadow would fall on a sun-sensitive resource. The figures illustrate the extent of additional incremental shadow at that moment in time, highlighted in red, and also show existing shadow and remaining areas of sunlight.

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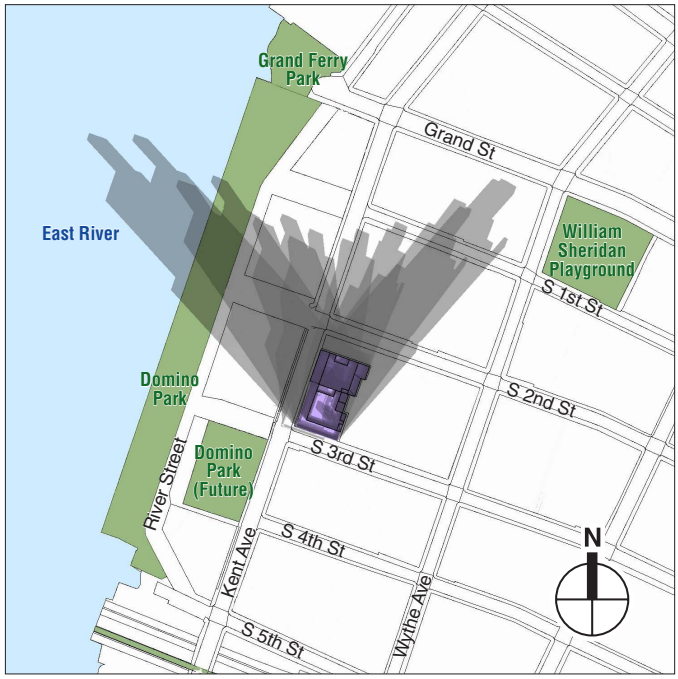
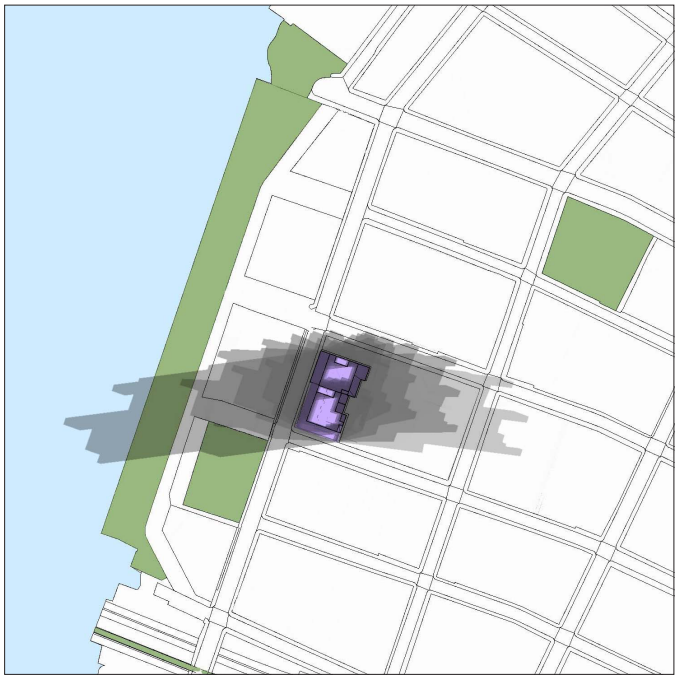
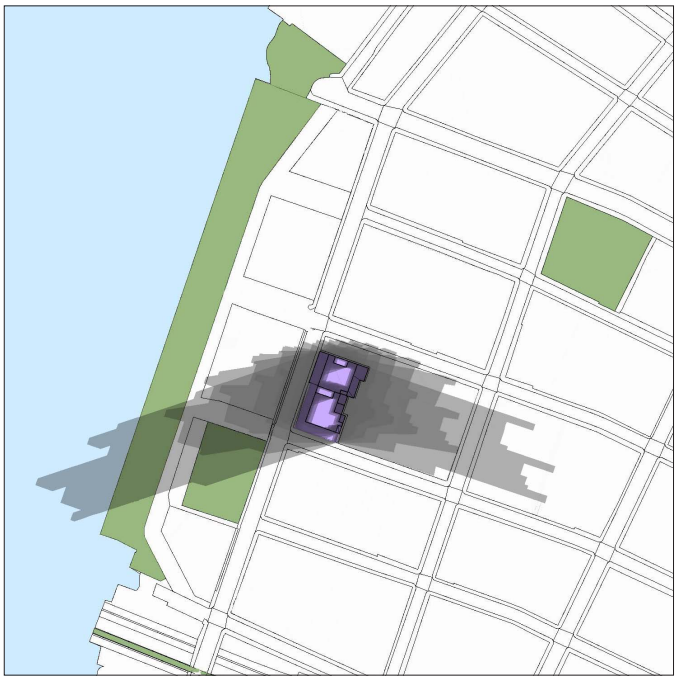


December 21

March 21 / September 21



May 6 / August 6



June 21

Projected Development Site 1 and Projected Development Site 2

Publicly Accessible Open Space

This figure illustrates the range of shadows that would occur, absent intervening structures, from the proposed building on each of the four representative analysis days. The shadows are shown occurring approximately every 60 minutes from the start of the analysis day (one and a half hours after sunrise) to the end of the analysis day (one and a half hours before sunset). The Tier 3 assessment serves to illustrate the daily path or "sweep" of the proposed building's shadows across the landscape, indicating which resources could potentially be affected on that analysis day, absent intervening buildings, by project-generated shadow. Daylight Saving Time was not used, per *CEQR Technical Manual* guidelines.

Tier 3 Assessment

307 KENT AVENUE

Figure D-2

6:30 AM

Publicly Accessible Open Space

Incremental Shadow on Sunlight-Sensitive Resource

Projected Development Site 1 and Projected Development Site 2

March 21 / September 21

307 KENT AVENUE

Figure D-3

1.9.20

6:30 AM

6:45 AM

Publicly Accessible Open Space

Incremental Shadow on Sunlight-Sensitive Resource

Projected Development Site 1 and Projected Development Site 2

May 6 / August 6

307 KENT AVENUE

Figure D-4

1.9.20

7:00 AM

7:15 AM

Publicly Accessible Open Space

Incremental Shadow on Sunlight-Sensitive Resource

Projected Development Site 1 and Projected Development Site 2

May 6 / August 6

307 KENT AVENUE

Figure D-5

1.9.20

6:00 AM

6:30 AM

Publicly Accessible Open Space

Incremental Shadow on Sunlight-Sensitive Resource

Projected Development Site 1 and Projected Development Site 2

June 21

307 KENT AVENUE

Figure D-6

1.9.20

7:00 AM

7:30 AM

Publicly Accessible Open Space

Incremental Shadow on Sunlight-Sensitive Resource

Projected Development Site 1 and Projected Development Site 2

June 21

307 KENT AVENUE

Figure D-7

Table D-1
Incremental Shadow Durations

Analysis day and timeframe window	December 21 8:51 AM–2:53 PM	March 21/Sept. 21 7:36 AM-4:29 PM	May 6/August 6 6:27 AM–5:18 PM	June 21 5:57 AM–6:01 PM
OPEN SPACES				
Domino Park (future portion adjacent to Kent Avenue)	—	—	6:27 AM–7:32 AM Total: 1 hr 5 min	5:57 AM–7:45 AM Total: 1 hr 48 min
Domino Park (waterfront)	—	7:36 AM–7:44 AM Total: 10 min	6:27 AM–7:20 AM Total: 53 min	5:57 AM–6:50 AM Total: 53 min
NATURAL FEATURES				
East River	—	—	6:27 AM–7:20 AM Total: 53 min	5:57 AM–6:25 AM Total: 28 min

Notes:
Table indicates entry and exit times and total duration of incremental shadow for each sunlight-sensitive resource.
Daylight saving time is not used—times are Eastern Standard Time, per *CEQR Technical Manual* guidelines. However, as Eastern Daylight Time is in effect for the March/September, May/August, and June analysis periods, add one hour to the given times to determine the actual clock time.

According to the *CEQR Technical Manual*, a significant shadow impact generally occurs when an incremental shadow of 10 minutes or longer falls on a sunlight sensitive resource and results in one of the following:

VEGETATION

- A substantial reduction in sunlight available to a sunlight-sensitive feature of the resource to less than the minimum time necessary for its survival (when there was sufficient sunlight in the No Action condition). Generally, 4 to 6 hours a day of sunlight a day during the growing season is a minimum requirement.
- A reduction in direct sunlight exposure where the sensitive feature of the resource is already subject to substandard sunlight (i.e., less than minimum time necessary for its survival).

OPEN SPACE UTILIZATION

- A substantial reduction in the usability of open space as a result of increased shadow, taking into consideration incremental users and times of utilization.

FOR ANY SUNLIGHT-SENSITIVE FEATURE OF A RESOURCE

- Complete elimination of all direct sunlight on the sunlight-sensitive feature of the resource, when the complete elimination results in substantial effects on the survival, enjoyment, or, in the case of open space or natural resources, the use of the resource.

SHADOW EFFECTS BY RESOURCE – OPEN SPACES

DOMINO PARK (FUTURE PORTION ADJACENT TO KENT AVENUE)

This portion of Domino Park is located south of the Havemeyers & Elder Filter, Pan, & Finishing House (the Domino Sugar Refinery building) on Kent Avenue between S 3rd Street and S 4th Street. As noted above, this space is slated to be redeveloped as an addition to the existing Domino Park. While the exact features and layout of the space is currently unknown, the analysis will focus on identifying the extent and duration of incremental shadows on various areas of the park and how potential features and vegetation might fare in the resulting shade conditions.

No incremental shadow would reach Future Domino Park on the December 21 or March 21/September 21 analysis days.

This space would receive incremental shadow in the morning on the May 6/August 6 analysis day from 6:27 AM to 7:32 AM (see **Figures D-4 and D-5**). The incremental shadow would pass over the northern portion of the space. The southern portion area would remain in direct sunlight during this time. All the vegetation in the affected area would continue to receive about seven hours or more of sunlight over the course of the analysis day. The incremental shadow would be limited to the early mornings and a small extent; therefore it would not affect the use of the space.

On the June 21 analysis day, incremental shadow would fall on this space from 5:57 AM to 7:45 AM. From 5:57 AM to 6:30 AM, the incremental shadow would cover most of the northern portion of the space (see **Figure D-6**). By 7:00 AM, the incremental shadow would be limited to the northern area and would continue to decrease in size and move north until 7:45 AM when it would exit this space (see **Figure D-7**). Vegetation in the affected area would continue to receive about eight hours or more of sunlight over the course of the analysis day. The incremental shadow would be limited to the early mornings and a small extent; therefore it would not affect the use of the space.

DOMINO PARK

The waterfront portion of Domino Park, opened in 2018, is located along the East River on River Street between Grand Street and South 5th Street. The park includes playground equipment, a dog park, lawn areas, benches, tables, landscaping, water features, and a beach volleyball court.

No incremental shadow would reach Domino Park on the December 21 analysis day.

On the March 21/September 21 analysis day, Domino Park would receive 10 minutes of project generated incremental shadow from 7:36 AM to 7:46 AM (see **Figure D-3**). The incremental shadow would be brief in duration and very small in extent; therefore, it would not result in any significant impacts.

On the May 6/August 6 analysis day, incremental shadow would fall on a small area of the park that has planted areas, a volleyball court, and benches from 6:27 AM to 7:20 AM (see **Figures D-4 and D-5**). Sunlit areas of the park would remain throughout this affected period for users seeking sunlight at this time. Vegetation in the affected area would continue to receive more than the 4 to 6 hour minimum daily requirement over the course of the day. The incremental shadow would be brief in duration and very small in extent; therefore, it would not result in any significant impacts.

Domino Park would receive incremental shadow on the June 21 analysis day from 5:57 AM to 6:50 AM (see **Figure D-6**). The incremental shadow would pass over a southern portion of the park where the volleyball court and several benches are located. Vegetation in the affected area would continue to receive more than the 4 to 6 hour minimum daily requirement over the course of the analysis day. The incremental shadow would occur at an early hour when use of the volleyball court is generally light and other areas of the park would remain sunlit for users seeking sun. Therefore, the Proposed Actions would not impact this resource.

The Proposed Actions would not result in any significant adverse shadows impacts to nearby open space resources.

SHADOW EFFECTS BY RESOURCE – NATURAL RESOURCES

EAST RIVER

The East River is a tidally influenced waterbody that supports a diverse and productive aquatic community of primary producers—phytoplankton, zooplankton, submerged aquatic vegetation (SAV), benthic algae, and invertebrates—and fish. Sunlight penetration is an important factor in determining phytoplankton, SAV, and benthic algae productivity and biomass.

Incremental shadow would fall on portions of the East River in the afternoons in on the May 6/August 6 and June 21 analysis days for 53 minutes and 28 minutes, respectively (see **Figures D-4 and D-6**). The current flows swiftly in the East River and would move phytoplankton and other natural elements quickly through the shaded areas. Therefore, project-generated shadows would not be expected to affect primary productivity.

All areas of the river where incremental shadow would fall would continue to receive direct sun throughout the rest of the analysis days because there are no intervening structures to the west and southwest. Incremental shadows would therefore not be likely to significantly affect aquatic resources (plankton or fish) in these areas of the East River. Consequently, project-generated shadows would not cause significant adverse impacts to the East River.

The Proposed Actions would not result in any significant adverse shadows impacts to nearby natural resources. Therefore, the Proposed Actions would not result in any significant adverse shadows impacts. ✷

A. INTRODUCTION

This attachment considers the potential for the Proposed Actions to affect architectural and archaeological resources. As described in Attachment A, "Project Description," the Proposed Actions would facilitate the development of a mixed-use building on Projected Development Site 1 (Block 2415, Lot 1; the Proposed Project).

The analysis characterizes existing conditions, evaluates changes to historic and cultural resources that are expected to occur independent of the Proposed Actions, and identifies and addresses any potential impacts to historic and cultural resources associated with the Proposed Actions.

As described in detail below, the Proposed Actions would not be anticipated to have any significant adverse impacts on historic and cultural resources with the preparation and implementation of a Construction Protection Plan (CPP).

B. METHODOLOGY

Consistent with the guidance of the 2014 *City Environmental Quality Review (CEQR) Technical Manual*, in order to determine whether the Proposed Actions could potentially affect architectural resources, this attachment considers whether the Proposed Actions would result in a physical change to any resource, a physical change to the setting of any resource (such as context or visual prominence), and, if so, whether the change is likely to alter or eliminate the significant characteristics of the resource that make it important. More specifically, as set forth in the *CEQR Technical Manual*, potential impacts to architectural resources may include the following:

- Physical destruction, demolition, damage, alteration, or neglect of all or part of a historic property;
- Changes to an architectural resource that cause it to become a different visual entity;
- Isolation of the property from, or alteration of, its setting or visual relationships with the streetscape, including changes to the resource's visual prominence;
- Introduction of incompatible visual, audible, or atmospheric elements to a resource's setting;
- Replication of aspects of the resource so as to create a false historical appearance;
- Elimination or screening of publicly accessible views of the resource;
- Construction-related impacts, such as falling objects, vibration, dewatering, flooding, subsidence, or collapse; and
- Introduction of significant new shadows, or significant lengthening of the duration of existing shadows, over a historic landscape or on a historic structure (if the features that make the resource significant depend on sunlight) to the extent that the architectural details that distinguish that resource as significant are obscured.

The study area for archaeological resources is defined as the area where subsurface disturbance would occur, Projected Development Sites 1 and 2. In comment letters dated April 3, 2019 and August 15, 2019, the New York City Landmarks Preservation Commission (LPC) determined that it has no archaeological concerns for the Projected Development Sites 1 and 2 (see **Appendix A**). Therefore, this chapter focuses on standing structures only.

To evaluate potential effects due to on-site construction activities, and also to account for visual or contextual impacts, the study area for architectural resources is defined as extending 400 feet from the Project Area (see **Figure E-1**). As defined in the New York City Department of Building's (DOB) *Technical Policy and Procedure Notice (TPPN) #10/88,* adjacent construction is defined as any construction activity that would occur within 90 feet of an architectural resource.[1] Consistent with the guidance of the *CEQR Technical Manual*, designated architectural resources that were analyzed include: New York City Landmarks (NYCL), Interior Landmarks, Scenic Landmarks, New York City Historic Districts (NYCHD); resources calendared for consideration as one of the above by LPC; resources listed on or formally determined eligible for inclusion on the State and National Registers of Historic Places (S/NR), or contained within a district listed on or formally determined eligible for listing on the Registers; resources recommended by the New York State Board for listing on the Registers; and National Historic Landmarks (NHL). In addition, a survey of the study area was conducted to identify any previously undesignated properties that appear to meet S/NR or NYCL eligibility criteria ("potential architectural resources").

C. EXISTING CONDITIONS

The Project Area is coterminous with the Rezoning Area and comprises Projected Development Site 1 and Projected Development Site 2 (Block 2415, Lot 6), as well as a contiguous portion of the project block (Block 2415, Lots 10, 750, 7502, and part of [p/o] Lots 16 and 38).

PROJECTED DEVELOPMENT SITE 1

Projected Development Site 1, which is 14,425 sf in size, is currently occupied by a 15,296-gsf single-story warehouse with a mezzanine (see View 1 of **Figure E-2**). The building was constructed in 1971 and has not been identified as a potential architectural resource.

