# Appendix H: Response to Comments on Draft Scope of Work (DSOW) and Environmental Assessment Statement (EAS)

## 1.0 INTRODUCTION

This document summarizes and responds to substantive comments received on the Draft Scope of Work (Draft Scope) and Environmental Assessment Statement (EAS) that were published on September 15, 2023, for the Atlantic Avenue Mixed-Use Plan (AAMUP) Environmental Impact Statement (EIS).

The New York City Department of City Planning (DCP) received comments during one public scoping meeting session held remotely on October 17, 2023, at 2:00 PM. Written comments were accepted for 10 days following the public scoping meeting session, through 5:00 PM on October 27, 2023, the close of the public comment period.

Section 2 lists the organizations and individuals that submitted comments on the Draft Scope and EAS, and Section 3 summarizes relevant comments and provides a response to each. Comments that are closely related or like other comments are grouped together, and a single response is provided. Although verbatim language from the comments is not typically provided, all comments reflect, as accurately as possible, the original comment(s).

Appendix I contains all written comments, as well as a transcript of the oral testimony received during the scoping meeting. All substantive comments were assigned a code, and the names of the commenters and the comment numbers are provided after each comment. Comments are coded by last name and identified in brackets at the end of each comment. For example, comments from John Doe would be coded "Doe-1, Doe-2," etc.

## 2.0 LIST OF ORGANIZATIONS AND INDIVIDUALS THAT COMMENTED ON THE DRAFT SCOPE OF WORK

Commenters whose substantive comments are addressed herein are listed below, organized alphabetically by last name.

### 2.1 Elected Officials, Government Agencies, and Community Boards

- Hudson, Crystal, New York City Council Member for 35th District, 10/17/2023, oral testimony; 10/27/2023, written comment (e-mail, shared letter with Council Member Ossé)
- Ossé, Chi, New York City Council Member for 36th District, 10/17/2023, oral testimony; 10/27/2023, written comment (e-mail, shared letter with Council Member Hudson)

### 2.2 Organizations

- Chan, Ellen Liu, Asset Manager, Episcopal Diocese of Long Island, 10/17/2023, oral testimony; 10/27/2023, written comment (e-mail)
- Goldstein, Elizabeth, Municipal Art Society of New York, 10/27/2023, written comment (e-mail)
- Gonzalez, Albert, Local 19 Representative, 10/17/2023, oral testimony

- Lazur, Sarah, Member of Community Board 8 and the Crown Height Tenant Union, 10/17/2023, oral testimony
- Mitchell, Mimi, Member of Community Board 8 and the Crown Height Tenant Union, 10/17/2023, oral testimony
- Smith, Cassandra, Senior Project Manager, Greenpoint Manufacturing and Design Center, 10/17/2023, oral testimony; 10/25/2023, written comments (e-mail)
- Veconi, Gib, Chair, Prospect Heights Neighborhood Development Council, 10/17/2023, oral testimony; 10/27/2023, written comment (e-mail)

### 2.3 Interested Public

- A, Rosy, 10/18/2023, written comment (e-mail)
- Alvarez, Edwin, 10/17/2023, oral testimony
- Alvarez, Rosy, 10/17/2023, oral testimony
- Crespo, Paula, 09/18/2023, written comment (e-mail)
- Denys, Elizabeth, 10/17/2023, oral testimony
- Franchino, Salvatore, 10/26/2023, written comment (e-mail)
- Hyde, Toby, 10/17/2023, oral testimony
- Huzi, Thomas, 10/17/2023, oral testimony
- Kaufman, Jon, 10/26/2023, written comment (e-mail)
- Kühl, Kaja, 10/25/2023, written comment (e-mail)
- Magnani, André, 10/16/2023, written comment (e-mail)
- Magnani, André, 10/17/2023, oral testimony and written comment (e-mail) (duplicate of 10/16/2023 e-mail)
- Murillo, Gino, 10/17/2023, oral testimony
- Meehan, William, 10/27/2023, written comment (e-mail)
- Nathan, Darrell, 10/17/2023, oral testimony
- Reddy, Vishnu, 10/17/2023, oral testimony
- Robinson, Jack, 10/17/2023, oral testimony
- Rosenblum, 10/17/2023, oral testimony
- Shane, Martha, 10/27/2023, written comment (e-mail)
- Veconi, Gibralti, 10/17/2023, oral testimony
- Weatherford, Kurtis, 10/17/2023, oral testimony

## 3.0 COMMENTS AND RESPONSES ON THE DRAFT SCOPE OF WORK

### 3.1 General

**Comment 01:** We support the AAMUP Proposed Actions, or we commend DCP for reaching this milestone.

[Chan-1; Kaufman-1; Franchino-1; Franchino-7; Meehan-1; Meehan-3; Hudson & Ossé-1; Hudson & Ossé-2]

**Response:** Comment noted.

### 3.2 Process

**Comment 02:** What are the protocols for public review to deliver testimony at an EIS scoping meeting?

[Crespo-1]

**Response:** See the scoping hearing transcript, included in Appendix I. The protocols for oral and written testimony were directly provided to participants who inquired. Public testimony protocols were also published on the DCP website and NYC Engage and were published and distributed in accordance with the City Environmental Quality Review (CEQR) regulations.

