

19 MASPETH AVENUE REZONING

19 Maspeth Avenue, Brooklyn, New York

Environmental Assessment Statement
CEQR #: 24DCP063K

Prepared on behalf of:
Capscar III, LLC

Prepared by:
BFJ Planning

November 15, 2024

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BROOKLYN, NEW YORK

ENVIRONMENTAL ASSESSMENT STATEMENT

CEQR #: 24DCP063K

Prepared on behalf of
Capscar III, LLC

Prepared By
BFJ Planning
115 Fifth Avenue
New York, NY 10003
Contact: Sarah K. Yackel, AICP, Principal

Environmental Studies Corp. (Hazardous Materials, Air Quality and Noise)
55 Watermill Lane, Suite 200
Great Neck, NY 11201

Greenhouse Consultants (Archaeology)
40 Exchange Place
New York, NY 10005

November 15, 2024

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CEQR ENVIRONMENTAL ASSESSMENT STATEMENT (EAS) SHORT FORM

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* 19 Maspeth Avenue Rezoning

3. *Reference Numbers*

CEQR REFERENCE NUMBER (to be assigned by lead agency) 24DCP063K	BSA REFERENCE NUMBER (if applicable)
ULURP REFERENCE NUMBER (if applicable) 240406ZMK, 240407ZRK	OTHER REFERENCE NUMBER(S) (if applicable) (*e.g.*, legislative intro, CAPA)

4a. *Lead Agency Information*			**4b. *Applicant Information***		
NAME OF LEAD AGENCY New York City Department of City Planning			NAME OF APPLICANT Capscar III, LLC		
NAME OF LEAD AGENCY CONTACT PERSON Stephanie Shellooe, AICP Director			NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON Ben Stark, Hirschen Singer & Epstein LLP		
ADDRESS 120 Broadway, 31st Floor			ADDRESS 902 Broadway, 13th Floo		
CITY New York	STATE NY	ZIP 10271	CITY New York	STATE NY	ZIP 10005
TELEPHONE 212-720-3328	EMAIL sshellooe@planning.nyc.gov		TELEPHONE 646-921-8721	EMAIL bstark@hseny.com	

5. *Project Description*

The Applicant, Capscar III LLC (the "Applicant"), is seeking a zoning map amendment to rezone Block 2893, Lots 1 and 59 (the "Development Site") and Block 2892, Lots 1, 37, 38, 39, and 40 (together with the Development Site, the "Project Area") from a C8-2 zoning district to an R7D/C2-4 zoning district and a zoning text amendment to add a new Mandatory Inclusionary Housing area ("MIH") (the "Proposed Actions") in the East Williamsburg neighborhood of Brooklyn Community District 1. Specifically, the Applicant is seeking the following Proposed Actions required to facilitate the Proposed Development:

1. Rezone (i) the portion of Block 2892 bounded by Humboldt Street, Maspeth Avenue, Woodpoint Road and Conselyea Street; and (ii) the portion of Block 2893 bounded by Woodpoint Road, Maspeth Avenue and Conselyea Street, from a C8-2 zoning district to an R7D zoning district and a C2-4 commercial overlay all located within within the East Williamsburg section of Brooklyn Community District 1; and
2. Zoning text amendment to add a new Mandatory Inclusionary Housing area in Appendix F of the Zoning Resolution.

The Proposed Actions would facilitate the development of the Applicant owned Development Site with a new six-story (65 feet) 19,515 gross square foot ("GSF") mixed-use building (16,607 zoning square feet), at a 5.6 residential FAR ("Proposed Development"). Of the 19,515 GSF, approximately 5,135 GSF would be commercial floor area located on the ground floor of the Proposed Development. The Proposed Development would contain 15 dwelling units, approximately 4 of which would be affordable. No accessory parking would be required or provided. See attached Project Description (Attachment A-1).

Project Location

BOROUGH Brooklyn	COMMUNITY DISTRICT(S) 1	STREET ADDRESS 19 Maspeth Avenue
TAX BLOCK(S) AND LOT(S) Block 2892, Lots 1, 37, 38, 39 and 40; Block 2893, Lots 1 and 59.		ZIP CODE 11211
DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS Humboldt Street to the west, Conselyea Street to the north, Maspeth Avenue to the south; Blocks 2892 and 2893 are bisected by Wood Point Road.		
EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY C8-2		ZONING SECTIONAL MAP NUMBER 13b

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

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

Other City Approvals Not Subject to CEQR (check all that apply)
☐ PERMITS FROM DOT'S OFFICE OF CONSTRUCTION MITIGATION AND COORDINATION (OCMC) ☐ LANDMARKS PRESERVATION COMMISSION APPROVAL
☐ OTHER, explain:

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

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.): 14,700 Waterbody area (sq. ft) and type: 0
Roads, buildings, and other paved surfaces (sq. ft.): 14,700 Other, describe (sq. ft.): 0

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): 19,978
GSF
NUMBER OF BUILDINGS: 1 GROSS FLOOR AREA OF EACH BUILDING (sq. ft.): 19,978 GSF
HEIGHT OF EACH BUILDING (ft.): 65 feet NUMBER OF STORIES OF EACH BUILDING: 6

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: 2,966
The total square feet not owned or controlled by the applicant: 11,734

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: 2,996 sq. ft. (width x length) VOLUME OF DISTURBANCE: 29,960 cubic ft. (width x length x depth)
AREA OF PERMANENT DISTURBANCE: 2,996 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.)	14,172	5,806	0	0
Type (*e.g.,* retail, office, school)	15 units	Retail	0	0

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

If "yes," please specify: NUMBER OF ADDITIONAL RESIDENTS: 34 NUMBER OF ADDITIONAL WORKERS: 8

Provide a brief explanation of how these numbers were determined: Residents: 15 proposed units. The average household size in the East Williamsburg is 2.23 (2020 Decennial Census, NYC Population Factfinder). 15 multiplied by 2.23 persons is 33.45, rounded up to 34.

Employees: Commercial: 1/400 SF of groundfloor retail space = 7 employees; Residential: 1 FTE

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): 2025

ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: 12 months

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

BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE: Single-phase construction that would last approximately 12 months.

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

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

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. See Attachment B-1.		
(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. See Attachment B-3 and Appendix B for LPC Correspondence and the Phase IA Archeological Site Assessment.		
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.		
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: No RECs were identified. See Attachment B-4.	☐	☒
(j) Based on the Phase I Assessment, is a Phase II Investigation needed?	☒	☐
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): 1,052		
○ 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): 3.05E+06		
(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) See Attachment B-6.	☐	☒
(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. A detailed analysis of noise is required - See Attachment B-7: Noise; however, no significant unmitigated noise impacts would occur as a result of the Proposed Actions.		
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. Please see Attachment B-8.		
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. See Attachment B-9.		

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
Sarah K. Yackel, AICP, Principal, BFJ Planning	11/15/2024

SIGNATURE

Sarah K. Yackel

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

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

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

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

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

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

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

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

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

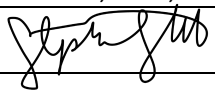
☐ **Conditional Negative Declaration:** A *Conditional Negative Declaration* (CND) may be appropriate if there is a private applicant for an Unlisted action AND when conditions imposed by the lead agency will modify the proposed project so that no significant adverse environmental impacts would result.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

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

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

TITLE	LEAD AGENCY
Director, Environmental Assessment and Review Division	Department of City Planning on behalf of the City Planning Commission
NAME	DATE
Stephanie Shellooe, AICP, Director	November 15, 2024

SIGNATURE



NEGATIVE DECLARATION

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, the Department of City Planning acting on behalf of the City Planning Commission assumed the role of lead agency for the environmental review of the proposed actions. Based on a review of information about the project contained in this environmental assessment statement (EAS) and any attachments hereto, which are incorporated by reference herein, the lead agency has determined that the proposed actions 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 the proposed actions sought before the City Planning Commission would not have a significant adverse impact on the environment. Reasons supporting this determination are noted below.

Land Use, Zoning, and Public Policy

A detailed analysis of land use, zoning, and public policy is included in the EAS. The Applicant, Caspar III LLC, is seeking a zoning map amendment to rezone Block 2892, Lots 1 and 59 (the "Development Site") and Block 2892, Lots 1, 37,38, 39, and 40 (together with the Development Site, the "Project Area") from a C8-2 to an R7D/C2-4 zoning district; and a zoning text amendment to Appendix F of the New York City Zoning Resolution (ZR) to establish a Mandatory Inclusionary Housing (MIH) area conterminous with the Project Area (the "Proposed Actions"). The Proposed Actions would facilitate the development of the Applicant owned Development Site with a 19,515 gross square foot (gsf), 6-story, mixed-use development which would comprise 14,380 gsf of residential floor area and 5,135 gsf of cellar and ground floor commercial floor area. The Proposed Development would include 15 residential units, 25-30% (4-5 units) of which would be affordable pursuant to MIH at an average of 60-80% Average Median Income (AMI) depending on the option selected. The analysis finds that the Proposed Actions would not result in changes in land use and public policy, however, it would result in a change in zoning. The proposed R7D/C2-4 district would result in developments similar in size and scale to those found in the nearby R6A and R7A districts and the Proposed Development would be fully compatible with other-recently constructed buildings in the neighborhood. The Proposed Actions would also support the policies and goals of PlaNYC by incorporating green building practices and Housing Our Neighbors, which promotes the creation of new housing stock for New York's growing population, as they would result in approximately 15 new dwelling units. Therefore, the Proposed Actions would not result in significant adverse impacts to land use, zoning or public policy, and no further analysis is warranted.

Historic and Cultural Resources

A detailed analysis of Historical and Cultural Resources is included in the EAS. The analysis finds that the Development Site has not been identified as having architectural significance and no buildings within 400 feet of the Development Site are designated as New York City landmarks or are listed on the State and National Registers of Historic Places. However, the Proposed Actions would result in new in-ground construction on the Development Site. The Landmarks Preservation Commission (LPC) was consulted in order to determine whether the development facilitated by the Proposed Actions have the potential to impact any archaeological resources. It was determined that there is potential for recovery of remains from Colonial or 19th Century occupation on the Development Site due to the Development Site being located adjacent to the Bushwick Reformed Dutch Church Cemetery. A Phase 1A Archaeological Assessment was completed and it determined that the Development Site has potential to contain archaeological resources and that archaeological testing should be completed. A Restrictive Declaration would be recorded with approval of the Proposed Actions and would ensure that a Phase IB archaeological study be conducted pursuant to LPC concurrence at the Development Site before any development activities can commence. With the Restrictive Declaration in place, the Proposed Actions would not result in an impact to Historic and Cultural Resources.

Hazardous Materials, Air Quality, and Noise

An (E) designation (E-782) related to hazardous materials, air quality, and noise would be established as part of the approval of the proposed actions. Refer to "Determination of Significance Appendix: (E) designation" for the applicable (E) designation requirements. The hazardous materials, air quality, and noise analyses conclude that with the (E) designation in place, the proposed actions would not result in a significant adverse impact related to hazardous materials, air quality, or noise.

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). Should you have any questions pertaining to this Negative Declaration, you may contact Ibrahim Jobe at ijobe@plannning.nyc.gov.

TITLE Director, Environmental Assessment and Review Division	LEAD AGENCY Department of City Planning on behalf of the City Planning Commission 120 Broadway, 31st Fl. New York, NY 10271 | 212.720.3328
NAME Stephanie Shellooe, AICP	DATE 11/15/2024
SIGNATURE	
TITLE Chair, City Planning Commission	
NAME Daniel R. Garodnick	DATE 11/18/2024
SIGNATURE	

Project Name: 19 Maspeth Avenue Rezoning
CEQR # 24DCP063K
SEQRA Classification: Unlisted

Determination of Significance Appendix

The Proposed Action(s) were determined to have the potential to result in changes to development on the following site(s):

Development Site	Borough	Block and Lot
Projected Development Site 1	Brooklyn	Block 2893, Lots 1 and 59

(E) Designation Requirements

To ensure that the proposed actions would not result in significant adverse impacts related to hazardous materials, air quality, and noise an (E) designation (**E-782**) would be established as part of approval of the proposed actions on **Projected Development Site 1** as described below:

Development Site	Hazardous Materials	Air Quality	Noise
Projected Development Site 1	X	X	X

Hazardous Materials

The (E) designation requirements applicable to **Projected Development Site 1** for hazardous materials would apply as follows:

Task 1-Sampling Protocol

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

Task 2-Remediation Determination and Protocol

A written report with findings and a summary of the data must he submitted to OER after completion of the testing phase and laboratory analysis for review and approval. After receiving such results, a determination is made by OER if the results indicate that remediation is necessary. If OER determines that no remediation is necessary, written notice shall be given by OER.

If remediation is indicated from test results, a proposed remediation plan must be submitted to OER for review and approval. The applicant must complete such remediation as determined necessary by OER. The applicant should then provide proper documentation that the work has been satisfactorily completed.

A construction-related health and safety plan should be submitted to OER and would be implemented during excavation and construction activities to protect workers and the community from potentially significant adverse impacts associated with contaminated soil, groundwater and/or soil vapor. This plan would be submitted to OER prior to implementation.

Project Name: 19 Maspeth Avenue Rezoning
CEQR # 24DCP063K
SEQRA Classification: Unlisted

Air Quality

The (E) designation requirements for air quality would apply as follows:

> ***Projected Development Site 1:*** *Any new residential or commercial development on the above-referenced property must ensure that the heating, ventilation, and air conditioning (HVAC) systems and/or the hot water equipment stack(s) is located at the building's highest level and at least 65 feet above grade to avoid any potential significant adverse air quality impacts.*

Noise

The (E) designation requirements for noise would apply as follows:

> ***Projected Development Site 1:*** *To ensure an acceptable interior noise environment, future residential/commercial office uses must provide a closed-window condition with a minimum of 31 dBA window/wall attenuation for the western facade facing Woodpoint Road, the northern façade facing Conselyea Street within 30 feet of Woodpoint Road and the southern façade facing Maspeth Avenue within 30 feet of Woodpoint Road in order to maintain an interior noise level not greater than 45 dBA for residential uses or not greater than 50 dBA for commercial office uses. In order to maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, air conditioning.*

ENVIRONMENTAL ASSESSMENT STATEMENT

ATTACHMENTS

ATTACHMENT A

EAS ADDENDA

EAS PART I, SECTION 5. PROJECT DESCRIPTION
EAS PART I, SECTION 8. SITE DESCRIPTION - GRAPHICS

ATTACHMENT A-1: PROJECT DESCRIPTION

The Applicant, Capscar III LLC (the "Applicant"), the owner of the property located at 19 Maspeth Avenue (Brooklyn Block 2893, Lots 1 and 59), within the East Williamsburg section of Brooklyn Community District 1 (the "Development Site"), an unimproved 2,966 square foot triangular block proposes to rezone the Development Site and the block immediately to the west (Block 2892, Lots 1, 37, 38, 39 and 40) (together with the Development Site, the "Project Area") to an R7D residence district and a C2-4 commercial district overlay, for the purpose of developing the Development Site with a new six-story residential and commercial building (the "Proposed Development"). The Applicant proposes to map a Mandatory Inclusionary Housing ("MIH") area over the Project Area, requiring compliance with Option 1 or Option 2 of the MIH program.

The Proposed Development, with 19,515 GSF (16,607 square feet of zoning floor area), will have a floor area ratio ("FAR") of 5.6 and will rise to a maximum height of 65 feet. Of the 19,515 GSF, with approximately 5,135 GSF of commercial in the cellar and on the ground floor. The Proposed Development would contain 15 dwelling units, of which approximately 4 would be permanently affordable. Due to the Development Site's small size and triangular shape with frontage on three streets, the new six-story development will be a "Flatiron"-style triangular building, covering almost 100 percent of the Development Site.

The NYC Department of City Planning is proposing a citywide zoning text amendment, the City of Yes for Housing Opportunity "CHO" (CEQR No. 24DCP033Y) to expand opportunities for housing within all zoning districts, and across all 59 of the City's Community Districts. These changes to the City's Zoning Resolution would enable more housing and a wider variety of housing types in every neighborhood, from the lowest density districts to the highest, to address the housing shortage and high cost of housing in New York City. The proposed zoning text amendment is in the Uniform Land Use Review Procedures (ULURP) process and a vote on the amendments is anticipated in Fall 2024. Given that this project may be affected by the proposals included in the text amendment, a technical memorandum has been included in Appendix A that assesses whether the conclusion of the environmental review would by altered by CHO.

1.1 Project Location

The Project Area (or Rezoning Area) is comprised of the Development Site and the city block immediately to the west, which constitutes a portion of Block 2892, and contains five tax lots: Lots 1, 37, 38, 39 and 40. This city block totals 11,734 square feet in area (portion of Block 2892, Lots 1, 37, 38, 39 and 40). The Project Area, collectively, is bounded by Maspeth Avenue to the southeast, Conselyea Street to the north, Humboldt Street to the west, and the apex of Conselyea Street and Maspeth Avenue to the east. The portion of Block 2892 within the Project Area is characterized by its overall small size and the small, irregular shapes of the individual tax lots. There is a small 1,730 square foot triangular religious shrine and park (Lot 37) called Vito Abate Grotto, owned and maintained by St. Francis Paolo Roman Catholic Church. There are two narrow through lots (Lot 38, which is 2,858 square feet, and Lot 39, which is 2,124 square feet) improved with two three-story walk up apartment buildings fronting on Maspeth Avenue, containing a total of 8 units, and two one-story garages fronting on Conselyea Street. There is also a 1,116

square foot interior lot (Lot 40) improved with three-story single family dwelling fronting on Maspeth Avenue. Completing the block, on an irregularly-shaped 3,906 square foot block-long property fronting on Humboldt Street (Lot 1), a new two-story ambulatory and diagnostic health care facility was constructed in 2018.

The Development Site is comprised of 19 Maspeth Avenue (Block 2893, Lot 1 and 59). The Development Site is a 2,966 square foot triangular lot occupying an entire block and surrounded on all sides by streets: on the south by Maspeth Avenue, on the north by Conselyea Street, and on the west by Woodpoint Avenue. The Development Site is used for open parking for New York Heating Corp, an affiliate of the Applicant, located nearby at 354 Humboldt Street. It is not currently improved with any structures.

The Development Site and Project Area is within a Transit Zone, an area where lower accessory parking requirements apply to affordable housing. The Graham Avenue L train station is one block east of the Project Area, linking Manhattan (14th Street/8th Avenue) to outer Brooklyn (Canarsie-Rockaway Parkway). From the L train, nearby transfers can be made to the G train one stop west at Lorimer Street; the 4, 5, 6, N, Q, R and W five stops west at Union Square, Manhattan; and the M train six stops east at the Myrtle-Wyckoff Avenue station. There are several bus lines within a short distance of the Project Area. The B24 bus, which connects Greenpoint, Williamsburg and Long Island City, operates on Metropolitan and Kingsland Avenues. The B43 bus, which connects Greenpoint to Flatbush Avenue and Lincoln Road, operates on Graham Avenue. The Q54 and the Q59 buses, which connects Williamsburg to Queens, operate on Grand Street, also near the Project Area.

Figures 1, 2, and 3 present a project location map, tax map, and zoning map and Figures 4, 5 and 6 present a photo key map and photographs of the Development Site and Project Area.

1.2 Required Approvals and Proposed Actions

The Proposed Actions required to facilitate the Proposed Development are as follows:

1. Rezone (i) the portion of Block 2892 bounded by Humboldt Street, Maspeth Avenue, Woodpoint Road and Conselyea Street; and (ii) the portion of Block 2893 bounded by Woodpoint Road, Maspeth Avenue and Conselyea Street, from a C8-2 zoning district to an R7D zoning district and a C2-4 commercial overlay; and

2. Zoning text amendment to add a new Mandatory Inclusionary Housing area in Appendix F of the Zoning Resolution in which Options 1 and 2 are applicable. Option 1 requires that, for new residential developments, an amount of affordable floor area equivalent to at least 25% of the residential floor area within the development be provided, with the weighted average of all income bands not exceeding 60% AMI. No more than three income bands may be provided, with no income band exceeding 130% of the income index, and at least 10% of the residential floor area shall be affordable to an income band at 40% of the income index. Option 2 requires that, for new residential developments, an amount of affordable floor area equivalent to at least 30% of the residential floor area within the development be provided, with the weighted average of

all income bands not exceeding 80% AMI. Not more than three income bands may be provided, with no income band exceeding 130% of the income index.

1.3 Purpose and Need for the Proposed Actions

The proposed R7D district is appropriate for the Project Area, given the existing uses in the Project Area, the proximity to R7A districts nearby, and the unusually small size of the Development Site and of the Project Area overall. The proposed R7D district is further supported by the Project Area's proximity to public transit, including the Graham Avenue station of the L subway train, which is located one short block east.

The existing C8-2 zoning district has been mapped on the Project Area since 1961. C8-2 zoning districts permit automotive and other heavy commercial uses and were often mapped in 1961 along arterial highways reflecting expectations at the time about the increasing prominence of automobiles in the city[1]. This zoning district is no longer appropriate for the Project Area given its transit rich location and the increasing densification of the neighborhood with residential uses. Over the past sixty years, the neighborhood has evolved toward more residential uses, evidenced by the non-conforming residential uses on most other properties within the Project Area. Further reflecting the obsolete nature of the existing zoning, the Development Site has been primarily vacant (except for open parking) and unimproved for decades.

The small size of the Development Site enables the construction of a six-story building that maximizes residential floor area, even though an 11-story building is permitted in an R7D district. The Proposed Development matches buildings developed in nearby R6A and R7A districts in the number of stories and in their scale overall. The Development Site, which encompasses an entire block, is just 2,966 square feet. Because the zoning lot is bounded by streets, no yards or open space are required, resulting in a squat 6-story building which will fully utilize the maximum permitted FAR of 5.6. However, the building itself, as experienced from the street, will be modest and fully compatible with other recently-constructed buildings in the neighborhood.

Although development on the other block within the Project Area (Block 2893) is unlikely, any development that would occur would be of similar or lesser scale than the Proposed Development. Such development, if and when it occurs, would fit in seamlessly with development occurring in the R6A and R7A districts nearby.

Most important, the rezoning would facilitate the development of much-needed housing, including affordable dwelling units, on land that, under the current C8-2 zoning, would remain underutilized and unlikely to be redeveloped in the foreseeable future. Any residential zoning district less permissive than an R7D is unlikely to result in the production of any affordable housing units. In an R7A/C2-4 zoning district, the maximum floor area on the Development Site would be 13,643 square feet, of which

[1] "Zoning Handbook, 2018 Edition", New York City Department of Planning, 2018.

residential floor area is likely to be less than 12,500 square feet, which is the minimum amount at which the MIH requirement for affordable dwelling unit applies.

1.4 Description of the Proposed Development

The Applicant proposes to develop a new six-story residential and commercial building at the Development Site ("Proposed Development"). Due to the unique triangular shape of the Development Site and its condition of being bounded on all three sides by streets, the Proposed Development will be a "Flatiron" style triangular building, occupying almost 100% of the lot coverage of the zoning lot.

The Proposed Development would contain a new 19,515 GSF mixed-use building (16,607 zoning square feet), at a 5.6 residential FAR, and would rise to a height of 65 feet (6 stories). Of the 19,515 GSF, approximately 5,135 GSF would be commercial uses in the cellar and on the ground floor of the Proposed Development. The Proposed Development would contain 15 dwelling units, approximately four of which would be affordable.

1.5 Reasonable Worst Case Development Scenario

1.5.1 Build Year

The build year for the completion of the project is 2025, with construction anticipated to take approximately 12 months.

1.5.2 Future No-Action Scenario

According to the *CEQR Technical Manual*, the future without the Proposed Actions, referred to as the No-Action condition, provides a baseline condition against which the incremental changes generated by the Proposed Actions can be evaluated. Under this condition, the Development Site would continue to be used for open parking for the Applicant's contractors' establishment located nearby at 354 Humboldt Street and no new building would be constructed.

For the non-Applicant controlled parcels (Block 2892, Lots 1, 37, 38, 39 and 40) in the Project Area, it is also assumed that existing conditions would remain unchanged in the Future No-Action Scenario.

The Development Site and remainder of the Project Area are both included in the Rezoning Area because both blocks share the outdated C8-2 zoning district. The existing C8-2 zoning does not permit residential uses, and the surrounding neighborhood is mostly residential, and recent rezonings have only added to the residential character. Out of the seven lots in the Rezoning Area, three are currently non-conforming residential uses, two are vacant lots, and one religious shrine that have been in their existing forms since at least the 1980s. Only one lot has been redeveloped with a commercial use (Block 2892, Lot 1), and it had been a residential use with ground-floor retail that was nonconforming between 1961 and 2020 when it was redeveloped. The lack of development in an approximately 60-year time suggests that there is very little demand for commercial uses in the Rezoning Area, and that residential uses are the highest and best uses. Recent land use trends away from commercial development due to the rise in remote work have only further reduced the market for commercial uses in this neighborhood.

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

The Future With-Action condition under a Reasonable Worst Case Development Scenario (RWCDS) requires identification of the type, location, and extent of development anticipated as a result of the Proposed Actions along with any potential impacts that may arise from that future development. In accordance with *CEQR Technical Manual* guidance, this analysis requires that the With-Action Condition be considered a scenario that maximizes the permitted FAR allowed under the proposed rezoning. As proposed, the With-Action Scenario maximizes the allowable zoning floor area on the Development Site with groundfloor commercial retail uses and upper floor housing. The small size (2,966 SF) of the Development Site enables the construction of a six-story building that maximizes residential floor area, even though a 12-story (125 feet) building would be permitted under CHO in an R7D district. Because the zoning lot is bounded by streets, no yards or open space are required, resulting in a squat 6-story building which would fully utilize the maximum permitted FAR of 5.6. Given the site constraints, additional height is not achievable on the Development Site without an increase in FAR.

Approval of the Proposed Actions would facilitate the development of a new six-story (65 feet), 19,515 GSF (5.6 FAR) mixed-use building containing 14,380 GSF of residential and 5,135 GSF of cellar and ground-floor commercial.

The proposed building would include ground floor retail and five stories of residential with two one-bedroom and one two-bedroom unit per floor. The resulting 15-unit building would be accessed by stairs and an elevator. The apartments would have kitchens, living rooms, and fully enclosed bedrooms. The proposed building would cover the vast majority of the Development Site. See Figures 7 through 13 for architectural plans[2].

No other projected development sites are included on lots in the remainder of the Project Area in the With-Action scenario. Block 2892 Lot 1 was redeveloped in 2020 as a two-story commercial building with ground-floor retail, office space, and an ambulatory diagnostic system. The recent construction of the building makes it very unlikely it would be redeveloped in the near future. Further, Lot 37 has a religious shrine associated with St. Francis Paolo Roman Catholic Church which is located north of the lot across Conselyea Street (St. Francis is the owner of Lot 37 per NYC ZoLa). Additionally, the lot has a very small (1,730 sf) triangular shape that would make development difficult. Block 2892, Lots 38, 39, and 40 are also not projected to be redeveloped under the With-Action Scenario due to their small size (2,858 sf, 2,124 sf, and 1,116 sf, respectively) and mid-block location, separate ownership that makes assembling the lots less attractive for development, and their ongoing use as income-producing residential properties.

[2] Architectural drawings contained herein are for presentation purposes only. Final drawings will be submitted to the Building Department.

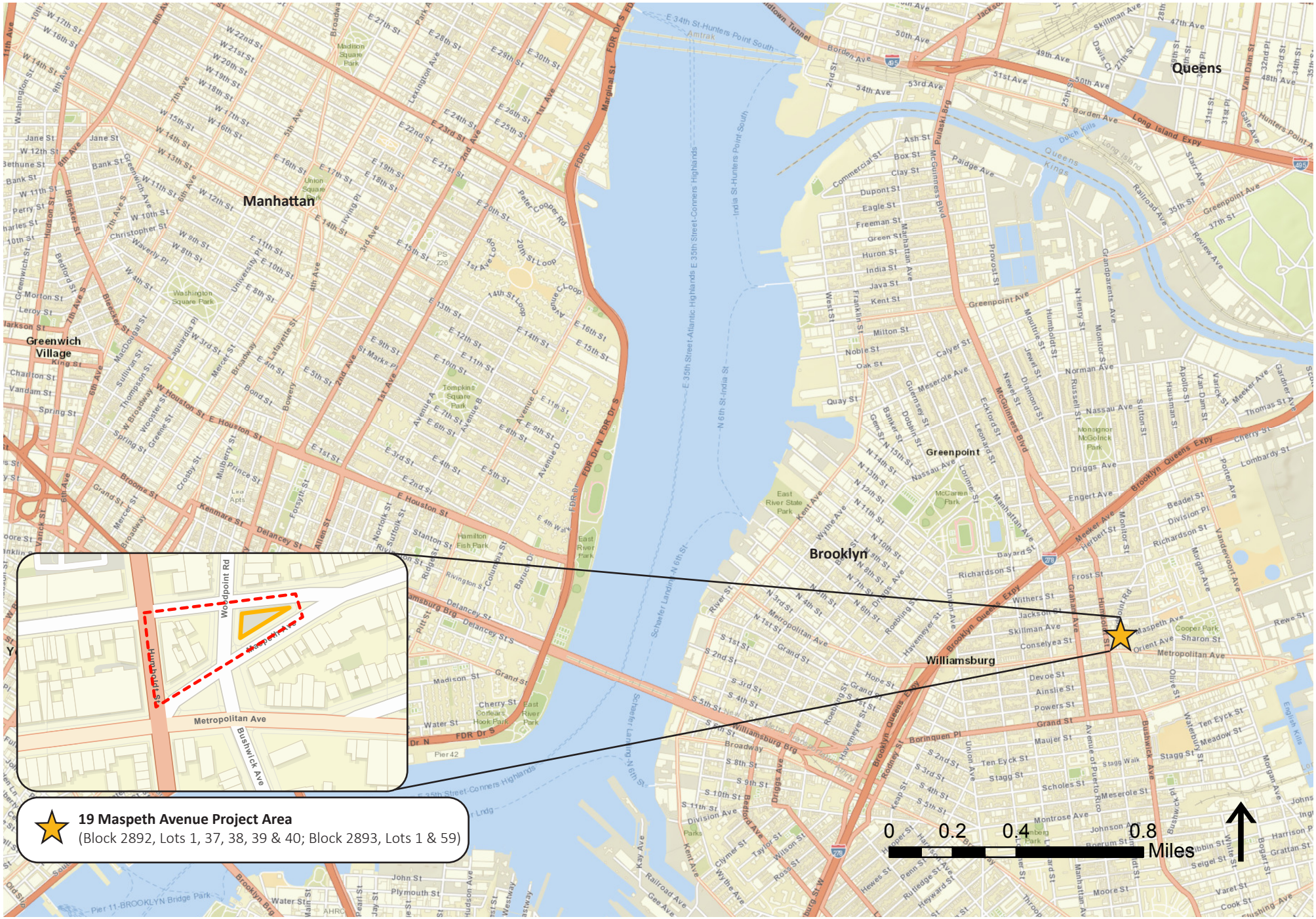
1.5.4 Incremental Development

The No-Action Condition is the baseline condition for conducting the impact analysis in this Environmental Assessment Statement (EAS). According to the *CEQR Technical Manual (2021)*, the No-Action Condition provides a baseline condition against which the incremental changes generated by the Proposed Actions can be evaluated. As provided in Table 1, below, the With-Action Condition would result in an incremental increase of 19,515 gross square feet of total development.

