# 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*** 205 Park Avenue

**3. *Reference Numbers***

| CEQR REFERENCE NUMBER (to be assigned by lead agency) | BSA REFERENCE NUMBER (if applicable) |
|---|---|
| 15DCP083K | |
| ULURP REFERENCE NUMBER (if applicable) | OTHER REFERENCE NUMBER(S) (if applicable) (*e.g.*, legislative intro, CAPA) |
| | |

| **4a. *Lead Agency Information*** | | | **4b. *Applicant Information*** | | |
|---|---|---|---|---|---|
| NAME OF LEAD AGENCY<br>NYC Department of City Planning | | | NAME OF APPLICANT<br>462 Lexington Avenue, LLC | | |
| NAME OF LEAD AGENCY CONTACT PERSON<br>Robert Dobruskin | | | NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON<br>Hiram Rothkrug, ESC, Inc. | | |
| ADDRESS 120 Broadway, 31st Floor | | | ADDRESS 55 Water Mill Road | | |
| CITY New York | STATE NY | ZIP 10271 | CITY Great Neck | STATE NY | ZIP 11021 |
| TELEPHONE 212-720-3423 | EMAIL<br>rdobrus@planning.nyc.gov | | TELEPHONE 718-343-0026 | EMAIL<br>hrothkrug@epdsco.com | |

**5. *Project Description***

The applicant proposes a Zoning Map Change and a Zoning Text Amendment (the "Proposed Actions") to rezone Block 2033, Lot 50 (the "Development Site") from M1-2 to R7D/C2-4 in the Fort Greene Section of Brooklyn Community DIstrict #2. The Proposed Actions would facilitate the redevelopment of the Development Site with an 8-story mixed-use building with 85,886 gsf (5.6 FAR) of space and rise to a maximum height of 95 feet. The ground floor would contain 12 7,908 gsf of commercial retail, while the remaining space would contain residential uses in 70 dwelling units, 17 of which would be affordable under MIH. The cellar would contain 29 accessory parking spaces. The Zoning Text Amendment would make the Project Area applicable as a Mandatory Inclusionary Housing Area. Please see "Project Description" for further information.

***Project Location***

| BOROUGH Brooklyn | COMMUNITY DISTRICT(S) 2 | STREET ADDRESS 205 Park Avenue |
|---|---|---|
| TAX BLOCK(S) AND LOT(S) Block 2033, Lot 50 | | ZIP CODE 11205 |

DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS Park Avenue bounded by Vanderbilt Avenue to the east, Flushing Avenue to the north, and Clermont Avenue to the west.

EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY M1-2 | ZONING SECTIONAL MAP NUMBER 12d

**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 If "yes," specify:

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

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

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

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

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

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

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

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

***Physical Setting*** (both developed and undeveloped areas)

Total directly affected area (sq. ft.): 12,808
Waterbody area (sq. ft) and type:
Roads, buildings, and other paved surfaces (sq. ft.):
Other, describe (sq. ft.):

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

SIZE OF PROJECT TO BE DEVELOPED (gross square feet): 85,886
NUMBER OF BUILDINGS: 1
GROSS FLOOR AREA OF EACH BUILDING (sq. ft.): 85,886
HEIGHT OF EACH BUILDING (ft.): 95
NUMBER OF STORIES OF EACH BUILDING: 8

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

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: sq. ft. (width x length)
VOLUME OF DISTURBANCE: 126,390 cubic ft. (width x length x depth)
AREA OF PERMANENT DISTURBANCE: 12,639 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.) | 73,557 | 7,908 | | |
| ***Type*** (*e.g.,* retail, office, school) | 70 units | Retail | | |

Does the proposed project increase the population of residents and/or on-site workers? ☒ YES ☐ NO
If "yes," please specify: NUMBER OF ADDITIONAL RESIDENTS: 152 NUMBER OF ADDITIONAL WORKERS: 29
Provide a brief explanation of how these numbers were determined: 152 Residents (70 DU x 2.17); One employee / 425 gsf of space.

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): 2020
ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: 12
WOULD THE PROJECT BE IMPLEMENTED IN A SINGLE PHASE? ☒ YES ☐ NO IF MULTIPLE PHASES, HOW MANY?

BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE:

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

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

## 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 Attached | | |
| **(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. See Attached | | |
| **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** | | |
| ○ **Child Care Centers:** Would the project result in 20 or more eligible children under age 6, based on the number of low or low/moderate income residential units? (See Table 6-1 in Chapter 6) | ☐ | ☒ |
| ○ **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) | ☐ | ☒ |
| ○ **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) | ☐ | ☒ |
| ○ **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 proposed project change or eliminate existing open space? | ☐ | ☒ |
| **(b)** Is the project located within an under-served area in the Bronx, Brooklyn, Manhattan, Queens, or Staten Island? | ☐ | ☒ |
| ○ If "yes," would the proposed project generate more than 50 additional residents or 125 additional employees? | ☐ | ☐ |
| **(c)** Is the project located within a well-served area in the Bronx, Brooklyn, Manhattan, Queens, or Staten Island? | ☐ | ☒ |
| ○ If "yes," would the proposed project generate more than 350 additional residents or 750 additional employees? | ☐ | ☐ |
| **(d)** If the project in located an area that is neither under-served nor well-served, would it generate more than 200 additional residents or 500 additional employees? | ☐ | ☒ |
| **5. *SHADOWS***: CEQR Technical Manual Chapter 8 | | |

| | YES | NO |
|---|---|---|
| **(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 | | |
| **(a)** Does the proposed project site or an adjacent site contain any architectural and/or archaeological resource that is eligible for or has been designated (or is calendared for consideration) as a New York City Landmark, Interior Landmark or Scenic Landmark; that is listed or eligible for listing on the New York State or National Register of Historic Places; or that is within a designated or eligible New York City, New York State or National Register Historic District? (See the GIS System for Archaeology and National Register to confirm) | ☐ | ☒ |
| **(b)** Would the proposed project involve construction resulting in in-ground disturbance to an area not previously excavated? | ☐ | ☒ |
| **(c)** If "yes" to either of the above, list any identified architectural and/or archaeological resources and attach supporting information on whether the proposed project would potentially affect any architectural or archeological resources. | | |
| **7. *URBAN DESIGN AND VISUAL RESOURCES***: CEQR Technical Manual Chapter 10 | | |
| **(a)** Would the proposed project introduce a new building, a new building height, or result in any substantial physical alteration to the streetscape or public space in the vicinity of the proposed project that is not currently allowed by existing zoning? | ☒ | ☐ |
| **(b)** Would the proposed project result in obstruction of publicly accessible views to visual resources not currently allowed by existing zoning? | ☐ | ☒ |
| **8. *NATURAL RESOURCES***: CEQR Technical Manual Chapter 11 | | |
| **(a)** Does the proposed project site or a site adjacent to the project contain natural resources as defined in Section 100 of Chapter 11? | ☐ | ☒ |
| ○ If "yes," list the resources and attach supporting information on whether the proposed project would affect any of these resources. | | |
| **(b)** Is any part of the directly affected area within the Jamaica Bay Watershed? | ☐ | ☒ |
| ○ If "yes," complete the Jamaica Bay Watershed Form, and submit according to its instructions. | | |
| **9. *HAZARDOUS MATERIALS***: CEQR Technical Manual Chapter 12 | | |
| **(a)** Would the proposed project allow commercial or residential uses in an area that is currently, or was historically, a manufacturing area that involved hazardous materials? | ☒ | ☐ |
| **(b)** Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to hazardous materials that preclude the potential for significant adverse impacts? | ☐ | ☒ |
| **(c)** Would the project require soil disturbance in a manufacturing area or any development on or near a manufacturing area or existing/historic facilities listed in Appendix 1 (including nonconforming uses)? | ☒ | ☐ |
| **(d)** Would the project result in the development of a site where there is reason to suspect the presence of hazardous materials, contamination, illegal dumping or fill, or fill material of unknown origin? | ☒ | ☐ |
| **(e)** Would the project result in development on or near a site that has or had underground and/or aboveground storage tanks (*e.g.*, gas stations, oil storage facilities, heating oil storage)? | ☒ | ☐ |
| **(f)** Would the project result in renovation of interior existing space on a site with the potential for compromised air quality; vapor intrusion from either on-site or off-site sources; or the presence of asbestos, PCBs, mercury or lead-based paint? | ☐ | ☒ |
| **(g)** Would the project result in development on or near a site with potential hazardous materials issues such as government-listed voluntary cleanup/brownfield site, current or former power generation/transmission facilities, coal gasification or gas storage sites, railroad tracks or rights-of-way, or municipal incinerators? | ☐ | ☒ |
| **(h)** Has a Phase I Environmental Site Assessment been performed for the site? | ☒ | ☐ |
| ○ If "yes," were Recognized Environmental Conditions (RECs) identified? Briefly identify: REC 1: Possible asbestos contained within the existing building. REC 2: Potential underground fuel oil tank within the existing building. REC 3: Possibility of lead-based paint contained within the existing building. | ☒ | ☐ |
| **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 | ☐ | ☒ |

| | YES | NO |
|---|---|---|
| involve development on a site that is 1 acre or larger where the amount of impervious surface would increase? | | |
| **(f)** Would the proposed project be located in an area that is partially sewered or currently unsewered? | ☐ | ☒ |
| **(g)** Is the project proposing an industrial facility or activity that would contribute industrial discharges to a Wastewater Treatment Plant and/or 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): 4,028 | | |
| ○ 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): 6,728,771 | | |
| **(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 or bus trips per project peak hour? | ☐ | ☒ |
| If "yes," would the proposed project result, per project peak hour, in 50 or more bus trips on a single line (in one direction) or 200 subway trips per station or line? | ☐ | ☐ |
| ○ Would the proposed project result in more than 200 pedestrian trips per project peak hour? | ☐ | ☒ |
| If "yes," would the proposed project result in more than 200 pedestrian trips per project peak hour to any given pedestrian or transit element, crosswalk, subway stair, or bus stop? | ☐ | ☐ |
| **14. *AIR QUALITY***: CEQR Technical Manual Chapter 17 | | |
| **(a)** *Mobile Sources*: Would the proposed project result in the conditions outlined in Section 210 in Chapter 17? | ☒ | ☐ |
| **(b)** *Stationary Sources*: Would the proposed project result in the conditions outlined in Section 220 in Chapter 17? | ☒ | ☐ |
| ○ If "yes," would the proposed project exceed the thresholds in Figure 17-3, Stationary Source Screen Graph in Chapter 17? (Attach graph as needed) See attached. | ☐ | ☒ |
| **(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 124 in Chapter 19) near heavily trafficked roadways, within one horizontal mile of an existing or proposed flight path, or within 1,500 feet of an existing or proposed rail line with a direct line of site to that rail line? | ☒ | ☐ |
| **(c)** Would the proposed project cause a stationary noise source to operate within 1,500 feet of a receptor with a direct line of sight to that receptor or introduce receptors into an area with high ambient stationary noise? | ☒ | ☐ |
| **(d)** Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to noise that preclude the potential for significant adverse impacts? | ☒ | ☐ |
| **17. *PUBLIC HEALTH***: CEQR Technical Manual Chapter 20 | | |

| | YES | NO |
|---|---|---|
| **(a)** Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Air Quality; Hazardous Materials; Noise? | ☒ | ☐ |
| **(b)** If "yes," explain why an assessment of public health is or is not warranted based on the guidance in Chapter 20, "Public Health." Attach a preliminary analysis, if necessary. See attached. | | |
| **18. *NEIGHBORHOOD CHARACTER*:** CEQR Technical Manual Chapter 21 | | |
| **(a)** Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Land Use, Zoning, and Public Policy; Socioeconomic Conditions; Open Space; Historic and Cultural Resources; Urban Design and Visual Resources; Shadows; Transportation; Noise? | ☒ | ☐ |
| **(b)** If "yes," explain why an assessment of neighborhood character is or is not warranted based on the guidance in Chapter 21, "Neighborhood Character." Attach a preliminary analysis, if necessary. See attached. | | |
| **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. | | |

## 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 |
|---|---|
| Justin Jarboe, ESC Inc. | 3/9/18 |

SIGNATURE

***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? ☐ ☒

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 |
| **NAME** | **DATE** |
| Robert Dobruskin, AICP | 03/09/18 |

SIGNATURE

Robert Dobruskin

## PROJECT DESCRIPTION

Introduction

This application is made on behalf of 462 Lexington Ave., LLC, the owner of the development site ("the Applicant"), for a zoning map amendment from M1-2 to R7D/C2-4 and a text amendment to Appendix F of the Zoning Resolution of the City of New York that would make the project area a designated area for the City's Mandatory Inclusionary Housing Program (MIH). The proposed project area is located in the Wallabout section of Brooklyn's Community District 2. It includes one development site ("the Project Site") located at 205 Park Avenue (Block 2033, Lot 50) bound by Clermont Avenue to the west, Park Avenue to the south, Vanderbilt Avenue to the east and Flushing Avenue to the north.

The proposed rezoning would create a new R7D/C2-4 district directly south of the existing R8/C2-4 district that is mapped on the northern portion of Block 2033.

The proposed zoning map amendment involves creating a new R7D/C2-4 district to include Block 2033, Lot 50 and the area extending southward beneath the Brooklyn Queens Expressway to the boundary of the R5B district south of Park Avenue. The secondary discretionary action is a zoning text amendment to Appendix F of the Zoning Resolution of the City of New York to make the proposed development a Mandatory Inclusionary Housing designated area.

The proposed zoning map amendment is intended to allow for the development of an eight-story (95' tall) mixed use (residential–commercial) building on the Site with 70 dwelling units, 17 of which would be considered affordable. The proposed rezoning is necessary to allow the proposed use and bulk of the proposed building. The proposed text amendment is necessary to utilize an FAR bonus for the provision of affordable housing.

Existing Conditions

The Project Site is located at 205 Park Avenue (Block 2033, Lot 50), which is located in the Wallabout neighborhood of Brooklyn. The Project Site contains a vacant three-story commercial office constructed to 12,096 gsf on a 12,808 square foot lot, representing an FAR of 0.94. The affected lot contains 204.08' of frontage along Park Avenue, 43.75' of frontage along Clermont Avenue, and 84.33' of frontage along Vanderbilt Avenue; 200' along lot line interior to the block.

The Project Site is located within an M1-2 zoning district and allows light manufacturing, commercial uses encompassing Use Groups 4-14 and 17. The maximum FAR for manufacturing and commercial uses is 2.0, while community facility use has a maximum FAR of 4.8. The sky exposure plane governs height and setback requirements and parking requirements vary by use.

Proposed Development

The proposed actions would facilitate the construction of an 8-story and cellar building that would have a roof line height of 91' and a parapet wall height of 95'. The building would be a 71,725 zoning square foot (zsf) (85,886 gross square feet (gsf) including cellar area) mixed-use residential and commercial building. The 71,725 zsf development would have a total FAR of 5.6.The ground floor would contain residential lobby space and ground floor commercial space totaling 7,908 square feet. The second floor would contain 9,783 zsf of residential floor area. Floors three through six would each have 9,843 zsf of residential floor area. Floor seven would have 8,446 zsf of residential floor area and floor eight would have 2,255 zsf of residential floor area.

In total, the building's eight floors would provide 70 housing dwelling units, 53 of which would be market rate and 17 of which would be considered affordable. The development would also include 35 parking spaces, all of which would be located in the 12,640-gsf cellar and which would be accessed via a 12-foot curb cut along Vanderbilt Avenue. The building would also contain 35 enclosed bicycle parking spaces. The existing building on the property would be demolished.

Based on an estimated 12-month approval process and a 12-month construction period, the Build Year is assumed to be 2020.

Purpose and Need

Approval of the proposed action would result in the redevelopment of the project site, which is developed with a vacant obsolete building, with a new mixed-use building containing 70 dwelling units, 17 of which would be considered affordable, and four commercial units totaling 7,908 square feet. The development would also include 35 accessory parking spaces to serve building residents. The new building would be similar to other residential buildings recently constructed and proposed for construction on the remainder of the block. The proposed action would thus facilitate the development of housing including affordable dwelling units, a recognized citywide need, and accessory commercial space to support the residential uses.

The proposed R7D district is consistent with the built density and land use patterns around the project area including the Navy Green development discussed below. The density permitted under the proposed R7D zoning is necessary to accomplish any reasonable development on the project site due to the site's irregular shape. The proposed C2-4 overlay district would match the C2-4 zoning mapped on the remainder of the block.

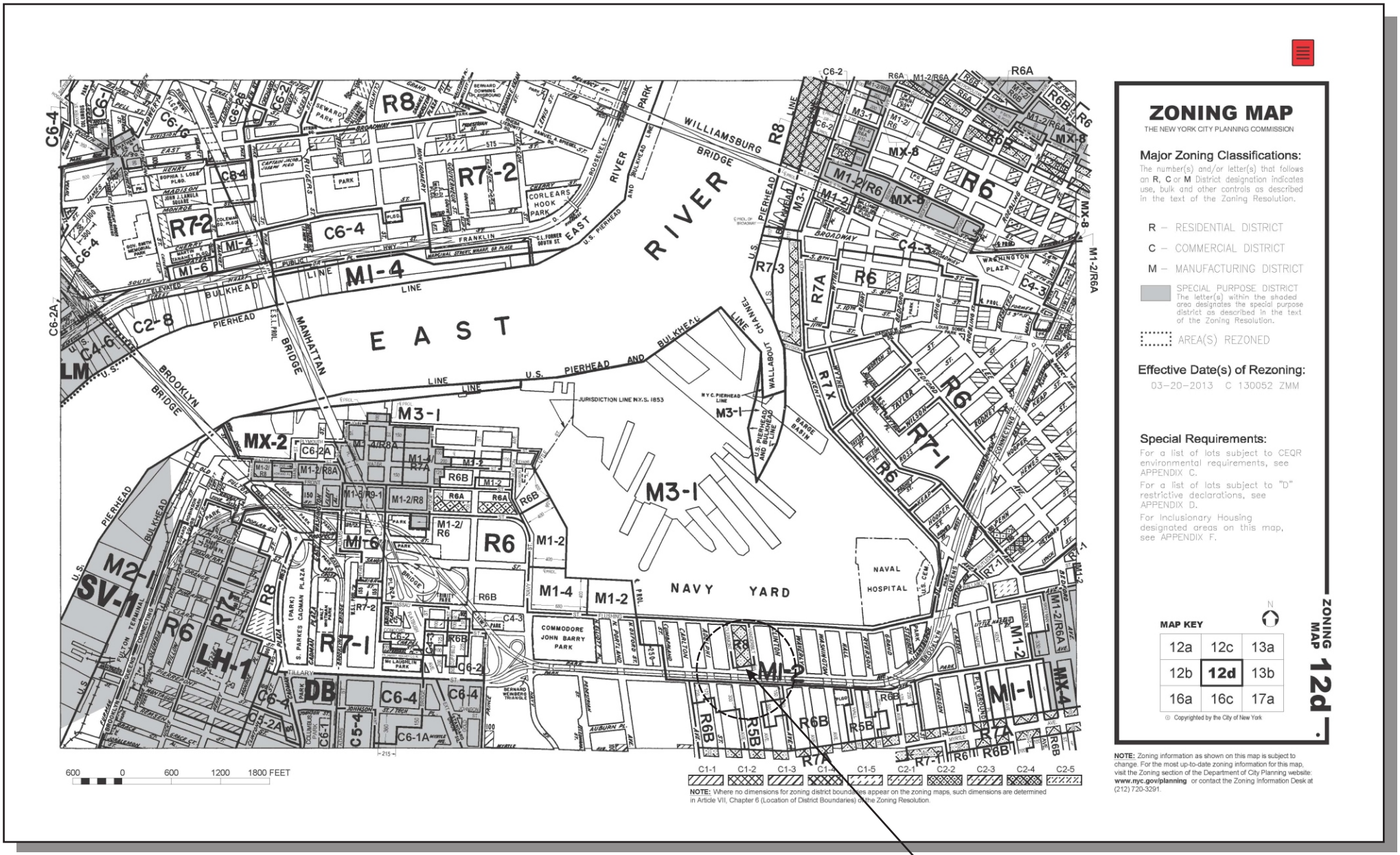
HPD's Navy Green mixed-use development is located adjacent to the project site and comprises the reminder of the project site block. When completed, the 461,449 square foot Navy Green project will contain approximately 455 residential units as well as commercial and community facility space. About 65 percent of the residential floor area would be devoted to affordable housing for households with incomes at or below 80 percent of Area

Median Income. Although this area was rezoned to R8/C2-4 district, the Special Permit limited the actual density of the development to that of the R7A district.

Required Approvals

The proposed development requires a zoning map amendment from M1-2 to R7D/C2-4 and a zoning text amendment to make the project a designated area of the Mandatory Inclusionary Housing Program (MIH) program. The proposed zoning text amendment would facilitate the height and bulk of the proposed project, as well as the proposed uses. The proposed zoning text amendment would increase the maximum FAR from 4.2 to 5.60 and facilitate an additional 17 housing units, which would be considered affordable units under the MIH program.

| | EXISTING CONDITION | NO-ACTION CONDITION | WITH-ACTION CONDITION | INCREMENT |
|---|---|---|---|---|
| **LAND USE** | | | | |
| ***Residential*** | ☐ YES ☒ NO | ☐ YES ☒ NO | ☒ YES ☐ NO | |
| If "yes," specify the following: | | | | |
| Describe type of residential structures | | | Multi-family Building | |
| No. of dwelling units | | | 70 | 70 |
| No. of low- to moderate-income units | | | 17 | 17 |
| Gross floor area (sq. ft.) | | | 73,557 | 73,557 |
| ***Commercial*** | ☒ YES ☐ NO | ☒ YES ☐ NO | ☒ YES ☐ NO | |
| If "yes," specify the following: | | | | |
| Describe type (retail, office, other) | Office | Office | Retail (UG-6) | +Retail |
| Gross floor area (sq. ft.) | 12,096 | 12,096 | 7,908 | +7,908 |
| ***Manufacturing/Industrial*** | ☐ YES ☒ NO | ☐ YES ☒ NO | ☐ YES ☒ NO | |
| If "yes," specify the following: | | | | |
| Type of use | | | | |
| Gross floor area (sq. ft.) | | | | |
| Open storage area (sq. ft.) | | | | |
| If any unenclosed activities, specify: | | | | |
| ***Community Facility*** | ☐ YES ☒ NO | ☐ YES ☒ NO | ☒ YES ☐ NO | |
| If "yes," specify the following: | | | | |
| Type | | | | |
| Gross floor area (sq. ft.) | | | | |
| ***Vacant Land*** | ☐ YES ☒ NO | ☐ YES ☒ NO | ☐ YES ☒ NO | |
| If "yes," describe: | | | | |
| ***Other Land Uses*** | ☐ YES ☒ NO | ☐ YES ☒ NO | ☐ YES ☒ NO | |
| If "yes," describe: | | | | |
| | | | | |
| ***Garages*** | ☐ YES ☒ NO | ☐ YES ☒ NO | ☒ YES ☐ NO | |
| If "yes," specify the following: | | | | |
| No. of public spaces | | | | |
| No. of accessory spaces | | | 29 | +29 |
| ***Lots*** | ☐ YES ☒ NO | ☐ YES ☒ NO | ☐ YES ☒ NO | |
| If "yes," specify the following: | | | | |
| No. of public spaces | | | | |
| No. of accessory spaces | | | | |
| **ZONING** | | | | |
| Zoning classification | | | | |
| Maximum amount of floor area that can be developed | 2.0 Commercial / 4.8 Community Facility | 2.0 Commercial / 4.8 Community Facility | 5.6 Residential / 2.0 Commercial / 4.2 Community Facility | +5.6 Residential -0.6 Community Facility |
| Predominant land use and zoning classifications within land use study area(s) or a 400 ft. radius of proposed project | Residential Commercial Industrial | Residential Commercial Industrial | Residential Commercial | -Industrial |


ZONING MAP
THE NEW YORK CITY PLANNING COMMISSION
Major Zoning Classifications:
The number(s) and/or letter(s) that follows an R, C or M District designation indicates use, bulk and other controls as described in the text of the Zoning Resolution.
R – RESIDENTIAL DISTRICT
C – COMMERCIAL DISTRICT
M – MANUFACTURING DISTRICT
SPECIAL PURPOSE DISTRICT
The letter(s) within the shaded area designates the special purpose district as described in the text of the Zoning Resolution.
AREA(S) REZONED
Effective Date(s) of Rezoning:
03–20–2013 C 130052 ZMM
Special Requirements:
For a list of lots subject to CEQR environmental requirements, see APPENDIX C.
For a list of lots subject to "D" restrictive declarations, see APPENDIX D.
For Inclusionary Housing designated areas on this map, see APPENDIX F.
MAP KEY
12a 12c 13a
12b 12d 13b
16a 16c 17a
ZONING MAP 12d
NOTE: Zoning information as shown on this map is subject to change. For the most up-to-date zoning information for this map, visit the Zoning section of the Department of City Planning website: www.nyc.gov/planning or contact the Zoning Information Desk at (212) 720-3291.
EAST RIVER
NAVY YARD
WILLIAMSBURG BRIDGE
MANHATTAN BRIDGE
BROOKLYN BRIDGE
600 0 600 1200 1800 FEET
NOTE: Where no dimensions for zoning district boundaries appear on the zoning maps, such dimensions are determined in Article VII, Chapter 6 (Location of District Boundaries) of the Zoning Resolution.
Site

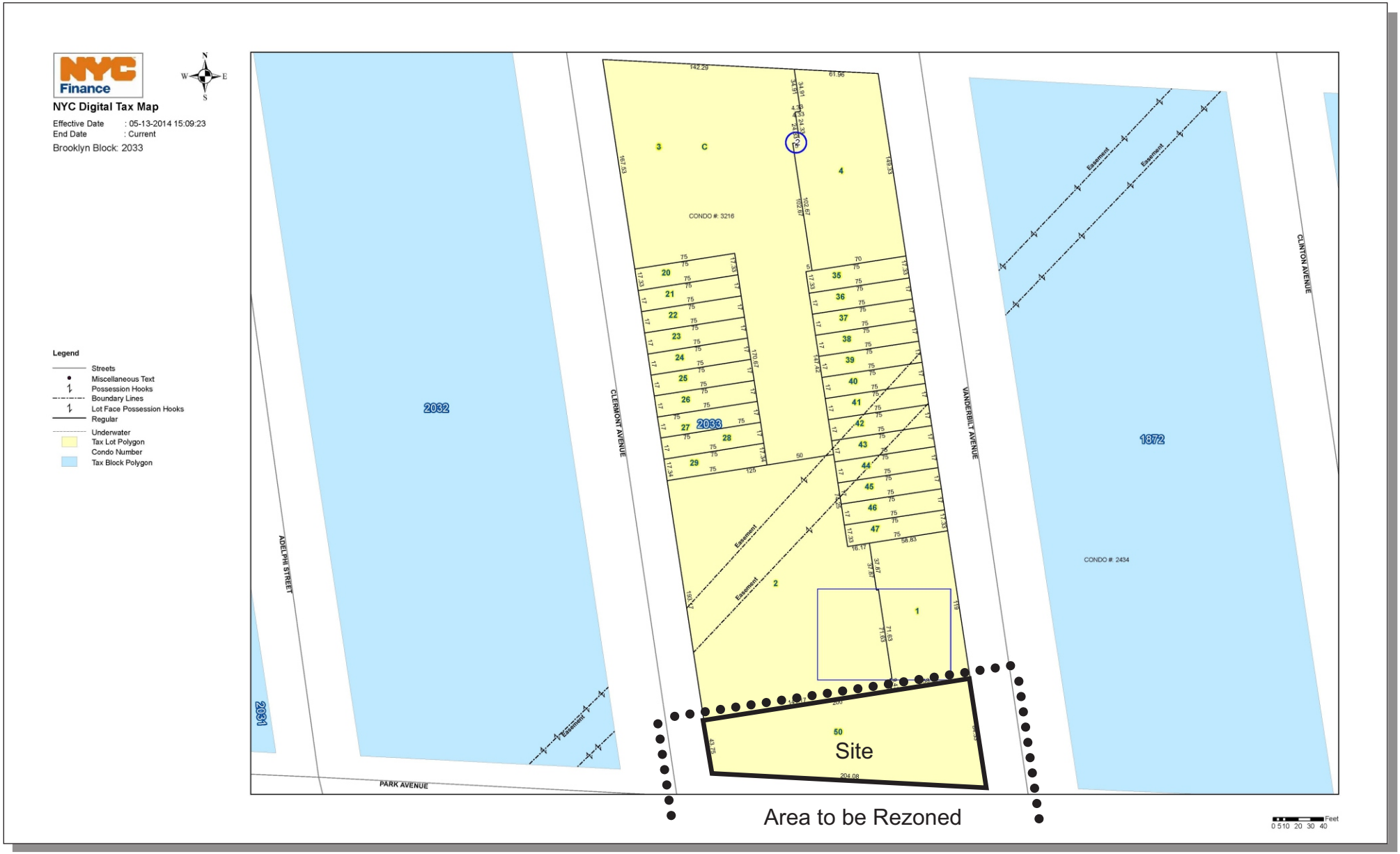

NYC Finance
NYC Digital Tax Map
Effective Date : 05-13-2014 15:09:23
End Date : Current
Brooklyn Block: 2033
Legend
Streets
Miscellaneous Text
Possession Hooks
Boundary Lines
Lot Face Possession Hooks
Regular
Underwater
Tax Lot Polygon
Condo Number
Tax Block Polygon
2032
2033
2031
1872
CONDO #: 3216
CONDO #: 2434
CLERMONT AVENUE
VANDERBILT AVENUE
CLINTON AVENUE
ADELPHI STREET
PARK AVENUE
Easement
Site
Area to be Rezoned
Feet
0 5 10 20 30 40

Figure 3 - Land Use Map

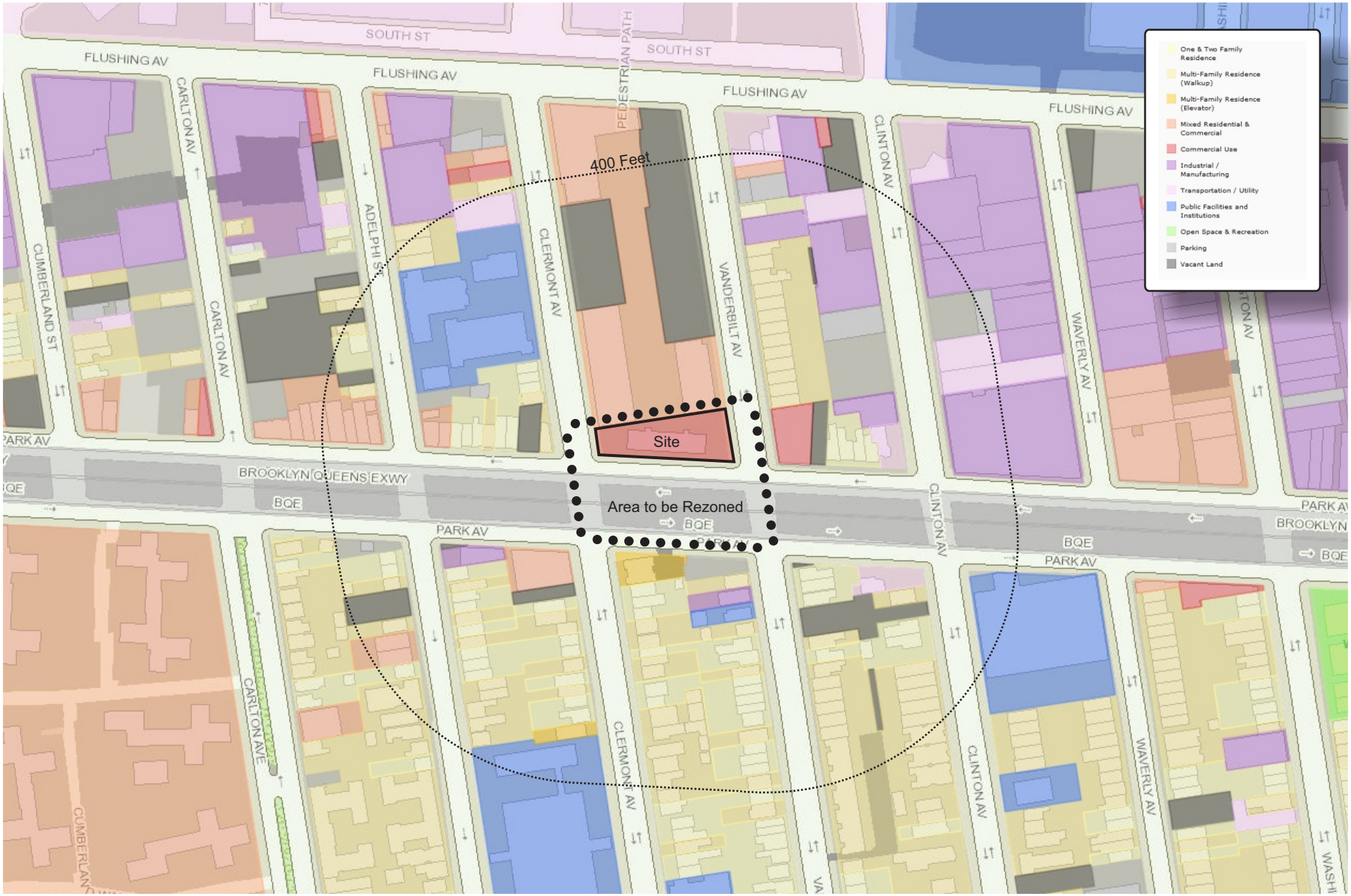


Figure 4 - Neighborhood Map

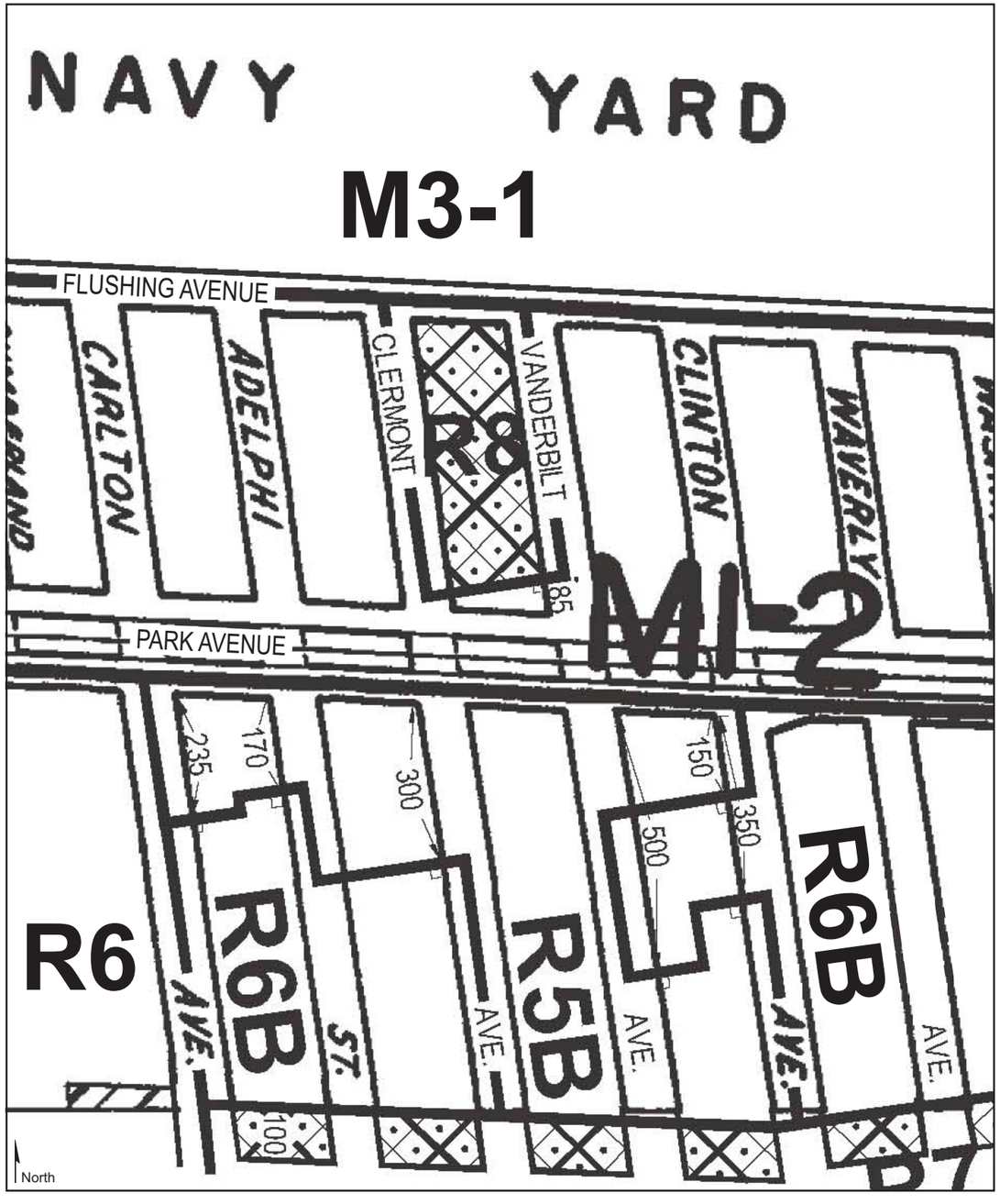



Urban Cartographics

Figure 5 - Aerial Map

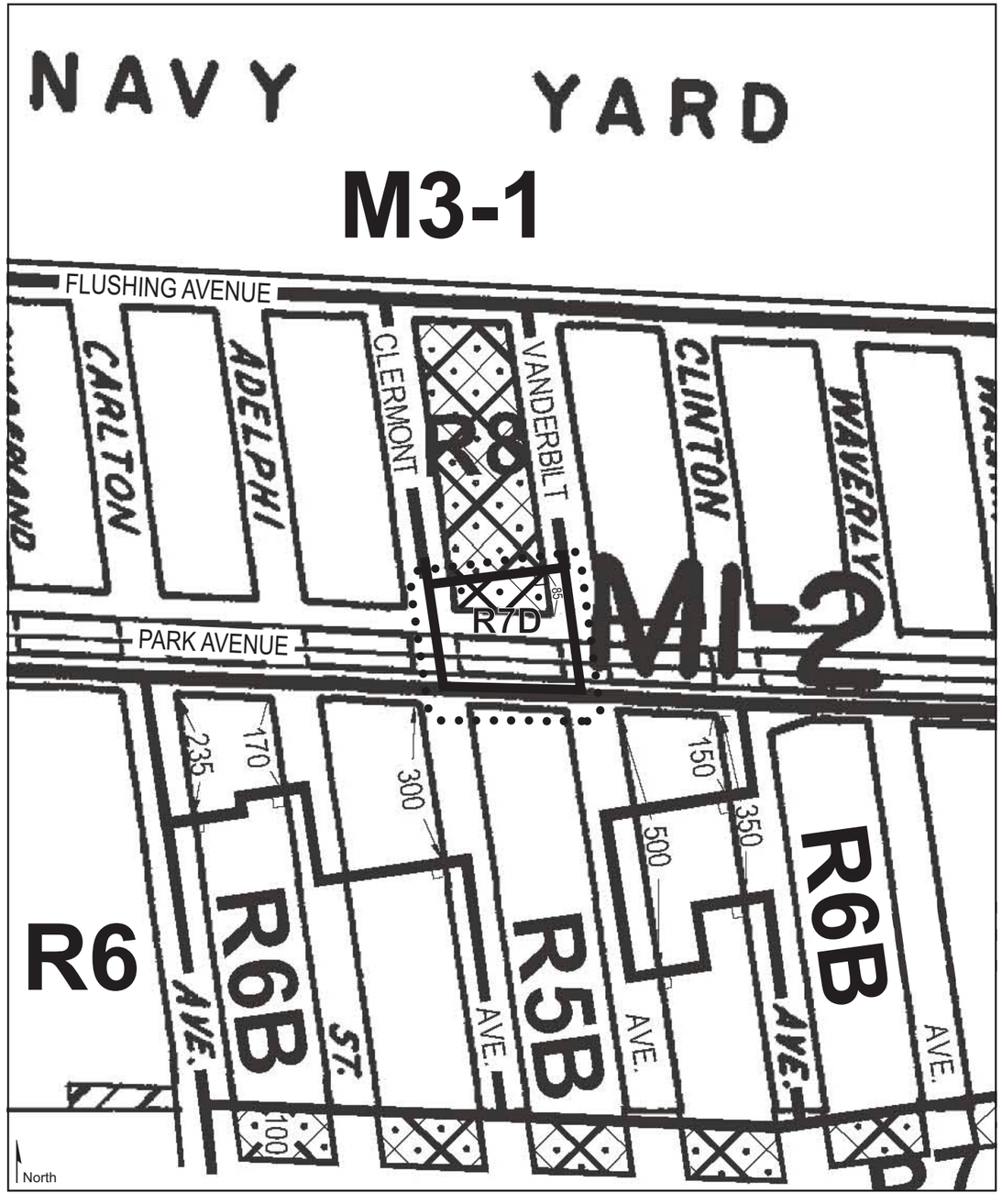


# Figure 6 - Zoning Change Map




Current Zoning Map (Map 12d)

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




Proposed Zoning Map (Map 12d)

Rezoning from M1-2 to R7D/C2-4 zoning districts.

