APPENDIX K

Written Comments on the DEIS
and
CPC Resources Correspondence

APPENDIX K.1
Written Comments on the DEIS

Chair Burden and Commissioners,

Thank you very much for the opportunity to testify today in regards to the application by Community Preservation Corporation Resources ("CPCR") to rezone the site formerly occupied by the Domino Sugar refinery on the Williamsburg waterfront in Brooklyn. While I commend CPCR for their continued engagement with the Williamsburg community over the past several years, as well as their commitment to much needed affordable housing, open space, and community facilities, I believe that the New Domino, as it is proposed before you today, simply imposes too much of a burden on the existing infrastructure of the Williamsburg neighborhood.

I will speak of several key issues which I believe need to be addressed if this proposal is to be approved:

1) The New Domino project is proposed to be over 2.8 million square feet, the vast majority, 2.4 million square feet, is due to be residential. That translates to about 2,200-2,400 units for between 6,100 and 6,700 people. It is my opinion, as the Councilmember who represents this area, that we do not have the mass transportation, road infrastructure, basic civic service infrastructure, and school infrastructure to sustain this influx of residents. This development must be seen in the context of the 2005 Williamsburg/Greenpoint rezoning in several ways. First, the total average FAR on the proposed waterfront site is 5.7, which exceeds the maximum FAR with inclusionary bonus of 4.7 allowed by the 2005 Williamsburg/Greenpoint rezoning by about 21%. On the upland site, CPCR is asking for an FAR of 6.0 which vastly exceeds the maximum FAR allowed by an R6 zoning with an inclusionary housing bonus of 2.75. Both the Community Board and the Borough President have recommended decreasing the upland density to 3.6 FAR, or 40% from what CPC is proposing. In addition, the 2005 Williamsburg/Greenpoint rezoning has allowed for the construction of additional thousands of units between the waterfront and upland sites-many of which remain empty or are just beginning to fill up now. There is clearly a cumulative effect on the neighborhood to all this development. It is my opinion that entire density of the project needs to be brought down significantly to where the total number of units not exceed 1,600 while maintaining 40% of those units as affordable.

   In addition, I agree with the Community Board and the Borough President that the density for the upland parcel be brought down significantly, not to exceed 3.6 FAR.

2) In terms of transportation, one must ask, how do approx. 6,400 new people get to work and school every day? The development site is 1.5 miles to the nearest subway line, equidistant from the Marcy Ave JMZ stop, which is woefully underserved, and the Bedford Ave. L stop, which, according to MTA statistics released just this week, has 19,550 riders per weekday-the fourth busiest station in all of Brooklyn and the busiest single line stop in the borough. Even more

astounding, the ridership only decreases by 9% on Saturdays. In addition, the proposed population increase will put local bus lines at 300% capacity during morning rush hour.

There needs to be a significant effort to address and mitigate the overwhelming strain that approx. 6,400 new people will put on our transportation infrastructure. I believe that the applicant must provide a plan to mitigate the adverse impacts because, as the EIS stated, "absent such mitigation measures, the proposed project would result in an unmitigated significant adverse transit impact." Options should include a shuttle bus provided by CPCR to nearby subway lines and across the Williamsburg Bridge to lower Manhattan and a ferry service to Manhattan. Also, I believe that there needs to be MTA upgrades in bus service on nearby lines and an upgrade in the JMZ line subway service.

3) CPCR has, for some time now, offered the community 660 units of affordable housing, or 30% of the total proposed at the New Domino site. While I commend CPCR for it's willingness to offer this much needed affordable housing, I believe that the overall density of the project can come down significantly while still providing the same number of affordable units. Several blocks south of the Domino site is Schaefer Landing, which in 2003 was rezoned for residential use, is in full context with the 2005 rezoning in terms of density, and has 40% affordable units. I believe that the New Domino can follow this model. In addition, it is very important that affordability levels of the proposed affordable units accurately reflect the median income of the surrounding community, which is about $35,000 for a family of four, and that unit sizes reflect the needs of local families with 2, 3, or more children. Finally, all affordable units must remain affordable in perpetuity.

4) CPCR has committed to approximately 140,000 sq. ft. of community space, 100,000 of which is to be located within the Refinery building and 40,000 of which is to be located in the final building on the north end of the waterfront site, slated to be developed in 2020. It is my understanding that the 100,000 sq. ft. in the Refinery building may potentially be used for a public school, therefore leaving only the 40,000 sq. ft. for other community uses. While I recognize that District 14 will very much need school space in the coming years I am concerned that the community has to wait ten years from now for community space other than a school. In any event, all community space should be locked in for community use and not used for any residential, commercial, or retail uses.

I continue to have concerns on others aspects of the proposed development including, but not limited to, the following:
- the amount of open space created-which will, with the increase in population brought by the project, result in a net decrease for the surrounding community in terms of acreage per capita (this is especially felt on the Southside, where there is a great lack of open space to begin with).

-the special permit requested which would allow for 1,694 parking spaces, significantly more than the maximum allowed by the zoning.
-the overall effect of the development on secondary displacement in the surrounding neighborhood.
-the overall effect of the development on vehicular traffic patterns in the surrounding neighborhood.
-the overall effect on civic infrastructure such as school, police, and firefighters in the surrounding neighborhood.

It is my belief that the New Domino has a great potential to bring much needed affordable housing, community space, jobs, and open space to the Williamsburg community. However, the project as presented today would be, simply put, so big, with so much density and so many people, that the negative impacts on the neighborhood would outweigh the benefits.

It is important that we look at this proposal in the context of the surrounding neighborhoods of Williamsburg, where we are facing the challenges of an affordable housing crisis, gentrification, and an already over burdened infrastructure. Real and significant changes should be made to this proposal before it is approved so that the benefits to the surrounding neighborhoods outweigh any negative impacts that may result.

Testimony of Councilman Steve Levin
Received 4/30/10

I will speak of several key issues which I believe need to be addressed if this proposal is to be approved:

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In addition, I agree with the Community Board and the Borough President that the density for the upland parcel be brought down significantly, not to exceed 3.6 FAR.

In terms of transportation, one must ask, how do approx. 6,400 new people get to work and school every day? The development site is 1.5 miles to the nearest subway line, equidistant from the Marcy Ave JMZ stop, which is woefully underserved, and the Bedford Ave. L stop, which, according to MTA statistics released just this week, has 19,550 riders per weekday-the fourth busiest station in all of Brooklyn and the busiest single line stop in the borough. Even more astounding, the ridership only decreases by 9% on Saturdays. In addition, the proposed population increase will put local bus lines at 300% capacity during morning rush hour.

There needs to be a significant effort to address and mitigate the overwhelming strain that approx. 6,400 new people will put on our transportation infrastructure. I believe that the applicant must provide a plan to mitigate the adverse impacts because, as the EIS stated, “absent such mitigation measures, the proposed project would result in an unmitigated significant adverse transit impact.” Options should include a shuttle bus provided by CPCR to nearby subway lines and across the Williamsburg Bridge to lower Manhattan and a ferry service to Manhattan. Also, I believe that there needs to be MTA upgrades in bus service on nearby lines and an upgrade in the JMZ line subway service.

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local families with 2, 3, or more children. Finally, all affordable units must remain affordable in perpetuity.

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I continue to have concerns on others aspects of the proposed development including, but not limited to, the following:

the amount of open space created-which will, with the increase in population brought by the project, result in a net decrease for the surrounding community in terms of acreage per capita (this is especially felt on the Southside, where there is a great lack of open space to begin with).

the special permit requested which would allow for 1,694 parking spaces, significantly more than the maximum allowed by the zoning.

the overall effect of the development on secondary displacement in the surrounding neighborhood.

the overall effect of the development on vehicular traffic patterns in the surrounding neighborhood.

the overall effect on civic infrastructure such as school, police, and firefighters in the surrounding neighborhood.

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THE ASSEMBLY
STATE OF NEW YORK
ALBANY

VITO J. LOPEZ
53rd Assembly District
Kings County

CHAIRMAN
Housing

COMMITTEES
Rules
Commerce, Industry & Economic Development
Social Services

Subcommittee on Mitchell-Lama
Subcommittee on Problems of Elderly Minority
Subcommittee on Affordable Housing

ASSEMBLYMAN VITO LOPEZ TESTIMONY

DOMINO SUGAR REZONING

Good morning Chairperson Burden and Commissioners. My name is Allison Frost and I am here on behalf of Assemblyman Vito Lopez, Chairman of the New York State Housing Committee, who represents the Southside of Williamsburg, the area largely impacted by the proposed rezoning of the Domino Sugar Refinery site. As one of the foremost affordable housing advocates in the state of New York and a strong voice in protecting residents against displacement, Assemblyman Lopez is highly concerned with the serious consequences of this proposal.

This rezoning seeks significant height, setback, floor area and parking special permits. These requests cannot be considered in a vacuum. Putting aside for a moment the large scale development built along the waterfront in the last few years, Schaefer Landing and The Edge only to name a few, this project comes on the coattails of yet another rezoning on Kent Avenue bringing 800 new housing units to the area. So this massive proposal, planning for upwards of 2,400 new apartment units, needs to be examined from all angles and perspectives. Domino alone stands to infuse close to 8,000 new residents to the neighborhood. Cumulatively, the population within a half-mile radius stands to grow by about 25% with *at least* 15,000 new residents. Due to the profound impact this action would have on the entire Williamsburg community, Assemblyman Lopez disapproves of the proposed Domino Sugar rezoning and is calling for significant amendments to the current rezoning plan.

First, Assemblyman Lopez has long been a proponent of contextual zoning and moderate-sized development. The heights of some of the proposed buildings are entirely out of context for the neighborhood, as CPC is proposing two 30-story and two 40-story buildings. He asks that the sponsor not exceed 30 floors in any portion of the development. Additionally, this project needs to drastically reduce not only its height but its scope. Assemblyman Lopez strongly recommends limiting the number of total apartments in the project to 1600.

Domino clearly poses a grave problem for current residents in Williamsburg, either pricing many of them out of their own neighborhoods or displacing them. Schaefer maintains 40% of its units as affordable – the result of demands Assemblyman Lopez made 5 years ago during its development. It is imperative that the sponsor yield at least to this established precedent reaching a 40% affordable threshold to protect more Williamsburg residents. Further, Assemblyman Lopez wants a commitment from CPC that these affordable units be built prior to, or simultaneously with, the market rate units. He pledges to work side by side with CPC to help leverage additional resources from State and City programs to achieve this goal.

Importantly, the current infrastructure *simply will not* be able to support this additional high-rise development. The infrastructure in Williamsburg is severely taxed as it is. Domino is about 15 blocks in either direction from a subway. The MTA has proposed cuts to one, the JMZ line at Marcy Avenue. The Bedford Avenue L has waits of two or three trains as it is for people seeking to go to Manhattan at rush hour. In fact, it was just ranked the highest traffic of any single-lined station in all of Brooklyn. The population increase created by Domino is also projected to increase bus ridership in the area by 300%. It is therefore incumbent upon the sponsor of this rezoning to privately fund a mode of transportation for the community. I would like for the sponsor to propose methods – such as a bus shuttle – to take residents to alternative subway stops and to lower Manhattan. There needs to be a real and serious proposal in place for the sponsor to move forward with this development.

Finally, Assemblyman Lopez would like a binding covenant in place to assure that the 150,000 square feet of proposed community and school space remains community space for the life of the development. Where 100,000

Room 943, Legislative Office Building, Albany, New York 12248, (518) 455-5537
434 South 5th Street, Brooklyn, New York 11211, (718) 963-7029

square feet is currently proposed for a school, even if CPC is unable to secure the appropriate agreements, that space must remain space to serve the community and must not be converted into any additional apartments.

Just as the Community Board voted to oppose this proposal, Assemblyman Lopez too opposes this rezoning and recommends serious revisions to the proposed plan. He urges the Commission today to do the same. Thank you.

E-mail/ Fax transmittal

Community District 1 Distribution **TO**	Borough President Marty Markowitz **FROM**
April 9, 2010 **DATE**	**Kevin Parris,** **Land Use & Community Coordinator** Phone: (718) 802-3856 E-Mail: kparris@brooklynbp.nyc.gov **CONTACT**
ULURP Recommendation The New Domino **RE: 100185 ZMK, 100186 ZRK, 100187 ZSK, 100188 ZSK, 100189 ZSK, 100190 ZAK**	**NO. PAGES, INCLUDING COVER 21**

Attached is the recommendation report for ULURP application 100185 ZMK, 100186 ZRK, 100187 ZSK, 100188 ZSK, 100189 ZSK, 100190 ZAK.

If you have any questions, please contact Kevin Parris at (718) 802-3856.

Distribution

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Brooklyn Borough President Recommendation

CITY PLANNING COMMISSION
22 Reade Street, New York, NY 10007
FAX # (212) 720-3356

INSTRUCTIONS
1. Return this completed form with any attachments to the Calendar Information Office, City Planning Commission, Room 2E at the above address.
2. Send one copy with any attachments to the applicant's representatives as indicated on the Notice of Certification.

APPLICATION # 100185 ZMK, 100186 ZRK, 100187 ZSK, 100188 ZSK, 100189 ZSK, 100190 ZAK
The New Domino

In the matter of applications submitted by the Refinery LLC pursuant to Sections 197-c and 201 of the New York City Charter for actions including an amendment to the zoning map and text and the grant of special permits pursuant to Sections 74-743(a)(1&2); 74-744(b); and, 74-53 of the Zoning Resolution to allow for a mixed-use development with approximately 2,200 residential units, 30 percent (660 units) intended to be affordable with provisions for waterfront public access area/esplanade on property bounded by Grand to south 5th Street between East River and Kent and upland parcel east of Kent between South 3rd & 4th Street.

COMMUNITY DISTRICT NO. 1 BOROUGH OF BROOKLYN

RECOMMENDATION

Zoning Text Amendment:
100186 ZRK

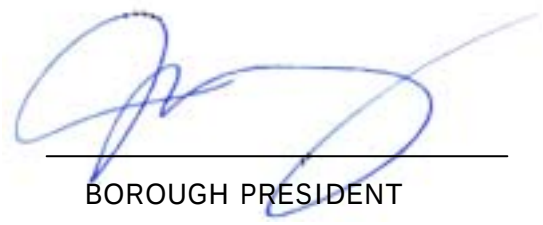
☒ APPROVE
☐ APPROVE WITH MODIFICATIONS/CONDITIONS
☐ DISAPPROVE
☐ DISAPPROVE WITH MODIFICATIONS/CONDITIONS

Zoning Map Amendment and Special Permits:
100185 ZMK – 100187 ZSK – 100188 ZSK

☐ APPROVE
☒ APPROVE WITH MODIFICATIONS/CONDITIONS
☐ DISAPPROVE
☐ DISAPPROVE WITH MODIFICATIONS/CONDITIONS

Special Permit:
100189 ZSK

☐ APPROVE
☐ APPROVE WITH MODIFICATIONS/CONDITIONS
☒ DISAPPROVE
☐ DISAPPROVE WITH MODIFICATIONS/CONDITIONS



BOROUGH PRESIDENT

April 9, 2010
DATE

RECOMMENDATION FOR THE FOLLOWING PROPOSED ACTIONS: AMENDMENT OF THE ZONING MAP, ZONING TEXT, THE GRANT OF SPECIAL PERMITS 100185 ZMK, 100186 ZRK, 100187 ZSK, 100188 ZSK, 100189 ZSK, 100190 ZAK

These applications by the Refinery LLC seeks an amendment to the zoning map and text; and the granting of special permits in order to facilitate the redevelopment of a sugar refinery and the development of a mixed-use project on 11 acres of waterfront and upland property in the Williamsburg community.

Public Hearing

On March 11, 2010 the borough president held a public hearing for the New Domino proposal. Eighty people were in attendance of which thirty-four testified. Nineteen speakers were in favor of the application including representatives for Congresswoman Nydia Velazquez and Council Member Diana Reyna. Fifteen speakers testified against the application including a representative for Council Member Stephen Levin.

Both elected officials and other speakers in favor commented on the importance of providing more affordable housing that would benefit the community. Additionally, they stressed that this plan will open up to the community much needed access to the waterfront and the provision of open space which is much in need in the area. The project would help revitalize the vacated site while retaining a historic component of the community. Lastly, many welcomed the jobs which the project will create both through construction and permanent employment.

Although Council Member Levin commended favorably about the amount of affordable housing and open space, he did not support the project as it is currently laid out citing its overwhelming height and impact on infrastructure. Generally, opponents felt that the project as proposed is too big. It is believed that its height will dwarf parts of the surrounding neighborhood and would result in an abundance of people into the community. It was stated that this project did not properly reflect the historic value that the Domino Sugar site held in New York City history. Others commented that alternative plans should be realized for this site.

Consideration

Community Board 1 (CB 1) voted to disapprove the application unless certain conditions were met by the developer. These included: a reduction in the project's overall density; a restriction of the heights on the upland parcel to reflect an R6A envelope; mitigation of the shadow impacts on Grand Ferry Park through a reduction in height of the towers; funding of a transportation study covering the entire community district; a reduction in the parking provided; a reduction in the retail portion of the upland site; and memorialized guarantees on all of the proposed aspects of the project.

Requested Land Use

The applicant has requested a zoning designation change from M3-1 to C6-2 and R8/C2-4 for the waterfront site and R6 for the upland site. The proposed zoning would extend the permitted land use from the recently established R7-3 zoning on waterfront parcels south of Broadway, and the blended R8/R6 zoning north of North 3rd street. It is the borough president's policy to support land use changes that enhance open space access and increases the supply of housing for Brooklyn residents; especially when such projects result in affordable housing. The borough president is concerned that too many of the borough's resident's leave because they can no longer afford to live in Brooklyn. The proposed zoning

provides an opportunity to address this concern by allowing for development that provides waterfront public access and additional floor area to facilitate affordable housing.

However, the borough president has concerns with a number of issues including: overall bulk (upland parcel) and density; details of the affordable housing commitment; adequacy of schools and day care; opportunity for a supermarket and artisan establishments; amount of parking; traffic management; adequacy of the public transportation; impact on Grand Ferry Park; maximizing employment opportunities; and, opportunities from the retained Domino sign.

Bulk/Density

The borough president does not believe that the waterfront site, in itself, warrants floor area that is not generally consistent with recent rezonings along the Williamsburg waterfront. The area-wide Williamsburg-Greenpoint rezoning capped floor area at 4.7 FAR, with blended zoning district designations with the inclusion of affordable housing. Rezonings to the south of Broadway, which were pursued at the expense of individual applicants, were capped at 5 FAR with the inclusion of affordable housing by being designated R7-3. The borough president recently approved a fourth rezoning to the south at Division Avenue for this R7-3 designation. The borough president believes that this application to redevelop privately-owned property should be more in keeping with the density of what is permitted by the R7-3. However, certain public concerns that are discussed in later sections, do warrant consideration for floor area exemptions.

The borough president does not believe that the upland site should accommodate the more than doubling of the permitted floor area based on the proposed R6 designation. The borough president agrees with the recommendation of CB 1 to limit bulk per the R6A district standard of 3.6 FAR. With such floor area limitation, the borough president believes that it is not necessary to authorize the transfer of all the requested 187,187 square feet through the General Large Scale Plan. The maximum street wall height of 60 feet and overall height of 70 feet according to R6A regulations should be adequate to accommodate 3.6 FAR. Therefore, the borough president does not see the need to accommodate the requested bulk modifications for the upland block as they pertain to: tower floor plates; base height and setback requirements; and, rear yard requirements. By not permitting the first few modification requests, the resulting building would be sufficiently in context with the surrounding inland blocks. By maintaining the rear yard requirement, a more ample interior space would result with a higher percentage of the apartments fronting the street and the interior facing apartments having more extensive light and air.

Affordable Housing

Guarantee of Affordable Housing Provided and "Affordable Forever"

The New Domino project proposes to set aside 30 percent of its total units for affordable housing, including 20 percent of the floor area pursuant to the Zoning Resolution's Inclusionary Housing Program's (IHP) floor area bonus. The IHP set aside is consistent with the borough president's "Affordable Forever" initiative as floor area would remain affordable for the life of the development. According to the IHP, the affordable housing units would accommodate families earning up to 80 percent of area median income (AMI). If the developer seeks real estate tax abatement according to the City's 421-a tax program, the affordable units would be restricted to up to 60 percent of AMI. According to the terms of the proposed General Large Scale Plan, the requested zoning bulk waivers would only be available if the development made use of the IHP.

The borough president supports the establishment of zoning text that makes the IHP applicable to the requested zoning map change. He believes that the floor area, real estate incentives, and restricting applicability of the bulk waivers would go a long way towards

providing the expectation that such affordable units linked to the IHP would be part of the development. However, this does not result in an explicit guarantee of receiving these units. The units proposed in excess of the 20 percent pursuant to the IHP have no basis under the proposal to ensure that they are included in the development. It would be unfortunate if circumstances prevented the applicant from honoring this commitment, especially given that the community's need for affordable housing is only increasing.

It is the borough president's policy to obtain a written commitment or explanation that conveys a suitable assurance that the affordable housing will be built. Residential construction should proceed only according to both a building permit that includes the floor area bonus, approved by the commissioner of the Department of Housing Preservation and Development (HPD), and the filing of a legal instrument that assures that as proposed, 30 percent of the units would be affordable. In a letter from the applicant dated April 8, 2010, the applicant commits to development pursuant to IHP through the provision of a legal instrument and will work with the City to memorialize the commitment to having 30 percent of the project's units as permanently affordable.

The New Domino proposes that 20 percent of the affordable units would be affordable homeownership for middle-income households. The borough president is committed to seeking to provide opportunities for Brooklyn's working families to have access to affordable housing. The borough president believes that it is appropriate for the New Domino project to provide a percentage of housing devoted to such households as represented by tenants, civil servants and uniformed services. For such housing, he advocates for these units to be "Affordable Forever."

Affordable Housing for the Elderly

The New Domino proposes to provide approximately 100 of the affordable housing units for the elderly. The borough president supports projects that increase the supply of affordable housing for the growing number of elderly residents of Brooklyn. Unfortunately, many seniors continue to live in substandard accommodations and/or are forced to spend an excessive amount of their income on their housing. The increasing demand for decent affordable senior citizen housing is not being met by the rate of production and needs to be addressed through the construction of quality accommodations. Though this section of Williamsburg is often thought of as a burgeoning community for a younger generation, the larger area has a senior population in need of affordable housing options. The borough president urges the applicant to provide a firm commitment that affordable senior citizen housing would be part of the overall development. In a letter from the applicant dated April 8, 2010, the applicant has indicated its previous commitment to include such housing and will explore the feasibility of including senior housing within the earliest possible phase of the project

The borough president has recommended capping the floor area of the upland parcel to 3.6 FAR pursuant to R6A height and setback standards. However, he believes that it is appropriate to make an exception for floor area as part of a nonprofit residence for the elderly. According to R6A regulations, such buildings are permitted to have an FAR of 3.9. The borough president supports such FAR as an incentive to include a nonprofit building on the upland site for housing the elderly.

Providing Maximum Opportunity for Obtaining Affordable Housing

The New Domino project is proposed to target income tiers up to: 30 percent and 60 percent for the unrestricted rental units and to 130 percent for homeownership units. For smaller household size compositions eligible for a specific bedroom type (i.e. two-bedroom apartment) rent is typically set at two percent less than the maximum allowable income. These income eligibility bands increase for larger households. Families earning above or

below each band within the income tiers proposed would not have an opportunity to seek affordable housing in the New Domino project. For ownership housing typical eligibility bands are broad, meaning that more modest income households would be competing with households earning towards the upper limit of eligibility for the same home.