Table 1: Incremental Increase in Proposed Development (No-Action Scenario vs. With-Action Scenario))

	Total Development GSF	Residential GSF	Dwelling Units (DU)	Commercial GSF	Community Facility GSF
No-Action Scenario	0	0	0	0	0
With-Action Condition	19,515	14,380	15	5,135	0
Incremental Increase	**19,515**	**14,380**	**15**	**5,135**	**0**

EAS PART I, Section 8. Site Description - Graphics



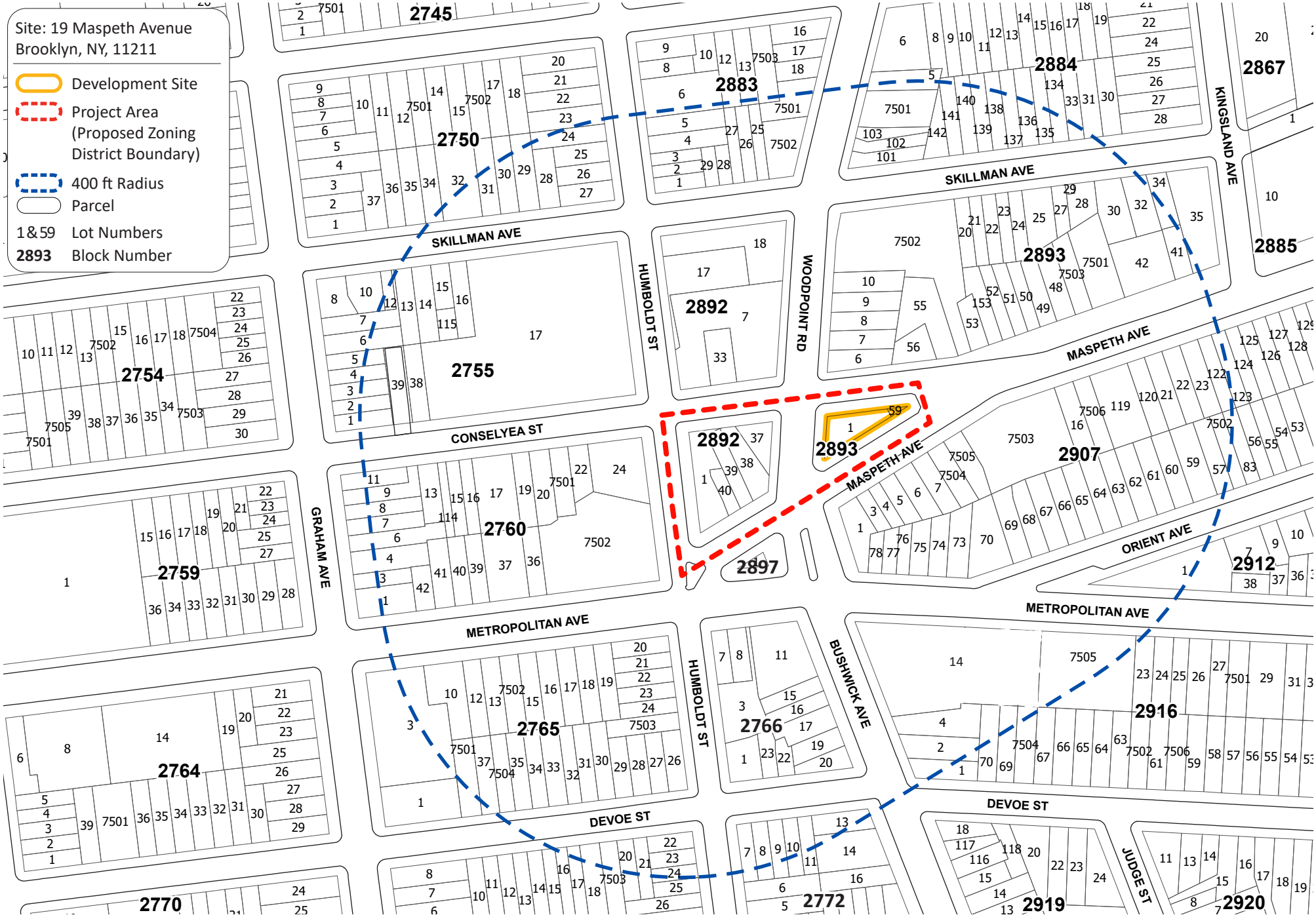
19 Maspeth Avenue Rezoning

Figure 1: Project Location

Environmental Assessment Statement

SOURCE: ARCGIS

BFJ Planning



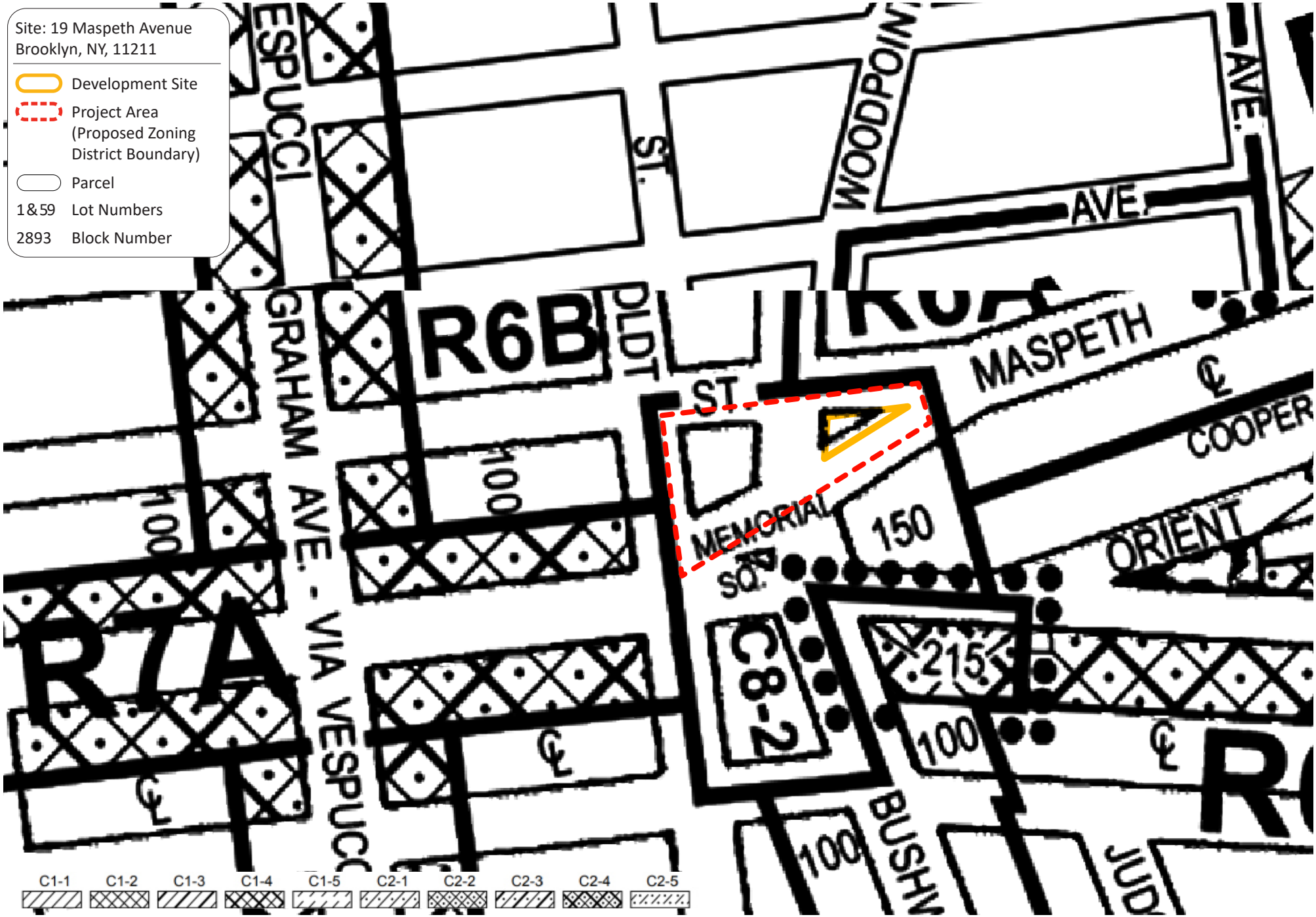
19 Maspeth Avenue Rezoning

Figure 2: Tax Map

Environmental Assessment Statement

SOURCE: NYC DEPT. OF CITY PLANNING, 2023

BFJ Planning



19 Maspeth Avenue Rezoning

Figure 3: Zoning Map

Environmental Assessment Statement

SOURCE: NYC DEPT. OF CITY PLANNING, 2023

BFJ Planning



19 Maspeth Avenue Rezoning

Figure 4: Photo Key Map

Environmental Assessment Statement

SOURCE: Esri, Digital Globe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USGS, AeroGRID, IGN, and the GIS User Community, 2023

BFJ Planning



Photo 1:
Development Site looking northeast along Maspeth Avenue



Photo 2:
Development Site looking northwest



Photo 3:
Development Site looking west from Conselyea Street



Photo 4:
Development Site looking east across Woodpoint Road



Photo 5:
Project Area looking southwest along Maspeth Avenue



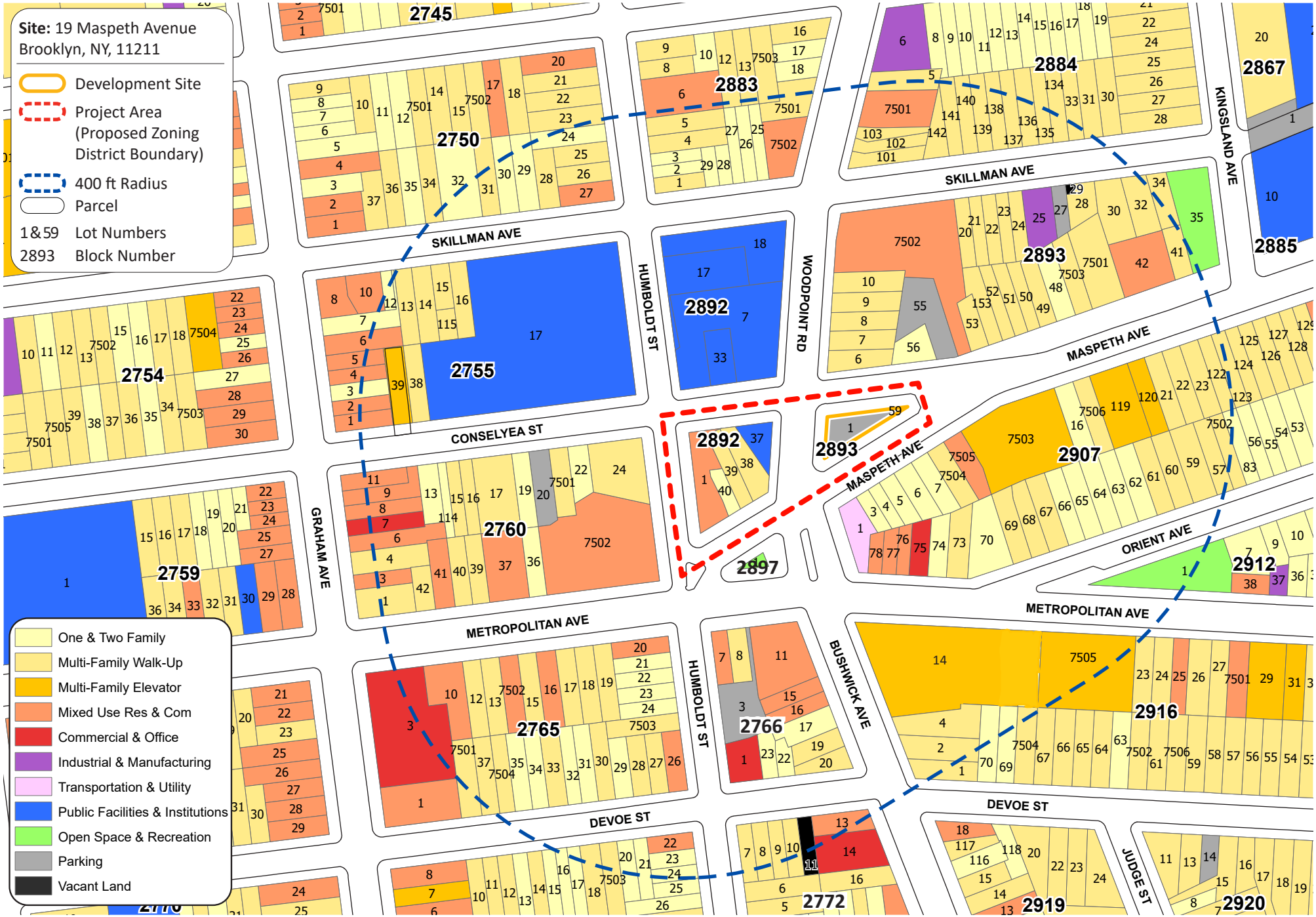
Photo 6:
Project Area looking north along Humboldt Street and east along Maspeth Avenue



Photo 7:
Project Area looking south



Photo 8:
Project Area looking south along Woodpoint Road



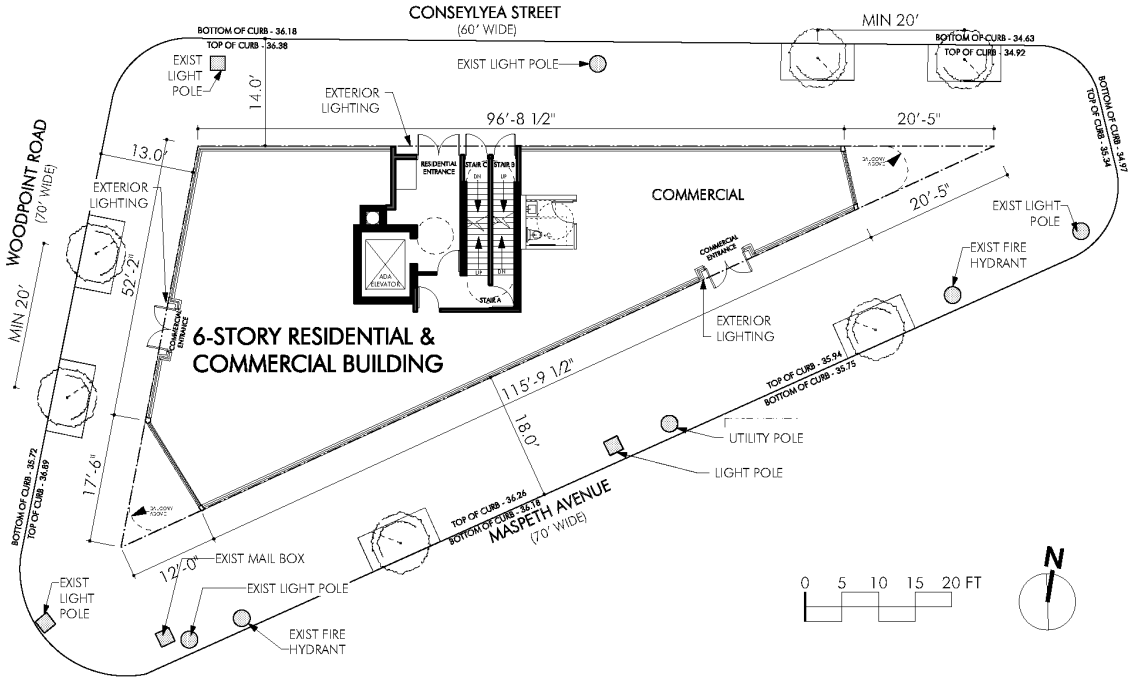
19 Maspeth Avenue Rezoning

Figure 7: Land Use Map

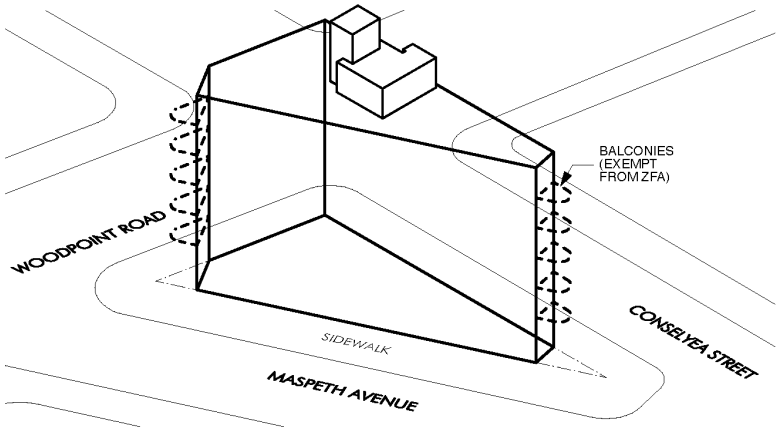
Environmental Assessment Statement

SOURCE: NYC DEPT. OF CITY PLANNING, 2023

BFJ Planning



1 PROPOSED SITE PLAN
SCALE: 1/16" = 1'-0"



2 PROPOSED MASSING
SCALE: NOT TO SCALE

PROPOSED ZONING ANALYSIS			
	BLOCK		2893
	LOTS		1 & 59
	LOT AREA		2,966 SF
	TOTAL ZONING FLR AREA		16,607 SF
	PROPOSED COMMERCIAL F.A.R		0.79
	PROPOSED RESIDENTIAL F.A.R.		4.81
	TOTAL F.A.R.		5.6
	PROPOSED DWELLING UNITS		15
	PROPOSED BUILDING HEIGHT		65'0"
PROPOSED BUILDING AREAS			
FLOOR	USE	GROSS FA	ZONING FA
CELLAR	COMM,MECH, & RESI	2,793	0
1	RETAIL	2,342	2,342
	RESIDENTIAL LOBBY	415	415
2	RESIDENTIAL	2,793	2,770
3	RESIDENTIAL	2,793	2,770
4	RESIDENTIAL	2,793	2,770
5	RESIDENTIAL	2,793	2,770
6	RESIDENTIAL	2,793	2,770
ROOF	RESIDENTIAL	336	0
TOTAL COMBINED FLOOR AREA		19,515	16,607

DESCRIPTION DATE
STAMP

Architect
CHANDLER PIERCE ARCHITECT
7 CENTRE MARKET PLACE
New York, NY 10013
Tel 212 925 2680

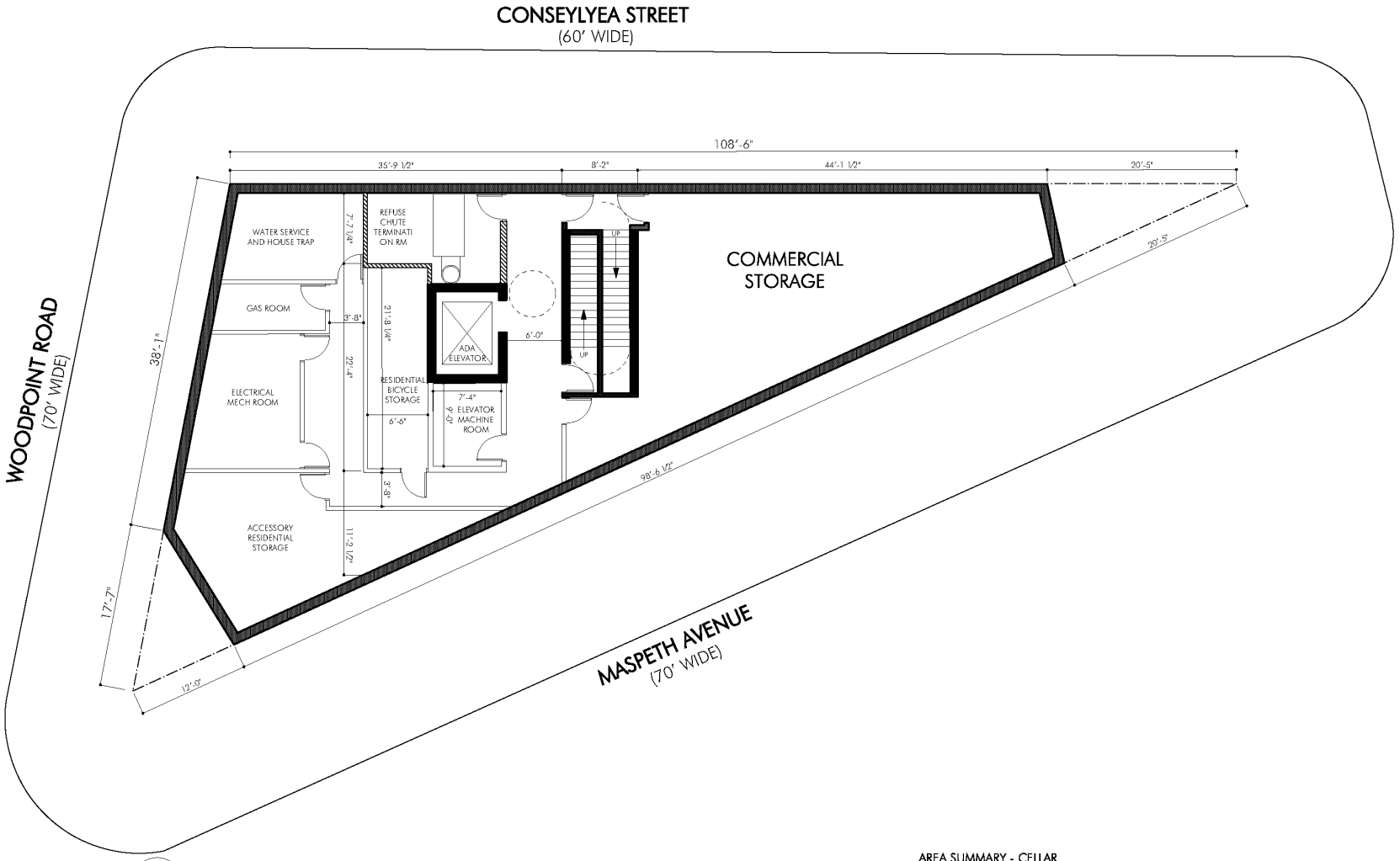
19 MASPETH AVENUE
Brooklyn, NY 11211

DRAWING NO.
P-001.00

TITLE
PROPOSED COMMERCIAL/
RESIDENTIAL SCHEME
- PLOT PLAN/SITE
& ZONING NOTES

JOB NO. 3821
SCALE AS NOTED

DATE
APRIL 12, 2024



1 PROPOSED CELLAR FLOOR PLAN
SCALE: 3/32" = 1'-0"

AREA SUMMARY - CELLAR

RESIDENTIAL ZONING FLOOR AREA :	0 SQ FT
COMMERCIAL ZONING FLOOR AREA:	0 SQ FT
AREA EXEMPT FROM ZONING FLOOR AREA:	2,793 SQ FT
TOTAL GROSS FLOOR AREA:	2,793 SQ FT

DESCRIPTION DATE
STAMP

Architect
CHANDLER PIERCE ARCHITECT
7 CENTRE MARKET PLACE
New York, NY 10013
Tel 212 925 2680

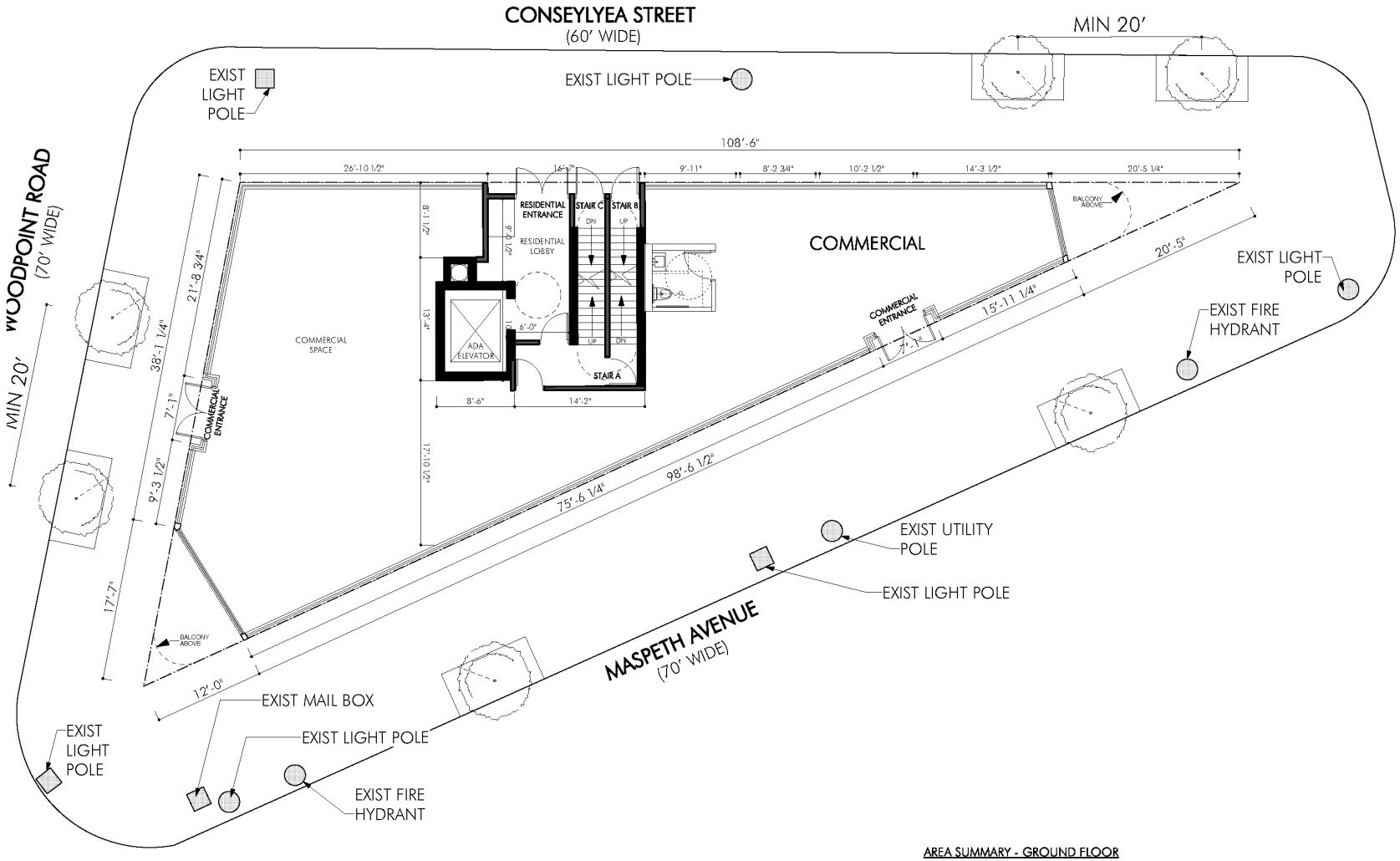
19 MASPETH AVENUE
Brooklyn, NY 11211

DRAWING NO.
P-002.00

TITLE
PROPOSED
CELLAR
FLOOR PLAN

JOB NO. 3821
SCALE AS NOTED

DATE
APRIL 12, 2024



1 PROPOSED GROUND FLOOR PLAN
SCALE: 3/32" = 1'-0"

AREA SUMMARY - GROUND FLOOR

RESIDENTIAL ZONING FLOOR AREA :	415 SQ FT
COMMERCIAL ZONING FLOOR AREA:	2,342 SQ FT
ZONING FLOOR AREA DEDUCTIONS:	0 SQ FT
TOTAL GROSS FLOOR AREA:	2,757 SQ FT

DESCRIPTION DATE
STAMP

Architect
CHANDLER PIERCE ARCHITECT
7 CENTRE MARKET PLACE
New York, NY 10013
Tel 212 925 2680

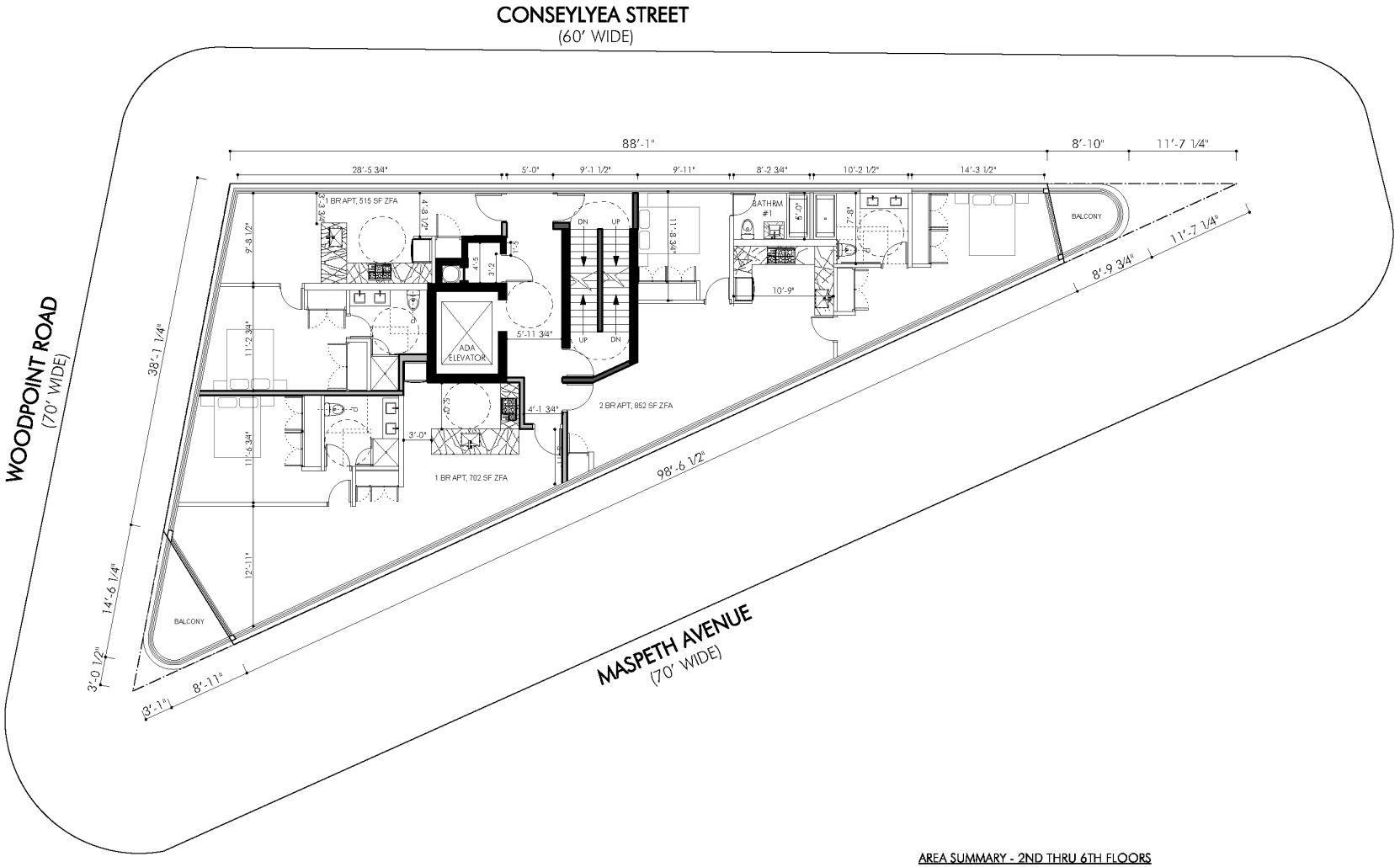
19 MASPETH AVENUE
Brooklyn, NY 11211

DRAWING NO.
P-003.00

TITLE
PROPOSED GROUND FLOOR PLAN

JOB NO. 3821
SCALE AS NOTED

DATE
APRIL 12, 2024



1 PROPOSED SECOND THRU SIXTH FLOOR PLAN
SCALE: 3/32" = 1'-0"

AREA SUMMARY - 2ND THRU 6TH FLOORS

RESIDENTIAL ZONING FLOOR AREA :	2,770 SQ FT
COMMERCIAL ZONING FLOOR AREA:	0 SQ FT
ZONING FLOOR AREA DEDUCTIONS:	23 SQ FT
TOTAL GROSS FLOOR AREA:	2,793 SQ FT

DESCRIPTION DATE
STAMP

Architect
CHANDLER PIERCE ARCHITECT
7 CENTRE MARKET PLACE
New York, NY 10013
Tel 212 925 2680

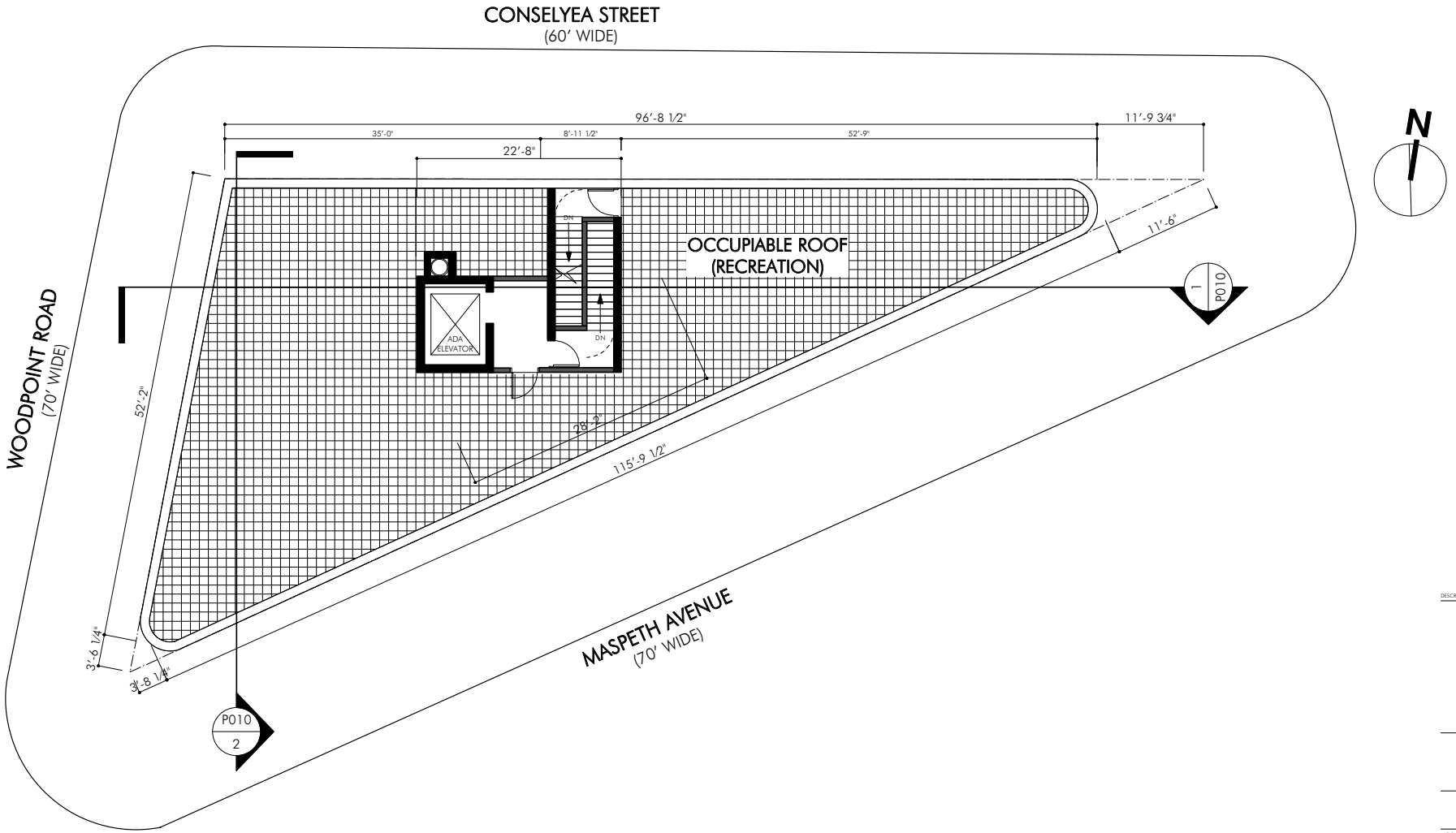
19 MASPETH AVENUE
Brooklyn, NY 11211

DRAWING NO.
P-004.00

TITLE
PROPOSED
COMMON UPPER FLOOR
FLOOR PLAN

JOB NO. 3821
SCALE AS NOTED

DATE
APRIL 12, 2024



1 PROPOSED ROOF PLAN
SCALE: 3/32" = 1'-0"

AREA SUMMARY

ROOF GROSS AREA	:	336 SQFT
ROOF RESIDENTIAL ZONING FLOOR AREA	:	N/A
ROOF COMMERCIAL ZONING FLOOR AREA	:	N/A

NOTE:
1. ALL PARTITIONS AND EXITS SHALL BE AS APPROVED BY DOB.
2. ALL WORK AND SITE CONDITIONS SHALL SUBSTANTIALLY CONFORM TO DRAWINGS FILED AT BSA
3. DOB SHALL ENSURE COMPLIANCE WITH ALL OTHER APPLICABLE PROVISIONS OF THE ZONING RESOLUTION, ADMINISTRATIVE CODE AND ANY OTHER RELEVANT LAWS UNDER ITS JURISDICTION IRRESPECTIVE OF THE PLAN(S) / CONFIGURATION(S) NOT RELATED TO THE RELIEF GRANTED.

DESCRIPTION DATE
STAMP

Architect
Edward L. Mills & Associates Architects, pc
401 Broadway, Suite 501
New York, NY 10013
Tel 212 334-9891
Fax 212 334-8197

19 MASPETH AVENUE
Brooklyn, NY 11211
AKA 220 CONSELYEA ST

DRAWING NO.
P-006.00

TITLE
PROPOSED
ROOF PLAN

JOB NO. 3821
SCALE AS NOTED
DATE MAY 10, 2019



19 Maspeth Avenue Rezoning

FIGURE 13: Proposed View Looking West on Maspeth Avenue

SOURCE: Chandler Pierce Architect, May 2024

ATTACHMENT B: TECHNICAL ANALYSES

ATTACHMENT B-1: LAND USE, ZONING AND PUBLIC POLICY

1.1 Introduction

A detailed assessment of land use, zoning, and public policy is appropriate if the Proposed Actions would result in a significant change in land use or would substantially affect regulations or policies governing land use. An assessment of zoning is typically performed in conjunction with a land use analysis when an action would change the zoning on the site or result in the loss of a particular use. As the Proposed Actions would result in a new use on the site (mixed-use residential and commercial on a vacant lot), a preliminary assessment of the Development Site and surrounding 400-foot Study Area has been conducted. The proposed construction of a six-story, mixed-use residential building with ground-floor retail would be compatible with land use patterns in the Study Area, and therefore as the following screening analysis indicates, the Proposed Actions would not result in significant impacts related to land use, zoning, and public policy to the Development Site or surrounding 400-foot Study Area.

