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

FOR UNLISTED ACTIONS ONLY • *Please fill out and submit to the appropriate agency* (see instructions)

Part I: GENERAL INFORMATION

1. *Does the Action Exceed Any Type I Threshold in 6 NYCRR Part 617.4 or 43 RCNY §6-15(A) (Executive Order 91 of 1977, as amended)?* ☐ YES ☒ NO

If "yes," **STOP** and **complete the FULL EAS FORM**.

2. *Project Name* 581 Grant Avenue EAS

3. *Reference Numbers*

CEQR REFERENCE NUMBER (to be assigned by lead agency)	BSA REFERENCE NUMBER (if applicable)
21HPD001K	
ULURP REFERENCE NUMBER (if applicable)	OTHER REFERENCE NUMBER(S) (if applicable) (*e.g.*, legislative intro, CAPA)
240402HAK, 240403ZMK, 240404ZRK	

4a. *Lead Agency Information*			**4b. *Applicant Information***		
NAME OF LEAD AGENCY New York City Department of Housing Preservation and Development			NAME OF APPLICANT New York City Department of Housing Preservation and Development, on behalf of the project sponsor, Thorobird Companies, LLC		
NAME OF LEAD AGENCY CONTACT PERSON Anthony Howard - Director, Environmental Planning			NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON Felipe Cortes, Assistant Commissioner, Planning and Predevelopment		
ADDRESS 100 Gold Street, 7-A3			ADDRESS 100 Gold Street		
CITY New York	STATE	ZIP	CITY New York	STATE	ZIP
TELEPHONE (212) 863-7248	EMAIL		TELEPHONE (212) 863-8566	EMAIL CortesF@hpd.nyc.gov	

5. *Project Description*

The proposal involves an application by New York City Department of Housing Preservation and Development (HPD), on behalf of the project sponsor, Thorobird Companies, LLC, seeking approval of a zoning map amendment to rezone Block 4223, Lots 1, 6, and part of Lots 12 and 22 (the "Project Area") from an R5 zoning district to an R6 zoning district; a zoning text amendment to Appendix F of the Zoning Resolution to establish the Project Area as a Mandatory Inclusionary Housing (MIH) Area; Chair certification pursuant to ZR section 66-21; and the designation of Block 4223, Lot 1 (the "Development Site") as an Urban Development Action Area (UDAA) and approval of the project as an Urban Development Action Area Project (UDAAP), (the "Proposed Actions"). These actions would facilitate the new construction of an approximately 164,488 gross square foot (gsf) mixed-use building, including approximately 154,162 gsf of affordable housing (174 dwelling units (DUs)), as well as, approximately 10,326 gsf of community facility space (the "Proposed Project"), located at 581 Grant Avenue in the East New York neighborhood of Brooklyn, Community District 5. The Development Site is bounded by Glenmore Avenue to the north, Pitkin Avenue to the south, Grant Avenue to the west, and Eldert Lane to the east. The Development Site measures approximately 49,488 gsf in lot area. Lot 1 is currently owned by NYC Department of Transportation (DOT) and used as a 148-space municipal parking lot. The Proposed Project would be constructed in a single phase following approvals and is expected to be completed within 23 months and operational by 2026. The lot is currently a municipal parking facility. Absent the Proposed Actions, it is assumed that the Project Site would remain consistent with existing conditions. The proposed City of Yes for Housing Opportunity text amendment, currently in public review, would increase the maximum floor area permitted for affordable housing buildings on the site. The project sponsor does not intend to take advantage of the proposed text amendment as the project has already completed HPD's RFP process and review. Any changes in project scope beyond what is currently contemplated would require additional HPD review, including further environmental review of the new proposed development.

Project Location

BOROUGH Brooklyn	COMMUNITY DISTRICT(S) 5	STREET ADDRESS 581 Grant Avenue

TAX BLOCK(S) AND LOT(S) Block 4223, Lot 1 | ZIP CODE 11208

DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS Glenmore Avenue to the north, Pitkin Avenue to the south, Grand Avenue to the west, Eldert Lane to the east.

EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY R5 | ZONING SECTIONAL MAP NUMBER 18a

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

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

- ☐ CITY MAP AMENDMENT
- ☒ ZONING CERTIFICATION
- ☐ CONCESSION
- ☒ ZONING MAP AMENDMENT
- ☐ ZONING AUTHORIZATION
- ☒ UDAAP
- ☒ ZONING TEXT AMENDMENT
- ☐ ACQUISITION—REAL PROPERTY
- ☐ REVOCABLE CONSENT
- ☐ SITE SELECTION—PUBLIC FACILITY
- ☐ DISPOSITION—REAL PROPERTY
- ☐ FRANCHISE
- ☐ HOUSING PLAN & PROJECT
- ☐ OTHER, explain:
- ☐ SPECIAL PERMIT (if appropriate, specify type: ☐ modification; ☐ renewal; ☐ other); EXPIRATION DATE:

SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION ZR Section 66-21

***Board of Standards and Appeals*:** ☐ YES ☒ NO

- ☐ VARIANCE (use)
- ☐ VARIANCE (bulk)
- ☐ SPECIAL PERMIT (if appropriate, specify type: ☐ modification; ☐ renewal; ☐ other); EXPIRATION DATE:

SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

***Department of Environmental Protection*:** ☐ YES ☐ NO ☐ Cogeneration Facility ☐ Title V Permit

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

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

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

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

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

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

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

- ☒ SITE LOCATION MAP
- ☒ ZONING MAP
- ☒ SANBORN OR OTHER LAND USE MAP
- ☒ TAX MAP
- ☐ FOR LARGE AREAS OR MULTIPLE SITES, A GIS SHAPE FILE THAT DEFINES THE PROJECT SITE(S)
- ☒ PHOTOGRAPHS OF THE PROJECT SITE TAKEN WITHIN 6 MONTHS OF EAS SUBMISSION AND KEYED TO THE SITE LOCATION MAP

Physical Setting (both developed and undeveloped areas)

Total directly affected area (sq. ft.): 49,488 | Waterbody area (sq. ft) and type:

Roads, buildings, and other paved surfaces (sq. ft.): | Other, describe (sq. ft.):

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

SIZE OF PROJECT TO BE DEVELOPED (gross square feet): 164,488

NUMBER OF BUILDINGS: 1 | GROSS FLOOR AREA OF EACH BUILDING (sq. ft.):

HEIGHT OF EACH BUILDING (ft.): 74'8" | NUMBER OF STORIES OF EACH BUILDING: 7

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

If "yes," specify: The total square feet owned or controlled by the applicant: 49,488

The total square feet not owned or controlled by the applicant: 1,350

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

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

AREA OF TEMPORARY DISTURBANCE: Approx. 49,488 sq. ft. (width x length) | VOLUME OF DISTURBANCE: Approx. 60,000 cubic ft. (width x length x depth)

AREA OF PERMANENT DISTURBANCE: Approx. 17,344 sq. ft. (width x length)

Description of Proposed Uses (please complete the following information as appropriate)

	Residential	***Commercial***	***Community Facility***	***Industrial/Manufacturing***
Size (in gross sq. ft.)	154,162		10,326	
Type (*e.g.,* retail, office, school)	174 units		Medical and not-for-profit office space	

Does the proposed project increase the population of residents and/or on-site workers? ☒ YES ☐ NO

If "yes," please specify: NUMBER OF ADDITIONAL RESIDENTS: 505 NUMBER OF ADDITIONAL WORKERS: 16

Provide a brief explanation of how these numbers were determined: An average household size of 2.90 for Brooklyn CB 5 from 2020 US Census was used to calculate the total number of residents. The number of workers was calculated based on 1 per 1000 sf multiplier for community facility use and 1 per 25 DUs multiplier for residential use adopted from the Gowanus Neighborhood Rezoning EIS (CEQR # 19DCP157K).

Does the proposed project create new open space? ☐ YES ☒ NO If "yes," specify size of project-created open space: sq. ft.

Has a No-Action scenario been defined for this project that differs from the existing condition? ☐ YES ☐ NO

If "yes," see Chapter 2, "Establishing the Analysis Framework" and describe briefly:

9. *Analysis Year* CEQR Technical Manual Chapter 2

ANTICIPATED BUILD YEAR (date the project would be completed and operational): 2026

ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: 23

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

BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE: As with all construction projects, work at the project site would result in temporary disruptions to the surrounding area, including occasional noise and dust. However, such effects would be temporary and would be limited to the construction period. Construction of the proposed project would be carried out in accordance with NYC laws and regulations, which allow construction activities between 7 AM and 6 PM on weekdays. If work is required outside of normal construction hours, necessary approvals would be obtained from the appropriate agencies (i.e., DOB and DEP). During construction of the proposed project, Maintenance and Protection of Traffic plans would be developed for any curb-lane and/or sidewalk closures that may be required. Approval of these plans and implementation of all temporary closures during construction would be coordinated with NYCDOT's Office of Construction Mitigation and Coordination (OCMC). Through implementation of the measures described above, adverse effects associated with the proposed construction activities would be minimized. Accordingly, the proposed project would not result in significant adverse impacts during construction, and no further analysis is required.

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

☐ RESIDENTIAL ☐ MANUFACTURING ☒ COMMERCIAL ☐ PARK/FOREST/OPEN SPACE ☒ OTHER, specify: Transportation

Part II: TECHNICAL ANALYSIS

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

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

	YES	NO
1. *LAND USE, ZONING, AND PUBLIC POLICY*: CEQR Technical Manual Chapter 4		
(a) Would the proposed project result in a change in land use different from surrounding land uses?	☐	☒
(b) Would the proposed project result in a change in zoning different from surrounding zoning?	☒	☐
(c) Is there the potential to affect an applicable public policy?	☐	☒
(d) If "yes," to (a), (b), and/or (c), complete a preliminary assessment and attach.		
(e) Is the project a large, publicly sponsored project?	☐	☒
○ If "yes," complete a PlaNYC assessment and attach.		
(f) Is any part of the directly affected area within the City's Waterfront Revitalization Program boundaries?	☐	☒
○ If "yes," complete the Consistency Assessment Form.		
2. *SOCIOECONOMIC CONDITIONS*: CEQR Technical Manual Chapter 5		
(a) Would the proposed project:		
○ Generate a net increase of 200 or more residential units?	☐	☒
○ Generate a net increase of 200,000 or more square feet of commercial space?	☐	☒
○ Directly displace more than 500 residents?	☐	☒
○ Directly displace more than 100 employees?	☐	☒
○ Affect conditions in a specific industry?	☐	☒
3. *COMMUNITY FACILITIES*: CEQR Technical Manual Chapter 6		
(a) Direct Effects		
○ Would the project directly eliminate, displace, or alter public or publicly funded community facilities such as educational facilities, libraries, hospitals and other health care facilities, day care centers, police stations, or fire stations?	☐	☒
(b) Indirect Effects		
○ **Early Childhood Programs:** Would the project result in 20 or more eligible children under age 6, based on the number of low or low/moderate income residential units? (See Table 6-1 in Chapter 6)	☒	☐
○ **Public Schools:** Would the project result in 50 or more elementary or middle school students, or 150 or more high school students based on number of residential units? (See Table 6-1 in Chapter 6)	☐	☒
○ **Libraries:** Would the project result in a 5 percent or more increase in the ratio of residential units to library branches? (See Table 6-1 in Chapter 6)	☐	☒
○ **Health Care Facilities and Fire/Police Protection:** Would the project result in the introduction of a sizeable new neighborhood?	☐	☒
4. *OPEN SPACE*: CEQR Technical Manual Chapter 7		
(a) Would the project change or eliminate existing open space?	☐	☒
(b) Would the project generate more than 200 additional residents or 500 additional employees?	☒	☐
5. *SHADOWS*: CEQR Technical Manual Chapter 8		
(a) Would the proposed project result in a net height increase of any structure of 50 feet or more?	☒	☐
(b) Would the proposed project result in any increase in structure height and be located adjacent to or across the street from a sunlight-sensitive resource?	☒	☐
6. *HISTORIC AND CULTURAL RESOURCES*: CEQR Technical Manual Chapter 9		

	YES	NO
(a) Does the proposed project site or an adjacent site contain any architectural and/or archaeological resource that is eligible for or has been designated (or is calendared for consideration) as a New York City Landmark, Interior Landmark or Scenic Landmark; that is listed or eligible for listing on the New York State or National Register of Historic Places; or that is within a designated or eligible New York City, New York State or National Register Historic District? (See the GIS System for Archaeology and National Register to confirm)	☐	☒
(b) Would the proposed project involve construction resulting in in-ground disturbance to an area not previously excavated?	☐	☒
(c) If "yes" to either of the above, list any identified architectural and/or archaeological resources and attach supporting information on whether the proposed project would potentially affect any architectural or archeological resources.		
7. *URBAN DESIGN AND VISUAL RESOURCES*: CEQR Technical Manual Chapter 10		
(a) Would the proposed project introduce a new building, a new building height, or result in any substantial physical alteration to the streetscape or public space in the vicinity of the proposed project that is not currently allowed by existing zoning?	☒	☐
(b) Would the proposed project result in obstruction of publicly accessible views to visual resources not currently allowed by existing zoning?	☐	☒
8. *NATURAL RESOURCES*: CEQR Technical Manual Chapter 11		
(a) Does the proposed project site or a site adjacent to the project contain natural resources as defined in Section 100 of Chapter 11?	☐	☒
○ If "yes," list the resources and attach supporting information on whether the proposed project would affect any of these resources.		
(b) Is any part of the directly affected area within the Jamaica Bay Watershed?	☒	☐
○ If "yes," complete the Jamaica Bay Watershed Protection Plan Project Tracking Form, and submit according to its instructions. See attached form		
9. *HAZARDOUS MATERIALS*: CEQR Technical Manual Chapter 12		
(a) Would the proposed project allow commercial or residential uses in an area that is currently, or was historically, a manufacturing area that involved hazardous materials?	☐	☒
(b) Would the proposed project introduce new activities or processes using hazardous materials and increase the risk of human or environmental exposure?	☐	☒
(c) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to hazardous materials that preclude the potential for significant adverse impacts?	☐	☒
(d) Would the project require soil disturbance in a manufacturing area or any development on or near a manufacturing area or existing/historic facilities listed in the Hazardous Materials Appendix (including nonconforming uses)?	☐	☒
(e) Would the project result in the development of a site where there is reason to suspect the presence of hazardous materials, contamination, illegal dumping or fill, or fill material of unknown origin?	☒	☐
(f) Would the project result in development on or near a site that has or had underground and/or aboveground storage tanks (*e.g.*, gas stations, oil storage facilities, heating oil storage)?	☐	☒
(g) Would the project result in renovation of interior existing space on a site with the potential for compromised air quality; vapor intrusion from either on-site or off-site sources; or the presence of asbestos, PCBs, mercury or lead-based paint?	☐	☒
(h) Would the project result in development on or near a site with potential hazardous materials issues such as government-listed voluntary cleanup/brownfield site, current or former power generation/transmission facilities, coal gasification or gas storage sites, railroad tracks or rights-of-way, or municipal incinerators?	☒	☐
(i) Has a Phase I Environmental Site Assessment been performed for the site?	☒	☐
○ If "yes," were Recognized Environmental Conditions (RECs) identified? Briefly identify: See Attachment H	☒	☐
(j) Based on the Phase I Assessment, is a Phase II Investigation needed? See Attachment H	☒	☐
10. *WATER AND SEWER INFRASTRUCTURE*: CEQR Technical Manual Chapter 13		
(a) Would the project result in water demand of more than one million gallons per day?	☐	☒
(b) If the proposed project located in a combined sewer area, would it result in at least 1,000 residential units or 250,000 square feet or more of commercial space in Manhattan, or at least 400 residential units or 150,000 square feet or more of commercial space in the Bronx, Brooklyn, Staten Island, or Queens?	☐	☒
(c) If the proposed project located in a separately sewered area, would it result in the same or greater development than the amounts listed in Table 13-1 in Chapter 13?	☐	☒
(d) Would the proposed project involve development on a site that is 5 acres or larger where the amount of impervious surface would increase?	☐	☒
(e) If the project is located within the Jamaica Bay Watershed or in certain specific drainage areas, including Bronx River, Coney Island Creek, Flushing Bay and Creek, Gowanus Canal, Hutchinson River, Newtown Creek, or Westchester Creek, would it involve development on a site that is 1 acre or larger where the amount of impervious surface would increase?	☐	☒
(f) Would the proposed project be located in an area that is partially sewered or currently unsewered?	☐	☒

	YES	NO
(g) Is the project proposing an industrial facility or activity that would contribute industrial discharges to a Wastewater Treatment Plant and/or generate contaminated stormwater in a separate storm sewer system?	☐	☒
(h) Would the project involve construction of a new stormwater outfall that requires federal and/or state permits?	☐	☒
11. *SOLID WASTE AND SANITATION SERVICES*: CEQR Technical Manual Chapter 14		
(a) Using Table 14-1 in Chapter 14, the project's projected operational solid waste generation is estimated to be (pounds per week): 8,806		
○ Would the proposed project have the potential to generate 100,000 pounds (50 tons) or more of solid waste per week?	☐	☒
(b) Would the proposed project involve a reduction in capacity at a solid waste management facility used for refuse or recyclables generated within the City?	☐	☒
12. *ENERGY*: CEQR Technical Manual Chapter 15		
(a) Using energy modeling or Table 15-1 in Chapter 15, the project's projected energy use is estimated to be (annual BTUs): 21,765,839.2		
(b) Would the proposed project affect the transmission or generation of energy?	☐	☒
13. *TRANSPORTATION*: CEQR Technical Manual Chapter 16		
(a) Would the proposed project exceed any threshold identified in Table 16-1 in Chapter 16?	☐	☒
(b) If "yes," conduct the screening analyses, attach appropriate back up data as needed for each stage and answer the following questions:		
○ Would the proposed project result in 50 or more Passenger Car Equivalents (PCEs) per project peak hour?	☐	☐
If "yes," would the proposed project result in 50 or more vehicle trips per project peak hour at any given intersection? ***It should be noted that the lead agency may require further analysis of intersections of concern even when a project generates fewer than 50 vehicles in the peak hour. See Subsection 313 of Chapter 16 for more information.*	☐	☐
○ Would the proposed project result in more than 200 subway/rail, bus trips, or 50 Citywide Ferry Service ferry trips per project peak hour?	☐	☐
If "yes," would the proposed project result, per project peak hour, in 50 or more bus trips on a single line (in one direction), 200 subway/rail trips per station or line, or 25 or more Citywide Ferry Service ferry trips on a single route (in one direction), or 50 or more passengers at a Citywide Ferry Service landing?	☐	☐
○ Would the proposed project result in more than 200 pedestrian trips per project peak hour?	☐	☐
If "yes," would the proposed project result in more than 200 pedestrian trips per project peak hour to any given pedestrian or transit element, crosswalk, subway stair, or bus stop, or Citywide Ferry Service landing?	☐	☐
14. *AIR QUALITY*: CEQR Technical Manual Chapter 17		
(a) *Mobile Sources*: Would the proposed project result in the conditions outlined in Section 210 in Chapter 17?	☐	☐
(b) *Stationary Sources*: Would the proposed project result in the conditions outlined in Section 220 in Chapter 17?	☐	☐
○ If "yes," would the proposed project exceed the thresholds in Figure 17-3, Stationary Source Screen Graph in Chapter 17? (Attach graph as needed)	☐	☐
(c) Does the proposed project involve multiple buildings on the project site?	☐	☐
(d) Does the proposed project require federal approvals, support, licensing, or permits subject to conformity requirements?	☐	☐
(e) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to air quality that preclude the potential for significant adverse impacts?	☐	☐
15. *GREENHOUSE GAS EMISSIONS*: CEQR Technical Manual Chapter 18		
(a) Is the proposed project a city capital project or a power generation plant?	☐	☒
(b) Would the proposed project fundamentally change the City's solid waste management system?	☐	☒
(c) If "yes" to any of the above, would the project require a GHG emissions assessment based on the guidance in Chapter 18?	☐	☐
16. *NOISE*: CEQR Technical Manual Chapter 19		
(a) Would the proposed project generate or reroute vehicular traffic?	☒	☐
(b) Would the proposed project introduce new or additional receptors (see Section 114 in Chapter 19) near heavily trafficked roadways, within one horizontal mile of an existing or proposed flight path, or within 1,500 feet of an existing or proposed rail line with a direct line of site to that rail line?	☒	☐
(c) Would the proposed project cause a stationary noise source to operate within 1,500 feet of a receptor with a direct line of sight to that receptor or introduce receptors into an area with high ambient stationary noise?	☐	☒
(d) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to noise that preclude the potential for significant adverse impacts?	☐	☒
17. *PUBLIC HEALTH*: CEQR Technical Manual Chapter 20		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Air Quality;	☐	☒

	YES	NO
Hazardous Materials; Noise?		
(b) If "yes," explain why an assessment of public health is or is not warranted based on the guidance in Chapter 20, "Public Health." Attach a preliminary analysis, if necessary.		
18. *NEIGHBORHOOD CHARACTER*: CEQR Technical Manual Chapter 21		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Land Use, Zoning, and Public Policy; Socioeconomic Conditions; Open Space; Historic and Cultural Resources; Urban Design and Visual Resources; Shadows; Transportation; Noise?	☐	☒
(b) If "yes," explain why an assessment of neighborhood character is or is not warranted based on the guidance in Chapter 21, "Neighborhood Character." Attach a preliminary analysis, if necessary.		
19. *CONSTRUCTION*: CEQR Technical Manual Chapter 22		
(a) Would the project's construction activities involve:		
○ Construction activities lasting longer than two years?	☐	☒
○ Construction activities within a Central Business District or along an arterial highway or major thoroughfare?	☐	☒
○ Closing, narrowing, or otherwise impeding traffic, transit, or pedestrian elements (roadways, parking spaces, bicycle routes, sidewalks, crosswalks, corners, *etc.*)?	☐	☒
○ Construction of multiple buildings where there is a potential for on-site receptors on buildings completed before the final build-out?	☐	☒
○ The operation of several pieces of diesel equipment in a single location at peak construction?	☒	☐
○ Closure of a community facility or disruption in its services?	☐	☒
○ Activities within 400 feet of a historic or cultural resource?	☐	☒
○ Disturbance of a site containing or adjacent to a site containing natural resources?	☐	☒
○ Construction on multiple development sites in the same geographic area, such that there is the potential for several construction timelines to overlap or last for more than two years overall?	☐	☒

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

As with all construction projects, work at the Project Site would result in temporary disruptions to the surrounding area, including occasional noise and dust. However, such effects would be temporary and would be limited to the construction period. Construction of the proposed project would be carried out in accordance with NYC laws and regulations, which allow construction activities between 7AM and 6PM on weekdays. If work is required outside of normal construction hours, necessary approvals would be obtained from the appropriate agencies (i.e., NYC Department of Buildings, and NYC Department of Environmental Protection). During construction of the proposed project, Maintenance and Protection of Traffic plans would be developed for any curb lane and/or sidewalk closures that may be required. Approval of these plans and implementation of all temporary closures during construction would be coordinated with NYC Department of Transportation's Office of Construction Mitigation and Coordination. Through implementation of the measures described above, adverse effects associated with the proposed construction activities would be minimized. Accordingly, the Proposed Project would not result in significant adverse impacts during construction, and no further analysis is required.

20. *APPLICANT'S CERTIFICATION*

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

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

APPLICANT/REPRESENTATIVE NAME	DATE
Kovid Saxena	08/15/24

SIGNATURE Kovid Saxena

PLEASE NOTE THAT APPLICANTS MAY BE REQUIRED TO SUBSTANTIATE RESPONSES IN THIS FORM AT THE

DISCRETION OF THE LEAD AGENCY SO THAT IT MAY SUPPORT ITS DETERMINATION OF SIGNIFICANCE.

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

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

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

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

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

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

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

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

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

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

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

TITLE	LEAD AGENCY
Director, Environmental Planning - HPD	City of New York - Department of Housing Preservation and Development
NAME	DATE
Anthony Howard	August 15, 2024

SIGNATURE 

NEGATIVE DECLARATION (Use of this form is optional)

Statement of No Significant Effect

Pursuant to Executive Order 91 of 1977, as amended, and the Rules of Procedure for City Environmental Quality Review, found at Title 62, Chapter 5 of the Rules of the City of New York and 6 NYCRR, Part 617, State Environmental Quality Review, City of New York - Department of Housing and Preservation assumed the role of lead agency for the environmental review of the proposed project. Based on a review of information about the project contained in this environmental assessment statement and any attachments hereto, which are incorporated by reference herein, the lead agency has determined that the proposed project would not have a significant adverse impact on the environment.

Reasons Supporting this Determination

The above determination is based on information contained in this EAS, which finds that the proposed project:

21HPD001K - 581 Grant Avenue - would not result in any significant adverse impacts. Please refer to the attached Negative Declaration dated August 15, 2024

No other significant effects upon the environment that would require the preparation of a Draft Environmental Impact Statement are foreseeable. This Negative Declaration has been prepared in accordance with Article 8 of the New York State Environmental Conservation Law (SEQRA).

TITLE	LEAD AGENCY
Director, Environmental Planning - HPD	City of New York - Department of Housing Preservation and Development
NAME	DATE
Anthony Howard	August 15, 2024
SIGNATURE 	

Attachment A: Project Description

I. INTRODUCTION

The New York City (NYC) Department of Housing Preservation and Development (HPD), on behalf of the project sponsor, Thorobird Companies, LLC, is seeking a series of discretionary actions to facilitate development of a mixed-use building at Lot 1 in Block 4223 located in the East New York neighborhood in Brooklyn Community District (CD) 5 (the "Development Site"). The proposed building would comprise of approximately 154,162 gross square feet (gsf) of residential uses, including 173 Dwelling Units (DUs) and 1 superintendent's unit; and approximately 10,326 gsf of community facility use, totaling approximately 164,488 gsf of mixed-use development (the "Proposed Project"). Additionally, 37,312 sf of passive and active outdoor space will be included with the Proposed Project. The Proposed Project is expected to be completed by 2026. Currently, the Project Site is occupied by an approximately 148-space municipal parking lot operated by NYC Department of Transportation. Land uses in the surrounding area are primarily residential and transportation-related.

The Applicant is seeking approvals of the following public discretionary actions:

- **Zoning Map Amendment:** to rezone the Project Site; Lot 6 of Block 4223, a portion of (125 sf) Lot 12 of Block 4223 and portion of (1,147 sf) Lot 22 of Block 4223 ("Rezoning Area") from the existing R5 zoning district to R6;
- **Zoning Text Amendment to Appendix F (Inclusionary Housing and Mandatory Inclusionary Housing Areas) of the ZR to designate the Rezoning Area an MIH area:** to designate the Project Site as a Mandatory Inclusionary Housing (MIH) Area pursuant to Option #1, which requires that 25% of residential area be affordable at 60% of Area Median Income (AMI), with no unit targeted at a level exceeding 130% AMI.
- **Chair Certification:** Pursuant to ZR Section 66-21
- **Urban Development Action Area Program (UDAAP) Designation, including UDAAP Project Approval**: the approval of business terms for disposition of City Owned property pursuant to Section 384(b)(4) of the New York City Charter through the UDAAP.

In addition, the Project Site will require designation as an Urban Development Action Area to grant up to a 20-year exemption from real estate taxes on the assessed value of the Proposed Project. Discretionary program funding as needed for construction will also be needed. These actions are described in more detail below and collectively referred to as the "Proposed Actions." The Proposed Actions are subject to environmental review pursuant to the State Environmental Quality Review Act (SEQRA) and in conformance to *City Environmental Quality Review* (*CEQR) Technical Manual* guidelines and procedures. HPD is the lead agency for this environmental review.

The proposed City of Yes for Housing Opportunity text amendment, currently in public review, would increase the maximum floor area permitted for affordable housing buildings on the site. The project sponsor does not intend to take advantage of the proposed text amendment as the project has already completed HPD's RFP process and review. Any changes in project scope beyond what is currently contemplated would require additional HPD review, including further environmental review of the new proposed development.

II. EXISTING CONDITIONS

Description of the Study Area

The approximately 49,488 square feet (sf) Project Site is located in Brooklyn CD 5 on Block 4223, Lot 1. Block 4223 is bounded by Glenmore Avenue on the north, Pitkin Avenue on the south, Eldert Lane on the east, and Grant Avenue on the west. It is currently used as a 148-space municipal parking lot.

Land uses in the surrounding area are primarily residential and transportation related. The MTA New York City Transit (NYCT) A subway line runs below ground and diagonally through the Project Site. The Grant Avenue Subway Station abuts the Project Site on the west.

Land Use, Zoning and Public Policy

The Project Site has an address of 581 Grant Avenue, a lot area of approximately 49,488 square feet (sf), a lot frontage of 200 feet along Pitkin Avenue, and a lot depth of 400 feet along Eldert Lane. The Project Site consists of a municipal parking lot with 148-surface parking spaces.

The Project Site and the surrounding area to the north, west, and directly south of the Project site is currently zoned as an R5 residential district. As defined in the New York City Zoning Resolution (ZR), an R5 district has a permitted floor area ratio (FAR) of 1.25, which typically produces three-and four-story attached houses and small apartment houses. There is a height limit of 40 feet and the maximum street wall height is 30 feet.

The zoning district east of the Project Site is designated as R4, which has a slightly lower density than permitted in the Project Site's existing zoning district. The R4 FAR is 0.75 plus attic allowance, which commonly produces buildings with three stories and pitched roofs. The maximum street height limit is 25 feet with an overall permitted building height of 35 feet in this residential district.

There is an R6A zoning district located south of the Project Site, below North and South Conduit Avenue, which transitions into an R6 zoning district south of Sutter Avenue. Both R6 QH (where buildings can participate in Inclusionary Housing Program) and R6A (where quality housing bulk regulations are mandatory) allow for apartment buildings with a density of up to 3.6 FAR, which produces six- to eight-story apartment buildings with a minimum base height of 40 feet and maximum building height of 85 feet. R6 zoning district also allows for height factor regulations with lesser allowable density but can produce taller buildings set back from the street and surrounded by open space and on-site parking.

Public policies applicable to the Project Site include *Housing Our Neighbors: A Blueprint for Housing and Homelessness, Housing New York: A Five-Borough, Ten-Year Plan*; *Sustainable Communities: East New York;* and the *East New York Neighborhood Plan.*

Housing Our Neighbors: A Blueprint for Housing and Homelessness

In June 2022, the Adams administration released Housing Our Neighbors: A Blueprint for Housing and Homelessness Plan a comprehensive blueprint to create high quality affordable housing for New Yorkers. The blueprint rests on five key pillars:

- Transforming NYCHA,
- Addressing Homelessness and Housing Instability,
- Creating and Preserving Affordable Housing,
- Improving the Health and Safety of New Yorkers, and

- Reducing Administrative Burden.

Mayor Adams' $22 billion capital commitment represents the largest investment in housing in New York City's history, allowing the city to accelerate the creation of supportive housing and continue the current pace of affordable housing production, despite rising inflation and interest rates. The Adams administration will make critical investments in the affordable housing stock, while simultaneously pursuing policy reforms, state legislation, tax incentives, and a suite of other tools to help new housing get built faster and increase overall capacity for new supply. The plan, which was created through coordination with 32 agencies and with input from affordable housing developers, homeless shelter providers, and housing and homelessness advocates outlines many initiatives that will accelerate affordable construction, protect tenants, and deliver more value from affordable housing.

Housing New York: A Five-Borough, Ten-Year Plan

Released in May 2014, Housing New York: A Five-Borough, Ten-Year Plan commits to the preservation or new construction of 200,000 affordable homes by 2024. The plan's goals include fostering diverse and thriving neighborhoods, anchored by quality affordable housing for the diverse communities of New York City. In October 2017, the City announced an updated plan that increased the goal for the construction and preservation of affordable homes by an additional 100,000 homes, bringing the total to 300,000 affordable apartments (Housing New York 2.0, or "HNY2.0").

East New York Neighborhood Plan

The East New York Neighborhood Plan and associated rezoning was approved in April 2016, and is comprehensive plan intended to promote the preservation of affordable housing and development, encourage the growth of neighborhoods through land use and zoning, increase economic development, and foster community resources to invest in community services and infrastructure.

In June 2017 the City released its first annual progress report that contains updates on each on the goals within the plan.

III. REQUIRED APPROVALS AND REVIEW PROCEDURES

The Proposed Project would require several discretionary approvals subject to CEQR and the City's Uniform Land Use Review Procedure (ULURP)

1. **Zoning Map Amendment:** The Project Site is part of larger Rezoning Area consisting of Lots 1, 6, 12 (p/o) and 22 (p/o) on Block 4223. The Applicant is requesting a zoning approval by the CPC to rezone the current Zoning Lot from R5 to R6.

2. **Zoning Text Amendment to Appendix F (Inclusionary Housing and Mandatory Inclusionary Housing Areas) of the ZR to designate the Rezoning Area an MIH area:** The zoning text amendment to Appendix F would designate the Rezoning Area as a MIH area. While 100% of the DUs in the Proposed Project are intended to be restricted as affordable and moderate-income housing units by a regulatory agreement, the MIH requirements ensures that a set percentage of the residential floor area for any future development within the MIH area be permanently affordable.

   Within an MIH area, all housing developments, enlargements, and conversions that meet the criteria set forth in the MIH program must comply with the requirements of one of four options, to

be selected through the land use review process. It is anticipated that the Rezoning Area would be designated under MIH Option 1: 25% of the residential floor area shall be provided as housing affordable to households at an average of 60% of the Area Median Income (AMI), with no unit targeted at a level exceeding 130% AMI.

3. **Chair certification:** Pursuant to ZR section 66-21

4. **Urban Development Action Area Program (UDAAP) Designation, UDAAP Project Approval and Disposition of City-owned Property:** Disposition of the Project Site, which is City-owned property, to the Applicant. The City will convey the Project Site to the Applicant subject to a remainder interest, so that title to the Project will revert to the City upon the expiration of the regulatory period unless the parties mutually agree to an additional term of affordability. These terms will be set forth in a Land Disposition Agreement (LDA) and deed.

In addition, the Project Site will require designation as an Urban Development Action Area and approval by the New York City Council of the Proposed Project as an Urban Development Action Area Project pursuant to Article XVI of the General Municipal Law to grant up to a 20-year exemption from real estate taxes on the assessed value of the Proposed Project.

These actions together are referred to collectively as the "Proposed Actions."

City Environmental Quality Review

The Proposed Project is classified as an Unlisted Action under New York Codes, Rules and Regulations pursuant to SEQRA and is subject to environmental review in accordance with SEQRA/CEQR.

IV. PROJECT PURPOSE AND NEED

The purpose of the Proposed Project is to provide high-quality, sustainable, mixed-use affordable housing in the East New York neighborhood of Brooklyn that addresses design and programming priorities of residents and local stakeholders identified through a community outreach program that included an online survey and a community workshop facilitated by HPD. The building program is also intended to create open space opportunities to improve the pedestrian experience and expand opportunities for social activity as requested by the East New York community.

The redevelopment of the Project Site is also intended to support "Sustainable Communities: East New York Plan," the "East New York Neighborhood Plan," and HNY 2.0 by introducing new affordable housing opportunities, fostering community services by including 10,326 gsf of non-profit and medical offices. One of the initiatives included in HNY 2.0 is a modular construction pilot program that aims to reduce time and cost of the affordable housing development. Modular construction is a construction technique in which modular units are assembled off site, delivered to a construction site, and assembled on-site. The Proposed Project will be constructed using modular construction techniques. The Project Site presents the logistical advantage of providing access to a neighboring lot (Block 4222, Lot 1) that is currently a City-owned municipal parking lot and could be used for the staging of the modular construction subject to approvals by New York City Department of Transportation (NYCDOT), MTA, and/or NYCT.

