

## APPENDIX J

### Written Comments on the Draft Scope of Work

**REMARKS AT THE SCOPING HEARING FOR THE DOMINO DEVELOPMENT  
By Luis Garden Acosta, Founder and President of El Puente**

For 25 years, El Puente, as a community youth development organization, just five blocks up from the former Domino Sugar Plant, has worked hard, in partnership with others, to reforest the Southside, to create new or renovate old parks to launch new public schools, to immunize our children, stop epidemics, stop the development of a City Council, legislated, 55 story incinerator and so many other initiatives to create the kind of community that, frankly, makes it possible for many to want to live in Williamsburg, today.

That was not the case 25 years ago, when the Southside, the most concentrated Latino neighborhood was, also, the poorest Latino neighborhood in New York State. It is, still, an overwhelming Latino and poor, working class community. It is, also, ground zero for the most toxicity in a neighborhood in our city. El Puente's, peer reviewed, published, scientific research attest to an asthma rate, nearly three times the national average and air that is 90 times more polluted than an average square mile in America.

**Of course, Radiac, the city's only chemical and nuclear, hazardous storage facility is, virtually, across the street from the northern end of the proposed Domino development.**

**We trust that every effort will be made to mitigate these challenges to the health and safety of our community in the finalization of plans and actual building of the Domino initiative. Specifically, we need to secure that nothing is done that might impact negatively on the overall environment, including the disposition of underground heating oil tanks as well as the design, actual building and operation of the new development. Green materials should be used in a design that is compliant with the highest, accepted national standards for green buildings.**

**A concerted effort must be made to employ community members before, during and after the development of the entire site. El Puente does not believe in limiting possibilities, so, we will not require a specific percentage of jobs, but, clearly, the Southside is an overwhelming Latino community in much need of the promise of Domino. In that regard, we, of course, support a minimum of 30% of all units to be**

designated as affordable to the poor and working community surrounding Domino.

As El Puente led the Latino Community of Williamsburg in the development of the 197A plan we, particularly, require that the community, finally, be able to reclaim its waterfront. Our 197A plan called for complete, open access that would offset, somewhat, the dire circumstance of being at the bottom of per capita open space in the city. Related to that, we are concerned that placing the parking garage on South 4<sup>th</sup> Street will be a major invitation for cars coming off the Williamsburg Bridge to use South 4<sup>th</sup> as a thruway to the garage. In order to keep the garage on South 4<sup>th</sup> Street, everything should be done that will move traffic to use the Broadway exit off the bridge and Kent Avenue as the entry point to the South 4th Street Garage.

We just have too many schools in the area, including El Puente itself, to justify any further risk, to the safety of young people posed by additional South 4<sup>th</sup> Street traffic.

Finally, in the world that El Puente seeks, the basic needs of food, health, safety education and shelter would be motivated by the common good not profit. Sadly, in a city ever more

**squeezed for affordable housing, that kind of vision is not the reality of our policy makers.**

**In this present reality, then, we would be hard put to find a better ally in our struggle than the Community Preservation Corporation. They have reached out to us like no developer has ever engaged us in the past 25 years. They've listened to us, have, conceptually, agreed with us and have offered a plan driven by their desire to be faithful to their name and their primary mission. Simply put, the Domino Development Plan is the last, best hope for affordable housing for our community.**

EWVIDCO

July 30, 2007

Amanda Burden  
Director  
NYC Department of City Planning  
22 Reade Street  
New York, NY 10007

Dear Ms. Burden:

I am writing on behalf of the East Williamsburg Valley Development Corporation (EWVIDCO) to share our thoughts on the proposed development on the Domino Sugar Refinery site. Currently, EWVIDCO is responsible for providing business services to North Brooklyn's 1000 industrial businesses which employ over 15,000 individuals through the NYC Greenpoint-Williamsburg and North Brooklyn Industrial Business Zone and the North Brooklyn Empire Zone. EWVIDCO provides a variety of services to local businesses such as energy and tax benefits, informative seminars, financial and technical resources, and advocacy on behalf of local firms.

EWVIDCO supports the proposed construction of 660 affordable housing units, which amounts to 30% of the total number of residential units in the project. We support inclusion of these affordable units on the refinery property rather than alternate sites at other locations within Community Board one. We prefer that they be included within the development to ensure an economically diverse community and to reduce competitive pressure for real estate in other areas of the neighborhood. We urge that these units be constructed in the earliest phases of development, so that they can be available to low income families as soon as possible. Finally, we support public access to the waterfront at the refinery site, and urge the developer to construct this in the earliest phases of the project to ensure neighborhood residents full access to the waterfront.

We have a number of concerns about the proposed development, especially as it relates to the industrial businesses located in the immediate area, and just beyond the development site. The vast scale of the project will no doubt create traffic impacts that stretch beyond the development site and adjacent blocks. We are particularly concerned about the ability for trucks to continue to travel on Kent Avenue. Currently, Kent Avenue is a truck route that connects the southern portion of Williamsburg (Williamsburg Bridge, Brooklyn Navy Yard) to the northern section of Greenpoint. The firms in the northern portion of the neighborhood rely upon this thoroughfare for truck routing; it is conceivable that the new residents of the refinery development might not be supportive of 24-hour-a-day truck traffic rumbling outside of their windows. The potential impact on the continued flow of truck traffic must be taken into account as the scope of work is analyzed.

We are also concerned by the proposed rezoning of the upland parcels outside of the control of the developer from M3 to M1. Given the current light industrial use of the existing parcels, we question the necessity of this rezoning. Further, we find the alternative that proposes rezoning from M3 to MX unacceptable. As we learned from the Greenpoint Williamsburg rezoning in spring of 2005, we know that this will result in the displacement of businesses and it will substantially change the character of the neighborhood.

If you have any questions, please do not hesitate to contact me at 718-388-7287 x168.

Sincerely,

Leah Archibald  
Associate Director, EWVIDCO

August 10, 2007

Robert Dobruskin, Director  
Environmental Assessment and Review Division  
NYC Department of City Planning  
22 Reade Street, Rm 4E  
New York, NY 10007

Dear Mr. Dobruskin:

I am writing in support of the clear need to conduct an Energy Assessment for the redevelopment of the Domino Sugar Refinery site. The developer, the Refinery LLC, has stated in the scope of work document that "according to the CEQR Technical Manual, actions resulting in new construction would not create significant energy impacts because all new structures requiring heating and cooling are subject to the New York State Energy Conservation Code, which reflects State and City energy policy. *Therefore, a detailed energy assessment is not required* [my italics]." [Draft Scope of Work, Task 15, p 22] I strongly object to the developer's ignoring the evaluation of energy-related impacts in this way.

The New York State Energy Conservation Code takes a limited view of energy consumption and does not address generation. I quote:

All new structures requiring heating and cooling are subject to the New York State Energy Conservation Code, which reflects state and City energy policy. Therefore, those actions that would result in new construction or substantial renovation of buildings would not create adverse energy impacts, and would not require a detailed energy assessment. A detailed assessment of energy impacts would be limited to actions that could significantly affect the transmission or generation of energy or that generate substantial indirect consumption of energy (such as a new roadway that could lead to a substantial increase in the number of vehicle miles traveled, and thus, fuel consumed in the City). --  
CEQR MANUAL, §N,200, p 10/01

Such language does not reflect the current need for our city to address the urgent issue of global warming and contributions to it by buildings here in New York. The city has already begun planning for mitigation, energy conservation, and ecologically sensitive land use and could do more. It is

past time for real estate developers to be held to higher standards in this area.

The Domino Sugar Refinery represents an extreme change of use. It is a massive conversion of formerly industrial space to large-scale residential use. To me, the failure to provide this Energy Assessment, coming as it does during our current climate crisis, represents a dereliction of civic responsibility on the part of the developer. New Yorkers, along with the rest of us living on this planet, must all reevaluate our individual energy habits in light of the serious global warming crisis.

This is no time to rely on a legal loophole--that the project will conform to the New York State Energy Conservation Code--to avoid performing an Energy Assessment of the Domino Sugar Refinery project as part of the Environmental Impact Statement (EIS) process. Rather it is time to rise to the spirit of environmental land use regulation. Projects such as the Domino Sugar development offer opportunities for 21st energy initiatives. As a community, we cannot afford to pass these chances by. It seems obvious and absolutely essential that the developer present a full impact analysis of this project, including an Energy Assessment.

I should acknowledge that my personal interest in this issue is connected to 15 plus years of residence in the vicinity of the Domino Sugar Refinery building and my concern that we are losing another structure that is part of our local industrial architectural heritage. I would have liked to see a more imaginative and more public-spirited repurposing of the structure than as a large-scale condominium development with a small number of units available at affordable rents.

At present, however, I will outline only my views about the need for an Energy Assessment in the EIS. Furthermore, I would urge that this project serve as an opportunity to change the way the neighborhood and New York as a whole view energy and energy consumption. Also, my views are informed by my interest in the rapid conversion of New York City from carbon-based energy production to solar energy and the initiatives and technology to make this conversion take place.

The crisis of global warming has begun to enter the thinking of citizens, planners, and public officials. Global warming is real, and mitigation planning is already under way by the city for the consequences of climate change such as rising sea levels. The need to think about conversion to renewable energy must be linked to planning in every construction and development project, especially a major project like the Domino Sugar



Refinery project. I submit that the Domino Sugar Refinery project requires serious and visionary review in the area of energy utilization. Areas to be explored range from the very practical--wiring and anticipated energy needs to using the Domino Sugar Refinery project to advance New York's goals for reducing its carbon footprint.


1. Residential power requirements are different from industrial requirements--usually greater for the same square footage--and are more sensitive to diversity factors. This is a massive primarily residential complex. How will this development of as many as 2400 individual units impact the reliability of electrical power in the neighborhood? Will it require additional local gas-fired power stations with impacts of their own?
2. New York experienced a widespread blackout in 2003 and another in 2006. The Williamsburg neighborhood has experienced power outages. This suggests that some consideration should be given to distributed power generation--solar, geothermal, and perhaps technology generating energy from the currents in the East River. Solar is beginning to be used in some New York buildings to provide at least some of the electrical need. And geothermal heating/cooling has been used in a conversion along the Brooklyn waterfront (the Esquire building). I suggest that opportunities for power from renewable sources be evaluated. Solar, in particular, allows for decentralized power generation. The project should strive to be at least partially self-sustaining without putting an additional drain on the grid.
3. In comparison to smaller projects, proposing this large a number of units requires a much more thoughtful determination of the approximate electrical load of each and of a diversity factor to allow for a wide range of electricity consumption. Although industrial usage can be predictable, residential electrical usage is less so. Excess capacity needs to be built in and backup systems considered. Energy utilization will continue to be a key issue for the foreseeable future and should be evaluated for every new and converted structure. This is particularly true of "luxury" building, which might be expected to have more electrical usage than the average.
4. With regard to light and air circulation in the surrounding vicinity, the issue is more than a public health or aesthetic issue. The heights of buildings may impact future utilization of solar and perhaps even wind power in the vicinity. Neighbors who wish to adopt low-carbon-impact solar technology may find themselves in the shadow of a large structure and unable to utilize a solar array on their own

properties.

5. The use of "passive solar" techniques in design should be explicit. Rather than trade-offs between insulation and clean energy, we need both to meet the challenge of global warming. The spirit of an impact statement should be to show how ecological concerns have been addressed in the design as well as to disclose the anticipated environmental impact of the construction. This current situation, in which the developer Refinery LLC can gloss over the environmental consequences of a project while being legally in compliance, needs remedy. The City Environment Quality Review (CEQR) and the ECCNYS need review to reflect the urgency of the climate challenge.

In short, this and all construction projects in our city need to accelerate our progress to a carbon-neutral future, not delay it. This is particularly true for a project of the size of the Domino Sugar Refinery development. This high-profile project should strive to be a model for taking the steps necessary to address the challenge of global warming. For New Yorkers, the status quo is no longer an option. From Refinery LLC, an Energy Assessment for this project should be required.

Very truly yours,

A handwritten signature in cursive script that reads "Frances Chapman". The signature is written in black ink and is positioned above the printed name.

Frances Chapman

## Churches United's Program for Domino

*We support sound community planning with a priority for expanding housing opportunities for all.*

*We endorse the following goals for the development of the Domino site:*

- *At least 30% of units must be at affordable levels of rental or ownership, and of these units:*
  - *Not less than 20% must be at or below 30% AMI (average median income)*
  - *Not less than 20% must serve lower income senior citizens*
  - *Not less than 20% must create affordable home ownership opportunities*
  - *The remaining percentage of affordable units must be at or below 80% AMI*
- *A significant amount of public open space must be created*
- *Jobs created by buildings service must be at a living wage, with benefits and recruitment for service and retail employment must target community members*
- *Promote goals and practices of "green" development and energy efficiency.*
- *While landmarking status would be an obstacle to our affordable housing goals, we do endorse efforts for appropriate historic preservation.*

## La Programa para Domino de Iglesias Unidas

*Apoyamos la planificación comunitaria sensible con una prioridad para crear más oportunidades de vivienda para todos.*

*Apoyamos las metas siguientes para el desarrollo del sitio Domino:*

- *Por los menos 30% de los apartamentos tienen que estar de bajo costo para rentar o comprar y de estos apartamentos:*
  - *Por los menos 20% debe tener una renta de o menos de 30% del ingreso mediano de la área*
  - *Por los menos 20% tiene que servir para las personas mayores con bajo ingreso*
  - *Por los menos 20% tiene que crear oportunidades para comprar vivienda de bajo costo*
  - *El resto de los apartamentos deben tener una renta de o menos de 80% del ingreso mediano de la área*
- *Tiene que crear una cantidad significativa de espacio público abierto*
- *Los empleos de servicios para los edificios tienen que pagar un ingreso justo con beneficios y empleo que este dirigido a miembros de nuestra comunidad.*
- *Promover las metas y prácticas del desarrollo "verde" y la eficiencia de la energía.*
- *Mientras un status de "sitio histórico" estaría un obstáculo a nuestras metas para vivienda de bajo costo, apoyamos esfuerzos para preservación histórica apropiada.*



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Kerins  
Stark  
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Robert Dobruskin, Director  
NYC Department of City Planning  
Environmental Assessment and Review Division  
22 Reade Street, Room 4E  
New York, NY 10007-1216  
FAX: 212.720.3495  
August 6, 2007

Dear Director Dobruskin,

I am writing to you regarding the proposed development of the Domino Sugar Mill property in Williamsburg, Brooklyn.

I believe the planning of this project is headed in the right direction. I visit Battery Park City a few times each year and show it to visitors because I believe it is a magnificent example of successful urban planning. The planning for the Domino property seems to be heading along the same lines and I wish you and the commission success in resolving the issues that various groups hold important.

I wish to bring to your attention two issues: one is the height of the river-side buildings and the other the height of the building(s) proposed on the other side of Kent Avenue between South 3<sup>rd</sup> and South 4<sup>th</sup> Streets.

The river-side buildings as proposed are too high and dense and will adversely affect the composition of this neighborhood. That is my opinion, the opinion of a resident who has lived here since 1984. These buildings should be scaled down.

The height of the building(s) on Kent Avenue between South 3<sup>rd</sup> and 4<sup>th</sup> Streets, *not* on the East River, however is not, I strongly believe, a matter of my opinion. Buildings east, upland of Kent Avenue are supposed to conform to the height of the buildings in this area, a height that is no higher than fifty-five feet, averaging 45' elevation, or three and four residential stories. A recent development project between South 2<sup>nd</sup> and South 3<sup>rd</sup> Streets was forced by the Board of Standards and Appeals to scale down its heights from over one hundred feet to the fifty-five foot limit and this decision is a precedent that should be respected. That there are two or three old factory buildings in this area that exceed this fifty-five foot limit should not be used as a reference for new construction. Anyone of good-faith looking at a map of these streets will see quickly that this is a neighborhood of three and four story buildings and that is the neighborhood profile to maintain. This was the proposal put forward with the original zoning change requests, a promise made to homeowners and residents of the neighborhood, and one that now looks to be in jeopardy.

Thank you for the good work you are doing. I wish you and you department success.

Sincerely yours,

Brandon Cole

Cc: Howard Slatkin, Vito Lopez, Hilary Clinton, Chuck Schumer, Marty Markowitz,

Senator Martin Connor  
25th District



THE SENATE  
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Testimony of State Senator Martin Connor

Before the New York City Department of City Planning

Re: The Domino Sugar Plant Proposal

July 31, 2007

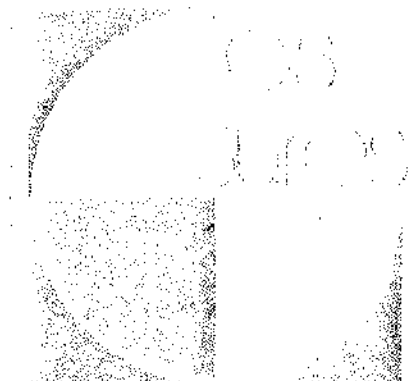
After years of sliding into decrepitude, many Brooklyn neighborhoods have emerged as much sought after locations for development. The Williamsburg community in particular seems to have been transformed into a very trendy, and therefore increasingly expensive, neighborhood effectively pricing out many long-term residents.

Additionally, the Brooklyn Waterfront that once served as the heart of New York City's industrial sector has largely lost its manufacturing and shipping industries. For many years, I have been committed to opening up the waterfront to the public by converting open industrial landscapes into park space for public use and recreation. As part of my efforts, I joined with Assembly Member Joseph Lentol to Create East River State Park.

The Domino Sugar processing plant is a prominent symbol of New York City's industrial heritage. Though sugar is no longer processed in this site, there is a huge public sentiment for preservation of the core industrial architecture. In the plan before you, the main building's facade will be preserved, hopefully along with the Domino Sugar logo, and it will remain a signature feature in New York City's landscape. The proposed addition of 660 units of affordable housing will be available to families that make as little as \$21,000 per year. It will also add 4 acres of open space to the community and introduce new transportation options, including a water taxi terminal and a jitney service to the local subway stations. In addition, the proposed creation of retail space will bring jobs to the local community. Most importantly, the public will gain access to a significant section of Williamsburg's waterfront.

I believe that this proposal has many benefits to the community at large in addition to providing new market rate and affordable housing to a community that is rapidly growing. The addition of the new open space and access to the river will make this project a true renovation of an abandoned former industrial site.

I support this proposal.



August 2, 2007

Robert Dobruskin  
Director Environmental Assessment and Review Division  
NYC Department of City Planning  
22 Reade Street, Rm 4E  
New York, NY 10007

**TESTIMONY BEFORE THE CITY PLANNING COMMISSION ON THE DRAFT SCOPE OF WORK TO PREPARE A DRAFT ENVIRONMENTAL IMPACT STATEMENT FOR THE PROPOSED DOMINO SUGAR REZONING**

- **Inclusionary Housing Program**-The owners of the Domino Sugar site, CPC Resources, Inc. and the Kattan Group, LLC, are requesting a zoning text amendment that would allow them to include the site located across from the refinery buildings in the Inclusionary Housing Program. If the zoning text is amended, CPC would be allowed to transfer 190,000 SF of floor area development rights across Kent Avenue from the waterfront parcel to the upland parcel.
  - Under this scheme, the proposed project would yield approximately 2,400 residential units with 30% of those (720) developed as "affordable housing".
  - The Inclusionary Housing Program allows for "low income units" to be rented to families at or below 80% of AMI while the "moderate income" units are to be rented to households with incomes up to 125% of AMI. This income range does not meet the needs of our community.
  - It is essential that a significant amount of the new housing serve the residents of the community board. Southside United HDFC (Los Sures) is pushing for the affordable units to be made available to households with a wider range of incomes in order to meet community needs. Typically, Los Sures development projects serve households with incomes ranging from 50-60% of the AMI. According to the Furman center for Real Estate and Urban Policy of New York University, the area median income in Greenpoint-Williamsburg was \$35,000 in 2005, approximately half of the current AMI for Kings

County, demonstrating the need for units to be made accessible to a much wider range of incomes than is required under the Inclusionary Housing Program. In addition, it is also essential that the ethnic and racial mix of the neighborhood be maintained in any new housing built on the waterfront and the data supports our contention that only rents well below market could accommodate families from the Latino, Polish, Italian, Hasidic, and Asian households that now make up Greenpoint-Williamsburg.

- **Unit Size-Affordable** units should be made available in a range of sizes to meet the needs of larger families. For example, in a recent marketing of a low-income tax credit project owned by Los Sures, the average household size of over 1,000 applicants was 2.5, demonstrating the need for 2 and 3 bedroom units amongst those seeking affordable housing.
  - **Location of Affordable Units**-It is not specified in the proposal whether the affordable units will be incorporated into and dispersed throughout the larger development on the waterfront as well as on the upland site. Rather, it is implied that that the affordable units will be built on the upland site instead of on the waterfront. Los Sures has always supported the integration of affordable units along with market rate units throughout development projects. We do not support a clear separation of the affordable units from the buildings on the waterfront.
- **Environmental Impact Statement**-The Environmental Review Process utilizes a variety of indicators to determine the extent of the impact of the project on the surrounding neighborhood.
    - **Socioeconomic Conditions**-The scope of work for the Environmental Impact Statement will look at the effect of the project on indirect displacement of the at-risk population. Although the scope of work proposes to identify the population at risk of displacement by determining the portion of the population below the poverty level and the portion with income levels that are lower than the median for Brooklyn, it excludes those households living in units protected by rent control, rent stabilization, or other rent regulated programs. It is Los Sures' position is that when analyzing the effect of the project on indirect displacement, the EIS must include those residents who are currently living in units under rent regulated programs. It has been our experience that these families are in great danger of being displaced, as private landlords continue to harass tenants out of these units by refusing to make repairs and offering cash payment to force people out of their rent regulated apartments. All this is done in an effort to remove rent restrictions from their buildings, resulting in a loss of affordable housing units forever from the neighborhood.
    - **Expansion of Study Area**-The Draft Scope of Work proposes to limit the study area for the Environmental Impact Statement to a ½ mile radius from the project site. Los Sures believes that this is an inadequate assessment of the impact that a project of this magnitude would have on the surrounding community. We request that the study area be expanded to at least a 1 mile radius to ensure that the impact of this development on the surrounding



commercial strip on Broadway and the residential areas located around the major subway stops at Marcy Avenue and the bus depot at the foot of the Williamsburg Bridge are adequately addressed. We are already seeing a loss of small business in the area due to the pending construction of the waterfront properties and expect that the indirect displacement of smaller businesses catering to the predominantly Latino community will only continue to worsen as projects are completed.

- **Marketing**-Los Sures owns and manages subsidized housing and has conducted many marketing efforts as required by HPD and Affirmative Fair Housing laws. We see the necessity of not only ensuring that a large portion of the units are affordable to low, moderate, and middle income families, but that Los Sures play an official role in the marketing process to ensure that this site in the Los Sures service area not be yet another segregated housing development. We request that the marketing procedures for the low income units be monitored by an appropriate agency and follow the following marketing guidelines:
  - Advertising in a newspaper of general circulation for a specified period of time
  - Notice is given to the Community Board and, in fact, applications are made available at the Community Board Office and are mailed to those on local housing organizations' waiting lists
  - Eligibility guidelines are clearly stated
  - Applications are mailed into a Post Office box, selected by lottery, and logged in publicly.

**Submitted by: Sandy De La Cruz**  
**Director of Development**  
**Southside United HDFC (Los Sures)**

**Domino Refinery EIS Scoping Testimony**  
**July 31, 2007**  
**Michael Freedman-Schnapp, Community Resident**

My name is Michael Freedman-Schnapp and I am a resident of Community Board 1. I would like to speak to three issues in the proposed scope of work: transportation, historic building preservation and retaining the existing industrial businesses in the rezoning area.

I applaud the efforts by the City and the developer to preserve the processing house and connected buildings, but there are other buildings on the site that show their majesty on a simple walk-through. The highest on this list are the Adant house and Power house, which others have also proposed to be designated as city landmarks. City Planning should create a project alternative where the Adant House and Power House are designated as city landmarks. Having a project alternative is necessary to accommodate any bulk or use changes that may result.

There is also the danger of displacing nearby industrial businesses. The EIS scope notes the intensive industrial use of this area and I believe that any action in this area should support existing industrial and manufacturing employment. The application here proposes that the area in the rezoning that Refinery LLC does not control be rezoned for an M1-2 zone. There is also an unfortunate project alternative to be analyzed that would rezone this area for MX, which would allow as-of-right residential conversions and near-immediate business displacement. The rezoning to an M1 zone would allow several loopholes that could displace industrial jobs in this area. M1 zones allow hotels, large offices, and certain kinds of superstores, all of which would be undesirable to have in this area because of their potential to displace manufacturing and industrial jobs. Since the waterfront rezoning disallows superstores, this area should have the same consideration, especially since there are a number of soft sites.

As the City is considering a residential rezoning in this area, I propose that they also consider its opposite—a zone designed to retain industrial jobs. The City Council has a bill before it (Res. 141-2006) to create Industrial Employment Districts that would close the loopholes in M1 zones and restrict superstores, hotels, and large offices. The area considered for M1-2 rezoning should be considered for this new kind of zoning designation.

Finally, creating a new community on the edge of Southside Williamsburg has many implications for transit and traffic. The EIS needs to go beyond the normal intersection analysis and transit level-of-service analysis. Since Kent Avenue, Broadway, S. 4<sup>th</sup> and S. 5<sup>th</sup> Streets are official bike routes, the EIS should analyze the impact of traffic on bicycle safety and propose any mitigations. It is also clear that the B61 could be insufficient for New Domino residents and that a new north-south bus route may be needed. All EIS traffic analysis should also take into account the traffic impact of the development's proposed shuttle buses.

In conclusion, I respectfully request that City Planning to include the following in the EIS:

1. An alternative where the Adant and Power houses are designated City landmarks and readapted for new uses;
2. An alternative where the Non-Project Rezoning Area is designated an Industrial Employment District, as described in Res. 141 (attached to this testimony);
3. An analysis of traffic impacts on the biking environment; and,
4. An analysis of the need for a new north-south bus route along Kent or Wythe Avenues in addition to the analysis of existing bus routes

By Council Member Katz

**Resolution to amend the text of the New York City Zoning Resolution to create Industrial Employment Districts.**

Whereas, Section 201 of the New York City Charter allows, *inter alia*, the Land Use Committee of the City Council to file an application for changes to the Zoning Resolution if two-thirds of the members of the Committee shall have voted to do so; and

Whereas, we are desirous of creating a new zoning district that is designed to protect existing and encourage new manufacturing uses in certain parts of the city; and

Whereas, an application for a change to the text of the Zoning Resolution made by the City Council Land Use Committee will be considered and reviewed in the manner set forth in Section 200 of the Charter and will undergo such environmental review as is required by law; now, therefore, be it RESOLVED that the Land Use Committee hereby approves the filing of an application to amend the Zoning Resolution of the City of New York in the manner set forth below:

Underlined matter is new, to be added

Matter in ~~Strikethrough~~ is old, to be deleted

Matter within # # is defined in Section 12-10

\* \* \* indicates where unchanged text appears in the Zoning Resolution

\* \* \*

**Article XII**

**Chapter 4**

**Special Industrial Employment District**

**124-00 GENERAL PURPOSES**

The Special Industrial Employment District regulations established in this Chapter of the Resolution are designed to promote and protect public health, safety and general welfare, and contribute to a well-considered plan. These general goals include, among others, the following specific purposes:

- (a) To provide sufficient space, in locations where nearby redevelopment has the potential to create obstacles to the viability and growth of existing industrial employment clusters, to meet the city's present and future needs with regard to manufacturing and industrial activities;
- (b) To provide, to the maximum extent practicable, that space will be available for continued use as manufacturing or industrial space in those areas designated by city and/or state agencies as priority locations for such uses;
- (c) To retain adequate wage- and job-producing industries in areas in close proximity to new commercial and residential development;
- (d) To provide a reasonable level of certainty to property owners, developers and areas residents in regard to what uses are permitted;
- (e) To help attract significant clusters of manufacturing, industrial, warehousing, wholesaling and distribution activities that will complement and enhance presently existing areas; and
- (f) To promote the stability of the city's manufacturing and industrial sector and to maintain as diverse its economic base by promoting certain areas as especially appropriate for manufacturing and industrial purposes thus conserving the value of land and protecting the city's tax revenue.

**124-01**

**DEFINITIONS**

An Industrial Employment District ("IED") is a Special Purpose District designated by the letters IED in which special regulations as set forth in Article XII, Chapter 4 shall apply to all developments, enlargements, extensions, alterations and changes of use. The IED

Wedding chapels, art studios

All Use Group 10A uses except television or radio studios, docks for ferries

All Use Group 12A uses

Commercial art galleries, bookstores and antique stores

All Use Group 13A uses

Banquet halls

Non-commercial clubs

### **Modification to Use Group 18**

Sewage disposal plants

Dumps, marine transfer stations for garbage or slag piles

Electric power or steam generating plants

### **124-04**

#### **Off-street parking regulations**

General Purposes

The following regulations on permitted and required accessory off-street parking are adopted in order to provide sufficient parking off-street for the increasing number of people driving to work, to relieve congestion on surrounding streets, to prevent all-day parking in residential areas and to promote better and more efficient access to and from manufacturing and industrial areas.

Except as otherwise provided in this Section, the regulations of this Chapter on permitted or required #accessory# off-street parking spaces apply to manufacturing, commercial or community facility uses, as set forth herein.

In an Industrial Employment District, no accessory group parking facility shall contain more than 150 off-street parking spaces. In an Industrial Employment District, the Board of Standards and Appeals may not permit accessory group parking facilities in excess of 150 spaces.

\* \* \*

### **Section 74-97**

#### **Special Permits for uses not allowed as-of-right in Industrial Employment Districts**

In Industrial Employment Districts, located within M1, M2, or M3 Districts, the City Planning Commission may permit those uses set forth in Article XII, Chapter 4, Section 124-03 provided the following findings are made:

- (a) that such use will not adversely affect the stability of the surrounding area's manufacturing or industrial uses; and
- (b) that adequate consideration has been given to the selection of a site in a district where such use is permitted as-of-right and that no such site has been deemed feasible; and
- (c) that such use will not draw vehicular traffic into such district in a volume that would disrupt permitted uses within the district.

The City Planning Commission may prescribe appropriate conditions and safeguards to minimize adverse effects of permitting such use.

appears on zoning maps superimposed on other districts and its regulations supplement those of the districts on which they are superimposed.

Industrial Employment Districts are confined to #Manufacturing Districts#.

#### **124-02**

##### **General Provisions**

In harmony with the general purpose and intent of this Resolution and the general purposes of the Industrial Employment District and in accordance with the provisions of this Chapter, certain specified use, loading and accessory parking regulations of the districts on which the Industrial Employment District has been superimposed are rendered inapplicable and are superseded by the use, loading and accessory parking regulations as set forth in this Chapter.

In addition to meeting the use, bulk, loading and accessory parking regulations as set forth in this Chapter, each development, enlargement, extension, alteration or change of use shall conform to and comply with all of the applicable #Manufacturing District# regulations of this Resolution, including performance standards, except as otherwise specifically provided in this Chapter.

#### **124-03**

##### **Special Use Regulations**

In Industrial Employment Districts, all uses permitted by the underlying #Manufacturing District# as set forth in any other provision of this Resolution, shall be permitted, except as superseded, modified or supplemented by this Chapter.

All uses shall be permitted in the Industrial Employment Districts in accordance with applicable district use regulations and performance standards, subject to the following modifications:

##### **Modifications to Use Group 4**

In Use Group 4, the following uses are permitted only by Special Permit of the City Planning Commission:

Cemeteries

Outdoor tennis courts or ice skating rinks

Golf courses

Public parks, playgrounds or private parks

##### **Modifications to Use Group 5**

In Use Group 5, all uses are permitted only by Special Permit of the City Planning Commission.

##### **Modifications to Use Groups 6 through 14**

In Use Groups 6 through 14 the following uses are permitted only by Special Permit of the City Planning Commission:

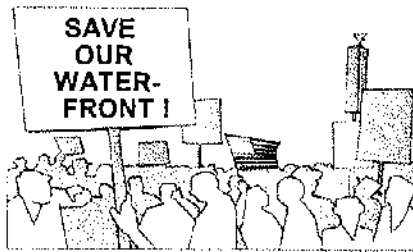
Any retail use in Use Group 6A that occupies floor area greater than 10,000 square feet

Any office use in Use Group 6B, uses that occupies floor area greater than of 6,000 square feet

All Use Group 6C uses except frozen food lockers, jewelry or art metal craft shops, docks for ferries or water taxis, locksmiths, automobile supply stores and eating and drinking establishments that occupy less than 2,000 square feet

Motels, tourist cabins or boatels

All Use Group 8 uses except lumber stores



# NAG

*Neighbors Allied for Good Growth*  
101 Kent Ave, Brooklyn, NY 11211  
(718) 384-2248

**Williamsburg/Greenpoint**

**NAG Hearing Statement  
for the  
Public Scoping Meeting on the Community Preservation Corporation  
Proposed Domino Sugar Rezoning**

**Tuesday, July 31, 2007  
Department of City Planning, 22 Reade Street, New York, NY 10007**

My name is Peter Gillespie. I'm the Executive Director of Neighbors Allied for Good Growth (NAG), which is a community planning and environmental justice organization that has been providing services and advocacy work to Greenpoint-Williamsburg since 1994. Our mission is to integrate the North Brooklyn waterfront back into the upland neighborhoods while maintaining the community's mixed-income and mixed-use character *and* leveraging private development to help create a sustainable, livable community. We therefore view the redevelopment of the Domino Sugar facility as an opportunity to achieve long-standing -- yet unmet -- community planning and development goals.