The borough president believes that expanding opportunities for more households within the community to apply for scare affordable housing is an important objective to achieve. Adding more income tiers between the 30 percent and 60 percent tiers would provide a means to allow an increased number of families to become eligible to seek such housing at the New Domino. Such a strategy was integrated into the Palmer's Dock affordable housing development with income tiers ranging from 30 to 80 percent AMI. Establishing multiple tiers for the homeownership units would provide a greater assurance that households of lesser means are selected for such homes. This can be achieved, for example, by establishing income bands at multiple tiers such as 100 to 110 percent; 110 to 120 percent; and 120 to 130 percent. Such brackets would also result in varied subsidies being needed as higher priced homes would not require as much subsidy. In a letter from the applicant dated April 8, 2010, the applicant will explore the feasibility of increasing the number of tiers of affordability for the affordable housing units.

Retaining Homeownership as "Affordable Forever"

Permanently affordable homeownership, also known as "shared equity," provides the benefits of building wealth for the homeowner while assuring that the home remains an affordable housing resource when resold. Resale restrictions could be based on several existing models such as subsequent re-sales of the homeownership units being indexed to standards as defined by the City's IHP. Other methods are noted in documents produced by the Center for Housing Policy, including the Consumer Price Index. Establishing permanent resale considerations would recycle the initial subsidies, while resulting in these housing units being affordable for future generations of Brooklynites. In a letter from the applicant dated April 8, 2010, the applicant commits to working with the City to memorialize permanent affordability and agreed to further investigate mechanisms to facilitate this concept.

Local Preference for Displaced Households

The local community district preference for fifty percent, while laudable, does not benefit those who have been and continue to be displaced from Greenpoint and Williamsburg. Adequate consideration for those who have been unable to find affordable accommodations within Community District 1 (CD1) is imperative. In the borough president's recommendation for the 2005 rezoning of Williamsburg and Greenpoint, he called for the local preference to be extended to those subsequently displaced from the district. He understands that the Palmer's Dock affordable housing development included in its 50 percent CD1 prioritization of those families who had lived in the district at the time of the May 11, 2005 rezoning. He believes that such a standard should also be met by the New Domino development to provide additional opportunities for those displaced from CD1 subsequent to May 11, 2005. In a letter from the applicant dated April 8, 2010, the applicant will include in the local preference families that have recently been displaced from CD1 subject to review and approval by HPD.

Financial Considerations to Achieve 30 Percent of the Housing as Affordable

The borough president believes that the New Domino is an ambitious undertaking with tremendous financial obligations. Reconstructing/stabilizing the bulkhead and over water platform for approximately one-quarter of the development is a significant financial undertaking in itself. Landscaping the site, consisting of approximately four-acres of waterfront public promenades and supplemental spaces, is relatively double the minimum required public open space and presents additional costs for the development to incur.

However, except for the extra acreage, these financial hurdles are standard for redeveloping the waterfront with high-density housing. Unique to this development is the responsibility to preserve the Refinery Building, which is actually three structures that wrap machinery. Though the Landmarks Preservation Commission (LPC) approved adaptive reuse with a limited amount of floor area created through building enlargements, this is an expensive undertaking which requires stabilizing the existing walls while essentially building a new building on the interior.

With all these elements to account for, the New Domino development is intended to provide 30 percent of its housing units as affordable. This is the basis for the requested floor area. As the borough president commented in regards to bulk and density, he believes the project should be scaled back to be more in line with R7-3 floor area for the waterfront parcel, and R6A floor area for the upland lot. The borough president is aware that such a reduction would not enable the development to successfully cross-subsidize the intended amount and degree of affordability of the below market-rate housing. The project's extraordinary cost associated with preservation and reuse of the Refinery building, additional open space and ratio of land to water's edge, will be absorbed by the remaining market-rate units.

In order for the New Domino project to meet the stated objectives while reducing the bulk and density, the borough president would seriously consider designating funds from his Fiscal Years 2012, 2013 and 2014 Brooklyn Housing Development Fund. He encourages the developer to apply annually for such funding. In addition, the borough president believes that as the community preference includes all of CD 1, it is appropriate for the city council members from the 33rd and 34th districts, the assembly members and state senators encourage the developer to call on them for funding allocations because the government has an obligation to leverage opportunities where such an extensive amount of affordable housing, including units to those households of very low income. It is a legitimate public purpose to balance the highly atypical costs in developing this site with government financial resources to obtain the significant public benefits associated with this project rather than rely on providing the balance merely through market-rate density. In addition, it is appropriate for the developer to seek City and State financing. He believes that with such additional funding, the New Domino would successfully meet its objectives with some bulk and density reduction.

School/Day Care

Schools

According to the DEIS, the New Domino in combination with ongoing and projected developments, could result in nearly 2,500 additional elementary school children and more than 1,000 intermediate school students living within one-half mile of the development. These estimates do not include much of the new development around McCarren Park and on the east side of the Brooklyn-Queens Expressway. The number of needed seats would be nearly 1,800 for elementary schools within a ten minute walk from the development. For intermediate schools, the shortfall would be approximately 100 seats.

The Department of Education's (DOE) 2010-2014 Five-Year Capital Plan for Community School District 14 (CSD14) includes a 738-seat PS/IS that is apparently in response to DCP's 2005 rezoning. It is believed to be a leased facility that is expected to be completed by 2013. The borough president anticipates that this school is more likely to be located close to McCarren Park or further to the north, though DOE has revealed little despite the anticipated completion date. He would like DOE/School Construction Authority (SCA) to be more transparent about the site and timeline for completion. Even with this school, the borough president believes that the New Domino development warrants an additional elementary school site to supplement P.S. 84 (two blocks from the site) and P.S. 17 (six blocks from the site).

Within the Refinery Building, community facility space totaling 104,135 square feet has been allotted. According to information provided to the borough president's office, a 665-seat school could be accommodated within a 94,000 sf section of this building. Based on other considerations involved in preparing the Refinery Building for occupancy, it is possible to commence construction of a school space by 2014, making it possible to provide an adequate school for the larger area surrounding the site.

The borough president supports effort to include a public school in the Refinery Building, including floor area exemption for such space. This would be a reasonable modification to the borough president's general position as noted in the section above pertaining to bulk and density. Though he recommended capping the floor area of the waterfront parcel to 5 FAR, the borough president would support such space within the Refinery Building to be exempt from zoning floor area calculations. Further, he seeks DOE/SCA's commitment for the acquisition of a sufficient area of designated community facility space within the Refinery Building in order to proceed with a design for an elementary school to house grades Pre-K to 5 in a timely manner. Planning for the school should commence at least one year prior to the estimated December 2013 Refinery Building construction date. The 27-foot wide terrace above the one-story, ground level addition along the East River side should serve as an exclusive roof-top open space for the school.

With regard to these schools, in a letter dated April 8, 2010, the borough president wrote to Chancellor Joel Klein seeking more specific information on the current status of the PS/IS in the Capital Plan, particularly regarding the exact site location; and for a written commitment of intent to open and operate the school within the Refinery Building that would be incorporated into a subsequent Capital Plan.

In order to assure that a school of appropriate size is included in the Refinery Building, the borough president seeks a legal instrument that binds development for a school within the building of not less than 90,000 square feet.

In a letter from the applicant dated April 8, 2010, the applicant is prepared to include a school within the refinery should SCA determine that the need exists.

Supermarket

The borough president notes that access to affordable fresh food and vegetables are lacking in many neighborhoods. One of his top priorities has been to provide access to healthy food stores in those neighborhoods that are underserved. In order for all of Brooklyn to flourish, it is imperative that residents have an adequate supply of supermarkets and grocery stores in their neighborhoods to access fresh and affordable foods. In light of this, the borough president has been seeking ways to establish more supermarkets. Among his policies is to review all discretionary land use applications to determine whether it is appropriate to include a supermarket within the plans. The borough president believes that within the retail space proposed within the upland parcel fronting along Kent Avenue, it is appropriate to incorporate a supermarket that is consistent with the attributes according to the FRESH food store initiative. The DEIS assumed a supermarket of 30,000 sf as part of that assessment.

He believes that a supermarket of not less than 20,000 sf should be included as part of the development of the waterfront site, with sufficient accessory parking as a means of enticing a grocery store operator to secure such space. The borough president believes that every effort to include a supermarket should include additional incentives. This would include modifying the borough president's general position as noted in the section above pertaining to bulk and density. The borough president recommended capping the floor area of the

upland parcel to 3.6 FAR pursuant to R6A height and setback standards. However, floor area of a supermarket up to 30,000 sf should be exempt from zoning floor area calculations and further permit the overall height and setback standards to comply with R7A building envelop regulations with street wall height increased to 65 feet and overall height to 80 feet.

In a letter from the applicant dated April 8, 2010, the applicant is committed to seeking a supermarket for the entire retail space shown in the ULURP applications for the upland parcel.

Retail/Artisan Use

The recommendation of CB1 calls for limiting the size of individual retail establishments to 5,000 sf as a means of fostering neighborhood retail. The borough president generally supports this recommendation though he believes that placing such a limitation on the waterfront facing establishments might hinder the attraction and retention of restaurant operations. Restaurants are one of the rare commercial uses that can still thrive when not located on traditional street frontage. Also, restaurants are the type of use that can enliven a waterfront public access area. Therefore, the borough president does not favor space restrictions that might preclude the successful operation of a restaurant fronting such public space.

Williamsburg is a significant cog within Brooklyn's "creative economy" community, however, opportunities to flourish are dependent on the ability to pay market-based rents. "Creative economy" businesses traditionally cannot compete along retail corridors in terms of ability to pay rent.

The New Domino project proposes approximately 70,000 sf of ground floor retail on the waterfront parcel (including the Refinery Building), with the vast majority oriented towards Kent Avenue as a means to activate the street for pedestrians. The borough president would encourage the New Domino development to devote some of the retail space fronting Kent Avenue for Brooklyn's artisans. Such storefronts could be used as artisan spaces for the production and sales of items produced on premises; and/or, teaching/performing. It could include examples as follows: art needlework, hand weaving and tapestries; ceramic and glass products; custom clothing manufacturing; jewelry and art metal craft manufacturing; studios for art – including gallery/framing space, music, dancing or theatrical; and other comparable artisan ventures.

The borough president believes that a lease protection mechanism needs to be incorporated into the continued use of such retail for artisans in order to provide protection from future market based rents. A version of achieving stabilized rents could be accomplished by providing leases through a designated not-for-profit or some equivalent entity.

The borough president believes that the effort to encourage the inclusion of retail spaces for artisans should include floor area incentives. This would include modifying the borough president's general position as noted in the section above pertaining to bulk and density. The borough president recommended capping the floor area of the waterfront parcel to 5 FAR. The borough president believes that all retail space dedicated for artisan establishments should be exempt from zoning floor area calculations.

In a letter from the applicant dated April 8, 2010, the applicant will explore the feasibility of including such uses within some portion of the proposed retail space on the waterfront parcel.

Grand Ferry Park

The tower with its office in the upper floors would cast shadows in Grand Ferry Park throughout much of the year. CB1 recommended mitigating shadow impacts by reducing the height to no more than six-stories. According to the DEIS, reducing the height to 70 feet would substantially minimize the shadow while reducing to 130 feet (essentially the height where the office use begins, would provide significant enough reductions in the Spring and Summer.

As the borough president recommended bulk reductions for the waterfront parcel, it is conceivable that bulk reduction could be achieved while minimizing shadow impacts on the park. Though the borough president welcomes the provision of office floor space, as it provides opportunities for firms to bring permanent jobs to the community, he is sensitive to what Grand Ferry Park has meant to the community as an early point of public waterfront access.

The borough president believes that the developer should have the flexibility to determine whether office space, in lieu of market-rate housing, would yield the optimum cross subsidization to be part of the financing of the affordable housing commitments. For that reason, he conditional supports the requested special use permit to allow the office use on the upper floors of the northernmost tower. However, his preference is that the maximum available bulk be utilized for the market-rate housing with development of the tower with office in the upper floors being pursued only as a last resort, as part of a preferred strategy to comply with the overall reduction of bulk. If this would happen, the extent of the shadow on the park would be minimized.

Parking

CB1 recommends that parking be reduced to a level significantly less than the maximum allowed under zoning. It recommended providing for car-sharing and waiting for the re-consideration of the need for the north garage capacity to exceed the maximum zoning allowed as-of-right, later in the development. The borough president understands that having available parking might induce car ownership and therefore more automobile trips on the local streets. However, not providing enough parking in new developments at reasonable prices might lead to more competition for on-street parking spaces.

Without finding the appropriate balance between car ownership and accommodations for parking, longtime area residents might experience increased difficulty in finding convenient on-street parking as new development proceeds. Too often developments contain the minimum onsite parking standards, despite what might be the reality of car ownership after these new developments are occupied. Ultimately, long-time residents suffer as the adequacy of available on-street parking dwindles, making it more difficult for them to manage owning a car. While garages in new developments are primarily a resource for the occupying residents, existing residents are not precluded from directly benefitting from this off-street parking resource.

The question is how to find the appropriate balance. The developers of the New Domino can learn much from the occupants of the nearby Edge and Northside Piers developments in terms of car ownership rates. Much can also be learned from the evolving car usage culture associated with car sharing services such as ZipCar. The Department of City Planning (DCP) is working to introduce a city wide text change that would propose such car sharing practices as part of accessory parking facilities. According to presentation documents, DCP is reporting that approximately 40 households typically utilize each shared car, and on average, 15 percent of such users relinquished auto ownership.

Because the New Domino anticipates a multi-year build-out, the borough president believes that the parking strategy should be revised based on incorporation of ZipCar or other car sharing/renting operations incorporated into the four proposed garages. Having such facilities on the site has been reported to reduce dependence of car ownership. In addition to implementing shared automobile parking accommodations, the nearby waterfront development should be observed for car ownership rates and impacts on on-street parking. Finally, utilization of the parking for the project's initial development should be taking into consideration in determining how to best address parking capacity in the succeeding phases.

The requested Special Permit to exceed maximum permitted parking spaces by 266 spaces is intended for last two-phases ("north" garage: 782 spaces). As there is much that can be learned before there is a need to proceed with that garage, the borough president believes it is premature to consider this request at this time. The applicant should voluntarily withdraw this request and only re-file at a subsequent year if it appears that such capacity would be an appropriate strategy to mitigate potential quality-of-life concerns based on the need to accommodate cars.

In a letter from the applicant dated April 8, 2010, the applicant is committed to working with the Department of City Planning on a plan to allocate parking spaces for shared parking in the various accessory parking facilities to the maximum extent feasible.

Traffic

The traffic disclosure in the DEIS was based on Kent Avenue's prior two-way operation. The Final EIS (FEIS), which would be issued prior to the decision of the City Planning Commission, provides a basis for future consideration. It will likely recommend mitigation that is some combination of signal installation and other measures including: standard traffic engineering measures (such as signal timing adjustments), lane re-striping and parking prohibition (to create turning lanes at intersections). It is possible that the community-at-large might not want certain of these measures despite it being in the neighborhood's best interest.

In order for the community to weigh in on these recommended mitigation measures, the borough president believes that it is appropriate for Community Board One (CB1) to take the lead in formulating a community position. After engaging in a proactive role to review the non-signalized traffic mitigation measures disclosed in the FEIS, CB1 should then advise the Department of Transportation (DOT) and the developer, in writing, which measures it would like to be implemented where feasible in advance of specific phases of construction.

Based on the recommendations provided by CB1 and with prior consultation with DOT, the developer should fund and analyze targeted traffic studies (including "signal warrant" studies) prior to each phase of construction. These studies will highlight whether the need for implementing other than signalized mitigation measures, and for signalized mitigation measures as disclosed in the FEIS, as warranted.

Mass Transit

The DEIS discloses that the New Domino project would be among many collective developments in the area that would result in overall population growth due primary to recent rezonings. It is clear that operational logistics of public bus and train transit need to be transformed to accommodate such residential growth. The DEIS disclosure has been rendered obsolete as certain assumptions regarding subway usage will be revised in the FEIS due to the announcement that the M-train route will be reconfigured as a modification and replacement of the current V-line. The borough president also believes that assumptions regarding the usage of bus service to get to the L-train are not realistic. He

does not believe that passengers would rather transfer from the Q59 to the B62 to take the L-train at the Bedford Avenue station when it seems much more efficient to stay on the Q59 to the Lorimer Street/Metropolitan Avenue station to head to Manhattan on the L-line and elsewhere on the G-line. He believes that the FEIS should be modified to reflect this assumption.

With significant adjustments, primarily by the MTA, the borough president believes it is feasible to accommodate growth in the area. However, he believes there are actions that could be taken by the developer.

Need for a Shuttle Bus

In terms of bus service, the borough president believes that the Q59 should be extended from Williamsburg Plaza to the southwest corner of Marcy Avenue along Broadway. Such a change would shift ridership to the east end of the station where there is more capacity to move between the street and the train platform.

Rather than simply providing more buses for the entire Q59 route (need for 11 additional buses per peak periods with three attributed to the New Domino development), with buses significantly under capacity east of Lorimer Street, the borough president believes that Q59 service should also be available in the form of a shuttle. With a shorter route, each additional bus added to the line could be utilized more efficiently and more cost effectively. The shuttle route could have terminuses at Lorimer or Union streets (Metropolitan Avenue) and at Marcy Avenue (Broadway). The route could even be extended south to Division Avenue to be proximate to developments at the Kedem and Domsey sites; Schaefer Landing and if Rose Plaza is approved for development.

The borough president believes that it may be necessary for the developer to provide initial operating subsidies for a Q59 shuttle service (or its equivalent) as a means to demonstrate to MTA the need for such service. In a letter from the applicant dated April 8, 2010, the

applicant is committed to working with the MTA on a Q59 shuttle bus – or an equivalent shuttle bus program – when demand is sufficient.

New Services

The Williamsburg community has not had express bus service nor a reliable ferry service. Due to the developments promoted since the 2005 DCP rezoning and subsequent private rezonings bringing much density along the East River a great distance from subway transit stations, it is appropriate to seek non-traditional solutions to meet transit demands of this community. The borough president supports the implementation of reliable ferry service and introducing express operation along the waterfront. Unfortunately ferry service has not been sustained though the borough president believes it should be revisited. Should ferry service begin to demonstrate that it can remain in continuous operation, he believes that the developers of the New Domino should apply for and install a ferry dock. Its commitment should be offered at the start of each phase of development. When the project receives its final Certificate of Occupancy, the commitment should remain with the various associations (ie. tenant association, homeowner association) of condominiums and rental housing on the site.

In a letter from the applicant dated April 8, 2010, the applicant will explore the feasibility of future water taxi service at the site subject to the Economic Development Corporation including the Domino site within a water taxi route, sufficient demand for the service, and sufficient subsidies.

The borough president believes that supplementing subway transit with express bus service provides direct Manhattan access without requiring bus transfers to reach Marcy Avenue and Lorimer Street stations for subway service. He believes that an express bus could be

implemented by the MTA through extending the B39 route to Lower or Midtown Manhattan from its Lower Eastside terminus and along the Brooklyn waterfront as an extension from its Williamsburg Plaza terminus.

Other Bus Route Improvements

Through the introduction of the subway-linked Q59 shuttle service and a waterfront express route, it is appropriate for the MTA to coordinate the installation of bus shelters on Kent and Wythe avenues in proximity to the New Domino.

With all the recent and pending developments, it is reasonable to expect an increase in ridership similar to what was disclosed in the DEIS. The MTA needs to closely monitor the ongoing increases and follow through by continuously obtaining additional buses in order to maintain adequate frequency and capacity. This would need to be done to implement the: described shuttle for the Q59 route; B39 waterfront express bus route; and, B62 route to or from Downtown Brooklyn and Long Island City.

Subway Operation

The borough president is not pleased that the MTA was not able to respond in a timely manner to address the dynamic of the growth that depends on the L line for subway service. Equipping the tracks with technology to run 33 trains per hour, in lieu of the current number of 28, was an important step to ultimately have capacity meet demand for service. Obtaining more trains towards meeting the designed capacity under the newest technology is a critical next step. The MTA needs to procure enough train cars to run the L line at the full community-based train control (CBTC) capacity of 33 trains per hour. Although many of the new subway cars currently being procured by the MTA lack CBTC technology, these new train cars are capable of being retrofitted with such technology to

run on the L line. It is imperative that the MTA direct its efforts to this end to raise operational capacity.

With the recent announcement that M-line service through Williamsburg will take over Manhattan V-line service, there may be operational benefits for the J/M/Z line from not having so many riders transfer at Essex Street. However, it may be too soon to understand how it may improve operation potential for these lines. Nevertheless, the MTA should monitor the change to determine if additional modifications would enhance service.

With regard to all of the above items that are under the jurisdiction of the MTA, in a letter dated April 2, 2010, the borough president wrote to MTA Chairman Jay Walder seeking concurrence of the agency's interest towards implementing such recommendations in a timely manner.

Employment

The developer has publicly stated a commitment for a job training initiative and to make efforts to identify local sources for labor and materials during construction. The borough president believes that the framework for the commitment of skilled jobs for 500 persons should be provided in writing prior to the City Council hearing. In addition, the developer should write to locally-based organizations such as EVIDCO as a means to provide outreach to area businesses to serve as material suppliers and subcontractors.

In a letter from the applicant dated April 8, 2010, the applicant is committed top cover a substantial portion of the cost of a job training program and has a signed memo of agreement in this regard with a New York City Council-recognized citywide job training

organization to train 500 local residents and commits to seeking out local suppliers when sourcing building materials for the construction of each of the proposed buildings.

Domino Sign

The future of the Domino sign has been set forth by the determination of LPC. It will be incorporated at a prominent location as part of the Refinery Building. The borough president believes that the sign's future placement would be of great marketing benefit for Tate & Lyle PLC, owner of Domino Sugar. He believes that the company should participate in the financing and subsequent maintenance of the repositioned sign.

Recommendation

Be it resolved that the Brooklyn Borough President, pursuant to section 197-c of the New York City Charter, recommends that the City Planning Commission and the City Council approve of the Zoning Text Amendment, conditionally approve the Zoning Map Amendment, and Special Bulk and Use Permit applications and disapprove the Special Permit for Parking based on the following:

AFFORDABLE HOUSING

1. That the following conditions are codified regarding affordable housing:

    a. A legal instrument bind development to the filing of an Inclusionary Housing Plan (IHP), and provide the remaining percentage of floor area devoted to achieving a development that consists of not less than 30 percent of the units being permanently affordable.
    b. Approximately 100 units of affordable housing for the elderly be guaranteed, preferably as part of the initial phase of development.
    c. Affordability tiers be expanded to include up to 40 percent and 50 percent Area Median Income (AMI) in addition to the 30 percent and 60 percent.
    d. The affordable homeownership units have the following tiers/bands of household incomes: 100 – 110 percent AMI; 110 – 120 percent AMI; and 120 – 130 percent AMI.
    e. Re-sale price restrictions of the homeownership units be indexed to standards as defined by the City's IHP or the Center for Housing Policy.
    f. The community preference for at least 50 percent of the affordable housing units includes those displaced from Community District One subsequent to the adoption date of the 2005 Williamsburg Greenpoint rezoning.

SUPERMARKET

2. That a legal instrument binds the development or leasing of a supermarket on the upland parcel to no less than 20,000 square feet (sf).

RETAIL

3. Size of an establishment be limited to 5,000 sf, except for waterfront-facing eating and drinking establishments.

4. That the Restrictive Declaration is modified as follows:
    a. Limit the floor area ratio (FAR) to 5.0 FAR on waterfront parcel (per R7-3 regulations), with the exception of: the community facility use within the Refinery Building as long as it is not occupied by ambulatory diagnostic or treatment healthcare facilities operated by private or for-profit facilities;

and, Kent Avenue store front retail space being used for artisan production and sales – such as jewelry and/art metal craft manufacturing; custom clothing/accessories manufacturing; ceramic/glass products, art needlework, hand weaving or tapestries, studios for art – including gallery/framing, music, dancing or theatrical space; and,

b. Limit FAR to 3.6 on upland parcel (per R6A regulations), with the exception that floor area be exempt from FAR limitation as follows: building occupied exclusively by a nonprofit residence for the elderly (permit 3.9 FAR); and, retail use limited to supermarkets consistent with the City's FRESH food initiative up to 30,000 square feet.