V. PROPOSED PROJECT

The Proposed Project is a 100% income-restricted mixed-use residential development with associated community facility space on the Project Site. The development would consist of a seven-story building with

approximately 154,162 gsf of residential uses (174 DUs), and approximately 10,326 gsf of community facility space, totaling approximately 164,488 gsf of mixed-use development.

Both the Project Site and the parking lot to the west (Block 4222, Lot 1) are City-owned and currently used as municipal parking facilities. To facilitate the development of the Proposed Project, the City would close the municipal parking facility on the Project Site. It is anticipated that the 55-space municipal parking lot on Block 4222, Lot 1 would be temporarily used during the construction period for construction staging subject to a NYCDOT Site Access Agreement and adherence to MTA/NYCT requirements. The Applicant would be required to pay NYCDOT a fee for loss of revenue during the use of the parking lot on Block 4222, Lot 1. In addition, the use of Block 4222, Lot 1 would be conditioned on the parking lot being restored to its original condition subsequent to construction phase uses, including repaving and restriping, as necessary.

VI. FRAMEWORK FOR ANALYSIS

Provided below is a description of the framework for the analysis of the potential impacts of the Proposed Action, including the anticipated year in which the Proposed Project will be completed and fully operational (analysis year), a description of existing conditions on the Project Site, a description of conditions on the Project Site in the analysis year with ("With-Action condition") and without (No-Action condition), and incremental difference of conditions on the Project Site in the analysis year between the With-Action and No-Action Condtion. The incremental difference between the No-Action and With-Action conditions serves as the basis for the impact analysis of the environmental review.

The proposed City of Yes for Housing Opportunity text amendment, currently in public review, would increase the maximum floor area permitted for affordable housing buildings on the site. The project sponsor does not intend to take advantage of the proposed text amendment as the project has already completed HPD's RFP process and review. Any changes in project scope beyond what is currently contemplated would require additional HPD review, including further environmental review of the new proposed development.

Reasonable Worst-Case Development Scenario (RWCDS)

To assess the possible effects of the Proposed Actions, a RWCDS was developed that identifies anticipated conditions of the Project Site (Block 4223, Lot 1) in the No-Action condition (conditions under existing zoning) and the With-Action condition (conditions with the Proposed Actions). Since the rezoning area also includes Lot 6, and portions of (p/o) Lots 12 and 22, of Block 4223, an assessment was also completed to project the level of development that would occur on those lots in the analysis year under No-Action and With-Action conditions.

"Soft site" criteria identified in the *CEQR Technical Manual* were applied to determine whether development would be likely to occur on Lots 6, 12, and 22 since no specific development is currently proposed or being planned. Among other factors, the soft site criteria include uses and bulk allowed, area of development site, and site specific conditions that make development on the development site difficult.

Lot 6 is owned by NYCT and is developed with a head house for the Grant Avenue Subway Station, which serves the A subway line. Based on site conditions due to its existing transportation utility use and public ownership, the Proposed Actions are not expected to result in new development on Lot 6. Lot 12 has an area of approximately 2,500 sf and is currently improved with a 1,284 gsf two-story, residential building. Since approximately 125 sf of Lot 12 would be included in the Rezoning Area, the Proposed Actions are not expected to result in new development on Lot 12. Lot 22 has an area of approximately 1,489 sf and is currently improved with a 700 gsf parking garage. Since approximately 1,147 sf of Lot 22 would be included in the Rezoning Area, the Proposed Actions are not expected to result in new development on Lot 22.

According to the *CEQR Technical Manual*, lots must be large enough to be considered "soft." A small lot is often defined for this purpose as 5,000 square feet or less. Since both the portions of the rezoning areas for Lots 12 and 22 are less than 5,000 square feet, they would not be considered "soft sites." Therefore, based on soft site criteria identified in the *CEQR Technical Manual*, it is unlikely that Rezoning Area sites other than the Project Site would be developed as a result of the Proposed Actions and consideration of future development in the RWCDS is limited to the Proposed Project.

The No-Action condition would remain the same as the Existing Condition, therefore no rezonings would take place on Lots 6, 12 and 22 and Lot 1 would remain a 148-space surface parking lot. Lots 1, 6, 12, and 22 would remain an R5 zoning district, including the MTA Grant Avenue subway station, one to two story structures, and the parking lot on Lot 1.

Under the With-Action condition, the Proposed Project would result in an increase over the No-Action condition of approximately 164,488 gsf of development, with an increase of 154,162 gsf (174 DUs) for residential use (1 superintendent unit), and 10,326 gsf for community facility use comprised of office space (see **Table A-1: Reasonable Worst-Case Development Scenario)**. Parking will not be included as part of the Proposed Project.

Table A-1: Reasonable Worst-Case Development Scenario

Use	**Existing Condition (gsf)**	**No-Action Condition (gsf)**	**With-Action Condition (gsf)**
Residential	-	-	154,162 *(174 DUs)*
Community Facility (non-profit offices)	-	-	10,326
Parking Lot	148 spaces	148 spaces	-
Total (gsf)	**-**	**-**	**164,488**

Analysis Year

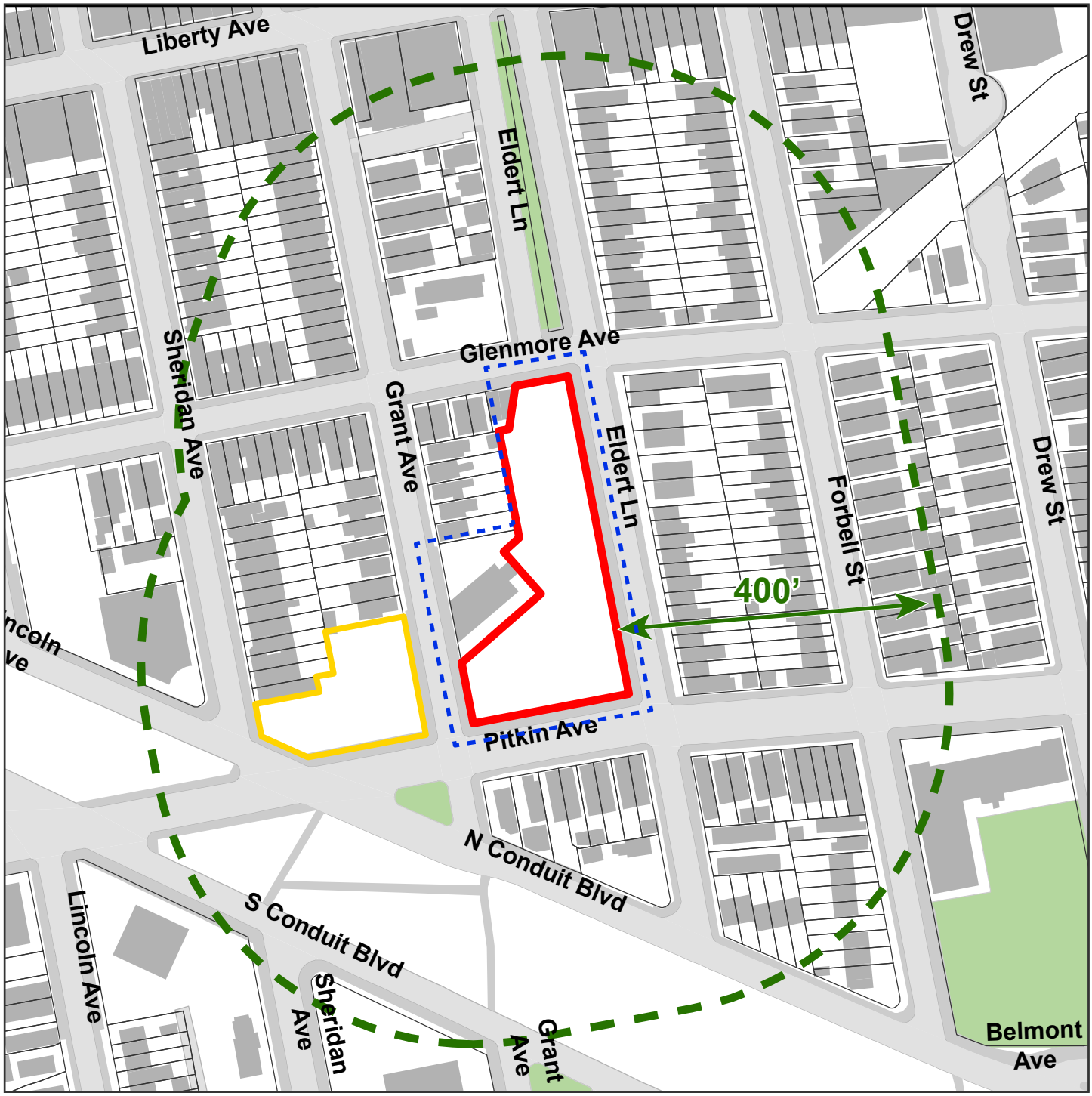
It is anticipated that the Proposed Project would be completed and operational in 2026. Accordingly, a 2026 analysis year is assumed for assessment purposes.

The Future Without the Proposed Actions (No-Action Condition)

Without the Proposed Actions in place the Project Site would remain as under existing conditions, which is a 148-space municipal parking space.

The Future with the Proposed Actions (With- Action Condition)

In the future with the Proposed Actions, the Rezoning Area, including the Project Site, would be rezoned from R5 to R6. The existing 148-space municipal parking lot on the Project Site would be replaced with the Proposed Project, as described in Section VI, "Proposed Project." Portions of the Rezoning Area outside the Project Site would remain unchanged.



Source: 2019 PLUTO, DCP

0 200 400 800 Feet

Project Site

Construction Staging Site

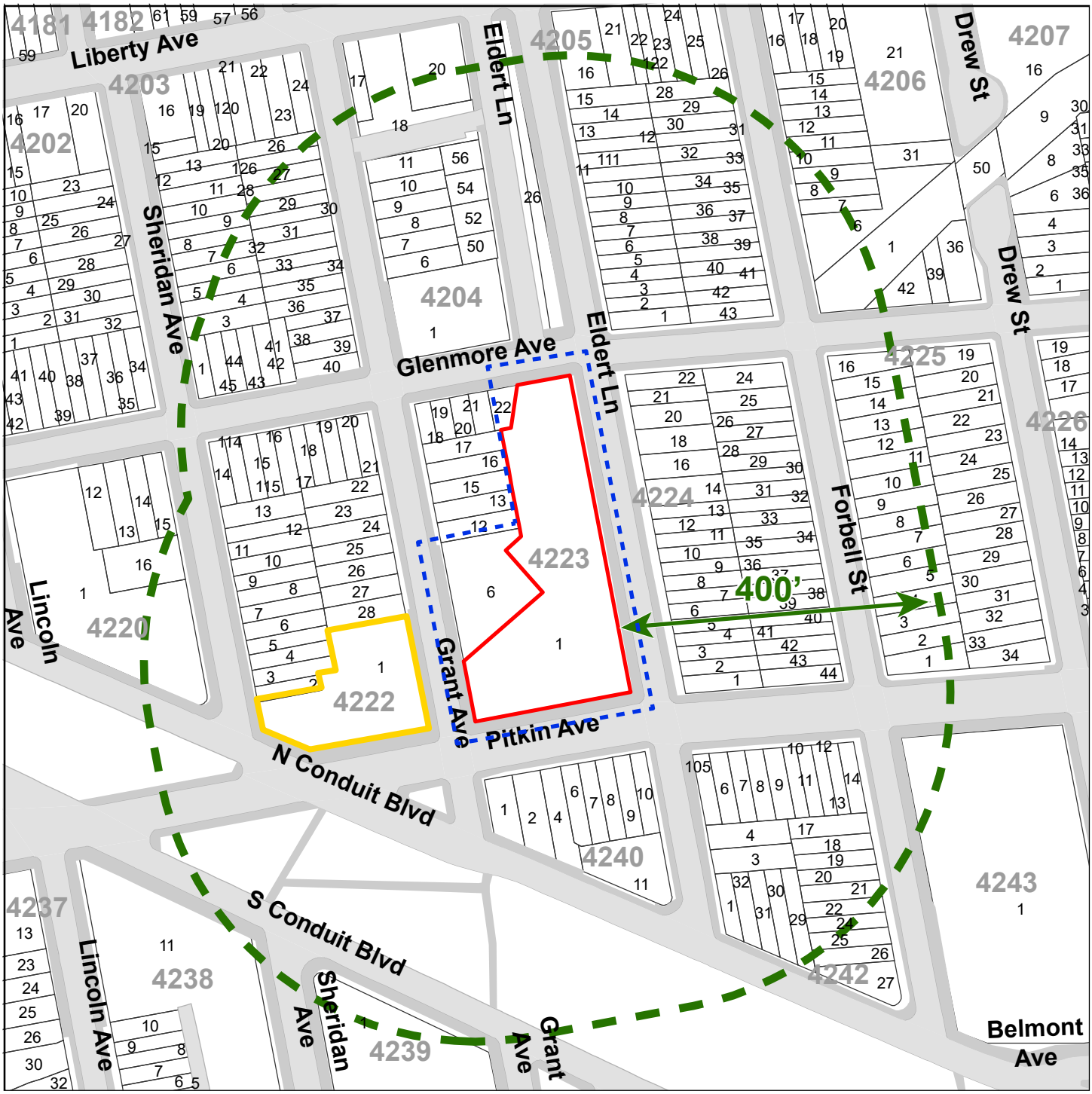
400-foot Study Area

Rezoning Area

SITE LOCATION MAP

Figure A-1

581 Grant Avenue EAS



Project Site

Construction Staging Site

400-foot Study Area

Rezoning Area

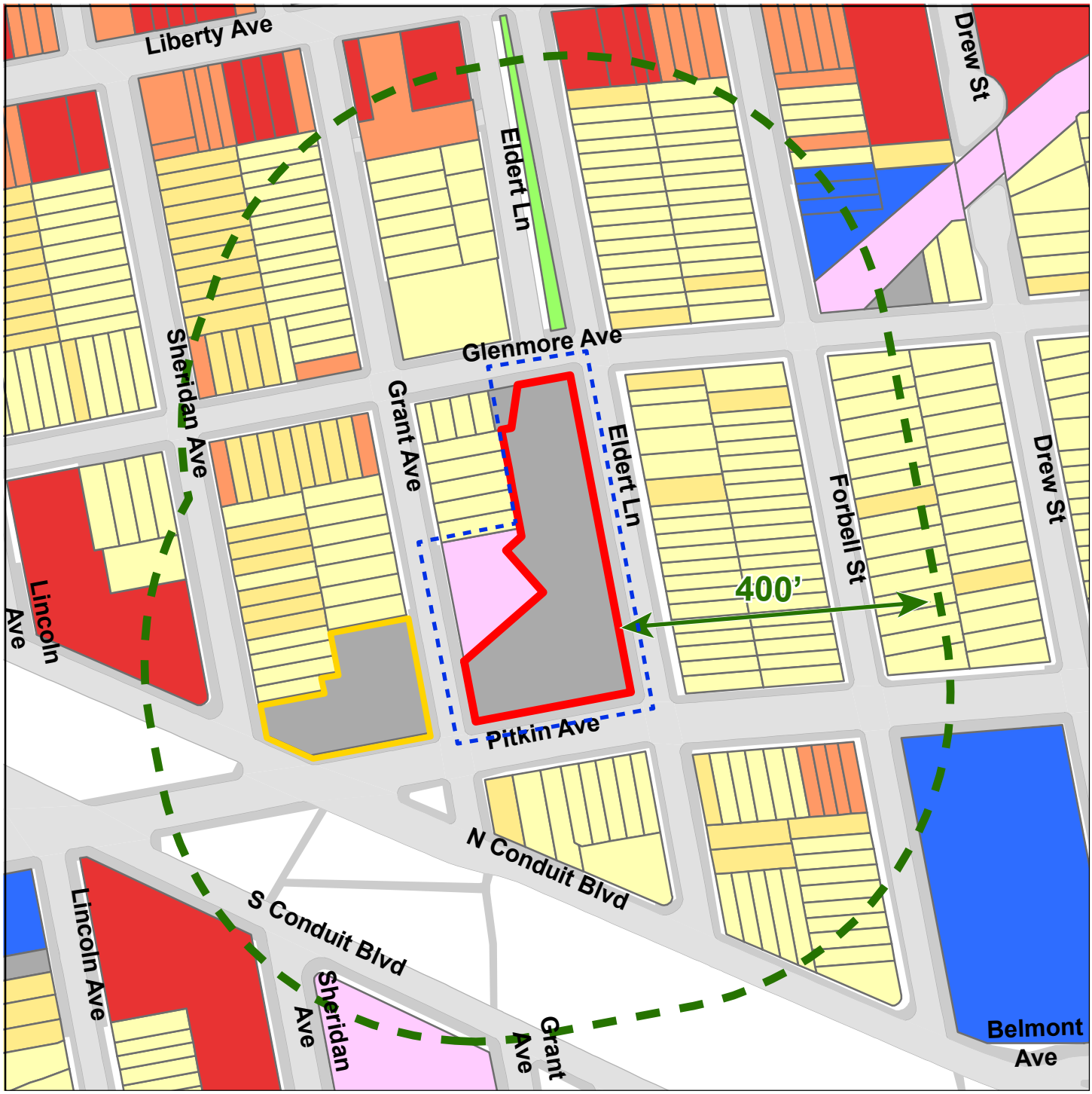
4223 Block Number

1 Lot Number

TAX LOT MAP

Figure A-2

581 Grant Avenue EAS



Source: 2019 PLUTO, DCP

0 200 400 800 Feet

Project Site
Construction Staging Site
400-foot Study Area
Rezoning Area

All Others or No Data
One & Two Family Buildings
Multi-Family Walkup Building
Multi-Family Elevator Building
Mixed Commercial/Residential Buildings
Commercial/Office Buildings

Industrial/Manufacturing
Transportation/Utility
Public Facilities & Institutions
Open Space
Parking Facilities
Vacant Land

LAND USE MAP

Figure A-3

581 Grant Avenue EAS



Source: 2019 PLUTO, DCP

0 200 400 800 Feet

Project Site

400-foot Study Area

Rezoning Area

Photograph Location

AERIAL MAP

Figure A-4

581 Grant Avenue EAS

Photographs A-1 Through A-7

Photograph A-1: Project Site facing North from Eldert Lane, February 2020



Photograph A-2: Project Site facing South from Eldert Lane, February 2020



Photograph A-3: Project Site facing West from Glenmore Avenue, February 2020



Photograph A-4: Project Site facing North from Grant Avenue, February 2020



Photograph A-5: Project Site facing South from Grant Avenue, February 2020

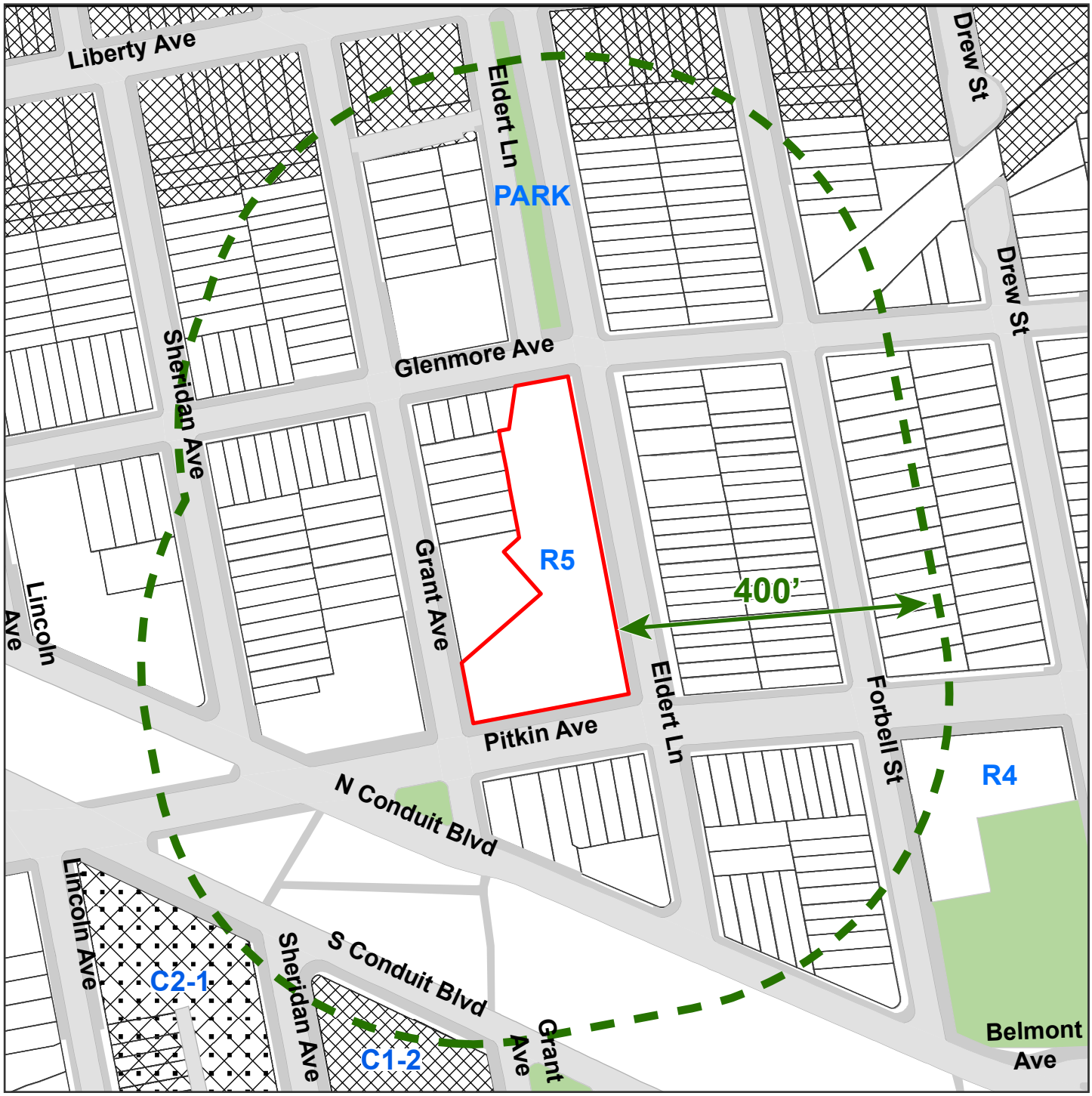


Photograph A-6: Project Site facing East from Pitkin Avenue, February 2020



Photograph A-7: Project Site facing North from Pitkin Avenue, February 2020





Source: 2019 PLUTO, DCP

0 200 400 800 Feet

Project Site

400-foot Study Area

R Residential District

C Commercial District

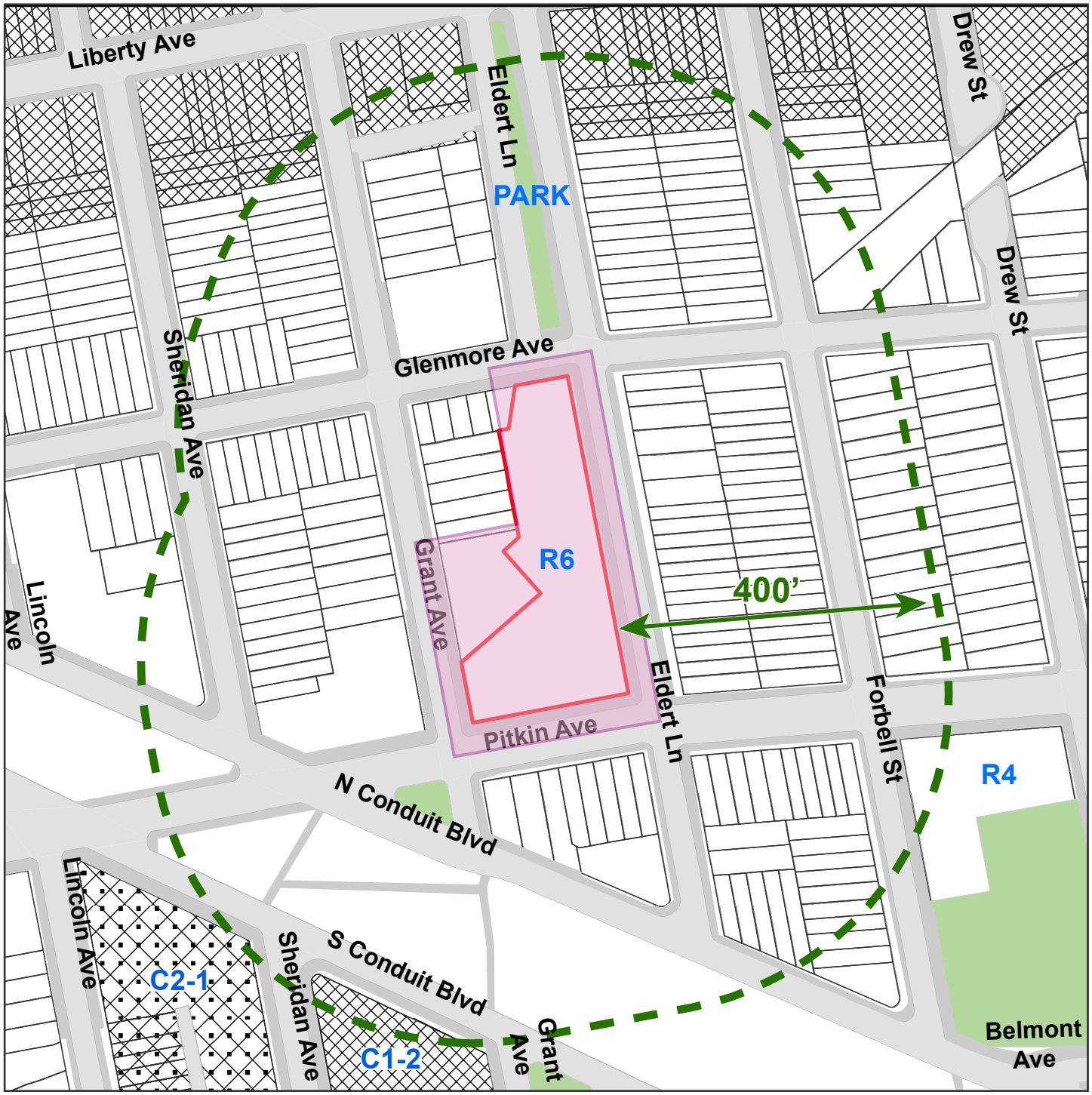
C1-2

C2-1

EXISITING ZONING MAP

Figure A-5

581 Grant Avenue EAS



Source: 2019 PLUTO, DCP

0 200 400 800 Feet

Project Site

400-foot Study Area

R Residential District

C Commercial District

C1-2

C2-1

Proposed R6 Rezoning

ZONING MAP

Figure A-6

581 Grant Avenue EAS

Attachment B: Land Use, Zoning, and Public Policy

I. INTRODUCTION

This attachment assesses the potential for significant adverse impacts of the Proposed Project on land use, zoning, and public policy. As described in Section 210 of Chapter 4 of the *City Environmental Quality Review (CEQR) Technical Manual*, the land use, zoning, and public policy assessment evaluates the uses and development trends in the area and considers whether a proposed project is compatible with those conditions or may affect them. Similarly, the assessment considers the project's conformance to, and effect on, the area's zoning and other applicable public policies.

As described in Attachment A, "Project Description," the Proposed Actions would facilitate development of a mixed-use building on Lot 1 in Block 4223 in the East New York neighborhood of Brooklyn which would provide affordable housing and community services while incorporating core sustainability measures, and active design within the neighborhood's existing transit and pedestrian infrastructure. The Proposed Project would be comprised of approximately 154,162 gross square feet (gsf) of residential uses (174 Dwelling Units or DUs) and approximately 10,326 gsf of community facility use, totaling approximately 164,488 gsf ("Proposed Project"). The Proposed Project is expected to be completed by 2026. Currently, the Project Site is occupied by an approximately 148-space municipal parking lot.

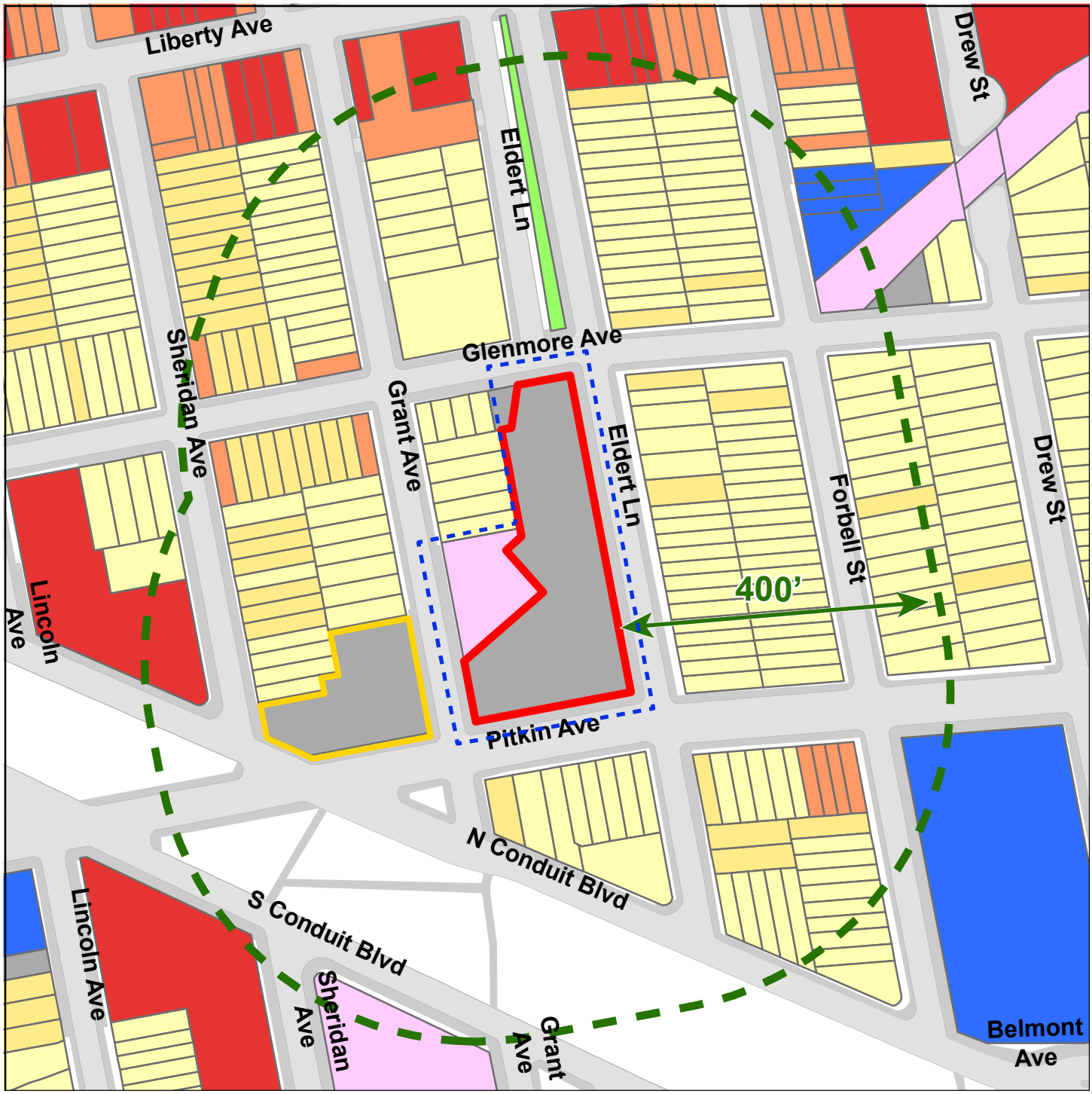
To facilitate this development, it is proposed that the Project Site be rezoned from R5 to R6. Lot 6 and portions of Lots 12 and 22 in Block 4223 would also be rezoned from R5 to R6. A zoning text amendment to Appendix F (Inclusionary Housing Designated Areas and Mandatory Inclusionary Areas) of the Zoning Resolution (ZR) is also proposed to designate the Project Site as a Mandatory Inclusionary Housing (MIH) Area pursuant to Option #1, which requires that 25% of the residential area be affordable at 60% of Area Median Income (AMI), with no unit targeted at a level exceeding 130% AMI. The Project Site would be coterminous with the proposed rezoning area and, consequently, would be the only projected development site. The Project Site would also be designated as an Urban Development Action Area Program (UDAAP) area to grant up to a 20-year exemption from real estate taxes on the assessed value of the Proposed Project.

CEQR guidelines require that a land use, zoning, and public policy assessment should be provided for all projects that would affect land use or would change the zoning on a site, regardless of the project's anticipated effects. Since the Proposed Actions would result in a zoning district change, an assessment of land use, zoning, and public policy is warranted. This assessment describes existing, future (2026) No-Action and future (2026) With-Action conditions related to land use, zoning and public policy for the Project Site and for an area within 400 feet of the Project Site (the "Study Area"). Changes in land use and zoning that would occur between the No-Action and With-Action conditions are disclosed.

II. METHODOLOGY

Existing land uses were identified through the NYC Zoning and Land Use (ZoLa) database and PLUTO™ 19v1 shapefiles and verified by site visits in October 2019. NYC Zoning Maps and the ZR of the City of New York were consulted to describe existing zoning districts in the land use study area, which provided the basis for the identification of future No-Action and With-Action conditions. Research was conducted to identify relevant public policies recognized by the NYC Department of City Planning (DCP) and other City agencies.

The appropriate study area for land use and zoning is related to the type and size of the proposed project and the location and neighborhood context of the area that could be affected by the proposed project. Since the Proposed Actions are site-specific, in conformance to *CEQR Technical Manual* guidance, the impact of the Proposed Actions on land use, zoning, and public policy are addressed for a land use study area that extends approximately 400 feet from the boundary of the Project Site and encompasses the area most likely to experience indirect impacts due to the Proposed Project.



Source: 2019 PLUTO, DCP

0 200 400 800 Feet

Project Site
Construction Staging Site
400-foot Study Area
Rezoning Area

All Others or No Data
One & Two Family Buildings
Multi-Family Walkup Building
Multi-Family Elevator Building
Mixed Commercial/Residential Buildings
Commercial/Office Buildings

Industrial/Manufacturing
Transportation/Utility
Public Facilities & Institutions
Open Space
Parking Facilities
Vacant Land

LAND USE MAP

Figure B-1

581 Grant Avenue EAS

III. EXISTING CONDITIONS

Land Use

Project Site

The 49,488 sf Project Site is located on Lot 1 in Block 4223 in the East New York neighborhood of Brooklyn. The Project Site is a corner lot bounded by Glenmore Avenue to the north, Pitkin Avenue to the south, Grant Avenue to the west, and Eldert Lane to the east. It is currently improved with a 148-space municipal surface parking lot.

The Project Site has a 69.75' frontage on Glenmore Avenue (a narrow street)[1], 200' along Pitkin Avenue (a wide street) [2], 400' along Eldert Lane (a wide street), and 73.78' along Grant Avenue (a narrow street). It includes two existing curb cuts: one along Grant Avenue in the middle of the lot and one directly across the Project Site on Eldert Lane.