Area being rezoned is outlined with dotted lines.

For Illustrative Purposes Only

# 205 PARK AVENUE BROOKLYN, NY

## MIXED-USE DEVELOPMENT

## CONCEPT SKETCHES



PERSPECTIVE OF SOUTH (FRONT) ELEVATION FACING PARK AVENUE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BROOKLYN, NY 11232


APPLICANT:

**SAMUEL D. FLAUM**

**194 WANSER AVENUE**
**INWOOD, NY 11096**

DOB APPLICATION NUMBER:

REVISIONS:

| | DATE | NO. |
|---|---|---|
| | | |

PROJECT NAME / LOCATION:

205 PARK AVENUE
BROOKLYN, NY
BLOCK: 2033 LOT: 50

DRAWING TITLE:

COVER SHEET

EXAMINER'S SIGNATURE:

PROFESSIONAL SEAL:

| | |
|---|---|
| CLIENT: | BL |
| SCALE: | |
| DRAWN BY: | ZH |
| CHECKED BY: | JA |
| DATE: | 01/31/18 |
| PROJECT NO. | 1239 |

DRAWING NO. 1

1 OF 16

BARCODE


THE GENERAL CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND REPORT ALL ERRORS AND OMISSIONS TO THE ARCHITECTS. DO NOT SCALE DRAWING. THE DRAWING SHALL NOT BE USED UNTIL SIGNED BY CONSULTANTS.

## OASIS MAP

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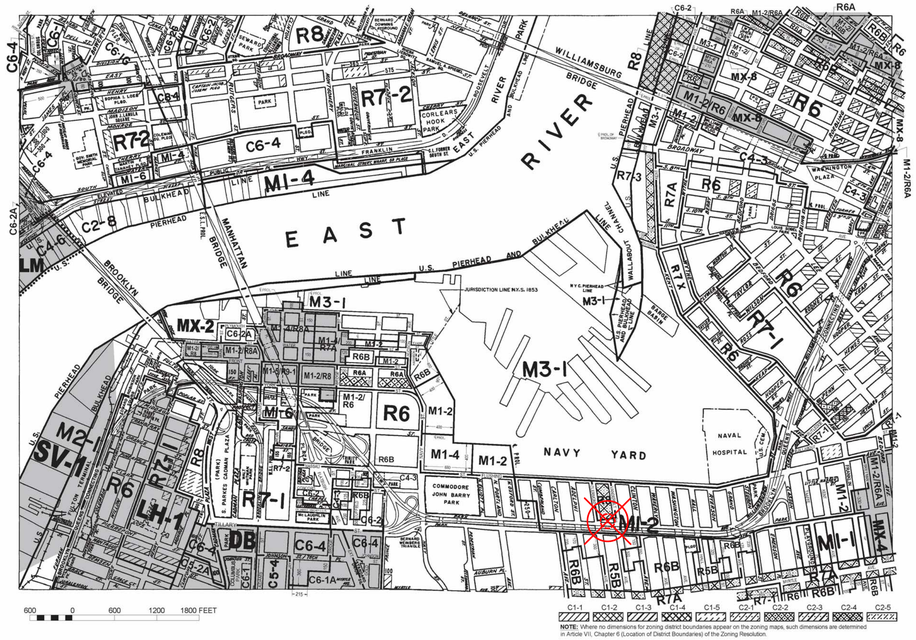
## ZONING MAP




**NOTE:** Where no dimensions for zoning district boundaries appear on the zoning maps, such dimensions are determined in Article VII, Chapter 6 (Location of District Boundaries) of the Zoning Resolution.

### ZONING MAP

THE NEW YORK CITY PLANNING COMMISSION

**Major Zoning Classifications:**

The number(s) and/or letter(s) that follows an **R**, **C** or **M** District designation indicates use, bulk and other controls as described in the text of the Zoning Resolution.

R – RESIDENTIAL DISTRICT

C – COMMERCIAL DISTRICT

M – MANUFACTURING DISTRICT

SPECIAL PURPOSE DISTRICT
The letter(s) within the shaded area designates the special purpose district as described in the text of the Zoning Resolution.

AREA(S) REZONED

**Effective Date(s) of Rezoning:**

03-20-2013 C 130052 ZMM

**Special Requirements:**

For a list of lots subject to CEQR environmental requirements, see APPENDIX C.

For a list of lots subject to "D" restrictive declarations, see APPENDIX D.

For Inclusionary Housing designated areas on this map, see APPENDIX F.

**MAP KEY**

| | | |
|---|---|---|
| 12a | 12c | 13a |
| 12b | **12d** | 13b |
| 16a | 16c | 17a |

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ZONING MAP **12d**

**NOTE:** Zoning information as shown on this map is subject to change. For the most up-to-date zoning information for this map, visit the Zoning section of the Department of City Planning website: **www.nyc.gov/planning**, or contact the Zoning Information Desk at (212) 720-3291.

## TAX MAP




## Sheet List

| PAGE NUMBER | SHEET NAME | SHEET NUMBER |
|---|---|---|
| | Unnamed | A-13 |
| 1 OF 16 | COVER SHEET | 1 |
| 2 OF 16 | ZONING MAPS AND SHEET LIST | 2 |
| 3 OF 16 | SURVEY | SU-01 |
| 4 OF 16 | SITE PLAN | A-00 |
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| 11 OF 16 | SOUTH (FRONT) ELEVATION | A-07 |
| 12 OF 16 | NORTH (REAR) ELEVATION | A-08 |
| 13 OF 16 | WEST AND EAST ELEVATIONS | A-09 |
| 14 OF 16 | SCHEMATIC SECTION | A-10 |
| 15 OF 16 | ZONING DATA | A-11 |
| 16 OF 16 | RENDERINGS OF CORNER PERSPECTIVES | A-12 |

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APPLICANT:

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**INWOOD, NY 11096**

DOB APPLICATION NUMBER:

REVISIONS:

| | DAT E | NO - |
|---|---|---|

PROJECT NAME / LOCATION:

205 PARK AVENUE
BROOKLYN, NY
BLOCK: 2033 LOT: 50

DRAWING TITLE:

ZONING MAPS
AND SHEET LIST

EXAMINER'S SIGNATURE:

PROFESSIONAL SEAL:

CLIENT: BL
SCALE:
DRAWN BY: ZH
CHECKED BY: JA
DATE: 01/31/18
PROJECT NO. 1239

DRAWING NO. 2

2 OF 16

BARCODE

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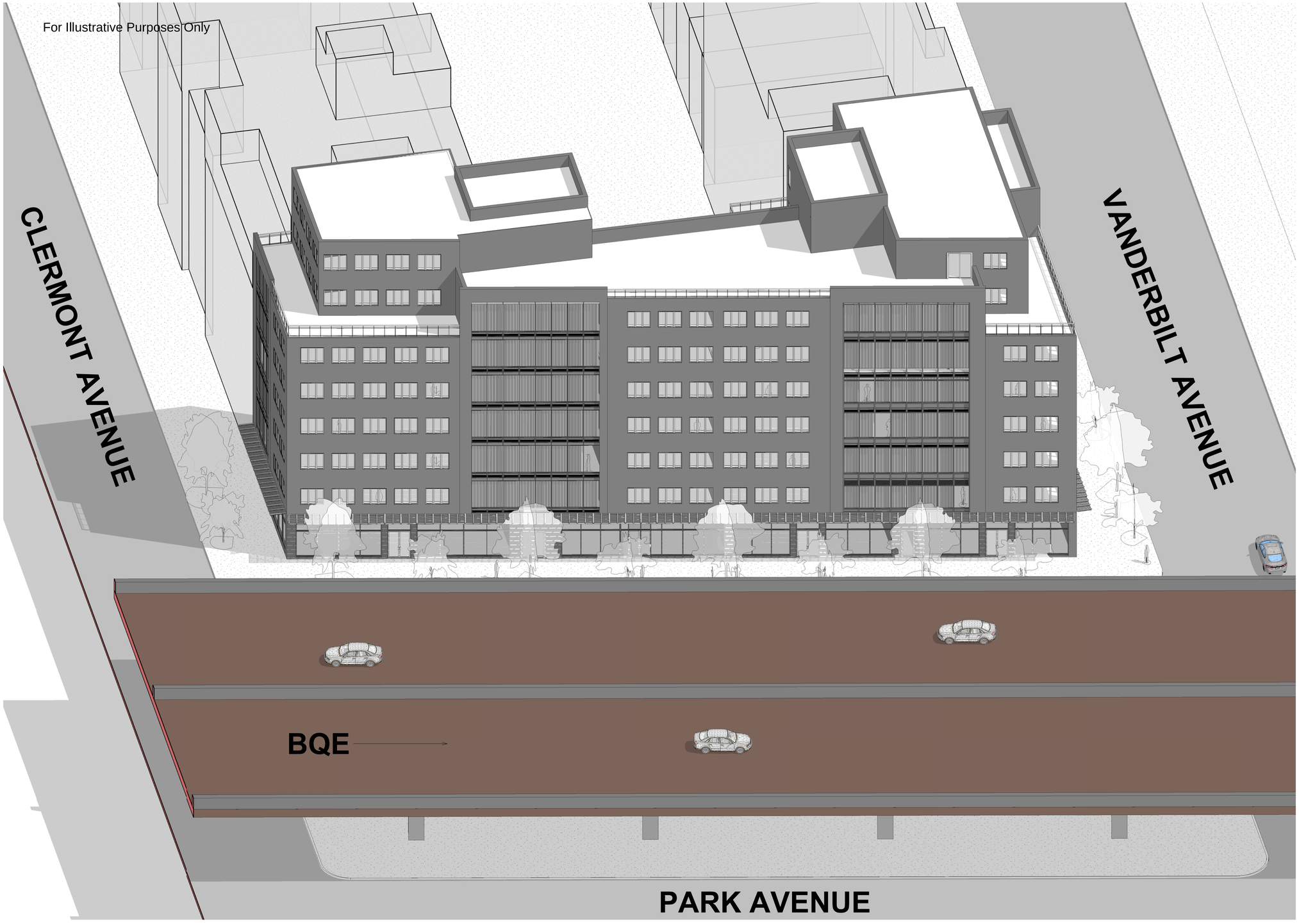


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REVISIONS:

| | DATE | NO. |
|---|---|---|
| | | |

PROJECT NAME / LOCATION:

205 PARK AVENUE
BROOKLYN, NY
BLOCK: 2033 LOT: 50

DRAWING TITLE:

3D View Parallel To Park Ave.

EXAMINER'S SIGNATURE:

PROFESSIONAL SEAL:

CLIENT: BL
SCALE:
DRAWN BY: Author
CHECKED BY: Checker
DATE: 01/31/18
PROJECT NO.

3D-1

DRAWING NO.

BARCODE

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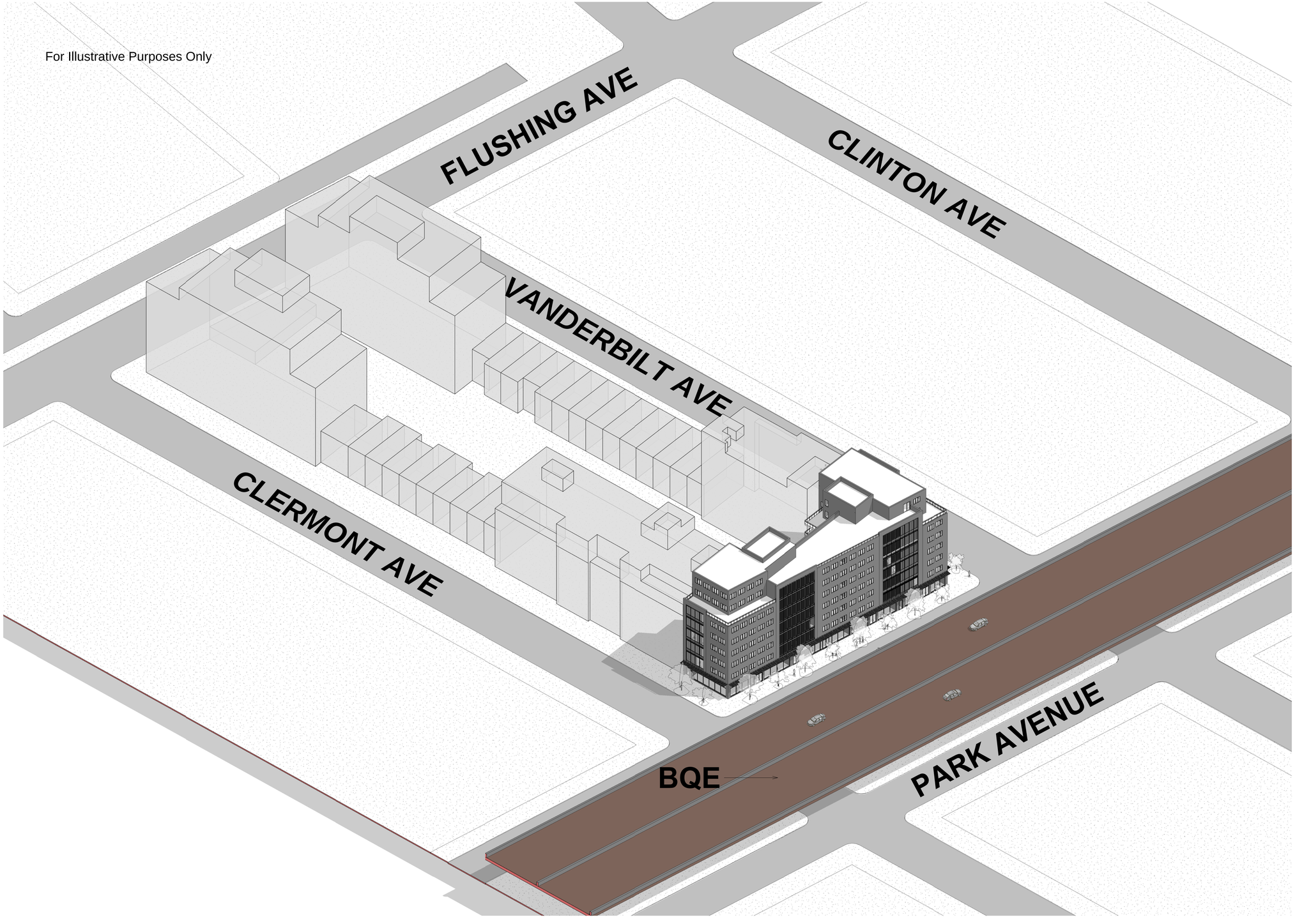


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APPLICANT:

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**194 WANSER AVENUE**
**INWOOD, NY 11096**

DOB APPLICATION NUMBER:

REVISIONS:

| | DATE | NO. |
|---|---|---|
| | | |

PROJECT NAME / LOCATION:

205 PARK AVENUE
BROOKLYN, NY
BLOCK: 2033 LOT: 50

DRAWING TITLE:

3D View With 40
Clermont

EXAMINER'S SIGNATURE:

PROFESSIONAL SEAL:

CLIENT: BL
SCALE:
DRAWN BY: Author
CHECKED BY: Checker
DATE: 01/31/18
PROJECT NO.

3D-2

DRAWING NO.

BARCODE

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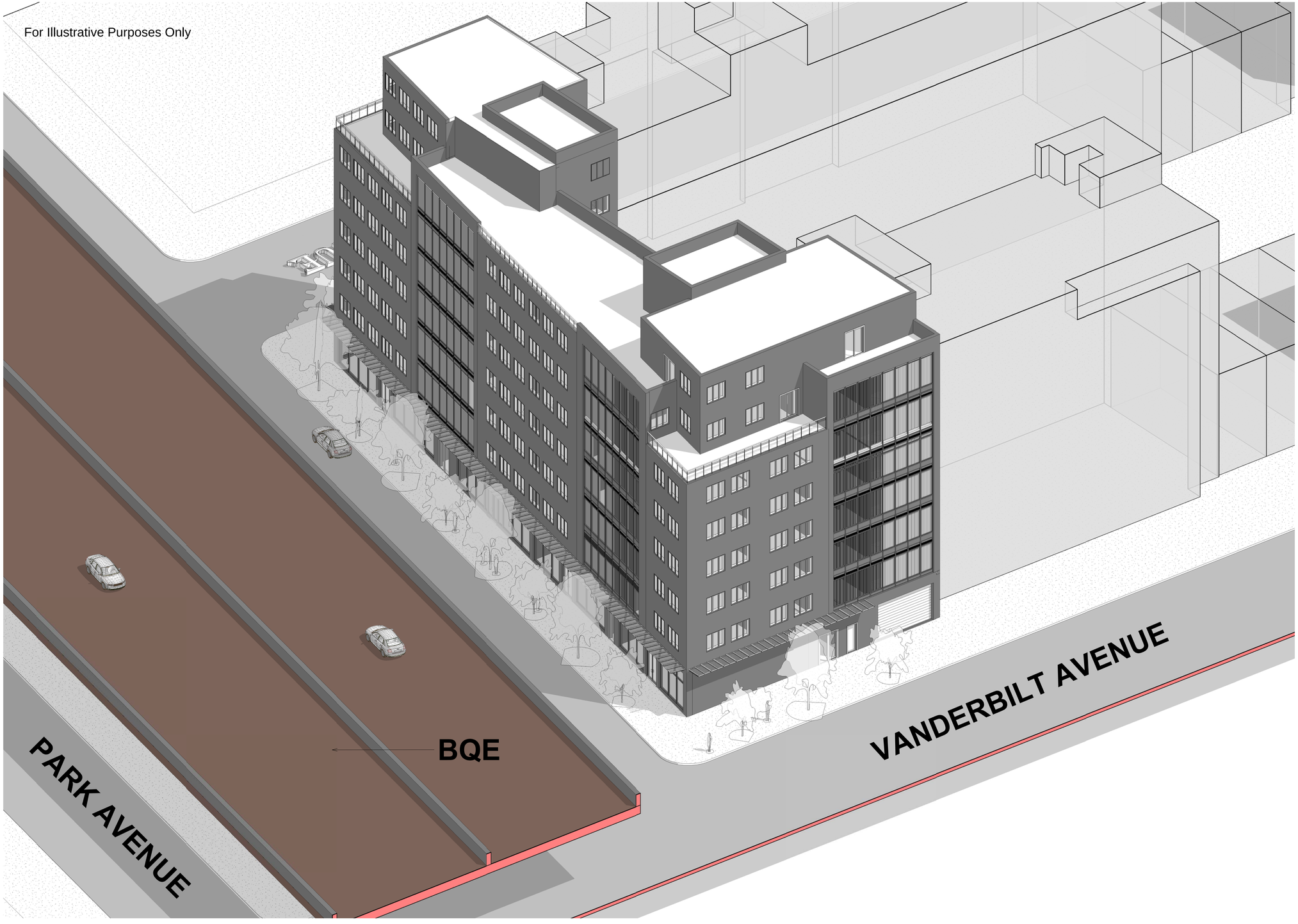


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APPLICANT:

**SAMUEL D. FLAUM**

**194 WANSER AVENUE**
**INWOOD, NY 11096**

DOB APPLICATION NUMBER:

REVISIONS:

| | DATE | NO. |
|---|---|---|
| | | |

PROJECT NAME / LOCATION:

205 PARK AVENUE
BROOKLYN, NY
BLOCK: 2033 LOT: 50

DRAWING TITLE:

3D View With 42 Vanderbilt

EXAMINER'S SIGNATURE:

PROFESSIONAL SEAL:

CLIENT: BL

SCALE:

DRAWN BY: Author

CHECKED BY: Checker

DATE: 01/31/18

PROJECT NO.

DRAWING NO. 3D-3

BARCODE

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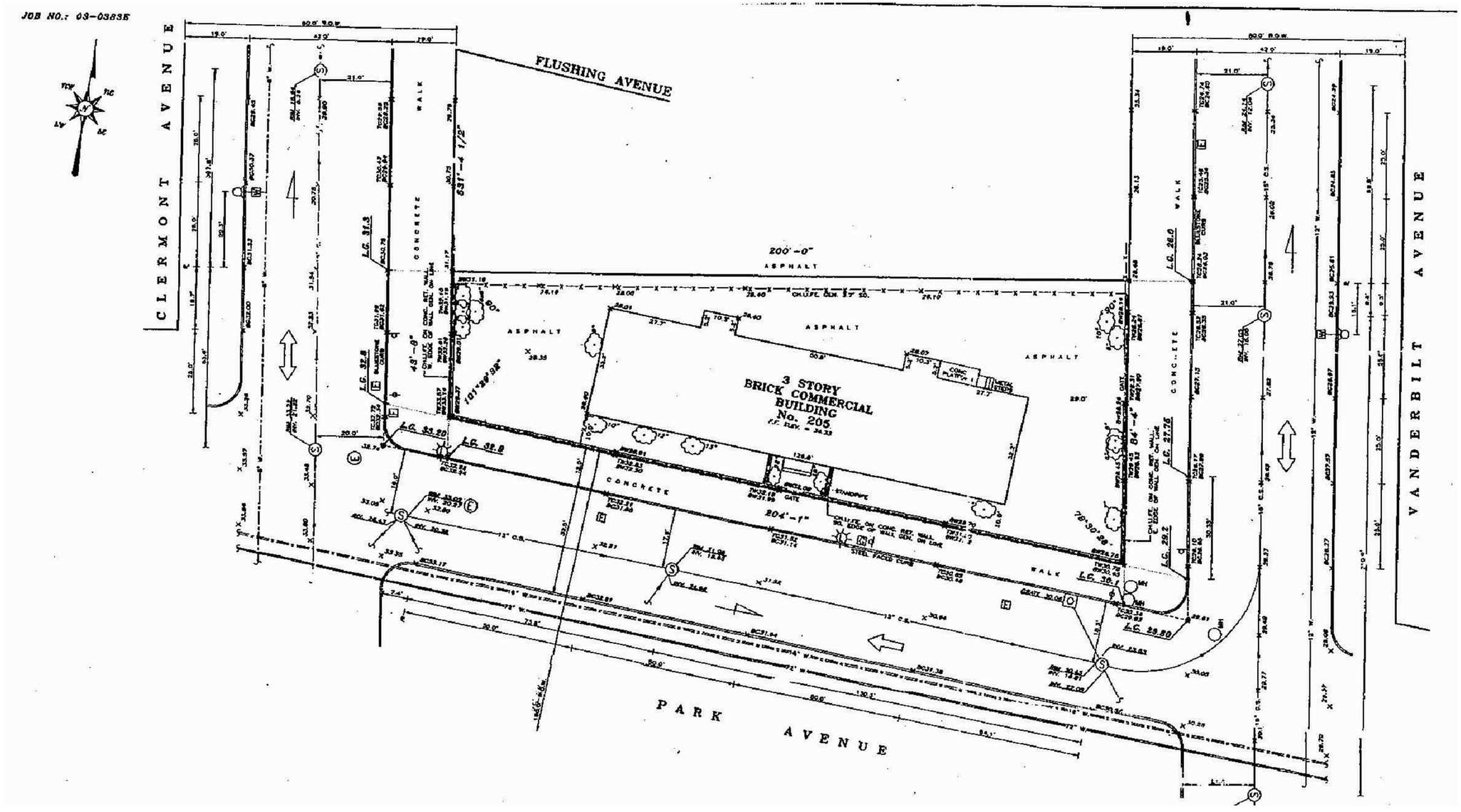
# SURVEY





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APPLICANT:

**SAMUEL D. FLAUM**

**194 WANSER AVENUE**
**INWOOD, NY 11096**

DOB APPLICATION NUMBER:

REVISIONS:

| | DATE | NO. |
|---|---|---|
| | | |

PROJECT NAME / LOCATION:

205 PARK AVENUE
BROOKLYN, NY
BLOCK: 2033 LOT: 50

DRAWING TITLE:

SURVEY

EXAMINER'S SIGNATURE:

PROFESSIONAL SEAL:

CLIENT: BL
SCALE:
DRAWN BY: ZH
CHECKED BY: JA
DATE: 10/03/13
PROJECT NO. 1239

SU-01

DRAWING NO.



BARCODE

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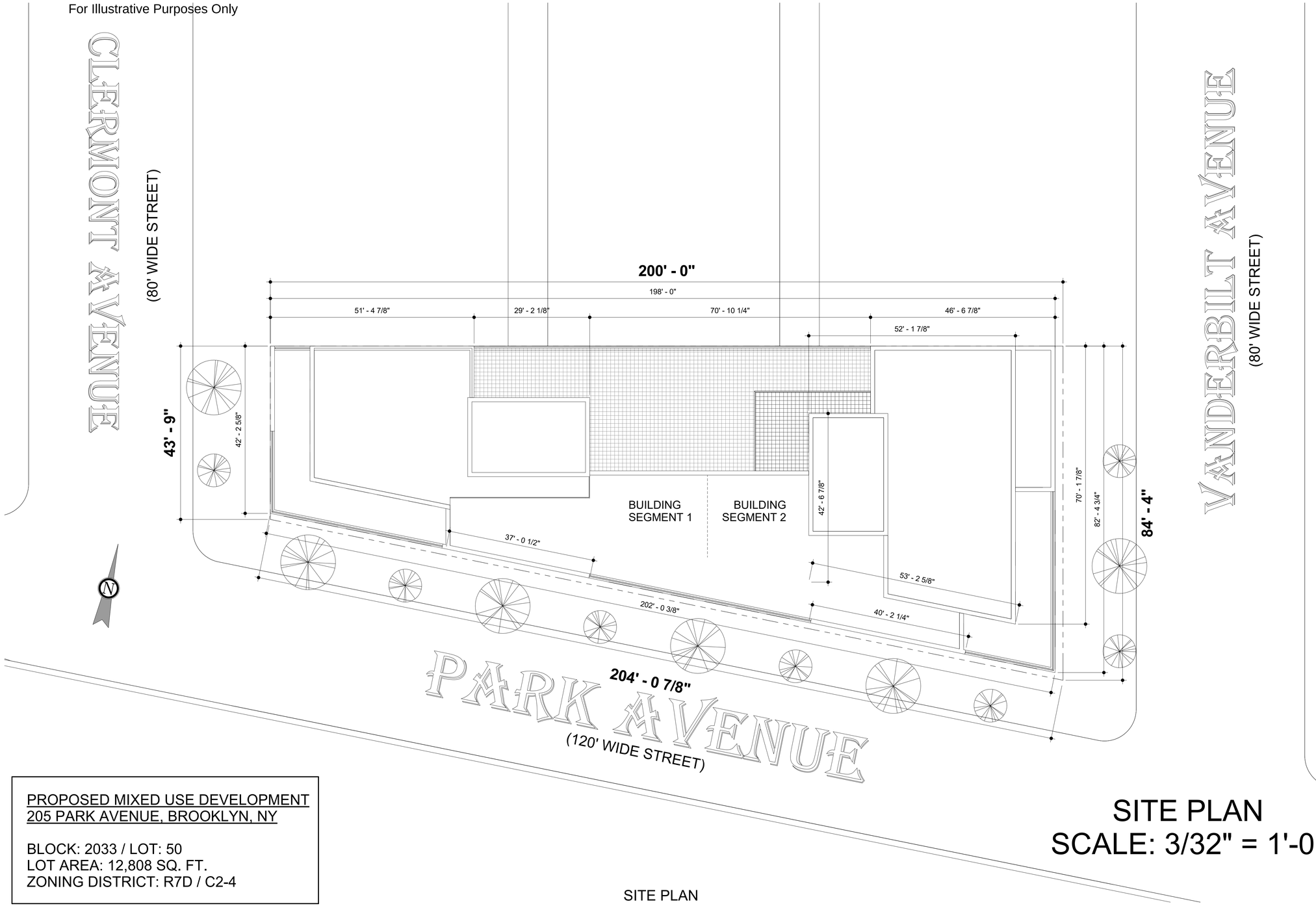


PROPOSED MIXED USE DEVELOPMENT
205 PARK AVENUE, BROOKLYN, NY

BLOCK: 2033 / LOT: 50
LOT AREA: 12,808 SQ. FT.
ZONING DISTRICT: R7D / C2-4

SITE PLAN

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


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FAX: 718-517-6007
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**INWOOD, NY 11096**

DOB APPLICATION NUMBER:

REVISIONS:

| | DATE | NO. |
|---|---|---|
| | | |

PROJECT NAME / LOCATION:
205 PARK AVENUE
BROOKLYN, NY
BLOCK: 2033 LOT: 50

DRAWING TITLE:
SITE PLAN

EXAMINER'S SIGNATURE:

PROFESSIONAL SEAL:

CLIENT: BL
SCALE: 3/32" = 1'-0"
DRAWN BY: ZH
CHECKED BY: JA
DATE: 01/31/18
PROJECT NO. 1239

DRAWING NO.
A-00
4 OF 16

BARCODE


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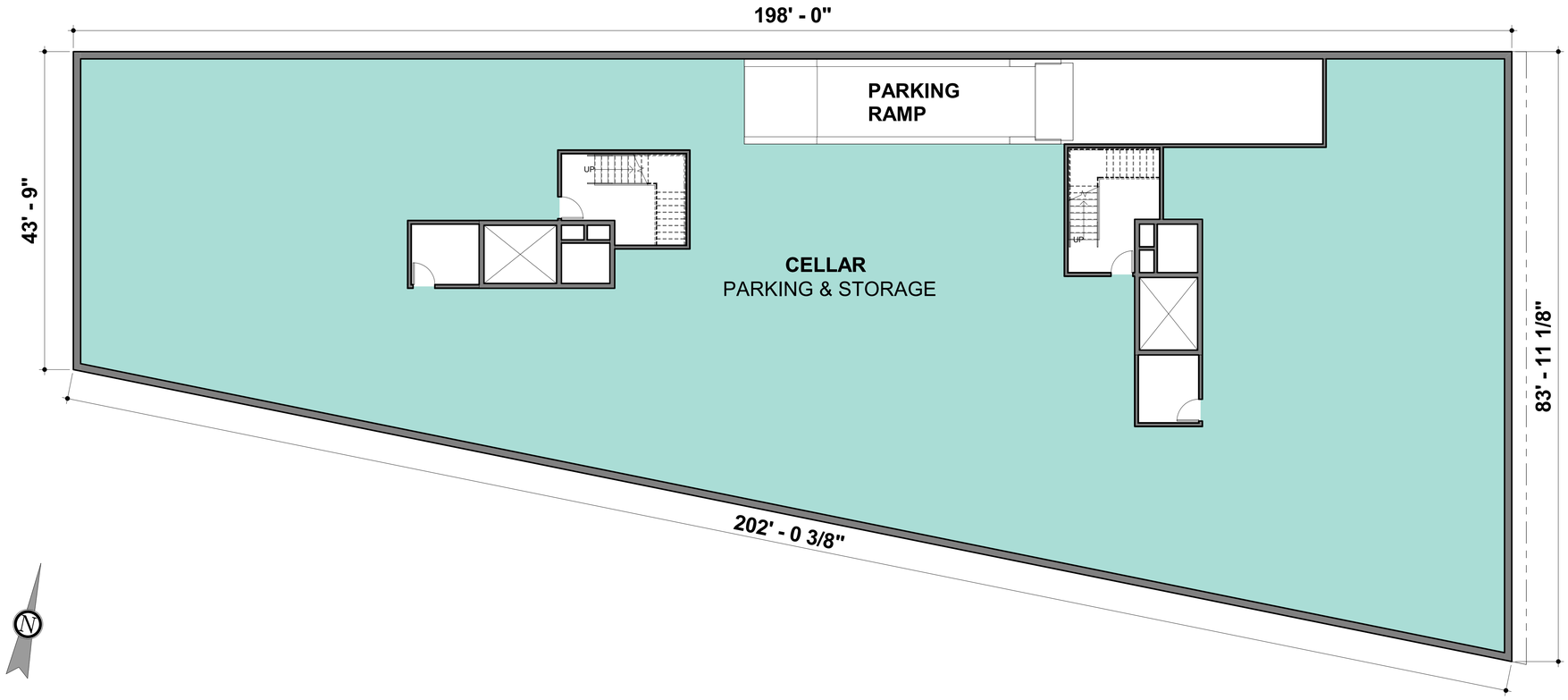