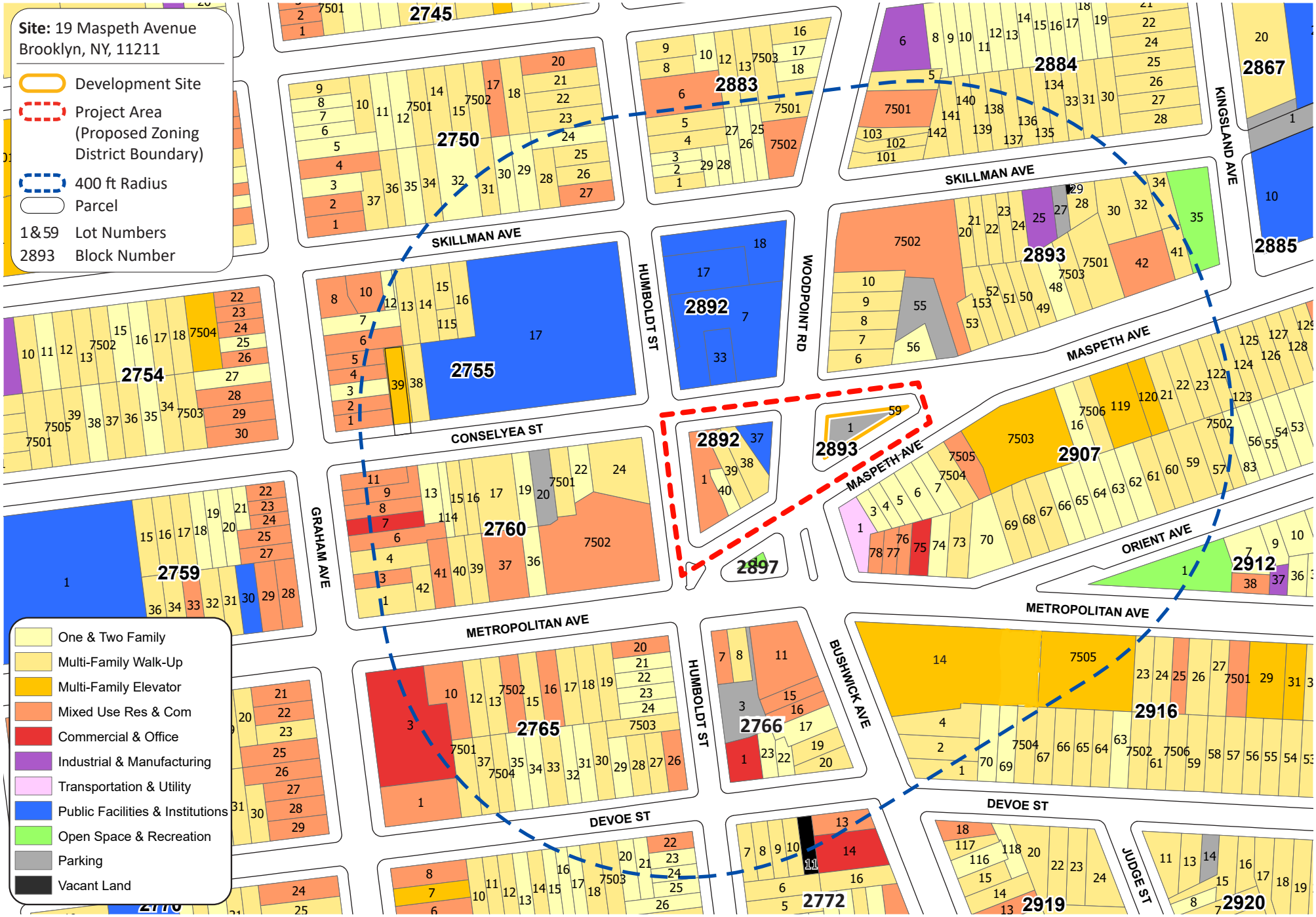
1.2 Methodology

The analysis methodology is based on the guidelines in the *CEQR Technical Manual (2021)* and involves and assessment of the Proposed Action's consistency with existing land use patterns and development trends, zoning regulations, and applicable public policies. The land use, zoning, and public policy analysis considers a 400-foot Study Area around the Development Site, as shown in Figure 16: Land Use Map. Existing conditions were identified through a field visit to the Study Area and research of available resources, including New York City's Department of City Planning's ("DCP") Land Use & CEQR Application Tracking System ("LUCATS"), and Primary Land use Tax Lot Output ("PLUTO") data files; and the New York City Mayor's Office of Environmental Coordination's (MOEC) CEQR Access. The New York City Zoning Resolution ("ZR") and DCP's web-based Zoning and Land Use Application ("ZOLA") were utilized to identify and describe existing zoning districts in the Study Area and for the zoning evaluation of the future No-Action and With–Action conditions. Relevant public policy documents were examined to assist in identifying and describing existing public policies that have the potential to affect the Development Site and Study Area.

1.3 Existing Conditions

1.3.1 Land Use

Land uses in the Study Area, which encompasses areas located within a 400-foot radius around the Project Area, predominately consist of residential, public facilities, institutions, and mixed-use residential and commercial uses (see Figure 14: Land Use Map). Buildings within the Study Area range from two- to seven-stories in height. Residential buildings vary from two- to five-story walk-ups to seven-story new construction, reflective of recent rezonings. Institutional uses include St. Francis of Paola Church, and the St. Francis of Paola School. Mixed-use residential and commercial uses within the Study Area are generally new construction buildings with ground floor retail or medical offices.



19 Maspeth Avenue Rezoning

Figure 14: Land Use Map

Environmental Assessment Statement

SOURCE: NYC DEPT. OF CITY PLANNING, 2023

BFJ Planning

The buildings northwest of the Development Site on Block 2892 across Conselyea Street and Woodpoint Road and Block 2755 across Humboldt Street are the St. Francis of Paola Church and the St. Francis of Paola School, and associated buildings. These buildings range from one- to four-stories in height. St. Francis of Paola School, located northeast of the intersection with Humboldt Street and Conselyea Street has associated off-street parking on the north side of the building.

Immediately north of the Development Site, Block 2893 is characterized largely by two- to four-story multi-family walkups on small lots, with a couple of seven-story mixed use buildings on larger parcels. The seven-story condominium building at 234 Skillman Avenue, constructed in 2004, contains 67 residential units and about 54,000 square feet of floor area. The seven-story building at 65 Maspeth Avenue, also constructed in 2004, contains 23 apartments and approximately 28,000 square feet of floor area. Blocks 2892 and 2755, the other two blocks in the Study Area immediately north of Conselyea Street, are dominated by facilities owned by St. Francis of Paola Roman Catholic Church, including the church at 211 Conselyea Street, a four-story chapel and rectory at 206 Skillman Avenue, a one-story recreation center at 410 Humboldt Street, and a one-story school at 195 Conselyea Street. The remainder of Block 2755 and the blocks north or Skillman Avenue – Blocks 2750, 2883 and 2884 – are characterized mainly by 3-story multifamily walkups, with occasional 2- 4- and 5-story primarily residential buildings.

Immediately south of the Development Site, Block 2907 is also characterized largely by two- to four-story multifamily walkups on small lots, with two notable exceptions. The seven-story mixed use building at 36 Maspeth Avenue, constructed in 2008, contains 53 residential condominiums and approximately 40,000 square feet of floor area. The seven-story mixed use building at 94 Maspeth Avenue (on the corner of Olive Street), constructed in 2007, contains 87 residential condominiums and approximately 61,000 square feet of floor area. Also, there is a five-story multi-family elevator building at 58 Maspeth Avenue constructed in 2007 with 16 apartments and approximately 16,000 square feet of floor area. Along the western edge of the block (within the C8-2 district), there is a one-story auto repair shop (unrelated to the Applicant's business, New York Heating). One block east of the Project Area, outside of the Study Area, is Cooper Park, a 6.4 acre City park with basketball courts, tennis courts, a skate park, playgrounds and a dog run.

There are two small triangular City parks within the Study Area: Memorial Gore, comprising the entirety of Block 2897, and Orient Grove, comprising the western tip of Block 2912.

1.3.2 Zoning

The Project Area and a portion of Block 2907 to the south are located in a C8-2 zoning district. Immediately north and east of the Development Site is an R6A district, which extends east of Woodpoint Road and on both sides of Maspeth Avenue, extending north to Skillman Avenue. There also is an R6A district -- and a C2-4 district overlay -- on both sides of Graham Avenue extending from Powers Street on the south and Richardson Street on the north. North of the Project Area and west of Woodpoint Road is an R6B district, which extends west of Humboldt Street and on both sides of Conselyea Street. There also are R6B districts mapped on both sides of Humboldt Street, extending south from Devoe Street to Powers

Street, and over an area southeast of the Project Area extending from Orient Avenue on the north to Powers Street on the south. There are R7A districts, with a C2-4 district overlay, along both sides of Metropolitan Avenue, extending several blocks west from Humboldt Street, and on one or both sides of Bushwick Avenue, extending south from Metropolitan Avenue to Powers Street. Within this area, there is an MIH area mapped on the southeastern corner of Bushwick Avenue and Metropolitan Avenue and an Inclusionary Housing area mapped on the east side of Bushwick Avenue from south of the MIH area extending south to Grand Street and along the west side of Bushwick Avenue from Devoe Street to Grand Street and then extending east west along Grand Street. In addition, there is an R7-2 district within an MIH area about one block east of the Development Site, mapped over a block bounded by Maspeth Avenue, Kingsland Avenue, Jackson Street and Debevoise Avenue; a C2-4 district overlay is mapped along Maspeth Avenue. In addition, there is an Inclusionary Housing area within an R7A zoning district mapped to the south and west of the Project Area along both sides of Metropolitan Avenue between Humboldt Street to the east and Union Avenue to the west. See Figure 15: Zoning Map.

In C8-2 commercial districts, residential uses are not permitted. Only certain community facility uses in Use Group 4 and commercial uses in Use Groups 5 through 14 and Use Group 16 are permitted as-of-right. C8-2 districts allow a commercial FAR of 2.0 and a community facility FAR of 4.8. Buildings are subject to a maximum front wall height of 60 feet, above which buildings are subject to a sky exposure plane of 2.7 vertical to 1.0 horizontal on narrow streets and 5.6 vertical to 1.0 horizontal on wide streets.

In R6B, R6A, and R7A districts, residential and community facility uses are permitted as-of-right.

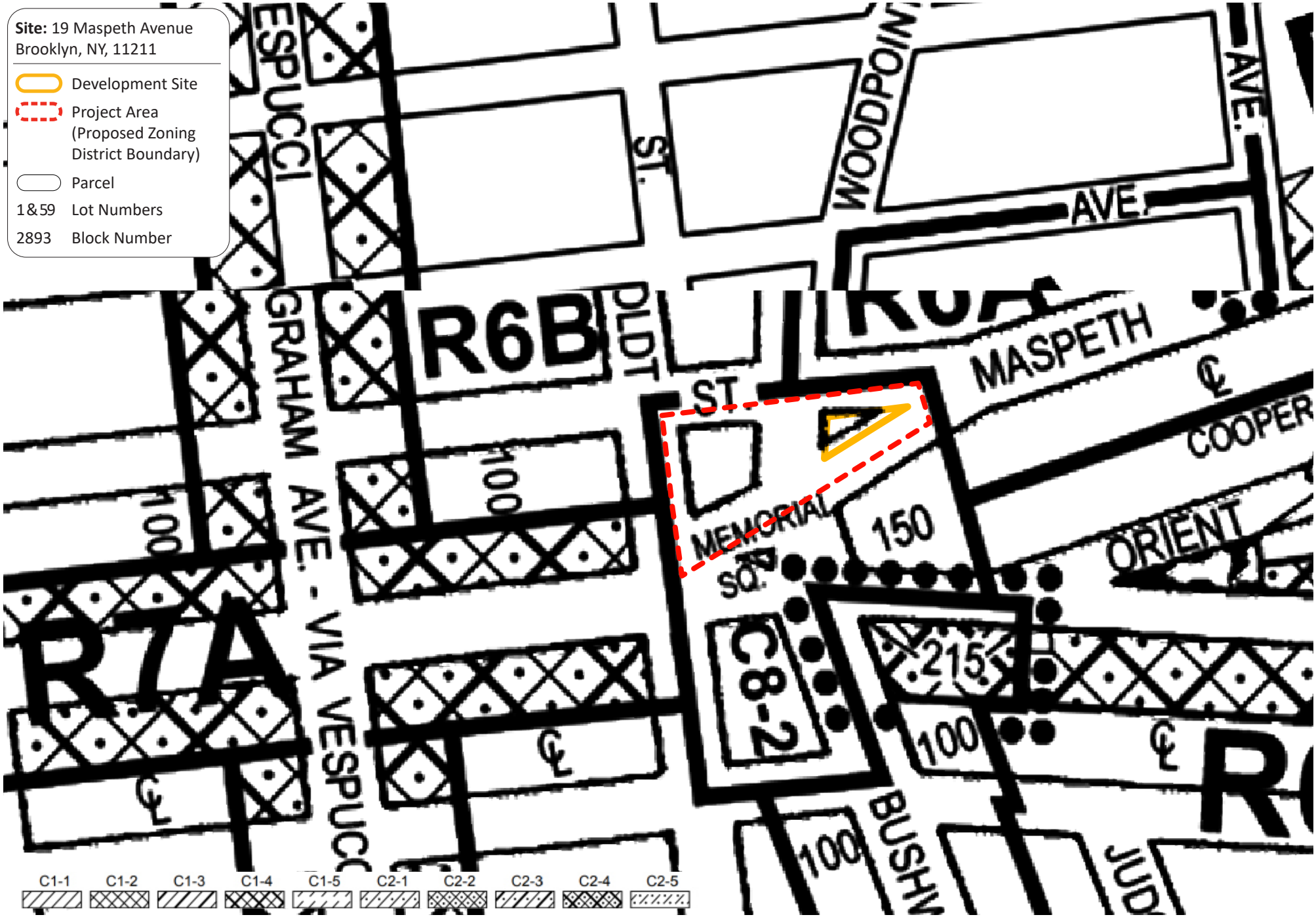
R6B districts allow a residential and community facility FAR of 2.0 and an AIRS FAR of 2.2. Residential and community facility buildings are subject to a maximum base height of 40 feet and a maximum building height of 50 feet.

R6A districts allow a residential and community facility FAR of 3.0 and an AIRS FAR of 3.9. Residential and community facility buildings are subject to a maximum base height of 60 feet and a maximum building height of 70 feet.

R7A districts, within MIH areas, allow a residential FAR of 4.6, a community facility FAR of 4.0, and an AIRS FAR of 5.1. Residential and community facility buildings may rise to a maximum base height of 75 feet and a maximum building height of 90 feet or, with a qualifying ground floor, 95 feet and 9 stories.

R7-2 districts, within an MIH area and within 100 feet of a wide street (which would apply to the subject block), allow a residential FAR of 4.6, a community facility FAR of 6.5, and an AIRS FAR of 5.01. Buildings in R7-2 districts within an MIH area may rise to a maximum base height of 75 feet and a maximum building height of 135 feet.

In C2-4 commercial overlay districts retail and personal service establishment uses in Use Group 6 are permitted as-of-right. C2-4 districts allow a commercial FAR of 2.0.



19 Maspeth Avenue Rezoning

Figure 15: Zoning Map

SOURCE: NYC DEPT. OF CITY PLANNING, 2023

1.3.3 Public Policy

The proposed zoning map amendment is not part of a larger city-sponsored project or neighborhood or economic development plan. Public policy initiatives applicable to the Proposed Actions are aimed at increasing the overall supply of housing, specifically in areas served by public transit.

PlaNYC: Getting Sustainability Done (April 2023)

PlaNYC: Getting Sustainability Done is an action plan for a cleaner, greener, and a more just city for all, as the city reckons with a decade of economic and environmental injustice. The plan sets out to protect New Yorkers from climate threats and provides goals and recommendations in the following categories: extreme heat, flooding, buildings, and clean and renewable energy. PlaNYC promotes green building practices and the use of clean and renewable energy in construction projects. The Proposed Development would incorporate green building practices and renewable energy where feasible.

Housing Our Neighbors (April 2023)

Housing Our Neighbors: A Blueprint for Housing and Homelessness is Mayor Adams' comprehensive blueprint to tackle New York City's affordable housing crisis and get New Yorkers in the safe, high-quality, affordable homes they deserve. The Housing Blueprint ties together the work of the New York City Department of Housing Preservation and Development (HPD), the Housing Development Corporation (HDC), the New York City Housing Authority (NYCHA), the NYC Department of Social Services (DSS), and many other City agencies, to break down silos and address housing issues in a more holistic way. Whether it's public housing or affordable housing, homelessness or homeownership, City services should work together to serve New Yorkers where they are and where they want to go.

The Housing Blueprint is the City's vision for:

- Transforming NYCHA and prioritizing resident engagement and input
- Improving services and creating supportive housing for New Yorkers experiencing homelessness
- Creating and preserving affordable housing to meet the need for more housing
- Improving housing quality, sustainability, and resiliency to keep New Yorkers healthy and safe
- Removing administrative burdens so New Yorkers can get the help they need
- Focusing on equity – from increasing homeownership opportunities to supporting M/WBEs

The Proposed Actions would facilitate the creation of 15 additional housing units, approximately four of which would be affordable.

1.4 Future No-Action Condition

1.4.1 Land Use

Under the No-Action condition the existing parking area would remain, and no new building would be constructed. For the non-Applicant controlled parcels (Block 2892, Lots 1, 37, 38, 39 and 40) in the Project

Area, it is also assumed that existing conditions would remain unchanged in the Future No-Action Scenario.

1.4.2 Zoning and Public Policy

There are no known changes to zoning or public policy expected to occur under the No Action condition. Under the No-Action Condition, the Development Site would remain vacant. The No-Action Condition would not add any new housing to accommodate the existing demand for housing in the Williamsburg neighborhood as encouraged in Housing Our Neighbors

1.5 Future With-Action Condition

1.5.1 Land Use

Development Site and Project Area

The Proposed Development would replace an existing surface parking lot with a 6-story, 65-foot, approximately 19,515 GSF (16,607 zoning square feet) building, with approximately 5,135 square feet of commercial in the cellar and on the ground floor and, on the upper 5 floors, 15 dwelling units, of which approximately 4 will be permanently affordable. The With-Action Scenario maximizes the allowable residential zoning floor area on the zoning lot as proposed under a R7D rezoning. The proposed project would result in a new land use on the Development Site but would be in keeping with residential uses located throughout both the Project Area and Study Area. The Proposed Development that could be constructed as a result of the Proposed Actions would be compatible with surrounding land uses. There are several six to seven story buildings east of the Development Site along Maspeth Avenue, and an eight-story building is located southwest of the Development Site at the intersection of Humboldt Street and Metropolitan Avenue.

The proposed R7D district is appropriate for the Project Area, given the existing uses in the Project Area, the proximity to R7A and R7-2 districts nearby, and the unusually small size of the Development Site and of the Project Area overall. The proposed R7D district is further supported by the Project Area's proximity to public transit, including the Graham Avenue station of the L subway train, which is located one short block east and by planned higher-density developments located to the north and west of the Project Area, including the 18-story Cooper Park Commons development at 89 Maspeth Avenue and other higher-density residential developments along metropolitan Avenue.

The existing C8-2 zoning district has been mapped on the Project Area since 1961. C8-2 zoning districts permit automotive and other heavy commercial uses and were often mapped in 1961 along arterial highways reflecting expectations at the time about the increasing prominence of automobiles in the city[3]. This zoning district is no longer appropriate for the Project Area given its transit rich location and the

[3] "Zoning Handbook, 2018 Edition", New York City Department of Planning, 2018.

increasing densification of the neighborhood with residential uses. Over the past sixty years, the neighborhood has evolved toward more residential uses, evidenced by the non-conforming residential uses on most other properties within the Project Area. Further reflecting the obsolete nature of the existing zoning, the Development Site has been primarily vacant (except for open parking) and unimproved for decades.

The small size of the Development Site enables the construction of a six-story building that maximizes residential floor area and matches buildings developed in nearby R6A and R7A districts in the number of stories and in their scale overall. The Development Site, which encompasses an entire block, is just 2,966 square feet. Because the zoning lot is bounded by streets, no yards or open space are required, resulting in a squat 6-story building which will fully utilize the maximum permitted FAR of 5.6. However, the building itself, as experienced from the street, will be modest and fully compatible with other recently constructed buildings in the neighborhood.

Overall, the proposed project would result in new residential uses and a vibrant, mixed-use building on an underutilized site, and would not result in any significant adverse land use impacts on the Development Site.

Study Area

The Proposed Development facilitated by the Proposed Actions, a new 6-story mixed-use building, will fit contextually within the Study Area, which is characterized by numerous mixed-use developments of six and seven stories in height with groundfloor commercial uses. While the Proposed Development would represent a change in land use from the existing parking lot, the Proposed Development would be compatible with land uses in the Study Area, which include multifamily residential developments surrounding the Project Area, as well as complementary commercial uses. The Proposed Development would be compatible with expected development in the Study Area, which includes additional residential use. Therefore, the proposed project would not result in any significant land use impacts in the Study Area.

1.5.2 Zoning

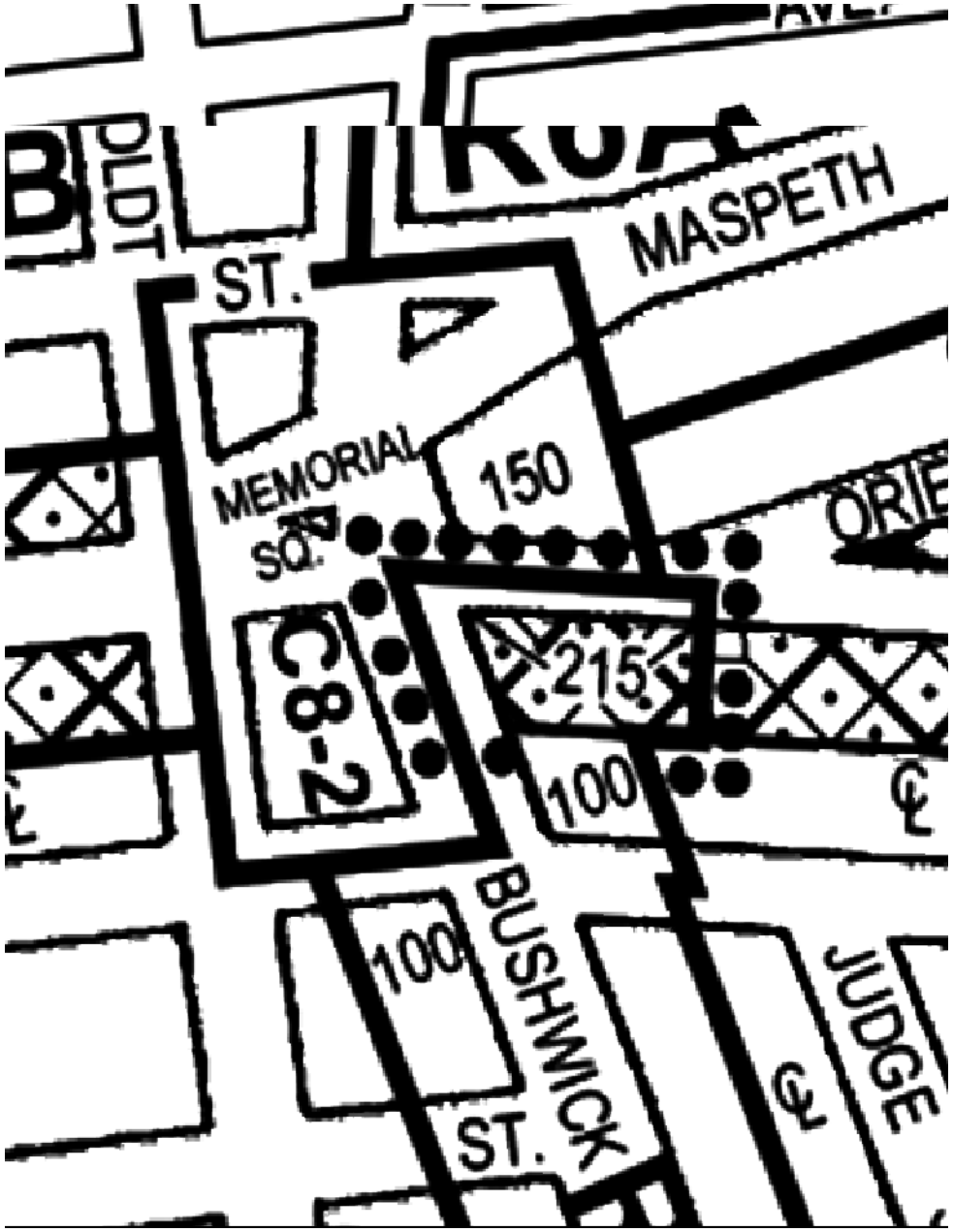
Development Site and Project Area

The Proposed Actions would require the following land use actions:

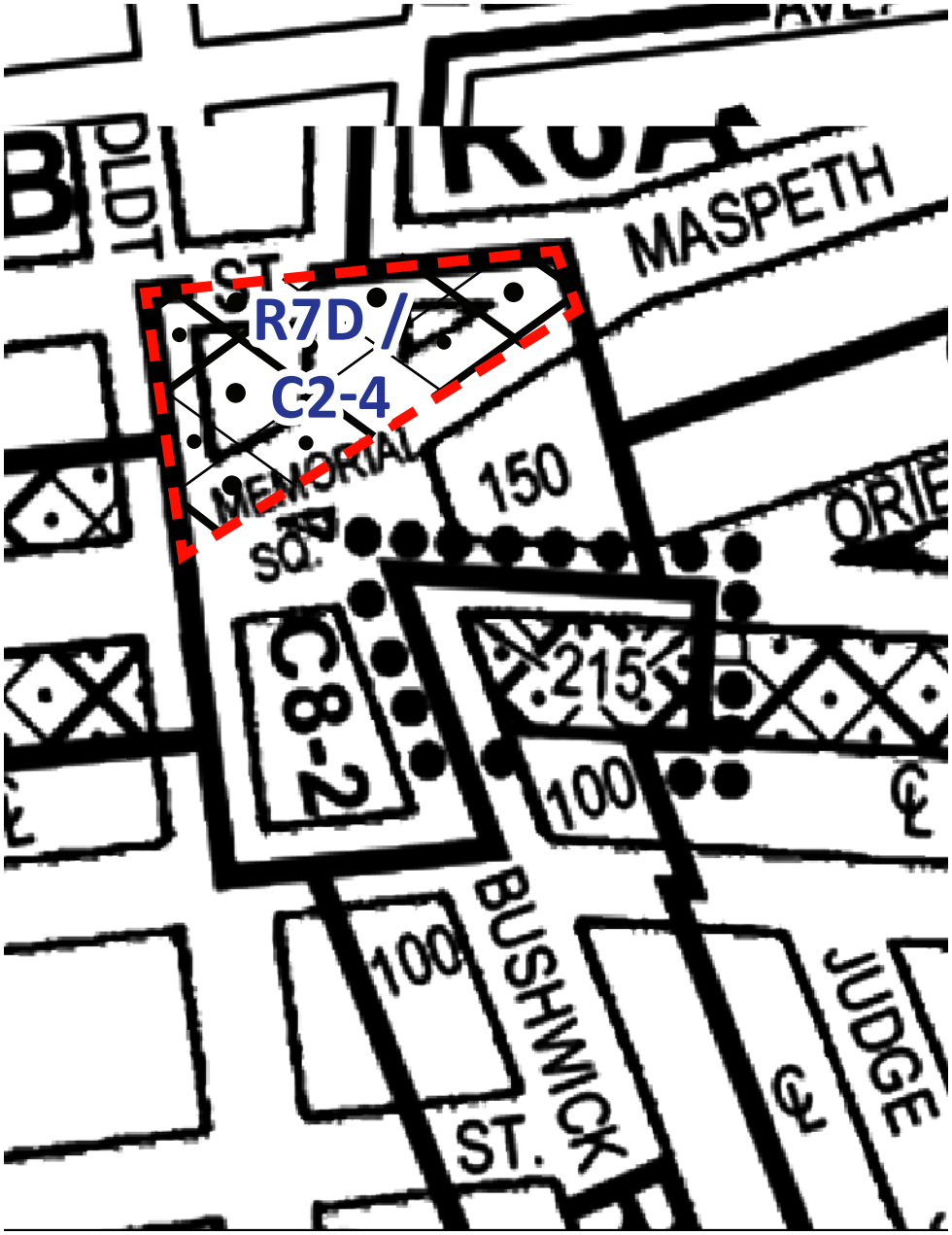
1. Zoning map amendment to (see Figure 16):

    a. Rezone (i) the portion of Block 2892 bounded by Humboldt Street, Maspeth Avenue, Woodpoint Road and Conselyea Street; and (ii) the portion of Block 2893 bounded by Woodpoint Road, Maspeth Avenue and Conselyea Street, from a C8-2 zoning district to an R7D zoning district and a C2-4 commercial overlay;

CURRENT ZONING MAP



PROPOSED ZONING MAP



C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5

0 50 100 200 300 400 Feet

19 MASPETH AVENUE REZONING

FIGURE 16: CURRENT AND PROPOSED ZONING MAP

SOURCE: NYC DEPT. OF CITY PLANNING, 2023

2. Zoning text amendment to add a new Mandatory Inclusionary Housing area in Appendix F of the Zoning Resolution in which Options 1 and 2 are applicable. Option 1 requires that, for new residential developments, an amount of affordable floor area equivalent to at least 25% of the residential floor area within the development be provided, with the weighted average of all income bands not exceeding 60% AMI. No more than three income bands may be provided, with no income band exceeding 130% of the income index, and at least 10% of the residential floor area shall be affordable to an income band at 40% of the income index. Option 2 requires that, for new residential developments, an amount of affordable floor area equivalent to at least 30% of the residential floor area within the development be provided, with the weighted average of all income bands not exceeding 80% AMI. Not more than three income bands may be provided, with no income band exceeding 130% of the income index.

The Proposed Actions would allow the Applicant to build more housing, including affordable housing where none is permitted today, as described below:

1. Zoning Map Amendment: Change from C8-2 to R7D/C2-4

The Applicant proposes a zoning map amendment to rezone from a C8-2 zoning district to an R7D zoning district with a C2-4 commercial district overlay the portion of Block 2892 bounded by Humbolt Street, Maspeth Avenue, Woodpoint Road and Conselyea Street, and the portion of Block 2893 bounded by Woodpoint Road, Maspeth Avenue and Conselyea Street.

Description of Proposed R7D and C2-4 Districts

In R7D zoning districts, when paired with an MIH area, residential uses are permitted an FAR of 5.6, with a requirement that at least 25% of the residential floor area be affordable to households averaging 60% of AMI or at least 30% of the residential floor area to households averaging 80% of AMI. The FAR of AIRS uses in an R7D district (regardless of whether an MIH area is mapped) is 5.6. Community facility uses are permitted at an FAR of 4.2.

In an R7D within an MIH area, for MIH developments containing all affordable floor area required for such development and for buildings where at least 20% of the floor area of the zoning lot contains AIRS, the maximum base height is 95 feet, the maximum building height is 110 feet for buildings with non-qualifying ground floors and 115 feet for buildings with qualifying ground floors, and the maximum number of floors is 11.

In an R7D district, accessory parking is required for 50% of the dwelling units. For zoning lots with a lot area of 10,000 square feet or less, the parking requirement is reduced to 30% of dwelling units. Because the Project Area is in a Transit Zone, no accessory parking is required for income-restricted units, which would include affordable housing units in MIH developments, or AIRS units. Furthermore, in an R7D district, up to 15 required parking spaces may be waived. Only 3 parking spaces would be required for market rate units, which the Applicant elects to waive**.**

The small size of the Development Site enables the construction of a six-story building that maximizes residential floor area, even though an 11-story building is permitted in an R7D district. The Proposed Development matches buildings developed in nearby R6A and R7A districts in the number of stories and in their scale overall. The Development Site, which encompasses an entire block, is just 2,966 square feet. Because the zoning lot is bounded by streets, no yards or open space are required, resulting in a squat 6-story building which will fully utilize the maximum permitted FAR of 5.6. However, the building itself, as experienced from the street, will be modest and fully compatible with other recently-constructed buildings in the neighborhood.

Most important, the rezoning would facilitate the development of much-needed housing, including affordable dwelling units, on land that, under the current C8-2 zoning, would remain underutilized and unlikely to be redeveloped in the foreseeable future. Any residential zoning district less permissive than an R7D is unlikely to result in the production of any affordable housing units. In an R7A/C2-4 zoning district, the maximum floor area on the Development Site would be 13,643 square feet, of which residential floor area is likely to be less than 12,500 square feet, which is the minimum amount at which the MIH requirement for affordable dwelling unit applies.

2. Zoning Text Amendment: MIH Area

The Mayor's policy is to require the mapping of an MIH area whenever a zoning change substantially increases the residential capacity of a zoning lot. Therefore, the Applicant proposes an amendment to Appendix F of the Zoning Resolution to map the Project Area as an MIH area.

The Applicant proposes to amend Map 2 of Brooklyn Community District 1 in Appendix F of the Zoning Resolution to create Mandatory Inclusionary Housing Program Area 8 in which Options 1 and 2 are applicable. Option 1 requires that, for new residential developments, an amount of affordable floor area equivalent to at least 25% of the residential floor area within the development be provided, with the weighted average of all income bands not exceeding 60% AMI. No more than three income bands may be provided, with no income band exceeding 130% of the income index, and at least 10% of the residential floor area shall be affordable to an income band at 40% of the income index. Option 2 requires that, for new residential developments, an amount of affordable floor area equivalent to at least 30% of the residential floor area within the development be provided, with the weighted average of all income bands not exceeding 80% AMI. Not more than three income bands may be provided, with no income band exceeding 130% of the income index.

The Proposed Development would comply with all requirements under the R7D zoning district and the C2-4 commercial overlay district. The zoning changes would allow for an additional 15 units, approximately four of which would be affordable, on an underutilized parking lot. The rezoning actions would also only apply to the Development Site and would not impact any other site on the Project area. Further, the proposed rezoning is compatible with the predominantly residential character of the other properties in the Project Area. The scale and massing of the Proposed Development, necessitated by the

small size of the block constituting the Development Site, is consistent with the scale and massing of other recent developments nearby. Therefore, the Proposed Actions would not result in significant adverse impacts to zoning.

Study Area

The Proposed Actions would apply to the Project Area and would have no effect on zoning in the surrounding area. The blocks surrounding the Project Area would remain in R6B, R6A, and R7A, with a C2-4 commercial overlay, and the Study Area would remain a mix of residential, residential with commercial overlay, and commercial districts. Therefore, the Proposed Actions would not result in a significant adverse impact to zoning in the Project Area or in the surrounding Study Area.

1.5.3 Public Policy

The Proposed Actions would not result in any changes to public policies affecting the Project Area or the Study Area. PlaNYC promotes green building practices and the use of renewable energy, while Housing Our Neighbors promotes the creation of new housing stock for New York's growing population, including seniors and other vulnerable populations. The proposed project would create approximately 15 new housing units, four of which would be affordable, in an area well-served by transit and nearby open space and cultural resources. Further, the Proposed Development will incorporate green building practices and may use renewable energy. The Proposed Development furthers the goals and objectives set by these plans; therefore no impacts would occur and no additional analysis is necessary.

ATTACHMENT B-2: SHADOWS

2.1 Introduction

The *CEQR Technical Manual* defines a shadow as the circumstance in which a building or other built structure blocks the sun from the land or other publicly accessible sunlight-sensitive resources of concern. As described below, the Proposed Actions would not result in significant adverse shadow impacts.

2.2 Methodology

Definitions

Shadows can have impacts on publicly accessible open spaces or natural features by adversely affecting their use and important landscaping and vegetation. Increases in shadow coverage can make parks feel darker and colder, affecting the experience of park patrons. Shadows can also have impacts on historic resources whose features are sunlight-sensitive, such as stained-glass windows, by obscuring the features or details which make the resources significant.

In general, shadows on city streets and sidewalks or on other buildings are not considered significant under CEQR. Some open spaces contain facilities that are not sensitive to sunlight. These are usually paved spaces such as handball or basketball courts, contain no sitting areas and no vegetation, no unusual or historic plantings, or contain only unusual or historic plantings that are shade tolerant. These types of facilities do not need to be analyzed for shadows impacts. Additionally, it is generally not necessary to assess resources located to the south of development sites as shadows cast by the action-generated development would not be cast in the direction of these resources. Furthermore, shadows occurring within an hour and a half of sunrise and sunset generally are not considered significant under CEQR.

Methodology

Following the guidelines of the *CEQR Technical Manual*, a shadow assessment is required only if the project would either (a) result in new structures (or additions to existing structures including the addition of rooftop mechanical equipment) of 50 feet or more or (b) be located adjacent to, or across the street from, a sunlight-sensitive resource. However, where a project's height increase is ten feet or less and it is located adjacent to, or across the street from, a sunlight-sensitive open space resource, which is not a designated New York City Landmark or listed on the State/National Registers of Historic Places or eligible for these programs, the lead agency may determine, in consultation with the NYC Department of Parks and Recreation (NYC Parks), whether a shadow assessment is required in that case.

To determine whether new shadows could adversely affect the aforementioned opens spaces, screening analyses are necessary. A preliminary screening assessment must first be conducted to determine whether a project's shadow could reach any sunlight-sensitive resources at any time of year. The preliminary screening assessment consists of three tiers of analysis. Prior to conducting the three-tiered analysis, a base map illustrating the proposed site location in relationship to the sunlight-sensitive

resources must be prepared. After the base map is developed, the longest shadow Study Area is determined (Tier 1 Screening Assessment). 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 structure, which is 4.3 times the height of the structure and occurs on December 21, the winter solstice. To find the longest shadow length, multiply the maximum height of the structure (including any rooftop mechanical equipment) resulting from the proposed project by the factor of 4.3. Once the longest shadow length has been determined, any sunlight sensitive resources located within the shadow extent should be identified.