MTA's A line runs diagonally through the site below ground; the Grant Avenue Subway Station abuts the site on the west.

Study Area

The 400-foot radius study area is generally bounded by Liberty Avenue to the north, Drew Street to the east, South Conduit Boulevard to the south, and Sheridan Avenue to the west, Existing land uses within the 400-foot radius Study Area include, along Grant Avenue, the MTA Grant Avenue Subway Station, two-to-three story multi-family residential buildings and at-grade parking**.** Glenmore Avenue and Pitkin Avenue have mostly one- & two-family buildings with some ground floor retail and multi-family buildings interspersed. Residential uses are also found east of the Project Site on Eldert Lane, comprised almost entirely of one- to two-story detached single-family homes, combined with some mixed-use and commercial buildings. Commercial and mixed commercial/residential buildings are located north of the Project Site along Liberty Avenue. Further north of the Project Site on Liberty Avenue there are mostly residential, mixed-used and commercial buildings. Open space resources in the study area include Public Place, a plaza located in the middle of Eldert Lane that contains a drinking fountain and tables with seating (**Figure B- 1: Land Use Map**).

In addition to the Project Site, the Rezoning Area consists of Block 4223, Lot 6, Lot 12 (p/o) and Lot 22 (p/o). A small sliver along the southern lot line of Lot 12 and the eastern portion of Lot 22 are included in the Rezoning Area. Lot 12 is 2,500 sf and is currently improved with a 1,284 sf two-story, two family residence. Only a 125 sf portion toward the southern edge of Lot 12 is part of the Rezoning Area. Lot 22 is a 1,489 sf interior lot located towards the northwestern portion of the Rezoning Area and approximately 1,147 sf of the lot is part of the Rezoning Area. Lot 22 is currently improved with a 700 sf one-story parking shed. Based on the size of these two partial lots and separate ownership, existing uses on Lot 12 and Lot 22 are expected to remain unchanged.

Zoning

Project Site

The Project Site is mapped with an R5 zoning designation (**Figure B- 2: Existing Zoning Map**)**.** R5 zoning districts typically produce three- and four-story attached houses and small apartment buildings with a height limit of 40 feet. The purpose of these districts is to provide a transition between lower- and medium-density neighborhoods. The maximum residential floor area ratio (FAR) permitted in R5 zoning districts is 1.25, and

[1] A narrow street is a street that is less than 75 feet wide as defined by the NYC Zoning Resolution.

[2] A wide street is a street that is 75 feet or more in width as defined by the NYC Zoning Resolution.

the maximum lot coverage is 55%. In addition to the 40-foot height limit, R5 zoning districts set a maximum street wall height at 30 feet, which, if surpassed, triggers a 15-foot setback requirement. Any portion of the building that exceeds a height of 33 feet must be set back from a rear and/or side yard line. Regulations vary for detached and semi-detached houses within R5 zoning districts. Detached houses must have two side yards that total at least 13 feet, each with a minimum width of 5 feet. Semi-detached houses require one 8-foot-wide side yard. Apartment houses require two side yards, each at least 8 feet wide. Front yards must be 10 feet deep or, if deeper, a minimum of 18 feet to prevent cars parked on-site from protruding onto the sidewalk. Cars may park in the side or rear yard, in the garage, or in the front yard within the side lot ribbon. Parking is also allowed within the front yard if the lot is wider than 35 feet. Off-street parking is required for 85% of the DUs in a building.

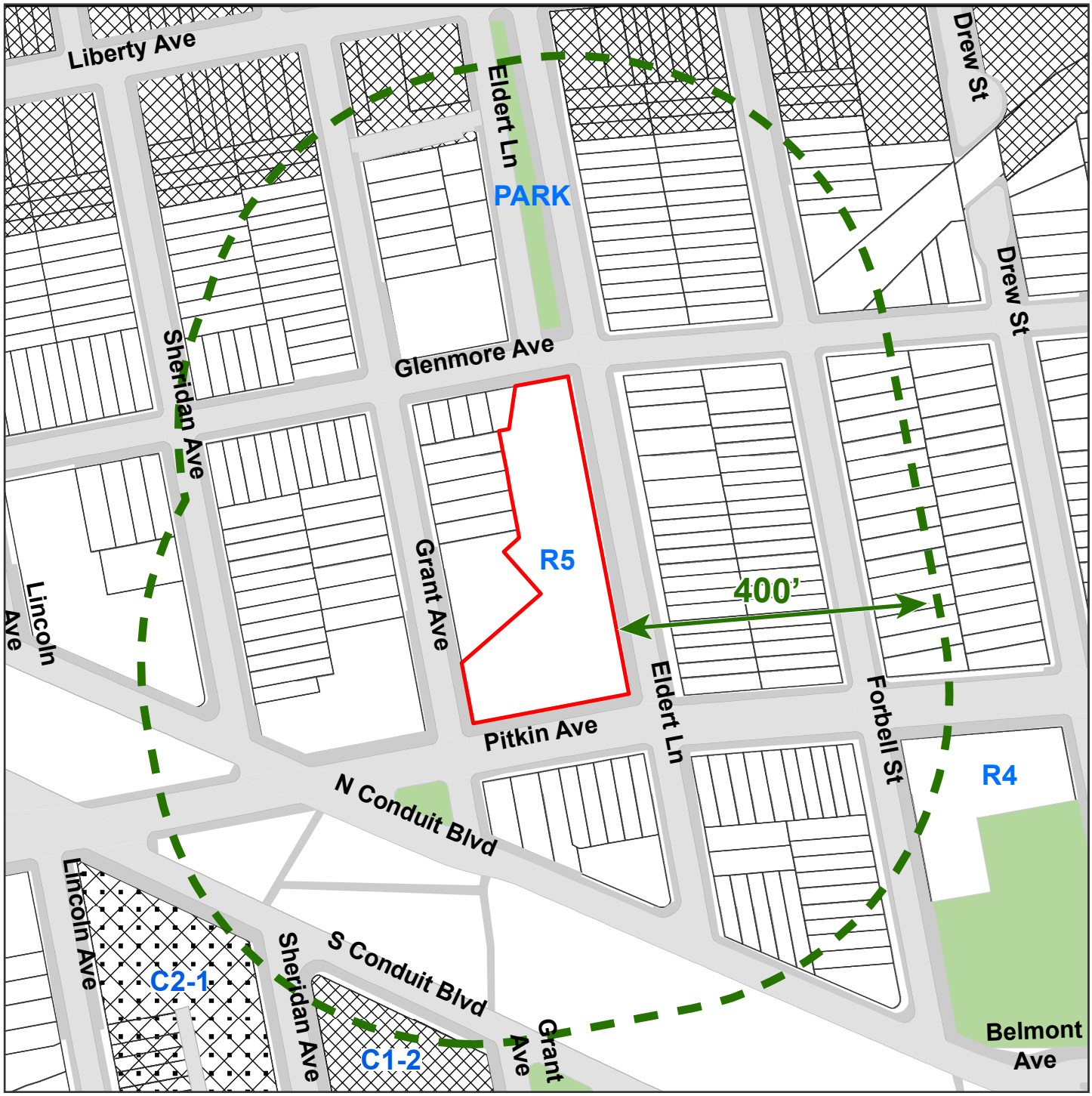
Study Area

In addition to the R5 zoning, the study area also includes one other residential zoning district and two commercial zoning districts/overlays. Southeast of the Project Site, portions of the study area are zoned R4, while the southern portion of the study area, beyond Conduit Blvd., is mapped with C1-2 and C2-1 commercial districts/overlays over an R5 zoning district.

The maximum floor area ratio (FAR) in R5 districts is 1.25 FAR. To ensure compatibility with neighborhood scale, the maximum street wall height of a new building is 30 feet. Above a height of 30 feet, a setback of 15 feet is required from the street wall of the building; in addition, any portion of the building that exceeds a height of 33 feet must be setback from a rear or side yard line. Apartment houses need two side yards, each at least eight feet wide. Front yards must be 10 feet deep or, if deeper, a minimum of 18 feet to prevent cars parked on-site from protruding onto the sidewalk. Cars may park in the side or rear yard, in the garage or in the front yard within the side lot ribbon; parking is also allowed within the front yard when the lot is wider than 35 feet. Off-street parking is required for 85% of the DUs in the building.

R4 zoning districts have a maximum FAR for residential use of 0.75 and have an attic allowance of up to 20% for inclusion of space under the pitched roof. This allows for all residential building types but typically R4 districts produce buildings with three stories. To accommodate a potential third floor beneath a pitched roof, the perimeter wall in R4 districts may rise to 25 feet before set back to the maximum building height of 35 feet. Front yards must be 10 feet deep, or a minimum of 18 feet to provide sufficient space for on-site parking if desired. Cars may park in the side or rear yard, in the garage, or in the front yard within the side lot ribbon. The driveway must be within the side lot ribbon unless the lot is wider than 35 feet. Detached houses must have two side yards that total at least 13 feet and each one must be at least five feet wide. Semi-detached buildings require one side yard with a minimum width of eight feet. Multifamily residences must have two side yards a minimum of eight feet. The maximum street wall length for a building on single lot is 185 feet. One off-street parking space is required for each dwelling unit.

C2-1 and C1-2 are commercial overlays mapped within residential districts typically for local retail and service uses within a mixed-use building. Commercial uses are limited to the ground floor. Retail uses typically include neighborhood grocery stores, restaurants and beauty parlors.



Source: 2019 PLUTO, DCP

0 200 400 800 Feet

Project Site

400-foot Study Area

R Residential District

C Commercial District

C1-2

C2-1

EXISITING ZONING MAP

Figure B-2

581 Grant Avenue EAS

Public Policy

Public policies applicable to the Project Site include *Housing New York: A Five-Borough, Ten-Year Plan; Sustainable Communities: East New York;* and the *East New York Neighborhood Plan*. The Project Site falls outside of the NYC coastal zone boundary and, consequently, would not be subject to the City's Waterfront Revitalization Program. Neither the Project Site nor land use study area are governed by a 197-a Plan.

Housing New York: A Five-Borough, Ten-Year Plan

Released in May 2014, Housing New York: A Five-Borough, Ten-Year Plan commits to the preservation or new construction of 200,000 affordable homes by 2024. The plan's crucial goals include fostering diverse and thriving neighborhoods, anchored by quality affordable housing for the diverse communities of New York City. In October 2017, the City announced an updated plan to increase the goal for the construction and preservation of affordable homes by an additional 100,000 homes, bringing the goal to 300,000 affordable apartments (*Housing New York 2.0, or "HNY2.0*").

East New York Neighborhood Plan

The East New York Neighborhood Plan and associated rezoning approved in April 2016, and is a comprehensive plan intended to promote the preservation of affordable housing and development, encourage the growth of neighborhoods through land use and zoning, increase economic development, and foster community resources to invest in community services and infrastructure in East New York.

In June 2017 the City released its first annual progress report that contains updates on each on the goals within the plan. The progress report outlines key strategies to accomplish the plan's goals regarding land use and zoning, affordable housing, economic development, and community resources.

Land use and zoning goals in the plan include the provision of medium-density, mixed-use affordable housing buildings that include neighborhood retail uses along key corridors, and maintenance of the neighborhood's existing low-scale character on residential side streets.

IV. FUTURE WITHOUT PROPOSED ACTIONS (NO-ACTION CONDITION)

Land Use

Project Site

As described in Chapter 1, "Project Description," in the future absent the Proposed Actions (the "No-Action" condition) the Project Site and Lots 12 and 22 would remain under its existing zoning. Without the Proposed Actions, it is projected that the Project Site would remain as a 148-space municipal surface parking lot. Based on size and separate ownership, existing uses on Lot 6, Lot 12, and Lot 22 are expected to remain unchanged.

Study Area

Based on a review of recent building permits issued by the NYC Department of Buildings (DOB), no developments within a 400-foot radius of the Project Site were identified that would potentially be fully occupied by the 2026 analysis year.

Zoning

In the No-Action condition, no changes to zoning are expected to occur on the Project Site or in the study area. The Project Site and remainder of the Rezoning Area would remain in its current R5 zoning designation. The study area would remain as a residential area, consisting of primarily R4, R5, and C1-2 overlay zoning districts.

Public Policy

In the No-Action condition, the Project Site would remain as a municipal parking lot and not contribute any affordable housing measures nor enhance the area's physical environment, empower job creation, or increase economic development as identified in the *Sustainable Communities: East New York and East New York Neighborhood Plan,* or any of the goals of the *Housing New York: A Five-Borough, Ten-Year Plan* or *East New York Neighborhood Plan.* The study area would remain in existing conditions and no changes to public policy would occur.

V. FUTURE WITH PROPOSED ACTIONS (WITH-ACTION CONDITION)

Land Use

Project Site

In the future with the Proposed Actions (the "With-Action condition") the Project Site would be rezoned from its existing zoning designation of R5 to an R6 zoning designation. Lot 6 and a portion of Lot 22 in Block 4223 would also be rezoned to R6. In addition, the Project Site would be designated as an MIH area (**Figure B- 2: Existing Zoning Map**). The Project Site would also be designated as an UDAAP (Urban Development Action Area Program) area to grant up to a 20-year exemption from real estate taxes on the assessed value of the Proposed Project.

R6 districts typically produce thirteen-story buildings that have high lot coverage and blend with existing buildings in established neighborhoods. The FAR in R6 districts range from 0.78 to 2.43, while the Open Space Ratio (OSR) ranges from 27.5 to 37.5. The taller the building the more open space available. Off-street parking is generally required for 70 percent of a building's dwelling units.

As described in Attachment A, "Project Description," in the With-Action condition the Project Site would be improved with a mixed-use building comprised of residential and community facility space that would provide affordable housing and community services while incorporating core sustainability measures, and active design within the neighborhood's existing transit and pedestrian infrastructure.The Proposed Project would introduce approximately 154,162 gross square feet (gsf) of residential uses (174 Dwelling Units or DUs) and approximately 10,326 gsf of community facility use, totaling approximately 164,488 gsf of new development (**Table B-2: Increment Between No-Action and With-Action Conditions**). Additionally, 32,312 sf of passive and active open space will be included with the Proposed Project.

The building design incorporates sustainable features under the Enterprise Green Communities criteria that conserve energy, reduce environmental impacts such as the use of recycle materials and low energy Mechanical, Electrical and Plumbing (MEP) systems and lighting. The proposed building would utilize a combination of green strategies on the roof surfaces including approximately 2,700 square feet of solar panels. The cascading roof levels would be connected by outdoor staircases, where feasible, to encourage circulation and access across the entire roof. The proposed green roof would be programmed for residents of the building providing the opportunity for seated areas, fitness/exercise, gardening, recreation, and social gathering. Stormwater would be retained at each roof level through planted areas which comprise of roughly a quarter of the roof's surface area.

Table B- 1: Increment between No-Action and With-Action Conditions

Use	Existing Condition (gsf)	No-Action Condition (gsf)	With-Action Condition (gsf)	Incremental Difference of No-Action and With-Action (gsf)
Residential	-	0	154,162 *(174 DUs)*	+154,162 *(174 DUs)*
Community Facility	-	0	10,326	+10,326
Parking Lot (spaces)	148	148	0	-148
Total (gsf)	**-**	**0**	**164,488**	**+164,488**

Study Area

Land uses and zoning designations in the study area would remain unchanged from the No-Action condition. Since the study area is substantially fully built-out for residential uses under current zoning, land use patterns would remain unchanged in the study area as compared to the No-Action condition. Although the Proposed Actions facilitate a higher density residential zoning designation than current zoning districts within the study area, the R6 zoning designation allows for the irregularly shaped Project Site to be fully built out for residential and community facility uses. The study area consists of primarily R4 and R5 residential zoning districts, which allow for both residential and community facility use. Consequently, the Proposed Actions would not result in a significant adverse impact on land use since it would not affect land uses or development trends in the study area.

In addition to the Project Site, the Rezoning Area consists of Block 4223, Lot 12 (p/o) and Lot 22 (p/o). A small sliver along the southern lot line of Lot 12 and the eastern portion of Lot 22 are included in the Rezoning Area. Lot 12 is 2,500 sf and is currently improved with a 1,284 sf two-story, two family residence. Only a 125 sf portion toward the southern edge of Lot 12 is part of the Rezoning Area. Lot 22 is a 1,489 sf interior lot located towards the northwestern portion of the Rezoning Area and approximately 1,147 sf of the lot is part of the Rezoning Area. Lot 22 is currently improved with a 700 sf one-story parking shed. Based on the size of these two partial lots and separate ownership, existing uses on Lot 12 and Lot 22 are expected to remain unchanged.

Zoning

As described in Attachment A, “Project Description,” in the future with the Proposed Actions, the Project Area will be rezoned from R5 to R6.

R6 zoning districts permit residential development under the Quality Housing regulations and Height Factor regulations. Under R6 Height Factor regulations, residential buildings are regulated by a sky exposure plane, which begins at a height of 60 feet above the street line and slopes inward over the zoning lot. The FAR under R6 Height Factor ranges from 0.78 to 2.43. Quality Housing regulations limit building heights and produce high lot coverage buildings set at or near the street line. Quality Housing regulations in R6 zoning districts within 100 feet of wide streets permit a maximum FAR of 3.0, a maximum base height of 65 feet before a 10-foot setback, and a maximum building height of 75 feet with a Qualifying Ground Floor (“QGF”) or 70 feet without a QGF. On narrow streets, a maximum FAR of 2.2 is permitted, the maximum base height before a 15-foot setback is 45 feet, and the maximum permitted building height is 55 feet.

Within an MIH-designated area, a maximum residential FAR of 3.6 along a wide street and 2.42 along a narrow street and a maximum community facility FAR of 4.8 are permitted. Additionally, a maximum base

height of 45 feet on a narrow street and 65 feet on a wide street is required before a setback, and a maximum building height of 115 feet with a QGF is permitted for buildings participating in the Inclusionary Housing Program. Off-street parking is required for 25% of Income-Restricted Housing Units ("IRHUs") and can be waived if five or fewer parking spaces are required. For the site located within the transit zone, off street parking is not required for IRHUs.

The proposed R6 zoning district is appropriate because the Project Area is in proximity to multiple public transportation options which includes New York City Transit bus lines such as the B14, B13, Q24, Q7 and Q8; directly adjacent to the Grant Avenue A/C subway station, and well equipped to handle the proposed increase in density. Additionally, an R6 zoning district will also allow feasible development of housing on the Project Site with restrictions as a result of the MTA easement and proximity to the Grant Subway Station. Additionally, when mapped with a MIH area, the R6 district would be subject to the Quality Housing Program. This would require compliance with Quality Housing regulations which are designed to ensure that new buildings fit within the prevailing character of the neighborhood, with strict height, setback, and lot coverage requirements and a specific FAR, which in this case is 3.6 along a wide street and 2.42 along a narrow street. Finally, the proposed R6 zoning district is a modest increase to the existing built density in an area surrounded by lower density zoning districts such as R4 and R5, allowing the addition of 173 new affordable housing units to the neighborhood. The Project Area is also located along Pitkin Avenue, a wide street, which can support the proposed additional bulk and density. The additional bulk and density supported by the proposed R6 district would provide the flexibility needed to redevelop an irregularly shaped parcel with affordable housing, community facility uses, and an accessory outdoor space that would provide housing and amenities to existing and future residents of the area. The proposed zoning district would enable a higher residential and community facility density than what is seen in the study area and is allowed in R5 zoning districts, but as stated above, would introduce land uses consistent with the existing study area land uses.

Public Policy

Housing our Neighbors: A Blueprint for Housing and Homelessness

The Proposed Project would further the initiative of the third pillar of the Housing Our Neighbors plan: Creating and Preserving Affordable Housing. The main goals of this key pillar are: accelerate and increase capacity for new housing supply citywide, increase access to transit and amenities for low-income New Yorkers, meeting the housing needs of seniors and people with disabilities, expand tools to preserve existing low-cost and affordable housing, promote housing stability for renters and provide inclusive development opportunities for equitable growth. The Proposed Actions would facilitate a mixed-use development that includes residential uses with 173 affordable housing units and therefore, is consistent with the Housing our Neighbors plan.

Housing New York: A Five-Borough, Ten-Year Plan

The Proposed Project would support the goals and principles outlined in *Housing New York: A Five-Borough, Ten-Year Plan* by providing new mixed-use affordable housing. Within an MIH area, all housing developments, enlargements, and conversions that meet the criteria set forth in the MIH program must comply with the requirements of one of four options, to be selected through the land use review process. The Rezoning Area would be designated under MIH Option 1: 25% of the residential floor area shall be provided as housing affordable to households at an average of 60% of the Area Median Income (AMI), with no unit targeted at a level exceeding 130% AMI. The Proposed Project would include the development of 173 affordable DUs that would be subject to MIH, a key goal of *New York: A Five-Borough, Ten-Year Plan.*

East New York Neighborhood Plan

The Proposed Project would have both community facility and community medical office spaces which would support the East New York Neighborhood Plans goal to foster community resources to invest in

community services and infrastructure. Consequently, the Proposed Actions would be consistent with the goals of the *East New York Neighborhood Plan*.

VI. CONCLUSION

The Proposed Actions would not generate land uses that would be incompatible with land uses, zoning, or public policy in the study area. While changes in density and building height maximums would occur on the Project Site, they would be consistent and compatible with current existing development trends, or mixed-use residential and commercial/retail developments in the surrounding area.

The Proposed Actions would be consistent with relevant public policies including *Housing Our Neighbors: A Blueprint for Housing and Homelessness, Housing New York: A Five Borough, Ten Year Plan* and *East New York Neighborhood Plan* by addressing housing instability though incorporating new affordable housing to the East New York neighborhood. Therefore, the Proposed Actions would not result in a significant adverse impact on land use, zoning, or public policy as defined in the *CEQR Technical Manual* and further analysis is not needed.

Attachment C: Community Facilities

I. INTRODUCTION

The *City Environmental Quality Review (CEQR) Technical Manual* indicates that a community facilities assessment should be conducted if a project would directly or indirectly affect existing community facilities, including early childhood programs, libraries, public schools, health care facilities, and fire and police protection services. A project can affect community services when it physically displaces or alters a community facility or causes a change in population that may affect the services delivered by a community facility, as might happen if a facility is already over-utilized, or if a project is large enough to create a demand that could not be met by the existing facility.

As described in Attachment A, "Project Description," the Proposed Actions would facilitate the development of an approximately 154,162 gross square feet (gsf) of residential uses (174 Dwelling Units or DUs), and approximately 10,326 gsf of community facility, totaling approximately 164,488 gsf of mixed-use building ("Proposed Project"). The Proposed Project is expected to be completed by 2026. Currently, the Project Site is occupied by an approximately 148-space municipal parking lot.

To facilitate this development, it is proposed that the Project Site be rezoned from R5 to R6. Lot 6 and portions of Lots 12 and 22 in Block 4223 would also be rezoned to R6. A zoning text amendment to Appendix F (Inclusionary Housing Designated Areas and Mandatory Inclusionary Areas) of the Zoning Resolution (ZR) is also proposed to designate the Project Site as a Mandatory Inclusionary Housing (MIH) Area pursuant to Option #1, as described in Attachment A, "Project Description", which requires that 25% of the residential area be affordable at 60% of Area Median Income (AMI), with no unit targeted at a level exceeding 130% AMI. For purposes of this assessment, it is conservatively assumed that all proposed residential units would be affordable to households with incomes up to 80% AMI.

Since the Proposed Project would increase demand on public schools and early childhood programs, an assessment is required of the impact of the Proposed Project on Community Facilities.

II. METHODOLOGY

A community facilities assessment is warranted if a proposed project would potentially result in appreciable direct or indirect effects on a facility or service provided to the community. Detailed community facilities assessments are most commonly associated with residential projects since the increased demand for community services strongly correlates with the introduction of new residents to an area. The *CEQR Technical Manual* establishes thresholds that may be used to determine whether detailed studies are necessary to determine potential indirect impacts on community facilities, (see **Table C- 1: Community Facilities Thresholds for Detailed Analyses**).

The Proposed Project would neither directly displace a community facility nor place a physical barrier to service delivery. The Proposed Project would result in an incremental increase of approximately 174 affordable DUs (for households with incomes up to 80% of AMI) between the No-Action and With-Action conditions. Based on a comparison of the Proposed Project with *CEQR Technical Manual* thresholds, a detailed assessment of the potential impact of the Proposed Project on community facilities and services would be limited to potential impact of the Proposed Project on early childhood programs. The community facilities assessment is consequently limited to consideration of indirect effects of the Proposed Project on these facilities and services.

Preliminary and detailed assessments for public schools and early childhood programs were based on data provided the NYC Department of City Planning (DCP) and the NYC Department of Education (DOE). The analysis was conducted in accordance with *CEQR Technical Manual* guidelines.

Table C- 1: Community Facilities Thresholds for Detailed Analyses

Community Facility Type	Thresholds for Detailed Analyses*	Detailed Analysis Required
Public Schools	50 or more elementary/middle school students (total of elementary and intermediate) based on # of DUs OR Direct Effect	No
	150 or more high school students based on # of DUs OR Direct Effect	No
Early Childhood Programs	20 or more eligible children under age 5 based on number of low or low/moderate income DUs OR Direct Effect	Yes
Libraries	More than 5% increase in ratio of DUs to library branches OR Direct Effect	No
Police/Fire Services and Health Care Facilities	Introduction of Sizeable New Neighborhood (e.g. Hunters' Point South) OR Direct Effect	No

Source: CEQR Technical Manual

III. PRELIMINARY ASSESSMENT

Public Schools

Indirect Effects

The *CEQR Technical Manual* defines the thresholds for a detailed assessment of the impact of a project on public schools to be the addition of 50 or more students for elementary and intermediate schools, and an addition of 150 or more students for high schools. Based on student generation rates for public elementary, intermediate, and high schools for the Brooklyn SD 19, based on the 2019 SCA) data, the incremental increase of approximately 174 DUs generated by the Proposed Project would result in an addition of approximately 32 elementary school students, 14 intermediate school students, and 9 high school students (see **Table C-2: Public Schools Threshold Calculations**). Consistent with *CEQR Technical Manual* guidelines, this projected number of students does not warrant a detailed assessment of the potential impact of the Proposed Project on elementary and intermediate schools since the total number of students generated by the Proposed Project would not be greater than 50. The number of high school students generated by the Proposed Project would be below the threshold of 150 students, and consequently a detailed analysis of the potential impact of the Proposed Project on public high schools is not warranted.

Table C-2: Public Schools Threshold Calculations

	Incremental Increase in DUs from Proposed Project	Multiplier (Students/Unit in Brooklyn SD 19)	Additional Students from Proposed Project		Threshold for Detailed Analysis
Elementary/ Intermediate School Students	174	0.18	32	46 Combined	50 (combined)
		0.08	14		
High School Students		0.05	9		150

Source: CEQR Technical Manual, SCA Projected Public School Ratio 2019 Housing Multipliers

Early Childhood Programs

Indirect Effects

The *CEQR Technical Manual* threshold for determining the need for a detailed assessment for early childhood programs is an addition of 20 or more eligible children under the age of five based on the number of low- or low/moderate-income DUs that would be created with a project. Based on the generation rates for the Brooklyn in the *CEQR Technical Manual*, the approximately 174 affordable DUs with the Proposed Project would generate approximately 31 eligible children (**See Table C- 3: Early Childhood Programs Threshold Calculations**). Consequently, a detailed assessment of the impact of the Proposed Project on early childhood programs is warranted.

Table C- 2: Early Childhood Programs Threshold Calculations

	Incremental Increase in Affordable DUs from Proposed Project	Multiplier (Children Under the Age of five/Unit for Brooklyn)	Additional Children Eligible for Early Childhood Programs from Proposed Project	Threshold for Detailed Analysis (Brooklyn)
Early Childhood Programs	174	0.178	31	20

Source: CEQR Technical Manual

IV. DETAILED ASSESSMENT – Early Childhood Programs

Existing Conditions

Study Area

In conformance to *CEQR Technical Manual* guidelines, the study area for the analysis of early childhood programs is approximately 1.5 miles from the boundary of the Project Site. This 1.5-mile buffer from the Project Site consists of portions of three community districts (CD): Brooklyn CD 5, Queens CDs 9 and 10 (See **Figure C- 1: Early Childhood Programs within 1.5 Miles of Project Site**). The Project Site is located within School District 9, Subdistrict 2.

Early Childhood Programs in the Study Area

Early Childhood programs data was obtained from DCP for the zip codes within a 1.5-mile radius from the study area: 11208, 11417, 11416, and 11421. The data is based on information provided by DOE in October of 2022. However, only programs that fall within the 1.5-mile study area were used for detailed analysis. Enrollment information for only income-eligible students was provided for the most recent year (2021-2022).

There are 60 early childhood programs within the 1.5-mile study area. These facilities have a total capacity of approximately 793 seats with a 2021-2022 enrollment of 1,119 students, which produces a utilization rate of 141% for the Study Area (**Table C-4: Early Childhood Programs within 1.5 Miles of Project Site**). Some locations may appear to have enrollment but no capacity; it is assumed that enrollment at these locations will be absorbed by other centers**.**

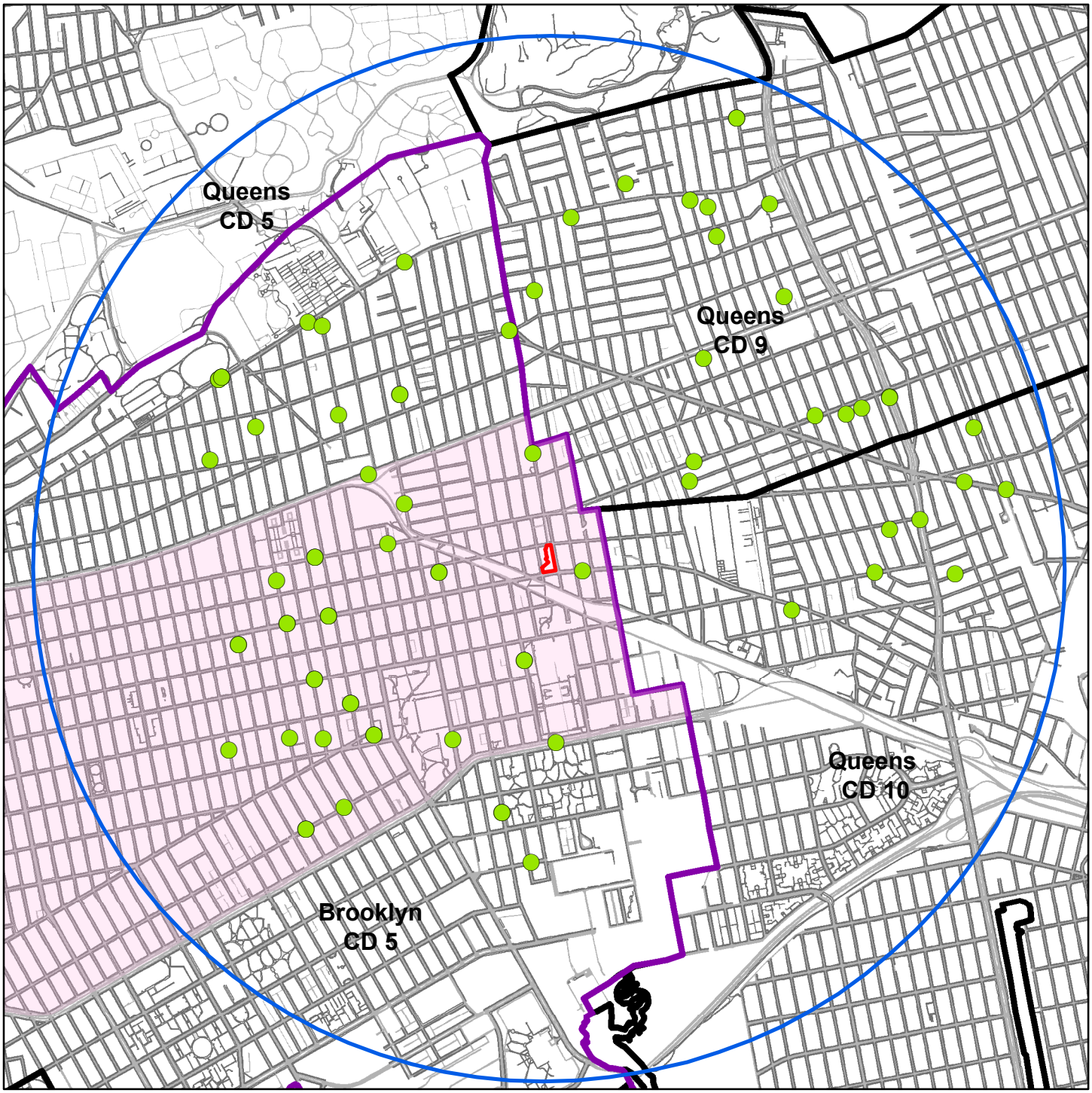
Table C-4: Early Childhood Programs within 1.5 Miles of Project Site

No.	Program Name	Program Address	Total Enrollment	Capacity	Utilization
1	P.S. 007 ABRAHAM LINCOLN	858 JAMAICA AVENUE	15	0	N/A
2	PS. 065	696 JAMAICA AVENUE	23	0	N/A
3	P.S. 108 SAL ABBRACCIAMENTO	200 LINWOOD STREET	15	0	N/A
4	P.S. 202 ERNEST S. JENKYNS	982 HEGEMAN AVENUE	13	0	N/A
5	P.S. 214 MICHAEL FRIEDSAM	2944 PITKIN AVENUE	15	0	N/A
6	P.S. 224 HALE A. WOODRUFF	757 WORTMAN AVENUE	11	0	N/A
7	P.S. 345 PATROLMAN ROBERT BOLDEN	111 BERRIMAN STREET	25	0	N/A
8	EAST NEW YORK ELEMENTARY SCHOOL OF EXCELLENCE	605 SHEPHERD AVENUE	14	0	N/A
9	P.S. 938	3269 ATLANTIC AVENUE	13	0	N/A
10	JENNY PADILLA AT 354 EUCLID AVENUE	354 EUCLID AVENUE	5	0	N/A
11	MIS NIÑOS GROUP FAMILY DAYCARE AT 958 LIBERTY AVENUE	958 LIBERTY AVENUE	5	0	N/A
12	NEW AGE DAY CARE AT 546 JAMAICA AVENUE	546 JAMAICA AVENUE	12	0	N/A
13	PAPAYAS PLACE CHILDCARE AT 178 RICHMOND ST	178 RICHMOND ST	6	0	N/A
14	ROSA'S VILLAGE DAY CARE AT 15 RICHMOND STREET	15 RICHMOND STREET	5	0	N/A
15	MARIA MARTINEZ AT 383 ELDERT LANE	383 ELDERT LANE	7	0	N/A
16	TWINKLE LITTLE WONDERS DAYCARE AT 634 CLEVELAND STREET	634 CLEVELAND STREET	6	0	N/A
17	MARIA DE LA CRUZ GROUP FAMILY DAY CARE AT 595 RIDGEWOOD AVENUE	595 RIDGEWOOD AVENUE	5	0	N/A
18	ST. PETER'S EVANGELICAL LUTHERAN CHURCH IN THE BOROUGH OF BROOKLYN, CITY OF NEW YORK	105 HIGHLAND PLACE	31	0	N/A
19	CRESCENT-PINE CHILD CARE CENTER	872-874 CRESCENT STREET	7	35	20%
20	URBAN STRATEGIES EARLYLEARN #1	1091 SUTTER AVENUE	46	148	31%
21	CYPRESS HILLS CHILD CARE CENTER	108 PINE STREET	31	55	56%
22	URBAN STRATEGIES EARLYLEARN #5	675 LINCOLN AVENUE	11	33	33%
23	THE FRIENDS OF CROWN HEIGHTS EDUCATIONAL CENTERS, INC.	921 HEGEMAN AVENUE	40	69	58%
24	THE FRIENDS OF CROWN HEIGHTS EDUCATIONAL CENTERS, INC.	668 LOGAN STREET	35	76	46%
25	FRIENDS OF CROWN HEIGHTS - 2505 PITKIN AVENUE	2505 PITKIN AVENUE	30	72	42%
26	NEW AGE DAY CARE	546 JAMAICA AVENUE	6	10	60%
27	FRIENDS OF CROWN HEIGHTS - 851 LIBERTY AVENUE	851 LIBERTY AVENUE	23	48	48%
28	CHRISTINA DAY CARE, INC.	334 MILFORD STREET	32	48	67%
29	FRIENDS OF CROWN HEIGHTS - 374 PINE STREET	374 PINE STREET	22	77	29%
30	A CASTLE FOR CLASSY KIDS LEARNING CENTER, INC.	2570 PITKIN AVENUE	39	45	87%
31	NEW AGE DAY CARE CENTER	538 JAMAICA AVENUE	7	24	29%
32	MILES OF SMILES DAYCARE, INC.	382 ATKINS AVENUE	8	0	N/A
33	LITTLE BIRDS DAY CARE CENTER LLC	490 LINWOOD STREET	9	27	33%
34	P.S. 064 JOSEPH P. ADDABBO	82-01 101 AVENUE	13	0	N/A
35	QUEENS EXPLORERS ELEMENTARY SCHOOL	90-07 101 AVENUE	15	0	N/A
36	GG CHILD CARE AT 81-57 102ND AVENUE	81-57 102ND AVENUE	5	0	N/A
37	LEARNING ROAD AHEAD AT 10140 93RD STREET	10140 93RD STREET	5	0	N/A
38	HAPPY LAND LEARNING CHILD CARE, INC. AT 101-35 WOODHAVEN BLVD.	101-35 WOODHAVEN BLVD.	6	0	N/A
39	ST. ELIZABETH CATHOLIC ACADEMY	94-16 85 STREET	47	0	N/A