PROJECTED DEVELOPMENT SITE 2

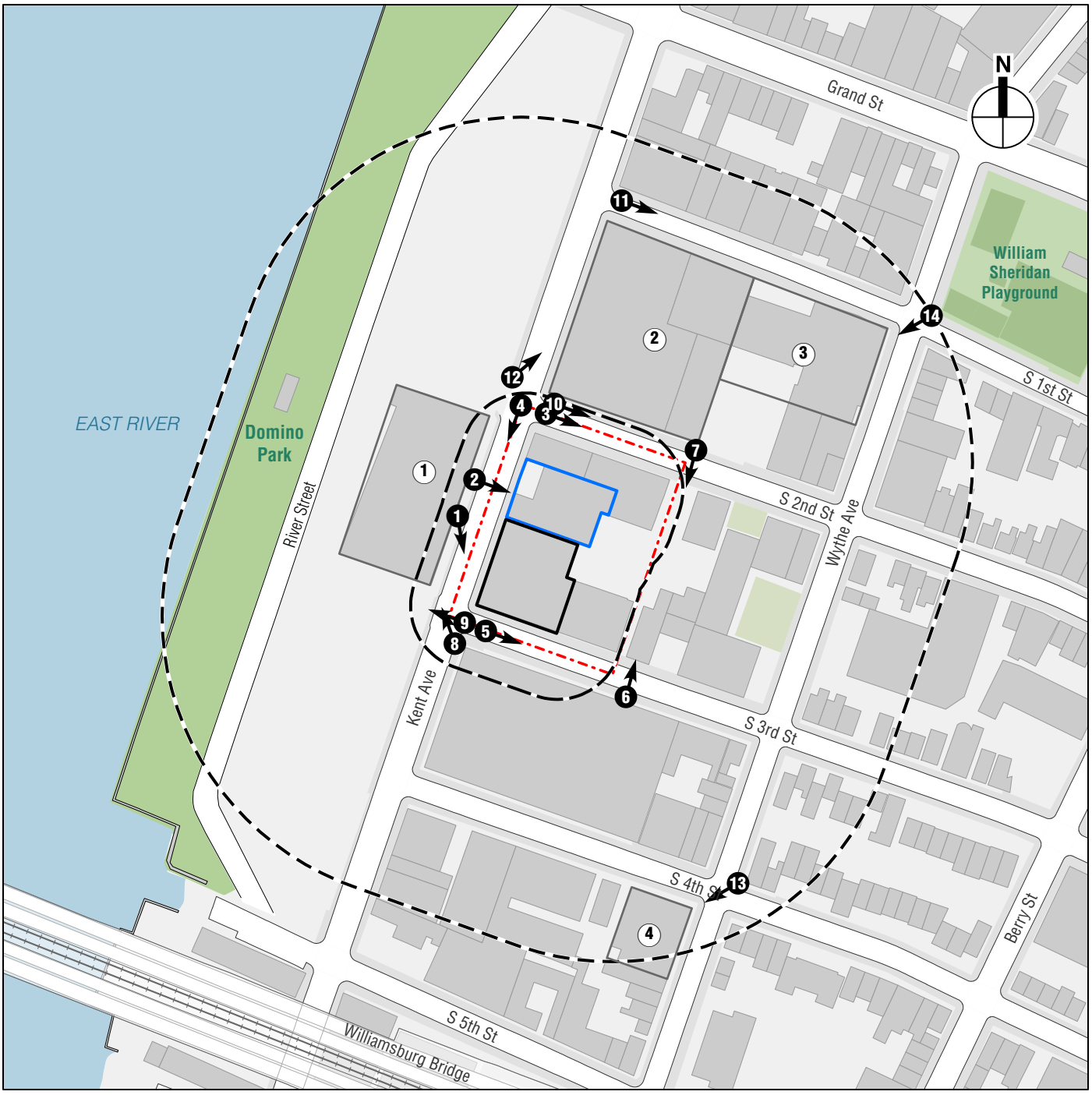
Projected Development Site 2 is currently occupied by a single-story warehouse (see View 2 of **Figure E-2**). The building was constructed in 1962 and has not been identified as a potential architectural resource.

REMAINDER OF THE PROJECT AREA

The lots within the remainder of the Project Area are occupied with a single-story commercial building (Lot 10), built in 2008; a surface parking lot (Lot 16); and two four-story residential buildings (Lots 7501 and 7502), built 2009–2010 (see Views 3–7 of **Figures E-3 through E-5**). These buildings have not been identified as potential architectural resources. There is no

[1] *TPPN #10/88* was issued by DOB on June 6, 1988, to supplement Building Code regulations with regard to historic structures. *TPPN #10/88* outlines procedures for the avoidance of damage to historic structures resulting from adjacent construction, defined as construction within a lateral distance of 90 feet from the historic resource.

1.3.20



0 200 FEET

Project Area (Proposed Rezoning Area)

Projected Development Site 1

Projected Development Site 2

Study Area (90-foot perimeter)

Study Area (400-foot perimeter)

Photo View Direction and Reference Number

Historic Resources

1. *Former Havemeyers & Elder Filter, Pan & Finishing House (NYCL, S/NR-eligible)*
2. *Former American Sugar Refinery Buildings (S/NR-eligible)*
3. *Former Fulton Bag and Cotton Mills Company Building (S/NR-eligible)*
4. *Former Matchett Candy Factory (S/NR-eligible, NYCL-eligible)*

Historic Resources Reference Map

View of Projected Development Site 1, looking southeast from Kent Avenue **1**

View of Projected Development Site 2, looking east from Kent Avenue **2**

Projected Development Site 1 and
Projected Development Site 2

View of development on Lots 10 and 7502, looking east on South 2nd Street **3**

View of development on Lot 10, looking south from South 2nd Street near Kent Avenue **4**

View of development on Lot 1 (Projected Development Site 1) and Lot 7501, looking east on South 3rd Street near Kent Avenue **5**

View of development on Lot 38, from South 3rd Street **6**

Project Area and Study Area

View of Lot 16, from South 2nd Street **7**

Former Havemeyers & Elder Filter, Pan & Finishing House, view north on Kent Avenue **8**

Project Area and Study Area
Figure E-5

development on the portion of Lot 38 that lies within the Project Area; the four-story residential building on this lot, which was built circa 1920, is located east of the boundary of the Project Area.

STUDY AREA

There are four known architectural resources located within the study area.[2] These resources are described below and mapped on **Figure E-1**. No potential architectural resources were identified within the study area.

Across Kent Avenue from the Project Area at 292-314 Kent Avenue is the former **Havemeyers & Elder Filter, Pan & Finishing House** (NYCL, S/NR-eligible), later known as the American Sugar Refining Company and the Domino Sugar Refinery. Sugar production was Brooklyn's most important industry in the late nineteenth and early twentieth centuries, and of the various factories that once lined the East River, the former Havemeyers & Elder Refinery is the largest and most significant structure to survive. At 155 feet (not including its chimney), the Filter House also was once the tallest structure on the Brooklyn waterfront. The complex was built in 1881–1884 and designed by Theodore A. Havemeyer in association with Thomas Winslow and J.E. James in the American round-arch style. The buildings were designed to give the appearance of a single, monumental structure. Processing of the raw sugar began in the Filter House, and proceeded to the Pan House and Finishing House. The façades are built of reddish brick, patched with both historic and non-historic brick (see Views 8 and 9 of **Figures E-5 and E-6**). Most of the windows are crowned by projecting brick segmental arches; others are trimmed with bluestone. The complex was modified continuously through the 20th century, however, these improvements had relatively little impact on the exterior of the building. The refinery was sold to Tate & Lyle in 1988 and renamed the Domino Sugar Corporation in 1991. The plant closed in 2004, and other structures formerly within the Domino Sugar Complex have since been demolished.

Four former **American Sugar Refinery buildings** located north of the Project Area are included in the original S/NR eligibility determination of the Domino Sugar Complex. The four buildings are located on the west side of the block bounded by South 1st Street, Kent Avenue, South 2nd Street, and Wythe Avenue (see Views 10–12 of **Figures E-6 and E-7**). The building at 269-285 Kent Avenue/22-32 South 1st Street was constructed in 1907 as a two-story stable building. The second story of the structure has been removed and the building is clad in dark red brick, with a variety of openings ranging from small, square windows to large doorways. The building has no architectural details. The building at 287-289 Kent Avenue/31-43 South First Street was also constructed in 1907 and served as a garage building. The building is two stories in height, and is two bays wide and five bays deep. The building has large openings on the ground floor, with smaller windows on the second floor, and is clad in red brick, with stone windowsills and lintels. The three-story building at 45-47 South 2nd Street was built between 1907 and 1918 and served as a washroom for the former plant. This building is three bays wide and clad in red brick, with a large opening on the ground floor and small windows of various sizes on other floors. There is also brick corbelling between the second and third stories and along the cornice line. The building at 49-51 South Second Street was also built between 1907 and 1918 for office space. This building

[2] The building at 288 Berry Street—the former Henry McCaddin Memorial Hall, which has been determined eligible for listing on the State and National Registers of Historic Places—is located outside of the 400-foot study area. This building is identified as the future home of the Saints Peter and Paul Church on the church's website; however, it does not currently have any stained glass windows or other sunlight-sensitive features that would require an analysis of the project's shadow effects. Therefore, this building was not included in the detailed shadows analysis presented in Attachment D, "Shadows."

Former Havemeyers & Elder Filter, Pan & Finishing House, view northwest from Kent Avenue **9**

Former American Sugar Refinery buildings, view east on South 2nd Street from Kent Avenue **10**

Former American Sugar Refinery buildings, view east on South 1st Street near Kent Avenue **11**

Former American Sugar Refinery buildings, view northeast on South 2nd Street and Kent Avenue **12**

is two bays wide and clad in red brick. There are two doorways on the ground floor, one of which is deeply recessed. The ground-floor windows have been filled in with glass block, while the upper story windows are single-light, double-hung windows. Exterior detailing is minimal and limited to stone windowsills and lintels.

The former **Matchett Candy Factory** (S/NR-eligible) was constructed circa 1905 to replace the company's original factory that was destroyed by fire. Located at 386-394 Wythe Avenue/52-58 South 4th Street, this six-story building occupies a large corner lot and is designed in the Romanesque Revival style (see View 13 of **Figure E-8**). It is clad in dark red brick and has large arched openings. Other decorative details include brick corbelling underneath the window openings and along the cornice line, projecting piers between the bays, a rounded corner, and steel tie-backs. A large fire escape is located on the east (Wythe Avenue) façade.

The former **Fulton Bag and Cotton Mills Company building** (S/NR-eligible), located at 328-336 Wythe Avenue, was constructed in 1914. This former warehouse, also known as the Esquire Shoe Polish Building, is a concrete and light-colored brick building which ranges in height from 143 to 156 feet (see View 14 of **Figure E-8**). It is square in form, with five wide bays on each façade separated by heavy piers. The three center bays have groups of three narrow, multi-light windows, while the outer bays have paired windows. Exterior decoration is minimal and includes stone bands above the second story windows and peaked rooflines on the corners. The Fulton Bag and Cotton Mills was a large company based out of Atlanta with plants in other cities, including New Orleans, St. Louis, Dallas, Minneapolis, and Kansas City. In 1889, the Fulton Bag and Cotton Mill Company split from its larger parent company to produce paper bags, canvas goods, and other materials into the early 1970s. The Fulton Bag and Cotton Mills Company later sold this building to the Esquire Shoe Polish Company. In 2000, the former warehouse was converted into residential use.

D. THE FUTURE WITHOUT THE PROPOSED ACTIONS

As detailed in Attachment A, "Project Description," in the absence of the Proposed Actions, no new development is anticipated to occur within the Project Area. Existing buildings and uses observed in the existing condition would remain through the 2022 build year.

Seven development projects are expected to be completed within the 400-foot study area by the 2022 analysis year. These include four buildings that are part of the redevelopment of the former Domino Sugar Refinery site, as well as three additional projects.[3] These projects are anticipated to change the context of the historic resources within the surrounding neighborhood.

The buildings that are part of the Domino Sugar Refinery redevelopment are three mixed-use towers at 260, 280, and 350 Kent Avenue, and the adaptive reuse of the former Havemeyers & Elder Filter, Pan & Finishing House at 314 Kent Avenue. 260 Kent Avenue is under construction and expected to be completed in late 2019; it will contain residential and commercial space. 280 Kent Avenue will contain residential and commercial space, as well as an elementary school and parking. 350 Kent Avenue will contain residential and commercial space and parking. The reconstruction and adaptive reuse of the former Havemeyers & Elder Filter, Pan & Finishing House will include commercial space as well as community facility space (artist/studio spaces). As detailed in the FEIS for that project, a Construction Protection Plan (CPP) has been prepared and is being implemented in consultation with SHPO and LPC, to protect the building during

[3] The first building to be built as part of the redevelopment of the former Domino Sugar Refinery site, 325 Kent Avenue, was completed and opened in 2018.

Former Matchett Candy Factory building, view southwest from Wythe Avenue and South 4th Street **13**

Former Fulton Bag and Cotton Mills Company building, view southwest from Wythe Avenue and South 1st Street **14**

construction of the mixed-use development as well as during the rehabilitation of the former Havemeyers & Elder Filter, Pan & Finishing House itself.

The other three development projects within the study area planned for completion by 2022 are mixed use and smaller in scale. These include 60 South 2nd Street, 72 South 2nd Street, and 333 Kent Avenue, an alteration to an existing building. The project at 60 South 2nd Street is located within 90 feet of the easternmost of the former American Sugar Refinery buildings on the north side of South 2nd Street, which were included in the original S/NR eligibility determination of the Domino Sugar Complex.

Architectural resources that are located within 90 feet of construction for an as-of-right development are offered some protection through DOB controls governing the protection of adjacent properties from construction activities. The other projects that would occur independent of the Proposed Actions are not located within 90 feet of architectural resources, and thus are not expected to have the potential to directly affect historic resources during construction activities.

Provisions of the 2014 New York City Building Code provide protection measures for all properties against accidental damage from adjacent construction by requiring that all buildings, lots, and service facilities adjacent to foundation and earthwork areas be protected and supported. Further, Building Code Chapter 3309.4.4 requires that "historic structures that are contiguous to or within a lateral distance of 90 feet…from the edge of the lot where an excavation is occurring" be monitored during the course of excavation work. (Historic structures are defined as NYCLs, properties within New York City Historic Districts, and S/NR-listed properties.) *TPPN #10/88* supplements the building protections afforded by the Building Code by requiring a monitoring program to reduce the likelihood of construction damage to adjacent NYCLs and S/NR-listed properties (within 90 feet) and to detect at an early stage the beginnings of damage so that construction procedures can be changed.

In the future without the Proposed Actions (the No Action condition), the condition of architectural resources within the study areas could change. Architectural resources that are listed on the National Register or that have been found eligible for listing are given a measure of protection from the effects of federally sponsored or assisted projects under Section 106 of the National Historic Preservation Act. Although preservation is not mandated, federal agencies must attempt to avoid adverse impacts on such resources through a notice, review, and consultation process. Properties listed on the State Register are similarly protected against impacts resulting from state-sponsored or state-assisted projects under the State Historic Preservation Act. Private property owners using private funds can, however, alter or demolish their properties without such a review process. Privately owned sites that are NYCLs or within New York City Historic Districts are protected under the New York City Landmarks Law, which requires LPC review and approval before any alteration or demolition can occur.

E. THE FUTURE WITH THE PROPOSED ACTIONS

PROJECTED DEVELOPMENT SITE 1

The Proposed Actions would facilitate the Proposed Project, the development of a nine-story mixed-use building on Projected Development Site 1. The Proposed Project would require the demolition of the existing single-story warehouse building located on the site, to be followed by the construction of the new mixed-use building. The Proposed Project would be approximately 101,000 gross square feet (gsf) and would include office, community facility, and retail uses.

As there are no known or potential resources on Projected Development Site 1, the Proposed Actions would not have an adverse effect on such resources.

PROJECTED DEVELOPMENT SITE 2

For the purposes of conservative analysis, it is assumed that the Proposed Actions would facilitate the development of Projected Development Site 2. It is assumed that the Projected Development Site 2 would be redeveloped as a new, approximately 80,500-gsf, nine-story mixed-use building containing office, community facility, and retail uses.

As there are no known or potential resources on Projected Development Site 2, the Proposed Actions would not have an adverse effect on such resources.

REMAINDER OF PROJECT AREA

No new development would occur in the remainder of the Project Area, and the existing buildings in this area would remain in the future with the Proposed Actions (the With Action condition). As there are no known or potential resources in the remainder of the Project Area, the Proposed Actions would not have an adverse effect on such resources.

STUDY AREA

DIRECT IMPACTS

Using the *CEQR Technical Manual* direct impact criteria noted above, the proposed and projected development within the Project Area would not result in the replication of aspects of any of the architectural resources in the study area so as to cause a false historical appearance, or the introduction of significant new shadows or significant lengthening of the duration of existing shadows over historic landscapes or structures. There would be no physical changes to any of the architectural resources identified above.