# CELLAR FLOOR PLAN
# SCALE: 1/8" = 1'-0"
# GROSS FLOOR AREA: 12,640 SQ. FT.


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BROOKLYN, NY 11232


APPLICANT:

**SAMUEL D. FLAUM**

**194 WANSER AVENUE**
**INWOOD, NY 11096**

DOB APPLICATION NUMBER:

REVISIONS:

| | DATE | NO. |
|---|---|---|
| | | |

PROJECT NAME / LOCATION:

205 PARK AVENUE
BROOKLYN, NY
BLOCK: 2033 LOT: 50

DRAWING TITLE:

CELLAR FLOOR PLAN

EXAMINER'S SIGNATURE:

PROFESSIONAL SEAL:

CLIENT: BL
SCALE: 1/8" = 1'-0"
DRAWN BY: ZH
CHECKED BY: JA
DATE: 01/31/18
PROJECT NO. 1239

DRAWING NO. A-01

5 OF 16

BARCODE


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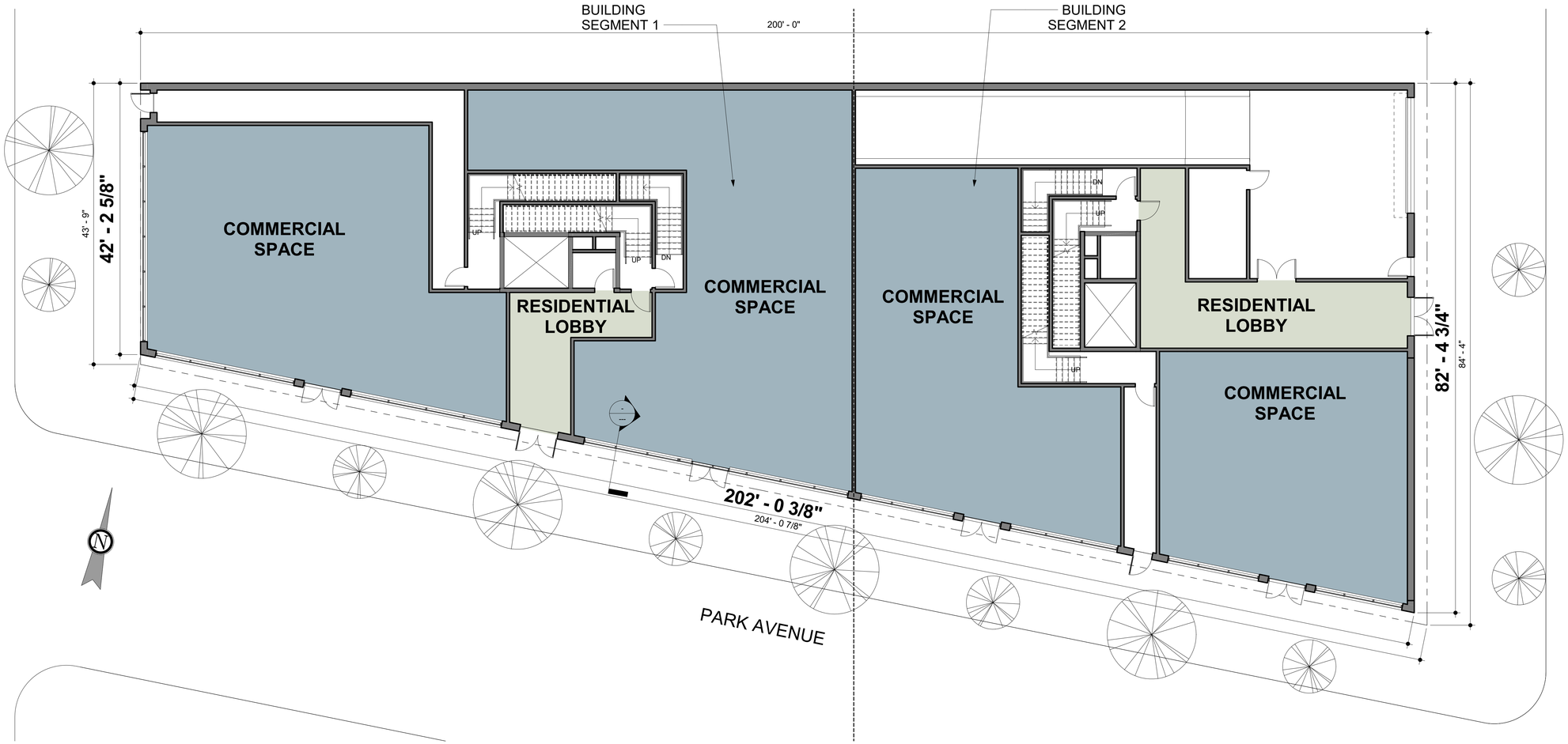
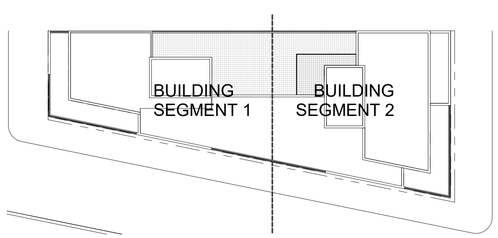



# GROUND FLOOR PLAN
# SCALE: 1/8" = 1'-0"
# GROSS FLOOR AREA: 12,329 SQ. FT.

KEY PLAN

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DOB APPLICATION NUMBER:

REVISIONS:

| | DATE | NO |
|---|---|---|
| | - | - |

PROJECT NAME / LOCATION:
205 PARK AVENUE
BROOKLYN, NY
BLOCK: 2033 LOT: 50

DRAWING TITLE:
GROUND FLOOR PLAN

EXAMINER'S SIGNATURE:

PROFESSIONAL SEAL:

CLIENT: BL
SCALE: As indicated
DRAWN BY: ZH
CHECKED BY: JA
DATE: 01/31/18
PROJECT NO. 1239

DRAWING NO. A-02

6 OF 16

BARCODE

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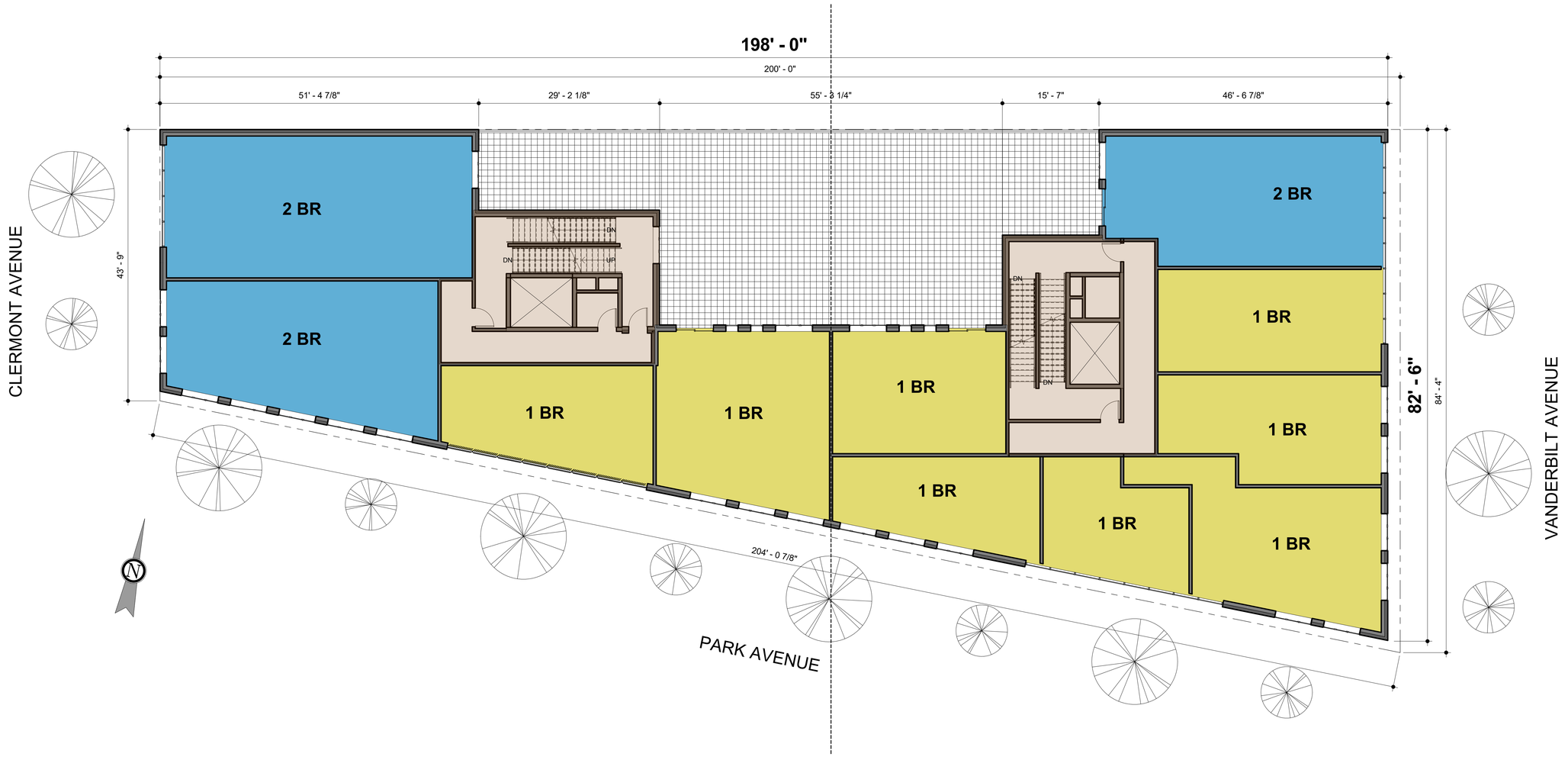
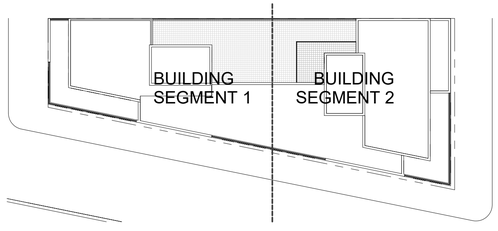



# LEVELS 2-6 FLOOR PLAN
# SCALE: 1/8" = 1'-0"
# RESIDENTIAL = 8320.45 SQ. FT.
# CIRCULATION = 1,627.95 SQ. FT.
# GROSS FLOOR AREA: 9,948.40 SQ. FT.

KEY PLAN

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APPLICANT:
**SAMUEL D. FLAUM**
**194 WANSER AVENUE**
**INWOOD, NY 11096**

DOB APPLICATION NUMBER:

REVISIONS:

| | DATE | NO. |
|---|---|---|
| | | |

PROJECT NAME / LOCATION:
205 PARK AVENUE
BROOKLYN, NY
BLOCK: 2033 LOT: 50

DRAWING TITLE:
LEVEL 2-6
FLOOR PLANS

EXAMINER'S SIGNATURE:

PROFESSIONAL SEAL:

| | |
|---|---|
| CLIENT: | BL |
| SCALE: | As indicated |
| DRAWN BY: | ZH |
| CHECKED BY: | JA |
| DATE: | 01/31/18 |
| PROJECT NO. | 1239 |

DRAWING NO.
A-03
7 OF 16

BARCODE

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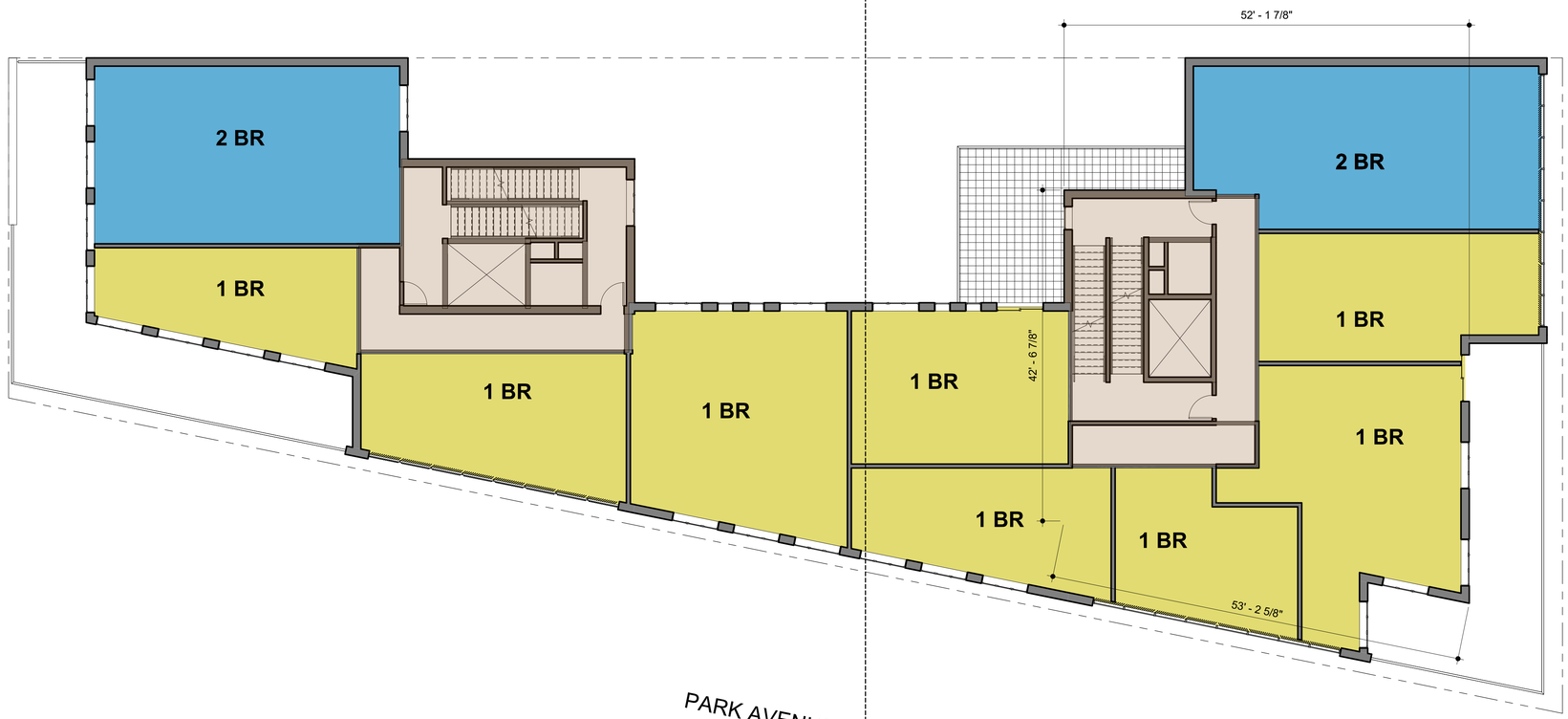
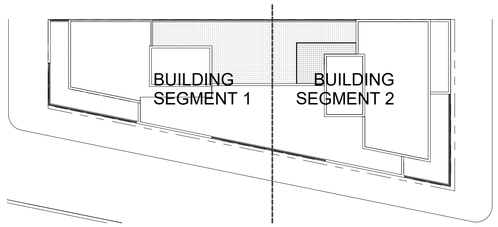



# LEVEL 7 FLOOR PLAN
# SCALE: 1/8" = 1'-0"
# RESIDENTIAL = 6,914.12 SQ. FT.
# CIRCULATION = 1,673.61 SQ. FT.
# GROSS FLOOR AREA: 8,587.73 SQ. FT.

KEY PLAN

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**INWOOD, NY 11096**

DOB APPLICATION NUMBER:

REVISIONS:

| | DATE | NO. |
|---|---|---|

PROJECT NAME / LOCATION:
205 PARK AVENUE
BROOKLYN, NY
BLOCK: 2033 LOT: 50

DRAWING TITLE:
LEVEL 7 FLOOR PLAN

EXAMINER'S SIGNATURE:

PROFESSIONAL SEAL:

| | |
|---|---|
| CLIENT: | BL |
| SCALE: | As indicated |
| DRAWN BY: | ZH |
| CHECKED BY: | JA |
| DATE: | 01/31/18 |
| PROJECT NO. | 1239 |

A-05

DRAWING NO.
9 OF 16

BARCODE

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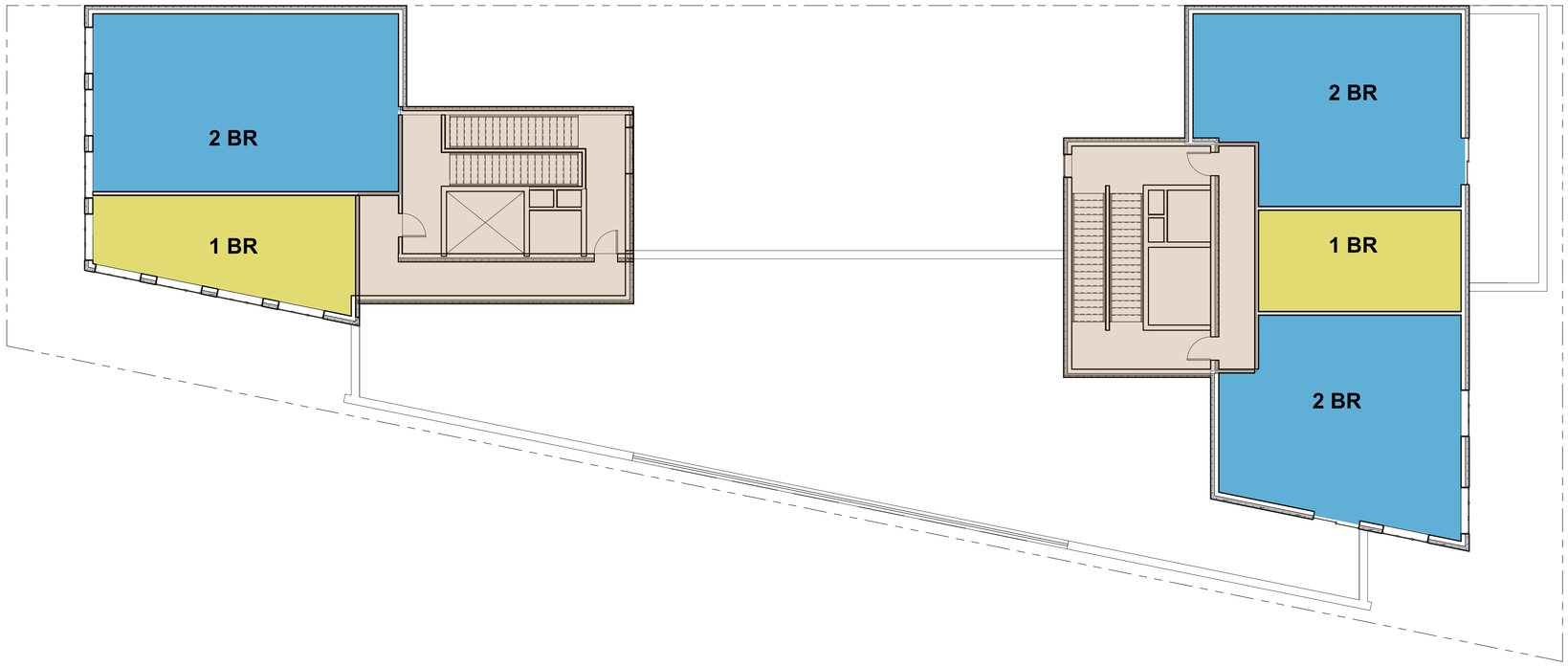
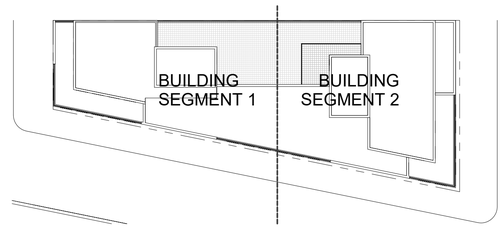



# LEVEL 8 FLOOR PLANS
SCALE: 1/8" = 1'-0"
RESIDENTIAL = 3,570.70 SQ. FT.
CIRCULATION = 1,590.62 SQ. FT.
GROSS FLOOR AREA: 5,161.32 SQ. FT.

KEY PLAN




② Copy (4) of KEY PLAN

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**194 WANSER AVENUE**
**INWOOD, NY 11096**

DOB APPLICATION NUMBER:

REVISIONS:

| | DATE | NO. |
|---|---|---|
| | | |

PROJECT NAME / LOCATION:
205 PARK AVENUE
BROOKLYN, NY
BLOCK: 2033 LOT: 50

DRAWING TITLE:
LEVEL 8 FLOOR PLAN

EXAMINER'S SIGNATURE:

PROFESSIONAL SEAL:

CLIENT: BL
SCALE: As indicated
DRAWN BY: ZH
CHECKED BY: JA
DATE: 01/31/18
PROJECT NO. 1239

DRAWING NO.: A-06
10 OF 16

BARCODE

THE GENERAL CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND REPORT ALL ERRORS AND OMISSIONS TO THE ARCHITECTS. DO NOT SCALE DRAWING. THE DRAWING SHALL NOT BE USED UNTIL SIGNED BY CONSULTANTS.

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# SOUTH (FRONT) ELEVATION
# FACING PARK AVENUE
# SCALE: 1/8" = 1'-0"


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DOB APPLICATION NUMBER:

REVISIONS:

| | DATE | NO. |
|---|---|---|
| | | |

PROJECT NAME / LOCATION:

205 PARK AVENUE
BROOKLYN, NY
BLOCK: 2033 LOT: 50

DRAWING TITLE:

SOUTH (FRONT)
ELEVATION

EXAMINER'S SIGNATURE:

PROFESSIONAL SEAL:

| | |
|---|---|
| CLIENT: | BL |
| SCALE: | 1/8" = 1'-0" |
| DRAWN BY: | ZH |
| CHECKED BY: | JA |
| DATE: | 01/31/18 |
| PROJECT NO. | 1239 |

DRAWING NO.

A-07

11 OF 16

BARCODE


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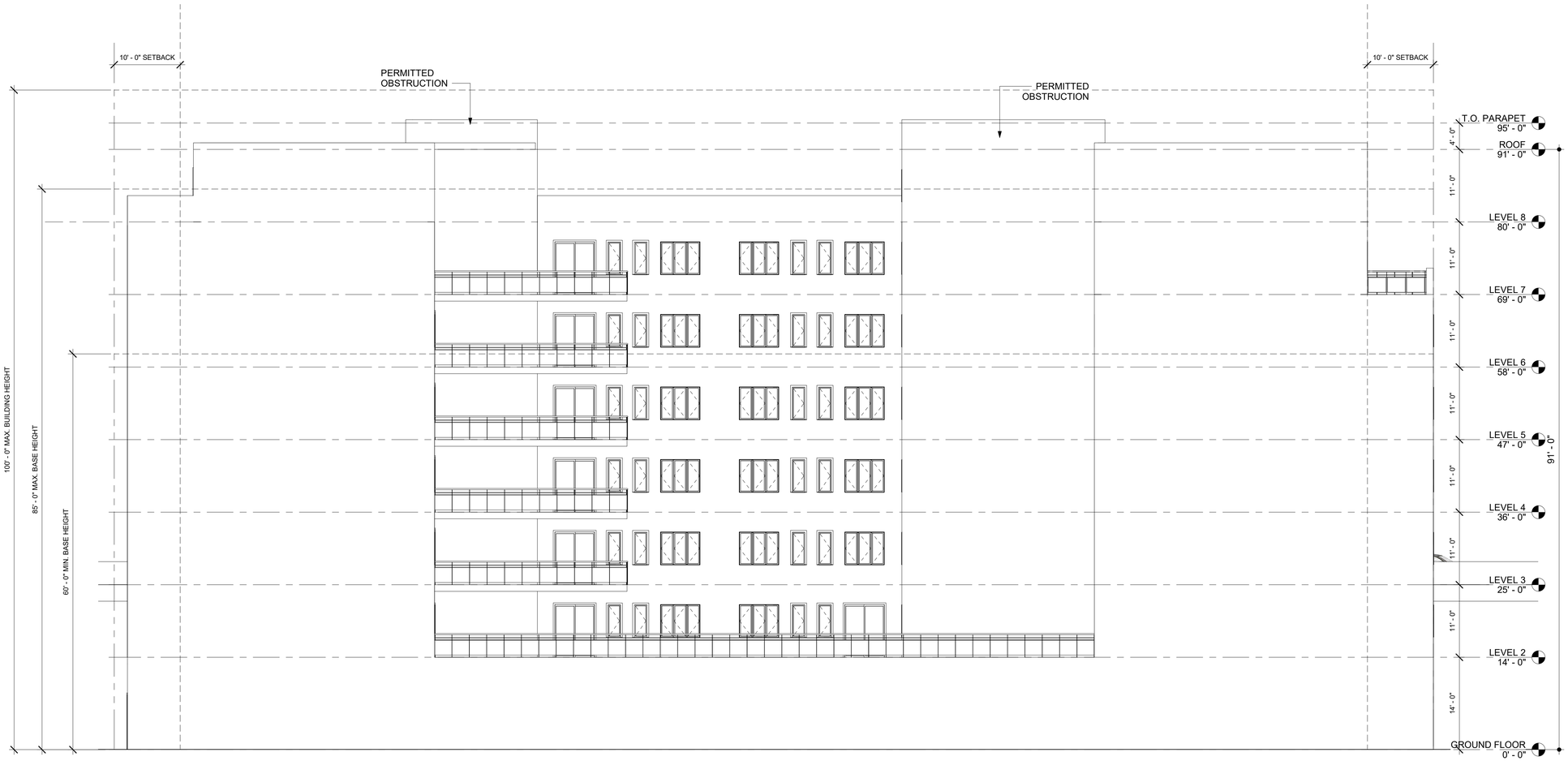


# NORTH (REAR) ELEVATION
# SCALE: 1/8" = 1'-0"


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DOB APPLICATION NUMBER:

REVISIONS:

| | DATE | NO. |
|---|---|---|
| | | |

PROJECT NAME / LOCATION:

205 PARK AVENUE
BROOKLYN, NY
BLOCK: 2033 LOT: 50

DRAWING TITLE:

NORTH (REAR)
ELEVATION

EXAMINER'S SIGNATURE:

PROFESSIONAL SEAL:

CLIENT: BL
SCALE: 1/8" = 1'-0"
DRAWN BY: ZH
CHECKED BY: JA
DATE: 01/31/18
PROJECT NO. 1239

A-08

DRAWING NO.

12 OF 16

BARCODE


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WEST ELEVATION
FACING CLERMONT AVENUE
SCALE: 1/8" = 1'-0"




EAST ELEVATION
FACING VANDERBILT AVENUE
SCALE: 1/8" = 1'-0"

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APPLICANT:

**SAMUEL D. FLAUM**

**194 WANSER AVENUE**
**INWOOD, NY 11096**

DOB APPLICATION NUMBER:

REVISIONS:

| | DATE | NO. |
|---|---|---|
| | | |

PROJECT NAME / LOCATION:

205 PARK AVENUE
BROOKLYN, NY
BLOCK: 2033 LOT: 50

DRAWING TITLE:

WEST AND EAST
ELEVATIONS

EXAMINER'S SIGNATURE:

PROFESSIONAL SEAL:

CLIENT: BL
SCALE: 1/8" = 1'-0"
DRAWN BY: Author
CHECKED BY: Checker
DATE: 01/31/18
PROJECT NO. 1239

A-09

DRAWING NO.

13 OF 16

BARCODE

THE GENERAL CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND REPORT ALL ERRORS AND OMISSIONS TO THE ARCHITECTS. DO NOT SCALE DRAWING. THE DRAWING SHALL NOT BE USED UNTIL SIGNED BY CONSULTANTS.

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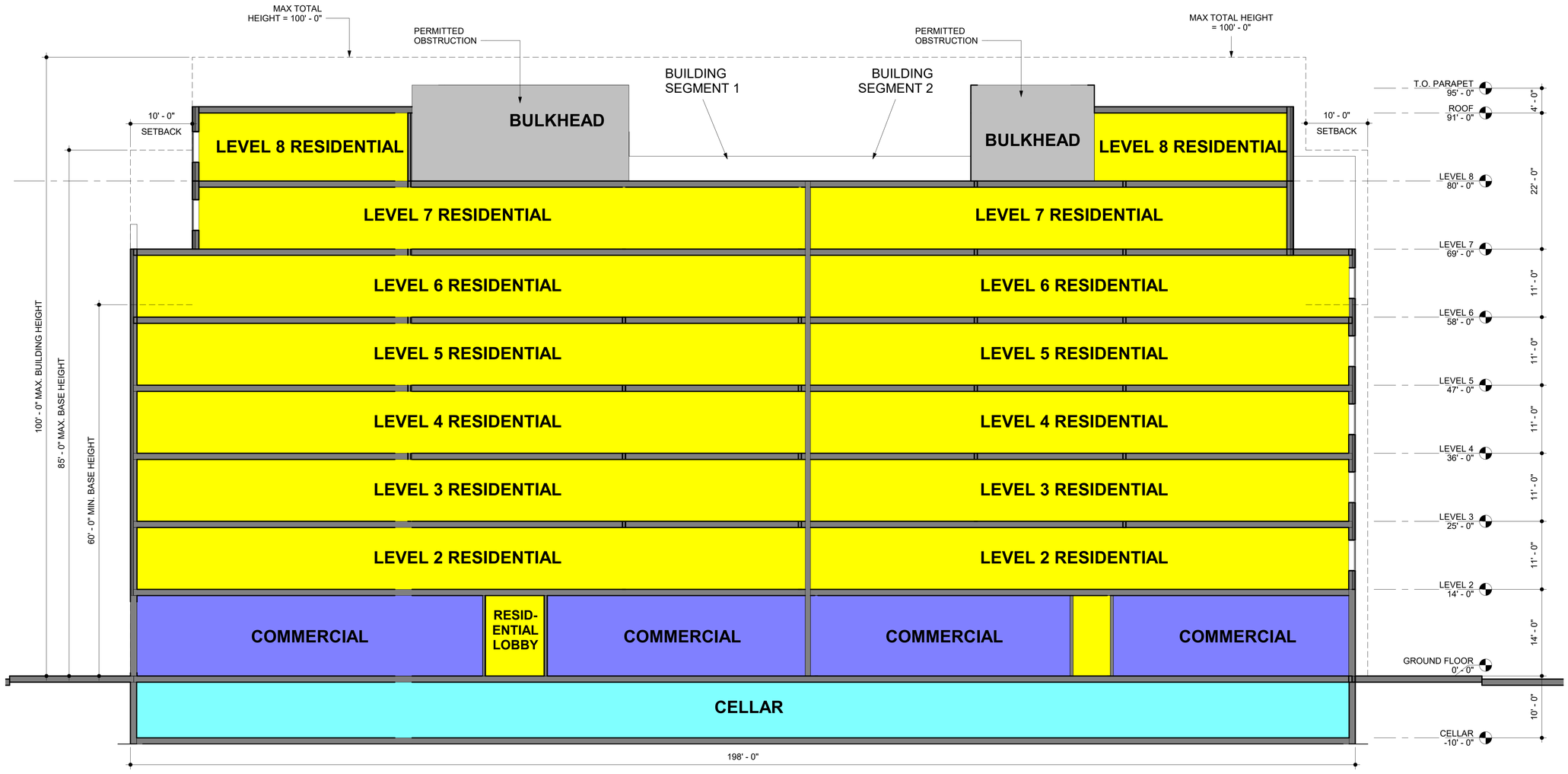


# SCHEMATIC SECTION
# SCALE: 1/8" = 1'-0"


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**INWOOD, NY 11096**

DOB APPLICATION NUMBER:

REVISIONS:

| | DATE | NO. |
|---|---|---|
| | | |

PROJECT NAME / LOCATION:

205 PARK AVENUE
BROOKLYN, NY
BLOCK: 2033 LOT: 50

DRAWING TITLE:

SCHEMATIC SECTION

EXAMINER'S SIGNATURE:

PROFESSIONAL SEAL:

| | |
|---|---|
| CLIENT: | BL |
| SCALE: | 1/8" = 1'-0" |
| DRAWN BY: | ZH |
| CHECKED BY: | JA |
| DATE: | 01/31/18 |
| PROJECT NO. | 1239 |

A-10

DRAWING NO.