Table C-4: Early Childhood Programs within 1.5 Miles of Project Site

40	DIVNE MERCY CATHOLIC ACADEMY	101-60 92 STREET	30	0	N/A
41	DISTRICT 27 PRE-K CENTER 101-49 WOODHAVEN BOULEVARD	101-49 WOODHAVEN BOULEVARD	42	0	N/A
42	P.S. 063 OLD SOUTH	90-15 SUTTER AVENUE	52	0	N/A
43	P.S. 65 - THE RAYMOND YORK ELEMENTARY SCHOOL	103-22 99 STREET	13	0	N/A
44	FATIMA R. VALENCIA FAMILY DAYCARE AT 132-34 85 STREET	132-34 85 STREET	5	0	N/A
45	SKRZACIK A.P. BILINGUAL GFDC AT 10741 92ND STREET	10741 92ND STREET	6	0	N/A
46	MY LITTLE TREASURES LLC AT 9453 PLATTWOOD AVENUE	9453 PLATTWOOD AVENUE	5	0	N/A
47	LITTLE DOLPHIN	107-01 CROSSBAY BOULEVARD	23	0	N/A
48	AIM HIGH LEADERSHIP CENTER FOUR, INC.	97-08 ROCKAWAY BOULEVARD	44	0	N/A
49	DISTRICT 27 PRE-K CENTER AT 100-02 ROCKAWAY BLVD	100-02 ROCKAWAY BLVD	74	0	N/A
50	P.S. 060 WOODHAVEN	91-02 88 AVENUE	56	0	N/A
51	ANGELA'S FAMILY GROUP DAY CARE AT 9160 91ST STREET	9160 91ST STREET	5	0	N/A
52	VANESA'S LITTLE ANGELS DAY CARE AT 8830 75TH ST	8830 75TH ST	5	0	N/A
53	HOPE OF THE FUTURE AT 86-74 78TH STREET	86-74 78TH STREET	10	0	N/A
54	MARILYN FERNANDEZ/KIDS IN PARADISE AT 84-16 86TH ROAD	84-16 86TH ROAD	7	0	N/A
55	J. R. THE LITTLE GIGGLES FAMILY DAYCARE AT 88-29 88TH STREET	88-29 88TH STREET	6	0	N/A
56	EVANGELICAL LUTHERAN CHURCH OF THE ATONEMENT	87-07 87 STREET	17	0	N/A
57	PARSONS PRESCHOOL - WOODHAVEN	85-27 91 STREET	21	26	81%
58	DISTRICT 27 PRE-K CENTER AT 87-40 88TH STREET	87-40 88TH STREET	35	0	N/A
		Total	1119	793	141%

Source: Data provided by DCP based on information provided by DOE in October of 2022
Some locations may appear to have enrollment but no capacity; it is assumed that enrollment at these locations will be absorbed by other centers



Source: 2022 PLUTO, NYCDCP

0 0.5 1 1.5 Miles

Project Site

School District 19

Sub-district 2

Community Districts

1.5 Mile Study Area

Early Childhood Programs

EARLY CHILDHOOD PROGRAMS WITHIN 1.5 MILES OF PROJECT SITE

Figure C-1

581 Grant Avenue EAS

Future without the Proposed Actions (No-Action Condition)

Enrollment and Capacity Changes

As seen in **Table C-5: No-Action Development Projects**, 30 No-Action development projects were identified within approximately 1.5-mile of the Project Site that would generate six or more dwelling units and potentially be completed and occupied by 2026. It is assumed that these developments would all be affordable housing and would generate approximately 288 students eligible for early childhood programs, based on the multiplier of 0.178 children per household provided for Brooklyn in Table 6-1b of the *CEQR Technical Manual*. This is considered in the analysis of early childhood programs.

Table C-5: No-Action Development Projects

No.	Projects	Block	Lot	Dwelling Units
1	486 LIBERTY AVENUE	3708	15	11
2	2769 FULTON STREET	3932	1	6
3	2777 ATLANTIC AVENUE	3946	42	63
4	2767 ATLANTIC AVENUE	3946	45	41
5	2817 ATLANTIC AVENUE	3948	43	68
6	190 ESSEX STREET	3956	59	15
7	213 ESSEX STREET	3957	1	6
8	268 BARBEY STREET	3964	8	320
9	2886 ATLANTIC AVENUE	3965	11	183
10	283 WARWICK STREET	3967	10	10
11	731 LIBERTY AVENUE	3971	50	10
12	728 LIBERTY AVENUE	3987	14	10
13	360 SHEPHERD AVENUE	3988	28	53
14	341 SHEPHERD AVENUE	3989	7	26
15	842 LIBERTY AVE	3992	14	8
16	410 WARWICK STREET	3998	30	58
17	581 BELMONT AVENUE	4012	32	16
18	431 WARWICK STREET	4015	15	7
19	44 EUCLID AVE	4104	50	12
20	186 FORCE TUBE AVENUE	4124	31	26
21	3285 FULTON STREET	4129	1	27
22	250 EUCLID AVE	4143	1	403
23	3192 ATLANTIC AVENUE	4153	40	61
24	728 AUTUMN AVENUE	4284	45	6
25	20 SOUTH STREET	4586	300	123
26	80-12 JAMAICA AVE	8919	2	10
27	91-15 101 AVENUE	9065	26	10
28	101-07 91 STREET	9098	1	12
29	92-12 101 AVENUE	9099	5	6
30	101-17 101 AVENUE	9403	25	10
			Total	**1,617**

Source: NYC DOB's Building On My Block website and DOB Now Active Construction Data, December 2022

Families eligible for subsidized childcare must meet financial and social eligibility criteria established by ACS. In general, children in families that have incomes at or below 200 percent Federal Poverty Level (FPL), depending on family size, are financially eligible, although in some cases eligibility can go up to 275 percent FPL. According to the *CEQR Technical Manual*, since family incomes at or below 200 percent FPL fall under 80 percent AMI, for the purposes of CEQR analysis, the number of housing units expected to be subsidized and targeted for incomes of 80 percent AMI or below should be used as a proxy for eligibility. According to the HPD “Housing New York Map,” there are a total of eight housing developments that would produce 906 affordable units, which would generate approximately 161 children under the age of five, based on the multiplier of 0.178 children per household provided for the Brooklyn in Table 6-1b of the *CEQR Technical Manual,* would also be considered in the analysis of early childhood programs. These developments were not counted in the No-Action development projects.

Therefore, the No-Action developments and number of units reported by HPD would generate approximately 449 children under the age of five.

A total of 1,568 children under the age of five would be considered in the No-Action Condition for 2026 enrollment.

No additional early childhood programs are expected to be operational by 2026. Therefore, the study area capacity would remain the same in the No-Action Condition for 2026. The utilization rate of would be 197.7% with a deficit of 775 seats (**Table C-6: Early Childhood Programs Capacity and Utilization 2026 No-Action Condition**).

Table C-6: Early Childhood Programs Capacity and Utilization 2026 No-Action Condition

Capacity, Existing Condition	793
Capacity Generated by No-Action Development Projects	0
2026 Capacity, No-Action Condition	**793**
Enrollment. Existing Condition	1,119
Enrollment Generated by No-Action Development Projects	449
2026 Enrollment, No-Action Condition	**1,568**
Available Slots	-775
2026 Utilization, No-Action Condition	**197.7%**

Future with the Proposed Actions (With-Action Condition)

The Proposed Actions would generate an incremental increase of 174 DUs, which would all be affordable, between the No-Action and With-Action conditions. These DUs would generate approximately 31 students eligible for early childhood programs, based on the multiplier of 0.178 children per household provided for the Brooklyn in Table 6-1b of the *CEQR Technical Manual*.

Table C-7: Early Childhood Programs Capacity and Utilization 2026 With-Action Condition

2026 Capacity, No-Action Condition	793
Capacity Generated by the Proposed Project	0
2026 Capacity, With-Action Condition	**793**
2026 Enrollment, No-Action Condition	1,568
Enrollment Generated by the Proposed Project	31
2026 Enrollment, With-Action Condition	**1,599**
Available Seats	-806
2026 Utilization, With-Action Condition	**201.6**

The available capacity of early childhood programs in the Study Area would not increase between the No-Action and With-Action conditions. The study area would have a utilization rate of 201.6% in the With-Action condition (**Table C-7: Early Childhood Programs Capacity and Utilization 2026 With-Action Condition**).

The collective utilization rate of early childhood programs in the With-Action condition within the Study Area would be 201.6% which is above the 100%. Although the utilization rate is above 100%, it would only increase by 3.9% between the No-Action and With-Action conditions, which is below the five percent

threshold in the *CEQR Technical Manual*. Therefore, the Proposed Project would not result in a significant adverse impact on early childhood programs, and no further assessment is necessary.

Attachment D: Open Space

I. INTRODUCTION

This attachment assesses the potential impact of the Proposed Project on open space resources. Open space is defined in the *City Environmental Quality Review (CEQR) Technical Manual* as publicly accessible, publicly- or privately-owned land that is available for leisure, play, or sport, or serves to protector enhance the natural environment. *CEQR Technical Manual* guidelines indicate that open space analysis should be conducted if an action would result in a direct effect, such as the physical loss or alteration of public open space, or an indirect effect, such as when a substantial new population could place added demand on an area's open spaces.

As described in Attachment A, "Project Description," the Proposed Actions would facilitate a new mixed-use development with 154,162 gsf of residential uses (174 DUs) and 10,326 gsf of community facility for a total of 164,488 gsf (the "Proposed Project").

The Project Site is part of a larger Rezoning Area consisting of Lots 1, 6, 12 (p/o), and 22 (p/o) on Block 4223. The Project Sponsor is requesting a zoning approval by the City Planning Commission to change the Rezoning Area from R5 to R6.

It is anticipated that the Proposed Project would be designated under MIH Option 1: 25% of the residential floor area shall be provided as housing affordable to households at an average of 60% of the Area Median Income (AMI), with no unit targeted at a level exceeding 130% AMI, as discussed in Attachment A, "Project Description."

The *CEQR Technical Manual* states that an open space assessment should be conducted for projects that would generate more than 200 additional residents or more than 500 non-residents, such as workers. Since the Proposed Project would generate more than 200 residents, an open space assessment is warranted.

II. METHODOLOGY

Direct Effects

As described in the *CEQR Technical Manual,* a proposed project would directly affect open space conditions if it encroaches on, or causes a loss of, open space. This includes change in the use of an open space so that it no longer serves the same user population, limitation on public access to an open space, or increased noise or air pollutant emissions, odor, or shadows that would temporarily or permanently affect the usefulness of a public open space. Since the Proposed Actions would not directly displace any public open space, nor change the usefulness of or access to any public open space an assessment of direct effects on open space resources is not warranted.

In New York City (NYC), as a planning goal, a ratio of 2.5 acres per 1,000 residents represents an area well-served by open space resources and is consequently used as an optimal benchmark for residential populations in large-scale plans and proposals. Ideally, this would comprise 0.50 acres of passive space and 2.0 acres of active open space per 1,000 residents. Although a typical population mix may call for such a goal, it may not be attainable for some areas of the City or for certain populations skewed toward certain age groups. Therefore, the City does not consider these ratios as its open space policy for every neighborhood, and consequently, these ratios do not constitute an impact threshold. Rather, the ratios are benchmarks that represent how well an area is served by its open space.

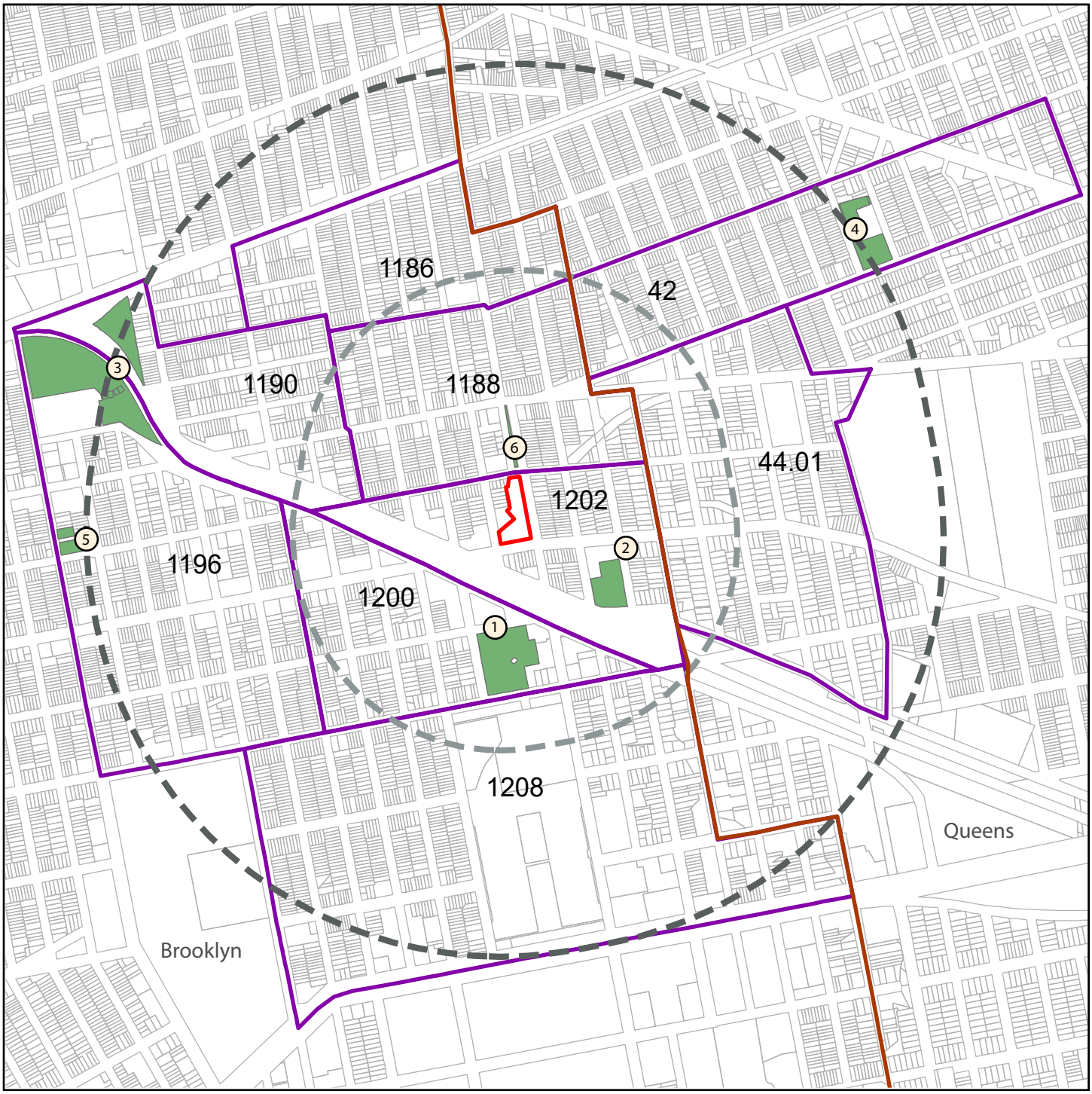
Indirect Effects

The *CEQR Technical Manual* indicates that open space can be indirectly affected by a proposed action if the project would add enough population, either non-residential or residential, to noticeably diminish the capacity of open space in the area to serve the future population. An open space analysis is generally conducted if a proposed project would generate more than 200 residents or 500 workers. Since the Proposed Project would generate more than 200 residents, an assessment of potential indirect effects is warranted.

Study Area

In conformance to *CEQR Technical Manual* guidelines, the first step in assessing potential open space impacts is to establish the appropriate study area(s) for the new residential and/or non-residential population(s) that would be added by the Proposed Actions. According to the *CEQR Technical Manual*, the open space study areas is based on the distance a person is assumed to walk to reach a neighborhood open space. These distances usually differ by user group. Workers typically use passive open spaces within a short walking distance of their workplaces whereas residents are more likely to travel farther to reach parks and recreational facilities and use both passive and active open spaces. Workers are assumed to walk up to a 0.25-mile distance to reach neighborhood open spaces, while residents are assumed to walk up to a 0.5- mile distance.

The residential study area for the open space assessment was based on a 0.5-mile distance from the Project Site and the non-residential study area was based on a 0.25-mile distance from the Project Site, which was adjusted in conformance to *CEQR Technical Manual* guidance to include all census tracts with at least 50% of their area within these respective boundaries. As shown in **Figure D-1: Existing Open Space Map**, the 0.5-mile residential study area is defined by Brooklyn and Queens census tracts 1186, 1188, 1190, 1196, 1200, 1202, 1208, 42 and 44.01 and the 0.25-mile non-residential study area is defined by Brooklyn census tracts 1188, 1200, and 1202.



Source: 2019 PLUTO, DCP

0 0.125 0.25 0.5 Miles

Project Site

0.25-Mile Radius

0.5-Mile Radius

Existing Public Open Space

Study Area Census Tracts

01 Study Area Census Tract Number

1 Open Space Keyed to Table D-5

Boundary Between Brooklyn and Queens

EXISTING OPEN SPACE MAP

Figure D-1

581 Grant Avenue EAS

Level of Assessment

According to the *CEQR Technical Manual*, a preliminary open space assessment describes the conditions within the study area and degree to which the open space would be affected by the Proposed Project. If this assessment indicates the need for further analysis, a detailed analysis is required. In this initial assessment, the Open Space Ratio (OSR) is calculated by comparing the amount of open space acreage per 1,000 residents for existing user population and the total open space acreage within the study area. The OSR in the future No-Action condition includes any increase in population expected by other projects to be completed by the analysis year, 2026, and changes in the acreage of open space in the study area. The OSR for future the With-Action condition is then calculated with the population generated by the Proposed Project, and any changes in the acreage of open space. If the OSR in the With-Action condition is to remain the same or increase compared to the No-Action condition, a detailed analysis is not warranted. If, however, there is a decrease in OSR due to the Proposed Project, the *CEQR Technical Manual* identifies threshold for percentage change in OSR for residential population that may generally be tolerated before considering the need for a more detailed analysis (**Table D-1: Preliminary Assessment – Guidance for Percentage Change in Open Space Ratio**).

Table D-1: Preliminary Assessment – Guidance for Percentage Change in Open Space Ratio

Open Space Ratio Range	Percentage Change in Open Space Ratio
2.01 to 2.50* or greater	5%
1.51 to 2.00	4%
1.01 to 1.50	3%
0.51 to 1.00	2%
0.50 or less	1%
*2.5 OSR is the planning goal in NYC	

Source: Table 7-1, 2021 CEQR Technical Manual

The nonresidential population's use of open space would consider the need for a detailed analysis if the OSR is less than the optimal ratio of 0.15 acreage of passive space per 1,000 nonresidents. When determining the need for a detailed analysis, regional parks or other substantial open space resources located within or just outside of the 0.5-mile and/or 0.25-mile study area may be included.

New York City, as part of the *OneNYC 2050 Building a Strong and Fair City* plan, has put forth a goal for 85% of New York City residents to live within walking distance of a park by 2030, which includes NYC Parks' "Walk to a Park" program. As part of the preliminary assessment, if the Project Site is not located within a Walk to a Park Service Area, per the map linked in Section 331 of the *CEQR Technical Manual*, a detailed analysis would be warranted. The Project Site is located within the NYC Parks "Walk to a Park" service area.

Impact Significance

The determination of significant adverse impacts is based on both qualitative and quantitative factors, as compared to the No-Action condition. According to the *CEQR Technical Manual,* proposed projects that would directly displace/alter existing open space within the study area, reduce the OSR by more than the general guidelines for the open space percentage change presented in the *CEQR Technical Manual* as identified in **Table D-2: Detailed Assessment – Percentage Change Guidance to determine possible Open Space Impact**, or reduce the OSR for a nonresidential population to less than the optimal ratio of 0.15 acres of passive space per 1,000 non-resident population, may result in a significant adverse impact. When assessing the effects of a change in the OSR, the balance of passive and active open space appropriate to support the affected population should be considered and assessed relative to the City's open space planning goals as mentioned above. The thresholds of **Table 7-5** are not absolute and projects that may result in significant quantitative impacts on open space are typically further assessed qualitatively

to determine the overall significance of the impact. Projects that may result in a significant physical effect on existing open space by increasing shadow, noise, air pollutant emissions, or odors compared to the future No-Action condition, may be a considered significant adverse impact requiring mitigation. Furthermore, projects located in an identified walk gap of the City, as defined by NYC Parks' "Walk to a Park" program should be further assessed for qualitative impacts.

Table D-2: Detailed Assessment – Percentage Change Guidance to determine possible Open Space Impact

Total Open Space Ratio Range	Active Open Space Ration Range	Passive Open Space Ratio Range	Percentage Change in Open Space Ratio Signifying a Possible Adverse Open Space Impact
2.01 to 2.50* Or greater	1.61 to 2.0* Or greater	0.41 to 0.50* Or greater	5%
1.51 to 2.00	1.21 to 1.60	0.31 to 0.40	4%
1.01 to 1.50	0.81 to 1.20	0.21 to 0.30	3%
0.51 to 1.00	0.41 to 0.80	0.11 to 0.20	2%
0.50 or less	0.01 to 0.40	0.01 to 0.10	1%
*2.5 OSR is the planning goal in NYC, with optimal distribution goal of 2.0 Active OSR and 0.5 Passive OSR			

Source: Table 7-5, 2021 CEQR Technical Manual

Assessment Methodology

Characteristics of the two open space user groups (residents and nonresidents) are determined using US Census data for Census Tracts comprising the nonresidential and residential open space study areas. The acreage, conditions, and utilization of existing active and passive open spaces within the residential and nonresidential open space study areas are inventoried and mapped based on City data and map files, and field visits. Large public open spaces, such as state parks, which are located within the study area and beyond, are inventoried based on only the portions that fall within the study area. Based on the inventory of facilities and study area populations, active and passive OSRs are calculated for the existing residential and nonresidential populations. OSRs are expressed as the amount of open space acreage (total, active, and passive) per 1,000 users.

Expected changes in future levels of open space supply and demand in the 2026 analysis year are assessed based on other planned development projects within the open space study areas as well as known capital improvements to open space or recreational facilities. OSRs are calculated for the No-Action condition and compared with existing OSRs to determine changes in future levels of adequacy. Characteristics of residents and nonresidents are estimated for the respective study areas in the No-Action condition.

The assessment considers the effects of increased residential and nonresidential populations associated with the Proposed Project on open space supply and demand in the study areas. The assessment also considers any new accessory open space facilities included in the Proposed Project. Characteristics of residents and nonresidents are estimated for the respective study areas in the With-Action condition. A quantitative qualitative analysis is performed to assess whether the study areas are sufficiently served by open space, which also considers open space resources outside of the defined study areas that would be available to the residential populations.

III. OPEN SPACE ASSESSMENT

Existing Condition

Study Area Residential Population

Data from the 2019 U.S. Decennial Census (2019 Census) was compiled for the census tracts comprising the study area to identify the residential population served by existing open space resources. The study area is comprised of the six census tracts listed in **Table D-3: Existing Study Area Residential Population**. Data from the 2019 ACS shows that the study area had an estimated residential population of 37,433.

Table D-3: Existing Study Area Residential Population

Census Tract	Residential Population
1186	2,960
1188	4,536
1190	2,220
1196	4,993
1200	2,630
1202	1,933
1208	10,413
42	4,016
44.01	3,732
Study Area Total	**37,433**

Source: 2019 American Community Survey 5-Year Estimates

Within a given area, the age distribution of a population affects the way open spaces are used and the need for various types of recreational facilities. Typically, children four years or younger use traditional playgrounds with play equipment for toddlers and preschool children. Children between the ages of five and nine typically use traditional playgrounds, as well as grassy and hard-surfaced open spaces, which are important for activities such as ball playing, running, and skipping rope. Children between the ages of 10 and 14 use playground equipment, court spaces, and ball fields. Teenagers and young adults tend to use court facilities such as basketball courts and sports fields such as football or soccer fields. Adults between the ages of 20 and 64 continue to use court facilities and fields for sports, as well as space for more individualized recreation, such as rollerblading, biking, and jogging, which require bike paths, esplanades, and vehicle-free roadways. Adults also gather with families for picnicking, *ad hoc* active sports such as frisbee, and recreational activities in which all ages may participate. Senior citizens engage in active recreation such as handball, tennis, gardening, and swimming, as well as recreational activities that require facilities appropriate for passive recreation. As shown in **Table D-4: Study Area Residential Population Age Breakdown**, the demographic data for the residential open space study area show a high percentage of residents in the 20-64 age bracket, suggesting a need for facilities geared towards adults. Compared to NYC overall, the study area has a higher proportion of children and adolescents.

Table D- 4: Residential Study Area Population Age Breakdown

Census Tract	Total Residential Population	Age Distribution												Median Age
		Under 5		5-9		10-14		15-19		20-64		65+		
		#	%	#	%	#	%	#	%	#	%	#	%	
1186	2,960	227	7.7%	134	4.5%	185	6.3%	149	5.0%	1,964	66.4%	301	10.2%	33.5
1188	4,536	328	7.2%	155	3.4%	222	4.9%	341	7.5%	3,141	69.2%	349	7.7%	35.1
1190	2,220	191	8.6%	179	8.1%	215	9.7%	119	5.4%	1,337	60.2%	179	8.1%	30.1
1196	4,993	301	6.0%	383	7.7%	299	6.0%	486	9.7%	3,151	63.1%	373	7.5%	35.5
1200	2,630	144	5.5%	215	8.2%	190	7.2%	170	6.5%	1,658	63.0%	253	9.6%	34.6
1202	1,933	187	9.7%	111	5.7%	130	6.7%	138	7.1%	1,250	64.7%	117	6.1%	30.9
1208	10,413	657	6.3%	644	6.2%	797	7.7%	563	5.4%	6,229	59.8%	1523	14.6%	37.3
42	4,016	260	6.5%	189	4.7%	248	6.2%	169	4.2%	2,730	68.0%	420	10.5%	37.3
44.01	3,732	318	8.5%	309	8.3%	284	7.6%	242	6.5%	2,222	59.5%	357	9.6%	32.6
Total for 0.5-Mile Study Area	37,433	2,613	7.0%	2,319	6.2%	2,570	6.9%	2,377	6.4%	23,682	63.3%	3,872	10.3%	35.1
Total for Brooklyn	2,589,974	190,959	7.4%	159,422	6.2%	155,921	6.0%	138,939	5.4%	1,592,439	61.5%	352,294	13.6%	35.2
Total for NYC	8,419,316	544,971	6.5%	468,577	5.6%	469,890	5.6%	450,091	5.3%	5,263,520	62.5%	1,222,267	14.5%	36.7

Source: 2019 American Community Survey 5-Year Estimates

Study Area Non-Residential Population

Data from the *OnTheMap*, a service of the U.S. Census, was compiled for the census tracts comprising the 0.25-mile study area to assess the non-residential population served by existing passive open space resources. Data from 2018 show that the study area had a worker population of approximately 4,083 workers.

Inventory of Publicly Accessible Open Space

According to the *CEQR Technical Manual*, open space may be public or private and may be used for active or passive recreational purposes. Public open space is defined as facilities that are open to the public at designated hours on a regular basis and should be assessed for impacts in conformance to the *CEQR Technical Manual*. The *CEQR Technical Manual* indicates that private open space not accessible to the public on a regular basis should only be considered qualitatively.

Publicly-accessible open space resources within the study area were identified by name and size based on information available from the NYC Department of Parks & Recreation ("NYC Parks") and field surveys as conducted on a weekday during and after school hours October 17th, 2019, **(Table D-5: Inventory of Existing Open Space).**The geographic locations of these open spaces are shown on **Figure D-1: Existing Open Space Map** and are keyed to **Table D-5**.

Robert E. Venable Park

Robert Venable Park (Map Reference No. 1) is located between Belmont Avenue and Shutter Avenue. The 2.94-acre playground offers a variety of amenities including basketball courts, dog-friendly areas, handball courts, playgrounds, roller hockey, and fitness equipment. The park was observed to be clean and in good condition with moderate utilization by young children and adults during the October 2019 field survey. Robert Venable Park is operated under NYC Parks.

Belmont Playground

Belmont Playground (Map Reference No. 2) is bounded by Belmont Avenue, Forbell Street, and Drew Street. The 0.68-acre park is south of P.S. 214. Several benches are located on the interior perimeter and a paved open area occupies most of the center of the playground. The playground was observed to be in good condition and was moderately utilized by young children and adults during the October 2019 field survey. This park is jointly operated under the NYC Parks and Recreation and Department of Education.

City Line Park

City Line Park (Map Reference No. 3) is between on Belmont and Shutter Ave. The 6.05-acre playground offers a variety of amenities including basketball courts, spray showers, a playground, a baseball field, and a skate park. The park was observed to be clean and in good condition with moderate utilization by young children and adults during the October 2019 field survey. City Line Park is operated under NYC Parks.

Ampere Playground

Ampere Playground (Map Reference No. 4) is located by 82nd Street and 101st Ave. The 1.33 -acre has amenities such as playgrounds and spray showers. The playground was observed to be in good condition and was moderately utilized by young children and adults during the October 2019 field survey. This park is operated under NYC Parks.

Public Place Mall

Public Place Mall (Map Reference No. 6) is a plaza located in the middle of Elbert Lane between Glenmore and Liberty Avenue and is 3,965 square feet of passive space which was completed in April 2020. The plaza features a drinking fountain and café style seating alongside the Liberty Avenue War Memorial and is operated under NYC Parks.

Green Gems

Green Gems (Map Reference No. 5) is located on Euclid Avenue and is 0.51-acres of passive space which was observed to be in good condition with low utilization. The community garden has a chicken coop, bench and table and is operated by NYC Parks. Green Gems community garden is open to the public 20 hours a week, from April 1st to October 31st and therefore, will not be included within the quantitative analysis, but will be assessed qualitatively.

Table D-5: Inventory of Existing Open Space

Map No.	Park Name	Location	Owner/Agency	Amenities	Total Acreage	Active		Passive		Condition	Utilization
						Acres	%	Acres	%		
1	Robert E. Venable Park	1411 Sutter Avenue	NYC Parks and Recreation	Basketball courts, dog-friendly areas, handball courts, playgrounds, roller hockey, bathrooms	2.94	2.65	90%	0.294	10%	Acceptable	Moderate
2	Belmont Playground	Conduit Blvd &, Belmont Ave	NYC Department Citywide Administrative Services/Department of Education	Basketball courts, handball courts, playgrounds, spray showers	0.68	0.54	80%	0.136	20%	Acceptable	Moderate
3	City Line Park	79 Fountain Avenue	NYC Parks and Recreation	Basketball courts, handball courts, playgrounds, spray showers, baseball fields, skate parks	6.05	5.45	90%	0.61	10%	Acceptable	Moderate
4	Ampere Playground	97-16 83 STREET	NYC Parks and Recreation	Bathrooms, playgrounds, spray showers	1.33	0.93	70%	0.40	30%	Acceptable	Moderate
6	Public Place Mall	1192 Liberty Avenue	NYC Parks and Recreation	Plaza	0.09	0	-	0.09	100%	Acceptable	
Total, 0.5-Mile Residential Study Area Totals					11.09	9.56	86.3%	1.52	13.7%		
Total, 0.25-Mile Non-Residential Study Area Totals					3.71	3.19	86.0%	0.52	14.0%		

Sources: NYC Parks; site visit conducted in October 2019
Notes:
[1] The condition of the open spaces are estimates based on observations from a site visit. They also incorporate inspection ratings from the NYC Parks when applicable.
[2] Utilization levels are estimates based on observations. The field survey was conducted during afterschool hours (1pm – 4pm) on a cold and windy day. However, the *CEQR Technical Manual* states that low utilization is not always an indicator of low demand, factors related to shadows, wind, air quality, noise, safety, and conflicting uses in a multi-use area can affect utilization.
[3] Active and passive spaces were calculated based on a list of active spaces (sports fields, playgrounds) from the NYC Parks. Observational estimates from the site visit were also considered.

Assessment of the Adequacy of Open Space Resources

The *CEQR Technical Manual* indicates that the adequacy of an open space resources in an area is assessed by evaluating the ratio of open space acreage to user population. The residential study area contains a total of 11.09 acres of usable publicly accessible open space, serving approximately 37,433 residents in the residential study area, yielding an OSR of 0.31 acres of improved open space per 1,000 residents (**Table D-6: Adequacy of Open Space Resources, Existing Condition**). The active OSR is 0.26 acres of active open space per 1,000 residents, and the passive OSR is 0.05 acres of passive open space per 1,000 residents.

The non-residential study area contains a total of 3.71 acres of usable public open space, serving approximately 4,083 workers in the non-residential study area, yielding an OSR of 0.13 acres of improved passive open space per 1,000 workers.