The former Havemeyers & Elder Filter, Pan & Finishing House is located within 90 feet from the Projected Development Sites 1 and 2 (see **Figure E-1**). Therefore, to avoid inadvertent demolition and/or construction-related damage to these resources from ground-borne construction period vibrations, falling debris, collapse, etc., it would be included in a CPP for historic structures that would be prepared in coordination with LPC.

INDIRECT IMPACTS

The Proposed Actions would not result in the isolation of any architectural resource from its setting or visual relationship with the streetscape, or otherwise adversely alter a historic property's setting or visual prominence. At 9 stories tall (approximately 151 feet, including mechanical bulkhead), the proposed building on Projected Development Site 1 would be shorter than the 155-foot-tall former Havemeyers & Elder Filter, Pan & Finishing House directly across Kent Avenue. In addition, the visual context of the architectural resources in the study area also includes a 16-story modern building on the former Domino Sugar Refinery site, and in the No Action condition will also include 22- and 42-story office and residential towers.

The proposed and projected development within the Project Area would not introduce incompatible visual, audible, or atmospheric elements to a resource's setting. The office/light industrial, retail, and community facility uses of the proposed and projected development are comparable with the use of many of the historic and modern buildings in the study area. The

Proposed Actions would not result in the elimination or screening of significant publicly accessible views of any architectural resources in the study area. The Proposed Actions also would not result in the introduction of significant new shadows, or significant lengthening of the duration of existing shadows, on historic structures with sunlight-sensitive features, to the extent that the architectural details that distinguish that resource as significant are obscured.

In summary, the Proposed Actions would not be anticipated to have any significant adverse impacts on historic and cultural resources in the study area, with the preparation and implementation of the CPP. ✷

A. INTRODUCTION

This attachment considers the potential for the Proposed Actions to affect urban design and visual resources. As described in Attachment A, "Project Description," the Proposed Actions would facilitate the development of a nine-story mixed-use building on Projected Development Site 1 (Block 2415, Lot 1; the Proposed Project).

Under the 2014 *City Environmental Quality Review (CEQR) Technical Manual*, urban design is defined as the totality of components that may affect a pedestrian's experience of public space. These components include streets, buildings, visual resources, open spaces, natural resources, and wind. An urban design assessment under CEQR must consider whether and how a project may change the experience of a pedestrian. The *CEQR Technical Manual* guidelines recommend the preparation of a preliminary assessment of urban design and visual resources followed by a detailed analysis, if warranted, based on the conclusions of the preliminary assessment. The analysis provided below addresses urban design characteristics and visual resources for existing conditions and the future without and with the Proposed Actions.

B. PRELIMINARY ASSESSMENT

Based on the *CEQR Technical Manual*, a preliminary 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. Examples include projects that permit the modification of yard, height, and setback requirements, and projects that result in an increase in built floor area beyond what would be allowed "as-of-right" or in the future without the proposed project.

The Proposed Actions are a zoning map change that would allow for a greater floor area ratio (FAR) within the Project Area, as well as a zoning text amendment to Map 2 for Community District 1, Brooklyn within Appendix F of the Zoning Resolution (to remove a 90-foot-wide portion of the project block from the "Excluded Area" shown on the map to allow the application of Mandatory Inclusionary Housing [MIH] regulations). Therefore, as the Proposed Actions could result in physical alterations beyond those allowed by existing zoning, they meet the threshold for a preliminary assessment of urban design and visual resources.

C. METHODOLOGY

According to the *CEQR Technical Manual*, the study area for urban design is the area where the project may influence land use patterns and the built environment, and is generally consistent with that used for the land use analysis. For visual resources, the view corridors within the study area from which such resources are publicly viewable should be identified.

Consistent with the analysis of land use, zoning, and public policy, the study area for the urban design and visual resources analysis has been defined as the area within 400 feet of the Project Area. This study area is generally bounded by South 1st Street to the north, Wythe Avenue to the east, South 5th Street to the south, and the East River to the west (see **Figures F-1 and F-2**).

The *CEQR Technical Manual* recommends an analysis of pedestrian wind conditions in the urban design and visual resources assessment, for projects that would result in the construction of large buildings at locations that experience high-wind conditions (such as along the waterfront, or other locations where winds from the waterfront are not attenuated by buildings or natural features), which may result in an exacerbation of wind conditions due to "channelization" or "downwash" effects that may affect pedestrian safety. Factors to be considered in determining whether such a study should be conducted include locations that could experience high-wind conditions, such as along the waterfront; size, and orientation of the proposed buildings; the number of proposed buildings to be constructed; and the site plan and surrounding pedestrian context of the proposed project. Projected Development Site 1 is not on the waterfront or in a location where winds from the waterfront are not attenuated by buildings or natural features. Therefore, an analysis of wind conditions and their effect on pedestrian level safety is not warranted under CEQR.

D. EXISTING CONDITIONS

URBAN DESIGN

Figures F-3 through F-5 illustrate urban design characteristics of Projected Development Site 1 and Projected Development Site 2 (Block 2415, Lot 6), the Project Area, and the study area, including built floor area ratio (FAR), lot coverage, and building height.

PROJECTED DEVELOPMENT SITE 1

Projected Development Site 1 (Block 2415, Lot 1), which is 14,425 sf in size, is currently occupied by a 15,296-gsf single-story (18-foot-tall) brick warehouse (see View 1 of **Figure F-6**). The building is currently in use as a warehouse/production event space. Projected Development Site 1 has a built FAR of 1.0 and a lot coverage of approximately 94 percent.

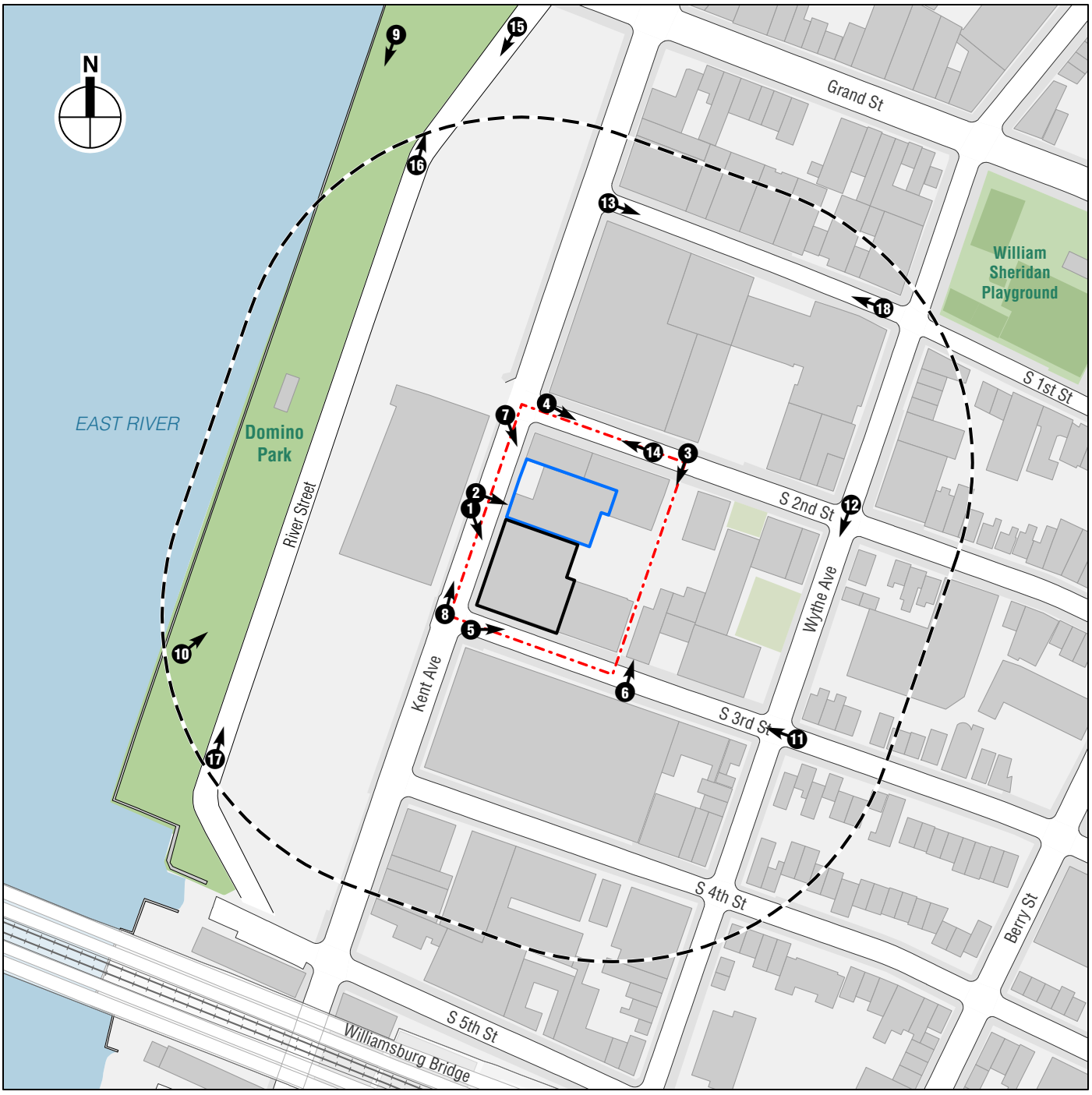
PROJECTED DEVELOPMENT SITE 2

Projected Development Site 2 (Block 2415, Lot 6) measures approximately 11,330 sf in size and is currently occupied by a single-story (18-foot-tall) brick warehouse (see View 2 of **Figure F-6**). Projected Development Site 2 has a built FAR of 0.97 and a lot coverage of approximately 82 percent.

REMAINDER OF THE PROJECT AREA

The remainder of the Project Area comprises Lots 10, 7501, 7502, and portions of (p/o) Lots 16 and 38, with a total area of 48,604 sf (see Views 3–6 of **Figures F-7 and F-8**). Lots 10, 7501, and 7502 were redeveloped pursuant to 2003 BSA Resolution (BSA Cal. No 102-03-BZ), which granted a variance for the development of three buildings that were subsequently completed in 2008–2010. This development consist of two four-story residential buildings with a combined floor area of 57,819 gsf on Lots 7501 and 7502, and a single-story commercial building with a floor area of 3,212 gsf on Lot 10. A shared accessory parking lot also exists in the rear yard and rear yard equivalent of Lots 7501 and 7502 containing 29 parking spaces for building residents.

1.3.20



0 200 FEET

Project Area (Proposed Rezoning Area)

Projected Development Site 1

Projected Development Site 2

Study Area (400-foot perimeter)

Photo View Direction and Reference Number

Urban Design and Visual Resources Reference Map

307 KENT AVENUE

Figure F-1

1.3.20

Project Area (Proposed Rezoning Area)

Projected Development Site 1

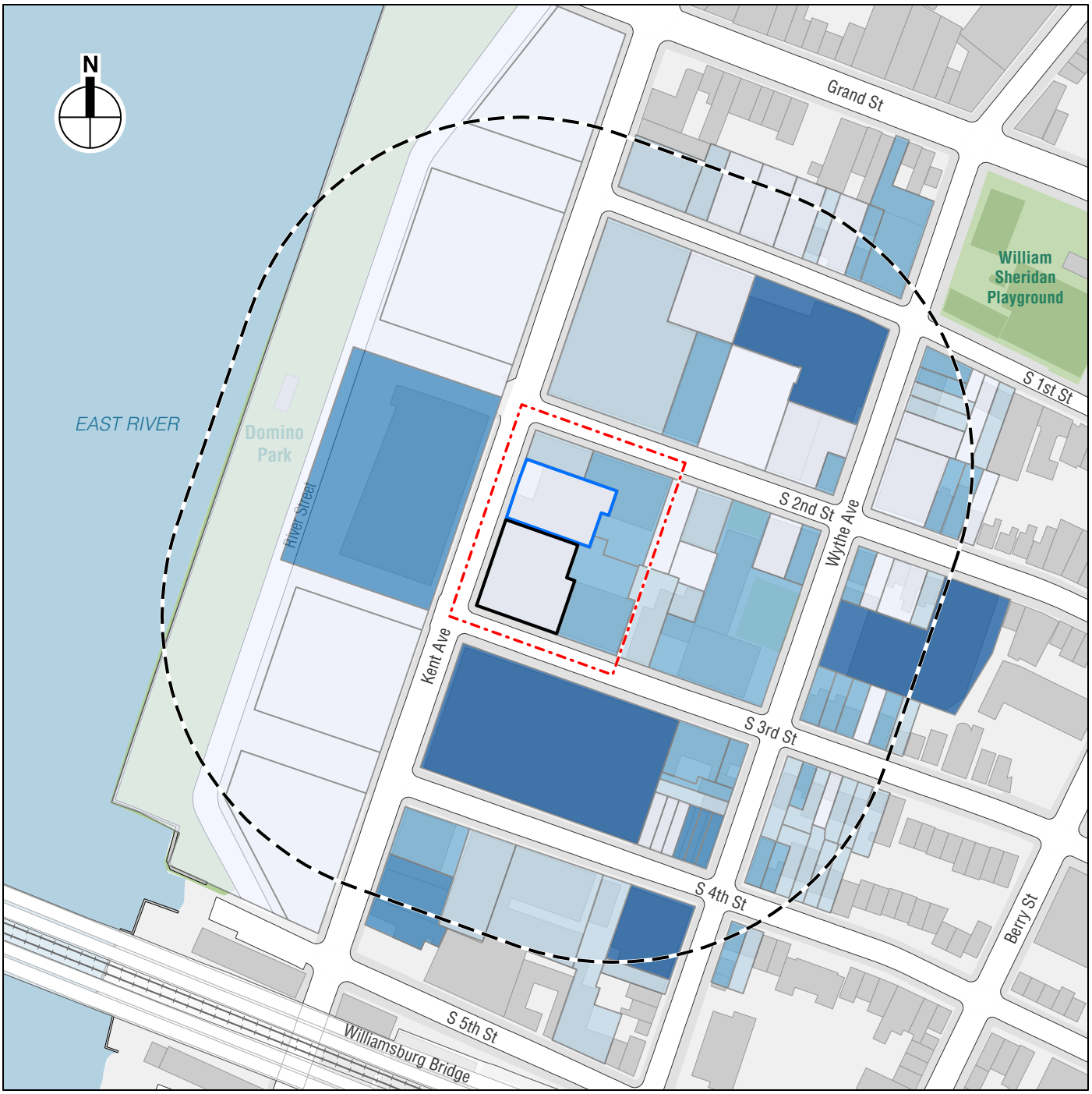
Projected Development Site 2

Study Area (400-foot perimeter)

Aerial

307 KENT AVENUE

Figure F-2



Urban Design and Visual Resources
Built FAR

Urban Design and Visual Resources
Lot Coverage

Urban Design and Visual Resources
Building Heights

View of Projected Development Site 1, looking southeast from Kent Avenue **1**

View of Projected Development Site 2, looking east from Kent Avenue **2**

Development Site and Projected Development Site

Lot 16, view from South 2nd Street **3**

View of development on Lots 10 and 7502, looking east on South 2nd Street **4**

View of development on Lot 1 (Projected Development Site 1) and Lot 7501, looking east on South 3rd Street near Kent Avenue **5**

View of development on Lot 38, from South 3rd Street **6**

Lot 16 currently contains a private accessory parking lot associated with an adjacent daycare use at 56 South 2nd Street (Lot 19), while Lot 38 contains a 12,172-gsf four-story residential walk-up building with ground floor retail constructed circa 1920. There is no development on the portion of Lot 38 that lies within the Project Area; the building on this lot is located east of the boundary of the Project Area. The remaining portion of the Project Area has a lot coverage of approximately 71 percent and a built FAR of approximately 2.69.

STUDY AREA

The main street in the study area are Kent and Wythe Avenues. Kent Avenue includes a protected bike lane and carries one-way traffic northbound; Wythe Avenue includes a conventional bike lane and carries one-way traffic southbound (see View 7 of **Figure F-9**). The cross streets in the study area are mainly one-way and are less busy. There is one superblock in the study area, the area between River Street and Kent Avenue and Grand and South 5th Streets that was formerly occupied by the Domino Sugar Refinery complex. The remainder of the blocks within the study area are roughly rectangular and oriented east-west. Pedestrian traffic appears heaviest along Kent and Wythe Avenues. The topography of the study area slopes downward toward the East River.

The study area is urban in character, with streets flanked by concrete sidewalks. Parallel parking is available on most streets. Streetscape elements within the study area are minimal, but include cobrahead lampposts. As noted above, there is a protected bike lane through the study area on Kent Avenue, a conventional bike lane on Wythe Avenue and South 5th Street, and a shared bike lane on South 4th Street, as well as a CitiBike station at South 4th Street and Wythe Avenue (see View 8 of **Figure F-9**). The No. 32 and Q59 bus routes extend through the study area on Kent and Wythe Avenues; however, there are no subway stations within the study area. Street trees are interspersed throughout the study area.