14 OF 16

BARCODE


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# ZONING SUMMARY

| | |
|---|---|
| BLOCK | 2033 |
| LOT | 50 |
| ADDRESS | 205 PARK AVENUE, BROOKLYN, NY 11205 |
| LOT AREA | 12,808 SQ.FT |
| ZONING MAP | 12d |
| EXISTING ZONING DISTRICT | M1-2 |
| PROPOSED ZONING DISTRICT | PRIMARY ZONING: R7D / COMMERCIAL OVERLAY: C2-4 |
| COMMUNITY BOARD | 302 |

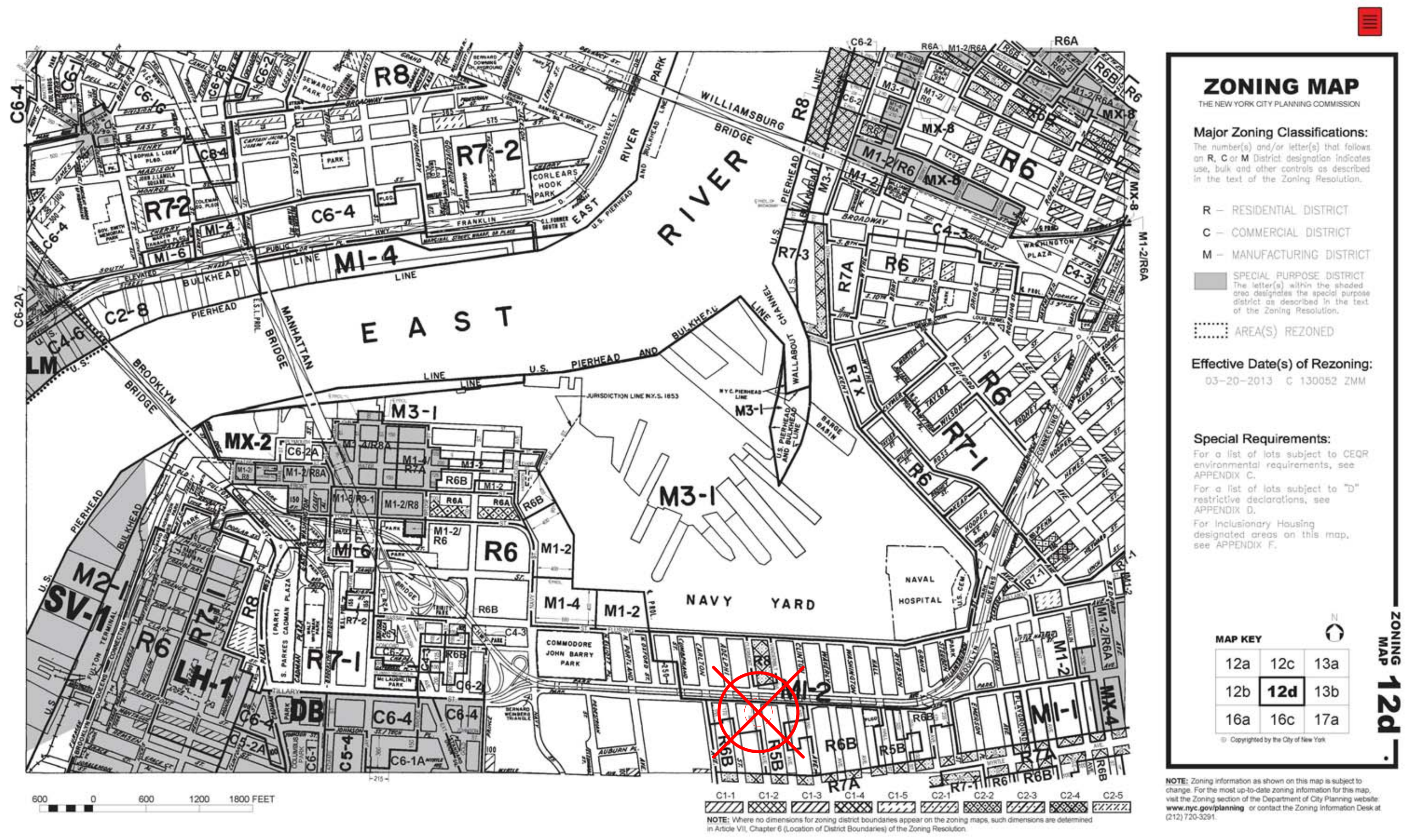
# PROPOSED ZONING ANALYSIS (R7D/C2-4)

| | ZONING REGULATION | REQUIRED/PERMITTED | PROPOSED | COMPLIES? | COMMENTS/NOTES/CALCULATIONS |
|---|---|---|---|---|---|
| | USE REGULATIONS | | | | |
| RESIDENTIAL (R7D) | 22-10 USES PERMITTED AS-OF-RIGHT | USE GROUPS: 1,2,3,4 | USE GROUP: 2 | YES | |
| COMMERCIAL (C2-4) | 32-10 USES PERMITTED AS-OF-RIGHT | USE GROUPS: 1,2,3,4,5,6,7,8,9,14 | USE GROUP: 6 | YES | |
| | MISC. REGULATIONS | | | | |
| RESIDENTIAL (R7D) | 23-011 Quality Housing Program | YES, REQUIRED | YES | YES | |
| | BULK REGULATIONS (F.A.R.) | | | | |
| RESIDENTIAL (R7D) | 23-153 For Quality Housing buildings | MAX. F.A.R= 4.20 | - | - | |
| RESIDENTIAL (R7D) | 23-154 Inclusionary Housing<br>(b) #Inclusionary Housing designated areas# | BASE F.A.R.=4.20<br>MAX. F.A.R=5.60 | - | - | |
| COMMERCIAL (C2-4) | 33-121 In districts with bulk governed by Residence District bulk regulations | MAX. F.A.R= 2.00 | - | - | |
| | MAXIMUM F.A.R. FOR ZONING LOT | MAX. F.A.R=5.60 | - | - | |
| | FLOOR AREA (LOT AREA = 12,808 SQ. FT.) | | | | |
| RESIDENTIAL (R7D) | 23-153 For Quality Housing buildings | 53,793.6 SQ. FT. | - | - | 53,793.6 SQ. FT. = 4.20 x 12,808 SQ. FT. LOT |
| RESIDENTIAL (R7D) | 23-154 Inclusionary Housing<br>(b) #Inclusionary Housing designated areas# | (BASE F.A.) 53,793.6 SQ. FT.<br>(MAX. F.A.) 71,724.8 SQ. FT. | 71,724.8 SQ. FT. | YES | 53,793.6 SQ. FT. = 4.20 x 12,808 SQ. FT. LOT<br>71,724.8 SQ. FT. = 5.60 x 12,808 SQ. FT. LOT |
| COMMERCIAL (C2-4) | 33-121 In districts with bulk governed by Residence District bulk regulations | 25,616 SQ. FT. | 7,908 SQ.FT. | YES | 25,616 SQ. FT. = 2.00 x 12,808 SQ. FT. LOT ALLOWED. ONLY GROUND FLOOR TO BE COMMERCIAL (7,908 SQ.FT.). |
| | MAXIMUM FLOOR AREA FOR ZONING LOT | 71,724.8 SQ. FT. | 71,724.8 SQ. FT. | YES | COMMERCIAL F.A. = 7,908 SQ.FT.<br>RESIDENTIAL F.A. = 71,724.8 - 7,908 SQ.FT. = 63,816.8 SQ. FT. |
| | BULK REGULATIONS (LOT COVERAGE) | | | | |
| RESIDENTIAL (R7D) | 23-153 For Quality Housing buildings | MAX. CORNER LOT COVERAGE=100% | 100% | YES | |
| | BULK REGULATIONS (YARDS) | | | | |
| RESIDENTIAL (R7D) | 23-45 Minimum Required Front Yards | NONE | NONE | YES | |
| RESIDENTIAL (R7D) | 23-462 Side yards for all other buildings containing residences | NONE | NONE | YES | |
| RESIDENTIAL (R7D) | 23-54 Other Special Provisions for Rear Yards | - | - | - | |
| RESIDENTIAL (R7D) | 23-542 Along short dimension of block | NONE | NONE | YES | |
| COMMERCIAL (C2-4) | 33-25 Minimum Required Side Yards | NONE | NONE | YES | |
| COMMERCIAL (C2-4) | 33-30 OTHER SPECIAL PROVISIONS FOR REAR YARDS | - | - | - | |
| COMMERCIAL (C2-4) | 33-302 Along short dimension of block | NONE | NONE | YES | |
| | BULK REGULATIONS (HEIGHT AND SETBACK) | | | | |
| RESIDENTIAL (R7D) | 23-66 Height and Setback Requirements for Quality Housing Buildings | - | - | - | |
| RESIDENTIAL (R7D) | 23-662 Maximum height of buildings and setback regulations | - | - | - | |
| | (a) TABLE 1 | MIN. BASE HEIGHT = 60'<br>MAX. BASE HEIGHT = 85'<br>MAX. HEIGHT OF BUILDING = 100' | YES | YES | |
| | (c) Setback requirements | 10' | YES | YES | |
| COMMERCIAL (C2-4) | 33-40 HEIGHT AND SETBACK REGULATIONS | - | - | - | |
| | BULK REGULATIONS (MAX. DWELLING UNITS) | | | | |
| RESIDENTIAL (R7D) | 23-22 Maximum Number of Dwelling Units | 63,816.8 SQ. FT. / 680 = 93 UNITS | 70 UNITS | YES | FACTOR FOR DETERMINING MAXIMUM NUMBER OF DWELLING UNITS = 680 |
| | PARKING REGULATIONS () | | | | |
| RESIDENTIAL (R7D) | 25-23 Requirements Where Group Parking Facilities Are Provided | 50% OF TOTAL RESIDENCES | 29 SPACES | YES | |
| | 25-251 Requirements Where Group Parking Facilities Are Provided | 15% OF TOTAL RESIDENCES | | | |
| COMMERCIAL (C2-4) | - | - | | | |
| | PARKING REGULATIONS (BICYCLE PARKING) | | | | |
| RESIDENTIAL (R7D) | 25-811 Enclosed bicycle parking spaces | 1 PER 2 DWELLING UNITS | 35 SPACES | YES | |
| COMMERCIAL (C2-4) | - | - | | | |
| | BULK REGULATIONS (STREET TREES) | | | | |
| RESIDENTIAL (R7D) | 23-03 Street Tree Planting in Residence Districts | 1 TREE / 25' OF STREET FRONTAGE | 13 TREES | YES | |
| COMMERCIAL (C2-4) | - | - | | | |

| | COMM. SPACE | RES. F.A. | BUILT G.F.A. | ZONING D'DCTS | NET ZONING |
|---|---|---|---|---|---|
| CELLAR | | | 12,640 | | 0 |
| GROUND FLOOR | 7,908 | 4,421 | 12,329 | 460 | 11,869 |
| LEVEL 2 | 0 | 9,953 | 9,953 | 170 | 9,783 |
| LEVEL 3 | 0 | 9,953 | 9,953 | 110 | 9,843 |
| LEVEL 4 | 0 | 9,953 | 9,953 | 110 | 9,843 |
| LEVEL 5 | 0 | 9,953 | 9,953 | 110 | 9,843 |
| LEVEL 6 | 0 | 9,953 | 9,953 | 110 | 9,843 |
| LEVEL 7 | 0 | 8,546 | 8,546 | 100 | 8,446 |
| LEVEL 8 | 0 | 2,502 | 2,606 | 247 | 2,255 |
| | | | | | |
| TOTALS | 7,908 | 65,234 | 85,886 | 1,417 | 71,725 |

| 2 BR | 1 BR |
|---|---|
| | |
| 0 | 0 |
| 3 | 8 |
| 3 | 8 |
| 3 | 8 |
| 3 | 8 |
| 3 | 8 |
| 2 | 8 |
| 3 | 2 |
| | |
| 20 | 50 |

TOTAL APARTMENTS = 70




ZONING MAP




OASIS MAP




TAX MAP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194 WANSER AVENUE
INWOOD, NY 11096

DOB APPLICATION NUMBER:

REVISIONS:

| | DATE | NO. |
|---|---|---|

PROJECT NAME / LOCATION:
205 PARK AVENUE
BROOKLYN, NY
BLOCK: 2033 LOT: 50

DRAWING TITLE:
ZONING DATA

EXAMINER'S SIGNATURE:

PROFESSIONAL SEAL:

| | |
|---|---|
| CLIENT: | BL |
| SCALE: | 12" = 1'-0" |
| DRAWN BY: | ZH |
| CHECKED BY: | JA |
| DATE: | 01/31/18 |
| PROJECT NO. | 1239 |

A-11
DRAWING NO.
15 OF 16

BARCODE


THE GENERAL CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND REPORT ALL ERRORS AND OMISSIONS TO THE ARCHITECTS. DO NOT SCALE DRAWING. THE DRAWING SHALL NOT BE USED UNTIL SIGNED BY CONSULTANTS.

For Illustrative Purposes Only



PERSPECTIVE VIEW FROM THE CORNER OF CLERMONT AND PARK AVENUES



PERSPECTIVE VIEW FROM THE CORNER OF VANDERBILT AND PARK AVENUES

BIZDG

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BROOKLYN, NY 11232

APPLICANT:

**SAMUEL D. FLAUM**

**194 WANSER AVENUE**
**INWOOD, NY 11096**

DOB APPLICATION NUMBER:

REVISIONS:

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PROJECT NAME / LOCATION:

205 PARK AVENUE
BROOKLYN, NY
BLOCK: 2033 LOT: 50

DRAWING TITLE:

RENDERINGS OF CORNER PERSPECTIVES

EXAMINER'S SIGNATURE:

PROFESSIONAL SEAL:

CLIENT: BL
SCALE:
DRAWN BY: ZH
CHECKED BY: JA
DATE: 01/31/18
PROJECT NO. 1239

A-12

DRAWING NO.

16 OF 16

BARCODE

THE GENERAL CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND REPORT ALL ERRORS AND OMISSIONS TO THE ARCHITECTS. DO NOT SCALE DRAWING. THE DRAWING SHALL NOT BE USED UNTIL SIGNED BY CONSULTANTS.

# 205 PARK AVENUE REZONING

## ENVIRONMENTAL ASSESSMENT STATEMENT

## INTRODUCTION

Based on the analysis and the screens contained in the Environmental Assessment Statement Short Form, the analysis areas that require further explanation include land use, zoning, and public policy (including waterfront revitalization), shadows, urban design, hazardous materials, transportation, air quality, noise, public health and neighborhood character as further detailed below. The subject heading numbers below correlate with the relevant chapters of the CEQR Technical Manual

## 4. LAND USE, ZONING AND PUBLIC POLICY

### I. Introduction

This proposal involves two discretionary actions including a zoning map amendment to rezone an existing M1-2 zoning to an R7D/C2-4 district. The second discretionary action is a zoning text amendment make the proposed development a Mandatory Inclusionary Housing (MIH) designated area. The proposed action would affect Block 2033, Lot 50 in the Wallabout section of Brooklyn's Community District 2. The Project Site (the "Site") is located at 205 Park Avenue (Block 2033, Lot 50) and bounded by Clermont Avenue to the west, Park Avenue to the south, Vanderbilt Avenue to the east and Flushing Avenue to the north.

The proposed actions would facilitate the construction of an 8-story and cellar, 95' tall, 85,886 gsf mixed-use residential and commercial building including 12,650 gsf of cellar space. The development would include 71,725 zoning square feet (zsf) representing an FAR of 5.6. The building would contain 12,329 gsf of ground floor commercial space and 73,557 gsf of residential floor area on the building's remaining seven floors providing 70 housing dwelling units, 17 of which would be affordable under MIH (Option 1 or 25%) or approximately 15,954 zsf.

As discussed in the RWCDS, the proposed development did not identify any other sites that might be redeveloped as a result of the proposed action. In fact, the proposed development (the With-Action scenario) represents the RWCDS. Compared to the No-Action scenario, the proposed development would result in a net of 70 dwelling units, 17 of

which would be affordable, and 7,908 square feet of local retail commercial space. The analysis year of the proposed action is 2020.

## II. Existing Conditions

### Land use

Site Description

The proposed development is located in the Wallabout section of Brooklyn's Community District 2. It includes one development site ("the Site") located at 205 Park Avenue (Block 2033, Lot 50) and bounded by Clermont Avenue to the west, Park Avenue to the south, Vanderbilt Avenue to the east, and Flushing Avenue to the north. The Site, which contains approximately 12,808 square feet of land area, is currently vacant and was developed with a 12,096 square foot building standing 30 feet in height. The building was formerly used as a warehouse and office space. The Site contains 204.08' of frontage along Park Avenue, 43.75' of frontage along Clermont Avenue, and 84.33' of frontage along Vanderbilt Avenue.

*Land Use Study Area*

The proposed rezoning area is located in the Wallabout area of Brooklyn, which encompasses approximately a mile-long stretch north of Fort Greene and Clinton Hill between Flushing and Park Avenues, and roughly between Navy Street and Classon Avenue. As shown in the accompanying land-use map, the surrounding area mainly consists of a balanced mix of residential and light industrial and manufacturing uses, such as car repair shops, small construction businesses, and food wholesalers. In addition, some institutional uses are scattered throughout the study area. The ones closest to the Site consist of the Roman Catholic Church of the Sacred Heart and additional church facilities, including a former catholic school building that is not occupied by P.S. 46 to the west of the Site. The lot to the north of the Site is City-sponsored Navy Green mixed use development, which comprises the rest of Block 2033. When completed, the 461,449 square foot Navy Green project will contain approximately 455 residential units as well as commercial and community facility space. The remaining residential buildings in the study area are mainly brownstones, or other buildings that contain up to four stories. The amount of residential use decreases slightly in areas closer to the Brooklyn Navy Yard. Blocks north of Park Avenue contain more light industrial and manufacturing uses than blocks on the south side of Park Avenue.

The Brooklyn Navy Yard is an industrial park with recently updated uses, including tenants who represent a variety of industries including construction, theatrical set design, computer and office supplies, contracting, refrigeration distribution facilities, media

communications and promotions, motor overhauling, metal fabrication and others. Along Park Avenue ad the south side of Flushing Avenue, there are mixed-use residential buildings that include ground-floor retail uses. The north side of Flushing Avenue is comprised of the gated Brooklyn Navy Yard, which is not accessible to the public.

**Zoning**

The rezoning area is located in an M1-2 zoning district. Other zoning districts outside the rezoning area but within the study area include R8/C2-4 to the north (The Navy Green development), M3-1 (the Brooklyn Navy Yard) M1-2 to the east, M1-2 and R6 to the west, and R5B and R6B to the south within the Wallabout Historic District.

The M1-2 zoning district allows a maximum FAR of 2.0 where accessory parking requirements vary by use. M1 is a light industrial and manufacturing district that operates where materials that are less likely to create nuisance effects. Often, M1 zoning districts are located as buffer zones between M2 and M3 districts and residential areas. M1 zoning districts typically include woodworking shops, auto repair shops, wholesale and storage facilities. These uses are usually located in one and two-story warehouse buildings.

M3 zoning districts are industrial and manufacturing districts for heavy industries that generate traffic, noise and pollutants. Uses with potential nuisance effects are required to comply with minimum performance standards. M3 zoning districts are usually located near the waterfront and are often buffered from residential areas by M1 zoning districts. The Brooklyn Navy Yard, which is located across Flushing Avenue from the Site, is zoned as an M3-1 district. M3-1 zoning districts allow a maximum FAR of 2.0 and are subject to parking requirements.

The R5B zoning district allows a maximum FAR of 1.35 for residential use; the maximum allowable lot coverage is 55 percent. The R5B district includes yard requirements and building height/street wall requirements. The R5B zoning district is a residential district that primarily consists of three-story row houses. It also permits detached and semi-detached buildings.

The R6 zoning district allows a maximum FAR from 0.78 to 2.43 for residential use; the required open space ratio (OSR) ranges from 27.5 to 37.5 percent. R6 is a residential district widely mapped in built-up, medium density areas in Brooklyn. The height factor regulations for R6 districts encourage small apartment buildings on small zoning lots, and tall, narrow buildings that are set back from the street on larger lots.

R6B zoning districts are predominantly row house districts that include four-story buildings, which are typical for neighborhoods, developed in the 19th century. Many of

these brownstone buildings are set back from the street and have small front yards. The R6B zoning district allows for a maximum FAR of 2.0 and requires application of the Quality Housing regulations. In addition, there are requirements for base height, building height, lot coverage, and parking.

The R8 zoning district creates mid-rise apartment houses of eight to ten-stories, and on large zoning lots narrower, taller building structures that are set back from the lot line. New buildings in R8 zoning districts are mainly developed under the height factor regulations or the optional Quality Housing program. For height factor development, the FAR in R8 districts ranges from 0.94 to 6.02, whereas the OSR ranges from 5.9 to 11.9. A taller building might be obtained by providing more open space. Buildings most comply with the rules of sky exposure planes, which in R8 districts begin at a height of 85 feet or nine stories, whichever is less, above the front line and then slopes inward over the zoning lot.

The C2-4 zoning district is a commercial overlay that is mapped at a depth of 100 feet. C2-4 districts allow for a wide variety of commercial uses (Use Groups 5-9) such as local retail, funeral homes and repair services. Within lower density residential zoning districts (R1 through R5) the maximum FAR of 1.0, whereas in more dense residential districts (R6 through R10) the maximum FAR is 2.0.

**Public Policy**

The proposed development is located within the coastal zone, and therefore has to comply with the City's Waterfront Revitalization Program (WRP), as discussed below. The rezoning area is not controlled by or located in any designated Empire Zones or industrial business zones (IBZs). However, the rezoning area is on the block below the Brooklyn Navy Yard, which is an IBZ. A description of the Brooklyn Navy Yard IBZ follows below. The rezoning area is also not governed by a 197a Plan, nor does the proposed action involve the siting of any public facilities (Fair Share) or is subject to the New Housing Marketplace Plan. The rezoning area is also not subject to the 172-c program nor is within a designated Urban Renewal Area, as the proposed rezoning falls outside of the boundaries of the Navy Yard Urban Renewal Area.

*Waterfront Revitalization Program (WRP) / Coastal Zone Management*

The federal Coast Zone Management Act of 1972 established to support and protect the nation's coastal areas, set forth standard policies for the review of new projects along coastlines. As part of the Federal Coastal Zone Management Program, New York State has adopted a state Coastal Zone Management Program, designed to achieve a balance between economic development and preservation The program is also designed to minimize adverse change to ecological systems, including limiting erosion and flood

hazards. The state program contains provisions for local governments to develop their own local waterfront revitalization programs (WRPs). New York City has adopted such a program. The local WRP established the City's Coastal Zone, and includes policies that address the waterfront's economic development, environmental preservation, and public use of the waterfront, while minimizing the conflicts among those objectives.

As the rezoning area falls within the City's designated coastal zone, the proposed action must be assessed for its consistency with the policies of the City's WRP. An assessment of the WRP is provided within Appendix B.

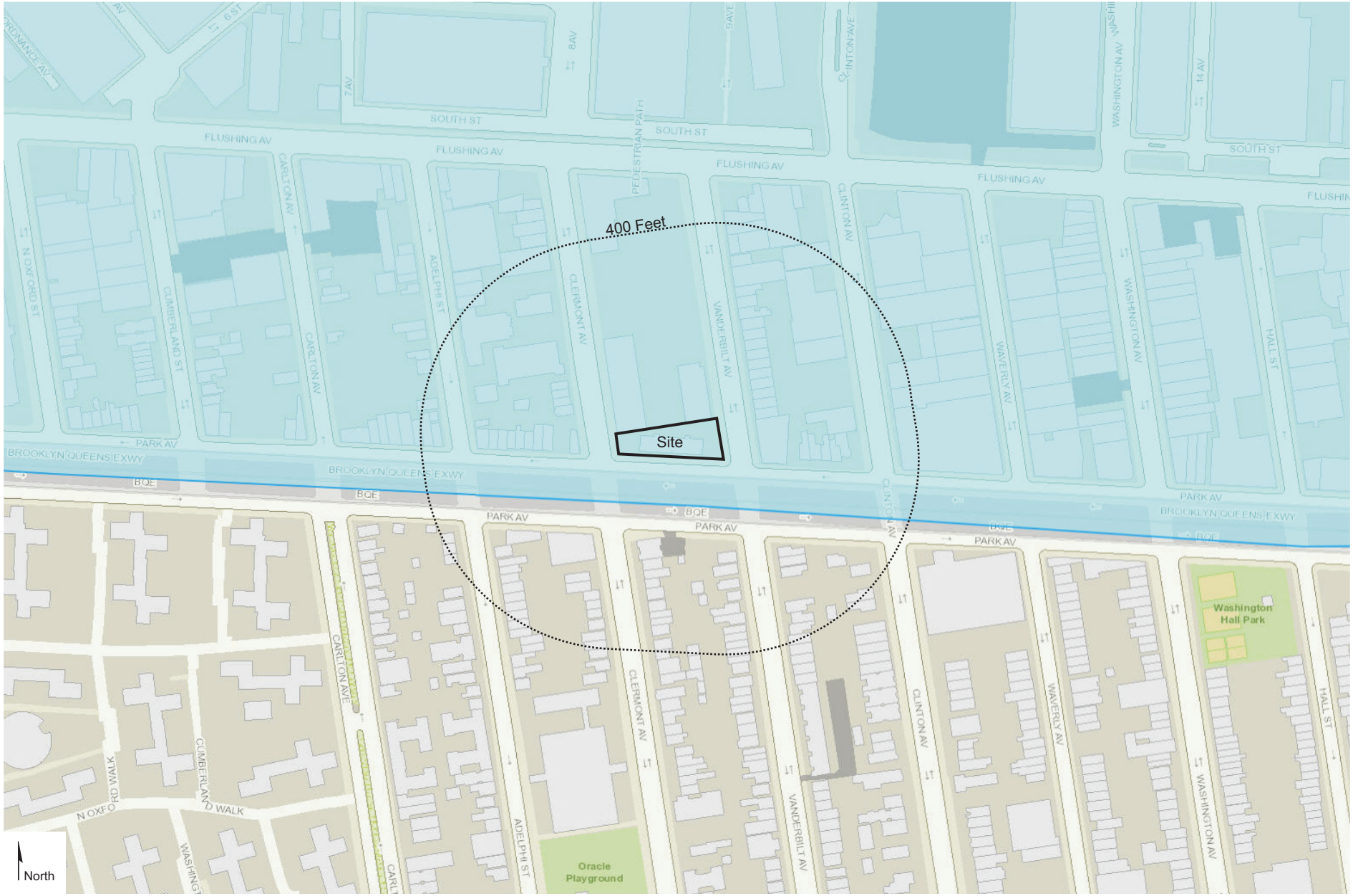
*Industrial Business Zone (IBZ) / Brooklyn Navy Yard*

Industrial Business Zones (IBZs) are areas that were overlaid largely upon pre-existing industrial and manufacturing clusters in order to better reflect industrial land uses within the City. Therefore, proposals to rezone industrial land to residential within IBZs are not supported by the City. In IBZs, the City provides expanded services to industrial and manufacturing businesses in partnership with local development groups. Currently, there are 16 IBZs throughout New York City, one of which is the Brooklyn Navy Yard to the north of the Site.

The property of the Brooklyn Navy Yard was purchased by the federal authorities in 1801, and operated as a US Navy shipyard in 1806. The Navy decommissioned the Yard in 1966, and sold it to the City of New York. In 1971, the Yard reopened as a City-owned industrial park. Today, the Brooklyn Navy Yard Development Corporation (BNYDC) manages the Brooklyn Navy Yard, which is a non-profit corporation under contract with the City of New York. The Brooklyn Navy Yard is an area of private manufacturing and commercial activity, which has an area of approximately 300 acres, and includes over 40 buildings and more than 200 tenants. Currently, the Brooklyn Navy Yard is in the process of revitalization. In the fall of 2006, the Mayor announced plans to develop an eight-building expansion including 1.7 million square feet of new industrial space. Most recently, the BNYDC announced plans to redevelop the southwestern corner of the Brooklyn Navy Yard as part of the Admiral's Row redevelopment project. The BNYDC seeks to redevelop 74,000 square feet of commercial space for a supermarket, construct an extra 79,000 square feet of retail, approximately 127,000 square feet of industrial space and the rehabilitation of two long-neglected historic properties along Admiral's Row.

## III. Future Without the Proposed Action (No-Action)

Under the No-Action Scenario for the Project Build Year of 2020, it is assumed that the Proposed Development Site, identified as Block 2033, Lot 50 in Brooklyn, would remain in its current condition. Therefore, the property would remain vacant.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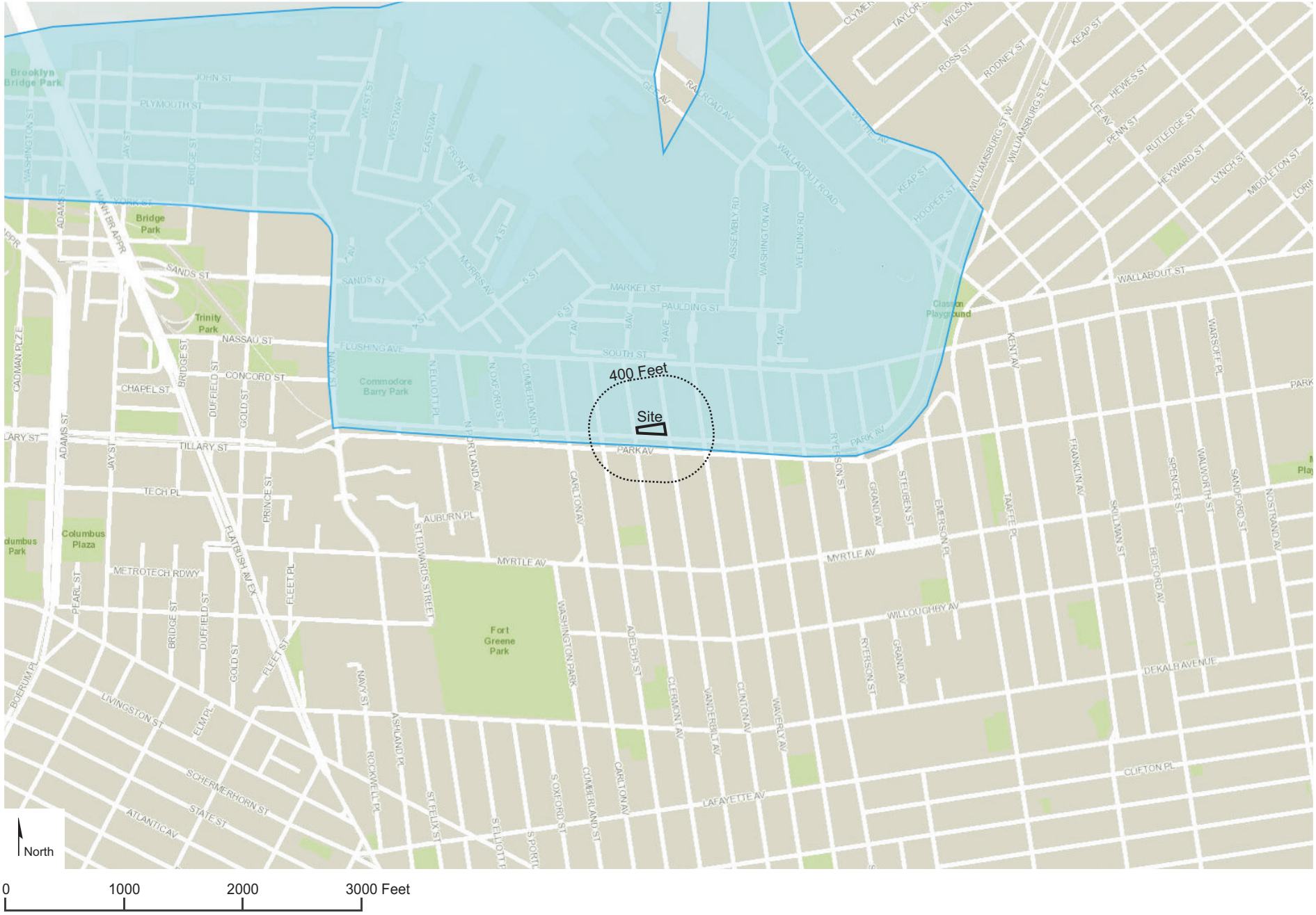
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Surrounding land uses within the immediate study area are expected to remain largely unchanged by the project build year of 2020. Developments within 400-feet of the Proposed Development Site that be completed before the build year include the Navy Green Project, which will consist of 455 dwelling units and 461,449 square feet of floor area. An additional search was performed for building and/or demolition permits within a 400-foot area to determine any new developments by the project build year. Aside from the Navy Green project, only two planned two-family houses were found at 66 Clermont Avenue and 69 Vanderbilt Avenue.

The 400-foot area surrounding the project site is developed with a stable residential community containing attached two and three-story residential properties, a few commercial retail properties, light industrial and manufacturing uses near the Brooklyn Navy Yard and a few community facilities. Aside from the Navy Green project noted above, which is anticipated to be complete constructed by the build year, no significant new development or redevelopment in the area would therefore be expected.

The Future No-Action Scenario is presented in Table 4-1 below. The increment between the Future No-Action and Future With-Action Scenarios is also shown in the table.

**Zoning and Public Policy**

In the future without the proposed action, the existing zoning would remain unchanged. The Site would continue to be zoned M1-2 and would continue to be unoccupied. In the future without the proposed action, no public policy changes are expected to occur in the study area.

## IV. Future With The Proposed Action (With-Action Scenario)

**Land Use**

If the proposed action is approved, the With-Action Scenario for the Project Build Year of 2020 would entail the construction of 70 housing DUs, 17 of which would be affordable under MIH. The development would include a single building 95 feet in height, with approximately 8-stories, with 71,725 zoning square feet (zsf or 85,886 gsf) representing an FAR of 5.6. The building would contain 12,329 gsf of ground floor commercial space and 73,557 gsf of residential floor area on the building's remaining seven floors. The development would also include 29 cellar-level parking spaces, which would be accessed from a curb cut along Vanderbilt Avenue. The building would contain 12,640 gsf of parking area in the cellar of the building. The existing building on the property would be demolished.

Compared to the No-Action condition, the With-Action condition results in a net change of approximately 73,557 gsf of residential space (70 dwelling units), and up to 12,329 gsf square feet of local retail space. The proposed development would be pursuant to a zoning map amendment changing the Site from a M1-2 district to an R7D/C2-4 district; and a zoning text amendment making the Site applicable as a Mandatory Inclusionary Housing Area (MIHA).

Based on the 2010 Census data for Brooklyn Community District 2, where the Site is located, it is projected that the average household size for the residential component of the proposed development would be approximately 2.17. Utilizing this average, the RWCDS associated with the proposed action would add approximately 152 new residents in 70 dwelling units. The proposed action would also add approximately 29[1] new retail employees to the Site.

Overall, the proposed actions and resulting proposed development would represent a substantial land-use change on the Site in the form of new residential and retail development, as well as a substantial increase in floor area and new investment. However, the remainder of the block containing the Site (Block 2033) includes the mixed-use Navy Green project zoned R8/C2-4, which anticipates two twelve-story structures, ten four-story townhouses along Clermont Avenue and 13 townhouses along Vanderbilt Avenue, including over 8,000 square feet of retail and 10,000 square feet of community facility space. At the time of this application, a majority of these residential buildings have begun or completed construction immediately adjacent to the Site.

In addition, there are several long-established residential areas with mostly three and four-story buildings to the east of the Site on Clermont, west of the Site on Vanderbilt and across the Brooklyn-Queens Expressway (BQE). Therefore, by introducing residential and retail uses to the Site, the proposed development would not introduce any new land uses to the study area.

To the south of the BQE, a trend to maintain, restore, and develop new residential structures can be observed. This trend stems from the Fort Greene neighborhood further south. Existing residential buildings are being restored, former vacant buildings replaced and former vacant lots developed with new residential buildings. In 2011 the Landmarks Preservation Commission (LPC) approved the Wallabout Historic District, a 55-building area on Vanderbilt Avenue between Park and Myrtle Avenues. Therefore, the proposed development located to the north of the BQE represents a continuation of this trend. It would be consistent with the trends further south in Fort Greene, and many of Brooklyn's manufacturing/warehousing districts that are located in attractive proximity to the waterfront, as the City seeks to revitalize these areas. The proposed rezoning and the

[1] This rate determined as approximately 1 employee per 425 square feet

resulting proposed development are therefore not expected to result in any significant adverse impacts or conflicts with the land use in the study area.

## Zoning

The proposed rezoning action includes a zoning map amendment on Block 2033, Lot 50 from M1-2 to R7D/C2-4 zoning district, as illustrated in the proposed zoning map. The proposed action also includes a text amendment to Appendix F of the Zoning Resolution (ZR) to make the Site applicable as a Mandatory Inclusionary Housing Area (MIHA).

The proposed R7D/C2-4 zoning district allows a maximum FAR of 5.6 for residential use under MIH. The R7D zoning districts typically produce eight and nine-story apartment buildings with high lot-coverage and blend in with existing buildings. The R7D/C2-4 zoning district includes a commercial overlay within residence districts. The commercial FAR for a C2-4 mapped within an R7D district is 2.0. The proposed C2-4 overlay district would match the C2-4 zoning mapped on the remainder of the block.

In addition to the proposed rezoning, the proposed development seeks to make the Site a designated area of the City's Mandatory Inclusionary Housing Program (MIH). The MIH program would give the Site a base FAR of 4.2, which is increased up to 5.60 FAR and requires the provision of affordable housing units with at least 25% of the proposed new residential floor area as permanently affordable to incomes averaging 60% AMI.

**Table 4-1** provides a comparison of the uses and bulk regulations permitted under the existing and proposed zoning districts. As indicated in the table, the proposed R7D/C2-4 zoning district would permit new development in a range from a base FAR of 4.2 to a maximum permitted FAR of 5.60, and new commercial development to a maximum permitted FAR of 2.0. This would represent a similar permitted maximum FAR than is allowed under the existing M1-2 district, which has a maximum permitted community facility FAR and commercial FAR of 4.8 and 2.0, respectively. The proposed development would utilize the maximum allowable FAR of 5.60 under the R7D/C2-4 zoning utilizing the Inclusionary Housing bonus (discussed more below).

**Table 4-1**
**Comparison of Zoning Regulations: M1-2 and R7D/C2-4**

| | Existing M1-2 | | Proposed R7D/C2-4 | |
|---|---|---|---|---|
| **Use Groups** | 4-14, and 17 | | 1-9, and 14 | |
| **Maximum FAR** | Manufacturing | 2.0 | Residential | 4.2 |
| | Community Facility | 4.8 | Residential (with MIH) | 5.6 |

| | | |
|---|---|---|
| | Commercial (overlay) 2.0 | Commercial (overlay) 2.0 |
| **Height and Setback*** | Sky Exposure Plane | 95'(base height) / 115' (max) |

*Sky exposure plane is an imaginary plane beginning above the street line at a height set forth in the district regulations and which rises over a zoning lot at a ratio of vertical distance set forth in the district regulations, which a building may not penetrate.

The proposed development would not result in any non-conforming uses or non-complying developments, as it would only affect the Site.

*Mandatory Inclusionary Housing (MIH) Program*

Pursuant to ZR 23-90, the applicant is seeking a text amendment to make the Site applicable to the Mandatory Inclusionary Housing Program (MIH). The MIH program promotes economic integration in areas of the City undergoing substantial new residential development by offering an optional floor area bonus in exchange for the creation or preservation of affordable housing units, principally for low-income households.

The Mandatory Inclusionary Housing (MIH) designated areas Program was created in 2016 to encourage the creation and preservation of affordable housing throughout the City in designated areas mapped in medium- and high-density neighborhoods being rezoned to create new housing opportunities. MIH designated areas are mapped in specified areas of the City and are mapped in Appendix F of the Zoning Resolution. These areas have various compliance requirements but most areas are designated to require at least 25-30% of the proposed new residential floor area to be made permanently affordable to incomes averaging below 80% AMI.

The base FAR for developments in MIH designated areas is, in most cases, lower than the base FAR allowed in the same zoning district located outside a designated area. In actions that include a residential rezoning to a district such as R6B and above, MIH is required to ensure the creation of new permanent affordable dwelling units. Pursuant to Section 23-154 of the Zoning Resolution, several options are outlined to ensure compliance with the program.