5. That not less than 90,000 square feet of the community facility space proposed within the Refinery Building be designated for use as a school and that no less than 20,000 square feet of the retail space be designated as a supermarket within the development.

SPECIAL PERMIT BULK

6. That the General Large Scale Plan waivers pertaining to the upland parcel shall be modified as follows:

   a. Tower floor plate shall not be exempt from the zoning limit of 7,000 square feet.

   b. Base height and setback requirements shall be consistent with R7A zoning requirements, provided a supermarket is provided or else consistent with R6A standards.

   c. Rear yard requirement shall continuously provide no less than 60 feet between the residential occupied portions of building(s).

   d. Redistributed floor area from waterfront parcel to upland parcel shall not result in more than 3.6 FAR with the exception being as follows: if a building is occupied exclusively by a non-profit residence for the elderly, then permit 3.9 FAR for that structure; and, retail use limited to
   e. supermarkets consistent with the City's FRESH food initiative shall be exempt up to 30,000 square feet of floor area.

SPECIAL PERMIT USE

7. That the tower with office space on the upper floors be pursued only as a last resort (in lieu of market-rate housing development elsewhere on the waterfront parcel), thus providing an opportunity to limit height to 130 feet (would reduce shadow in Grand Ferry Park in the Spring and Summer) or to 70 feet (substantially reducing shadow) as part of a preferred strategy to comply with the overall reduction of bulk.

8. That the Special Permit (for the last two-phases' "north" garage: 782 spaces) to exceed maximum permitted parking spaces by 266 spaces be voluntarily withdrawn or else denied now.

Be it further resolved that:

AFFORDABLE HOUSING COMMITMENT

1. The developer should apply annually for the borough president's Brooklyn Housing Development Fund.

2. The city council members from the 33rd and 34th districts and the assembly members and state senators and the city administration should encourage the developer to call on them for funding allocations.

SCHOOLS

3. The Department of Education (DOE)/School Construction Authority initiate the lease during 2010 for the 738-seat PS/IS as indicated as funded in DOE's 2010-2014 Five-Year Capital Plan at a site in Community School District 14 as a leased facility expected to be completed by 2013.

4. The Department of Education/School Construction Authority would commit to acquisition of a sufficient area of designated community facility space within the Refinery Building and proceed with design for a pre-K/elementary school not later than one year prior to the estimated December 2013 Refinery Building construction start date, with the understanding that the one-story, ground-level addition along East River would serve as a roof-top, 27-foot wide terrace for school open space.

DAY CARE

5. That the developer coordinates in writing with the Agency for Children Services before commencing each phase of development to solicit the agency's interest in securing space for publicly funded day care.

ARTISAN WORK/SALES

6. That the developer seeks to provide a percentage of Kent Avenue store fronts to be used for artisan spaces for both sales and production of items on premises and/or teaching/performing.

7. That should such space be provided, leases should be through a designated not-for-profit or some equivalent entity, as a means to facilitate stabilized rents.

VEHICULAR TRAFFIC

8. That Community Board One (CB1) review the other than signalized traffic mitigation measures (includes standard traffic engineering measures, such as signal timing adjustments, lane re-striping and parking prohibition) disclosed in the Final EIS (FEIS) and advise the Department of Transportation (DOT) and the developer in writing which ones it would like to be implemented where feasible in advance of construction.

9. That the developer fund and analyze (in accordance with prior consultation of DOT) a targeted traffic study (including "signal warrant" studies) prior to each phase of construction based on the recommendations provided by CB1 for implementing mitigation measures as disclosed in the FEIS in ongoing consultation with CB1.

MASS TRANSIT

10. That the developer should provide in writing a commitment to:

    a. Provide operating initial subsidies for Q59 shuttle service (or its equivalent) if necessary to demonstrate to MTA the need for such service.

b. Apply for a ferry dock and install such dock in the event the ferry service is in continuous operation, with such commitment being reviewed at the start of each phase of development.

MTA

11. The MTA should:

    a. Institute a frequent bus (shuttle) service segment of the Q59 to serve the New Domino development (or extended further south to Division Avenue to include Kedem, Schaefer Landing, Domsey and Rose Plaza) to both Marcy Avenue (J/M/Z) and Lorimer Street/Metropolitan Avenue (L/G) stations.

    b. Extend the last stop of Q59 (at Williamsburg Plaza) to southwest corner of Broadway at Marcy Street.

    c. Erect bus shelters on Kent and Wythe avenues in proximity to the New Domino.

    d. Introduce express bus (could be a waterfront extension of the B39 route) and/or ferry service (with the developer providing a ferry dock).

    e. Obtain additional buses for maintaining adequate frequency and capacity as follows: to implement the described shuttle for the Q59 route; B39 waterfront express bus route; and, B62 to or from Downtown Brooklyn and Long Island City.

    f. Continue to obtain additional cars to increase the number of trains along the L line from 28 to its designed operating capacity of 33 trains per peak hour service.

    g. Monitor service after implementing the rerouting of the Williamsburg M route over the Manhattan V route to determine whether additional modifications are warranted.

UNEMPLOYMENT

12. That the developer provide in writing to the City Council its funding commitment to fully train for skilled jobs for 500 persons.

13. That the developer provides written contact with EVIDCO as a means to provide outreach to area business which could serve as material suppliers and subcontractors.

DOMINO SIGN

14. That Tate & Lyle PLC, owner of Domino Sugar, should participate in the financing and subsequent maintenance of the repositioned sign.

HERRICK

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April 8, 2010

BY HAND

Honorable Marty Markowitz
President of the Borough of Brooklyn
Borough Hall
209 Joralemon Street
Brooklyn, NY 11210

Re: The New Domino
Uniform Land Use Review ("ULURP") Nos. 100185 ZMK, 100186 ZRK, 100187 ZSK, 100188 ZSK, 100189 ZSK, 100190 ZAK, 100191 ZCK, 100192 ZCK

Dear Borough President Markowitz:

We represent The Refinery LLC ("the Applicant") regarding the referenced ULURP Applications which concern a proposed Zoning Map Amendment, Zoning Text Amendment, Special Permits, Authorizations and Certifications to enable the development of an approximately 2.8 million square foot mixed-use project on the Williamsburg waterfront between Grand and South 5th Streets (Block 2412, Lot 1) and on an upland parcel on the East side of Kent Avenue between South 3rd and South 4th Streets (Block 2428, Lot 1) ("the Project"). If approved as described in the ULURP Applications, the Project would contain a mixture of residential, retail/commercial and community facility uses and approximately 4 acres of accessible public open space, with programmed public amenities, playgrounds and a nearly one-acre great lawn. It would also include the adaptive re-use of the New York City Landmarked Refinery complex ("the Refinery"). The Applicant hereby affirms again its commitment to provide 660 units of affordable housing - 30% of the total - providing, once again, that the Project is approved as shown in the ULURP Applications. It is important to note that the density proposed in the ULURP Applications is required to provide the Applicant's committed level of affordable housing - and to serve the income levels described - while at the same time including all of the amenities and the Refinery preservation program.

The Zoning Map Amendment would rezone the property from M3-1 to R8 with a C2-4 commercial overlay for a portion of the waterfront zoning lot; from M3-1 to C6-2 for the Refinery and a portion of the waterfront zoning lot; and from M3-1 to R6 with a C2-4 overlay for the upland parcel. The Special Permits would modify the requirements of ZR Section 62-341, concerning height and setback; ZR Sections 23-852 and 23-863, concerning inner courts; ZR Sections 23-533 and 62-332, concerning rear yards; ZR Section 23-711, concerning distance between buildings; ZR Section 32-42, concerning location of uses; and ZR Section 36-12, concerning maximum number of parking spaces. The authorizations would modify the

requirements of ZR Sections 62-50 and 62-60, which concern requirements for the waterfront public access areas.

The project will include the filing of a Restrictive Declaration, which will mandate compliance with the approved plans and place additional design restrictions on the Project.

On March 11, we attended your public hearing regarding the Project. We greatly appreciate the opportunity to address several comments which were raised at the hearing. Below please find the Applicant's responses to these comments:

Affordable Housing

Subject to the approval of the Project by the City Planning Commission and the City Council as shown in the ULURP Applications, the Applicant will utilize the Inclusionary Housing bonus as provided in the New York City Zoning Resolution ("ZR"), which mandates that 20% of the development's residential floor area be affordable housing. The Applicant is committed to following all of the requirements of the Inclusionary Housing bonus, including the requirement that the housing provided under the program be permanently affordable. The Applicant's commitment to the Inclusionary Housing bonus will be provided for in a legal instrument that the Applicant determines is appropriate, prior to the final approval of the Project.

Assuming the Project is approved as proposed in the ULURP Applications, the Applicant is further committed to maximizing the amount of affordable housing units by providing 30% of the Project's overall units as permanently affordable and will work with the City to memorialize this commitment in a legal instrument.

The Applicant is further committed to provide a 50% local preference in the lottery program pursuant to the Inclusionary Housing bonus and will include in the local preference families that have been recently displaced from Community Board One, subject to review and approval by HPD.

Senior Housing

The Applicant has previously committed to include senior housing units within the overall Project, and will explore the feasibility of including senior housing units within the earliest possible phase of the Project.

Increase in Tiers of Affordable Housing

In addition to the affordable housing commitments discussed above, the Applicant will explore the feasibility of increasing the number of tiers of affordability for the affordable housing units.

Affordable Homeownership

The Applicant will explore subsidy programs and examine the financial feasibility of making the proposed affordable homeownership units permanently affordable and agrees to further investigate mechanisms to facilitate this concept.

Supermarket

The Applicant is committed to seeking a supermarket for the entire retail space shown in the ULURP Applications for the upland parcel.

Artisan Retail Users

The Applicant will explore the feasibility of including custom and crafts-related manufacturing uses and art-related uses, such as jewelry-making, ceramics, galleries or dance studios, as permitted by the Zoning Resolution, within some portion of the proposed retail space on the waterfront parcel.

Parking

The Applicant is committed to working with DCP on a plan to allocate parking spaces for shared parking in the Project's various accessory parking facilities to the maximum extent feasible.

Job Training

The Applicant is committed to cover a substantial portion of the cost of a job training program and has a signed memo of agreement in this regard with a New York City Council-recognized citywide job training organization to train 500 local residents.

Local Construction Suppliers

The Applicant commits to seek out local suppliers when sourcing building materials for the construction of each of the proposed buildings.

School Construction Authority

As discussed at the March 11 hearing, the School Construction Authority ("SCA") does not at this time see a need for an additional school within the Project. However, the Applicant is prepared to include a school within the Refinery should the SCA determine that the need exists. In a letter provided to the SCA dated January 13, 2010, the Applicant expressed its commitment to provide for a school within the Refinery, should the need arise, and to work with the SCA to assess the need for a school as each phase of Project (as shown in the phasing plan included in the ULURP application) proceeds.

Water Taxi

The Applicant will explore the feasibility of future water taxi service at the Site, subject to the Economic Development Corporation including the Domino site within a water taxi route, sufficient demand for the service, and sufficient subsidies.

Bus Relocation

With the MTA, the Applicant will explore the feasibility of relocating the termination point of the Q59 bus to the Marcy Avenue subway station.

Future Shuttle Bus

The Applicant is committed to working with the MTA on a Q59 shuttle bus - or an equivalent shuttle bus program - for the Project, when the demand is sufficient.

Day Care

The Applicant will work with the Department of Children's Services to determine their interest in space for a publicly funded day care center. If the interest exists, the Applicant will explore the feasibility of providing such a center within the Project.

Thank you for your consideration.

Respectfully submitted,

Mitchell A. Korbey

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THE COUNCIL
OF
THE CITY OF NEW YORK

DIANA REYNA
COUNCIL MEMBER, 34TH DISTRICT

CHAIR
COMMITTEE ON SMALL BUSINESS

COMMITTEES
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SUBCOMMITTEE ON ZONING AND FRANCHISES
COMMITTEE ON ECONOMIC DEVELOPMENT
COMMITTEE ON FINANCE
COMMITTEE ON COMMUNITY DEVELOPMENT

Testimony before the New York City Department of City Planning
The New Domino Development
April 28, 2010

Good afternoon / morning.

My name is Diana Reyna and I am the New York City Council Member representing the 34th district of Williamsburg and Bushwick, Brooklyn and Ridgewood, Queens.

I want to thank Chair Amanda Burden and the members of the City Planning Commission for holding this important hearing regarding the Domino Sugar Development site.

I wish to acknowledge that the Community Preservation Corporation (CPC) throughout the New Domino project has maintained a transparent and inclusive process. From affordability to open space and jobs, CPC has continued to fight to fairly reach all of the community demands.

Still, I want to recognize that the area wide redevelopment in Greenpoint and Williamsburg is displacing sections of the lower-income communities in the Williamsburg portion of my district – which is currently experiencing displacement at an all time high. In response to our efforts, the Community Preservation Corporation has created safety nets that will offset this shift by offering a 30% affordable rate of the new proposed units. This New Domino development has the potential to make great strides in affordable housing for residents of Community Board 1.

The New Domino Development has a unique affordability model which is to be commended. They have included senior housing, affordable rentals as well as home ownership with an unprecedented number of apartments at 30%AMI. CPC has committed to a level of affordability that truly serves a community in dire need of actual affordability. Compared to other projects on the waterfront that offer units to residents earning $37,000 per year, New Domino will offer 100 units to residents making roughly $23,000 a year. Aside from the home ownership portion all affordable units will be offered below 80% AMI. As a result, our seniors, our children returning from college and our new families will have an opportunity to continue to call Williamsburg their home.

Additionally, one of the greatest missteps in New York City community planning is affecting the well being, health and environment of our Williamsburg/Greenpoint community, which is the overall lack of parks and playgrounds. It is no coincidence that our community ranks tops in obesity and asthma rates, as a result of this oversight. The Community Preservation Corporation has committed to 4 acres of waterfront public access open space. Their commitment to open space is more than double required elsewhere.

In addition to their aforementioned commitments, the Community Preservation Corporation recognizes that in these tough economic times it is essential to create sustainable jobs and careers for our community. CPC has committed to create 1,000 permanent jobs as well as train 500 neighborhood residents to undertake these opportunities. Also, this project will occur throughout many phases and years offering consistency during construction. For more permanent occupations for neighborhood residents, I do recommend that New York City recognizes the need to place hotels in Community Board 1.

Currently, we are plagued by illegal conversions and hostels that are unsafe and potentiality hazardous. There is a high demand for temporary living space and hotels in North Brooklyn. The Williamsburg / Greenpoint rezoning, influx of residents and proximity has made North Brooklyn a tourist friendly destination. Our soon to be completed public access to green space, our landmarks such as the Domino Sugar Plant, the Southside and Greenpoint's rich history and culture are all attractions and potential revenue generators for the local business and the overall community.

On a final note, visionary planning starts with a dialogue. As mentioned previously, the Community Preservation Corporation throughout the Domino project has maintained a transparent and inclusive process – the developers have been collaborating with community leaders, and residents. As the Council Member for the 34th District, I believe that we have come to an equitable compromise benefiting all parties involved and I strongly support the New Domino Project. Thank you.

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New York City Council District 34 / Council Member Diana Reyna

TESTIMONY FOR THE DEPARTMENT OF CITY PLANNING – APRIL 28, 2010

RECENT ARTICLES / ILLEGAL HOSTELS & HOTELS

- *Yournabe.com* / March 31, 2010
  - BREAKING! Hostel takeover in Williamsburg!
  - Aaron Short

- *New York Post* / March 27, 2010
  - No more room at this inn now
  - Rich Calder



http://www.yournabe.com/articles/2010/03/31/brooklyn_graphic/news/courier-yn_brooklyn_graphic-wb_hosteltakeover_2010_04_02_bk.txt

BREAKING! Hostel takeover in Williamsburg!
The city kicks out two allegedly illegal hotels inside a normal residential building.

By Aaron Short
Wednesday, March 31, 2010 9:10 PM EDT

Talk about a hostel living environment!

City officials raided and cleared a six-story Williamsburg building that contained two allegedly illegal hostels and dozens of residential tenants last Friday afternoon after an inspector found that the commercial building was not zoned for residential use.

Twenty hostel guests, mostly in their 20s and early 30s, and other residents were told to gather their things and leave the building by this evening. The Red Cross arrived at the scene shortly after 2 pm to provide emergency services including temporary housing for those with nowhere else to go.

"We were told we had a few hours to get out," said Adriana Lee, an employee at Loftstel, one of the two hostels in the building. "Some people have been living here a couple of years."

Two hostels, Loftstel and Zip112 Hostel, separately managed 12 apartments total, which could house up to 16 people each with a capacity of 192 people. Tenants, many of them international students and interns at local hospitals and the United Nations, paid upwards of $1,100 per month to live in the communal setting.

New York City Council District 34 / Council Member Diana Reyna

TESTIMONY FOR THE DEPARTMENT OF CITY PLANNING – APRIL 28, 2010

According to city officials, in addition to not having the proper permits, the building did not have a fire escape, sprinkler system or a secondary exit in case an emergency arises.

The owner of the building, Soonbin Kim, did not return calls for comment.

While the residents of Loftstel were evicted, guests at Zip112 were allowed to return to their rooms.

According to Zip112 President Young Yang, the city inspector was prepared to close the business, but after checking out the unit and noticing the second exit, the inspector permitted the company and its 10 tenants to stay.

Yang insisted that ZIP112 is a legally registered company and said that the building's owner has been working with the city to work out any problems or violations.

"I don't know what is going to happen next week," said Yang. "If they are closing the whole building, eventually I may have to move out."

Most of the building's tenants were not guests at either hostel. City inspectors told residents that it could take more than a year to resolve vacate orders and bring the building up to code. For now, these tenants are couch-surfing until they can find another place to live.

"We are not just backpackers who can go home," said one tenant who refused to give her name. "That was our home. We live there. Those were our apartments."

The building is just one that contained what city officials estimate are dozens of hostels operating out of illegally converted warehouses, commercial buildings, and residential lofts. In some cases, the owner has launched the hostel, and in others, a tenant has sought to earn extra cash by converting his apartment into a mini-dormitory.

The proliferation of hostels and illegal hotels has so concerned residents and community leaders in Brooklyn that state legislators are proposing four bills that would make it illegal to rent residential buildings on a nightly basis.

Community leaders, including Community Board 1 member Ward Dennis, said that the vacate order was not surprising, given the proliferation of hostels and illegal building conversions in the neighborhood. He expects even more evacuations in the near future.

"Apartments are not built to the same code as transient hotels," said Dennis "Putting 192 transient residents into a non-fireproof building designed for 20 or 30 residents is a recipe for disaster."

Perhaps, but some locals were sympathetic to the evicted residents.

New York City Council District 34 / Council Member Diana Reyna

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"It's horrible!" said Ralph De La Rosa of Go Yoga, which occupies a first-floor business space. "The city should be doing something else instead of vacating them in this way."

Assemblyman Joe Lentol (D-Williamsburg) agreed and blamed the building's owner for not having the proper zoning and safety requirements for his business.

"This type of situation, where people are being kicked out on the street, should not be allowed to occur in the first place," said Lentol. "It's simply unacceptable. I never want to see people on the street in my district."

While some tenants will be relocated, an apoplectic Adriana Lee is moving back in with her dad.

"I can't really process this right now," said Lee. "We're shoving everything into our Honda Accord."

Friday's eviction comes at a crucial moment in the underground hostel scene. Earlier in the week, someone got wind of another clandestine hotel, this one in the old Glove Factory on Graham Avenue in Williamsburg. A Craigslist posting seeking "housekeepers" was quickly removed from the online classified Web site, apparently after someone figured out that the hostel might, in fact, be illegal.

New York City Council District 34 / Council Member Diana Reyna

TESTIMONY FOR THE DEPARTMENT OF CITY PLANNING – APRIL 28, 2010

NEW YORK POST

No more room at this inn now

By RICH CALDER

Last Updated: 6:09 AM, March 27, 2010

Posted: 1:43 AM, March 27, 2010

http://www.nypost.com/p/news/local/brooklyn/no_more_room_at_this_inn_now_Sb0CPgfQ0tH3OhVv60NWIN#ixzz0mL43GzHr

An overpopulated, illegal hostel in Williamsburg that served as a frat house for hipsters and out-of-towners was shut down yesterday by city buildings inspectors, leaving dozens on the street.

Owners of the Loftstel at 112 N. 6th St. have been squeezing as many as 16 people into each of the building's 12 apartments, Assemblyman Joe Lentol said. The building is zoned for commercial use and lacks fire escapes and sprinkler systems.

The hostel's owners, who were unavailable for comment, were charging $1,000 a month per bed for students and $1,100 for nonstudents, according to the Loftstel Web site.

# # #

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PHILIP A. CAPONEGRO
MEMBER-AT-LARGE

To: Chairman Chris Olechowski, Members of Community Board 1
From: Ward Dennis, Land Use Committee
Date: 8 March 2010
Re: Domino rezoning: Applications # C 100185 ZMK, # C 100187 ZSK and # C 100188 ZSK

A meeting of the Land Use Committee was held on 23 February 2010.

Committee members present: Ward Dennis (Chair), Gina Barros, Solomon Bondo , Avrom Katz, Jose Leon, Heather Roslund, Del Teague, Yehuda Turner, Simon Weiser
Committee members absent: Sophie Chabrowski, Monsignor Calise, Michael Chirichella, Israel Framovitz, Jaye Fox, Rabbi David Niederman, David Weinstock
Board Members present: Chris Olechowski (Chair).

Introduction

The proposed Domino rezoning will convert six blocks of manufacturing-zoned land in Southside Williamsburg to a mixed-use residential, retail and community facility use. The applicant for the proposed rezoning is Refinery, LLC, a for-profit joint venture between Community Preservation Corporation Resources (CPCR) and private partners. In addition to an application to rezone the six blocks of the former Domino Sugar site, the applicant is proposing a number of special permits and authorizations to allow it modify the bulk regulations and parking regulations as they apply under the waterfront zoning, and to transfer floor area within the project site.

As proposed by the applicant, the rezoning would allow for a total of 2.8 million square feet of new development. 2.4 million square feet would be for new residential development; the project also includes 127,000 square feet of new retail space, 100,000 square feet of new commercial office space and 140,000 square feet of new community facility space. The residential portion of the project would allow for as many as 2,400 new residential units, of which 660 would be for affordable housing.

Committee discussion

The Domino rezoning includes many potential benefits for the community, notably a significant affordable housing component, a true mixed-use development incorporating commercial office and community facility uses alongside retail and residential uses, a first-class architectural design and a first-class landscape design, and a significant commitment to job training for neighborhood residents. The affordable housing component of the project is particularly compelling, in that it promises 660 units of housing affordable at a wide range of income levels. The affordable housing also includes a middle-income home-ownership component and a senior-housing component.

However, the Committee felt that these benefits are offset by a series of adverse impacts that undermine the applicant's goals and ultimately render the project not acceptable in its current form.

Most of these issues can be traced back to the density proposed by the applicant. Although the applicant is following the model of the 2005 Greenpoint/Williamsburg waterfront rezoning in some areas, this is not the case for the density. The floor area (density) proposed under the Domino rezoning would exceed the 2005 G/W zoning by 24%. The Committee felt very strongly that this increase in density will have significant adverse impacts on the entire Williamsburg/Greenpoint community.