Directly west of the Project Area, along the East River waterfront, is Domino Park (see Views 9 and 10 of **Figure F-10**). This new 5-acre public park is built on the waterfront portion of the former Domino Sugar Refinery complex, and its features include a fountain with adjacent seating steps, a playground, an elevated walkway, sand volleyball courts, a fog bridge, a dog run, a bocce court, outdoor dining, and an artificial turf field. Industrial artifacts within the park include two 80-foot-tall gantry cranes at the north end of the park (formerly used to unload bulk sugarcane from freight ships), building columns, syrup tanks, and mooring bollards. The elevated walkway is a suspended catwalk that runs south from the gantry cranes at the north end of the park, cantilevered off 21 columns preserved from the Domino factory's original Raw Sugar Warehouse. There are two other open spaces in the study area, William Sheridan Playground at the northeast corner of South 1st Street and Wythe Avenue and North Brooklyn Farms to the southwest of the Project Area across Kent Avenue. William Sheridan Playground is a 1.17-acre public space that contains play equipment, chess and checkers tables, trees, and benches. North Brooklyn Farms is a 0.89-acre private space that contains vegetable gardens, picnic tables, benches, lawn areas, and a skate and dirt bike park.

Across Kent Avenue from the Project Area and east of Domino Park is the former Havemeyers & Elder Filter, Pan & Finishing House (also referred to as the former Domino Sugar Refinery building), a New York City Landmark (see Attachment E, "Historic and Cultural Resources"). This is the only remaining building from the former Domino Sugar Refinery complex west of Kent Avenue. The building is 155 feet tall (not including its smokestack) and built of reddish brick; most of the windows are crowned by projecting brick segmental arches.

Project Area, view southeast from Kent Avenue at South 2nd Street **7**

View north on Kent Avenue from South 3rd Street **8**

Project and Study Area Photographs
Figure F-9

Domino Park, view south from near South 1st Street **9**

Domino Park, looking north from near South 4th Street **10**

Newer construction in the study area includes 325 Kent Avenue, a large-scale mixed-use (residential, office, and retail) development that occupies the majority of the block directly south of the Project Area. Opened in 2017, the 17-story (170-foot-tall) building has a distinctive copper and zinc façade and a large central opening on its Kent Avenue façade. The building tapers down from its peak height on Kent Avenue, to match the lower scale of the buildings on the east side of the block (see View 11 of **Figure F-11**). At 321 Wythe Avenue, a 19-story (212-foot-tall) residential tower has also recently been completed. There is also a 156-foot-tall historic warehouse building at 328-336 Wythe Avenue, the former Fulton Bag and Cotton Mills Company building, and a 119-foot-tall historic warehouse building at 386-394 Wythe Avenue, the former Matchett Candy Factory (see Attachment E, "Historic and Cultural Resources"). In addition to these taller buildings, the study area also includes a number of low-scale, brick and concrete industrial buildings, older 3- and 4-story red brick residential buildings (some with front stoops), and surface parking lots (see Views 12 and 13 of **Figures F-11 and F-12**). The land uses in the study area are a mix of industrial, residential (some with ground floor retail), commercial, and parking. There is one institutional use in the study area: the nursery school on Lot 19 immediately east of the Project Area.

The lots within the study area are generally developed with a built FAR of 1–5; there are a few larger lots, including the one directly south of the Project Area containing the 325 Kent Avenue development, that have been developed to FARs of 5–7. Lot coverage in the study area is generally in the range of 75–100 percent; however, the small-scale buildings on narrower, smaller lots have lower lot coverage, generally in the range of 25–75 percent. The smaller buildings in the study area are generally under 55 feet in height; the taller buildings in the study area, which comprise the new towers described above, two historic warehouse buildings on Wythe Avenue, and the former Domino Sugar Refinery building, are up to 212 feet in height.

VISUAL RESOURCES/VIEW CORRIDORS

Visual resources are an area's unique or important public view corridors, vistas, or natural or built features. These can include historic structures, parks, natural features (such as rivers), or important views.

PROJECTED DEVELOPMENT SITE 1

The building on Projected Development Site 1 is not identified as a visual resource. From the sidewalks adjacent to Projected Development Site 1, the Williamsburg Bridge can be seen, as well as the former Havemeyers & Elder Filter, Pan & Finishing House on the west side of Kent Avenue, and the East River and the Manhattan waterfront in the distance (see View 7 of **Figure F-9**). Modern, larger-scale developments also can be seen north and south along Kent Avenue.

PROJECTED DEVELOPMENT SITE 2

The building on Projected Development Site 2 is not identified as a visual resource. From the Kent Avenue sidewalk adjacent to Projected Development Site 2, the Williamsburg Bridge can be seen, as well as the former Havemeyers & Elder Filter, Pan & Finishing House on the west side of the avenue.

REMAINDER OF PROJECT AREA

The buildings within the remainder of the Project Area are not identified as visual resources. From the sidewalk adjacent to the Project Area on South 2nd Street, the former Havemeyers & Elder Filter, Pan & Finishing House can be seen; from the sidewalks adjacent to the Project Area on

South 3rd Street, view west from near Wythe Avenue **11**

Wythe Avenue, looking south from South 2nd Street **12**

South 1st Street, looking east from near Kent Avenue **13**

South 2nd Street, view west from near Kent Avenue **14**

Kent Avenue and South 3rd Street, the former Havemeyers & Elder Filter, Pan & Finishing House and the Williamsburg Bridge can be seen, as well as the East River and the Manhattan waterfront in the distance (see View 14 of **Figure F-12**). As described above, views north and south on Kent Avenue extend for long distances and include large-scale development.

STUDY AREA

Within the study area, River Street and the adjacent Domino Park provide expansive views, including of the Manhattan waterfront, the East River, the Williamsburg Bridge, and the former Havemeyers & Elder Filter, Pan & Finishing House (see Views 15–17 of **Figures F-13 and F-14**). Views along Kent Avenue are as described above. Views along Wythe Avenue looking south from near the southern edge of the study area include the Williamsburg Bridge above the street; views north along the avenue include the former Matchett Candy Factory and the former Fulton Bag and Cotton Mills Company building, two historic factories on the west side of the street (see Attachment E, "Historic and Cultural Resources"). Views west along the side streets include the brick smokestack of the former Havemeyers & Elder Filter, Pan & Finishing House, the East River, the new development at the former Domino Sugar Refinery site, and the Manhattan waterfront in the distance (see View 18 of **Figure F-14**).

E. THE FUTURE WITHOUT THE PROPOSED ACTIONS

PROJECT AREA

In the No Action condition, it is expected that the existing conditions within the Project Area would remain in 2022. Projected Development Sites 1 and 2 would remain as in existing conditions. Lots 10, 7501, and 7502 would remain under Board of Standards and Appeals (BSA) jurisdiction per the 2003 BSA resolution. Any redevelopment or enlargement of the existing buildings on these lots would be contingent upon a further discretionary BSA approval process. No changes to Lots 16 and 38 are anticipated.

STUDY AREA

As described in Attachment B, "Land Use, Zoning, and Public Policy," there are five development projects that are expected to be completed within the 400-foot study area by the 2022 analysis year and two developments for which the completion years are unknown, but are expected to be completed after 2022. These include four buildings that are part of the redevelopment of the former Domino Sugar Refinery site, as well as three additional projects. These projects are anticipated to change the visual character of the study area, and will bring greater density to the area as well.

The buildings that are part of the Domino Sugar Refinery redevelopment are three mixed-use towers at 260, 280, and 350 Kent Avenue, and the adaptive reconstruction and reuse of the former Havemeyers & Elder Filter, Pan & Finishing House. 260 Kent Avenue is under construction and expected to be completed in late 2019; it will contain residential and commercial space. 280 Kent Avenue, the next tower to be developed, will contain residential and commercial space, as well as an elementary school and parking. 350 Kent Avenue will contain residential and commercial space and parking. The estimated completion years for these buildings are currently unknown, and are expected to occur after the Proposed Project's 2022 Build Year. The reconstruction and adaptive reuse of the former Havemeyers & Elder Filter, Pan & Finishing House will include commercial space as well as community facility space (artist/studio spaces) and is expected to be completed by the 2022 Build Year.

River Street, view south from north end of Domino Park **15**

River Street, looking north from South 1st Street **16**

River Street, looking north from South 4th Street **17**

South 1st Street, looking west from Wythe Avenue **18**

Study Area Views
Figure F-14

The other three development projects within the study area planned for completion by 2022 are mixed-use and smaller in scale. These include 60 South 2nd Street, 72 South 2nd Street, and 333 Kent Avenue, an alteration to an existing building. The projects on South 2nd Street will include residential, commercial, community facility, and parking space and the project at 333 Kent Avenue will contain commercial and residential space.

F. THE FUTURE WITH THE PROPOSED ACTIONS

URBAN DESIGN

PROJECTED DEVELOPMENT SITE 1

In the With Action condition, the applicant would demolish the existing single-story building on Projected Development Site 1 and construct the Proposed Project, a nine-story (up to approximately 151-foot-tall, 180-foot-tall including mechanical bulkhead) mixed-use building. The proposed building would be approximately 101,000 gsf in size and would include office, manufacturing, community facility (medical office), and ground-floor retail uses. See **Figures F-15 through F-22** for plans, sections, and illustrative renderings of the With Action condition, in comparison to the No Action condition, including pedestrian-level perspectives of the lower floors of the proposed and projected developments.

Overall, the density on Projected Development Site 1 would increase from a built FAR of approximately 1.0 (existing/No Action conditions) to a built FAR of approximately 6.5 (With Action condition). The building would be consistent with the proposed zoning of Projected Development Site 1 and would not require any bulk, height, setback, or use waivers.

At nine stories (up to approximately 151 feet, 180 feet including mechanical bulkhead) tall, the new building would be approximately 133 feet taller than the existing building on Projected Development Site 1. The footprint of the proposed building would occupy nearly the entire lot and would be built to the lot line along Kent Avenue and South 3rd Street, as in existing/No Action conditions; therefore, the proposed lot coverage would be roughly similar to the lot coverage in existing/No Action conditions. As in existing/No Action conditions, the proposed new building would be expected to create strong, continuous streetwalls along Kent Avenue and South 3rd Street, and would further enliven the streetscape with its addition of ground-floor retail spaces.

PROJECTED DEVELOPMENT SITE 2

It is assumed that the Proposed Actions would facilitate the development of Projected Development Site 2 (Lot 6). It is anticipated that the site would be redeveloped with a new nine-story, 80,500 gsf building containing office, community facility (medical office) uses, and ground-floor retail uses.

At 9 stories (up to approximately 125 feet) tall, the potential building would be approximately 107 feet taller than the existing building on Projected Development Site 2. The footprint of the potential building is assumed to occupy nearly the entire lot and to be built to the lot line along Kent Avenue, as in existing/No Action conditions; therefore, the lot coverage would be roughly similar to the lot coverage in existing/No Action conditions. Overall, the density on Projected Development Site 2 would increase from a built FAR of approximately 0.97 (existing/No Action conditions) to a built FAR of approximately 6.5 (With Action condition).

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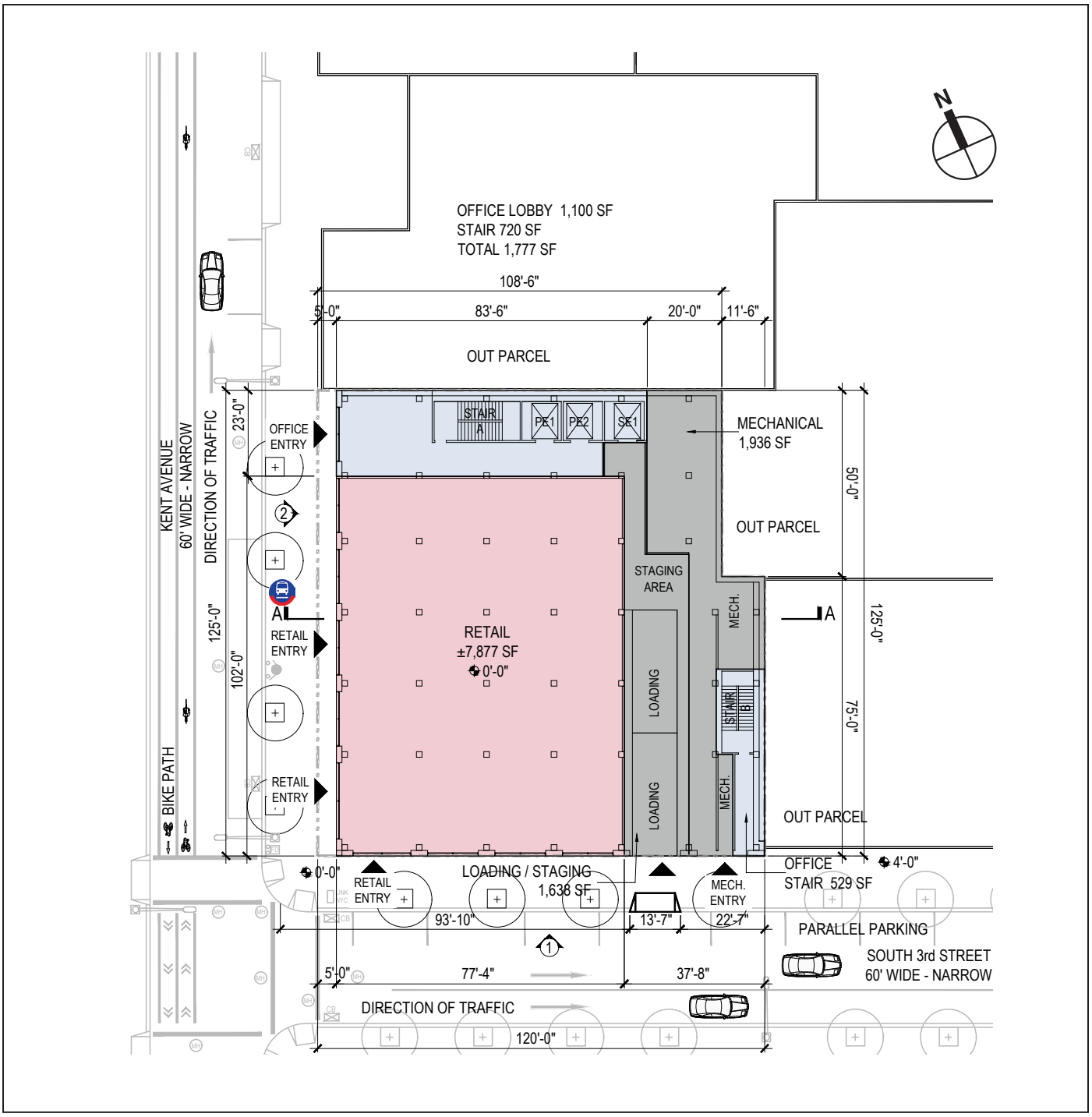