**Comment 03:** Asking community members to set aside 3 hours of a workday to participate in the public scoping hearing excludes individuals with responsibilities during that time, thereby favoring voices that oppose change.

[Mangini-1]

**Response:** Comment noted. The public scoping process was conducted in accordance with CEQR regulations. As indicated in the Final Scope of Work (Final Scope) Section B "Required Approvals," an EAS for AAMUP was completed on September 15, 2023. A Positive Declaration was issued on the same day, initiating the Draft Scope public comment period. Oral comments received during the Draft Scope public hearing on October 17, 2023, and written comments (sent via mail and email) received up to 10 days after the meeting until 5:00 PM on October 27, 2023, were considered and incorporated as appropriate into the Final Scope.

**Comment 04:** We urge the City to share the project's study area boundary in shapefile format and include a downloadable, easy-to-read Excel list of projected and potential development sites at the outset of the environmental review process.

[Goldstein-8]

**Response:** The projected and potential development sites' geographic information were provided in Appendix A "Reasonable Worst Case Development Scenario Tables" and Appendix E "Development Site Descriptions" of the Draft Scope and have been updated and attached to the Final Scope (see Final Scope Appendix A and E). Additional details will be provided in the DEIS.

**Comment 05:** The AAMUP project will help to address the lack of availability and affordability of housing, but the City should approve projects like AAMUP more quickly throughout the entire City.

[Mangini-2]

**Response:** The Purpose and Need of the Proposed Actions, including the provision of housing, is described in the Final Scope in Section F, "Purpose and Need for the Proposed Project." See also Final Scope Section C, "Background to the Proposed Actions," for additional detail on the community engagement, land use framework development processes, and political backing that resulted in the AAMUP proposal. Projects are required to comply with the CEQR regulations.

**Comment 06:** Feedback from the workshop sessions has not been considered in the proposed AAMUP.

[A-10]

**Response:** Comment noted. See the Final Scope Section C, Background to the Proposed Actions, which explains the community engagement and land use framework development processes, which guided the development of the AAMUP proposal. The proposed zoning is the culmination of a multi-year engagement effort, building on DCP's 2018 M-CROWN framework and priorities identified during a robust outreach period in the winter and spring of 2023, which was followed by the release of the AAMUP Community Vision and Priorities Report in August 2023. The proposed zoning seeks to balance priorities for increasing the supply of housing, including deeply affordable housing on private, city or nonprofit-owned sites, as well as requirements and incentives to promote job-generating uses. In addition to land use actions, DCP is also collaborating with city agencies to advance capital and programmatic investments as part of the wider AAMUP process.

**Comment 07:** AAMUP would benefit from a coordinated multi-agency effort to address necessary infrastructure upgrades that are needed even under existing conditions, such as reopening closed subway station entrances, enhancing existing public spaces and parks, creating new public open spaces; redesigning Atlantic Avenue with wider sidewalks and incorporating a tree canopy or other recommendations of the 2023 Community Vision and Priorities. All of these changes should be incorporated into AAMUP, ongoing maintenance funding should be established through City allocations or a required Business Improvement District, and these improvements should be analyzed in the EIS. Such investments need to be considered in the EIS, and their secondary growth-

inducing impacts must be assessed through a revised reasonable worst-case development scenario (RWCDS) that assumes development of the "potential" development sites.

[Kühl-1; Kühl-10, Kühl-11; Kaufman-3; Meehan-3; Goldstein-1; Haegens-1; Veconi-3; Veconi-4; Veconi-5; Veconi-6; Veconi-7; Veconi-8; Hudson & Ossé-3; Hudson & Ossé-10; Hudson & Ossé-15; Hudson & Ossé-21; Hudson & Ossé-25; Hudson & Ossé-29; Hudson & Ossé-33; Ossé-6; Rosenblum -1]

**Response:** Comment noted. See the Final Scope Section C, "Background to the Proposed Actions." As indicated there, development of AAMUP involved working group meetings that consisted of a mix of presentations, interactive activities, and break-out group discussions led by the engagement consultant and in close coordination with the steering committee, DCP, Council Member Crystal Hudson, and the City Council's Planning and Land Use Division. Several City agencies also participated in and supported the engagement process, including the Department of Housing, Preservation, and Development (HPD), Department of Transportation (NYCDOT), Department of Parks and Recreation (DPR), Department of Small Business Services (SBS), and the New York City Economic Development Corporation (EDC).

As indicated in the Final Scope in Task 22 "Summary EIS Chapters", the growth-inducing impacts of AAMUP will be analyzed in the EIS.