If any portion of a sunlight-sensitive resource lies within the longest shadow Study Area, a Tier 2 Screening Analysis must be performed. Because of the path that the sun travels across the sky in the northern hemisphere, no shadow can be cast in a triangular area south of any given Development Site. In New York City, this area lies between -108 and +108 degrees from true north. Therefore, on the base map, the triangular area that cannot be shaded by the proposed Development Site starting from the southernmost portion of the site, covering the area between -108° degrees from true north and +108 degrees from true north should be located. The complementing portion to the north within the longest shadow Study Area is the area that can be shaded by the proposed project. Any sunlight sensitive resources located within the reduced shadow extent should be identified; if none of the sunlight-sensitive resources lay within the area that can be shaded by the proposed project, no further assessment of shadows is necessary.

Based on the results of the Tier 2 screening assessment, a Tier 3 screening assessment should be performed if any portion of a sunlight-sensitive resource is within the area that could be shaded by the proposed project. The Tier 3 assessment recommends the use of three-dimensional computer modeling to determine the extent and duration of shadow impacts on any identified sun-light sensitive resources.

2.3 Assessment

2.3.1 Future without the Proposed Actions (No-Action Condition)

Under the No-Action Condition, the Development Site would remain vacant. As no new construction would occur under the No-Action Condition, no new shadows would occur.

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

Per the 2021 *CEQR Technical Manual*, the first step in conducting a shadow screening assessment is to develop a base map that includes topography and illustrates the proposed site location in relationship to any sunlight-sensitive resources. Figure 17 below, shows the Development Site in relationship to the sunlight sensitive resources. As shown on Figure 17, the area is flat and there are only three sunlight sensitive resources in the vicinity of the Development Site, as defined in Chapter 8 of the 2021 *CEQR Technical Manual* (Section 100). Since the base map identified sunlight sensitive resources near the Development Site a Tier 1 Assessment is required.



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FIGURE 17: SHADOW BASE MAP

SOURCE: NYC DEPT. OF CITY PLANNING, 2023

Tier 1 and Tier 2 Screening Assessments

Under the Proposed Actions (With-Action Condition), a new six-story building would be constructed that would rise to approximately 65 feet at the roofline and up to 79 feet to the top of the bulkhead. Under the No-Action Condition, the Development Site would remain vacant; therefore, the incremental increase in height between the No-Action Condition and the With-Action Condition is 79 feet. This increase in incremental height requires a shadow assessment.

According to the *CEQR Technical Manual*, the longest shadow cast by any structures in New York City is 4.3 times the height of the structure, and occurs on December 21, the winter solstice. For a building with a bulkhead height of 79 feet, the longest shadow it would cast would be approximately 340 feet (see Figure 18).

As illustrated in Figure 18, the Tier 1 screening identified two sunlight sensitive resources located within the maximum shadow extent of the proposed building – Memorial Gore and Orient Grove. Therefore, a Tier 2 screening was conducted. The Tier 2 screening shows that both Memorial Gire and Orient Grove are located south of the Development Site within the area that cannot be shaded by the Proposed Development. As the results of the Tier 1 and Tier 2 screenings indicate that no sunlight sensitive resources would be impacted by the longest possible shadow cast, the effect of shadows would not be significant, and no further analysis is required.



19 Maspeth Avenue Rezoning

FIGURE 18: TIER 1 AND TIER 2 SHADOW STUDY

SOURCE: NYC DEPT. OF CITY PLANNING, 2023

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ATTACHMENT B-3: HISTORIC AND CULTURAL RESOURCES

3.1 Introduction

This section assesses the potential for the Proposed Actions to affect historic resources. Historic resources include both archaeological and architectural resources. Architectural resources generally include historically important buildings, structures, objects, sites, and districts. They may include bridges, canals, piers, wharves, and railroad transfer bridges that may be wholly or partially visible above ground. Archaeological resources are physical remains, usually subsurface, of prehistoric, Native American, and historic periods – such as burials, foundations, artifacts, wells, and privies. As a general rule, archaeological resources do not include 20th and 21st Century artifacts.

The Study Area for archaeological resources is the Development Site, which is the area that could be disturbed by the project's construction. To evaluate potential effects due to on-site construction activities, and also to account for visual or contextual impacts, the Study Area for architectural resources generally consists of an area defined by the radius of 400 feet from the borders of the Development Site (see Figure 16: Land Use Map).

According to the *CEQR Technical Manual*, the following are always considered historical and cultural resources:

- Designated New York City Landmarks, Interior Landmarks, Scenic Landmarks, and properties within designated New York City Historic Districts.
- Resources calendared for consideration as one of the above by Landmarks Preservation Commission (LPC).
- Resources listed on, or formally determined eligible for inclusion on, the State and/or National Register of Historic Places (S/NR), or contained within a district listed on, or formally determined eligible for listing on, the State and/or National Register of Historic Places.
- Resources recommended by the New York State Board for listing on the State and/or National Registers of Historic Places.
- National Historic Landmarks.
- Resources not identified by one of the programs listed above, but that meet their eligibility requirements.

3.2 Methodology

Architectural Resources

According to the *CEQR Technical Manual*, impacts on historic resources are considered on those sites affected by the Proposed Actions and in the area surrounding identified development sites. The historic resources Study Area is therefore defined as the Development Site plus an approximately 400-foot radius around the Proposed Actions area.

According to correspondence with the New York City Landmarks Preservation Commission (LPC), the Development Site has not been identified as having architectural significance, and no building within 400 feet of the Development Site are designated as New York City landmarks or are located on the National Register of Historic Places.

Archaeological Resources

Unlike the architectural evaluation of a Study Area that extends beyond the footprint of a project's block and lot lines, the analysis of potential and/or projected impacts to archaeological resources is controlled by the actual footprint of the limits of soil disturbance. Archaeological resources are physical remains, usually subsurface, of the prehistoric and historic periods such as burials, foundations, artifacts, wells and privies. The *CEQR Technical Manual* requires a detailed evaluation of a project's potential effect on the archaeological resources if it would potentially result in an in-ground disturbance to an area not previously excavated.

The Development Site has not been identified as having sensitivity for archeological resources as defined and mapped by New York's State Historic Preservation Office (SHPO); however, according to correspondence with the New York City Landmarks Preservation Commission (LPC), the Development Site has the potential for archaeological resources. This potential significance is because according to the LPC, the Development Site is adjacent to the location of the Bushwick Reformed Dutch Church Cemetery and has the potential for the recovery or remains from Colonial or 19th Century occupation of the Development Site (see Appendix B for LPC dated October 1, 2018[4]).

3.3 Assessment

3.3.1 Existing Conditions

Development Site

The 2,966.8 (sf) Development Site does not currently contain any structures. The Development Site has been used as a surface parking lot since at least 1986.

Study Area

The area around the Development Site lies at the confluence of several Native American trails, which is reflected in the odd modern-day street layout. The Development Site is located in the heart of the former Dutch village of Bushwick. The Village of Bushwick was established in 1660 when Director-General Peter Stuyvesant met with 14 Frenchmen and 1 Dutchman to lay out 22 house lots, which were located in the area around the Development Site. The village of Bushwick grew and prospered until it was absorbed into Williamsburgh in the 1830s, and later into the City of Brooklyn. Due to this historic development, the Development Site holds potential evidence of use during the 17th, 18th, and 19th centuries.

[4] The LPC coordination letter in the Appendix lists the Project as 234 Conselyea Street, which is an address that was previously used for the Development Site. The Development Site is now referred to as 19 Maspeth Avenue. The location of the Development Site has not changed since the LPC coordination letter was written, only the reference has.

3.3.2 Future without the Proposed Actions (No-Action Condition)

Development Site

The 2,966.8 (sf) Development Site is currently vacant; this condition would not change under the No-Action Condition. Under the No-Action Condition, no construction would occur and the Development Site would remain as a paved surface parking lot.

Study Area

The area around the Development Site holds potential evidence of use during the 17th, 18th, and 19th centuries. As no construction would occur under the No-Action Condition, no impacts to potential archaeological resources located around the Development Site would occur.

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

Development Site

The proposed project would include a cellar for the entire 2,896 sf footprint of the building, which would result in new inground-disturbance with and excavation depth of approximately 10.5 feet. In their correspondence letter dated October 1, 2018, the LPC stated that there is potential for the recovery of remains from Colonial or 19th Century occupation on the Development Site due to the Development Site being located adjacent to the Bushwick Reformed Dutch Church Cemetery. Due to the Development Site's archaeological sensitivity, a Phase 1A Archaeological Assessment was completed by Greenhouse Consultants, Inc. dated December 2018.

Phase 1A Archaeological Assessment

Review of historic maps and accounts revealed that the Development Site is located at the confluence of several Native American trails, which helps explain why the streets around the Development Site have such a unique orientation. The Development Site was not close to a Native American village or encampment, or streams or other bodies of water, and therefore the only potential prehistoric artifacts that may exist at the Development Site are stray artifacts that were discarded or left behind by Native Americans using the trails.

The Development Site is located in the former village of Bushwick, as created by Director-General Peter Stuyvesant in 1660. Woodpoint Road/Bushwick Avenue is the western boundary of the Development Site and was the heart of the village for two centuries as the area prospered and eventually was absorbed first by Williamsburgh (west side of Woodpoint Road/Bushwick Avenue) and later by the City of Brooklyn (larger area around the Development Site). Due to the Development Site's location within the historic village of Bushwick, there is potential for evidence of use during the 17th, 18th, and 19th Centuries.

The 2018 Phase 1A study determined that there is a very slim chance that the area around the Development Site is the location of the former Bushwick Dutch Reformed Church or the old cemetery of Bushwick. Historic maps do not show the Development Site as the location of the Bushwick Dutch Reform Church. The exact date of when the Bushwick Dutch Reformed Church building was constructed is

unknown, but the church was operating in at least 1708. The church was located on the west side of Woodpoint Road across from the Development Site. A second church structure was constructed in this location in 1711, and a third in 1829. The third church structure was demolished in 1910 when Conselyea Avenue was extended to connect to Maspeth. The remains of this church should be located directly underneath Conselyea Avenue. After subsequent demolitions of church facilities, the Catholic Church purchased the property and constructed St. Francis Paolo Roman Catholic Church in the vicinity of the Bushwick Dutch Reform Church Buildings.

The Phase IA also concluded that it is very unlikely that the Development Site was the location of the Bushwick Cemetery. The 1884 Stiles map shows the Bushwick Cemetery as located on the four corners of Parker and Kingsland Avenue, near the location of the Cooper Park Houses. According to the Phase IA, bodies were removed from this cemetery in 1879 and placed under the Bushwick Dutch Reformed Church, which was located across Woodpoint Road from the Development Site.

The 2018 Phase IA was submitted to LPC and by correspondence dated January 14, 2019, LPC asked for additional information and documentation regarding the archeological sensitivity of the Development Site.

A revised Phase IA dated August 2019, was prepared. The revised Phase IA concluded the following (see Appendix B):

> "*The potential for prehistoric archaeological resource recovery at the project site is low, while the unbuilt rear and central portions of Lot 1, as well as the entire Lot 59, are sensitive for historic archaeological resources connected to Colonial life and residential and commercial activity in nineteenth- and early twentieth-century Brooklyn. In these lots, the proposed development's excavations are likely to exceed previous construction excavations in depth and footprint. Greenhouse Consultants Incorporated recommends archaeological field investigations in Lots 1 and 59 prior to construction for evidence of materials associated with seventeenth- and eighteenth-century settler life and shaft features with assemblages relevant to the study of Brooklyn's nineteenth- and early twentieth-century working-class residents and businesses."*

The revised Phase IA was submitted to LPC for review and by correspondence dated August 10, 2023, LPC concurred with the findings of the revised Phase IA that the Development Site has the potential to contain significant archaeological resources and that archaeological testing should be completed. LPC requested that an archaeological work plan be submitted to LPC for this work for review and approval before it proceeds and LPC asks that a hard copy be sent to the Commission for its archives (see Appendix B).

Per the LPC's *Guidelines for Archaeological Work in New York City*, September 2018:

> "Under CEQR, there are instances when applicants and lead agencies may elect to use a restrictive *declaration to address identified archaeological issues after the environmental review process has been successfully concluded. A restrictive declaration is a legal agreement that may be used with lead agency (such as the Board of Standards and Appeals or the Department of City Planning) approval for some projects. It specifies that archaeological work will occur once the applicant's project has been approved—but before it may proceed. The archaeological work is overseen by LPC; such agreements mandate that the applicant may not apply for Department of Buildings permits, including certificates of occupancy, until LPC has issued the documents specified in the agreement after the successful completion of archaeological work. LPC may be contacted for sample restrictive declarations.*

A Restrictive Declaration will be implemented at the Applicant's Development Site, which is in their sole ownership, for archaeological resources per the Guidelines outlined above. The Restrictive Declaration will stipulate the necessity of a Phase IB archaeological study at the Development Site before any development activities can commence. By email dated August 17, 2023, LPC stated that they would not object to the use of a Restrictive Declaration on the Development Site since the potential resources are historic features and artifacts. LPC requests to review the restrictive declaration before it is executed and would want a copy once it is executed (see Appendix B). With a Restrictive Declaration on the Development Site to the satisfaction of DCP and LPC, and in accordance with LPC Guidelines, the Proposed Actions would not result in an impact to archeological resources.

Study Area

The area around the Development Site holds potential evidence of use during the 17th, 18th, and 19th centuries. Unlike the architectural evaluation of a Study Area that extends beyond the footprint of a project's block and lot lines, the analysis of potential and/or projected impacts to archaeological resources is controlled by the actual footprint of the limits of soil disturbance. Construction activities for the proposed project will be limited to the Development Site, and therefore will not impact any potential archaeological or historic resources in the Study Area.

Conclusion

Based on the above analysis, the Proposed Actions would not have any significant adverse impact on architectural or archaeological resources.

ATTACHMENT B-4: URBAN DESIGN AND VISUAL RESOURCES

4.1 Introduction

This section assesses the potential for the Proposed Actions to affect the pedestrian experience in the vicinity of a proposed development. An urban design and visual resources analysis focuses on the arrangement, appearance, and functionality of the built environment. A preliminary assessment is appropriate when there is the potential for a pedestrian to observe a physical alteration beyond what is allowed by the existing zoning. This includes:

- Projects that permit the modification of yard, height, and setback requirements; and
- Projects that result in an increase in built floor area beyond what would be allowed 'as-of-right' or in the future without the proposed project.

As described in Attachment A-1 "Project Description", the Applicant is requesting the following zoning actions:

1. Rezone (i) the portion of Block 2892 bounded by Humboldt Street, Maspeth Avenue, Woodpoint Road and Conselyea Street; and (ii) the portion of Block 2893 bounded by Woodpoint Road, Maspeth Avenue and Conselyea Street, from a C8-2 zoning district to an R7D zoning district and a C2-4 commercial overlay; and

2. Zoning text amendment to add a new Mandatory Inclusionary Housing area in Appendix F of the Zoning Resolution.

As indicated in the Project Description, under the With-Action Condition the Development Site could be developed with a new six-story (65 feet), 19,515 GSF (5.6 FAR) mixed-use building containing 14,380 GSF of residential and 5,135 GSF of cellar and ground-floor commercial (2,342 gsf on the groundfloor). Under the With-Action Condition, the Development Site is the only site projected for future development. Due to the potential for an increase in built floor area on the Development Site where they were previously not allowed, a preliminary assessment for urban design and visual resources is appropriate.

4.2 Methodology

According to the *CEQR Technical Manual*, preliminary assessments of urban design and visual resources include descriptions of the project area, an aerial map, ground-level photographs of the site area, building heights, any view corridors, and zoning and floor area calculations. The Proposed Actions would allow for a building to be built on the Development Site with additional FAR. As outlined in Attachment A, the proposed development is the maximum permitted development (reasonable worst-case scenario) allowed on-site. The small size of the Development Site enables the construction of a six-story building that maximizes residential floor area, even though an 11-story building is permitted in an R7D district.

According to the *CEQR Technical Manual*, the Study Area for urban design is the area where the project may influence land use patterns and the built environment and is generally consistent with that used for

the land use analysis. For visual resources, the view corridors within the Study Area from which such resources are publicly viewable should be identified. Consistent with CEQR methodologies, the Study Area for the urban design and visual resources analysis has been defined as a 400-foot radius around the Project Area, consistent with the analysis of land use, zoning, and public policy (see Figure 19 – Aerial Map – Urban Design/Visual Resources Study Area).

4.3 Assessment

4.3.1 Existing Conditions

Development Site and Project Area

Urban Design

The Development Site comprises a 2,966-square-foot triangular block (2893, Lots 1 and 59) bounded by Conselyea Street to the north, Maspeth Avenue to the southeast, and Woodpoint Road to the west. The Development Site, which is open and unimproved, is used by the Applicant for parking in connection with the Applicant's contractor's establishment, New York Heating, located at 354 Humboldt Street two blocks away. The Development Site provides parking for New York Heating trucks and vans as well as some outdoor storage. The Development Site is surrounded by a combination of corrugated metal and chain link fencing topped with razor wire (See Figure 20: Photo 1). The corrugated metal fencing along the Development Site's Woodpoint Avenue frontage contains a mural of the New York City skyline and the New York Heating name and telephone number (See Figure 20: Photo 2).

The portion of Block 2892 within the Project Area is characterized by its overall small size and the small, irregular shapes of the individual tax lots. There is a small 1,729 square foot triangular religious shrine (Lot 37) called Vito Abate Grotto, owned, and maintained by St. Francis Paolo Roman Catholic Church (see Photo 3). There are two narrow through lots (Lot 38, which is 2,858 square feet, and Lot 39, which is 2,123 square feet) improved with two three-story walk up apartment buildings fronting on Maspeth Avenue (See Figure 20: Photo 3), containing a total of 8 units, and two one-story garages fronting on Conselyea Street (See Figure 20: Photo 4). There is also a 1,116 square foot interior lot (Lot 40) improved with three-story single family dwelling fronting on Maspeth Avenue. Completing the block, on an irregularly shaped 3,905 square foot block-long property fronting on Humboldt Street (Lot 1), a new two-story ambulatory and diagnostic health care facility was constructed in 2018 (see Figure 22: Photo 5).

Visual Resources

As defined in the CEQR *Technical Manual*, "a visual resource is the connection from the public realm to significant natural or built features, including but not limited to, views of the waterfront, public parks, public art, statues or sculptures, landmark structures or districts, otherwise distinct buildings or groups of buildings that may be iconic or historic, or natural resources (p. 10-1)." As described above, the Development Site is an unimproved parking lot and the Project Area contains a mix of low-rise residential buildings, an ambulatory care facility and a small enclosed religious shrine. Of visual interest in the Project Area is the Vito Abate Grotto, maintained by St. Francis Paolo Roman Catholic Church is surrounded by a



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Figure 19: Aerial Map

Environmental Assessment Statement

SOURCE: Esri, digital globe, geoeye, earthstar geographics, cnes/airbus ds, usgs, aerogrid, ign, and the gis user community, 2023

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Photo 1:
Development Site looking west along Maspeth Avenue



Photo 2:
Development Site looking east along Woodpoint Avenue



Photo 3:
Project Area looking south on Woodpoint Avenue



Photo 4:
Project Area looking south on Conselyea Street



Photo 5:
Project Area looking north along Humboldt Street and east along Maspeth Avenue



Photo 6:
Project Area looking west from Woodpoint Avenue (Vito Abate Grotto)



Photo 7:
Study Area looking north from intersection of Woodpoint Avenue and Conselyea Street



Photo 8:
Project Area looking south from intersection of Woodpoint Avenue and Skillman Avenue

decorative black fence, and has a stone grotto and statue of the Virgin Mary. The grass area is turf. See Figure 21: Photo 6.

Study Area

Urban Design

The Study Area is generally bisected east-west by Metropolitan Avenue and Conselyea Street/Maspeth Avenue and north-south by Humboldt Street and Woodpoint Road/Bushwick Avenue. Metropolitan Avenue features one lane of traffic in each direction and is a local truck route. Maspeth Avenue features one lane in each direction east of the Development Site and transitions into Conselyea Street which is one lane west of the Development Site. Bushwick Avenue features two lanes of traffic in each direction south of Metropolitan Avenue and transitions into Woodpoint Road north of Metropolitan Avenue with one lane of traffic in each direction. Generally, the Study Area is characterized by a mix of low- and medium-sized residential and mixed-use buildings, in addition to some commercial, institutional and auto-oriented uses. All streets have on street parking.

The street network within the Study Area is generally representative of the New York City street grid, with adequate sidewalk and crosswalk infrastructure present throughout. There are bikes racks on the street along portions of Metropolitan Avenue and street trees are located intermittently throughout the Study Area. There is a slight deviation from the street grid in the middle of the Study Area, where several streets intersect to create several smaller than typical blocks, notably, the Development Site.

Immediately north of the Development Site, Block 2893 is characterized largely by two- to four-story multi-family walkups on small lots, with a couple of 7-story mixed use buildings on larger parcels (See Figure 21: Photo 7). The 7-story condominium building at 234 Skillman Avenue, constructed in 2004, contains 67 residential units and about 54,000 square feet of floor area (See Figure 21: Photo 8). The 7-story building at 65 Maspeth Avenue, also constructed in 2004, contains 23 apartments and approximately 28,000 square feet of floor area (see Figure 22: Photo 9). Blocks 2892 and 2755, the other two blocks in the Study Area immediately north of Conselyea Street, are dominated by facilities owned by St. Francis of Paola Roman Catholic Church, including the church at 211 Conselyea Street, a four-story chapel and rectory at 206 Skillman Avenue, a one-story recreation center at 410 Humboldt Street, and a one-story school at 195 Conselyea Street (see Figure 22: Photos 10 and 11). The remainder of Block 2755 and the blocks north of Skillman Avenue – Blocks 2750, 2883 and 2884 – are characterized mainly by 3-story multifamily walkups, with occasional 2- 4- and 5-story primarily residential buildings on smaller lots (2,000 to 5,000) with built FARs generally ranging from 0.47 to 2.47 (see Figure 22: Photo 12).

Immediately south of the Development Site, Block 2907 is also characterized largely by two- to four-story multifamily walkups on small lots, with two notable exceptions. The 7-story mixed use building at 36 Maspeth Avenue, constructed in 2008, contains 53 residential condominiums and approximately 40,000 square feet of floor area (see Figure 23: Photo 13). The 7-story mixed use building at 94 Maspeth Avenue (on the corner of Olive Street), constructed in 2007, contains 87 residential condominiums and approximately 61,000 square feet of floor area (see Figure 23: Photo 14). Also, there is a five-story multi-



Photo 9:
Project Area (65 Maspeth Avenue) looking east



Photo10:
Project Area l(St. Francis of Paola Church) looking northeast from Woodpoint Avenue



Photo 11:
Project Area (St. Francis of Paoloa school) looking east from Conselyea Street



Photo 12:
Project Area looking west along Skillman Avenue



Photo 13:
Project Area (36 Maspeth Avenue) looking east



Photo14:
Project Area (St. Francis of Paola Church) looking northeast from Woodpoint Avenue



Photo 15:
Project Area (Memorial Gore) looking northwest along Metropolitan Avenue



Photo 16:
Project Area (Orient Grove) looking east along Orient Avenue

family elevator building at 58 Maspeth Avenue constructed in 2007 with 16 apartments and approximately 16,000 square feet of floor area (see Figure 23: Photo 13). Along the western edge of the block (within the C8-2 district), there is a one-story auto repair shop (unrelated to the Applicant's business, New York Heating). One block east of the Project Area, outside of the Study Area, is Cooper Park, a 6.4-acre City park with basketball courts, tennis courts, a skate park, playgrounds and a dog run.

There are two small triangular City parks within the Study Area: Memorial Gore, comprising the entirety of Block 2897, and Orient Grove, comprising the western tip of Block 2912 (see Figure 23: Photos 15 and 16).

Visual Resources

Memorial Gore and Orient Grove constitute the only two visual resources within the Study Area. The Memorial Gore is a 0.07-acre memorial triangle/plaza owned and operated by New York City Department of Parks and Recreation (NYCDPR), featuring World War I memorial with associated landscaping. The Orient Grove Community Garden is a 0.15-acre triangle/plaza utilized as a community garden, owned and operated by the NYCDPR under the GrowNYC program. Only Memorial Gore is visible from the Development Site. See Figure 23: Photos 15 and 16.

4.3.2 Future No-Action Condition

Development Site and Project Area

Under the No-Action Condition, the Development Site would remain a parking lot. As no new construction would occur under the No-Action Condition, there would be no changes to how the Development Site affects the pedestrian experience. See Figure 20, photos 1 and 2 for views of the No-Action Condition.

Effects of Other Future Projects

According to the New York City Department of City Planning Capital Planning Explorer and Zoning Application Portal (ZAP), there are several ongoing development projects (projects to be completed by the projected project build year – 2025) that would contribute to the urban design character of the Study Area once completed. These projects include:

- 828 Metropolitan Avenue (Brooklyn Block 2916, Lot 14): This site was rezoned 2021 from C8-2 and R6B zoning districts to an R7A zoning district with a C2-4 commercial district overlay (ULURP C 200314 ZMK). In its report approving the application and a related application to amend the zoning text to map an MIH area (N 200315 ZRK), the City Planning Commission stated that the existing C8-2 district "is no longer reflective of the land use trends in the area. The proposed R7A/C2-4 district will accommodate the growing demand for housing near transit, city parks, and community facilities and will improve pedestrian conditions near a prominent intersection in the area." The project will result in the construction of 136 units in a nine-story building located at the southeast corner of Metropolitan and Bushwick Avenue, one block south of the Development Site. This is the former site of the Speedway gas station.

- 241 Conselyea Street (Brooklyn Block 2893, Lot 55): a six-story 24-unit residential building located to the northeast of the Development Site.
- 183 Devoe Street (Brooklyn Block 2765, Lot 30): a four-story seven-unit masonry residential building, located along Devoe Street in the southwest portion of the Study Area.

As described, these projects would reflect and reinforce the urban design character of the Study Area. They range in height from four to nine stories, and all contain residential uses. No impacts to urban design or visual resources are expected under the No-Action Condition.

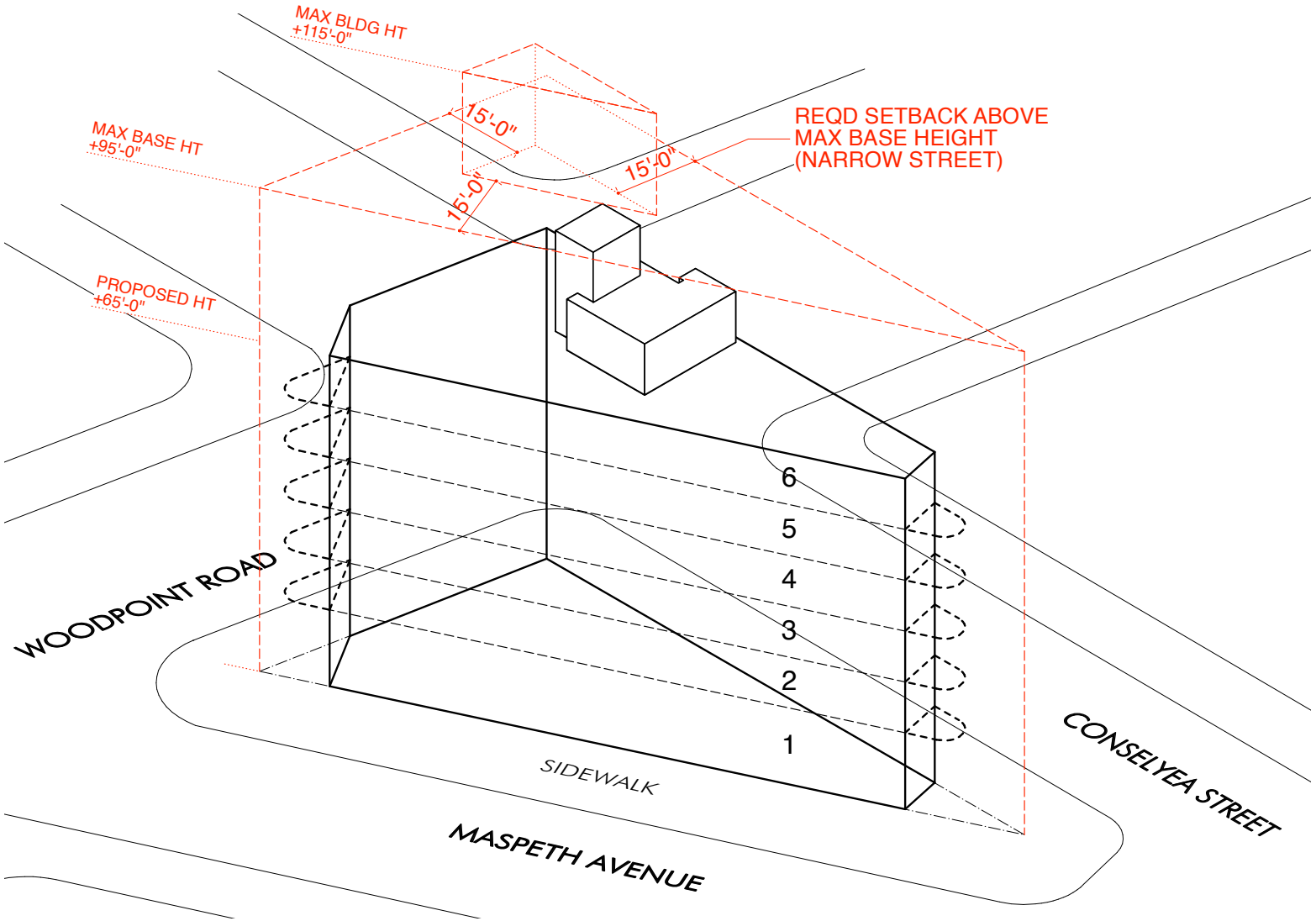
5.3.3 Future with the Proposed Actions (With-Action Condition)

Urban Design

The *CEQR Technical Manual* guidelines state that if the preliminary assessment shows that changes to the pedestrian environment are sufficiently significant to require greater explanation and further study, then a detailed analysis is appropriate. Examples include projects that would potentially obstruct view corridors, compete with icons in the skyline, or make substantial alterations to the streetscape of a neighborhood by noticeably changing the scale of buildings. Detailed analyses also are generally appropriate for areawide rezonings that include an increase in permitted floor area or changes in height and setback requirements, general large-scale developments, or projects that would result in substantial changes to the built environment of a historic district or components of a historic building that contribute to the resource's historic significance.

Development Site

As described in Attachment A, "Project Description," in the With-Action Condition, the Proposed Actions would rezone the Development Site and Project Area as R7D with a C2-4 commercial overlay a well as map this rezoned area as a MIH district in order to facilitate the development of a new mixed-use residential and groundfloor commercial building on the Development Site. Under the With-Action condition, these actions would permit the development of a new six-story (65 feet), 19,515 GSF (5.6 FAR) mixed-use building containing 14,380 GSF of residential and 5,135 GSF of cellar and ground-floor commercial (2,342 gsf on the groundfloor). The Proposed Development would contain 15 dwelling units, of which approximately 4 will be permanently affordable. Due to the Development Site's small size and triangular shape with frontage on three streets, the new six-story development would be a "Flatiron"-style triangular building, covering almost 100 percent of the Development Site (see Figures 24). The small size of the Development Site enables the construction of a six-story building that maximizes residential floor area, even though an 11-story building is permitted in an R7D district (see Figures 24 and 25). As shown in Figures 25, the proposed building would fill in the open and underutilized triangle in the middle of Maspeth Avenue and Conselyea Street, providing a vibrant street frontage along all three sides of the triangle. The Proposed Development would have commercial entrances off Maspeth Avenue and Woodpoint Avenue and the residential entrance would be off Conselyea Street.



19 Maspeth Avenue Rezoning

FIGURE 24: Proposed Massing

SOURCE: Chandler Pierce Architect, August 2024



19 Maspeth Avenue Rezoning

FIGURE 25: Street View Looking West on Maspeth Avenue

SOURCE: Chandler Pierce Architect, August 2024

The Proposed Actions would allow residential uses on the Development Site where they are currently prohibited. The R7D zoning would also allow greater height than permitted under the C8-2 zoning which is regulated by sky exposure planes. The No-Action and With-Action conditions are illustrated in Figure 26. As outlined in Attachment A, under the No-Action condition the Development Site would continue to be used for open parking surrounded by a chain link fence. Under the No-Action condition, this leaves an open area between the street frontages along Maspeth Avenue and Conselyea Street. Also, as shown, the proposed height of the building, which maximizes FAR on the Development Site, is of a similar height and scale to other existing buildings to the west and south.

The small size of the Development Site enables the construction of a six-story building that maximizes residential floor area, even though an 11-story building is permitted in an R7D district. The Proposed Development matches buildings developed in nearby R6A and R7A districts in the number of stories and in their scale overall. The Development Site, which encompasses an entire block, is just 2,966 square feet. Because the zoning lot is bounded by streets, no yards or open space are required, resulting in a squat 6-story building which will fully utilize the maximum permitted FAR of 5.6. However, the building itself, as experienced from the street, will be modest and fully compatible with other recently constructed buildings and buildings currently under construction in the neighborhood. Finally, the Proposed Development would improve the streetscape and pedestrian experience along the three streets fronting the Development Site. The Proposed Development would activate an underutilized and uninviting lot and reactivate it with ground level commercial and residential above.

Study Area

The use, height and bulk of the building is consistent with the scale and character of other new development within the Study Area. Development of the Development Site would have a positive impact on the character of the existing neighborhood and would be in keeping with the character of recent developments in the area.

Therefore, as the Proposed Development would not adversely affect any urban design features of the Project Area or Study Area and would not adversely affect the experience of the pedestrian, further detailed urban design analysis is not warranted.





FIGURE 26: NO-ACTION AND WITH-ACTION CONDITION

SOURCE: Chandler Pierce Architect, August 2024

Visual resources

According to the guidance of the *CEQR Technical Manual*, additional visual resources analysis is required if: a project would partially or totally block a view corridor or a natural or built resource or a natural or built visual resource, and that resource is rare in the area or considered a defining feature of the neighborhood; or, a project would change urban design features so that the context of a natural or built visual resource is altered (for example, if a project alters the street grid so that the approach to the resource changes; if a project changes the scale of surrounding buildings so that the context changes; or if a project removes lawns or other open areas that serve as a setting for the resource).

The proposed building would not block any view corridors or views to any visual resources. Visual resources, including the Vito Abate Grotto, Memorial Gore and Orient Grove, would remain prominently visible in the Study Area.

In summary, the Proposed Development would not change urban design features so that the context of a natural or built resource is adversely altered, and would not partially or totally block any significant views to a visual resource. Therefore, the proposed project would not result in significant adverse impacts to visual resources. Overall, the Proposed Development would have no significant adverse impacts on urban design or visual resources, or the pedestrian's experience of these characteristics of the built and natural environment. The Proposed Development does not merit further analysis of urban design and visual resources.

Attachment B-5: HAZARDOUS MATERIALS

5.1 Introduction

A hazardous material is any substance that poses a threat to human health or the environment. Substances that can be of concern include, but are not limited to, heavy metals, volatile and semi-volatile organic compounds, methane, polychlorinated biphenyls and hazardous wastes (defined as substances that are chemically reactive, ignitable, corrosive or toxic). According to the *CEQR Technical Manual,* the potential for significant impacts from hazardous materials can occur when: a) hazardous materials exist on a site and b) an action would increase pathways to their exposure; or c) an action would introduce new activities or processes using hazardous materials.

5.2 Phase I Environmental Site Assessment

Environmental Studies Corp., on behalf of the Applicant, performed a Phase I Environmental Site Assessment (ESA) in conformance with the scope and limitations of ASTM Practice E 1527-13 for the Development Site (19 Maspeth Avenue, Block 2298, Lots 1 and 59), in October of 2023.

The purpose of the Phase I assessment was to identify recognized environmental conditions (RECs) on and near the Development Site and records of those areas that may adversely impact the subject property owner or operator under existing federal, state, and local environmental laws, and to recommend further actions necessary to confirm, quantify, or abate those conditions.