The committees concerns can be summarized as follows:

Density and population:

- 2.8 million square feet of new development is 24% higher (roughly 500,000 gsf larger) than in comparable waterfront zoning actions in CB1
- Approximately 6,100 to 6,700 new residents in 2,200 to 2,400 units
- A 25% to 27% population increase for the area within half a mile of the project site (Division Avenue to North 10th Street)

Transit and Pedestrian:

- Additional 2,500 riders per day on the L and J/M/Z lines during the morning and evening rush hours
- A "significant adverse pedestrian impact" (overcrowding) at the Bedford and North 7th Street intersection
- Mitigation includes closing one entrance at the Marcy Avenue J/M/Z station
- Adds as many as 36 new buses daily to the B62, B39 and Q59 bus routes

Traffic and Parking:

- As many 1,700 parking spaces
- Significant traffic impacts at as many 20 intersections between Division Avenue and North 10th Street

Open Space:

- Reduction in per capita open space by 6%
- Significant "adverse shadow impacts" on Grand Ferry Park, resulting in 4 to 6 hours of additional shadows on the park year round

Shadows:

- The 14 to 15 story tower on Site C would would cast shadows on neighboring row houses along Wythe Avenue and on new residential construction on South 3rd Street

In addition to these adverse impacts on the Williamsburg/Greenpoint community, the Land Use Committee also had concerns about the level of information provided by the applicant. In order to provide cross-subsidization of affordable units and make the project work financially, the applicant claims that the large increase in density, and the adverse impacts that come with it, are necessary and unavoidable. The Community Board has, on numerous occasions, asked the applicant for details on its financing in order to understand how all these various pieces work together. The applicant has not shared any of this information, stating that the current mix of 2.8 million square feet is the only way to make the project work financially. (Other Community Boards require this information as a matter of course for all zoning actions.)

The applicant points to the significant costs associated with the project, including affordable housing, rebuilding of the wharf, preservation of the refinery and other factors. The applicant is in effect making a hardship argument (although some of these are costs that are associated with every waterfront project in Community Board #1). In the judgement of the Committee, the applicant has not demonstrated a unique hardship that would justify such a massive deviation from prior rezonings.

Recommendation

Based on these concerns, the Land Use Committee voted 5-3 to **disapprove with modifications**. Specifically, the Committee recommends that the Board ask the applicant to develop a lesser-build project that adheres to the 2005 Greenpoint/Williamsburg waterfront rezoning and addresses the affordable housing and open space needs of the community. The committee supports the proposed special permits, including the height and bulk modifications necessary to achieve the form of the 2005 zoning. The Committee does not support the applicant's proposed special permit to waive the maximum number of parking spaces (with no prejudice against the applicant pursuing such a permit at a later date, should it deem that necessary).

This recommendation represents a significant commitment on the part of CB1 to height and density, in that it endorses building heights of up to 40 stories and over two million square feet of total development. Except in very specific locations, the Committee's recommendation endorses the height, massing and design of the overall project.

These recommendations are consistent with past board actions on similar rezonings. These recommendations are also consistent with past zonings enacted by the City, including the 2005 Greenpoint/Williamsburg Waterfront Rezoning, the rezoning of the Kedem Winery, Schaefer's Landing and Rose Plaza site, and the recent Greenpoint/Williamsburg contextual rezonings. The Committee's resolution recognizes that significant concessions need to be made to achieve the benefits of project, but finds that as a matter of fairness and equity, those concessions should not exceed the very substantial density that was enacted in prior waterfront rezonings.

Modifications

The proposed modifications seek to retain the positive aspects of the project - substantial affordable housing, 4 acres of open space, mixed-use development and compelling architectural and landscape design - while providing meaningful mitigation of the many adverse impacts imposed by the project. It should be emphasized that the proposed modifications will still result in a very large project with a significant number of new residents and many still-unmitigated impacts. It was the sense of the committee that these density levels were the maximum sustainable.

The proposed modifications are as follows:

1. Reduce the overall density of the project to be in line with the 2005 Greenpoint/Williamsburg Waterfront Rezoning and to be neutral (or closer to neutral) in terms of the overall impact on the community open-space ratio. This translates to a 4.7 FAR on the waterfront parcels and a 3.6 FAR on the upland site, with an across the board (residential, retail, commercial) reduction in density. The affordable housing should be 33% of the residential floor area. With the exception of the parking waiver, all of the special permits and waivers requested are acceptable.

2. The upland site should be limited to the height restrictions of an R6A envelope (six-story street wall, one additional story set back), with the exception of the "tower" element. However, the tower should be at the Kent Avenue street wall and should not exceed the height of street wall across Kent Avenue (generally 9 to 10 stories).

*3. The tower portion of the upland site should be located at the Kent Avenue street wall and should not exceed the height of street wall across Kent Avenue (generally 9 to 10 stories).

4. The shadow impacts on Grand Ferry Park should be mitigated by reducing the height of the towers at the north end of the site and lowering the street-wall height on Grand Street to no more than six stories. Commercial office space and community facility space could be reallocated to some ground-floor retail spaces on the upland connectors.

5. The applicant should commit to fund a transportation study covering the entire Community Board 1 area. Such a study would be conducted by a private transportation planning consultant in conjunction with a dedicated community liaison/advisor. The consultant and the community liaison are to be selected by the applicant, subject to the approval of CB1.

*6. Parking should be reduced to a level significantly less than the maximum allowed under zoning (the applicant is free to apply for waivers later in the development process, if necessary). The parking should include provisions for ride sharing and for alternative-energy vehicles. The project should exceed the minimum zoning standards for tenant bike parking, in particular for the retail and commercial components.

*7. With the exception of the supermarket on the upland site, the retail portion should be limited to a "neighborhood scale", generally 3,000 to 5,000 square feet.

8. It is imperative that there be solid guarantees for all components of the final project (either in zoning/special permit language or in deed restrictions). These guarantees should cover the following:

- Percentage of residential square footage as affordable (*)
- Permanent affordability (*)
- Unit distribution (within broad ranges)
- A cap on the total number of residential units allowed
- Total square footage of open space (*)
- Additional upland connector (*)
- Consultation with CB1 on any design modifications (*)
- Consultation with CB1 on ongoing transportation analysis (for FEIS)
- District-wide transportation study
- Developer contribution to the Greenpoint/Williamsburg tenant anti-harassment fund (*)
- Job training initiative (*)
- Local sourcing for materials, labor (*)
- LEED certification (*)
- Limit on size of retail units (*)

[**NOTE:** Items marked (*) have been agreed to in full or part by the applicant.]

In addition to these modifications and commitments on the part of the applicant, the Committee believes that no rezoning on this site can be viable without a meaningful commitment of resources on the part of the City and the MTA. The City/MTA commitments should include:

1. Meaningful participation in a privately-funded transportation study, with a commitment to act on the study's recommendations within an agreed-upon time frame.

2. The expansion of the tenant anti-harassment zone to cover the entire Southside north of Broadway and east to the BQE.

Applicant's Proposed Modifications

In response to the Committee's requested modifications, the applicant has agreed in principle to make the following changes to the project (updated to reflect ongoing discussions and clarifications):

1. Upland Site. We would be willing to shift the taller segments from the eastern portion of the site to the Kent Avenue street wall subject to approval by the Department of City Planning.
2. Parking. We would be amenable to dropping the Special Permit parking waiver request for additional spaces beyond that permitted under zoning. We would monitor the demand for parking as the development moves forward. Should the demand for parking in the future necessitate the provision of additional parking requiring discretionary approval, we would return to the Community Board.
3. Car Sharing. We are amenable to allocating spaces for car-sharing options.
4. Retail. With the exception of the retail on the upland site (Site E), we are amenable to limiting retail on the site to neighborhood retail.
5. Affordability. We will provide that the affordable units be permanently affordable, consistent with the Inclusionary Housing requirements in the Zoning Resolution.
6. Unit Distribution. [We can provide] a range for unit distributions so that there remains flexibility to respond to the market while providing the community with reassurance regarding unit sizes.
7. Open Space. In our Restrictive Declaration we are required to provide the square footage as outlined in the ULURP Application and Waterfront Open Space Drawings; we will maintain this commitment, assuming our applications are approved as submitted.
8. Upland Connector: We commit to the upland connectors as delineated on the ULURP Application and Drawings, including the additional connector at S. 3rd Street; this will be reflected in the Restrictive Declaration.
9. Design Modifications. We will agree to meet with and consult with the Community Board's ULURP Committee on any modifications that the City Planning Commission Chair determines to be significant (major) changes to our design and site plan.
10. Transportation Issues. We are evaluating the effects of our project's demand on the transportation network as part of the CEQR impact analysis. As part of the environmental review, we are embarking on comprehensive data collection and analysis for a very large study area (encompassing 55 traffic intersections) as well as evaluations of the nearest bus routes and transit stations serving the site. These are not insubstantial undertakings. There also will be identification of measures that would mitigate and/or offset impacts caused by the Domino project. All this data would provide a wealth of information that would serve as a great foundation in a community study. As members of CB1 have acknowledged, the community's transportation issues are larger than those resulting from the Domino Project, and while we would gladly play a role in the community's transportation study and help lobby for neighborhood transportation improvements, we cannot commit to shoulder the full burden of an as-yet undefined study. We welcome a continuing dialogue on how we can participate as the community's goals and scope are for this study become more defined.
11. Tenant Anti-Harassment Fund. Working with the community, we agree to discuss the expansion of the Fund with the City.
12. Job Training. We commit to the job training initiative previously outlined at the Community Board public hearing.
13. Local Sourcing. We will do our best to identify local sources for materials and labor during construction.
14. LEED. We commit to seek LEED Certification or equivalent.

AIA New York Chapter

The Founding Chapter of The American Institute of Architects

28 April 2010

Amanda Burden
Chair
City Planning Commission
22 Reade Street
New York, New York 10007

Dear Chair Burden:

On behalf of the AIA New York Chapter and its nearly 5,000 architect and affiliate members based in Manhattan, it is my pleasure to testify in support of the current applications. We urge the City Planning Commission to allow the redevelopment of the former Domino Sugar site along the Williamsburg waterfront and the reuse of the landmarked Refinery Complex. We have discussed this matter with our colleagues at AIA Brooklyn, and visited the site with them recently.

There are four compelling reasons to support Rafael Viñoly Architects and the project team in their efforts to reclaim this vacant waterfront site that has been closed to the community for more than 100 years.

- The Domino Refinery is an icon of the Brooklyn waterfront, and the proposal respects the scale and industrial strength of the existing refinery building.
- For the first time in 100 years the street grid and sightlines to the waterfront will be restored and access to the waterfront will be open to the public.
- The addition of over four acres of new public, landscaped parks and an esplanade stretching five blocks on the waterfront.
- Affordable housing is urgently needed, and this project will provide 660 affordable apartments with a large number of them targeted to families of four making less than $23,040 a year.

The AIA New York Chapter agrees with the proponents of the project that the development will allow for a significant amount of affordable housing, with the percentage of such inclusionary dwelling units set at 30%.

We note that the new buildings are designed to allow the massing to match the scale of the relatively low-rise existing neighborhood along Kent Avenue while stepping up to slender towers on the waterfront. The use of glass at the upper levels of the towers enables them to blend into the streetscape. Varying the facades and heights of the buildings breaks up the bulk of each block and reflects the neighborhood character. We echo the concerns previously expressed by others that public transit merits more concerted attention.

In conclusion however, we strongly urge the City Planning Commission to approve these applications for this important and necessary project.

Sincerely,

Anthony Schirripa, FAIA
2010 Chapter President

Fredric Bell, FAIA
Executive Director

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BROOKLYN GREENWAY INITIATIVE

April 26, 2010

Comments Regarding the New Domino

Brooklyn Greenway Initiative has been the prime mover behind the creation of a 14-mile waterfront greenway from Newtown Creek in Greenpoint to the Shore Parkway Greenway in Bay Ridge, which will connect with existing greenways to create a 30-mile route around the entire Brooklyn waterfront.

Brooklyn Greenway Initiative has over the years adhered to a policy of not taking positions on land use issues unless they specifically affect the greenway. This has been important to maintaining confidence among the public and our partners that our singular priority is the best possible plan, design and implementation of the Brooklyn Waterfront Greenway.

We do acknowledge CPC Resources for embracing the location of the greenway bikeway on Kent Avenue. The location of the bikeway adjacent to the curb in front of The New Domino means that loading and unloading for retail businesses along the project's Kent Avenue frontage will be required to take place off of Kent Avenue. CPC Resources has responding by configuring its design to accommodate this requirement. In addition it has included the greenway in its updated renderings of the Kent Avenue frontage as shown on the following page.

Yours truly,

Milton Puryear
Director of Project Development

145 Columbia Street Brooklyn, New York 11231 tel (718)522 0193 fax (718)522 0193
www.brooklyngreenway.org

VICAR FOR HUMAN SERVICES
DIOCESE OF BROOKLYN

CATHOLIC CHARITIES
191 Joralemon Street, Brooklyn, New York 11201
Tel: 718-722-6080 • Fax: 718-722-6096
Cell: 917-385-1241 • E-Mail: alopinto@aol.com

April 21, 2010

Ms. Amanda Burden
Chair
New York City Planning Commission
22 Reade Street
New York, NY 10007-1216

Dear Ms. Burden:

On behalf of Catholic Charities of Brooklyn and Queens, I am writing to seek your support of the plan proposed by CPC Resources for the reuse of the Domino site. We believe that this plan offers the best for the community in terms of affordability, preservation and open space. We also know from first-hand experience that CPC Resources is deeply committed to responsible community development and to creating high quality affordable housing.

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

The plan for affordable housing presented by CPC Resources for Domino demonstrates a true sensitivity and responsiveness to the needs of the low and middle income residents of Williamsburg. It is also a unique opportunity to help address the affordable housing crisis. Your support is essential to the realization of this plan.

Sincerely,

Msgr. Alfred LoPinto

Rev. Msgr. Alfred LoPinto
Vicar for Human Services

Clemente Plaza Tenant's Association
C/o Moses Teichman
64-70 Division Ave. 3-D
Brooklyn, NY 11211

21328

04/27/2010

Honorable Amanda Burden
City Planning Commissioner
22 Reade Street Room 2-E
New York, NY 10007

Re: Domino Sugar Waterfront Plan

Dear Commissioner Burden:

As President of the tenants association, representing 540 multi ethnic families for the last 30 years, located walking distance from the proposed Domino site, we are writing to ask your assistance in approving Domino Plan on the River, a project that will represent an important milestone in the creation of much needed affordable housing for the Williamsburg community, and the City as a whole.

The Domino Plan on the River development will add 660 urgently needed affordable units to Williamsburg's housing stock. We understand that these affordable units will be provided in the form of studio, one, two and three-bedroom apartments. As you may know, there are not enough one- and two-bedroom apartments available in Williamsburg. For example, at Kent Village Housing (Clement Plaza), there are over 800 external applicants on the one-bedroom waiting list, as well as 200 additional applicants on the 2-bedroom waiting list.

We cannot loose the affordable housing opportunities being offered by Domino, nor the publicly accessible waterfront park space. The City Council already approved the mixed-use redevelopment of the Schaefer Brewery and Kedem Winery and recently Rose plaza properties that are located directly south. Your approval of Domino **as is**, will be an important further step in the reclamation of the South Williamsburg waterfront for the entire community, add affordable housing to the families in need that we have not seen for the last 15 years.

At a time when there remains much anxiety about the state of our economy, and there continues to be serious concern over when we will turn the corner to restore the economic health and vitality of New York, the approval of Domino represents an important statement of confidence in the future of our City.

Domino will have a positive impact on the City, and for this reason we are in full support of this project.

Sincerely,

Moses Teichaman
President

April 28, 2010

To: **CITY PLANNING COMMISSION Amanda Burden**
Calendar Information Office – Room 2E
22 Reade Street
New York, NY 10007

21330

Rosa & Eugenio Maldonado
25 Boerum St. #3S
Brooklyn, NY. 11206

El Puente De Williamsburg, Inc.
Eugenio Maldonado
Chief of Operations
289 Grand Street
Brooklyn, NY. 11211
Tel: 347-532-2809

Subject: **CEQR No. 07DCP094K; WILLIAMSBURG, BROOKLYN**

Williamsburg is on a tremendous need for affordable housing. We continuously see the displacement of people, in our community of Williamsburg, having no where to go. We, the people in this community has been struggling for years to uplift the fabric of our community with the intention and desire to remain , but due to economic factors and real estate speculations we confront ourselves with an unreasonable housing displacement.

New Domino offers the rare opportunity to create 660 affordable units in one development with affordability that will reach households at lower income levels than required elsewhere. 30% of affordable units throughout the development with open access to the water front to the entire community. New Domino is the kind of development we need. The city council member against this development do not represent the community of Williamsburg, he just represent the empty site where the buildings are located.

CPC has been open to work with organizations, individuals and politicians to reach a level of understanding and provide to this community of Williamsburg with a housing project development that benefit the majority of our people.

We welcome PCP, and WE SAY DOMI YES, NEW DOMINO NOW for the people of W'SBURG.

Enterprise

Testimony of Victoria Shire
Deputy Director, Enterprise New York
Enterprise Community Partners, Inc.

For the New York City Planning Commission Public Hearings
At Specter Hall, 22 Reade St, New York, NY
On April 28, 2010

Chair Burden and members of the New York City Planning Commission:

I am Victoria Shire, Deputy Director of Enterprise Community Partners' New York Office. Enterprise is a national innovator in creating affordable homes and revitalizing communities. I appreciate the opportunity to share with you our support for the New Domino development project.

For 25 years, Enterprise has pioneered neighborhood solutions through public-private partnerships with financial institutions, governments, community organizations, for-profit neighborhood developers and others that share our vision. We have worked closely many times with CPC, including the $39 million renovation of Riverdale Osborne Towers in Brownsville that rehabilitated 523 affordable units for low-income families. Based on this and other experience, we know first hand that CPC has the depth and experience to successfully complete the New Domino development.

Enterprise commends CPC's commitment to transform the former Domino manufacturing site into a mixed-use development with 660 units of affordable housing. Rarely is there an opportunity to develop this quantity of affordable housing units in one development on prime waterfront real estate in New York City. Moreover, at a time when New York families are increasingly cutting their budgets back, the need and demand for decent and affordable housing are at their greatest. The proposed Domino site development addresses these community needs directly with its commitment to affordable housing.

A stable, affordable home creates the opportunity for a family to transition to financial security and to redirect scarce resources to education, health care, and other necessities. In neighborhoods that experience rapid market transformation, the ability to maintain significant affordable housing for low-income residents is usually very difficult. Fortunately, the New Domino development directly addresses the needs of local residents by setting aside half of all affordable units exclusively for low-income residents in Community Board 1 of Brooklyn. With a total of 660 affordable units, the Domino site development is a remarkable opportunity to make a positive impact in a neighborhood that has had a significant lack of affordable housing options in recent years.

ENTERPRISE COMMUNITY PARTNERS, INC.
1 Whitehall Street, 11th Floor ■ New York, NY 10004 ■ 212.262.9575 ■ www.enterprisecommunity.org

Enterprise™

Furthermore, the New Domino development project goes above and beyond current affordable housing requirements. Fully 30% of units will be set aside for low-income households, which is already 50% more than required. CPC's development plans go even further by targeting very-low income households and seniors: 100 rental units will be kept affordable for families making up to 30% of the area median income (AMI), or under $23,040 for a family of four; and another 100 rental units will be kept affordable for seniors making up to 50% AMI, or $26,880 for an individual. As an advocate of affordable housing, Enterprise is fully supportive of this development project because it will produce a significant quantity of quality affordable housing within a mixed income community.

Having a place to live is the crucial first step out of poverty; yet for many low-income people in New York City, finding an affordable place to live is often impossible. Enterprise knows how important and complex developing affordable housing in New York City can be, and we know that CPC will do this the right way. Thank you for your time.

ENTERPRISE COMMUNITY PARTNERS, INC.
1 Whitehall Street, 11th Floor ▪ New York, NY 10004 ▪ 212.262.9575 ▪ www.enterprisecommunity.org

Good morning, I am Sheila Latimer, Director of Affordable Housing Programs at the Housing Partnership Development Corporation. The Housing Partnership is a 27 year old not for profit organization that works with the City of NY through its Department of Housing Preservation and Development, private and not for profit developers, lenders and community based organizations to create affordable housing throughout the 5 boroughs. We are currently working with CPC Resources to create an affordable co-operative in Brooklyn. I am here to support the approval of the Domino proposal. The Domino project is a rare opportunity to create 660 affordable units both rental and homeownership in one development. The level of affordability will reach households with incomes as low as 30% AMI, much lower than required elsewhere. In addition, the affordable units, which account for 30% of the total units, will be dispersed throughout the project site. In addition to the affordable housing component, the project's open space and site design will give the surrounding neighborhood access to the waterfront for the first time in over a century. Finally, score of jobs will be created. Again, the Housing Partnership supports the approval of the Domino project. Thank you

Good morning, my name is Ramon Peguero, the Executive Director of Southside United HDFC(Los Sures), and I am here in support of the Domino Development. For the past thirty eight years, Los Sures has been at the forefront in the fight to ensure that those less fortunate and with less access have a voice.

We have been developing in Williamsburg long before Williamsburg became the sought after community that it has become. We see private owners erecting developments as quickly as possible to try to get as much rental money out of them that they can.

It is refreshing to find a developer that is willing to partner with our community, listen to our concerns and our needs, and then follow through with their promises.

The Domino Development Plan offers more than 4 acres of park and open space. In a community like ours with a high asthma rate, that is welcomed news. Over 1,000 on site jobs will be created, and 660 affordable units will be created, with a 50% preference for community board 1 residents.

Seniors and the working poor are the most vulnerable to displacement by the gentrifying forces that we are experiencing in our community. The Domino Plan gives them hope and an opportunity to stay in their community.

While some will argue that there needs to be more affordable housing in this plan; to be honest, if it was up to me every development in Williamsburg would be 100% affordable, but that is not reality. The 30% of affordable units that is offered by the Domino Plan, is similar to that of Schaeffer landing and other developments that this Commission has approved in the past.

We are not "Johnny comes lately", we have almost four decades of experience in advocating for our community, and calling a spade a spade. This plan has been open, transparent, inclusive and more importantly, it is good for our community. I urge this commission to vote yes. Thank you.

Metropolitan Waterfront Alliance

Testimony of Roland Lewis, President and CEO
On **Redevelopment of the Brooklyn Domino Sugar Site**

Before the City Planning Commission
April 28, 2010

Good afternoon and thank you for the opportunity to submit this written testimony. I am Roland Lewis, president of the Metropolitan Waterfront Alliance. The Metropolitan Waterfront Alliance is a coalition of over 400 organizations working together to transform the New York Harbor and its waterways into a world-class resource for work, play, transit and education.

The Metropolitan Waterfront Alliance wants to commend the Community Preservation Corporation for its plan for the rehabilitation of the Domino Sugar Factory in Williamsburg Brooklyn and especially for the open space to be created in the new four acres of public open space at the water's edge. Combined with the four new street ends opening to the water this amounts a major new addition to waterfront acres in the Williamsburg neighborhood. The design and features of this space follow the guidelines set forth in the new Text Amendment for Waterfront Zoning recently adopted by the New York City Planning Commission. The 1,300 foot new esplanade and park also provides a vital link to the existing Grand Ferry Park, a small gem of a park where new Yorkers can actually touch the water.

MWA believes this redevelopment could be improved by also including infrastructure for a ferry stop as well as the infrastructure for boats, including bollards, cleats and gates along the esplanade for possible future maritime use. Addition of this water transit infrastructure to the Williamsburg waterfront would improve the transportation service to a historically underserved neighborhood. The simple maritime infrastructure along the esplanade could provide mooring to historic boats and pleasure boats, increasing the appeal of the park as a destination. Also in times of emergency it will allow for egress and movement of goods and people if necessary.