### 3.3 Proposed Action / Reasonable Worst Case Development Scenario

**Comment 08:** The analysis year should be 2039, given the uncertainties related to the office market, affordable housing delivery, and other factors the City faces in post-COVID New York.

[Goldstein-2]

**Response:** Comment noted. As indicated in the Final Scope Section H "Framework for Environmental Review," the analysis year is 2034. The *CEQR Technical Manual* notes that "for some generic actions or small area rezonings, where the build-out depends on market conditions and other variables, the build year cannot be determined with precision. A build year ten (10) years in the future is generally considered reasonable for these projects, as it captures a typical cycle of market conditions and generally represents the outer timeframe within which predictions of future development may usually be made without speculation". Based on this guidance, 10 years provides a reasonable analysis timeframe for actions of this scale.

**Comment 09:** The scope of the EIS should study waivers of bulk requirements and transfer of development rights for the St. Bartholomew Church property and adjacent properties, as well as an alternative development scenario allowing waiver by Certification for a landmark where housing will be developed.

[Chan-2; Chan-4; Chan-5; Chan-6]

**Response:** Comment noted. DCP will review during the development of the land use application, which is outside the scope of the CEQR analysis. DCP is also

currently evaluating bulk flexibility for houses of worship and LPC-designated landmarks as part of a forthcoming citywide zoning text amendment, called the City of Yes for Housing Opportunity, which is outside of the scope of the AAMUP project. The RWCDS assumes the transfer of development rights from the St. Bartholomew Church to an adjacent site (Projected Development Site 20), and is being analyzed accordingly.

**Comment 10:** AAMUP should significantly increase high-density and affordable development, such as at least 50 percent affordable units, and/or units affordable to households making less than 40% or 50% of the area median income, or other requirements beyond standard Mandatory Inclusionary Housing (MIH) requirements. Rezoning for increased density should only be approved after development commitment to mandatory inclusionary housing. The rezoning plan must prioritize and maximize deeply affordable housing.

More needs to be done in terms of developing deeply affordable housing. The proposed zoning includes MIH options, 1, 2, and 3, but in that environment basically all developers would choose option 2, which is not particularly affordable and certainly would not meet the needs of people in Community District 8 that are seeking affordable housing and are at risk of displacement today.

[A-1; Martha-1; Veconi-2; Hudson & Ossé-4; Hudson & Ossé-5; Hudson & Ossé-13; Ossé-1; Ossé-3; Ossé-4; Hudson-2; Mitchell-1; Mitchell-2; Denys-1; Reddy-1; Reddy-2; Huzi-1; Gonzalez-1; Hyde-1; VeconiG-2; VeconiG-4; Magnani-1]

**Response:** As indicated in the Final Scope Section G "Description of Proposed Actions", the proposed R6A, R7A, R7D, C6-3A, M1-4/R6A, M1-4/R7D, M1-5/R9A, C4-3A, and C4-5D zoning districts would be mapped as MIH areas setting mandatory affordable housing requirements pursuant to the MIH program to require a share of new housing to be permanently affordable where significant new housing capacity would be created. With MIH, the development of market-rate units subsidizes the creation of affordable housing. City-owned sites would be developed with 100 percent affordable housing for families, older adults, and the formerly homeless. The Proposed Actions would facilitate the disposition of two City-owned sites on Dean Street and Bergen Streets, currently owned by the HPD. These sites were subject to an RFP process and community visioning process, resulting in the selection and designation of two development proposals for fully affordable projects that serve older adults and families, in conjunction with on-site services and community facilities on the ground floor that complement the housing above.

**Comment 11:** AAMUP should maximize residential density and avoid blanket historic designations and superfluous office space. High-density residential development should be encouraged throughout the AAMUP area; development burdens should not be concentrated in the eastern portion or along arterial roadways, which impacts lower-income residents. The EIS should include a detailed assessment of indirect residential displacement regardless of whether the Proposed Actions technically contribute to the trend. How will AAMUP address unintended consequences of limited demand for office space resulting in high-end residential development instead?

[A-2, A-3; Salvatore-2; Salvatore-3; Salvatore-4; Salvatore-5; Salvatore-6; Meehan-2; Meehan-4; Goldstein-3; Hudson & Ossé-6; Hudson & Ossé-7; Ossé-5]

**Response:** Comment noted. See the Final Scope, Section C, "Background to the Proposed Actions," which describes the community-engagement process that informed development of AAMUP. As indicated in the Final Scope Task 3 "Socioeconomic Conditions", the EIS will analyze the Proposed Actions' effects on socioeconomic conditions, including direct and indirect residential displacement. The purpose and need of the proposed actions include goals to support a mixed-use neighborhood that encourages both housing and jobs, promotes an existing employment node where residents can walk to work, and active ground floors. The proposed actions aim to stimulate housing growth, while ensuring flexibility for future non-residential uses in a manner that considers a range of outcomes and minimizes potential vacancy. As such, the RWCDS anticipates and therefore analyzes a largely residential development scenario

**Comment 12:** How will the City supplement the rezoning with the needed resources and legal, programmatic, and service-oriented tools to help create and keep jobs in the area? Considering the prevailing pressures to build high-end market-rate residential units, what resources will be used to ensure that the affordable units projected under the proposal are subsidized?