If approved, Community Preservation Corporation's project would be the largest in our community's history, dwarfing ongoing waterfront developments. It should therefore be evaluated in terms of the potential adverse impacts on neighborhood character including secondary displacement of upland affordable housing; indirect adverse socioeconomic effects on local commercial activity; and direct and indirect conflicts with adjacent industrial/manufacturing businesses and jobs. In addition, the CPC proposal will strain an already overburdened mass transit system; impose new hardships on the local public schools and other community facilities like fire services; and conflict with -- even undermine -- important land-use policies and programs established in the City's recent Greenpoint-Williamsburg rezoning plan. We therefore strongly recommend that the City require CPC to review the impacts of their proposal -- and the scope of work required -- in the most comprehensive way possible. This should include increasing the land-use study area; broadening categories for indirect residential, commercial and industrial displacement; considering new mitigation measures that truly alleviates adverse effects; and requiring at least two lesser-build alternatives that are consistent with the City's recent waterfront rezoning and that mirrors the official Community Board response to that rezoning.

Because of the scale of the CPC proposal, and viewed as an extension of the City's Greenpoint-Williamsburg rezoning, there are other evaluations that might not be required of the developer under CEQR that should be undertaken by the City in conjunction with any rezoning. Broad

evaluations in the areas of public education, mass transportation, and public open space should be undertaken resulting in new policies and programs that address unmet community needs. If City planning is not willing or able to impose stricter and broader evaluation requirements in consideration of the impacts of CPC's project, then we recommend that the rezoning not be approved and that the City recommit to an as-of-right reuse of the site.

We recommend that the City require CPC to include in their analysis of secondary residential displacement a broader study area than the 1/2-mile now recommended. This area should include the entire Southside neighborhood -- there are a few blocks that CPC are not considering -- as well as significant parts of the adjacent East Williamsburg residential neighborhood. We also recommend that CPC's analysis of secondary residential displacement be expanded to include residents of stabilized and rent controlled units. Our firsthand experience has shown (and the stories are many and extremely distressing) that because of socioeconomic trends -- in combination with unrelenting tenant harassment, illegal evictions, and lease buyouts -- significant numbers of existing, and what should be protected, affordable housing is being lost in the upland neighborhoods. We also recommend that CPC analyze the risk population in terms of ethnicity, since the Southside neighborhood has for decades been a predominately Latino community, which alone will shoulder much of the burden of residential displacement. Also, to help mitigate residential displacement we recommend the creation of a new category of community preference for new affordable housing -- first proposed by Borough President Markowitz and supported by Councilmember Reyna -- that would include already displaced families dating back to the certification of the zoning proposal.

CPC is also requesting significant density increases and building height allowances that exceed both waterfront and upland restrictions imposed in the City's Greenpoint-Williamsburg rezoning and allows the transfer of waterfront density to upland sites. (CPC's waterfront density of 5.5 FAR in contrast with the 4.7 FAR allowed along the rest of the rezoned waterfront, and their upland 6.0 FAR in contrast with the maximum 3.6 FAR in the upland areas, is a whopping 28% increase.) The street-wall allowance of 10 stories and the proposed upland 14 story tower significantly exceeds the present restrictions and if adopted could set a dangerous precedent and should be evaluated in this light.

To better evaluate the impacts of the scale of their proposal, CPC should also be required to include in their scope of work, two lesser build alternatives. The first alternative should restrict the height and density of the project's waterfront and upland portions to conform to the City's approved Greenpoint-Williamsburg rezoning plan. The second alternative should conform to the height and density restrictions recommended in Community Board #1's ULURP response to the City's rezoning proposal.

At the time of its purchase three years ago, the Domino site was occupied by an industrial user, outside the City's rezoning study area, and only being considered by City Planning for industrial reuse -- which was stated publicly by City officials at the time. Because of these factors, the site was purchased --according to public records -- for \$55 million, which is consistent with manufacturing uses. As a comparable, 184 Kent Avenue, another waterfront industrial building located three blocks from the Domino site, recently sold for over \$60 million and is slated for only around 350 units of housing, well short of CPC's 2,400 units. Also, since

CPC's purchase, market rate housing prices in the area have gone through the roof topping out at \$1,000/ buildable square foot, significantly increasing potential returns on investment. Therefore, any public action that grants both a zoning changes and massive density bonuses must require higher percentages of affordability than is now being proposed. We therefore recommend that CPC's present proposal and both lesser build alternatives that we're recommending, include analysis of affordability requirements at 40 and 50 percent. This would allow the public to better evaluate the impacts of their proposal while accomplishing CPC's stated affordable housing goals.

Because CPC's proposal creates less commercial space than the CEQR triggering threshold, they've concluded that there will not be a significant indirect impact on the upland commercial sector. We recommend that this premise be reconsidered in terms of its impact on neighborhood character, which CEQR defines as an amalgam of different elements that make up the "personality" of a neighborhood. A strong case could be made that, 120,000 square feet of new commercial space coupled with the influx of thousands of very high income residents housed in over 1,700 new luxury condominiums will significantly impact the central Southside commercial strip along Bedford Ave through upward pressure on commercial rents and the elimination of many businesses that now provide goods and services to the low and moderate income Southside residents. (In fact, we estimate that the commercial space in their proposal equals the entire Southside Bedford Avenue strip.)

Also because CPC proposes to upzone a nine-acre heavy manufacturing zone to residential, we concluded that it will also have significant indirect impacts on the adjacent manufacturing areas: the six blocks adjacent to the site between Grand St and North 3<sup>rd</sup> Street on the East River and the nearby Greenpoint-Williamsburg Industrial Business Zone located just ten-blocks north, which is already under intense pressures resulting from the City's rezoning. CPC should be required to evaluate the impact of their proposal on both these fragile manufacturing areas in their Environmental Impact Statement.

A similar argument could be made in relation to CPC's proposal to downzone two adjacent M3-1 blocks to M1-2. Coupled with the precedent setting transfer of significant density and height to its upland block between South 3rd and 4th Street, we concluded that this action will directly impact the businesses on those blocks -- the approximately 40 businesses that occupy 130,000 square feet of industrial and 50,000 square feet of commercial space. In addition, M-1 designations allow incompatible uses like superstores and hotels and therefore should be evaluated along with appropriate use-group restrictions. Also, CPC's alternative MX designations for the so-called "Non-Project Rezoned Areas" would allow as-of-right residential development and therefore would have even greater adverse impacts on the existing industrial and commercial businesses and should automatically be considered out-of- scope. Mitigation measures should include a much more proactive industrial business displacement program coupled with City actions such as establishing the long-term viability of the Office of Industrial and Manufacturing Businesses and adopting the Industrial Employment Districts Zoning.

Despite the acceleration of residential construction since the approval of the City's Greenpoint-Williamsburg rezoning, unemployment figures for Community District #1 have remained stagnant while citywide figures have significantly declined during the same period. Informal surveys of construction sites and suppliers of building materials, anecdotal information gathered



in ongoing outreach efforts, and the displacement of manufacturing businesses in the upland area confirms this fact. Though promised, the City's recent rezoning has not generated jobs for people in the neighborhood, and unless better mitigation measures are introduced there's every reason to believe that the Domino Project will only worsen these trends in local economic activity. Mitigation should therefore include both measures that address the displacement of local businesses and jobs and requirements that CPC hires locally on all levels of their development project. There are many qualified construction firms, architects and planners, contractors, marketing groups, crafts persons, and building material supply companies in the community that should benefit from CPC's project. Recruiting locally would create new jobs and serve to generate much-needed and broader economic development activity.

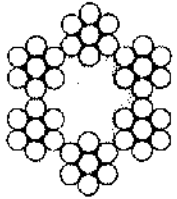
We also have concerns regarding the effects of CPC's proposal on neighborhood transportation. The L-line is already one of the most over-burdened subway lines in the city, without much room for increased capacity, and the JMZ line is gaining passengers by the day. To address transportation impacts and mitigation, CPC proposed -- in a recent presentation to the North Brooklyn Alliance -- the creation of a shuttle bus service from the site to unspecified locations. We recommend that CPC include upland stops along its routes and that it's integrated into a district-wide waterfront transportation plan that's created by the City in response to any rezoning approval. Also, since Kent Avenue is one of the district's most important north-south truck routes and one of the major truck routes in Brooklyn, CPC should evaluate any potential adverse impacts on this transportation category including the potential impacts from the diversion of trucks and traffic to upland streets.

CPC also proposes 100,000 square feet of space for unspecified community facility use. While this could provide much-needed public amenities, it's enough space to fit four Madison Square Garden arenas. Therefore, CPC should provide specific uses for this space and evaluate the impact of these specific uses accordingly.

As a consequence of the City's rezoning, City Planning has estimated a dramatic increase in the residential population, projecting the development of significant amounts of new housing between 2004 and 2014. And yet, the Department of Education (DoE) has projected a 34% decrease in student enrollment during the same period, including in schools in CPC's study area. This decrease is the result of the displacement of low and moderate-income families that have historically attended the local public schools while many new residents are sending their children to out-of-district schools that they feel better meet their educational needs. We have concluded that CPC's proposal will only worsen this trend and therefore should be evaluated from this perspective. Either CPC or the City should create a study to determine the extent of student flight from District 14 to other districts throughout Brooklyn and Manhattan, and address the underlying reasons for this flight. To address this issue we also recommend that the Department of Education implement a comprehensive plan for the improvement of District 14 public schools.

Finally, in retrospect --given Schaeffer Landing, the Kedeem Winery rezoning, significant development outside the rezoned area, and now the CPC's proposal -- the projections that the City's rezoning would generate around 7,400 new units of housing seems extremely conservative at this point. Therefore, open space needs, particularly in the Southside must be reevaluated. We recommend that CPC be required to study the creation of a new waterfront park on the city-owned property adjacent to their site underneath the Williamsburg Bridge south to Broadway.

The City should also commit to developing a park on this site to service the Southside community in conformance with the recent recommendation of the New York City Council Committee on Waterfronts. Thank you.



## ROEBLING CHAPTER

Society for Industrial Archeology

Reply to: 40 W. 77<sup>th</sup> Street, #17B, New York NY 10024  
212-769-4946

City of New York, NY

July 31, 2007

Robert Dobruskin, Director  
Environmental Assessment and Review Division  
Department of City Planning  
City of New York  
22 Reade Street, Room 4E  
New York, New York 10007

Dear Mr. Dobruskin:

I write on behalf of the Roebling Chapter, Society for Industrial Archeology. The Roebling Chapter is a not-for-profit organization committed to the study, preservation and dissemination of information on our region's industrial past. Our chapter membership numbers nearly 500 individuals, at least half them residents of New York City.

Once the world's largest sugar refinery and the "jewel in the crown" of the monopolistic Sugar Trust, we consider the former Domino Sugar Refinery one of the city's most important remaining historic sites and have advocated for its preservation and re-use. In determining the scope of work for the environmental impact statement for the project proposed by the applicant, our primary concern is proper definition of the historic resources that may be impacted.

The Draft Scope of Work states that, "The New York State Historic Preservation Office (SHPO) has formally determined the portion of the project site complex at 292-350 Kent Avenue (between South 2<sup>nd</sup> and 5<sup>th</sup> Streets) to be eligible for SNR listing." In fact, the site stretches two blocks further north to Grand Street. The SHPO's statement of eligibility is not limited to a portion of the site, but specifically identifies the three different periods of industrial design represented in the area from S. 2<sup>nd</sup> Street to Grand Street, encompassing the buildings of the 1920s and 1950s, many of which are at the northern end of the site.

In addition, there are former Domino buildings from the 19<sup>th</sup> century not on the site itself but which will be impacted by it. One is the building at 269-289 Kent, once used as a garage and office and part of the "non-project re-zoning area." The second is the former Havemeyers and Elder gas works at South 4<sup>th</sup> between Wythe and Kent. Since the refinery was re-built in 1883 using electrical lighting only, this gas works, later converted to a machine shop, may be a building from before the 1882 fire.

We look forward to continued participation in this process and specifically to recommending appropriate mitigation once impacts upon these magnificent structures are more fully determined.

Sincerely,

Mary Habsfritt, Chair  
Preservation Committee

*Beyond the three buildings proposed for landmarking*  
*At a minimum, we feel a full Historic American Engineering Record documentation according to National Park Service standards is necessary.*

**Testimony:  
NYC Department of City Planning  
Public Scope Meeting – Domino Sugar Rezoning  
July 31, 2007**

**Bea Hanson  
330 Wythe Avenue, Brooklyn, NY 11211**

My name is Bea Hanson and I live at 330 Wythe Avenue in Williamsburg. I am testifying in opposition to the Proposal called the “Domino Sugar Rezoning” for its clear ignorance of the needs of the Williamsburg neighborhood.

I have lived in Williamsburg for twenty years, and, in that time, have witnessed the remarkable increase in development in our neighborhood. At first, seeing abandoned buildings turned into housing brought new life into existing structures and into the community; but lately I have seen long-time residents being displaced by soaring rents, and old buildings torn down to make way for new luxury condominiums.

The greatest tragedy is that this proposed Domino Sugar Rezoning is pitting Williamsburg residents against each other as if those wanting affordable housing are not the same as those who want to preserve the character of our neighborhood. Why is the price we have to pay two 300 and two 400 foot skyscrapers in order to get some affordable housing in the neighborhood? In this scenario the only winner is the developer. Surely we have the ability to build affordable housing AND preserve our neighborhood.

I have two additional points I want to raise:

- 1) Our subway lines (L, and J/M/Z) are bursting at the seams with no possibility for expansion – adding nearly 7,000 residents in this project, not to mention all of the other developments in the neighborhood makes this project more than untenable.
  
- 2) The National Trust for Historic Preservation declared the Brooklyn waterfront one of America's eleven most endangered historic places. The proposal to dwarf the Domino Sugar Factory by surrounding it with towering skyscrapers further destroys our waterfront.

I think we can do better and urge you to oppose this Domino Sugar Rezoning. Thank you for listening.

**Remarks of the Housing Partnership Development Corp.  
before the  
The New York City Department of Planning  
Public Scoping meeting on the Proposed Domino Sugar Rezoning  
July 31, 2007**

The Housing Partnership Development Corp. (HPDC) commonly known as the New York City Housing Partnership is New York City's leading intermediary for the development of affordable housing. The Housing Partnership Development Corporation has worked for 25 years to bring together the public and private sectors to help address the city's affordable housing shortage. Our mission is to create affordable and workforce housing and revitalize neighborhoods through community and economic development promoted by dynamic public/private partnerships. Through programs that secure subsidies from public partners while linking lenders, community groups, and for-profit and non-profit developers, the Housing Partnership creates new housing for people who otherwise would be shut out of the housing market. We have assisted in the development of over 25,000 units of affordable homeownership.

The Housing Partnership supports the CPC Resources plan for the redevelopment of the former Domino sugar plant and the proposed zoning map amendments. The plan brings together much needed affordable housing while preserving the sites heritage and creating open space.

The 11.2 acre site will provide up to 2400 units of housing of which 660 units or 30% will be affordable to a range of income levels as low as 30% of Adjusted Median Income. The affordable housing will comprise rental housing for households at or below 30% of AMI additional rental at or below 60% of AMI, senior housing at 50% of AMI and approx 138 units of affordable home ownership opportunities. This affordable housing would not otherwise be developed with out the proposed zoning change. The site will also provide approximately 220,000 sq feet of retail, commercial and community space, providing up to 550 permanent jobs.

The goal of the development is to provide a substantial amount of open space while preserving the original Refinery Plant. The site will enjoy a five block waterfront esplanade open to the river which connects to the adjacent Grand Ferry Park. The site will benefit from attractive view corridors and public connections to the waterfront. The open area is approximately 4 acres which also includes a central gathering area along the river behind the Refinery.

The plan calls for the preservation of the Refinery as the centerpiece of the Domino Development. The Refinery will be preserved with minimal facade alteration, but will require extensive changes to the interior replacing massive sugar refining equipment with new floors and walls while developing the refinery for an adaptive reuse. The block on which the refinery is situated occupies more than 23% of the project land mass and when coupled with a street widening the effect significantly narrows or reduces the overall building area.

The buildings flanking the Refinery will rise to a variety of height designs to integrated the upland and waterfront components with the taller portions rising to 30 and 40 stories which does not exceed Greenpoint-Williamsburg zoning. Recognizing the loss of development area due to preservation, open space and street widening we support the plans and density requirements laid out by CPC Resources. The proposed development is in keeping with the 2005 Greenpoint-Williamsburg rezoning. The site and surrounding blocks will be contiguous with the Greenpoint-Williamsburg rezoning

Community Preservation Corp. has a long history of providing financing for affordable housing, as a developer their subsidiary CPC Resources has built or renovated more than 1600 units of housing in Williamsburg. We believe that CPC Resources has endeavored to fulfill community needs for housing, preservation and open space and we support the re-development of the former Domino Sugar plant.



August 9, 2007

Robert Dobruskin, Director  
Environmental Assessment and Review Division  
NYC Department of City Planning  
22 Reade Street, Rm 4E  
New York, NY 10007

Dear Mr. Dobruskin:

Enclosed are the Municipal Art Society's comments on the Draft Scope of Work for the Domino Sugar Rezoning. We have also faxed the comments to you today at 7:10 P.M. In the event the fax does not go through, we wanted to send you a hard copy as well.

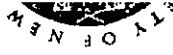
Thank you very much.

Sincerely,

A handwritten signature in cursive script that reads "Katie Kendall".

Katie Kendall  
Ralph C. Menapace Fellow





**Comments on the Draft Scope of Work for an Environmental Impact Statement  
Proposed Domino Sugar Rezoning  
August 9, 2007**

The Municipal Art Society offers the following comments to the New York City Department of City Planning, the lead agency in the City Environmental Quality Review of the Proposed Domino Sugar Rezoning, with the intention of identifying where the Draft Scope may be improved in order to best describe the scope of the EIS for the project, the methodology for studying the project, and its impacts.

**ENVIRONMENTAL REVIEW PROCESS**

Discussion of irreversible and irretrievable commitments of resources to develop the project should, to the fullest extent possible, disclose the sources of the public funding that will be used to subsidize the affordable housing units; the total amount of the funding; and the percentage of that funding devoted to the projected site in relation to the total funding available citywide.

**Task 1: Project Description**

The reasonable worst case development scenario for the properties within the proposed M1-2 district should include a list of projected development sites. The list of projected development sites should be as realistically assessed as possible, using both field surveys and interviews with existing property owners and current renters. Information about projected development sites and property use trends and patterns in the area should also be gathered from the East Williamsburg Valley Industrial Development Corporation, which administers the Greenpoint-Williamsburg Industrial Area that abuts the site to the north and south. Identification of projected sites should take into account number of variances requested in the immediate area as well as number of infill construction projects in the immediate area. This analysis should be used, in turn, as the basis for calculation of the secondary business displacement. The impact of job loss on the neighborhoods should be re-evaluated accordingly, as should mitigation measures for loss of business and employment.

**Task 2: Land Use, Zoning, and Public Policy**

The EIS should examine the proposed development in light of PlaNYC 2030, especially; its conformance to recommendations for more transit-oriented development; more

----- see the alternatives section for more suggested study options with regard to this impact category.

### **Task 3: Socioeconomic Conditions**

Please refer to the comments regarding "project description," above.

#### Residential displacement

Analysis of secondary residential displacement should include displacement figures generated by local housing groups since 1990.

#### Economic Characteristics

Determination of approximate vacancy rate and rent levels for buildings in the area should be based in part on discussions with business owners, both those who own property and those who rent. Information from discussions with those currently occupying buildings will provide a fuller picture of current real estate values. Visual inspections to determine occupancy may not suffice in some situations.

### **Task 5: Open Space**

If the study is to include the new park proposed for mapping in the calculation of the open space ratio, then an estimate of when the park will be available for use in relation to the estimate of build-out years should be included. The Waterfront Access Plan should be extended southward to incorporate Grand Ferry Park and to plan for the eventual expansion of Grand Ferry Park onto the adjacent New York Power Authority site.

With regard to the use of the open space, "publicly-accessible" but privately owned open space frequently fails to be a meaningful public amenity. Often, this is caused by inadequate programming, difficulty getting to the open space, and restricted hours of operation. This is particularly true of publicly accessible open space created under the waterfront zoning regulations. In the Alternatives section, MAS has outlined the examination of several different options to ensure the open space is as public as possible.

### **Task 6: Shadows**

CEQR Technical Manual requires a study of whether that proposed action will result in a shadow being cast on a natural feature, among other places like open spaces and historic resources. The definition of a natural resource includes rivers.

The Municipal Art Society has advocated to the Landmarks Preservation Commission that the designated site include the Bin Tower, the connecting bridges and the Syrup Station, in addition to the refinery buildings. Preservation of these buildings and site features would document the sugar refining process and represent several significant periods of construction. This would in part mitigate the potential loss of National Register eligible resources. Williamsburg preservation organizations have requested the Landmarks Preservation Commission to designate the Adant House and Power House. The scope should consider alternatives that include the preservation of these buildings and site features.

According to the CEQR Technical Manual, for actions that are highly visible and can be perceived from more than 400 feet, the study area must to be extended. Given that the proposed buildings are significantly taller than any in this area of Brooklyn, they will be visible from more than 400 feet. Therefore, there is a potential for adverse visual impacts to historic resources and for shadows outside of the 400 foot perimeter. It is therefore necessary to identify resources beyond the 400 foot perimeter in order to assess any impacts. The study area should be extended from 400 feet to ½ mile.

All known and potential historic resources must be identified in the study area and project area, not only those that could be directly impacted.

Study of contextual impacts should include a study of the change in character of the neighborhood from industrial and manufacturing buildings to residential towers, as required by the CEQR Technical Manual.

If federal permits from the Army Corps of Engineers or other Federal agencies, or if there is federal funding used in the action, are required, the project would likely be subject to Section 106 of the National Historic Preservation Act, which requires Federal agencies to take into account the effects of their undertakings on historic properties. According to the Section 106 regulations,

[t]he section 106 process seeks to accommodate historic preservation concerns with the needs of Federal undertakings through consultation among the agency official and other parties with an interest in the effects of the undertaking on historic properties, commencing at the early stages of project planning. The goal of consultation is to identify historic properties potentially affected by the undertaking, assess its effects and seek ways to avoid, minimize or mitigate any adverse effects on historic properties.

Mitigation for the loss of historic resources ought to be determined through Section 106 review. At the minimum, documentation of any National Register eligible building must be documented to HAER (Historic American Engineering Record) Level I standards. The machinery in the buildings should also be documented to HAER Level 1 standards.

**Task 9: Neighborhood Character**

The Draft Scope states that it will “[a]ssess and summarize the proposed project’s impacts on neighborhood character using the analysis of impacts as presented in other pertinent EIS sections.” The studies conducted in the other impact categories were not analyzed in light of neighborhood character—they were analyzed in light of that impact category. Therefore, it is insufficient to rely upon the “key findings” in the analyses of other impact categories. The EIS should analyze the project’s impact upon neighborhood character in light of that impact category, and should not simply be a summary of other impact category analysis.

**Task 10: Natural Resources**

The EIS should explore materials for bulkheading that would encourage marine life, including oysters, which would mitigate the water quality (ie. sewage) impact of the new development.

**Tasks 13 and 14: Infrastructure; Solid Waste and Sanitation**

The EIS should include a calculation of cumulative impact of the proposed development, new construction in the study area, and proposed construction in the study area.

When examining Combined Sewer Overflow (“CSO”) events, the EIS should explore how the CSOs in the immediate area can be reduced or eliminated through enhanced stormwater management, green roofs and other sustainability strategies in the Domino development.

**Task 15: Energy**

The Draft Scope concludes that the added energy demand is not expected to create an adverse impact on the supply of energy with the new rezoning. The analysis will focus upon “descriptions of the capacity and existing demand of the entire systems, and of the distribution networks serving the project site.” However, we cannot continue to rubber-

...changing the site's uses to more energy-demanding uses, there is potential for significant transmission congestion because the area is not being used for such energy-intensive activities. The area's energy infrastructure and transmission capabilities may not be currently equipped for the change in energy usage, and a detailed assessment is needed in order to measure the demand increase and the potential for transmission congestion. In this same vein, the potential significant effects to need for additional generation of energy in the surrounding area must be studied as well.

By communicating with Con Edison early in the process, the lead agency should document and disclose the power mix (the fuels used to supply electricity and their resultant air pollutant emissions, including the emissions of carbon dioxide) for the project site. The lead agency should also analyze the transmission capacity and the likelihood of transmission congestion resulting from this project.

As mitigation for the added energy use brought by the proposed project, the lead agency should analyze methods in which to reduce energy demand, either through green building technologies, green roofs, greywater systems, or other infrastructure improvements. A greener alternative, which will be set out in more detail below, should be examined in order to curb the significant environmental and economic harm that added energy demand may cause our city. As part of this green alternative, the EIS should also explore the possibility of using alternative energy sources, such as solar, biomass, or hydro. For example, the project could generate energy in the East River adjacent to the site through turbines (similar to the Verdant Energy project adjacent to Roosevelt Island).

#### **Tasks 16 and 17: Traffic and Parking; Transit and Pedestrians**

The EIS should explore creating ferry landings for an array of different ferry operators to mitigate the transportation impact of the new development. For example, the scope should examine the feasibility of adding landings for front loading as well as side loading boats. In order to encourage water-borne transportation and reduce the impacts associated with car traffic, the EIS should explore creating landings for excursion boats and pleasure boats, uses not envisaged by the city's waterfront zoning.

The EIS should explore a "transit oriented" alternative that requires greatly reduced parking to encourage the use of public transit. In that same vein, the EIS should explore increasing the public transit capabilities in the area and should begin working with MTA to solve transit-related issues associated with the potential growth in this project area and surrounding neighborhoods.

----- IN THE CHANGES SECTION BELOW.

## Task 22: Alternatives

These alternatives are in addition to the suggested study of alternatives and suggested mitigation measures listed within the body of these scoping comments.

### Proposed Development Program Alternative

For the reasons articulated below, it is not necessary to include the rooftop addition to the refinery buildings in the proposed development program at this time. As indicated in the Draft Scope of work, the applicant will have to apply for a Certificate of Appropriateness from the Landmarks Preservation Commission (LPC) for such an addition. A Certificate of Appropriateness is a discretionary permit given for applications that meet general standards of appropriateness. Landmarks permits are not subject to SEQRA (or CEQR) review because:

an agency has some discretion, but that discretion is circumscribed by a narrow set of criteria which do not bear any relationship to the environmental concerns that may be raised in an EIS, its decision will not be considered 'actions' for the purposes of SEQRA's EIS requirements. *Citineighbors, 306 A.D.2d at 114.*

The LPC has criteria for determining the appropriateness of rooftop additions on individual landmarks. Generally, the Commission approves rooftop additions that are minimally visible from a public right of way related to designated individual landmarks. The appropriateness of an addition is decided at a public hearing by Landmarks Preservation commissioners, who are experts in historic preservation, architecture, history and planning. There is an opportunity for extensive public participation in the review process. It is important to allow the LPC to review this project unencumbered of the environmental review process.

Therefore, the lead agency should analyze the alternative in which the rooftop addition is not included in the proposed development program, and the anticipated square footage associated with such addition is transferred to an alternative location.

### Land Use and Zoning Alternatives

Because the applicant will be entitled to additional floor area derived from the area between the shoreline and the bulkhead line, the actual density of the development will be significantly higher than typical R8 developments. For comparison, the EIS should therefore explore densities significantly lower than currently envisaged, such as an

... maximum height limit, such as 250 feet, in order to better respect the adjacent inland neighborhoods.

The EIS should explore alternatives that do not involve transferring floor area to the parcel bounded by South 3<sup>rd</sup> and 4<sup>th</sup> streets and Kent Avenue, to ensure the development on this parcel is not greatly in excess of the surrounding neighborhood.

This analysis should include a scenario in which the a) the M1-2 zoning district parking requirement is waived, in order to deter car traffic to retail destinations, and to restrict new retail to that which serves local need; b) a restriction prohibiting the construction of condo-hotels is enacted; and c) a ground-floor manufacturing use for new development is required (similar to the proposal under discussion for the Gowanus area.) Given that nearly 245,000 New Yorkers work in industrial and manufacturing jobs, making the industrial sector a larger employer than both the information and the real estate industries, it is important to thoroughly and thoughtfully examine this alternative. A healthy industrial sector adds stability to the local economy by diversifying the city's economic activities and bringing export dollars into the city.

#### Open Space Alternatives

The EIS should therefore study several different options to ensure the open space is as public as possible, including:

- Mapping the open space as public parkland and transferring jurisdiction to the NYC Parks Department;
- Ensuring a Memoranda of Understanding that would guarantee the handover of open space to a local conservancy that would administer and own the waterfront land
- Requiring commercial retail or a community facility at the base of the Domino Refinery Building facing the water, to provide a "magnet" to draw people to the water and increase the public quality of the space.
- Requiring retail frontage along the base of all the buildings facing the waterfront
- Creating a public street adjacent to the waterfront clearly separating the public open space from the private development

To maximize the public quality of the actual access to the waterfront esplanade and park space itself, the EIS should also explore the possibility of mapping streets all the way to the waterfront. This would be superior to providing "upland connections" which are liable to be privatized thereby restricting public access to the waterfront. Specifically the EIS should explore mapping the following streets all the way to the water's edge:

arranged as public connections could be decided over to the parks department or local conservancy to be administered as public "ways."

Green Alternative

This analysis should also examine a Green Alternative, where the building specifications and land use design reach LEED-Gold standards or higher and renewable sources of energy are utilized. This alternative would help alleviate particular environmental concerns related to this proposed project and of the current environmental state of the area.



- Creating a “town-dock” – a dock that would be accessible to the public to land boats and members of the public to utilize as a destination;
- Facilities to launch kayaks and canoes;
- Facilities for fishing;
- An appropriately-scaled marina.

### Climate Change

Global climate change is a real environmental concern that is currently being raised and discussed at the international, national, statewide, and local level. While climate change is of global concern, we can act environmentally responsible on a local level in order to not exacerbate a growing problem.

Through PlaNYC 2030, the City has positioned itself to be a leader in the fight to curb the effects of global climate change by articulating the lofty goal of a 30 percent reduction in the City’s “carbon footprint” by 2030. In a recent speech, Mayor Michael Bloomberg stated that “we soon realized that you can’t formulate a land use plan without thinking about transportation and you can’t think about transportation without thinking about air quality. You can’t think about air quality without thinking about energy and you certainly can’t think about energy – or any of this – without thinking about global warming.” Clearly, the Mayor believes that any good land use plan should consider the impacts a project may have upon climate change. This is especially true in New York City, where, according to the New York Greenhouse Gas Emissions Inventory, citywide carbon dioxide equivalent emissions were approximately 58 million metric tons in 2005, with an astounding 79 percent coming from buildings. Therefore, when we plan, we must simultaneously assess a project’s impact upon climate change and how best to reduce such impact.

With regard to this scope and an environmental review, an EIS under SEQRA/CEQR is required to examine a proposed project’s effect upon energy, natural resources, air quality and air pollution. The main contributor to global climate change, carbon dioxide, was recently declared by the United States Supreme Court in the landmark case, *Massachusetts v. EPA*, to be an air pollutant. Under the current structure and mandate of SEQRA/CEQR, the lead agency not only has the ability to examine a project’s impact upon climate change, but is under obligation to do so.

While the tools and methods for measuring 1) a building’s output of greenhouse gases and 2) that output’s impact on global climate change are still under development, the lead agency can nonetheless quantify the direct and indirect carbon dioxide emissions

to economically and prudently reduce such emissions through simple mitigation measures. Other mitigation measures can include reducing the traffic impacts, working with MTA early in the process to develop a better and more comprehensive transit system to serve this area, and working with Con Edison to provide the cleanest energy possible.

#### Cumulative Impacts

The Lead Agency must assess the impact the recent rezoning of a large section of Greenpoint/Williamsburg, in combination with the proposed rezoning here, will affect all the areas of concern. These two rezonings should not be examined independently of each other. In order to accurately analyze the significant environmental impacts of the proposed rezoning, this EIS should take into account the predicted and actual impacts resulting from the adjacent rezoning of Greenpoint/Williamsburg.

cc: Kruse-Ramey  
Kramer  
Slatkin  
Dinerstein  
Leard

Katharina Kruse-Ramey  
330 Wythe Ave  
Brooklyn, NY 11211

Robert Dobruskin  
Department of City Planning  
Environmental Assessment and Review

CC: Howard Slatkin, Dept. of City Planning

**RE: Testimony for the EIS for the proposed Domino Sugar Rezoning**

Dear Mr. Dobruskin,

As a 16 year long resident of Williamsburg and Community Board 1  
I would like to share my concerns regarding CPC's large residential development at the  
former Domino Sugar factory site.