Source: S9 Architecture

NOTE: FOR ILLUSTRATIVE PURPOSES ONLY

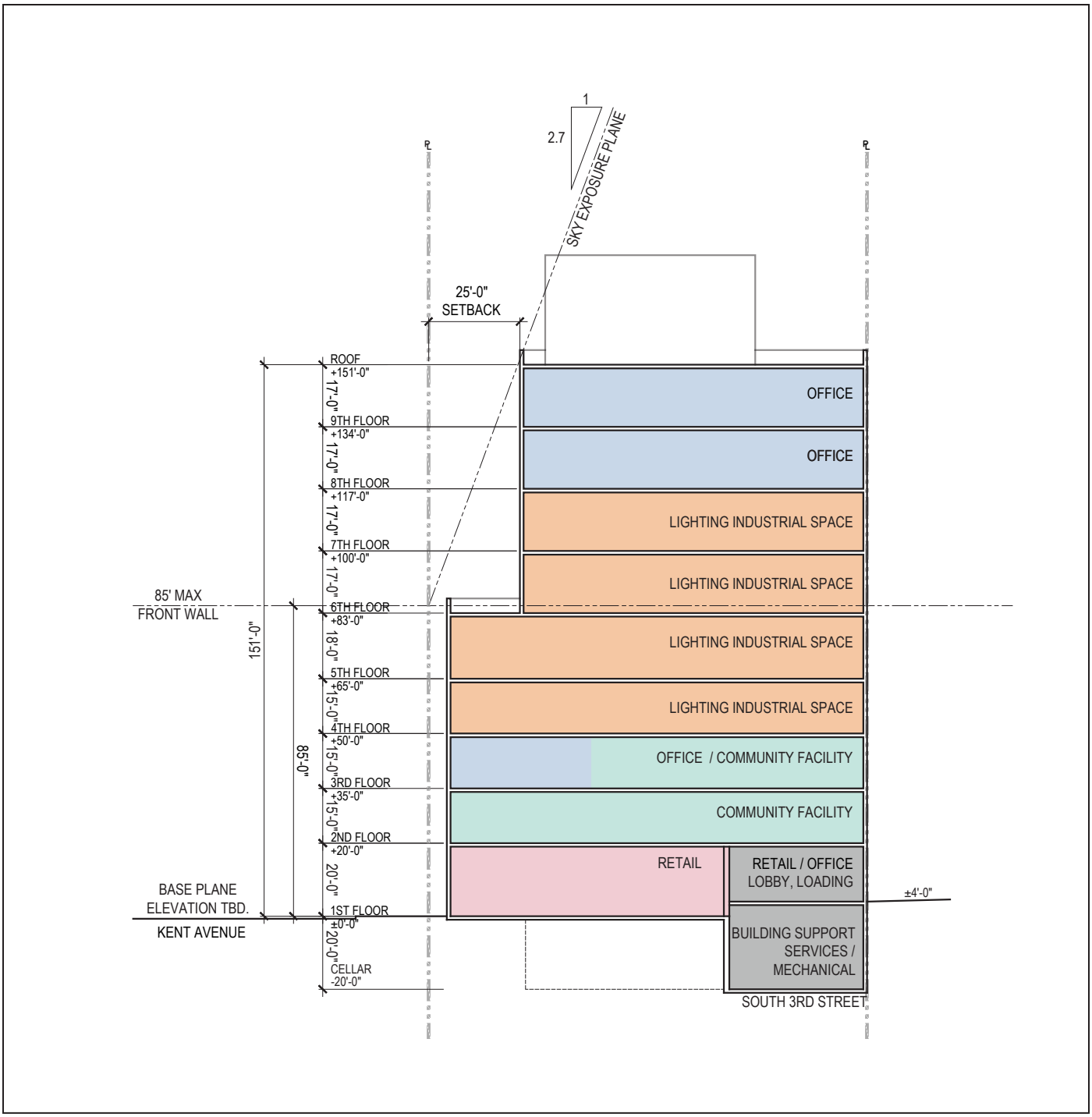
0 32 64 FEET

Proposed Project Ground Floor Plan

307 KENT AVENUE

Figure F-15

1.6.20



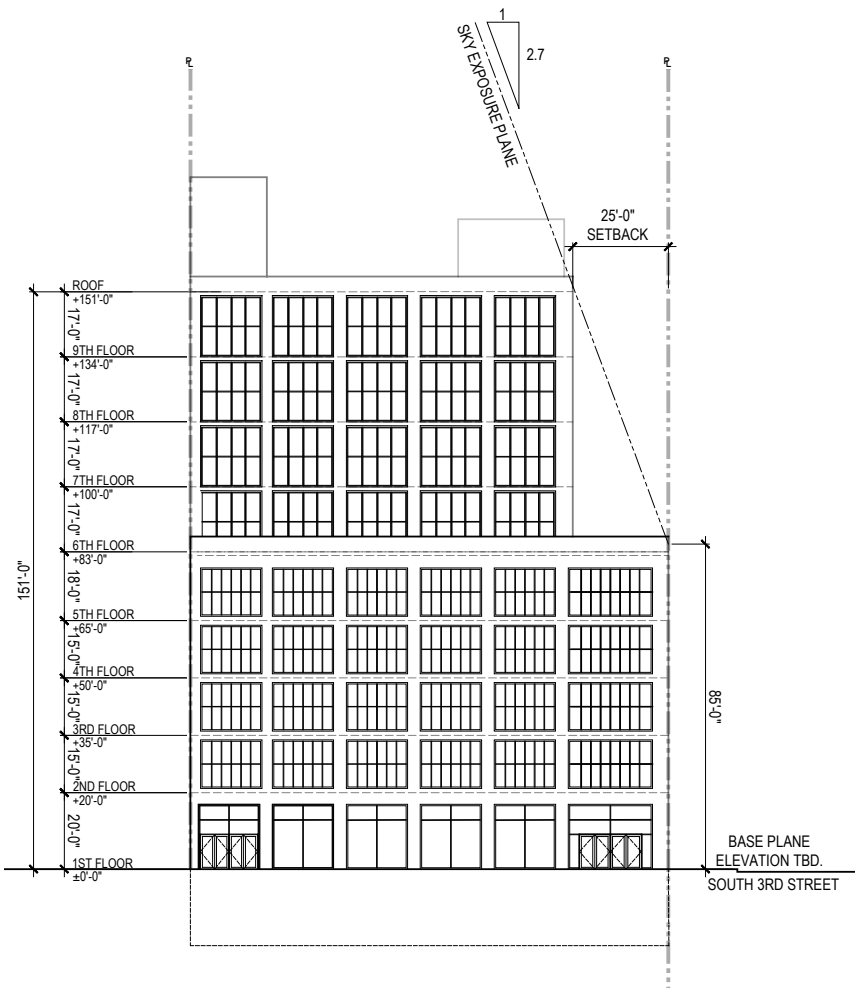
Source: S9 Architecture

NOTE: FOR ILLUSTRATIVE PURPOSES ONLY

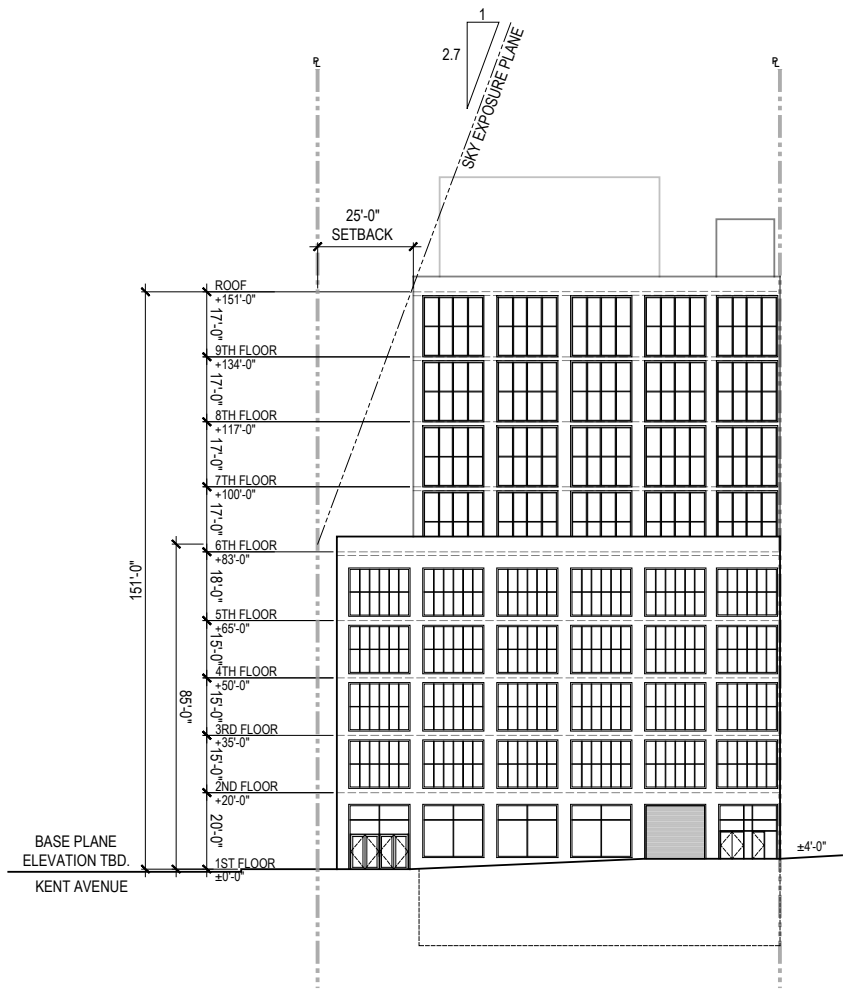
Proposed Project Section

307 KENT AVENUE

Figure F-16



WEST ELEVATION



SOUTH ELEVATION

Source: S9 Architecture

NOTE: FOR ILLUSTRATIVE PURPOSES ONLY

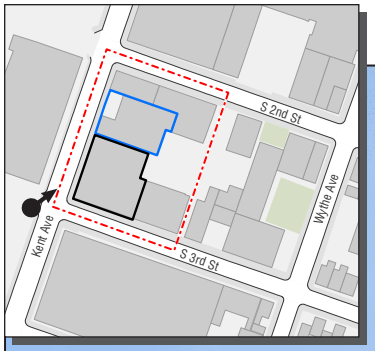
0 32 64 FEET

307 KENT AVENUE

Proposed Project Elevations

Figure F-17

1.6.20



Source: S9 Architecture

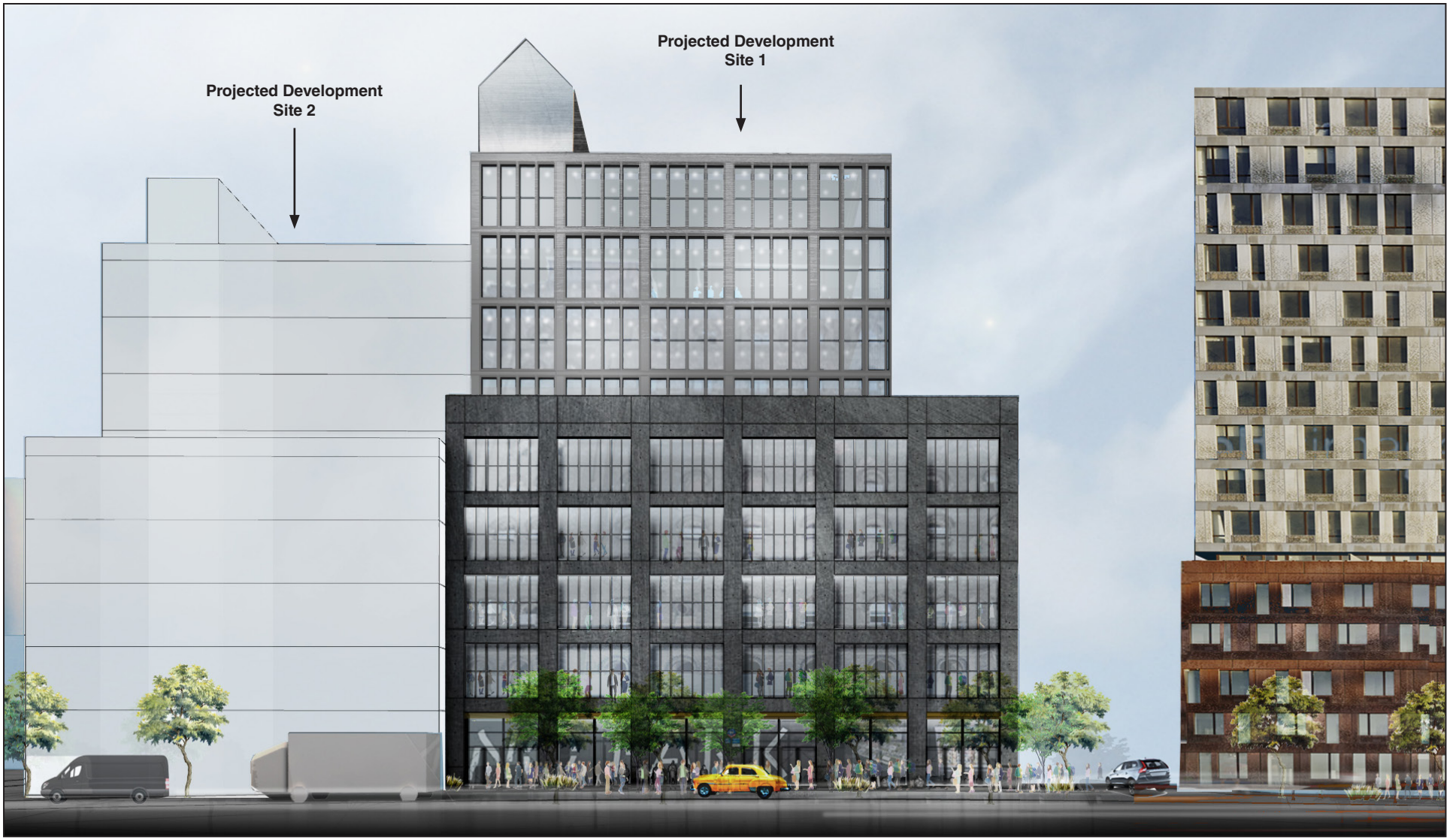
NOTE: FOR ILLUSTRATIVE PURPOSES ONLY

Illustrative Rendering of With Action Condition

307 KENT AVENUE

Figure F-18

1.6.20



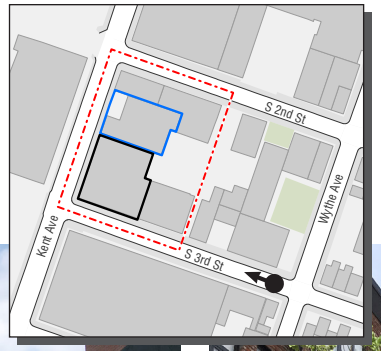
Source: S9 Architecture

NOTE: FOR ILLUSTRATIVE PURPOSES ONLY

Illustrative Rendering of With Action Condition-Kent Avenue

307 KENT AVENUE

Figure F-19



CURRENT CONDITION

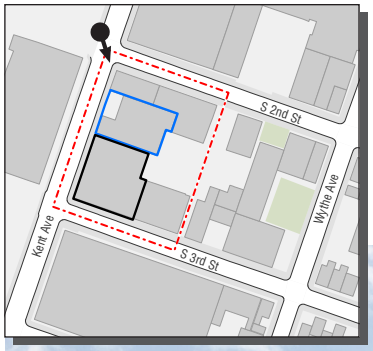
PROPOSED ACTION

Source: S9 Architecture

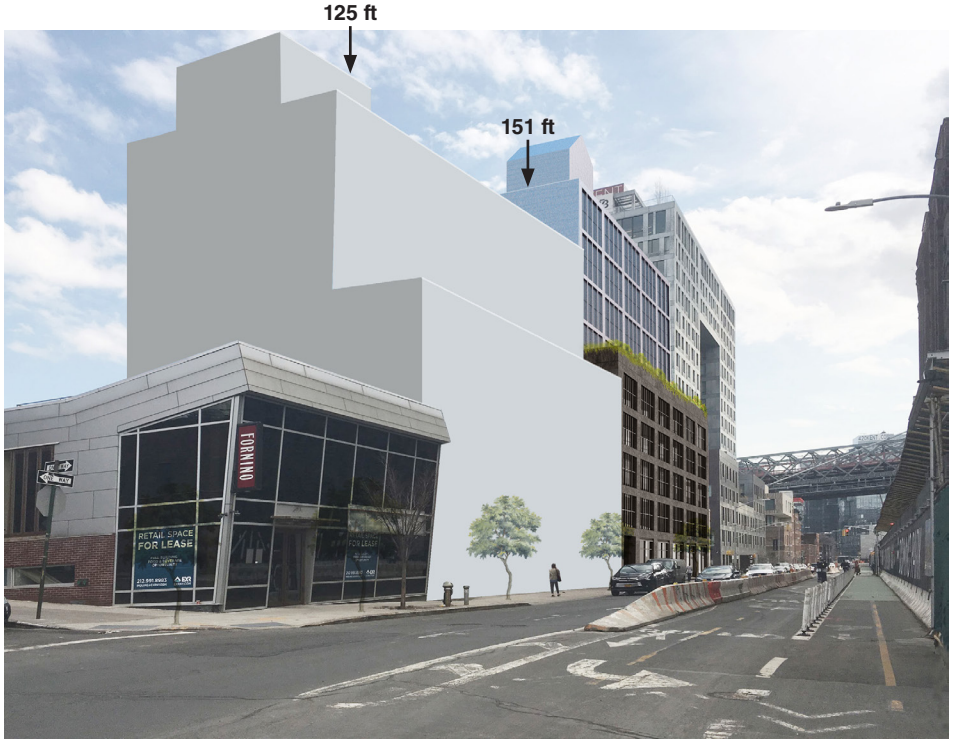
NOTE: FOR ILLUSTRATIVE PURPOSES ONLY

No Action and With Action Comparison,
View West on S. 3rd Street

1.6.20



CURRENT CONDITION



PROPOSED ACTION

Source: S9 Architecture

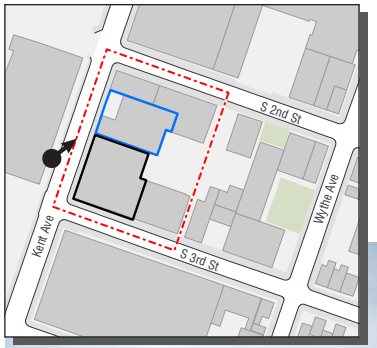
NOTE: FOR ILLUSTRATIVE PURPOSES ONLY

No Action and With Action Comparison,
View South on Kent Avenue

307 KENT AVENUE

Figure F-21

1.6.20



CURRENT CONDITION

PROPOSED ACTION

Source: S9 Architecture

NOTE: FOR ILLUSTRATIVE PURPOSES ONLY

This rendering is provided to illustrate the pedestrian-level perspective of the lower floors of the proposed and projected development.

No Action and With Action Comparison,
View Northeast on Kent Avenue north of S. 3rd Street

307 KENT AVENUE

Figure F-22

REMAINDER OF PROJECT AREA

No changes are anticipated to the remainder of the Project Area in the future with the Proposed Actions.

STUDY AREA

The Proposed Actions would not result in any changes to buildings, natural features, open spaces, or streets in the study area. The proposed office, community facility (medical office), and retail uses would be consistent with land uses in the study area. The height of the proposed building on Projected Development Site 1, and the potential building on Projected Development Site 2, would be consistent with the height of the remaining Domino Sugar Refinery building across Kent Avenue; in addition, the study area is already densely developed with new tower developments such as 325 Kent Avenue directly south of the Project Area and 321 Wythe Avenue, as well as the tower under development at 260 Kent Avenue. As described above, the Proposed Project would have a built FAR of approximately 6.5 and a lot coverage of over 90 percent, and the potential development on the Projected Development Site 2 would have a built FAR of approximately 6.5. At this built FAR, the density on Projected Development Sites 1 and 2 would be consistent with the larger new buildings within the study area. Streetwalls within the study area would continue to be strong in the future with the Proposed Actions.