Site History

The Phase I ESA reports that the property shows that the Development Site contained a 1-story retail building, a 3-story dwelling, and a 2 ½-story dwelling prior to 1941. All of these structures were constructed sometime prior to 1888 and were demolished sometime between 1933 and 1941. The property remained vacant until the early 1950s, and from the mid-1950s to 2007 the property was used for the sale of used cars. From circa 2007 to the present time, the property has been used for parking and general storage. No indications of past auto repair/maintenance operations, or the storage or use of hazardous substances or petroleum products, were found at the property in the information reviewed for the Phase I ESA.

Site Drainage

No floor drains, trench drains, drywells, cesspools, or other drainage structures were observed at the property. Septic wastes and stormwater in the area are discharged to the municipal sewer system.

Petroleum Storage Tanks

No aboveground storage tanks (ASTs), or indications of the presence of underground storage tanks (USTs) such as tank fillports, vent lines, associated mechanical equipment, etc., were observed at the property during the site visit. The property is not identified in the New York State Department of Environmental Conservation (NYSDEC) Petroleum Bulk Storage database, which lists all registered facilities with a total

combined petroleum storage capacity in excess of 1,100 gallons. There are not any Oil Burner Applications on file for the project site in the New York City Department of Buildings (NYCDOB) records reviewed.

It is not known how the former structures at the project site were heated (i.e., oil, gas, coal, electric, etc.). Any heating oil tanks discovered during the re-development of the property should be property closed or removed in accordance with all applicable regulations.

Asbestos/Lead-Based Paints/PCBs

No suspected asbestos-containing materials, lead-based paints, or electrical equipment suspected of containing PCBs were observed at the Development Site.

Regulatory Agency Database Records

The subject property does not appear in the Federal or State environmental databases reviewed including the United States Environmental Protection Agency (USEPA's) Superfund, CERCLIS or ERNS databases, the RCRA Hazardous Waste Generators list or hazardous waste Treatment/Storage/Disposal Facilities list, or the NYSDEC's Spill Logs or Petroleum Bulk Storage (PBS) database, Solid Waste Facilities database, Voluntary Cleanup Program database, Brownfield Cleanup Program database, or the Registry of Inactive Hazardous Waste Disposal Sites.

Surrounding Land Uses

The property is adjoined to the north by Conselyea Street, beyond which are residential buildings. Adjacent and to the south of the site is Maspeth Avenue, beyond which are residential uses and an auto repair garage. Adjacent and to the east are residential uses along Maspeth Avenue. The site is adjoined to the west by Woodpoint Road, beyond which are residential uses. Land uses in the immediate vicinity of the property (i.e., within approximately 500 feet of the site) are comprised of a mix of residential and commercial/retail uses, schools, churches, and auto-related uses (e.g., repair garages, filling stations, parking lots, etc

The October 2023 Phase I report revealed that historical on-site and surrounding area land uses consisted of a variety of residential, commercial, and industrial uses including a retail building, residential buildings, auto repair garages, schools, churches, filling stations, parking lots, used auto sales, a machine shop, pipe storage, junk yards, an iron pipe shop, barrel storage, paints and oils, meat packing, scrap iron storage, a condensed milk company, etc. Regulatory databases identified 14 spills, 4 historical auto sites, and 1 historical cleaner site within 1/8 mile; 13 underground storage tank sites, 16 aboveground storage tank sites, and 3 dry cleaner sites within 1/4 mile; 33 leaking storage tank sites, 38 voluntary cleanup program sites, and 13 brownfield sites within 1/2 mile; and 1 manufactured gas plant site within 1 mile of the subject property.

An (E) Designation for hazardous materials should be placed on the zoning map pursuant to Section 11-15 of the New York City Zoning Resolution for the Development Site. The (E) Designation would ensure that testing and mitigation would be provided as necessary before any future development and/or soil

disturbance. Further hazardous materials assessments should be coordinated through the Mayor's Office of Environmental Remediation.

The (E-782) designation requirements applicable to the Development Site (Block 2893, Lots 1 & 59) for hazardous materials would apply as follows:

Block 2893, Lots 1 and 59:

Task 1-Sampling Protocol

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

Task 2-Remediation Determination and Protocol

A written report with findings and a summary of the data must he submitted to OER after completion of the testing phase and laboratory analysis for review and approval. After receiving such results, a determination is made by OER if the results indicate that remediation is necessary. If OER determines that no remediation is necessary, written notice shall be given by OER.

If remediation is indicated from test results, a proposed remediation plan must be submitted to OER for review and approval. The Applicant must complete such remediation as determined necessary by OER. The Applicant should then provide proper documentation that the work has been satisfactorily completed.

A construction-related health and safety plan should be submitted to OER and would be implemented during excavation and construction activities to protect workers and the community from potentially significant adverse impacts associated with contaminated soil, groundwater and/or soil vapor. This plan would be submitted to OER prior to implementation.

Conclusion

With this (E-782) designation in place, no significant adverse impacts related to hazardous materials would result, and no further analysis is warranted. Therefore, there is no potential for the Proposed Actions to result in significant adverse impacts related to hazardous materials on the Development Site.

Attachment B-6: AIR QUALITY

6.1 Introduction

The proposed project would affect local air quality levels and potential air quality impacts could be associated with:

1. Potential for changes in vehicular travel associated with proposed development to result in significant mobile source (vehicular related) air quality impacts;
2. The potential for emissions from the heating, ventilation and air conditioning (HVAC) systems of the proposed development to significantly impact nearby existing land uses.

The following air quality analyses were conducted in accordance with the procedures outlined in the 2021 *CEQR Technical Manual* to determine whether the proposed project would result in violations of ambient air quality standards.

6.2 Methodology

Mobile Source

Under guidelines contained in the *CEQR Technical Manual,* and in this area of New York City, projects generating fewer than 170 additional vehicle trips in any given hour are considered unlikely to result in significant adverse CO emission impact from mobile source, and do not warrant detailed mobile source air quality analyses for CO. Therefore, no detailed air quality mobile source analysis associated with vehicle trips would be required for the Proposed Actions per the *CEQR Technical Manual* as the Proposed Actions would not result in more than 170 vehicle trips in a given peak hour. Per the DOT Functional Classification, Humboldt Street is classified as a principal arterial road, and Woodpoint Road and Maspeth Avenue are classified as minor arterial roads. Using the HDDV equivalence calculation worksheet provided in the *CEQR Technical Manual*, the Proposed Actions is not expected to result in any potential significant adverse $PM_{2.5}$ emission impact due to incremental trip-ends. Therefore, no significant mobile source air quality impacts would be generated by the Proposed Actions.

Stationary Source

Projects may result in stationary source air quality impacts when they would (i) create new stationary sources of pollutants—such as emission stacks for industrial plants, hospitals, other large institutional uses, or even a building's boilers—that may affect surrounding uses; (ii) introduce certain new uses near existing or planned emissions stacks that may affect the use; or (iii) introduce structures near such stacks so that changes in the dispersion of emissions from the stacks may affect surrounding uses.

6.3 Assessment

6.3.1 No-Action Condition

Under the No-Action Condition, the Development Site would remain vacant. No new mobile or stationary source air quality impacts would occur under the No-Action Condition.

6.3.2 With-Action Condition

Stationary Source

Screening-Level Analysis of the Hot, Ventilation and Air Conditioning System

A screening analysis was performed using the methodology described in Chapter 17 of the *CEQR Technical Manual* to assess air quality impacts associated with emissions from the proposed project's fossil fuel-fired heating and hot water systems. The *CEQR* screening methodology for heating, ventilation and air conditioning (HVAC) systems determines the threshold of development size below which there is no potential for significant adverse impact. The screening procedure uses information regarding the type of fuel used, the maximum development size or estimated emissions, the exhaust stack height, and the distance to the nearest building of similar or greater height to evaluate whether a significant adverse impact is likely. Based on the distance to the nearest building of a similar or greater height, if the maximum development size is greater than the threshold size in the *CEQR Technical Manual*, then there is the potential for significant air quality impacts and a refined dispersion modeling analysis would be required. Otherwise, the source passes the screening analysis and no further study is required.

A review of existing land uses within 400 feet of the Development Site via the New York City Open Accessible Space Information System (OASIS) Land Use interactive mapping application, Google imaging map was conducted, and building height data supplied by NYC OpenData[5]. The review of these materials revealed that there are four buildings with a taller roof height located within 400 feet of the proposed building:

- 42 Maspeth Avenue (7 stories – 79 feet) – located 77 feet from the Development Site
- 234 Skillman Avenue (7 stories – 69.5 feet) – located 189 feet from the Development Site
- 781 Metropolitan Avenue (8 stories – 119 feet) – located 250 feet from the Development Site
- 65 Maspeth Avenue (7 stories – 72 feet) – located 323 feet from the Development Site

An analysis was therefore conducted, using *CEQR Technical Manual* screening procedures, to determine whether the HVAC emissions of the proposed development would have the potential to significantly impact air quality levels at the existing building.

The *CEQR Technical Manual* nomographic procedure was used to determine the threshold distance between proposed development and the closest existing building of greater height. Because the proposed development would be heated by natural gas, Figure 17-3 of the *Air Quality Chapter of the CEQR Technical*

[5] The building height data was accessed through the Building Footprints shapefile available to download on NYC Open Data and maintained by NYC Department of Information Technology and Telecommunications (DoITT).

Manual was used as follows to determine potential for significant air quality impacts:

- The estimated maximum size of proposed development (19,515 GSF) was plotted on the nomograph (see Figure 27: Air Quality HVAC Screening) against the distance of the closest potentially affected building which is located at 42 Maspeth Avenue.
- The threshold distance at which a potentially significant impact is likely to occur was estimated to be less than approximately 50 feet and was then compared to the actual distance between the Development Site and the closest building of greater height at 42 Maspeth Avenue (estimated to be 77 feet).
- Because the distance between the proposed development and an existing taller building is greater than the threshold distance indicated on the nomograph, no potentially significant impact would result, and no detailed analysis is required.

The result of the screening level analyses is that the proposed project passed the screening level analysis. Therefore, no exceedances of the air quality standards for applicable pollutants are predicted as a result of the proposed development air quality impacts. However, to ensure that there would be no significant adverse noise impacts associated with the Proposed Actions, an E designation (E-782) will be placed on the Development Site as follows:

> ***Block 2893, Lots 1 and 59***: *Any new residential and/or commercial development on the above-referenced property must ensure the heating, ventilating, and air conditioning (HVAC) system and hot water equipment is located at the highest tier and at least 65 feet above grade to avoid any potential significant adverse air quality impact.*

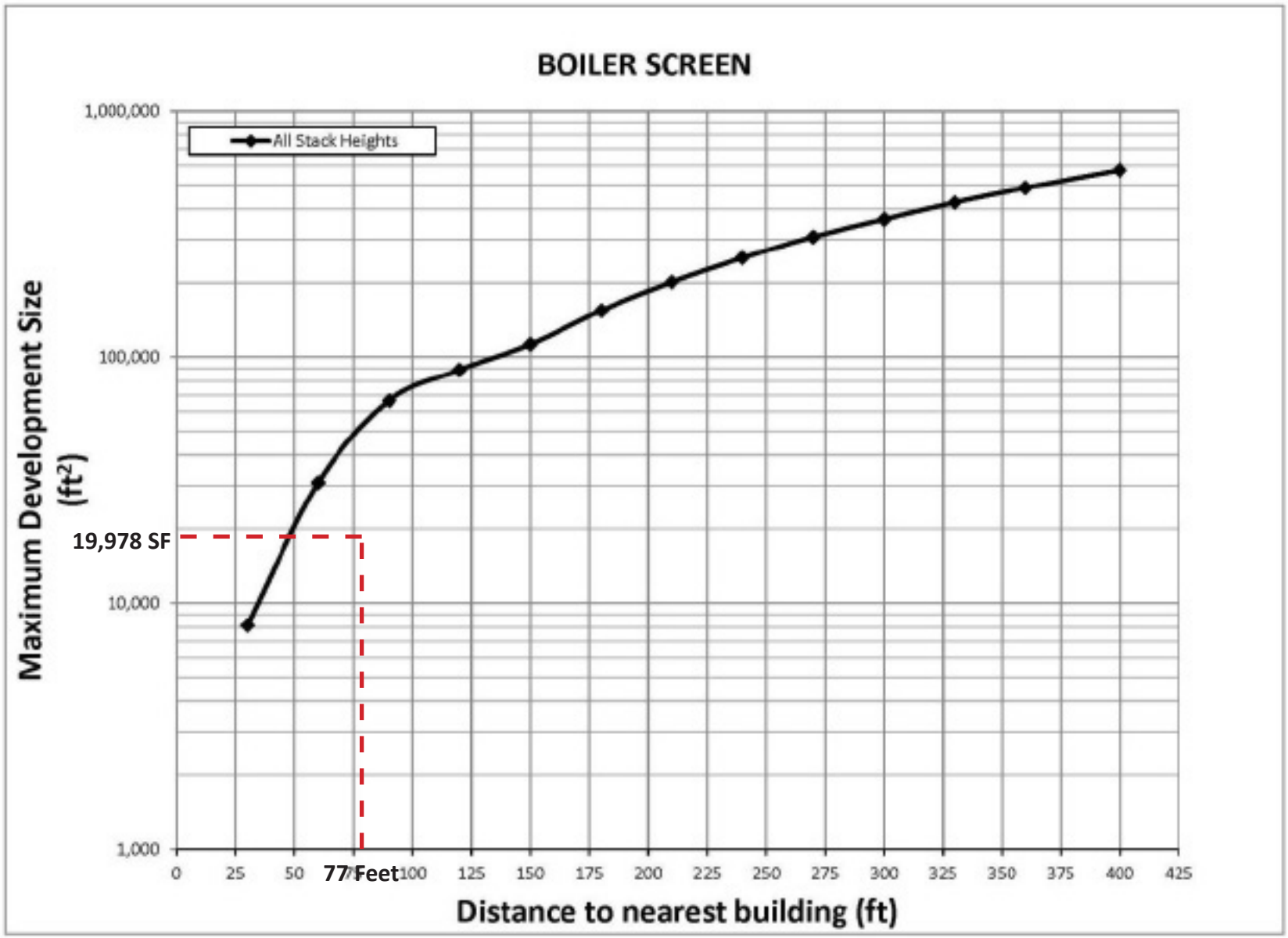
With this (E) designation in place, significant adverse stationary source air quality impacts related to the Proposed Actions would not result, and no further analysis is warranted. Therefore, the Proposed Actions would not result in significant adverse stationary source air quality impacts.

Air Toxics Screening Analysis

The potential impacts from emissions of toxic air pollutants from existing nearby industrial sources were also considered. As indicated in Figure 14: Land Use Map, there are only two parcels identified as Industrial/Manufacturing within the 400-foot Study Area surrounding the Development Site.

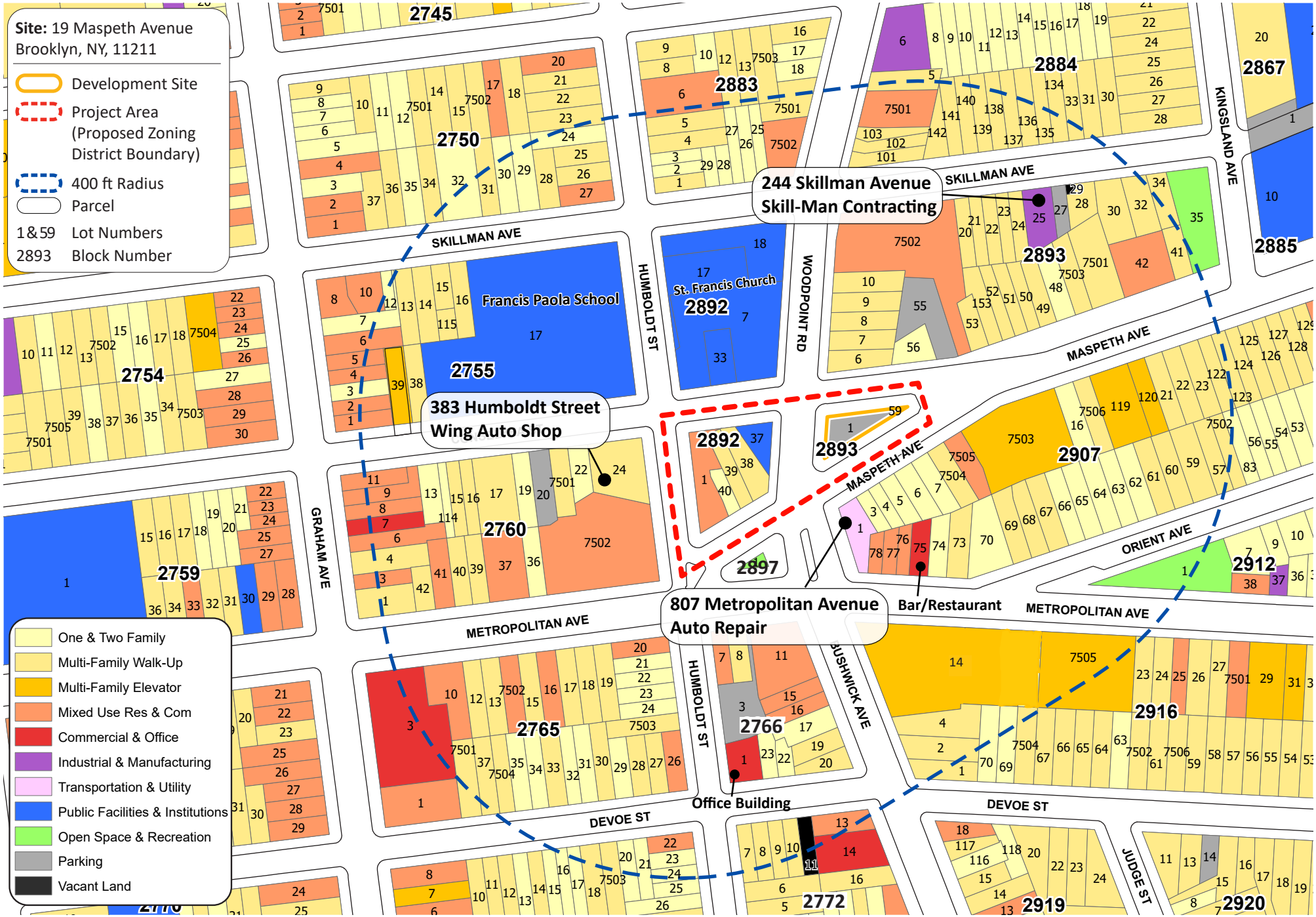
A field inspection of the Study Area conducted by BFJ Planning on August 19, 2023, indicated that only one of these parcels is currently operating as an active industrial use, the other is currently operating as a bar. The field inspection also identified two additional vehicle repair shops located in the Study Area that are identified on Figure 14: Land Use Map as Multi-Family Walk-Up Building and Transportation and Utility. These uses are shown on the detailed land use map illustrated on Figure 29: Air Quality Land Use Map.

Figure 17-3
Stationary Source Screen- Heat and Hot Water System



19 MASPETH AVENUE REZONING **FIGURE 27: HVAC SCREENING ANALYSIS**

SOURCE: CEQR TECHNICAL MANUAL, 2021



19 Maspeth Avenue Rezoning

Figure 28: Air Quality Land Use Map

SOURCE: NYC DEPT. OF CITY PLANNING, 2023

244 Skillman Avenue (Block 2893, Lot 25)

Skill-Man Contracting, Inc. specializes in waste removal. The site at 244 Skillman appears to be used for truck storage and maintenance. It does not appear that any waste storage exists on the site. The address does not have an air toxics permit listed in the NYC Department of Environmental Protection's (NYCDEP) Clean Air Tracking System (CATS) database.

817 Metropolitan Avenue (Block 2907, Lot 75)

817 Metropolitan Avenue is shown on the Land Use map as Industrial and Manufacturing; however, based on a land use survey of the area (August 2023), it is no longer an industrial/manufacturing use, but is a bar, known as Reclamation Bar. The address does not have an air toxics permit listed in the NYC Department of Environmental Protection's (NYCDEP) Clean Air Tracking System (CATS) database.

807 Metropolitan Avenue (Block 2907 Lot 1)

807 Metropolitan Avenue is a vehicle repair shop with two repair bays and off-street vehicle storage. Signs on the building advertise auto repair for shocks, springs, mufflers, oil changes, brakes, and other mechanical and electrical work. The repair shop does not advertise any vehicle painting and does not have a spray booth on site. The building does not have an emissions stack, and no air toxics permits are listed for this site on the CATS database.

383 Humboldt Street (Block 2760 Lot 24)

383 Humboldt Street is the location of Wing Auto Shop, which is a vehicle repair shop with one repair bay. The building is directly adjacent to a multifamily apartment building located on the same tax lot. The repair shop and multifamily building also share the tax lot with a small religious institution. The repair shop does not advertise any vehicle painting, a shop representative confirmed in a phone call that the repair shop does not paint cars or do any other body work. The building does not have an emissions stack, and no air toxics permits are listed for this site on the CATS database.

In addition, the field inspection confirmed that there are no other active industrial uses in the area and based upon visual inspection, no building located within 400 feet of the Development Site appeared to contain any active emissions stacks. In addition, an air toxics permit search was performed, using the NYC Department of Environmental Protection's (NYCDEP) Clean Air Tracking System (CATS) database, within 400 feet of the Development Site. This search did not identify any uses generating industrial air toxics within 400 feet of the Development Site.

Other non-residential buildings within 400 feet of the Development Site include the Francis Paola School (Block 2755, Lot 17), St. Francis Church (Block 2892, Lots 7, 17, 18, 33), and an office building (Block 2766, Lot 1 – within the Project Area). The St. Francis Church has four current permits associated with boilers (CB006707, CR543214, CR481613, CR146706) and the contractor's establishment (Block 2766, Lot 1) has six permits associated with boilers (CB256500, CR046219, CR113919, CR125419, CR610414, CR020818).

Based on the field inventory and the review of DEP's CATS database, no properties were identified within the 400-foot air-toxics Study Area that could negatively affect the Development Site. Based upon the absence of air toxics permits and the highly mixed-use character of the Study Area, it is not believed that any existing land uses pose a hazardous impact to the Development Site, and no further analysis is required.

In addition, there are no large-scale emissions sources within 1,000 feet of the Development Site. Therefore, there is no potential for surrounding development to create significant air toxics impacts on the Development Site, and no further analysis is required.

Conclusion

Based on the above analysis, the Proposed Actions would not result in any air quality impacts, nor will the Proposed Development be subject to air toxic impacts from nearby uses; no additional analysis is warranted.

ATTACHMENT B-7: NOISE

7.1 Introduction

Environmental Studies Corp (ESC) conducted noise monitoring on Tuesday, June 13, 2023 in support of the proposed zoning map amendment on the Development Site, which encompasses Block 2893, Lots 1 and 59 in the East Williamsburg neighborhood of Brooklyn, Community District 1.

7.2 Methodology

The *CEQR Technical Manual* recommends, if warranted, an analysis of two principal types of noise sources: mobile sources and stationary sources. The initial impact screening of these two types of noise sources considers whether the project would: (1) generate any mobile or stationary sources of noise; and/or (2) be located in an area with existing high ambient noise levels. If the proposed project is located in areas with high ambient noise levels, which typically include those near highly-trafficked thoroughfares, airports, rail, or other loud activities, further noise analysis may be warranted to determine the attenuation measures that are appropriate for the proposed project. The Projected Development would not create a significant stationary noise generator. Additionally, project-generated traffic would not double vehicular traffic on nearby roadways, and therefore would not result in a perceptible increase in vehicular noise. Therefore, this noise assessment is limited to an assessment of ambient noise that could adversely affect occupants of the development. The predominant noise source in the Project Area is vehicular traffic on surrounding streets.

Framework of Noise Analysis

Noise is defined as any unwanted sound, and sound is defined as any pressure variation that the human ear can detect. Humans can detect a large range of sound pressures, from 20 to 20 million micropascals, but only those air pressure variations occurring within a particular set of frequencies are experienced as sound. Air pressure changes that occur between 20 and 20,000 times a second, stated as units of Hertz (Hz), are registered as sound.

Because the human ear can detect such a wide range of sound pressures, sound pressure is converted to sound pressure level (SPL), which is measured in units called decibels (dB). The decibel is a relative measure of the sound pressure with respect to a standardized reference quantity. Because the dB scale is logarithmic, a relative increase of 10 dB represents a sound pressure that is 10 times higher. However, humans do not perceive a 10-dB increase as 10 times louder. Instead, they perceive it as twice as loud.

Sound is often measured and described in terms of its overall energy, taking all frequencies into account. However, the human hearing process is not the same at all frequencies. Humans are less sensitive to low frequencies (less than 250 Hz) than mid-frequencies (500 Hz to 1,000 Hz) and are most sensitive to frequencies in the 1,000- to 5,000-Hz range. Therefore, noise measurements are often adjusted, or weighted, as a function of frequency to account for human perception and sensitivities. The most common frequency weightings used are the A- and C-weightings. These weight scales were developed to

allow sound level meters, which use filter networks to approximate the characteristic of the human hearing mechanism, to simulate the frequency sensitivity of human hearing. The A-weighting is the most commonly used for environmental measurements, and sound levels measured using this weighting are denoted as dBA. The letter "A" indicates that the sound has been filtered to reduce the strength of very low and very high frequency sounds, much as the human ear does. C-weighting gives nearly equal emphasis to sounds of most frequencies. Mid-range frequencies approximate the actual (unweighted) sound level, while the very low and very high frequency bands are significantly affected by C-weighting. Table 7-1 lists some noise levels for typical daily activities.

Table 7-1: Noise Levels of Common Sources

Sound Source	**SPL (dB(A))**
Air Raid Siren at 50 feet	120
Maximum Levels at Rock Concerts (Rear Seats)	110
On Platform by Passing Subway Train	100
On Sidewalk by Passing Heavy Truck or Bus	90
On Sidewalk by Typical Highway	80
On Sidewalk by Passing Automobiles with Mufflers	70
Typical Urban Area	60-70
Typical Suburban Area	50-60
Quiet Suburban Area at Night	40-50
Typical Rural Area at Night	30-40
Isolated Broadcast Studio	20
Audiometric (Hearing Testing) Booth	10
Threshold of Hearing	0
Notes: A change in 3dB(A) is a just noticeable change in SPL. A change in 10 dB(A)Is perceived as a doubling or halving in SPL.	
Source: 2021 CEQR Technical Manual	

The following is typical of human response 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; and
- 10-dBA change is perceived as a doubling or halving of the noise level.

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

- L_{eq} is the continuous equivalent sound level. The sound energy from the fluctuating SPLs is averaged over time to create a single number to describe the mean energy, or intensity, level. High noise levels during a measurement period will have a greater effect on the L_{eq} than

low noise levels. L_{eq} has an advantage over other descriptors because L_{eq} values from various noise sources can be added and subtracted to determine cumulative noise levels.

- Lmax is the highest SPL measured during a given period of time. It is useful in evaluating Leqs for time periods that have an especially wide range of noise levels.

- $L_{eq(24)}$ is the continuous equivalent sound level over a 24-hour time period.

The sound level exceeded during a given percentage of a measurement period is the percentile-exceeded sound level (L_X). Examples include L_{10}, L_{50}, and L_{90}. L_{10} is the A-weighted sound level that is exceeded 10% of the measurement period.

The decrease in sound level caused by the distance from any single noise source normally follows the inverse square law (i.e., the SPL changes in inverse proportion to the square of the distance from the sound source). In a large open area with no obstructive or reflective surfaces, it is a general rule that at distances greater than 50 feet, the SPL from a point source of noise drops off at a rate of 6 dB with each doubling of distance away from the source. For "line" sources, such as vehicles on a street, the SPL drops off at a rate of 3 dBA with each doubling of the distance from the source. Sound energy is absorbed in the air as a function of temperature, humidity, and the frequency of the sound. This attenuation can be up to 2 dB over 1,000 feet. The drop-off rate also will vary with both terrain conditions and the presence of obstructions in the sound propagation path.

Noise Standards and Guidelines

In 1983, the New York City Department of Environmental Protection (NYCDEP) adopted the City Environmental Quality Review (CEQR) noise exposure guidelines for exterior noise levels. As shown in Table 7-2 below, noise standards classify noise exposure into four categories based on noise level limits and land use, for vehicular traffic, rail, and aircraft noise sources: Acceptable, Marginally Acceptable, Marginally Unacceptable and Clearly Unacceptable, Table 7-3 (Table 19-3 of the *CEQR Technical Manual)* defines attenuation requirements for buildings based on exterior noise exposure levels. Recommended noise attenuation values for buildings are designed to maintain interior noise levels of 45 dBA (L_{10}) or below.

Table 7-2: Noise Exposure Guidelines for Use in City Environmental Impact Review

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	DNL ≤ 60 dBA		60 < DNL ≤ 65 dBA		65 < DNL ≤ 75 dBA		75 dBA < DNL
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	L10≤55dBA		$55<L_{10}\leq 70$ dBA		$70<L_{10}\leq 80$ dBA		$L_{10}>80$dBA	
4. School, museum, library, court house 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		Note 4		Note 4		Note 4	

Notes:

(i) In addition, any new activity shall comply with Impact Thresholds detailed in Section 410.

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 as 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 nursing homes.

3 One may use the FAA-approved DNL contours supplied by the Port Authority of New York and New Jersey (PANYNJ), or the noise contours may be computed from the federally approved Aviation Environmental Design Tool (AEDT) Computer Model using flight data supplied by the PANYNJ.

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 New York City 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 listed by octave bands).

Sources: New York City Department of Environmental Protection (adopted policy 1983).

Table 7-3 CEQR TM: Attenuation Values to Achieve Acceptable Interior Noise Levels

	Marginally Unacceptable				Clearly Unacceptable
Noise Level with Proposed Project	$70 < L_{10} \leq 73$	$73 < L_{10} \leq 76$	$76 < L_{10} \leq 78$	$78 < L_{10} \leq 80$	$80 < L_{10}$
Attenuation[1]	(i) 28 dB(A)	(ii) 31 dB(A)	(iii) 33 dB(A)	(iv) 35 dB(A)	See Notes 2

Source: New York City of Environmental Protection

Notes:

1 The above composite window-wall attenuation values are for residential dwellings. Commercial and office spaces/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.

2 The required attenuation value is the difference between Lbuild and Linterior, using the appropriate noise descriptor

Where:

Lbuild is the projected noise level under the build condition rounded up to the whole number

Linterior is the designed interior noise level (45 dB(A) for vehicular noise, 40 dB(A) for aircraft and train noise

7.3 Assessment

7.3.1 Future without the Proposed Actions (No-Action Condition)

There are no mobile or stationary sources of noise generated at or by the Development Site. This condition would not change under the No-Action Condition; therefore, no impacts would occur.

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

Measurement Location and Equipment

Noise measurements were conducted during peak weekday vehicular travel periods (AM, Midday, PM) on a typical midweek day. The weather condition was normal with calm wind and was considered suitable for an ambient noise measurement.

A Type 1 sound level meter (Larson Davis LxT) with wind shield was used to conduct the noise monitoring. The meter was calibrated prior to and following each monitoring session. The meter was placed on a tripod at a height of approximately five feet above the ground, away from any reflective surfaces.

The noise measurements were conducted at the following locations (as shown in Figure 29):

- L1: midblock of Maspeth Avenue, between Conselyea Street and Woodpoint Road (Figure 29);
- L2: midblock of Woodpoint Road, between Maspeth Avenue and Conselyea Street (Figure 29); and

- L3: midblock of Conselyea Street, between Maspeth Avenue and Woodpoint Road (Figure 29).

Measurement Conditions

Monitoring was conducted during typical midweek conditions, on June 13, 2023 (Tuesday). The weather was dry and wind speeds were moderate during all monitoring periods. The sound meter was calibrated before and after each monitoring session.

Existing Conditions

Based on the noise measurements, the predominant source of noise is vehicular traffic.



Project Site

Noise Monitoring Locations



Meter Setup Location 1



Meter Setup Location 2



Meter Setup Location 2

0 50 100 200 300 400 Feet

19 Maspeth Avenue Rezoning

Figure 29: Noise

SOURCE: ENVI STUDIES CORP, 2023

Table 7-4 to 7-6 below contains the results for the measurements taken at the Development Site:

Table 7-4: Noise Levels (dB) at Location 1			
Jun 13, 2023 (Tuesday)			
Time	**7:45 am – 8:05 am**	**12:04 pm – 12:24 pm**	**17:31 pm – 17:51 pm**
L_{eq}	64.9	63.0	64.0
L_{max}	77.3	77.5	82.3
L_{10}	67.9	65.9	65.8
L_{50}	62.2	59.8	59.7
L_{90}	58.8	57.0	54.9
L_{min}	55.8	55.3	51.3

Table 7-5: Noise Levels (dB) at Location 2			
Jun 13, 2023 (Tuesday)			
Time	**8:07 am – 8:27 am**	**12:26 pm – 12:46 pm**	**17:08 pm – 17:28 pm**
L_{eq}	71.5	69.4	67.5
L_{max}	89.5	89.8	87.2
L_{10}	74.4	71.3	70.8
L_{50}	65.4	62.7	63.7
L_{90}	60.3	57.8	57.0
L_{min}	57.5	54.2	51.5

Table 7-6: Noise Levels (dB) at Location 3			
Jun 13, 2023 (Tuesday)			
Time	**8:29 am – 8:49 am**	**12:48 pm – 13:08 pm**	**16:47 pm – 17:07 pm**
L_{eq}	65.4	64.0	61.0
L_{max}	88.1	81.6	79.9
L_{10}	65.7	64.3	63.8
L_{50}	61.9	60.0	57.5
L_{90}	58.8	57.4	52.4
L_{min}	56.2	55.2	49.0

Table 7-7 and 7-9 below contains the traffic counts and vehicle classifications during each monitoring period:

Table 7-7: Location 1 – Traffic Volumes and Vehicle Classifications			
	7:45 am – 8:05 am	**12:04 pm – 12:24 pm**	**17:31 pm – 17:51 pm**
Car/ Taxi/ Van/SUV	22	18	32
Bus	1	1	1
Medium Truck	2	3	3
Heavy Truck	0	0	0
Motorcycle	0	3	1

Table 19-8: Location 2 – Traffic Volumes and Vehicle Classifications			
	8:07 am – 8:27 am	**12:26 pm – 12:46 pm**	**17:08 pm – 17:28 pm**
Car/ Taxi/ Van/SUV	49(88)	51(58)	113(56)
Bus	1(2)	2(1)	2(3)
Medium Truck	5(8)	3(3)	1(1)
Heavy Truck	2(3)	1(5)	0(0)
Motorcycle	0(1)	0(3)	0(2)

Number within () are the SB traffic volumes, numbers without () are NB traffic volumes.

Table 7-9: Location 3 – Traffic Volumes and Vehicle Classifications			
	8:29 am – 8:49 am	**12:48 pm – 13:08 pm**	**16:47 pm – 17:07 pm**
Car/ Taxi/ Van/SUV	59	31	51
Bus	1	0	0
Medium Truck	2	1	0
Heavy Truck	1	0	0
Motorcycle	0	2	2

Mobile Source

Since the Proposed Project is not expected to generate sufficient vehicular traffic to exceed the threshold for a detailed transportation analysis, according to the 2021 *CEQR Technical Manual*, the Proposed Project would not result in a doubling of noise passenger car equivalents (PCEs), which would be necessary to cause a 3-dBA increase in noise levels. Therefore, the Proposed Actions project would not result in a significant adverse vehicular noise impact.

Stationary Source

It is assumed that the building mechanical systems (i.e., HVAC systems) would be designed to meet all applicable noise regulations (i.e., Subchapter 5, §24-227 of the New York City Noise Control Code, the New York City Department of Buildings Code) and to avoid producing levels that would result in any significant increase in ambient noise levels. Therefore, the Proposed Actions would not result in any significant adverse noise impacts related to building mechanical equipment.

Determination of Impacts/Building Attenuation Requirements

The 2021 *CEQR Technical Manual* Table 19-2 (Table 7-2 above) contains noise exposure guidelines. For residential use such as would occur under the Proposed Actions, an L_{10} of between 65 and 70 dB(A) is identified as marginally acceptable general external exposure. An L_{10} of between 70 and 80 dB(A) is identified as marginally unacceptable general external exposure.

