

960 FRANKLIN AVENUE REZONING EIS
Chapter 26: Response to Comments on the DEIS

A. INTRODUCTION

This chapter summarizes and responds to all substantive comments on the Draft Environmental Impact Statement (DEIS) for the proposed action made during the public comment period. The Notice of Completion for the DEIS was issued by the City Planning Commission (CPC) on January 29, 2021, which marked the beginning of the public comment period for the DEIS. Public comments on the DEIS were solicited at the required public hearing on the DEIS held concurrently with the hearing on the proposed action's Uniform Land Use Review Procedure (ULURP) application at 10:00 A.M. on July 29, 2021 in the NYC City Planning Commission Hearing Room, Lower Concourse, 120 Broadway, New York, NY 10271, which was also accessible remotely via telephone and on the Internet through NYC Engage. Public comments on the DEIS were also solicited during the public comment period through August 9, 2021.

The public hearing on the DEIS was noticed in English in the *New York Post* on July 13, 2021; in the City of New York's *City Record* on July 14, July 15, July 16, July 19, July 20, July 21, July 22, July 23, July 26, July 27, July 28, and July 29, 2021, and the New York State Department of Environmental Conservation's *Environmental Notice Bulletin* on July 14, 2021.

Section B below lists the elected officials, community boards, organizations and individuals who commented on the DEIS, and Section C summarizes and responds to comments. These summaries convey the substance of the comments made, but do not necessarily quote the comments verbatim. Comments are organized by subject matter and generally parallel the chapter structure of the DEIS. Where more than one commenter expressed similar views, those comments have been grouped and addressed together.

Written comments received on the DEIS and a transcript of verbal testimony given at the DEIS Public Hearing are included in Appendix 6 to this Final Environmental Impact Statement (FEIS).

B. LIST OF ORGANIZATIONS AND INDIVIDUALS WHO COMMENTED ON THE DRAFT ENVIRONMENTAL IMPACT STATEMENT

Elected Officials

1. Hon. Phara Souffrant Forrest, New York State Assembly Member, District 57; oral testimony at the public hearing on July 29, 2021

Community Boards

2. Fred Batiste, Chair, Brooklyn Community Board 9 (CB9); oral testimony at the public hearing on July 29, 2021

Interested Organizations and Individuals

3. Peter A Jacobson, resident; written testimony dated July 31, 2021
4. Susan Abdulezer, resident; written testimony dated July 31, 2021
5. Mary Ann Fastook; resident; written testimony dated July 31, 2021
6. Amanda Annis, resident; written testimony dated July 31, 2021
7. Jane Atlas, resident; written testimony dated July 28, 2021
8. Sharon Bailey, resident; written testimony dated July 31, 2021
9. Kelsey Ballance, resident; oral testimony at the public hearing on July 29, 2021
10. Charles Bank, resident; written testimony dated July 24, 2021
11. Richard Barber, resident, written testimony dated July 30, 2021
12. Andrea Barbieri, resident; written testimony dated July 28, 2021
13. Wendy Barron, resident; written testimony dated July 30, 2021
14. Michelle Barshay, resident; written testimony dated August 4, 2021
15. Donald Beckman, resident; written testimony dated July 28, 2021
16. Gabriella Belli, resident; written testimony dated August 4, 2021
17. Roberta Belulovich, resident; written testimony dated August 2, 2021
18. Adrian Benepe, President, Brooklyn Botanic Garden; oral testimony at the public hearing on July 29, 2021
19. Sarah Beranbaum, resident; written testimony dated July 25, 2021
20. Ronney Berinstein, resident; written testimony dated August 1, 2021
21. Matthew Bernstein, resident; written testimony dated July 23, 2021
22. Mary Beth Crosby-Carroll, Central Brooklyn Independent Democrats; written testimony dated July 26, 2021 and oral testimony at the public hearing on July 29, 2021
23. Grace Betts, resident; oral testimony at the public hearing on July 29, 2021
24. Aldo Bianchi, resident; written testimony, July 27, 2021
25. Marcia Biederman, resident; written testimony dated July 28, 2021
26. Leland Black, resident; written testimony dated July 26, 2021
27. Rowan Blaik, Vice President of Horticulture, Brooklyn Botanic Garden; oral testimony at the public hearing on July 29, 2021
28. Danielle Blake, resident; written testimony dated July 24, 2021
29. Dorrit Blakeslee, resident; written testimony dated July 29, 2021
30. Fred Bland, resident; oral testimony at the public hearing on July 29, 2021
31. Charlotte Bloomberg, resident; oral testimony at the public hearing on July 29, 2021, written testimony dated July 20, 2021
32. Michele Bogart, resident; written testimony dated July 27, 2021
33. Paul Borchard, resident; written testimony dated July 30, 2021
34. Katherine Borowitz, resident; written testimony dated July 30, 2021
35. Christina Bost Seaton, resident; written testimony dated July 30, 2021
36. Alicia Boyd, Movement to Protect the People and Flower Lovers Against Corruption; oral testimony at the public hearing on July 29, 2021
37. Anthony Bracciante, resident, written testimony dated August 4, 2021
38. Rozemarijn Bradshaw, resident; written testimony dated August 6, 2021
39. Mela Brandt, resident; written testimony dated August 1, 2021
40. Elizabeth Braswell, resident; written testimony dated July 22, 2021
41. Michael Braudy, resident; oral testimony at the public hearing on July 29, 2021
42. Enid Braun, resident; written testimony dated July 26, 2021

43. Fredrica Brooks, resident; written testimony dated July 24, 2021
44. Dorothy Browne, resident; written testimony dated July 29, 2021
45. Julia Bryant, Movement to Protect the People and Flower Lovers Against Corruption; oral testimony at the public hearing on July 29, 2021
46. Mary Buchwald, resident; written testimony dated July 31, 2021
47. Bond Caldaro, resident; written testimony dated July 30, 2021
48. Dorothy Callahan, resident; written testimony dated July 30, 2021
49. Elena Callahan, resident; written testimony dated August 6, 2021
50. Christopher Caltieri, resident; written testimony dated July 22, 2021
51. Emmeline Cardozo, resident; written testimony dated July 28, 2021
52. Zerrin Cetin, resident; written testimony dated August 3, 2021
53. Kai Chang, resident; written testimony dated July 28, 2021
54. Julia Charles, Chair, East 25th Street Historic District Initiative; written testimony dated August 3, 2021
55. Richard Charlton, resident; written testimony dated July 29, 2021
56. Barbara Charton, resident; written testimony dated July 30, 2021
57. William Chasner, resident; written testimony dated July 30, 2021
58. Kok Chih Gan, resident; written testimony dated August 6, 2021
59. Thomas Chisena, resident; oral testimony at the public hearing on July 29, 2021
60. Yvette Choy, resident; written testimony dated July 22, 2021
61. Alicia Ciocca, resident; written testimony dated August 2, 2021
62. Laura Ciporen, resident; written testimony dated July 17, 2021
63. Marvin Ciporen, resident; written testimony dated July 17, 2021 and oral testimony at the public hearing on July 29, 2021
64. Patrick Clair, resident; written testimony dated August 2, 2021
65. Camille Clowery, resident; written testimony dated July 28, 2021
66. Sharon Cohen, resident; written testimony dated July 30, 2021
67. Zachary Collins, resident; written testimony dated July 30, 2021
68. Rubén Colón, Senior Area Standards Representative, United Brotherhood of Carpenters and Joiners of America, New York City & Vicinity District Council Of Carpenters; written testimony dated July 30, 2021
69. Nancy Corey, resident; written testimony dated August 1, 2021
70. Angela Cornelius, resident; written testimony dated August 2, 2021
71. Sarah Crivellaro, resident; written testimony dated July 30, 2021
72. Francoise Crook, resident; written testimony dated July 29, 2021
73. Sylvia Cuadrado, resident; written testimony dated July 28, 2021
74. Angela Cutolo, resident; written testimony dated July 30, 2021
75. Glenn Daily, resident; written testimony dated July 22, 2021
76. Stef Daley, resident; written testimony dated July 30, 2021
77. Brian Davis, resident; written testimony dated July 22, 2021
78. Elaine Dellinger, resident; written testimony dated August 1, 2021
79. Shirish Desai, resident; written testimony dated July 22, 2021
80. Thomas Devaney, Senior Director of Land Use & Planning, The Municipal Art Society of New York; written testimony dated August 6, 2021 and August 9, 2021
81. Joanne Dillon, resident; written testimony dated July 31, 2021
82. Sara Dima, resident; written testimony dated July 31, 2021
83. Susan Donlon, resident; written testimony dated July 29, 2021

84. Susan Dononghue, President, Prospect Park Alliance; written testimony dated July 29, 2021
85. Elizabeth Doyle, resident; written testimony dated July 30, 2021
86. Ingrid Dudek, resident; written testimony dated July 28, 2021
87. Aimee DuPont, resident; written testimony dated July 30, 2021
88. Shayne Dutkiewicz, resident; written testimony dated July 31, 2021
89. Jonathan Earle, resident; written testimony dated July 24, 2021
90. Lashaun Ellis, resident; oral testimony at the public hearing on July 29, 2021
91. Jerret Engle, resident; written testimony dated July 22, 2021
92. Hugh English, resident; written testimony dated August 2, 2021
93. Lynn Evans, resident; written testimony dated August 9, 2021
94. Rima Fand, resident; written testimony dated August 3, 2021
95. Mary Farrington, resident; written testimony dated August 3, 2021
96. Rachel Fedde, resident; written testimony dated July 22, 2021
97. Andy Feldman, resident; written testimony dated July 30, 2021
98. Douglas Fields, resident; written testimony dated July 30, 2021
99. Shaina Finnigan, resident; written testimony dated July 28, 2021
100. Harvey Fishman, resident; written testimony dated July 22, 2021
101. Ariaan Fishman, resident; written testimony, July 27, 2021
102. Kate Fitzsimons, resident; written testimony dated July 30, 2021
103. Beth Fleisher, resident; written testimony dated August 3, 2021
104. Camille Fletcher, resident; written testimony dated July 30, 2021
105. Justin Flynn; resident; written testimony dated July 29, 2021
106. Amy Freitag, Executive Director, J.M. Kaplan Fund, July 29, 2021
107. Susan Freytes, resident; written testimony dated July 25, 2021
108. Paul Friedman, resident; oral testimony at the public hearing on July 29, 2021
109. Sara Frischer, resident; written testimony dated July 30, 2021
110. Ashley Gagany, Coordinator for Project Green Reach, Brooklyn Botanic Garden; oral testimony at the public hearing on July 29, 2021
111. Louis Galdieri, resident; written testimony dated August 2, 2021
112. Sarah Gallagher, Upper Green Side; written testimony dated July 30, 2021
113. Federico Gallo, resident; written testimony dated July 30, 2021
114. Margo Galpin, resident; written testimony dated July 30, 2021
115. Ronen Gamil, resident; written testimony dated August 6, 2021
116. Adam Ganser, Executive Director, New Yorkers for Parks, written testimony dated August 9, 2021
117. Patrice Gaujean, resident; written testimony dated July 31, 2021
118. Karen Gibbons, resident; written testimony dated July 28, 2021
119. Ann Gillespie, resident; oral testimony at the public hearing on July 29, 2021
120. Esteban Giron, Member, Crown Heights Tenant Union; oral testimony at the public hearing on July 29, 2021
121. David Goddy, resident; written testimony dated July 31, 2021
122. Davod Goldman, resident; written testimony dated July 31, 2021
123. Elizabeth Goldstein, President, The Municipal Art Society of New York; oral testimony at the public hearing on July 29, 2021 and written testimony dated August 6, 2021 and August 9, 2021
124. Christopher Gollmar, resident; oral testimony at the public hearing on July 29, 2021
125. Aaron Gordon, resident; written testimony, July 30, 2021
126. Maor Gordon-Guterman, resident; written testimony dated July 27, 2021
127. Anita Goss, resident; written testimony dated August 1, 2021