The proposed zoning text amendment pursuant to Appendix F of the Zoning Resolution would make the Rezoning Area applicable as a Mandatory Inclusionary Housing Area (MIHA) and would be mapped as Options 1 or 2, pursuant to §123-154(d). All residential developments, enlargements, and conversions within this MIHA that meet the criteria set forth in the MIH program must comply with the requirements of one of the options described below:

- Option 1: 25% of residential floor area must be for affordable housing units for residents with incomes averaging 60% AMI, with a minimum of 10% of housing to be affordable at 40% AMI.
- Option 2: 30% of residential floor area must be for affordable housing units for residents with incomes averaging 80% AMI.

The application includes a text amendment to make the Site applicable as a Mandatory Inclusionary Housing Area (MIHA) and would comply with the program under Option 1, which requires at least 25% of the proposed new residential floor area to be permanently affordable to incomes averaging 60% AMI. The proposed development includes a total FAR of 5.6 under MIH. The proposed development would include 70 DUs, 17 of which would be considered affordable and would consist of 25 percent of the proposed residential floor area or approximately 15,954 zsf.

The proposed R7D district is consistent with the built density around the project area including the R8/C2-4 zoned Navy Green development discussed above. The density permitted under the proposed R7D zoning is necessary to accomplish any reasonable development on the project site due to the site's irregular shape and the adjoining Navy Green site. Furthermore, the proposed development would provide 17 affordable housing units, a recognized citywide need.

**Public Policy**

The proposed action seeks to make the Site part of the Inclusionary Housing designated areas, which would promote Mayor De Blasio's Ten-Year Housing Plan (*Chapter 3, Building New Affordable Housing For All New Yorkers*). The proposed development seeks an FAR bonus of 1.4 FAR and will subsequently set aside 17 of the proposed dwelling units (approximately 25 percent of the proposed new residential floor area) as affordable. In addition, the proposed rezoning of the Site from a manufacturing district to a residential district to facilitate the development of affordable housing is consistent with the objectives of the plan as well. Therefore, the proposed development would support the goals of affordable housing creation.

In addition, the proposed action would also support the goals of the Waterfront Revitalization Program, and would not affect the IBZ to the north. The affected area is not within an urban renewal area or part of a 197-C plan. There are no other public policies of concern applicable to the Site.

Therefore, the proposed actions and the resulting proposed development are not expected to result in any significant adverse impacts to or conflicts with public policies in the study area.

## V. Assessment/Conclusion

### Land Use

The proposed rezoning would result in a substantial change of land use in the rezoning area, as residential use is not currently allowed. However, the remainder of the block and surrounding neighborhood includes a mix of retail, commercial and light manufacturing uses. In this regard, the proposed development would fit in and continue an existing pattern. The proposed rezoning would add a total of approximately 85,886 gross square feet of development. This would include 12,329 square feet ground floor commercial retail space and would increase the space available for neighborhood services. The development would also include 29 cellar-level parking spaces (12,640 gsf of parking area), which would be accessed from a curb cut along Vanderbilt Avenue.

The proposed rezoning would create opportunities for new residential uses on an underutilized site in an area where demand for low- and moderate-income housing exists. The proposed development would complement existing residential and commercial uses in the neighborhood. This would reinforce and enhance the emerging character of the area. The action-generated development would not introduce a substantial new or incompatible land use to the study area's mix of uses. Accordingly, the proposed action would not result in any significant adverse land use impacts.

### Zoning

The proposed rezoning would facilitate a mixed-use development on the Site, including 70 dwelling units. Since the study area currently includes residential uses, the proposed R7D/C2-4 zoning district would not introduce nonconforming uses to the study area. Moreover, the new zoning would be complementary with the neighboring Navy Green project, which occupies the remainder of the block.

With the R7D/C2-4 zoning expected to generate development compatible with existing uses in the area, the proposed action is not expected to result in any significant adverse impacts from zoning.

**Public Policy**

The proposed actions comply with applicable public policies, as discussed above. As there are no other public policies of concern applicable to the rezoning area, the proposed actions are not expected to result in any significant adverse impacts to public policies.

# 8. SHADOWS

A detailed shadow analysis is generally required only if a proposed action would result in one or more buildings that would be over 50 feet in height and close enough to a sunlight-sensitive resource of concern to cast a shadow on it. Such resources of concern are public open spaces, green streets, and natural resources if the introduction of shadows might alter their condition or microclimate, and historic resources that depend on direct sunlight for their appreciation by the public.

The proposed building would rise to a maximum height of 95 feet, and is within vicinity of the the Wallabout Historic District and an LPC identified eligible resource, the Roman Catholic Church of the Sacred Heart, which is located at 26 Clermont Avenue. A shadow analysis is therefore required.

**Tier 1 Assessment**

The first step in the assessment process is to determine the maximum length of the shadows that would be cast by the proposed building and to identify any sunlight-sensitive resources located within that distance of the project site.

Shadow lengths vary by time of day, being longest in the early morning and late afternoon and shortest at noon, and by time of year, being longest at the winter solstice and shortest at the summer solstice. According to the *CEQR Technical Manual*, the longest shadow cast by a building is 4.3 times the building's height.

The building would be approximately 95 feet tall to the roof line; mechanical, stairway, and elevator bulkheads. The maximum length of shadows cast by the proposed building would therefore be 4.3 times 95 feet, or 408.5 feet. The longest shadow study area boundary would extend within both the Wallabout Historic District and the Roman Catholic Church of the Sacred Heart. Additional assessment is therefore required.

**Tier 2 Assessment**

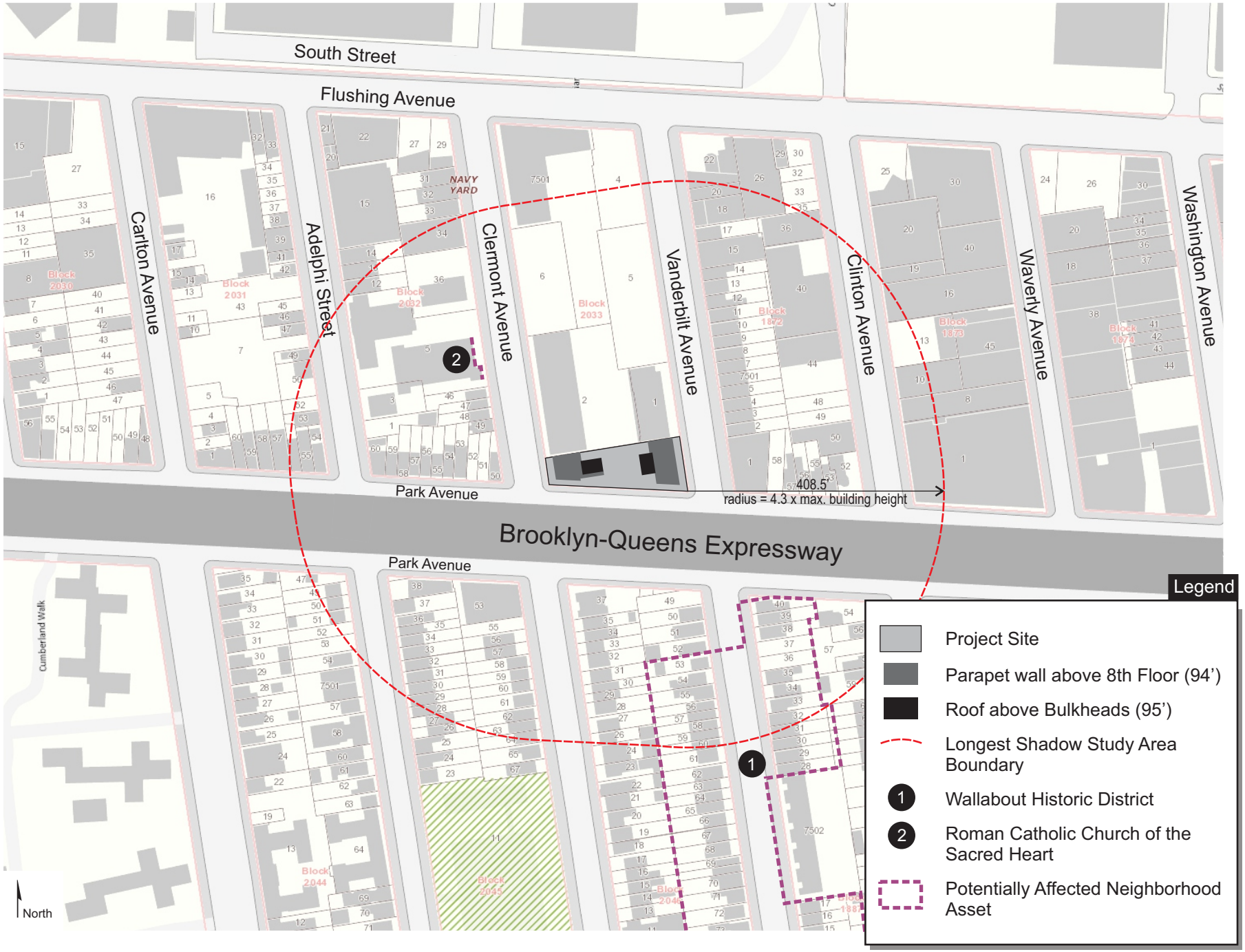
The next step is to determine whether the sunlight-sensitive resources are within the arc in which shadows can be cast. That arc excludes the triangular area to the south of the proposed building that extends from +108 degrees to -108 degrees from true north. While the proposed new building cannot shade the Wallabout Historic District, the Roman Catholic Church of the Sacred Heart is still to the northwest of the proposed project, within the boundary of shadows cast by the new building. Additional assessment is therefore required.

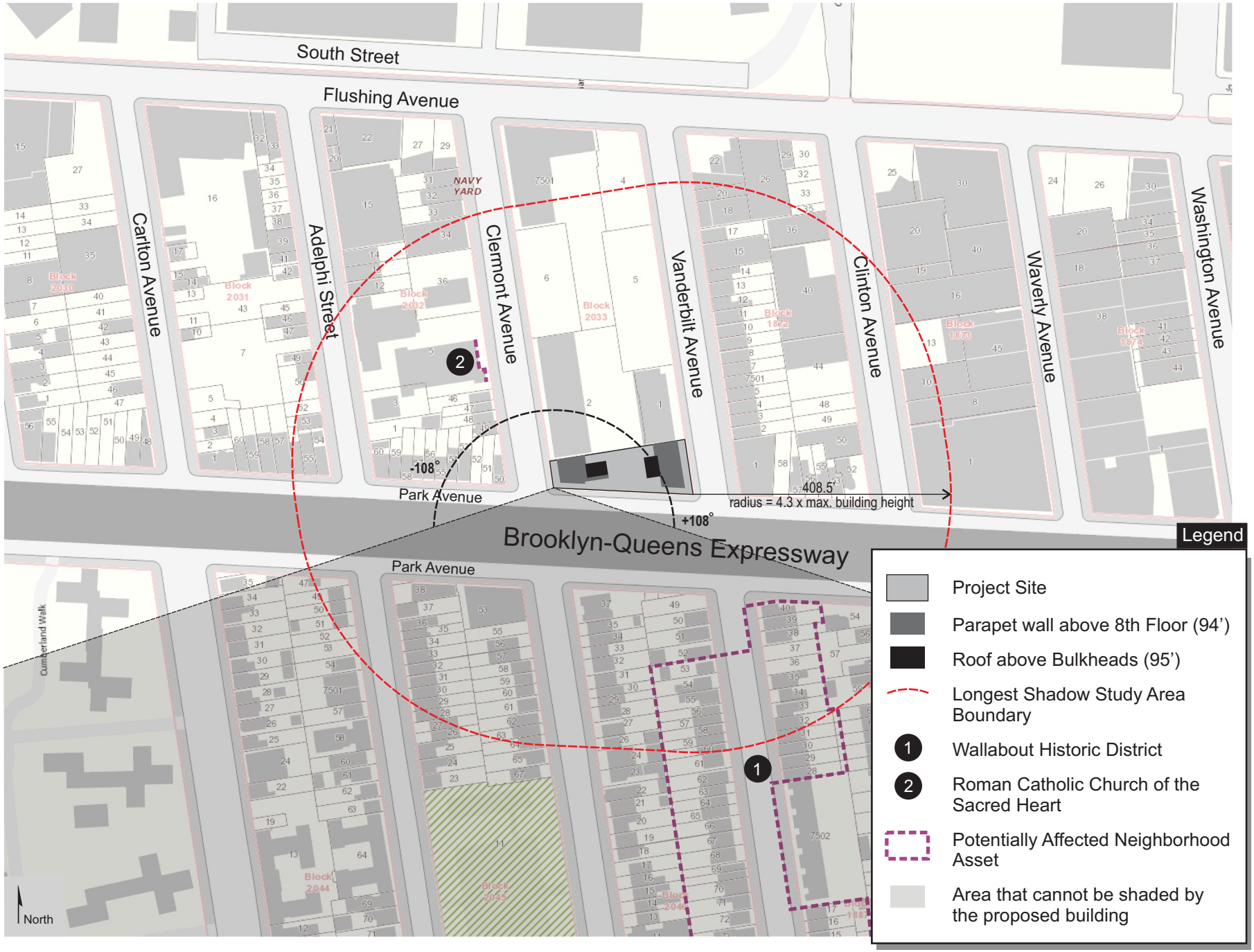
**Tier 3 Assessment**

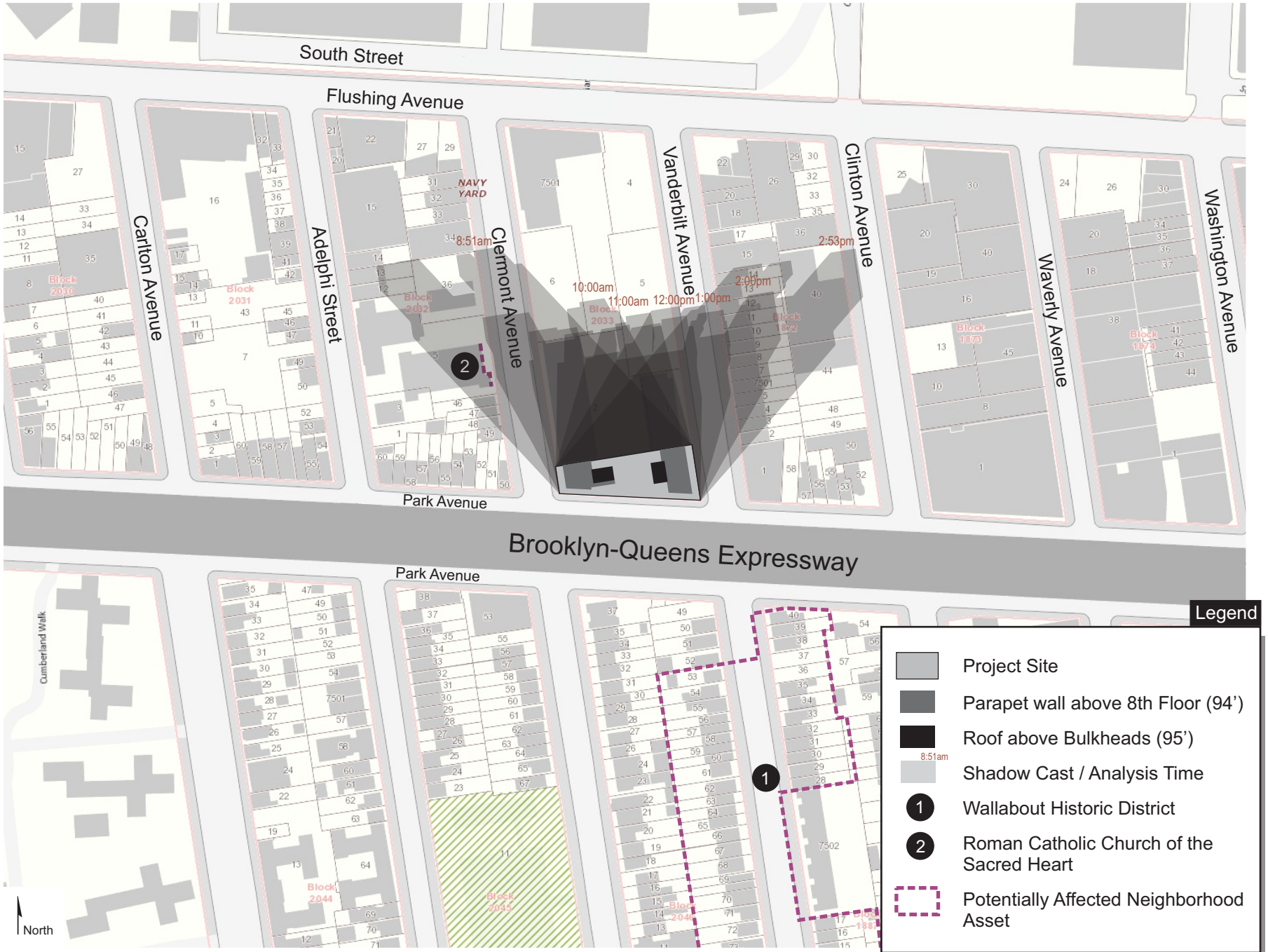
The next step is to use computer-modeling software to plot the shifting shadows that would be cast by the proposed building during the course of the day, as the sun travels from east to west in the sky, and as the shadows therefore travel from west to east. Modeling is performed for four days during the year: the winter solstice (December 21), the summer solstice (June 21), the spring or autumn equinox (March 21 or September 21), and the midpoint between the equinox and the summer solstice (May 6).

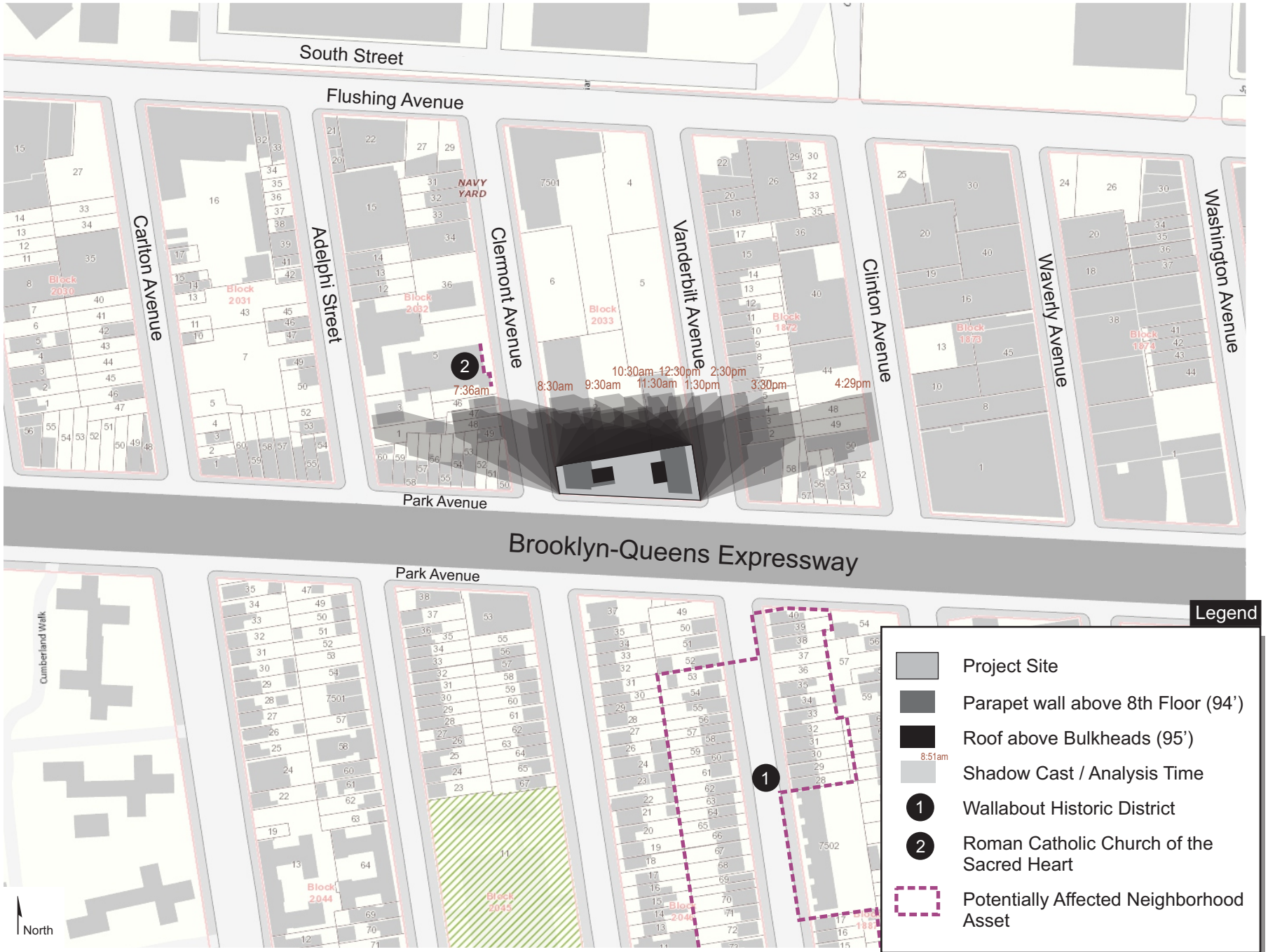
Results of computer modeling indicate no shadows would reach the church during the spring or autumn equinox (March 21 or September 21), as well as the midpoint between the equinox and the summer solstice on May 6th. For the fourth period (December 21st), a limited shadow would be cast by the project. As the Tier 3 diagrams show, the proposed development will cast a shadow from 9:12am to approximately 9:50am, a period of less than an hour.

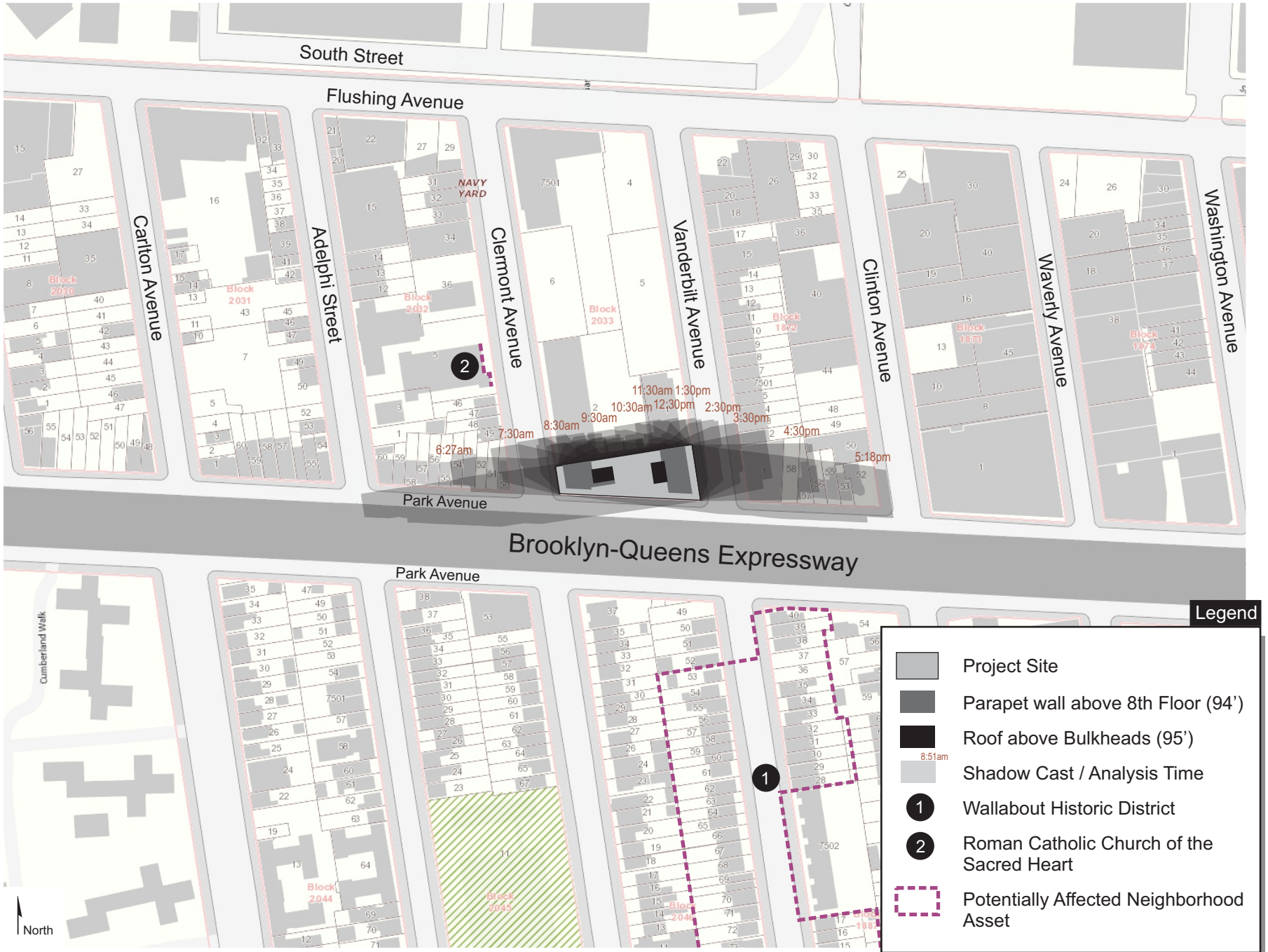
However, none of the church's stained-glass windows would be cast in the shadow by the proposed development for extended periods of time, nor would they be completely cast in shadows. Therefore, the reduction of sunlight as a result of the development-generated shadows would not be substantial. The additional shadows cast by the proposed development would not significantly detract from the church's essential functions or historic significance, nor would they significantly impact the enjoyment of the stained-glass windows by parishioners. As such, no significant adverse impacts related to Shadows are expected to occur as part of the proposed action.

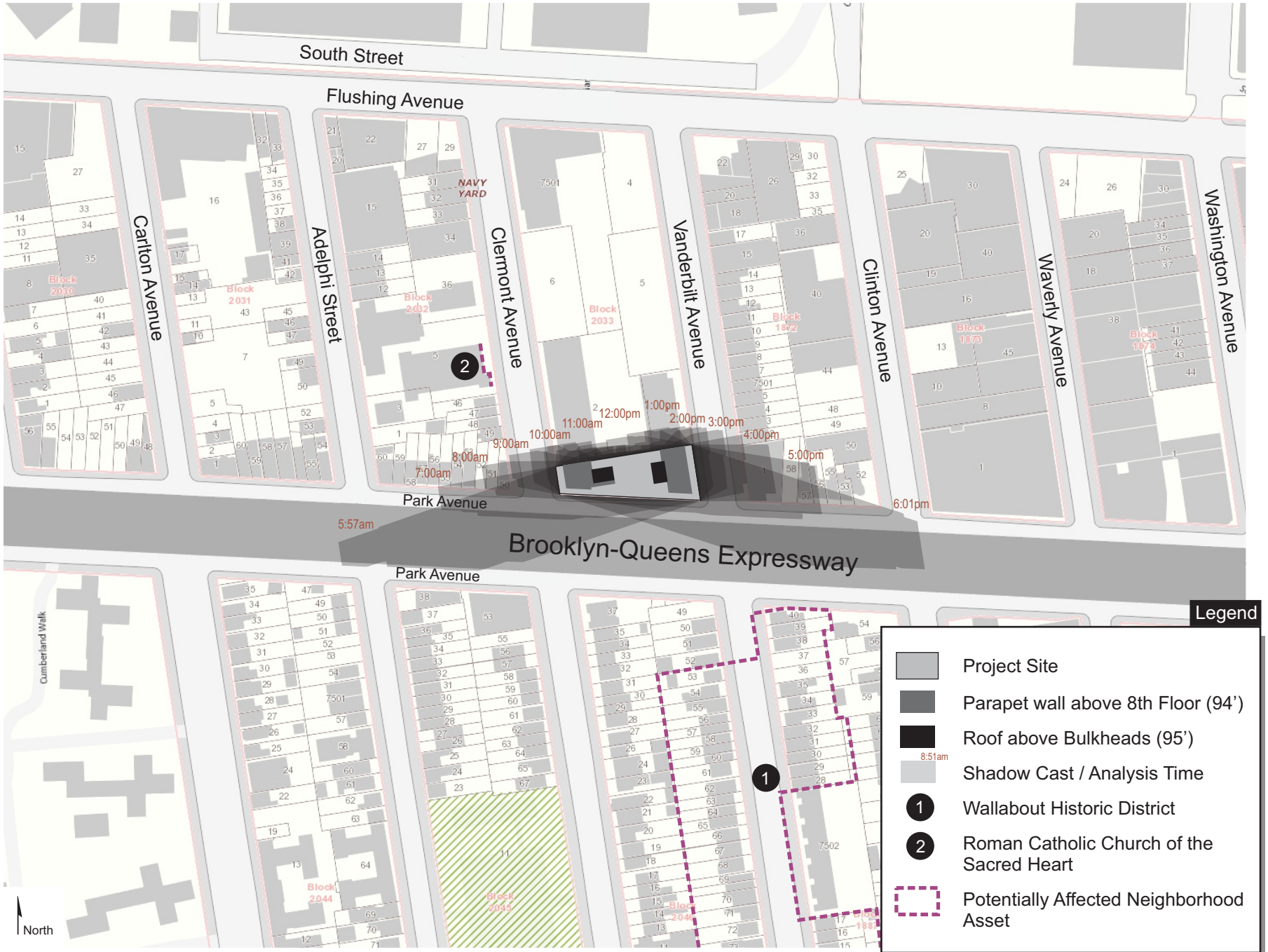

South Street
Flushing Avenue
Carlton Avenue
Adelphi Street
Clermont Avenue
Vanderbilt Avenue
Clinton Avenue
Waverly Avenue
Washington Avenue
NAVY YARD
Block 2030
Block 2031
Block 2032
Block 2033
Park Avenue
408.5'
radius = 4.3 x max. building height
Brooklyn-Queens Expressway
Park Avenue
Cumberland Walk
Block 2044
Block 2045
North
Legend
Project Site
Parapet wall above 8th Floor (94')
Roof above Bulkheads (95')
Longest Shadow Study Area Boundary
1 Wallabout Historic District
2 Roman Catholic Church of the Sacred Heart
Potentially Affected Neighborhood Asset

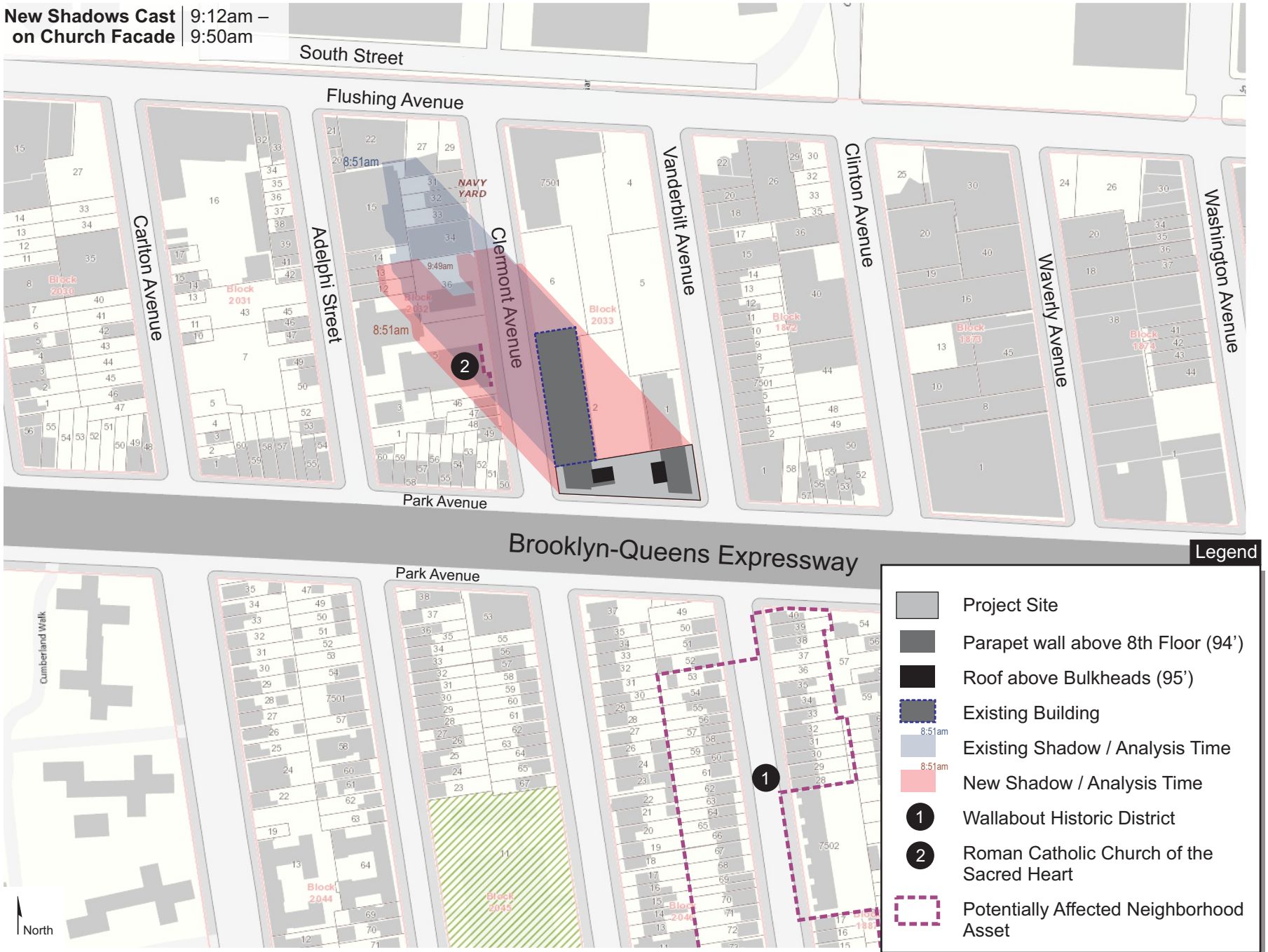

South Street
Flushing Avenue
Carlton Avenue
Adelphi Street
Clermont Avenue
Vanderbilt Avenue
Clinton Avenue
Waverly Avenue
Washington Avenue
NAVY YARD
Block 2030
Block 2031
Block 2032
Block 2033
Block 1872
Block 1873
Block 1874
Block 2044
Block 2045
Park Avenue
Brooklyn-Queens Expressway
Park Avenue
-108°
+108°
408.5'
radius = 4.3 x max. building height
Cumberland Walk
North
Legend
Project Site
Parapet wall above 8th Floor (94')
Roof above Bulkheads (95')
Longest Shadow Study Area Boundary
1 Wallabout Historic District
2 Roman Catholic Church of the Sacred Heart
Potentially Affected Neighborhood Asset
Area that cannot be shaded by the proposed building


South Street
Flushing Avenue
Carlton Avenue
Adelphi Street
Clermont Avenue
Vanderbilt Avenue
Clinton Avenue
Waverly Avenue
Washington Avenue
Park Avenue
Brooklyn-Queens Expressway
Park Avenue
Cumberland Walk
NAVY YARD
8:51am
10:00am
11:00am
12:00pm
1:00pm
2:00pm
2:53pm
Block 2030
Block 2031
Block 2032
Block 2033
Block 1872
Block 1873
Block 1874
Block 2044
Block 2045
North
Legend
Project Site
Parapet wall above 8th Floor (94')
Roof above Bulkheads (95')
8:51am
Shadow Cast / Analysis Time
1 Wallabout Historic District
2 Roman Catholic Church of the Sacred Heart
Potentially Affected Neighborhood Asset


South Street
Flushing Avenue
Carlton Avenue
Adelphi Street
Clermont Avenue
Vanderbilt Avenue
Clinton Avenue
Waverly Avenue
Washington Avenue
NAVY YARD
Block 2030
Block 2031
Block 2032
Block 2033
Block 1872
Block 1873
Block 1874
Park Avenue
Brooklyn-Queens Expressway
Park Avenue
Cumberland Walk
Block 2044
Block 2045
Block 2046
7501
7502
2
7:36am
8:30am
9:30am
10:30am
11:30am
12:30pm
1:30pm
2:30pm
3:30pm
4:29pm
1
North
Legend
Project Site
Parapet wall above 8th Floor (94')
Roof above Bulkheads (95')
8:51am
Shadow Cast / Analysis Time
1
Wallabout Historic District
2
Roman Catholic Church of the Sacred Heart
Potentially Affected Neighborhood Asset


South Street
Flushing Avenue
Carlton Avenue
Adelphi Street
Clermont Avenue
Vanderbilt Avenue
Clinton Avenue
Waverly Avenue
Washington Avenue
NAVY YARD
Block 2030
Block 2031
Block 2032
Block 2033
Block 1872
Block 1873
Block 1874
Park Avenue
Brooklyn-Queens Expressway
Park Avenue
Cumberland Walk
Block 2044
Block 2045
Block 2046
7502
7:30am
8:30am
9:30am
10:30am
11:30am
12:30pm
1:30pm
2:30pm
3:30pm
4:30pm
5:18pm
6:27am
8:51am
North
Legend
Project Site
Parapet wall above 8th Floor (94')
Roof above Bulkheads (95')
Shadow Cast / Analysis Time
Wallabout Historic District
Roman Catholic Church of the Sacred Heart
Potentially Affected Neighborhood Asset


South Street
Flushing Avenue
Carlton Avenue
Adelphi Street
Clermont Avenue
Vanderbilt Avenue
Clinton Avenue
Waverly Avenue
Washington Avenue
NAVY YARD
Block 2030
Block 2031
Block 2032
Block 2033
Block 1872
Block 1873
Block 1874
Block 2044
Block 2045
Park Avenue
Brooklyn-Queens Expressway
Park Avenue
Cumberland Walk
5:57am
7:00am
8:00am
9:00am
10:00am
11:00am
12:00pm
1:00pm
2:00pm
3:00pm
4:00pm
5:00pm
6:01pm
North
Legend
Project Site
Parapet wall above 8th Floor (94')
Roof above Bulkheads (95')
8:51am
Shadow Cast / Analysis Time
1 Wallabout Historic District
2 Roman Catholic Church of the Sacred Heart
Potentially Affected Neighborhood Asset


New Shadows Cast on Church Facade
9:12am – 9:50am
South Street
Flushing Avenue
Carlton Avenue
Adelphi Street
Clermont Avenue
Vanderbilt Avenue
Clinton Avenue
Waverly Avenue
Washington Avenue
Park Avenue
Brooklyn-Queens Expressway
Park Avenue
Cumberland Walk
NAVY YARD
8:51am
9:49am
8:51am
Block 2030
Block 2031
Block 2032
Block 2033
Block 1872
Block 1873
Block 1874
Block 2044
Block 2045
North
Legend
Project Site
Parapet wall above 8th Floor (94')
Roof above Bulkheads (95')
Existing Building
8:51am
Existing Shadow / Analysis Time
8:51am
New Shadow / Analysis Time
1
Wallabout Historic District
2
Roman Catholic Church of the Sacred Heart
Potentially Affected Neighborhood Asset

# 9. HISTORIC AND CULTURAL RESOURCES

*Architecture*

The proposed development is located in the Wallabout section of Brooklyn's Community District 2. It includes one development site ("the Site") located at 205 Park Avenue (Block 2033, Lot 50) bound by Clermont Avenue to the west, Park Avenue to the south, Vanderbilt Avenue to the east, and Flushing Avenue to the north. The Site, which contains approximately 12,808 square feet of land area, is developed with a 12,096 square foot building standing 30 feet in height. The building was formerly used as a warehouse and office space and is now vacant. The Site contains 204.08' of frontage along Park Avenue, 43.75' of frontage along Clermont Avenue, and 84.33' of frontage along Vanderbilt Avenue. The structure is not a known historic resource.