VISUAL RESOURCES/VIEW CORRIDORS

PROJECTED DEVELOPMENT SITE 1

As described above, there are no visual resources on Projected Development Site 1. The Proposed Actions would not have a significant adverse effect to adjacent view corridors. From the sidewalks adjacent to Projected Development Site 1, views to the Williamsburg Bridge the former Havemeyers & Elder Filter, Pan & Finishing House, the East River, and the Manhattan waterfront in the distance would continue to be available.

PROJECTED DEVELOPMENT SITE 2

As described above, there are no visual resources on Projected Development Site 2. The Proposed Actions would not have a significant adverse effect to adjacent view corridors. From the sidewalk adjacent to Projected Development Site 2, views to the Williamsburg Bridge and the former Havemeyers & Elder Filter, Pan & Finishing House would continue to be available.

REMAINDER OF PROJECT AREA

As described above, there are no visual resources within the remainder of the Project Area. The Proposed Actions would not have a significant adverse effect to adjacent view corridors. From the sidewalk adjacent to the Project Area on South 2nd Street, views to the former Havemeyers & Elder Filter, Pan & Finishing House would continue to be available. Views from the sidewalks adjacent to the Project Area on Kent Avenue and South 3rd Street to the former Havemeyers & Elder Filter, Pan & Finishing House and the Williamsburg Bridge, as well as the East River and the Manhattan waterfront in the distance, also would continue to be available.

STUDY AREA

The new building on Projected Development Site 1 and the potential building on the Projected Development Site 2 would be notable in views along surrounding streets, particularly along Kent Avenue and South 3rd Street; however, in these views, the height of the proposed building and potential building would not be inconsistent with the height of existing buildings and would be shorter than the nearby apartment towers (both recently constructed and under construction). The proposed site plan would not obstruct existing view corridors along Kent Avenue and South 3rd Street. The proposed building and potential building would not obstruct or eliminate views to any visual landmarks in the surrounding area.

In the future with the Proposed Actions, River Street and the adjacent Domino Park would continue to provide expansive views of the Manhattan waterfront, the East River, the Williamsburg Bridge, and the former Havemeyers & Elder Filter, Pan & Finishing House. Views along Kent Avenue would continue to include these resources as well. Views west along the side streets would continue to include the brick smokestack of the former Havemeyers & Elder Filter, Pan & Finishing House, the East River, and the Manhattan waterfront in the distance.

The Proposed Actions would not partially or totally block a view corridor or a natural or built visual resource. Therefore, the Proposed Actions would not be expected to significantly adversely affect the context of natural or built visual resources, or any view corridors.

In conclusion, the Proposed Actions would not significantly adversely affect urban design or visual resources. ✷

A. INTRODUCTION

This attachment addresses the potential for the presence of hazardous materials resulting from previous and existing uses at or near Projected Development Site 1 (Block 2415, Lot 1; the Proposed Project) and/or Projected Development Site 2 (Block 2415, Lot 6) (collectively, "the Sites"), and potential risks with respect to any such hazardous materials. As described in Attachment A, "Project Description," the Proposed Project would result in demolition of the existing single-story warehouse building located on Projected Development Site 1, to be followed by the construction of a new nine-story mixed-use building, with a partial cellar. The Proposed Actions could also result in demolition and redevelopment at Projected Development Site 2. No demolition or subsurface disturbance would be anticipated at other lots in the proposed rezoning area.

This assessment is based on an April 2019 Phase I Environmental Site Assessment (ESA) of the Sites, prepared by AKRF, Inc. An ESA documents the findings of a reconnaissance of a site and an evaluation of readily available historical information and selected environmental databases and electronic records, in accordance with American Society for Testing and Materials (ASTM) E1527-13.

B. EXISTING CONDITIONS

SUBSURFACE CONDITIONS

The Sites, based on the U.S. Geological Survey Brooklyn, NY Quadrangle map, are approximately 20 feet above mean sea level. The Sites are generally flat, with the ground sloping slightly downward to the west, toward the East River, located approximately 200 feet away. Based on the elevation and topography, groundwater beneath the Sites is expected to be encountered approximately 15 to 20 feet below grade, and flow in a westerly direction towards the East River (but may be tidally influenced). However, actual groundwater depth and flow direction may be influenced by other factors, such as building foundations or utilities. Groundwater in the vicinity is not used as a source of potable water.

PHASE I ESA, APRIL 2019

A Phase I ESA for the Sites was prepared by AKRF, Inc. in April 2019. It identified evidence of Recognized Environmental Conditions (RECs), i.e., "the presence or likely presence of hazardous substances or petroleum products in, on, or at a property," including the following:

- Historical Sanborn fire insurance maps and City Directories identified prior on-site industrial/automotive uses between circa 1904 and 1985 with potential to have affected the property subsurface, including a tin ware manufacturing facility and a ball bearing

manufacturing warehouse at Projected Development Site 1 and a junkyard at Projected Development Site 2.

- Historical Sanborn fire insurance maps and City Directories identified nearby historical industrial/automotive uses, including a "whiting manufacturer" (subsequently a "bung manufacturer"), garages and warehouses with gasoline tanks, iron, paper and bottling works, a truck parking lot, a broom factory (subsequently a printer) and miscellaneous manufacturing uses elsewhere on Block 2415. The surrounding area contained a mixture of predominately industrial uses, including the Domino Sugar Refinery (this facility is also listed in the regulatory database information for petroleum/chemical storage and numerous spills) on blocks to the north, west and south.
- The regulatory database information identified a generator of electroplating hazardous wastes approximately 200 feet east of the Sites.

Other on-site environmental concerns included:

- The subsurface of either Site could include buried debris from former on-site structures, unidentified underground storage tanks (USTs) and/or historical fill of unknown origin; and
- Based on the age of the current buildings on the Sites, asbestos-containing materials (ACMs), lead-based paint (LBP) and/or polychlorinated biphenyls (PCBs) may be present within building components.

C. FUTURE WITHOUT THE PROPOSED ACTIONS

Absent the Proposed Actions, no new development is anticipated to occur within the Project Area. Existing buildings and uses would be anticipated to remain. Regulatory requirements relating to petroleum tanks, ACM, LBP, PCBs, etc. would continue to apply, but without the subsurface disturbance associated with the Proposed Actions, the potential for exposure (to construction workers and the community) to any subsurface hazardous materials would not occur.

D. FUTURE WITH THE PROPOSED ACTIONS

In the future with the Proposed Actions, Projected Development Site 1 would undergo demolition followed by ground disturbance for construction of a new mixed-use building (which would include a partial cellar) containing light industrial, office, community facility, and retail uses. Additionally, Projected Development Site 2 could undergo demolition and be redeveloped with a nine-story mixed-use building containing office, community facility, and retail uses. The potential for impacts related to hazardous materials would be avoided by incorporating the following as part of the Proposed Project:

- Prior to any demolition, existing buildings would be surveyed for asbestos by a NYC-certified asbestos investigator and any ACM would be removed and disposed of prior to demolition in accordance with local, state and federal requirements.
- Any demolition would be performed in accordance with applicable LBP requirements (including federal OSHA regulation 29 CFR 1926.62–Lead Exposure in Construction).
- Unless there is labeling or test data indicating that any suspect PCB-containing electrical equipment and fluorescent lighting fixtures do not contain PCBs, and that any fluorescent lighting bulbs do not contain mercury, disposal of these items would be conducted in accordance with applicable federal, state, and local requirements.

- Consistent with an August 13, 2019 letter from the NYC Department of Environmental Protection (DEP), a Work Plan for a Phase II Investigation (collection and laboratory analysis of subsurface samples) of Projected Development Site 1 was prepared and submitted to DEP for review. The agency approved the Work Plan in a letter dated December 3, 2019. Following implementation of the approved Work Plan, a report documenting its performance and describing its findings would be prepared and summarized in the EIS. The Phase II report, along with a Remedial Action Plan (RAP) and associated Construction Health and Safety Plan (CHASP) would be prepared for Projected Development Site 1 and submitted to DEP for review and approval. The RAP and CHASP would set out procedures to be followed to avoid the potential for adverse impacts related to hazardous materials identified by the Phase II Investigation as well as other hazardous materials that could be (unexpectedly) encountered. The RAP would address requirements for items such as soil management (including stockpiling, handling, transportation and disposal), dust control and air monitoring, and contingency measures should USTs or soil contamination be encountered. If needed, based upon the results of the soil vapor testing, the RAP would include requirements for vapor controls (e.g., a vapor barrier around the foundation elements) to avoid the potential for soil vapor intrusion into the new structure. The CHASP would present a hazard assessment for the construction workers and set out the requirements for real-time air monitoring (for respirable dust and VOCs) during portions of the subsurface disturbance, to protect both the construction workers and the community. Following construction at Projected Development Site 1, occupancy permits would only be issued once DEP received and approved a Remedial Closure Report, certified by a New York-licensed Professional Engineer, that documented the RAP and CHASP were properly implemented.
- For Projected Development Site 2, an (E) Designation for hazardous materials would be placed on the NYC Zoning Map as part of the Proposed Actions to ensure requirements pertaining to hazardous materials would be addressed during any future redevelopment involving soil disturbance. The (E) Designation would impose pre- and post-construction requirements overseen by the New York City Office of Environmental Remediation (OER). It would require that a Remedial Investigation (RI) be conducted including the collection of soil, groundwater, and soil vapor samples with laboratory analysis for a full suite of analytical parameters. Prior to such testing, an RI Work Plan and Health and Safety Plan (HASP) for the investigation would be submitted to OER for review and approval. Based on the results of the RI, a Remedial Action Work Plan (RAWP) and associated CHASP would be prepared for implementation during the subsurface disturbance associated with construction. The RAWP and CHASP would address requirements for items such as petroleum tank removal, dust control, and contingency measures should unforeseen petroleum tanks or soil contamination be encountered. The RAWP would also include any necessary requirements for vapor controls should the RI reveal the potential for soil vapor intrusion. The RAWP and CHASP would be subject to OER approval and, following construction, occupancy permits could only be issued once OER received and approved documentation that the RAWP and CHASP were properly implemented.
- For both Sites, as a part of the RAP (for Projected Development Site 1) or as a part of the (E) Designation requirements (for Projected Development Site 2), prior to or during subsurface disturbance associated with redevelopment, removal of all known petroleum storage tanks and any unforeseen petroleum storage tanks would be performed in accordance with applicable regulatory requirements including NYSDEC requirements relating to spill reporting and tank registration.

- For both Sites, if dewatering were to be necessary for the proposed construction, water would be discharged to sewers in accordance with DEP requirements.

The (E) Designation program is administered by OER. Approval of a hazardous materials remedy (described in the RAWP and CHASP) by OER is required prior to the granting of building permits by the Department of Buildings. The text of the (E) Designation for hazardous materials for Projected Development Site 2 would be as follows:

- ***Task 1***

  The applicant submits to OER, for review and approval, a Phase 1 ESA for the Project Site along with a soil, soil gas and groundwater testing protocol, including a description of methods and a site map with all sampling locations clearly and precisely represented. If site sampling is necessary, no sampling should begin until written approval of a protocol is received from OER. The number and location of sample sites should be selected to adequately characterize the site, the specific source of suspected contamination (i.e., petroleum based contamination and non-petroleum based contamination), and the remainder of the site's condition. The characterization should be complete enough to determine what remediation strategy (if any) is necessary after review of sampling data. Guidelines and criteria for selecting sampling locations and collecting samples are provided by OER upon request.

- ***Task 2***

  A written report with findings and a summary of the data must be submitted to OER after completion of the testing phase and laboratory analysis for review and approval. After receiving such results, a determination is made by OER if the results indicate that remediation is necessary. If OER determines that no remediation is necessary, written notice shall be given by OER. If remediation is indicated from the test results, a proposed remediation plan must be submitted to OER for review and approval. The applicant must complete such remediation as determined necessary by OER. The applicant should then provide proper documentation that the work has been satisfactorily completed. An OER-approved construction-related health and safety plan would be implemented during evacuation and construction and activities to protect workers and the community from potentially significant adverse impacts associated with contaminated soil and/or groundwater. This plan would be submitted to OER for review and approval prior to implementation. All demolition or rehabilitation would be conducted in accordance with applicable requirements for disturbance, handling and disposal of suspect lead-paint and asbestos-containing materials. In addition to the requirements for lead-based paint and asbestos, requirements (including those of NYSDEC) should petroleum tanks and/or spills be identified and for off-site disposal of soil/fill would need to be followed.

E. CONCLUSION

With the measures outlined above included as part of the Proposed Actions, no significant adverse impacts related to hazardous materials would be anticipated to occur. However, for Projected Development Site 1, the EIS will include additional data, including the results of subsurface sampling and this conclusion will be updated if warranted. ✷

A. INTRODUCTION

This attachment considers the potential for the Proposed Actions to result in a significant adverse impact to the City's sanitary sewage conveyance and treatment system. As described in Attachment A, "Project Description," the proposed rezoning of Block 2415, Lots 1, 6, 10, 7501, 7502 and a portion of (p/o) Lots 16 and 38 (the Rezoning Area, coterminous with the Project Area) would facilitate the redevelopment of Projected Development Site 1 (Block 2415, Lot 1), with a nine-story mixed-use building containing a total of approximately 101,000 gross square feet (gsf) of development, including retail, office, and community facility uses (the Proposed Project). Projected Development Site 2 (Block 2415, Lot 6) could also be developed with a nine-story, 80,500-gsf mixed-use building containing retail, community facility, and office uses.

According to the 2014 *City Environmental Quality Review (CEQR) Technical Manual*, projects that increase density or change drainage conditions on a large site require a water and sewer infrastructure analysis. Developments that would result in an exceptionally large demand for water (more than one million gallons per day [gpd]) or that are in an area that experiences low water pressure require an analysis of potential impacts on the water supply system. Developments in a combined sewer area in Brooklyn exceeding incremental development thresholds of 400 residential units or 150,000 square feet (sf) or more of commercial, public facility, institutional and/or community facility space require an analysis of potential impacts on the wastewater and stormwater conveyance and treatment system. The Rezoning Area is in an area of Brooklyn that is served by a combined sewer system, and the Proposed Actions would result in approximately 155,500 gross square feet (gsf) of incremental commercial, light industrial, and community facility space. Following the guidelines of the *CEQR Technical Manual*, an analysis of the Proposed Actions' potential impacts on the wastewater and stormwater conveyance and treatment system was performed. As described below, the Proposed Actions do not warrant an analysis of water supply.

The analysis presented below concludes that the Proposed Actions would not result in any significant adverse impacts to the city's wastewater and stormwater conveyance and treatment system.

B. METHODOLOGY

WATER SUPPLY

The *CEQR Technical Manual* recommends a preliminary water analysis if a project would result in an exceptionally large demand of water (over one million gpd), or is located in an area that experiences low water pressure (i.e., in an area at the end of the water supply distribution system such as the Rockaway Peninsula or Coney Island). The Project Area is not in an area that experiences low water pressure. While the Proposed Actions would result in an incremental water

demand of 56,641 gpd,[1] this would not represent a significant increase in demand on the New York City water supply system. Therefore, an analysis of water supply is not warranted since it is expected that there would be adequate water service to meet the incremental demand, and there would be no significant adverse impacts on the City's water supply.

WASTEWATER AND STORMWATER CONVEYANCE AND TREATMENT

As described above, the Project Area is in a combined sewer area in Brooklyn, and the development resulting from the Proposed Actions on Projected Development Sites 1 and 2 would exceed the *CEQR Technical Manual* threshold of 150,000 sf of commercial, public facility, institutional and/or community facility space. Therefore, this section includes an analysis of the Proposed Actions' potential impacts on the wastewater and stormwater conveyance and treatment system. Existing and future water demand and sanitary sewage generation are calculated based on use rates provided in the *CEQR Technical Manual*[2] and the 2016 *East New York Rezoning Proposal Final Environmental Impact Statement (FEIS)*. The New York City Department of Environmental Protection (DEP) Flow Volume Calculation Matrix is used to calculate the overall combined sanitary sewage and stormwater runoff volume discharged to the combined sewer system for four rainfall volume scenarios with varying durations. The ability of the City's sewer infrastructure to handle the anticipated demand from the proposed project is assessed by estimating existing sewage generation rates and comparing these existing rates with the With Action condition, per *CEQR Technical Manual* methodology.

C. EXISTING CONDITIONS

CONVEYANCE SYSTEM

The Project Area is in a part of New York City served by a combined sewer system that collects both sanitary sewage and stormwater. In periods of dry weather, the combined sewers (sized to convey an amount of sanitary sewage that is based on density levels according to zoning regulations) in the adjacent streets convey only sanitary sewage. Projected Development Sites 1 and 2 are served by sewer lines running along South 3rd Street and Kent Avenue, which connect to Regulator NC-B6, located south of the Project Area underneath South 5th Street. Regulators are structures that control the flow of sewage to interceptors, i.e., larger sewers that connect the combined sewer system to the City's sewage treatment system. From Regulator NC-B6, flow is conveyed to an interceptor that runs north along Kent Avenue, which connects to the Newtown Creek Wastewater Treatment Plant (WWTP), the largest of the city's 14 WWTPs.