128. Janet Gottlieb, resident; written testimony dated July 30, 2021
129. Alyssa Graham, resident; written testimony dated July 29, 2021
130. Julie Gray, resident; written testimony dated July 30, 2021
131. April Greene, resident; written testimony dated July 28, 2021
132. Edward Greenfield, resident; written testimony dated July 30, 2021
133. Emily Greenspan, resident; written testimony dated July 26, 2021
134. Elizabeth Griffith, resident; written testimony dated July 30, 2021
135. Kristen Griggs, resident; written testimony dated August 8, 2021
136. Alex Griswold, representing himself and his family; written testimony dated July 25, 2021
137. David Gross, resident; written testimony dated July 22, 2021
138. Daniel Guralnick, resident; written testimony dated July 25, 2021
139. Margaret Haight, resident; written testimony dated August 4, 2021
140. Melinda Hanson, resident; written testimony dated July 30, 2021
141. Brianna Harden, business owner; written testimony dated July 26, 2021
142. Timarie Harrigan, resident; written testimony dated July 28, 2021
143. Emily Harting, resident; written testimony dated July 22, 2021
144. Mary Heintjes, resident; written testimony dated July 31, 2021
145. Deborah Herdan, resident; written testimony dated July 28, 2021
146. Susan Heron, resident; written testimony dated August 4, 2021
147. Mary Heyer, resident; written testimony, July 30, 2021
148. Daniel Hibshoosh, resident; written testimony dated July 30, 2021
149. Laura Holbert, resident; oral testimony at the public hearing on July 29, 2021
150. Allison Hollihan, resident; written testimony dated August 2, 2021
151. Michael Hollingsworth, resident; oral testimony at the public hearing on July 29, 2021
152. Amelia Holstrom, resident; written testimony dated July 30, 2021
153. Chantal House, resident; oral testimony at the public hearing on July 29, 2021
154. Doris Hoyer, resident; written testimony dated July 31, 2021
155. Crystal Hudson, Founder, Greater Prospect Heights Mutual Aid; oral testimony at the public hearing on July 29, 2021
156. Julie Hurd, resident; written testimony dated July 30, 2021
157. Edwin Hurdle, Representative, Fight for Sunlight campaign; written testimony dated July 28, 2021 and oral testimony at the public hearing on July 29, 2021
158. Lauren Hussey, resident; written testimony dated August 3, 2021
159. Tessa Huxley, resident; written testimony dated July 28, 2021
160. Christianna I. Nelson, resident; written testimony dated July 30, 2021
161. Suzanne Igarteburu, resident; written testimony dated July 21, 2021
162. Andy Ituarte, resident; written testimony dated July 31, 2021
163. Ivan Ivanov, resident; written testimony dated August 1, 2021
164. Sarah Jack, resident; written testimony dated July 30, 2021
165. Dash Jacobs, resident; written testimony dated July 30, 2021
166. Elisabeth Jamison, resident; written testimony dated July 22, 2021
167. Paula Jarowski, resident; written testimony dated July 26, 2021
168. Joyce Jed, representing 600 members of the Good Neighbors of Park Slope; written testimony dated July 19, 2021
169. Alyson Jensen, resident; written testimony dated July 30, 2021
170. Rachel K, resident; written testimony dated July 29, 2021
171. Nora Kaiser, resident; written testimony dated July 29, 2021

172. Lisa Kaiser, resident; written testimony dated July 30, 2021
173. Paul Kali, resident; written testimony dated July 30, 2021
174. Rachel Kane, resident; written testimony dated July 30, 2021
175. Jack Kaplan, resident; written testimony dated July 30, 2021
176. Noah Kaplan, resident; written testimony dated August 8, 2021
177. Barbara Kass, resident; written testimony dated July 30, 2021
178. David Kastin, resident; written testimony dated August 5, 2021
179. Ian Kelley, resident; written testimony dated August 3, 2021
180. Linda Kelly, resident; written testimony submitted July 30, 2021
181. A. King, resident; written testimony dated July 30, 2021
182. Virginia Kipps, resident; written testimony dated August 5, 2021
183. Elaine Kirsch, resident; written testimony dated July 30, 2021
184. Eric Kochhar, resident; written testimony dated July 22, 2021
185. Anne Kostick, resident; written testimony dated July 26, 2021
186. Sid Kramer, resident; written testimony dated July 31, 2021
187. Chance Krempasky, resident; written testimony dated July 31, 2021
188. Barbara Kurland, Director of Learning and Partnerships, Brooklyn Botanic Garden; oral testimony at the public hearing on July 29, 2021
189. Susan L., resident; written testimony dated July 22, 2021
190. Brian Lafferty, resident; written testimony dated August 5, 2021
191. Emily Lallo, resident; written testimony dated July 31, 2021
192. Allison Lambert, resident; written testimony dated August 1, 2021
193. Julie Lang, resident; written testimony dated July 30, 2021
194. Ana Lavallee, resident; written testimony dated July 29, 2021
195. Andrew Lawler, resident; written testimony dated July 30, 2021
196. Sarah Lazur, Member, Crown Heights Tenant Union; oral testimony at the public hearing on July 29, 2021
197. Kate Leisch, resident; written testimony dated July 28, 2021
198. Zachary Lennon-Simon, resident; written testimony dated July 22, 2021
199. Erica Lessem, resident; written testimony dated July 24, 2021
200. Barbara Lester, resident; written testimony dated July 30, 2021
201. Carol Levy, resident; written testimony dated July 22, 2021
202. Eric Lewis, resident; written testimony dated July 31, 2021
203. Cindy List, resident; written testimony dated July 30, 2021
204. Ashley Lively, resident; written testimony dated July 30, 2021
205. Emily Lloyd, resident; written testimony dated July 29, 2021
206. Donald Loggins, East 10th Street Block Association; written testimony dated July 30, 2021
207. Susan Longhito, resident; written testimony dated July 29, 2021
208. Elaine Longtemps, resident; written testimony dated July 30, 2021
209. Matthew Lorenzoni, resident; written testimony dated July 30, 2021
210. Amy Louise Pommier, resident; written testimony dated August 2, 2021
211. Trudy Lowenbraun, resident; written testimony dated July 22, 2021
212. Catherine Lukaszewski, resident; written testimony dated August 4, 2021
213. Rev. Lynne A. Grifo, resident; written testimony dated July 24, 2021
214. Christina Macchiarola, resident; written testimony dated August 2, 2021
215. Dana MacGrath, resident; written testimony dated July 29, 2021
216. Paul Maguire, resident; written testimony dated July 22, 2021

217. Jaime Marvin, resident; written testimony dated August 5, 2021
218. Susan Mayham, resident; written testimony dated July 22, 2021
219. Meg Mazzeo, resident; written testimony dated July 30, 2021
220. Keltha McAulay, resident; written testimony dated August 1, 2021
221. Elizabeth McClure, resident; written testimony dated July 31, 2021
222. Jasmine Melzer, Board Member and Secretary, Good Neighbors of Park Slope; written testimony dated July 21, 2021
223. Jennifer Metz, resident; written testimony dated August 4, 2021
224. Cara Metz, resident; written testimony dated August 5, 2021
225. Tasha Milkman, resident; written testimony dated July 29, 2021
226. Julia Miller, resident; written testimony dated August 4, 2021
227. Melanie Monios, resident; written testimony dated July 30, 2021
228. Mirana Moore, resident; written testimony dated July 30, 2021
229. Leah Moore, resident; written testimony dated August 1, 2021
230. Melissa Morrone, resident; written testimony dated July 31, 2021
231. Ruth Moskell, resident; written testimony dated July 30, 2021
232. Cristina Munoz, resident; written testimony dated July 30, 2021
233. Katie Murphy, resident; written testimony dated July 21, 2021
234. Yumi Narita, resident; written testimony dated July 30, 2021
235. Anne Neal Petri, President and CEO, National Association for Olmsted Parks; written testimony dated July 27, 2021
236. Harold Neimark, resident, written testimony dated August 4, 2021
237. Peggy Nelling, resident; written testimony dated July 21, 2021
238. Stevin Nemeth, resident; written testimony dated August 4, 2021
239. Geri Ness, resident; written testimony dated August 5, 2021
240. Helen Neswald, resident; written testimony dated August 4, 2021
241. Priscilla Newbury, resident; written testimony dated July 27, 2021
242. Janine Nichols, Secretary, Sullivan Ludlum Stoddard Neighborhood Association; oral testimony at the public hearing on July 29, 2021 and written testimony dated July 29, 2021
243. Peter Nickman, resident; written testimony dated July 30, 2021
244. Peter Nicolson, resident; written testimony dated July 31, 2021
245. Patricia Nolan, resident; written testimony dated July 25, 2021
246. Melanie Nowlin, resident; written testimony dated August 7, 2021
247. Maureen O'Brien, Community Manager, Brooklyn Botanic Garden; written testimony dated July 27, 2021 and oral testimony at the public hearing on July 29, 2021
248. Adrienne O'Hanlon, resident; written testimony dated July 28, 2021
249. William Olmsted Antizzu III, resident; oral testimony at the public hearing on July 29, 2021
250. Jon Oshima, resident; written testimony dated July 28, 2021
251. Linda Ostreicher, resident; written testimony dated July 28, 2021
252. Karen Ostrowski, resident; written testimony dated July 31, 2021
253. Elizabeth Otte, Partnership Manager, Brooklyn Botanic Garden; oral testimony at the public hearing on July 29, 2021
254. Michael Pacheco, resident; written testimony dated July 28, 2021
255. Brenda Pagan, resident; written testimony dated July 22, 2021
256. Stephen Palmer, resident; written testimony dated July 31, 2021
257. Sabrina Paterson, resident; written testimony dated August 8, 2021
258. Michelle Paterson, resident; written testimony dated August 8, 2021