Based on the measured L_{10} noise level of 74.4 dBA at Location 2, a window/wall attenuation of 31 dBA is required for western façade facing Woodpoint Road. As measurement results for other locations are all lower than 70 dBA during all peak periods, no window/wall attenuation is required for other facades facing Maspeth Avenue or Conselyea Street.

To ensure that there would be no significant adverse noise impacts associated with the Proposed Actions, an E designation (E-782) will be placed on the Development Site as follows:

> ***Block 2893, Lots 1 and 59 (Development Site):*** *To ensure an acceptable interior noise environment, future residential/commercial office uses must provide a closed-window condition with a minimum of 31 dBA window/wall attenuation for the western façade facing Woodpoint Road, the northern facade facing Conselyea Street within 30 feet of Woodpoint Road and the southern facade facing Maspeth Avenue within 30 feet of Woodpoint Road in order to maintain an interior noise level not greater than 45 dBA for residential uses or not greater than 50 dBA for commercial office uses. In order to maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, air conditioning.*

With this (E) designation in place, significant adverse noise impacts related to the Proposed Actions would not result, and no further analysis is warranted. Therefore, the Proposed Actions would not result in significant adverse noise impacts.

ATTACHMENT B-8: NEIGHBORHOOD CHARACTER

8.1 Introduction

A neighborhood character assessment considers how elements of the environment combine to create the context and feeling of a neighborhood and how a project may affect that context and feeling. To determine an action's effects on neighborhood character, a neighborhood's contributing elements are considered together. An assessment of neighborhood character is generally needed when a proposed project has the potential to result in significant adverse impacts in the areas of land use, socioeconomic conditions, open space, urban design and visual resources, historic and cultural resources, transportation, and noise, or when the project may have moderate effects on several of these elements that define a neighborhood's character. The Proposed Actions is expected to affect one or more of the constituent elements of the Project Area's neighborhood character.

8.2 Methodology

According to the *CEQR Technical Manual*, an assessment of neighborhood character is generally needed when a project or action has the potential to result in significant adverse impacts in any of the following technical areas: land use, socioeconomic conditions, open space, historic and cultural resources, urban design and visual resources, shadows, transportation, or noise. The *CEQR Technical Manual* states that, even if a Proposed Actions does not have the potential to result in a significant adverse impact in any specific technical area(s), an assessment of neighborhood character may be required if the project would result in a combination of moderate effects to several elements that may cumulatively affect neighborhood character. A "moderate" effect is generally defined as an effect considered reasonably close to the significant adverse impact threshold for a particular technical analysis area.

A preliminary assessment of neighborhood character determines whether changes expected in other technical analysis areas may affect a defining feature of neighborhood character. The key elements that define neighborhood character, and their relationships to one another, form the basis of determining impact significance; in general, the more uniform and consistent the existing neighborhood context, the more sensitive it is to change. A neighborhood that has a more varied context is typically able to tolerate greater change without experiencing significant adverse impacts. If there is no potential for a proposed project to affect the defining features of neighborhood character, a detailed assessment is not warranted. Pursuant to the 2021 *CEQR Technical Manual*, the preliminary assessment evaluates the expected changes resulting from the Proposed Action in the above technical areas using the findings from the respective technical screening assessments contained in this EAS to identify whether the Proposed Actions would result in any significant adverse impacts or moderate adverse effects in these technical areas, and whether any such changes would have the potential to affect the defining features of neighborhood character.

8.3 Assessment

8.3.1 Future Without the Proposed Actions

Under the No-Action Condition, the Development Site would remain a parking lot serving the nearby NY Heating company. As no construction activities would occur under the No-Action Condition, no impacts would result.

8.3.2 Future With the Proposed Actions

As outlined in the respective technical attachments of this EAS, the defining features of the neighborhood would not be adversely affected due to the potential effects of the Proposed Actions on land use, zoning and public policy, shadows, urban design and visual resources, or noise. historic and cultural resources. As detailed in Attachment B-1, "Land Use, Zoning and Public policy" the Proposed Actions would result in new residential uses and a vibrant, mixed-use building on an underutilized site, and would not result in any significant adverse land use impacts on the Development Site. Further, the rezoning actions would also only apply to the Development Site and would not impact any other site on the Project area. Further, the proposed rezoning is compatible with the predominantly residential character of the other properties in the Project Area and the scale and massing of the Proposed Development, necessitated by the small size of the block constituting the Development Site, is consistent with the scale and massing of other recent developments nearby. Finally, the Proposed Actions would further the goals and objectives set by the City's planning documents. Therefore, the Proposed Action would not result in any significant adverse impacts land use, zoning and public policy.

Additionally, as detailed in Attachment B-2, "Shadows," the Proposed Action would not generate shadows on any sunlight-sensitive features of surrounding historic resources. Therefore, the Proposed Action would not result in any significant adverse shadows impacts. Further, as presented in Attachment B-4, "Urban Design and Visual Resources", the Proposed Actions would not change urban design features so that the context of a natural or built resource is adversely altered and would not partially or totally block any significant views to a visual resource. Overall, the Proposed Development would have no significant adverse impacts on urban design or visual resources, or the pedestrian's experience of these characteristics of the built and natural environment. Finally, as detailed in Attachment B-7, "Noise", the Proposed Actions would not generate a significant amount of new traffic noise or noise from the building's mechanical systems; therefore, the Proposed Actions would not have a significant adverse impact on noise in the Project Area.

As detailed in Attachment B-3, "Historic & Cultural Resources," based on the August 10, 2023, revised Phase IA submitted to LPC, LPC concurred with the findings of the revised Phase IA that the Development Site has the potential to contain significant archaeological resources and that archaeological testing should be completed. LPC requested that an archaeological work plan be submitted to LPC for this work for review and approval before it proceeds and LPC asked that a hard copy be sent to the Commission for its archives (see Appendix B).

Per the LPC's *Guidelines for Archaeological Work in New York City*, September 2018:

> "Under CEQR, there are instances when applicants and lead agencies may elect to use a restrictive *declaration to address identified archaeological issues after the environmental review process has been successfully concluded. A restrictive declaration is a legal agreement that may be used with lead agency (such as the Board of Standards and Appeals or the Department of City Planning) approval for some projects. It specifies that archaeological work will occur once the applicant's project has been approved—but before it may proceed. The archaeological work is overseen by LPC; such agreements mandate that the applicant may not apply for Department of Buildings permits, including certificates of occupancy, until LPC has issued the documents specified in the agreement after the successful completion of archaeological work. LPC may be contacted for sample restrictive declarations.*

A Restrictive Declaration will be implemented at the Applicant's Development Site, which is in their sole ownership, for archaeological resources per the Guidelines outlined above. The Restrictive Declaration will stipulate the necessity of a Phase IB archaeological study at the Development Site before any development activities can commence. By email dated August 17, 2023, LPC stated that they would not object to the use of a Restrictive Declaration on the Development Site since the potential resources are historic features and artifacts. LPC requests to review the restrictive declaration before it is executed and would want a copy once it is executed (see Appendix B). With a Restrictive Declaration on the Development Site to the satisfaction of DCP and LPC, and in accordance with LPC Guidelines, the Proposed Actions would not result in an impact to archeological resources. Further, archeological resources are limited to the Development Site and are located underground, within the limits of the footprint of the Proposed Development. Therefore, the potential for archaeological resources to exist on the Development Site would have no impact to the character of the surrounding neighborhood.

In addition, the Proposed Actions would not result in any significant adverse impacts to historic or cultural resources. As the Project Area does not contain any designated or eligible historic architectural resources, the Proposed Actions would not result in any direct impacts to historic resources. In the future with the Proposed Actions, no incompatible visual, audible, or atmospheric elements would be introduced to any historic resource's setting. The development facilitated by the Proposed Action would not alter the relationship of any identified historic architectural resources to the streetscape, as all historic resources' relationships to the street would remain unchanged in the future with the Proposed Actions. The development facilitated by the Proposed Actions would not eliminate or screen public views of any historic architectural resources, since no such resources exist in the Study Area. Finally, the Proposed Actions would not result in any shadow impacts on historic resources in the area, since no such resources exist. For these reasons, the Proposed Actions would not result in a significant adverse impact on neighborhood character.

ATTACHMENT B-9: CONSTRUCTION

9.1 Introduction

Construction activities, although temporary, may sometimes result in significant impacts. Construction duration, which is a critical measure to determine a project's potential for adverse impacts during construction, is categorized as short-term (less than two years) and long-term (two or more years). According to the *CEQR Technical Manual*, a preliminary construction assessment is generally not required unless the construction activities last longer than two years. Consideration of several factors, including the location and setting of the project in relation to other uses and the intensity of construction activities, also may indicate that a project's construction activities warrant analysis.

9.2 Assessment

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

Under the No-Action Condition, the Development Site would remain a parking lot serving the nearby NY Heating company. As no construction activities would occur under the No-Action Condition, no impacts would result.

9.2.2 Future With the Proposed Actions (With Action Condition)

The construction activities associated with the development of an approximately 19,515 gross square foot (gsf) building, with approximately 5,135 gsf of retail use (the "proposed project"), would be expected to result in conditions typical of construction sites in New York City. Under the With-Action Condition, the build year is 2025. It is assumed that construction of the proposed project would commence in mid- to late-2024 and be completed by the end of 2025, with a total construction period of approximately 12 months.

Construction of the proposed project would be carried out in accordance with New York City laws and regulations, which allow construction activities between 7:00 AM and 6:00 PM on weekdays. If work is required outside of normal construction hours, necessary approvals would be obtained from the appropriate agencies (i.e., the New York City Department of Buildings and New York City Department of Environmental Protection).

Transportation

Construction actions could result in short-term disruption of both traffic and pedestrian movements in the vicinity of the Development Site. This would occur primarily due to the potential temporary loss of curbside lanes from the staging of equipment and the movement of materials to and from the Development Site. Additionally, construction may at times result in significant closings of sidewalks adjacent at the Development Site. However, these conditions would not result in significant adverse impacts on traffic and transportation conditions given the limited duration of any obstruction. During

construction, standard practices would be followed to ensure safe pedestrian and vehicular access to nearby buildings, streets, and sidewalks. Accordingly, the Proposed Actions would not result in significant adverse construction-related transportation impacts.

Noise

Noise and vibration from construction equipment operation, possible rock excavation and noise from construction workers' vehicles and delivery vehicles traveling to and from the construction sites can affect community noise levels. The level of impact of these noise sources depends on the noise characteristics of the equipment and activities involved, the construction schedule, and the location of potentially sensitive noise receptors. Noise associated with construction would be limited to typical construction activities and would be subject to compliance with the New York City Noise Code and by EPA noise emission standards for construction equipment. These local and federal requirements mandate that a certain classifications of construction equipment and motor vehicles meet specified noise emissions standards; that, except under exceptional circumstances, construction activities be limited to weekdays between the hours of 7:00 AM and 6:00 PM; and that construction materials be handled and transported in such a manner as not to create unnecessary noise. In addition, whenever possible, appropriate low noise emission level equipment and operational procedures can be utilized to minimize construction noise and its effect on adjacent uses. Construction noise associated with the Proposed Actions is expected to be similar to noise generated by other construction projects in the area. Accordingly, the Proposed Actions would not result in significant adverse construction-related noise impacts.

Air Quality

Excavation and construction would be conducted with care and all appropriate fugitive dust control measures required by law, including watering of exposed areas and dust covers for trucks would be employed. Given the size of the project and the limited construction period, the mobile source emissions generated by the Proposed Actions would not be significant.

Conclusion

Overall, the construction-related activities associated with the development of the proposed project are not expected to have significant adverse impacts and further analysis is not required. Overall, through the 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.

ENVIRONMENTAL ASSESSMENT STATEMENT

APPENDIX

APPENDIX A

CITY OF YES FOR HOUSING CEQR TECHNICAL MEMORANDUM

APPENDIX A: TECHNICAL MEMORANDUM FOR CITY OF YES FOR HOUSING OPPORTUNITY

CEQR No. 24DCP063K

19 MASPETH AVENUE REZONING

Introduction

The NYC Department of City Planning (DCP) is proposing a citywide zoning text amendment, the City of Yes for Housing Opportunity "CHO" (CEQR No. 24DCP033Y) to expand opportunities for housing within all zoning districts, and across all 59 of the City's Community Districts. These changes to the City's Zoning Resolution would enable more housing and a wider variety of housing types in every neighborhood, from the lowest-density districts to the highest, to address the housing shortage and high cost of housing in New York City. This proposed zoning text amendment has now been referred into public review and it has been determined that the 19 Maspeth Avenue Rezoning project ("Proposed Actions") that is currently under review by DCP may be affected by the proposals included in the text amendment. Given that this project may be affected by the proposals included in the text amendment, this technical memorandum assesses whether the analysis conclusion of the environmental review would by altered by CHO.

The Applicant seeks a zoning map amendment and a zoning text amendment. The zoning map amendment would rezone an existing C8-2 district to a R7D/C2-4 district. The Rezoning Area includes a portion of Block 2892, and contains five tax lots: Lots 1, 37, 38, 39 and 40. The zoning text amendment is pursuant to Appendix F and would establish a Mandatory Inclusionary Housing ("MIH") Area on the Rezoning Area, with both Options 1 and 2 being mapped. Together these two actions are referred to in this EAS as the "Proposed Actions". The Proposed Actions would affect an area that is located in the East Williamsburg section of Brooklyn Community District 1, bounded by Maspeth Avenue to the southeast, Conselyea Street to the north, Humboldt Street to the west, and the apex of Conselyea Street and Maspeth Avenue to the east.

The Applicant intends to develop a six-story mixed-use residential and commercial building, with 19,995 gross square feet ("GSF"), a maximum height of 65 feet, 5,135 GSF of cellar and groundfloor commercial, and 15 dwelling units (the "Proposed Development"). The Proposed Development would have a residential FAR of 4.81 and a commercial FAR of 0.79 for a total of 5.6 FAR. Of the 15 dwelling units, approximately 4 would be permanently affordable. No parking spaces are proposed since within an R7D district, up to 15 required parking spaces may be waived. Only 3 parking spaces would be required for market rate units, which the Applicant elects to waive**.** Due to the Development Site's small size and triangular shape with frontage on three streets, the new six-story development would be a "Flatiron"-style triangular building, covering almost 100 percent of the Development Site.

With the approval of the Proposed Actions, the Reasonable Worst-Case Development Scenario (RWCDS) outlined in the EAS is the same as the Proposed Development described above – a new six-story (65 feet), 19,515 GSF (5.6 FAR) mixed-use building containing 14,380 GSF of residential and 5,135 GSF of cellar and ground-floor commercial. Of the 15 dwelling units, approximately 4 would be affordable pursuant to MIH. Both MIH Options 1 and 2 would be mapped on the Rezoning Area as

part of the Proposed Actions. The final compliance with MIH would be determined through the ULURP process.

Analysis Framework

This Technical Memorandum provides a preliminary assessment of the effects of CHO on the Proposed Actions and details how CHO would affect the analysis and conclusions presented in the EAS. The City of Yes for Housing Opportunity proposal as presented in the Draft Scope of Work would not change the allowable FAR for this project's proposed zoning district. Under CHO, residential FAR in the R7D district would remain at a maximum of 5.6. While the FAR would remain unchanged, CHO would change the maximum height analyzed in the EAS for the proposed R7D district from 115 feet to 125 feet. No parking spaces would be required because CHO proposes to eliminate parking requirements for new residential developments.

Future No-Action Condition

In the future without the Proposed Actions, no development would occur within the Rezoning Area. CHO would not alter the No-Action Condition.

Future With-Action Condition

CHO would not modify the With-Action Condition analyzed in the EAS since additional FAR is not proposed for the R7D district. As proposed, the With-Action Condition maximizes the allowable zoning floor area on the Development Site with ground floor commercial uses and upper floor housing at a height of 65 feet. The small size (2,966 SF) of the Development Site enables the construction of a six-story building that maximizes residential floor area, even though a 12-story (125 feet) building would be permitted under CHO in an R7D district. Because the zoning lot is bounded by streets, no yards or open space are required, resulting in a squat 6-story building which would fully utilize the maximum permitted FAR of 5.6. Given the site constraints, additional height is not achievable on the Development Site without an increase in FAR; therefore, CHO would not affect the RWCDS With-Action Condition presented in the EAS.

Supplemental Screening

Since the RWCDS presented in the EAS would remain unchanged under CHO, no supplemental screening analysis is warranted.

Summary Conclusion

This technical memorandum assesses how the City of Yes for Housing Opportunity proposal would potentially alter the analysis of the Proposed Actions and conclusions presented in the corresponding Environmental Assessment Statement for the 19 Maspeth Rezoning. The City of Yes for Housing Opportunity proposal as presented in the Draft Scope of Work would not change the allowable FAR for this project's proposed zoning district; it would remain 5.6 FAR. CHO would change the maximum height analyzed in the EAS for the proposed R7D/C2-4 district from 115 feet to 125 feet; however, as described above, the maximum height that could be achieved on the Development Site under the RWCDS is 65 feet. No parking spaces would be required because CHO proposes to eliminate parking requirements for new residential developments.

This technical memorandum concludes that the potential changes facilitated by CHO would not exceed thresholds nor create conditions that require new analysis, nor would the proposed changes affect the conclusions presented within the EAS.

APPENDIX B

LPC CORRESPONDENCE AND PHASE IA ARCHEOLOGICAL ASSESSMENT

Note: These documents refer to the Development Site as 234 Conselyea Street, which was a previous name for the Development Site. The Development Site has not changed but is now referred to as 19 Maspeth Avenue.

Landmarks Preservation Commission

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

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

ENVIRONMENTAL REVIEW

Project number: DEPARTMENT OF CITY PLANNING / LA-CEQR-K
Project: 234 CONSELYEA STREET
Date received: 9/20/2018

The site has no Architectural significance.

Properties with Archaeological significance:
1) ADDRESS: WOODPOINT ROAD, BBL: 3028930001,
2) ADDRESS: CONSELYEA STREET, BBL: 3028930059

LPC review of archaeological sensitivity models and historic maps indicates that there is potential for the recovery of remains from Colonial or 19th Century occupation on the project sites. Project sites location is adjacent to Bushwick Reformed Dutch Church Cemetery. Accordingly, the Commission recommends that an archaeological documentary study be performed for this site to clarify these initial findings and provide the threshold for the next level of review, if such review is necessary (see CEQR Technical Manual 2014).

Gina Santucci

10/1/2018

SIGNATURE DATE
Gina Santucci, Environmental Review Coordinator

File Name: 33678_FSO_DNP_10012018.doc

Landmarks Preservation Commission

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

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

ARCHAEOLOGY

Project number: DEPARTMENT OF CITY PLANNING / LA-CEQR-K
Project: 234 CONSELYEA STREET
Date received: 1/14/2019

Comments: The LPC is in receipt of "Phase 1A Block 2893 Lots 1 and 59, 234 Conselyea Street, Brooklyn, NY" report by Greenhouse Consultants Inc., dated December 2018. We ask that the report be revised and expanded to provide a more detailed explanation of the archaeological sensitivity of the Block and lots in question in order to meet the standards set forth in the 2018 Guidelines for Archaeological Work in New York City.

Additional research is needed to see if it can be determined which colonial era structures were located on lots 1 and 59 (and/or 19th-century structures), and how and when they were impacted by subsequent development as you indicate they were still standing in the late nineteenth century. Similarly, please do additional research on who owned the land/lots prior to 1847 and how the census data you present for the town is relevant to the specific lots in question. Synthesize the cartographic data and household data, and how it may relate to potential resources and where on the lot they may be located. Foundations? Cisterns?

Similarly, please provide the maps and fully explicate the history of the site from 1888 to 2007 summarized on page 10 excerpted from the Waldon Associates 2015 report. What structures were razed, and how do the structures relate to the colonial and 19th century history of the lots? How does this history inform what resources may be present?

Please also integrate the history of public utilities into the body of your historic sensitivity assessment from the singular mention in your conclusion—how does implementation of sewer and water impact potential resources? If sewer and water are not present until 1887, what does this mean for potential resources, and in turn, how does this link to the specific structures on the lots?

In closing, please provide the LPC with a digital copy of Waldon Associates 2015 Phase 1 Environmental Site Assessment cited in the report.

Amanda Sutphin

1/16/2019

SIGNATURE DATE
Amanda Sutphin, Director of Archaeology

File Name: 33678_FSO_JSM_01162019.doc

Landmarks Preservation Commission

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

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

ARCHAEOLOGY REVIEW

Project number: LA-CEQR-K (DEPARTMENT OF CITY PLANNING)
Project: 234 CONSELYEA STREET
Date Received: 8/10/2023

Comments: as indicated below. Properties that are individually LPC designated or in LPC historic districts require permits from the LPC Preservation department. Properties that are S/NR listed or S/NR eligible require consultation with SHPO if there are State or Federal permits or funding required as part of the action.

This document only contains Archaeological review findings. If your request also requires Architecture review, the findings from that review will come in a separate document.

Properties with Archaeological significance:
1) WOODPOINT ROAD, BBL: 3028930001, ARCHEOLOGY FINDINGS: HISTORIC POTENTIAL, TIME PERIOD: 19th c (unspecified)
2) CONSELYEA STREET, BBL: 3028930059, ARCHEOLOGY FINDINGS: HISTORIC POTENTIAL, TIME PERIOD: 19th c (unspecified)

Properties with Architectural and Archaeological significance:

Comments: The LPC is in receipt of the revised, "Phase IA Archaeological Documentary Study for the 234 Conselyea St, Block 2893, Lots 1 and 59, Brooklyn, NY," prepared by Greenhouse Consultants Inc and dated August 2019. The LPC notes that the requested changes were made to the report and therefore concurs that the site has the potential to contain significant archaeological resources and that archaeological testing should be completed. An archaeological work plan should be submitted to LPC for this work for review and approval before it proceeds and LPC asks that a hard copy be sent to the Commission for its archives.



8/16/2023

SIGNATURE DATE
Amanda Sutphin, Director of Archaeology

File Name: 33678_FSO_ALS_08162023.docx

Sarah Yackel

From: Amanda Sutphin (LPC) <ASutphin@lpc.nyc.gov>
Sent: Thursday, August 17, 2023 1:53 PM
To: Sarah Yackel; Stephanie Shellooe (DCP)
Cc: Barry Greenhouse (barry.greenhouse@greenhouseconsultants.com); bstark; pscarola newyorkheating.com
Subject: RE: [EXTERNAL] 19 Maspeth Rezoning
Attachments: 33678_FSO_ALS_08162023.docx; Model Arch Restricted Dec Jan2021.doc

CAUTION: External E-mail

I am attaching my review of the revised archaeological documentary study. As for whether you can use an archaeological restrictive declaration, that would be up to DCP as the lead agency and for them to consider how to address that your client owns one lot but there are potential archaeological resources on both lots that were reviewed. If DCP concurs, then LPC would not object since the potential resources are historic features and artifacts but would want to review the dec before it is executed and would want a copy once it is executed. I am also attaching a template as per your request.

Please note that I will be out of the office starting tomorrow and returning September 5. I am ccing Mark Silberman, LPC General Counsel, should you have any questions about restrictive declarations.

Amanda

Amanda Sutphin (She/Her/Hers)
Director of Archaeology
1 Centre St., 9th Fl. | New York, NY 10007
p: 212.602-6353 | m: 347.556.1296
asutphin@lpc.nyc.gov | www.nyc.gov/landmarks
NYC Archaeological Repository: The Nan A. Rothschild Research Center
Buried Beneath the City: An Archaeological History of New York

From: Sarah Yackel <S.Yackel@bfjplanning.com>
Sent: Thursday, August 10, 2023 12:09 PM
To: Amanda Sutphin (LPC) <ASutphin@lpc.nyc.gov>
Cc: Barry Greenhouse (barry.greenhouse@greenhouseconsultants.com) <barry.greenhouse@greenhouseconsultants.com>; bstark <bstark@hseny.com>; pscarola newyorkheating.com <pscarola@newyorkheating.com>
Subject: [EXTERNAL] 19 Maspeth Rezoning

PHASE IA ARCHAEOLOGICAL DOCUMENTARY STUDY

234 CONSELYEA STREET
BLOCK 2893, LOTS 1 AND 59
BROOKLYN, NEW YORK
LA-CEQR-K

Prepared by:
Greenhouse Consultants Inc.
386 Broadway, Ground Floor
Bayonne, NJ 07002

Prepared for:
Capscar LLC
354 Humboldt Street
Brooklyn, NY 11211

Authors:
Paula Crowley, M. Phil., RPA
Jonathan Hall, Ph.D.
Alan Greene, Ph.D., RPA
Barry Greenhouse, M.A.

December 2018 (Revised March 2019, August 2019)

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ABSTRACT

This IA Documentary Study and Archaeological Assessment for Block 2893, Lots 1 and 59, Brooklyn addresses the historical background and archaeological potential of the subject parcels, where a six-story mixed use, residential and commercial building is planned. PaleoWest Archaeology LLC (PaleoWest) conducted the assessment as a sub-consultant to Greenhouse Consultants Incorporated (GEI) on behalf of Capscar LLC. Research determined that these lots in Block 2893 were part of the *Het Dorp* settlement of the town of Bushwick, founded in 1660 with Peter Stuyvesant setting the survey. The project area and its vicinity on the east side of Bushwick Avenue/Old Woodpoint Road remained primarily rural through the mid-nineteenth century. Nineteenth-century commentators observed that the former village of *Het Dorp* remained largely unchanged for 200 years with many residents inhabiting old structures for generations. Historic maps from the mid-nineteenth to mid-twentieth centuries reveal the archaeological potential for the unbuilt northern and central portions of Lot 1 and the entirety of the small Lot 59. These locations could yield data pertaining to early Colonial-era life and architecture in what would eventually become eastern Williamsburg. In addition, potential shaft features dating to the nineteenth century such as privies, wells, and cisterns in the same area of these lots could contribute to our understanding of residential and commercial life in late 19th century Brooklyn.

Even though the City of Brooklyn disposed of records prior to 1854 when it absorbed Bushwick, a significant amount of information was recoverable dating to the seventeenth and eighteenth centuries, when historic Bushwick was founded at *Het Dorp*. The most important structure in the *Het Dorp* community, the Dutch Reformed Church, sat on the west side of Bushwick Avenue/ Old Woodpoint Road, catty-corner to the project site, until it was demolished around 1913 (Bushwick Savings Bank 1923). In *A History of the Town of Bushwick, Kings County, NY* (1884), Henry Stiles locates an additional unidentified building on the north side of the intersection of Bushwick Avenue and Maspeth Avenue, *within* the project site boundaries. For much of its later history, the area was comprised of single-story residences; however, by the late nineteenth and early twentieth centuries, a combination of structures, including single home residences, an apartment, at least one saloon, a fur factory, and other businesses occupied the project site. Apart from what appears to have been a more substantial building with an elevator at 25 Maspeth Avenue, none of these structures had documented basement or cellar levels that would have disturbed existing archaeological deposits. When Conselyea Street was extended in 1913, Lots 1 and 59 were cut off from the main portion of Block 2893. Little to no development occurred at the project area during the later twentieth century when the buildings were razed, the block was paved, and the location was used to sell automobiles.

INTRODUCTION

This Phase IA documentary study of the 234 Conselyea Street development project in Brooklyn, Kings County, New York has been requested by the New York City Landmarks Preservation Commission (LPC), Project Review Number LA-CEQR-K, to satisfy the requirements of the City Environmental Quality Review (CEQR) and to comply with the archaeological guidelines of the LPC (LPC 2018; CEQR 2014). The project developers (Capscar LLC) intend to erect a six-story (60 feet tall), 17,376 gross square foot (GSF) mixed-use residential and commercial building. It would cover the entire triangular-shaped lot.

The project site lies on Block 2893, Lots 1 and 59, at 234 Conselyea Street in the Williamsburg section of Brooklyn Community District 1 and encompasses the entirety of a triangular island, bounded by Conselyea Street to the north, Maspeth Avenue to the south and east, and (Old) Woodpoint Road to the west. See Figure 1 and Figure 2 for the location of the project site on the United States Geological Survey, Brooklyn NY 7.5 minute quadrangle.

This report has been prepared by Greenhouse Consultants Incorporated of Bayonne, New Jersey for Capscar LLC. The associated research was conducted by PaleoWest Archaeology, LLC of Brooklyn, New York, and the study outlines the documentary record regarding known and potential archaeological resources at the project site and nearby area (i.e., on the present-day tax lot or within the boundaries of the nearest adjacent mapped streets) (CEQR 2014).

As an analysis of archaeological sensitivity and potential at the subject parcel, this document includes: (1) an overview of the study's methodological approach and the specific sources and archives consulted; (2) a presentation of the geography and physical setting of the project site; (3) a description of the current conditions on site; (4) a review of documented prior archaeological and historic properties proximate to the area of potential effect (APE); (5) a discussion of the prehistoric and historic background of the area surrounding the project site; (6) Lot Histories for the two subject parcels; (7) a review of archaeological sensitivity and disturbance; and (8) conclusion, findings, and recommendations. After careful review of the available documentary evidence, the northern portions of Lot 1 and the entirety of Lot 59 have the potential to yield materials related to both Colonial (seventeenth and eighteenth century) and nineteenth century life in *Het Dorp* and Brooklyn.

METHODS

A systematic review of the following resources was performed to document the known and potential archaeology in the immediate vicinity of the project site:

- Primary and secondary sources concerning the history of Brooklyn, Bushwick, *Het Dorp*. Specific events associated with the project site and vicinity were reviewed at the New York Public Library, the Brooklyn Public Library, and the Brooklyn Historical Society, along with various online resources.

- Conveyance records from the 17th-20th century were reviewed for Block

2983 at the Brooklyn Historical Society and Library, historic libers at the Brooklyn City Register Office, and online resources from the New York City Register. The City of Brooklyn disposed of records prior to 1854 when it absorbed Bushwick.

- Historic maps and photographs were identified at the New York Public Library, the Brooklyn Public Library, and the Brooklyn Historical Society. These maps and photographs provided an overview of the topography and a chronology of land usage for the project site. A selection of these maps and photographs has been reproduced for this report.
- Selected city directories were reviewed.
- Census records and Brooklyn newspaper accounts from sources such as the *Brooklyn Daily Eagle* were reviewed.
- A visit to the Department of Buildings yielded no records for Lot 59, Block 2893, and no current building records exist for Lot 1 Block 2983, since no buildings have been present for decades.
- Information about previously recorded archaeological sites and surveys in the area was compiled from data available at the New York State Office of Parks, Recreation and Historic Preservation (NYSOPRHP) and the LPC report archive.
- The Phase I Environmental study of the property at Block 2298 [sic], Lots 1 and 59 (Walden Associates 2015) was provided by the developer and examined.

GEOGRAPHY AND PHYSICAL SETTING

HYDROLOGY AND TOPOGRAPHY

The project area is located in the Atlantic Coastal Lowland Physiographic Province. This province is characterized by areas of low relief composed of Cretaceous Age Coastal Plain sediments. The sediments are composed of clay, sand, and gravel overlying igneous and metamorphic rocks. The slope of the formation is to the southeast. The elevation of the project area is approximately 36 feet above sea level.

SOILS AND HISTORIC FILL

The NRCS Web Soil Survey shows one mapped soil type for the project site (Figure 6). The Urban land, Till Substratum (UtB), 0-3 percent slopes has three components (Laguardia, Ebbets and Central Park). The Urban Land soil type has a parent material of asphalt over human-transported material. The landform position summit/talf.

Table 1**.** Project Site Soils

Soil Type	Horizon Depths	Texture/Inclusions	Slope	Drainage	Landform
Urban land, Till Substratum (UtB)	M: 0-15" 2C: 15-79"	cemented material Gravelly sandy loam	0-3%	high runoff	Summit/Talf

In 2016, Historical Perspectives (HPI) completed a Phase 1A study for the Canarsie L subway line station, located one block west of the current project area. Five borings were completed for the NYC-MTA. Boring 5 is located on the southwest corner of the intersection of Bushwick and Maspeth Avenues, directly across Bushwick Avenue from 234 Conselyea Avenue. The boring recorded five layers of fill from beneath the sidewalk to approximately nine feet below grade. The first three layers recorded medium fine sand with some gravel and a trace of silt. The next two layers were mottled gravel with some sand and a trace of silt. The boring terminated at 87 feet, with ground water encountered at 23.5 feet. Ten layers were recorded below fill, the first four containing gravel, some sand and a trace of silt. Silt and silty clay were recorded in the remaining layers. Bedrock was not encountered.

WATER AND SEWER INSTALLATION

Water pipes are first depicted on Maspeth Avenue in the 1888 Sanborn map as 8-inch underground lines with hydrants at 19 and 69 Maspeth (Figure 19).The 1904 Hyde map (Figure 21) shows the presence of both 6 inch and 12-inch pipes, likely water and sewer pipes, respectively. Solecki reminds that until sewer service was established, backyard cesspools would have been the primary recipients of wastewater and that flush toilets were particularly slow to replace outhouses in Brooklyn (Solecki 1981:378). Thus, there is a high likelihood that the buildings on Block 2893 maintained privies until the late nineteenth century and that such shaft features would be preserved in the northern and central, unbuilt portions of Lot 1.

CURRENT CONDITIONS

The project area is a triangular-shaped block bounded by Conselyea Street on the north, Maspeth Avenue on the south and east, and Bushwick Avenue/Woodpoint Road on the west. Lot 1 stretches 79.45 feet along Conselyea Street to the north, 102.6 feet to the south along Maspeth Avenue, and 55.66 feet along Old Woodpoint Road to the west. It shares a 11.35-foot boundary with Lot 59 to the northeast.

Lot 59 spans 26.84 feet along Conselyea Street to the north, 26.19 feet along Maspeth Avenue to the south, and shares the 11.35-foot boundary with Lot 1.

The project site consists of a fenced, flat, asphalt-paved parking lot and has contained no structures since at least 1982.

Photographs 1 through 3 illustrate the project area from the outside. The lot holds vehicles belonging to the owner’s company. Construction preparation is underway in the area and construction barriers, trailers, and sheds spill into the Maspeth/Conselyea intersection. Photographs 4 through 7 show the interior of the project area. A tree grows within the project area along its northern/Conselyea boundary, behind the white car in Photograph 5. Photograph 6 shows the temporary shed/office in Lot 59 at the eastern end of the project area. Electricity is supplied through a conduit that runs along the top of the south fence to an electrical meter at a gate on Maspeth Avenue.

DOCUMENTARY RESEARCH

A records review within the CEQR-defined radii conducted through the New York Cultural Resource Information System (CRIS) and the LPC reports archive identified two previous archaeological surveys (HPI 2013; HPI 2016). The search found no prehistoric archaeological sites within a half-mile of the project site.

The nearest project (16SR00795) is entitled "Phase IA Archaeological Documentary Study Canarsie L Line New Substation at 5 Maspeth Avenue." That project area lies within the Maspeth Avenue roadbed and sidewalks from Humboldt Street to Bushwick Avenue and also includes portions within the Bushwick Avenue, Humboldt Street, and Metropolitan Avenue roadbeds (HPI 2016). The substation location is directly southwest of 234 Conselyea Street across Woodpoint Road. Conducted by Historical Perspectives Inc. in 2016, the survey investigated archaeological potential for a proposed substation that would allow for increased service on the L line between Manhattan and the Canarsie section of Brooklyn. The study found a strong likelihood that eighteenth- and nineteenth-century residential and commercial resources could survive within the project site and recommended further archaeological investigation.

The second project (Horn and Saunders 2013) is entitled "Phase IA Archaeological Documentary Study 1 Maspeth Avenue, Brooklyn, NY 11211, Block 2892, Lot 1 (former lots 2,3, and 6)." The study area lies directly west of 234 Conselyea Street. The survey found that there was potential for eighteenth- and nineteenth-century remains in the study area since portions of the APE were never built upon. HPI found that other sections held potential for privies, wells, and cisterns from domestic and commercial buildings.

Neither Phase 1A documentary study has moved to the archaeological field investigation phase.