At the Newtown Creek WWTP, wastewater is fully treated by physical and biological processes before it is discharged into Newtown Creek. The quality of the treated wastewater (effluent) is regulated by a State Pollutant Discharge Elimination System (SPDES) permit issued by the New York State Department of Environmental Conservation (DEC), which establishes limits for effluent parameters (i.e., suspended solids, fecal coliform bacteria, and other pollutants). Since the volume of flow to a WWTP affects the level of treatment a plant can provide, the maximum

[1] See **Tables H-1 and H-3**, which include calculations the total water demand on Projected Development Sites 1 and 2 in the existing condition and the With Action condition, respectively.

[2] *CEQR Technical Manual*, March 2014, Table 13-2.

permitted capacity for the Newtown WWTP is 310 million gallons per day (mgd). The average monthly flow to the WWTP is 212 mgd,[3] which is well below the maximum permitted capacity.

During and immediately after wet weather, combined sewers can experience a much larger flow due to stormwater runoff collection. To control flooding at the Newtown Creek WWTP, the regulators built into the system allow only approximately two times the amount of design dry weather flow into the interceptors. The interceptor then takes the allowable flow to the WWTP, while the excess flow is discharged to the nearest waterbody as combined sewer overflow (CSO). The Project Area is located within one CSO drainage area: in wet weather, sanitary flow and stormwater runoff is conveyed to CSO outfall NC-012, located at the end of South 5th Street, where it is discharged into the East River.

SANITARY FLOWS

As described in Attachment A, "Project Description," in the existing condition, Projected Development Site 1 (an approximately 14,425 sf lot) contains an approximately 15,296 gsf single-story warehouse with a mezzanine. The existing warehouse on Projected Development Site 1 is occupied by Villain, a warehouse/production event space, which operates out of an approximately 3,000 gsf office space in the building; the remainder of the building is occasionally used for events or productions (e.g., photoshoots). Projected Development Site 2 (an approximately 11,344 sf lot) contains an approximately 11,344 gsf single-story warehouse. For the purposes of analysis, only the approximately 3,000 gsf of office space on Projected Development Site 2 is assumed to generate water demand and sanitary sewage; the remainder of the space on Projected Development Sites 1 and 2 contain warehouse uses, which feature minimal water demand and sanitary sewage generation. Similarly, the event/production activities on Projected Development Site 1, which occur infrequently, are assumed to not consume water or generate wastewater for the purposes of analysis.

Table H-1 summarizes the existing water demand and sewage generation on Projected Development Sites 1 and 2; in the existing condition, there is an estimated 300 gpd of daily sanitary sewage[4] with a total water demand of 810 gpd.

Table H-1
Existing Condition Water Consumption

Land Use	Water Consumption and Wastewater Generation Rates[1]	Area/Units	Domestic Water/Wastewater Generation (gpd)	Air Conditioning (gpd)
Commercial/Office	Domestic: 0.10 gpd/sf A/C: 0.17 gpd/sf	3,000 gsf	300	510
Total Water Demand (gpd)				**810**
Total Sanitary Sewage Generation (gpd)				**300**

Notes:
Totals may not sum due to rounding.
[1] Consumption rates from *CEQR Technical Manual* Table 13-2, "Water Usage and Sewage Generation Rates for Use in Impact Assessment," unless otherwise noted.

[3] Average monthly flow for the 12-month period through March 2017, the latest period for which data are available.

[4] For purposes of analysis, the amount of sanitary sewage is estimated as all water demand generated by the proposed uses, excepting water used by air conditioning, which is typically not discharged to the sewer system.

STORMWATER FLOWS

Projected Development Sites 1 and 2 have a total combined area of approximately 25,755 sf (0.59 acres). In the existing condition, the two warehouse buildings' rooftops occupy the majority of the sites, excepting an approximately 1,400 sf (0.03 acre) portion of Projected Development Site 2 (a loading dock area along Kent Avenue), which is paved. **Table H-2** summarizes the existing surface coverage on Projected Development Sites 1 and 2, as well as the weighted runoff coefficient (the fraction of precipitation that becomes surface runoff).

Table H-2
Existing Surface Coverage

Affected CSO Outfall	Surface Type	Roof	Pavement and Walkways	Other	Grass and Soft Scape	Total
NC-012	Area (percent)	95%	5%	0%	0%	**100%**
	Surface Area (sf)	24,355	1,400	0	0	**25,755**
	Runoff Coefficient*	1.00	0.85	0.85	0.20	**0.99**

Note: * Weighted Runoff Coefficient calculations based on the DEP Flow Volume Calculation Matrix provided in the *CEQR Technical Manual*, retrieved March 2019.

D. THE FUTURE WITHOUT THE PROPOSED ACTIONS

As described in Attachment A, "Project Description," in the Future without the Proposed Actions (the No Action condition), the Projected Development Sites 1 and 2 are not expected to change from their existing condition, and the existing warehouse buildings on the sites are expected to remain. As in the existing condition, there would be minimal water demand and sanitary sewage generation on the sites in the No Action condition (an estimated 300 gpd of daily sanitary sewage with a total water demand of 810 gpd). Stormwater flows would also remain unchanged, and the runoff coefficient would remain at 0.99.

In the No Action condition, no changes to the wastewater conveyance system serving the Projected Development Sites 1 and 2 are expected. Wastewater would continue to be conveyed via the combined sewer system to Regulator NC-B6 and the Newtown Creek WWTP, and CSO would continue to be discharged to the East River through outfall NC-012.

E. THE FUTURE WITH THE PROPOSED ACTIONS

In the With Action condition, the proposed rezoning would facilitate the Proposed Project, an approximately 101,000 gsf mixed-use development on Projected Development Site 1. The Proposed Project would include approximately 70,000 gsf of office uses (split between 1/3 office use and 2/3 light industrial and manufacturing use), 9,000 gsf of retail uses, and 22,000 gsf of community facility (medical office) uses. On Projected Development Site 2, the Proposed Actions would allow the development of an approximately 80,500 gsf building, containing up to 55,000 gsf of office uses, 8,000 gsf of retail uses, and 17,500 gsf of community facility uses.

CONVEYANCE SYSTEM

It is anticipated that the combined sewers running along South 3rd Street and Kent Avenue would be available for connection by the new developments on Projected Development Sites 1 and 2 upon the review and approval of site connection proposals, which would be submitted to DEP at the time of development (discussed further below). Wastewater from the sites would continue to

be conveyed to Regulator NC-B6 and the Newtown Creek WWTP, and CSO would continue to be discharged to the East River through outfall NC-012.

SANITARY FLOWS

Table H-3 summarizes the water demand and sewage generation of the Proposed Actions: combined, the future uses on Projected Development Sites 1 and 2 in the With Action condition totals 78,333 gsf of office space, 17,000 gsf of retail space, 46,667 gsf of light industrial and manufacturing space, and 39,500 gsf of community facility space. In the With Action condition, the Proposed Actions are expected to result in the generation of an estimated 26,596 gpd of daily sanitary sewage with a total water demand of 57,451 gpd.

Table H-3
With Action Condition Water Consumption

Land Use	Water Consumption and Wastewater Generation Rates[1]	Area/Units	Domestic Water/Wastewater Generation (gpd)	Air Conditioning (gpd)
Retail	Domestic: 0.24 gpd/sf A/C: 0.17 gpd/sf	17,000 gsf	4,080	2,890
Commercial/Office	Domestic: 0.10 gpd/sf A/C: 0.17 gpd/sf	78,333 gsf	7,833	13,317
Light Industrial/ Manufacturing	Domestic: 0.23 gpd/sf[2] A/C: 0.17 gpd/sf	46,667 gsf	10,733	7,933
Community Facility[3]	Domestic: 0.10 gpd/sf A/C: 0.17 gpd/sf	39,500 gsf	3,950	6,715
Total Water Demand (gpd)				**57,451**
Total Sanitary Sewage Generation (gpd)				**26,596**
Incremental Water Demand (gpd)				**56,641**
Incremental Sanitary Sewage Generation (gpd)				**26,296**

Notes:
Totals may not sum due to rounding.
[1] Consumption rates from *CEQR Technical Manual* Table 13-2, "Water Usage and Sewage Generation Rates for Use in Impact Assessment," unless otherwise noted.
[2] Based on *East New York Rezoning Proposal FEIS* (equal to 10,000 gpd/acre); calculated based on total building floor area.
[3] Assumes same rate as commercial/office, based on *East New York Rezoning Proposal FEIS*.

As noted above, in the existing/No Action condition, there is assumed to be an estimated 300 gpd of sanitary sewage generation from the uses on Projected Development Sites 1 and 2, therefore the incremental sanitary sewage generated by the Proposed Actions would be 26,296 gpd. This incremental increase in sewage generation would be approximately 0.01 percent of the average daily flow at the Newtown Creek WWTP (212 mgd) and would not result in an exceedance of the plant's permitted capacity of 310 mgd. In addition, in accordance with the New York City Plumbing Code (Local Law 33 of 2007), the new developments would be required to utilize low-flow plumbing fixtures, which would reduce sanitary flows to the plant. Therefore, the Proposed Actions would not result in a significant adverse impact to the City's sanitary sewage conveyance and treatment system.

STORMWATER FLOWS

In the With Action condition, the new construction on Projected Development Sites 1 and 2 are expected to occupy the entire lot area of the sites. Therefore, in the With Action condition, the sites are expected to be fully occupied by rooftop area, and there would be an increase in rooftop area as compared to the existing/No Action condition with the elimination of the approximately 1,400 sf paved area on Projected Development Site 2. With the increase in rooftop surface area,

the weighted runoff coefficient would increase incrementally to 1.00 (compared to 0.99 in the existing condition). **Table H-4** summarizes the surface coverage and the weighted runoff coefficient in the With Action condition.

Table H-4
With Action Condition Surface Coverage

Affected CSO Outfall	Surface Type	Roof	Pavement and Walkways	Other	Grass and Soft Scape	Total
NC-012	Area (percent)	100%	0%	0%	0%	**100%**
	Surface Area (sf)	25,755	0	0	0	**25,755**
	Runoff Coefficient*	1.00	0.85	0.85	0.20	**1.00**

Notes: *Weighted Runoff Coefficient calculations based on the DEP Flow Volume Calculation Matrix provided in the *CEQR Technical Manual*, retrieved March 2019.

Using these sanitary and stormwater flow calculations, the DEP Flow Volume Calculation Matrix was completed for the existing conditions and the With Action condition. The calculations from the Flow Volume Calculation Matrix help to determine the change in wastewater flow volumes to the combined sewer system from existing With Action conditions, and include four rainfall volume scenarios with varying durations. The summary tables of the Flow Volume Calculation Matrix are included in **Table H-5**.

Table H-5
DEP Flow Volume Matrix: Existing and With Action Volume Comparison

Rainfall Volume (in.)	Rainfall Duration (hr.)	Runoff Volume to Direct Drainage (MG)	Runoff Volume to CSS (MG)*	Sanitary Volume to CSS (MG)	Total Volume to CSS (MG)	Runoff Volume to River (MG)	Runoff Volume to CSS (MG)*	Sanitary Volume to CSS (MG)	Total Volume to CSS (MG)	Increased Total Volume to CSS (MG)*
NC-012		Existing				With Action				NC-012 Increment
		25,755 square feet (0.59 acres)				25,755 square feet (0.59 acres)				
0.00	3.80	0.00	0.00	0.00	**0.00**	0.00	0.00	0.00	**0.00**	0.00
0.40	3.80	0.00	0.01	0.00	**0.01**	0.00	0.01	0.00	**0.01**	0.00
1.20	11.30	0.00	0.02	0.00	**0.02**	0.00	0.02	0.01	**0.03**	0.01
2.50	19.50	0.00	0.04	0.00	**0.04**	0.00	0.04	0.02	**0.06**	0.02

Notes:
* Assumes no on-site detention or BMPs for purposes of calculations
CSS = Combined Sewer System; MG = Million Gallons
Totals may not sum due to rounding.

As shown in **Table H-5**, the Proposed Actions would result in a minor increase in flow to CSO outfall NC-012, which is attributable to the increase in sanitary flow resulting from the Proposed Actions (in the existing condition, there is minimal sewage generation on Projected Development Sites 1 and 2). Although there would be a slight increase in full impervious rooftop area on the sites in the With Action condition, the increase in stormwater runoff would be minimal.

As noted above, the new developments would incorporate low-flow plumbing fixtures to reduce sanitary flow in accordance with the New York City Plumbing Code. However, the table does not account for the DEP-regulated stormwater flow rate: in particular, as described in greater detail below, DEP requires substantial stormwater detention for developments or building alterations if the developed sites' storm flows exceed the allowable flow of the drainage plan.

Pursuant to Chapter 31 of Title 15 of the Rules of the City of New York (RCNY), as amended in 2012, for a new development, the stormwater release rate is the greater of 0.25 cubic feet per second (cfs) or 10 percent of the allowable flow. For alterations, the stormwater release rate for

the altered areas will be directly proportional to the ratio of the altered area to the total site area, and no new points of discharge are permitted. Therefore, any new developments or alterations requiring a connection to the sewer system are required to achieve the new flow rate. Flexibility in achieving this rate is provided to the development community through a variety of approvable systems, including subsurface and rooftop systems. Joint DEP and New York City Department of Buildings (DOB) guidelines are available to ensure the proper design and construction in the early stages of site planning and building design. This performance standard allows for a wide range of management techniques, costs, and space considerations. With the 2012 RCNY amendment, self-certification of house or site connection proposals is not permitted in connection with any proposed new development or expansions of existing developments as per Title 15, Chapter 31, "Rule Governing House/Site Connections to the Sewer System."

A broad range of stormwater best management practices (BMPs) could be implemented on the development sites to facilitate stormwater source controls and limit the stormwater release rate to the required 0.25 cfs or 10 percent of the allowable flow per the drainage plan, whichever is greater. Specific BMP methods would be determined with further refinement of the building designs and in consultation with DEP, but could include on-site stormwater detention systems such as rooftop detention, pavers, underground storage tanks, and/or tanks within the buildings. As a result of these requirements, given that the existing buildings on the sites are unlikely to provide significant detention, it is expected that there would be an increase in on-site detention and retention as a result of the Proposed Actions.

Because the City's sewers are sized and designed based on the designated zoning of an area, and related population density and surface coverage characteristics, the proposed rezoning may result in development that is inconsistent with the design of the existing built sewer system. To be issued a permit to connect to the City sewer within the rezoning area, an applicant proposing a new development may be required to submit a site-specific hydraulic analysis. Sewer improvements may also be required at the time of the site connection proposal.

The incorporation of the appropriate sanitary flow and stormwater source control BMPs that would be required as part of the site connection approval process, with the review and approval of DEP, would reduce the overall volume of sanitary sewer discharge and stormwater runoff as well as the peak stormwater runoff rate from the development sites, and these BMPs would help to avoid an exacerbation of existing CSO discharge. Sewer conveyance near the Project Area and the treatment capacity at the Newtown Creek WWTP is sufficient to handle wastewater flow resulting from the Proposed Action; therefore, there would be no significant adverse impacts on wastewater treatment or stormwater conveyance infrastructure. ✷

A. INTRODUCTION

This attachment considers the potential for the Proposed Actions, a rezoning of the western portion of Block 2415, to result in a significant adverse impact in the technical area of noise. As described in Attachment A, "Project Description," the proposed rezoning of Block 2415, Lots 1, 6, 10, 7501, 7502 and a portion of (p/o) Lots 16 and 38 (the Rezoning Area, coterminous with the Project Area) would facilitate the redevelopment of Projected Development Site 1 (Block 2415, Lot 1; the Proposed Project), with a 9-story mixed-use building containing a total of approximately 101,000 gross square feet (gsf) of development, including retail, light industrial/office, and community facility uses. Projected Development Site 2 (Block 2415, Lot 6) could also be developed with a nine-story, 80,500-gsf mixed-use building containing retail, community facility, and office uses.

If the Proposed Actions would generate or divert sufficient traffic to have the potential to cause a significant noise impact (i.e., it would result in a doubling of noise passenger car equivalents [Noise PCEs] which would be necessary to cause a 3 dBA increase in noise levels), a detailed mobile source noise analysis will be prepared as part of the EIS. This attachment addresses ambient noise levels adjacent to the project site (including noise from vehicular traffic) and an analysis is presented that determines the level of building attenuation necessary to ensure that the proposed building's interior noise levels satisfy applicable City Environmental Quality Review (CEQR) interior noise criteria. If additional analysis conducted as part of the EIS would have the potential to affect the projected maximum noise levels at the development site in the future with the Proposed Actions, revised attenuation requirements would be determined based on those projected levels as part of the EIS.

B. ACOUSTICS FUNDAMENTALS

Sound is a fluctuation in air pressure. Sound pressure levels are measured in units called decibels (dB). The particular character of the sound that we hear (e.g., a whistle compared with a French horn) is determined by the speed, or frequency, at which the air pressure fluctuates, or oscillates. Frequency defines the oscillation of sound pressure in terms of cycles per second. One cycle per second is known as 1 Hertz (Hz). People can hear over a relatively limited range of sound frequencies, generally between 20 Hz and 20,000 Hz, and the human ear does not perceive all frequencies equally well. High frequencies (e.g., a whistle) are more easily discernable and therefore more intrusive than many low frequencies (e.g., the lower notes on the French horn).