259. Katherine Patton, resident; written testimony dated July 25, 2021
260. Leonard Paul, Foreman Steinhardt Conservatory and Nursey, Brooklyn Botanic Garden; oral testimony at the public hearing on July 29, 2021
261. Heather Paul, resident; written testimony dated July 28, 2021
262. Mary Paul, resident; written testimony dated July 28, 2021
263. Elizabeth Peterson, resident; written testimony dated July 22, 2021 and oral testimony at the public hearing on July 29, 2021
264. Pamela Pettyjohn, Coney Island Beautification Project; oral testimony at the public hearing on July 29, 2021
265. Josie Phelps, resident; written testimony dated July 28, 2021
266. Andrew Phillips, resident; written testimony dated July 29, 2021
267. Guy Picciotto, resident; written testimony dated July 30, 2021
268. Agnes Pletnia, resident; written testimony dated July 22, 2021
269. Fanette Pollack, resident; written testimony dated July 22, 2021
270. Alice Pope, resident; written testimony dated July 29, 2021
271. Caroline Prugh, resident; written testimony dated August 2, 2021
272. Janice Pullicino, resident; written testimony dated July 30, 2021
273. Gina Quinzani, resident; written testimony dated July 22, 2021 and oral testimony at the public hearing on July 29, 2021
274. Dennis R McAvena, resident; written testimony dated August 4, 2021
275. Alan Raderman, resident; written testimony dated August 5, 2021
276. Maria Ramos, resident; written testimony dated July 26, 2021
277. Haley Ray, resident; written testimony dated July 31, 2021
278. Lucy Redmond, resident; written testimony dated July 31, 2021
279. Donald Reed, resident; oral testimony at the public hearing on July 29, 2021
280. Sandy Reiburn, President, Preserve Our Brooklyn Neighborhoods; written testimony dated July 25, 2021
281. Emily Relva-Alifano, resident; written testimony dated July 31, 2021
282. Carol Reneau, Co-President, 300 East 25th Street Block Association; oral testimony at the public hearing on July 29, 2021
283. Rachel Rennie, resident; written testimony dated July 30, 2021
284. Sandye Renz, resident; written testimony dated July 28, 2021
285. Craig Rimby, resident; written testimony dated July 26, 2021
286. Felice Robertson, "District Council member/Chair and Delegate"; written testimony dated July 29, 2021
287. Elizabeth Rodney, resident; written testimony dated July 30, 2021
288. Lisa Rosado, resident; written testimony dated July 30, 2021
289. Mignon Rosales, resident; written testimony dated July 29, 2021
290. Victoria Rosenblatt, resident; written testimony dated July 22, 2021
291. Holly Rothkopf, resident; written testimony dated August 1, 2021
292. Gail Rothschild, resident; written testimony dated July 29, 2021
293. Alice Rubin, resident; written testimony dated July 28, 2021
294. Rochelle Rubin, resident; written testimony dated July 30, 2021
295. Marc Rudolph, resident; written testimony dated August 5, 2021
296. Katherine Rusanovskaya, resident; written testimony dated July 28, 2021
297. Ben Sacks, resident; written testimony dated July 30, 2021
298. Lisa Safier, resident; written testimony dated July 29, 2021

299. Isabel Sanchez, resident; written testimony dated July 31, 2021
300. Heather Sanderson; written testimony dated July 28, 2021
301. Carol Sanjour, resident; written testimony dated July 31, 2021
302. Kristin Scarola, resident; written testimony dated July 30, 2021
303. Ann Schaetzel, resident; written testimony dated July 30, 2021
304. Karen Scheetz, resident; written testimony dated July 28, 2021
305. Paul Schickler, resident; written testimony dated July 30, 2021
306. Rebecca Schlossberg, resident; written testimony dated August 8, 2021
307. Kathryn Schneider, resident; oral testimony at the public hearing on July 29, 2021
308. Anne Schotter, resident; written testimony dated July 22, 2021
309. Samantha Schreiber, resident; written testimony dated August 6, 2021
310. Stephen Sheffer, resident; written testimony dated July 30, 2021
311. Jenna Sherman, resident; written testimony dated July 30, 2021
312. Elena Skolnick, resident; written testimony dated July 30, 2021
313. Valria Small, resident; written testimony dated July 22, 2021
314. Gayle Solomon, resident; written testimony dated July 30, 2021
315. Jonathan Spear, resident; written testimony dated July 22, 2021
316. Cynthia Spencer, resident; written testimony dated July 30, 2021
317. Megan Staffel, resident; written testimony dated August 3, 2021
318. Phyllis Starkman, resident; written testimony dated July 23, 2021
319. Diane Steinberg, Chair Brooklyn Botanic Garden Board of Trustees; oral testimony at the public hearing on July 29, 2021
320. Carter Strickland, New York State Director, The Trust for Public Land; written testimony, July 29, 2021
321. Bradford Swanson, resident; written testimony dated July 30, 2021
322. Zachary Thacher, resident; written testimony dated July 30, 2021
323. Christopher Thomas, resident; written testimony dated August 4, 2021
324. Julia Thomas, resident; written testimony dated August 4, 2021
325. Charlotte Thorp, resident; written testimony dated July 30, 2021
326. Jennifer Thorpe-Moscon, resident; written testimony dated July 25, 2021
327. Pauline Toole; resident; written testimony dated July 29, 2021
328. Ramon Torres, Service Employees International Union, Local 32BJ; oral testimony at the public hearing on July 29, 2021
329. Donna Tracey, resident; written testimony dated July 29, 2021
330. Uriel Trepman, resident; written testimony dated July 30, 2021
331. Heather Troup, resident; written testimony dated July 31, 2021
332. Nina Troy, resident; written testimony dated July 24, 2021
333. Maeve Turner, representing up to 30 union jobs for Horticulture Shop of DC37 Local 374; written testimony dated July 21, 2021
334. Jennifer Turner, resident; written testimony dated July 28, 2021
335. Sonia Valentin, representing Benson Ave. Block Association; written testimony dated July 31, 2021
336. Irene Van Slyke, Sierra Club; oral testimony at the public hearing on July 29, 2021
337. Joseph van der Naald, resident; written testimony, July 27, 2021
338. Dayle Vander Sande, resident, written testimony dated August 3, 2021
339. Mark Vargo, resident; written testimony dated August 2, 2021
340. Aryan Vavila, resident; written testimony dated August 6, 2021
341. Laura Vert, resident; written testimony dated July 22, 2021

- 342. David Vining, resident; written testimony dated July 31, 2021
- 343. Adriana Vink, resident; written testimony dated August 6, 2021
- 344. Aloise Visosky, resident; written testimony dated August 8, 2021
- 345. Koren Volk, resident; written testimony dated July 31, 2021
- 346. Isabel Wacker, President, Brooklyn Botanic Garden Auxiliary; written testimony dated July 28, 2021
- 347. Amanda Walker, resident; written testimony dated August 1, 2021
- 348. Deanne Walters, resident; written testimony dated July 24, 2021
- 349. Zhifong Wang, resident, written testimony dated August 3, 2021
- 350. Tabitha Wasserman, resident; written testimony dated August 5, 2021
- 351. Christine Watler, resident; written testimony dated August 4, 2021
- 352. Terry West, resident; written testimony dated July 22, 2021
- 353. Robert Whiteford, Trustee, Brooklyn Botanic Garden; written testimony dated July 28, 2021
- 354. Lynn Wirth, resident; written testimony dated July 31, 2021
- 355. Andrea Wolper, resident; written testimony dated August 2, 2021
- 356. Anthony Wood, resident; written testimony dated July 29, 2021
- 357. Dale Worsley, resident; written testimony dated August 4, 2021
- 358. Julianne Zaleta, 6/15 Green Community Garden; written testimony dated July 31, 2021

Note: Several commenters identified themselves as Brooklyn Botanic Garden members though not as official representatives (see Appendix 6 for the individual testimonies)

C. COMMENTS AND RESPONSES ON THE DRAFT EIS

1. Project Description

Comment 1.1:

There are many, many other places to build "affordable housing" and this project needs to be limited in scope. (Ness, Crosby-Carroll, Vargo, Jacobson, Spear, Hollihan, Galpin, Barron, Schickler, Gray, Nolan, Fitzsimons, Seaton, Gallagher, Kaplan, M. Ciporen)

Response 1.1: *Comment noted. Refer to Chapter 22, "Alternatives".*

Comment 1.2: It is only a matter of years before these affordable housing apartments revert to market rate. (Neimark)

Response 1.2: *Comment noted. As a result of the Proposed Actions, approximately 474 dwelling units (DUs) would be mandated as permanently affordable through the Mandatory Inclusionary Housing (MIH) program. In addition, the Applicant has committed to provide an additional 316 affordable DUs as part of the Proposed Development*

Comment 1.3: The zoning laws around the garden were designed explicitly to protect this valuable Brooklyn asset. If 960 Franklin Avenue were given a variance, it could set a precedent for more tall and massive buildings to be built in the area surrounding the garden. This would endanger valuable portions of the garden, and ultimately could create a situation where the entire garden could be in shadow. (Crosby-Carroll)

Response 1.3: *Comment noted. As discussed in Chapter 6, "Shadows," the Proposed Actions would result in significant adverse shadows impacts to the Brooklyn Botanic Garden. Incremental shadow would be cast by the Proposed Development on portions of the Brooklyn Botanic Garden during the morning hours.*

Comment 1.4: This is simply the wrong project for this site. (Bland)

Response 1.4: *Comment noted. Refer to Chapter 22, "Alternatives".*

Comment 1.5: Speaking in regard to this project's lack of community benefits, this project offers a measly community benefit, which would be a narrow walkway between the two towers. It would be open to the public between 6am and 11pm. It will be maintained by the property owner, according to the draft restricted declaration. Once the property is converted into private property - that is, a Co-op or condo - the Community benefit would be rescinded forever. (Bryant)

Response 1.5: *As described in Chapter 1, "Project Description" of the EIS, the Proposed Development would incorporate approximately 10,790 sf (0.25 acres) of publicly accessible open space on-site. As part of the Proposed Actions, the proposed open space would be subject to a Public Access Agreement (PAA), ensuring the open space would remain open to the public.*

Comment 1.6: Another benefit is supposed to be contained within the draft restricted declaration, which governs the large-scale general development project, is the affordable housing units. In reality, we don't know this for a fact because we've never actually seen the restricted declaration. (Bryant, Nichols)

Response 1.6: *Comment noted. The Restrictive Declaration would be apply to the Large Scale General Development (LGSD) Special Permit, mitigation measures, the Public Access Agreement, and any affordable housing beyond the requirements of the MIH program. The Applicant has stated they intend to provide approximately 315 DUs of affordable housing beyond the required 474 affordable units being provided under the MIH program. The 474 affordable units required under the MIH program would be subject to separate requirements and regulations.*

Comment 1.7: Continuum [company affiliated with the applicant] is seeking a large scale general development designation, which means a manufacturing and industrial designation that conveniently carries no height limits, few parking requirements

or pesky building residential requirements regarding sufficient light and air for people in sensitive ecosystems, for instance, the botanic gardens. This has been, thus far, been reserved for shopping centers and light manufacturing, most recently the Nassau Brewery West on Bergen Street. (Nichols, Ellis)

Response 1.7: *The requested Large Scale General Development (LSGD) Special Permit would create a building envelope in which the Proposed Development could be constructed within, a maximum amount of floor area, and a required number of parking spaces. As part of the requested actions, the number of required parking spaces would be decreased by 314 spaces. The Proposed Development would provide 128 off-street accessory spaces. The LSGD Special Permit would be enforced by the Restrictive Declaration. The existing spice warehouse buildings at the Proposed Development Site are legally nonconforming and predate the current zoning, which does not permit new manufacturing or industrial uses. The proposed zoning would also not permit new manufacturing or industrial uses.*

Comment 1.8: We don't have to choose between creating affordable housing and losing our community's sunlight and the Botanic Garden. That is a false choice which is prompted by greed. We can insist that developers set aside a higher percentage of truly affordable housing units for each development. They will still be profitable. (Browne)

Response 1.8: *Comment noted.*

Comment 1.10: Not only to developers want an exception to the zoning they seem to want an exception to the rezoning process in trying to ram through these modifications at the last moment. (Ballance)