Though industrial use in New York and in much of the waterfront in Brooklyn is still viable, the appropriate rezoning of this neighborhood where manufacturing can not be sustained is appropriate. The New Domino complex will also embrace its history and has concrete plans to keep and utilize the original 40 foot Domino Sugar sign, by placing it in a prominent location on the roof of the apartment complex as well as retrofit of a large portion of the original building.

We also recognize the waterfront commercial space to be created under the plan. The 2,200 unit New Domino complex will include 660 units of affordable housing. The new zoning will include almost 274,000 sq ft of new retail and community cultural facility spaces as well as approximately 99,000 sq ft of commercial office space that will help bring a vital combination of housing business, recreation, and commerce into the neighborhood.

Thank you for the opportunity to testify and I'd be happy to answer any questions you might have.

MUSEUM FOR AFRICAN ART

May 11, 2010

OFFICE OF THE CHAIRPERSON

MAY 12 2010

21364

New York City Planning Commission
Attention: Chair Amanda Burden
22 Reade Street
New York, New York 10007

To Whom It May Concern:

I am writing to you in support of the Community Preservation Corporation's plan for the Domino Sugar Factory. Mike Lappin at the CPC knows that a community is more than the sum of its housing. Building a real community includes spaces for a variety of people of different racial and economic backgrounds. Also crucial to creating true communities is the availability of a variety of important spaces for people including areas for recreation, housing, and commerce. That is why the CPC's Domino Sugar Factory project is so brilliant; it includes all of these elements in an effort to create a truly sustainable, flourishing community.

Having sat on the board of the National Recreation Foundation for over a decade, I can attest to the fact that open, green spaces for recreation are so vitally important for people. Especially for children, who need places in their lives for outdoor play; this positive recreation leads to healthier and more balanced adults.

The need for housing speaks for itself. New York City is in danger of losing its vitality if all who cannot afford extravagant rents are forced out of the city. The Domino Sugar Factory will provide affordable housing for fragile communities that that may not have as much economic stability as others—like artists, who are vital to a thriving city but are too often pushed out as a result of being priced out. Affordable housing also leads to more diverse neighborhoods, rather than segmenting this city so that people of different backgrounds and experiences come into contact less and less because of their economic circumstances. The combination of market-rate and affordable housing allows people to live and share a variety of spaces, leading to greater understanding.

Commercial spaces also play a role in creating healthy living environments. In addition to the employment opportunities that the Domino Sugar Factory will create for those in- and outside the area, the ability to shop for food and necessities in close proximity to one's home is a certain improvement in quality of life for the many New Yorkers who are so stretched for time and resources as they tirelessly work and raise families. The community areas that the CPC's proposal includes also allows for busy families to find time for recreation and build healthier families—both mentally and physically.

I can attest first-hand to the amazing work that the Community Preservation Corporation can do, and has done to transform communities. The CPC helped the Museum for African Art, where I am President, to get loans because they understood how the Museum could transform its East Harlem community—an area they have invested a lot of resources in with housing. Affordable housing is an obvious and necessary component of a healthy neighborhood, but it is not enough; the Museum provides a space for learning and recreation. There are many components necessary for positive community building, and the CPC's proposal for the Domino Sugar Factory is unique in recognition of this, and the realization of this project will prove to be a model for many new spaces to come.

Regards,

Elsie McCabe Thompson

Elsie McCabe Thompson, President
36-01 43rd Avenue, Long Island City, New York 11101 Phone **718-784-7700** Fax **718-784-7718** www.africanart.org



NBPAC
North Brooklyn Public Art Coalition
150 Franklin Street #3F
Brooklyn, NY 11222
www.NBpac.wordpress.com

21324

Fax

To:	CITY PLANNING COMMISSION	From:	Katherine Denny
Fax:	212-720-3219	Pages:	2 (including cover)
Phone:	646-342-8225	Date:	4/28/2010
Re:	CEQR Application #: CEQR No. 07DCP094K Brooklyn.	CC:	Council Member Stephen Levin

☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

● Comments:

Please find attached a letter regarding plans for the Domino Sugar Factory.

CEQR Application #:
CEQR No. 07DCP094K
Brooklyn.



North Brooklyn Public Art Coalition
[illegible] Franklin Street #3F
Brooklyn, NY [illegible]
[illegible]

April 28, 2010

New York City Planning Commission
Calendar Information Office - Room 2E
22 Reade Street, New York, N.Y. 10007

To Whom It May Concern:

As the Executive Director of the North Brooklyn Art Coalition, I'm writing on behalf of the ever expanding network of artists, creative individuals, and arts organizations living and working throughout North Brooklyn.

The North Brooklyn Public Art Coalition (nbART) is an arts organization dedicated to collaborating with artists and community stakeholders in Williamsburg, Greenpoint and Bushwick to produce, present and support public art. Formed in 2009 by a group of artists, arts administrators and community members to address the development of North Brooklyn, nbART believes that public art plays a vital role in activating space and engaging our neighborhoods. nbART aims to promote dialogue concerning urban spaces; support artists through local commissions and the provision of resources; and use our voice to advocate on behalf of the North Brooklyn arts community.

To that end, I argue that the current proposal for the 11.2-acre site of the former Domino Sugar site ignores the artistic community that surrounds the site by lacking an arts component to the plan. On March 9, 2010 I testified before Brooklyn's Community Board 1 and today maintain the need to include the following components I proposed that evening:

- Include a mandate for public art throughout the four acres of open space. Moreover, selection of the artworks should be an open, competitive process with a mandate to choose artists living and working in North Brooklyn. At least a portion of the artworks should include artifacts from the Domino Sugar Factory in an effort to memorialize the former industrial site through art.

- Include a commitment cultural center in the proposed community facility space. The inclusion of cultural space will allow the site to maintain a vibrant profile and truly reflect its surrounding creative community. In addition, a robust cultural presence at the site will attract residents, businesses and visitors alike.

I urge you to consider these ideas as plans for the site near passage. I am available should you have any questions or wish to see a more detailed proposal, and can be reached at 646-342-8225.

Sincerely,

Katherine Denny
Executive Director, nbART

-----Original Message-----

From: PortalAdmin@doitt.nyc.gov
Sent: 04/28/2010 08:53:34
To: sbladmp@customerservice.nyc.gov
Subject: < No Subject >

From: pdepaolo@nyc.rr.com (Philip DePaolo)
Subject: Message to Director, DCP

Below is the result of your feedback form. It was submitted by Philip DePaolo (pdepaolo@nyc.rr.com) on Wednesday, April 28, 2010 at 08:53:34

This form resides at
 http://www.nyc.gov/html/mail/html/maildcp.html

Message Type: Misc. Comments

Topic: Other

Contact Info: Yes

M/M: Mr.

First Name: Philip

Last Name: DePaolo

Company: The New York Community Council

Street Address: 217 N 7th st

City: Brooklyn

State: NY

Postal Code: 11211

Country: United States

Work Phone #: 347-200-2353

Email Address: pdepaolo@nyc.rr.com

Message: Testimony of Community Council President Philip DePaolo

For the former Domino Sugar Factory Subject: CEQR Application : CEQR No. 07DCP094K;

The New Domino Sugar proposal includes 660 units of claimed affordable housing reserved for families with incomes of 23,040 dollars up to 99,840 dollars.

The current AMI for Brooklyn CB1 is 35,300 dollars.

We found that only 100 units are affordable to a majority of residents living in Brooklyn CB1. Even the 310 units of housing at 46,080 dollars are out of reach to over 60% of residents in Brooklyn CB1.

The 150 for sale housing units for families earning 99,840 dollars would be offered at 130% of ami. CPCR/KATAN want precious taxpayer dollars to pay for the units but they do not want to offer the units at the levels under IZ that begin at 80% of AMI and cap at 125%.

The 100 units reserved for seniors making up to 50 percent of the area median income is out of reach to most low income seniors facing displacement.

The DEIS also states that 181 units of housing would be lost displacing 570 residents due to indirect displacement. All the units the DEIS claims will be lost are all in one census tract.

The DEIS states that all alternative plans would substantially fail to meet the project s principal goal of providing a substantial amount of affordable housing, but how do we know this. CPCR/KATAN have never shown how much things costs, what subsidies they want to receive and what kind of for profit return they expect.

The 2005 rezoning anticipated 5,544 new residential units on the Williamsburg and Greenpoint waterfront. The Domino rezoning would increase the potential number of waterfront housing units by 43%.

The proposed development would result in just under 4 acres of publicly-accessible open space.

But even with all this new open space, when all the new residents are accounted for, the community winds up with less open space per resident that we have now. About 6% less within the half-mile study area according to the EIS.

The New Domino would be a significant development with a major impact on schools, police, fire and transportation. Mitigation for these issues was not properly addressed in the DEIS.

Domino is proposing a out of scale building with an R7 or R8 density on S3rd and Wythe.

When a developer sought a variance in 2005 to develop the site across the street from Domino, they asked for 19 stories. The community said no, and ultimately BSA approved 5 stories.

Until concerns regarding density, zoning, public safety and neighborhood identity are addressed alongside affordability, The New York Community Council cannot support this application and we request that you follow the request of our local community board and the Boro Presidents recommendations regarding the reduction of density on the waterfront and inland, the increase of affordable housing that is within the communitys ami and proper mitigation to the issues raised by the DEIS.

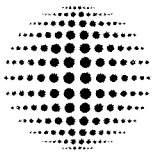
Philip DePaolo

President

NY Community Council

REMOTE_HOST: 74.66.27.33

One Battery Park Plaza New York, NY 10004-1479
T 212 493 7400 **F** 212 344 3344 www.partnershipfornyc.org



Partnership for New York City

TESTIMONY SUBMITTED TO THE DEPARTMENT OF CITY PLANNING, ON BEHALF OF THE CITY PLANNING COMMISSION

PUBLIC HEARING ON THE NEW DOMINO

WEDNESDAY, APRIL 28, 2010

KATHRYN WYLDE

PRESIDENT & CEO
PARTNERSHIP FOR NEW YORK CITY

The Partnership for New York City represents leadership of international and regional businesses that are headquartered in New York. Partnership members employ 775,000 people in New York City and contribute over $140 billion to the annual Gross City Product.

As a long time supporter of both affordable housing and industrial retention, the Partnership supports the plan for the reuse of the Domino Sugar Refinery site. The Partnership has a history with the neighborhood of Williamsburg, where, through our New York City Housing Partnership subsidiary, we joined with community organizations to sponsor private development of 750 affordable homes and apartments in Williamsburg and Greenpoint. Through our New York City Investment Fund, we also helped finance the nearby Greenpoint Manufacturing and Design Center's program to preserve viable industrial uses in the community.

The plan put forth by CPC Resources, a subsidiary of the Community Preservation Corporation (CPC), adheres to the goals laid out in the rezoning approved for Greenpoint-Williamsburg in 2005. In addition the plan promises additional commitments in the areas of affordable housing, community facilities, open space and waterfront access. As envisioned, the New Domino will provide 660 housing units affordable to a wide range of the community, as well as 1, 000

new permanent jobs. The Community Preservation Corporation has a 30- year history financing affordable housing in Brooklyn and throughout the city. Just in Williamsburg alone, CPC has been involved in the construction of over 1,600 low-, moderate- and middle-income apartments, reflecting a total investment of over $200 million. Their commitment and track record will help ensure a successful project.

For years, neighborhoods had to stand by while the only sites available for residential development were effectively land-banked for industrial waterfront uses that never materialized. Meanwhile, the most noxious uses - transfer stations, construction equipment storage and sanitation facilities - took over many of our most promising development sites and neighborhoods. In response, the City Administration has made it a priority to reclaim our waterfronts and bring them into the 21st century. Vision 2020: New York City Comprehensive Waterfront Plan will set forth long-range goals for a 21st century waterfront. It will serve as a guide for future land-use decisions along the City's shoreline, recognizing the diversity of the waterfront and balancing the needs of environmentally sensitive natural areas, public access, housing and commercial activity. The rezoning of the Brooklyn waterfront and projects like the New Domino are critical first steps in creating a new balance in our waterfront neighborhoods in line with the Vision 2020.

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

Testimony of
Ronald Shiffman, FAICP, Hon. AIA
Urban Planning Professor,
Graduate Center for Planning and the Environment
Pratt Institute
Technical Advisor to the Broadway Triangle Community Coalition[1]
and
El Puente
In Support of the
New Domino Housing Development
Before the New York City Planning Commission
28 April 2010

Madame Chair and Members of the City Planning Commission,
Good Morning,

My name is Ronald Shiffman. I have worked in and with community-based organizations in the Greenpoint and Williamsburg communities since 1970 and in the late 1990's assisted Community Board One in the preparation of both the Williamsburg and Greenpoint 197a Plans.

I come before you to voice my enthusiastic support for the proposed mixed-use development of the former Domino Sugar site. I do so because the proposal is based on a creative and carefully thought through plan for the reuse of the site formerly occupied by Domino Sugar. The plan was developed after extensive discussions with many in the communities that adjoin the site. Specifically,

- The proposed rezoning action, will spur the development of a large portion of the Southside's former industrial waterfront. It will enable the community to gain access to the water's edge for the first time in over a century. The proposal will extend five city streets to the water's edge, ending in a 4-acre waterfront park and a quarter mile esplanade, which will allow many in the Southside to discover the river for the first time.
- Most importantly the development will provide for 660 units of permanently affordable housing, 30 percent of the total units to be developed. The units will be offered and targeted to families whose income will be as low as 30% of the Area Median Income. The bulk of the affordable apartments, 410 , will target families of four, earning between $23,040 and $46,080 dollars a year. The rest of the affordable apartments will be set aside for senior rentals [100] and as ownership units [150] targeted to families making less than $100,000 per year or 130% of the AMI.
- The plan creatively and at significant cost preserves the set of buildings that comprise the Refinery. The iconic Domino signage will stand atop the restored building. This building itself will contain three stories [100,000 square feet] set aside for community use –space that can easily be used to house a school if the

[1] The Broadway Triangle Community Coalition, [BTCC] is comprised of over 40 community-based organizations representative of the diverse religious, racial and ethnic communities that comprise Bedford-Stuyvesant, Bushwick and Williamsburg.

city so chooses. Retail will be located on the ground floor of the Refinery and all along Kent Avenue. These are the critical elements that help housing developments evolve into strong communities.

The plan has other attributes that argue for its adoption – [98,000 sq.ft] commercial space at the south end of the site, an architectural grace rarely seen in developments of this scale and a mix of uses that reflect both the area's needs and the components needed to create viable and sustainable communities. The New Domino will help meet the needs of the people of the Southside; it will enable families to remain in the community and it will provide space to generate new enterprises and create new jobs--both permanent, high road jobs as well as jobs during construction. Opponents are correct in citing the need for better transit, and I agree, but this is a need whether or not this development is built. If anything, the development will itself generate the demand for the city to finally respond by replacing the B61 with a high headway, barrier-free bus rapid transit system as was proposed in Community Board One's Williamsburg and Greenpoint 197a Plans before any of the City's rezoning actions were adopted. That transit system is long overdue and should not be the burden of any one developer. It is a city responsibility that should be met.

This project, from a social, economic and aesthetic perspective, is the best I have seen in years. It combines historic preservation, great architecture and thoughtful planning in the best tradition of community building. I urge the commission to approve this project without any reservations.

Thank You.



SOCIETY FOR INDUSTRIAL ARCHEOLOGY

Society for Industrial Archeology
Department of Social Sciences
Michigan Technological University
1400 Townsend Drive
Houghton, MI 49931
906/487-1889 sia@mtu.edu

Mary Habstritt direct phone: 917-709-5291

TESTIMONY BEFORE NEW YORK CITY PLANNING COMMISSION BY MARY HABSTRITT, PRESIDENT
RE: CEQR No. 07DCP094K, ULURP Nos. C 100185 ZMK, N 100186 ZRK, C 100187 ZSK, C 100188 ZSK, C 100189 ZSK, N 100190 ZAK, N 100191 ZCK, N 100192 ZCK
APRIL 28, 2010

The Society for Industrial Archeology is a national organization dedicated to the study and preservation of our industrial heritage. Our largest chapter is the Roebling Chapter, representing greater metropolitan New York.

Our opposition to the proposed project focuses on the need to respect the incredible industrial heritage represented by the Domino plant. Three of the buildings have been landmarked, for which we are grateful, but there are over 20 other structures on the site that as a group have been determined to be of such historic significance that the entire site is eligible for the National Register of Historic Places.

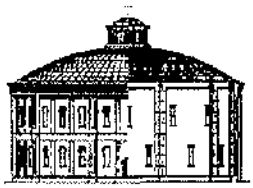
Domino Sugar's factory has long been of interest to us. For our national conference in 2002 in Brooklyn, a tour of Domino was a centerpiece of the event. We found the world's largest sugar refinery to be a living record of an industry that was once vital to New York City. This complex tells the story not only of Havemeyers & Elder, the company that built the plant and developed the Domino brand, but of the monopolistic Sugar Trust and a once mighty economic engine. In the 1870s, there were eight sugar refineries within a mile and a half on the Williamsburg waterfront. By the 1880s, the *Brooklyn Eagle* called Williamsburg the greatest sugar refining center in the world. Once H.O Havemeyer formed the Sugar Refineries Company in 1887, it soon controlled 98 percent of the sugar consumed in this country. Since the demolition of Red Hook's Revere refinery, the Domino refinery is the last of its kind in the city.

We ask you to look very critically at whether more creativity might be applied to preserve more of the complex. Only months ago, the former Bell Labs in Manhattan, now known as Westbeth, was added to the National Register of Historic Places as a pioneering example of successful re-use of industrial buildings for affordable housing and work spaces for artists. Domino could follow its lead.

We feel the mitigation plan proposed in the DEIS is vague and inadequate. This nationally historic site deserves better. We ask that, at minimum, the complex be documented according to the standards of the National Park Service's Historic American Engineering Record so that there is an archival record of all that is destroyed. We ask that the plant be adequately secured so that the structures and equipment can be photographed and the process of sugar making accurately described.

The proposal to install equipment as sculpture on the esplanade may be artful, but it exposes historic artifacts to the weather. Once out of context, they will need interpretation to explain their use. We ask for a museum-quality exhibit that protects artifacts carefully chosen to tell the history of Williamsburg's contributions to the sugar industry. It should make use of oral histories collected from the many former workers who still live in the neighborhood.

We would like the design to better reflect the site's industrial character and the scale of the landmarked refinery buildings. When the central refinery is surrounded by 40-story towers it will be greatly diminished. The "jewel in the crown of the Sugar Trust" should have a more appropriate setting.



SOCIETY FOR INDUSTRIAL ARCHEOLOGY

Society for Industrial Archeology
Department of Social Sciences
Michigan Technological University
1400 Townsend Drive
Houghton, MI 49931
906/487-1889 sia@mtu.edu

Mary Habstritt direct phone: 917-709-5291

May 10, 2010

Amanda Burden, Chair
New York City Planning Commission
22 Reade Street
New York City, New York 10007

RE: CEQR No. 07DCP094K,,ULURP Nos. C 100185 ZMK, N 100186 ZRK, C 100187 ZSK, C 100188 ZSK, C 100189 ZSK, N 100190 ZAK, N 100191 ZCK, N 100192 ZCK

Dear Chair Burden:

I am sending some additional comments to supplement those I made in person on behalf of the Society for Industrial Archeology at the April 28th hearing on the proposed re-zoning of the former Domino Sugar refinery in Brooklyn.

I would first like to emphasize again that we seek more creativity in adapting the existing buildings and that alternatives to the proposed massive demolition be examined. We also support the concerns of the State Historic Preservation Office regarding the glass addition to the 1884 "Refinery" already landmarked by the City.

At the recent hearing, Commissioner Phillips asked me about our recommendation for placement of the artifacts and other exhibit materials on the history of Williamburg's sugar industry. With some additional thought, it seems that if there is a community facility on the site this would be the perfect place for such an exhibit. This would allow not only for protection of artifacts and interpretive panels from the weather but would allow the use of many media to bring the story to life. For instance, videotaped oral histories of former workers could be available for playback in kiosks. If the exhibit were part of the community room or an entry area, it would emphasize the intimate connection of this industry to the people of the neighborhood.

In addition, we feel that the landscaping planned for the public esplanade should better reflect the industrial past of the site. Low-growing and scrubby plants would be more appropriate to the setting than large, stately trees. Shade is certainly desirable, but might be achieved in some other way more in keeping with the industrial nature of the site.

Because we are most concerned about the factory complex itself and mitigation for the multiple adverse impacts on these historic structures, my testimony did not reflect other concerns about the development or comment on details of the DEIS.

We are concerned about the visual impact of the proposed project on the National Register-eligible Williamsburg Bridge. Although the DEIS states reassuringly that the new views from

the esplanade will mitigate those lost inland, new views are not being created. They are only being made more accessible. The first major bridge to use steel rather than masonry for its towers should not have be crowded in a way that diminishes its own impact.

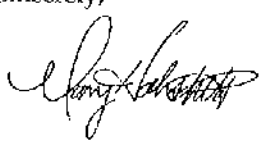
I must argue the point made on page 8-3 of the DEIS which says that there is no visual relationship between the two former American Sugar Refining buildings at 269-285 and 287-289 Kent Avenue and the factory because immediately across the street there is a partially vacant area backed by 1960s-era buildings. First, the buildings on the east side of Kent are cater corner from the New York City Landmark "Refinery" buildings. Secondly, the determination of eligibility for the National Register of Historic Places specifically cites the complex's different phases of industrial design: "The period of significance for the complex spans from 1883, the date of the earliest surviving buildings on the site, up to industry's final expansion and new building campaign which ended in 1962," as referenced in the DEIS itself on page 8-8. The fact that early 20th-century buildings face 1960s-era buildings on the other side of the street and that they were all used during the factory's active life, is part of the site's significance, showing how it was adapted over time for efficiency and to accommodate changes in technology.

There are some corrections to be made in the DEIS regarding the history of the company that built the world's largest sugar refinery. When Fredrick C. Havemeyer Jr. re-entered the sugar business in 1856 in Williamsburg, his company was Havemeyer and Bertrand. While the company was anchored by members of the Havemeyer family for generations, their partners changed many times and these changes were often reflected in the firm's name in the company's early years. It was not until 1863 that the company became Havemeyers and Elder (note the plural; it is not Havemeyer and Elder). This is the name immortalized in the brick of the marvelous oval stack because it was the company's name at the time when the factory was re-built after the massive fire of 1882.

On page 8-21, it is stated that Cass Gilbert's Austin, Nichols & Co. Warehouse (commissioned by the Havemeyers) at 184 Kent Avenue is currently being converted into a residential building. This is not correct. Before the 2005 Greenpoint-Williamsburg Waterfront Rezoning, this building had obtained a variance and was already a residential building with commercial space on the first floor. The residents, many of them artists, were evicted and the building emptied in 2005 and 2006 so that the property could be converted to more luxurious residential units. It should be noted that this building is eligible to be a NYCL since it was so designated by the Landmarks Commission in September 2005 although the designation was later overturned by the City Council.

I trust I have made it clear that Society for Industrial Archeology considers the Domino Sugar site to be very important. Our Board of Directors passed a resolution supporting its preservation in 2006 to reflect this. Exactly seven years ago yesterday, the Roebling Chapter toured the plant. We wish to continue to participate in mitigation plans and hope to see it respectfully re-used and re-designed in keeping with its industrial character.

Sincerely,



Mary Habstritt, President

cc: Rick Greenwood, Chair, Historic Preservation Advocacy Cmte, SIA
Beth Cumming, NY State Historic Preservation Office
Sophie Ettinger, US Army Corps of Engineers
Christopher Marston, HAER Architect, National Park Service

Testimony of Alison Cordero
Deputy Director for Community Preservation
On Behalf of
St. Nicks Alliance 11 Catherine St. Brooklyn NY 11211
(718)388 5454

In Support of the "New Domino" Project and associated rezoning and permit requests

Before the City Planning Commission

Good morning, Madame Chair and members of the Commission:

I am here today to testify in support of the "New Domino" Project and associated rezoning and permit requests on behalf of St. Nicks Alliance.