To the west of the Site on Clermont Avenue is the Roman Catholic Church of the Sacred Heart, which has been designated a potential resource with the LPC and is S/NR eligible.

According to correspondence with the NYC Landmarks Preservation Commission on 2/26/15, See Appendix C), there is no potential for impacts related to architectural historic resources and no further analysis is warranted.

*Archaeology*

As noted below in the Hazardous Materials section, there are visible indications of a history of on-site storage, use or disposal of hazardous materials or petroleum products observed, such as chemical/oil stained surfaces, discarded drums or chemical containers, dead or dying vegetation, debris piles, etc.

According to correspondence with the NYC Landmarks Preservation Commission on 2/26/15 (see Appendix C), the affected properties are not known to contain any archaeological resources. Therefore, there is no potential for significant adverse impacts related to archaeological resources in the Project Area and further assessment is not warranted.

# 10. URBAN DESIGN AND VISUAL RESOURCES

A preliminary urban design screening assessment for the proposed action is required because the proposed project would introduce a new building on the applicant owned portion of the project site that would not be allowed under the existing zoning of the property. As relevant to the proposed project and stated in the *CEQR Technical Manual*:

A preliminary assessment is appropriate when there is the potential for a pedestrian to observe, from the street level, a physical alteration beyond that allowed by existing zoning, including the following:

1. Projects that permit the modification of yard, height, and setback requirements;

2. Projects that result in an increase in built floor area beyond what would be allowed 'as-of-right' or in the future without the proposed project.

The proposed action would result in the demolition of a vacant warehouse/office space on the applicant owned project site and the construction of a new mixed-use building that would not meet existing requirements, and would result in an increase in built floor area beyond what is allowed as-of-right.

## Urban Design

The Urban design characteristics of a neighborhood are composed of various components that define the character of the area: building bulk, use, type and arrangement, block form and street pattern, streetscape elements, street hierarchy, and natural features. These components are discussed below.

The proposed development would occupy Lot 50 (the Site), which encompasses the southern portion of Block 2033. Block 2033 is located north of Park Avenue and the Brooklyn-Queens Expressway (BQE), fronting Vanderbilt Avenue to the east, Flushing Avenue to the north and Clermont Avenue to the west. The Site currently contains a three-story vacant warehouse/office building, formerly part of the Navy Brig to the north, which was demolished in 2005 in anticipation of construction and development. Figure 10-1 illustrates the existing conditions on the site and a massing of the proposed development.

The remainder of the block has been under redevelopment since 2009 as part of the City-sponsored Navy Green redevelopment project, which rezoned the area to R8/C2-4 and anticipates two twelve-story structures, ten four-story townhouses along Clermont Avenue

and 13 townhouses along Vanderbilt Avenue, including over 8,000 square feet of retail and 10,000 square feet of community facility space. At the time of this application, two eight-story residential buildings have been constructed immediately adjacent to the Site and one 11-story building on the northern edge of the block.

***Building Bulk, Use, Type, and Arrangement***

Immediately adjacent to the Site (Lot 5) are two eight-story residential buildings, constructed as part of the Navy Green redevelopment project with frontage on Vanderbilt Avenue (Lot 1) and Clermont Avenue (Lot 2). At the northern edge of the block at the intersection of Flushing Avenue and Clermont Street, directly across from the entrance to the Brooklyn Navy Yard, is an eleven-story mixed use building (residential-commercial-community facility) on Lot 7501 also constructed as part of the Navy Green project. These newly constructed residential and mixed-use buildings reflect recently rezoned R8/C2-4 zoning, which is similar in bulk and form to the proposed R7D/C2-4 zoning district.

At the northern intersection of Clermont Avenue and Park Avenue/the BQE, to the west of block, there are one four-story and two three-story brownstone buildings fronting Clermont Avenue. One of the three-story brownstone buildings is bordering the property of the Roman Catholic Church of the Sacred Heart. The church owns several lots fronting both Adelphi Street and Clermont Avenue. To the north of the church, there is a large open space with an asphalt surface. Located further north is another building owned by the church (former rectory building). The lots to the north of the church property include several one to two-story car repair shops, garages and lots used as parking spaces. In addition there are one three and one four-story residential building. The area west of the Site is very heterogeneous, including a variety of building types, heights and uses. The area slopes downhill from the BQE towards the waterfront.

In contrast, the view of Vanderbilt Avenue, across the street from the Site to the east, is much more homogenous. Car and motorcycle uses are solely located on the northwest and southwest corner lots of the block. However, at this avenue, there is a continuous street wall including 13 mostly three- and four-story brownstones, which takes up more than half of the block's length. The brownstone buildings at Vanderbilt Avenue are predominantly residential, whereas non-residential uses are located in lower one- to two-story buildings at the intersections of Vanderbilt and Park Avenues, and Vanderbilt and Flushing Avenues.

As you move up the hill towards the Fort Greene neighborhood and away from the waterfront, the area becomes predominantly residential and uniform in character. Across the Site and on the other side of the BQE, is a mix of pre-Civil War era wood frame houses and three- and four-story brownstones. In 2011 the Landmarks Preservation Commission (LPC) approved the Wallabout Historic District, a 55-building area on Vanderbilt Avenue

between Park and Myrtle Avenues, to protect the character of this area and primarily preserve the largest collection of pre-Civil War era wood frame houses in New York City.

Overall, the area surrounding the Site includes an eclectic mix of building types and uses, as illustrated in Figures 10-1 through 10-5. The area does not have a particular distinct character, since it is very heterogeneous. However, a general pattern regarding building bulk, scale, and height can be observed. Buildings along Flushing Avenue have larger footprints and are taller than buildings on Clermont Avenue, Vanderbilt Avenue, or any other north-south bound street in the vicinity of the Site. Residential and mixed-use buildings on the north-south bound streets have small footprints and are up to four stories tall.

***Block Form, Street Pattern, and Street Hierarchy***

The area surrounding the Site is comprised of a typical New York street grid pattern, which leads to rectangular shaped blocks of similar size. The wider east-west bound streets in the vicinity of the Site are two-way streets, whereas the narrower north- and south-bound streets are predominantly one-way. The block on which the Site is located is bounded by Park Avenue and the elevated BQE to the south. The elevated BQE, which is approximately three-stories tall, is a dominant visual element in the neighborhood (See **Figure 10-1 and Figure 10-2**). Located on the north of the block is the Brooklyn Navy Yard, an area with its own street patterns and without recognizable blocks that extends over a distance of approximately 18 short blocks in an east-west direction. However, this area is not immediately visible of accessible to the public.

***Streetscape Elements***

The area surrounding the Site includes street trees, particularly to the south of Park Avenue and the BQE, where land use is predominantly residential, street trees are planted in regular patterns, are aged and well maintained. To the north of Park Avenue and the BQE, street trees are less common due to construction of the Navy Green project and those that exist are planted in irregular patterns.

At Vanderbilt Avenue close to Flushing Avenue, a NYCT bus shelter is located at the bus stop of the B69 bus line. Additionally, a CitiBike station is planned for east side of Clermont Avenue near Park Avenue, and will have 19 dock stations for bicycles. Above the BQE, a huge billboard directed towards drivers of the BQE is located on the lot of the Site.

***Natural Features***

No natural features are located in the vicinity of the Site.

Park Avenue facing west (Site at right)



Existing Site and Context

Park Avenue facing west (Site at right)



Proposed Project

Park Avenue facing east (Site at left)



Existing Site and Context

Park Avenue facing east (Site at left)



Proposed Project

*Assessment*

The design of the proposed development reflects the neighboring Navy Green development and the heterogeneous characteristics of the area discussed above. The tallest buildings are located on the northern end of the block at Flushing Avenue, near Vanderbilt Avenue and Clermont Avenue, standing twelve stories. These buildings reflect the height of the Brooklyn Navy Yard. Moving south and immediately adjacent to the Site, are two eight-story buildings (Lots 1 and 2). The height of the building being proposed would be seven stories and would be in scale with the existing buildings to the north. The BQE, which is elevated over Park Avenue, acts as a visual barrier that separates the Site visually from the Wallabout Historic District to the south.

Overall, the proposed development would not result in a building with substantially different bulk, size and scale than existing buildings in the area. In addition, the proposed uses are consistent with the pattern and recent developments of the surrounding neighborhood. The proposed building would contribute to the eclectic mix of building types in the area and as discussed above, would repeat the general pattern of taller buildings closer to the Brooklyn Navy Yard on the block. In addition, the proposed development would improve the area's visual quality by developed an underutilized and unoccupied warehouse. Therefore, no significant adverse impacts to the urban design character of the study area are anticipated as a result of the proposed action.

**Visual Resources**

The proposed development would be located on a lot that is surrounded by structures. To the east and west, at Vanderbilt Avenue and Clermont Avenue, respectively, there are one to four-story residential and industrial buildings. Adjacent to the Site and to the north are two existing eight-story residential buildings as part of the initial phase of the Navy Green project. To the south of the proposed development is the BQE, which is elevated over Park Avenue. On the other side of the elevated BQE is the Wallabout Historic District[2]. However, the BQE is elevated roughly three stories and separates the Wallabout Historic District from the proposed development (See **Figures 10-3 through 10-9**).

To the west of the Site on Clermont Avenue is the Roman Catholic Church of the Sacred Heart, which has been designated a potential resource with the LPC and is S/NR eligible.

[2] NYC Landmarks Preservation Commission



1. View of the Site from Vanderbilt Avenue, facing southwest.



2. View of the Site from Vanderbilt Avenue, facing west.



3. View of east side of Vanderbilt Avenue, facing southeast.






4. View of the Site from the intersection of Park Avenue and Vanderbilt Avenue, facing west.




5. View of the north side of Park Avenue, facing east from the Site.




6. View of the north side of Park Avenue, facing west (Site at right).





7. View of the Site from Park Avenue, facing northwest.



8. View along Park Avenue from underneath the Brooklyn Queens Expressway, facing west.



9. View of the south side of Park Avenue, facing southeast.





10. View of the south side of Park Avenue, facing southwest.



11. View of the Site from Park Avenue, facing northeast.




12. View of the north side of Park Avenue, facing west from the Site.




Photographs Taken on January 31, 2018

Figure 10-6

205 Park Avenue, Brooklyn

However, an existing eight-story building already separates the proposed development from the potential resource.

There are no natural resources or public review corridors to notable features or buildings in the immediate vicinity of the Site. Therefore, based on the criteria in the *CEQR Technical Manual,* the proposed development would not block a view corridor or views of a natural or built visual resource. In this context, the proposed development would not significantly alter views from streets. Therefore, no significant impacts related to visual resources are expected.

**Conclusion**

Overall, the proposed action would improve the urban design/visual character of the rezoning area by introducing a new mixed-use development on an underutilized lot. Accordingly, no impacts to the urban design and/or visual resources of the area are expected.



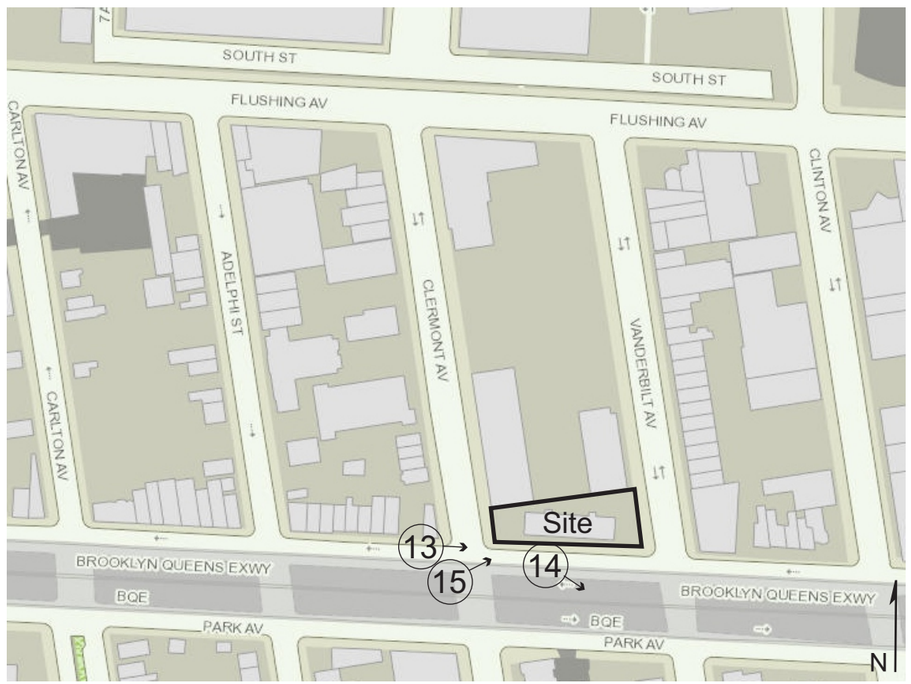
13. View of the north side of Park Avenue, facing east (Site at left).



14. View of the north side of Park Avenue facing southeast from the Site.



15. View of the Site from the intersection of Park Avenue and Clermont Avenue, facing northeast.




Photographs Taken on January 31, 2018

Figure 10-7

205 Park Avenue, Brooklyn




16. View of Clermont Avenue, facing south.



17. View of Clermont Avenue, facing north (Site at right).



18. View of the east side of Clermont Avenue, facing northeast (Site at right).





19. View of the west side of Clermont Avenue, facing northwest.



20. View of the sidewalk along the east side of Clermont Avenue facing north from Park Avenue (Site at right).




21. View of the sidewalk along the north side of Park Avenue facing west from Vanderbilt Avenue (Site at right)



# 12. HAZARDOUS MATERIALS

A hazardous material is any substance that poses a threat to human health or the environment. Substances that can be of concern but are not limited to, heavy metals, volatile and semivolatile 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 adverse 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.

In accordance with the *CEQR Technical Manual* guidelines, an assessment was conducted to determine whether the proposed action could lead to increased exposure of people or the environment to hazardous materials and whether the increased exposure would result in significant adverse public health impacts or environmental damage. A Phase I Environmental Site Assessment (ESA) was prepared for the Project Site, and its findings are summarized below.

### *Phase I Environmental Site Assessment*

EPDSCO, Inc. prepared a Phase I Environmental Site Assessment (ESA) for the Project Site, dated July 2014. The Phase I ESA identified three potential Recognized Environmental Concerns (RECs). These RECs were identified through visual reconnaissance on the site and visual screens, REC 2 was potentially identified through database search. A summary is provided below.

### *Site Reconnaissance*

**REC 1:** According to the New York City Department of Buildings records, approximately 407 square feet and 604 linear feet of asbestos-containing tank, pipe, and duct insulation were removed from the building between September and November of 2008 as part of a planned renovation. No suspected asbestos-containing thermal system insulation materials were observed in the building during the site visit, however, wall plaster and floor tiles were observed in some parts of the building. In addition, it is not known if the roofing materials on the building were previously tested for the presence of asbestos. Given the age of the building (constructed between 1941 and 1954), it is possible that these materials may contain asbestos.

**REC 2**: It is not known how the building was formerly heated (e.g., gas, oil, electricity, etc.). According to information in the database report, the adjoining U.S. Navy Receiving Barracks were formerly heated by oil with two underground fuel oil storage tanks. Although no indication was found, if the site building was formerly heated with oil, it is possible that an underground fuel oil tank may exist at the site. Any underground oil tanks discovered at the site during redevelopment of the property should be properly closed or removed in accordance with all applicable federal, state and local regulations.

**REC 3**: At the time of the site visit, most of the interior surfaces of the building had been removed. There was some paint observed on some interior surfaces, such as on structural columns and interior walls, which had not been removed. Given the age of the building, it is possible that the paints contain lead.

This assessment has revealed no other evidence of recognized environmental conditions in connection with the property. However, as indicated above, contamination may exist on the site. The Phase I was submitted to DEP and a response on November 6, 2014 (See Appendix D) indicates Phase II testing is required.

To avoid any potential impacts associated with hazardous materials, the Proposed Actions would map an (E) designation for hazardous materials on the Projected Development Site. The (E) designation would require Phase II testing prior to any ground disturbance on the Site. The text of the (E) designation is as follows:

**Block 2033, Lot 50**

The text of the (E) designation is as follows:

Due to the possible presence of hazardous materials on the aforementioned designated site, there is potential for contamination of the soil and groundwater. To determine if contamination exists and perform the appropriate remediation, the following tasks must be undertaken by the fee owners of the lot restricted by this (E) designation prior to any demolition or disturbance of soil on the lot.

*Task 1*

The owners of the lot restricted by this (E) designation will be required to prepare a scope of work for any soil, gas, or groundwater sampling and testing needed to determine if contamination exists, the extent of the contamination, and to what extent remediation may be required. The scope of work will include all relevant supporting documentation, including site plans and sampling locations. This scope of work will be submitted to the

OER for review and approval prior to implementation. It will be reviewed to ensure that an adequate number of samples will be collected and that appropriate parameters are selected for laboratory analysis.

No sampling program may begin until written approval of a work plan and sampling protocol is received from the OER. The number and location of sample sites should be selected to adequately characterize the type and extent of the contamination, and the condition of the remainder of the site. The characterization should be complete enough to determine what remediation strategy (if any) is necessary after review of the sampling data. Guidelines and criteria for choosing sampling sites and performing sampling will be provided by OER upon request.

*Task 2*

A written report with findings and a summary of the data must be presented to OER after completion of the testing phase and laboratory analysis for review and approval. After receiving such test results, a determination will be provided 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 necessary according to test results, a proposed remediation plan must be submitted to OER for review and approval. The fee owners of the lot restricted by this (E) designation must perform such remediation as determined necessary by OER. After completing the remediation, the fee owners of the lot restricted by this (E) designation should provide proof that the work has been satisfactorily completed.

An OER-approved construction-related health and safety plan would be implemented during excavation and construction activities to protect workers and the community from potentially significant adverse impacts associated with contaminated soil and/or groundwater. This Plan would be submitted to OER for review and approval prior to implementation.

With the implementation of the above (E) designation, no significant adverse impacts related to hazardous materials would result from the Proposed Actions.

# 16. TRANSPORTATION

## Introduction

In order to determine the potential for the proposed mixed-use development to result in significant adverse transportation impacts, trip generation screening analyses were performed pursuant to the methodologies identified in the *2014 CEQR Technical Manual.* Based on the proposed mixed-use development, it was determined that the proposed action would not result in significant adverse impacts as is summarized below.

## Proposed Action

The project site is located at 205 Park Avenue (Block 2033, Lot 50) in the Wallabout section of Brooklyn's Community District 2. The site is bound by Park Avenue to the south, Clermont Avenue to the west, Flushing Avenue to the north and Vanderbilt Avenue to the east.

The proposed actions would facilitate the construction of an 8-story and cellar building that would have a roofline height of 91' and a parapet wall height of 95'. The building would be a 71,725 zoning square foot (zsf) (85,886 gross square feet (gsf) including cellar area) mixed-use residential and commercial building. The 71,725 zsf development would have a total FAR of 5.6. The ground floor would contain residential lobby space and 7,908 square feet of commercial retail space. The second floor would contain 9,783 zsf of residential floor area. Floors three through six would each have 9,843 zsf of residential floor area. Floor seven would have 8,446 zsf of residential floor area and floor eight would have 2,255 zsf of residential floor area. In total, the building's eight floors would provide 70 housing dwelling units, 53 of which would be market rate and 17 of which would be considered affordable. The development would also include 29 parking spaces, all of which would be located in the 12,640 gsf cellar and which would be accessed via a curb cut along Vanderbilt Avenue. The building would also contain 29 enclosed bicycle parking spaces.

The existing structure on the property would be demolished as part of the proposed action. Absent the proposed action, the existing structure would remain unoccupied.

## ANALYSIS FRAMEWORK

The environmental assessments for transportation in this EAS are based on the future with-action scenario under the RWCDS and conservatively, no credit is assumed for the no-build transportation traffic, transit and pedestrian trips as described below.

### Level- One Screening

According to Table 16-1 of the *2014 CEQR Technical Manual*, the project site is located in Zone 4 where the development of a minimum of 200 dwelling units, 10,000 square feet of local retail space, 15,000 square feet of community facility space, or 60 off-street parking spaces would require a transportation analysis. Based on the combination of uses proposed in the development, a trip generation analysis is required.

The following Trip Generation analysis has been performed for the subject action, the results of which found that the proposed project would generate 10, 16, 14 and 14 vehicle trip ends during the AM, MD, PM and Saturday peak hours, respectively. The action would generate less than 50 vehicle trip ends during each peak hour time period, and in accordance with the *CEQR Technical Manual* criteria, would not result in any conditions that would typically trigger the need for a detailed assessment of traffic and parking impacts.

### Trip Generation Rates, Modal Split Data, and Sources

*Residential Component*

Project generated person and vehicular trips are based upon the rates and percent peak hours temporal distribution provided in the *2014 CEQR Technical Manual,* Table 16-2 for the residential portion of the development. The modal split information is based on the 5-Year 2011-2015 ACS Journey-to-Work (JTW) information for census tract numbers 185.01, 187, 191 and 211 in Brooklyn, NY. The *2014 CEQR Technical Manual* Table 16-2 was also applied in order to estimate the future truck trips for the residential component.

The results found that approximately 13% would travel by car, 0% would travel by taxi, 9% would travel by bus, 55% would travel by subway, 12% would travel by foot, and 11% would travel by other mode of travel, such as bicycle.

*Local Retail Component*

Project generated person and vehicular trips are based upon the rates and percent peak hours temporal distribution provided in the *2014 CEQR Technical Manual,* Table 16-2 for the local retail portion of the development. The modal split information is based on the *modal split information and vehicle occupancy rates provided in the East New York FEIS*, Tables 13-8 a, *reviewed and approved by the DCP and DOT agencies for local retail use.* The *2014 CEQR Technical Manual Table 16-2* was also applied in order to estimate the future truck trips for the residential component.

The results found that approximately 5% would travel by car, 1% would travel by taxi, 3% would travel by bus, 6% would travel by subway and 85 % would travel by foot.

The above trip generation information is summarized in Table 1 (see Appendix A).

**Person and Vehicle Trips**

*Person Trips*

The proposed project would generate a total of 113 two-way person trips during the AM peak hour time period, 388 two-way person trips during the Midday peak hour time period, 252 two-way person trips during the PM peak hour time period, and 276 two-way person trips during the Saturday peak hour time period, as summarized in Table 2 (see Appendix A).

*Vehicle Trips*

The proposed project would generate a total of 10 two-way vehicle trips during the AM peak hour time period, 16 two-way vehicle trips during the Midday peak hour time period, 14 two-way vehicle trips during the PM peak hour time period and 14 two-way vehicle trips during the Saturday peak hour time period, as summarized in Table 3 (see Appendix A).

The proposed action would generate less than 50 vehicle trip ends during each peak hour time period, and in accordance with the *CEQR Technical Manual* criteria, would not result in any conditions that would typically trigger the need for a detailed assessment of traffic and parking impacts.

**Transit and Pedestrians**

*Bus Trips*

The proposed action would generate a total of 7 two-way bus trips during the AM peak hour time period, 13 two-way bus trips during the Midday peak hour time period, 11 two-way bus trips during the PM peak hour time period and 11 two-way bus trips during the Saturday peak hour time period, as summarized in Table 2 (see Appendix A).

The proposed action would generate less than 200 bus trip ends/and 50 bus trip ends per bus per direction during each peak hour time period, and in accordance with the *CEQR Technical Manual* criteria, would not result in any conditions that would typically trigger the need for a detailed assessment of bus impacts.

*Subway Trips*

The proposed action would generate a total of 35 two-way subway trips during the AM peak hour period, 37 two-way subway trips during the Midday peak hour time period, 46 two-way subway trips during the PM peak hour time period and 43 two-way subway trips during the Saturday peak hour time period, as summarized in Table 2 (see Appendix A).

The proposed action would generate less than 200 subway trip ends during each peak hour time period, and in accordance with the *CEQR Technical Manual* criteria, would not result in any conditions that would typically trigger the need for a detailed assessment of subway impacts.

*Pedestrian Trips*

The proposed action would generate a total of 103 two-way pedestrian (bus, subway, walk and other) trips during the AM peak hour period, 363 two-way pedestrian trips during the Midday peak hour time period, 232 two-way pedestrian trips during the PM peak hour time period and 253 two-way pedestrian trips during the Saturday peak hour time period, as summarized in Table 2 (see Appendix A).

The proposed action would generate more than 200 pedestrian trip ends during the Midday, PM and Saturday peak hours, and because of several pedestrian ingress and egress points, no pedestrian element would experience more than 200 pedestrian trip ends during any peak hour, and in accordance with the *CEQR Technical Manual* criteria, would not result in any conditions that would typically trigger the need for a detailed assessment of pedestrians impacts.

*Conclusion*

The project would not result in 200 or more transit trips or 200 or more pedestrian trips at any pedestrian elements in the study area during all peak hours. Therefore, and in accordance with the threshold guidelines as detailed in the 2014 *CEQR Technical Manual*, the proposed action is not expected to result in significant adverse impacts related to transit or pedestrian conditions. Specifically, the proposed action is unlikely to have a significant

effect on traffic flow, operating conditions, vehicular safety, transit provision, and pedestrian safety.

# 17. AIR QUALITY

## I. INTRODUCTION

The Project Site is located in the Wallabout section of Brooklyn, on the southern portion of the block bounded by Vanderbilt Avenue to the east, Flushing Avenue to the north, Clermont Avenue to the west, and Park Avenue and the Brooklyn Queens Expressway (BQE) to the south (on Block 2033, Lot 50). The proposed development is a 8-story mixed-use residential building on the southern portion of the block at the corners of Flushing and Clermont Avenues and Flushing and Vanderbilt Avenues.

The Proposed Action would alter land uses in the study area and allow residential use on a block where the existing zoning permits only commercial and industrial activity.
Air quality, which is a general term used to describe pollutant levels in the atmosphere, would be affected by these changes. The air quality impacts that were addressed in this analysis are:

- 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 potential for significant air quality impacts from the emissions of "major" existing emission sources (i.e., HVAC systems with 20 or more million Btu/hour heat input) located within 400 feet of the proposed development as well as large (e.g., power generating) facilities located within 1,000 feet of the proposed development;
- The potential for air toxic emissions released from existing industrial facilities to significantly impact the proposed development;
- The potential for changes in vehicular travel associated with proposed development activities to result in significant mobile source (vehicular related) air quality impacts; and
- The potential for emissions generated by vehicles traveling on the BQE to significantly impact air quality levels at the proposed development.

The potential air quality impacts of these emissions were estimated following the procedures and methodologies prescribed in the *New York City Environmental Quality Review 2014 Technical Manual (CEQR TM)*.

## II. AIR POLLUTANTS AND APPLICABLE STANDARDS/GUIDELINES

### Relevant Air Pollutants

The EPA has identified several pollutants, which are known as criteria pollutants, as being of concern nationwide. The criteria pollutants associated with heating, ventilation and air conditioning (HVAC) are nitrogen dioxide ($NO_2$), particulate matter smaller than 10 microns ($PM_{10}$), particulate matter smaller than 2.5 microns ($PM_{2.5}$), and sulfur dioxide ($SO_2$) – were considered for the stationary source (HVAC) analysis. Pollutants considered for the mobile source analysis are carbon monoxide (CO), $PM_{2.5}$, and particulate matter smaller than 10 microns ($PM_{10}$).

### Applicable Air Quality Standards and Significant Impact Criteria

As required by the Clean Air Act, National Ambient Air Quality Standards (NAAQS) has been established for the criteria pollutants by the EPA. The NAAQS are concentrations set for each of the criteria pollutants in order to protect public health and the nation's welfare, and New York has adopted the NAAQS as the State ambient air quality standards.

In addition to the NAAQS, the *CEQR TM* requires that projects subject to *CEQR* apply a $PM_{2.5}$ significant impact criteria (based on concentration increments) developed by the New York City Department of Environmental Protection (NYCDEP) to determine whether potential adverse $PM_{2.5}$ impacts was significant. If the estimated impacts of a proposed project are less than these increments, the impacts are not considered to be significant. This analysis addressed compliance of the potential impacts with the 24hour and annual $PM_{2.5}$ *CEQR* significant impact criteria (for both stationary and mobile source analyses).

This analysis also addressed compliance of the potential impacts with the 1-hour and annual $NO_2$, 24-hour $PM_{10}$, and 1, 3, 24-hour, and annual $SO_2$ NAAQS for stationary sources, and the 24-hour $PM_{10}$ and 8-hour CO NAAQS for mobile sources.

The current standards that were applied to this analysis, together with their health-related averaging periods, are presented in Table 17-1

**TABLE 17-1. Applicable National Ambient Air Quality Standards**

| Pollutant | Averaging Period | National and State Standards |
|---|---|---|
| NO2 | 1 Hour | 0.10 ppm (188 µg/m3) |
| | Annual | .053 ppm (100 µg/m3) |
| PM2.5 | 24 Hour | 35 µg/m3 |
| | Annual | 12 µg/m3 |
| PM10 | 24 Hour | 150 µg/m3 |
| CO | 8 Hour | 9 ppm |
| $SO_2$ | 1-Hour | 0.075 ppm (196 µg/m3) |
| | 3-Hour | 0.050 ppm (1,300 µg/m3) |
| | 24-Hour | 0.14 ppm (365 µg/m3) |
| | Annual | 0.03 ppm (80 µg/m3) |

**PM2.5 CEQR Significant Impact Criteria**

*CEQR TM* guidance includes the following criteria for evaluating significant adverse $PM_{2.5}$ incremental impacts:

> *Predicted 24-hour maximum $PM_{2.5}$ concentration increase of more than half the difference between the 24-hour $PM_{2.5}$ background concentration and the 24-hour standard.*

The 24-hour $PM_{2.5}$ background concentration of 20.5 µg/$m^3$ was obtained from Brooklyn JHS-126 monitoring station. It was compiled by the NYCDEP as the average of the 98$^{th}$ percentile for the latest 3 years of available monitoring data collected by the NYSDEC for 2014-2016. As the applicable background value is 20.5 µg/$m^3$, half of the difference between the 24-hour PM2.5 NAAQS and this background value is 7.25 µg/$m^3$. As such, a significant impact criterion of 7.25 µg/$m^3$ was used for determining whether the potential 24-hour $PM_{2.5}$ impacts of the proposed development are considered to be significant.

For annual average adverse $PM_{2.5}$ incremental impact, according to *CEQR* guidance:

> *Predicted annual average $PM_{2.5}$ concentration increments greater than 0.3 $\mu g/m^3$ at any receptor location for stationary sources.*

The above 24-hour and annual significant impact criteria were used to evaluate the significance of predicted $PM_{2.5}$ impacts.

## III. STATIONARY SOURCE ANALYSIS

### CEQR Screening Analysis

A review of existing land uses within 400 feet of the project site via the New York City Open Accessible Space Information System (OASIS) Land Use interactive mapping application, Google imaging map, and Navy Green EAS shows that one taller existing residential building is located near the proposed development. This is a 12-story building located at 130 Flushing Avenue (on Block 2033, Lot 7501). The review also shows that two 8-story existing buildings are located at 42 Vanderbuilt Avenue (on Block 2033, Lot 1) and 45 Clermont Avenue (on Block 2033, Lot 2) and are directly adjacent to the proposed project.

The building at 42 Vanderbuilt Avenue is 82 feet high and the building at 45 Clermont Avenue is 85 feet high, where the height of the proposed project is 91 feet. As such, the proposed project has the potential to significantly impact the air quality of these buildings if its height is similar to or less than these buildings. Therefore, an E Designation was added to restrict the proposed project height to more than 85 feet.

Based on *CEQR* recommendations, a preliminary screening analysis is to be conducted as a first step to predict whether the potential impacts of the heat and hot water system boiler emissions can be significant. This *CEQR* screening procedure is applicable to buildings that are not less than 30 feet from the nearest building of similar or greater height. Otherwise, a detailed dispersion analysis is required. As such, a screening analysis was conducted for the one building located on Block 2033, Lot 7501, which is more than 30 feet away from proposed development.

The total square footage of the proposed development (85,886 square feet) was used in the analysis and the *CEQR* generic nomograph depicted on Figure 17-3 of the *CEQR TM* for a 30-foot stack height was applied (as the 30 feet curve height is closest to but not higher than the proposed stack height, as the *CEQR* screening procedure requires). This nomograph depicts size of the development (regardless of the type of the pollutant) versus distance

below which the potential impact can occur, and provides a conservative estimate of the threshold distance.