Response 1.10: *Comment noted.*

Comment 1.11: No FRESH food store is planned yet the site is located in a designated FRESH area. (Grifo)

Response 1.11: *Comment noted. The Applicant intends to provide approximately 21,183 gsf of local retail space. The FRESH program is voluntary-based and designed to incentivize grocery stores with fresh produce. The exact type of retail space at the Proposed Development has not been finalized.*

Comment 1.12: This [proposed Large Scale General Development] approval will then set precedent of allowing developers all over the city, not only to break the residential designations and put commercial manufacturing buildings within the heart of residential communities, making zoning by designation irrelevant, and at the same time, put at risk residential residents who are protected by state laws when it comes to living conditions in New York City. (Ellis)

Response 1.12: *The requested Large Scale General Development (LSGD) Special Permit would waive specific bulk requirements relating to the Proposed Development and would not allow any uses not permitted by the underlying zoning regulations. The Proposed Development is a primarily residential mixed-used building containing 1,578 DUs, 21,183 gsf of local retail space, and 9,678 gsf of community facility space. The Proposed Development would comply with all zoning and Department of Buildings Building Code requirements other than those specifically waived by the requested actions. The proposed R9D and R9D/C2-4 zoning district is a residential district with a commercial overlay, which would permit residential and local commercial retail or service-based uses.*

Comment 1.13: There is nothing that prevents them from building affordable or middle class housing built and staffed by Union Labor as they, you know, so appropriately would like to do, at the as of right size. (Peterson)

Response 1.13: *Comment noted. Absent the Proposed Actions, the Applicant would construct a 7-story residential building containing 518 market-rate DUs. Refer to Section F. 'Analysis Framework' in Chapter 1, "Project Description," of the EIS.*

2. Land Use, Zoning, and Public Policy

Comment 2.1: Keep the current limited heights zoning laws in place. (Crosby-Carroll, Steinberg, Benepe, Antizzu, Bloomberg, Reed, O'Brien, Neimark, Staffel, Fleisher, Charles, Belulovich, Rothkopf, Morrone, Black, Kostick, Reiburn, Nolan, Bernstein, Earle, Grifo, Gross, Pagan, Harting, Ciporen, List, Huxley, Sanderson, Buchwald, Greenfield, Thorp, Feldman, Gottlieb, Fletcher, Lang, Carroll, Melzer, Braun, Loggins, Lloyd, Pope, Charlton, Batiste, Ellis, Lazur, Kaplan, Evans, Ganser, Strickland, Donoghue)

Response 2.1: *Comment noted.*

Comment 2.2: Developers must abide by current zoning. (Desai)

Response 2.2: *Comment noted. As part of the Proposed Actions, the Applicant is requesting a zoning map amendment to rezone the Development Site from R6A to R9D and R9D/C2-4 (within 100 feet of Franklin Avenue), a zoning text amendment to designate the Project Area as a Mandatory Inclusionary Housing (MIH) area, a Large Scale General Development (LSGD) special permit, and a special permit to reduce parking spaces to facilitate affordable housing.*

Comment 2.3: I oppose adding 960 Franklin Avenue to the area because it will not be a victory for Brooklyn. Adding affordable housing units to the area, units whose affordability is questioned, would result in a pyrrhic victory, as buildings such as

960 Franklin can be found all over Brooklyn, yet there is only one unique Brooklyn Botanic Garden. Prudent and promising public policy will preserve the garden, as such a sacred space is necessary to Brooklyn well-being. (Rosales)

Response 2.3: **Comment noted.**

Comment 2.4: The "affordable housing" promised uses AMI statistics that have nothing to do with median incomes in this neighborhood, and will not be affordable for this community. They are asking for a rezoning code that is typical of developments facing elevated rails and a height that is nearly 7 times current building limits (and even with that, they are asking for additional exceptions). This is an outrageous overreach and would represent a terrible and terrifying precedent for the future of this neighborhood. Prospect Heights and Crown Heights have seen an enormous amount of new developments in the last several years, by some reports 3,000 - 4,000 units, many of which remain empty and unrented. There is no need or demand for 1000+ additional units. Moreover, there has been no discussion of how this development will impact quality of life. Already we are inundated with rats that were turned over by new construction. Already we are overwhelmed with trash. Already one of our main grocery stores (Associated at 975 Nostrand) is under threat of development, leaving us with corner bodegas and overpriced boutique markets. Landscaped green space next to a parking garage is a joke, and does not compensate for what will be permanently lost. Zoning restrictions were put in place in the 1990s by Mayor Dinkins with the explicit intent of creating height restrictions and protecting the Brooklyn Botanic Garden. Please STOP greedy and reckless developers from disrupting our neighborhood and recklessly destroying a beloved Brooklyn institution. (Dudek)

Response 2.4: **Comment noted. Refer to the indirect residential displacement analysis located in Chapter 3, "Socioeconomic Conditions," of the EIS. Refer to Chapter 5, "Open Space," Chapter 12, "Solid Waste and Sanitation Services," Chapter 19, "Neighborhood Character," and Chapter 20, "Construction".**

Comment 2.5: The justification for R9D zoning on the site is flawed to begin with. According to the Department of City Planning, R9D districts are created specifically to accommodate towers facing elevated rail lines along the street. Yet this is not the case for the 960 Franklin Avenue site. Rather, the site abuts the Franklin Avenue Shuttle rail line which is landlocked in the middle of the block and recessed below grade. (Devaney)

Response 2.5: **Comment noted. As discussed in Chapter 2, "Land Use, Zoning, and Public Policy," of the EIS, it is the Applicant's belief that the proposed R9D /C2-4 zoning district would allow for the development of a wider range of uses at higher densities and would create opportunities for a more vibrant, mixed-use community, while maximizing space for affordable housing units to a degree that exceeds the City's maximum MIH requirement of 30 percent. The Applicant believes that the Development Site is particularly well suited to increased height and density, as it is well served by public transportation and bound by two**

streets and an open-air right of way, in an area with existing context for taller buildings.

Comment 2.6: We are unconvinced of the rationale [for the Large-Scale General Development Special Permit]. Despite our requests for further clarification, the DEIS fails to sufficiently demonstrate how the waivers would improve site planning and urban design. Nor is it clear how adding bulk and eliminating setbacks on the top floors would result in more slender tower design. Instead, we believe the Special Permit and zoning waivers are part of a deliberate strategy to facilitate taller towers with larger and more valuable upper floor area than would otherwise be allowed. (Devaney)

Response 2.6: Refer to Section D, 'Purpose and Need for the Proposed Actions' in Chapter 1, "Project Description," of the EIS as well as the Statement of Findings in the Land Use Application. Without the waiver, a standard R9D building development would result in a bulkier massing with an imposing street wall that would have greater lot coverage and provide less distribution of light and air throughout the Development Site.

3. Socioeconomic Conditions

Comment 3.1: The so-called affordable units in this building our targeted to accommodate families with an income as high as \$122,880 per year in a neighborhood where the actual median income is closer to 70,000. Any suggestion by this developer that this project would address the city's affordability crisis is as ludicrous as it is cynical. (Goldstein, Rudolph, Hussey, Bloomberg, Reneau, Harden, Brooks, Schotter, Lazur, Devaney)

Response 3.1: Comment noted. As shown in Table 1-1 of Chapter 1, "Project Description," the Proposed Development would include 316 DUs of permanently affordable housing for households earning an average of 50% AMI (approximately \$53,700 for a household of 3) and 158 DUs of permanently affordable housing for households earning an average of 80% AMI (approximately \$85,920 for a household of 3) in accordance with the City's MIH program. The Applicant intends to provide an additional 315 DUs of affordable housing for households earning between 100 and 120% AMI (approximately \$107,400 and \$128,880 for a household of 3).

Comment 3.2: They want to build the largest luxury complex in Brooklyn in Crown Heights ... and continue the awful tradition of displacing black people. (Hollingsworth, Hudson)

Response 3.2: Comment noted. An assessment of racial impact is outside the scope of CEQR.

Comment 3.3: Harming the gardens conservatory complex will do a serious blow to the garden staff, 92 of whom are members of local DC37, the city's large municipal Labor

Union. These are full-time, year-round jobs, not contract project based work. (Reed)

Response 3.3: **Comment noted.**

Comment 3.4: The [project] would be completely unaffordable to me and most of my neighbors, and further the cycle of displacement. District 35 already hosts a glut of luxury housing. What we need is housing that poor, working, middle-class people, and retirees can afford. (Patton)

Response 3.4: **Comment noted. Refer to Response 3.1**

Comment: 3.5: Most of the proposed “affordable units” aren’t actually affordable for the area. If the developer really wanted to provide affordable units for the area they would drastically decrease the AMI qualification criteria and decrease rent prices on the units. (Kochhar, Frischer, Feldman, Doyle, Hudson, Ellis, Gamil)

Response 3.5: **Comment noted. Refer to Response 3.1**

Comment 3.6: Invading and anomalous towers, which will be the result if the ULURP is ratified, are hyped as justified on the basis of so-called ‘affordable housing’. As long as the reliance on de facto bait and switch Federal criteria AMI ‘tiers’, which have incurred so much neighborhood hostage taking and displacement (substantive data now shows), the raison d’etre of handing over livable and human-scale blocks for predatory greed, is as phony as a wooden nickel...The alleged moral imperative of ‘affordable housing’ is, like so many predatory rezoned projects, which the DCP has discouragingly ‘blessed’ – nothing less than bait and switch. This up-zoning attempt is a farce. This is NOT about affordable housing...! It can never be accepted as a ‘public good’ while destroying the Brooklyn Botanic Garden. (Reiburn, Kostick, Hurd)

Response 3.6: **Comment noted.**

Comment 3.7: I respectfully ask CPC to scrutinize the project EIS’s flatly contradictory statements: first, that the “Proposed Actions...have the potential to bring in a higher income population...” This understatement is clearly a fact. Second, the DEIS also says that the rezoning “...is expected to help preserve affordable housing in the area...” This is wishful thinking given the massive scale! The Developer has failed to show that 960 will not exacerbate gentrification and significantly adverse impact land use. (Grifo, Hudson, Gollmar, Batiste, Gamil)

Response 3.7: **Comment noted. The Chapter 3, “Socioeconomic Conditions,” of the EIS concluded that the Proposed Actions would not result in significant adverse impacts to indirect residential displacement, based on guidance of the CEQR Technical Manual. The socioeconomic study area has experienced a readily observable trend toward increasing rents and new-market rate development.**

The Proposed Actions would not exacerbate this trend, and would include permanently affordable housing.

Comment 3.8: The affordable housing is not actually affordable; union support is for temporary jobs, while the damage will be everlasting. (Melzer)

Response 3.8: Comment noted. Refer to Response 3.1.

Comment 3.9: As every member of CB 9's Board who spoke at CB 9's public hearing about this application emphasized; the Developer's claim that the project will provide additional affordable housing is not true! Members of CB 9 unanimously voted against the proposed rezoning. And two parts of the Board's final recommendation stated that: "... the large influx of market rate housing in the district has the potential to create upward pressure on current housing stock rental pricing, [and] ... the affordable housing options proposed by the developer are insufficient given a significant portion of the community district falls below the proposed income bands." (Ciporen)

Response 3.9: Comment noted.