St. Nicks Alliance (formerly St. Nicholas Neighborhood Preservation Corporation) is a community development corporation with a 35 year history of working to revitalize and sustain the Williamsburg/Greenpoint community with and for its low and moderate income residents. Each year we provide services to over 9000 people focused in the areas of affordable housing, economic and workforce development, healthcare, and youth and education.

For us, the most compelling element of the proposed development is the commitment to build 660 units of permanently affordable housing, which is affordable at a wide range of income levels, going as low as 30% of AMI, and including a home-ownership component and senior housing component. Over the last decade our community has faced an unprecedented rise in rents and housing prices, as Williamsburg and Greenpoint have become one of the "hottest" real estate markets in the country. It has rendered housing unaffordable to low and moderate income residents and accelerated the displacement of the poor, working class and middle income residents of our community and the disruption of the community fabric and institutions and has had a disproportionate impact on the Latino community.

This trend was clearly evident in the period from 1990 to 2000, when Williamsburg/ Greenpoint was one of the areas which experienced the sharpest rise in median monthly rent, jumping by 66.7% from $375 to $625, as documented by NYU's Furman Center. (This compares to a rate of increase of 9.8% in Brooklyn, 20.8% in Manhattan and 10.7% in the City as a whole.) From 2000 to 2008 the median monthly in rent, according to the Furman Center, increased a further 41%, from $625 to $882. Homeownership in the community became an impossible dream for even middle income families, as the index of housing price appreciation for 2-4 family homes was the highest in the city according to the Furman Center report, with a median price per unit of $291,667.

The 2005 rezoning of the Williamsburg Waterfront only exacerbated this trend. Median rents rose 16% in one year from 2006 to 2007. Despite special provisions to ensure affordable housing in the rezoning language, of the 5477 units authorized by new residential building permits in 2005 to 2007, only 464 were affordable rentals; the remainder were mostly

condominium units with prices beginning at $350,000 for studios and rising to over $2,000,000 dollars.

The chronic and increasing shortage of housing and an increasing risk of displacement are also evident in our local experience. The number of applicants for new Williamsburg Greenpoint affordable housing developments outnumbers the number of units available by ratio of at least 10 to 1. A recent opportunity to apply for Section 8 vouchers qualified 142 applicants in just six weeks. Our housing counselors regularly receive more than a dozen calls from families or individuals each week who are facing eviction because they cannot afford a dramatic rent increase or who are being pressured to move by owners looking for higher rents. One of the most common complaints heard by our housing counselors and local church pastors, even from subsidized tenants and local homeowners, is "there's no place my kids can afford in the neighborhood!"

This trend has not been alleviated by the current economic crisis. In fact, owners who bought overleveraged properties at the height of the market continue to exert pressure to displace long time low and moderate income tenants in favor of those who can pay higher rents. **For this reason, we join the Community Board in asking for an expansion of the Anti-harassment Zoning and funding for anti-displacement services in conjunction with this zoning application**.

Our support for the New Domino proposal is also bolstered by the fact that CPCR has maintained an open and respectful dialog with the Williamsburg community over several years, during the planning of the new Domino project. This has resulted in a project which has many potential benefits for the community. In addition to the significant affordable housing component, it includes, as even the Community Board has acknowledged, a true mixed-use development incorporating commercial office and community facility uses alongside retail and residential uses, a first-class architectural design and a first-class landscape design, and a significant commitment to job training for neighborhood residents.

Moreover, CPCR has continued this dialog and maintained its commitment to build affordable housing, in a market which has changed significantly since it purchased the property, becoming both more challenging for the development of market rate housing and more unpredictable. Most recently, in response to discussions with the Community Board's ULURP committee, CPCR has committed to significant modifications and clarifications, as outlined in CPCR's testimony, and has committed to codifying all environmental, site-plan related and land-use concerns in a restrictive declaration. Because of this experience with CPCR and because of their mission-driven commitment to affordable housing and community development, we are confident that they will maintain an open dialogue with the community, which will enable us to address other concerns created by the density of the development, such as transportation and parking, ensure the fulfillment of the commitments they have already made to affordable housing, and address any other concerns which may arise.

We recognize that this will also require a significant commitment on the part of the City and MTA to work, with the developer and the community, to address issues created by the density of the development, particularly in the areas of transportation, open space and mitigating residential

displacement. We urge the Commission to support such a commitment in their recommendations. Thank you.

Good Morning Commissioner and members of the Commission

As a resident and close neighbor to Domino site for 58 years, representing over 5,000 families as a tenants representative.

Just last month I stood infront of this board asking that you support and vote in favor of Rose Plaza on the River, 20% of the units a total of 160 were allocated for affordable housing as required, you voted in favor, and for that I want to take this opportunity to thank you all.

It is with great pleasure to inform you that at the City Council hearing on Rose Plaza, the developer raised the affordable to 30% and was passed 47-1.

Here we are today about Domino Sugar Plan where the developer is already committed to allocating 30% of all units for affordable 660 in total, asking you to support and vote in favor, and still there is opposition to this plan, Rose was too little, Domino is too big, you have to be a king Solomon to figure it

out. Affordable Housing and Jobs are what we need.

(Report)

We all know that if Noah was asked to build the ark today, there would be great opposition from just about every group as well as every City, State and Federal agency.

660 affordable units on one site, is more then the two projects that have been approved by this commission, Broadway Triangle and Rose Plaza combined.

I urge all members to vote in favor, Domino Sugar Plan is not just a Sugar Cube, it is a sweet, sweet deal for the entire City and the community as well.

Thank You

Isaac Abraham
917-407-6491

Francis Ball
330 Wythe Ave 6/K
Brooklyn, NY 11211

City Planning Commission
Calendar Information Office
22 Reade Street, Room 2E
New York, N.Y. 10007

Subject: CEQR Application #CEQR No. 07DCP094K

City Planning Commission,

I oppose the new plan for Dominos being presented to the City Planning Commission by the CPC.

I am a Latino who has lived in this neighborhood for years. I have seen the impact of these new skyscrapers, and it's not been a positive thing.

I urge the City Planning Commission to reject this plan, and look for alternatives that actually benefit the community and developer, not just the developer. Is that too much to ask?

Francis Ball

Gregory Barsamian
43 Grand St
Brooklyn, NY 11211
tel / fax • 718.782 4317

• FAX •

21327

FAX TO: AMANDA BURDEN
City Planning Commission
DEPARTMENT OF CITY PLANNING
22 Reade Street, New York, N.Y. 10007
FAX #: (212) 720-3219
DATE: 4/28/ 2010

Testimony for City Planning Public Hearing on CPCR New Domino Proposal
CEQR Application #: 07DCP094K
Borough of Brooklyn

I own four buildings on Grand st near Kent Ave.
City Planning must not approve the proposed development on the former Domino Sugar site. The size and scale of the development would impose an enormous burden not only on existing residents but on the proposed residents as well.
Infrastructure in the neighborhood is totally inadequate to handle this quantity of new residents. The single , one way lane of Kent Ave. is entirely inadequate. Southbound Wythe ave. is already at the bursting point. The subways are inadequate. The open space is inadequate. There are no plans to address any of these problems. Any solutions to them would take many years to address. In addition, the plan fails to take into the account the nature of the surrounding area creating a population density of deep inner city in what is a low rise community. For the housing surrounding the development, significant shadows would be cast, wind tunnels created, and traffic issues would make live unbearable. The loss of character (the neighborhoods main asset) would be devastating to those who live and work there.
The development is simply **incompatible** and I urge the Commission to reject the project and work to find a use that truly serves the community. It is your duty.

Sincerely
Gregory Barsamian

-----Original Message-----

From: PortalAdmin@doitt.nyc.gov
Sent: 04/29/2010 11:31:37
To: sbladmp@customerservice.nyc.gov
Subject: < No Subject >

From: ()
Subject: Message to Director, DCP

Below is the result of your feedback form. It was submitted by
 () on Thursday, April 29, 2010 at 11:31:37

This form resides at
 http://www.nyc.gov/html/mail/html/maildcp.html

Message Type: Compliment

Topic: Other

Contact Info: No

State: NY

Country: United States

Message: Your name - Justin Braun

Address - 54 North 11th Street

Your position on the project - I support saving the Domino Factory

Your Borough - Brooklyn

Subject: CEQR No. 07DCP094K

REMOTE_HOST: 161.185.158.23
HTTP_ADDR: 161.185.158.23
HTTP_USER_AGENT: Mozilla/4.0 (compatible; MSIE 7.0; Windows NT 5.1; .NET CLR 1.1.4322; .NET CLR 2.0.50727; MS-RTC LM 8)

****

From:	ajbretnall@aol.com
To:	bobrodriguez@mindspring.com
Subject:	**Date:** May 8, 2010 11:14 AM

To whom it may concern:

As a property and business owner in Williamsburg, I would be remiss by not voicing my opinion regarding the apparent lack of foresight regarding the Domino Sugar project. Judging from the poor planning of Kent Avenue (who the hell thought of that?! – not just not smart, painfully dumb), combined with the less than impressive sales of the Citigroup waterfront high rises, I am not very confident that anything is really being thought through.

My prediction is the aggressive development proposed at the Domino Sugar site precludes the necessary contingency of adaptive reuse. You see, part of "planning" inherently has to include the possibility of failure. What do you do when you fail? You either continue to re-experience your failure, or you figure something else out. (sic)

In conclusion, please think this through, consider your contingencies wisely, especially that nuts and bolts infrastructure stuff, and make your decisions for everyone in New York City, not just the few who have the potential to really screw things up.

Sincerely,

Jody Bretnall

To: City Planning Commission, Calendar Information Office - Room 2E, 22 Reade Street, New York, N.Y. 10007

From: David Brody
330 Wythe ave. #4A
Brooklyn, NY 11211

Subject: CEQR Application #CEQR No. 07DCP094K

Borough: Brooklyn

The proposed plan for the Domino sugar site would be a disaster for Williamsburg, for Brooklyn, and for New York. It would destroy the neighborhood by overwhelming it with density and height. The needed infrastructure for transportation, parking, schools and other necessities simply has not been taken into account. The promise of so-called "affordable" housing as an excuse for greedy overdevelopment does not fool anyone who actually lives in this neighborhood. Approving such a vastly out of scale project over and above generous zoning limits only recently put in place would set the worst precedent imaginable-- effectively canceling the meaning of zoning rules. I urge the CPC to follow the common sense recommendation of Community Board one to REJECT THIS PROPOSAL and to help the community work for a sensible development of this extraordinary site.

David Brody

Message Type: Misc. Comments

Topic: CPC Public Meeting Information/Calendar Office

Contact Info: Yes

M/M: Mr.

First Name: David

Middle Name: Brody

Last Name: Brody

Street Address: 330 Wythe Ave 4A

Address Number: 330 Wythe

City: Brooklyn

State: NY

Postal Code: 11211

Country: United States

Work Phone #: 718 3843483

Email Address: brodyhed@bway.net

Message:
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David Brody

330 Wythe Ave 5F
Brooklyn NY 11211

Concerning: CEQR No. 07DCP094K

City Planning Commission
City of New York
Amanda M. Burden, FAICP, Chair

Dear Commissioner Burden,

In 2003 you addressed the communities of Greenpoint and Williamsburg saying that you had walked our neighborhoods "block by block". You said we were special and then showed us slides including Battery Park City.

Our waterfront was rezoned and the uplands were to remain contextual and the Domino site was excluded from the rezoning.

Seven years later:

-One of our local fire houses is closed.

- Public transportation is unbearably crowded.

- The historical 2 way Kent Avenue has been changed to one way north and trucks endlessly speed south through residential blocks on Wythe Avenue.

- Manufacturing is dismantled.

- Families who have lived here for ages have left for a profit or beeu forced out by landlords seeking profit.

- Artists who came here in the 80's are moving on and out in search of affordable space.

- Mega chain drugstores are soon to be battling each other and family run pharmacies are in jeopardy.

- The vista and light that blessed our neighborhood is dissolving into a view for a few and a wall for the many. Twilight in this neighborhood was spectacular.

I've lived in Williamsburg since 1983. I was not born here, it was my choice to live here. I've worked at Battery Park City since 1992. I'm writing to you now to voice my opposition to CPCR's "New Domino". You were at the helm of Battery Park City in it's early days and you formed something remarkable and special. (I've tended the garden named in your honor on the Esplanade).

The Domino Site is another opportunity. It could be so much more for all New Yorkers, the Country and the World. I oppose the density and bulk of the "New Domino". Even with their proposed open space, the increase of population lessens the open space for Brooklynites. Flanked by towers, will the public feel invited? The towers will shadow the neighborhood. The City has not addressed issues of transportation. There is not enough affordable housing offered for the price this neighborhood will pay for the "New Domino".

I am shocked by the lack of creativity in the CPCR's alternative plan presented in the EIS. I am not shocked that I prefer their alternative plan of keeping the refinery because they have to and creating low rise warehousing. (May I also add that the developer has shown a lack of respect and lack of security for the site. Windows of all kinds have been left open to the elements for years and the buildings have been heavily tagged by graffiti on the north walls).

We have 11 acres of New York history here. Buildings that built lives and dreams. The Domino Site deserves to continue that legacy. It deserves creative reuse. A reused Domino could create jobs and spaces for people to grow. It could become a Tate Modern or MassMOCA, but the site offers so much more. Parts of the site could become: affordable housing, a boutique hotel, incubation space for the arts and sciences, a marina, a smattering of luxury living, a farm, a museum, galleries, a slow food mecca.

Ms. Burden, you have dreamed and you have created. Please take your abilities to new heights and step up to this challenge. The Old Domino built this neighborhood, don't let the "New Domino" destroy it.

Thank you.
Sincerely,

Nancy M. Buivid

Nancy M. Buivid

330 Wythe

Ave 5F

Brooklyn NY

11211
Concerning:

CEQR No.
07DCP094K
City Planning Commission
City of New York
Amanda M. Burden, FAICP, Chair

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The Old Domino built this neighborhood, don't let the "New Domino" destroy it.

Thank you.
Sincerely,

Nancy M. Buivid

Please help us & preserve.

To: City Planning Commission, Calendar Information Office - Room 2E, 22 Reade Street, New York, N.Y. 10007
From: Charlotte Canale, 60 Broadway, Apt. 3N Brooklyn, NY 11211
Subject: CEQR Application #CEQR No. 07DCP094K
Borough: Brooklyn

May 9, 2010

Hello,

I have lived in this area for the past 6 years and I am writing to express my concern over the proposed Domino Sugar site. The proposal on the table about Domino is outrageous. I agree with 33rd District Councilman Stephen Levin's testimony before Borough President Markowitz where he expressed his full support for Community Board One's recent recommendation of Disapproval with Modifications for this project. The overwhelming height and density and inadequate transit options for the area are my reasons.

The proposed project is simply too big. CPC's plan would introduce over 6,000 new residents to the neighborhood - a nearly 25% population increase for the ½ mile area surrounding the site. Unless the issues of height and density, transportation, and open space, among others, are addressed, I cannot support the plan for the Domino Sugar site as currently proposed.

Thank you,

Charlotte Canale

Charlotte Canale

-----Original Message-----

From: PortalAdmin@doitt.nyc.gov
Sent: 04/27/2010 23:37:25
To: sbladmp@customerservice.nyc.gov
Subject: < No Subject >

From: annefay@gmail.com (Ann Carroll)
Subject: Message to Director, DCP

Below is the result of your feedback form. It was submitted by Ann Carroll (annefay@gmail.com) on Tuesday, April 27, 2010 at 23:37:25

This form resides at
http://www.nyc.gov/html/mail/html/maildcp.html

Message Type: Misc. Comments

Topic: ULURP Project Status Questions

Contact Info: Yes

M/M: Ms

First Name: Ann

Middle Name: E

Last Name: Carroll

Street Address: 125 Green st

Address Number: 4F

City: Brooklyn

State: NY

Postal Code: 11222

Country: United States

Work Phone #: 347-678-5429

Email Address: annefay@gmail.com

Message: I am writing to voice my concern about the scale of the development project being considered for the Domino Sugar factory site. IT IS TOO BIG and will not uphold/respect the community plan issued in the Williamsburg 197-a. It is much too dense and will burden the quality of life in the neighborhood. Please consider the existing community when reviewing the proposal.

To The Department of the City Planning Commissioner

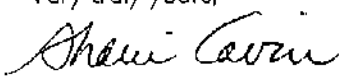
I am writing in protest to the possible destruction of the Domino Sugar Factory and its rebirth as a behemoth in the Williamsburg neighborhood. While I appreciate the affordable housing units that would accompany the project, their positive impact does not offset the negative impact of this inappropriately gigantic proposed project.

I invite you and the involved principles to join me any morning between 8 am and 10:30 am for a ride on the L train into Manhattan. The train is already over-full, and waiting for the next over-full train is a common experience in the morning crush to get to work. I'm sure you are aware, the manner in which the L line was constructed does not allow for additional trains to be added along the line.

The increase in population for the immediate neighborhood would be extraordinary—a 25% increase without consideration for additional cars and traffic, the availability of open space and safe play space for children, and the insensitivity to the population impact on the neighborhood is untenable.

This project, if it comes to fruition, would throw a literal pall on the neighborhood, and essentially change the character of the area with astonishing insensitivity to the residents.

Very truly yours,



Shari Cavin
330 Wythe Avenue, #8G
Brooklyn, NY 11211

Big Big Produce Inc

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

May 10, 2010

Hon. Amanda M. Burden, FAICP, Chair
New York City Planning Commission
22 Reade Street, New York, NY 10007-1216

Dear Ms Burden,

I understand there is a proposed rezoning of the Domino Sugar factory which will adversely affect our business. We are a small food manufacturing company located in Williamsburg Brooklyn, S 1st Street, between Kent Ave and Wythe Ave. We have been in operation for the last 30 years, one of the first ones to buy into the area.

We employ about 15 people, warehouse workers, production staff and office personnel. Our daily product arrives by tractor trailer every morning, about 1-2 arrive each day, and we are open 6 days a week. This means approximately 52 tractor trailers per month will not be able to deliver our product into the facility and that is a loss in tax dollars for the community. The addition of 8,000 people and 1,000's of extra cars and buses means we will be forced to close.

As it is now, since Kent Ave, has been reconfigured to one way with parking, we have enormous difficulty receiving tractor trailer shipments. With the DOT's knowledge the only way for our trailers to leave the block is to block Kent Ave, and back into Kent Ave. Any additional traffic on Kent Ave. makes it impossible for our business to function.

Our business is one of the few left in the United States which utilizes all products as "made in the United States." We purchase our produce from Farmers located in Upstate New York, we hired locally, and sell to the domestic market. Please do not lose sight of the significance of such small businesses still in existence.

To summarize, the rezoning will cause loss of tax dollars, higher unemployment, local roads to be backed up, and another "American" company to be closed. All of this for more condos that a neighborhood does not need and from what we have read, would cause more affordable apartments to be lost than replaced.

Kind regards,

Melissa Chan,
President and concerned business owner

協興農產公司
BAN-N-SON'S PRODUCE INC.
34 South First Street, Brooklyn, NY 11211 TEL: (718) 782-6788 FAX: (718) 782-1008

May 10, 2010

Hon. Amanda M. Burden, FAICP, Chair
New York City Planning Commission
22 Reade Street, New York, NY 10007-1216

Dear Ms Burden,

I understand there is a proposed rezoning of the Domino Sugar factory which will adversely affect our business. This is déjà vu for us given what has happened in Chinatown. We want our voice to be heard this time. We demand that the City recognize the small businesses that bring in tax dollars.

We are a small wholesale produce distributor located in Williamsburg Brooklyn, S 1st Street, between Kent Ave and Wythe Ave. We have been in operation for the last 30 years, one of the first ones to buy into the area. We had another location on Broome Street in Chinatown and were forced out due to revitalization of the community.

We employ about 15 people, warehouse workers, delivery men, production staff and office personnel. Our daily product arrives by tractor trailer every morning, about 4-5 arrive each day, and we are open 6 days a week. This means approximately 130 tractor trailers per month will not be able to deliver our product into the facility and that is a loss in tax dollars for the community. The addition of 8,000 people and 1,000's of extra cars and buses means we will be forced to close. We service many customers in Manhattan and run several small delivery trucks to our customers several times a day.

As it is now, since Kent Ave, has been reconfigured to one way with parking, we have enormous difficulty receiving tractor trailer shipments. With the DOT's knowledge the only way for our trailers to leave the block is to block Kent Ave, and back into Kent Ave. Any additional traffic on Kent Ave. makes it impossible for our business to function.

As per the 2004 rezoning of Greenpoint/Williamsburg the EIS stated that the food production industry in Greenpoint/Williamsburg is stable and growing. The Draft Environmental Impact Statement for this rezoning has not considered the economic impact if the food industry and other industries were forced to relocate further away from their customer base. To make our deliveries into Manhattan in a timely manner, should there be an increase in population, we would need to

invest in more trucks, hire more drivers, pay more for insurance, and cause more pollution.

To summarize, the rezoning will cause loss of tax dollars, higher unemployment, local roads to be backed up, and another "American" company to be closed. All of this for more condos that a neighborhood does not need and from what we have read, would cause more affordable apartments to be lost than replaced.

Kind regards,

Paul Chan,
President and concerned business owner

Brooklyn, NY
Re: CEQR Application #CEQR No. 07DCP094K

May 4, 2010

To the City Planning Commission,

In 2000 the census for the area between Williamsburg bridge, Havemeyer, N14th to the water counted about 12,000 people. Since then there were over 100 new building projects and more are approved. The Domino development is an ADDITIONAL site that could bring another 5- 10,000 residents to the neighborhood. With the existing zoning changes, this neighborhood is going to be pushed to the edge of severe quality of life reduction. Already, trains are overcrowded. Often there are one or two trains that pass the Bedford stop before a train will stop at a platform 3 people deep. I have seen families get separated when bringing kids to school and the doors close while either kid or parent is still squeezed in the train and the doors close. The city PLANNING office should put a stop at the expansion at the Domino site. Plan for a livable neighborhood.

Sincerely,

Andreas Cohrssen
330 Wythe Avenue, Apt 4G
Brooklyn, NY 11211

-----Original Message-----

From: PortalAdmin@doitt.nyc.gov
Sent: 05/04/2010 21:15:32
To: sbladmp@customerservice.nyc.gov
Subject: < No Subject >

From: ancohrssen@pol.net (Andreas Cohrssen)
Subject: Message to Director, DCP

Below is the result of your feedback form. It was submitted by
Andreas Cohrssen (ancohrssen@pol.net) on Tuesday, May 4, 2010 at 21:15:32

This form resides at
http://www.nyc.gov/html/mail/html/maildcp.html

Message Type: Misc. Comments

Topic: Zoning and Land Use Questions/Information

Contact Info: Yes

First Name: Andreas

Last Name: Cohrssen

Street Address: 330 Wythe Avenue

Address Number: 4G

City: Brooklyn

State: NY

Postal Code: 11211

Country: United States

Email Address: ancohrssen@pol.net

Message: In 2000 the census for the area between Williamsburg bridge, Havemeyer, N14th to the water counted about 12,000 people. Since then there were over 100 new building projects and more are approved. The Domino development is an ADDITIONAL site that could bring another 5- 10,000 residents to the neighborhood. With the existing zoning changes, this neighborhood is going to be pushed to the edge of severe quality of life reduction. Already, trains are overcrowded. Often there are one or two trains that pass the Bedford stop before a train will stop at a platform 3 people deep. I have seen families get separated when bringing kids to school and the doors close while either kid or parent is still squeezed in the train and the doors close. The city PLANNING office should put a stop at the expansion at the Domino site. Plan for a livable neighborhood.