[Goldstein-4; Goldstein-7; Hudson & Ossé-11; Robinson-1; Hudson & Ossé-37]

**Response:** As part of the neighborhood planning process, DCP is collaborating closely with the SBS and HPD on a wide range of tools and resources to support job programs and tenant protections that build on the outreach from the spring of 2023. Affordable units produced by the Proposed Actions would be subject to MIH, which includes stringent rules and legal requirements, while public sites would be subject to additional regulations, such as term sheets and other financing obligations to guarantee long-term affordability.

**Comment 13:** AAMUP should further promote mixed uses, such as through mixed-use zoning incentives, MX designation for the Atlantic Avenue frontage between Franklin and Classon, or modification of the C6-3A district to allow light industrial use. Doing so would increase the possibility in the future, of a mixed-use project on that block, perhaps opening the door for GMDC to partner with property owners and other developers to create more mixed-use buildings while also not reducing the residential FAR possibilities in that area. Direct displacement of existing business should not occur, and these should be analyzed in the EIS. We must strengthen mixed use zoning incentives for light industrial arts and community facility uses. In addition, DCP must confirm that the special district will include a provision to preserve existing significant commercial industrial properties.

[Hudson & Ossé-8; Hudson & Ossé-14; Smith-1; Smith-2; Hudson-4; Hudson-5; VeconiG-1; Hudson & Ossé-16; Hudson & Ossé-41]

**Response:** Comment noted. As indicated in the Final Scope Task 3 "Socioeconomic Conditions", the Proposed Actions' impacts on direct business displacement will be analyzed in the EIS. The AAMUP zoning framework seeks to balance many mixed-use goals by promoting space for jobs, requiring active ground floors on

key corridors, and permitting commercial, industrial and community facilities in a manner that allows flexibility for different types of non-residential uses to flourish in the future and adapt to shifting business and market conditions. Along Atlantic Avenue, C6-3A was selected to promote active commercial and community facility uses that enhances the streetscapes and minimizes curb cuts, which are often necessary for industrial business operations. An MX district is proposed to be mapped along Atlantic Avenue between Classon and Franklin Avenues to ensure that existing GMDC's industrial business remain conforming in the future.

**Comment 14:** AAMUP should include acquisition and/or disposition of additional properties for development of affordable housing, including 510 Clermont Avenue, 457 Nostrand Avenue, 178 Brooklyn Avenue, and 1024 Fulton Street, as well as lots east of 516 Bergen Street. These sites hold the greatest potential to increase affordability in my district, and DCP must collaborate closely with DOE and other agencies to make use of this opportunity. Deeply affordable housing is essential to ensure that longtime residents are able to remain in their communities.

[Kaufman-2; Veconi-1; Hudson & Ossé-5; Hudson & Ossé-12; Hudson & Ossé-28; Hudson & Ossé-40; Ossé-2; Hudson-1]

**Response:** Comment noted. As described in the Final Scope of Work, several of the sites have been added to the land use application and the environmental review. As noted, sites #53 and #55 are included in the environmental analysis to account for development that could be facilitated by future discretionary actions not subject to the current ULURP application associated with the Proposed Actions. .t. Details on each added site can be found in the Final Scope Appendix A "Reasonable Worst Case Development Scenario Tables" and Appendix E "Development Site Descriptions."

**Comment 15:** AAMUP should propose lesser increased density on some parcels or sections of the rezoning area, such as the areas of Bergen Street and Dean Street in Prospect Heights or in the eastern portion of the project area along Atlantic Avenue. Consider reducing density along the eastern portion of Atlantic Avenue. Generally, the density on Atlantic Avenue and surrounding streets tapers down from its height at the Pacific, as one moves eastward. At present, the areas around the eastern portion of the proposed Atlantic Avenue zoning are mainly zoned at R6A, 6 to 8 stories and R6B, 4 to 5 stories. There would be a stark contrast between the existing density and the proposed C6-3A zoning for Atlantic Avenue, which would allow buildings up to 18 stories. We must ensure an appropriate transition from higher density along Atlantic Avenue to the surrounding residential areas.

[Veconi-1; Hudson & Ossé-7; Ossé-5; Hudson-3]

**Response:** Comment noted. The EIS will analyze the Proposed Action's potential for impact as a result of the proposed density in the Land Use, Zoning and Public Policy analysis (as detailed in the Final Scope Task 2 "Land Use, Zoning and Public Policy") and the Urban Design analysis (Final Scope Task 8 "Urban Design and Visual Resources"). If significant adverse impacts are identified, mitigation will be identified and alternatives, including a "No Unmitigated Significant Adverse Impact" alternative will be analyzed (as outlined in the Final Scope Task 20 "Mitigation" and Task 21 "Alternatives").