Comment 3.10: Yes, affordable housing is essential. But we can have both, and any attempts to pit these two public goods against one another is cynical and false. Let's protect our garden, and let's also work together to find the right places for truly affordable housing. It is arrogant, selfish, and short-sighted for the people of today to destroy something that our forebears created with the intention of serving future generations. (Pope)

Response 3.10: Comment noted.

Comment 3.11: This side of eastern parkway is much less gentrified than the northern side, and I think it's important to slow the spread. I cant imagine what 1000+ new neighbors will do here. ... We don't understand why any building projects have to be of this magnitude especially when it's grossly out of proportion with everything else here. The proposed affordable housing is an absolute joke and feels out of proportion with the gross median income projections I've seen for the neighborhood. (Moskell)

Response 3.11: Comment noted.

Comment 3.12: Living in an affordable housing HDFC, the addition of many new market rate units creates a local economy that is not affordable for low income residents here. Essential services such as local laundromats, grocery stores, affordable restaurants/delis, and pharmacies have been going out of business over the last 5 years. (Caldaro)

Response 3.12: Comment noted.

Comment 3.13: This [damage that the commenter asserts would be caused by action-generated shadows] could result in a loss of millions of dollars in economic activity a year, much of which supports the small businesses around the garden like restaurants and retail stores. (Hudson)

Response 3.13: *Comment noted.*

Comment 3.14: This project could have dire impact on our community, ... [including] the closure of black and brown owned small businesses that new residents decide against patronizing. (Hudson)

Response 3.14: *Comment noted.*

Comment 3.15: It [the Proposed Action] will exacerbate the corrosive inequalities that are such a striking fact in present day New York City. (Holbert)

Response 3.15: *Comment noted.*

4. Community Facilities and Services

Comment 4.1: The neighbourhood is already over populated and the infrastructure has no capacity for thousands of new residents. It needs ... new schools. (Ivannov, Hudson, Gillespie, Lazur)

Response 4.1: *Comment noted. As discussed in Chapter 4, "Community Facilities & Services," the Proposed Actions would result in significant adverse impacts to publicly funded child care. The Proposed Actions would not have any significant adverse impacts on public schools, libraries, police and fire protection services, or health care facilities.*

Comment 4.2: The [project] will forever despoil western Crown Heights by straining public services. (Black)

Response 4.2: *Comment noted. Refer to Response 4.1.*

5. Open Space

Comment 5.1: If it [Brooklyn Botanic Garden] was lost or diminished in any way it would make Brooklyn a much less habitable place. (Ness)

Response: 5.1: *Comment noted.*

Comment 5.2: The neighbourhood is already over populated and the infrastructure has no capacity for thousands of new residents. It needs ... playgrounds. (Ivannov)

- Response 5.2:** *Comment noted. The FEIS contains an analysis of indirect effects on open space as a result of the new population introduced to the area through the Proposed Development in Chapter 5, "Open Space". As a result of the Proposed Actions, the open space study area would continue to exhibit an open space ratio greater than the CEQR Technical Manual Open Space Guidelines. Therefore, no significant adverse indirect open space impacts would occur as a result of the Proposed Actions.*
- Comment 5.3: See comment 9.2
- Response 5.3:** *See response 9.2*
- Comment 5.4: The irony of this destruction [of Jackie Robinson Playground due to shadows as the commenter asserts would occur in comment 6.4 below] is the developer plans on putting another 5,000 people into the community, who would only have this playground to go to. (Bryant)
- Response 5.4:** *Comment noted. The Proposed Development is expected to introduce 2,777 new residents to the area compared to the as-of-right (No-Action) scenario. As shown in Table 5-2 of Chapter 5, "Open Space," the open space study area includes nine publicly accessible open spaces that provide approximately 204.28 acres of open space for area residents. Additionally, the Proposed Development would add 10,790 (0.25-acres) of publicly accessible open space for residents of the surrounding area.*
- Comment 5.5: The development [will] have a profound negative impact on the Brooklyn Botanic Garden, surrounding neighborhood, and the entire borough. We depend on the [Brooklyn Botanic Garden] as a place of respite and beauty. The development will diminish greatly all these wonderful characteristics of the Garden. (Greenspan, Kaiser, Milkman, Toole, Lallo)
- Response 5.5:** *Comment noted. The shadows analysis in Chapter 6 of the EIS concludes that the Proposed Development would result in significant adverse impacts to the Brooklyn Botanic Garden and Jackie Robinson Playground.*
- Comment 5.6: Any diminishment of the Brooklyn Botanic Garden would be a great loss to many communities, including those who have limitations in their mobility and their family and friends who often accompany them to the Garden. (Blank)
- Response 5.6:** *Comment noted.*
- Comment 5.7: It would be an unnecessary intrusion to a public space of very needed space for quiet, fresh air and community opportunities for being in nature. (Starkman, Lessem, Nelling, Vining, Holstrom, Jack, Crooks, Phillips, Rachel K, Valentin)
- Response 5.7:** *Comment noted.*

Comment 5.8: The stress to all Brooklynites: human, plant, and wildlife in these new times of climate change have not been seen as an important consequence of this huge development project. Many of us have no private green space and those who willingly decimate our existing ones are short sighted and ignorant. Here in Brooklyn we share our crowded neighborhoods and need some open and green space so we can nurture our humanity and be in nature. Destroying the quality of life that has been nurtured in the face of relentless overdevelopment is plain cruel. Most of us don't have roof gardens and private gardens. We need the botanic garden to be here for all the future school kids, neighborhood folks, future scientists and nature lovers. (Quinzani, Harrigan, Paul, Dutkiewicz, Charton)

Response 5.8: *Comment noted.*

Comment 5.9: Although I live in southwest Brooklyn, I realize the importance of greenspace throughout the city. The Brooklyn Botanic Garden is not just a city treasure but a NATIONAL treasure. The City Council purports to be an advocate of "green" and a fighter of climate change. Please live up to your principles and reject this zoning proposal. We need the BBG to continue its work on behalf of Brooklyn, the City and the World. (Longhito)

Response 5.9: *Comment noted.*

Comment 5.10: The community knows that private ULURP applications bring zero infrastructure improvements to help the neighborhood deal with the increased population ... no extra green space. (Lazur)

Response 5.10: *The Proposed Development would incorporate approximately 10,790 sf (0.25 acres) of publicly accessible open space on-site.*

6. Shadows

Comment 6.1: [The Proposed Actions] would have devastating effects on BBG and nearby open spaces, including Jackie Robinson Playground and Medgar Evers College. (Krempansky, Steinberg, Hurble, Benepe, Goldstein, Paul, Betts, Friedman, Hollingsworth, Antizzu, Kurland, Blaik, Gagany, Bloomberg, Otte, Bland, Reneau, Reed, O'Brien, Vink, Marvin, C. Metz, Raderman, Nemeth, Miller, McAvena, Worsley, Bracciante, Barshay, Wang, Staffel, Fleisher, Kelley, Hollihan, English, Clair, Prommier, Wolper, Lambert, Walker, Rothkopf, Goss, Corey, Moore, McAulay, Brandt, Dellinger, Hoyer, Ituarte, Volk, Relva-Alifano, Kramer, Palmer, McClure, Morrone, Goldman, Krempansky, Redmond, Annis, Heintjes, Zaleta, Newbury, Black, Jarowski, Rimby, Harden, Thorpe Moscon, Griswold, Reiburn, Patton, Beranbaum, Freytes, Walters, Guralnick, Brooks, Berinstein, Grifo, Lessem, Starkman, Bernstein, Choy, Braswell, Mayham, Gross, Engle, Lennon-Simon, Pletnia, Harting, Peterson, Levy, Fedde, Caltieri, West, Maguire, Vert, Kochhar, Igardeburu, Murphy, Jed, Sacks, Kaplan, Lloyd, Wood, Lavallo,

Rothschild, Browne, Blakeslee, Safier, Graham, MacGrath, Rusanovskaya, Dononghue, Rosales, Flynn, Clowery, Herdan, Scheetz, Ostreicher, Atlas, Charlton, Cardozo, Beckman, Wacker, Huxley, Chang, Dudek, Biederman, Barbieri, Hurdle, Gibbons, Leisch, Turner, O’Hanlon, Rubin, Finnigan, Whiteford, Bogart, Petri, van der Naald, Gordon, Goddy, Fastook, Valentin, Dutkiewicz, Dillon, Buchwald, Gallagher, Swanson, Rosado, Mazzeo, Griffith, Monios, Barber, Schaetzel, Moskell, Collins, Jacobs, Fields, Galpin, Munoz, Kass, Kali, Jensen, Spencer, Lester, Thorp, Fitzsimons, Picciotto, Kirsch, Lawler, Doyle, Narita, Kane, Hurd, Rodney, Schickler, Longtemps, Gray, Lively, Nelson, Gallo, Chasner, Caldaro, Scarola, Rennie, King, Skolnick, Sheffer, Crivellaro, Lang, Hibshoosh, Callahan, Loggins, Seaton, Pullicino, Solomon, Van Slyke, Hudson, Holbert, Ellis, Schreiber, Gamil, Vavila, S. Paterson, Griggs, Ganser, Strickland, Devaney, Borchard) [Other comments with substantively similar concerns regarding the shadow impact that the Proposed Action would have on the Brooklyn Botanical Garden, Jackie Robinson Playground, and Medgar Evers College were provided by others commenters.]

Response 6.1: *Comment noted. The shadows analysis of the Proposed Development would result in significant adverse impacts to the Brooklyn Botanic Garden and Jackie Robinson Playground. As the open space at Medgar Evers College is not publicly accessible, it is not assessed in the shadows analysis of the EIS.*

Comment 6.2: The developers own EIS admits that the shadow impacts of the garden would make displaying some of his collections impossible due to lack of sunlight. The desert collection, for example, according to the developers report, could need to be closed. (Benepe, Dononghue)

Response 6.2: *Comment noted. The Proposed Development would result in significant adverse impacts to the Brooklyn Botanic Garden and Jackie Robinson Playground. The Proposed Development would cast incremental shadow on the March 21/September 21 analysis day for approximately one hour and 32 minutes, on the May 6/August 6 analysis day for three hours and 13 minutes, and the June 21 analysis day for three hours and 15 minutes.*

Comment 6.3: Analysis has shown that around four hours of direct sunlight will be lost from these intensive growing spaces [in the Brooklyn Botanic Garden. (Blaik)

Response 6.3: *Comment noted. Incremental shadow cast by the Proposed Development would occur for up to four hours and 22 minutes on the June 21 analysis day.*

Comment 6.4: The Jackie Robinson playground would have five hours of shadow during the coldest days of the year, completely destroying the plant life that currently exists and putting the playground into shadow. (Bryant, Goldstein)

Response 6.4: *Comment noted. On the December 21 analysis day, incremental shadow cast by the Proposed Development on Jackie Robinson Playground would occur for approximately one hour and 54 minutes. On the June 21 analysis day, incremental shadow from the Proposed Development would occur on Jackie Robinson Playground for approximately four hours and 45 minutes.*

Comment 6.5 The DEIS blatantly places all responsibility upon Brooklyn Botanic Garden to save its plant collections from significant harm due to loss of sunlight. It is ludicrous for the Developer to tell the Garden to move the extensive plant collections and conservatories out of harm's way, or to switch to ineffective artificial light. (Grifo)