Table D-6: Adequacy of Open Space Resources, Existing Condition

Population	Existing Acreage			Existing OSR			CEQR Benchmark OSR		
	Total	Active	Passive	Total	Active	Passive	Total	Active	Passive
Residential (0.5-Mile) Study Area									
Residents 37,433	11.09	9.56	1.52	0.30	0.26	0.04	2.50	2.00	0.50
Non-Residential (0.5-Mile) Study Area									
Workers 4,083	3.71	3.19	0.52	0.91	0.78	0.13	N/A	N/A	0.15

As summarized in **Table D-5: Inventory of Existing Open Space**, most open spaces in the study area were observed to be in good condition and had moderate use levels on a weekday afternoon. The types of open spaces vary and include landscaped green streets, some with benches or seating; standalone basketball courts; playgrounds primarily used by children; and multi-use parks that include a wide range of active uses. Many of the active open space resources in the study area cater to activities for children, adolescents, and teenagers. The most commonly found open spaces used for active recreation were playgrounds and basketball courts.

As shown in **Table D-4: Residential Study Area Population Age Breakdown**, the largest age group in the study area is adults between the ages of 20 and 64. In addition, the proportion of the population that are youth (from toddlers to teenagers) is higher in the study area and the Brooklyn than in NYC overall as well as for adults, while the percentage of seniors is lower. The relatively higher proportion of youth is reflected in the usage of active open spaces in the study area. Younger children were observed to account for most playground users. Adults were observed to utilize primarily passive facilities, such as benches and picnic tables, and often were supervising children playing.

No-Action Condition

Study Area Residential and Non-Residential Population

Without the Proposed Actions, the Project Site would remain as a 148-space municipal parking lot under the existing zoning of R5. In addition, five new developments were identified in the census tract study areas that together would consist of approximately 179 residential DUs within the residential study (**Table D-7: Population Increase in the Study Area, No-Action Condition**). The 179 residential DUs would result in an increase in population of approximately 519 residents.

Table D-7: Population Increase in the Study Area, No-Action Condition

Project	Block Lot	Description	Population Increase
360 Crescent Street	Block 4164, Lot 32	Proposed 6,407 sf, three-story residential building with six dwelling units	17
961-963 Glenmore Avenue	Block 4192, Lot 1/47	Proposed 5,548 sf residential development with 4 dwelling units	12
437 Euclid Avenue	Block 4214, Lot 12	Proposed 104,293 sf affordable housing building with 135 dwelling units	392
1451 Sutter Avenue	Block 4257, Lot 40	Proposed 9,022 sf residential building with 10 dwelling units	29
1377-1385 Sutter Avenue	Block 4254, Lots 41 and 44	Proposed 31,563 sf building with 24 units, 7 units under MIH option 2	70

Source: NYC Active Major Construction, DOB, April 2024

Table D-8: Study Area Population, No-Action Condition

Total Existing Population	No-Action Population Increase	Project Site As-of-Right Population Increase	Total No-Action Population
Residential (0.5-Mile) Study Area			
Residents	519	0	37,952
37,433			
Non-Residential (0.25-Mile) Study Area			
Workers	82	0	4,165
4,083			

Note:

*Within the 0.25-mile non-residential study area

**Average household size of renter-occupied unit in Brooklyn CD 5

Assessment of Open Space Adequacy

The No-Action Condition for the Project Site would be the same as its exisiting condition, since the Project Site would continue to be occupied by the approximately 148-space municiple surface parking lot. The study area contains a total of 11.09 acres of publicly accessible open space, which would serve approximately 37,952 residents in the residential study area in 2026. Therefore, the OSR in the No-Action condition would be 0.29 acres of open space per 1,000 residents, similar to the existing condition. The active OSR in the No-Action condition would be 0.25 acres of active open space per 1,000 residents, and the passive OSR would be 0.04 acres of passive open space per 1,000 residents **(Table D-9: Adequacy of Open Space Resources, No-Action Condition)**.

In the No-Action condition, the non-residential study area would contain a total of 3.71 acres of usable public passive open space. The worker population would increase by 82 through No-Action development in the study area for a total of approximately 4,165 workers in the non-residential study area, which would yield an OSR of 0.89 acres of improved open space per 1,000 workers (**Table D-9: Adequacy of Open Space Resources, No-Action Condition**), including 0.13 acres of passive open space per 1.000 workers.

Table D-9: Adequacy of Open Space Resources, No-Action Condition

Population	No-Action Acreage			No-Action OSR			CEQR Benchmark OSR		
	Total	Active	Passive	Total	Active	Passive	Total	Active	Passive
Residential (0.5-Mile) Study Area									
Residents 37,856	11.09	9.56	1.52	0.29	0.25	0.04	2.50	2.00	0.50
Non-Residential (0.5-Mile) Study Area									
Workers 4,083	3.71	3.19	0.52	0.89	0.77	0.13	N/A	N/A	0.15

With-Action Condition

Study Area Residential and Non-Residential Population

The Proposed Actions in the With-Action condition would result in a mixed-use development with 154,162 gross square feet (gsf) of residential uses (174 DUs) and approximately 10,326 gsf of community facility. The Proposed Actions in the With-Action condition would increase the residential population by approximately 505 new residents and the worker population by 16 workers; total residential population in the With-Action condition would be approximately 38,361 and non-residential population in the With-Action condition would be 4,126 workers (**Table D-10: Study Area Population, With-Action Condition**).

Table D-10: Study Area Population, With-Action Condition

Total No-Action Population	Project Site Incremental Population Increase	Total With-Action Population
Residential (0.5-Mile) Study Area		
Residents 37,952	505	38,457
Non-Residential (0.25-Mile) Study Area		
Workers 4,165	16	4,181

Assessment of Open Space Adequacy

There would be a net increase of approximately 505 residents in the With-Action condition compared to the number of residents in the No-Action condition in the residential study area for the build/analysis year of 2026. It is not anticipated that there would be an increase in open space resources in the residential study area or the non-residential study area by the 2026 analysis year. The study area would continue to maintain a total of 11.09 acres of publicly accessible open space, serving approximately 38,457 residents in the With-Action condition, yielding an OSR of 0.29 acres of open space per 1,000 residents **(Table D-11: Adequacy of Open Space Resources, With-Action Condition)**. The active OSR in the With-Action condition would be 0.25 acres of active open space per 1,000 residents, and the passive OSR would be remain at 0.04 acres of passive open space per 1,000 residents.

Table D-11: Adequacy of Open Space Resources, With-Action Condition

Population	With-Action Acreage			With-Action OSR			CEQR Benchmark OSR		
	Total	Active	Passive	Total	Active	Passive	Total	Active	Passive
Residential (0.5-Mile) Study Area									
Residents 38,457	11.09	9.56	1.52	0.29	0.25	0.04	2.50	2.00	0.50
Non-Residential (0.25-Mile) Study Area									
Workers 4,181	3.71	3.19	0.52	0.89	0.76	0.12	N/A	N/A	0.15

The decrease in the residential OSR between the No-Action condition and the With-Action condition would be 1.31%. The non-residential OSR under the No-Action condition and the With-Action condition would remain the same, which is below the optimal ratio of 0.15 acres of passive space per 1,000 nonresidents.

Table D-12: Open Space Ratios Summary

	Percentage Change in Open Space Ratio/ OSR Signifying a Possible Adverse Open Space Impact	Open Space Ratio (acres per 1,000 persons)			Percent/OSR Change (Between No-Action condition and With-Action Conditions)
		Existing	No-Action	With-Action	
Residential Total	1%	0.30	0.29	0.29	-1.31%
Residential - Active	1%	0.26	0.25	0.25	-1.31%
Residential - Passive	1%	0.04	0.04	0.04	-1.31%
Non-Residential- Passive	0.15	0.13	0.12	0.12	-0.38%

The decrease in total residential active OSR is marginally above the percent change guidelines presented in Table 7-5 of the *CEQR Technical Manual* for Projects with a total OSR of 0.5 or lower. However, Bayside Cemetery and Acacia Cemetery, which provide passive open space for sitting and strolling and are open to the public, are located to the east of the Project Site, just outside of the Study Area boundary and are approximately 15-minute walk from the Project Site. Additionally, Tudor Park is a 13.54-acre park with baseball and cricket fields, handball and basketball courts, and playgrounds, located to the southeast of the Project Site, just outside of the Study Area boundary and is an approximately 15-minute walk from the Project Site. Although Green Gems community garden is located within the 0.5-mile study area, it is only accessible to the public 20 hours each week, from April 1st to October 31st. The garden is 0.51-acres and contains garden plots and a chicken coop. Green Gems is jointly owned and operated by NYC Parks and the NYC Department of Education. Although not fully accessible to the public, the Proposed Project would include 37,312 gsf of outdoor space, including both a residential and community garden.

Additionally, the Project Site is located within a Walk to a Park service area, as defined in *OneNYC 2050 Building a Strong and Fair City* plan, as shown in **Figure D-2: Walk to a Park Service Areas Map**. Based on the above assessment, the Proposed Project is not expected to result in a significant adverse impact.



Source: 2019 PLUTO, DCP

0 0.125 0.25 0.5 Miles

Project Site

Walk to a Park Service Area

WALK TO A PARK SERVICE AREAS MAP

Figure D-2

581 Grant Avenue EAS

Attachment E: Shadows

I. INTRODUCTION

This attachment assesses the potential for significant adverse impacts due to shadows created by the Proposed Project on sunlight-sensitive resources. Section 200 of Chapter 8 of the *City Environmental Quality Review* (*CEQR) Technical Manual* states that a shadows assessment is necessary for projects that would either result in new structures (or additions to existing structures) of 50 feet in height or more, or be located adjacent to, or across the street from, a sunlight-sensitive resource. Sunlight-sensitive resources are those resources that depend on sunlight or for which direct sunlight is necessary to maintain the resource's usability or architectural integrity. Examples include public open spaces, significant architectural resources, and natural resources.

As described in Attachment A, "Project Description," the Proposed Actions would facilitate development of a mixed-use building on Lot 1 in Block 4223 in the East New York neighborhood of Brooklyn, which would provide affordable housing and community services while incorporating core sustainability measures, and active design within the neighborhood's existing transit and pedestrian infrastructure. The Proposed Project would be comprised of approximately 154,162 gross square feet (gsf) of residential uses (174 Dwelling Units or DUs) and approximately 10,326 gsf of community facility, totaling approximately 164,488 gsf of new development ("Proposed Project"). The Proposed Project is expected to be completed by 2026. Currently, the Project Site is occupied by an approximately 148-space municipal parking lot.

II. METHODOLOGY

The assessment of shadows impacts begins with a preliminary screening assessment to identify whether a project's shadow may reach any sunlight-sensitive resources at any time of the year. Sunlight-sensitive resources of concern, as defined by the *CEQR Technical Manual*, are those resources that depend on sunlight or require direct sunlight to maintain their usability or architectural integrity. Potential sunlight-sensitive resources include publicly accessible open space, as identified in Chapter 7, "Open Space" in the *CEQR Technical Manual*, as well as architectural resources, as defined in Chapter 9, "Historic and Cultural Resources" of the *CEQR Technical Manual,* which depend on direct sunlight for their enjoyment by the public. As indicated in the *CEQR Technical Manual*, only the features that are sunlight-sensitive should be considered in the shadows assessment, as opposed to the entire architectural resource.

The preliminary screening assessment was completed in conformance to a tiered assessment process prescribed in the *CEQR Technical Manual*. Major steps in this process included:

- ***Base Map.*** Development of a base map that illustrates the proposed site location in relationship to the sunlight-sensitive resources.
- ***Tier 1 Screening Assessment.*** Development of the longest shadow area. The longest shadow study area encompasses the site of the proposed project and a perimeter around the site's boundary with a radius equal to the longest shadow that could be cast by the proposed project. According to the *CEQR Technical Manual*, the longest shadow that a structure will cast in New York City, except for periods close to dawn or dusk, is 4.3 times its height. The purpose of the Tier 1 Screening Assessment is to determine whether any sunlight-sensitive resources are located within the longest shadow study area.
- ***Tier 2 Screening Assessment.*** If any portion of a sunlight-sensitive resource lies within the longest study area, a Tier 2 Screening Assessment is warranted. Due to the path of the sun across the sky in the northern hemisphere, no shadow can be cast in a triangular area south of any given project

site. In New York City, this area lies between -108 and +108 degrees from true north. The purpose of the Tier 2 Screening Assessment is to determine whether the sunlight-sensitive resources identified in the Tier 1 Screening Assessment are located within portions of the longest shadow study area that can receive shadows from a proposed project.

- ***Tier 3 Screening Assessment.*** According to the *CEQR Technical Manual*, a Tier 3 Screening Assessment should be performed to determine if, in the absence of intervening buildings, shadows resulting from a proposed project can reach a sunlight-sensitive resource, thereby warranting a detailed shadow analysis. The Tier 3 Screening Assessment is used to determine if shadows resulting from a proposed project can reach a sunlight-sensitive resource at any time between 1.5 hours after sunrise and 1.5 hours before sunset on representative analysis dates.

For the New York City area, the months of interest for an open space resource encompass the growing season (March through October) and one month between November and February (usually December) representing a cold-weather month. Representative days for the growing season are generally the March 21st vernal equinox (or September 21st autumnal equinox), the June 21st summer solstice, and a spring or summer day halfway between the summer solstice and equinoxes such as May 6th or August 6th (which are approximately the same). As the sun rises in the east and travels across the southern part of the sky to set in the west, a project's earliest shadows would be cast in a westward direction. Throughout the day, the shadows would shift clockwise (moving northwest, then north, then northeast) until sunset. Therefore, a project's earliest shadow on a sunlight-sensitive resource would occur in a similar pattern, depending on the location of the resource in relation to the site.

If the preliminary screening analyses described above do not rule out the possibility that project-generated shadows would reach any sunlight-sensitive resources, then a detailed shadows analysis is warranted. The detailed shadows analysis establishes a baseline condition (the "No-Action" condition) that is compared to the future condition resulting from the proposed project (the "With-Action" condition) to illustrate the shadows cast by existing or future buildings and to distinguish the additional (incremental) shadow cast by the project. The detailed analysis for the Proposed Project was conducted using a three-dimensional (3D) digital model of the study area using PLUTO™ 17v1 data to characterize the building footprints and approximate heights. To evaluate the extent of the shadows, the 3D model was geo-located to the Project Site so that sunlight and shadow conditions would be accurately approximated in the model. The results of the detailed analysis were documented in graphic form and accompanied by a table summarizing the extent and duration of the incremental shadows.

Impact Significance

The detailed shadows analysis provided in this chapter includes a description of the effects of incremental shadows on sunlight-sensitive resources within the maximum shadow radius and determines whether those effects constitute significant adverse impacts under CEQR. As described in the *CEQR Technical Manual,* an incremental shadow is generally not considered significant when its duration is no longer than 10 minutes at any time of year and the resource continues to receive substantial direct sunlight. A significant shadow impact generally occurs when an incremental shadow of 10 minutes or longer falls on a sunlight-sensitive resource and results in one of the following conditions:

- Vegetation: a substantial reduction in sunlight available to a sunlight-sensitive feature of the resource to less than the minimum time necessary for its survival (when there was sufficient sunlight in the future without the project), or a reduction in direct sunlight exposure where the sensitive feature of the resource is already subject to substandard sunlight (i.e., less than the minimum time necessary for its survival).
- Historic and cultural resources: a substantial reduction in sunlight available for the enjoyment or appreciation of the sunlight-sensitive features of an historic or cultural resource.

- Open space utilization: a substantial reduction in the usability of open space as a result of increased shadow, including information regarding anticipated new users and the open space's utilization rates throughout the affected time periods.
- For any sunlight-sensitive feature of a resource: complete elimination of all direct sunlight on the sunlight-sensitive feature of the resource, when the complete elimination results in substantial effects on the survival, enjoyment, or, in the case of open space or natural resources, the use of the resource.

In general, a significant adverse shadows impact occurs when the incremental shadow added by a proposed project falls on a sunlight-sensitive resource and substantially reduces or eliminates direct sunlight exposure, thereby significantly altering the public use of the resource or threatening the viability of vegetation or other resources.

III. EXISTING CONDITIONS

Base Map and Sunlight-Sensitive Resources of Concern

A base map was developed that identified the shadows study area in relationship to sunlight-sensitive resources of concern **(Figure E-1: Shadows Base Map)**. A search of sunlight-sensitive open space resources was conducted using PLUTO data from the NYC Department of City Planning (DCP). Sunlight-sensitive architectural and natural resources were identified using the NYC Landmarks Preservation Commission (LPC) Discover Landmarks online mapping tool, the New York State (NYS) Cultural Resource Information System (CRIS) online mapping tool, and the NYS Department of Environmental Protection (DEC) Environmental Resource Mapper online tool. As shown on **Figure E-1**, there is one resource of concern near the Project Site, known as Public Place Mall. It is a plaza located in the middle of Elbert Lane between Glenmore and Liberty Avenue and is 3,965 square feet of passive space which was completed in April 2020. The plaza features a drinking fountain and café style seating alongside the Liberty Avenue War Memorial and is operated under NYC Parks.



Source: 2020 PLUTO, NYC DCP

0 100 200 400 Feet

Project Site

(#) Sunlight-Sensitive Resources (Keyed to Table E-1)

SHADOWS BASE MAP

Figure E-1

581 Grant Avenue EAS

IV. WITH-ACTION CONDITION

Tier 1 Screening Assessment

In conformance with guidance in Section 312 of Chapter 8 of the *CEQR Technical Manual*, a Tier 1 Screening Assessment was completed that identified the longest shadow that could be cast by the Proposed Project, which is 4.3 times the height of the structure and occurs on December 21st (winter solstice) (Figure E-2: Tier 1 Shadow Screening Assessment Map). As shown in Figure E-2, the tallest building of the Proposed Project would be approximately 75 feet in height. The top of the HVAC stack would reach approximately 84 feet, which would cast a shadow to a maximum radius of 359.5 feet from the Project Site. The Public Place Mall plaza is the only sunlight-sensitive resource of concern in the Tier 1 shadow coverage area. Therefore, further screening was warranted to determine whether the plaza would be affected by incremental shadows that would be cast by the Proposed Project.



Source: 2020 PLUTO, NYC DCP

0 100 200 400 Feet

Project Site

Longest Shadow Study Area Boundary

(#) Sunlight-Sensitive Resources (Keyed to Table E-1)

TIER 1 SHADOW SCREENING ASSESSMENT MAP

Figure E-2

581 Grant Avenue EAS

Tier 2 Screening Assessment

In conformance with guidance in Section 312 of Chapter 8 of the *CEQR Technical Manual*, a Tier 2 Screening Assessment was performed. In New York City, no shadow can be cast within an area between -108 and +108 degrees from true north of a site. **Figure E-3: Tier 2 Shadow Screening Assessment Map** depicts the area that could not be shaded due to the Proposed Project. As indicated in **Figure E-3**, incremental shadows due to the Proposed Project could still potentially cast shadows on the Public Place Mall plaza. As a result, a Tier 3 Screening Assessment was performed.



Source: 2020 PLUTO, NYC DCP

0 100 200 400 Feet

Project Site

Longest Shadow Study Area Boundary

(#) Sunlight-Sensitive Resources (Keyed to Table E-1)

Area that cannot be shaded by the proposed building

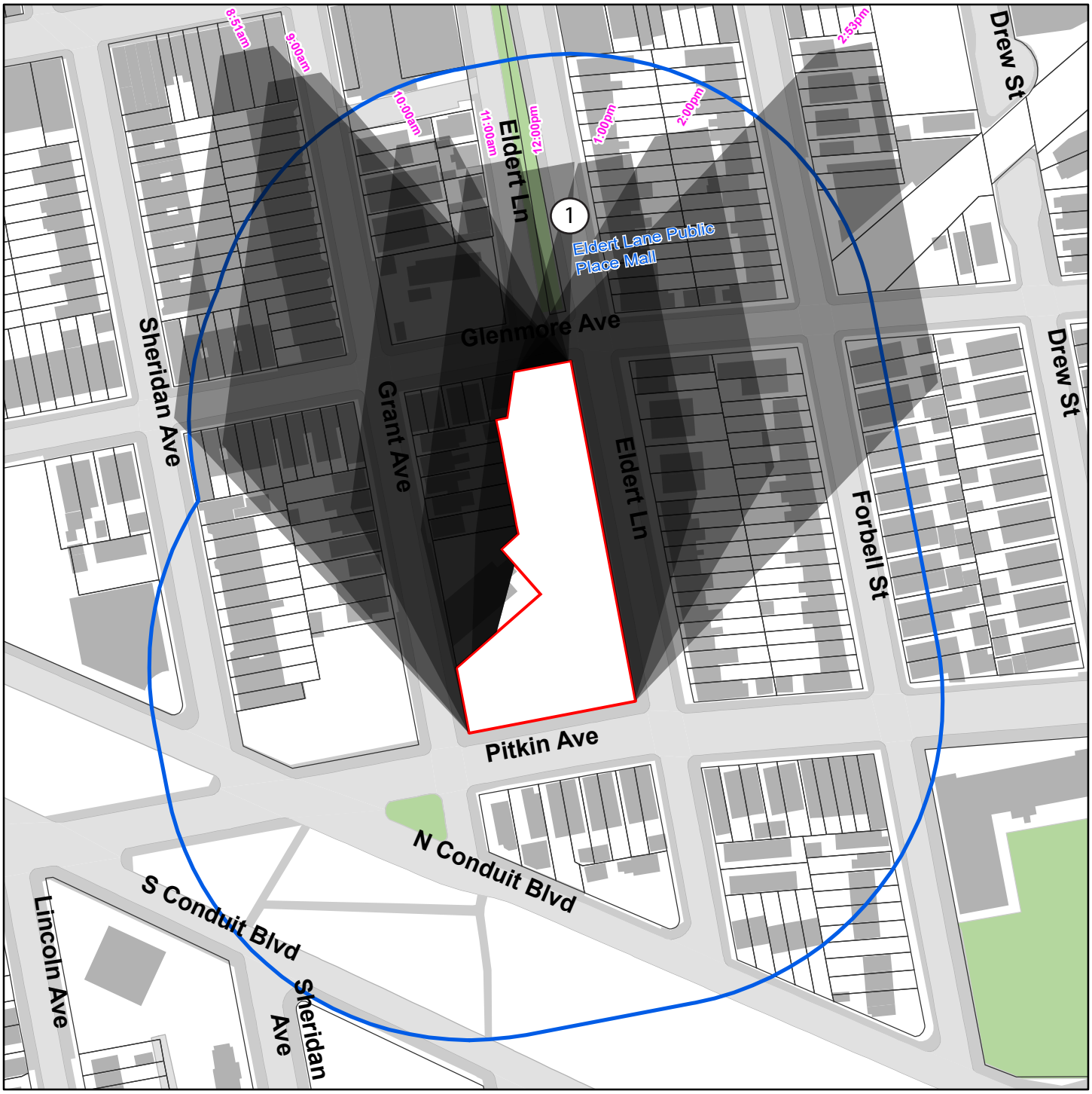
TIER 2 SHADOW SCREENING ASSESSMENT MAP

Figure E-3

581 Grant Avenue EAS

Tier 3 Screening Assessment

The analysis timeframe considers shadows which occur 90 minutes following sunrise and 90 minutes preceding sunset. In conformance to *CEQR Technical Manual* guidelines, daylight savings time is not used to determine the timeframes for analysis; all times are listed in Eastern Standard Time. The Tier 3 Assessment does not account for the effect of intervening buildings on incremental shadows due to the Proposed Project. **Figures E-4 through E-7 (Tier 3 Shadow Screening Assessment Maps)** show the Tier 3 Screening Assessment for the representative days of December 21st, March 21st, May 6th, and June 21st. Shadows from the Proposed Project may be cast on the Public Place Mall on December 21st and March 21st. Since the Tier 3 Screening Assessment indicated that the Proposed Project may cast shadows on the plaza, a detailed shadow analysis was completed to quantify the extent of these effects on the two analysis days.



Source: 2020 PLUTO, NYC DCP

0 100 200 400 Feet

Project Site

Longest Shadow Study Area Boundary

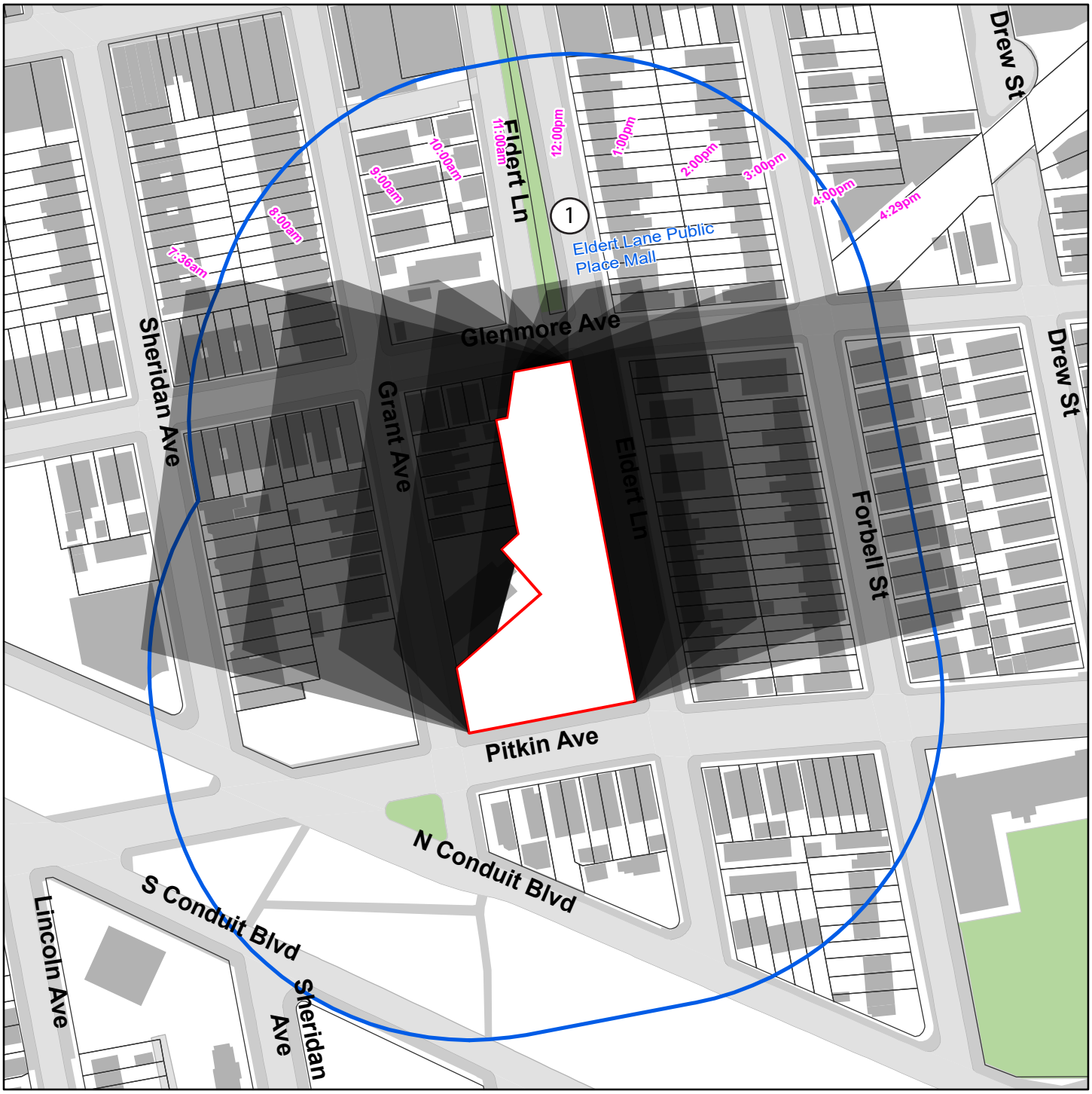
(#) Sunlight-Sensitive Resources (Keyed to Table E-1)

TIER 3 SHADOW SCREENING ASSESSMENT MAP

December 21st Analysis Day

Figure E-4

581 Grant Avenue EAS



Source: 2020 PLUTO, NYC DCP

0 100 200 400 Feet

Project Site

Longest Shadow Study Area Boundary

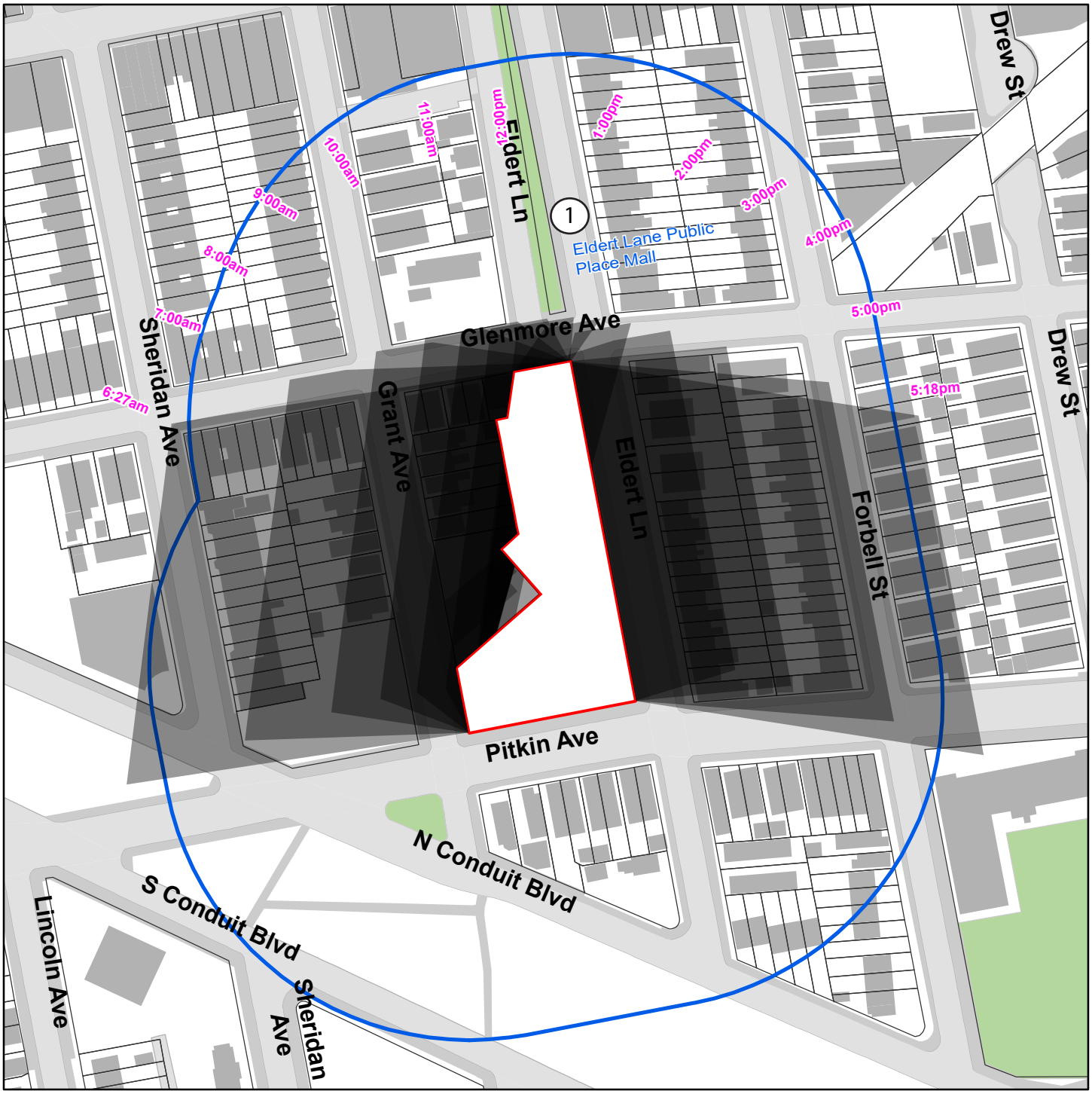
(#) Sunlight-Sensitive Resources (Keyed to Table E-1)

TIER 3 SHADOW SCREENING ASSESSMENT MAP

March 21st Analysis Day

Figure E-5

581 Grant Avenue EAS



Source: 2020 PLUTO, NYC DCP

0 100 200 400 Feet

Project Site

Longest Shadow Study Area Boundary

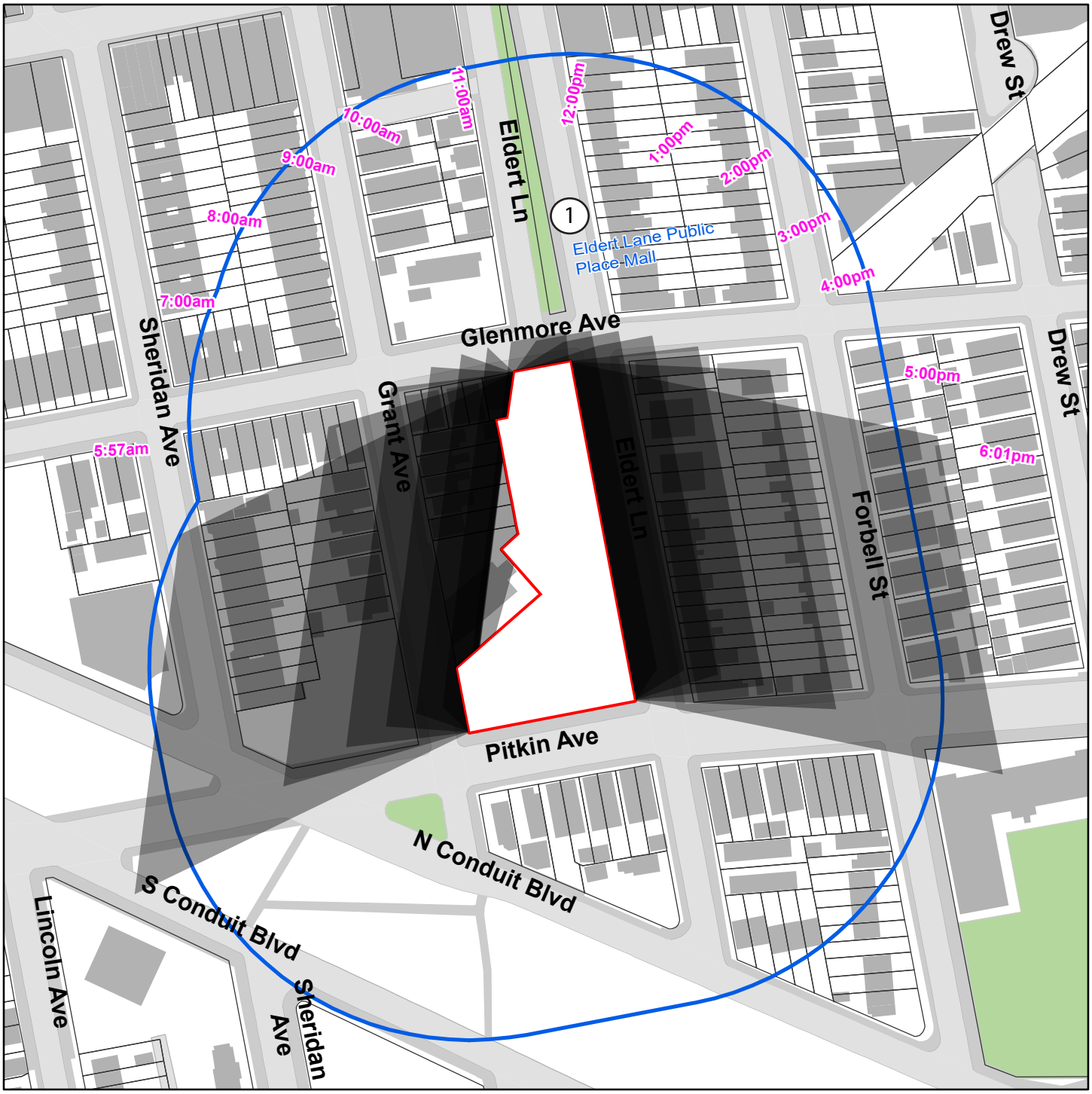
(#) Sunlight-Sensitive Resources (Keyed to Table E-1)

TIER 3 SHADOW SCREENING ASSESSMENT MAP

May 6th Analysis Day

Figure E-6

581 Grant Avenue EAS



Source: 2020 PLUTO, NYC DCP

0 100 200 400 Feet

Project Site

Longest Shadow Study Area Boundary

(#) Sunlight-Sensitive Resources (Keyed to Table C-1)

TIER 3 SHADOW SCREENING ASSESSMENT MAP

June 21st Analysis Day

Figure E-7

581 Grant Avenue EAS

Detailed Analysis

The detailed shadow analysis compares the extent of shading that would occur in the No-Action condition with the extent of shading that would occur in the With-Action condition. The purpose of the detailed analysis is to determine the extent and duration of new incremental shadows that would fall on sunlight-sensitive resource due to the Proposed Project.