**Comment 16:** The EIS must include a list of other developments anticipated to be completed by the 2034 analysis year, and the EIS should determine what cumulative impacts would be attributed to the incremental development since 2018.

[Kühl-2; Hudson & Ossé-17]

**Response:** Comment noted. As indicated in the Final Scope Section H "Framework for Environmental Review," RWCDS was developed for both the current (No-Action Condition) and proposed (With-Action Condition) zoning conditions for a 10-year period (Build Year 2034). The incremental difference between the No-Action and With-Action Conditions will serve as the basis for the impact analyses of the EIS. The EIS will not separately analyze impacts of developments approved or built since 2018. The DEIS impact assessment methodology is comprehensive and will consider cumulative effects by including known and planned No Build developments through the 2034 analysis year and also future projected No Action demands on wastewater, transportation, schools, libraries, and parks, by including these projected demands through 2034 in the analysis. This projection of future No Action demand is coordinated with other City agencies (e.g., NYCDOT, DEP, SCA) and is used as the basis for adding the projected demands that would result from the Proposed Actions.

**Comment 17:** The EIS should analyze re-activation and re-use of unused portions of Bedford-Atlantic Armory, as well as retain the current uses in the building.

[Hudson & Ossé-27]

**Response:** Comment noted. While discussions are ongoing regarding the long-term use of the Bedford-Atlantic Armory, DHS does not have any short or medium-term plans to accommodate new uses, which would require substantial funding to renovate the space and necessitate further analysis to determine feasibility.

### 3.4 Socioeconomic Conditions

**Comment 18:** How will the Proposed Actions affect property taxes for homeowners? The EIS should analyze indirect residential displacement beyond the requirements of the *CEQR Technical Manual*. Displacement factors and rent burdens should be studied in the EIS, and I also recommend that you study rent burdens in the area.

[A-5; Lazur-1; Lazur-2; Hudson & Ossé-19]

**Response:** As indicated in the Final Scope Task 3 "Socioeconomic Conditions", pursuant to the *CEQR Technical Manual* the EIS will analyze the Proposed Actions' effects on socioeconomic conditions, including indirect residential displacement. The analysis will determine whether population increases may affect real estate market conditions; it will not specifically calculate property taxes under the With-Action Condition.

**Comment 19:** The EIS should consider direct and indirect business and institutional displacement using methodologies beyond the scope recommended in the *CEQR Technical Manual*.

[Hudson & Ossé-18; Hudson & Ossé-20]

**Response:** Comment noted. As indicated in the Final Scope Task 3 "Socioeconomic Conditions", pursuant to the *CEQR Technical Manual* the EIS will analyze the Proposed Actions' effects on socioeconomic conditions, including direct business displacement.

**Comment 20:** Local hiring is a big plus. We want to see more people from the community working in the community and hopefully living in the community stay living in the community.

[Murillo-1]

**Response:** Comment noted. As indicated in the Final Scope on Task 3 "Socioeconomic Conditions", pursuant to the *CEQR Technical Manual* the EIS will analyze the Proposed Actions' effects on socioeconomic conditions, including indirect residential displacement. The analysis will determine whether population increases may affect real estate market conditions.

**Comment 21:** The construction workers for any construction pursuant to the Proposed Actions should earn at least $40 an hour.

[Gonzalez-1; Gonzalez-2; Gonzalez-3]

**Response:** Comment noted. Comments on earnings from jobs created by the proposal are outside of the scope of environmental review.

### 3.5 Community Facilities & Services

**Comment 22:** The EIS should include a comprehensive study of access to healthcare in our community. The Draft Scope does not call for any analysis of the access to health care, either hospitals and acute care or primary care reflecting a shortcoming of the current CEQR manual with over 4,000 projected housing units added to the area. This action should be considered an introduction of a sizable new neighborhood and include analysis of impacts on healthcare services and infrastructure. The perennial underfunded and overburdened Interface Medical Center is the closest hospital to the area. Access to hospital and trauma care should be examined as part of the EIS.

[Ossé-7; Robinson-2; Hudson & Ossé-23]

**Response:** Comment noted. Under CEQR, a health care assessment is conducted only if an action would affect the physical operations of, or access to and from, a hospital or public health clinic; or where a proposed project would create a sizeable new neighborhood where none existed before.

The Proposed Actions would not physically affect any health care facility. Although AAMUP would increase density in parts of the area, the Project Area is

an existing and long-standing neighborhood with significant existing infrastructure; as such, the Proposed Actions are not creating a new neighborhood.

**Comment 23:** The EIS should consider the needs of existing schools in analysis of whether there are sufficient school seats in the study area.

[Hudson & Ossé-22]

**Response:** Comment noted. As indicated in the Final Scope Task 4 "Community Facilities and Services", the EIS will analyze impacts to public elementary, intermediate, and high schools.