I commend CPC for their commitment to affordable housing, to involving the  
Williamsburg community and to preserving the Refinery building as well as most likely  
the Domino Sugar sign.

I am however very concerned about the scale of the development. The proposed 2,400  
units will bring 5,500 or more new residents into the 5 block area without adequate  
infrastructure and without CPC's offer to build the necessary infrastructure  
improvements.

A water taxi dock at Grand Street Ferry Park for a \$10/ return trip to Manhattan will not  
transport more than a few hundred of the new residents. New York Water Taxi, just  
recently, suspended weekend service from Schaeffer Landing due to lack of passengers.

The drastic population increase as well as the out-of-scale high-rises will change the  
identity of the neighborhood and create pressure on the remaining small industrial  
businesses in the area. These businesses will be displaced. Several building owners on S.  
2<sup>nd</sup> Street between Wythe and Kent Avenues have already applied for zoning variances.

City Planning promised the Williamsburg/ Greenpoint community a contextual zoning in  
the upland areas. With the recent 100-140 foot high luxury condominiums springing up  
everywhere and many more projects applying for zoning variances, like the 22 story  
Quadriad development, it will be increasingly difficult to retain the low-rise  
neighborhood character of Williamsburg.

CPC's argument that affordability requires 40 story towers on the waterfront and 14 story  
buildings on the upland area is unreasonable. I urge City Planning to demand alternative  
development options in the EIS that would include major reductions in height and density  
of the planned waterfront as well as upland blocks. The upland height and density  
bonuses given to CPC will set dangerous precedents for the immediate area.

CPC uses affordability as bait for receiving height and density bonuses which are inconsistent with the 2005 Greenpoint/Williamsburg Rezoning - especially on the upland blocks. It is necessary for City Planning to assure that this project benefits the neighborhood of Greenpoint/Williamsburg and not only CPC as developer and the lucky occupants of the 600 affordable housing units. CPC has cleverly managed to divide the neighborhood along socio-economic lines by pitting low income residents with their demands for affordable housing against middle-class residents who are in favor of preserving the low-rise and mixed industrial character of the neighborhood. Although there is a large need for affordable housing, the character of the neighborhood should be retained.

Furthermore, the Draft Scope does not include a study on the current, highly trafficked, truck route on Kent Avenue. Residents do not pay millions of dollars for luxury condominiums to then have 18-wheeler trucks race by their buildings. The applicant should include a truck traffic study for Kent Avenue.

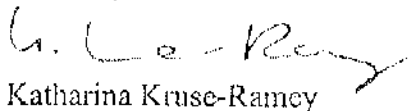
The proposed scoping area is too limited in its radius. The scope area with a massive project like the "New Domino" should be expanded to the same area as the 2005 Greenpoint/Williamsburg rezoning.

CPC should also assess the visual impact its current design will have on views of the Williamsburg Bridge from nearby streets. While it is wonderful that CPC is planning to open up the view corridors to the East River, the proposed project will significantly impair views of the bridge structure.

City Planning needs to address the adverse effects of this development in relation to the residents of Community Board 1, make provisions to retain the existing industrial uses in the project zone and ensure that the applicant's project will not substantially change the character of our neighborhood.

Thank you for your consideration of these comments.

Sincerely,



Katharina Kruse-Ramey



New York City  
*Helping neighbors  
build communities*

**Testimony of LISC NYC at the Public Scoping Meeting  
of the NYC Planning Commission  
on the Redevelopment of the Former Domino Sugar Plant  
July 31, 2007**

Good afternoon. My name is Sarah Hovde and I am Research and Policy Analyst at the Local Initiatives Support Corporation, NYC Program. I'm testifying on behalf of Denise Scott, LISC NYC's Managing Director.

Founded in 1979, LISC NYC's mission is to help resident-focused, community-based development organizations transform distressed communities and neighborhoods into healthy ones—good places to live, do business, work, and raise families. LISC mobilizes corporate, government and philanthropic support to provide community organizations with: loans, grants and equity investments; technical, management and organizational development assistance; and local, statewide and national policy support.

For over 25 years, LISC NYC has been a critical link between non-profit community developers, the government and the private sector, providing over \$160 million in grants and loans and over \$1.5 billion in equity to more than 75 community development corporations (CDCs). These groups have used those funds to develop close to 28,000 units of affordable housing in Harlem, the South Bronx, and Brooklyn. CDCs have also raised an additional \$3.3 billion for neighborhood redevelopment and are responsible for at least 60,000 units of renovated and/or new homes and apartments and over 1.4 million square feet of commercial space.

The downside of the extraordinary revitalization process that we've witnessed in many NYC neighborhoods is soaring rents and property values that threaten the ability of long-time residents to remain in their communities and share in the benefits. The resurgence of the real estate market is creating a growing affordability gap that is most severe for the poorest households, but that increasingly affects moderate- and middle-income families as well.

LISC NYC is addressing this problem by continuing our core focus on affordable housing -- with an intensified emphasis on the preservation of affordability in existing housing, as well as on new production. We are developing new tools and initiatives to support CDCs' capacity to preserve and develop affordable housing in an increasingly challenging development environment. Additionally, in recognition that a comprehensive community development approach must include not only affordable housing, but also better access to jobs, goods and services, quality education, and

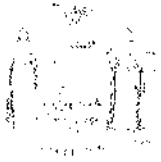
healthy environments, LISC NYC also invests in commercial and community facilities development – from retail properties to schools, to recreational and childcare facilities.

We support the proposed plan for the redevelopment of the Domino Sugar Factory because in important ways it aligns with LISC's vision for creating sustainable, balanced communities.

Most importantly, through a commitment of affordability for 30% of the units, it will result in the creation of approximately 660 units of affordable housing. An opportunity to provide such a large number of affordable housing units at one site is a rare and valuable opportunity. These units will be affordable to a mix of income levels, including some at 30% of area median income, or approximately 21,000 for a family of four. This is a lower income level than that required by the Greenpoint Williamsburg rezoning rules. The proposal also includes units for senior housing, for which there is a growing and unmet demand. Finally, it will also provide opportunities for moderate-income homeownership. LISC NYC supports the development of mixed-income housing within a single site, such as that proposed in the Domino plan.

The project is also innovative in its adaptive re-use of a historic but out-moded industrial facility. It includes the development of retail, commercial and community cultural facility space, as well as four acres of landscaped public park, which will open up access to riverfront recreation amenities to use by the broader community. We believe the project will be an asset to the immediate neighborhood, and to the city.

Thank you for the opportunity to testify in support of this project today.



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*Testimony: Assemblyman Vito J Lopez  
Domino Sugar Scoping Meeting  
July 31, 2007*

Good afternoon Commissioner Burden and distinguished members of the panel. Thank you for giving me the opportunity to testify before you today. I am here on behalf of Assemblyman Vito J Lopez to discuss the current proposal for the Domino Sugar site set forth by the Community Preservation Corporation (CPC).

I would first like to take this opportunity to applaud CPC for their continued efforts to include affordability in development projects throughout New York City and express my support for the development of the Williamsburg-Greenpoint Waterfront. Assemblyman Lopez has always been a staunch advocate of affordable housing for low-income and working class people in New York City. He has passed significant legislation and allocated funding that has resulted in the production of literally thousands of units of housing in the five boroughs. Although the Domino site does provide a significant number of affordable units in the presented plan, housing is not the only issue at hand.

As community leaders we have an obligation to be thoughtful as we forge ahead with the development of the Brooklyn Waterfront. While the Assemblyman believes that the production of affordable housing, especially along the waterfront is imperative, these needs must be addressed in a balanced way. The Domino site presents several unique challenges that must be addressed along side the need for affordable housing:

**1. Density and Population Growth**

Community Board 1 has long been concerned with the rapid population growth in Greenpoint and Williamsburg and the effects this may have on city infrastructure and neighborhood character. These concerns have been clearly articulated in the Community Needs report for the past several years. If the proposal proceeds in its current form Williamsburg will be home to 2,400 new units of housing. This population growth is sure to put a great strain on the already overburdened resources in the community such as sanitation, garbage collection, and transportation.

One of our greatest concerns regarding large-scale projects continues to be the effect population increases of this size will have on traffic and public transportation. With the L train already severely overcrowded, and the J and G trains overflowing during rush hour, drastic population increase can have only one of two results: a greater number of people driving through Williamsburg, or a significant increase in rider-ship on public transit

lines. This coupled with Mayor Bloomberg's proposed "congestion pricing" plan does not bode well for Williamsburg residents.

## **2. Zoning and Identity**

The Domino site also presents a unique opportunity for City Planning. While the rest of the waterfront is currently zoned for 30 and 40 story buildings, CPC's land is currently zoned 'Manufacturing' with a maximum height of 22 stories. Their plans call for nearly a 100% increase in height to 40 stories. It is important to note that in the case of this land City Planning has the ability to limit height and advocate for lower density.

Historically, Williamsburg is a low-rise community and CB1 has always supported contextual zoning both on the waterfront and upland sites. In a recent contentious vote at Community Board 1, many neighborhood residents were adamantly opposed to the construction of a 22 story project just blocks from the Domino Site. Commitment to moderate density and low-rise development is key to maintaining Williamsburg's identity. There is both broad political and community support to reduce the height at the proposed site.

In many instances developers along the waterfront have been able to produce a large number of affordable units while also attempting to keep the height of their buildings to a reasonable number of stories. For example, at the Schaeffer site developers were able to commit nearly 40% of their overall units to affordable housing, while also maintaining a more reasonable height at 25 stories. Though much of the zoning allows for taller buildings along the waterfront, 40 story building should not be considered the norm on the Brooklyn waterfront. Allowing for a drastic increase in height that blatantly ignores the contextual zoning of the neighborhood creates a dangerous precedent for inland Brooklyn neighborhoods that are committed to a low-rise, close-knit identity.

The tension between height, density, and affordability has persisted throughout the 20<sup>th</sup> and 21<sup>st</sup> centuries. It is the Assemblyman's view that there should be a dialogue between the old, modernist sensibility and more organic urban theory espoused by planners such as Jane Jacobs. As much as affordability, space and the effect it has on place must be considered as we move forward. If there is anything that Jane Jacobs has taught us about cities, it is that we cannot simply solve problems through prescriptive measures but that neighborhoods behave like complex systems that communicate spatially, economically, culturally, and socially. We must ask ourselves if affordability must also come at the expense of low-rise communities and if affordable housing must always be unusually high and dense to exist. While it is progressive and hopeful to imagine a new, economically integrated Domino, it may also be naïve to imagine that this can occur in extremely dense, spatially isolated 'towers in the sky.'

## **Conclusion**

The current plan for the Domino Sugar Site as proposed is unacceptable at this point. Until concerns regarding density, zoning, and neighborhood identity are addressed alongside affordability Assemblyman Lopez cannot lend his support to CPC's development of Domino Sugar. The plan requires a major reduction in height to gain



political and community support. Until the 300 and 400 ft buildings are reduced by at least 10 stories the Assemblyman will continue to advocate for a balanced proposal that speaks to all the community's needs. I would like to submit my testimony along with a copy of a letter sent to Community Board 1 stating Assemblyman Lopez's position on the project. I would like to thank the panel for giving me the time to testify here today.

Contact: Elizabeth Hynes  
Legislative Assistant  
53<sup>rd</sup> Assembly District  
718-963-7029



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## **Assemblyman Vito J. Lopez Opposes Current Domino Sugar Development Plan**

The Community Preservation Corporation (CPC) recently unveiled their development plan and design for the site of the former Domino Sugar factory on the Williamsburg Waterfront. While Assemblyman Lopez appreciates CPC's inclusion of 25% of the waterfront units as affordable housing, which is roughly consistent to the Greenpoint-Williamsburg Waterfront Rezoning, he has serious objections with respect to the height and density of the project.

Williamsburg is primarily a low-rise residential neighborhood which supports a dense population. CPC has proposed to build two 40-story towers and two 30-story towers producing approximately 2,200 residential units on the Domino site. While other waterfront developers have not exceeded 35-stories, CPC insists that they must build higher.

The construction of towers of this height and density would have profound effects that will not only change the character of this neighborhood, it would also further burden a community that already struggles to keep up with growing demands on its infrastructure. For example, the transportation system serving this area is at capacity. Furthermore, allowing the construction of 40-story towers will change this neighborhood from the tight-knit, low-rise residential community to a Gold Coast coveted by the Manhattan elite. The implications of excessive development are far reaching and may ultimately contribute to the displacement of long term community residents in Williamsburg.

### **Assemblyman Lopez Supports:**

- *Maximum Affordability on the Waterfront – NOT Maximum Profits*
- *Utilization of all possible subsidies to increase affordability and decrease height*
- *No more than 25-story buildings at this site*
- *Prevailing Wages for building service workers on the Waterfront*
- *50% Community Preference for the affordable units*



## OFFICE OF THE BROOKLYN BOROUGH PRESIDENT

August 13, 2007

Robert Dobruskin, Director of Environmental Review  
Department of City Planning  
22 Reade Street, Room 4E  
New York, NY 10007

Dear Mr. Dobruskin:

I am writing to submit comments in response to the proposed scope of work for the Domino Sugar Rezoning Project Draft Environmental Impact Statement (DEIS).

The Domino Sugar Project has set a goal to revitalize the site while integrating the historic sugar refinery as part of the overall development proposal. The plan introduces approximately 2,400 housing units for the Williamsburg community, including hundreds of units affordable to area residents. It also incorporates new retail and new publicly accessible recreation space along the riverfront. I will consider the appropriateness of this proposal during its City Charter required ULURP process.

Meanwhile, as had been reflected at the public scoping hearing, many residents in the surrounding community have concerns regarding the Domino Sugar Project. I have heard their concerns regarding housing affordability, building heights, traffic and public transportation. I have taken these concerns into consideration in my attached comments on the draft scope of work.

If you have any questions, please contact Kevin Parris, my land use coordinator at (718) 802-3856. Thank you.

Sincerely,

Marty Markowitz

cc: Honorable David Yassky  
Vincent Abate, Chair, CB 1  
Mr. Michael Lappin, Community Preservation Corporation

Encl.  
MM/kp

**COMMENTS ON THE SCOPE OF WORK FOR THE  
DOMINO SUGAR PROJECT DRAFT ENVIRONMENTAL IMPACT STATEMENT BY  
BOROUGH PRESIDENT MARTY MARKOWITZ  
AUGUST 10, 2007**

**SOCIOECONOMIC CONDITIONS**

Indirect residential displacement analysis should include an indicator of the percentage of wages that is used for rent by the surrounding population. The DEIS should disclose statistics related to the ethnic characteristics of this population and direct and indirect costs of relocating families. The analysis should further identify the anticipated impact on rents and property values based on known real estate trends that might occur with and without the proposed luxury units.

**URBAN DESIGN/VISUAL RESOURCES**

Photographs to be compiled of the area along Kent Avenue and from South 5<sup>th</sup> Street to Grand Avenue, should be taken from the pedestrian vantage point along sidewalks on both sides of the street. A minimum of two views should be provided as a means of illustrating what a pedestrian views as that person approaches the site. For South 3<sup>rd</sup> and South 4<sup>th</sup> Streets, more than two westerly views should be provided to take into account the development site east of Kent Avenue. For the east-west view corridors, one such view should be from Wythe Avenue. In addition, Kent Avenue views should be taken from both north and south of the site.

**TRAFFIC AND PARKING**

Additional intersections are recommended for inclusion in the DEIS analysis, including

- Havemeyer Street / Grand Avenue / South 4<sup>th</sup> Street
- Grand Street / Meeker Avenue ( Rodney Street)
- Metropolitan Avenue / Meeker Avenue

The operation of area truck routes should be assessed, including Broadway, Grand Street, and Kent Avenue, and the potential impact of the proposed project on these routes. Current efforts by the NYCDOT to implement the results of its city-wide Truck Route Management and Community Impact Reduction Study should be reviewed and referenced where appropriate.

**TRANSIT**

Transit has been widely accepted to include subway and bus services. Given the location of this redevelopment site, adjacent to the East River, and the increasing availability and ascendance of waterborne services, transit should be defined to include water taxi services.

### *Water Taxi Service*

As noted above, existing water taxi services to the Williamsburg area should be described, including service frequency; span of service; available capacity; and, characteristics of the areas within short walking distance to the waterfront sites served. Given the orientation of traditional transit systems to developed areas and the increasing pattern of new development along the waterfront, such service may be most effective to locations within a short walking distance of travelers' origins and destinations.

The ability of water taxis to provide the most direct route and shortest travel time to its service locations should be compared to traditional transit. In addition, the ability to connect the proposed waterfront esplanade to the nearest site served by water taxi should be discussed.

### *Subway Service*

The subway stations to be analyzed should include the Metropolitan Avenue (G)/ Lorimer Street (L) station complex, Bedford Avenue (L) and Marcy Avenue (J, M, Z.) stations. These need to be differentiated in terms of areas accessed and the distribution of residents to their travel destinations. Further:

1. Efforts to install Communications Based Train Control (CBTC) on the Canarsie line, served by the L train, and its schedule and service implications should be described in the FEIS in the context of service to neighborhoods between the Lower Manhattan and Mid-town business districts.
2. Current crowding levels and service frequency on the G train (which serves the cross-town line and provides direct access to Downtown Brooklyn and to mid-town Manhattan via transfer to the 7, E, V trains in Long Island City) should be analyzed and plans to expand/improve service should be obtained from NYC Transit and described in the DEIS.
3. Service and crowding levels on the J, M, Z trains operating on the Brooklyn Broadway line, which provide access to the Lower East side and Lower Manhattan, should be analyzed and improvement plans should be obtained from NYC Transit.

### *Bus Service*

Bus service to local destinations within Brooklyn and Queens is provided by the Q59 and B61. However, only the Q59, operating on Kent Avenue, provides direct bus service to the development site. The Q59 also provides feeder service to the Metropolitan Avenue (G)/Lorimer Street (L) station complex, while the B61 provides access to the Bedford Avenue station (L). The current ridership and operating characteristics of these services should be discussed in light of their respective service areas.

Additionally, there is no transit link between the development site and the Marcy Avenue station (J, M, Z). As the potential for implementing a shuttle bus to this station was implied in the draft scope, demand estimates would need to be developed. The value of such a shuttle service should be reconsidered in light of the potential for establishing a regular local bus service at no cost to

the developer. Such a service could be provided by modifying the Q59, which currently terminates at Kent Avenue/Broadway, by extending it along Broadway so that it terminates at Washington Plaza. This location is the terminus for several local bus routes in the area, and is adjacent to the Marcy Avenue station (J, M, Z). The suggested modification would enhance the role of Washington Plaza as a transit hub, while providing improved transit connectivity to residents of the proposed development.

The demand for these services should be estimated and contact initiated with NYC Transit to discuss the extension of the Q59 noted above.

Pedestrian analysis should be undertaken at the Metropolitan Avenue (G) station, because of the proximity of the Q59 to the development site along Kent Avenue, and the direct service it would provide to the station complex on Union Avenue. Analysis should also be undertaken at the Washington Plaza intersections adjacent to commercial locations, and entrances to the Marcy Avenue station stairs. Washington Plaza would be the destination of the suggested shuttle bus, as well as the modification of the Q59 that is suggested above.

The incorporation of traffic calming measures, such as sidewalk bulb-outs, at intersections along the local streets adjacent to the development site, by subway stations and all other analyzed intersections should also be considered.

## THE WEST FIRM

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August 9, 2007

Via Facsimile (212-720-3495),  
Electronic Mail ([rdobrus@planning.nyc.gov](mailto:rdobrus@planning.nyc.gov)),  
And First-Class Mail

Robert Dobruskin, Director  
Environmental Assessment and Review Division  
NYC Department of City Planning  
22 Reade Street, Rm 4E  
New York, NY 10007

Re: Draft Scope Of Work To Prepare A Draft Environmental Impact Statement For  
The Proposed Domino Sugar Rezoning

Dear Mr. Dobruskin:

Our Firm serves as land use and regulatory counsel to Radiac Research Corp. (d/b/a Radiac Environmental Services) ("Radiac"). Please accept these comments on the Draft Scope Of Work To Prepare A Draft Environmental Impact Statement For The Proposed Domino Sugar Rezoning (not dated) (the "Draft Scope of Work"). This letter also confirms recent conversations between John V. Tekin, Jr. of Radiac and Steven Leonard of the NYC Department of City Planning (the "Department") concerning the effect, if any, of the Draft Scope of Work on Radiac's business operations and property rights.

### Background

Radiac is located at 259 and 261 Kent Avenue and 33 South 1<sup>st</sup> Street (collectively, the "Property") in Brooklyn. There are two basic components to Radiac's business operations at the Property. First, Radiac collects low-level radioactive waste from hospitals, universities, and medical centers in sealed, approved containers. Radiac then stores the containers for a short period of time at the Property before sending the material to out-of-state end-disposal facilities. Second, Radiac transports and receives pre-packaged hazardous and universal waste from schools, hospitals, universities, and businesses for ultimate recycling and disposal at off-site facilities. Some examples of these types of materials are laboratory reagents, paints, batteries,

Robert Dobruskin, Director

Page 2

August 9, 2007

and computer equipment. Unlike other similar facilities in the area, Radiac does not pour, pump, mix, or treat these materials prior to transporting them off-site.<sup>1</sup> Radiac has engaged in these business operations at the Property for decades.

#### Relationship between the Draft Scope of Work, Radiac, and the Property

The Property is currently zoned M3-1. According to the Draft Scope of Work, however, the Property is within a so-called "non-project rezoning area." As part of The Refinery LLC's application to redevelop the former Domino Sugar site (the "Project"), the "non-project rezoning area" would be rezoned from M3-1 to M1-2. Importantly, despite this planned rezoning, the "proposed M1-2 zoning would maintain the current allowable density in this area and would be consistent with most of the existing uses, and would continue to permit manufacturing uses that are compatible with nearby residential uses, while requiring the enclosure of future industrial uses and precluding new heavy industrial operations" (Draft Scope of Work at 3 [emphasis added]).

#### Comments

Radiac's use of the Property is encompassed by Use Group 18 (see Zoning Resolution of the City of New York § 42-15).<sup>2</sup> Under the current zoning, the activities in Use Group 18 are permitted as of right in the M3-1 District.

As an initial matter, assuming that the "non-project rezoning area" is ultimately rezoned from M3-1 to M1-2, Radiac's use of the Property will remain permitted as of right. Specifically, section 42-20 of the Zoning Resolution of the City of New York states that "[u]ses listed in Use Group 18 are permitted in M1 or M2 Districts (as well as M3 Districts) if such uses comply with all of the applicable performance standards for such districts" (see Zoning Resolution of the City of New York § 42-20). Here, Radiac's use of the Property is such that it does not implicate most of the performance standards (ex., noise, vibration, dust, etc.). For those that are relevant to its use, Radiac does and will comply with all of the applicable performance standards for the M1-2 District. Thus, consistent with section 42-20 and the intent of the rezoning as explained in the Draft Scope of Work (see e.g. page 3), Radiac's use of the Property would remain permitted as of right if the Property is rezoned to M1-2.

Alternatively, in the event that Radiac's use of the Property does not comply with some or all of the applicable performance standards for the M1-2 District, that use (or those uses) will nevertheless remain lawful. That is because such use will have been ongoing on the Property for decades, including the time that the Property is ultimately rezoned from M3-1 to M1-2. As such, these uses would be "grandfathered" or "vested," making them lawful pre-existing non-

<sup>1</sup> As you can see, given this description of Radiac's business operations at the Property, the "Land Use" attributed to the Property in Table 1 on page 8 of the Draft Scope of Work is inaccurate.

<sup>2</sup> Further, since Radiac has consistently utilized the Property in these ways for decades, Radiac surely has lawful pre-existing non-conforming use rights at the Property as well (see generally Zoning Resolution of the City of New York, Article V).



Robert Dobruskin, Director  
Page 3  
August 9, 2007

conforming uses in the M1-2 District (see generally Zoning Resolution of the City of New York, Article V).

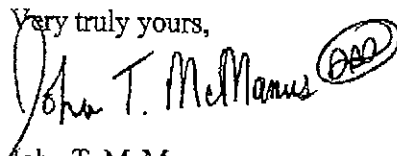
Conclusion

Recently, Mr. Leonard of your Department kindly confirmed the above analysis – particularly that portion going to Radiac’s lawful pre-existing non-conforming use rights at the Property – with Mr. Tekin. Unless we are informed by your Department to the contrary, Radiac’s future actions at the Property and in regard to the Draft Scope of Work will be guided by Mr. Leonard’s assurances.

Finally, please include our Firm on any future public notifications concerning the Draft Scope of Work and the proposed Domino Sugar rezoning.

If you have any questions about the content of this letter, please contact me directly at 518.641.0505. Thank you for your attention in this matter.

Very truly yours,

  
John T. McManus

CC: Art Green (via electronic mail)  
John V. Tekin, Jr. (via electronic mail)

TESTIMONY BY REPRESENTATIVE OF  
METRO NEW YORK INDUSTRIAL AREAS FOUNDATION  
(East Brooklyn Congregations, Manhattan Together,  
South Bronx Churches, & Queens Citizens Organization)

We who work with the Metro Industrial Areas Foundation affiliates in New York city know how important affordable housing is for individuals, families, and neighborhoods, as well as how difficult it is to build it.

Our East Brooklyn Congregations' affiliate has already built 2,900 affordable Nehemiah homes, and is currently building hundreds more at Spring Creek.

Our South Bronx Churches affiliate has built 1,000 Nehemiah homes and condos and is working with Common Ground and CPC to initiate more production in the Bronx.

Our Queens and Manhattan groups are scouring their areas, looking for sites for affordable homes or apartments.

In many of our housing endeavors, we have worked very closely with the Community Preservation Corporation. CPC provided technical assistance and financial oversight in the construction of nearly 700 Nehemiah homes in East New York. EBC and CPC Resources partnered to produce 48 affordable housing units, about to be occupied in the same area.

The reason we speak with great confidence and enthusiasm about the proposed redevelopment of the Williamsburg waterfront is because of our knowledge and respect for CPC. CPC brings a long history of production, of delivery, to the housing history of New York. CPC also has that rare combination of technical and professional expertise, along with an unwavering commitment to lowering costs and keeping housing affordable for working families.

CPC's willingness to make sure that 30% of the units built in Williamsburg affordable is not just rhetoric or an empty promise: it is the natural extension of its 30-year mission of delivering affordable shelter for New York residents.

Thirty years ago, when CPC was starting its work of preserving New York's neighborhoods in Washington Heights and when Metro IAF was launching its first organizing effort in Queens, the question all New Yorkers asked was this: will the city survive its financial, social, and physical crises?

Today, due to the relentless efforts of CPC and others, the question is: Who will this expensive and wonderfully vital city *be for*? Will it be for the rich alone? Or will it be for all New Yorkers?

The CPC proposal for the Williamsburg waterfront embodies the better answer to the current question: it shows that the city can – and will – be for everyone.

Metro IAF supports this proposal completely and looks forward to the day when buildings rise and diverse families live in dignity and peace.

C: Kiewit Leonard  
Keep  
State

# New York Housing Conference

1780 Broadway, 6th Floor New York, NY 10019

212.265.6530 Phone | 212.757.0571 Fax | www.thenyh.org



Robert Dobruskin, Director

Environmental Assessment and Review Division

NYC Department of City Planning

22 Reade Street, Rm 4E

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Carol Lamberg,  
Policy Director

Dear Mr. Dobruskin,

We are writing on behalf of the New York Housing Conference in order to express our support for the Domino Sugar Factory Redevelopment in Williamsburg. We are sorry that we could not attend the Hearing held on July 31<sup>st</sup> before your committee but we do want to take this opportunity to comment on the proposed project.

As you know, the Domino Sugar Factory, located on the Williamsburg waterfront conforms with the city's zoning changes that took effect in 2005. This unusual project is sponsored by CPC Resources Inc., the for-profit development arm of the Community Preservation Corporation which has a major developer in preserving Brooklyn's affordable housing stock for many years. CPC has invested 1.6 billion dollars, 200 million of which went to Williamsburg. This funding rehabilitated 600 rental apartment units for all income levels. The Domino Sugar Factory will provide 2,400 residential units, 30 percent of which will be affordable for persons whose income levels range from 30 to 60 percent of the



# New York Housing Conference

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area's AMI. This distribution will help to ensure the mixed income characteristics of Williamsburg. The striking design by the noted Rafael Viñoly Architects PC will also provide 220,000 acres of commercial retail and community space as well as access to the waterfront for the community.

We understand that some concern has been expressed about damaging the façade of the original factory building. Please note that the project has been designed in such a way as to minimize any façade alteration, with the majority of the construction taking place internally to adapt the building for residential use.

In giving our support to this project we have taken several factors into consideration: the major one being the shortage of affordable housing which has now reached crisis levels in the city, the lack of land available for new construction, and the need to prevent total displacement and gentrification of communities like Williamsburg which has been taking place all over the city. Our members, who span the spectrum from non-profit to private and commercial real estate community all agree with our assessment and urge you to give your support to the Domino Sugar Factory Redevelopment expeditiously.

Sincerely,

Clara Fox,

John Kelly,

Carol Lamberg

# New York Industrial Retention Network

11 Park Place, Suite 914 New York, NY 10007  
Tel 212 404-6990 ♦ Fax 212 404-6999 ♦ [www.nyirn.org](http://www.nyirn.org)



July 31, 2007

## Re: Testimony on the Draft Scope of Work Domino Sugar Refinery Rezoning

Good afternoon. I am Jennifer Barrett, Research and Policy Associate at the New York Industrial Retention Network or NYIRN. For the past ten years, NYIRN has worked with government agencies and businesses throughout the five boroughs to ensure a place for industry in the City. I thank you for the opportunity to testify on the scope of work for the Domino Sugar Refinery.

NYIRN has reviewed Refinery LLC's scope of work for the Domino site and we applaud the inclusion of low-income and affordable housing units, public open space and community facilities. NYIRN would like to address the importance of retaining light industrial uses within the scope of work, and more specifically, the importance of keeping the upland area across Kent Street, the "non-project rezoning area," for light manufacturing.

Historically, the Domino site and surrounding blocks between the waterfront and Wythe Street have been dominated by industry. Currently, at least fifteen active industrial businesses, (or 130,000 SF of industrial space) exist within the development site and on adjacent blocks affected by the scope of work. In addition, there are eleven other businesses on the blocks immediately adjacent to the Domino site. Many of these businesses have been in existence since the 1950s and they currently employ more than 250 people.

Given the character of this area and the importance of industry to the City and the neighborhood, proposed rezonings on and around the Domino site should consider ways to maintain and support light industrial uses. Existing vacant parcels, equaling 50,000 SF of available land, provide a unique opportunity to create additional light manufacturing space that is designed to be compatible with new and existing residential, commercial and industrial uses. Therefore, the proposed rezoning of the "non-project rezoning area," blocks 2415, 2403 and 2390, to M1-2 should include provisions to ensure continued use for high-performance manufacturing. Furthermore, NYIRN strongly opposes the alternative rezoning of these blocks to mixed use (M1-4/R6A and M1-4/R6B) as presented on page 29 of the Scope of Work, which would hinder manufacturing uses.

NYIRN also asks that another alternative be considered for the "non-project rezoning area" along Kent Street. We recommend the creation of an Industrial Employment District (an IED), which would create a zoning overlay for an existing M-zoned area. An Industrial Employment District would ensure longevity for industrial businesses and would require special permits for other non-industrial uses such as superstores, hotels or offices, which are currently permitted in M-1 zones, but restricted in the M-3 areas. This would provide a land use designation essential to industry stability and job growth, and a place for industry that could not be removed by future administrations.

Manufacturing jobs are living wage jobs. Industry creates approximately 230,000 jobs city-wide, nearly half of which are in manufacturing. On average, annual incomes for manufacturing are \$15,000 more than service-industry jobs, and manufacturing employs a diverse workforce: two-thirds of the people in the production workforce are immigrants, 80% are people of visible minorities, and 24% do not have a high school degree or equivalent. In Brooklyn Community District 1, 36% of the residents are employed in industrial sectors. More specifically, in the area around the Domino site (between Grand and S. 4<sup>th</sup> Streets and west of Driggs Avenue), 29% of residents are employed in industry; 75% of residents are visible minorities and 23% have less than a high school degree or equivalent. Retaining and increasing manufacturing jobs in and around the Domino site would offer long-term economic and employment opportunities to the immediate neighborhood.

Finally, the issue of traffic poses a challenge to the redevelopment of the Domino site. Kent Street is a major trucking route between the Williamsburg Bridge, the Brooklyn Navy Yard, southwest Brooklyn industrial zones and the Greenpoint-Williamsburg Industrial Business Zone and Industrial Ombudsman areas. As a major artery for heavy traffic, it poses a problem of compatibility and safety for future residents. Potential traffic problems must be closely considered in the Environmental Impact Study for the Domino site.