For the detailed analysis, a 3D model of the Project was developed to evaluate the incremental shadows cast by the Proposed Project. In conformance to CEQR guidelines, shadow analysis was performed for the Public Place Mall plaza identified above.

The analysis was performed for December 21st, the winter solstice and shortest day of the year, based on Tier 3 assessment, which projected the most shading on this day. CEQR guidelines define the temporal limits of a shadow analysis period to be one and a half hours after sunrise to one and a half hours before sunset. **Table E-1: Analysis Summary** summarizes the entry and exit times and total duration of incremental shadows on the plaza. **Figure E-8 through E-10 (Incremental Shadows)** graphically depict the results of the analysis based on the computer animation of times when incremental shadow would fall on the plaza. The figures illustrate the extent of shading of the plaza and, shown in red, the new incremental shadow that would result due to the Proposed Project.

Incremental shadows from the Proposed Project would be cast on the plaza during the afternoon of December 21st analysis day, starting from the west side of the southern tip of the plaza at 12:50 PM and sweeping eastward until 2:53 PM. The incremental shadow would sweep over only a small portion of the plaza on the south for a duration of two hours and three minutes. Given that the incremental shadows would be of short duration and only on a small portion of the plaza, incremental shadows due to the Proposed Project would not result in a significant adverse impact on this resource.

Table E-1: Analysis Summary

Sunlight-Sensitive Resource	Analysis Day Timeframe Window	December 21st
		8:51 AM - 2:53 PM
Public Place Mall	Shadow Enter -Exit Time	12:50 PM - 2:53 PM
	Incremental Shadow Duration	2 hours and 3 minutes



Project Site

Incremental Shadows

Sunlight-Sensitive Resources (Keyed to Table E-1)

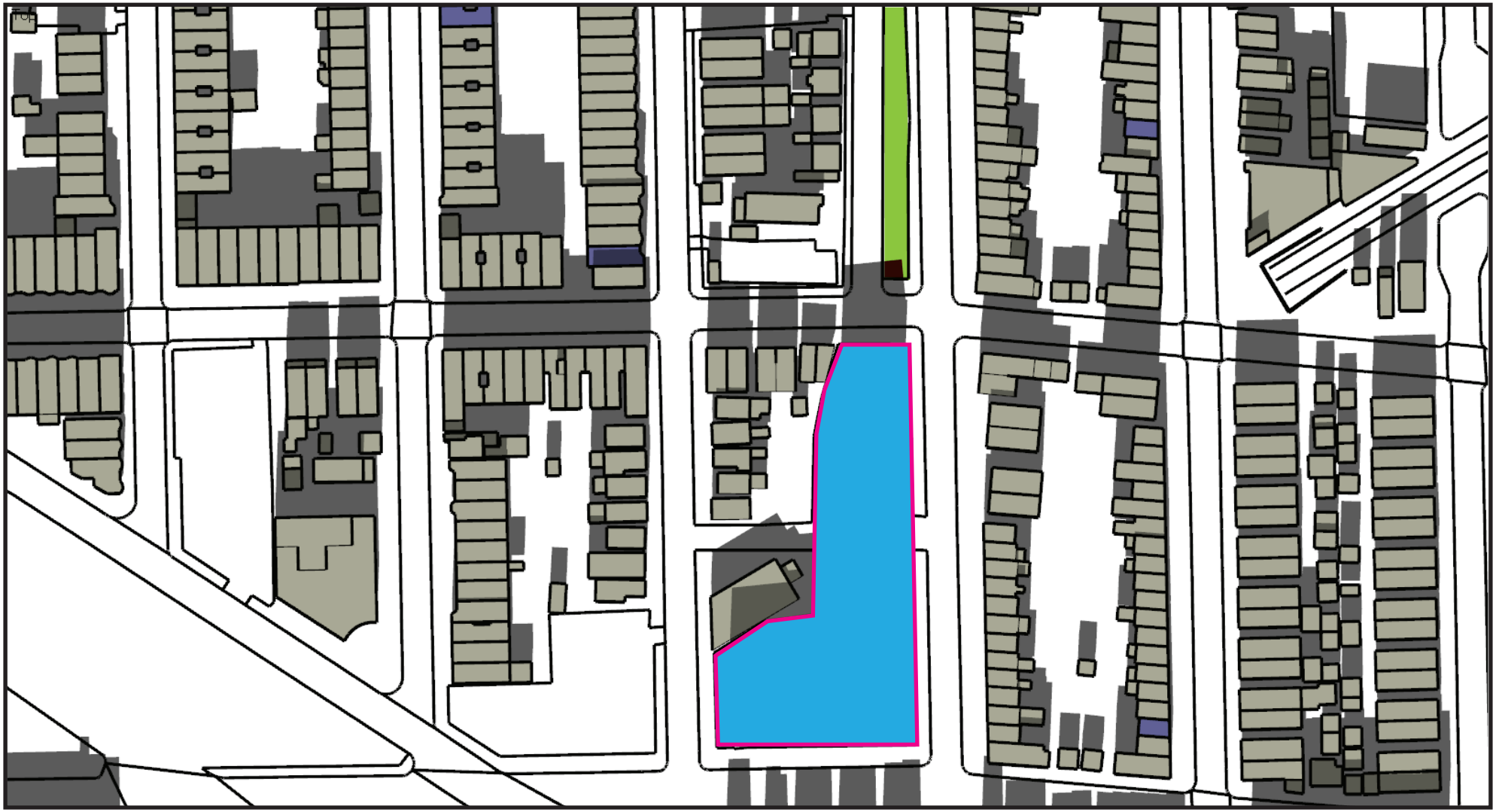
Open Space

INCREMENTAL SHADOWS 12:50 PM

December 21st Analysis Day

Figure E-8

581 Grant Avenue EAS



Project Site

Incremental Shadows

(#) Sunlight-Sensitive Resources (Keyed to Table E-1)

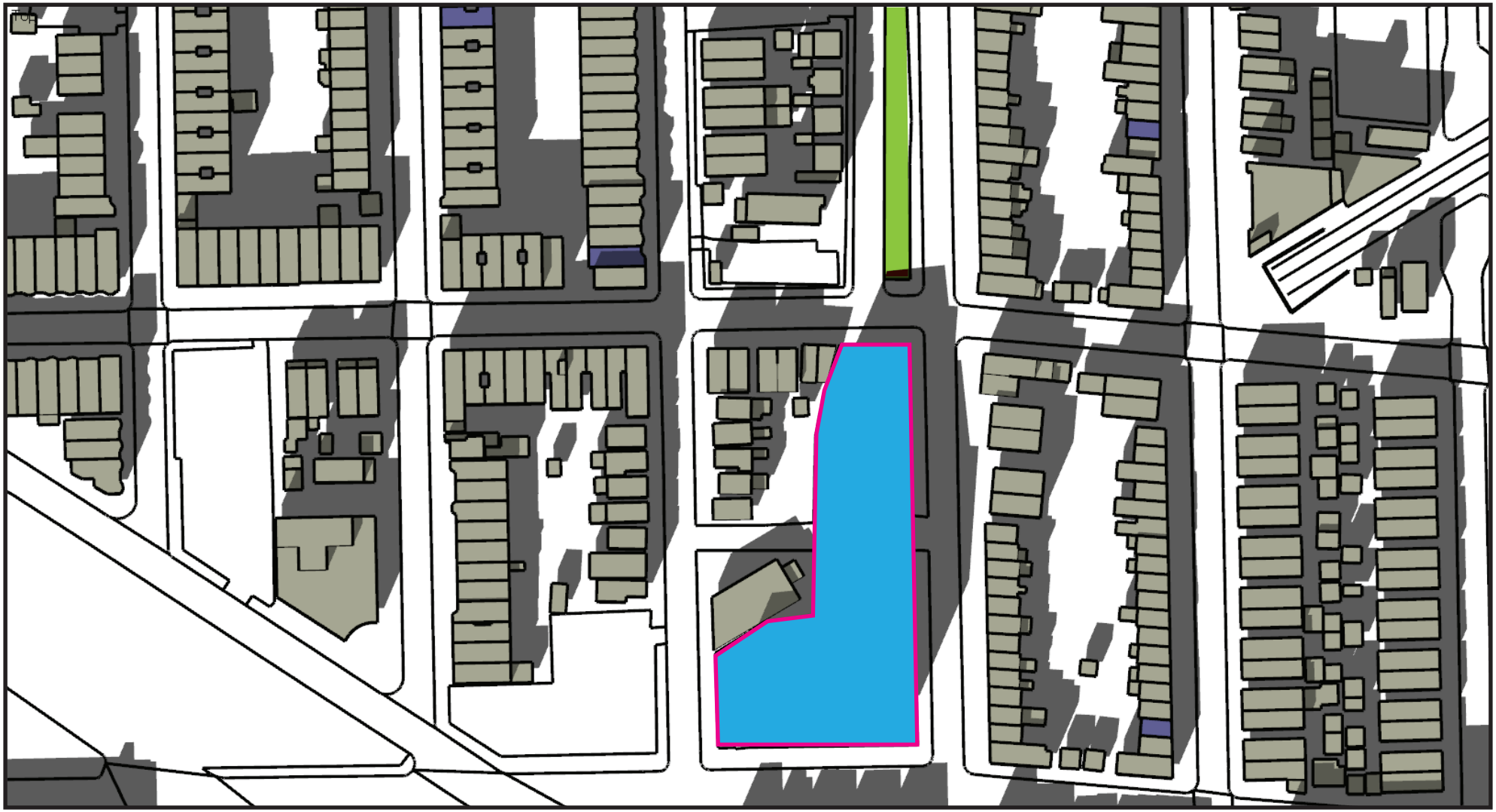
Open Space

INCREMENTAL SHADOWS 1:30 PM

December 21st Analysis Day

Figure E-9

581 Grant Avenue EAS



Project Site

Incremental Shadows

Sunlight-Sensitive Resources (Keyed to Table E-1)

Open Space

INCREMENTAL SHADOWS 2:53 PM

December 21st Analysis Day

Figure E-10

581 Grant Avenue EAS

Attachment F: Urban Design and Visual Resources

I. INTRODUCTION

This attachment assesses the potential impact of the Proposed Project on urban design and visual resources. Urban design is the composite of elements that may affect a pedestrian's experience of public space. These elements include streets, buildings, visual resources, open space, natural features, and wind. As described in Chapter 10 of the *City Environmental Quality Review (CEQR) Technical Manual*, the urban design and visual resources assessment evaluates whether the Proposed Project may have effects on one or more of these elements of pedestrian experience.

As described in Attachment A, "Project Description," the Proposed Actions would facilitate development of a mixed-use building that would provide affordable housing and community services while incorporating core sustainability measures and active design within the neighborhood's existing transit and pedestrian infrastructure. The Proposed Project would be comprised of approximately 154,162 gross square feet (gsf) of residential uses (174 Dwelling Units or DUs) and approximately 10,326 gsf of community facility, totaling approximately 164,488 gsf of new development ("Proposed Project"). The Proposed Project is expected to be completed by 2026. The Proposed Actions include the rezoning of Lot 1, Lot 6 and a portion of Lot 12 and 22 of Block 4223 in Brooklyn CD 5 (the "Project Site") from R5 to R6 and a text amendment of Appendix F of the Zoning Resolution (ZR) of the City of New York to classify the Project Site as a Mandatory Inclusionary Housing (MIH) designated area. The Project Site is occupied currently by an approximtely 148-space municipal parking lot.

The Proposed Project includes a building that would be up to approximately 74 feet and 8 inches with an additional 8 feet and 10 inches of bulkhead, or seven stories, in height, comprising a physical alteration beyond that allowed by existing zoning and visible from the street level. Therefore, a preliminary urban design assessment was prepared.

II. METHODOLOGY

CEQR Technical Manual guidelines indicate that urban design is the totality of components that may affect a pedestrian's experience of public space and that the following elements play an important role in that experience:

1. **Streets.** For many neighborhoods, streets are the primary component of public space. The arrangement and orientation of streets define the location and flow of activity in an area, set street views, and create the blocks on which buildings and open spaces are organized. The apportionment of street space between cars, bicycles, transit, and sidewalks and the careful design of street furniture, grade, materials used, and permanent fixtures, including plantings, streetlights, fire hydrants, curb cuts, or newsstands are critical to making a successful streetscape.
2. **Buildings.** Buildings support streets. A building's street walls are the most common backdrop in the city for public space. A building's size, shape, setbacks, lot coverage, and placement on the zoning lot and block; the orientation of active uses; and pedestrian and vehicular entrances all play major roles in the vitality of the streetscape. The public realm also extends to building facades and rooftops, offering more opportunity to enrich the visual character of an area.
3. **Visual Resources.** A visual resource is the connection from the public realm to significant natural or built features including views of the waterfront, public parks, landmark structures or districts, otherwise distinct buildings or groups of buildings, or natural resources.
4. **Open Space.** For the purposes of urban design, open space includes public and private areas such as parks, yards, cemeteries, parking lots, and privately-owned public spaces.

5. **Natural Features.** Natural features include vegetation and geologic, topographic, and aquatic features. Rock outcroppings, steep slopes or varied ground elevation, beaches, or wetlands may help define the overall visual character of an area.
6. **Wind.** Channelized wind pressure from between tall buildings and downwashed wind pressure from parallel tall buildings may cause winds that affect pedestrian comfort and safety.

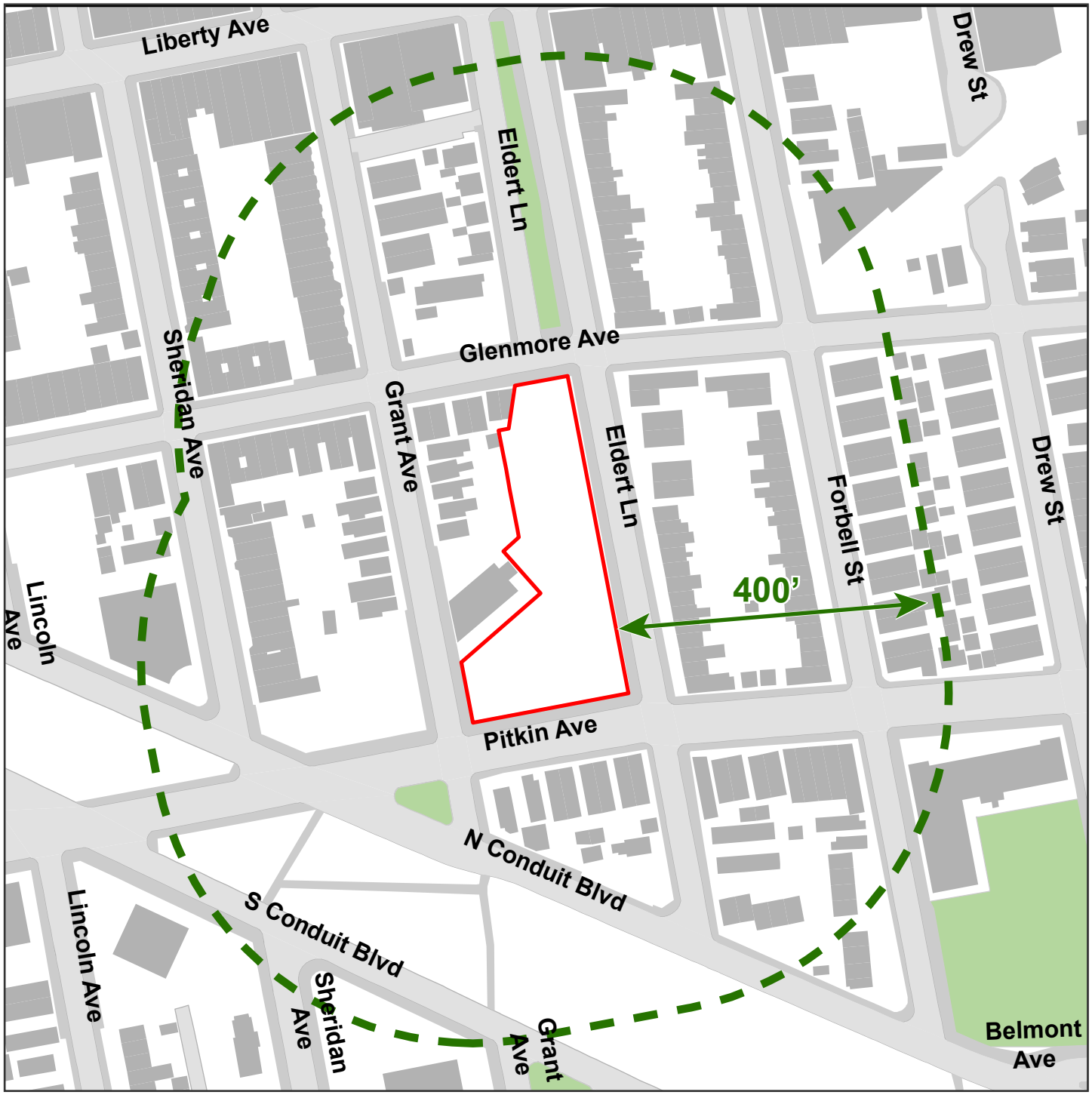
An urban design and visual resources assessment is necessary when a project may affect one or more of the defined elements that contribute to the pedestrian experience. According to *CEQR Technical Manual* guidelines, a preliminary assessment for urban design is appropriate when there is the potential for a pedestrian to observe, from the street, a physical alteration beyond that allowed by existing zoning, including projects that:

1. Permit the modification of yard, height, and setback requirements;
2. Result in an increase in built floor area beyond what would be allowed 'as-of-right' or in the future without the proposed project.

The Proposed Actions, including Zoning Map and Text Amendments, would facilitate development that would have the potential for a pedestrian to observe, from the street level, a physical alternation beyond that allowed by existing zoning. Consequently, a preliminary assessment was completed to determine what, if any, potential impact of the Proposed Project would have on urban design and visual resources.

The preliminary assessment describes existing urban design features and visual resources within 400 feet of the Project Site (Study Area), and future (2026) urban design features and visual resources in the Study Area in the No-Action and With-Action conditions (**Figure F- 1: Urban Design and Visual Resources Study Area Map**). In conformance to guidance in the *CEQR Technical Manual*, changes that would occur between the No-Action and With-Action conditions are disclosed.

In addition, *CEQR Technical Manual* guidelines state that the construction of projects involving multiple tall buildings at or near waterfront sites may result in exacerbation of wind conditions due to "channelization" or "downwash" that may affect pedestrian comfort and safety. Since the Proposed Actions would not facilitate the construction of a large building at a location along the waterfront nor include multiple tall buildings, a pedestrian wind assessment is not warranted.



Source: 2019 PLUTO, DCP

0 200 400 800 Feet

Project Site

400-foot Study Area

URBAN DESIGN & VISUAL RESOURCES STUDY AREA MAP

Figure G-1

581 Grant Avenue EAS

III. EXISTING CONDITIONS

Project Site

The Project Site is an L-shaped parcel made up of Block 4223, Lot 1, which runs along Eldert Lane between Pitkin and Glenmore Avenues with additional frontage on Grant Avenue adjacent to the Grant Avenue Subway Station on the A train. It functions as a municipal surface parking lot surrounded by chain-link fencing along the property line. Adjacent uses include a Metropolitan Transportation Authority (MTA) New York City Transit (NYCT) subway station serving the A subway line, and single-family and two-family homes.

Study Area

According to the *CEQR Technical Manual,* the study area for the urban design and visual resources assessment is the area where the project may influence land use patterns and the built environment and is generally consistent with that used for the land use analysis. Consequently, the Study Area for the assessment of potential impacts of the Proposed Actions on urban design and visual resources is the same as that used in assessment of impacts on Land Use, Zoning and Public Policy, the area within a 400-foot radius of the Project Site.

Streets

Streets in the study area generally follow a grid pattern. Grant Avenue, Eldert lane, Glenmore Avenue and Pitkin Avenue are all two-way streets. Glenmore Avenue, Grant Avenue and Eldert Lane are designated under the Zoning Resolution as narrow streets.[1] Pitkin Avenue is designated as a wide street since it is 80 ft wide. [2] On-street parallel parking is allowed on Grant Avenue, Eldert lane, Glenmore Avenue and Pitkin Avenue. Conduit Boulevard, south of Pitkin Avenue, is an arterial roadway with three lanes.

Streetscape elements within the study area include sidewalks lined with trees without tree guards. Street furniture includes standard street signs, bus stop signs, fire hydrants, cobra head lampposts, chain-link fencing, wrought-iron fencing, wooden electrical poles, and mailboxes. All rights-of-way in the study area include sidewalks of varying widths and conditions ranging from adequate to poor. Low-density residential areas west of Eldert Lane have both wrought-iron fencing and chain link fencing. Vehicles are parked on-street and in garages, driveways, or on the front yards of adjoining parcels to Study Area roadways.

Views along Grant Avenue include single-family, two-family and multi-family elevator building along with surface municipal parking lot. North of the Project Site, construction of Public Place Mall (a plaza) was observed along Glenmore Avenue and Eldert Lane. The construction site is surrounded by chain-link fencing.

Buildings

The study area is generally characterized by a mixture of low-, medium-, and high-density residential uses and occasional neighborhood commercial uses. Building heights range in height between one-and nine-stories **(Figure F-2: Existing Building Heights);** FARs range between zero and 4.67 **(Figure F-3: Existing Density)**.

The residential homes along Grant Avenue are mostly single-family homes and the residential units along Glenmore Avenue are two-family buildings.

Two-family buildings located within the study area are typically of brick construction with flat roofs and stoops. Single-family homes generally have vinyl siding with low-gabled roofs stoops, small front yard

[1] The Zoning Resolution of the City of New York defines narrow streets as being less than 75 feet in width.
[2] The Zoning Resolution of the City of New York defines wide street as being 75 feet in width or more.

gardens, and awnings. Multi-family elevator buildings in the study area generally have rectangular floors, red or tan brick exteriors, flat roofs, and fire balconies. Mixed-use buildings ranging from one to three stories on Liberty Avenue typically have neighborhood retail on the ground floor and use awning-style signage and occasionally use posters in the storefront windows.

Open Space

The study area does not contain any publicly accessible open space resources. The Public Place Mall, a plaza located in the middle of Eldert Lane between Glenmore and Liberty Avenues, is under construction and is projected to be completed by April 2020.[3] It will be publicly accessible open space resource.

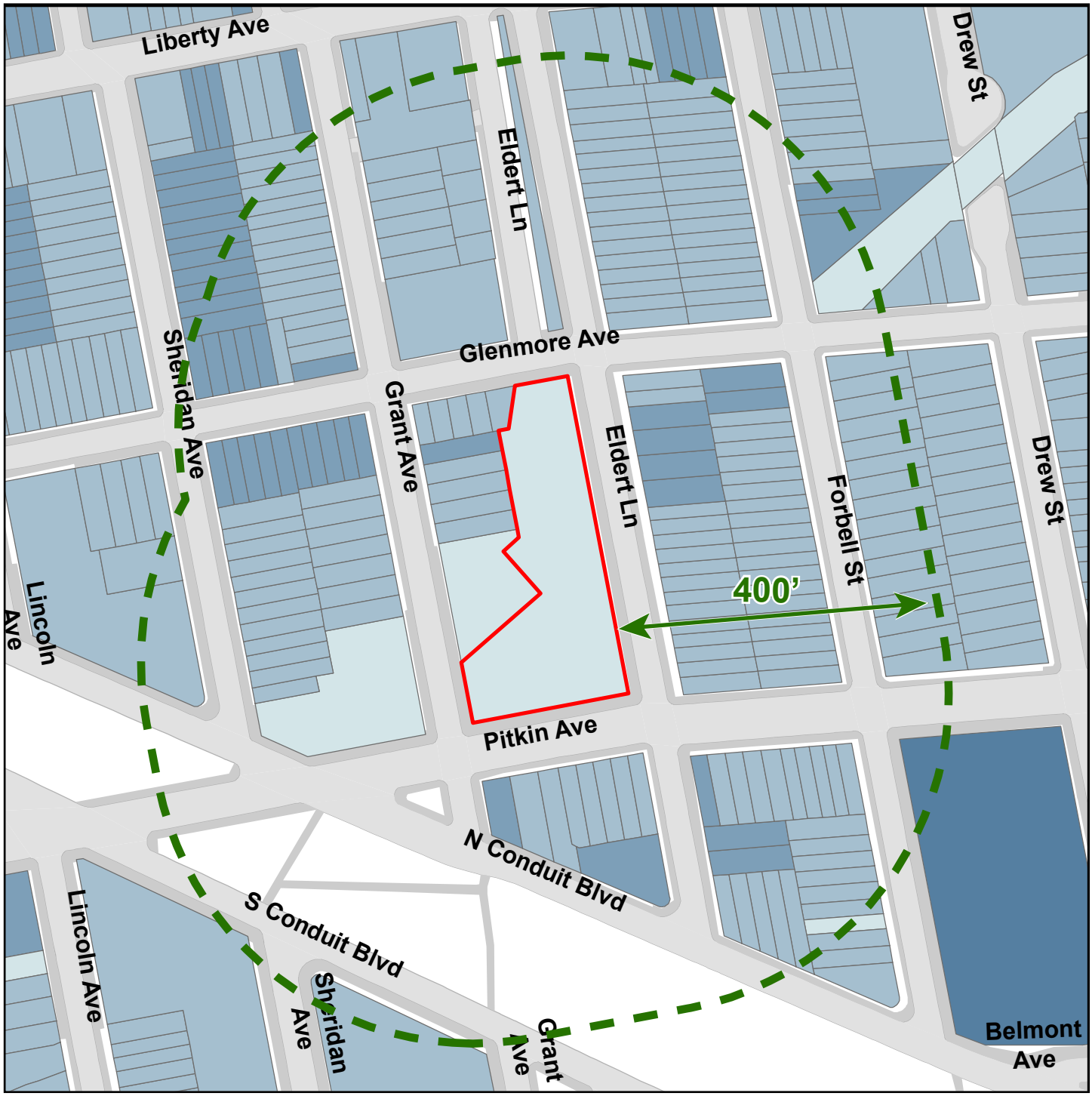
Natural Resources

The study area does not contain any significant natural features as defined in the *CEQR Technical Manual.* The study area is substantially void of vegetation or geologic, topographic, and aquatic features, including rock outcroppings, steep slopes or varied ground elevation, beaches, or wetlands.

Visual Resources

Based on field observations and review of land uses identified in Attachment B: Land Use, Zoning, & Public Policy and coordination with the New York City Landmarks Preservation Commission, the study area does not contain any significant visual resources as defined in the *CEQR Technical Manual*, including waterfronts, public parks, natural resources, landmark structures or districts, or otherwise distinct buildings or groups of buildings

[3] The New York City Department of Parks & Recreation Capital Project Tracker.



Source: 2019 PLUTO, DCP

0 200 400 800 Feet

Project Site

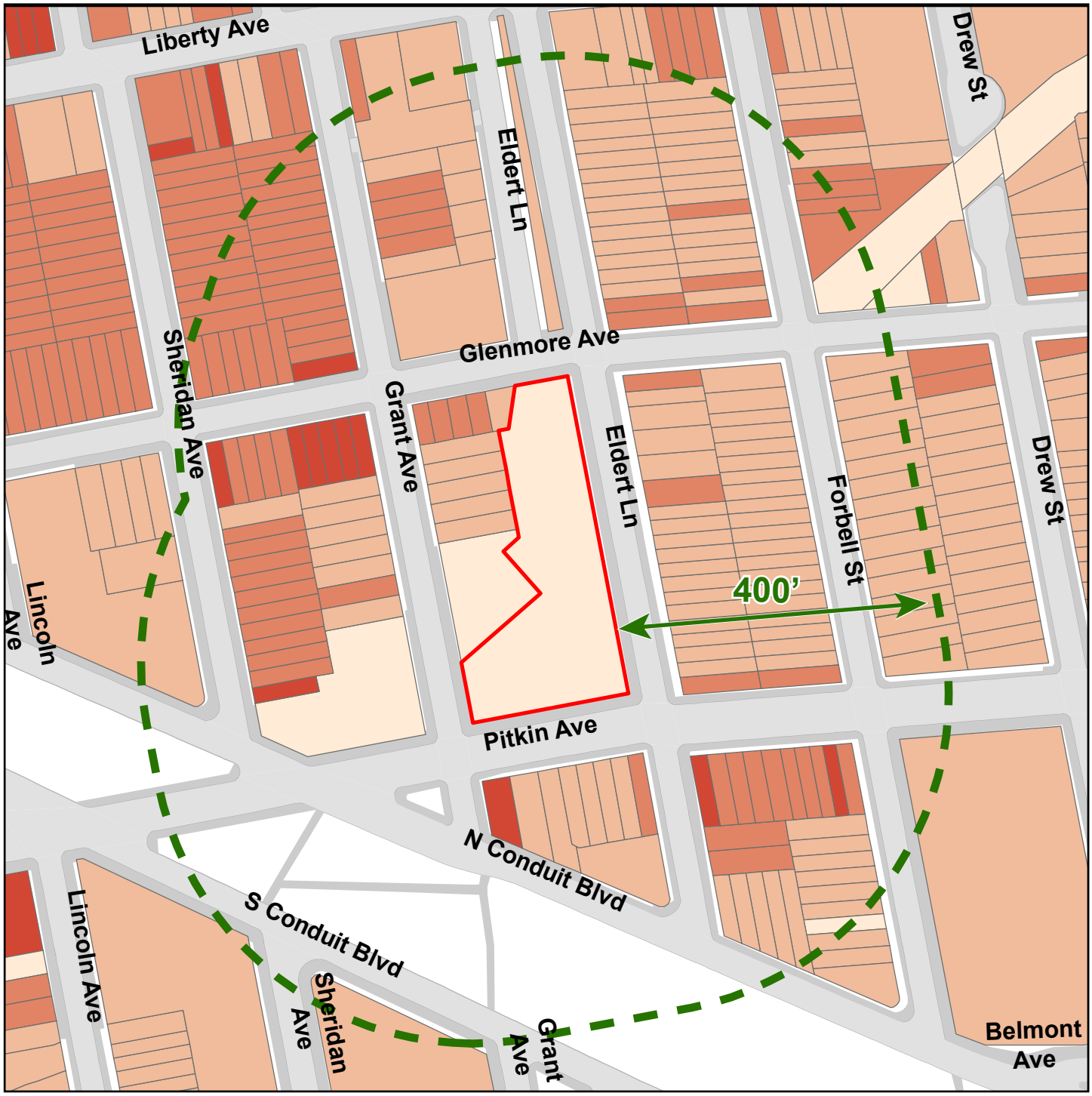
400-foot Study Area

0 Floors
1 - 2 Floors
3 - 4 Floors
5 - 9 Floors
10+ Floors

EXISTING BUILDING HEIGHTS

Figure G-2

581 Grant Avenue EAS



Source: 2019 PLUTO, DCP

0 200 400 800 Feet

Project Site

400-foot Study Area

0 FAR

0.1 - 1.0 FAR

1.01 - 2.0 FAR

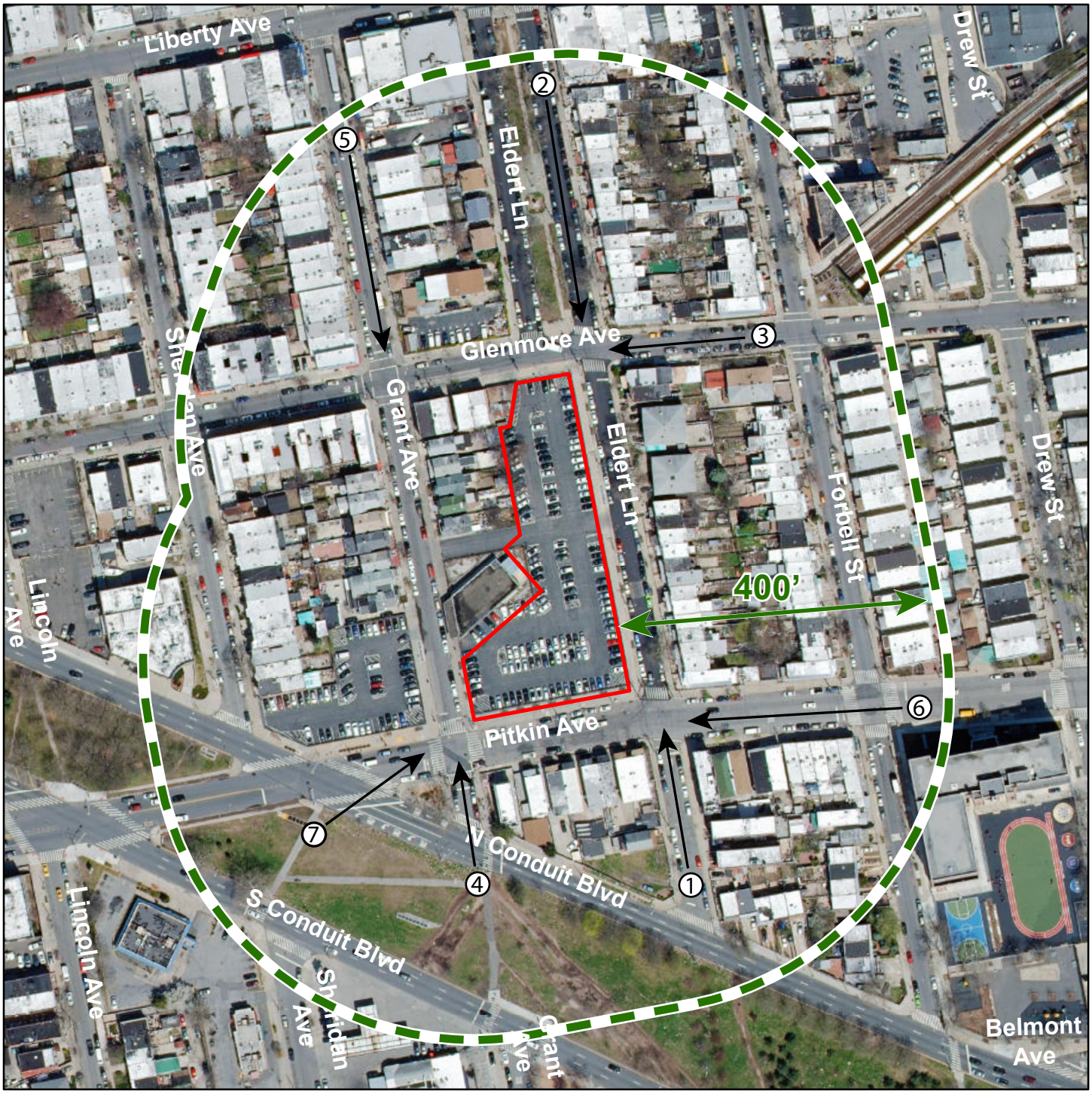
2.01 - 3.0 FAR

3.01 - 5.0 FAR

EXISTING DENSITY (BUILT FAR)

Figure G-3

581 Grant Avenue EAS



Source: 2019 PLUTO, DCP

0 200 400 800 Feet

Project Site

400-foot Study Area

X Photograph Location

AERIAL MAP

Figure G-4

581 Grant Avenue EAS

Photographs 1 Through 7

Photograph 1: Project Site facing North from Eldert Lane



Photograph 2: Project Site facing South from Eldert Lane



Photograph 3: Project Site facing West from Glenmore Avenue



Photograph 4: Project Site facing North from Grant Avenue



Photograph 5: Project Site facing South from Grant Avenue



Photograph 6: Project Site facing East from Pitkin Avenue



Photograph 7: Project Site facing North from Pitkin Avenue



IV. FUTURE WITHOUT PROPOSED ACTIONS (NO-ACTION CONDITION)

Project Site

Absent the Proposed Actions (the "No-Action condition"), the Project Site would remain a 148-space surface municipal parking lot. The Project Site would continue to be void of any built structures.