A-WEIGHTED SOUND LEVEL (dBA)

In order to establish a uniform noise measurement that simulates people's perception of loudness and annoyance, the decibel measurement is weighted to account for those frequencies most audible to the human ear. This is known as the A-weighted sound level, or dBA, and it is the descriptor of noise levels most often used for community noise. As shown in **Table I-1**, the threshold of human hearing is defined as 0 dBA; quiet conditions (e.g., a library) are approximately 40 dBA; normal

daily activity conditions are between 50 dBA and 70 dBA; noisy conditions are above 70 dBA; and loud, intrusive, and deafening conditions approach 130 dBA.

Table I-1
Common Noise Levels

Sound Source	(dBA)
Military jet, air raid siren	130
Amplified rock music	110
Jet takeoff at 500 meters	100
Freight train at 30 meters	95
Train horn at 30 meters	90
Heavy truck at 15 meters	80–90
Busy city street, loud shout	80
Busy traffic intersection	70–80
Highway traffic at 15 meters, train	70
Predominantly industrial area	60
Light car traffic at 15 meters, city or commercial areas, or residential areas close to industry	50–60
Background noise in an office	50
Suburban areas with medium-density transportation	40–50
Public library	40
Soft whisper at 5 meters	30
Threshold of hearing	0

Note:
A 10 dBA increase in level appears to double the loudness, and a 10 dBA decrease halves the apparent loudness.
Sources:
Cowan, James P. *Handbook of Environmental Acoustics,* Van Nostrand Reinhold, New York, 1994. Egan, M. David, Architectural Acoustics. McGraw-Hill Book Company, 1988.

In considering these values, it is important to note that the dBA scale is logarithmic, meaning that each increase of 10 dBA describes a doubling of perceived loudness. Thus, the background noise in an office, at 50 dBA, is perceived as twice as loud as a library at 40 dBA. For most people to perceive an increase in noise, it must be at least 3 dBA. At 5 dBA, the change will be readily noticeable.

SOUND LEVEL DESCRIPTORS

Because dBA describes a noise level at just one moment and few noises are constant, other ways of describing noise that fluctuates over extended periods have been developed. One way is to describe the fluctuating sound heard over a specific time period as if it had been a steady, unchanging sound. For this condition, a descriptor called the equivalent sound level (L_{eq}) can be computed. L_{eq} is the constant sound level that, in a given situation and time period (e.g., 1 hour, denoted by $L_{eq(1)}$, or 24 hours, denoted by $L_{eq(24)}$), conveys the same sound energy as the actual time-varying sound. Statistical sound level descriptors such as L_1, L_{10}, L_{50}, L_{90}, and L_x, are used to indicate noise levels that are exceeded 1, 10, 50, 90, and x percent of the time, respectively.

The relationship between L_{eq} and levels of exceedance is worth noting. Because L_{eq} is defined in energy rather than straight numerical terms, it is not simply related to the levels of exceedance. If the noise fluctuates little, L_{eq} will be approximately equal to the L_{50} or the median value. If the noise fluctuates broadly, the L_{eq} will be approximately equal to the L_{10} value. If extreme fluctuations are present, the L_{eq} will exceed L_{90} or the background level by 10 or more decibels. Thus the relationship

between L_{eq} and the levels of exceedance will depend on the character of the noise. In community noise measurements, it has been observed that the L_{eq} is generally between L_{10} and L_{50}.

For purposes of the Proposed Actions, the L_{10} descriptor has been selected as the noise descriptor to be used to evaluate interior noise exposure. The 1-hour L_{10} is the noise descriptor used in the 2014 *CEQR Technical Manual* noise exposure guidelines for City environmental impact review classification.

C. NOISE STANDARDS AND CRITERIA

NEW YORK CEQR NOISE CRITERIA

The *CEQR Technical Manual* also defines attenuation requirements for buildings based on exterior noise level (see **Table I-2**). Recommended noise attenuation values for buildings are designed to maintain interior noise levels of 45 dBA or lower for community facility uses and 50 dBA or lower for commercial office uses and are determined based on exterior $L_{10(1)}$ noise levels.

Table I-2
Required Attenuation Values to Achieve Acceptable Interior Noise Levels

	Marginally Unacceptable				Clearly Unacceptable
Noise Level with the Proposed Project	$70 < L_{10} \leq 73$	$73 < L_{10} \leq 76$	$76 < L_{10} \leq 78$	$78 < L_{10} \leq 80$	$80 < L_{10}$
Attenuation[A]	(I) 28 dBA	(II) 31 dBA	(III) 33 dBA	(IV) 35 dBA	$36 + (L_{10} - 80)$[B] dBA

Notes:
[A] The above composite window-wall attenuation values are for residential dwellings and community facility development. Commercial office spaces and meeting rooms would be 5 dBA less in each category. All the above categories require a closed window situation and hence an alternate means of ventilation.
[B] Required attenuation values increase by 1 dBA increments for L_{10} values greater than 80 dBA.
Source:
New York City Department of Environmental Protection.

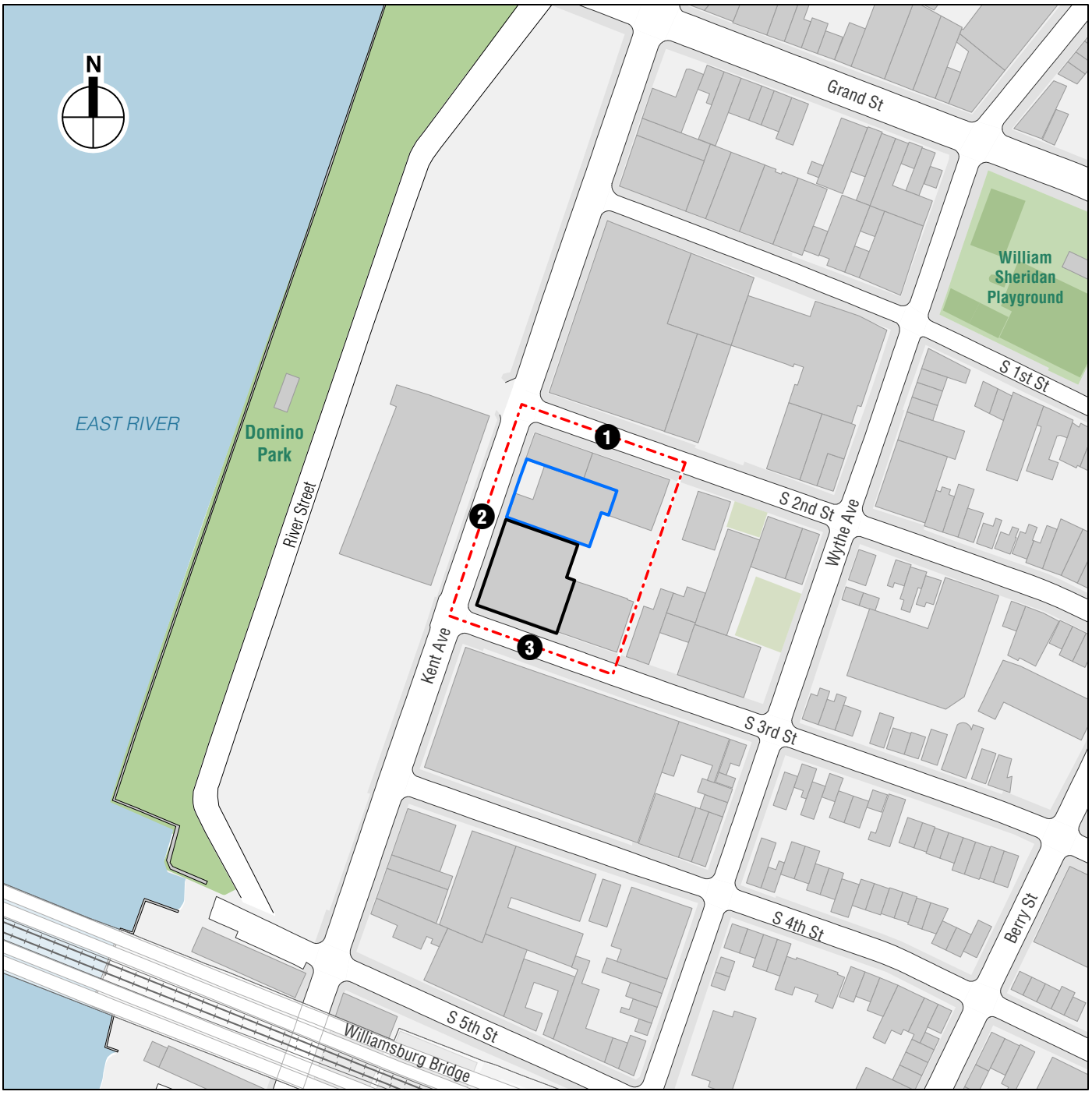
D. EXISTING NOISE LEVELS

Existing noise levels at Projected Development Site 1 were measured at three locations: Site 1 was located on South 2nd Street between Kent Avenue and Wythe Avenue; Site 2 was located on Kent Avenue midway between South 2nd Street and 3rd Street; and Site 3 was located on South 3rd Street between Kent Avenue and Wythe Avenue (see **Figure I-1**).

At the receptor sites, the existing noise levels were measured for 20 minutes during each of the three weekday peak periods—AM (8:00 AM to 9:00 AM), midday (MD) (12:00 PM to 1:00 PM), and PM (4:30 PM to 5:30 PM). Measurements were taken on September 13 and October 3, 2018.

EQUIPMENT USED DURING NOISE MONITORING

Measurements were performed using a Brüel & Kjær Sound Level Meter (SLM) Type 2250, Brüel & Kjær Sound Level Meter (SLM) Type 2260, Brüel & Kjær ½-inch microphone Type 4189, and a Brüel & Kjær Sound Level Calibrator Type 4231. The Brüel & Kjær SLM is a Type 1 instrument according to ANSI Standard S1.4-1983 (R2006). The SLM has a laboratory calibration date within 1 year of the date of the measurement, as is standard practice. The microphone was mounted at a height of approximately 5 feet above the ground surface on a tripod and at least approximately 5 feet away from any large reflecting surfaces. The SLM was calibrated before and after readings



Noise Receptor Locations

307 KENT AVENUE

Figure I-1

with a Brüel & Kjær Type 4231 Sound Level Calibrator using the appropriate adaptor. Measurements were made on the A-scale (dBA). The data were digitally recorded by the sound level meter and displayed at the end of the measurement period in units of dBA. Measured quantities included L_{eq}, L_1, L_{10}, L_{50}, L_{90}, and ⅓ octave band levels. A windscreen was used during all sound measurements except for calibration. All measurement procedures were based on the guidelines outlined in ANSI Standard S1.13-2005.

The results of the existing noise level measurements are summarized in **Table I-3**.

Table I-3
Existing Noise Levels in dBA

Site	Location	Time Period	L_{eq}	L_1	L_{10}	L_{50}	L_{90}
1	South 2nd Street between Kent Avenue and Wythe Avenue	AM	63.9	72.3	65.7	62.5	60.6
		MD	64.7	73.0	66.7	62.0	59.6
		PM	63.0	71.6	66.2	60.3	58.3
2	Kent Avenue midway between South 2nd Street and 3rd Street	AM	68.5	78.0	71.6	65.2	62.0
		MD	69.9	83.1	71.1	63.8	59.5
		PM	70.0	81.0	71.8	64.8	59.4
3	South 3rd Street between Kent Avenue and Wythe Avenue	AM	62.8	69.9	64.6	61.7	59.7
		MD	62.7	72.2	63.8	59.9	57.6
		PM	65.2	73.1	67.9	63.6	61.0

Note: Noise measurements were performed on September 13 and October 5, 2018.

At each receptor site, vehicular traffic was the dominant noise source and measured noise levels are moderate, reflecting the level of vehicular activity on the adjacent roadways. With regard to the CEQR criteria, the existing noise levels at Sites 1 and 3 are categorized as "marginally acceptable." The existing noise levels at Site 2 are categorized as "marginally unacceptable."

E. NOISE ATTENUATION MEASURES

As shown in **Table I-2**, the *CEQR Technical Manual* has set noise attenuation quantities for buildings based on exterior $L_{10(1)}$ noise levels in order to maintain interior noise levels of 45 dBA or lower for community facility uses and 50 dBA or lower for commercial office uses. The results of the building attenuation analysis are summarized in **Table I-4**.

Table I-4
CEQR Building Attenuation Requirements

Façade(s)	Associated Receptor Site	Maximum Measured L_{10} (in dBA)	Attenuation Required[1] (in dBA)
Along Kent Avenue and Along South 3rd Street within 50 feet of Kent Avenue	2	71.8	28
Along South 3rd Street at least 50 feet from Kent Avenue or Block Interior	1, 3	67.9	N/A[2]

Notes:
[1] The CEQR attenuation requirements shown are for residential dwellings and community facility development. Commercial office spaces and meeting rooms would require 5 dBA less attenuation.
[2] N/A indicates that the highest L_{10} is below 70 dBA. The *CEQR Technical Manual* does not specify minimum attenuation guidance for exterior L_{10} values below this level.

To implement the attenuation requirements shown in **Table I-4**, an (E) Designation for noise would be applied to the Projected Development Site 1 and Projected Development Site 2, specifying a requirement for the appropriate amount of window/wall attenuation and an alternate means of ventilation. The text for the (E) Designation would be as follows:

> ***Block 2415, Lot 1:*** *To ensure an acceptable interior noise environment, future community facility/commercial office uses must provide a closed-window condition with a minimum of 28 dBA window/wall attenuation on all façades facing Kent Avenue or portions of façades facing South 3rd Street within 50 feet of Kent Avenue to ensure an interior noise level not greater than 45 dBA for community facility uses or not greater than 50 dBA for commercial office uses. To maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, air conditioning.*
>
> ***Block 2415, Lot 6:*** *To ensure an acceptable interior noise environment, future community facility/commercial office uses must provide a closed-window condition with a minimum of 28 dBA window/wall attenuation on façades facing Kent Avenue to ensure an interior noise level not greater than 45 dBA for community facility uses or not greater than 50 dBA for commercial office uses. To maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, air conditioning.*

The attenuation of a composite structure is a function of the attenuation provided by each of its component parts and how much of the area is made up of each part. Normally, a building façade consists of wall, glazing, and any vents or louvers associated with the building mechanical systems in various ratios of area. The proposed buildings would be designed to provide a composite window/ wall attenuation greater than or equal to the values listed in above in **Table I-4** (in dBA), along with an alternative means of ventilation to allow for the maintenance of a closed-window condition.

Based upon the $L_{10(1)}$ values used at the development site, the Proposed Actions with these design measures, would be expected to provide sufficient attenuation to achieve CEQR interior noise level requirements. If additional analysis conducted as part of the EIS would have the potential to affect the projected maximum noise levels at the development site in the future with the Proposed Actions, revised attenuation requirements would be determined based on those projected levels as part of the EIS.

F. MECHANICAL SYSTEM

The building mechanical systems (i.e., heating, ventilation, and air conditioning systems) would be designed to meet all applicable noise regulations (i.e., Subchapter 5, §24-227 of the New York City Noise Control Code and the New York City Department of Buildings Code) and to avoid producing levels that would result in any significant increase in ambient noise levels. ✷

APPENDIX A
AGENCY CORRESPONDENCE

Landmarks Preservation Commission

1 Centre Street
9th Floor North
New York, NY 10007

Voice (212)-669-7700
Fax (212)-669-7960
http://nyc.gov/landmarks

ENVIRONMENTAL REVIEW

Project number: DEPARTMENT OF CITY PLANNING / LA-CEQR-K
Project: 307 KENT AVENUE
Date received: 4/3/2019

Properties with no Archaeological significance:

1) ADDRESS: 315 KENT AVENUE, BBL: 3024150001
2) ADDRESS: 305 KENT AVENUE, BBL: 3024150006

Gina Santucci 4/3/2019

SIGNATURE DATE
Gina Santucci, Environmental Review Coordinator

File Name: 34115_FSO_GS_04032019.doc

Landmarks Preservation Commission

1 Centre Street
9th Floor North
New York, NY 10007

Voice (212)-669-7700
Fax (212)-669-7960
http://nyc.gov/landmarks

ENVIRONMENTAL REVIEW

Project number: DEPARTMENT OF CITY PLANNING / 77DCP587K
Project: 307 KENT AVENUE
Date Received: 7/16/2019

The LPC is in receipt of the EAS of 6/14/19.

Properties with no Architectural or Archaeological significance:
1) 315 KENT AVENUE, BBL: 3024150001
2) 305 KENT AVENUE, BBL: 3024150006

In the study area: LPC DESIGNATED HAVEMEYERS & ELDER FILTER, PAN AND FINISHING HOUSE, 292-214 KENT AVENUE (AKA S/NR ELIGIBLE AMERICAN SUGAR REFINING COMPANY) AND S/NR ELIGIBLE FULTON BAG AND COTTON MILLS COMPANY, 328-336 WYTHE AVENUE AND FORMER MATCHETT CANDY FACTORY, 386-394 WYTHE AVENUE WITHIN RADIUS.

Regarding the shadow study, the S/NR eligible Sts. Peter and Paul Roman Catholic Church, 288 Berry St., is within the shadow area. An analysis of impacts is required.

Gina Santucci 8/15/2019

SIGNATURE DATE
Gina Santucci, Environmental Review Coordinator

File Name: 34115_FSO_GS_08152019.docx