### 3.6 Open Space

**Comment 24:** AAMUP should meet the open space needs of existing and future residents, and DCP should coordinate with other City agencies to commit capital spending to increase the area's open space ratio.

A significant amount of residential density will be added to the neighborhood as a function of this project, and the neighborhood is already underserved by open space. The EIS must consider how to provide additional open space, including potentially temporary public open space through the use of programs like open streets.

[A-9; Kühl-3; Veconi-3, Veconi-4, Veconi-5, Veconi-6; VeconiG-3; Hudson & Ossé-24]

**Response:** Comment noted. As indicated in the Final Scope Task 5 "Open Space", the EIS will include an assessment of potential effects on open space resources pursuant to *CEQR Technical Manual*. See also response to Comment 07 regarding coordination with other city agencies.

**Comment 25:** The City must work creatively to identify new opportunities for open space and commit to additional investments. The Franklin Avenue station is in District 36 and is frequented by residents and visitors of both districts. We ask that DCP work with the MTA to improve the station area as a public amenity and commit resources to specific specified improvements. The EIS should assess all opportunities to increase public open space in the study area, including design and capital improvements. At the John Hancock playground, the City should commit funding to implement these improvements in conjunction with this rezoning.

[Ossé-6]

**Response:** Comment noted. Per the *CEQR Technical Manual*, an open space analysis focuses on officially designated public open space and seeks to determine whether a proposed project would have a direct impact resulting from the elimination or alteration of open space and/or an indirect impact resulting from overtaxing available open space. As detailed in the Final Scope Task 5 "Open Space", an analysis will be conducted in the EIS. The EIS, pursuant to the Final Scope Task 13 "Transportation", will also analyze the MTA/NYCT stations. As

described in the Final Scope, Task 20 "Mitigation", where significant adverse impacts are identified in the EIS, measures to mitigate those impacts will be identified. Any mitigation strategies identified in the environmental review would be developed with involved agencies, including DPR. Addressing area-wide problems in the existing condition as described in the comment are beyond the scope of this EIS.

### 3.7 Shadows

**Comment 26:** If significant shadow impacts are identified, the EIS should analyze a lesser-density alternative.

[Hudson & Ossé-26]

**Response:** Comment noted. As indicated in the Final Scope Task 6 "Shadows", the EIS will analyze shadow impacts, pursuant to the *CEQR Technical Manual*. As described in Task 21 "Alternatives", a "No Unmitigated Significant Adverse Impact Alternative" will be identified and analyzed if significant adverse impacts are identified.

**Comment 27:** The EIS should analyze the Proposed Actions' shadow impact on photovoltaic energy generation.

[Kühl-6]

**Response:** As described in the Final Scope Task 6 "Shadows", a shadows assessment will be conducted pursuant to the *CEQR Technical Manual*, which analyzes the impacts of shadows on historic resources with sunlight-dependent features, open space resources, and natural resources. An analysis of the impact of shadows on buildings with solar panels and on the ability of other buildings in the area to benefit from solar energy is beyond the scope of environmental review.

**Comment 28:** We are against the high-density buildings in our immediate area. We do not want to live under the shadows of tall buildings or let the neighbors feel like we are living on the bottom of a canyon. We are talking about 25-20, maybe even 15 stories. Our main concern is high-density buildings.

[Alvarez-1; Nathan-1]

**Response:** As indicated in the Final Scope Task 6 "Shadows", the EIS will assess the potential for the Proposed Actions to result in significant adverse shadows impacts on sunlight-sensitive resources, including open spaces, natural features, and historic resources with sunlight-dependent features. The analysis of shadow impacts will follow the guidance of the *CEQR Technical Manua*l.

### 3.8 Urban Design

**Comment 29:** DCP should publish a 3D model of the RWCDS to better communicate the urban design implications of the projected development. This model should include permitted obstructions in anticipation of the "City of Yes for Carbon Neutrality" zoning rules that will allow for up to 55 feet of additional height for mechanical space.

[Kühl-7]

**Response:** Comment noted. As indicated in the Final Scope Task 8 "Urban Design and Visual Resources", the EIS will include an analysis of expected changes in urban design and visual character of the study area in accordance with guidance from the *CEQR Technical Manual*. The EIS will include three-dimensional representations of the future With-Action condition streetscapes within the project area as part of the preliminary analysis. The *CEQR Technical Manual* states that the purpose of the preliminary assessment is to determine whether any physical changes proposed by the project or action may have the potential to affect elements of urban design significantly and adversely. A detailed analysis will be required if the project changes urban design features so that the context of a natural or built visual resource is altered. The EIS Urban Design and Visual Resources chapter will analyze these changes through the use of drawings, maps, renderings, photographs, and photographic montages taken from pedestrian eye level.