Study Area

Based on a review of information from the NYC Department of City Panning (DCP) and NYC Department of Buildings (DOB), no planned or ongoing developments were identified within the urban design study area.

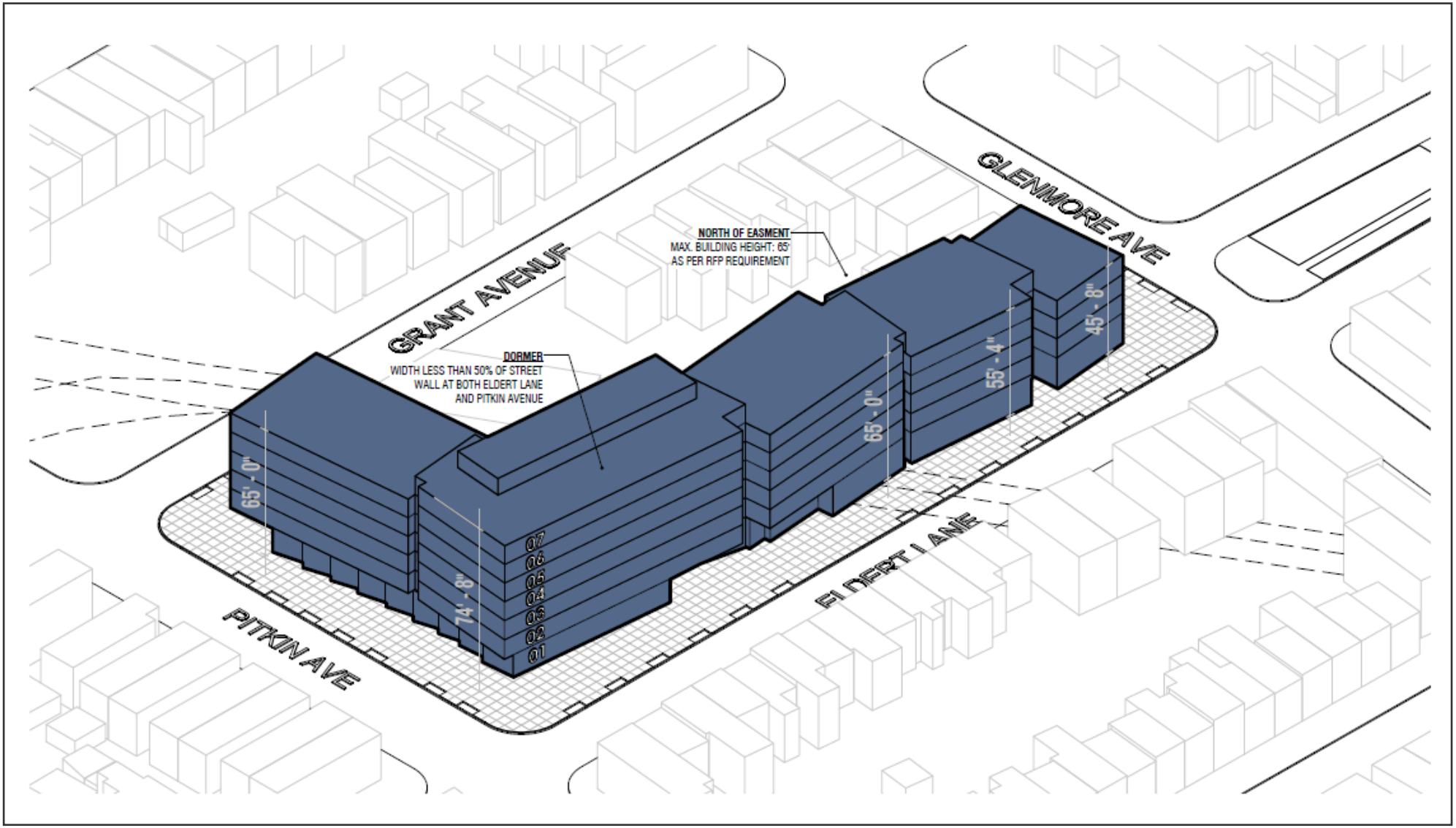
V. FUTURE WITH PROPOSED ACTIONS (WITH-ACTION CONDITION)

Streets

In the future with the Proposed Actions (the "With-Action" condition), the Project Site would be rezoned from an R5 zoning district to an R6 zoning district (see Attachment A, "Project Description"). The Proposed Project would consist of a seven-story, approximately 164,488 gsf primarily affordable housing development that would replace an existing 148-space municipal parking lot.

The Proposed Actions would not alter the arrangement or orientation of streets within the study area. The streetscape elements within the study area are limited primarily to wide sidewalks lined with trees and a variety of street furniture. The Proposed Project would maintain similar streetscape conditions around and near the Project Site and would establish a connection between existing sidewalks on Grant Avenue and Eldert Street to improve access to the Grant Avenue subway station. The Proposed Actions would not have a direct effect on buildings outside of the Project Site.

The Proposed Actions would result in a building with similar scale, bulk and design consistent with those that currently exist in the study area. While the 400 feet study area contains one- and two-story residential buildings near the Project Site, other buildings within the study area range from one to nine stories, similar to Proposed Project, which would incorporate a range of heights up to 75 feet. The Proposed Project will have a 15-foot setback on Eldert Street since it is a narrow street and 10-foot setback on Pitkin Avenue and Glenmore Avenue since both are wide streets. The proposed massing would be consistent with the diversity of buildings currently present in the study area. Consequently, the Proposed Actions would not result in a change to the built environment's arrangement, appearance, or functionality in a way that would result in a significant adverse impact on a pedestrian's experience of the area. Therefore, no significant adverse impacts related to urban design or visual resources would occur.



Source: Think! Architecture
581 Grant Avenue, Brooklyn, NY 11208

WITH-ACTION MASSING DIAGRAM

Figure G-5

581 Grant Avenue EAS



NO-ACTION
ELDERT LANE

Looking North

Figure G-6

581 Grant Avenue EAS



WITH-ACTION
ELDERT LANE

Looking North

Figure G-7

581 Grant Avenue EAS



NO-ACTION
GLENMORE AVENUE

Looking Northeast

Figure G-8

581 Grant Avenue EAS



WITH-ACTION
GLENMORE AVENUE

Looking Northeast

Figure G-9

581 Grant Avenue EAS



NO-ACTION
GRANT AVENUE

Looking North

Figure G-10

581 Grant Avenue EAS



WITH-ACTION
GRANT AVENUE

Looking North

Figure G-11

581 Grant Avenue EAS



NO-ACTION
PITKIN AVENUE

Looking Northeast

Figure G-12

581 Grant Avenue EAS



WITH-ACTION
PTIKIN AVENUE

Looking Northeast

Figure G-13

581 Grant Avenue EAS

Attachment G: Hazardous Materials

I. INTRODUCTION

This chapter assesses the potential for the presence of hazardous materials in soil, groundwater, and/or soil vapor at the Project Site, and evaluates the potential for hazardous materials impacts due to the Proposed Actions. According to *City Environmental Quality Review (CEQR) Technical Manual* guidelines, a hazardous materials assessment may be necessary when a proposed action could lead to increased exposure of people or the environment to hazardous materials, or whether increased exposure would lead to significant public health impacts or environmental damage.

As described in Attachment A, "Project Description," the New York City (NYC) Department of Housing Preservation and Development, on behalf of the project sponsor, Thorobird Companies, (the "Applicant") is seeking discretionary approvals ("Proposed Actions") to facilitate development of approximately 154,162 gross square feet (gsf) of residential uses (174 Dwelling Units or DUs) and approximately 10,326 gsf of community facility, totaling approximately 164,488 gsf ("Proposed Project"). The Proposed Project is expected to be completed by 2026. Currently, the Project Site is occupied by an approximately 148-space municipal parking lot operated by the NYC Department of Transportation. Land uses in the surrounding area are primarily residential and transportation-related.

II. METHODOLOGY

The potential for hazardous materials was evaluated based on the following reports:

- *Phase I Environmental Site Assessment,* dated February 2020, prepared by Roux Environmental Engineering and Geology, D.P.C

The Phase I Environmental Site Assessment (ESA) was performed in general accordance with the scope and limitations of the American Society for Testing and Materials (ASTM) International Standard E 1527-13, *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process* and the "due diligence" regulations of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) and Section 9601 (35)(b) of the Superfund Amendments and Reauthorization Act.

III. EXISTING CONDITIONS

Phase I ESA

One Recognized Environmental Condition (REC) was identified in the Phase I ESA:

- Presence of Potential Polychlorinated Biphenyl (PCB)-Containing Equipment in Connection with the Subway Tunnel and adjacent Subway Station: The Environmental Data Resources, Inc. database report indicated the removal and off-site disposal of PCB-containing waste from the adjacent Grant Avenue subway station. It is not known if PCBs remain in equipment associated with the subway station or tunnel that underlays the Project Site. However, potential historical or otherwise undocumented releases associated with this equipment may have affected the subsurface beneath the Project Site.

The Phase I ESA also identified the following Business Environmental Risk (BER) in connection with the Subject Property:

- Suspect Historical Fill Material: The Project Site historically was occupied by multiple residential buildings, which were demolished in order to construct the existing parking lot. It is likely that construction and demolition (C&D) materials such as concrete, brick, glass and other fill material constituents are present in the subsurface.

The Phase I ESA also identified the following data gaps:

- A groundwater monitoring well was observed on the sidewalk on the northeast side of the Subject Property on Eldert Lane. No other monitoring wells were observed near this well or on the Subject Property. In addition, no open New York State Department of Environmental Conservation (NYSDEC) spills or sites with confirmed environmental impacts were identified near this well. This well is most likely a piezometer utilized by the Metropolitan Transportation Authority (MTA) New York City Transit (NYCT) for water table evaluations, however, no information was available for the well and its presence is considered a data gap.
- No former or current owners, occupants or operators were available to interview as part of this Phase I ESA. Roux opines this data gap is insignificant based on the information collected from other resources throughout the course of this Phase I ESA.
- Awaiting responses to Freedom of Information Act (FOIA) requests from the New York City Fire Department (FDNY) pertaining to the Project Site. Based on the records obtained and reviewed from other resources, this is not considered a significant data gap.

No Historical RECs (HREC) or Controlled RECs (CREC) were identified in connection with the Project Site. According to ASTM E1527-13, which establishes Standard Practice for Phase I ESAs, an HREC is defined as a past release of any hazardous substances or petroleum products that has occurred in connection with the property and has been addressed to the satisfaction of the applicable regulatory authority or meeting unrestricted use criteria established by a regulatory authority, without subjecting the property to any required controls (for example, property use restrictions, activity and use limitations, institutional controls, or engineering controls). ASTM Standard E1527-13 defines a CREC as a recognized environmental condition resulting from a past release of hazardous substances or petroleum products that has been addressed to the satisfaction of applicable regulatory authority (for example, as evidenced by the issuance of a no further action letter or equivalent, or meeting risk-based criteria established by regulatory authority), with hazardous substances or petroleum products allowed to remain in place subject to the implementation of required controls (for example, property use restrictions, activity and use limitations, institutional controls, or engineering controls). Use of Railroad/Subway Station is also listed as a facility that if located on or adjacent to a tax lot would require assessment in the *CEQR Technical Manual.*

IV. FUTURE WITHOUT THE PROPOSED ACTION (NO-ACTION CONDITION)

In the future absent the Proposed Action (the “No-Action condition”), the Project Site in the 2026 analysis year would remain as under existing conditions and would continue to function as a 148-space municipal surface parking lot.

V. FUTURE WITH THE PROPOSED ACTION (WITH-ACTION CONDITION)

Under the With-Action condition, the Proposed Project would result in an increase over the No-Action condition of approximately 164,488 gsf of development, with an increase of 154,162 gsf (174 DUs) for residential use and 10,326 gsf for community facility use. Construction of the Proposed Project would require ground disturbance to provide the foundation for the proposed building, and related improvements, resulting in the potential disturbance of on-site hazardous materials.

Based on the findings of the Phase I ESA, an application will be submitted to NYSDEC to enter the Project Site into the Brownfield Cleanup Program (BCP). If the Project Site is accepted into the BCP, remedial

actions performed in conjunction with the Proposed Project would be subject to approval and oversight by NYSDEC and compliance with the requirements of the BCP, which will prevent significant adverse impacts from hazardous materials in connection with the Proposed Project. Should the application to enroll the Project Site in the BCP not be accepted, a Remedial Action Plan (RAP) and Construction Health and Safety Plan (CHASP) will be submitted to NYC Department of Environmental Protection (DEP) for review and approval. A RAP and site-specific CHASP will be prepared to establish procedures to be followed throughout all periods of construction and disturbance at the Project Site. Any Hazardous Materials remediation that is determined through a DEP approved RAP or CHASP will be required through the Land Disposition Agreement (LDA) and regulatory agreement between HPD and the Project Sponsor. Construction management, site-specific controls, and monitoring procedures established therein would be submitted to the DEP for review and approval. In August 2020, the Phase II work plan and HASP were reviewed and approved by DEP in a letter dated September 22, 2020 (see **Appendix B**). With the implementation of the RAP and CHASP, required through the LDA and regulatory agreement, the Proposed Project would not result in a significant adverse impact related to hazardous materials.

Attachment H: Noise

I. INTRODUCTION

This attachment assesses the potential for the Proposed Project to result in a significant adverse noise impact. Noise, in its simplest definition, is unwanted sound. As described in Section 200 of Chapter 19 of the *CEQR Technical Manual*, the noise assessment defines technical terms, identifies evaluation methods and criteria used to assess the potential for noise impacts, discloses the impacts of the Proposed Actions and, where significant adverse noise impacts are anticipated, identifies measures to avoid or mitigate potential impacts. Included are assessments of the impact of the Proposed Project on sensitive noise receptors and of the potential effects of ambient noise levels on sensitive noise uses introduced by the Proposed Project.

As described in Attachment A, "Project Description," the Proposed Actions would facilitate the development of a a mixed use building comprised of approximately 154,162 gross square feet (gsf) of residential uses (174 Dwelling Units or DUs) and 10,326 gsf of community facility, totaling approximately 164,488 gsf (the "Proposed Project"). No new schools or playgrounds are proposed as part of the Proposed Project. It is anticipated that the Proposed Project would be completed and operational in 2026.

Currently, the Project Site is occupied by an approximately 148-space municipal parking lot. Land uses in the surrounding area are primarily residential and transportation-related. The MTA's A subway line runs below ground and diagonally through the Project Site. The Grant Avenue Subway Station abuts the Project Site on the west.

II. METHODOLOGY

Scope of Analysis

In conformance to guidance in the *CEQR Technical Manual*, the goal of the noise analysis is to determine: 1) the effect of the Proposed Project on sensitive noise receptors, and 2) the effects of ambient noise levels on new sensitive uses introduced by the Proposed Project.

The Proposed Project would introduce new residential uses and community facilities to the Project Site. The major sources of existing noise at the Project Site are vehicular traffic on Brighton Beach Avenue, north of the Project Site and train traffic on the elevated MTA rail line, approximately 360 feet northeast of the Project Site. No new schools or playgrounds are proposed as part of the Proposed Project, nor are any schools or playgrounds or industrial noise sources within 400 feet of the Project Site. Based on these factors, the scope of the noise assessment included:

- Obtain traffic noise levels and vehicular mix at intersections subject to project-generated traffic;
- Project existing traffic noise levels into the future analysis year;
- Determine whether the relative increase in future traffic noise levels would exceed the thresholds identified under the discussion on Evaluation Criteria;
- Identify new sensitive receptors on the Project Site as part of the Proposed Project that would need protection from ambient noise levels; and
- Identify the appropriate noise attenuation to provide acceptable interior noise levels at sensitive receptors on the Project Site.

Analysis Year

The assessment of noise was completed for the year 2026, the year at which the Proposed Project would be complete and fully operational.

Noise Fundamentals

Noise Descriptors

Noise is measured on the basis of sound pressure level (SPL), which is converted to a decibel scale. The decibel is a relative measure of the sound level pressure with respect to a standardized reference quantity. Decibels on the "A-weighted scale" are termed "dBA." The A-weighted scale is used for evaluating the effects of noise in the environment since it most closely approximates the response of the human ear to noise. On this scale, the threshold of discomfort is 120 dBA, and the threshold of pain is about 140 dBA.

Table H-1: Sound Pressure Level and Loudness of Typical Noises in Indoor and Outdoor Environments shows the range of noise levels for a variety of indoor and outdoor sources. Because the scale is logarithmic, a relative increase of 10 decibels represents an SPL that is 10 times higher than base levels. The following are typical human responses to relative changes in noise level:

- 3 dBA change is the threshold of change detectable by the human ear
- 5 dBA change is readily noticeable
- 10 dBA change is perceived as a doubling or halving of noise level

Table H-1: Sound Pressure Level and Loudness of Typical Noises in Indoor and Outdoor Environments

Noise Level (dBA)	Subjective Impression	Typical Sources		Relative Loudness (Human Response)
		Outdoor	Indoor	
120-130	Uncomfortably Loud	Air raid siren at 50 feet (threshold of pain)	Oxygen torch	32 times as loud
110-120	Uncomfortably Loud	Turbo-fan aircraft at take-off power at 200 feet	Riveting machine Rock band	16 times as loud
100-110	Uncomfortably Loud	Jackhammer at 3 feet		8 times as loud
90-100	Very Loud	Gas lawn mower at 3 feet Subway train at 30 feet Train whistle at crossing Woodchipper shredding trees Chain saw cutting trees at 10 feet	Newspaper press	4 times as loud
80-90	Very Loud	Passing freight train at 30 feet Steamroller at 30 feet Leaf blower at 5 feet Power lawn mower at 5 feet	Food blender Milling machine Garbage disposal Crowd noise at sports event	2 times as loud
70-80	Moderately Loud	NJ Turnpike at 50 feet Truck idling at 30 feet Traffic in downtown urban area	Loud stereo Vacuum cleaner Food blender	Reference loudness (70 dBA)
60-70	Moderately Loud	Residential air conditioner at 100 feet Gas lawn mower at 100 feet Waves breaking on beach at 65 feet	Cash register Dishwasher Theater lobby Normal speech at 3 feet	2 as loud
50-60	Quiet	Large transformers at 100 feet Traffic in suburban area	Living room with TV on Classroom Business office Dehumidifier Normal speech at 10 feet	1/4 as loud
40-50	Quiet	Bird calls, Trees rustling, Crickets, Water flowing in brook	Folding clothes Using computer	1/8 as loud
30-40	Very quiet		Walking on carpet Clock ticking in adjacent room	1/16 as loud
20-30	Very quiet		Bedroom at night	1/32 as loud
10-20	Extremely quiet		Broadcast and recording studio	
0-10	Threshold of hearing			

Sources: Noise Assessment Guidelines Technical Background, by Theodore J. Schultz, Bolt Beranek and Newman, Inc., prepared for U.S. HUD, Office of Research and Technology, Washington, D.C., undated; Sandstone Environmental Associates, Inc.; Highway Noise Fundamentals, prepared by the Federal Highway Administration, U.S. Department of Transportation, September 1980; Handbook of Environmental Acoustics, by James P. Cowan, Van Nostrand Reinhold, 1994.

The SPL that humans experience typically varies from moment to moment. Therefore, a variety of descriptors are used to evaluate environmental noise levels over time. Some typical descriptors are defined below:

- L_{eq} is the continuous equivalent sound level. The sound energy from the SPLs is averaged over time to create a single number to describe the mean energy or intensity level. High noise levels during a monitoring period will have greater effect on the L_{eq} than low noise levels. The L_{eq} has an advantage over other descriptors because L_{eq} values from different noise sources can be added and subtracted to determine cumulative noise levels.

- L_{max} is the highest SPL measured during a given period of time. It is useful in evaluating L_{eq}s for time periods that have an especially wide range of noise levels.
- L_{10} is the SPL exceeded 10%of the time. Similar descriptors are the L_{01}, L_{50}, and L_{90}.
- L_{dn} is the day-night equivalent sound level. It is similar to a 24-hour L_{eq}, but with 10 dBA added to SPL measurements between 10 pm and 7 am to reflect the greater intrusiveness of noise experienced during these hours. L_{dn} is also termed DNL.

Noise Attenuation

Noise levels from a given source lessen with distance. Noise from a "line" source (e.g., roadways) typically lessens at a rate of 3 dBA per distance doubling, based on a reference distance of 50 feet, for noise traveling through air or over a hard surface, and lessens at a rate of 4.5 dBA per doubling of distance for noise traveling over a soft surface. Noise from a stationary source attenuates at a rate of 6 dBA when traveling through air or over a hard surface and up to 7 or 8 dBA when traveling over a soft surface.

Passenger Car Equivalent Values

Noise impacts from vehicular traffic are based on "Passenger Car Equivalents" (PCEs). PCEs are the number of autos that would generate the same noise level as the observed mix of autos, medium trucks (cargo vehicles with two axles and six tires and a gross weight between 9,900 and 26,400 pounds), heavy trucks (three or more axles and a gross weight of more than 26,400 pounds), and buses (two or three axles and capable of carrying more than nine passengers). As identified in the *CEQR Technical Manual*:

- One auto or light truck = One PCE
- One medium truck = 13 PCEs
- One heavy truck = 47 PCEs
- One bus = 18 PCEs

The noise generated by motorcycles is generally considered to be equivalent to noise generated by medium trucks. PCEs are used to compare the effects of changes in traffic on roadways for different future scenarios.

Where traffic volumes are projected to change, proportional modeling techniques, as described in the *CEQR Technical Manual*, typically are used to project incremental changes in traffic noise levels. This technique uses the change in traffic volumes to project changes between No-Action and With-Action noise levels. The change in future noise levels is calculated using the following equation, which is sometimes termed the "proportionality equation":

$FNL=ENL + 10 \times \log_{10} (FPCE/EPCE)$ where:

FNL= Future Noise Level

ENL= Existing Noise Level

FPCE= Future PCEs

EPCE= Existing PCEs

Since sound levels use a logarithmic scale, this model proportions change in noise levels logarithmically with traffic change ratios. For example, assuming that traffic is the dominant noise source at a location, if the existing traffic volume on a street is 100 PCEs, and the future traffic volume were increased by 50 PCEs to a total of 150 PCEs, the noise level would increase by 1.8 dBA above the exiting noise level. Similarly, if

future traffic increased by 100 PCEs, (i.e., doubled to a total of 200 PCEs), the noise level would increase by 3.0 dBA above the existing noise level.

Window/Wall Attenuation Ratings

The attenuation of noise for a composite structure is a function of the attenuation provided by each of its component parts and how much of the area is made up of each part. Typically, a building facade is composed of the wall, glazing, and any vents or louvers for heating, ventilation, and air conditioning (HVAC) systems in various ratios of area. All new facades would need to provide composite Outdoor-Indoor Transmission Class (OITC) ratings greater than or equal to the attenuation needed to provide interior noise levels of 45 dBA or less. The OITC classification is defined by the American Society of Testing and Materials (ASTM E1332-90) and provides a single-number rating that is used to design a building facade including walls, doors, glazing, and combinations thereof. The OITC rating is designed to evaluate building elements by their ability to reduce the overall loudness of ground and air transportation. It is designed to evaluate building elements by their ability to reduce the overall loudness of ground and air transportation noise. Higher OITC values reflect greater efficiencies to block exterior airborne sound.

Noise Standards and Guidelines

CEQR Guidelines

In 1983, the New York City (NYC) Department of Environmental Protection (DEP) adopted City Environmental Protection Order - CEQR noise standards for exterior noise levels. These standards are used to classify noise exposure into four categories: Acceptable, Marginally Acceptable, Marginally Unacceptable, and Clearly Unacceptable (see **Table H-2: CEQR Noise Exposure Guidelines for Use in City Environmental Impact Review**).

Table H-3: Required Attenuation Values to Achieve Acceptable Interior Noise Levels shows the required attenuation for sensitive uses within the last three categories shown in **Table H-2**. For example, an L_{10} may approach 80 dBA provided that buildings are constructed of materials that reduce exterior to interior noise levels by at least 35 dBA to 45 dBA for residential and community facility uses.

Table H-2: CEQR Noise Exposure Guidelines for Use in City Environmental Impact Review[1]

Receptor Type	Time Period	Acceptable General External Exposure	Airport[3] Exposure	Marginally Acceptable General External Exposure	Airport[3] Exposure	Marginally Unacceptable General External Exposure	Airport[3] Exposure	Clearly Unacceptable General External Exposure	Airport[3] Exposure
1.Outdoor area requiring serenity and quiet[2]		$L_{10} \leq 55$ dBA							
2. Hospital, Nursing Home		$L_{10} \leq 55$ dBA		$55 < L_{10} \leq 65$ dBA		$65 < L_{10} \leq 80$ dBA		$L_{10} > 80$ dBA	
3. Residence, residential hotel or motel	7 am to 10 pm	$L_{10} \leq 65$dBA		$65 < L_{10} \leq 70$ dBA		$70 < L_{10} \leq 80$ dBA		$L_{10} > 80$ dBA	
	10 pm to 7 am	$L_{10} \leq 55$dBA		$55 < L_{10} \leq 70$dBA		$70 < L_{10} \leq 80$ dBA		$L_{10} > 80$ dBA	
4. School, museum, library, courthouse of worship, transient hotel or motel, public meeting room, auditorium, out-patient public health facility		Same as Residential Day (7 AM-10 PM)		Same as Residential Day (7 AM-10 PM)		Same as Residential Day (7 AM- 10 PM)		Same as Residential Day (7 AM –10 PM)	
5. Commercial or office		Same as Residential Day (7 AM-10 PM)		Same as Residential Day (7 AM-10 PM)		Same as Residential Day (7 AM –10 PM)		Same as Residential Day (7 AM-10 PM)	
6. Industrial, public areas only[4]	Note 4	Note 4	$L_{dn} \leq 60$ dBA	Note 4	$L_{dn} \leq 60$ dBA	Note 4	$L_{dn} \leq 60$ dBA	Note 4	$L_{dn} \leq 75$ dBA

Source: NYCDEP (adopted policy 1983).

Notes:

(i) In addition, any new activity shall not increase the ambient noise level by 3 dBA or more;

[1] Measurements and projections of noise exposures are to be made at appropriate heights above site boundaries as given by American National Standards Institute (ANSI) Standards; all values are for the worst hour in the time period.

[2] Tracts of land where serenity and quiet are extraordinarily important and serve an important public need and where the preservation of these qualities is essential for the area to serve its intended purpose. Such areas could include amphitheaters, particular parks or portions of parks or open spaces dedicated or recognized by appropriate local officials for activities requiring special qualities of serenity and quiet. Examples are grounds for ambulatory hospital patients and patients and residents of sanitariums and senior homes.

[3] One may use the FAA-approved L_{dn} contours supplied by the Port Authority, or the noise contours may be computed from the federally approved Integrated Noise Model (INM) Computer Model using flight data supplied by the Port Authority of New York and New Jersey.

[4] External Noise Exposure standards for industrial areas of sounds produced by industrial operations other than operating motor vehicles or other transportation facilities are spelled out in the NYC Zoning Resolution, Sections 42-20 and 42-21. The referenced standards apply to M1, M2, and M3 manufacturing districts and to adjoining residence districts (performance standards are octave band standards).

Table H-3: Required Attenuation Values to Achieve Acceptable Interior Noise Levels

Noise Level with Proposed Project	Marginally Unacceptable				Clearly Unacceptable
	$70<L_{10}\leq73$	$73<L_{10}\leq76$	$76<L_{10}\leq78$	$78<L_{10}\leq80$	$80<L_{10}$
Attenuation[A]	(I) 28 dB(A)	(II) 31 dB(A)	(III) 33 dB(A)	(IV) 35 dB(A)	$36 + (L_{10} - 80)$[B] dB(A)

Note: [A] The above composite window-wall attenuation values are for residential dwellings. Commercial office spaces and meeting rooms would be 5 dB(A) less in each category. All the above categories require a closed-window situation and hence an alternate means of ventilation.

[B] Required attenuation values increase by 1 dB(A) increments for L_{10} values greater than 80 dBA.

Source: NYC DEP / *2014 CEQR Technical Manual*, Table 19-3.

Evaluation Criteria

The selection of incremental values and absolute noise levels are responsive to the nuisance levels of noise and the time periods when nuisance levels are most acute. During “daytime” hours (defined as between 7 am and 10 pm), nuisance levels for noise are generally considered to be more than 45 dBA indoors and 70 to 75 dBA outdoors. Indoor activities are subject to task interference above 45 dBA, while outdoor conversation is subject to interference between 70 to 75 dBA Nighttime (defined as between 10 pm and 7 am) is a particularly critical time period relative to potential noise level increases. Typical construction techniques used in the past (including typical single-glazed windows) provide a minimum of approximately 20 dBA of noise attenuation from outdoor to indoor areas.

Based on the foregoing, the *CEQR Technical Manual* provides the following relative noise level increases for determining impacts from a proposed action:

- An increase of five dBA or more in With-Action $L_{eq(1)}$ noise levels at sensitive receptors (including residences, play areas, parks, schools, libraries, and houses of worship) over those calculated for the No-Action condition, if the No-Action levels are 60 dBA $L_{eq(1)}$ or less and the analysis period is not a nighttime period.
- An increase of four dBA or more in With-Action $L_{eq(1)}$ noise levels at sensitive receptors over those calculated for the No-Action condition, if the No-Action levels are 61 dBA $L_{eq(1)}$.
- An increase of three dBA or more in With-Action $L_{eq(1)}$ noise levels at sensitive receptors over those calculated for the No-Action condition, if the No-Action levels are 62 dBA $L_{eq(1)}$ or greater, or the analysis period is a nighttime period.
- An increase of three dBA or more in With-Action $L_{eq(1)}$ noise levels at sensitive receptors over those calculated for the No-Action condition, if the analysis period is a nighttime period.

Impact thresholds for proposed projects that introduce sensitive receptors are based on the Noise Exposure Guidelines shown in **Table J-2**. If a project is within an area where the project noise levels exceed the marginally acceptable limit shown in the Noise Exposure Guidelines (as measured at the proposed building line or property line), a significant impact would occur. For this project, a potential impact would be identified if the Proposed Project would place new residential uses in an area with an exterior L_{10} noise level of 70 dBA or more.

If a significant impact is projected, mitigation measures will be developed to reduce the interior noise levels by 25 dBA or more below the maximum marginally acceptable levels for external exposure shown in **Table H-2**.

III. EXISTING CONDITIONS

Noise Monitoring

Existing noise levels were determined based on on-site monitoring during the AM, Midday, and PM weekday peak traffic periods on Wednesday, February 12, 2020, and during the midday peak traffic period on Saturday on February 8, 2020. Train noise was monitored at the 80th Street subway station platform on September 21, 2021. Noise levels were monitored on each of the four roadways where the site has frontage. The noise monitoring locations are listed below and shown in **Figure H-1: Noise Monitoring Locations.**

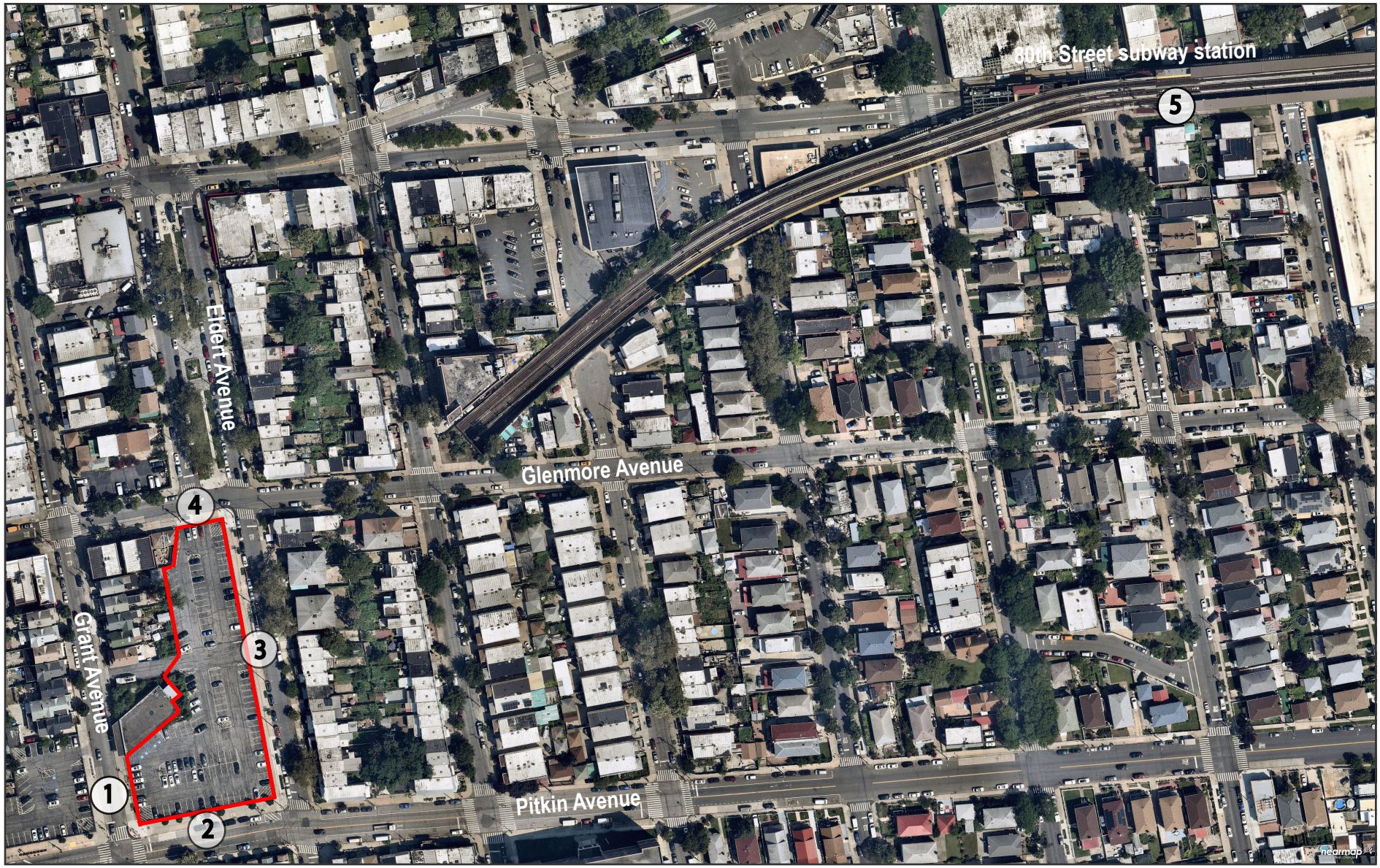
1. Site frontage at Grant Avenue
2. Site frontage, mid-block at Pitkin Avenue
3. Site frontage, mid-block at Eldert Avenue
4. Site frontage at Glenmore Avenue
5. 80th Street subway station platform

One noise monitor was deployed mid-block at the site frontages along Grant Avenue and Pitkin Avenue for a duration of 20 minutes during peak periods. A second monitor was placed mid-block at the site frontages along Eldert Lane and Glenmore Avenue for 20 minutes during peak periods. Traffic volumes by vehicle classification were counted concurrently during the noise monitoring periods. The vehicle classifications included:

- Passenger cars and light duty trucks (including small gasoline school buses)
- Medium trucks (two axles, six tires)
- Heavy duty trucks (three or more axles)
- Buses
- Motorcycles (counted as equivalent to medium trucks)

Although the Project Site is located adjacent to an underground subway station (Grant Avenue Station) on Block 4223, Lot 6, no subway noise was audible at the Project Site. Therefore, this subway station was not considered in the noise analysis.