In closing, rezoning and changes to the neighborhoods of Williamsburg and Greenpoint have already limited the space available for light manufacturers. The Williamsburg-Greenpoint Industrial Business Zone and other IBZs in Brooklyn and throughout the city are full to capacity; vacancy rates for industrial space are lower than the vacancy rates for office space in Manhattan. Therefore, land use decisions on the Domino site will impact the character of the area and its industrial future.

Thank you for the chance to testify on this important project.





construction a key economic driver, providing direct jobs and significant local spending, the demand for housing in NYC is extreme and shows little signs of abatement, despite troubling indicators in the country's housing market. The higher ends of the housing market will find a place somewhere. It can bypass the City altogether or push further into the older and more fragile housing stock. High rise market rate new construction doesn't create housing demand, it fulfills it.

The inclusion of 660 affordable units is obviously a unique opportunity that is rarely seen in a single project in NYC. Most notably it is important to understand that had this site been included in the Williamsburg rezoning it would not have been required to provide housing affordable to so many lower income households and at such low income levels. Where the Greenpoint Williamsburg rezoning would have required 20% of the units to be affordable to households earning 80% of area median income, this proposal includes 30% of the units as affordable, including set asides for families at the 30%, 50% and 60% of median income.

And if the proposed changes to 421-a passed by the State Legislature are signed into law by the Governor, this project again would not only meet the requirement but would exceed it by providing not only the required affordable units, but additional affordable units, for low income senior citizens and homeownership opportunities for moderate income New Yorkers . Given the extensive level of public engagement involved in both the Williamsburg rezoning and the recent 421-a debate, surely a project that comes before you with an even greater commitment to affordability should be encouraged and approved.

I would further note that had the project not been required to incur the significant cost burden of retaining the existing sugar refinery building, there would have been even greater flexibility to either provide more affordable units or reach more households at even lower income levels. In addition if this portion of the site were to be included for new construction, the bulk could have been distributed in buildings with a lower height.

But even as it is, the contribution towards helping to meet the needs of low income households is significant.

The Mayor's plan for the year 2030 is projecting that our population will increase by 1 million people over the next two decades. How will we make room for them?

Only by increasing density that actually expands the entire inventory of housing and by government using its land-use powers to increase the availability of buildable sites for a range of housing options can we hope to house our growing population.

Thanks to the commitment of the development team this is a rare moment in which you have the ability to do both by approving the actions that are before you.

Thank you for your time and consideration.

July 27, 2007

Mr. Robert Dobruskin  
Director, Environmental Assessment and Review Division  
NYC Department of City Planning  
22 Reade Street, Room 4E  
New York, N.Y. 10007-1216

**Re: Public Scoping Meeting on the proposed Domino Sugar Rezoning**

Dear Mr. Dobruskin:

Brooklyn Greenway Initiative is completing the planning for the Brooklyn Waterfront Greenway in Williamsburg in coordination with Regional Plan Association, NYC DOT, the Brooklyn Navy Yard Development Corporation, NYC Parks and others. The waterfront open spaces, including the esplanade, that result from rezoning will become key elements of the greenway, a 14-mile route from Greenpoint to Bay Ridge and may be complemented by a dedicated bikeway on Kent Avenue.

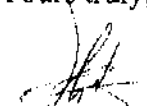
NYC Parks' Waterfront Open Space Master Plan covering Greenpoint and Williamsburg sets an important precedent and context for the rezoning of this site and its environmental review. Extending the provisions of the Waterfront Open Space Master Plan to South Williamsburg rezoning actions was an important recommendation of the more than 100 residents attending a public planning workshop in May held by Brooklyn Greenway Initiative and RPA.

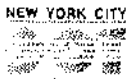
The new open spaces at the Domino Sugar site should be designed consistently with the Greenpoint/Williamsburg Master Plan, including connections to Grand Ferry Park and South 5<sup>th</sup> Street.

This rezoning should also provide incentives for the transfer of title to the new waterfront open spaces to NYC Parks & Recreation, as with Greenpoint/Williamsburg, to ensure the long term public character of these public spaces. As with Greenpoint/Williamsburg, construction and maintenance funding should remain the responsibility of the developer.

Please take the greenway into formal consideration, including the pedestrian and bicycle traffic it will carry in the environmental assessment.

Yours truly,

  
Milton Puryear



New York City  
Department of Transportation

Janette Sadik-Khan, Commissioner

Traffic Planning  
40 Worth Street, Room 928  
New York, New York 10013  
Tel: 212-676-1680 Fax: 212-442-7812  
Web: www.nyc.gov/dot

C: Kievas  
Amjadi  
Kupar  
Gladstein  
Edward  
Kamenovsk

To: Robert Dobruskin, Director  
Environmental Assessment and Review Division  
NYC Department of City Planning

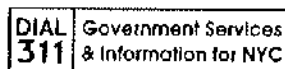
From: Naim Rasheed, Director *Naim*

Re: Domino Sugar Rezoning  
CEQR No. 07DCP 094K

Date: July 24, 2007

We have reviewed the project's Environmental Assessment Statement (EAS) and Draft Scope of Work for the above referenced project and submit the following comments:

1. The proposed project is the redevelopment of the former Domino Sugar site along the East River waterfront in the Williamsburg neighborhood of Brooklyn Community District 1. The proposed development will include residential, retail/commercial and community facility uses. The project site comprises Block 2414 Lot 1, which is located along the East River waterfront between Grand and South 5<sup>th</sup> Streets and Block 2428, Lot 1 which is located on the east side of Kent Avenue between South 3<sup>rd</sup> and South 4<sup>th</sup> Streets. Please have the consultant provide the travel demand assumptions including trip distribution and assignments for each analysis peak hour (including Saturday) for DOT review and approval. The trip generation assumptions and assignments will be the basis of additional intersection analysis locations, if necessary. In addition, please have the consultant provide list of ATR locations. Lastly, please have the consultant modify Figure 13 to show the primary and secondary study areas.
2. Please have the traffic consultant to amplify on what is meant "...net change in uses" as indicated on pages 22 (task 16) and 23 (third bullet from bottom) of the draft scope of work.
3. Please have the consultant identify to what extent the Greenpoint/Williamsburg EIS (certified 2005) will be used as a guide given the 2013 build year, traffic data collection occurred between 2002 and 2003 and parking utilization was done in 2004. All data is now more than three years old.
4. In Task 17 of the Draft Scope of Work, the consultant proposes to conduct detailed pedestrian analyses at four (4) nearby intersections. Please have the consultant provide pedestrian trip distribution and assignments and identify high accident locations (five or more pedestrian accidents per year), school and school



Robert Dobruskin, Director  
Environmental Assessment and Review Division  
Re: Domino Sugar Rezoning  
CEQR No.: 07DCP094K

July 24, 2007

Page 2 of 2

crossings to determine the study locations. In addition, please have the consultant revise the Draft Scope of Work to state that the pedestrian assessment will include analysis of corners, sidewalks and crosswalks.

5. Please have the consultant include Level of Services (LOS) analysis of affected intersections as part of Construction Impacts section (Task 20) of the Draft Scope of Work.

Should you have any questions, please call me at (212) 676-1680 or Henry Colon at (212) 676-2190.

c: D/C M. Primeggia, B/C J. Palmieri, K. Kishore, A. Olmsted, R. Chiagoro,  
S. Ahmed, H. Colon, File

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Testimony before the New York City Department of City Planning Regarding the  
Domino Sugar Refinery, Brooklyn  
July 31, 2007

Good afternoon, I am NYC Council Member Diana Reyna, representing the 34th District of Williamsburg and Bushwick, Brooklyn and Ridgewood, Queens. I would like to thank Chair Amanda Burden and the members of the City Planning Commission for holding this important hearing on the proposed development at the Domino Sugar Refinery site. As you are aware, the proposed development and potential land-marking of this site has been very controversial.

I have always thought of the proposed development of the Domino Sugar site as the companion piece to the 2005 Greenpoint/Williamsburg waterfront rezoning and believe it should be approached with the same spirit and intent. Balancing the needs of a community with the developers desire to make a profit is always tremendously challenging. I believe we achieved a fair balance in the rezoning in 2005. We recognized that the area wide redevelopment in Greenpoint and Williamsburg could potentially displace sections of the lower-income communities in the Williamsburg section of my district (which is currently experiencing displacement at an all time high). We created safety nets to offset this shift by demanding and receiving a 33% affordable rate of the 10,000 new proposed units, many of which are to be on-site. The Domino Sugar Refinery redevelopment offers the same, if not greater potential for affordable housing for residents of Community Board 1.

Let me start with my first concern, which is the number of affordable housing units proposed on the site. The Community Preservation Corporation (CPC) has proposed that 30% or 720 of the overall 2,400 units be affordable. The 720 units that have been proposed do not meet the needs of the community; this is simply not enough. Therefore, I am requesting the number of affordable units be increased to a minimum of 1,000 units. I am willing to support the proposed height only if these minimum requirements are met on affordability, and if the developers are to receive additional density bonuses, more affordable units must be considered. I support the following development: the distribution of 2400 units, of which 1000 must be affordable units set aside for low income families. There should also be consideration for affordable home-ownership. I would like to see the remaining 1400 units to be divided between moderate to market rate income families with a minimum of 500 units set aside for moderate income.

We have hundreds of businesses in the North Brooklyn and Greenpoint Industrial Business Zones and the Brooklyn Navy Yard. Many are registered MWBE's that developers must consider first when contracting with companies to acquire materials for construction. We have thousands of residents ready and able to work, and for those who are seeking employment opportunities but have no experience, the developers are to establish a construction job training program. We must guarantee that our businesses and residents will be not be neglected and that all opportunities be taken full advantage of.

Developers in NYC cannot build in a vacuum; the city must provide municipal services for the newly developed areas. New modes of transportation are required to move the new residents and existing local residents safely and efficiently around the borough and city. Responsible planning for new schools, fire houses, and police and sanitation services must be in the development plan. Open space, open to all, is a priority. I would like to see the developers working with local community groups to develop plans for the best use of open space.

On a final note, please understand that to receive full community support and my support, the City Planning Commission, the administration and the developers must be willing to listen to our needs and come to an equitable compromise benefiting all parties involved. I cannot emphasize enough that responsible and visionary planning starts with a dialogue here with us in North Brooklyn. We have the community to remind us of our moral obligations and our experiences to guide us through the p**ROCESS**.

# Regional Plan Association

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EXECUTIVE DIRECTOR  
Thomas K. Wright

July 31, 2007

Mr. Robert Dobruskin  
Director, Environmental Assessment and Review Division  
Department of City Planning  
City of New York  
22 Reade Street, Room 4E  
New York, N.Y. 10007-1216

**Re: Public Scoping Meeting on the proposed Domino Sugar Rezoning**

Dear Mr. Dobruskin:

Thank you for this opportunity to address the scope of the environmental assessment for the proposed Domino Sugar Rezoning.

One of the key issues to be addressed by the Environmental Assessment and Review Division and the applicant for the Domino Sugar Rezoning is the creation of public access to the waterfront, and the long term public character of these public spaces to be provided as part of the proposed action.

The recently created Waterfront Open Space Master Plan in Greenpoint and Williamsburg just to the north of the project area sets an important precedent and context for the proposed rezoning in this area and its environmental review. To insure the seamless connection and experience of the north Brooklyn waterfront, we suggest that the waterfront esplanade and additional open space be designed and operated as is being formulated for the waterfront open spaces of the Greenpoint Williamsburg recent rezoning. Extending the provisions of the Waterfront Open Space Master Plan to South Williamsburg was an important conclusion from the more than 100 residents attending a community design workshop held last May by RPA and Brooklyn Greenway Initiative.

In terms of design, the open spaces to be provided in the Domino Sugar large scale development plan should be consistent with the Greenpoint Williamsburg Master Plan, especially as it pertains to the connections to Grand Ferry Park, South 5<sup>th</sup> Street, and the design elements of the esplanade and supplemental open spaces.

In terms of ownership, this rezoning should offer similar incentives for the transfer of title of the proposed waterfront open spaces to the City, just as was the case for Greenpoint Williamsburg rezoning. RPA believes that to ensure the long term public character of these public spaces, it would be best if title was

# Regional Park Association

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Thomas K. Wright

transferred to the New York City Department of Parks and Recreation, and management was made the responsibility of Parks or a partnering non profit organization. As per Greenpoint Williamsburg, the construction and management funding would still be the responsibility of the developer.

Another key issue is ensuring a safe and welcoming environment for bicyclists and pedestrians. RPA has been working with the Brooklyn Waterfront Greenway to create a 14 mile landscaped, off-street path along the entire waterfront. The bikeway of the Greenway, which has received substantial federal, state, and local support, is proposed to run along Kent Avenue right through the proposed development site. The environmental assessment should consider the number of pedestrians and bicyclists expected in the area, and consider how the greenway might safely accommodate these people.

Sincerely,



L. Nicolas Ronderos  
Senior Planner



Kloves

THE CITY OF NEW YORK LANDMARKS PRESERVATION COMMISSION  
1 Centre St., 9N, New York, NY 10007 (212) 669-7700

**ENVIRONMENTAL REVIEW**

DCP /LA-CEQR-K 06/20/07  
PROJECT NUMBER DATE RECEIVED

**PROJECT**

DOMINO SUGAR REZONING:

- No architectural significance
- No archaeological significance
- Designated New York City Landmark or Within Designated Historic District
- Listed on National Register of Historic Places
- Appears to be eligible for National Register Listing and/or New York City Landmark Designation
- May be archaeologically significant; requesting additional materials


**COMMENTS**

The LPC is in receipt of the EAS and scope of work for EIS (SEIS) dated 6/8/07. The text is acceptable for historic resources and archaeology.

The Filter, Pan and Finishing Houses at 292-314 Kent Ave. have been calendared by the LPC for LPC designation. Additionally, the SHPO has found that an area containing the complex, bounded by the East River, Grand St., Kent Ave., and S. 5 St. appears eligible for listing on the State and National Registers. The SHPO is also studying the area east of Kent Ave. across the street from the complex.



Gina Santucci 07/06/07  
SIGNATURE DATE

Janyce Stefan-Cole  
376 Wythe Avenue  
Brooklyn, NY 11211  
718 387.2685  
jstefcole@msn.com  


cc: Kuper  
Kiewit  
St. Nick  
Leopold  
whitham

Robert Dobruskin, Director  
NYC Department of City Planning  
Environmental Assessment and Review Division  
22 Reade Street, Room 4E  
New York, NY 10007-1216  
FAX: 212.720.3495  
August 6, 2007

Dear Mr. Dobruskin,

This letter is in regard to the proposed development of the eleven acre former Domino Sugar Refinery site and the impact those proposals will have on the existing neighborhood and its environment.

Firstly, I am in accord with those who favor saving the façade of the main processing plants and outbuildings of similar history, architecture and character. The craftsmanship in the brickwork alone is worth saving.

This segues into the character of the neighborhood. The proposed height and density of the buildings as planned will look like a lovely mirror of Manhattan from the Manhattan side of the East River, predictable lavish steel and glass, the skyline of Brooklyn gone forever.

From our side, the Brooklyn side, behind the proposed buildings, the sky will be blotted out. Planned public access to river front promenades will assuage some of the loss. But what will the new steel and glass dwellers with large incomes do without social services? The 90<sup>th</sup> Precinct is already overwhelmed. Williamsburg is a large area. The Post Office is overwhelmed. There are no schools after elementary that are to be recommended. The High Schools are dangerous, overcrowded inner city schools. There are virtually no doctors or dentists. The hospitals in our area are low rated. The L subway line is crowded to bursting at rush hour. To sum: what of the infrastructure?

My husband and I settled in Williamsburg in 1984. We came to escape gentrification in Carroll Gardens. We are writers and our arrival displaced no one. We lived for years without amenities. There is still no supermarket or significant source of fresh produce. Our friends send their children out of neighborhood to be educated.

When Kent Avenue was closed for nearly two years to replace sewer lines and lay fiber optic and electric cables my street, Wythe Avenue, became the alternate truck route. Children could not cross the street, people walking pets crossed at their own risk. It became nearly impossible to pull out or park our cars for the non-stop traffic. The noise of trucks careening, spewing

pollutants was nearly unbearable. Where are those trucks going to be routed once the steel and glass high-rises go up? Will the high income residents put up with trucks and dirt and noise? Or will they find the clout to direct the cars and trucks inland to poorer streets? Do the proposed new dwellers-of-means understand Williamsburg has among the highest rates of childhood asthma in the city?

The touted low income units will be on low floors, and they will deal with the trucks and bad air and noise. They will not be able to afford to eat here, or shop here, but they will have a promenade to hobnob on with the well to do. I do not mean to be sarcastic, but rather to point out the impact that is *not* being discussed in the revolutionary changes proposed for our area.

Housing! the Mayor says. Fine, but where is the infrastructure to support all the new families? What is the neighborhood supposed to be?

The complimentary point I wish to make is the proposed height of buildings on the east side of Kent Avenue, upland of the East River, between South 3<sup>rd</sup> and South 4<sup>th</sup> Streets, on the old Domino parking lot. Full disclosure, I live upland of that lot. I accept that any view I have will go to someone better-healed. What I cannot accept are structures higher than three to four stories (45' elevation max) built *within* the existing neighborhood. The promise made to us when zoning changes were being proposed was that development upland would respect the existing format. That format is one to four family dwellings with some exceptions in low warehouses converted to housing, and one or two larger factories such the Esquire Building on South 2<sup>nd</sup> Street and Wythe Avenue. These exceptions were old structures already in place, whose renovations respected their original character.

That is the crux of what is missing from the proposed eleven acre plan: respect for the existing structure of the western tip of Williamsburg. Pressure from prominent historical groups has apparently saved the façade of three old Domino buildings. The rest will be thrown out.

Please work with the people already here. Lower the heights of the proposed riverfront structures. The Schafer Landing development is a reasonable approach. Forty stories is not. The density and impact on the infrastructure have been unsoundly thought out, if they've been thought out at all. Assure us that any building on the east side of the riverfront, east of Kent Avenue, *anywhere* along Kent Avenue, be kept to four stories or below to preserve what is a successful neighborhood.

Finally, I suggest the developers be taxed to pay for improvements to the infrastructure. That will not fly, of course, but who will pay? And who is planning for that inevitability?

Thank you for your attention and consideration in this very important matter.

Sincerely yours,

  
Janyce Stefan-Cole

Cc: Howard Slatkin, Vito Lopez, Marty Markowitz, Sens Clinton and Schumer, Mayor Bloomberg, Governor Spitzer, The New York Times



**Testimony of Lydia Tom  
Deputy Director, Enterprise New York  
Enterprise Community Partners, Inc.**

**For the Public Scoping Meetings on the Draft Scope of Work  
for an Environmental Impact Statement (EIS)  
New York, New York  
July 31, 2007**

My name is Lydia Tom and I am Deputy Director for Enterprise Community Partners' New York Office. I appreciate the opportunity to share with you Enterprise's extensive affordable housing activities and our support for the New Domino development project.

#### **About Enterprise**

Enterprise is a leading provider of development capital and expertise needed to create decent, affordable homes and rebuild communities. For a quarter of a century, Enterprise has pioneered neighborhood solutions through private-public partnerships with community organizations, financial institutions, local governments and others who share our vision. Enterprise has raised and invested \$8 billion in equity, grants and loans to support the creation of 215,000 affordable homes. In New York City, Enterprise has invested over \$1.5 billion to create and preserve more than 22,000 affordable homes.

In 2004, Enterprise New York launched its Billion Dollar Promise, our commitment to invest \$1 billion in 15,000 affordable homes by 2009. We are now more than halfway there, with \$610 million invested in almost 7,000 homes for low-income New Yorkers.

#### **New York City's Need the Development of Affordable Housing**

Having a place to live is the crucial first step out of poverty; yet for many low-income people in New York City, one of the most expensive housing markets in the country, finding an affordable place to live is often impossible. One fact that drives this message home is that nearly 80% of low-income New Yorkers spend more than a third of their income on rent. Additionally, the number of units affordable to low-income households continues to fall as the number of affordable units available on the market diminishes. A report by study by NYU's Furman Center for Real Estate & Urban Policy found that 205,000 affordable units had been lost between 2002 and 2005 in New York City. Should this trend continue, thousands of working class New Yorkers – teachers, taxi-cab drivers, firefighters, those who are integral to New York City's livelihood – will be at the heart of a housing crisis. It is imperative that we continue to develop and preserve affordable housing.



### **The New Domino Project**

We commend CPC Resources and the Katan Group for their commitment to making 30% of the 2,200 units to be developed through the New Domino project affordable, of which 25% will be targeted for low-income New Yorkers. One hundred apartments will be available for New Yorkers making at or below 30% of the Area Media Income and another 100 will be built for seniors at or below 50% of AML. This project also includes a rare opportunity for homeownership for at least 100 moderate to middle income families. As an advocate of affordable housing, Enterprise is fully supportive of this development project because it will produce a significant quantity of quality affordable housing within a mixed income community. In neighborhoods that experience rapid market transformation, the ability to maintain significant affordable housing for low-income residents is very difficult. CPC Resources and the Katan Group should be applauded for making this level of a commitment to affordable housing. Their vision of a mixed income, mixed use community that will provide for four acres of open space with public access to and along the waterfront along with planned retail and cultural components while preserving the historic Refinery is very much welcomed.

There have been some concerns expressed by others about the level of density in this project. Enterprise feels strongly that the density being proposed on this 11 acre site is suitable. The reality of the New York City development environment is that there are few large sites left on which to develop. The critical tool of inclusionary zoning has made it possible to leverage this large site and provide a substantial amount of affordable housing alongside an overall larger number of homes. In order to achieve that level and scale of affordable homes and homes for middle class New Yorkers, the proposed density must be maintained.

### **Conclusion**

Thank you for the opportunity to testify on the New Domino project. Enterprise stands committed to working with other affordable housing developers, city, state and federal housing agencies and elected officials to promote the creation of affordable housing towards our shared goal of creating healthy and sustainable communities of opportunity for families of all incomes.

**Testimony to  
NYC City Planning Commission**

**Comments on the  
Proposed Domino Sugar Rezoning**

**July 31, 2007**

**John Tynan, Director of Housing  
CATHOLIC CHARITIES OF BROOKLYN AND QUEENS  
191 Joralemon Street  
Brooklyn, NY 11201  
(718) 722-6000**



Good Evening, my name is John Tynan. I am the Director of Housing for Catholic Charities of Brooklyn and Queens. As one of the largest providers of housing for low-income seniors, families and the formerly homeless in New York City, we see first-hand, every day, the overwhelming need for affordable housing. This need is especially acute in Williamsburg where the rapid gentrification of the neighborhood has caused vast displacement of low and middle income residents. The plan presented by CPC Resources for the renovation of the Domino site will generate close to 650 units of affordable housing and represents an opportunity to address some of this need.

Over 500,000 families in New York City pay more than half their income in rent. Record numbers of families are living in homeless shelters. For each apartment we manage, there are over 20 eligible applicants on the waiting list. In addition to these global statistics, are the very real stories of struggling families and frail elderly tenants in Williamsburg who are being displaced by rising rents. This displacement is reaching crisis proportions.

As a social service provider, Catholic Charities has been a part of the Williamsburg community for over 100 years. Our community-based services include Head Start, Child Care, Residential Services for the Developmentally Disabled, Senior Luncheon Programs, Family Housing, Supportive Housing for the formerly Homeless and for Persons with HIV/AIDS, Case Management and Counseling for Families. Through these programs, and in working together with the local Catholic Parishes, we see families, seniors and individuals who struggle everyday to make ends meet. Those



struggles have been dramatically amplified by the pressure placed on these families by landlords looking to raise rents.

The plan presented by CPC Resources for the redevelopment of Domino has demonstrated a true sensitivity and responsiveness to the needs of the low and middle income residents of Williamsburg. What is especially striking about the plan is the commitment to serve the lowest income residents and to develop housing for senior citizens. The plan's pledge to give preference to residents of the local community will also help to ensure that this neighborhood continues to offer opportunities for people of all incomes.

We commend CPC Resources for their pledge to serve the most needy residents of Williamsburg. With 30% of the units as affordable, the plan voluntarily exceeds the 20% on-site affordability that is now required of other waterfront developers. The plan by CPC Resources to develop affordable units, in the first phase, will also help to address the tremendous and immediate need for affordable housing.

We urge the Department of City Planning to support the CPC Resources plan to redevelop the Domino site, for its commitment to providing affordable housing in Williamsburg.





The plan detailed in the Scoping document adheres to the goals laid out in the rezoning approved for Greenpoint-Williamsburg in 2005, and promises additional commitments in the areas of affordable housing, community facilities, open space and waterfront access. As envisioned, the New Domino will provide housing affordable to a wide range of the community, as well as 500 retail and operations based jobs. It also includes a plan for the provision of direct ferry service, which is an important component of strengthening our regional and inner city mass transit network.

For years, neighborhoods had to stand by while the only sites available for residential development were effectively land banked for industrial waterfront uses that never materialized. Meanwhile, the most noxious uses - transfer stations, construction equipment storage and sanitation facilities - took over many of our most promising development sites and neighborhoods. The recent rezoning of the Brooklyn waterfront and projects like the New Domino provide an opportunity to create a new balance in our waterfront neighborhoods. Community Preservation Corporation has a 30- year history financing affordable housing in Brooklyn and throughout the city. Their commitment and track record will help ensure a successful project.

Our city's viability and growth depend on the creative reuse of land and buildings that are forever being adapted to changing economic conditions. Through this proposal, the Domino Refinery will have a new life. A different life, to be sure. But one that promises good things for local residents.



**DAVID YASSKY**  
COUNCIL MEMBER 33<sup>RD</sup> DISTRICT  
BROOKLYN

**DISTRICT OFFICE**  
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OF  
THE CITY OF NEW YORK

**CHAIR**  
COMMITTEE ON  
SMALL BUSINESS

**COMMITTEES**  
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EDUCATION  
FINANCE  
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REDEVELOPMENT  
PUBLIC SAFETY  
SANITATION &  
SOLID WASTE MANAGEMENT

Robert Dobruskin, Director  
Environmental Assessment and Review Division  
NYC Department of City Planning  
22 Reade Street, Rm 4E  
New York, NY 10007  
Phone: 212-720-3425  
Fax: 212-720-3495

August 10, 2007

Testimony from Council Member David Yassky  
Re: Domino Sugar Processing Plant

I am writing to express support for Community Preservation Corp's (CPC) plan for the former Domino Sugar Plant. The site is a complex area to develop since there are a number of community wishes for area, including affordable housing and preservation. These do not easily go hand in hand due to several issues, financial and other, but I feel that CPC has struck a balance.

I submitted testimony several weeks ago in support of landmarking the Domino refinery. I would like to reiterate the historical significance of this building in our City. Williamsburg has been one of the centers of industry in New York for centuries, and was the center for Brooklyn's sugar production during the 19<sup>th</sup> and early 20<sup>th</sup> centuries. The Domino Plant is the largest and most imposing reminder of this past that remains on our Waterfront today. In addition to representing North Brooklyn's history, the Domino Sugar Processing Plant is a landmark in the traditional use of the word: every pedestrian, cyclist and automobile driver that crosses the Williamsburg Bridge sees the Domino Sugar Plant as a beacon on the Brooklyn waterfront. It is an imposing visual, and is among the most recognizable buildings in New York.

CPC's commitment to include 30% affordable housing in their design is laudable. I have worked hard throughout the years to create and increase affordable housing along Brooklyn's East River waterfront. During the rezoning we succeeded in creating a program that achieved 20% affordable housing in many of those buildings, and I am happy to see that CPC helping to preserve current Williamsburg communities by including 30% affordable housing.

Lastly, Community Preservation Corp. has pledged to create public access to the waterfront. The Mayor's PlaNYC set goals to ensure that all New Yorkers have easy access to public open space, and I strongly support this goal. I applaud CPC's commitment to enhance this goal.

Community Preservation Corp. has created a plan for the Domino Sugar site that will benefit the neighborhood. No plan can be perfect for everyone, but I believe that CPC has done a competent job of creating a good balance between competing wishes for the site. This is a significant and positive step towards the continued development of Brooklyn's waterfront.

City Council Member David Yassky  
33<sup>rd</sup> District, Brooklyn

Pamela Angeles  
219 Scholes street apt 3c  
Brooklyn, NY 11206

Testimony before the New York City Department of City Planning  
Regarding the Domino Sugar Refinery, Brooklyn

Hello my name is Pamela Angeles. I have been a Williamsburg resident for 15 years. I came from the Dominican Republic at the age of 2. My family and I have always lived in Williamsburg, Brooklyn. The Domino Factory is to Brooklyn what the Statue of Liberty is to New York City. The Domino Sugar Refinery was once a company that provided work for non-skill workers. Since the close of this plant the need priority has change also. When I first heard about the Domino Sugar Refinery, I was happy that development was going to take place and something good was going to happen for the Williamsburg community. But there are concerns I have regarding this development.

My primary concern is affordable housing. I believe that 720 of the overall 2400 units is a very low number of units for our community. I believe that at least half of the 2400 units should be for affordable housing. 30% is not enough because there are hundreds of low-income families in the Williamsburg community and affordable housing is needed more that anything. We have already lost many residents due to high market rent lets not lose more. Also 100 of the 720 units are for seniors, that leaves only 620 units of affordable apartments.

The open space that we are going to have is very important to us, especially the children. In our community the opportunity to have something new makes me happy. I'm not sure of what it's going to be, probably a park, an entertainment center, a recreation space, dog park or anything that would make our neighborhood better and look cleaner. Also the open space can create job opportunities. Many people are searching for jobs and for one reason or another they just don't have luck with this. This is a good opportunity for those who have very little chance of working.

In other words it's like creating a new neighborhood in Williamsburg. There are going to be changes in our area, which are going to benefit our community. It would be great to have other residents from the city of New York to become residents of Williamsburg. Many people are going to have the opportunity of having things they have never had the chance to have. For example; most of kids dream to have a dog or some kind of pet, now with the chance that they are giving us some of those things will be able to be allowed. The Domino Sugar space can serve many purposes. It can provide affordable housing; beauty the area, commercial space to bring jobs, parks and recreation and most of all stop the misplacing that is happening with the low income. I hope that my words will reach to the hearts of the developers, and government officials that need to vote on this project.

In conclusion I would like to say New York deserves to be home for who ever loves, respect, protect, and wants to live in. Please. Do not take this opportunity away.

Sincerely,

*Pamela Angeles*

**Arthur J Bretnall, III**

330 Wythe Avenue #2D  
Brooklyn, NY 11211

August 10, 2007

Robert Dobruskin, Director  
Environmental Assessment & Review division  
NYC Department of City Planning  
22 Reade Street, Rm 4E  
New York, NY 10007

Dear Sir:

This letter is in response to the Community Preservation Corporation's application to rezone the Domino Sugar Processing plant's usage from heavy industrial to residential. At first blush, this project seems a little too ambitious, considering the fact that the CPC is proposing that their project will succeed only if they are granted the same sort of broad and sweeping variances enjoyed by the Greenpoint/Williamsburg rezoning of 2005 from R6-R8 to MX.

As a business owner, my warehouse is now in the middle of the "donut hole," "industrial sanctuary, or the remains of the industrial zone that connects Greenpoint and Williamsburg. From my perspective, it will take many years to feel the real and tangible impacts of the 2005 rezoning, namely, only after all the building is finished and all the new people are moved in will we have a realistic sense of this new rezoned population's burden on such things as public transportation and the industrial truck route. ZR 23-922 and ZR 62-35, should not be considered as a "given" in this study; nor should their proposal to permit encroachments into a truck route be taken seriously. In my mind, to preserve the south side of Williamsburg, no variances should be permitted for this project and the CPC should be forced to build within the limitations of the property which, as public record shows, was purchased for approximately 55 million dollars as an industrial property. In the vernacular, CPC will make out really good if *any* rezoning occurs. In my opinion, any claim of hardship without variances on a developer such as this should be considered for what it is – ridiculous.

Mr. Gillespe, Executive Director of NAG (Neighbors Allied for Good Growth) made an important connection as he concluded his response to the public scoping meeting for CPC. The combination of the Kedeem Winery rezoning down the street with the rampant development outside the rezoned areas renders the City's original estimate of 7,400 new residential units no longer a realistic number. A complete re-evaluation of what Williamsburg can realistically sustain is now in order.

All things considered, it is time to re-evaluate the unnecessarily large proposal of the CPC's project. It would be in the community's better interest to have planning that

does not step on its neighbor's toes, adversely impact an already burdened industrial truck route, not to mention a presently burdened public transportation system, utilities, and educational facilities to name a few.

Sincerely,

Arthur J Bretnall, III

CEO Guerra Paint & Pigment Corp.