Response 6.5: *Comment noted. The DEIS suggested the possibility of moving valuable plant collections as potential mitigation. In addition the Applicant has identified a 34-story massing that would reduce shadow coverage on the Brooklyn Botanic Garden, refer to Chapter 21, "Mitigation".*

Comment 6.6: As has been well documented these towers would cast shadows over the garden that would cause irreparable harm. Not only would the plants that we are working tirelessly to protect, cultivate, and display be threatened, but so many of the invaluable programs that the garden provides for the community would be at risk as well. In addition, casting a shadow over the garden's conservatories puts our full time long term union jobs at risk as well – if the plants aren't able to grow, the need for people to care for them, educate the public about them, or maintain the facilities that house them declines. (Turner)

Response 6.6: *Comment noted.*

7. Historic and Cultural Resources

Comment 7.1: To allow the [project] to be built – just 150 feet from the Garden's most important sites – would be an act of vandalism on a valuable cultural and scientific icon and would be a crime against the families and children of Brooklyn. (Carroll, Grifo)

Response: 7.1: *Comment noted.*

Comment 7.2: It this were to go through, nothing in NYC will be spared - If the BBG is not a landmark, nothing is. (List)

Response 7.2: *Comment noted.*

Comment 7.3: Brooklyn Botanic Garden stands as an internationally significant landscape, one that has advanced horticulture, education and civic engagement for over 100 years Brooklyn Botanic Garden is not just a collection of landscapes, collections and buildings, but rather, a holistic work of art of historic and cultural importance. It is among NYC's most important and renowned civic, cultural and ecologically significant resources. (Freitag)

Response 7.3: *Comment noted.*

Comment 7.4: Our city can choose its future and plan for what it wants: planning for affordability at locations that do not harm the city's historic landscapes of distinction. While Brooklyn Botanic Garden may not officially be designated an historic landmark, it is truly a historic landscape of distinction, having been designated by the Olmsted Brothers and featuring a building on the historic registry by McKim, Mead, and White. An appropriately scaled development proposal must take into consideration the sunlight needs of an historic and distinguished botanic garden and its collections. (Wood)

Response 7.4: *Comment noted.*

8. Urban Design and Visual Resources

Comment 8.1: I believe the building is grossly out of scale with the rest of the neighborhood. Please preserve communities as much as possible. Such a large building will deeply impact the already existing community. (Bradshaw, O'Brien, Rimby, Harden, Torpe-Moscon, Igarteburu, Charton, Cohen, Narita, Hanson, Fletcher, Kaiser, Levy, Lorenzoni, Ganser, Grifo, Strickland, Devaney)

Response: 8.1: *Comment noted.*

Comment 8.2: I have seen a number of large luxury buildings spring up in my neighborhood (Prospect Lefferts Gardens). These buildings are out of character with the neighborhood and stick out like sore thumbs. (Rudolph)

Response: 8.2: *Comment noted.*

Comment 8.3: These 34 story towers are completely unnecessary, the focus should be on making the already existing housing safer and more efficient, not building a giant eyesore that is a visual representation of gentrification and corporate greed. (Troy)

Response: 8.3: *Comment noted.*

Comment 8.4: Once this building goes up, then another and another will follow and the entire area will become exactly like downtown Brooklyn. (Sanderson)

Response: 8.4: *Comment noted.*

Comment 8.5: The proposal is not consistent with the context of the neighborhood and would have permanent negative effects. The current cap on building height should be left in place to preserve the quality of the neighborhood, and to protect the plants

and environment of the BBG, and retain the sunlight for all the open spaces in the area. (Spencer)

Response: 8.5: *Comment noted. The Proposed Development would consist of two mixed-used buildings consisting of two towers on separate contextual bases. The two buildings would be taller but within a similar number of stories to the 33-story Tivoli Towers located nearby. The Proposed Development would not obstruct any significant viewsheds in the area of substantially alter the pedestrian experience in the immediate vicinity of the Project Area as compared to the as-of-right (No-Action) development since both development would have similar streetwall heights.*

Comment 8.6: I am writing this letter to assert the strongest possible opposition to this proposed massive overreach and eyesore that would do nothing for this community other than further gentrify and damage one of the most beautiful landmarks Brooklyn has to offer. ... The sadness I feel thinking that this beautiful institution might be clouded by a gross symbol of inequality is immense. (Trepman)

Response: 8.6: *Comment noted.*

9. Natural Resources

Comment 9.1: The proposed rezoning would detriment the natural spaces that have been tended to and provide relief for animals, insects, and humans alike. Sunlight is an essential part of the life of a garden and flowering spaces. The proposed structure would detriment community members' relationships with the important preserved green space of the Brooklyn Botanic Garden. (Bradshaw, Vert, Murphy, Ciporen, Buchwald, Moskell, Cutolo, Gottlieb, Daley)

Response: 9.1: *Comment noted. The Proposed Actions would result in a significant adverse impact to natural resources as a result of incremental shadows cast on the Brooklyn Botanic Garden. Incremental shadows cast by the Proposed Development would cover portions of the Brooklyn Botanic Garden that are used as propagation spaces, collection growing spaces, education greenhouses, and display houses, during several hours in the morning. Though these resources would continue to receive 4-6 hours of sunlight throughout the year, several of these Greenhouses are used to propagate plants for desert, tropical, and warm temperate climates that require full, year-round sun including sunlight during the important winter months. Therefore, any incremental shading of these greenhouses, specifically during the winter months, would have a significant adverse impact on the plants in these greenhouses.*

Comment 9.2: I am asking you to consider the memo dated December 19, 2019 from David Cuff of The City of New York Department of Parks and Recreation outlining the significant adverse effects on natural resources in the Brooklyn Botanic Garden

resulting from the proposed rezoning. The memo states: "NYC Parks does not agree with the assessment presented in the [preliminary draft] Natural Resource Chapter that concludes there would be no significant adverse impacts to natural resources present in BBG from project-generated shadows. NYC Parks asserts that there would be a significant adverse impact to natural resources as a result of the proposed project; thus, the project would lead to a significant adverse open space impact, as BBG is considered an open space resource." (McClure, Blaik, Grifo)

Response 9.2: *Comment noted. The published EIS concludes that the Proposed Actions would result in significant adverse impacts to natural resources as a result of shadows cast on the Brooklyn Botanic Garden.*

Comment 9.3: The [projects]' glassy walls' glare would confuse and kill migratory birds. (Patton)

Response 9.3: *Comment noted. Local Law 15 of 2020 requires that materials that reduce bird strike fatalities be installed on newly constructed or altered buildings. The Proposed Development would be built in accordance with all applicable regulations.*

Comment 9.4: The collections most vulnerable to loss of sunlight are displayed in the Garden's Conservatory complex. These collections and examples of rare or endangered plants ... BBG's specialist growers predict that the orchid collection, which include rare and protected specimens, would be the first to suffer, stop, flowering, and die out. ... Damage to BBG's desert collection (Cacti, succulents, and wildflowers and includes a number of at risk, International Union for Conservation of Nature (IUCN) Red List-protected species) harms its responsibility to carry on ex-situ plant conservation. ... Rare and endangered species from BBG's tropical collection at risk for loss of sunlight here include many rare cycads protected on the IUCN Red List. ... BBG's Lily Pool Terrace and the surrounding plantings, including perennial plantings within the pools are reliant on winter sunlight to prevent excessive periods of ice formation and seasonal plantings on the Annual Borders [that] have a short window for growth, would lose around 1.5 hours thermally beneficial sunlight in winter mornings. Compared to an as-of-right development that followed the existing zoning regulations, the proposed project would reduce morning daylight by 1 to 2 hours from August to May. (Goldstein, Sanderson)

Response: 9.4: *Comment noted.*

Comment 9.5: I ask you, how would the character of this neighborhood change if one of these institutions, the Garden, can no longer care for its collection because of lack of a crucial resource, sunlight? (Gollmar)

Response: 9.5: *Comment noted. Refer to Response 9.1.*

Comment 9.6: The DEIS also includes a separate Arborist Report that further assesses the impacts of incremental shadows on the garden. The study concluded that there would likely be long-term changes to the plants over time because of incremental shadow. (Devaney)

Response: 9.6: *Comment noted. The Arborist's report can be found in Appendix III of the EIS.*

Comment 9.7: MAS and BBG's own study of thermal comfort [related to shadow on Jackie Robinson Playground] found that during the months of January and February, when sunlight is especially necessary for warmth, areas of the playground would lose more than 2.5 hours of beneficial sunlight. Overall, Jackie Robinson Playground would receive just 2.6 hours of thermally beneficial sunlight in winter, far less than the threshold of four hours which we consider ideal. ... The result will be a decline in the usability of these facilities [in the playground] during the months of the year when sunlight is most critical to their success as recreation spaces (Devaney, Goldstein)

Response: 9.7: *Comment noted. A study of thermal comfort is beyond the scope of CEQR.*

Comment 9.8: MAS and BBG have gone a step further [than the Arborist Report included in the DEIS] to study the impacts of the proposed development on available daylight and on specific plant species. We found that all BBG greenhouses would experience more than 10 days of lost daylight, with over 30 days of lost daylight in the tropical and aquatic collections. This is primarily because shadows will significantly increase across BBG collections, from 1 to 2 hours in March, up to 3.5 hours in June, according to our study. Again, most affected collections include the tropical, aquatic and desert greenhouses, which are sensitive to even modest reductions in available light. (Devaney, Goldstein)

Response 9.8: *Comment noted.*

Comment 9.9: Medgar Evers College is located diagonally across the street from 960 Franklin Avenue. While not evaluated in the DEIS, it is important to note that the institution contains an outdoor student courtyard that would be shadowed during certain times of year by the proposed development. Specifically, MAS found that during the winter, when sunlight is especially critical for thermal comfort, portions of the courtyard would experience a loss of up to 1.5 hours of beneficial sunlight. (Devaney)

Response 9.9: *Comment noted. As described in Response 6.1, as the Medgar Evers College courtyard is not considered a publicly accessible open space for purposes of CEQR, a shadows analysis pursuant to CEQR is not warranted.*

Comment 9.10: MAS found that the reduction of daylight in surrounding streets would be about 1.5 hours per day on average during the winter in select locations. Moreover, several trees along Franklin Avenue, McKeever Place, and in Jackie Robinson Playground would experience a loss of more than nine growing season weeks

with six or more hours of direct sun per day (which is considered ideal). Trees along Montgomery Street and in the Medgar Evers College campus would also lose several weeks of adequate sunlight during the growing season. (Devaney, Goldstein)

Response 9.10: *Comment noted.*

10. Hazardous Materials

No comments.

11. Water and Sewer Infrastructure

Comment 11.1: The neighbourhood is already over populated and the infrastructure has no capacity for thousands of new residents. It needs a better infrastructure. (Ivanov, Hudson, Ballance, Gillespie)

Response 11.1: *Comment noted. The Proposed Actions would not result in a significant adverse impact to the City's water supply, wastewater and stormwater conveyance and treatment infrastructure.*

Comment 11.2: The community knows that private ULURP applications bring zero infrastructure improvements to help the neighborhood deal with the increased population. (Lazur)

Response 11.2: *Comment noted. Refer to Response 11.1.*

12. Solid Waste

No comments.