An elevated MTA rail line is located approximately 360 feet northeast of the Project Site. Although the MTA rail line is within 1,500 feet of the Project Site, the site is shielded from train noise by intervening buildings. However, architect's drawings show that some windows on the third and fourth floors would have a direct line of sight to the rail line. To obtain noise levels for use in evaluating train noise at the affected windows, noise levels were monitored on the platform of the nearest above-ground train station, which was on Liberty Avenue between 77th and 78th Streets.



Source: Nearmap, 2019

Project Site

1 Grant Avenue

2 Pitkin Avenue

3 Eldert Avenue

4 Glenmore Avenue

5 80th subway street station

NOISE MONITORING LOCATIONS

Figure J-1

581 Grant Avenue EAS

Table H-4: Observed Noise Levels (dBA) summarizes monitored noise levels. Dominant sources of noise at the four monitoring locations were motor vehicles. The Grant Avenue location experienced the highest noise levels during the peak PM period. Monitored noise levels at Pitkin Avenue and Eldert Avenue were highest during the peak AM period while the peak PM period had the highest noise levels at Glenmore Avenue. Glenmore Avenue had the highest L_{10} level during the peak PM period. The Saturday Midday period at this site showed a very high L_{eq} due to a loud ambulance siren which caused a spike in the monitor's calculations. As a result, the L_{eq} and L_{10} are not representative of peak Saturday noise levels on Glenmore Avenue. Traffic volumes at this site (see **Table H-5**) are not sufficient to explain the noise levels, and no other sources of noise capable of causing this high noise level were present. An adjustment to the Saturday noise levels for this site was carried out as described under Existing Conditions.

Table H-4: Observed Noise Levels (dBA)

Site	Date and Time	Leq	L10	MinL	MaxL	L01	L90
Grant Avenue	8:45 am - 9:05 am	62.5	66.3	52.9	77.5	72.5	54.3
	12:26 pm - 12:46 pm	62.0	66.9	51.1	73.0	70.9	53.8
	5:13 pm - 5:33 pm	**66.3**	**68.5**	54.0	89.9	74.2	57.0
	Sat MD 12:02 pm-12:22 pm	64.3	67.6	51.8	83.2	71.8	55.5
Pitkin Avenue	7:28 am - 7:48 am	**65.8**	**67.9**	52.9	82.5	77.7	56.6
	12:55 pm - 1:15 pm	62.4	64.0	47.9	80.5	73.6	52.8
	4:49 pm - 5:09 pm	64.2	66.3	52.7	81.7	74.7	55.2
	Sat MD 12:32 pm- 12:52 pm	64.2	67.2	53.4	79.8	72.4	57.2
Eldert Avenue	7:54 am- 8:14 am	59.8	**63.2**	50.2	73.3	69.5	52.5
	1:20 pm - 1:40 pm	56.2	58.9	46.1	73.4	65.6	48.4
	4:25 pm - 4:45 pm	58.9	61.8	51.4	69.4	67.5	53.3
	Sat MD 1:01 pm- 1:21pm	**61.4**	63.1	50.6	80.1	72.1	52.5
Glenmore Avenue	7:54 am- 8:14 am	61.5	64.4	48.2	78.9	71.8	51.3
	12:00- 12:20 pm	59.0	62.1	43.1	80.3	68.6	47.8
	4:00 pm - 4:20 pm	64.3	**65.7**	47.9	85.7	74.7	50.8
	Sat MD 1:27 pm-1:47 pm	**69.4***	65.4	48.9	94.3	79.9	52.0
80th Street subway station	7:11 am- 8:11 am	73.8	**75.0**	49.6	95.4	87.4	52.4
	11:59 am- 12:59 pm	71.9	69.4	50.8	92.9	86.3	52.6
	4:00 pm - 5:00 pm	**74.3**	74.8	51.5	91.8	88.0	54.9

Note: Numbers in bold type are the highest for that site. *High values due to anomalous event do not reflect typical traffic noise levels at this site.

Existing Noise Levels

Table H-5: Peak Hour Noise Levels (dBA) and Traffic Volumes, Existing Conditions summarizes the existing noise levels, traffic volumes and equivalent PCEs, at Grant Avenue, Pitkin Avenue, Eldert Avenue and Glenmore Avenue. As shown in Tables J-4 and J-5, the highest L_{eq} and L_{10} values for Grant Avenue occurred during the PM period due to the higher volumes of traffic and associated PCEs. Peak noise levels at Pitkin Avenue, along the southern boundary of the Project Site occurred during the AM period due to a high number of buses, which stop and idle at the Pitkin Avenue Bus Stop. The Saturday Midday L_{10} at Eldert Avenue is the highest due to the higher number of buses compared to the other periods. Glenmore Avenue, along the northern boundary of the site was observed to have relatively high noise levels during the Saturday Midday period. As explained previously, this is due to a loud ambulance siren. Therefore, the L_{eq} for Glenmore's Saturday Midday period was recalculated by comparing its PCEs with the weekday AM period using the proportionality equation described previously. The AM period was selected because it has three medium trucks and no heavy trucks or buses, which is similar to the Saturday period. The resulting adjustments to the Saturday L_{eq} and L_{10} were based on the peak AM period. L_{10} noise levels during all time periods at all locations were less than 70 dBA.

Table H-5: Peak Hour Noise Levels (dBA) and Traffic Volumes, Existing Conditions

Site ID	Location	Autos	Medium Trucks	Heavy Trucks	Buses	Total	Traffic PCEs	Leq	L10
1	Grant Avenue	108	0	0	9	117	270	62.5	66.3
		102	0	0	9	111	264	62.0	66.9
		147	9	0	12	168	480	**66.3**	**68.5**
		111	0	0	18	129	435	64.3	67.6
2	Pitkin Avenue	342	18	0	39	399	1,278	**65.8**	**67.9**
		204	9	3	12	228	678	62.4	64.0
		534	15	3	21	573	1,248	64.2	66.3
		411	6	0	24	441	921	64.2	67.2
3	Eldert Avenue	285	0	0	0	285	285	59.8	**63.2**
		171	0	0	3	174	225	56.2	58.9
		192	0	0	0	192	192	58.9	61.8
		210	0	0	15	225	480	**61.4**	63.1
4	Glenmore Avenue	165	3	0	0	168	204	61.5	64.4
		213	6	0	0	219	291	59.0	62.1
		255	6	6	0	267	615	**64.3**	**65.7**
		57	3	0	0	60	96	58.2*	61.1
5	80th Street subway station[1]							73.8	75.0
								71.9	69.4
								74.3	74.8

Note: Numbers in bold type are the highest for that site. *Adjusted L_{eq} based on PCE comparison with the AM peak period.

[1] Train noise

IV. FUTURE WITHOUT PROPOSED ACTIONS (NO-ACTION CONDITION)

Absent the Proposed Project (the "No-Action" scenario), the Project Site would remain as under existing conditions, which is a 148-space municipal parking space. The existing noise levels and traffic volumes were projected to 2026 using a growth factor of 0.50% per year between one to five years (between

monitoring date and building year) and a rate of 0.25% year six and beyond, as recommended in Table 16-4 of the *CEQR Technical Manual*. In conformance with additional guidance in the *CEQR Technical Manual,* adjustments were made using the "proportionality equation" for the existing condition volumes and the volumes for the No-Action traffic. The resulting increase in noise levels at all sites was 0.119 dBA. **Table H-6: Traffic Volumes and Noise Levels (dBA) 2026, No-Action Conditions** summarizes the future one-hour traffic volumes and equivalent PCEs for the four monitoring locations and **Table H-7: Train Noise Levels 2026, No-Action Condition** summarizes the future noise levels from noise monitoring location number five.

Table H-6: Traffic Volumes and Noise Levels (dBA) 2026, No-Action Condition

Site ID	Location	Period	Existing				No-Action					Category
			Volumes	PCEs	L_{eq}	L_{10}	Volumes	PCEs	Noise Increase	L_{eq}	L_{10}	
1	Grant Avenue	AM	117	270	62.5	66.3	120	278	0.119	62.6	66.4	Marginally Acceptable
		MD	111	264	62	66.9	114	271	0.119	62.1	67.0	
		PM	168	480	66.3	68.5	173	493	0.119	66.4	**68.6**	
		Sat MD	129	435	64.3	67.6	133	447	0.119	64.4	67.7	
2	Pitkin Avenue	AM	399	1,278	65.8	67.9	410	1314	0.119	65.9	**68.0**	Marginally Acceptable
		MD	228	678	62.4	64	234	697	0.119	62.5	64.1	
		PM	573	1,248	64.2	66.3	589	1283	0.119	64.4	66.4	
		Sat MD	441	921	64.2	67.2	453	947	0.119	64.3	67.3	
3	Eldert Avenue	AM	285	285	59.8	63.2	293	293	0.119	59.9	63.3	Acceptable
		MD	174	225	56.2	58.9	179	231	0.119	56.3	59.0	
		PM	192	192	58.9	61.8	197	197	0.119	59.0	61.9	
		Sat MD	225	480	61.4	63.1	231	493	0.119	61.5	63.2	
4	Glenmore Avenue	AM	168	204	61.5	64.4	173	210	0.119	61.6	64.5	Marginally Acceptable
		MD	219	291	59	62.1	225	299	0.119	59.1	62.2	
		PM	267	615	64.3	65.7	274	632	0.119	64.5	65.8	
		Sat MD	60	96	58.2	61.1	62	99	0.119	58.3	61.2	

Table H-7: Train Noise Levels (dBA) 2026, No-Action Condition

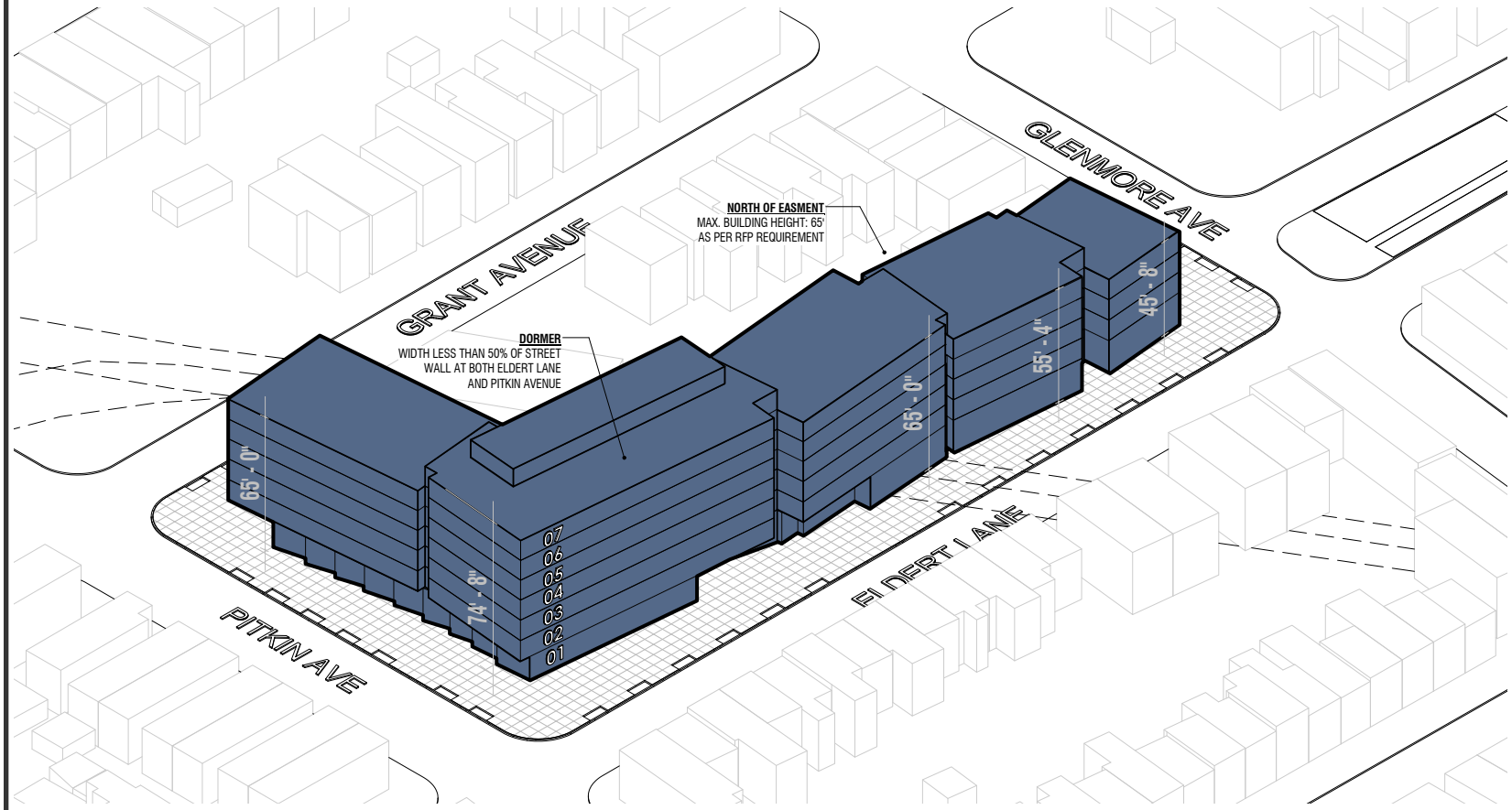
Floor	Façade Facing	Train noise at receptor	No-Action Noise Levels		
			Traffic L_{eq}	Total L_{eq}	Total L_{10}
1	Glenmore Avenue		64.5	64.5	65.8
2	Glenmore Avenue		64.5	64.5	65.8
3	Glenmore Avenue	60.5	64.5	65.9	67.3
4	Glenmore Avenue	60.5	64.5	65.9	67.3

V. FUTURE WITH PROPOSED ACTIONS (WITH-ACTION CONDITION)

In the future with the Proposed Actions (the “With-Action condition”), the Project Site would be redeveloped with an approximately 164,488 gross square foot (gsf) mixed-use building rising to seven stories. The building would consist of approximately 154,162 gsf of residential space that would generate 174 dwelling units (DUs) and approximately 10,326 gsf of community facility. The Proposed Project is depicted on **Figure H-2: With-Action Massing Diagram**.

Building Envelope Proposed

ZONING ANALYSIS **02.3**



Grant Avenue Modular
581 Grant Ave., Brooklyn, NY

Think! Architecture
Note: For Illustrative Purposes Only

WITH-ACTION MASSING DIAGRAM

Figure H-2
581 Grant Avenue

Traffic Noise

To calculate future traffic volumes, the incremental increases in traffic due to the Proposed Project were added to No-Action traffic volumes. These incremental changes in traffic between the No-Action and With-Action conditions were assumed to be autos and passenger vehicles. Medium trucks, heavy trucks, and buses were assumed to remain the same as in the No-Action condition. As summarized in **Table H-8: Traffic Volumes and Noise Levels (dBA) 2026, With-Action Condition,** all monitored sites are projected to have L_{10} levels below 70 dBA.

Table H-8: Traffic Volumes and Noise Levels (dBA) 2026, With-Action Condition

Site ID	Location	Period	No-Action				With- Action					Category
			Volumes	PCEs	L_{eq}	L_{10}	Volumes	PCEs	Noise Increase	L_{eq}	L_{10}	
1	Grant Avenue	AM	120	278	62.6	66.4	168	326	0.69	63.3	67.1	Marginally Acceptable
		MD	114	271	62.1	67.0	142	299	0.43	62.5	67.4	
		PM	173	493	66.4	**68.6**	221	541	0.40	66.8	**69.0**	
		Sat MD	133	447	64.4	67.7	169	483	0.34	64.8	68.1	
2	Pitkin Avenue	AM	410	1314	65.9	**68.0**	458	1362	0.16	66.1	**68.2**	Marginally Acceptable
		MD	234	697	62.5	64.1	262	725	0.17	62.7	64.3	
		PM	589	1283	64.4	66.4	637	1331	0.16	64.5	66.6	
		Sat MD	453	947	64.3	67.3	489	983	0.16	64.5	67.5	
3	Eldert Avenue	AM	293	293	59.9	63.3	341	341	0.66	60.6	**64.0**	Acceptable
		MD	179	231	56.3	59.0	207	259	0.50	56.8	59.5	
		PM	197	197	59.0	61.9	245	245	0.95	59.9	62.9	
		Sat MD	231	493	61.5	63.2	267	529	0.31	61.8	63.5	
4	Glenmore Avenue	AM	173	210	61.6	64.5	221	258	0.90	62.5	65.4	Marginally Acceptable
		MD	225	299	59.1	62.2	253	327	0.39	59.5	62.6	
		PM	274	632	64.5	65.8	322	680	0.32	64.8	**66.1**	
		Sat MD	62	99	58.3	61.2	98	135	1.35	59.7	62.6	

Notes: *MU I = Marginally Unacceptable I; MU II = Marginally Unacceptable II; MU III = Marginally Unacceptable III*

Estimated incremental changes between No-Action and With-Action Condition in noise levels, ranged between 0.16 and 1.35 dBA between No-Action and With-Action scenario. This indicates that the traffic volumes due to the Proposed Actions would not cause a 3 dBA increase compared to No-Action noise levels.

Train Noise

As stated previously, noise from the Grant Avenue Subway Station was not considered in the analysis since it is not above ground and there is no direct line of site to the Project Site. However, the noise impact of the elevated MTA Number A subway line, located approximately 360 feet east of the Project Site, was calculated using distance attenuation in order to calculate noise levels for floors 3 and 4 of the Proposed Project. The subway line runs above ground until Glenmore Avenue and Forbell Street, where it descends below ground. The point where it disappears below ground is the closest point to the Proposed Project. A 3 dBA distance doubling was assumed, which is typical of a line source, as a conservative worst-case

scenario. As summarized in **Table H-9: Train Noise Levels (dBA) 2026 and Required Attenuation, With-Action Condition,** noise levels at Glenmore Avenue are projected to have L_{10} levels below 70 dBA.

Table H-9: Train Noise Levels (dBA) 2026 and Required Attenuation, With-Action Condition

Floor	Façade Facing	Train noise at receptor	No Action Noise Levels			With Action Noise Levels			Minimum Required Attenuation (dBA)
			Traffic Leq	Total Leq	Total L10	Traffic Leq	Total Leq	Total L10	
1	Glenmore Ave		64.5	**64.4**	**65.8**	64.8	**64.8**	**66.1**	28
2	Glenmore Ave		64.5	**64.4**	**65.8**	64.8	**64.8**	**66.1**	28
3	Glenmore Ave	60.5	64.5	**65.9**	**67.3**	64.8	**66.1**	**67.5**	28
4	Glenmore Ave	60.5	64.5	**65.9**	**67.3**	64.8	**66.1**	**67.5**	28

The proposed building along Glenmore Avenue would have four stories with a total height of 45 feet. Based on the vertical and horizontal distances between the point where the subway line comes above ground and the Proposed Project, noise levels due to the train noise would have an L_{eq} of 60.5 dBA on the 3rd and 4th floors. The first and second floors would be shielded from the train noise by intervening buildings. The L_{eq} for train noise, 60.5 dBA, was added logarithmically to the peak PM traffic noise L_{eq} of 64.5 dBA for the With-Action conditions. This resulted in a total L_{eq} of 66.1 dBA and a total L_{10} of 67.5 dBA for windows on the third and fourth floors of the Glenmore facade.

Based on CEQR Noise Exposure guidelines, exterior noise levels would be Marginally Acceptable for the frontages along Grant Avenue, Pitkin Avenue, and Glenmore Avenue and Acceptable for Eldert Avenue. Consequently, no traffic-related or train noise impacts would occur due to the Proposed Action. No noise attenuation would be required for the Proposed Project since With-Action L_{10} noise levels would be below 70 dBA on all facades.

VI. CONCLUSION

Traffic generated by the Proposed Project would not result in a doubling of PCEs. Projected future noise levels at the Proposed Project would be below 70 dBA. Therefore, the Proposed Action would not result in significant adverse noise impacts.

Attachment I: Air Quality

An air quality assessment is used to determine whether a proposed project would result in a significant adverse impact on ambient air quality due to pollutant emissions from stationary or mobile sources. It also considers the potential of existing sources of air pollution to result in a significant adverse impact on new populations introduced by a proposed action.

As described in Attachment A, "Project Description," the Proposed Actions would facilitate the development of an approximately 154,162 gross square feet (gsf) of residential uses (174 Dwelling Units or DUs), and approximately 10,326 gsf of community facility, totaling approximately 164,488 gsf of mixed-use building ("Proposed Project"). The Proposed Project is expected to be completed by 2026. Currently, the Project Site is occupied by an approximately 148-space municipal parking lot.

To facilitate this development, it is proposed that the Project Site be rezoned from R5 to R6. Lot 6 and portions of Lots 12 and 22 in Block 4223 would also be rezoned to R6. A zoning text amendment to Appendix F (Inclusionary Housing Designated Areas and Mandatory Inclusionary Areas) of the Zoning Resolution (ZR) is also proposed to designate the Project Site as a Mandatory Inclusionary Housing (MIH) Area pursuant to Option #1, as described in Attachment A, "Project Description", which requires that 25% of the residential area be affordable at 60% of Area Median Income (AMI), with no unit targeted at a level exceeding 130% AMI. For purposes of this assessment, it is conservatively assumed that all proposed residential units would be affordable to households with incomes up to 80% AMI. Related to mobile source emissions, the Proposed Project would not:

- result in operable windows or air intakes within 200 feet of an atypical roadway;
- generate 170 or more peak hour auto trips;
- divert existing peak hour traffic;
- generate more than 12 peak hour heavy duty diesel vehicles; or
- result in new sensitive uses adjacent to large existing parking facilities or parking garage vents.

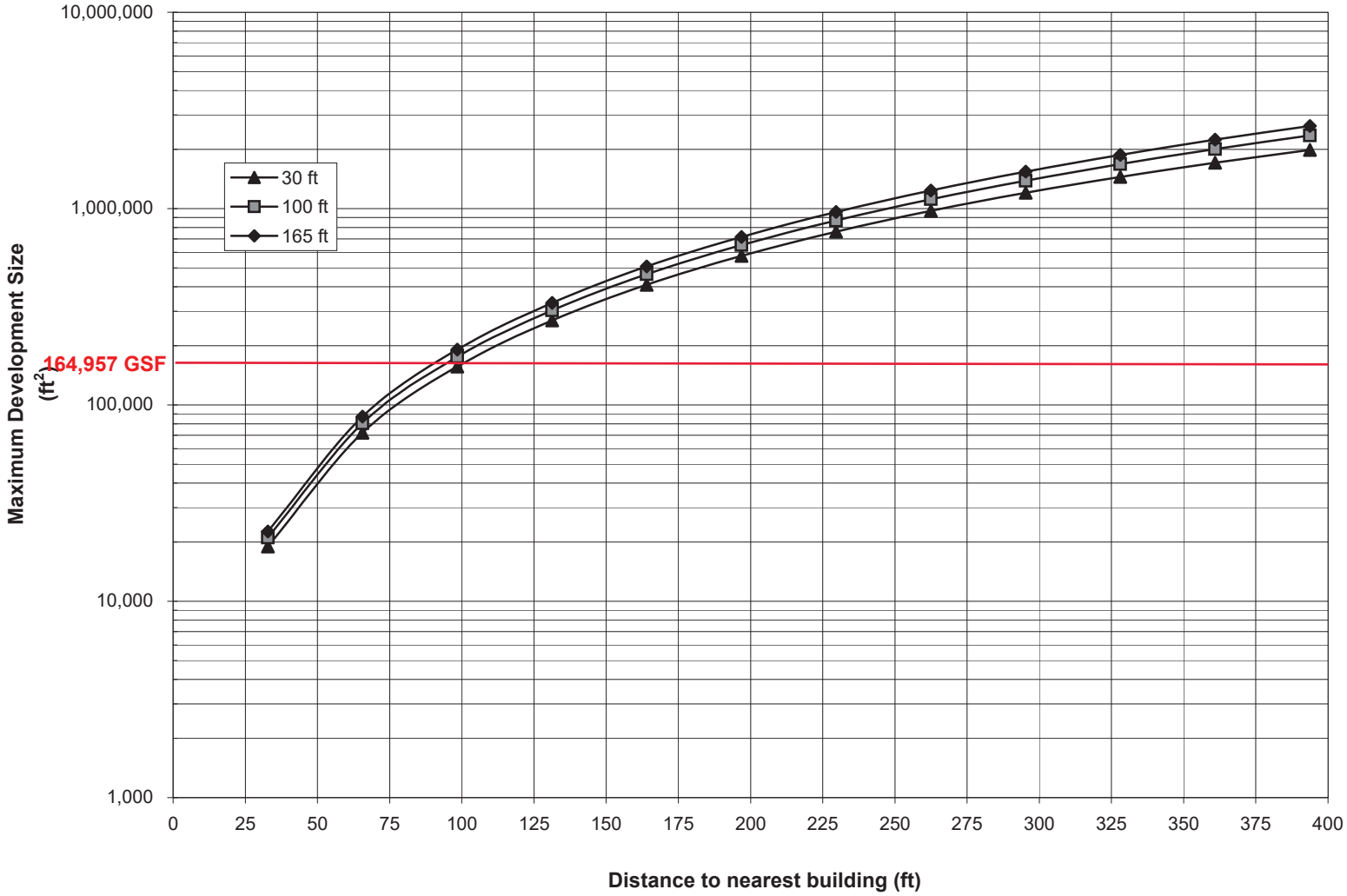
In regard to stationary source emissions, the Proposed Project would not:

- utilize fossil fuels for heating/hot water, ventilation, and air conditioning systems;
- create major or large emission sources;
- result in new uses located near a major or large emission source;
- result in medical, chemical, or research lab uses;
- result in new uses located near medical; chemical, or research labs;
- result in operation of manufacturing or processing facilities;
- result in new uses located within 400-feet of manufacturing or processing facilities;
- result in non-point sources that could generate fugitive dust (such as unpaved surfaces and storage piles that could result in fugitive dust);
- result in new uses located near non-point sources that could result in fugitive dust;
- result in uses that would result in potentially significant odors;
- result in new uses located near an odor-producing facility; or
- introduce stationary source emissions to nearby buildings of similar or greater height (see **Figure I-1: Air Quality Nomograph**).

Therefore, no significant adverse impacts to air quality would occur.

Project Site: 581 Grant Avenue, Brooklyn, NY
Stack Height: 83' 6"
Nearest building of similar or greater height: 671 Lincoln Avenue
Distance: 1,107 feet
Screen Out: Yes

FIGURE 17-7
NO_2 BOILER SCREEN
RESIDENTIAL DEVELOPMENT - NATURAL GAS



Appendix A

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Landmarks Preservation Commission

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

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

ENVIRONMENTAL REVIEW

Project number: 21HPD001K (HOUSING PRESERVATION AND DEV.)
Project: GRANT AVE. MUNICIPAL LOT
Address: 581 GRANT AVENUE BBL: 3042230001
Date Received: 7/31/2020

[X**] No architectural significance**

[X**] 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

Gina Santucci 8/7/2020

SIGNATURE DATE
Gina Santucci, Environmental Review Coordinator

File Name: 35091_FSO_DNP_08072020.docx

Appendix B

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Environmental Protection

Vincent Sapienza, P.E.
Commissioner

Angela Licata
Deputy Commissioner of Sustainability

59-17 Junction Blvd.
Flushing, NY 11373

Tel. (718) 595-4398
Fax (718) 595-4422
alicata@dep.nyc.gov

September 22, 2020

Matthew Juliana
Director, Environmental Planning
New York City Department of Housing Preservation and Development
100 Gold Street
New York, New York 10038

Re: **581 Grant Avenue**
Block 4223, Lot 1
CEQR # 21HPD001K

Dear Mr. Juliana:

The New York City Department of Environmental Protection, Bureau of Sustainability (DEP) has reviewed the Environmental Assessment Statement, the February 2020 Phase I Environmental Site Assessment (Phase I), the August 2020 Phase II Environmental Site Assessment Work Plan (Phase II Work Plan) and the August 2020 Site-Specific Health and Safety Plan (HASP) prepared by Roux Environmental Engineering and Geology, D.P.C., on behalf of the New York City Department of Housing Preservation and Development (HPD) (applicant). It is our understanding that the applicant is seeking:

1. The disposition of a city-owned lot (Block 4223, Lot 1) located between Pitkin Avenue and Glenmore Avenue in the East New York neighborhood of Brooklyn Community District 5;
2. A zoning map amendment from the New York City Department of City Planning to rezone the project area from a residential zoning district to a residential/commercial zoning district;
3. Zoning Override of the Zoning Resolution;
4. A zoning text amendment to Appendix F of the Zoning Resolution to designate the project site as a Mandatory Inclusionary Housing Area;
5. Project approval and designation of the project site as an Urban Development Action Area Project.

The proposed actions would facilitate the development of a new 7-story, 166,294 gross square feet (gsf), mixed-use building containing approximately 144,000 gsf of residential space (176 housing units) and 4,841 gsf of community facility space. It should be noted that the project site is vacant and is currently used as a 203-space parking lot.

The February 2020 Phase I report revealed that historical on-site and surrounding area land-uses consists of residential and commercial uses including a parking lot, auto garages, a Metropolitan Transit Authority Subway Station, an undertaker, a filling station as well as several residential buildings. Regulatory databases such as the New York State Department of Environmental Conservation (NYSDEC) SPILLS, Leaking Storage Tanks (LTANKS), Resource Conservation and Recovery Act Generators, and Petroleum Bulk Storage (PBS) Underground Storage Tanks (USTs) and PBS Aboveground Storage Tanks (ASTs) identified several sites in close proximity to the project site. The SPILLS database reported 11 spills within a 1/8-mile radius of the

project site, the PBS USTs and the PBS ASTs databases reported four USTs and 12 ASTs within a 1/4-mile radius of the project site and the LTANKS database reported 17 LTANKS within a 1/2-mile radius of the project site. The Phase I also reported three Historical Auto Stations within a 1/8-mile radius of the project site.

The August 2020 Phase II Work Plan proposes to install ten soil borings (SB-1 through SB-10), five temporary groundwater monitoring wells (MW-1 through MW-5) and four soil vapor probes (SV-1 through SV-4) at the project site. Soil borings SB-1 though SB-4 will be installed to a depth of 12 feet below grade surface (bgs) in the area of the proposed basement in the southern portion of the project site; borings SB-5 through SB-9 will be installed to a depth of 5 feet bgs in the northern portion of the project site and boring SB-10 will be installed to a depth of 12 feet bgs in the northern portion of the project site. Two soil samples will be collected from borings SB-1 through SB-4 and SB-10; one sample will be collected from the 0-2 feet bgs interval and the second sample will be collected from the two-feet interval between 2 feet bgs and the maximum proposed excavation depth (based on visual/olfactory evidence of impacts and/or elevated photoionization detector readings). If no evidence of contamination is present, the second soil sample will be collected from the two-feet interval below the proposed maximum excavation depth for that area (12-14 feet bgs), or from the groundwater interface, whichever is encountered first. One soil sample will be collected from borings SB-5 through SB-9 from the depth interval with the highest perceived impact or, if no impacts are encountered, the sample will be collected from the two-feet interval located just below the asphalt pavement (0-2 feet bgs). Fifteen soil samples and five groundwater samples will be collected and analyzed for Target Compound List (TCL) volatile organic compounds (VOCs) by United States Environmental Protection Agency (EPA) Method 8260, TCL semi-volatile organic compounds via EPA Method 8270, pesticides via EPA Method 8081, polychlorinated biphenyls via EPA Method 8082 and Target Analyte List metals via EPA Method 6020 (filtered and unfiltered for groundwater samples). Four soil vapor samples will also be collected and analyzed for VOCs via EPA Method TO-15.

Based upon our review of the submitted documentation, we have the following comments and recommendations to HPD:

Phase II Work Plan

- HPD should instruct the applicant that two soil samples (surface and subsurface) should also be collected from soil borings SB-5 through SB-9 for laboratory analysis. One surface soil sample should be collected from the upper two feet of soil (typically the 0-2 feet bgs interval) and one subsurface soil sample should be collected between 2 feet bgs and the maximum proposed excavation depth (based on visual/olfactory evidence of impacts and/or elevated soil screening readings obtained using accepted field instruments). If no evidence or elevated readings are noted during borehole advancement, the subsurface soil sample should be collected from the two foot interval below the proposed maximum excavation depth(s) and/or the groundwater interface (whichever is encountered first).

Phase II Work Plan and HASP

- HPD should inform the applicant that the submitted Phase II Work Plan and HASP are in draft form and they should therefore be finalized.

DEP finds the August 2020 Phase II Work Plan and HASP for the proposed investigation acceptable, as long as the aforementioned information is incorporated into the Phase II Work Plan and HASP. HPD should inform the applicant that upon completion of the investigation activities, the applicant should submit a detailed Phase II report for DEP review and approval. The report should include, at a minimum, an executive summary, narrative of the field activities, laboratory data and conclusions, comparison of soil, groundwater and soil vapor analytical results (i.e., NYSDEC 6 NYCRR Part 375, NYSDEC Water Quality Regulations, and the New York State Department of Health's October 2006 Guidance for Evaluating Soil Vapor Intrusion in the State of New York), updated site plans depicting sample locations, boring logs, and remedial recommendations, if warranted.

Future correspondence and submittals related to this project should include the following CEQR # **21HPD001K**. If you have any questions, you may contact Ms. Cassandra Scantlebury at (718) 595-6756.

Sincerely,

Wei Yu
Deputy Director, Hazardous Materials

cc: R. Weissbard
T. Estesen
C. Scantlebury
M. Wimbish
R. Lucas
T. Goldman - HPD