**DOMINO SUGAR FACTORY COMMENT**

SUBMITTED BY RHONDA BROWN

rhonda.brown@dominosugarcandy.com

60 BROADWAY  
BROOKLYN, NY 11211

SUBMITTED TO:

ROBERT DOBRUSKIN, DIRECTOR  
ENVIRONMENTAL ASSESSMENT AND REVIEW DIVISION  
NYC DEPARTMENT OF CITY PLANNING  
22 READE STREET  
ROOM 4E  
NEW YORK, NY 10007

I. DOMINO SUGAR FACTORY TOWERS ARE A HAZARD TO AIR NAVIGATION ON THE EAST RIVER

II. THE INFRASTRUCTURE OF THE WILLIAMSBURG AREA OF BROOKLYN DOES NOT HAVE THE CAPABILITY TO WITHSTAND THE NUMBER OF NEW RESIDENTS PROPOSED IN THE DOMINO SUGAR FACTORY DEVELOPMENT

III. AFFORDABLE HOUSING AND MARKET RATE UNITS MUST BE BUILT SIMULTANEOUSLY

I. DOMINO SUGAR FACTORY TOWERS ARE A HAZARD TO AIR NAVIGATION ON THE EAST RIVER

IF THE DOMINO SUGAR FACTORY DEVELOPMENT IS ALLOWED TO BUILD AS PROPOSED, THE USE OF AIRSPACE FOR THE SEAPLANES AND HELICOPTERS WILL BE IN JEOPARDY DUE TO THE EXTREME NARROWING OF THE AIRSPACE CORRIDOR.

"The aircraft generally fly at 1000 feet or above while over land ( such as the Williamsburg section of Brooklyn) and only descend lower to make their final landing approach. The approach path is determined by the wind direction and also by the boat traffic in the area. When possible the final approach is made over water from the 59th Street Bridge (landing to the south) or the Williamsburg Bridge (landing to the north); occasionally when wind and water conditions dictate, landing approaches are made over Newtown Creek or over Bayside, near the white storage tanks. Altitudes will depend on the actual landing touchdown area selected by the pilot, which is usually dictated by the boat traffic. In general most of the seaplane utilizing the 23rd Street facility can land in less than 1000 feet of available water, and the pilot selects his or her landing area to avoid boats and boat wakes. While aircraft are required to remain 1000 above the land areas while transiting the East River, there is no minimum required altitude for approaches and landings except what is reasonable and safe for the prevailing wind and water conditions.

--

John D. Kelly  
Director of Operations  
Shoreline Aviation, Inc.  
office: 203-267-1818  
dispatch: 800-468-8639  
cell: 203-215-9028

THEREFORE, WITH SUCH TALL TOWERS, LANDING FROM AN EASTERLY DIRECTION INTO THE EAST RIVER WOULD BE DANGEROUS IF NOT PROHIBITIVE.

--

MR. KELLY FURTHER STATED THAT THESE SERIES OF TOWERS WOULD MAKE THEIR CORRIDOR OF LANDING THESE SEAPLANES MORE NARROW AND NOT IDEAL GIVEN CERTAIN WIND CONDITIONS WHICH ARE EVER PRESENT ON THE HUDSON RIVER.

OF IMPORTANCE, WAS THAT SHORELINE AVIATION WAS UNAWARE OF THE DOMINO SUGAR FACTORY PLANS. THIS INDICATES THAT DOMINO IS HOPING TO KEEP EVERYONE WHO WOULD BE IMPACTED IN THE DARK. NO ONE FROM DOMINO SUGAR HAD CONTACTED SHORELINE TO EVEN FIND OUT WHAT IMPACT THE MANY TOWERS WOULD HAVE ON THEIR BUSINESS OR SAFETY CONCERNS.

HE ADDITIONALLY INDICATED THAT THERE WOULD BE SIGNIFICANT IMPACT TO THE 34<sup>TH</sup> STREET HELIPORT TRAFFIC WHERE OVER 100 HELICOPTERS ARE OPERATIONAL.

THE DOMINO SUGAR FACTORY DEVELOPERS SHOULD BE REQUIRED TO OPEN UP

DISCUSSIONS WITH THE FAA REGARDING TOWER HEIGHT AND DENSITY. ONCE THESE BUILDINGS BECOME PERMANENT, AND HAVE BEEN PERMITTED BY THE CITY OF NEW YORK, IT BECOMES MORE DIFFICULT TO REMEDY. ANY ACCIDENTS ARISING OUT OF FAILURE TO FOLLOW FAA GUIDELINES BECOME THE RESPONSIBILITY OF THE DEVELOPERS AND THE CITY OF NEW YORK.

There are cases in the country where the FAA has urged areas not to permit buildings of certain heights if they posed a possible threat to air travel.

Pataki has stated "not only is it a narrow corridor, but this is a busy airspace to begin with" (North Jersey News, Transportation "Crash brings call for more air traffic control" Oct. 3, 2006 by David A. Michaels.)

FAA has no legal authority to stop a project but the FAA can require that buildings must meet FAA scrutiny in order to go forward.

A developer may try to lessen the dangers of planes in the flight path such as installing flashing lights, painting the hi-rises with vivid colors such as orange and white or ask that the (sea)planes and the hundred plus helicopters to change their flight paths.

However, to change flight paths become more problematic because of wind patterns and the narrow corridor of the East River. Planes are required not to fly over the 59<sup>th</sup> street bridge. Therefore, that leaves a very narrow flight path for the planes to land and take off.

In the event that unlikely series of events do occur such as power failure or bad weather, then those who build the towers at the Domino Sugar Factory and the city of New York which is the final arbiter should be held responsible.

Mayor Bloomberg has recently unveiled an advanced idea of easing airport congestion by turning the East River into "runways". " [one]...plan [is to] replace some airline shuttles that fly to and from East Coast cities with seaplanes-fixed-winged aircraft that take off and land on water-which could be used to pull traffic off overcrowded runways at the three regional airports that serve New York." (The New York Sun, April 18, 2007, "New Plan on Air Traffic Here Envisages Rivers as 'Runways'" by Annie Karni).

THE MOST IMPACT WILL BE TO THE 100 PLUS HELICOPTERS FLYING IN AND AROUND THE EAST RIVER DAILY.

OVER 100 HELICOPTERS MOVE IN AND UP OUT OF THE 34<sup>TH</sup> STREET HELIPORT, THESE SERIES OF 30-40 STORY TOWERS WILL IMPEDE HELICOPTER OPERATIONS

DRAMATICALLY. PLUS, PROVIDE AN EVEN MORE NARROW CORRIDOR IN WHICH TO OPERATE.

VISIBILITY WILL BECOME NIL BEHIND THE BUILDINGS FACING THE WATER AND IN THE AREAS EAST OF THE BUILDINGS PROVIDING A BLIND SPOT FOR HELICOPTER OPERATORS DAY AND NIGHT.

ANXIETY ALREADY EXISTS FOR DWELLERS OF HIGH-RISE BUILDINGS WHO HAVE LEGITIMATE FEARS OF SMALL AIRCRAFT CRASHING INTO THEIR BUILDINGS.

THE CURE IS NOT TO STOP THE SEAPLANES AND HELICOPTERS, BUT TO SCALE DOWN THE HUGE HEIGHTS OF THESE BUILDINGS.

AS OF AUGUST 7, 2007, NO ONE FROM THE DOMINGO SUGAR FACTORY DEVELOPMENT TEAM HAD CONTACTED THE FAA OR THE EASTERN REGION HELICOPTER COUNCIL INQUIRING ABOUT THE IMPACT ON SAFETY OR COMMERCE IT WILL HAVE ON THE 34<sup>TH</sup> STREET HELIPORT.

EASTERN REGION HELICOPTER COUNCIL www.erahc.org  
DAVID NUSS 201-840-8433  
HEINZ GRAUMANN 609-921-7681

IT IS ESSENTIAL TO OPEN UP DISCUSSION WITH THE FAA, SHORELINE AVIATION, AND ERHC. ONLY THEN WILL THE COMMISSION FULLY APPRECIATE THE EXTENT OF NECESSARY CONSIDERATIONS WHICH MUST BE TAKEN INTO ACCOUNT PRIOR TO PERMITTING THE CONSTRUCTION OF THE 30 AND 40 STORY TOWERS ALONG THE EAST RIVER.

**II. THE INFRASTRUCTURE OF THE WILLIAMSBURG AREA OF BROOKLYN DOES NOT HAVE THE CAPABILITY TO WITHSTAND THE NUMBER OF NEW RESIDENTS PROPOSED IN THE DOMINO SUGAR FACTORY DEVELOPMENT**

"ELECTRICAL CABLES SERVING A BIG PART OF BROOKLYN'S POWER GRID FAILED YESTERDAY, FORCING CON ED TO 'BEG' PEOPLE TO SWITCH OFF THEIR AIR CONDITIONERS IN THE SWELTERING 95- DEGREE HEAT.

THE COMPANY ASKED 87,000 PEOPLE IN GREENPOINT, WILLIAMSBURG, CLINTON HILL ...TO TURN OFF 'NON ESSENTIAL' APPLIANCES, 'ESPECIALLY AIR CONDITIONERS.'"

("TURN DOWN THE JUICE", BY BILL SANDERSON, P.17; NEW YORK POST, AUGUST 9, 2007)

THE PROPOSED AMOUNT OF NEW CONDOMINIUM OWNERS, RENTERS, AND NEW BUSINESS OWNERS EXCEEDS WHAT THE CURRENT INFRASTRUCTURE WILL AVAIL. THE CITY OF NEW YORK HAS HAD ONGOING PROBLEMS WITH THE SURGE OF ELECTRICITY CAUSING HUGE PROBLEMS TO HOMEOWNERS PRIMARILY IN THE BURROUGHS OF QUEENS AND BROOKLYN.

ADDING THE HUGE AMOUNTS OF NEW RESIDENTS TO A SMALL AREA OF WILLIAMSBURG WILL ONLY EXACERBATE THE INFRASTRUCTURE AS IT CURRENTLY EXISTS.

THE CITY OF NEW YORK MUST ADDRESS THIS PRIOR TO DEVELOPMENT, NOT AS AN AFTERTHOUGHT. THOSE OF US WHO ALREADY EXIST WITH THE POOR INFRASTRUCTURE WILL ONLY FACE YEARS OF MAJOR DISRUPTION DUE TO ONE DEVELOPMENTS DREAM OF MAKING A WINDFALL AND MOVING ON TO ANOTHER.

**III. AFFORDABLE HOUSING AND MARKET RATE UNITS MUST BE BUILT SIMULTANEOUSLY**

DEVELOPERS BUILD MARKET RATE UNITS ON THE PROMISE THAT A CERTAIN PERCENTAGE GOES TO THOSE WHO CANNOT AFFORD THE MARKET RATE UNITS. ON AUGUST 7, 2007, MAYOR BLOOMBERG "AGREED TO BACK A COMPROMISE STATE BILL THAT WOULD REMOVE MAJOR ROADBLOCKS TO BROOKLYN'S ATLANTIC YARDS MEGA-PROJECT...THE BLOOMBERG ADMINISTRATION HAD THREATENED TO HOLD BACK (FUNDING) WITHOUT...THE PLAN'S (AGREEMENT THAT) 'AFFORDABLE' AND MARKET-RATE UNITS ARE BUILT SIMULTANEOUSLY." ("CITY OKS NEW RATNER DEAL", BY RICH CALDER, P. 17, NEW YORK POST, AUGUST 8, 2007)

THIS DEAL PREVENTS DEVELOPERS FROM DOING WHAT THEY HAVE BEEN DOING FOR DECADES. DEVELOPERS BUILD HUGE TOWERS IN HEIGHT AND DENSITY WITH THE PROMISE OF AFFORDABLE UNITS AND IT EITHER TAKES YEARS OR NEVER COMES TO FRUITION. THIS IS DONE TO BENEFIT FROM THE 421-A TAX BENEFITS THAT HAVE BEEN AROUND FOR DECADES.

UNDERSTANDING PROGRESS AND HOPES TO REMEDY A BLIGHT ALONG THE EAST RIVER IS ONLY PART OF THE EQUATION BEFORE US WITH THE DEVELOPMENT OF THE DOMINO SUGAR FACTORY. THERE ARE PARTS OF THIS EQUATION THAT GET LOST IN THE DESIRE TO COMPROMISE AT THE EXPENSE OF US WITH NO LEVERAGE OTHER THAN THE COMMENTS WE GIVE TO YOU.

THE ONLY WINNERS ARE THE DEVELOPERS. THE LOSERS ARE THE RESIDENTS IN THE NEIGHBORHOOD LIVING WITH ONGOING CONSTRUCTION DUST AND NOISE, LOSS IN PROPERTY VALUE DUE TO LOSS OF VIEWS, AND YEARS OF DISRUPTION. THIS IS AN ASSAULT ON THE QUIET AND ENJOYMENT OF OUR HOMES THAT IS GUARANTEED BY THE 5<sup>TH</sup> AMENDMENT UNDER PROPERTY RIGHTS.

THERE IS NO MAGIC IN THE CURRENT DOMINO SUGAR FACTORY PROPOSAL FOR ANY OF US WHO TOOK RISKS IN MOVING INTO AN AREA ALBEIT WITH THE KNOWLEDGE THAT THERE WOULD BE MORE TO COME. WE NEED THE PROTECTION OF THE CITY TO MAKE A WISE DECISION THAT WILL BE A BENEFIT TO ALL AND NOT JUST THOSE FORTUNATE TO HAVE A PLACE ON THE WATERFRONT. THIS IS NOT WHAT WE ALL BARGAINED FOR WHEN WE VENTURED THE RISK.

August 9<sup>th</sup> 2007  
330 Wythe Ave 5F  
Brooklyn, NY 11211

*About:*

Environmental Assessment and Review  
Domino Site Brooklyn  
The Refinery LLC (CPC Resources, Inc)

*To:*

Mr. David Dobruskin and Colleagues

Dear David and Staff,

It's me, Nancy B-u-i-v-i-d. The woman with the unprepared statement who spoke about social capital and MassMOCA. I hope you have reviewed the information about MassMOCA and its contribution to the culture and economy of North Adams Massachusetts. I also hope you took into your hearts another person's request to look at the community's 197A plan for our waterfront. A plan that took many years to create with the city's blessing and all the while the city, courted by developers, was preparing a gift of our waterfront to the wealthy.

A view for a few.

I can't tell you how disappointing the past few years of life in Williamsburg/Greenpoint has been and please note that I've lived here for over 20. I've witnessed my once diverse group of neighbors homogenize. In the rezoning meetings, Ms. Burden told us the "upland" will remain contextual and showed the community slides of Battery Park City's Esplanade gardens.

I gaze to the east and see 10 stories plus breaking the sky. I am a horticulturist at BPCPC and understand what it takes to make the Esplanade as beautiful and safe as it is.

Some of my issues are as follows:



If rezoning does not occur what is the alternative proposal for the site?

Why not a cultural and educational center?  
Or incubation tank for small enterprises?

Why not lower buildings of JUST affordable housing?  
CPC, in the big picture, acquired the site for small change must they profit so wildly?

How did the site grow to include 6 acres of the river when CPC purchased it?

Shadow Studies:

You folks should really focus on the effects that a lack of vista and light will have on an existing community of people, animals, plants and TREES!  
Physical and emotional.

Community:

If more development like this proposal comes to fruition, where will those in the "affordable" units buy their food and go out for a meal at affordable prices.

Dogs. The nearest dog run is a mile away. Can they offer to build and maintain a dog run for the entire community?

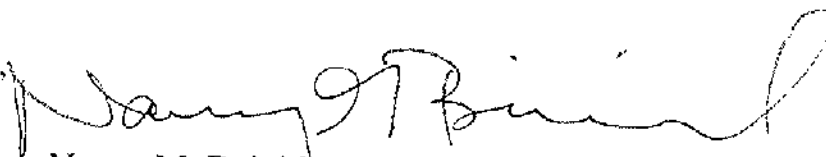
Traffic, education, public transportation, noise and even more!

I ask that all of you be critical of this Refinery LLC proposal.

Look at our neighborhood with your hearts and not at the dollars and find a better alternative than massive towers. Let Brooklyn be Brooklyn.

Thank you.

Sincerely,



Nancy M. Buivid

c: Kieves  
Kumar  
Slatkin  
Levend



SUSTAINABLE SOUTH BRONX

August 10, 2007

Robert Dobruskin, Director  
Environmental Assessment and Review Division  
NYC Department of City Planning  
22 Reade Street, Rm 4E  
New York, NY 10007

Dear Mr. Dobruskin,

In reference to the Domino Sugar Rezoning, please consider the following comment:

The significance of storm and sewage water has been considered in several recent redevelopment and rezoning proposals in New York City: the World Trade Center site, Hudson Yards, Greenpoint-Williamsburg Rezoning, and Atlantic Yards. The impact of the Domino Sugar Rezoning on combined sewer overflows and impacted water pollution control plants should be evaluated and considered as well.

Please compare the current and historic water usage and discharges to the sanitary and sewer system with the anticipated water usage and discharges to the sanitary and storm sewer system from the proposed project/rezoning. Is the infrastructure in place adequate to handle the combined sewer effluent without contributing to a combined sewer overflow event, and to not contribute to the over-burdening of the water treatment control plant, if there is a severe rainstorm?

Thank you for the opportunity to provide comment.

Sincerely,

Majora J. Carter  
Executive Director  
Sustainable South Bronx

890 Garrison Avenue The Bronx, NY 10474  
718.617.4668 Fax: 718.617.5228 [www.ssbx.org](http://www.ssbx.org)

協興農產公司

**HAN-N-SON'S PRODUCE INC.**

34 South First Street, Brooklyn, NY 11211 TEL: (718) 782-6785 FAX: (718) 782-1008

August 16, 2007

Robert Dobruskin  
NYC Dept of City Planning  
22 Reade Street  
New York, NY

RE: Domino Sugar Site, Draft Scoping Document

Dear Mr. Dobruskin,

Several years ago, we moved our business from the up and coming Soho district on Broome Street. We had been doing business there for over 20 years and the new residents of the area decided that our business was a noise violation. We worked with the community and dealt with the changing surroundings until we were forced out of our business location of over 20 years. We have relocated to S1st Street in Brooklyn and now we fear that history will repeat itself.

After having read the proposal on the Domino Sugar Site, we are worried that we will be in the same situation as prior. There is mention that the area will be converted to an M1 zone. This will impose a problem for our business since we will not be able to meet the *strict guidelines involving M1. We need to remain an M3 zone to maintain and grow our business.*

We start our operations at 5 am where trailers and trucks begin their unloading and loading process. Our customer base is in NYC Chinatown area. We've already had to relocate out of NYC and now are threatened again to relocate out of Brooklyn. I am concerned about the status of all small businesses in the metro NYC area. These small businesses help maintain NYC a strong and successful place. There is no safe place for a business to grow strong and maintain customer relations.

We urge you not to change our current zoning from M3 to M1. It will be a real burden on our business and the surrounding area. Thank you for your time on this matter.

Regards,



Joseph Chan  
Treasurer

RECEIVED  
AUG 21 2007  
CITY PLANNING DEPT  
100 N READE ST  
NEW YORK NY 10038

# Big Big Produce Inc

34 South First Street, Brooklyn, NY 11211  
Phone (718) 782-6788 Fax (718) 782-1008

August 10, 2007

Robert Dobruskin  
NYC Dept of City Planning  
22 Reade Street  
New York, NY

Dear Mr. Dobruskin,

We wish to comment on the Draft Scoping document for the Domino Sugar site. We own property on the adjacent block. We saw in the document that our business location is going to be categorized as Food Distributor. This is incorrect. We are Food Processors. Since 1980, we have been in operation at this location as Food Processors. We are concerned that if this proposed zoning is approved, we will be forced to shut down our business because we could not comply with the M1 high performance standards (ie noise, odor, etc.) Our business begins operations at 5 am loading and unloading trailers and we currently employ more than 10 people.

We need to make sure that the zoning is not changed to this M1 zone and that it remains at M3 for the sake of the neighborhood businesses that have been in existence for the past couple of decades.

Regards,



Melissa Chan-Ng  
Corporate Secretary

2007 AUG 10 11:02 AM

SOUTHSIDE UNITED HOUSING



August 2, 2007

Robert Dobruskin  
Director Environmental Assessment and Review Division  
NYC Department of City Planning  
22 Reade Street, Rm 4E  
New York, NY 10007

**TESTIMONY BEFORE THE CITY PLANNING COMMISSION ON THE DRAFT SCOPE OF  
WORK TO PREPARE A DRAFT ENVIRONMENTAL IMPACT STATEMENT FOR THE  
PROPOSED DOMINO SUGAR REZONING**

- **Inclusionary Housing Program**-The owners of the Domino Sugar site, CPC Resources, Inc. and the Kattan Group, LLC, are requesting a zoning text amendment that would allow them to include the site located across from the refinery buildings in the Inclusionary Housing Program. If the zoning text is amended, CPC would be allowed to transfer 190,000 SF of floor area development rights across Kent Avenue from the waterfront parcel to the upland parcel.
  - Under this scheme, the proposed project would yield approximately 2,400 residential units with 30% of those (720) developed as "affordable housing".
  - The Inclusionary Housing Program allows for "low income units" to be rented to families at or below 80% of AMI while the "moderate income" units are to be rented to households with incomes up to 125% of AMI. This income range does not meet the needs of our community.
  - It is essential that a significant amount of the new housing serve the residents of the community board. Southside United HDFC (Los Sures) is pushing for the affordable units to be made available to households with a wider range of incomes in order to meet community needs. Typically, Los Sures development projects serve households with incomes ranging from 50-60% of the AMI. According to the Furman center for Real Estate and Urban Policy of New York University, the area median income in Greenpoint-Williamsburg was \$35,000 in 2005, approximately half of the current AMI for Kings County, demonstrating the need for units to be made accessible to a much wider range of incomes than is required under the Inclusionary Housing Program. In addition, it is also essential that the ethnic and racial mix of the neighborhood be maintained in any new housing built on the waterfront and the data supports our contention that only rents well below market could accommodate families from the Latino, Polish, Italian, Hasidic, and Asian households that now make up Greenpoint-Williamsburg.
  - **Unit Size**-Affordable units should be made available in a range of sizes to meet the needs of larger families. For example, in a recent marketing of a low-income tax credit project owned

- by Los Sures, the average household size of over 1,000 applicants was 2.5, demonstrating the need for 2 and 3 bedroom units amongst those seeking affordable housing.
- **Location of Affordable Units**-It is not specified in the proposal whether the affordable units will be incorporated into and dispersed throughout the larger development on the waterfront as well as on the upland site. Rather, it is implied that that the affordable units will be built on the upland site instead of on the waterfront. Los Sures has always supported the integration of affordable units along with market rate units throughout development projects. We do not support a clear separation of the affordable units from the buildings on the waterfront.
  - **Environmental Impact Statement**-The Environmental Review Process utilizes a variety of indicators to determine the extent of the impact of the project on the surrounding neighborhood.
    - **Socioeconomic Conditions**-The scope of work for the Environmental Impact Statement will look at the effect of the project on indirect displacement of the at-risk population. Although the scope of work proposes to identify the population at risk of displacement by determining the portion of the population below the poverty level and the portion with income levels that are lower than the median for Brooklyn, it excludes those households living in units protected by rent control, rent stabilization, or other rent regulated programs. It is Los Sures' position is that when analyzing the effect of the project on indirect displacement, the EIS must include those residents who are currently living in units under rent regulated programs. It has been our experience that these families are in great danger of being displaced, as private landlords continue to harass tenants out of these units by refusing to make repairs and offering cash payment to force people out of their rent regulated apartments. All this is done in an effort to remove rent restrictions from their buildings, resulting in a loss of affordable housing units forever from the neighborhood.
    - **Expansion of Study Area**-The Draft Scope of Work proposes to limit the study area for the Environmental Impact Statement to a ½ mile radius from the project site. Los Sures believes that this is an inadequate assessment of the impact that a project of this magnitude would have on the surrounding community. We request that the study area be expanded to at least a 1 mile radius to ensure that the impact of this development on the surrounding commercial strip on Broadway and the residential areas located around the major subway stops at Marcy Avenue and the bus depot at the foot of the Williamsburg Bridge are adequately addressed. We are already seeing a loss of small business in the area due to the pending construction of the waterfront properties and expect that the indirect displacement of smaller businesses catering to the predominantly Latino community will only continue to worsen as projects are completed.
  - **Marketing**-Los Sures owns and manages subsidized housing and has conducted many marketing efforts as required by HPD and Affirmative Fair Housing laws. We see the necessity of not only ensuring that a large portion of the units are affordable to low, moderate, and middle income families, but that Los Sures play an official role in the marketing process to ensure that this site in the Los Sures service area not be yet another segregated housing development. We request that the marketing procedures for the low income units be monitored by an appropriate agency and follow the following marketing guidelines:
    - Advertising in a newspaper of general circulation for a specified period of time
    - Notice is given to the Community Board and, in fact, applications are made available at the Community Board Office and are mailed to those on local housing organizations' waiting lists
    - Eligibility guidelines are clearly stated
    - Applications are mailed into a Post Office box, selected by lottery, and logged in publicly.

Submitted by: **Sandy De La Cruz**  
**Director of Development**  
**Southside United HDFC (Los Sures)**



# THE HOPE PROGRAM

A Way to Work. A Way to Grow.

**Testimony to:** New York City Department of City Planning  
**Re:** Domino Sugar Refinery, Brooklyn, New York  
**Provided by:** Barbara Edwards Delsman  
**Date:** August 6, 2007  
Executive Director  
The HOPE Program  
One Smith Street  
Brooklyn, NY 11201  
(718) 852 9307 ext 17

The HOPE Program is a nonprofit organization that provides a wide array of services to marginalized populations, thereby helping them to become economically self-sufficient by finding jobs that pay a living wage. We also have a research component: studying effective strategies in workforce development. Located in downtown Brooklyn, we have worked with New York's poorest residents for almost a quarter of a century. Many of our clients reside in Williamsburg Brooklyn.

## **The *new Domino* Project**

The potential for the *new DOMINO* project to improve the quality of life for the residents of Williamsburg is unprecedented. The best possible scenario would include affordable housing, park space, and significant employment opportunities for those who live in this diverse community.

However, as I review the *new DOMINO* Fact Sheet, I must express two concerns with the project as it is currently described.

### **Concern #1: Eligibility for Affordable Housing**

As described in the Fact Sheet, the goal is for 30% of all units to be affordable, with the Area Median Income (AMI) used to determine eligibility. If the intention of this proposal is to provide housing to the working poor, then I suggest that a more realistic statistic be used. Our research indicates that the average starting salary for a HOPE graduate is \$21,705 per year. A criterion closer to this figure would make housing affordable to those most in need.

### **Concern #2: Lack of Support for Economic Development**

A billion dollar project has both an ethical and economical obligation to look first at the local community as the source of its workforce. The development of the Domino Sugar site should include a commitment from the developers to work with local businesses and train and hire local residents. If new workers need pre-employment training, they should contract with local nonprofits to provide work readiness training. A commitment to economic development would provide stability in our communities and should be written into the plan as it moves forward.

# The New York Community Council

217 N 7<sup>th</sup> Street, Brooklyn NY 11211 (347)-200-2353

Mr. Robert Dobruskin  
Director  
Environmental Assessment and Review Division  
NYC Department of City Planning  
22 Reade Street, Room 4E  
New York, NY

August 08, 2007

Public Scoping Hearing Testimony  
Draft Scope of Work for the former Domino Sugar Factory  
Environmental Impact Statement

This testimony, submitted before the 10-day expiration date of public testimony of August, 10, 2007, is hereby endorsed by The New York Community Council the following are comments, by task, that should be considered in preparing the draft EIS.

## **Task Land Use, Zoning and Public Policy**

The draft EIS should study, as an alternative, a reduction of units to 2000 with 800 units set aside as affordable housing. The Bloomberg administrations failure to downzone the Southside of Williamsburg during the 2005 rezoning call for a close look at the impact of the proposed 400ft towers.

Northside Williamsburg was downzoned with R6a or R6b zoning to offset some of the increased density of the towers now being built on the Northside of Williamsburg. These important protections were not granted to the Southside. of Williamsburg.

## **Task : Socioeconomic Conditions**

The draft EIS should study the economic feasibility of 40% affordable housing with 1/2 low-income (\$18,000 to \$35,000), and 1/2 moderate-income (\$35,000 to \$57,000) The Draft EIS should examine the effects of the action on socioeconomic conditions in the study area, including population characteristics, increase in economic activity, and the potential displacement of businesses and employment from the proposed action area. The analysis should follow the guidelines of the 2001 CEQR Technical Manual in assessing the proposed actions effects on socioeconomic conditions within 1/4- and 1/2-mile study areas The



principal issues of concern with respect to socioeconomic conditions are whether a proposed action would result in significant impacts due to: indirect residential displacement; and indirect business displacement. In conformance with the *CEQR Technical Manual* guidelines, the assessment of these areas of concern should begin with a detailed analysis.

**Task : Historic Resources** The New York Community Council is pleased that the New York City Landmarks Preservation Commission has calendared a significant north Brooklyn industrial site for designation as a New York City Landmark. LPC voted unanimously to designate the processing house of the Domino Sugar refinery in Williamsburg Brooklyn. The processing house, which dates to 1883, is an icon of the Brooklyn waterfront. The structure housed three separate sugar refining operations in one vertically-integrated factory: the Filter House; the Pan House; and the Finishing House.

The calendaring focuses on only one building in a six-block site located on either side of Kent Avenue between Grand Street and the Williamsburg Bridge. While much of the remainder of the site consists of more recent structures of lesser architectural value, the calendaring omits the Adant. House at South 5th Street, an 1883 building in which sugar cubes were manufactured, and a smaller 1883 power house located adjacent to the processing plant. The New York Community Council has advocated for the preservation of these two structures, and will continue to do so.

**Task :Public Safety**

The draft EIS should consider the impact on response times to Fire, Medical and Police emergencies.

With a 45 second increase in response time to structural fires in the area formerly served by Closed Engine Company 212 at 136 Wythe ave. what impact will 2400 residential units and 220,000 square feet of retail have on response times? Response times increases for medical emergencies and Police incident must be included in the draft EIS

**Task : Energy**

The draft EIS should consider requiring new or rehabilitated buildings that comply with green building standards as set forth by the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED), minimum silver standards.

**Task : Traffic, Parking and Mass Transit**

The draft EIS should consider the impact of up to 2400 residential units and 220,000 square feet of retail on Traffic and parking. What will the impact of this proposal have on our already stressed roads and lack of parking for current residents? 1,450 accessory parking spaces would be located on the project site, in below-grade parking *With the L train already severely overcrowded, and the J and G trains overflowing during rush hour, drastic population increase can have only one of two results: a greater number of people driving through Williamsburg, or a significant increase in rider-ship on public transit lines.*

**Task : Air Quality**

Williamsburg, which is in Brooklyn Community District 1, has one of the highest asthma rate in the City.

Asthma, which causes wheezing, coughing and shortness of breath, is the most common chronic disease among the children of Williamsburg. Air pollution and high concentrations of traffic in a densely populated area are factors contributing to the asthma problem.

Approximately 5-10% of fine particle pollution is from soot from diesel exhaust, which seems to have the worst effect on the children's asthma. Williamsburg is one area of the City that exceeds current federal air quality standards for fine-particle pollution. New York State will be required to submit a plan to the federal Environmental Protection Administration by 2008 detailing how it will bring its fine-particle pollution levels into compliance with federal clean air standards.

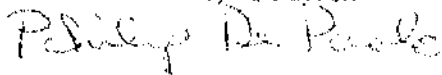
Therefore, consideration should given in the draft EIS to limiting truck access to the proposed site, for morning delivery and pickup only, limit diesel-fueled buses and encourage electric-operated buses.

*Until concerns regarding density, zoning, public safety and neighborhood identity and preservation are addressed alongside affordability, The New York Community Council cannot lend its support to CPC's development of Domino Sugar.*

Philip DePaolo

President

NY Community Council



*Doris Diether*  
ZONING CONSULTANT

107 WAVERLY PLACE  
NEW YORK, NY 10011

TELEPHONE  
(212) 477-6279

August 9, 2007

Robert Dobruskin, Director  
NYC Department of City Planning  
Environmental Assessment & Review Division  
NYC department of City Planning  
22 Reade Street, Rm 4E  
New York, NY 10007

Re: Domino Sugar Scoping Hearing

There are a number of issues I have with the scoping document. One is the statement that there will be 660 "Affordable" housing units created, but there is no information in the scoping document giving figures on what the applicant considers "affordable". However, to the NY Sun reporter, the applicant came up with some figures. According to The Sun, 100 apartments would be for people earning \$21,000 a year which comes to \$1,750 per month; 330 apartments would be for people earning \$40,000 or \$3,333 per month; 130 apartments would be for people earning \$90,000 per year or \$7,500 per month. An additional 100 apartments would be for some percentage of the normal income, whatever that is. Some people I know who are receiving only Social Security payments get less than \$900 per month. So these apartments are not for them. Another new project, also labeled "affordable" ran an ad in the newspapers advertising rents in their project from a low of \$1,993 for a one bedroom apartment to \$2,392 per month for a two bedroom apartment.

The document talks about affordable housing, but never defines what they mean by "affordable". I'm sure many of the current residents of the area would not consider the above noted rents affordable.