13. Energy

Comment 13.1: This proposal application avoids, understates, or, in some instances, totally misrepresents the impact on the community, including the effects on ... an already strained power grid ... in the [community] district. (Batiste)

Comment 13.1: *Chapter 13, "Energy," of the EIS concludes that the Proposed Development would not result in any significant adverse impact on energy systems, based on the guidance of the 2020 CEQR Technical Manual.*

14. Transportation

Comment 14.1: The proposal wants to provide parking for only 16% of these market rate apartments for the upper class in an area where it is currently hard to find parking. This will certainly make a bad situation worse. (Bracciante, Brooks, Batiste)

Response 14.1: *Comment noted. The parking analysis concludes that the Proposed Development would result in an on-street parking deficit of approximately 167 spaces in the ¼-mile study area and a parking deficit of approximately 50 spaces in the ½-mile study area.*

Comment 14.2: The neighbourhood is already over populated and the infrastructure has no capacity for thousands of new residents. It needs ... transportation, parking space. (Ivannov)

Response 14.2: *Comment noted. Refer to Response 14.1.*

Comment 14.3: Doing my time at BBG we've had a few accidents of my colleagues crossing Washington Avenue, I've not heard any discussion about the traffic scenario in Washington Avenue so far. (Paul)

Response 14.3: *Comment noted. The EIS includes a Vehicular and Pedestrian Safety Assessment. The assessment recommended measures to enhance pedestrian safety at the intersection of Ocean and Flatbush Avenues at Empire Boulevard. These measures include the re-striping of faded crosswalks and improved street lighting.*

Comment 14.4: The traffic congestion on Washington Avenue is a nightmare for those of us who live and work there right now. Think about putting up another building and the increase in density of the traffic. We have not heard any kind of suggestions of how they're going to deal with this. (Paul)

Response 14.4: *Comment noted. The EIS contains a traffic analysis that analyzes vehicle congestion along streets in the nearby area. As a result of the Proposed Actions, significant adverse traffic impacts would occur at two lane groups at one intersection, the intersection of Washington Avenue and Empire Boulevard. Mitigation measures that would fully mitigate the impact (i.e., changes in signal timing) have been identified and are outlined in Chapter 21, "Mitigation".*

Comment 14.5: They are correct in saying that the development is close to the 2, 3, 4, 5, B, Q, the bus, the Franklin shuttle. I don't know what the effect of the increased population would do to those transportation aspects that are already so crowded. I don't know if they've taken that into account at all, aside from the fact that our neighborhood benefits from this accessibility to transit. (Friedman, Mayham, Moore, Hudson, Batiste, Lazur)

Response 14.5: *Comment noted. An analysis of the Proposed Actions effects on transit determined that no significant adverse impacts would occur, in accordance with the guidance of the 2020 CEQR Technical Manual.*

Comment 14.6: Of the only 16 percent of parking spaces would be available instead of 40% and they would only be available for the "non-income limit" units. Only million dollar units would get parking? This is discriminatory and shows the vile intentions of the backers weighing the wealthier renters/owners over those who get "affordable housing." (Hurd)

Response 14.6: *The Zoning Resolution sets forth required off-street parking spaces as a percentage of non-income restricted housing units. Parking spaces in the proposed development will be allocated in accordance with applicable laws and regulations for MIH developments. The requested special permit to reduce parking would facilitate the development of additional affordable housing in a transit zone. Refer to Chapter 14, "Transportation," for an analysis of parking usage.*

Comment 14.7: [The Proposed Development will bring] too many people, too many cars. (Dillon, Black, Hudson)

Response 14.7: *Comment noted. As a result of the Proposed Actions, significant adverse traffic impacts would occur at two lane groups at one intersection, the intersection of Washington Avenue and Empire Boulevard. The Proposed Actions would result in significant adverse pedestrian impacts to the north crosswalk at Washington Avenue and Empire Boulevard. Refer to Chapter 14, "Transportation," of the EIS. The Applicant has proposed signal timing changes that would fully mitigate these impacts, should they be implemented by the New York City Department of Transportation (DOT). Refer to Chapter 21, "Mitigation".*

15. Air Quality

Comment 15.1: They [the applicant] want us to believe that affordability is something we can have if we break our community agreement make our air less clean. (Gillespie)

Response 15.2: *The EIS analysis in Chapter 15, "Air Quality," conducted in accordance with the guidance of the 2020 CEQR Technical Manual, found that the through the placement of an E-Designation on the Proposed Development, which would specify the fuel type, height, and location of HVAC stacks, no significant adverse impacts to air quality would occur.*

16. Greenhouse Gas Emissions and Climate Change

Comment 16.1: [The Proposed Development will cause] additional carbon dioxide emissions from all the cars this project will bring into the neighborhood. (Kali)

Response 16.1: *As analyzed in Chapter 16, "Greenhouse Gas Emissions and Climate Change," the CO₂e emissions associated with mobile sources would be 3,819.6 metric tons of CO₂e.*

Comment 16.2: We must save [the Brooklyn Botanic Garden], it is a first responder to climate change. (Ramos, West, Oshima)

Response 16.2: *Comment noted.*

Comment 16.3: This not even a green building; the environmental impact is not lessened by a reduced footprint. (Bloomberg)

Response 16.3: *Comment noted. Local Law 97 requires all buildings larger than 25,000 square feet to meet ambitious carbon reduction requirements. The Proposed Development would be built in accordance with all applicable regulations.*

17. Noise

No comments.

18. Public Health

No comments.

19. Neighborhood Character

Comment 19.1: 39 story towers in this area would be very out of character to the neighborhood and surrounding areas and developers of mega projects are not the path to affordable housing. (Lambert, Leisch, Pollack, Rubin, Dillon)

Response 19.1: *Comment noted.*

Comment 19.2: The city's choices to approve developments that ignore the communities they break ground in will be our failure. As a business owner I support development, commerce and change but always with measure and thought for the surrounding community, for the folks that you serve and for those that came before and will come after. (Dima)

Response 19.2: *Comment noted.*

Comment 19.3: We are losing our Brooklyn character to these greedy developers who care *nothing* about our neighborhoods and whose only goal is to turn Brooklyn into another over price and over crowded Manhattan. (Gaujean)

Response 19.3: *Comment noted.*

Comment 19.4: I also enjoy the relatively smaller buildings that give this neighborhood a really pleasant community vibe. Having a developer get around zoning destroys the whole point of zoning: to keep a character of a neighborhood, and to block self-centered projects that would have a negative impact, like blocking like on a cherished NYC asset: a major botanical garden. The building would be better off if it stuck to the zoning and was smaller. If not, it shouldn't happen. (Thacher)

Response 19.4: *Comment noted.*

Comment 19.5: The request to lift the height restrictions for this project threatens to fundamentally change the character of the neighborhood. (Hudson)

Response 19.5: *Comment noted. As described in Chapter 1, "Project Description," the Applicant is requesting a zoning map amendment to rezone the Development Site from R6A to R9D and R9D/C2-4 (within 100 feet of Franklin Avenue), a zoning text amendment to designate the Project Area as a Mandatory Inclusionary Housing (MIH) area, a Large Scale General Development (LSGD) special permit, and a special permit to reduce parking spaces to facilitate affordable housing.*

20. Construction

No comments.

21. Mitigation

Comment 21.1: Due to the environmental impact of this project I believe the height of the proposed towers should be limited so that shadows should not fall on the Brooklyn Botanic Garden (BBG). (Vargo)

Response 21.1: *Comment noted.*

Comment 21.2: A garden is possibly the ultimate sunlight-sensitive resource, with no viable alternative to natural sunlight. (Blaik)

Response 21.2: *Comment noted.*

Comment 21.3: This is not a proposal that can be tweaked on the margins and made palatable. Even the 34-story alternative proposed by the developer does vanishingly little to mitigate its impacts. (Goldstein)

Response 21.3: *Comment noted.*

Comment 21.4: The impact of intensified competition for on-street parking has not been mitigated (Grifo).

Response 21.4: *Comment noted. As discussed in Response 14.1, the Proposed Actions would result in on-street parking shortfalls during the overnight period in a ¼- and ½-mile radius of the Development Site. As this shortfall would not be considered a significant adverse impact, in accordance with the guidance of the 2020 CEQR Technical Manual, no mitigation is proposed for this parking shortfall.*

Comment 21.5: The mitigation [of the 34-story iteration of the Proposed Action] is minimal, as incremental shadows on BBG would be reduced by just 16 to 39 minutes, and only two to three minutes on Jackie Robinson Playground. (Devaney)

Response 21.5: *Comment noted. In addition to the reductions described in the comment, individual resources within the Brooklyn Botanic Garden would experience reduction of incremental shadow up to one hour and 26 minutes as a result of the 34-story mitigation massing identified in Chapter 21, "Mitigation". Refer to Table 21-2 of the EIS for incremental shadow durations at other resources within the Brooklyn Botanic Garden.*

Comment 21.6: Other potential shadow mitigation measures identified in the DEIS include adjusting the implementation and extent of rooftop netting, shades, and supplemental lighting at BBG. The DEIS also suggests that plants could be relocated to facilities outside the range of the project's incremental shadow. We do not find these as acceptable solutions. (Devaney)

Response 21.6: *Comment noted.*

22. Alternatives

Comment 22.1: Here's WHAT [the developer] SHOULD DO: take a loss. Then, to save face, he should hire a renowned architect to design a world-class, gorgeous 7-story building! Tadao Ando, perhaps? Then his reputation as a rapacious reprobate might be salvaged. (Thorp)

Response 22.1: *Comment noted. Absent the Proposed Actions, the Applicant would proceed with the development of a 7-story residential building with approximately 518*

DUs.

Comment 22.2: What the neighborhood needs is affordable housing, not more luxury developments. They can reduce the size of the project and make it fully affordable. (Fletcher)

Response 22.2: **Comment noted. Refer to Chapter 22, "Alternatives".**

Comment 22.3: This is not a proposal that can be tweaked on the margins and made palatable. Even the 34-story alternative proposed by the developer does vanishingly little to mitigate its impacts. (Goldstein, Devaney)

Response 22.3: **Comment noted.**

Comment 22.4: We understand that the Department of City Planning has determined that they will not review the new 17-story alternative. We commend that decision. (Devaney)

Response 22.4: **Comment noted.**

23. Unavoidable Adverse Impacts

No comments.

24. Growth-Inducing Aspects of the Proposed Action

No comments.

25. Irreversible and Irretrievable Commitments of Resources

No comments.

E. Executive Summary

No comments.

G. General

Comment G.1: In favor of the rezoning. (Colón, Torres)

Response G.1: Comment noted.

Comment G.2: This will be a Union Financed, Union Built, & Union Operated Project; a bastion of good Union Jobs in what has become a landscape riddled with Construction Sweatshops fueled by predatory Developers & Contractors whose business models capitalize upon, what they view, as easily exploitable workers of color. (Colón)

Response G.2: Comment noted.