PREHISTORIC BACKGROUND

The project is located at the intersection several former colonial roads, at least one of which began as a Native American trail (Figure 6). Old Woodpoint Road, which lies just east of the study area was an old Rockaway foot path that meandered toward Mispat Kil (Maspeth Creek) (Armbruster 1912:102). It is likely that the Dutch road Kiekout (Lookout) Lane and the road to Newtown also roughly traced Native American trails. Prior research indicates that Native American settlements in the area were located along local waterways, such as English Kills, Maspeth Creek, and Newtown Creek. However, all of these are some distance from the project site (HPI 2016:14).

HISTORIC BACKGROUND

Documentary research suggests that the project area is situated in the former territory of *Het Dorp* (often translated as "town plot"), the town center of the village of Bushwick. Founded in 1661 by Peter Stuyvesant between Newtown and Bushwick Creeks, the small village sprouted up on either side of the Old Woodpoint Road, an old Rockaway foot path. Settlers constructed the

first house in 1661. By 1662, the settlement numbered less than 25 dwellings on 16 acres of cleared land. Behind each house lot lay extensive garden plots. The settlement was enclosed by a palisade of sharpened logs (Figure 7). A reminiscence, recorded in the *Manual of the Common Council for the City of Brooklyn,* noted that the palisades "enclosed the four corners at the crossing of Kikeout [Lookout] and Woodpoint Roads and the site of the Church" (Bishop 1868: 455). It is possible that a section of the palisade would have extended east to what is now Maspeth Avenue and the project area, or alternatively, along Maspeth Avenue as is depicted Armbruster's illustration (Figure 8).

After 1711, the old Bushwick Church, octagonal in shape, was built on the west side of Old Woodpoint Road (Figure 9). Across the street and just north of the project site, residents erected a one-story Town House to serve as the civic center of the community (see Figure 9). In later times, it served as a hotel before passing into private ownership. Stiles reported in 1884 that the old Town House still stood. He also placed a "group of one-story Dutch cottages with their long, curved sloping roofs" marking the entrance to Kiekout Lane [Lookout Lane] leading to Lookout point on the East River" (Stiles 1884:15; Figure 10). While the church, the town house, and the one-story cottages that Stiles referenced were all outside the project site, it is likely that some early structures were located within the APE. In a map from his book, Stiles superimposed *Het Dorp* on the 1880s street grid. In addition to the most prominent buildings of the church and town house, Stiles located one original, but unnamed structure inside the bounds of the project site (Figure 11).

Incomplete records make tracking the passage of property difficult. When the city of Brooklyn absorbed Bushwick in 1854, it discarded the town's records. In addition, it is likely that land in *Het Dorp* was administered in a "corporate" fashion, by shareholders rather than property holders: lots were made available to tenants for their use but reverted back to the community upon their death or emigration from the area. For example, on December 20, 1700, a grant of lands was made by the Overseers and People of Boswyck to Thomas Bodee for life unless Bodee left the area. Rather than be passed down to his descendants, the land reverted to the Overseers and people of Boswyck (Manuscript Records 1935:19). As a result of this land management system, no clear pattern of ownership can be determined in the way it can for estates outside the town center. Overall, the *Manuscript Records of the Town of Bushwick, Kings County* (1935) sheds light only on internal village and town affairs with little reference to the broader Colonial world.

It is clear that a new church replaced the old Bushwick Church around 1829 and Maspeth Avenue opened in 1846 leading east to Newtown and, according to Stiles, "several houses were erected upon it this side of the creek." (Stiles 1884:15). In 1888, a writer in the *Brooklyn Daily Eagle* conceded "this immediate locality has been slow to be affected by the boom which has prevailed in other parts of Brooklyn." The writer also noted that fifty years previous, there were no houses within a half mile radius of the church besides the half dozen he mentioned in the article (*BDE,* 1888). All of these—the church, town house, a school house, and some private residences—existed outside the project area.

Records revealing land ownership and usage in the second half of the nineteenth are more

abundant. The McCanna family (also listed as McKenna) owned Lot 1 and surrounding lots in the latter 19th century. John McCanna and his family are listed in the 1870 Federal Census. The household consisted of John (age 60), his wife Catherine (40), and likely an older son also named John (25). The two Johns were listed as laborers. The census also stated that all three were born in Ireland, but the remaining children Margaretha (18), Mary (16), Catherine (14), and James (11) were born in New York. The Lain Directory (1869:398) lists John McCanna liquors at Maspeth Avenue, corner of Bushwick Avenue. The 1880 directory lists John's widow Catherine McCanna at home at 25 Maspeth Avenue. A notice in an 1899 newspaper announced Catherine's death at age 85[1] with her funeral to take place at home at 25 Maspeth Avenue (*BDE* 1899).

Starting with McCanna's first association with liquor at Maspeth Avenue in the 1869 Lain's Directory, Lot 1 was associated at least periodically with the sale and/or consumption of alcohol. A news item in an 1887 issue of the *Brooklyn Daily Eagle* reported that Paul Enger at 19 Maspeth Avenue had unlawfully opened a saloon on Sunday (*BDE* 1887). An 1889 directory lists William Murray as selling liquor at 21 Maspeth and his home at 19 Maspeth. Efforts to locate Murray in various censuses were unsuccessful.

By the late nineteenth century, the neighborhood took on a different character with the arrival of immigrants like the McCannas and some increased commercial and (light) industrial activity. The Sanborn map from 1888 highlights mixed use within the study area with a store clearly marked as well as other multi-story buildings. In 1888, A *Brooklyn Daily Eagle* writer noted a house that "forty or fifty years ago" was occupied by a grocer named George Hulst. Within the writer's memory, it had been moved about one hundred feet east on Maspeth Avenue and now "was occupied by a colony of Italian laborers" (BDE, 1888). Newspaper evidence corroborates the growing presence of Italian immigrants by listing numerous Italian surnames at 21 Maspeth Avenue (and other residences on Maspeth Avenue outside the project area) between 1898 and the 1910s. In the last decade of the nineteenth century, other newspaper articles and business directories reveal the presence of at least one saloon and a "fur factory" at the project site, the latter likely dedicated to the manufacture of fine fur coats and accessories. According to the 1907 Sanborn map, the central portion of Block 2893 featured a "William Grosbeck and Co, Wire & Plating Works" by that time.

Enormous change came to Lot 59 in the project area when Conselyea Street was extended to Maspeth Avenue taking the majority of the lot and leaving behind only a small parcel. The structures previously associated with 31 and 35 Maspeth Avenue on the main block were likely razed in the process. According to both a tax ledger and notices in the *Brooklyn Daily Eagle* (1913) all evidence points to the extension occurring in 1913

Different businesses emerged on the street in the early twentieth century. Documentary evidence confirms the presence of a kerosene business owned by Joseph Citro in the 1930s. A directory from the time also listed Citro as an undertaker, but no evidence suggest his funeral business was

[1] There is a discrepancy in the ages for Catherine between the listing in the Census and the death notice in the *Brooklyn Daily Eagle*, but the general information placing the McCanna family on the same block of Maspeth Avenue over a period of thirty years is clear.

also on Lots 1 or 59.

The changing character of the neighborhood again became apparent in the mid-twentieth century. In 1947, the *Brooklyn Daily Eagle* noted the sale of a one-family brick home at 21 Maspeth Ave. This residential structure was likely razed in the next decade (Figure 26). The publication of the 1961 Sanborn Map shows that this part of Block 2893 became a used car lot, a function it would maintain for the next 4 decades. Periodically (around 1968 and 1981, for instance, Figures 27, 28, 29) maps indicate that the business closed, but within a few years each time a successor emerged. Used car sales remained the only enterprise associated with Block 2893 through at least 2007 (Figures 30, 31).

LOT HISTORY OF BLOCK 2893, LOT 1

Addresses: 25-33 (Old) Wood Point Road/Bushwick Avenue; 15-29 Maspeth Avenue; 234 Conselyea

Dimensions: 79.45 feet along Conselyea Street to the north, 11.35 feet of a shared boundary with Lot 59 to the northeast, a 102.6 feet boundary to the south along Maspeth Avenue, and 55.66 feet along Old Wood Point Road to the west. The total lot measures 2,070 square feet. Block 2893 was part of a larger Block 2893, north of Conselyea Street until 1913 when the city extended Conselyea Street from Humboldt Street in the west to Maspeth Avenue.

Current Use: The entire block consists of an asphalt parking lot. It is fenced in and currently holds vehicles belonging to the owner's company.

Historic Uses: Farmland, family dwellings, and some commercial enterprises (saloon, fur factory).

1660: Petitioners appeal to Governor Peter Stuyvesant about laying out a village with 22 house lots. The first house was completed and occupied in 1661. The town center of *Het Dorp* incorporated within town of Bushwick.

Late 16th – early 17th Century:
Palisades enclose *Het Dorp* and old Bushwick Church (constructed before 1711).

1829:
Original *Het Dorp* church is razed and replaced by the second Dutch Reformed Church across Woodpoint Road from the project site.

1846: Stiles notes the opening of Maspeth Road with several houses located on it shortly thereafter.

1868: Higginson Map (Figure 12) depicts frame structures at 17 Maspeth (one story), 19 Maspeth (three story), and 25 Maspeth (2 ½ story). 23 Maspeth is vacant, as is the remainder of the lot to the east, possibly with the exception of a building at the back of the lot.

1880: Bromley-Robinson map (Figure 13) depicts one structure on Lot 1, Block 820 likely at 25 Maspeth Avenue, suggesting other buildings were removed. Hopkins Map (also 1880; Figure 17) corroborates this with structure labelled as 25 Maspeth.

1886: Robinson Map (Figure 15) locates two new structures in Lot 1 on Maspeth Avenue along with the existing structure at 25 Maspeth Avenue.

1887: *Brooklyn Daily Eagle* (8-22-1887) notes presence of saloon at 19 Maspeth Avenue, Paul Enger, "keeper."

1888: Sanborn Map (Figure 16) shows structures at 17 Maspeth (1 story store), 21 Maspeth (3 story dwelling), 25 Maspeth (2 ½ story dwelling), 27 Maspeth (stable), and 29 Maspeth (1 story non-dwelling, possible out-building).

1896 *Brooklyn Daily Eagle* (11-15-1896) notes the presence of a "fur factory" at 29 Maspeth Avenue. It is owned by Thomas J. Hand. The building appears to contain at least two floors and a cellar.

1898: Ullitz-Hyde Map (Figure 17) depicts structures at 21 and 25 Maspeth Avenue. Structure formerly present at 17 Maspeth Avenue appears razed.

1904: Hyde Map (Figure 18) depicts buildings at 19 Maspeth (1 story), 21 Maspeth (3 stories), 25 Maspeth (2 ½ stories); An unnumbered vacant lot (previously 23 Maspeth) lies between 21 and 25 Maspeth. A stable appears to be present at the rear of the lot to the east.

1907: Sanborn Map (Figure 19) indicates the presence of a one-story store at 15 or 19 Maspeth, a three-story dwelling at 21 Maspeth, a 2 ½ story dwelling at 25 Maspeth. 23 Maspeth remains vacant. A stable appears present at 29 Maspeth (now at the front of the lot). Two small outbuildings are depicted between 25 and 29 Maspeth at the rear of the lot.

1908: Bromley map (Figure 20) suggests a large building at the western end of the lot (no address listed but probably 15/19 Maspeth as indicated on the prior map). A structure is also present at 25 Maspeth. Another structure is located to the east, likely the stable indicated on the previous map.

1913: Conselyea Street extension.

1916: Ullitz-Hyde (Figure 21) map is the first to illustrate the extension of Conselyea Street to the east. A one-story building is present at 19 Maspeth and a three-story dwelling is noted at 21 Maspeth. The former structure at 25 Maspeth appears to have been removed along with the stable.

1933: Sanborn map (Figure 22) depicts a one-story store at 15 or 19 Maspeth Ave. It appears also that for the first time another store in the same building may open onto Old Bushwick/Old Wood Point Road (mislabeled "Wood Post" on the map). It might be labelled as 27 Old Wood Point Road. A three-story building remains at 21 Maspeth. It is annotated as "Apt's" and "BR filled."

1938: Classified ad in the *Brooklyn Daily Eagle* (1-14-1938) notes a "kerosene business" for sale at 19 Maspeth Avenue. It also says, "Citro", which would appear to reference Joseph Citro who lived at 21 Maspeth Avenue as per an article in the *Brooklyn Daily Eagle* (8-29-1937).

1947: *Brooklyn Daily Eagle* (11-5-1947) notes sale of a "one family brick house" at 21 Maspeth Ave.

1951: Sanborn map indicates a one-story store toward the eastern end of lot one. No address is marked. Addresses are noted as 21-29 Maspeth to the south, 234 Conselyea to the north, and 215-221 Woodpoint to the west, but there are no structures delineated at those locations.

1965: Sanborn (Figure 24) map notes a one-story structure at 234 Conselyea Street, and the lot is labelled "Used Auto Sales." All remaining Sanborn maps through 2007 (Figure 29) note auto sales at the lot, with the exception of 1968 and 1982.

1968: Sanborn map (Figure 25) shows that building remains at 234 Conselyea Street, but there is no notation for auto sales.

1977 Sanborn map (Figure 26) notes "used auto sales" on the lot. A building is present at 234 Conselyea Street, but its shape suggests it is different from the one present in 1965 and 1968.

1982 Sanborn map (Figure 27) shows that used auto sales are no longer present. Also, the building at 234 Conselyea street has been removed. This would appear to be the last structure associated with the lot through at least 2007 (date of the last Sanborn consulted).

1986 Sanborn map (Figure 28) shows used auto sales again at the site. No structures are present.

Discussion: Lot 1 has been built over throughout the 19th and 20th centuries. However, the central (23 Maspeth) and rear portions of the lot were never disturbed by construction. According to *Het Dorp* histories, early village structures and/or defenses were likely present on the lot in the late seventeenth and early eighteenth centuries.

Conclusion: Lot 1 is considered archaeologically sensitive in significant part for historic remains.

LOT HISTORY OF BLOCK 2893, LOT 59

Addresses: 31 and 35 Maspeth Avenue (previously numbered as southwest corner of Lots 20 and 56)

1660: Petitioners appeal to Governor Peter Stuyvesant about laying out a village with 22 house lots. The first house was completed and occupied in 1661. The village of *Het Dorp* incorporated within town of Bushwick.

Late 16th – early 17th Century:
Palisades enclose *Het Dorp* and old Bushwick Church (constructed before 1711).

1829:
Original *Het Dorp* church is razed and replaced by the second Dutch Reformed Church across Woodpoint Road from the project site.

1846: Stiles notes the opening of Maspeth Road with several houses located on it shortly thereafter.

1880: Bromley-Robinson map (Figure 13) depicts no structures on (then) Lot 20.

1908: Bromley map (Figure 20) shows Lot 20 has been renumbered as Lot 56. It depicts two or three large structures at the eastern end of the lot, outside the project site. The associated addresses are 31 and 35 Maspeth Avenue. The southwest corner of the lot—the portion within the project site—appears vacant.

1913: Conselyea Street extension.

1916: Ullitz-Hyde (Figure 21) map is the first to illustrate the extension of Conselyea Street to the east. What is left of the former Lot 56 is now referenced as Lot 59, its current designation, and the structures at 31 and 35 Maspeth Avenue are razed. Lot 59 appears to be vacant from this period into the modern era, except for the current shed/office on site.

Discussion: Lot 59 contained empty, unbuilt space throughout the 19th and 20th centuries. According to *Het Dorp* histories it is possible that early village structures, garden plots, and/or defenses were present on the lot in the late seventeenth and early eighteenth centuries.

Conclusion: Lot 59 is considered archaeologically sensitive in for historic remains in its entirety.

PRE-CONTACT ARCHAEOLOGICAL SENSITIVITY

While the project site is located along a route utilized by indigenous inhabitants, no extant evidence suggests that Native Americans engaged in intensive land or resource use in the immediate area (CRIS; HPI 2013, 2016). While Native Americans likely traversed the area regularly, the distance to a natural water source combined with the degree to which the project site and its surroundings have been altered by urban development since the mid-nineteenth century indicate there is only a low level of pre-Contact archaeological sensitivity.

HISTORIC ARCHAEOLOGICAL SENSITIVITY

While Block 2893 Lot 1 has been built upon as early as the late seventeenth century (Stiles 1884; Figure 11), Lot 59 was less intensely developed. The structures present on Lot 1 included dwellings, stables, commercial establishments, and light industry. Lot 59 represents the unbuilt, remaining portion of a larger lot that was largely lost to the 1913 extension of Conselyea Street. Unbuilt areas in the northern and central portions of Lot 1, as well as the southwest corner most proximate to the territory of the former village of *Het Dorp*, retain archaeological sensitivity for seventeenth-, eighteenth-, and nineteenth-century remains, as does all of Lot 59.

Some portions of Lot 1 have likely been excavated extensively over time. Maps suggest that the McCanna residence at 25 Maspeth Avenue was a 2 ½ story residence, making the presence of a cellar or basement somewhat likely. A *Brooklyn Daily Eagle* article documenting an accident at the fur factory at 29 Maspeth Avenue mentions that the victim fell through an elevator shaft on the second floor to the cellar (BDE 1896). On the other hand, the portion of the lot frequently referenced as 23 Maspeth Avenue appears never to have been developed. Given that this portion of the lot was located between more developed sectors, it is of medium-to-high probability that it contained outbuildings or infrastructure resulting in archaeological shaft features, such as wells or cisterns. In addition, the northern portion of the lot bordering present-day Conselyea Street would have been the rear yard for both *Het Dorp* village buildings and the buildings of the nineteenth-century block (although somewhat reduced following the 1913 extension of Conselyea). It is therefore a high probability location for seventeenth-, eighteenth-, and nineteenth-century privy shaft features.

The southwest corner of Lot 1, the approximate location where Stiles placed a building from *Het Dorp* on his 1884 map, features moderate probability to yield archaeological evidence from the seventeenth and eighteenth centuries. Although this area of the lot was constructed upon fairly frequently over time, it is not clear that any of these buildings included basement levels that would have disturbed deeper layers of occupation. Finally, in light of the *Brooklyn Manual's* placing of the palisade surrounding the town at "the four corners at the crossing of Kikeout [Lookout] and Woodpoint Roads," this southwestern portion of Lot 1 also holds potential for locating evidence of that seventeenth-century fortification.

Lot 59 is the small, cutoff remnant of a larger lot disturbed by the extension of Conselyea Street in 1913. Maps suggest this portion of the lot contained unbuilt land during the nineteenth century (likely associated with 31 Maspeth Avenue, an area of the lot lost to the extension). Lots 1 and 59 retain a high level of sensitivity for historic archaeology.

CONCLUSION AND FINDINGS

This study has evaluated the prehistoric and historic archaeological sensitivity of Block 2893, Lots 1 and 59 for the 234 Conselyea Street project site. It has also examined the documentary record of disturbance, excavation, and construction at the site dating to the late seventeenth to early eighteenth centuries.

While the potential for prehistoric archaeological resources is low, the project site has a high level of historic archaeological potential in Lot 1, where lack of building activity at the northern (i.e., Conselyea Street) side could have preserved deposits dating from the seventeenth to the late nineteenth centuries. The central portion of the lot fronting Maspeth Avenue, frequently labeled 23 Maspeth Avenue, also represents an area of high archaeological potential due to its lack of historical development. The possible remains at these sites are associated with two historical periods: (1) the early Dutch town center of *Het Dorp* of the seventeenth–eighteenth centuries and (2) the late nineteenth-century era of industrialization, when a diverse community of immigrant, working class Brooklyners were living along an emerging residential-commercial corridor.

Potential Colonial era materials would have been deposited during the late seventeenth and eighteenth centuries when *Het Dorp* remained an isolated rural community. The western side of the lot fronting Woodpoint Road or the southern side along Maspeth Avenue would seem to harbor the best chance for locating architectural remains as indicated by Stiles, or a section of the palisade that once enclosed the village. Domestic archaeological assemblages (i.e., cooking and table ceramics, personal items, farming implements) dating to the Dutch and English Colonial periods are uncommonly encountered in Brooklyn's archaeological record.

Archaeological materials associated with residential, commercial, and light industrial life at the project site are likely to be recovered from potential field investigations of shaft features in the rear of 17, 19, and 25 Maspeth Avenue, or the central portion of the lot frequently represented as 23 Maspeth Avenue. With flush toilets not likely arriving before the late nineteenth century, it is probable that abandoned privies would contain refuse providing a wealth of information about historic consumption patterns from both domestic activity and commercial/industrial enterprises. At these locations, a privy would provide an opportunity to recover household assemblages (pottery and bottle remains, hygiene and medicinal items, children's objects, etc.), food waste, and commercial items such as grocer's refuse and liquor merchants' bottles. Side-by-side datasets of residential and commercial activities are particularly powerful in illustrating the changing lifeways that accompanied industrial development, demographic change, and shifts in domestic patterns in the 19th century. Historical accounts of this transition often emphasize the bewildering rapidity of development, but glimpses of how these changes occurred on a more everyday scale are less plentiful.

The potential for prehistoric archaeological resource recovery at the project site is low, while the unbuilt rear and central portions of Lot 1, as well as the entire Lot 59, are sensitive for historic archaeological resources connected to Colonial life and residential and commercial activity in nineteenth- and early twentieth-century Brooklyn. In these lots, the proposed development's

excavations are likely to exceed previous construction excavations in depth and footprint. Greenhouse Consultants Incorporated recommends archaeological field investigations in Lots 1 and 59 prior to construction for evidence of materials associated with seventeenth- and eighteenth-century settler life and shaft features with assemblages relevant to the study of Brooklyn's nineteenth- and early twentieth-century working-class residents and businesses.

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APPENDIX A: PHOTOGRAPHS AND FIGURES



Photograph 1. Project area, facing north and Lot 1 from the south side of Maspeth Avenue.



Photograph 2. Project area at the Maspeth/Conselyea intersection, facing north toward Lot 59.



Photograph 3. Project area facing southeast (Lot 59) from the north side of Conselyea Street.



Photograph 4. Interior of project area and Lot 1 facing west toward Bushwick Avenue.



Photograph 5. Interior of project area facing north/northeast toward Conselyea Street.


Photograph 6. Interior of project area facing east and Lot 59 with temporary office at eastern end.



Photograph 7. Interior of project area in Lot 1 facing south toward Maspeth Avenue with gate, electrical meter and electrical conduit along top of fence running east to temporary office.



Figure 1. Project site location within Brooklyn, Kings County NY From USGS Quadrangle 1:24000, 1967.

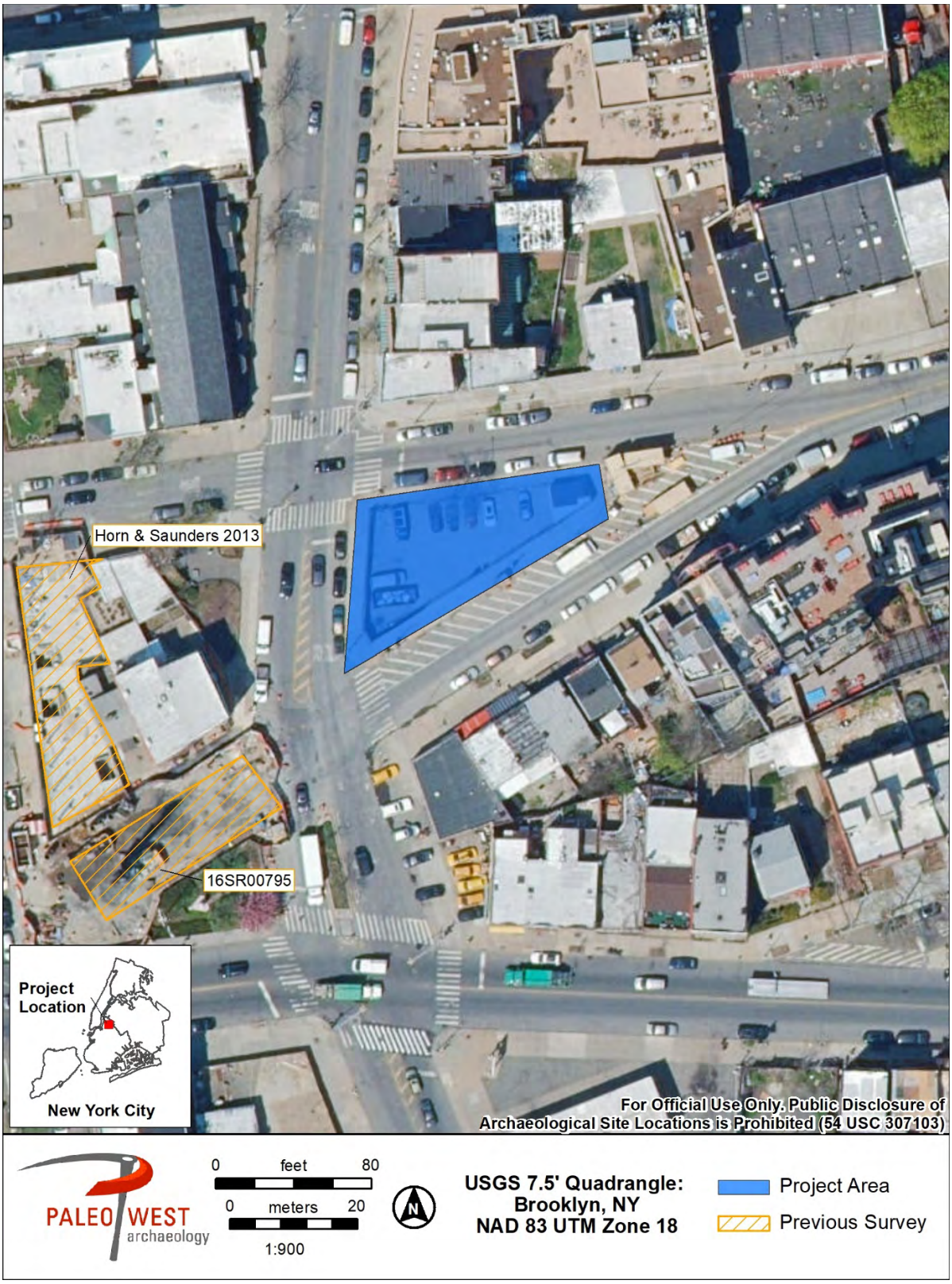


Figure 2. Project site location within Brooklyn, Kings County NY, over aerial.



Figure 3. Site file search results for historic buildings, archaeological sites, and previous surveys within the 400-foot CEQR search radius.



Figure 4. Site file search results within the 400-foot CEQR search radius over aerial imagery of the project site.



Figure 5. NRCS project site soil(s) map.

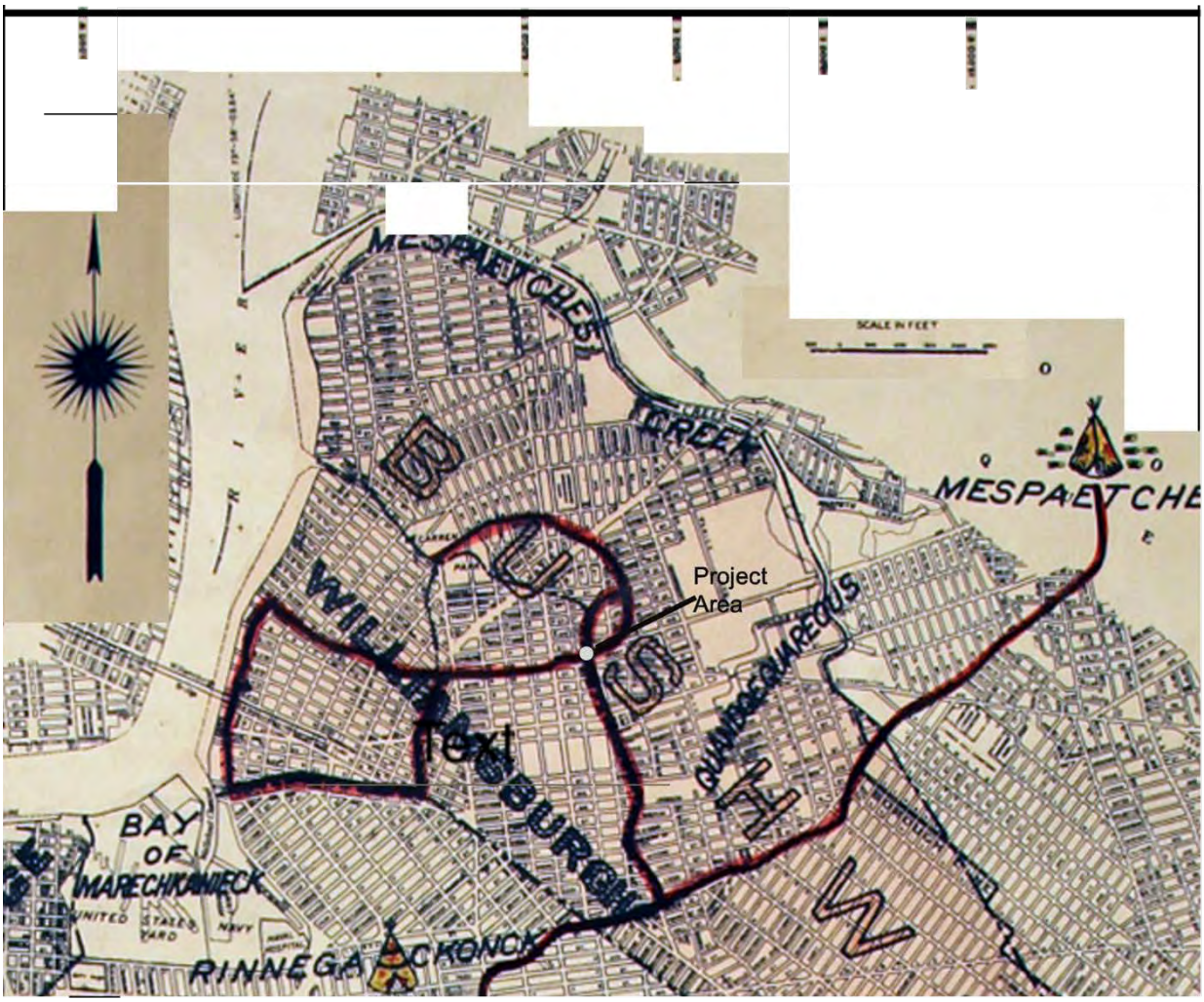


Figure 6. Project Site location on Kelly's Indian Villages, Paths, Ponds and Places in Kings County map (1946)

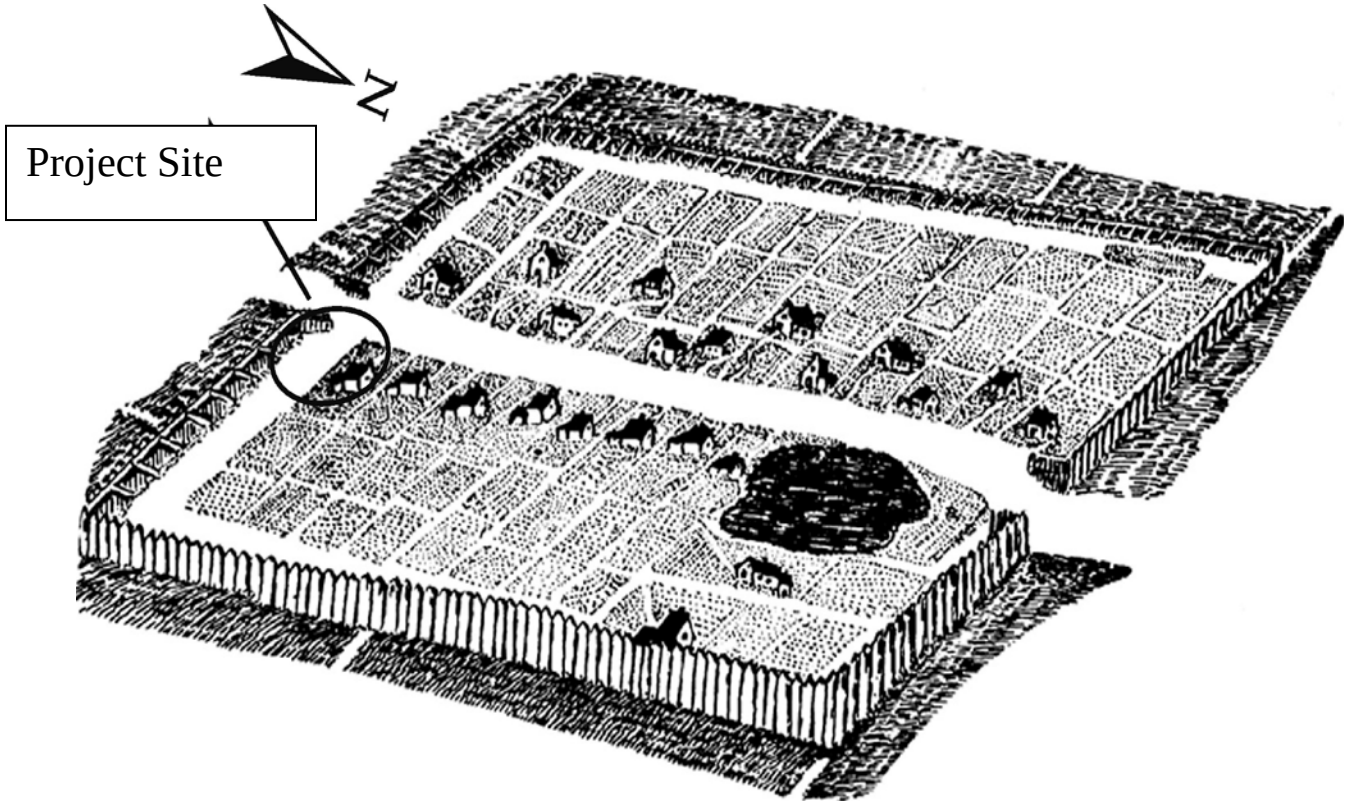


Figure 7. From Armbruster (1912:14) showing Stuyvesant's plan for *Het Dorp*, Bushwick circa 1660.

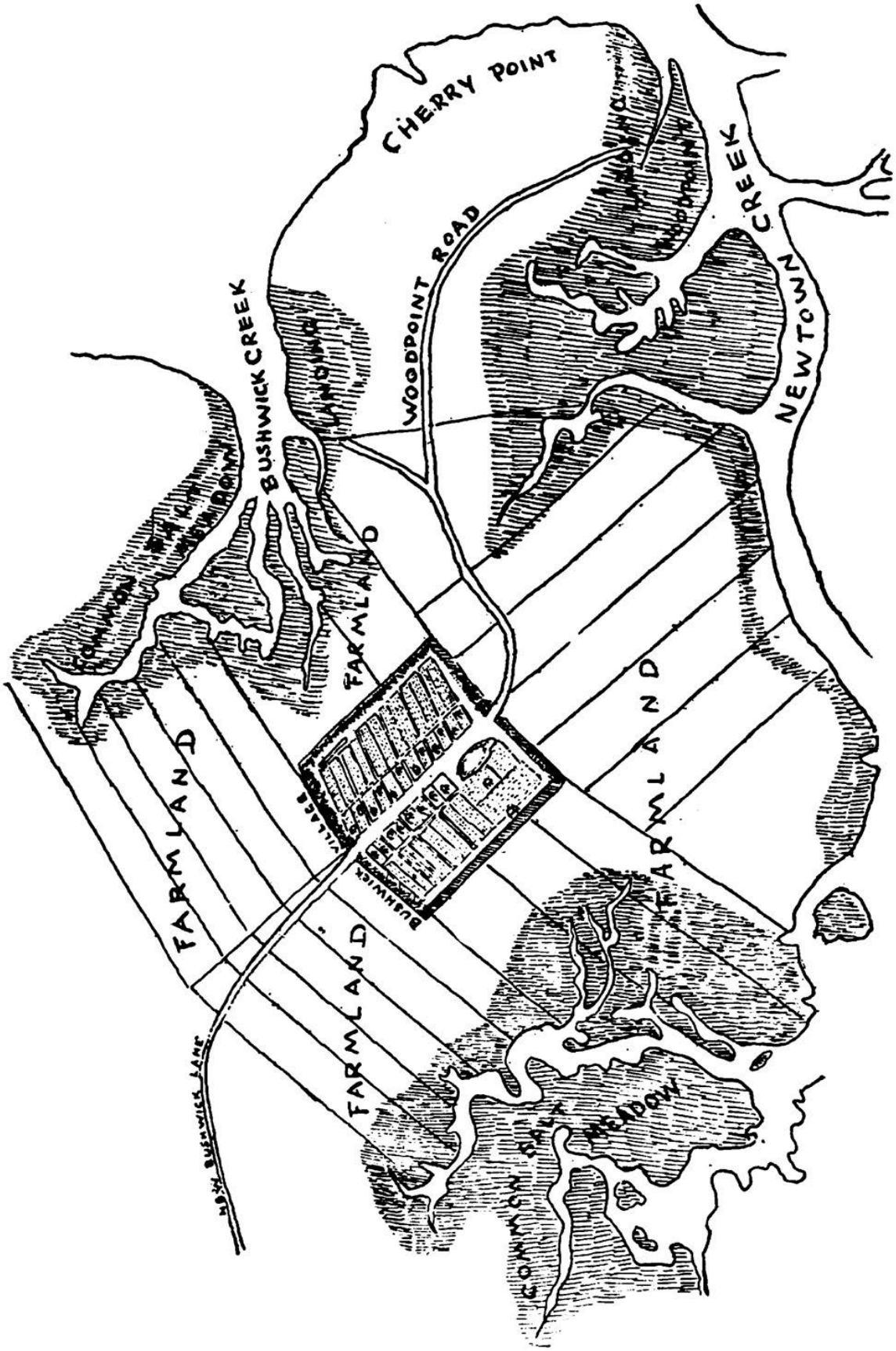


Figure 8. From Armbruster (1912:16) showing the early town of Bushwick Village in the 17th Century.