On page 6 the applicant gives information on the number of buildings to be constructed for this project. However, I noted that the number of buildings shown on figure 4 does not match the text.

The scoping document discusses socioeconomic conditions, however, the applicant claims that indirect residential displacement is the only impact that is likely to require a detailed analysis. Much of this area is Manufacturing, so I would presume that the direct and indirect displacement of businesses in the immediate area and in the recently created Industrial Business Zone (IBZ) just to the North of the project would be even greater than the residential displacement. Manufacturing displacement, job loss and residential displacement need to be studied in a larger geographical context. We strongly

*Doris Diether*  
ZONING CONSULTANT

107 WAVERLY PLACE  
NEW YORK, NY 10011

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(212) 477-6279

recommend that the area include all of the area that was recently rezoned and the area inland up to this side of the Brooklyn Queens Expressway. In addition, there is no mention of any adverse effects of high performance standards on the existing manufacturers if they are down zoned from M3- Low performance standards to M1-High performance standards. There is an inadequate description of the existing industrial use groups that occupy the industrial parcels that the applicant want to downzone or whether the affected businesses could expand their operations under the new zoning. A good example of this is Acme Fish. DCP excluded the block occupied by Acme, and it remained M3-1, after Acme complained that they would become a non-conforming use.

Given the large number of new residents this project will bring into this relatively small site which formerly had 0 residents, since it was a manufacturing site, the scoping document only gives a passing glance at major issues. This site is on the riverside, yet nothing in the document goes into detail about the depth of the excavations necessary for buildings of the proposed height and bulk. There is no discussion of the fact that the applicant is proposing building over the water. A question has been raised as to whether the applicant owns the property underwater.

No information is given on the condition of the site for this level of construction other than to state that the platform, which is actually a dock topped with concrete, would have to be repaired and upgraded. Other agencies may require additional impact statements such as the Federal EPA.

I understand from some of the property owners in the immediate area that there is already a problem with overflow from the sewers during a heavy rain, yet this is not discussed at all, even though there will be a huge increase in the sewer usage. Yesterday's heavy rainfall caused major flooding throughout Williamsburg and Greenpoint. I would like to point out that the sewers in this area are combined, sanitary and rain. A heavy rain could spew raw untreated waste onto the streets especially Kent Ave as it is a low point. The streets running perpendicular from Kent Ave are up-hill and even those properties experienced flooding.

At the present time in my area, the West Village, there is a major problem with the Sanitation Department. The City needs to put up a massive new facility to handle the garbage in the area which has had some new residential construction, but nothing near the scope of this proposed project. Yet, the scoping document never even mentions the need for new sanitation facilities. In addition, there is no mention that the BK 1 Sanitation Dept. facility is slated to close and be moved to an as of yet undisclosed location as the recent rezoning mapped it as a park. This scoping document should also study the impact

*Doris Diether*  
ZONING CONSULTANT

107 WAVERLY PLACE  
NEW YORK, NY 10011

TELEPHONE  
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of additional sanitation truck runs from a distant location and the effect on the enlarged area we are requesting be studied.

There is also the question of community facilities necessary to handle this influx of new residents. There is no information on the schools in the area or on the actual number of children born after the last census. Using information from the 2000 census is inadequate, as almost all of the new residential growth and baby boom in the area happened after 2000. The applicants should survey the neighborhood door to door to adequately get enough information to discuss school seats at all levels of education from pre-school, day-care, elementary, middle and high school.

There is also no mention of how children would get to school given that Kent Avenue is the only major truck route in the area and services a large IBZ zone just to the north of the site. No routes to schools are given, nor is there a discussion of traffic in the area during the time children go and return from school or whether children would walk or use school buses.

The applicant is also silent on the inadequacy of the present depth of the sidewalk to accommodate large numbers of residents, children, baby carriages, small bikes etc. Although they propose curb cuts to allow for passenger and delivery drop offs they do not discuss how this is possible. There is also no mention of any proposed street trees and any other plantings to soften the out of scale building heights.

There is also a question about health care. I have been told that even, without this enormous increase in population, patients are often taken across the Williamsburg Bridge into Manhattan for medical treatment. Nothing in the scoping document mentions a possible deficiency in medical facilities available for these new residents.

The scoping document seems to indicate that shuttle buses will be used to cart people from the new housing to the subway lines. There should be information on how many buses would be needed, what routes they would take, the impact on traffic and whether they will be only used to ferry people to the L train on Bedford and the MJZ on Marcy and Broadway. If other subway or bus connections are being considered such as the Number 7 train, then the impact on the existing and new traffic in those areas needs to be studied as well.

From recent studies by the Department of Transportation and loud comments from current resident and subway passengers in the area, I hear that it is common to wait for three trains to get on the L train at Bedford and that overcrowded trains often bypass the Bedford Ave. station and run express from Lorimer to Union Square. Without any new

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residents from the large waterfront developments or the over 100 upland projects nearing completion, the L train runs at 103% of capacity.

Is the city planning to build another tunnel to accommodate additional train service within the next five years? In the meantime, how will people get around for their jobs, schools, necessary errands etc.?

The applicant gave no alternative plans -- neither "as of right alternative that assumes the continuation of the existing M3-1 zoning" nor "other possible alternatives," even though this is required by the scoping document. In view of the large numbers of variances being requested there should be some alternatives explored in case the applicant does not get approval for each of the variances and permits that they are requesting.

Even if this were a small case, the applicant should have brought in alternative proposals. In this case, the applicant is requesting not only zoning changes but also a whole slew of other variances and special changes from even the sought after zoning. Certainly, the applicant should have brought in at least one, if not more alternative proposals. Oh yes, they did try to entice the owners of the adjacent industrial space to go along with the rezoning plan by suggesting an alternative down-zoning from M3-1 to residential.

When the DCP was working on the Park Slope Project they decided that 9 to 14 story towers would be "inconsistent with the neighborhood's low-rise, row house character." How can 30-40 story towers be consistent with the Domino sugar site and the low buildings on the adjacent blocks? The one mid-rise industrial building a block from the site was built in 1900, before any zoning regulations. Today, zoning regulations would not permit a building of similar bulk and height. In addition, this building would not conform to the contextual waterfront zoning plan.

Some additional information has surfaced comparing this project with Atlantic Yards and Parkchester. Referring to the Parkchester project, it was noted that, although the project is considered successful, prices for one-bedroom units have increased from \$22,000 to \$85,000 and two-bedroom units have increased from \$35,000 to \$135,000. Is this the price of success?

It is estimated that the New Domino would cost more than \$400,000 per apartment, whereas other projects average out much less. One question raised by these figures is, how much subsidy will be provided for each affordable unit, and how does this compare to other projects.

*Doris Diether*  
ZONING CONSULTANT

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Another issue deals with construction related jobs. There is nothing stating that the project will be using union labor or if the immediate community will get some of the construction jobs. It was noted on several internet sites that The Katan Group,(who owns the fifty percent of the project) has a track record of using non-union labor. Will this be considered by City Agencies?

Apparently at least part of the reason the applicant wants the adjacent properties to be rezoned and all the other special permits is to eliminate the nearby waste transfer stations. It reminds me of many years ago when the WEST VILLAGE houses went up and tenants in one of the buildings came to complain about the truck terminal next door. I reminded them that the terminal had been there before them, and that they were really the inappropriate use.

In 7/1/04 New York Times article about this site, DCP was not backing this project, and in August the City was still saying it was committed to finding an industrial reuse for the site. Regina Myer, from the Brooklyn office stated, "We're not contemplating a rezoning for this site."

As recently as 2005 the City expressed its' interest in keeping the Domino site industrial even though Domino's closed. The applicant should have considered other uses of the site which would bring permanent jobs, affordable housing and additional tax revenue back to the community and New York City so that all of New York would benefit from the redevelopment and not just a few at the expense of others.

If the City is still committed to these goals, and would like to see an imaginative reuse of this site then our alternate plan should be studied and adopted, as we believe that it is less disruptive and would have a positive impact on the immediate and adjacent communities, and on all of Brooklyn, New York City and the State of New York.

This alternate plan will allow the development of a significant number of truly affordable housing apartments on the upland site and create thousands of new jobs for the community. The new jobs that will help mitigate the 3,000 jobs that the community lost in the recent rezoning.

Attached is a business case study for a Cultural Center to show the impact of a creative reuse of the entire waterfront site.

August 8, 2007

Robert Dobruskin, Director  
Environmental Assessment & Review Division  
NYC Department of City Planning  
22 Reade Street, Rm 4E  
New York, NY 10007

Re: Draft Scoping Document Domino Sugar

The following inconsistencies/omissions were noted in the above document

Page 1b

There is no mention that the applicant's plans call for construction of buildings past the US Bulkhead line (see illustrative Site Plan Figure 4) over the existing dock. Approvals may be required from Federal Agencies. The applicant does not identify or define "upgrades" to the existing waterfront platform.

Page 1b

The applicant has repeatedly promised 30% "affordable housing" and sold the project to some community groups based on the affordable component, however, the applicant only "envisions achieving a goal of 30 percent affordable housing". The applicant does state that they intend to use the City's Inclusionary Housing bonus program. This program only requires 20 percent affordable housing and does not require the mix of affordability to be on the lower range of the AMI. In essence, it is quite probable that no affordable housing units will be built for the very group that supports this project. The applicant has also stated publicly, that this project will be socio-economically integrated. The text does not reflect the rhetoric.

Page 1C

Table 1 Existing Uses in Rezoning Area

Block 2403 Lot 15, Lot 37 incorrect description land use

Page 2 13b.

The applicant does not disclose how it is possible to define a pier as land area nor do they produce documentation that they own the land under the water. The deeds for the waterfront portion of this project are not consistent from one sale to the next.

Page 2 13d.

The applicant does not indicate which business would be a non-conforming use if they were rezoned.

Page 3 2.

See Page 2 13b.



Page 4 9.

The applicant states that under the proposed development plan there would be five new residential buildings-the number of buildings does not match the project description of up to 9 buildings on the waterfront site and 6 buildings upland. The statement that the bulkhead and platform which extends along the entire waterfront would be reconstructed for public access omits the fact that as per Illustrative Site Plan Figure 4 the applicant shows several buildings constructed over the pier.

Page 6 13.

Applicant does not identify the source for the 2.86 Brooklyn average households and if it is based on the 2000 census.

Page 7a-7e

The applicant omits the need to study the air traffic that utilizes the 34<sup>th</sup> Street Heliport. Both helicopters and sea planes take off and land at 34<sup>th</sup> Street. At the present time the flight landing path appears to be directly to the North of the Williamsburg Bridge on the Brooklyn side. The inclusion of tall towers need to be studied as it affects take off and landing patterns and general air safety. In addition, Police helicopters routinely patrol the East River from the Williamsburg Bridge to the 59<sup>th</sup> St. Bridge and the area close to the United Nations, an more so when dignitaries visit. Due to the large number of low flying aircraft, it would be prudent to include air traffic in the applicant's analysis. There is also no mention of any issues related to public safety by placing tall buildings in such close proximity to the Williamsburg Bridge. It should be noted that the City has spent in excess of \$300 million dollars to refurbish and reconstruct the Bridge over the past several years.

Page 7C

The applicant ignores the implications of a combined sewer system and only discusses adequate water supply and not the adequacy of the sewer system. Flooding of basements and ground floors is common in the area during and after heavy rains, without the expected 8,000 plus residential units on the waterfront. Mitigation of this possible grave health problem must be addressed.

Page 11 Task 2

Study area should include a larger area as this project will impact on the entire community of Williamsburg/Greenpoint especially on the IBZ located to the North of the Project which includes the upland side of Kent Ave.

Page 12 Task 3

Indirect residential displacement is not the only subject that requires a detailed analysis. Indirect business and institutional displacement must be studied. The study area should include those sections of Williamsburg/Greenpoint that were left manufacturing in the

last rezoning. Because this project is on the waterfront the study area should be elongated as the effects of this project will stretch the length of the waterfront from the site to the end of Franklin Avenue and inland to McGuinness Blvd.

The non-project rezoning area does not identify the businesses that would become "grandfathered" or non-conforming as a result of the rezoning. These businesses will not be able to expand their businesses or would face disruption of industrial activities due to a change in the performance standards.

**Page 13 Task 4**

The applicant needs to accurately determine the number of children in the area that have the potential to use the nearby public schools.

**Page 14 Task 5**

The applicant needs to consider a larger study area and the fact that there has been a population explosion in the area since the 2000 census.

**Page 18 Task 9**

Given the mega-size of this project, it will dramatically alter the character of the neighborhood and should be studied and not explained in "summary fashion".

**Page 21 Task 13**

There is no mention of how the applicant will get information of combined sewer overflow events.

**Page 21 Task 14**

Any study should include the estimated number of "new" trips and the impact on the traffic. The applicant should not assume that the present Sanitation garage located at N 12 and Kent Ave. will service the area, as it has been remapped as a park.

**Page 22 Task 16**

Given that Williamsburg/Greenpoint has only one major truck route (see attached map) that services the area and currently has a density that does not require numerous traffic lights or even stop signs, the traffic analysis should include the impact on traffic patterns and air quality if more traffic lights are required. Any traffic analysis should include the movement of trucks and delivery vehicles and the problems associated with no "daylight" at corners, (no cars parked at corners). If parking spaces need to be removed to facilitate trucks turning corners, the analysis should include the number of parking spaces lost.

The applicant makes no mention of the number of anticipated trips by car that will be generated by the inclusion of both commercial and community space and where visitors will park. The proposed parking lot is unattended and only for residents.

There is no mention of bicycle traffic in the area and how the project will impact this important mode of transportation and the safety of the riders. It is well documented that hundreds of people ride bikes to and from the subway.

In addition, the traffic analysis should include - traffic routes and the impact of additional vehicles going to the Mid-town tunnel. The applicant does not mention that this area has a vibrant night-life and that traffic is often backed up on weekends after midnight. The evening hour traffic on weekends should be studied.

Page 24 Task 17

The Greenpoint-Williamsburg Rezoning FEIS (May 2005) ignored the actual conditions of the area subways and buses. The only mitigation in the recent rezoning was to enlarge the stairs on one side of the street at the Bedford Ave Station. This does not address the intense overcrowding on this subway line or on the fact that the MJZ has recently seen a large increase in riders which is also resulting in overcrowding.

Page 24 Task 17B

Given the anticipated large number of new vehicles in the area a more comprehensive pedestrian analysis should be conducted which should include many more intersections.

Page 29 Task 22

It is odd that the applicant did not include any alternative development options. The applicant makes the assumption that LPC will only landmark the Refinery Building. Does the applicant know something that the general population does not? Several alternatives have been suggested by the community and have been included in the comments.

The word on the Street is that this project is a done deal. Hopefully this is not the case, and the City will scrutinize the rezoning application and do what is right for the benefit of the entire City.

Submitted by  
Stephanie Eisenberg  
1 Nassau Ave.  
Brooklyn, NY 11222

July 30<sup>th</sup> 2007

**TO WHOM IT MAY CONCERN:**

I'm writing to express my concern regarding the development of the Domino project.

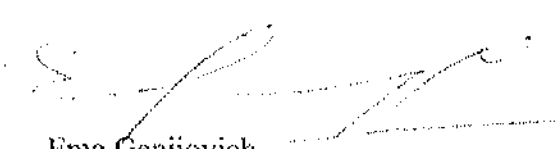
I understand that a lot of new housings will be developed. As a Family Therapist I work with families and communities all over the country. I know that a huge change like this in the number of families that will live in the community will change the composition and life patterns.

I am very concern that nobody is taking into account the impact that this could have on causing a high level of stress and mental health problems on the residents of the Williamsburg community.

There are not enough hospitals and schools to serve the new residents. This could cost family and community problems that could derive juvenile delinquency, drug dealing, etc.

Therefore I ask you to review this development project and look at the negative consequences that this could have.

Sincerely yours,



Ema Genijovich  
Family Therapist  
330 Wythe Ave. Apt. # 4 J  
Brooklyn, NY 11211



**Los Sures "David Santiago" Senior Center**  
201 South 4<sup>th</sup> Street  
Brooklyn, NY 11211  
Tel: 718. 384.2314  
Fax: 718. 384-3366

August 9, 2007

Robert Dobruskin  
Director Environmental Assessment and Review Division  
NYC Department of City Planning  
22 Reade Street, Rm. 4E  
New York, NY 10007

RE: Domino Sugar Site Testimony

Dear Mr. Dobruskin:

I am writing this testimony on behalf of the Los Sures "David Santiago" Senior Center and the approximately 100 senior members that we serve. Unfortunately, we were unable to attend the hearing, but wanted to give City Planning our input on the proposed Domino Sugar Rezoning.

Our Senior Center, which has been serving the predominantly low-income Latino seniors in the Southside community for more close to two decades, is approximately five blocks away from the Domino site. Given such proximity, it is certain our members will be affected by the proposed project.

Currently, we observe an inordinate amount of seniors struggling with gentrification and the ensuing displacement it is causing. The majority of our seniors are in receipt of SSI benefits, which means their income is approximately \$670/mo. Many of our seniors are paying almost their entire check towards rent, while others have to live doubled up with family members sleeping on couches because they cannot afford an apartment in the neighborhood.

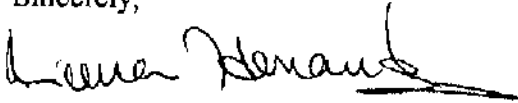
The Domino Sugar site definitely presents an important opportunity to the community, but their needs to be modifications to the proposed plan in order to better meet the needs of the low-income seniors in the Southside of Williamsburg. We are pleased that there is a plan for affordable housing units, however, we believe that 40% of the units should be set aside as affordable rather than the proposed 30%. Additionally, the proposed site has to better meet the needs of the very low-income in the community. We understand that generally these affordable units can go for 80% of Area Median Income. This doesn't really help our seniors or their family members as many of them earn significantly less. Other projects that were developed by Los Sures have generally had income guidelines of 50-60% of the AMI. We hope their will be a good portion of units set aside specifically for seniors of the our community, which will take into account the SSI level incomes.

Sponsored by Southside United Housing Development Fund Corporation  
Funded by New York City Department For The Aging



The very existence of our community depends on the number of affordable units and the income ranges of said "affordability." Many of our seniors have lived and raised their families in the Southside community and wish to remain here in their "golden years." The proposed modifications to the plan could make that possible for them. Thank you for considering the input of our Center and the senior members when deciding on the Domino Sugar site. Please feel free to contact me at the above number if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Laura Hernandez", with a horizontal line underneath the name.

Laura Hernandez  
Director



# GREENPOINT REFORMED CHURCH

Robert Dobruskin, Director  
Environmental Assessment and Review Division  
NYC Department of City Planning  
22 Reade Street, Rm 417  
New York, NY 10007

August 9, 2007

Re: Environmental Impact Statement (EIS) for Domino Sugar Rezoning

Dear Mr. Dobruskin,

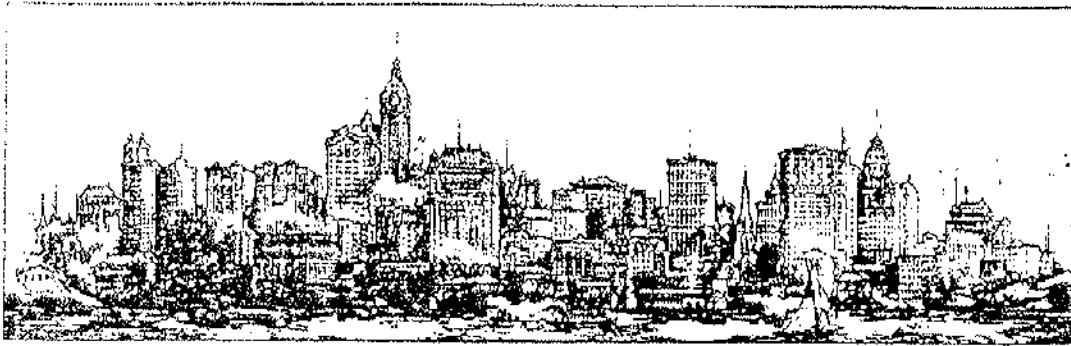
We write to you as co-pastors of the Greenpoint Reformed Church located on Milton Street, approximately one mile away from the Domino's Sugar Factory. As you are surely aware, the rapid gentrification and significant increase in real estate values and housing costs has had a profound impact upon the area of Greenpoint and Williamsburg. After prayerful consideration, our congregation has determined that affordable housing is one of the most pressing issues facing our community. Consequently, we have committed to finding ways of advocating for and securing affordable housing for all who seek to live in North Brooklyn.

In order for people in the neighborhood to comment constructively on the proposed environmental impact statement, we need more information about the affordable housing component of this project. In particular, how the proposed affordable housing will be subsidized and allocated, and how the community can be assured of such housing actually becoming available.

We look forward to learning more about the future of the Domino Sugar site. Thank you very much for your consideration.

Sincerely yours,

Ann M. Kansfield and Jennifer Aull  
Co-Pastors



## THE SOCIETY FOR THE ARCHITECTURE OF THE CITY

### **Comments on the Draft Scope for the Proposed Domino Sugar Rezoning, 07DCP094K**

Environmental Assessment & Review Division, City Planning Commission Hearing, July 31, 2007

The Society for the Architecture of the City is a small, all-volunteer historic preservation advocacy group based in Greenwich Village.

We question whether the draft scope complies with the *CEQR Manual* in its plan for assessing visual impacts on Historic Resources and on Urban Design/Visual Resources, because the proposed study areas seem to be inappropriately drawn, stopping respectively in the middle of the East River, and on the waterside boundary of the rezoned area—ignoring important public viewpoints on the bridges and the Manhattan shore.

We understand that the State Office of Historic Preservation finds the whole Domino complex and the Williamsburg Bridge to be State and National Register eligible. The city Landmarks Commission has calendared a portion of the Domino complex for designation.

In the Historic Resources section of the *Manual*, the “screening or elimination of publicly accessible views” and a “change in scale, visual prominence or visual context of any building, structure, or object or landscape feature” (*Manual*, Section 220, page 3F-6) are called out as requiring assessment. The study area for assessing such alteration of visual context and the elimination of views may be extensive. “Examples of situations for which a larger study area may be appropriate include: ...Actions that result in changes that are highly visible and can be perceived for farther than 400 feet *and* could affect the context of historic resources some distance away (e.g. changes to the skyline around Central Park). (*Manual*, Section 312, page 3F-7.)

Similarly, in the Urban Design/Visual Resources section, (*Manual*, Section 323.2 page 3G-5) “If the action blocks, partially or entirely, a view corridor”, “if the views blocked are the ones essential to visual character in the area”, “if the action changes urban design features so that a natural or built visual resource is no longer dominant in an area” there is an impact to be assessed. “If the proposed action would significantly affect the visual enjoyment of an historic resource” there is an impact. As to the study area: “where significant visual resources exist, **it may be appropriate to look beyond the land use study area to encompass views outside of this area**... from locations outside the study area (such as in instances where there are views to significant visual landmarks within the study area, such as the Williamsburg Bank in Brooklyn...) (*Manual*, Section 310, page 3G-2.)



However, in the draft scope, the Historic Resources Study Area (Figure 11) uses the 400 foot perimeter boundary, and the Urban Design and Visual Resources Study Area (Figure 12) uses what it calls a “½ Mile Perimeter”, which, however, takes the form of a semi-circle with the straight edge starting at the waterside edge of the re-zoning area and extending only inland, so that the study area on the Manhattan waterside is zero.

Both of these boundaries should be revised to include the numerous, extensive and important public viewpoints from the East River bridges and the Manhattan shoreline, which include parkland, as well as publicly accessible views looking south toward the site on both sides of the river. The broad and winding character of the East River makes the Domino site (and the Williamsburg Bridge) part of a panorama that can be enjoyed from an amazing number of public places. These viewpoints should be identified and included in the study area. Specifically, we find that the Domino complex can be seen from the Queensborough Bridge, the Williamsburg Bridge, the Manhattan Bridge, and the Brooklyn Bridge. It is visible from numerous points on the FDR Drive, and from the East River Park, as well as the northern tip of the Brooklyn Bridge Park. It is visible from the United Nations, and from the Detmold Park below Beckman Place, as well as the cross streets ending there and the Robert Moses Playground at 41<sup>st</sup> Street. This list is not exhaustive.

Such views are not only enjoyed by the public, they have been repeatedly chosen by artists as the subject of landscape paintings, etchings and engravings and photographs that celebrate our city. For instance, from our own neighborhood of Greenwich Village, the African-American artist Joseph Delaney painted the Williamsburg Bridge and the Domino site (Xerox attached) Many other examples exist, and should be considered.

Many of these viewpoints are heavily frequented by tourists who will lose the opportunity to appreciate what the State Office of Historic Preservation describes as “one of the most visually prominent and historically significant industrial sites on the East River Waterfront.”

Alternatives to the proposed bulk and massing should be considered in view of the impact on historic resources and urban design. The EIS should include renderings of the site as it is proposed to be developed, not just in elevation, but from the affected viewpoints, and alternatives to this distribution of bulk should be considered.

Recently, a proposal for a tower next to the Brooklyn Bridge on the Brooklyn side, at 38 Water Street, was withdrawn in response to the public outcry at the desecration of the view. New Yorkers in every borough care about the views of their bridges and their landmarks, and the DEIS should give full consideration to the visual impacts of the current design and how they could be mitigated to preserve what Walt Whitman called the “democratic vistas” that are enjoyed by all New Yorkers.

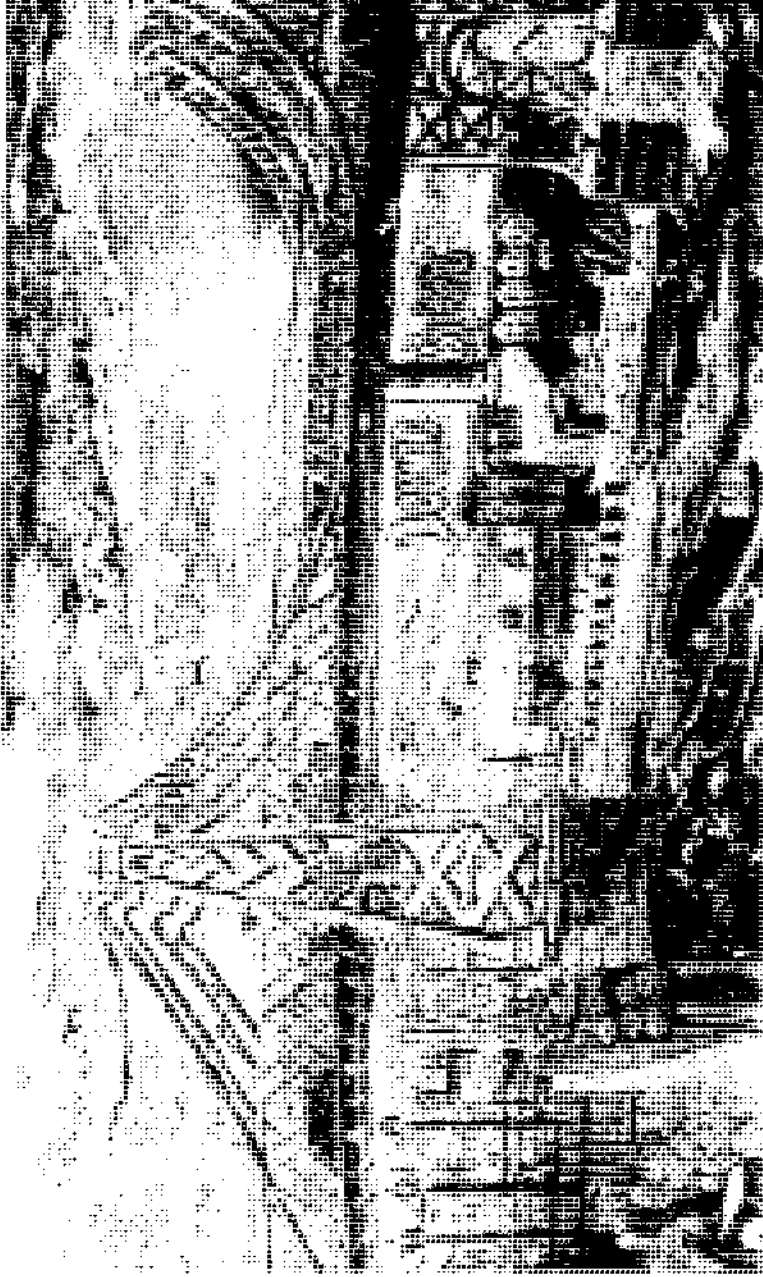
The erection, as proposed, of a 400 foot tower on the waterfront adjacent to the Williamsburg Bridge is unprecedented in terms of urban design. A comparable impact would have resulted from placing the existing Verizon Building in Manhattan on top of the FDR Drive directly beside the Brooklyn Bridge, instead of setting the tower inland and back from the bridge approach.

AKRF has been severely criticized for their methodology and conclusions in reviewing historic resources for the Williamsburg/Greenpoint EIS. The Municipal Art Society conducted a study of the area, which is available on their web site, finding that:

The Municipal Art Society's Preservation Committee undertook this study because the Environmental Impact Statement (EIS) for the rezoning area failed to adequately address the historic fabric of the neighborhoods. Given the rich history of the area, we knew there were more buildings in the neighborhoods than were identified in that document. Beginning in December 2004, members of the Preservation Committee and of the community began a survey of the 184 blocks that the city proposed to rezone. Surveyors spent weekends walking the streets, taking photos. They later convened for discussions, guided by architectural historians, to determine the significance of the buildings. What follows is our list of the significant buildings and historic districts. We identified 264 significant buildings (including individual buildings and historic districts) that appear to be eligible for listing on the State and National Register and ought to have been included in the EIS.

The MAS study notes that the entire Domino Sugar complex was omitted from the list of eligible historic resources in the Greenpoint/Williamsburg EIS. "Although not located within the rezoning area, the buildings are within the 400-foot buffer and should have been included in the EIS." Since then, the New York City Landmarks Preservation Commission has calendared three of the Domino factory buildings, and the State Historic Preservation Office has determined that the entire complex is State and National Register eligible, along with the Williamsburg Bridge. It appears there is a substantial body of governmental, professional and civic opinion holding that AKRF erred in their assessment of the very same area that is the focus of the current EIS. Will the review methodology change? Will AKRF consult the SHPO when making eligibility decisions on other buildings in the study area?

The Grand Street ferry site, now a park beside the Domino complex, was a focus of early settlement in Williamsburg. Many small 19<sup>th</sup> century buildings survive in and near the rezoning area. The EIS should identify and map all buildings in the rezoning area (and the 400 foot buffer area) that were built before 1900, with special attention to those with a potential relationship to the earlier Havemeyer sugar refinery, including the Havemeyer and Elder Gas Works on South 4<sup>th</sup> Street between Wythe and Kent.



**TITLE:** Lower Manhattan, East River - Domino Sugar

**ARTIST:** Joseph Delaney

**CATEGORY:** Paintings

**MATERIALS:** oil on board

**MARKINGS:** signed lower right

**SIZE:** h: 24.5 x w: 39 in / h: 62.2 x w: 99.1 cm

c: Kieves  
Kaplan  
St. Fleur  
Leah  
Dinerstein

## Introduction

My name is Leah Kreger. I'm an architect who has been in private practice for 14 years with many completed residential, industrial and commercial projects constructed in Williamsburg and Greenpoint. My husband Miles Bellamy is a book dealer with a store on Bedford Avenue near the L train. It has been a joy to raise our four-year-old daughter in Williamsburg with so many children nearby.

Seeing the development of Williamsburg is something that concerns us personally and as a community. I am aware of the need for a certain amount of density in order for our city to grow, and I'm not against development; however, I would like our community to increase its density in moderation.

We hold the opinion that the proposed rezoning of Domino needs to be considered cumulatively with the effects of the zoning adopted in 2005 for the waterfront from N4th to Manhattan Avenue. The neighborhood needs assistance financial and otherwise to create a comprehensive plan instead of spot rezoning such as that proposed for Domino. Perhaps CPC has the wherewithall to support a comprehensive community plan given the magnitude of their investment.

Please note that we are very much in favor of preserving existing affordable housing and creating new affordable housing that preserves the quality of life in the neighborhood and character of the buildings.

Careful consideration is requested, also with regard to Domino's unique position in the history of New York. The Domino Sugar site has an historic importance that goes back to the roots of New York City. Like Ellis Island, although not with official status as such, many immigrants touched U.S. soil for the first time there. This makes it an area to be considered even more carefully.

We respectfully request an extension of the time for public comment considering that many New Yorkers are on vacation.

Below we will comment on the plan following the structure of the proposal, per task.

### Task 1: Project description

In general, we request more information about the architectural design in order for the public to have a sufficient understanding upon which to comment, i.e:

- What do the proposed buildings look like in terms of surface material?
- What is the proposed connection to Grand Ferry park and South 5th street?
- How does the applicant propose to construct the basements in the waterfront location?
- How much parking is proposed to be located where? Where are the entrances and exits proposed?
- How will the applicant address the extremely narrow side walks on Kent Avenue?
- What are the differences between the proposed upland connections on the north and south sides of the refinery buildings, and those on North 1st and South 4th street?