Comment G.3: Opposed to the proposed action. (Forrest, Abdulezer, Annis, Bailey, Ballance, Barber, Barron, Barshay, Batiste, Belli, Benepe, Beranbaum, Berinstein, Bernstein, Betts, Black, Blaik, Blake, Bland, Blank, Bloomberg, Borchard, Borowitz, Boyd, Bracciante, Bradshaw, Brandt, Braswell, Braudy, Braun, Brooks, Bryant, Buchwald, C. Metz, C. Thomas, Caldaro, Callahan, Callahan, Caltieri, Carroll, Cetin, Charles, Charton, Chasner, Chisena, Choy, Ciocca, Ciporen, Clair, Cohen, Collins, Corey, Cornelius, Crivellaro, Crosby-Carroll, Cutolo, Daily, Daley, Davis, Dellinger, Desai, Devaney, Dillon, Dima, Doyle, DuPont, Dutkiewicz, Earle, Ellis, Engle, Evans, Fand, Farrington, Fedde, Feldman, Fields, Fishman, Fitzsimons, Fletcher, Freytes, Friedman, Frischer, Gagany, Galdieri, Gallagher, Gallo, Galpin, Gamil, Gan, Ganser, Gaujean, Gillespie, Giron, Goldman, Goldstein, Gollmar, Gordon-Guterman, Goss, Gottlieb, Gray, Greenfield, Greenspan, Griffith, Grifo, Griggs, Gross, Guralnick, Haight, Hanson, Harden, Harting, Heintjes, Heron, Hibshoosh, Holbert, Hollingsworth, Holstrom, House, Hoyer, Hudson, Hurple, Hurd, Hussey, Igarateburu, Ituarte, Ivanov, J. Metz, J. Thomas, Jack, Jacobs, Jamison, Jarowski, Jed, Jensen, Kaiser, Kali, Kane, Kaplan, Kass, Katin, Kelley, Kelly, King, Kipps, Kirsch, Kochhar, Kostick, Kramer, Krempanky, Kurland, Lafferty, Lallo, Lambert, Lang, Lawler, Lazur, Lennon-Simon, Lessem, Lester, Levy, Lewis, Lively, Loggins, Longtemps, Lorenzoni, Lowenbraun, Lukaszewski, Macchiarola, Maguire, Marvin, Mayham, Mazzeo, McAulay, McAvena, Melzer, Miller, Monios, Moore, Morrone, Moskell, Munoz, Murphy, Narita, Nelling, Nelson, Nemeth, Ness, Neswald, Newbury, Nichols, Nickman, Nicolson, Nolan, Nowlin, O'Brien, Ostrowski, Otte, Pagan, Palmer, Patton, Paul, M. Paterson, S. Paterson, Peterson, Pettyjohn, Picciotto, Pletnia, Pollack, Prommier, Prugh, Pullicino, Quinzani, Raderman, Ramos, Ray, Redmond, Reed, Reiburn, Relva-Alifano, Reneau, Rennie, Rimby, Rodney, Rosado, Rosenblatt, Rothkopf, Rubin, Rudolph, Sanchez, Sanjour, Scarola, Schaetzel, Schickler, Schlossberg, Schotter, Schreiber, Seaton, Sheffer, Sherman, Skolnick, Small, Solomon, Spencer, Staffel, Starkman, Steinberg, Strickland, Swanson, Thacher, Thorp, Thorpe-Moscon, Trepman, Troup, Troy, Turner, Valentin, Van Slyke, Vander Sande, Vargo, Vavila, Vert, Vining, Vink, Viscosky, Volk, Walker, Walters, Wang, Wasserman, Watler, West, Wirth, Wolper, Worsley, Zaleta)

Response G.3: Comment noted.

Comment G.4: This is an environmental justice issue ... as this [project] could limit the access to nature for communities in Crown Heights and Flatbush which are historically communities of color including poor and working class families. (Callahan)

Response G.4: **Comment noted.**

Comment G.5: [The proposed action would cause] forever, severe damage to one of the great assets of NYC. (Neimark, Brooks, Freytes, Patton, Guralnick, Kostick, Greenspan, Carroll, Braun, Rimby, Jarowski, Blank, Bernstein, Choy, Braswell, Small, Engle, Pletnia, Jamison, Pagan, Harting, Peterson, Levy, Spear, Davis, Caltieri, West, Maguire, Vert, Pollack, Kochhar, Melzer, Turner, Jed, Ciporen, Ciporen, Donlon, Heyer, Pacheco, Phelps, Oshima, Sherman, Dima)

Response G.5: **Comment noted.**

Comment G.6: The damage that will be done has also been proven by the developer's own environmental review. (Hussey)

Response G.6: **Comment noted.**

Comment G.7: Approving this rezoning would be the premeditated murder of my community. (Forrest)

Response G.7: **Comment noted.**

Comment G.8: The balance of allowing beneficial new development without harming the Botanic Garden is possible, but it has to be thoughtful and with compassion, through intelligent urban planning and design. (Antizzu)

Response G.8: **Comment noted.**

Comment G.9: As city planners, in addition to determining the best use of the city's land and resources, a huge part of your responsibility is to assist with protecting the environment. If you vote on this proposal as it stands, will that be helping or hurting the environment, and will you be assisting with building a more equitable Brooklyn? (Reneau, Bianchi)

Response G.9: **Comment noted.**

Comment G.10: Approval of this egregious zoning change would put every community and green space in this city at risk of unprecedented out of context and out of control development. How? By rendering all current zoning restrictions, as well as all state laws intended to ensure sufficient light and air for living things, both toothless and irrelevant. (Nichols, Bloomberg, Caudrudo, Nickman, DuPont, Nicolson, Gamil, Devaney)

Response G.10: **Comment noted.**

Comment G.11: The residents of Crown Heights will be fine with as-of right-market rate development [on the Project Site]. Just keep their towers off our flowers and off our houses. (Nichols)

Response G.11: **Comment noted.**

Comment G.12: I'm opposed to a re-zoning that would result in reduced sunlight for this important, historic, and vibrant neighborhood institution. Please consider the importance of green spaces like BBG for all New Yorkers and disapprove this re-zoning. (Beckman)

Response G.12: **Comment noted.**

Comment G.13: I am not anti-development; I understand that NYC continues to grow and that we need to keep building. On balance, that's a good thing. What is NOT a good thing is ruining the precious neighborhood landmarks that draw people to our city in the first place, and that make living here worth the price, in an effort to create more housing. It would be senseless for this construction project to decimate one of New York City's treasures. (Greene)

Response G.13: **Comment noted.**

Comment G.14: The "benefits" of "affordable housing" are greatly exaggerated. It will accelerate gentrification, raising rents in the surrounding areas, pushing out longterm low & moderate renters. This proposal only benefits the developers, who build & leave. Turn the location over to experienced non-profit housing developers, such as The Fifth Avenue Committee. (Mazzeo)

Response G.13: **Comment noted.**

Comment G.15: I oppose this monstrosity that would destroy the Brooklyn botanic Gardens. I Oppose the massive increase of people: we have no schools, hospitals or enough food for this massive of people. We don't have parking, sanitation, water and electricity for all these people. The community is not built for this mass of people and the Garden is a staple of our community. I do not care for the building and I am District Council member, Chair and Delegate. This project would also displace the people that live here along with union members as well. This is a very bad project. (Robertson)

Response G.15: **Comment noted. The EIS includes analyses of community facilities and services, parking, sanitation, water and sewer infrastructure, and energy. No significant adverse impacts would occur for parking, sanitation, water and sewer infrastructure, or energy, in accordance with CEQR Technical Manual guidance. Significant adverse impacts would occur to publicly funded child care centers**

but would not occur for public schools, libraries, fire and police protection services, or healthcare facilities.

Comment G.16: In these days of terrifying climate disasters I am opposing a project that will destroy nature. The myth of affordable housing and jobs is always used as bait to promote bad development. Atlantic Yards, renamed Pacific Park, has yet to fulfill the required affordable housing and jobs it promised and that project started in 2012. Despite dubious promises this development has a much more crucial reason to fail. Pitting the BBG against an environmentally disastrous project should be unimaginable and yet it's happening. This is ludicrous and shameful. It is an honor to have heard and read all the eloquent and strong testimony by the opposition to this misguided proposal. Please take it to heart. Please do not let this shameful and evil proposal succeed so 4 more generations will be able to walk with their children in the garden and not in the shadow of a hideous skyscraper. (Renz)

Response G.16: Comment noted.

Comment G.17: The Gardens are for everyone. Babies, toddlers, teens, singles, couples, Black, White, blue, green, elderly, disabled, the blind, turtles, the Koi, ducklings, birds. And affordable housing is a lottery. Does Bruce Eichner have to build to Heaven so early. No ! (Paul)

Response G.17: Comment noted.

Comment G.18: Please know that the significant numbers of folks who spoke out at the hearing are only a small percentage of all of us who care about the future of the BBG and who understand the detrimental effect of this potential rezoning, not just on the day to day health of the plants, but on the BBG's educational efforts and fundraising opportunities. (Borowitz, Feldman, Fishman)

Response G.18: Comment noted.

Comment G.19: There are many people, people with brain injuries, people with inner ear disorders, people who suffer from migraines, people on the autism spectrum who all need a calm and quiet place, and this [the Brooklyn Botanic Garden] is one of the few environments that offers that. (Ballance)

Response G.19: Comment noted.

Comment G.20: To eliminate such spaces [referring to the Brooklyn Botanic Garden] due to poor and mismanaged urban planning would be detrimental to the mental health of all city residents and the heart of this neighborhood. (Schlossberg)

Response G.20: Comment noted.

Comment G.17: The BBG is more than a garden too, it's a community space and a historical landmark; a living breathing museum that has had overseen the development of Brooklyn for over 100 years. (Schlossberg)

Response G.20: *Comment noted.*

Comment G.21: [CB9 recommends that] any proposed modifications to the application after certification should not be considered as part of this review, as the Board has not been provided sufficient documentation to substantiate or refute any claims made and revised presentations. (Batiste)

Response G.21: *Comment noted.*

Comment G.22: This proposal application avoids, understates, or, in some instances, totally misrepresents the impact on the community, including the effects on local lighting ... in the [community] district. (Batiste)

Response G.22: *Comment noted. The EIS was prepared in accordance with the guidance of the 2020 CEQR Technical Manual and was reviewed and certified by the Lead Agency. The Proposed Development would result in significant adverse impacts to community facilities & services, shadows, open space, natural resources, transportation, and construction. An analysis of local lighting is outside the scope of CEQR.*

Comment G.23: We should also remember that this developer is going to apply for 421A property tax abatement. So essentially, working class New Yorkers are going to be subsidizing the construction of housing for rich people and subsidizing the very developers who are displacing them. (Lazur)

Response G.23: *Comment noted.*

Comment G.24: [The applicant is] proposing a predatory and shady deal, blocking out the sky with luxury units and paying for it 100% through federal, state, and local tax incentives. (Gillespie)

Response G.24: *Comment noted.*

Comment G.25: Allowing such a tall building to be built will be a detriment and a redesign within the existing height restrictions should be required. (Griggs)

Response G.25: *Comment noted. Refer to Response 22.1*

Comment G.26: The towers could also create a harmful reflective, heat-generating glare on the [Brooklyn Botanic Garden] garden and the park. (Ganser, Strickland)

Response G.26: *Comment noted. An assessment of heat-generating glare is outside the scope of CEQR. The Proposed Development would be built in accordance with all applicable building code requirements.*

Comment G.27: We were blindsided by the new 17-story proposal presented at the August 26 Commission public hearing. Despite the considerable time we have spent studying the project scoping documents and the DEIS, it was not possible for MAS or anyone else to fully understand the details of the revised proposal. The fundamental issue is that the public has a right to understand and comment on the proposal being considered by the Commission. (Devaney)

Response G.27: *Comment noted. Refer to Chapter 22, "Alternatives".*