**Comment 30:** The EIS should study density bulk modifications in the proposed C6-3A district, including both the 5-foot setback requirement and the transition from buildings on Atlantic Avenue to those on Pacific Street.

[Kühl-8]

**Response:** Comment noted. As indicated in the Final Scope Task 8 "Urban Design and Visual Resources, the EIS will include an analysis pursuant to the *CEQR Technical Manual* methodologies. The EIS Urban Design and Visual Resources chapter will analyze changes to the pedestrian experience at the street level in the Project Area and surrounding study area, including changes in the visual experience of the pedestrian related to changes in proposed floor areas, lot coverage, building heights, setbacks, and land uses. The analysis will evaluate the Proposed Actions in the context of the surrounding built and natural environment.

**Comment 31**: I support the high-density mixed-use planning along Atlantic Avenue and am also interested in some of the measures that have been proposed for redesigning that corridor.

[Weatherford-1]

**Response:** Comment noted.

### 3.9 Natural Resources

**Comment 32:** AAMUP should include new parks, plantings, landscaping, and green roofs to improve habitat and the ecological value of the community, and the EIS should study and quantify effective measures to increase the presence of natural resources and propose requirements to provide such resources in AAMUP.

[Kühl-5]

**Response:** As indicated in the EAS on page B-6 "Natural Resources", the Proposed Actions would not have a significant adverse impact on natural resources, pursuant to

*CEQR Technical Manual* methodologies. According to the *CEQR Technical Manual*, a natural resources assessment may be appropriate if a natural resource is present on or near the site of a project, and the project would, either directly or indirectly, cause a disturbance of that resource. The Project Area is located in a fully developed area of Brooklyn, and the affected area and immediately adjacent areas are substantially devoid of natural resources. Therefore, the Proposed Actions would not have a significant adverse impact on natural resources, and no further analysis is warranted. As described in the EAS on page B-4 "Open Space", an Open Space analysis is warranted and has been described in Final Scope Task 5 "Open Space". The analysis will be conducted in the EIS, pursuant to the *CEQR Technical Manual*. Comments regarding the existing lack of natural resources in the project area is outside the scope of the Proposed Actions and the environmental review.

### 3.10 Water & Sewer Infrastructure

**Comment 33:** The EIS should analyze additional wastewater and stormwater volume generated by the development in wet and dry conditions and its impact on the sewer system. Where AAMUP would result increased flooding at local intersections, green infrastructure solutions should be proposed. The EIS should identify which development sites will be required to meet updated 2021 Unified Stormwater Rule standards.

[Hudson & Ossé-30]

**Response:** As indicated in the Final Scope Task 10 "Water and Sewer Infrastructure", the EIS will analyze impacts to sewer infrastructure based on the methodologies in the *CEQR Technical Manual*.

### 3.11 Solid Waste & Sanitation

**Comment 34:** The EIS should ensure that waste containerization requirements on private sites are within the scope and include strategies for waste management.

[Hudson & Ossé-31]

**Response:** Comment noted, as indicated in the Final Scope Task 11 "Solid Waste and Sanitation Services", the EIS will analyze impacts to solid waste and sanitation based on the methodologies in the *CEQR Technical Manual*.

### 3.12 Energy

**Comment 35:** The EIS should study enabling energy production or efficiency measures, such as passive energy-efficient designs, passive heating and cooling, or integration of renewable energy generation and distribution.

[Kühl-9; Hudson & Ossé-32]

**Response:** As indicated in the Final Scope Task 12 "Energy", the EIS will analyze impacts to energy based on the methodologies in the *CEQR Technical Manual*. Such analysis does not preclude energy-efficient designs or renewable energy infrastructure.

### 3.13 Transportation

**Comment 36:** The EIS should consider the actual availability of public transit. C train service is not dependable or safe due to lack of platform space, frequent delays, and lack of cleanliness. In addition, MTA's Brooklyn Bus Network Redesign draft plan should be considered.

[A-4; Kühl-12; Alvarez R -1; Rosenblum -1; Hudson & Ossé-34]

**Response:** Comment noted. As indicated in the Final Scope Task 13 "Transportation", the EIS will assess the potential for the Proposed Actions to result in significant adverse impacts to traffic, transit, pedestrian, and parking. The EIS will include a detailed transit analysis pursuant to the requirements of the *CEQR Technical Manual*, including analysis of impacts to subway line haul and subway station elements at local subway stations that are projected to accommodate demand generated by RWCDS developments in excess of *CEQR Technical Manual* thresholds. Measures to mitigate any potential significant impacts will also be assessed in the EIS, as described in Final Scope Task 20 "Mitigation".

**Comment 37:** The EIS should include a detailed parking analysis that analyzes AAMUP as a pilot zone that would replace parking requirements with incentives to offer space for shared mobility or other methods to minimize parking provision.