- What will the upland building look like?
- Since the affordable component figures prominently, please have the applicant describe the strategy for financing the affordable component as they relate to tax and government subsidies.
- What amenities will be proposed such as public bathrooms, seating, lighting, bicycle racks and drinking fountains?
- Please clarify the total number of units.

### **Task 2: Land use, Zoning and Public Policy**

The developer claims that approximately 268,765 sq. feet of water surface area extending to the pier head line, is directly affected by this proposal, and that "The Water surface area includes the portion of Block 2414, lot 1 that is underwater."

Considering the sensitive nature of claiming formerly public lands on the East River, I respectfully request that you require legal support for such a claim, documentation of clear title, and an examination of public lands.

### **Task 3: Socio-economic conditions**

The proposed average size of the affordable units (726 sq. feet) is 2/3 the size of the market rate units (as Susan Pollock of CPC said on 6.28.07). As such, the affordable units will not address needs for large working class families who need 2, 3 and 4-bedroom apartments. I respectfully request that the city require minimum room counts in the affordable apartments when considering the developer's request.

We ask you to consider how the proposed shuttle bus service will affect local businesses - between Domino and the J,M, Z stop on Broadway and the Bedford Avenue stop on the L-train - that rely on pedestrian traffic and could otherwise benefit from the development?

We are concerned that new condos are being purchased as investments by people who don't live in the country and don't live in the apartments much of the time. Can any mitigation be examined to prevent "empty" apartments from causing secondary displacement of housing for low income families?

### **Task 4: Community facilities**

An informal group of parents in the area has organized to address the state of the public elementary schools. Schools effect an area larger than the proposed study area - considering that many children go outside their district to attend school. I am concerned that the proposed development will exacerbate that trend - instead of putting much needed parent resources into local schools. Please read attached appendix 1- written by the parents of the Williamsburg/Greenpoint Schools Initiative Group (WIGSIG). The article is also available online via <http://parents11211.com/article.php?story=20070611150839559> .

I request a survey of children and an assesment of who is attending school in district in a large study area, since the 2000 Census and Department of Buildings certificate of

occupancies do not show this information.

**Task 5: Open Space:**

Considering the large number of children who already live and/or play within the area, where will the playgrounds be located and will they be accessible to the general public?

Who does the applicant see as using the open space? Have they studied how they will travel there? How will that affect the parkings? How have they addressed bicycle parking?

**Task 8: Urban design/visual resources and**

**Task 9: Neighborhood Character**

To quote the Zoning Resolution about, the general purpose of residential districts, (ZR, 21-00e) it is "To protect the character of certain designated areas of historic and architectural interest, where the scale of building development is important, by limitations on the height of buildings."

One of the defining characteristics of Williamsburg as noted by many residents, is its relationship to **light**. Because most of the buildings are 3, 4 and 5 stories, residents enjoy an exceptional relationship to the sky and daylight. The proposed buildings would block much of the light, views on the Williamsburg Bridge and Manhattan Skyline - three of the neighborhood's defining characteristics.

Two of the proposed buildings are more than ten times higher than most of the existing highest neighboring buildings in the ¼ mile, ½ mile and ¾ mile study areas, excepting those as Schaffer's Landing and Northside Piers. They are proposed to be more than twice as high as the buildings facing them on the other side of the East River.

I provide Appendix 2: a collection of photographs that show the character of Williamsburg and its visual resources.

I request in independent field study and interviews to assess the visual resources, pedestrian activity and character of Williamsburg. How many apartments would have shorter days and be in darkness? How many apartments would lose their view of a neighborhood landmark - The Williamsburg Bridge?

**Task 10: Natural Resources**

Since the area is known to be the habitat of Peregrine falcons as well as water fowl, swallows and cormorants, we ask that investigative field work not only take into account endangered species but other animal life as well.

### **Task 16: Traffic and Parking**

Several intersections near schools in the study areas are in need of traffic lights, i.e. all the intersections around PS.04, the Williamsburg Neighbourhood Nursery School, Kids in Control, Streb Lab for Action Mechanics and Padre Kennedy Head Start. We ask for a specific traffic study and mitigation that addresses the safety of our children in respect to these intersections and their schools.

In light of Mayor Bloomberg's Congestion Pricing proposal, we applaud the consideration of a shuttle bus to the trains and water taxi service. Nonetheless we are concerned that the proposed development will create more dependence on cars, since there are no subway entrances within 1/4 mile radius. I am also concerned that the expense of water taxi services, and high priced retailers will be way beyond the means of families living in the affordable apartments.

We request that when considering the on-street local parking conditions, that existing need for parking be inventoried.

### **Task 19: Noise**

Noise complaints continue to be the number one quality of life issue for New York City residents. The City's new noise code (Local Law 113 Of 2005) took effect on July 1, 2007. We ask that the developer submits a mitigation plan as per the new noise law.

### **Task 22: Alternatives**

We ask that you consider a community plan based on the density outlined in the Williamsburg 197A plan and the density proposed by GWAPP in 2005.

See appendices 3, 4 and 5.

## APPENDIX 1

### WILLIAMSBURG/GREENPOINT SCHOOLS INITIATIVE GROUP DECLARATION

Monday, June 11 2007 @ 03:08 PM EDT

*The following declaration outlines the issues for which WiGSIG has requested the Department of Education's response at the Town Hall and was also sent to Joel Klein via e-mail, fax, and regular mail.*

We the parents of the Williamsburg/Greenpoint Schools Initiative Group request that the Department of Education implement a comprehensive plan for the improvement of our local public schools in District 14.

The Department of City Planning's rezoning proposal for Williamsburg/Greenpoint was adopted by the City Council two years ago on May 11, 2005. Now, the rezoning plan and rising housing costs have vastly altered the demographic of these neighborhoods. Economic displacement has drained several of our local public schools, while many neighborhood residents are sending their children to out-of-district schools which they feel better meet their educational needs. Paradoxically, enrollment in District 14 is projected by the Department of Education to fall 34% between 2004 and 2014 even as the neighborhood's population is projected to rise drastically in coming years.

We ask the Department of Education to update our neighborhood residents on the promise made in the Department of City Planning's Environmental Impact Study wherein it was stated "that if the Greenpoint-Williamsburg rezoning is approved, the City would construct or lease a new elementary or K-8 school... as part of the Department of Education's Five Year Capital Plan."

We the parents of WiGSIG do not accept this two year silence or this paradox and want to know the plan. What is the Department of Education's vision for all of our local schools to better meet the needs of their existing students as well as to make them more attractive for the influx of new residents?

For our public schools to succeed in serving all the families residing in District 14, a community-based solution needs to be facilitated, supported, and executed by the Department of Education. WiGSIG wants to partner with the DoE and offers the following as immediately necessary toward this end:

1. A task force made up of the leadership of the District 14 school community must be empowered to partner with the DoE to assess the needs of our diverse district. The Community Education Council and the Education Committee of Community Board #1 will be charged with coordination of this task force, which will also include representatives from local community-based organizations, District 14 schools, and parent organizations.
2. Create a study to determine the extent of student flight from District 14 to other districts throughout Brooklyn and Manhattan, and address the underlying reasons for this flight. The Department of Education must explain its projected 34% decline in district-wide enrollment during a time of sharply increasing neighborhood population.



3. Adjust the facilities budget to reflect the real needs of District 14. Enrollment projections for the School Construction Authority show a dramatic decline across the District. This study does not take into account the Williamsburg/Greenpoint rezoning and concurrent growth in housing construction affecting District 14. A school-by-school study of the District must be prepared and the facilities budget must be adjusted based on the results of this detailed, up-to-date study.

4. Create and implement real solutions for schools existing now in inadequate facilities. Available facilities such as closed parochial schools and sites for new construction must be secured for use by schools in need the moment they become available.

5. Create an analysis of the balance of elementary, middle and high schools in District 14 to better judge whether the distribution of facilities is optimal, if additional facilities might be needed, and if the District is better served by the absorption of middle schools into K-8 and/or 6-12 schools.

6. Disclose plans and work in partnership with the members of this community to most advantageously uphold the promise of the EIS and construct or lease optimal public education space in District 14.

WigSIG also proposes the following as a long-term solution for District 14 schools:

7. Relax primary school zoning restrictions, and support each school in developing its unique model of success. This will challenge schools to improve to attract students, empower parents to choose which school best suits their needs, and encourage a diversification in successful educational models throughout our district that reflects the diverse needs and desires of this community.

The DoE must act NOW to ensure that our local public schools reach their highest potential to better serve all the residents of District 14.

The Williamsburg/Greenpoint Schools Initiative Group looks forward to partnering with the Department of Education to accomplish these essential goals.

Williamsburg/Greenpoint Schools Initiative Group

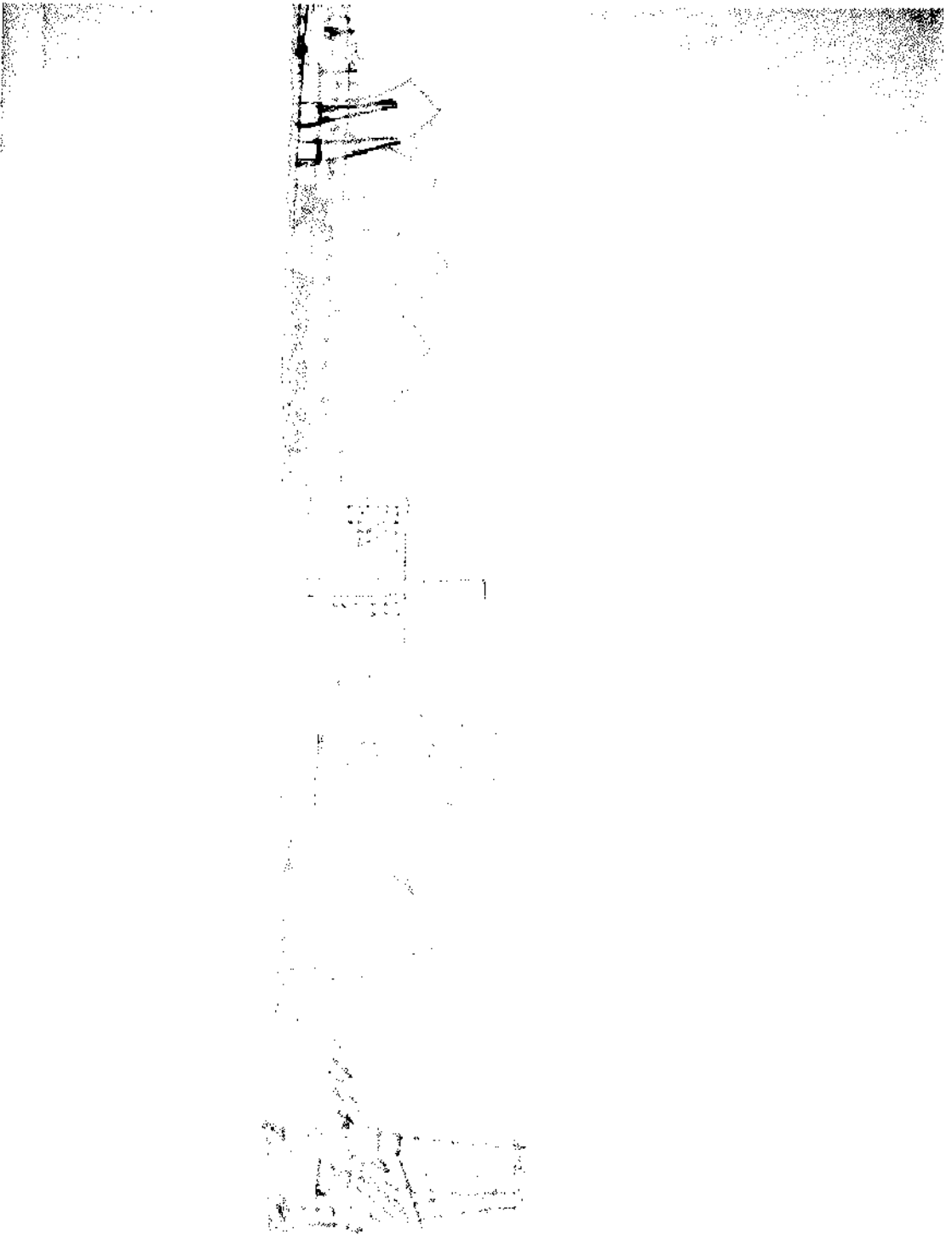
APPENDIX 2

Photographs of Williamsburg's streets





**APPENDIX 3**  
8.9.07



**DOMINO COMMUNITY PROPOSAL 1**

**PERSPECTIVAL RENDERING - WEST ELEVATION**

(not to scale)

## PROPOSED DEVELOPMENT PROGRAM

If approved, Community Proposal #1 would allow the re-construction of and addition to the existing low building on the waterfront between Grand Street and S. 2<sup>nd</sup> Street. The modification would expand the low building and create 4 “rotundas” to the top between 120’ and 170’ tall – with the high points of each falling just above and just below the top of the existing Refinery Building. The top of the low portion of the building would be a public plaza to be accessible from the proposed community facility. In addition to the proposed waterfront esplanade, the open space between the Refinery Building and the esplanade would also be public. Tunnels would provide a visual connection to the East River as a continuation of S. 1<sup>st</sup> St. below the plaza – which currently does not exist- and retain the existing view west above the plaza. The building would be used as a mixture of community facilities and retail/commercial.

The program for the Refinery Building has not been finalized. If the Refinery were designated by the LPC, the project sponsor would have to apply for a Certificate of Appropriateness. Ground floor retail/commercial would be located on Kent Ave. The sidewalk would be widened at ground floor level within the footprint of the existing building.

The low building between S. 3<sup>rd</sup> Street and S. 5<sup>th</sup> Street would be reconstructed to become a visual “base” for 2 residential towers up to 220’ tall. The Adant House would be preserved and modified. A tunnel would provide a visual corridor to the water as a continuation of S. 4<sup>th</sup> Street, which currently does not exist. The view corridor to the west above the low building would be maintained.

The public could access the waterfront esplanade and the open space between the Refinery and the East River from Grand Ferry Park, S. 2<sup>nd</sup> Street, S. 3<sup>rd</sup> Street and S. 5<sup>th</sup> Street.

It is anticipated that the development would be served by water taxi service and provide a public boat launch area. Shuttle bus service would link the development to upland retail/commercial areas and nearby subway and MTA bus stops.

One new residential building would be constructed on the upland lot along Kent Avenue between S. 3<sup>rd</sup> and S. 4<sup>th</sup> Streets. Retail/commercial would be located along Kent Avenue.

The community proposal would be to develop the waterfront parcel at 3.4 FAR, taking into consideration recommendations put forth by the Williamsburg 197A plan, which is especially important in light of the combined affects of the recently rezoned areas in addition to the affects of rezoning Domino. It would have a c-42 overlay on the waterfront parcel, with R-6 zoning on the upland parcel.

Community Proposal #1 would facilitate approximately 1.5 million gross square feet of development above grade, including the reuse of the Refinery Building. Approximately

1,100,000 sq. ft would be dedicated to residential use, 100,000 sq. ft for retail/commercial use, and 300,000 for community facility use. The first alternate plan would create up to 1000 residential units based on an average size of 1,100 gross square feet, depending on the program for adaptive re-use of the Refinery. There would also be 1100 accessory parking spaces located on the site in below-grade parking as well as a significant amount of bicycle parking.

## PROJECT GOALS AND OBJECTIVES

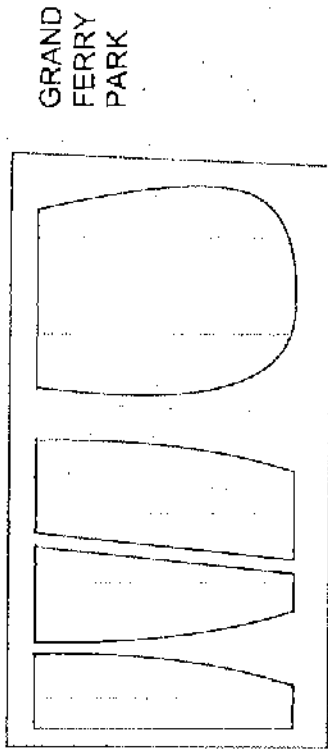
The project goals and objectives are identical with those of the Applicant:

- Creation of a substantial amount of affordable housing with high quality design.
- Redevelopment of a former waterfront industrial site into an economically integrated mix of residential, retail/commercial, and community facility uses consistent with the redevelopment of nearby waterfront sites to the north and south and complementary to the existing neighborhoods.
- \* Creation of physical and visual access to the waterfront, including a substantial amount of public open space and a linkage to Grand Ferry Park to the north of the site.
- Reuse of the three buildings comprising the structure known as the Refinery Building.

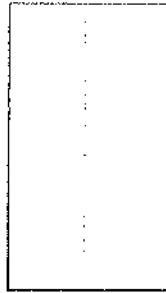
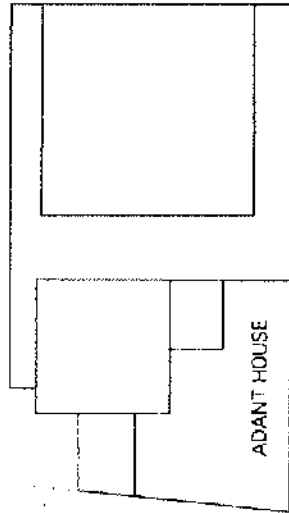
EAST RIVER

EXISTING PLATFORM

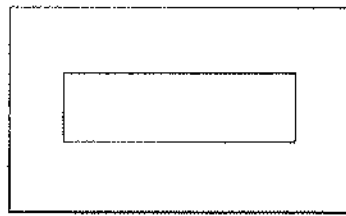
CONNECTION TO GRAND FERRY PARK TO BE COORDINATED WITH NY PARKS



EDGE OF WILLIAMSBURG BRIDGE PLATFORM ABOVE



KENT AVENUE



SOUTH 5TH STREET

SOUTH 4TH STREET

SOUTH 3RD STREET

SOUTH 2ND STREET

SOUTH 1ST STREET

GRAND STREET

WYTHE AVENUE



**Comments on the Draft Scope of Work for an Environmental Impact Statement  
Proposed Domino Sugar Rezoning  
August 9, 2007**

The Municipal Art Society offers the following comments to the New York City Department of City Planning, the lead agency in the City Environmental Quality Review of the Proposed Domino Sugar Rezoning, with the intention of identifying where the Draft Scope may be improved in order to best describe the scope of the EIS for the project, the methodology for studying the project, and its impacts.

**ENVIRONMENTAL REVIEW PROCESS**

Discussion of irreversible and irretrievable commitments of resources to develop the project should, to the fullest extent possible, disclose the sources of the public funding that will be used to subsidize the affordable housing units; the total amount of the funding; and the percentage of that funding devoted to the projected site in relation to the total funding available citywide.

**Task 1: Project Description**

The reasonable worst case development scenario for the properties within the proposed M1-2 district should include a list of projected development sites. The list of projected development sites should be as realistically assessed as possible, using both field surveys and interviews with existing property owners and current renters. Information about projected development sites and property use trends and patterns in the area should also be gathered from the East Williamsburg Valley Industrial Development Corporation, which administers the Greenpoint-Williamsburg Industrial Area that abuts the site to the north and south. Identification of projected sites should take into account number of variances requested in the immediate area as well as number of infill construction projects in the immediate area. This analysis should be used, in turn, as the basis for calculation of the secondary business displacement. The impact of job loss on the neighborhoods should be re-evaluated accordingly, as should mitigation measures for loss of business and employment.

**Task 2: Land Use, Zoning, and Public Policy**

The EIS should examine the proposed development in light of PlaNYC 2030, especially; its conformance to recommendations for more transit-oriented development; more



sustainably-designed buildings; and reductions to demand for energy and waste removal. Given that the site abuts the Greenpoint-Williamsburg Industrial Area to both the north and south, the proposed rezoning should also be examined in respect to the Mayor's Industrial Policy and its emphasis on ensuring adequate industrial space as a means of keeping the city's industrial sector competitive.

Please see the "Alternatives" section for more suggested study options with regard to this impact category.

### **Task 3: Socioeconomic Conditions**

Please refer to the comments regarding "project description," above.

#### Residential displacement

Analysis of secondary residential displacement should include displacement figures generated by local housing groups since 1990.

#### Economic Characteristics

Determination of approximate vacancy rate and rent levels for buildings in the area should be based in part on discussions with business owners, both those who own property and those who rent. Information from discussions with those currently occupying buildings will provide a fuller picture of current real estate values. Visual inspections to determine occupancy may not suffice in some situations.

### **Task 5: Open Space**

If the study is to include the new park proposed for mapping in the calculation of the open space ratio, then an estimate of when the park will be available for use in relation to the estimate of build-out years should be included. The Waterfront Access Plan should be extended southward to incorporate Grand Ferry Park and to plan for the eventual expansion of Grand Ferry Park onto the adjacent New York Power Authority site.

With regard to the use of the open space, "publicly-accessible" but privately owned open space frequently fails to be a meaningful public amenity. Often, this is caused by inadequate programming, difficulty getting to the open space, and restricted hours of operation. This is particularly true of publicly accessible open space created under the waterfront zoning regulations. In the Alternatives section, MAS has outlined the examination of several different options to ensure the open space is as public as possible.

### **Task 6: Shadows**

CEQR Technical Manual requires a study of whether that proposed action will result in a shadow being cast on a natural feature, among other places like open spaces and historic resources. The definition of a natural resource includes rivers.

The scope, as written, is not clear with regard to whether the study will include impacts of shadows cast on the East River. Given the proposed action's adjacency to the East River, such a study must be conducted. Furthermore, for the purposes of the shadow study, the East River should be considered not only a natural resource, but also an open space and recreational area.

### **Task 7: Historic Resources**

The Municipal Art Society has advocated to the Landmarks Preservation Commission that the designated site include the Bin Tower, the connecting bridges and the Syrup Station, in addition to the refinery buildings. Preservation of these buildings and site features would document the sugar refining process and represent several significant periods of construction. This would in part mitigate the potential loss of National Register eligible resources. Williamsburg preservation organizations have requested the Landmarks Preservation Commission to designate the Adant House and Power House. The scope should consider alternatives that include the preservation of these buildings and site features.

According to the CEQR Technical Manual, for actions that are highly visible and can be perceived from more than 400 feet, the study area must be extended. Given that the proposed buildings are significantly taller than any in this area of Brooklyn, they will be visible from more than 400 feet. Therefore, there is a potential for adverse visual impacts to historic resources and for shadows outside of the 400 foot perimeter. It is therefore necessary to identify resources beyond the 400 foot perimeter in order to assess any impacts. The study area should be extended from 400 feet to ½ mile.

All known and potential historic resources must be identified in the study area and project area, not only those that could be directly impacted.

Study of contextual impacts should include a study of the change in character of the neighborhood from industrial and manufacturing buildings to residential towers, as required by the CEQR Technical Manual.

If federal permits from the Army Corps of Engineers or other Federal agencies, or if there is federal funding used in the action, are required, the project would likely be subject to Section 106 of the National Historic Preservation Act, which requires Federal agencies to take into account the effects of their undertakings on historic properties. According to the Section 106 regulations,

[t]he section 106 process seeks to accommodate historic preservation concerns with the needs of Federal undertakings through consultation among the agency official and other parties with an interest in the effects of the undertaking on historic properties, commencing at the early stages of project planning. The goal of consultation is to identify historic properties potentially affected by the undertaking, assess its effects and seek ways to avoid, minimize or mitigate any adverse effects on historic properties.

In order to ensure compliance with Section 106 regulations, Section 106 review ought to be conducted simultaneously with the CEQR review and the findings and mitigation that results from Section 106 review ought to be included in the DEIS.

At this time, the Municipal Art Society formally requests consulting party status in Section 106 Review.

Mitigation for the loss of historic resources ought to be determined through Section 106 review. At the minimum, documentation of any National Register eligible building must be documented to HAER (Historic American Engineering Record) Level I standards. The machinery in the buildings should also be documented to HAER Level 1 standards.

### **Task 9: Neighborhood Character**

The Draft Scope states that it will “[a]ssess and summarize the proposed project’s impacts on neighborhood character using the analysis of impacts as presented in other pertinent EIS sections.” The studies conducted in the other impact categories were not analyzed in light of neighborhood character—they were analyzed in light of that impact category. Therefore, it is insufficient to rely upon the “key findings” in the analyses of other impact categories. The EIS should analyze the project’s impact upon neighborhood character in light of that impact category, and should not simply be a summary of other impact category analysis.

### **Task 10: Natural Resources**

The EIS should explore materials for bulkheading that would encourage marine life, including oysters, which would mitigate the water quality (i.e. sewage) impact of the new development.

### **Tasks 13 and 14: Infrastructure; Solid Waste and Sanitation**

The EIS should include a calculation of cumulative impact of the proposed development, new construction in the study area, and proposed construction in the study area.

When examining Combined Sewer Overflow (“CSO”) events, the EIS should explore how the CSOs in the immediate area can be reduced or eliminated through enhanced stormwater management, green roofs and other sustainability strategies in the Domino development.

### **Task 15: Energy**

The Draft Scope concludes that the added energy demand is not expected to create an adverse impact on the supply of energy with the new rezoning. The analysis will focus upon “descriptions of the capacity and existing demand of the entire systems, and of the distribution networks serving the project site.” However, we cannot continue to rubber-

stamp the energy analysis of the EIS, simply because, in the past, the added demand has not caused environmental or economic harm. The effect of the demand from the new structures, the added car and truck traffic most certainly raise energy concerns, and must be fully detailed and studied in the EIS, examining the long term and cumulative impacts.

Because the site is currently unused, the current energy demand is not significant. By dramatically changing the site's uses to more energy-demanding uses, there is potential for significant transmission congestion because the area is not being used for such energy-intensive activities. The area's energy infrastructure and transmission capabilities may not be currently equipped for the change in energy usage, and a detailed assessment is needed in order to measure the demand increase and the potential for transmission congestion. In this same vein, the potential significant effects to need for additional generation of energy in the surrounding area must be studied as well.

By communicating with Con Edison early in the process, the lead agency should document and disclose the power mix (the fuels used to supply electricity and their resultant air pollutant emissions, including the emissions of carbon dioxide) for the project site. The lead agency should also analyze the transmission capacity and the likelihood of transmission congestion resulting from this project.

As mitigation for the added energy use brought by the proposed project, the lead agency should analyze methods in which to reduce energy demand, either through green building technologies, green roofs, greywater systems, or other infrastructure improvements. A greener alternative, which will be set out in more detail below, should be examined in order to curb the significant environmental and economic harm that added energy demand may cause our city. As part of this green alternative, the EIS should also explore the possibility of using alternative energy sources, such as solar, biomass, or hydro. For example, the project could generate energy in the East River adjacent to the site through turbines (similar to the Verdant Energy project adjacent to Roosevelt Island).

### **Tasks 16 and 17: Traffic and Parking; Transit and Pedestrians**

The EIS should explore creating ferry landings for an array of different ferry operators to mitigate the transportation impact of the new development. For example, the scope should examine the feasibility of adding landings for front loading as well as side loading boats. In order to encourage water-borne transportation and reduce the impacts associated with car traffic, the EIS should explore creating landings for excursion boats and pleasure boats, uses not envisaged by the city's waterfront zoning.

The EIS should explore a "transit oriented" alternative that requires greatly reduced parking to encourage the use of public transit. In that same vein, the EIS should explore increasing the public transit capabilities in the area and should begin working with MTA to solve transit-related issues associated with the potential growth in this project area and surrounding neighborhoods.

Concerns regarding the further analysis of the environmental impact of traffic are discussed in the “Climate Change” section below.

### **Task 18: Air Quality**

Concerns regarding the analysis of the environmental impact upon air quality are discussed in the “Climate Change” section below.

### **Task 22: Alternatives**

These alternatives are in addition to the suggested study of alternatives and suggested mitigation measures listed within the body of these scoping comments.

#### Proposed Development Program Alternative

For the reasons articulated below, it is not necessary to include the rooftop addition to the refinery buildings in the proposed development program at this time. As indicated in the Draft Scope of work, the applicant will have to apply for a Certificate of Appropriateness from the Landmarks Preservation Commission (LPC) for such an addition. A Certificate of Appropriateness is a discretionary permit given for applications that meet general standards of appropriateness. Landmarks permits are not subject to SEQRA (or CEQR) review because:

an agency has some discretion, but that discretion is circumscribed by a narrow set of criteria which do not bear any relationship to the environmental concerns that may be raised in an EIS, its decision will not be considered ‘actions’ for the purposes of SEQRA’s EIS requirements. *Citineighbors, 306 A.D.2d at 114.*

The LPC has criteria for determining the appropriateness of rooftop additions on individual landmarks. Generally, the Commission approves rooftop additions that are minimally visible from a public right of way related to designated individual landmarks. The appropriateness of an addition is decided at a public hearing by Landmarks Preservation commissioners, who are experts in historic preservation, architecture, history and planning. There is an opportunity for extensive public participation in the review process. It is important to allow the LPC to review this project unencumbered of the environmental review process.

Therefore, the lead agency should analyze the alternative in which the rooftop addition is not included in the proposed development program, and the anticipated square footage associated with such addition is transferred to an alternative location.

#### Land Use and Zoning Alternatives

Because the applicant will be entitled to additional floor area derived from the area between the shoreline and the bulkhead line, the actual density of the development will be significantly higher than typical R8 developments. For comparison, the EIS should therefore explore densities significantly lower than currently envisaged, such as an

entirely R6 development (or maximum FAR of 3.0). The EIS could also explore R7 as an alternative zoning designation for the waterfront.

The maximum height proposed by the applicant of 400 feet greatly exceeds the height of structures in the surrounding neighborhoods, which contains buildings of heights typically between the 30-50 feet. As an alternative, the EIS should explore the possibility of a drastically shorter height limit, such as 250 feet, in order to better respect the adjacent inland neighborhoods.

The EIS should explore alternatives that do not involve transferring floor area to the parcel bounded by South 3<sup>rd</sup> and 4<sup>th</sup> streets and Kent Avenue, to ensure the development on this parcel is not greatly in excess of the surrounding neighborhood.

This analysis should include a scenario in which the a) the M1-2 zoning district parking requirement is waived, in order to deter car traffic to retail destinations, and to restrict new retail to that which serves local need; b) a restriction prohibiting the construction of condo-hotels is enacted; and c) a ground-floor manufacturing use for new development is required (similar to the proposal under discussion for the Gowanus area.) Given that nearly 245,000 New Yorkers work in industrial and manufacturing jobs, making the industrial sector a larger employer than both the information and the real estate industries, it is important to thoroughly and thoughtfully examine this alternative. A healthy industrial sector adds stability to the local economy by diversifying the city's economic activities and bringing export dollars into the city.

#### Open Space Alternatives

The EIS should therefore study several different options to ensure the open space is as public as possible, including:

- Mapping the open space as public parkland and transferring jurisdiction to the NYC Parks Department;
- Ensuring a Memoranda of Understanding that would guarantee the handover of open space to a local conservancy that would administer and own the waterfront land
- Requiring commercial retail or a community facility at the base of the Domino Refinery Building facing the water, to provide a “magnet” to draw people to the water and increase the public quality of the space.
- Requiring retail frontage along the base of all the buildings facing the waterfront
- Creating a public street adjacent to the waterfront clearly separating the public open space from the private development

To maximize the public quality of the actual access to the waterfront esplanade and park space itself, the EIS should also explore the possibility of mapping streets all the way to the waterfront. This would be superior to providing “upland connections” which are liable to be privatized thereby restricting public access to the waterfront. Specifically the EIS should explore mapping the following streets all the way to the water's edge:

- South 4<sup>th</sup> Street
- South 3<sup>rd</sup> Street
- South 2<sup>nd</sup> Street
- South 1<sup>st</sup> Street

As an alternative to mapping the above streets to the water's edge, the land currently envisaged as "upland connections" could be deeded over to the parks department or local conservancy to be administered as public "ways."

#### Green Alternative

This analysis should also examine a Green Alternative, where the building specifications and land use design reach LEED-Gold standards or higher and renewable sources of energy are utilized. This alternative would help alleviate particular environmental concerns related to this proposed project and of the current environmental state of the area.

## **OTHER CONSIDERATIONS**

### Water Activity

The EIS should consider uses for the waterfront that would create an “active waterfront” including (but not limited to):

- Creating a “town-dock” – a dock that would be accessible to the public to land boats and members of the public to utilize as a destination;
- Facilities to launch kayaks and canoes;
- Facilities for fishing;
- An appropriately-scaled marina.

### Climate Change

Global climate change is a real environmental concern that is currently being raised and discussed at the international, national, statewide, and local level. While climate change is of global concern, we can act environmentally responsibly on a local level in order to not exacerbate a growing problem.