REMOTE_HOST: 96.232.167.105
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****

Brandon Cole
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718.387.1036

Tuesday, April 27, 2010

FAX COVER SHEET

PAGE 1 OF 2

FAX TO: THE OFFICE OF CITY PLANNING

FAX NUMBER: 212 720 3488

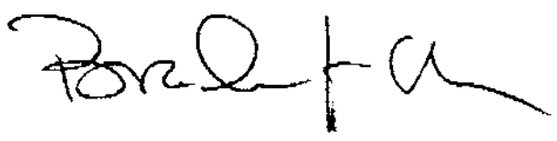
To the attention of Commissioner Karen A. Phillips:

Please find following a letter to the City Planning Commission regarding the proposed development of the Domino Site in Williamsburg, Brooklyn's South Side. I hope your office will support the community's efforts to prevent this misconceived development from going forward.

The Domino Site will be heard tomorrow, Wednesday, April 28 at 22 Reade Street.

Thanks for your kind attention.

Sincerely



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Wednesday, April 21, 2010

City Planning Commission
Calendar Information Office – Room 2E
22 Reade Street, New York, NY 10007

Subject: CEQR Application #: CEQR No. 07DCP094K

To the Attention of Commissioner Burden and Staff:

I wish to voice my objection to this application for zoning change and special permits by the developer, CPCR, for the following reasons:

- The proposed upland structures are enormously out of context with surrounding upland blocks.
- The proposed waterfront towers would *decrease* per capita open-space despite the proposed waterfront park.
- The increase in residents would severely strain an already over-burdened infrastructure, especially the "L" train.
- The proposed waterfront towers are residential with no mixed-use that could create a reverse commute.
- The proposed residential towers will contribute mightily to displacement and destroy the character of Williamsburg's South Side.

I urge the Commission to reject this application for zoning change and special permits until the developer, CPCR, addresses these and other serious land-use issues raised by Community Board 1 and its ULURP sub-committee.

Thanks for your kind attention.

Sincerely,

Apr-27-10 09:25A Colebrando 7183871082 P.02

Brandon's Copy

Wednesday, April 28, 2010

My name is Brandon Cole. I've lived in Williamsburg, Brooklyn's South Side since 1984. I'm a lifetime member of The Writers Guild of America, which is the trade union for writers. I'm pro labor. Pro the trades union movement. I'm a progressive democrat who supports affordable housing, but truly affordable housing which is not more than 25% of a family's income and which, in projects like The New Domino, is not 20%, or 30% but 50%. If this position strikes some as unrealistic today, I ask them to consider that it may not seem so unrealistic tomorrow.

I have made statements numerous times at Community Board 1 ~~hearings~~ against CPCR's request for zoning changes and special permits on the Domino Site. Most recently, I made such a statement before the Brooklyn Borough President. And I am here today to make such a statement again. Simply put: CPCR's development is misconceived, poorly worked out, and makes ill-use of a historically important tract of land that is the Brooklyn waterfront. I urge this commission to deny CPCR's application.

As part of my statement, I wish to call the commission's attention to a book written 130 years ago by the American political economist, Henry George. This book is titled "Progress and Poverty."

I'm sure some members are already familiar with this book but I wish to recall it here to remind all of us that Henry George asked the simple question: "How, in late 19th century America, in the midst of so much rising prosperity could such desperate poverty exist alongside such enormous wealth? How," George asked, "could it be that such inequality of income exists?"

I mention this problem of income inequality because the commission ~~may hear~~ has heard statements from CPCR and its supporters that its

Domino plan will help ameliorate our neighborhoods' serious housing needs particularly for low and moderate income families. CPCR and its supporters will make this claim though they know, or should know, this proposed development will do no such thing. They know, or should know, this development will make life harder for the great majority of low and moderate income residents on the South Side of Williamsburg.

Well how? As Henry George teaches, with such a development like this proposed, rents in the surrounding area will increase, the rents of shopkeepers will increase and with the rising of rents, prices will increase while wages for those most seriously affected remain the same.

In closing, I wish to use some stronger words to express my disapproval of this proposed development and I use these words carefully as I must because a decision is now upon us whether to proceed with this development or not.

This development is mediocre, it is mediocre on the developer's side and it is mediocre on the architect's side. I very much hope the commission in rejecting this development will show that the city planning commission recognizes improper land-use when it is presented to it.

The developer's mediocrity shows itself in two ways: first, as mentioned above it claims to be doing something it's not which is to help those in need of housing. Misrepresentation of purpose is one sure sign of mediocrity for as we know it is always best to be truthful and transparent. A second example of CPCR's mediocrity comes with CPCR's insistence that it is doing this development for the common good. That claim in itself is not mediocre, but when pressed to show how the common good is helped by overcrowding the subway, reducing light, reducing open space, CPCR's response is to insist: we're doing it for the common good. To repeat the same argument in the face of reasoned

objection, is to betray one's mediocrity.

I am told the architect, Rafael Vinoly, is considered important by some people in certain circles. Maybe so, I don't know the man or his work, just the work he's presented here. And when I look at this proposed development I ask myself two basic architectural questions: does it fit on the land and does it connect to its surroundings. My answer to both these questions is no, it doesn't do either one.

But failing in these areas does not make this architecture mediocre. What makes this architecture mediocre is its complete indifference to the existing buildings and their rich history and its lack of originality. When I look at an immensely successful work like Battery Park City, that rightly claims the title of a superior achievement, I see in Domino a mediocre echo. And when I see the drawings of the heralded shops that will line Kent Avenue and lead to the river, I am reminded of the entrance to the Rockefeller Center skating rink. Where is the architect's awareness that Williamsburg, Brooklyn is a richly diverse neighborhood, internationally known and visited because of its artistic renaissance?

One last sign of architectural mediocrity is what I call the Frank Lloyd Wright approach to objection. Many have heard the story of the Wright client who complained his roof was leaking on his head at dinner and asked Wright what he should do. Wright's response: "Move your chair."

Here in Mr. Vinoly's work we have a similar arrogance: If you don't like my stunning buildings, you can move; if you don't like the crowded subway, the loss of open space and sunlight you can move: if you don't like my indifference to the mixed population of working people, artisans, and artists, and the huge wall of anonymous glass and brick that will block access to the river, you can move.

But no, Mr. Vinoly, there is an alternative that I urge again this commission to take: it is to reject your design and CPCR's request for zoning changes and special permits and send you both back to the community board.

Thanks for your attention.

In George's words in the dedication to his book, he writes "To those who seeing the vice and misery that spring from the unequal distribution of wealth and privilege, feel the possibility of a higher social state and would strive for its attainment."

And later, "What has destroyed every previous civilization has been the tendency to the unequal distribution of wealth and power. This same tendency... is observable in every progressive community. Wages tend to fall, rent to rise, the rich to become very much richer, the poor to become more helpless and hopeless, and the middle class to be swept away."

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21359

Friday, May 07, 2010

City Planning Commission
Calendar Information Office - Room 2E
22 Reade Street, New York, N.Y. 10007

Subject: CEQR Application #CEQR No. 07DCP094K
Borough: Brooklyn

To the Attention of the City Planning Commission:

I wish to voice my strong opposition to the request for zoning variances and special permits on this application for the following reasons:

- The proposed buildings, especially on the upland block, are enormously out-of-context with the neighborhood.
- The proposed river-side park is too small and will reduce per-capita open space for residents.
- The developer never seriously explored alternative plans such as adaptive-reuse which have worked well in the Brooklyn neighborhoods of Red Hook and DUMBO.
- Despite the affordable housing component, this development will contribute to displacement of low and moderate income families.
- Despite Williamsburg's international reputation as a thriving cultural center, this development lacks a significant commitment to industry and the arts.

Thanks for your kind attention.
Sincerely,

Brandon J Cole

330 Wythe Avenue #4C

Brooklyn, NY 11211

May 8, 2010

Dear Commissioner Burden,

I am writing to urge you to support Community Board One's recent recommendation of Disapproval with Modifications for the CPC proposal for the Domino Sugar site in Brooklyn.

I have lived in the neighborhood for almost 20 years and have witnessed an enormous increase recently in population—leading to overcrowded subways, crowded streets, and traffic jams.

We simply don't have room for 6,000 more people to be squashed into dense high rises, increasing the population in the immediate vicinity of the proposed site (and where I live) by 25%. How will they travel? Where will they park? Which schools will they be able to attend?

If you were to take a walk around our neighborhood, you would see how glass towers similar to those being proposed at the Domino Sugar Factory site are changing the face and character of our neighborhood—while at the same time, they are far from being fully occupied.

Do we risk seeing practically empty glass monsters dwarfing our belaved Domino Factory and overshadowing the recently updated Grand Ferry Park—as a testament to developer greed over community need?

The Domino Sugar factory is a beloved historical reminder of this neighborhood's recent and not so recent past—to surround it with towers is a shocking idea, and one that I believe generations to come will look back on with disbelief.

Sincerely,

Stephanie Davies

Message Type: Misc. Comments

Topic: CPC Public Meeting Information/Calendar Office

Contact Info: Yes

M/M: Ms

First Name: Stephanie

Last Name: Davies

Street Address: 330 Wythe Avenue

Address Number: 4c

City: Brooklyn

State: NY

Postal Code: 11211

Country: United States

Work Phone #: 718-387-0882

Email Address: stephaniedavies@me.com

Message: Dear Commissioner Burden,

I am writing to urge your support for Community Board Ones recent recommendation of Disapproval with Modifications for the CPC proposal for the Domino Sugar site in Brooklyn. I have lived in the neighborhood for almost 20 years and have witnessed an enormous increase recently in population--leading to overcrowded subways, crowded streets, traffic jams. We simply dont have room for 6,000 more people to be squashed into dense high rises. How will they travel? Where will they park? Which schools will they be able to attend? Or will we end up with practically empty glass monsters dwarfing our beloved Domino Factory like those that already scattered in the neighborhood, testament to developer greed over community need? Furthermore, the Domino Sugar factory is a beloved historical reminder of this neighborhoods recent and not so recent past-to dwarf it with towers is a shocking idea, one that I believe generations to come will look back on with disbelief.

Doris Diether
ZONING CONSULTANT

107 WAVERLY PLACE
NEW YORK, NY 10011

TELEPHONE
(212) 477-6279

Apr. 28, 2010

Chair Amanda Burden & Members
of the City Planning Commission

Re: Domino Sugar Applications

I was asked by people from the affected area to look at the proposals by the Domino Sugar developers, and comment on them.

It seems that the developers are essentially asking that all of the Zoning requirements for the area be eliminated, so that they have a zone-free canvas to work with. The number of changes, permits, authorizations, and exceptions to the zoning are almost unbelievable.

I went through the listings, and found the following:
3 map changes
Change in regulations for General Large Scale Developments.
Text changes for 3 sections & appendix for Inclusionary Housing.
6 Special Permits'
An additional Special Permit for uses on the same floor.
Exceeding parking regulations
Authorizations for Visual corridor regulations &
permitted obstructions in visual corridors
Phased waterfront development
Certification re compliance with public access & visual corridor regs.
Certification re subdivision of waterfront parcel.

In addition it appears they will also be requesting:
Coastal Zone consistancy determination
Approvals for upgrades & repairs to waterfront platform & bulkhead -
from both the U.S. Corps of Engineers & NYS Dept. of Environmental
Conservation
NYS Pollution Discharge Elimination Systems Permit.

This is a formidable list of applications. But what do they mean.

The Authorization for Visual corridors & waterfront public access deals with the fact that the proposed public walkway, required to be 40' wide shrinks to 11'2" at Grand Street.

The authorization on Permitted obstructions in visual corridors & design requirements for Waterfront Access related to the fact that two of the visual corridors are obstructed by parking garages, and that the seating & planting does not comply with the requirements as to number of planting areas and seating, and that they do not comply with the required screening buffer and trees.

The Initial Setback Distance from street & shore walkways does not comply with the zoning - The base height is in excess, from 8' to 279'. Maximmm height is an increase from 9' to 200'. The proposal for towers is in excess of 19,400 to 37,400 sq. ft.

The addition to the original landmarked Domino Sugar building would be 9,870 sq. ft. over what is permitted.
Along the shoreline, buildings would exceed the current zoning regulations by from 80' to 140' in height.
The minimum 60' required space betwen windows in an inner court would be reduced by 3'6" to 10'.
The rqquired size of rear yards would vary and not completely conform to requirements. The distance between two buildings on the same lot will not comply.
The proposal exceeds the permitted parking per the regulations.

In addition to the varioue changes above, the proposal also is planning to transfer development rights from one parcel to another. As you are aware, transfers of this type may increase the size of developments by shifting bulk from one site to another inappropriately.

In the appeals by the developer, he states that this building is not out of character with the adjoining areas. However, even he says that most of the surrounding area consists of 2 to 6 stories buildings, although he does cite one 150' tall structure. However, his lowest buildings range from 60' to 150 ' with the waterfront parcels ranging from 300 to 400' tall. Views to the water and waterfront are confined to view corridors between the high rise buildings.

It is not clear from the proposal whether the "open space" would be available to the general public or only to residents of the buildings on the site. They mention that there are not the required number of benches for seating, but state that people can always sit on the grass.

The applicant also does not seem to feel that the project would create any problems for the area. I am not a traffic expert so I will leave comments about the large number of new cars that will be using the parking garages and what effect this will have on the traffic here.
However, I am a member of the Social Services Committee on CB#2 Manhattan, and I am aware of the lack of enough school spaces that we have. With the large number of units that will be coming here, I don't see any plan for accomodating the families and children that will be moving into the area. In addition, health facilites are also becoming a problem, with hoppitals closing or cutting back.
I have heard various complaints already about the crowded subways in this area, and with the further cutbacks in servcie, this has not been adequately addressed.

Except for the applicant's ascertion that the project is great, he gives no good reason why you should be appoving all these zoning changes and Special Permits and Certifications. The project is much to large and out of character for the area.

If this project came to me when I was head of the Zoning Committee, I would have laughed at the applicant and turned it down immediately.

Doris Diether,
Zoning consultant

Doris Diether
ZONING CONSULTANT

107 WAVERLY PLACE
NEW YORK, NY 10011

TELEPHONE
(212) 477-6279

Re: Domino Sugar application

I understand there are many people here today who support this project because it promises "moderate price housing." I pulled some ads for "moderate price housing" and it largely depends on what area is chosen as the area on which the price is taken. Sample rents & income levels are shown below.

Clinton 2008	
50% of median income -	$502 for studio
	$535 for 1 bedroom
	$650 for 2 bedroom
40% of median income -	$384 studio
	$408 for 1 bedroom
	$498 for 2 bedroom
Wall St. area 2008	$671 for studio
	$678 for 1 bedroom
The Bronx 1/17/10	$783 for 1 bedroom
	$944 for 2 bedroom
	$1,091 for 3 bedroom
Midtown 2008	$856 studio
	$916 for 1 bedroom
	$1,103 for 2 bedroom
Lower Manhattan 2007	$1,993 for 1 bedroom
	$2,392 for 2 bedroom

If your income is higher than Income Range shown, you don't qualify.

If your income is lower than Income Range shown, you also don't qualify.

Comments: Domino Sugar Rezoning Draft Environmental Impact Statement
CEQR No.: 07DCP094K
Gregory Dietrich, 5/7/10

These comments are intended to evaluate and respond to the analysis of potential effects on historic architectural resources incurred by the proposed redevelopment of the former Domino Sugar site, as detailed in the Domino Sugar Rezoning Draft Environmental Impact Statement (2009), prepared by planning consultant AKRF with a Notice of Completion by the New York City Department of City Planning (NYC-CPC).

DOMINO SUGAR FACTORY SIGNIFICANCE

As noted in the New York State Office of Parks, Recreation and Historic Preservation's (NYS-OPHRP) evaluation of National Register eligibility dated October 27, 2006, the Domino Sugar Factory (historically known as the American Sugar Refining Company, among a host of other names) is nationally significant under National Register Criterion A in the area of Industry for its associations with "one of the nation's most important sugar refineries," and in the area of planning and development for its association with the development of north Brooklyn through the mass employment of immigrants who exerted a sizable influence on the growth of housing and commerce in the community. It is also significant under Criterion C for embodying three different periods of industrial design that includes 1883-1884, the mid 1920s, and the late 1950s-early 1960s, resulting in a period of significance that spans 1883 to 1962. Finally, the Domino Sugar Factory is significant under Criterion B for its associations with Henry O. Havemeyer, whose identity with the company and its sugar trust was synonymous with the monopoly of sugar, just as John D. Rockefeller's name was indelibly linked to the oil monopoly. In addition, the Havemeyers & Elder Filter, Pan & Finishing House (aka Refinery) was designated a New York City landmark on September 25, 2007. In its designation report, the New York City Landmarks Preservation Commission (NYC-LPC) noted that the subject building "was an important reminder of the era when sugar production was Brooklyn's most important industry," among other attributes of significance.

Beyond the multi-layered significance articulated by the NYS-OPRHP and NYC-LPC, the Waterfront Preservation Alliance of Greenpoint and Williamsburg noted that the subject property was the "longest industrial user in Brooklyn, having operated continuously on the East River waterfront for 148 years" up until its closure in 2004 (www.wgpa.us).

DOMINO SUGAR REZONING DRAFT ENVIRONMENTAL IMPACT STATEMENT ANALYSIS

The DEIS is fraught with a host of contradictions with respect to its analysis of potential effects on historic architectural resources as anticipated by the replacement of its National Register-eligible complex with the proposed high-density, mixed-use residential development. Since this study purports to have been completed in accordance with Section 106 of the National Register Historic Preservation Act, as amended, it is incumbent that the study considers all of the effects of the proposed development on historic resources, both within the subject property and beyond it within its viewshed.

Contextual Impacts/Urban Design/Visual Resources/Neighborhood Character Analysis

While the DEIS acknowledges that the demolition of the majority of National Register-eligible historic architectural resources on the subject property will exert a significant adverse effect on historic resources, it fails to fully consider the development's effects on previously identified historic architectural resources within the subject property's viewshed. These include:

Contextual Impacts

Williamsburg Bridge

The pervasive replacement of an historic industrial complex with a high-density, mixed-use residential development will irrevocably compromise the views of the National Register-eligible Williamsburg Bridge, thereby exerting a significant adverse effect on the latter historic resource. By largely eliminating a character-defining property (80% of the historic building stock within the former Domino Sugar Factory) within the neighborhood and replacing it with a development that is punctuated by a series of high-rise developments ranging in height from 148' to 399', contextual views to the bridge will not only be compromised by the loss of the historic property, but also permanently obscured by inappropriately scaled new construction.

Former American Sugar Refinery Buildings East of Kent Avenue

The pervasive replacement of an historic industrial complex with a high-density, mixed-use residential development will irrevocably compromise the context of the National Register-eligible American Sugar Refinery Buildings east of Kent Avenue. This is substantiated by the DEIS itself which states, "Since the project site buildings which are historically related to the former American Sugar Refinery buildings will be removed, the demolition of the project site buildings will alter the context of the former American Sugar Refinery buildings located on the east side of Kent Avenue" (8-21). Further, the introduction of inappropriately scaled, mixed-use, high-density residential construction will exert a significant adverse impact on the former refinery buildings through their inappropriate scale.

Former Matchett Candy Factory

The pervasive replacement of an historic industrial complex with a high-density, mixed-use residential development will irrevocably compromise the context of the National Register-eligible former Matchett Candy factory. As described in the inventory of historic resources, the former factory from 1906 is designed in the Romanesque Revival style and characterized by dark red brick cladding, large arched openings, brick corbelling, and projecting piers, among other features (8-15). All of these elements are stylistically compatible with the Refinery (proposed for re-use) and to a large extent, the Adant House (proposed for demolition). In addition, the former Matchett Candy factory fits perfectly within the context of the neighborhood's early-20th-century industrial history and may in fact have had a direct relationship with the former sugar factory through its candy producing operations. It also bears noting that while the existing vacant parcel does not inform neighborhood context, the introduction of a 148'-high, mixed-use residential building will exert a significant adverse impact on this building through its inappropriate scale.

Dunham and Broadway Historic Districts
The pervasive replacement of an historic industrial complex with a high-density, mixed-use residential development will irrevocably compromise the context of the National Register-eligible Dunham and Broadway historic districts. The existing industrial context created by the composition of the subject property and the Williamsburg Bridge will be significantly altered pending the overwhelming loss and inappropriately-scaled replacement of the former and the contextual intrusion on the latter. This is substantiated by Figure 9-39 which illustrates the significant adverse effects of the proposed new development on the area directly adjacent to the Broadway Historic District.

Grand Street Historic District
The pervasive replacement of an historic industrial complex with a high-density, mixed-use residential development will irrevocably compromise the context of the National Register-eligible Grand Street Historic District. The district's close proximity to the subject property makes it especially vulnerable to any inappropriately scaled intrusions as evinced by the visual analysis in Figure 9-40. Further, Grand Street bears a direct historical relationship to the former Domino Sugar Factory, whose mass employment of immigrants clearly influenced the former's development as a flourishing commercial corridor during the nineteenth and twentieth centuries. Accordingly, the overwhelming demolition of the subject property buildings, augmented by the introduction of inappropriately scaled new construction, will exert a significant adverse effect on the historic district.

Urban Design
The pervasive demolition of an historic industrial complex, compounded by the encroachment of a high-density, mixed-use residential development on a historic building, does not constitute a unified design. As noted, the subject property is comprised of purpose-built factory buildings dating to three distinct building campaigns, offering a cohesive urban design consisting of a series of buildings expressive of their historic functions. The overwhelming replacement of these buildings with a high-density, mixed-use residential development that bears no relationship to the subject property or to the area's industrial character will exert a significant adverse impact on urban design.

Visual Resources
In all of the visual resources discussed (Bin Building, "Domino Sugar" Sign, Williamsburg Bridge, Manhattan skyline), the proposed project will exert a significant adverse impact in replacing an historic industrial complex with a high-density, mixed-use residential development.

Bin Building
The DEIS assumes that a No Action would automatically result in the demolition of the iconic Bin Building, thus posing the same threat to this historic resource as the proposed project and negating any potentially adverse effect on the visual resource.

However, this No Action scenario does not consider an alternate plan in which the owner would sell the subject property to a more preservation-minded developer. Given the fact that the owner is in the business of developing affordable housing, coupled with the fact that an inability to secure permit approvals for the subject property's redevelopment would prevent it from carrying out its affordable housing objectives, this alternate plan is certainly not beyond the realm of possibility. In addition, the Bin Building is inarguably a key-contributing resource within the complex since it not only embodies the third building campaign of the complex, but also is a physical manifestation of the bridging of the factory's past with the future through its connecting conveyor tubes to the Refinery on its 5th and 6th floors.

"Domino Sugar" Sign
While the relocation of the "Domino Sugar" sign is preferable to its permanent removal from the site from an Historic Preservation perspective, this does not compensate for the demolition of the key-contributing Bin Building on which it was historically mounted. Moreover, the sign's relocation has the capacity to offer a false sense of history regarding its original setting. While the relocation of the "Domino Sugar" sign does constitute a *significant* adverse effect on this resource, it does nevertheless constitute an adverse effect.

Williamsburg Bridge
As previously noted in the Context section and corroborated by the visual analysis contained in Figures 9-32 and 9-39, the National Register-eligible Williamsburg Bridge is anticipated to be substantially compromised by the pervasive demolition of the subject property and the introduction of an inappropriately scaled, high-density, mixed-use residential development in its place. As noted, views of the bridge will not only be irrevocably compromised by the loss of the historic resource, but also permanently obscured by inappropriately scaled new construction, thereby resulting in a significant adverse effect on the visual resource.