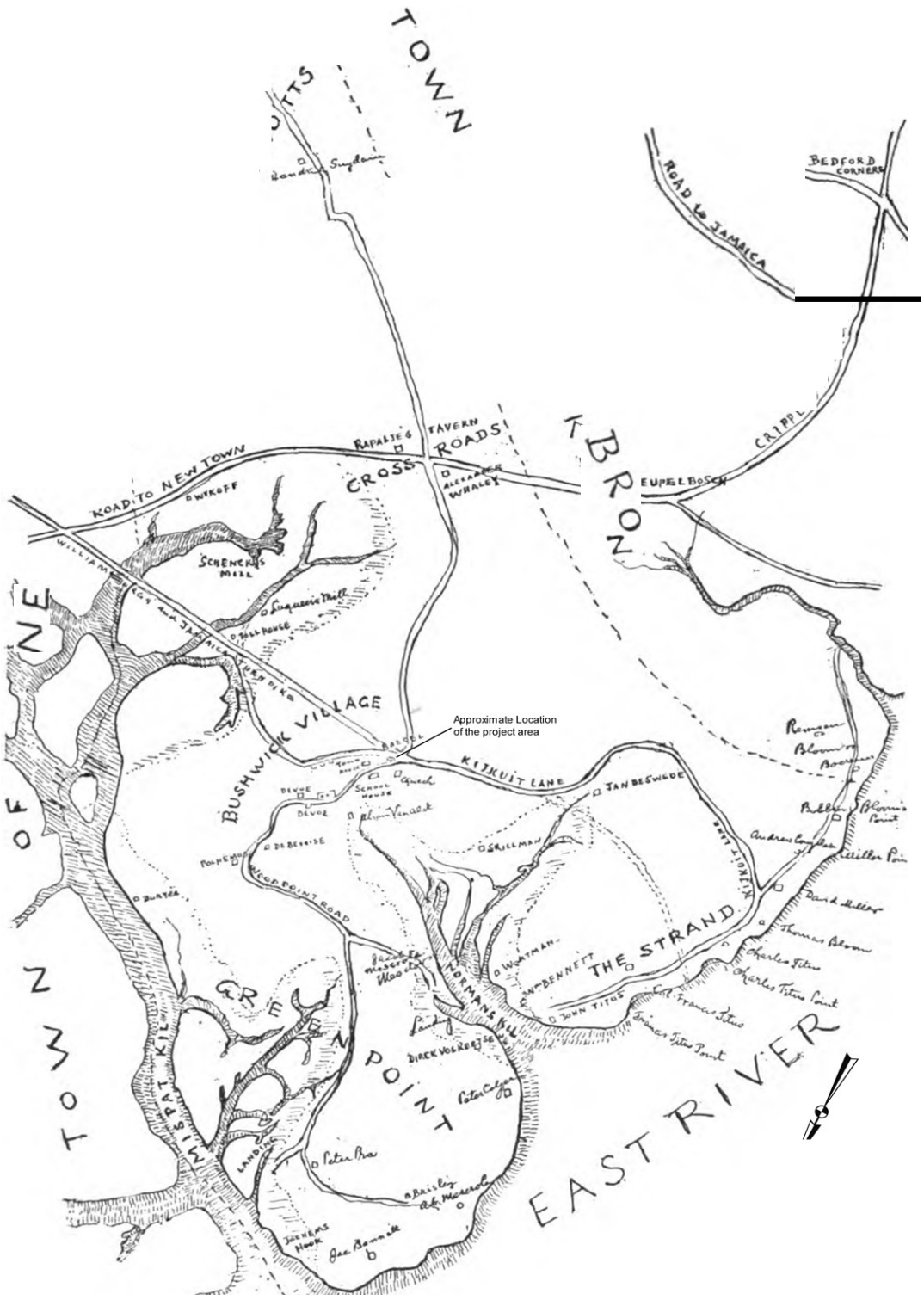
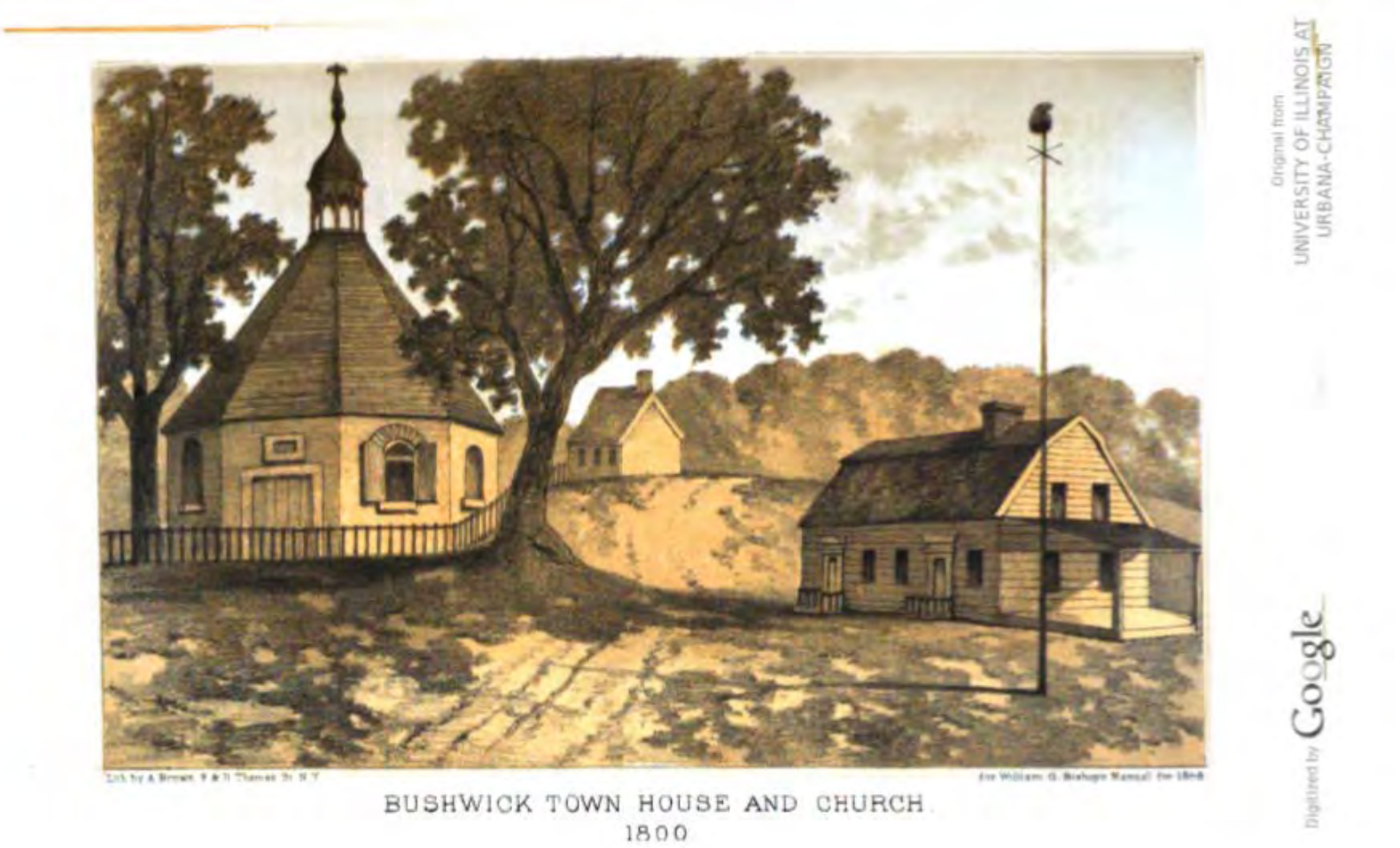
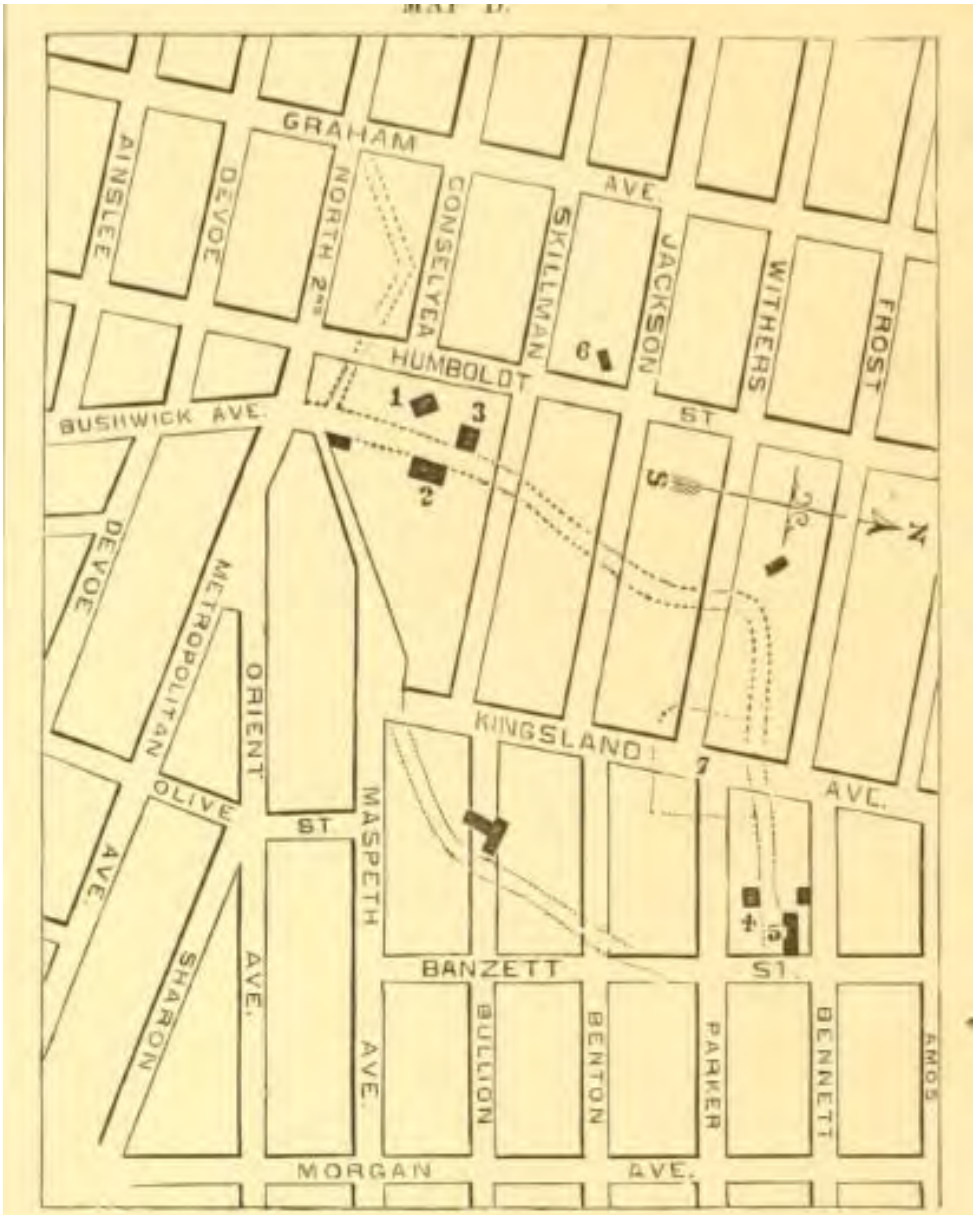


Figure 9. From Armbruster (1912:32) showing village of Bushwick during the 1700s.



Original from UNIVERSITY OF ILLINOIS AT URBANA-CHAMPAIGN
Digitized by Google

Figure 10. Bushwick Town House and church circa 1800, reproduced in Gibbon (Common Council of Brooklyn 1868).



HET DORP, OR BUSHWICK GREEN.

1. Bushwick Church.
2. Town-House.
3. School House.
4. } Devoe Houses.
5. }
6. Conselyea House.
7. Old Bushwick graveyard, indicated by dotted line.

Figure 11. Map from Stiles 1884: *Het Dorp* structures superimposed on 1880s street grid.



Figure 12. From a portion of the map of Bushwick showing project area within "Old Civic Center of Bushwick," surrounded by farms (Memoirs of Bushwick 1923).



Figure 13. Detail taken from Matthew Dripps' Map of the City of Brooklyn, also the Village of Williamsburgh (1850).



Figure 14. Detail taken from Field's Map of the City of Williamsburg and the Town of Bushwick, inclu. Greenpoint with part of the City of Brooklyn (1852).



Figure 15. Detail taken from Higginson's Insurance Maps of the City of Brooklyn (1868) with Lots 1 and 59 outlined.



Figure 16. Detail taken from Bromley Robinson 1880 with Lots 1 and 59 outlined.



Figure 17. Detail taken from Hopkins' Detailed Estate and Old Farm Line Atlas of the City of Brooklyn (1880) with Lots 1 and 59 outlined.

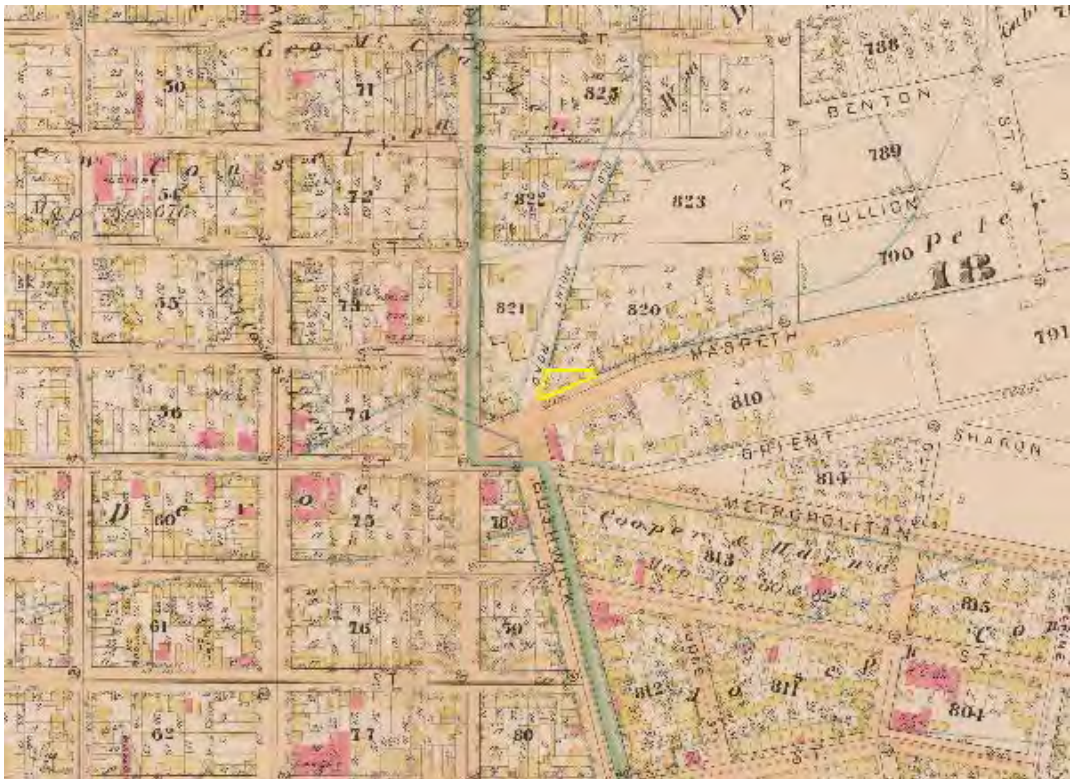


Figure 18. Detail taken from Robinson's Atlas of the City of Brooklyn, New York (1886) with Lots 1 and 59 outlined.

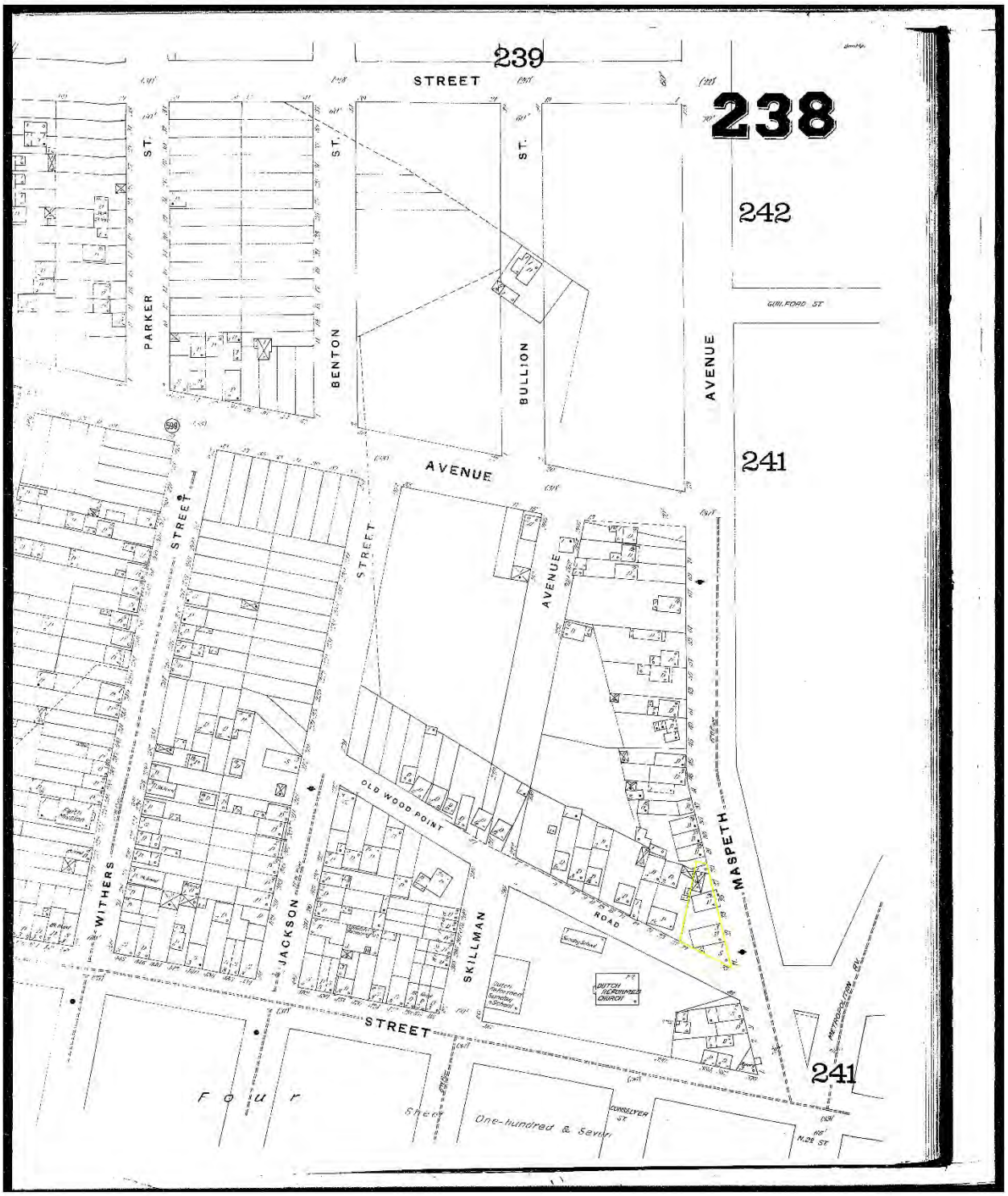


Figure 19. Detail of the 1888 Sanborn map with Lots 1 and 59 outlined (NYPL).



Figure 20. Detail taken from Ullitz-Hyde Atlas of the Brooklyn Borough of the City of New York (1898) with Lots 1 and 59 outlined.



Figure 21. Detail taken from Hyde's Atlas of the Brooklyn Borough of the City of New York (1904) with Lots 1 and 59 outlined.



Figure 22. Detail of the 1907 Sanborn map with Lots 1 and 59 outlined (NYPL).



Figure 23. Detail taken from Bromley and Co Atlas of the Entire City of Brooklyn, New York (1908) with Lots 1 and 59 outlined.



Figure 24. Detail taken from Ullitz-Hyde Atlas of the Brooklyn Borough of the City of New York (1916) with Lots 1 and 59 outlined.



Figure 25. Detail of the 1933 Sanborn map with Lots 1 and 59 outlined (NYPL).

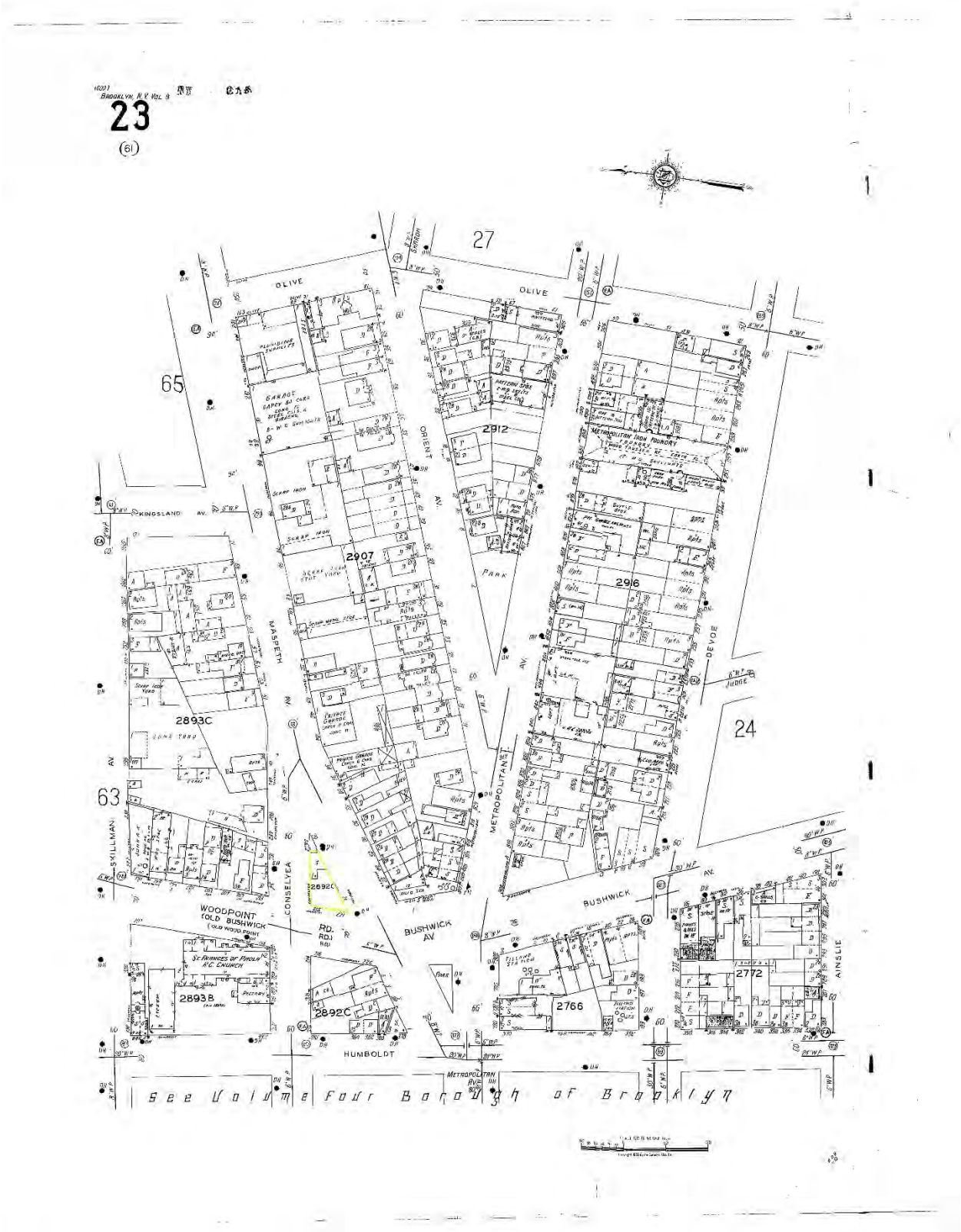


Figure 26. Detail of the 1951 Sanborn map with Lots 1 and 59 outlined (NYPL).



Figure 27. Detail of the 1965 Sanborn map with Lots 1 and 59 outlined (NYPL).



Figure 28. Detail of the 1968 Sanborn map with Lots 1 and 59 outlined (NYPL).

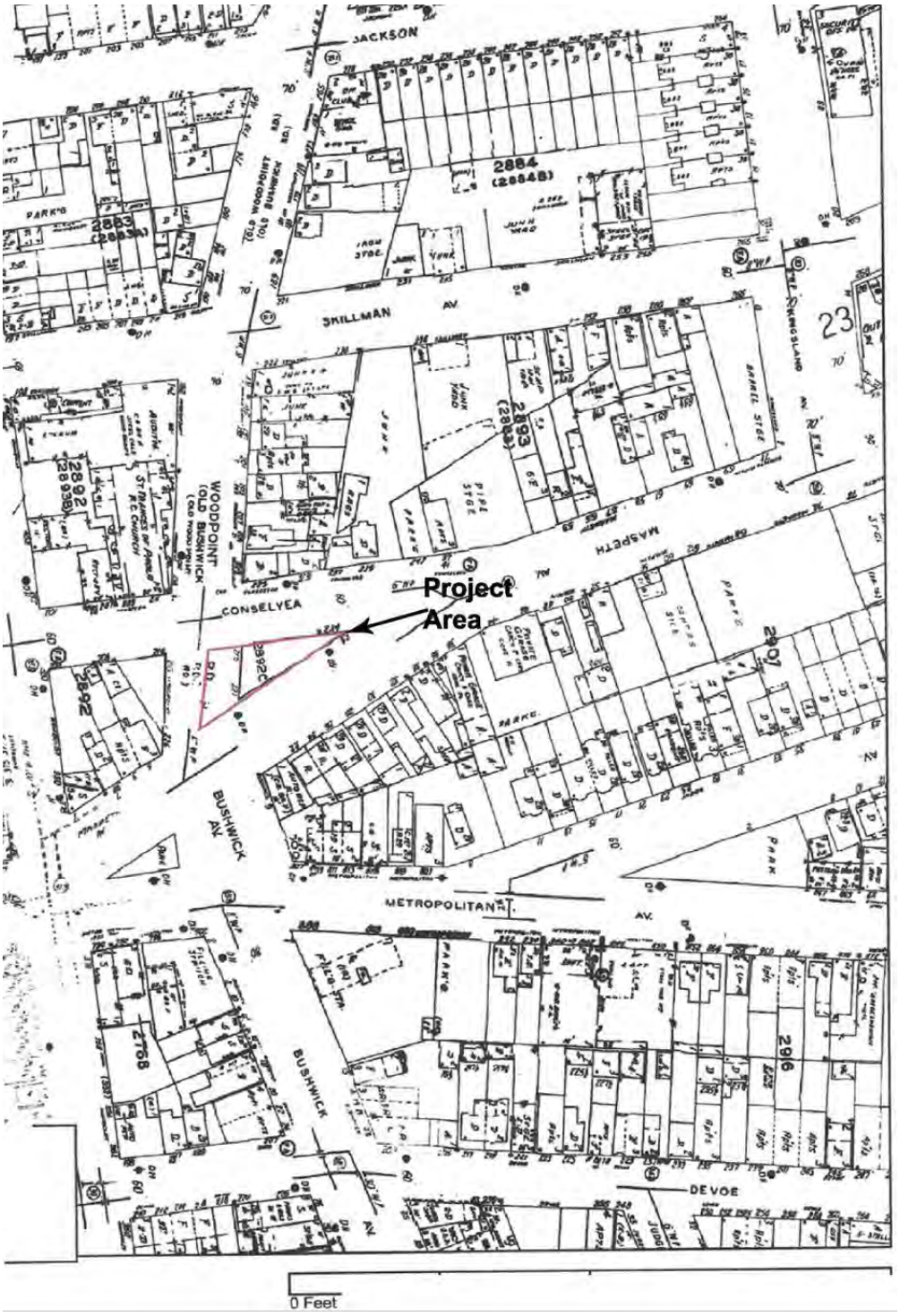


Figure 29. Detail of the 1982 Sanborn map with Lots 1 and 59 outlined (NYPL).

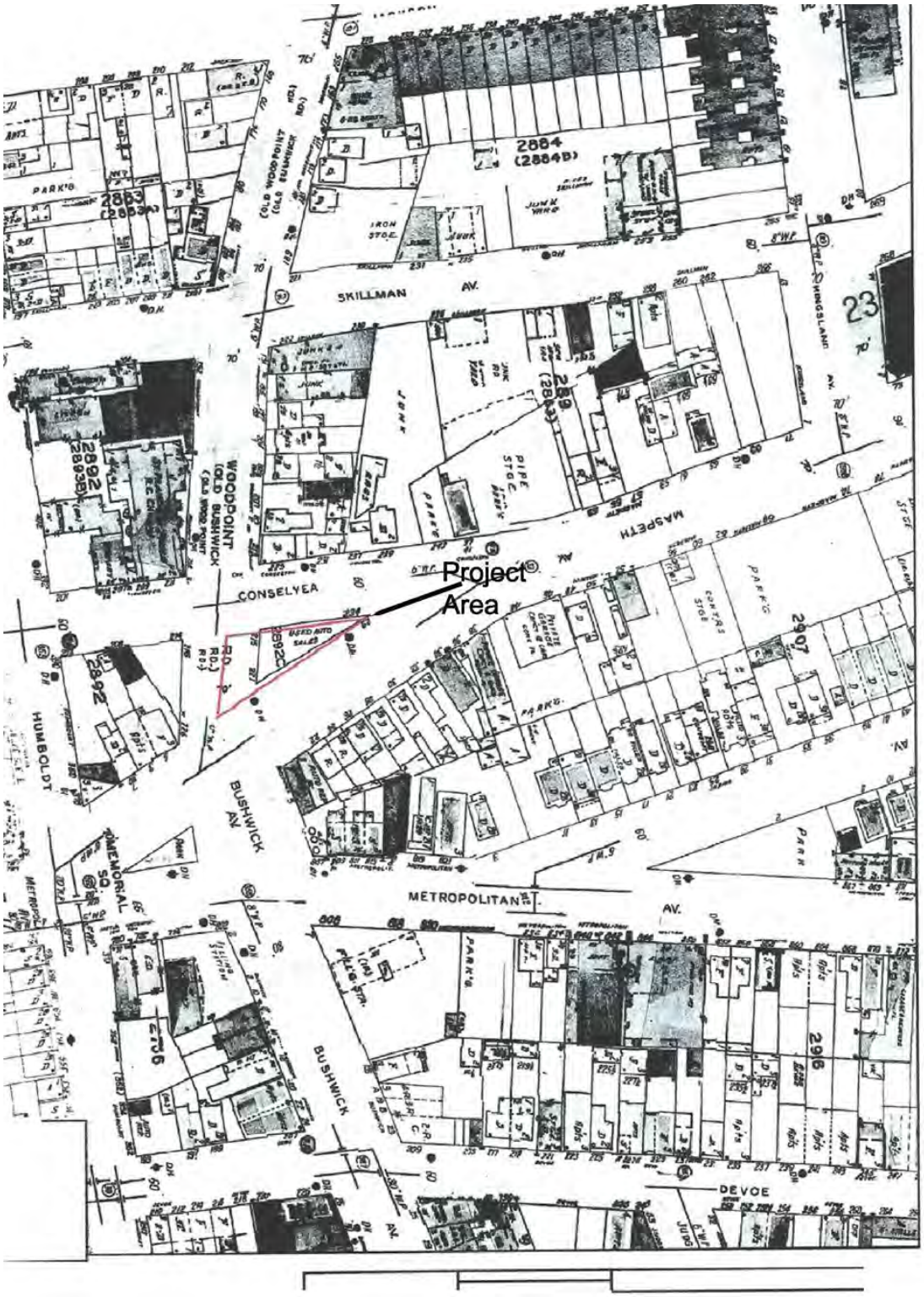


Figure 30. Detail of the 1986 Sanborn map with Lots 1 and 59 outlined (NYPL).



Figure 31. Detail of the 2007 Sanborn map with Lots 1 and 59 outlined (NYPL).

APPENDIX B: LAND CONVEYANCE RECORDS

Land Conveyance Records for Block 2983

Grantor	Grantee	Date	Liber:Page
McKenna, Catherine	Patrick McKenna	July 29, 1890	1993:107 Block 2893, corner Same as 671:215
McKenna, Catherine (widow)	Patrick McKenna	September 21, 1881	1438:170 (82.5 1/4 x 40 x 48)
Crooke, Frank (single)	Catherine McKenna	April 12, 1871	990:350 Lot 1
Stoothoff, Ditmas & Phebe J. (wife)	John McKenna	July 19, 1865	671:215 Lots 1, 2, 3 - Maspeth Lots 1, 2, 3 - Old Woodpoint Road
McNamee, John, Sheriff	Ditmas Stoothoff	July 17, 1865	671:251 Lots 1, 2, 3, -Maspeth Lots 1, 2, 3, - Old Wood Point Road
Francis S. & William H. Brown	Noah Waterbury	June 30 1847	165:460 part of a large parcel
Phillip Burroughs	Noah Waterbury	June 30, 1847	165:458 part of a large parcel
Approximately 77 transactions follow, to 1690. All transactions state: “part of a large parcel” or “part of a large tract.” Approximately 1802, the conveyance is stamped “COM LAND”			

APPENDIX C: DIRECTORY RECORDS

Lain's Directory, 1858, Cross Streets: Maspeth and Bushwick

Name	Occupation	h.	Address	Page
Harry Bauer	shoemaker		Maspeth av. n Bushwick av.	16
John J. Debevoise	farmer		Bushwick av n. Maspeth	88
Charles Doer-enbecher	baker		Maspeth av. n. Bushwick av.	96
Mary Edsall	wid	h.	Bushwick av. n. Maspeth	109
William Freestone	pilot	h.	Bushwick av. n. Maspeth	129
Patrick Gafney	gluemaker	h.	Maspeth av. n. Bushwick av.	131
John H. Lott		h.	Bushwick av. n. Maspeth av.	219
John McCanley	milkman	h.	Bushwick av. n. Maspeth av.	235
John McConnell	gluemaker	h.	Maspeth av. n. Bushwick av.	236
Edward McNulty	milkman	h.	Bushwick av. n. Maspeth av.	250
William Meyer	grocer		Bushwick av. c. Maspeth av.	254
John Riese	shoemaker	h.	Maspeth av. n. Bushwick av.	309
David Van Cott		h.	Bushwick av. n. Maspeth av.	375
David Whitford	Grocer		Maspeth av. n. Bushwick av.	395

APPENDIX D: PHASE I ENVIRONMENTAL ASSESSMENT

APPENDIX C

NOISE DATA

Submitted under separate cover.