[Kühl-13; Meehan-3]

**Response:** Comment noted. The Proposed Actions do not include any incentives to offer space for shared mobility or other methods to minimize parking provisions. As indicated in the Final Scope Task 13 "Transportation", pursuant to the *CEQR Technical Manual*, the EIS will analyze Proposed Actions' impacts on parking if the onsite required accessory parking for projected development sites is not sufficient to accommodate incremental demand.

**Comment 38:** Affordable housing should provide free or low-cost parking to residents, and commercial spaces should accommodate parking.

[A-7]

**Response:** Comment noted. As indicated in the Final Scope Task 13 "Transportation", the EIS will analyze the Proposed Actions' impacts on parking if the onsite required accessory parking for projected development sites is not sufficient to accommodate incremental demand. The RWCDS (Final Scope Appendix A "Reasonable Worst Case Development Scenario") assumes provision of parking in accordance with applicable zoning regulations.

**Comment 39:** Bike-share services should not occupy street space and reduce vehicular parking capacity.

[A-8]

**Response:** Comment noted. Expanding bike services within the public right of way is under the purview of the NYCDOT and beyond the scope of the Proposed Actions.

**Comment 40:** The EIS should include an analysis of walking and bicycle connections to larger open spaces in the study area, including the safety of such connections.

[Kühl-4]

**Response:** As described in the Final Scope, pursuant to the methodologies in the *CEQR Technical Manual*, the transportation analyses in the EIS will assess the potential for the Proposed Actions to result in significant adverse pedestrian impacts and evaluate street user safety for pedestrians and bikes within quarter mile of the project area. This will include identifying any high crash locations and Vision Zero locations in the traffic and pedestrian study areas and evaluating feasible improvement measures to alleviate potential safety issues. As indicated in the Final Scope Task 13 "Transportation", the EIS will analyze the Proposed Actions' impacts on vehicular and pedestrian safety pursuant to the methodologies in the *CEQR Technical Manual*.

### 3.14 Noise

**Comment 41:** Mobile-source noise generation should be analyzed, and mitigations should be proposed.

[Hudson & Ossé-36]

**Response:** As indicated in the Final Scope Task 16 "Noise", the EIS will include an analysis of mobile-source noise. If significant impacts are identified, mitigation will be identified, pursuant to Final Scope, Task 20 "Mitigation".

### 3.15 Greenhouse Gases

**Comment 42:** The EIS should include a quantitative analysis of embodied carbon or other quantification methodologies beyond standard construction- and transportation-focused emissions.

[Kühl-14; Goldstein-6; Hudson & Ossé-35]

**Response:** As indicated in the Final Scope Task 15 "Greenhouse Gas Emissions and Climate Change", pursuant to the *CEQR Technical Manual* the EIS will analyze the Proposed Actions' impacts on greenhouse gases and climate change, including an assessment of emissions from operations, mobile sources, and construction. The analysis will not quantify embodied carbon, pursuant to the *CEQR Technical Manual* methodologies.

### 3.16 Neighborhood Character

**Comment 43:** The Proposed Actions will result in developments that increase the residential population of the neighborhood. These new residents will disrespect public infrastructure and spaces, as well as increase demand for public utilities and services.

[A-6]

**Response:** As indicated in the Final Scope, pursuant to the *CEQR Technical Manual* the EIS will analyze the Proposed Actions' impacts on water and sewer infrastructure

(Final Scope Task 10), solid waste and sanitation (Final Scope Task 11), energy (Final Scope Task 12), and neighborhood character (Final Scope Task 18). In addition, as noted in the Final Scope, although not part of the proposed land use and zoning actions, a coordinated plan would call for strategic improvements to infrastructure and services, such as streetscape and pedestrian safety improvements along Atlantic Avenue and investments in parks, affordable housing, and various services and programs.

### 3.17 Construction

**Comment 44:** The EIS should analyze construction impacts on schools, day cares, and senior centers.

[Hudson & Ossé-38]

**Response:** As indicated in the Final Scope Task 19 "Construction", the EIS will include a detailed construction impact analysis pursuant to the methodologies in the *CEQR Technical Manual*, which includes analysis of potential impacts to schools and other sensitive land uses.

### 3.18 Mitigation

**Comment 45:** Coordinate with local elected officials as early as possible regarding proposed mitigations.

[Hudson & Ossé-39]

**Response:** Comment noted.

### 3.19 Alternatives

**Comment 46:** The EIS should analyze an alternative development scenario with significantly less commercial office space and more residential units, local retail, and light industrial uses than the preferred action outlined in the Draft Scope. The EIS should analyze a lesser density alternative.

[Goldstein-5; Hudson & Ossé-26]

**Response:** As indicated in the Final Scope Task 22 "Alternatives", the purpose of an alternatives chapter in an EIS is to examine development options that would tend to reduce action-related impacts. The alternatives will be better defined once the full extent of the Proposed Actions' impacts have been identified. Typically for area-wide actions such as the Proposed Actions, the alternatives will include a no-action alternative, a no impact or no unmitigated significant adverse impact alternative, and a lesser density alternative.