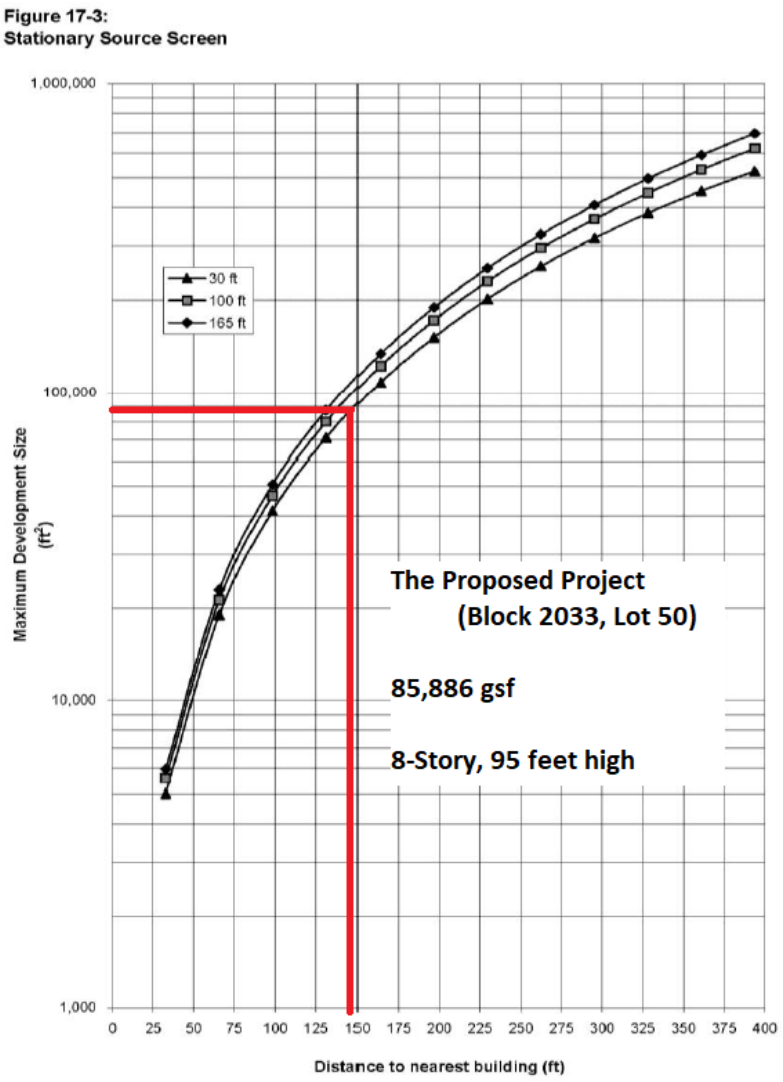
If the actual distance between a stack and the affected building is greater than the threshold distance for a building size, then that building passes the screening analysis (and nosignificant impact is predicted). However, if the actual distance is less than the threshold distance for a building, then there is a potential for a significant impact and a detailed analysis would be required.

The threshold distance for the proposed development was determined to be 147 feet while the actual distance between the lot line of the existing building at 130 Flushing Avenue and the lot line of the proposed project is 192 feet. Figure 17-1 displays the distance between the proposed project and the building at 130 Flushing Avenue, and Figure 17-2 shows the CEQR nomograph.

**Figure 17-1. Distance between lots 50 and 7501 on Block 2033 Measured in ZoLa.**



**Figure 17-2. Minimum Distance Screen – All Fuels Nomograph.**




As seen, the proposed project passes the CEQR screening analysis. Therefore, the emissions from the proposed project HVAC system would not significantly impact any of the existing land uses, and no further analysis for this building is required.

**Existing "Major" Emission Sources**

A review of existing land uses near the project site via OASIS application and Google imaging map did not find any existing commercial, institutional, or residential developments with a combined heat input of 20 or more million Btu per hour located

within 400 feet of the proposed development. As such, no analysis of a "major" existing emission source was warranted.

**Large Existing Combustion Emission Sources**

No existing large combustion sources, such as power plants, cogeneration facilities, etc., located within 1,000 feet of the proposed development were identified. As such, no analysis was warranted.

**Toxic Air Emissions from Industrial Facilities**

Information regarding emissions of toxic air pollutants from existing industrial sources was developed using the following procedure:

- A study area was developed that includes all industrial facilities with air toxic emissions located within 400 feet of the affected development using OASIS application;
- A search was performed to identify permits listed in the EPA Envirofacts database in this study area;
- The formal request with blocks and lot numbers necessary to identify industrial source permits within 400 feet of the development was submitted to NYCDEP; and
- Air permits for active permitted industrial facilities within 400 feet of the proposed development sites that are included in the DEP Clean Air Tracking System database (or permit applications) were acquired to obtain the information necessary to conduct the toxic air analysis.

The result of this review is that there are no industrial facilities currently operating with active permits located within 400 feet of the proposed development. As such, no toxic pollutant analysis is warranted.

## IV. MOBILE SOURCE ANALYSIS

Projects may result in significant mobile source impacts when they create mobile sources of pollutants, change traffic pattern, or add new uses near mobile sources of pollutants. Per CEQR guidelines, a detailed analysis is conducted to predict whether the proposed actions could potentially have a significant adverse air quality impact if certain threshold criteria are met or exceeded, while proposed projects that do not meet or exceed the threshold criteria (screen out) are not expected to have a mobile source impact. As such, projects that require a detailed analysis model the ambient air CO and $PM_{10}/PM_{2.5}$ concentrations—the mobile source pollutants of concern—and compare the modeled concentrations with the applicable air quality standard.

Mobile source impacts are a function of vehicular related emissions and the pollutants dispersion. In a detailed analysis, the emission rates of vehicular mechanical components are generated with the latest EPA's Mobile Vehicle Emission Simulator 2014a version (MOVES2014a), and emission of dust generated by vehicle travelling on each paved roadway (hereinafter "link") are added to estimate total particulate matter emission rates. The pollutants' concentrations at sensitive receptors are modeled with the EPA's CAL3QHC/R or AERMOD Gaussian dispersion models. Dispersion analysis of parking facilities may use the spreadsheet and formula referenced in the *CEQR TM Appendices.*

### Mobile Source Screen

*Project-Generated Traffic*
Per the *CEQR TM*, localized increases in CO and $PM_{2.5}$ levels may result from increased vehicular traffic volumes and changed traffic patterns in the study area as a consequence of the proposed development. As such, screening analyses for CO and $PM_{2.5}$ were carried out to determine whether the project-generated traffic have the potential to cause significant impact. The project-generated traffic is the vehicular trips in any given hour, determined as the difference between the Future With No-Action and the Future With Action.

For this area of the City, the threshold volume for a detailed analysis of CO impact is an increment of 170 vehicles. For $PM_{2.5}$ an increment of 50 vehicles traveling through an intersection is the threshold criterion.

As outlined in the Transportation chapter, the proposed project would generate 10, 16, 14, and 14 vehicle trip ends during the AM, MD, PM and Saturday peak hours, respectively. The action would not meet or exceed the 170 vehicular increment and would not meet or exceed the increment of 50 vehicles traveling through an intersection. Therefore, no CO or $PM_{2.5}$ detailed air quality analysis is required.

*Parking Garage*
Based on CEQR recommendations, the maximum capacity of a parking garage is evaluated against a threshold criterion to predict whether the potential impacts associated with mobile source emissions are significant. The threshold criteria level, sited in the *CEQR TM* Table 16-1 in conjunction with the *CEQR TM* Map 16-1, is based on the location of the project. If the threshold is met or exceeded, a detailed analysis is warranted.

The proposed project would contain 29 accessory parking spaces. The *CEQR TM* situate the Project Area in Zone 4, as it is within 1.0 mile of a subway station. The threshold criteria that would trigger a detailed analysis in Zone 4 is 60 parking spaces. As the proposed project does not exceed the parking spaces threshold, no detailed air quality analysis is required and no significant mobile source air quality impacts are expected as a result of the parking facility.

*Brooklyn Queens Expressway – I-278*
According to *CEQR TM*, projects that would result in new sensitive uses within 200 feet of an atypical roadways may result in significant mobile source air quality impacts. These impacts are estimated at sensitive receptors located at air intakes, operable windows, adjacent sidewalks, and terraces of the receptor building.

The proposed development would be located approximately 30 feet from the vehicular travel lanes of the BQE. At this location, the expressway is approximately 30 feet elevation above grade, and as such, the roadway is categorized as an atypical roadway. In addition, the Park Avenue roadway runs at grade and under the BQE. As such, and per CEQR recommendation, the Park Avenue roadway was also categorized as an atypical roadway. Because of the roadways proximities to the proposed development, the vehicular emissions from the BQE and Park avenue traffic have the potential to significantly impact the air quality levels at receptors (e.g., operable windows) of the proposed development. Therefore, a detailed analysis using MOVES2014a and AERMOD was conducted.

**Detailed Analysis**

The proposed development would be located approximately 30 feet from the vehicular travel lanes of the BQE. Because of this proximity, vehicular emissions from BQE and the Park Avenue traffic have the potential to significantly impact air quality impact levels at receptors (e.g., operable windows) of the proposed development. Three pollutants, with their corresponding averaging time periods, were considered for this analysis: 1-hour and 8-hour CO, 24-hour and annual $PM_{2.5,}$ and 24-hour $PM_{10}$.

The BQE is an elevated 3-lane in each direction highway. It runs 30 feet above-grade immediately south of the proposed development. Park Avenue is a 2-lane in each direction minor arterial roadway (functional class 16). The left lane in each direction is under the elevated BQE platform. However, all the Park Avenue travel lanes were considered in the analysis. The two roadways are discussed here:

*BQE (I-278)*
The BQE hourly traffic count was obtained from the New York State Department of Transportation (NYSDOT) for station 020020. The traffic was conducted at May 2011. The traffic count report included the eastbound and westbound volumes by vehicle classification. The *CEQR TM Table 16-4: Annual Background Growth Rates* of 0.250% was used to account for the general background traffic growth. This annual growth rate is applicable for Other Brooklyn section of the city and 6 years and beyond, assuming 2018 build year.

Vehicle speed in each direction were obtained from the City of New York Department of Transportation (NYCDOT) for the BQE segment between Atlantic Avenue and Leonard Avenue at 2016. This data, available through NYC Open Data website, contained approximately 183,000 data points in 2016. Per the NYCDOT, the metadata is obtained by sensors. The NYCDOT data was compiled and the average speed in each direction for each hour of the day calculated. The Tier 1 approach assumed the slowest hourly weighted average speed in each direction independently. The Tier 2 approach used the weighted average slowest speed corresponding to the modeled period in the day.

*Park Avenue*
The Park Avenue westbound AM, MD, and PM hourly traffic count and classification were obtained in field measurements, presented in the Noise Section Table 19-2, and extrapolated for a full hour (actual count multiplied by 3). The traffic count was conducted in 2014. Therefore, the *CEQR TM Table 16-4: Annual Background Growth Rates* of 0.50% was applied to predict the traffic volume at 2018. The eastbound traffic used the westbound traffic count adjusted for the ratio of eastbound to westbound traffic volumes with the NYSDOT traffic count for Park Avenue station 022031, located at Emerson Place. The NYSDOT traffic count was conducted throughout an April 2011 week. This data shows that the eastbound traffic is approximately 75% of the westbound traffic. The eastbound vehicle classification applied the field measurement classification.

Vehicle speed in each direction were obtained from Google Maps for Tuesday typical traffic. This data is provided in four equal size bins. Assuming a maximum speed of 25 mph, each bin is 6.25 mph. The Tier 1 approach assumed the slowest speed in each direction independently. The Tier 2 approach used the slowest speed corresponding to the modeled period in the day.

*Emission Factors*

The EPA's MOVES2014 emission factor algorithm was used to estimate CO, $PM_{10}$, and $PM_{2.5}$ emission factors. MOVES can be used to calculate emission rates of criteria air pollutants, greenhouse gas emissions, and some hazardous air pollutants for both onroad motor vehicles and nonroad equipment. MOVES models calculate emissions at the national, county, and project level by use of databases and by specifying the characteristics (Run Specification) of the scenario that is modeled.

For project level analyses, MOVES require the use of site-specific input data of traffic volume, vehicle type, fuel parameters, age distribution, and other input rather than the use of national default data. When conducting a project-scale analysis, MOVES also requires the analysis to be performed with no pre-aggregation (i.e., averaging) of input data. The software outputs either total emission per hour per link in inventory mode or as an activity rate (emission per vehicle per mile traveled) in emission rate mode.

Modeling inputs for inspection/maintenance, fuel supply, fuel formulation, age distribution, meteorology, etc., were all provided by the NYSDEC for the borough of Brooklyn, year 2018. The Primary total CO, $PM_{2.5}$, and $PM_{10}$ and primary $PM_{2.5}$ species running and crankcase exhaust, with primary $PM_{2.5}$ and $PM_{10}$ brake and tire wear emissions, were all included in the Run Specification.

To correlate the MOVES2014a emissions to the AERMOD dispersion analysis, links in MOVES2014a and in AERMOD were modeled for a length of 0.37879 miles (2,000 feet).

Post-processing was conducted using the MOVES MySQL Workbench data management software application to extract the emission factors from MOVES output for each link considered in the analysis. These emission factors, together with traffic volumes on each link, were used to model nearby roadway links in the AERMOD dispersion analysis.

In addition to exhaust running $PM_{2.5}/PM_{10}$ emissions, vehicle-related $PM_{2.5}/PM_{10}$ emissions of dust generated by vehicles traveling on paved roadways were added to estimate total particulate matter emission factors. Depending of the silt content on a road, re-entrained road dust can be a significant contributor to the total $PM_{2.5}/PM_{10}$ concentrations. NYCDEP recommends silt loading factor for expressways and limited access roadways of 0.015 $g/m^2$ and 0.1 $g/m^2$ for principle and minor arterial type roadways, and an average vehicle weight of 6,000 pounds. These factors with the equation from Section 13.2.1-3 of EPA's AP-42 were used to calculate each link emission. In addition, based on DEP guidance, the conservative assumptions of "dry" road condition was used for the short-term calculation (precipitation reduced silt loading).

The Tier 1 (peak hour traffic conditions) traffic data and the MOVES emission rates generated for the hour of 16:00-16:59 PM are shown in Table 17-3.

***Table 17-3. Tier 1 Traffic Count and Speed, and Emission Rates.***

| | BQE - Northbound | | | BQE - Southbound | | |
|---|---|---|---|---|---|---|
| **Pollutant/ Averaging Time** | **Link Volume** | **Speed (mph)** | **Emission Rate (g/hour)** | **Link Volume** | **Speed (mph)** | **Emission Rate (g/hour)** |
| CO 1&8-hour | 5,097 | 13.37 | 5477 | 4,030 | 11.93 | 4562 |
| PM10 24-hour | | | 511.1 | | | 398.6 |
| PM2.5 24-hour | | | 175.5 | | | 133.4 |
| PM2.5 Annual | | | 172.6 | | | 131.2 |
| | **Park Avenue - Eastbound** | | | **Park Avenue - Westbound** | | |
| CO 1&8-hour | 659 | 12.5 | 874 | 866 | 12.5 | 1148 |
| PM10 24-hour | | | 134.0 | | | 176.1 |
| PM2.5 24-hour | | | 39.8 | | | 52.3 |
| PM2.5 Annual | | | 37.7 | | | 49.5 |

The hourly traffic data and corresponding speed data were used to generate four peak period hourly emission factor for the Tier 2 analysis of $PM_{2.5}$ 24-hour averaging times. MOVES2014a was run four times, at 8:00-8:59, 14:00-14:59, 18:00-18:59, and 22:00-22:59. Each link assumed maximum traffic volume and slowest speed corresponding to the period in the day. This simulated traffic drive schedule during the AM, MD, PM, and overnight hours. The Tier 2 traffic data and emission rates are shown in Table 17-4.

***Table 17-4. Tier 2 Traffic Count and Speed, and the PM2.5 24-hour and Annual Emission Rates.***

| | BQE - Northbound | | | BQE - Southbound | | |
|---|---|---|---|---|---|---|
| **Hour ID** | **Volume** | **Speed (mph)** | **Emission (g/hr)** | **Volume** | **Speed (mph)** | **Emission (g/hr)** |
| AM | 3,296 | 25.96 | 78.1 | 4,030 | 26.59 | 92.0 |
| MD | 3,909 | 16.04 | 94.4 | 3,758 | 21.33 | 108.2 |
| PM | 5,097 | 13.37 | 176.2 | 4,022 | 11.93 | 159.3 |

| | | | | | | |
|---|---|---|---|---|---|---|
| ON | 2,682 | 30.22 | 52.2 | 2,536 | 36.09 | 43.4 |
| | **Park Avenue - Eastbound** | | | **Park Avenue – Westbound** | | |
| AM | 562 | 12.50 | 36.6 | 753 | 12.50 | 49.0 |
| MD | 336 | 12.50 | 22.2 | 450 | 12.50 | 29.7 |
| PM | 659 | 18.75 | 36.0 | 866 | 12.50 | 52.5 |
| ON | 244 | 18.75 | 13.4 | 362 | 18.75 | 19.8 |

*Gaussian Dispersion*

The dispersion analysis of the BQE and Park Avenue traffic emissions impact on the residential uses of the proposed development was conducted using the latest version of USEPA's AERMOD dispersion model version 16216r. The default regulatory option and elevated terrain were specified.

All dispersion analyses used the calculated emission factors, elevated terrain, and elimination of calms. The default urban roughness coefficient of 1.0 meter with a population of 2,000,000 were used.

Vehicle activities on each link were simulated as single 10 meter wide by 609 meter (2,000 feet) long area source. This length corresponds to the links length specified in the MOVES.

AERMOD sources, building, and receptors specified base heights of 0. The EPA PM-Hot Spot 3-Day Training fleet volume-weighted average procedure was used to calculate the source release height and its initial vertical dimension. A source release height of 1.3 meter and 3.4 meter for light-duty and heavy-duty vehicle respectively were applied. The BQE 30 feet elevation above grade was added to its calculated release height. The source initial vertical dimension of 2.6 meter and 6.8 meter for light-duty and heavy-duty vehicle respectively were applied to account for the vehicle-induced turbulence. The Tier 2 analysis calculated these factors for each peak hour period.

Receptors were placed in 10-foot interval all around the building façade, and at 6 feet height and 15 to 85 feet heights also in 10 feet increments.

*Meteorological Data*

All analyses were conducted using the latest five consecutive years of meteorological data (2012-2016). Surface data was obtained from La Guardia Airport and upper air data was obtained from Brookhaven station, New York. Data was processed by Lakes Environmental Software, Inc. using the current EPA AERMET version (14134) and EPA procedures. These meteorological data provide hour-by-hour wind speeds and directions, stability states, and temperature inversion elevations over the 5-year period.

Meteorological data were combined to develop a 5-year set of meteorological conditions, which was used for the AERMOD modeling runs and Anemometer height of 9.4 meters was specified per Lakes Environmental Software Inc.

Per Lakes Environmental Inc., $PM_{2.5}$ special procedure which is incorporated into AERMOD calculates concentrations at each receptor for each year modeled, averages those concentrations across the number of years of data, and then selects the highest values across all receptors of the 5-year averaged highest values.

**Dispersion Analysis Results**

The predicted concentrations of the 24-hour $PM_{2.5}$ and CO 8-hour were compared with the NYC Interim Guideline; the annual $PM_{2.5}$, $PM_{10}$, and CO 1-hour predicted concentrations were added to the background concentrations, and compared with the NAAQS. Table 17-5 shows the dispersion analysis results, where the PM2.5 24-hour required a tier 2 approach with four peak period traffic. **Error! Not a valid link.**

***Table 17-5. Tier 1 Dispersion Analysis Results.***

| Pollutant and Averaging time | Unit | Modeled Concentration | Concentration With background | Threshold Criteria | |
|---|---|---|---|---|---|
| | | | | Standard | Concentration |
| $PM_{2.5}$ 24-hour | $\mu g/m^3$ | 5.61 | N.A. | *de minimis* | 7.25 |
| $PM_{2.5}$ Annual | $\mu g/m^3$ | 2.22 | 10.8 | NAAQS | 12 |
| CO 1hour | ppm | 1.04 | 2.64 | NAAQS | 35 |
| CO 8hour | ppm | 0.41 | N.A. | *de minimis* | 3.95 |
| $PM_{10}$ 24hour | $\mu g/m^3$ | 25.2 | 69.2 | NAAQS | 150 |

As seen in Table 17-5, the $PM_{2.5}$ 24-hour averaging time and CO 8-hour averaging time concentrations do not exceed the *de minimis,* and the $PM_{10}$ 24-hour, CO 1-hour, and $PM_{2.5}$ annual averaging times concentrations are within the NAAQS. Therefore, no significant adverse air quality impacts are expected to the proposed project from the BQE and the Park Avenue mobile source emissions.

## V. CONCLUSION

The result of the stationary source analysis is that no significant adverse air quality impacts from the HVAC emissions of the proposed development on existing land uses are predicted, but an E-designation for the stack height is warranted. The result of the mobile source analysis is that potential air quality impacts from vehicular traffic on BQE on the proposed development were found to be insignificant.

The results of the detailed analysis conclude that an (E) designation would be required to restrict the stack location to the bulkheads of each building as specified on the project plans and the exclusive use of natural gas as a fuel oil in the HVAC systems of the Proposed Development.

The text of the (E) designation (E-464) would be as follows:

*Block 2033, Lot 50*
**Any new development on the above-referenced property must ensure that the HVAC stack(s) is located at highest tier and at least 95 feet above grade to avoid any significant adverse air quality impacts.**

As such, no significant air quality impacts are associated with the proposed development.

# 19. NOISE

## Subject Site

The proposed action would allow for conversion of a vacant factory at a site located on the north side of Park Avenue between Vanderbilt Avenue and Clermont Avenue within the Clinton Hill neighborhood of Brooklyn, NY. With the elevated Brooklyn-Queens Expressway (I-278) located above Park Avenue, directly to the south of the subject site, commercial vehicular traffic is the predominant source of noise, and therefore the proposed development warrants an assessment of the potential for adverse effects on project occupants from ambient noise. The proposed redevelopment of the building would not create a significant 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. This noise assessment is limited to an assessment of ambient noise that could adversely affect occupants of the development.

The project site is identified as Tax Block 2033, Lot 50 located on the north side of Park Avenue between Clermont Avenue and Vanderbilt Avenue. Clermont and Vanderbilt Avenues are both two-way streets with one moving lane in each direction, and their intersections with Park Avenue are controlled by traffic lights. The B69 bus operates on Vanderbilt Avenue adjacent to the project site's eastern side. Park Avenue has two moving lanes in either direction, and a wide median with parking. The B62 operates on Park Avenue in front of the project site. The Brooklyn-Queens Expressway is elevated over the median, and has three lanes in either direction in this area. The area in which the subject property is located is primarily residential and industrial. The subject property is currently a vacant, three-story, brick construction manufacturing building.

## 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. The following Table 19-1 lists some noise levels for typical daily activities.

**Table 19-1 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: 2014 CEQR Technical Manual*

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 weighting networks used are the A- and C- weighting networks. 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-weighted network is the most commonly used, 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 19-2**
**Noise Exposure Guidelines For Use in City Environmental Impact Review[1]**

| Receptor Type | Time Period | Acceptable General External Exposure | Airport[3] Exposure | Marginally Acceptable General External Exposure | Airport[3] Exposure | Marginally Unacceptable General External Exposure | Airport[3] Exposure | Clearly Unacceptable General External Exposure | Airport[3] Exposure |
|---|---|---|---|---|---|---|---|---|---|
| 1. Outdoor area requiring serenity and quiet[2] | | $L_{10} \leq 55$ dBA | ----------$L_{dn} \leq 60$ dBA---------- | | ----------$60 < L_{dn} \leq 65$ dBA---------- | | (I) $65 < L_{dn} \leq 70$ dBA, (II) $70 \leq L_{dn}$ | | ----------$L_{dn} \leq 75$ dBA---------- |
| 2. Hospital, nursing home | | $L_{10} \leq 55$ dBA | | $55 < L_{10} \leq 65$ dBA | | $65 < L_{10} \leq 80$ dBA | | $L_{10} > 80$ dBA | |
| 3. Residence, residential hotel, or motel | (7 AM to 10 PM) | $L_{10} \leq 65$ dBA | | $65 < L_{10} \leq 70$ dBA | | $70 < L_{10} \leq 80$ dBA | | $L_{10} > 80$ dBA | |
| | (10 PM to 7 AM) | $L_{10} \leq 55$ dBA | | $55 < L_{10} \leq 70$ dBA | | $70 < L_{10} \leq 80$ dBA | | $L_{10} > 80$ dBA | |
| 4. School, museum, library, 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 not increase the ambient noise level by 3 dB(A) or more.
[1] Measurements and projections of noise exposures are to be made at appropriate heights above site boundaries as given by American National Standards Institute (ANSI) Standards; all values are for the worst hour in the time period.
[2] Tracts of land where serenity and quiet are extraordinarily important and serve 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 $L_{dn}$ contours supplied by the Port Authority, or the noise contours may be computed from the federally approved INM Computer Model using flight data supplied by the Port Authority of New York and New Jersey.
[4] External Noise Exposure standards for industrial areas of sounds produced by industrial operations other than operating motor vehicles or other transportation facilities are spelled out in the 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 octave band standards).
Sources: New York City Department of Environmental Protection (adopted policy 1983).

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.

- $L_{eq(24)}$ 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.

**Table 19-3**
**Required Attenuation Values To Achieve Acceptable Interior Noise Levels**

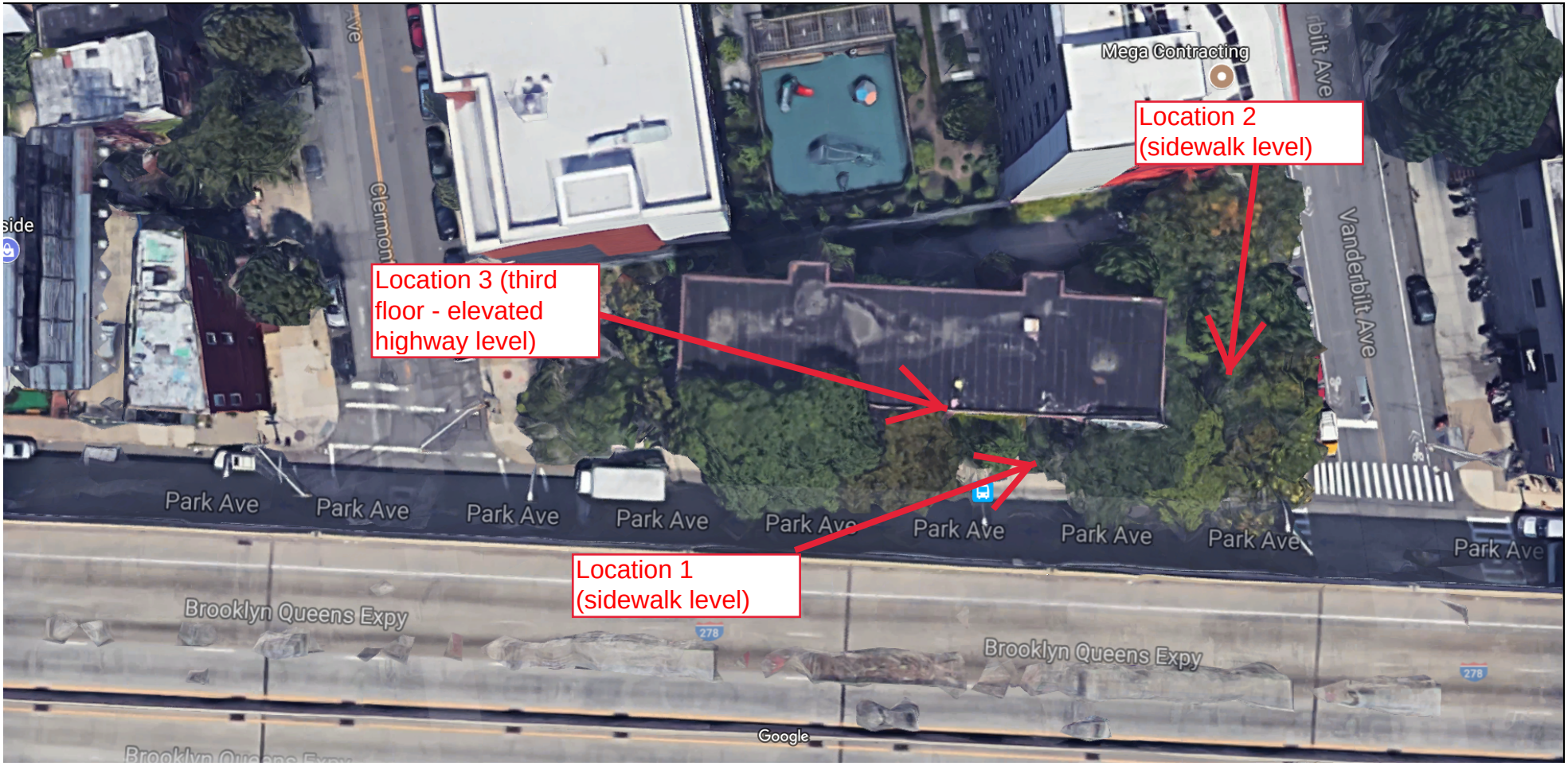
| | Marginally Unacceptable | | | | Clearly Unacceptable |
|---|---|---|---|---|---|
| Noise level with proposed project | $70<L_{10}\leq73$ | $73<L_{10}\leq76$ | $76<L_{10}\leq78$ | $78<L_{10}\leq80$ | $80<L_{10}$ |
| Attenuation[A] | (I) 28 dB(A) | (II) 31 dB(A) | (III) 33 dB(A) | (IV) 35 dB(A) | $36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

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

## Measurement Location and Equipment

Because the predominant noise source in the area of the proposed project is vehicular traffic including traffic on the elevated Brooklyn-Queens Expressway, noise monitoring

Noise Measurement Locations



was conducted during peak vehicular travel periods, 8:00-9:00 am, 12:00 pm-1:00 pm, and 5:00-6:00 pm Pursuant to CEQR Technical Manual methodology, readings were conducted for 20-minute periods during each peak hour. The subject site is located on the north side of Park Avenue between Vanderbilt Avenue and Clermont Avenue. Noise monitoring was conducted using a Type 2 Larson-Davis LxT2 sound meter, with wind screen. The monitor was placed on a tripod at a height of approximately three feet above the ground, away from any other surfaces. The monitor was calibrated prior to and following each monitoring session. Monitoring was conducted on the sidewalks of the Park Avenue and Vanderbilt Avenue frontages of the subject site, as well as from the third floor within the building, which is at a level height with the Brooklyn-Queens Expressway. The Vanderbilt Avenue monitoring location is believed to be representative of noise levels on Clermont Avenue as well, since both are two-way streets that end a block to the north, at Flushing Avenue, and carry relatively light traffic. Since a bus route operates on Vanderbilt Avenue, it constitutes a worst-case condition for noise at the project site's eastern and western frontages.

**Measurement Conditions**

Monitoring was conducted during typical midweek conditions, on Tuesday, June 24, 2014. The weather was dry and wind speeds were moderate throughout the day. Traffic volumes and vehicle classification were documented during the noise monitoring. The sound meter was calibrated before and after each monitoring session.

**Existing Conditions**

Based on the noise measurements taken at the project site, the predominant source of noise at the site is vehicular traffic at ground level on Park Avenue, as well approximately 30 feet above- ground on the Brooklyn-Queens Expressway. The volume of traffic, and its corresponding level of noise, is relatively light on Vanderbilt Avenue. Table Noise-2 contains the results for the measurements taken at the subject site.

**Table Noise-19-2 Noise Levels at Park Avenue frontage**

| | 7:49 - 8:27 am | 11:55 - 12:16 pm | 4:57 - 5:17 pm |
|---|---|---|---|
| Lmax | 83.9 | 83.7 | 84.1 |
| L5 | 80.0 | 77.9 | 78.6 |
| **L10** | **78.6** | **76.2** | **77.2** |
| Leq | 75.5 | 73.8 | 73.8 |
| L50 | 73.8 | 72.4 | 71.7 |
| L90 | 70.9 | 69.8 | 66.1 |
| Lmin | 68.5 | 64.5 | 62.2 |

**Table Noise-19-2b Noise Levels at Vanderbilt Avenue frontage**

| | 8:28 - 8:48 am | 12:17 - 12:37 pm | 5:20 - 5:40 pm |
|---|---|---|---|
| Lmax | 80.8 | 87.4 | 85.6 |
| L5 | 73.4 | 72.7 | 74.8 |
| **L10** | **72.1** | **70.7** | **72.5** |
| Leq | 70.0 | 69.6 | 70.4 |
| L50 | 68.8 | 67.3 | 67.8 |
| L90 | 66.5 | 64.3 | 64.6 |
| Lmin | 64.3 | 62.0 | 61.4 |

## Table 19-2c Noise Levels at Third Floor within Building

| | 8:50 - 9:10 am | 12:43 - 1:03 pm | 5:48 – 6:08 pm |
|---|---|---|---|
| Lmax | 89.0 | 85.4 | 87.3 |
| L5 | 78.4 | 76.1 | 75.8 |
| **L10** | **77.1** | **75.2** | **74.6** |
| Leq | 75.2 | 73.1 | 72.6 |
| L50 | 74.1 | 72.2 | 71.4 |
| L90 | 71.2 | 69.1 | 68.2 |
| Lmin | 67.7 | 64.6 | 65.6 |

## Table 19-3: Traffic Volumes and Vehicle Classifications (20 minute counts)

| | AM | | | Mid-Day | | | PM | | |
|---|---|---|---|---|---|---|---|---|---|
| | Park[1] | Vand[2] | 3rd Fl.[3] | Park | Vand. | 3rd Fl. | Park | Vand. | 3rd Fl. |
| Car/Taxi | 201 | 57 | 3617 | 114 | 39 | 3058 | 241 | 36 | 2874 |
| Van/Lt. Truck | 21 | 7 | | 18 | 5 | | 22 | 3 | |
| Heavy Truck | 18 | 7 | | 8 | 6 | | 6 | 1 | |
| Bus | 4 | 2 | | 5 | 1 | | 6 | 4 | |
| Mini Bus | 4 | 2 | | 2 | 0 | | 6 | 0 | |
| Motorcycle* | 3 | 0 | | 3 | 6 | | 2 | 4 | |

*1: Ground-level on Park Avenue. Volumes are westbound only.*
*2: Ground-level on Vanderbilt Avenue.*
*3: Approximately 30 feet above-ground on Third Floor within building. Volumes are for westbound BQE from NYS DOT data; vehicle classification data are not available.*
**: A motorcycle dealer is located across Vanderbilt Avenue from the project site*

**Conclusions**

The 2014 *CEQR Technical Manual* Table 19-2 contains noise exposure guidelines. The project-generated traffic would not double vehicular traffic on nearby roadways, and therefore would not result in a perceptible increase in vehicular noise.

For a residential use such as would occur under the proposed action, an L10 of between 70 and 80 dB(A) is identified as marginally unacceptable. The highest recorded L10 at the project's Park Avenue frontage was 78.6 during the morning period. The highest recorded L10 at the project site's Vanderbilt Avenue frontage was 72.5 during the evening period. The highest recorded L10 on the third floor within the building of the project site was 77.1 during the morning period.

Table 19-3 of the 2014 *CEQR Technical Manual* identifies required attenuation values to achieve acceptable interior noise levels for residential and community facility uses. For an L10 between 78 and 80 dB, as is the case at the project's Park Avenue frontage, window-wall treatment providing 35 dB of attenuation is required. For an L10 between 70 and 73 dB, as is the case at the project's Vanderbilt Avenue frontage, window-wall treatment providing 28 dB of attenuation is required. This level of attenuation would also be appropriate for the building's Clermont Avenue frontage.

<u>The text for the E-designation (E-464) would be as follows for Block 2033, Lot 50</u>

**To ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed-window condition with a minimum of 35 dBA window/wall attenuation on all facades facing south (Park Avenue) or west (Clermont Avenue) and 28 dBA of attenuation on all facades facing east (Vanderbilt Avenue) to maintain an interior noise level of 45 dBA. 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.**

By incorporating this level of window-wall noise attenuation into the project, no adverse impacts related to noise would occur.

## 20. PUBLIC HEALTH

Public health involves the activities that society undertakes to create and maintain conditions in which people can be healthy. Many public health concerns are closely related to air quality, hazardous materials, construction, and natural resources.

A public health assessment may be warranted if a project results in a) increased vehicular traffic or emissions from stationary sources resulting in significant adverse air quality impacts; b) increased exposure to heavy metals and other contaminants in soil/dust resulting in significant adverse impacts, or the presence of contamination from historic spills or releases of substances that might have affected or might affect ground water to be used as a source of drinking water; c) solid waste management practices that could attract vermin and result in an increase in pest populations; d) potentially significant adverse impacts to sensitive receptors from noise and odors; or e) vapor infiltration from contaminants within a building or underlying soil that may result in significant adverse hazardous materials or air quality impacts.

As assessed in the applicable sections of this EAS, the proposed action is not anticipated to result in any significant adverse impacts related to air quality, noise, or hazardous materials. Solid waste would not be expected to attract vermin or pest populations during construction or upon completion of the action-generated developments. During construction, solid waste would be carted by a private solid waste management company, and would consist predominantly of construction materials. Upon completion of construction, the building's superintendent would be responsible for maintaining the trash and recycling collection area. Regular solid waste collection by the New York Department of Sanitation would ensure that vermin problems do not arise. Therefore, the proposed action is not anticipated to result in a significant adverse impact to public health, and no further analysis is provided.