Through PlaNYC 2030, the City has positioned itself to be a leader in the fight to curb the effects of global climate change by articulating the lofty goal of a 30 percent reduction in the City’s “carbon footprint” by 2030. In a recent speech, Mayor Michael Bloomberg stated that “we soon realized that you can’t formulate a land use plan without thinking about transportation and you can’t think about transportation without thinking about air quality. You can’t think about air quality without thinking about energy and you certainly can’t think about energy – or any of this – without thinking about global warming.” Clearly, the Mayor believes that any good land use plan should consider the impacts a project may have upon climate change. This is especially true in New York City, where, according to the New York Greenhouse Gas Emissions Inventory, citywide carbon dioxide equivalent emissions were approximately 58 million metric tons in 2005, with an astounding 79 percent coming from buildings. Therefore, when we plan, we must simultaneously assess a project’s impact upon climate change and how best to reduce such impact.

With regard to this scope and an environmental review, an EIS under SEQRA/CEQR is required to examine a proposed project’s effect upon energy, natural resources, air quality and air pollution. The main contributor to global climate change, carbon dioxide, was recently declared by the United States Supreme Court in the landmark case, *Massachusetts v. EPA*, to be an air pollutant. Under the current structure and mandate of SEQRA/CEQR, the lead agency not only has the ability to examine a project’s impact upon climate change, but is under obligation to do so.

While the tools and methods for measuring 1) a building’s output of greenhouse gases and 2) that output’s impact on global climate change are still under development, the lead agency can nonetheless quantify the direct and indirect carbon dioxide emissions



resulting from a project by using existing energy modeling software. The inventory thus created can either be measured against the City's goal of reducing our carbon footprint by 30 percent or another defined goal for reducing a project's environmental impact.

Regardless of how the carbon dioxide emissions are measured, however, by disclosing the greenhouse gas emissions of a project, the lead agency can identify the opportunities to economically and practicably reduce such emissions through simple mitigation measures. Other mitigation measures can include reducing the traffic impacts, working with MTA early in the process to develop a better and more comprehensive transit system to serve this area, and working with Con Edison to provide the cleanest energy possible.

#### Cumulative Impacts

The Lead Agency must assess the impact the recent rezoning of a large section of Greenpoint/Williamsburg, in combination with the proposed rezoning here, will affect all the areas of concern. These two rezonings should not be examined independently of each other. In order to accurately analyze the significant environmental impacts of the proposed rezoning, this EIS should take into account the predicted and actual impacts resulting from the adjacent rezoning of Greenpoint/Williamsburg.



JEWISH ASSOCIATION FOR SERVICES FOR THE AGED / 202 GRAHAM AVENUE / BROOKLYN, N.Y. 11206 / 388-6865



August 9, 2007

Dear Dept of City Planning

I am writing on behalf of the JASA Williamsburg Senior Center to give comment for the public scoping meeting about the Domino Sugar project.

JASA Williamsburg Senior Center has been part of this community for over 30 years. We service seniors, both to congregate participants and homebound frail elderly. We deliver hundreds of meals a day and have diverse activities here at the center.

There is a desperate need for affordable housing in this area. Weekly, seniors and others who have been part of this community for decades come to us seeking housing as they are pushed out of reasonably priced apartments. People here want their children and grandchildren to be able to be part of this community

The scale of the development of the Domino Sugar Site is immense and will have a huge effect on the future of this entire community. Affordable housing to be meaningful must be within the means of the people who live in this community now. Many of those people live way below the poverty level. Many of our participants and older people in the future will need special supportive of senior housing. There is also an enormous need for subsidized housing for families and people with special needs. The Domino Site should be developed with at least 33% affordable housing. Given the current demographics of the neighborhood, 40% would really be more reasonable.

Infrastructure concerns must be taken into consideration. The city's financial investment will be tremendous. The quality of life for our entire community must be enhanced not just for the elite that can afford full market prices. As Council Member Diana Reyna stated:

"Responsible planning for new schools, fire houses, and police and sanitation services must be in the development plan. Open space, open to all, is a priority. I would like to see the developers working with local community groups to develop plans for the best use of open space."

The historic nature of the Domino Site must also be considered. The scale is beyond overwhelming. I believe that these decisions should not solely be made on the basis of the profit motive of the developer. The needs and desires of the community must be taken into consideration as well. These buildings as currently proposed overwhelm the scale even of the Williamsburg Bridge and the entire surrounding community. They must be scaled back in order to be part of the community not an exclusive enclave.

Sincerely yours,

A handwritten signature in cursive script that reads "Yehudit Moch". The signature is written in black ink and includes a small circular mark at the end of the name.

Yehudit Moch  
Director  
JASA Williamsburg Senior Center

**COMMUNITY AND PARENTS DAY CARE  
349 KEAP STREET  
BROOKLYN, NEW YORK 11211  
(718) 388-3433/4 FAX ( 718) 388-7130**

**August 3,2007**

**Mr. Robert Dobruskin  
New York City Planning Commission  
22 Reade Street, #4E  
New York, New York 10007**

**Dear Mr. Dobruskin,**

**As the Director of Community and Parents Day Care, I have been given the task of registering the children for my center. Many of the families that are eligible for subsidized child care are no longer able to live in the area due to rent increases by their landlords. Several of the parents are "doubling up" with other members of their family. It is virtually impossible to pay the market rate for many apartments in the area. How can anyone expect someone making on the average \$20,000 - \$25,000 a year pay the ridiculous amount of rent some landlords in the area are asking, \$1,500- \$2,000 per month. What are they to live on, how will they take care of their families, provide for all of their needs, save for their childrens future? One solution to the problem is to request that developers in the area, guarantee that a third of the apartments be rented to low to moderate income families and seniors.**

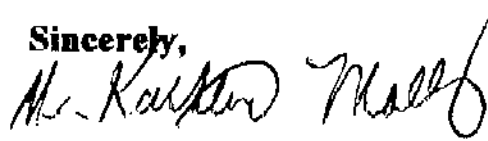
**I understand that the Domino project will provide some relief in this area. Preference for these apartments should be given to the current residents of the "Southside". Some of our families have been living in the area for over thirty years and wish to continue to do so provided rental assistance is available to them.**

**However, a major concern of mine is the availability of child care for the future tenants of this project. As of now, there are only two city sponsored day care centers in the area, mine and Nuestros Ninos C.D.C. Both centers maintain long waiting lists. Who will provide child care for the future families of the Domino project? Perhaps the city will be able to build an additional center in the area to accomodate the new arrivals to our community.**

**I have always said that a society is measured by the way they "take care" of their children. All children deserve a decent place to lay their head at night. The city must build more affordable housing to meet the needs of my families.**

**Thank you for "listening " to me. If you have any questions, please feel free to call me at the above number.**

**Sincerely,**

A handwritten signature in black ink, appearing to read "Ms. Kathleen Molloy". The signature is written in a cursive, flowing style with a large, decorative flourish at the end.

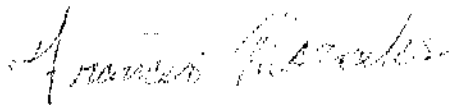
**Ms. Kathleen Molloy**

Frances Morales  
376 Kcap St Apt 22  
Brooklyn, NY 11211

Testimony before the New York City Department of City Planning Regarding the  
Domino Sugar Refinery, Brooklyn  
August 9th, 2007

Good afternoon, I am Frances Morales, representing the youth of Williamsburg in Brooklyn. There are many buliding been bulit in my community yet there are less Community Center's like the one I attend, the El Puente Leadership Center. There are going to be a whole new generation of young people in is community with everyone moving in and less places for the youth of this community to gather communially for positive reasons. They wont have a place like I have now like El Puente. El Puente is home to many of the youth within this commmunity. It's a place where youth can speakout on what you believe in, it's a place where you can learn to dance, draw, act play music and how to better your society.. El Puente gives the youth a voice when everyone else doesn't listen. When the buildings by the Waterfront are finally built I will no longer be attending a community center because I would of grown older, but I hope that the future youth of this community and the thousands who move into this community will have a place to gather just as I did while growing up. There will be much more space for reconstruction of all kind but lets not forget about the youth who will need a place to call home away from home.

Thank you,



Frances Morales

Kelvin Muñoz  
385 South 2<sup>nd</sup> ST  
Brooklyn, NY 11211

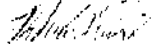
Testimony before the New York City Department of City Planning Regarding the  
Domino Sugar Refinery, Brooklyn

Hello my name is Kelvin Muñoz and I have been a life long resident of Williamsburg for 15 years. Through the years I have seen Williamsburg's population increase immensely. I have seen many different cultures come into my community, each with their own needs. But the community that has been my home for many years needs specific things such as recreational space for residents. I would like to see a nice park or an open space we can all truly benefit from. I have noticed that Williamsburg is lacking in recreation. Space for residents would be greatly appreciated to go out and have a nice day. A big nice park or an open space they can enjoy for a day.

The following is what I would enjoy and like to see in the domino site area, more open space like a park, public pool, and a peer open to the public. In addition I would like to see more affordable housing for those in need. All my life I've heard my parents speaking of the difficulties of finding a place to live. My family consists of 4 members and I have lived uncomfortably in a two-bedroom apartment for 15 years. Williamsburg needs affordable housing. This community is made up of mostly immigrants who are looking for better living conditions and this would be a good way to help this situation. I want to see residents of Williamsburg enjoying the view of the waterfront. This will also open up a lot of opportunities for those that are unemployed. They should have some jobs during the development of the construction and other jobs, like small businesses for the public. Also I believe Hotels would be a great help for unemployment since we have many low skilled workers and we would appreciate these types of jobs. In the new buildings being constructed, maintenance would be great in creating jobs for women who are unemployed.

I would like to see this neighborhood continue growing prosperately with a big open space that everybody of any age can enjoy for many years to come. I would like to see in the near future my own kids enjoying this space, which will hopefully be reconstructed so it can please everybody. It worries me that since I am preparing to enter college I am constantly wondering whether or not I would have a place of my own to call home when I come back as I enter the working world. I don't know if I would be capable of earning enough money to live in Williamsburg because of the way the rent is rising so high it concerns me. This is a reason why I would like more affordable housing in Williamsburg so that I can have a better chance of finding a home here in my hometown of Williamsburg.

Sincerely,

  
Kelvin Muñoz

Adriana Nunez  
376 Keap St. Apt. 65  
Brooklyn, NY 11211

Testimony before the New York City Department of City Planning Regarding the  
Domino Sugar Refinery, Brooklyn

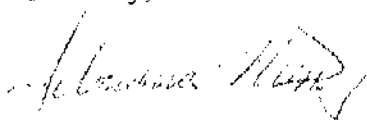
Hello my name is Adriana Nunez and I have been a life long resident of Williamsburg for the past 18 years. Through the years I have seen how my community has changed and progressed. I have witnessed how the addition of new buildings and businesses has lured a diverse group of people to our community. Affordable Co-ops have allowed those with low income to own property on which they can prosper. It is for this reason that I am pleased to hear about the Domino Sugar project. I have high expectations that with this new addition, our community can unify and progress together as one.

Since childhood I have seen the domino sugar plantation as a symbol of the history of Williamsburg. The area I have resided in my entire life is comprised of families with low income. These people come from various countries that have looked to Williamsburg for a better tomorrow. What worries me is that the corporations that devised this project are not considering the people that reside in this area. I would not want this project to displace the residents from their community. I would be disappointed to watch my home become a playground for the wealthy. To see small businesses surrounding the neighborhood go out of businesses because of an increase in retail stores. I want the Domino Sugar project to offer more opportunities such as employment during and after construction. The use of local manufacturers during construction can involve the community and benefit unemployed residents, who are in need of quality opportunities. It will also offer a chance for the community to integrate and accept these corporations into Williamsburg.

Having been raised in Williamsburg, I have also seen the difficulties that people have finding affordable housing in a decent area. My parents and I have been blessed with our home but we must consider those who are not as fortunate. The amount of affordable housing that has been proposed, while appreciated, does not meet the needs of the community. The number of people who need affordable housing exceeds the number of units currently being offered. The way rent is increasing in the area it gives no hope to the residents or to anyone with a low income of finding a home. I want to know that my children and their children will have the opportunity to see all that Williamsburg has offered me.

One major issue that Williamsburg has is the limited amount of open space. I am pleased to hear that the waterfront will be open to the public after so many years. It is providing a place that people of all ages can enjoy for years to come. Parks are beneficial to both children and adults. We need to have a place in which one can feel serene and not feel smothered by all the chaotic scenes of a city. I trust you take into consideration my opinions and thoughts when making your final proposal.

Sincerely,





# Stagg Street Center For Children

77-83 STAGG STREET, BROOKLYN, NY 11206  
E-mail: Daycare77@aol.com

TEL [718] 388-1395-6  
FAX [718] 599-6053

Lawrence A. Provette  
*Ed. Director*

**BUSHWICK IMPROVEMENT  
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August 6, 2007

To Whom It May Concern:

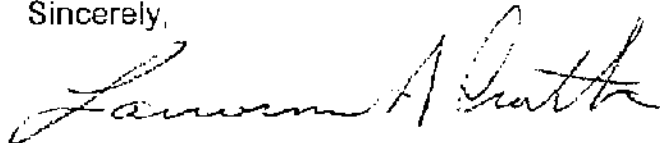
As the Director of Stag Street Center for Children, a childcare program that has resided in the Williamsburg community for 37 years, and has provided service to tens of thousands of low and middle income families. I find myself obligated to express the concerns of the residents we serve with regard to the proposed redevelopment of the Domino Sugar Refinery site.

My first concern is will there be enough affordable housing to meet the needs of our ever changing community? The proposed 30% or 720 units out of 2,400 units is not enough. We support our City Councilperson Diana Reyna in her call for at least 1000 units of affordable housing with the remaining units to be divided between moderate to market rate income families (a minimum of 500 units for moderate income). We believe this is necessary to achieve a fair balance of housing for this project in our Williamsburg / Greenpoint community and the families that we serve.

Second we are concerned that we have not heard if this plan includes services such as childcare programs, new schools, and open green space. New and existing local residents need to be involved in this discussion if a successful responsible plan is to be developed that will receive the full support of this North Brooklyn community.

Finally, the successful training and integration of current Williamsburg residents into the workforce that will be created is essential. The families I represent are in need of work and better jobs. Working with local community groups like mine and listening to our needs will led to an equitable compromise which will benefit all the parties involved.

Sincerely,



Lawrence A. Provette  
Director

Robert Dobruskin  
Director  
Environmental Assessment & Review, Dep't of City Planning  
22 Reade St.  
NYC 10007

August 8, 2007

Dear Mr. Dobruskin,

My name is Ellen Rand. I live at 101 Grand Street, between Berry Street and Wythe Avenue.

My concern is with the shadows that will be cast by the towers planned by the Community Preservation Corporation.

I wish to be sure that the study considers the full length of any shadows cast by the proposed towers and particularly the lengthening of afternoon shadows. From September through April, when the sun is lower in the sky and farther south, I fear that the afternoon shadows will completely engulf Grand Ferry Park, which is small and the only bit of park available to the community 24 hours a day. One of the proposed towers will dwarf the little park, leaving it shadowed for most of the afternoon. It will be dark and uninviting and there will not be enough light for the trees and shrubs to grow.

The William Sheridan playground, the schoolyard and the basketball court will be affected during the afternoons all through the fall and winter and early spring. These are the only places that resident children can play and that older citizens can sit on benches and take the sun. The shadows would make these areas dark; there will not be any afternoon sun for people and this would also have an adverse effect on the trees and bushes and flowers.

I am also concerned about the gardens in front of the buildings on Grand Street and the trees that we have worked hard to plant and care for. If there is no afternoon sun in the fall, winter, and early spring, the roses and other flowers, the shrubs, and the deciduous trees will not flourish.

Also, if neighborhood buildings are in shadows for a good part of the fall, winter, and spring afternoons, the use of solar panels will be impossible and buildings will not have the able to become more energy-efficient.

Thank you for your consideration.

Very Truly Yours,

Ellen E. Rand



## WATERFRONT PRESERVATION ALLIANCE of Greenpoint & Williamsburg

207 Bedford Avenue, #1111  
Brooklyn, NY 11211  
wpa@waterfrontalliance.org

9 August 2007

Mr. Robert Dobruskin  
Director  
Environmental Assessment and Review Division  
NYC Department of City Planning  
22 Reade Street, Room 4E  
New York, NY

Via Fax: (212) 720-3495  
2 pages total

Dear Mr. Dobruskin:

This letter is submitted in response to the "Draft Scope of Work to Prepare a Draft Environmental Impact Statement for the Proposed Domino Sugar Rezoning".

The Waterfront Preservation Alliance is a neighborhood-based alliance that seeks to identify and protect historic resources in the North Brooklyn neighborhoods of Williamsburg, Greenpoint and Bushwick. WPA has long advocated for the designation and appropriate adaptive reuse of the Domino Refinery.

The redevelopment of the Domino site is an exciting opportunity for growth and change. However, the scope of the project as now proposed will have very real and significant impacts on historic resources both on and off the development site. The proposed Domino project, as outlined by the developer in the draft scoping documents, is significantly taller and significantly denser than previous rezoning actions in the Williamsburg/Greenpoint area. Therefore, WPA feels that significantly increased scrutiny is warranted in all areas of the Environmental Impact Statement, including historic preservation, urban design/visual resources and neighborhood character.

With regards to the Draft Scope of Work, WPA has the following comments related to task 7, Historic Resources:

1. First, a technical correction to the draft scope, as issued. On page 16, the draft scope states that the portion of the site west of Kent Avenue and south of South 2<sup>nd</sup> Street has been determined eligible for the National Register of Historic Places. In fact, the determination of eligibility, which was conducted at WPA's request, found that **the entire waterfront site west of Kent Avenue and south of Grand Street is eligible for listing on the National Register.**
2. WPA has requested that the Landmarks Preservation Commission designate the Adant House and the Power House in addition to the main refinery building that is now under consideration for local Landmark designation. It is the position of WPA that these structure, both of which date to 1883, can be adapted for residential or other uses in keeping with the goals of the project developer. For the purposes of the scope of work for the EIS, **WPA requests that the retention and adaptive reuse of these buildings, and all other historic**

Domino Sugar Rezoning  
Scoping Comments  
August 9, 2007  
Page 2 of 2

- buildings on the development site, be included in the scope for the base review and all alternatives.**
3. In addition to the impact of the project on historic resources located on the development site, WPA requests that the impact on all surrounding sites be included in the review of the base scope and all alternative. Because of the size of the development, WPA believes that there is potential for serious impact on historic resources well beyond the 400' perimeter defined in the draft scope. These impacts include not only shadows and visibility of the taller elements, but the significant secondary development pressures caused by the very high density of the proposed project. **Therefore, WPA requests that the study area for historic resources be extended from 400' to a ½ mile perimeter. We also specifically request that all potential historic districts be identified as part of the scope of work.**
  4. **With regard to specific historic resources to be studied, WPA notes that the following properties are among those within a ½ mile radius that appear to be eligible for listing on the state and national registers of historic places:**
    - a. Proposed Fillmore Place Historic District (and certain individual buildings within the district): Fillmore Place, including parts of Driggs Street.
    - b. Potential Grand Street Historic District (and certain individual buildings within the district): Grand Street from Kent Avenue to Roebling Street.
    - c. Potential Broadway Historic District (and certain individual buildings within the district): Broadway from Kent Avenue to Roebling Street.
    - d. Potential Southside Historic District (and certain individual buildings within the district): Roughly bounded by Grand Street, Wythe Avenue, Broadway and Havemeyer Street.
    - e. Matchett Candy Factory building (South 4<sup>th</sup> and Wythe).
    - f. Former Havemeyers & Elder power plant (South 4<sup>th</sup> Street).
    - g. Former Domino Sugar office and garage (269-289 Kent Avenue).
    - h. Former industrial buildings on Kent Avenue between South 4<sup>th</sup> and South 5<sup>th</sup> Streets.
  5. **WPA requests that all reviews study the impact of the proposed tower heights on views of the Williamsburg Bridge, a highly significant historic resource.** These studies should include views of the bridge from both Brooklyn and Manhattan, and the public waterways.
  6. Because of the very real possibility of additional Federal or State action, the Domino project is likely to be subject to review under Section 106 of the National Historic Preservation Act or Section 14.09 of the New York Historic Preservation Act. **WPA formally requests consulting party status in any Section 106 or 14.09 review.**
  7. The Domino site includes highly significant historic resources in the form of machinery and processes internal and external to the buildings on the site. **WPA requests that any mitigation for the site include HAER Level I documentation of this machinery and processes, as well as the historic buildings on the site.**

WPA thanks the Department for the opportunity to comment on the draft scope.

Yours truly,

Alice Rich

**Testimony of  
Michael F. Rochford, Executive Director  
St. Nicholas Neighborhood Preservation Corporation  
Before the New York City Department of City Planning**

We appreciate this opportunity to submit testimony to the City Planning Commission on the important issue of the proposed development at the Domino Sugar property. We are happy to see Community Preservation Corporation and Churches United collaborating on this important venture to bring more affordable housing to our community and believe this project offers the opportunity to strike the right balance between affordability and density.

Nevertheless, we are concerned about the proposed density on the site, and its potential impact on both the scale of the Williamsburg community and on community services as a whole. The rezoning plan for this strategic property must balance this concern with the opportunity to create affordable housing on the site, while preserving historic elements where possible.

The bulk of our testimony will address affordable housing since the shortage of affordable housing and the impact of displacement remain overwhelming concerns for the low- and moderate-income residents in Williamsburg/Greenpoint which have borne the brunt of the dislocation resulting from development of luxury housing. Given its size and location, The Domino site offers a unique opportunity to address the affordable housing crisis in our community. We appreciate the intent of the developer to include 30% or 720 of the overall 2,400 units to be affordable.

However, the current proposal raises some additional concerns which should be addressed in the scope of the environmental impact statement, as it is considered by the City Planning Commission.

Given the continuing rate of market development throughout Greenpoint/ Williamsburg over the last 5 years, as well as the additional height and bulk proposed on this site, we

ask the Commission to consider whether the 30% affordable housing, in the configuration proposed, is adequate to offset the current and anticipated environmental impacts on the community. We believe that additional affordable units must be considered and propose a minimum of 40% (or 900-1000 of 2,400) affordable units for low-income families and seniors.

Further, the EIS should consider the extent the proposed development will use government subsidies, above the cross subsidy benefit from the additional market units permitted by the additional height and bulk proposed on the site through the requested zoning change? What will be the impact of this on the potential production of other affordable housing units in the community?

We are also very concerned about how the Commission will evaluate secondary displacement resulting from the proposed development in the EIS. In particular, the suggested method to identify the populations at risk of displacement includes "the portion of the population living in units not protected by rent control, rent stabilization or other rent regulated program."

However, our experience has shown conclusively that rent regulated tenants are also at risk from harassment and other tactics. (We would be happy to supply more detailed examples if needed.) This impact of market rate development on secondary displacement was recognized in the Williamsburg/Greenpoint rezoning plan with the inclusion of additional mitigation through special anti-harassment provisions and additional resources to protect tenants from displacement. We believe that these factors and similar additional protections need to be considered and included in this rezoning as well.

We are also concerned that the plan include concrete proposals to ensure that local residents have access to both construction and permanent jobs on the site and would be happy to share our 30 years of experience in this area with the developers and the Commission to help develop an effective plan to achieve this goal.

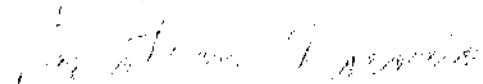
We appreciate the opportunity to provide this testimony to the Commission and look forward to continuing the dialog with you and other stakeholders in the community to develop an effective and balanced plan for rezoning this important site.

Jonathan Rosario  
376 Keap St, Apt 54  
Brooklyn, NY 11211

Testimony before the New York City Department of City Planning Regarding the  
Domino Sugar Refinery, Brooklyn. August 9, 2007

Good afternoon, I am Jonathan Rosario, representing the youth of Williamsburg in Brooklyn. I have heard for a great amount of time, about the development of the location where Domino Sugar is located. After researching the facts about the "the new Domino", I for the most part feel really pleased with the proposal. I have lived in the Williamsburg Community for 16years, and feel that utilizing this space is very crucial for many reasons. One very important reason is providing residential space for everyone interested in living in such a wonderful Community like Williamsburg. I would like to express my concern about this project, which is the number of affordable housing being provided on this site. The proposal states 30% of the overall 2,400 units would be affordable, or approximately 720 units. I feel that 30% percent is not enough for our community, and definitely not enough for newcomers who also need affordable housing. Also another worry is that when the term affordable is used I wonder what is affordable to the developers, and affordable to whom? I would be very grateful if at least 50% percent of the homes are affordable. I feel that having at least 50% of the homes affordable would make many people pleased. Most importantly, having 50 percent of the residential space affordable would give homes to many people in need, and a more diverse group of people would enjoy this new project.

Thank You,



Jonathan Rosario

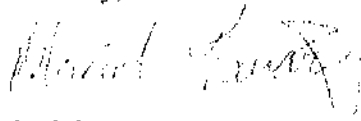


Maciel Tavarez  
364 South 1<sup>st</sup> St. Apt 27  
Brooklyn, NY 11211

Testimony before the New York City Department of City Planning regarding the  
Domino Sugar Refinery, Brooklyn. August 9, 2007

Good Afternoon, I am Rose Rivera and I am representing the youth of Williamsburg in Brooklyn. I have been a citizen of the Williamsburg community all of my 16 year life. I have seen first hand the changes my community is going through and am aware of all the new people moving in. I can see is changing. But, here at Williamsburg I have seen too many buildings being built and not enough green space for it's residents. What suprises me, is that there are not enough parks that are being huilt. Most of the parks in Williamsburg are made out of concrete and it's not safe for children to run around and play safely. Also when more people come to move here they may go to McCarren Park and crowd the park up, and that is the only green space we got. Within this proposal, what I will like to see is more green park space near the waterfront, so I can relax and enjoy the space. I hope that the Williamsburg future is not made up of skyscrappers and retail space, but instead a place where all in the community can play and enjoy themselves near trees and not have to travel to Central Park to feel connected with nature.

Sincerely,



Maciel Tavarez

webster  
consulting  
group

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August 10, 2007

Robert Dobruskin  
Director, Environmental Assessment and Review Division  
NYC Department of City Planning  
22 Reade Street, Rm 4E  
New York, NY 10007

Dear Mr. Dobruskin,

The Webster Consulting Group is a consulting firm working on energy policy, technology, and economics. We are writing to request an Energy Assessment for the redevelopment of the Domino Sugar Refinery site.

The developer, the Refinery LLC, has stated in the scope of work document that "according to the CEQR Technical Manual, actions resulting in new construction would not create significant energy impacts because all new structures requiring heating and cooling are subject to the New York State Energy Conservation Code, which reflects State and City energy policy. *Therefore, a detailed energy assessment is not required* [my italics]." [Draft Scope of Work, Task 15, p 22]

We are concerned that by not performing a detailed energy assessment, potential consequences of this major property re-purposing will not be identified. If the potential consequences are not identified, they cannot be considered and addressed prior to development. The neighborhood and the city must anticipate and prepare for these consequences, or require that plans be altered to avoid them.

In our experience, managing the unintended consequences of industrial property re-purposing is virtually impossible once the site has been developed. If public officials have not required developers to consider – in advance and in detail – the unique energy consequences of such a dramatic site re-purposing, public officials can become easy targets for the media and the angry public should something go wrong.

The Domino Sugar Refinery project amounts to a massive conversion of dormant industrial space to large-scale residential use—*an extreme change in use*. The developer is using a stipulation in the CEQR Technical Manual – that the project will conform to the New York State Energy Conservation Code – to avoid performing an Energy Assessment of the Domino Sugar project as part of the Environmental Impact Statement (EIS) process:

All new structures requiring heating and cooling are subject to the New York State Energy Conservation Code, which reflects state and City energy policy. Therefore, those actions that would result in new construction or substantial renovation of buildings would not create adverse energy impacts, and would not require a detailed energy assessment. –CEQR TECHNICAL MANUAL, §N.200, p 10/01

However, we believe the sentence that follows the preceding passage in the CEQR Technical Manual provides important guidance:

A detailed assessment of energy impacts would be limited to actions that could significantly affect the transmission or generation of energy or that generate substantial indirect consumption of energy (such as a new roadway that could lead to a substantial increase in the number of vehicle miles traveled, and thus, fuel consumed in the City). --CEQR MANUAL, §N,200, p 10/01

We believe this passage requires developers to provide detailed energy analyses for projects which represent dramatic changes in property use in the City. The Domino Sugar Project is such a project. It will substantially affect (i.e. change) the transmission, generation, and overall consumption of energy in the City.

The areas of potential impact that should be explored in an energy assessment include, but are not limited to the following:

- Residential power requirements are different from industrial requirements—usually much greater for the same square footage—and are more sensitive to diversity factors. This is a massive primarily residential complex. How will this development of as many as 2,400 individual units impact the reliability of electrical power in the neighborhood? Will it require additional local gas-fired power stations with impacts of their own?
- In comparison to smaller projects, proposing this large a number of units requires a much more thoughtful determination of the approximate electrical load of each and of a diversity factor to allow for a wide range of electricity consumption. Although industrial usage can be predictable, residential electrical usage is less so. Excess capacity needs to be built in and backup systems considered. Energy utilization will continue to be a key issue for the foreseeable future and should be evaluated for every new and converted structure. This is particularly true of "luxury" building, which might be expected to have more electrical usage than the average.

In addition, Webster Consulting Group takes the view that projects like the Domino Sugar Refinery development offer opportunities for 21st energy initiatives. Each project such as this can help us all rethink policies on energy and energy consumption that reflect the current energy situation.

The Domino Sugar Project represents a unique opportunity to consider taking steps toward conversion of New York City from carbon-based energy production to solar and other forms of renewable energy. At a minimum, it seems to us that it would be useful for the developer present a *full* impact analysis of this project, including an energy assessment.

Issues to consider should include, but are not limited to the following

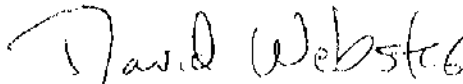
- New York experienced a widespread blackout in 2003 and another in 2006. The Williamsburg neighborhood has experienced power outages. This suggests that some consideration should be given to distributed power generation—solar, geothermal, and perhaps technology generating energy from the currents in the East River. Solar is beginning to be used in some New York buildings to provide at least some of the electrical need. And geothermal heating/cooling has been used in a conversion along the Brooklyn waterfront (the Esquire building). We suggest that opportunities for power from renewable sources be evaluated for this project. Solar, in particular, allows for decentralized power generation. The project should strive to be at least partially self-sustaining without putting an additional drain on the grid.
- With regard to light and air circulation in the surrounding vicinity, the issue is more than a public health or aesthetic issue. The heights of buildings may impact future utilization of solar and perhaps even wind power in the vicinity. Owners inland from the new Domino structures who wish to adopt low-carbon-impact solar technology may find themselves in the shadow of a large structure and unable to utilize a solar array on their own properties.
- The use of "passive solar" techniques in design should be explicit. Rather than trade-offs between insulation and clean energy, we need both to meet the challenge of global warming.

The spirit of an impact statement should be to show how environmental concerns have been addressed in the design as well as to disclose the anticipated environmental impact of the construction.

The Domino Sugar Project is a high-profile project, one that could become the model for the steps necessary to address the energy challenges that New Yorkers face -- both now and in the future.

We believe an Energy Assessment for the Domino Sugar Project is an important first step.

Very truly yours,

A handwritten signature in black ink that reads "David Webster". The signature is written in a cursive style with a long, sweeping underline that extends to the right.

David Webster  
President  
The Webster Consulting Group, Inc.  
P.O. Box 22361  
Lehigh Valley, PA 18002

About the author --

David Webster is founder and president of The Webster Consulting Group, Inc., a management consulting firm based in Lehigh Valley, Pennsylvania.

Founded in 2000, The Webster Consulting Group has provided strategy, policy, and economic consulting services for a wide range of private and public clients.

David's insights are aired frequently on CNN and National Public Radio, and he has been frequently cited by the *Wall Street Journal*, the *New York Times*, *Business Week*, *USA Today*, and other major publications.

David holds a Ph.D. in Economics from the University of Chicago, where he specialized in Urban Economics.

August 5, 2007

Robert Dobrushkin, Director  
Environmental Assessment and Review Division  
NYC Department of City Planning  
22 Reade Street, Room 4E  
New York NY 10007

Dear Mr. Dobruskin:

Re: the Domino Building Conversion, Kent Street, Williamsburg Brooklyn

I would like to know if the following concerns have been assessed in the Environmental Impact Statement supplied by the developers concerning the impact that this huge residential facility will have on the neighborhood.

1. The impact that the residents of 24-2600 apartments will have on the already over-burdened L train. As it is now, one must wait for two or three trains during the morning rush before being able to board. We read that the L line has as many trains running now as is safe.
2. The impact that will be felt by the local schools.
3. The added burden to the water and sewer service.
4. The addition of hundreds of cars creating traffic and the problem of these cars vying for the already sparse amount of parking spaces.

There is a huge increase in residential units in ever higher buildings, destroying what many feel to be the unique character of this neighborhood.

Thank you,

Mary Westring  
190 Grand Street  
Brooklyn NY 11211