## 21. NEIGHBORHOOD CHARACTER

The *CEQR Technical Manual* states that a neighborhood character assessment is generally required when the proposed action would significantly impact land use, urban design, visual resources, historic resources, socioeconomic conditions, open space, shadows, transportation or noise within the neighborhood; or if it would have moderate effects on several of the elements that contribute to neighborhood character.

While a combination of moderate changes in several of these technical areas may potentially have a significant effect on neighborhood character, the proposed action would be compatible with the mixed-use character of the neighborhood and, as discussed in the relevant sections of this EAS, it is not anticipated to result in any significant adverse impacts on land use, urban design, visual resources, historic resources, socioeconomic conditions, open space, shadows, transportation or noise within the neighborhood.

Therefore, no significant adverse impacts on neighborhood character are anticipated as a result of the proposed action.

# Appendix A – Transportation Tables

# Exhibit A

## Modal Split Information

**2011-2015 ACS 5-YEAR Journey-to-Work ( JTW) for Census Tract numbers 185.01, 187, 191 and 211 in Brooklyn, NY**

***205 Park Avenue, Brooklyn New York***

***2011-2015 ACS 5-Year, Journey-to-Work:***

| Census Tract | Total Workers | Car or Van Drive-Alone | Carpool | Bus | Street Car | Subway | R.R. | Ferry | Taxi | Motor cycle | Bicycle | Walked | Other Means | Worked @ Home | Total |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **185.01** | **1244** | **129** | **42** | **198** | **0** | **523** | **31** | **0** | **0** | **0** | **12** | **231** | **0** | **78** | 1,244 |
| **187** | **775** | **64** | **40** | **28** | **0** | **451** | **11** | **0** | **0** | **0** | **50** | **46** | **12** | **73** | 775 |
| **191** | **1426** | **65** | **9** | **101** | **0** | **873** | **34** | **0** | **0** | **0** | **35** | **191** | **5** | **113** | 1,426 |
| **211** | 708 | 183 | 16 | 44 | 0 | 343 | 0 | 0 | 0 | 0 | 42 | 33 | 16 | 31 | 708 |
| Total | 4,153 | 441 | 107 | 371 | 0 | 2,190 | 76 | 0 | 0 | 0 | 139 | 501 | 33 | 295 | 4,153 |
| | | ***0.106*** | ***0.026*** | ***0.089*** | ***0.00*** | ***0.527*** | ***0.018*** | ***0.00*** | ***0.00*** | ***0.00*** | ***0.03*** | ***0.121*** | ***0.01*** | ***0.071*** | ***1.00*** |

# Exhibit B

## Vehicle Occupancy Information

**2011-2015 ACS 5-YEAR Journey-to-Work ( JTW) for Census Tract numbers 185.01, 187, 191 and 211 in Brooklyn, NY**

Vehicle Occupancy Rate:

| Census Tract | Total | Drove alone | Total carpool | 2person | 3 Person | 4 Person | 5 or 6 Person | 7 or more Person | Total |
|---|---|---|---|---|---|---|---|---|---|
| **185.01** | 171 | 129 | 42 | 42 | 0 | 0 | 0 | 0 | 42 |
| **187** | 104 | 64 | 40 | 12 | 14 | 14 | 0 | 0 | 40 |
| **191** | 74 | 65 | 9 | 9 | 0 | 0 | 0 | 0 | 9 |
| **211** | 199 | 183 | 16 | 16 | 0 | 0 | 0 | 0 | 16 |
| | | | | | | 0 | | | |
| | 548 | 441 | 107 | 40 | 5 | 4 | 0 | 0 | 489 |
| **Vehicle Occupancy =** | | | **1.12** | | | | | | |

## Modal Split summary

| | |
|---|---|
| **Auto** | **0.13** |
| **Taxi** | **0.00** |
| **Bus** | **0.09** |
| **Subway** | **0.55** |
| **Walk** | **0.12** |
| **Other** | **0.11** |
| **Total** | **1.00** |

## Table 1 : Transportation Planning Factors

***205 Park Avenue Mixed Use Developments, Brooklyn NY***

| Land Use: | Residential | Local Retail |
|---|---|---|
| | d.u. | Space-sq.ft. |
| Size/Units: | 70 | 7,908 |
| | **(1)** | **(1)** |
| Trip Generation: | | |
| Weekday | 8.075 | 205 |
| Saturday | 9.6 | 240 |
| | per 1,000 sq-ft | per 1,000 sq.ft. |
| Linked-Trip: | 0% | 25% |
| Temporal Distribution: | **(1)** | **(1)** |
| AM Peak Hour | 10% | 3% |
| MD Peak Hour | 5% | 19% |
| PM Peak Hour | 11% | 10% |
| Sat. Peak Hour | 8% | 10% |
| | **(2)** | **(3)** |
| Modal Split : | all periods | all periods |
| Auto | 13% | 5% |
| Taxi | 0% | 1% |
| Subway | 55% | 6% |
| Bus | 9% | 3% |
| Walk | 12% | 85% |
| Other | 11% | 0% |
| Total | 100% | 100% |
| | (3) | (3) |
| In/Out Splits: | In/Out | In/Out |
| AM Peak Hour | 15/85 | 50/50 |
| MD Peak Hour | 50/50 | 50/50 |
| PM Peak Hour | 70/30 | 50/50 |
| Sat. Peak Hour | 50/50 | 55/45 |
| Vehicle Occupancy: | **(2)** | (3) |
| Auto | 1.12 | 2 |
| Taxi | 1.40 | 2 |
| Truck Trip Generation: | **(1)** | **(1)** |
| Weekday | 0.06 | 0.35 |
| Saturday | 0.02 | 0.04 |
| | per 1,000 sqft | per 1,000 s.f. |
| | **(1)** | **(1)** |
| AM Peak Hour | 12% | 8% |
| MD Peak Hour | 9% | 11% |
| PM Peak Hour | 2% | 2% |
| Sat. MD Peak Hour | 9% | 11% |
| AM/MD/PM/Sat. | 50/50 | 50/50 |

Sources:

(1)-2014 CEQR Technical Manual, Table 16-2.

(2)-2011-2015 (ACS)-Journey-to-Work (JTW)Census Tract #'s 185.01, 187, 191 and 211 in Brooklyn N.Y.

(3)_East New York FEIS

## Table 2 : Estimated Person Trips

***205 Park Avenue Mixed Use Developments, Brooklyn NY***

| Land Use: | Residential | Local Retail | Total Net | |
|---|---|---|---|---|
| | d.u. | Space sq.ft. | Demand | |
| Size/Units: | 70 | 7,908 | | |
| Peak hour Trips | | | | |
| AM Peak Hour | 57 | 57 | 113 | |
| Midday Peak Hour | 28 | 360 | 388 | |
| PM Peak Hour | 62 | 190 | 252 | |
| Sat. Peak Hour | 54 | 222 | 276 | |
| **Person Trips:** | | | | |
| ***AM Peak Hour*** | | | | |
| Auto | 7 | 3 | 10 | |
| Taxi | 0 | 1 | 1 | |
| Subway | 31 | 3 | 35 | 35 |
| Bus | 5 | 2 | 7 | 7 |
| Walk | 7 | 48 | 55 | 55 |
| Other | 6 | 0 | 6 | 6 |
| Total | 57 | 57 | 113 | 103 |
| ***Midday Peak Hour*** | | | | |
| Auto | 4 | 18 | 22 | |
| Taxi | 0 | 4 | 4 | |
| Subway | 16 | 22 | 37 | 37 |
| Bus | 3 | 11 | 13 | 13 |
| Walk | 3 | 306 | 310 | 310 |
| Other | 3 | 0 | 3 | 3 |
| Total | 28 | 360 | 388 | 363 |
| ***PM Peak Hour*** | | | | |
| Auto | 8 | 9 | 18 | |
| Taxi | 0 | 2 | 2 | |
| Subway | 34 | 11 | 46 | 46 |
| Bus | 6 | 6 | 11 | 11 |
| Walk | 7 | 161 | 169 | 169 |
| Other | 7 | 0 | 7 | 7 |
| Total | 62 | 190 | 252 | 232 |
| ***Sat. Peak Hour*** | | | | |
| Auto | 7 | 11 | 18 | |
| Taxi | 0 | 2 | 2 | |
| Subway | 30 | 13 | 43 | 43 |
| Bus | 5 | 7 | 11 | 11 |
| Walk | 6 | 189 | 195 | 195 |
| Other | 6 | 0 | 6 | 6 |
| Total | 54 | 222 | 276 | 255 |

## Table 3 : Estimated Vehicular Trips

*205 Park Avenue Mixed Use Developments, Brooklyn NY*

| **Vehicular Trips** | Residential | Local Retail | Total |
|---|---|---|---|
| AM Peak Hour | | | |
| Auto (Total) | 7 | 1 | 8 |
| Taxi | 0 | 0 | 0 |
| Taxi (Balanced) | 0 | 0 | 0 |
| Truck | 1 | 0 | 1 |
| Truck(Balanced) | 2 | 0 | 2 |
| **Total** | **9** | **1** | **10** |
| Midday Peak Hour | | | |
| Auto (Total) | 3 | 9 | 12 |
| Taxi | 0 | 2 | 2 |
| Taxi (Balanced) | 0 | 4 | 4 |
| Truck | 0 | 0 | 1 |
| Truck(Balanced) | 0 | 0 | 0 |
| **Total** | **3** | **13** | **16** |
| PM Peak Hour | | | |
| Auto (Total) | 7 | 5 | 12 |
| Taxi | 0 | 1 | 1 |
| Taxi (Balanced) | 0 | 2 | 2 |
| Truck | 0 | 0 | 0 |
| Truck(Balanced) | 0 | 0 | 0 |
| Total | 7 | 7 | 14 |
| Sat. Peak Hour | | | |
| Auto (Total) | 6 | 6 | 12 |
| Taxi | 0 | 1 | 1 |
| Taxi (Balanced) | 0 | 2 | 2 |
| Truck | 0 | 0 | 0 |
| Truck(Balanced) | 0 | 0 | 0 |
| **Total** | **6** | **8** | **14** |

# Appendix B – Waterfront Revitalization Program (WRP)

| FOR INTERNAL USE ONLY | WRP No. _____ |
|---|---|
| Date Received: _____ | DOS No. _____ |

# NEW YORK CITY WATERFRONT REVITALIZATION PROGRAM
## Consistency Assessment Form

Proposed actions that are subject to CEQR, ULURP or other local, state or federal discretionary review procedures, and that are within New York City's Coastal Zone, must be reviewed and assessed for their consistency with the *New York City Waterfront Revitalization Program (WRP)* which has been approved as part of the State's Coastal Management Program.

This form is intended to assist an applicant in certifying that the proposed activity is consistent with the WRP. It should be completed when the local, state, or federal application is prepared. The completed form and accompanying information will be used by the New York State Department of State, the New York City Department of City Planning, or other city or state agencies in their review of the applicant's certification of consistency.

### A. APPLICANT INFORMATION

**Name of Applicant:** Jay Goldstein, Esq.

**Name of Applicant Representative:** ESC Inc.

**Address:** 55 Water Mill Road Great Neck, NY 11021

**Telephone:** 718-343-0026 **Email:** hrothkrug@environmentalstudiescorp.com

**Project site owner (if different than above):** 462 Lexington Avenue, LLC

### B. PROPOSED ACTIVITY

*If more space is needed, include as an attachment.*

1. Brief description of activity

The applicant proposes a Zoning Map Amendment and a Zoning Text Amendment to rezone a M1-2 district to an R7D/C2-4 district. The Zoning Text Amendment would make the project applicable as a Mandatory Inclusionary Housing Area (MIHA).

2. Purpose of activity

The Proposed Actions would facilitate the redevelopment of the Development Site with an 8-story mixed-use building with 85,886 gsf (5.6 FAR) of space and rise to a maximum height of 95 feet. The ground floor would contain 12,329 gsf of commercial retail, while the remaining space would contain residential uses in 70 dwelling units, 17 of which would be affordable under MIH. The cellar would contain 29 accessory parking spaces.

## C. PROJECT LOCATION

Borough: Brooklyn Tax Block/Lot(s): Block 2033, Lot 50

Street Address: 205 Park Avenue

Name of water body (if located on the waterfront): _____

## D. REQUIRED ACTIONS OR APPROVALS

*Check all that apply.*

### City Actions/Approvals/Funding

***City Planning Commission*** ☑ Yes ☐ No

| | | | | | |
|---|---|---|---|---|---|
| ☐ | City Map Amendment | ☐ | Zoning Certification | ☐ | Concession |
| ☑ | Zoning Map Amendment | ☐ | Zoning Authorizations | ☐ | 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: _____

***Board of Standards and Appeals*** ☐ Yes ☑ No

- ☐ Variance (use)
- ☐ Variance (bulk)
- ☐ Special Permit

(if appropriate, specify type: ☐ Modification ☐ Renewal ☐ other) Expiration Date: _____

***Other City Approvals***

| | | | |
|---|---|---|---|
| ☐ | Legislation | ☐ | Funding for Construction, specify: _____ |
| ☐ | Rulemaking | ☐ | Policy or Plan, specify: _____ |
| ☐ | Construction of Public Facilities | ☐ | Funding of Program, specify: _____ |
| ☐ | 384 (b) (4) Approval | ☐ | Permits, specify: _____ |
| ☐ | Other, explain: _____ | | |

### State Actions/Approvals/Funding

- ☐ State permit or license, specify Agency: _____ Permit type and number: _____
- ☐ Funding for Construction, specify: _____
- ☐ Funding of a Program, specify: _____
- ☐ Other, explain: _____

### Federal Actions/Approvals/Funding

- ☐ Federal permit or license, specify Agency: _____ Permit type and number: _____
- ☐ Funding for Construction, specify: _____
- ☐ Funding of a Program, specify: _____
- ☐ Other, explain: _____

Is this being reviewed in conjunction with a Joint Application for Permits? ☐ Yes ☑ No

## E. LOCATION QUESTIONS

| | | | |
|---|---|---|---|
| 1. | Does the project require a waterfront site? | ☐ Yes | ☑ No |
| 2. | Would the action result in a physical alteration to a waterfront site, including land along the shoreline, land under water or coastal waters? | ☐ Yes | ☑ No |
| 3. | Is the project located on publicly owned land or receiving public assistance? | ☐ Yes | ☑ No |
| 4. | Is the project located within a FEMA 1% annual chance floodplain? *(6.2)* | ☐ Yes | ☑ No |
| 5. | Is the project located within a FEMA 0.2% annual chance floodplain? *(6.2)* | ☐ Yes | ☑ No |
| 6. | Is the project located adjacent to or within a special area designation? *See Maps – Part III of the NYC WRP. If so, check appropriate boxes below and evaluate policies noted in parentheses as part of WRP Policy Assessment (Section F).* | ☐ Yes | ☑ No |

- ☐ Significant Maritime and Industrial Area (SMIA) *(2.1)*
- ☐ Special Natural Waterfront Area (SNWA) *(4.1)*
- ☐ Priority Martine Activity Zone (PMAZ) *(3.5)*
- ☐ Recognized Ecological Complex (REC) *(4.4)*
- ☐ West Shore Ecologically Sensitive Maritime and Industrial Area (ESMIA) *(2.2, 4.2)*

## F. WRP POLICY ASSESSMENT

*Review the project or action for consistency with the WRP policies. For each policy, check* Promote, Hinder *or* Not Applicable (N/A). *For more information about consistency review process and determination, see* ***Part I*** *of the NYC Waterfront Revitalization Program. When assessing each policy, review the full policy language, including all sub-policies, contained within* ***Part II*** *of the WRP. The relevance of each applicable policy may vary depending upon the project type and where it is located (i.e. if it is located within one of the special area designations).*

*For those policies checked* Promote *or* Hinder, *provide a written statement on a separate page that assesses the effects of the proposed activity on the relevant policies or standards. If the project or action promotes a policy, explain how the action would be consistent with the goals of the policy. If it hinders a policy, consideration should be given toward any practical means of altering or modifying the project to eliminate the hindrance. Policies that would be advanced by the project should be balanced against those that would be hindered by the project. If reasonable modifications to eliminate the hindrance are not possible, consideration should be given as to whether the hindrance is of such a degree as to be substantial, and if so, those adverse effects should be mitigated to the extent practicable.*

| | | Promote | Hinder | N/A |
|---|---|---|---|---|
| **1** | **Support and facilitate commercial and residential redevelopment in areas well-suited to such development.** | ☑ | ☐ | ☐ |
| 1.1 | Encourage commercial and residential redevelopment in appropriate Coastal Zone areas. | ☑ | ☐ | ☐ |
| 1.2 | Encourage non-industrial development with uses and design features that enliven the waterfront and attract the public. | ☐ | ☐ | ☑ |
| 1.3 | Encourage redevelopment in the Coastal Zone where public facilities and infrastructure are adequate or will be developed. | ☑ | ☐ | ☐ |
| 1.4 | In areas adjacent to SMIAs, ensure new residential development maximizes compatibility with existing adjacent maritime and industrial uses. | ☐ | ☐ | ☑ |
| 1.5 | Integrate consideration of climate change and sea level rise into the planning and design of waterfront residential and commercial development, pursuant to WRP Policy 6.2. | ☐ | ☐ | ☑ |

| | | Promote | Hinder | N/A |
|---|---|---|---|---|
| **2** | **Support water-dependent and industrial uses in New York City coastal areas that are well-suited to their continued operation.** | ☐ | ☐ | ☑ |
| 2.1 | Promote water-dependent and industrial uses in Significant Maritime and Industrial Areas. | ☐ | ☐ | ☑ |
| 2.2 | Encourage a compatible relationship between working waterfront uses, upland development and natural resources within the Ecologically Sensitive Maritime and Industrial Area. | ☐ | ☐ | ☑ |
| 2.3 | Encourage working waterfront uses at appropriate sites outside the Significant Maritime and Industrial Areas or Ecologically Sensitive Maritime Industrial Area. | ☐ | ☐ | ☑ |
| 2.4 | Provide infrastructure improvements necessary to support working waterfront uses. | ☐ | ☐ | ☑ |
| 2.5 | Incorporate consideration of climate change and sea level rise into the planning and design of waterfront industrial development and infrastructure, pursuant to WRP Policy 6.2. | ☐ | ☐ | ☑ |
| **3** | **Promote use of New York City's waterways for commercial and recreational boating and water-dependent transportation.** | ☐ | ☐ | ☑ |
| 3.1. | Support and encourage in-water recreational activities in suitable locations. | ☐ | ☐ | ☑ |
| 3.2 | Support and encourage recreational, educational and commercial boating in New York City's maritime centers. | ☐ | ☐ | ☑ |
| 3.3 | Minimize conflicts between recreational boating and commercial ship operations. | ☐ | ☐ | ☑ |
| 3.4 | Minimize impact of commercial and recreational boating activities on the aquatic environment and surrounding land and water uses. | ☐ | ☐ | ☑ |
| 3.5 | In Priority Marine Activity Zones, support the ongoing maintenance of maritime infrastructure for water-dependent uses. | ☐ | ☐ | ☑ |
| **4** | **Protect and restore the quality and function of ecological systems within the New York City coastal area.** | ☐ | ☐ | ☑ |
| 4.1 | Protect and restore the ecological quality and component habitats and resources within the Special Natural Waterfront Areas. | ☐ | ☐ | ☑ |
| 4.2 | Protect and restore the ecological quality and component habitats and resources within the Ecologically Sensitive Maritime and Industrial Area. | ☐ | ☐ | ☑ |
| 4.3 | Protect designated Significant Coastal Fish and Wildlife Habitats. | ☐ | ☐ | ☑ |
| 4.4 | Identify, remediate and restore ecological functions within Recognized Ecological Complexes. | ☐ | ☐ | ☑ |
| 4.5 | Protect and restore tidal and freshwater wetlands. | ☐ | ☐ | ☑ |
| 4.6 | In addition to wetlands, seek opportunities to create a mosaic of habitats with high ecological value and function that provide environmental and societal benefits. Restoration should strive to incorporate multiple habitat characteristics to achieve the greatest ecological benefit at a single location. | ☐ | ☐ | ☑ |
| 4.7 | Protect vulnerable plant, fish and wildlife species, and rare ecological communities. Design and develop land and water uses to maximize their integration or compatibility with the identified ecological community. | ☐ | ☐ | ☑ |
| 4.8 | Maintain and protect living aquatic resources. | ☐ | ☐ | ☑ |

| | | Promote | Hinder | N/A |
|---|---|---|---|---|
| **5** | **Protect and improve water quality in the New York City coastal area.** | ☐ | ☐ | ☑ |
| 5.1 | Manage direct or indirect discharges to waterbodies. | ☐ | ☐ | ☑ |
| 5.2 | Protect the quality of New York City's waters by managing activities that generate nonpoint source pollution. | ☐ | ☐ | ☑ |
| 5.3 | Protect water quality when excavating or placing fill in navigable waters and in or near marshes, estuaries, tidal marshes, and wetlands. | ☐ | ☐ | ☑ |
| 5.4 | Protect the quality and quantity of groundwater, streams, and the sources of water for wetlands. | ☐ | ☐ | ☑ |
| 5.5 | Protect and improve water quality through cost-effective grey-infrastructure and in-water ecological strategies. | ☐ | ☐ | ☑ |
| **6** | **Minimize loss of life, structures, infrastructure, and natural resources caused by flooding and erosion, and increase resilience to future conditions created by climate change.** | ☐ | ☐ | ☑ |
| 6.1 | Minimize losses from flooding and erosion by employing non-structural and structural management measures appropriate to the site, the use of the property to be protected, and the surrounding area. | ☐ | ☐ | ☑ |
| 6.2 | Integrate consideration of the latest New York City projections of climate change and sea level rise (as published in *New York City Panel on Climate Change 2015 Report, Chapter 2: Sea Level Rise and Coastal Storms*) into the planning and design of projects in the city's Coastal Zone. | ☐ | ☐ | ☑ |
| 6.3 | Direct public funding for flood prevention or erosion control measures to those locations where the investment will yield significant public benefit. | ☐ | ☐ | ☑ |
| 6.4 | Protect and preserve non-renewable sources of sand for beach nourishment. | ☐ | ☐ | ☑ |
| **7** | **Minimize environmental degradation and negative impacts on public health from solid waste, toxic pollutants, hazardous materials, and industrial materials that may pose risks to the environment and public health and safety.** | ☐ | ☐ | ☑ |
| 7.1 | Manage solid waste material, hazardous wastes, toxic pollutants, substances hazardous to the environment, and the unenclosed storage of industrial materials to protect public health, control pollution and prevent degradation of coastal ecosystems. | ☐ | ☐ | ☑ |
| 7.2 | Prevent and remediate discharge of petroleum products. | ☐ | ☐ | ☑ |
| 7.3 | Transport solid waste and hazardous materials and site solid and hazardous waste facilities in a manner that minimizes potential degradation of coastal resources. | ☐ | ☐ | ☑ |
| **8** | **Provide public access to, from, and along New York City's coastal waters.** | ☐ | ☐ | ☑ |
| 8.1 | Preserve, protect, maintain, and enhance physical, visual and recreational access to the waterfront. | ☐ | ☐ | ☑ |
| 8.2 | Incorporate public access into new public and private development where compatible with proposed land use and coastal location. | ☐ | ☐ | ☑ |
| 8.3 | Provide visual access to the waterfront where physically practical. | ☐ | ☐ | ☑ |
| 8.4 | Preserve and develop waterfront open space and recreation on publicly owned land at suitable locations. | ☐ | ☐ | ☑ |

| | | Promote | Hinder | N/A |
|---|---|---|---|---|
| 8.5 | Preserve the public interest in and use of lands and waters held in public trust by the State and City. | ☐ | ☐ | ☑ |
| 8.6 | Design waterfront public spaces to encourage the waterfront's identity and encourage stewardship. | ☐ | ☐ | ☑ |
| **9** | **Protect scenic resources that contribute to the visual quality of the New York City coastal area.** | ☐ | ☐ | ☑ |
| 9.1 | Protect and improve visual quality associated with New York City's urban context and the historic and working waterfront. | ☐ | ☐ | ☑ |
| 9.2 | Protect and enhance scenic values associated with natural resources. | ☐ | ☐ | ☑ |
| **10** | **Protect, preserve, and enhance resources significant to the historical, archaeological, architectural, and cultural legacy of the New York City coastal area.** | ☐ | ☐ | ☑ |
| 10.1 | Retain and preserve historic resources, and enhance resources significant to the coastal culture of New York City. | ☐ | ☐ | ☑ |
| 10.2 | Protect and preserve archaeological resources and artifacts. | ☐ | ☐ | ☑ |

## G. CERTIFICATION

The applicant or agent must certify that the proposed activity is consistent with New York City's approved Local Waterfront Revitalization Program, pursuant to New York State's Coastal Management Program. If this certification cannot be made, the proposed activity shall not be undertaken. If this certification can be made, complete this Section.

"The proposed activity complies with New York State's approved Coastal Management Program as expressed in New York City's approved Local Waterfront Revitalization Program, pursuant to New York State's Coastal Management Program, and will be conducted in a manner consistent with such program."

Applicant/Agent's Name: Justin Jarboe

Address: 55 Water Mill Road - Great Neck, NY 11021

Telephone: 718-343-0026 Email: hrothkrug@epdsco.com

Applicant/Agent's Signature: _____

Date: 6/16/2017

| | | Promote | Hinder | N/A |
|---|---|---|---|---|
| 8.5 | Preserve the public interest in and use of lands and waters held in public trust by the State and City. | ☐ | ☐ | ☑ |
| 8.6 | Design waterfront public spaces to encourage the waterfront's identity and encourage stewardship. | ☐ | ☐ | ☑ |
| **9** | **Protect scenic resources that contribute to the visual quality of the New York City coastal area.** | ☐ | ☐ | ☑ |
| 9.1 | Protect and improve visual quality associated with New York City's urban context and the historic and working waterfront. | ☐ | ☐ | ☑ |
| 9.2 | Protect and enhance scenic values associated with natural resources. | ☐ | ☐ | ☑ |
| **10** | **Protect, preserve, and enhance resources significant to the historical, archaeological, architectural, and cultural legacy of the New York City coastal area.** | ☐ | ☐ | ☑ |
| 10.1 | Retain and preserve historic resources, and enhance resources significant to the coastal culture of New York City. | ☐ | ☐ | ☑ |
| 10.2 | Protect and preserve archaeological resources and artifacts. | ☐ | ☐ | ☑ |

## G. CERTIFICATION

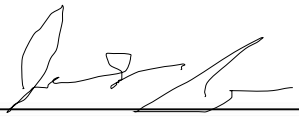
The applicant or agent must certify that the proposed activity is consistent with New York City's approved Local Waterfront Revitalization Program, pursuant to New York State's Coastal Management Program. If this certification cannot be made, the proposed activity shall not be undertaken. If this certification can be made, complete this Section.

"The proposed activity complies with New York State's approved Coastal Management Program as expressed in New York City's approved Local Waterfront Revitalization Program, pursuant to New York State's Coastal Management Program, and will be conducted in a manner consistent with such program."

Applicant/Agent's Name: Justin Jarboe

Address: 55 Water Mill Road - Great Neck, NY 11021

Telephone: 718-343-0026 Email: hrothkrug@epdsco.com

Applicant/Agent's Signature: 

Date: 6/16/2017

# WATERFRONT REVITALIZATION PROGRAM

**Policy 1: Support and Facilitate Commercial and Residential Redevelopment in Areas Well-Suited to Such Development**

**1.1 Encourage commercial and residential redevelopment in appropriate Coastal zone areas.**

**A. Criteria that should be considered to determine areas appropriate for reuse through public and private actions include: compatibility with the continued functioning of the designated Special Natural Waterfront Areas, the Arthur Kill Ecologically Sensitive Maritime and Industrial Area, or Significant Maritime and Industrial Areas, where applicable; the absence of unique or significant natural features or, if present, the potential for compatible development; the presence of substantial vacant or underused land; proximity to existing residential or commercial areas and for opening up the waterfront to the public; transportation access; the maritime and industrial jobs potentially displaced or created; and the new opportunities created by redevelopment.**

The proposed development would promote Policy 1, as further detailed below. The proposed action affects an entire city block within the Coastal Zone Boundary that is currently vacant and not located neither on a waterfront parcel nor within or adjacent or any Special Natural Waterfront Areas, the Arthur Kill Ecologically Sensitive Maritime and Industrial Area, or Significant Maritime and Industrial Areas.

The proposed actions would rezone the affected area from a manufacturing zone to R7D/C2-4; and a zoning text amendment to make the affected area applicable to the Mandatory Inclusionary Housing (MIH) Program. The Proposed Actions are necessary to facilitate the proposed FAR, height and bulk of the proposed developments, as well as provide the density necessary to overcome existing site constraints, such as drainage issues. The Proposed Development is also intended to provide 17 affordable dwelling units.

The Development Site is upland and vacant, and contains the potential for compatible residential development with supporting commercial retail space, as these uses are present within close proximity to the affected vacant area. As such, the proposed development is appropriately located and is not needed for other purposes as prescribed by the policy above. For further information regarding the proposed development's capacity with surrounding uses, see the Land Use, Zoning, and Public Policy section (**Chapter 4**)

**1.3 Encourage redevelopment in the Coastal Zone where public facilities and infrastructure are adequate or will be developed.**

**A. Encourage development at a density compatible with the capacity of surrounding roadways, mass transit, and essential community services such as public schools. Lack of adequate local infrastructure need not preclude development, but it may suggest the need to upgrade or expand inadequate or deteriorated local infrastructure.**

The Proposed Development would be appropriate in scale and not strain existing infrastructure. The Proposed Development consists of a medium-density mixed-use development that would be compatible with the scale existing developments in the surrounding area and would be linked to existing infrastructure services, which are adequate for the proposed development, per the *2014 CEQR Technical Manual* thresholds (**Chapter 13**).

**Policy 7: Minimize Environmental Degradation and Negative Impacts on Public Health from Solid Waste, Toxic Pollutants, Hazardous Materials, and Industrial Materials that May Pose Risks to the Environment and Public Health and Safety**

**7.1 Manage solid waste material, hazardous wastes, toxic pollutants, substances hazardous to the environment, and the unenclosed storage of industrial materials to protect public health, control pollution and prevent degradation of coastal ecosystems.**

The Proposed Actions would facilitate development on a site that has experienced a history of contamination. Subsequently, the Proposed Actions would result in an (E) designation on the property that would require mitigation measures related to any hazardous materials on the property prior construction. Consequently, remediation measures would take place on the site prior to any demolition or disturbance of soil on the lot. Therefore, the Proposed Actions would be consistent with Policy 7 and 7.1 and would manage any hazardous materials on the property that would otherwise remain, absent the Proposed Actions.

# Appendix C – LPC Correspondence

NYC 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 / 15DCP083K
**Project:**
**Address:** 205 PARK AVENUE, BBL**:** 3020330050
**Date Received:** 2/13/2015

---

**[x ] Project site No architectural significance**

**[**X**] No archaeological significance**

**[x ] in radius Designated New York City Landmark or Within Designated Historic District**

**[x ] in radius Listed on National Register of Historic Places**

**[x ] in radius Appears to be eligible for National Register Listing and/or New York City Landmark Designation**

**[ ] May be archaeologically significant; requesting additional materials**

**Comments:**

The LPC is in receipt of the EAS and shadow assessment of 12/19/15.

LPC notes that the proposal would produce a shadow impact to the LPC and S/NR eligible Roman Catholic Church of the Sacred Heart due to the length of time of the new shadow, but it is not significant.

LPC and S/NR LISTED IN RADIUS: WALLABOUT HD.
S/NR LISTED IN RADIUS: WALLABOUT INDUSTRIAL HD AND BRROKLYN NAVY YARD.
LPC AND S/NR ELIGIBLE SITE: ROMAN CATHOLIC CHURCH OF THE SACRED HEART, 26 Clermont Ave.

Gina Santucci 2/26/2015

SIGNATURE DATE
Gina Santucci, Environmental Review Coordinator

**File Name:** 30245_FSO_GS_02262015.doc

# Appendix D – DEP Correspondence

NYC Environmental Protection

**Emily Lloyd**
*Commissioner*

**Angela Licata**
*Deputy Commissioner of Sustainability*

59-17 Junction Blvd.
Flushing, NY 11373

Tel. (718) 595-4398
Fax (718) 595-4479
alicata@dep.nyc.gov

November 6, 2014

Mr. Robert Dobruskin
New York City Department of City Planning
22 Reade Street
New York, New York 10007

**Re: 205 Park Avenue**
**Block 2033, Lot 50**
**CEQR# 77DCP165K**
**Brooklyn, New York**

Dear Mr. Dobruskin:

The New York City Department of Environmental Protection, Bureau of Environmental Planning and Analysis (DEP) has reviewed the September 2014 Environmental Assessment Statement (EAS) and the July 2014 Phase I Environmental Site Assessment Report (Phase I) prepared by Environmental Project Data Statements Company Inc., (EPDSCO) on behalf of 462 Lexington Avenue LLC (applicant) for the above referenced project. It is our understanding that the applicant is proposing a zoning map change and a zoning text amendment to rezone a M1-2 district to a R7A/C2-4 district. The proposed action would facilitate the development of a 7-story mixed-use building with approximately 7,778 gross square foot (gsf) of ground floor commercial retail space and approximately 61,400 gsf of residential floor area. As currently proposed, the building will contain 57 dwelling units, commercial ground-floor retail and 29 parking spaces in the cellar. The project site is bounded by Park Avenue to the south, Vanderbilt Avenue to the east, Flushing Avenue to the north and Clermont Avenue to the east in the Wallabout neighborhood of Brooklyn community district 2. It should be noted that the EAS has incorrectly shown CEQR number as 77DCP126Q, the correct CEQR number is 77DCP165K.

The July 2014 Phase I revealed that historical on-site and surrounding area land uses consisted of residential, commercial and industrial uses including retail stores, undertakers facility, Bankers Security Life Insurance Society Home Office, dental clinic, educational facility for correctional, tin shop, Brooklyn Navy Yard, warehouses, auto-related uses (auto repair garages, parking lots), gas station and other industrial related uses. The New York State Department of Environmental Conservation (NYSDEC)database identified 42 leaking tank spill sites within ½ mile radius from the site; 42 spill incidents from other causes within 1/8$^{th}$ mile radius from the site and one Petroleum Bulk Storage Facilities. It should be noted that it is possible that underground storage tank (UST) may exist at the site.

Based upon our review of the submitted documents, we have the following comments/recommendations to DCP:

- DCP should inform the applicant that based on the historical on-site and/or surrounding area land uses, a Phase II Environmental Site Assessment (Phase II) is necessary to adequately identify/characterize the surface and subsurface soils of the subject parcel. A Phase II Investigative Protocol/Work Plan summarizing the proposed drilling, soil, groundwater, and soil vapor sampling activities should be submitted to DEP for review and approval. The Work Plan should include blueprints and/or site plans displaying the current surface grade and sub-grade elevations and a site map depicting the proposed soil boring locations and soil vapor sampling locations. Soil and groundwater samples should be collected and analyzed by a New York State Department of Health (NYSDOH) Environmental Laboratory Approval Program (ELAP) certified laboratory for the presence of volatile organic compounds (VOCs) by United States Environmental Protection Agency (EPA) Method 8260, semi-volatile organic compounds by EPA Method 8270, pesticides by EPA Method 8081, polychlorinated biphenyls by EPA Method 8082, Target Analyte List metals (filtered and unfiltered for groundwater samples) and soil vapor samples by EPA Method TO-15. The soil vapor sampling should be conducted in accordance with NYSDOH October 2006 Guidance for Evaluating Soil Vapor Intrusion in the State of New York. The soil vapor samples should be collected and analyzed by a NYSDOH ELAP certified laboratory for the presence of VOCs by EPA Method TO-15. An Investigative Health and Safety Plan (HASP) should also be submitted to DEP for review and approval.

- DCP should inform the applicant that a geophysical survey should be conducted on the site to locate any potential USTs. If found, all USTs, (including dispensers, piping, and fill-ports) must be properly closed/removed in accordance with all applicable NYSDEC Regulations.

Future correspondence and submittal related to this project should include the following tracking number **77DCP165K**. If you have any questions, you may contact Mohammad Khaja-Moinuddin at (718) 595-4445 or Maurice Winter at (718) 595-4514.

Sincerely,

Maurice S. Winter
Deputy Director, Site Assessment

c: E. Mahoney
M. Winter
W. Yu
T. Estesen
M. Wimbish
C. Evans- DCP
O. Abinader- DCP
L. Hamid- DCP
File