Manhattan Skyline/Former Domino Sugar Factory
Both views to and from the Manhattan skyline will be substantially compromised by the proposed project. The majority of existing views of the Manhattan skyline from the inland area will be permanently obscured by the new inappropriately scaled, high-density, mixed-use residential development. In addition, the views of the subject property from the Manhattan skyline will be irrevocably compromised by the loss of the waterfront's historic industrial character, evinced by such iconic complexes as the former Domino Sugar Factory and the former Austin, Nichols & Company Warehouse, as well as the various wharf and dock remnants evoking the riverfront's past.

It bears noting that in its discussion of the multiple benefits accrued by the open space along the subject property's waterfront in opening up views to and from the Manhattan skyline, the DEIS offers no alternate means in which this open space could be effected. Yet, there are significant examples in the city (Hudson River Park, Brooklyn Bridge Park, High Line, etc.) that are the product of public-private partnerships, thereby belying

this report's omission.

Neighborhood Character
The area's neighborhood character is anticipated to be substantially undermined by the proposed project which seeks to demolish the majority of National Register-eligible buildings on the subject property and replacing them with a non-contextual, high-density, mixed-use residential development. Since the former Domino Sugar Factory plays a leading role in contributing to the historic industrial character of the neighborhood, its loss and inappropriate replacement will ultimately compromise the area's character. Moreover, the DEIS contends that the proposed project will transform the neighborhood into a vibrant community. However, the current glut of largely vacant high-density residential developments in Williamsburg and Greenpoint, resulting in a wasteland of anomalous high-rises dotting its historic industrial landscape, repeatedly belie this assertion. Thus, the proposed project will exert a significant adverse impact on neighborhood character by demolishing large swaths of its historic industrial building stock and replacing them with a development that has already been invalidated by its high-density counterparts to the north.

Construction Impacts Analysis
Beyond the series of omissions found in the DEIS related to previously identified historic architectural resources within the viewshed of the subject property, the Construction Impacts analysis fails to consider the most substantial impact of all: the demolition of 80% of the National Register-eligible historic resources on the subject property. As noted with respect to the Bin Building, the DEIS assumes that a No Action would automatically result in the demolition of the majority of buildings on the subject property, thus posing the same threat to them as the proposed project and negating any potentially adverse effects. However, this No Action scenario does not consider an alternate plan in which the owner would sell the subject property to a more preservation-minded developer. Given the fact that the owner is in the business of developing affordable housing, coupled with the fact that an inability to secure permit approvals for the subject property's redevelopment would prevent it from carrying out its affordable housing objectives, this alternate plan is certainly not beyond the realm of possibility. Thus, this aspect of the analysis fails to identify the most significant adverse effect posed by new construction.

Alternatives Analysis
In absence of a professional architectural and engineering study that considers the re-use of <u>all</u> buildings on the subject property slated for demolition and their comparable costs with respect to rehabilitation and the new development, it is futile to accept the conclusions drawn from the *Historic Alternatives Analysis for Domino Sugar Site, Brooklyn, NY* dated October 7, 2008 (DEIS Appendix A.1). If Refinery LLC has commissioned such professional studies beyond that of Robert A. Sillman's 6/30/08 engineering report on the Adant House, it should be appended to the DEIS to substantiate the findings of this alternatives analysis.

Otherwise, it bears noting that in adapting the Refinery for residential housing, the owner has already committed to rehabilitating perhaps one of the most challenging buildings within the complex, signifying the viability of rehabilitating a highly complex purpose-built factory building (in this case, a single building comprised of three buildings!). Given the repeated assertions in the study about the lack of and/or compromised material and design integrity of the remaining buildings, this should be viewed as an opportunity to apply even more creative and flexible design solutions than those planned for the Refinery.

Public Policy

While the creation of affordable housing at levels far below Area Median Income (AMI) is consistent with public policy, the introduction of this housing at the subordination of other public interest objectives such as Historic Preservation and Sustainability is not, especially when considering a nationally significant historic resource like the former Domino Sugar Factory. As noted, the current No Action scenario in the DEIS does not consider an alternate plan in which the owner would sell the subject property to a more preservation-minded developer. Given the fact that the owner is in the business of developing affordable housing, coupled with the fact that an inability to secure permit approvals for the subject property's redevelopment would prevent it from carrying out its affordable housing objectives, this alternate plan is certainly not beyond the realm of possibility.

Historic Preservation

The indisputable national significance of the former Domino Sugar Factory, coupled with the NYS-OPRHP's declaration (and planning consultant's concurrence) that its pervasive demolition will exert a significant adverse effect on the resource, suggest that the city should do everything in its power to retain it as a matter of sensible public policy. A locally driven Historic Preservation objective is especially relevant to New York City, which, as a Certified Local Government under National Park Service jurisdiction, has agreed to abide by federal standards in its designation and protection of historic resources.

Sustainability

Beyond the public policy objectives of preserving a nationally significant component of the city's industrial heritage, there is also the city's stated objectives of sustainability contained in its PlanNYC 2030. Currently, LEED certification is evolving with respect to the re-use of historic buildings so that factors regarding: energy expended to facilitate demolition debris, greenhouse emissions caused by demolition debris, embodied energy in existing buildings, energy expended on new construction, and inherent energy efficiencies of historic buildings are all factored into a project's sustainability analysis. Although PlanNYC 2030 currently does not consider these factors, they have already been validated by the LEED certification program as legitimate considerations for meeting public policy objectives of sustainability. Accordingly, the city should be requiring a comprehensive sustainability analysis that considers the re-use of all historic buildings on the subject property as part of the proposed project's CEQR application.

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former DOB commissioners, in support of this observation; and

WHEREAS, moreover, given the other Z.R. provisions that allow for rear yard exemptions for lots in relation to corners or along avenues shorter than 230 ft. in length, DOB's interpretation of 33-301, made in light of said provisions, makes more sense than appellant's, which relies not on comparable provisions but on wholly unrelated provisions; and

WHEREAS, in sum, the Board finds that DOB's interpretation is reasonable; therefore, the exemption of the school's development proposal from any rear yard requirement, as reflected in the DOB-approved plans, was correct, and the approval and permit were appropriately issued; and

WHEREAS, appellant made other supplemental arguments in support of this appeal, all of which the Board finds unpersuasive in light of the counter-arguments proffered by DOB and the school, as reflected in the record.

Therefore it is resolved that the final determination of the New York City Department of Buildings, dated August 3, 2004, is upheld and this appeal is denied.

Adopted by the Board of Standards and Appeals, March 8, 2005.

271-04-A
APPLICANT - Pier 63 Maritime, Inc., by Michele A. Luzio.
SUBJECT - Application August 3, 2004 - An appeal challenging the Department of Buildings jurisdiction to issue summons to subject property, on the grounds that the NYC Department of Business Services has exclusive jurisdiction over The "Barge".
PREMISES AFFECTED - One Pier 63, at 23rd Street and The Hudson River, (The Barge), Block 662, Lot 2, Borough of Manhattan.
APPEARANCES -
For Applicant: Michele Luzio.
THE VOTE TO CLOSE HEARING -
Affirmative: Chair Srinivasan,, Commissioner Miele and Commissioner Chin.....3
Recused: Vice-Chair Babbar.....1
Negative:.....0
ACTION OF THE BOARD - Laid over to March 8, 2005, at 10 A.M., for continned hearing.

Pasquale Pacifico, Executive Director.

Adjourned: 10:25 A.M.

REGULAR MEETING
TUESDAY AFTERNOON, FEBRUARY 15, 2005
2:00 P.M.

Present: Chair Srinivasan, Vice-Chair Babbar, Commissioner Miele and Commissioner Chin.

ZONING CALENDAR

102-03-BZ
APPLICANT - Sheldon Lobel, P.C., for Southside Realty Holdings, LLC, owner.
SUBJECT - Application April 3, 2003 - under Z.R. §72-21 to permit the proposed development of two residential buildings with underground accessory parking and an open recreation space between the two buildings, Use Group 2, located in an M3-1 zoning district, which is contrary to Z.R. §42-00.
PREMISES AFFECTED - 291 Kent Avenue, 35/37 South Second Street and 29/33 South Third Street, east side of Kent Avenue, between South Second and Third Streets, Block 2415, Lots 10, 14, 15, 41-43, 114 and 116, Borough of Brooklyn.
COMMUNITY BOARD #1BK
APPEARANCES -
For Applicant: Jordan Most.
ACTION OF THE BOARD -Application granted on condition.
THE VOTE TO GRANT -
Affirmative: Chair Srinivasan, Vice-Chair Babbar, Commissioner Miele and Commissioner Chin.....4
Negative:.....0
THE RESOLUTION -

WHEREAS, the decision of the Borough Commissioner, dated March 24, 2003, acting on Department of Buildings Application No. 301429069, reads, in pertinent part:

"Proposed development of a residential building is not permitted within an M3-1 Zoning District as per Section 42-00 of the Zoning Resolution"; and

WHEREAS, a second decision of the Borough Commissioner, dated January 10, 2005, acting on Department of Buildings Application No. 301429069, reads, in pertinent part:

"Proposed building does not provide rear yard as required by ZR 43-26 and ZR 43-28"; and

WHEREAS, a public hearing was held on this application on February 24, 2004 after due notice by publication in the City Record; with continued hearings on April 12, May 11, June 22, August 10, October 5, and December 7, 2004, and January 25, 2005, and then to decision on March 8, 2005; and

WHEREAS, the premises and surrounding area had a site and neighborhood examination by a committee of the

MINUTES

Board, consisting of Chair Srinivasan, Vice-Chair Babbar, and Commissioners Miele and Chin; and

WHEREAS, Community Board 1, Brooklyn, recommends disapproval of this application; and

WHEREAS, the City Planning Commission ("CPC") opposed the application at the initial hearing due to concerns related to the proximity of the site to the Domino Sugar Plant and the maintenance of the district as a viable manufacturing district; and

WHEREAS, it was announced in August of 2003 that the Domino Sugar Plant would be shutting down its refinery at the site; and

WHEREAS, this is an application under Z.R. § 72-21, to permit, within an M3-1 zoning district, the proposed development of eight contiguous and vacant lots with two residential buildings and one commercial building, with 29 parking spaces accommodated in the rear yard between the two residential buildings, contrary to Z.R. §§ 42-00, 43-26 and 43-28; and

WHEREAS, the premises is located on portion of Block 2415 between South Second Street and South Third Street, and Kent Avenue and Wythe Avenue; and

WHEREAS, the lot is an L-shaped lot, part of which is a through lot and part of which is a corner lot, with a frontage of approximately 197 ft. on South Second Street and 88 ft. on South Third Street; and

WHEREAS, the current version of this application proposes the construction of two 45 ft. (total height excluding mechanicals), four-story residential buildings with a total floor area of 49,152 s.f. and an F.A.R. of 2.0, one commercial building with a floor area of 3,212 s.f. and an F.A.R. of 0.13, and 29 parking spaces for the residential tenants accommodated in the rear yard between the two residential buildings; and

WHEREAS, the original version of this application proposed two 125 ft. (total height excluding mechanicals), eleven-story residential buildings with a total floor area of 122,905 s.f. and a floor area ratio ("F.A.R.") of 5.0, an underground accessory parking area and an open recreation space between the two buildings; and

WHEREAS, upon the request of the Board, the applicant submitted a revised application on December 4, 2003 that proposed two 103 ft., nine-story residential buildings with a total floor area of 99,045 s.f. and an F.A.R. of 4.03, an underground accessory parking area and an open recreation space between the two buildings; and

WHEREAS, the applicant submitted a further revised application on June 8, 2004 that proposed two 55 ft., five-story residential buildings and one 70 ft., six-story building, with a total floor area of 72,807 s.f. and an F.A.R. of 2.96, an underground accessory parking area and open recreation space on top of one of the buildings; and

WHEREAS, the applicant subsequently submitted a revised application on July 27, 2004 that contemplated two 55 ft. five-story residential buildings (total height excluding mechanicals) with a total floor area of 54,078 s.f. and an F.A.R. of 2.2 and 30 parking spaces accommodated in the rear yard between the two residential buildings; and

WHEREAS, after further review and comment by the Board, the application was modified to the current version; and

WHEREAS, the applicant states that the following are unique physical conditions, which create practical difficulties and unnecessary hardship in developing the subject lot in conformance with underlying district regulations: (i) the site is undeveloped; (ii) the site is sloped; (iii) the site is irregularly shaped; (iv) the site is functionally narrow; (v) the site has frontage on narrow streets and therefore is not suitable for truck access; and (vi) the site has certain subsurface conditions that will necessitate considerable site preparation; and

WHEREAS, the applicant states that the site slopes upward from Kent Avenue heading east on South 2nd Street and it slopes upward from South 3rd Street across to South 2nd Street; and

WHEREAS, the applicant represents that because of the irregular shape of the site, the usable width of the parcel is only 59 ft., and

WHEREAS, the applicant represents that there is only loading frontage on narrow streets, and that such streets would provide poor access for large trucks and make commercial use of the site difficult; and

WHEREAS, the Board finds that these site conditions affect the viability of conforming one-story manufacturing or office development; and

WHEREAS, the applicant states that a ground penetrating radar probe was conducted on the site, and although the tests did not reveal the presence of steel or reinforced concrete foundations, further site work should be carried out as the probe is suggestive of an abandoned underground storage tank; and

WHEREAS, the Board notes that any cost associated with the sub-surface conditions is speculative at this point and does not form the basis of hardship; and

WHEREAS, accordingly, the Board finds that certain of the unique conditions mentioned above, namely, the slope of the site, the irregular shape of the lot, the functional narrowness of the lot and the frontage of the site on narrow streets, when considered in the aggregate, create practical difficulties and unnecessary hardship in developing the site in strict conformity with applicable zoning regulations; and

WHEREAS, the applicant submitted an initial feasibility study that analyzed three alternative uses of the property, including a conforming manufacturing use, a conforming office use and the proposed residential use; and

WHEREAS, the applicant concluded that a conforming manufacturing or office development would not realize a reasonable return due to the site's contraints, but that the originally proposed residential building would; and

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WHEREAS, the applicant prepared a revised feasibility study at the Board's request, reflecting a reduction in the proposed project's F.A.R., height and density; and

WHEREAS, the applicant submitted another revised feasibility study at the Board's request, reflecting a further downward adjustment in F.A.R. and including an adjustment in projected condominium sales income to reflect recent market trends; and

WHEREAS, however, the Board was still not convinced that a proposal with a lower F.A.R. was infeasible; and

WHEREAS, the Board then asked the applicant to consider the feasibility of a rental development instead of a condominium; and

WHEREAS, the applicant concluded that although a rental development would have somewhat reduced hard and soft costs, it was unlikely that it would be economically feasible; and

WHEREAS, the Board then asked the applicant to consider an alternative development that would: (1) provide for a commercial component; and (2) reduce total residential floor area; and

WHEREAS, the applicant subsequently modified the application to the current proposal; and

WHEREAS, the Board also notes that the applicant made legitimate, but unsuccessful, marketing attempts to rent the site to as-of-right users, including advertising the site in a newspaper and listing the site with a broker; and

WHEREAS, the Board also asked the applicant to consider whether a parking lot would be a viable and conforming alternative use of the property and referred to a proposal contemplating the same prepared by a member of the community; and

WHEREAS, the applicant studied the issue and concluded that such use of the property would not represent a feasible real estate investment as claimed in the study, because the study was based upon unrealistic occupancy assumptions and inaccurate real estate tax assumptions; and

WHEREAS, based upon the above, the Board has determined that because of the subject lot's unique physical conditions, there is no reasonable possibility that development in strict conformance with the use provisions applicable in the subject zoning district will provide a reasonable return; and

WHEREAS, the Board initially shared CPC's concerns about the impact of a new residential building in the area in light of its proximity to the Domino Sugar Plant but acknowledges that these concerns are no longer pressing given the closure of the plant; and

WHEREAS, the applicant states that the block on which the site is located and the blocks immediately to the south and north of the site have significant amounts of undeveloped land and vacant buildings; and

WHEREAS, the applicant conducted a detailed land use survey of the area, focusing on the blocks from Grand Street to South Fifth Street, between Kent and Wythe Avenues, and submitted such survey to the Board; and

WHEREAS, the Board notes that the survey reflects that the area surrounding the site has less high-intensity manufacturing and is characterized more by vacant lots and other low-intensity uses, such as warehouses; specifically, the subject block has approximately 36,081 s.f. of vacant lot area out of a total of 105,000 s.f., and the block directly across South 2nd Street from the subject block has approximately 53,239 s.f. of vacant lot area out of a total of 106,000 s.f.; and

WHEREAS, the Board observes that because there is very little high-intensity manufacturing in the surrounding area, but many vacant parcels, the introduction of a residential building would not affect the character of the neighborhood; and

WHEREAS, the Board asked the applicant to consider concerns from community members, who stated that there is a need for active conforming uses in the neighborhood and that the height of the proposed building was not in line with other buildings in the neighborhood; and

WHEREAS, in response, the applicant modified its proposal to: (1) include a commercial building with frontage on Kent Avenue, which reinforces the commercial and manufacturing nature of Kent Avenue; and (2) further reduce the building height from five stories to four stories; and

WHEREAS, the Board notes that the currently proposed building is more compatible with previously proposed versions because the height and F.A.R. of the residential buildings has been significantly reduced, and because a commercial building is now proposed for the site; and

WHEREAS, based upon the above, the Board finds that this action will not alter the essential character of the surrounding neighborhood nor impair the use or development of adjacent properties, nor will it be detrimental to the public welfare; and

WHEREAS, the Board finds that the hardship herein was not created by the owner or a predecessor in title; and

WHEREAS, after taking direction from the Board as to the proper amount of relief given the amount of actual hardship on the site, the applicant modified the development proposal to the current version; and

WHEREAS, accordingly, the Board finds that this proposal is the minimum necessary to afford the owner relief; and

WHEREAS, the Board has determined that the evidence in the record supports the findings required to be made under Z.R. § 72-21; and

WHEREAS, the project is classified as an Unlisted action pursuant to 6 NYCRR, Part 617; and

WHEREAS, the Board has conducted an environmental review of the proposed action and has documented relevant information about the project in the Final Environmental Assessment Statement (EAS) CEQR No. 03-BSA-160K, dated August 21, 2003; and

WHEREAS, the EAS documents that the project as proposed would not have significant adverse impacts on Land

MINUTES

Use, Zoning, and Public Policy; Socioeconomic Conditions; Community Facilities and Services; Open Space; Shadows; Historic Resources; Urban Design and Visual Resources; Neighborhood Character; Natural Resources; Waterfront Revitalization Program; Infrastructure; Hazardous Materials; Solid Waste and Sanitation Services; Energy; Traffic and Parking; Transit and Pedestrians; Air Quality; Noise; and Public Health; and

WHEREAS, the Office of Environmental Planning and Assessment of the New York City Department of Environmental Protection (DEP) has reviewed the following submissions from the applicant: (1) an Environmental Assessment Statement Form, dated August 21, 2003; (2) a CEQR submission regarding a fifty-year site history of the subject site and the adjacent lots and other items from the applicant's consultant, dated January 30, 2003; (3) an updated project description, dated November 18, 2004; (4) a January 2002 Phase I Environmental Site Assessment Report; and (5) an air quality response prepared by the consultant, dated February 15, 2005; and

WHEREAS, these submissions specifically examined the proposed action for potential hazardous materials, air quality and noise impacts; and

WHEREAS, a Restrictive Declaration was executed and recorded for the subject property to address hazardous materials concerns; and

WHEREAS, DEP has determined that there would not be any impacts from the subject proposal, based on the applicant's responses and the implementation of the measures cited in the Restrictive Declaration, as well as the applicant's agreement to the condition noted below; and

WHEREAS, no other significant effects upon the environment that would require an Environmental Impact Statement are foreseeable; and

WHEREAS, the Board has determined that the proposed action will not have a significant adverse impact on the environment.

Therefore it is Resolved that the Board of Standards and Appeals issues a Negative Declaration, with conditions as stipulated below, prepared in accordance with Article 8 of the New York State Environmental Conservation Law and 6 NYCRR Part 617, the Rules of Procedure for City Environmental Quality Review and Executive Order No. 91 of 1977, as amended, and makes the required findings under Z.R. § 72-21, to permit, within an M3-1 Zoning District, the proposed development of eight contiguous and vacant lots as two residential buildings and one commercial building with 29 parking spaces accommodated in the rear yard between the two residential buildings, contrary to Z.R. §§ 42-00, 43-26 and 43-28; on condition that all work shall substantially conform to drawings as they apply to the objections above noted, filed with this application marked "Received January 31, 2005" - (13) sheets; and on further condition:

THAT a minimum of 35 dB(A) window/wall noise attenuation for all facades shall be provided for the two proposed residential buildings;

THAT the bulk parameters of the proposed buildings shall be as follows: a total F.A.R. of 2.13 (with 2.0 for the residential buildings and 0.13 for the commercial building); and a total height for each of the residential buildings of 45 ft. (excluding mechanicals);

THAT a total of 29 parking spaces shall be provided in the accessory parking lot;

THAT the cellar rooms in the residential buildings, as illustrated on the BSA-approved plans shall be accessory to the residential use, but shall not be habitable rooms;

THAT this approval is limited to the relief granted by the Board in response to specifically cited and filed DOB/other jurisdiction objection(s) only;

THAT the approved plans shall be considered approved only for the portions related to the specific relief granted; and

THAT the Department of Buildings must ensure compliance with all other applicable provisions of the Zoning Resolution, the Administrative Code and any other relevant laws under its jurisdiction irrespective of plan(s) and/or configuration(s) not related to the relief granted.

Adopted by the Board of Standards and Appeals, March 8, 2005.

348-03-BZ

APPLICANT - The Agusta Group, for Sebastiano Mancianeli, owner.

SUBJECT - Application November 14, 2003 - under Z.R. §72-21 to permit the proposed construction of a three story, one family semi-detached dwelling, which does not comply with the minimum eight foot side yard, is contrary to Z.R. §23-461(a).

PREMISES AFFECTED - 66-18 74th Street, west side, 169' south of Juniper Valley Road, Block 3058, Lot 35, Borough of Queens.

COMMUNITY BOARD #5Q

APPEARANCES - None:

ACTION OF THE BOARD - Application withdrawn.

THE VOTE TO WITHDRAW -

Affirmative: Chair Srinivasan, Vice-Chair Babbar, Commissioner Miele and Commissioner Chin.....4

Negative:.....0

Adopted by the Board of Standards and Appeals, March 8, 2005.

293-04-BZ

APPLICANT - Eric Palatnik, P.C., for Torah Academy For Girls, owner.

one scenario, to r
take into account

You've got 1 message

Open New Message

The developer wa
Domino, said in e
throughout as to size, design, and program."

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3 Pages

In an interview, Holly Leicht, HPD's deputy commissioner of Development, said the estimates the city made were "based on assumptions that would have been aggressive even at the height of the real estate market and are a complete fiction today."

She added that the analysis "was not a reflection of their proposal then, much less today."

However, given the report's title names the developer's parent company and specifies it is an analysis of the company's Domino proposal, it's fair to assume the report had CPCR's project in mind.

And its precise design numbers appear to contradict Pollock's assertion that the current project is so different from the one envisioned in the analysis made four years ago.

In fact, New Domino's scope has changed very little over time, if at all, since Michael Lappin, CPCR's president, formally announced it in July of 2007, three years after the site was acquired for redevelopment.

Then, as now, the plans have called for at least 2,200 units, of which approximately 660 would be set aside as affordable at below-market rates. The current proposed Floor Area Ratio (FAR), which determines density levels, is 5.7 for most of the site.

The four scenarios in the analysis - labeled in alphabetical order starting with A, and designed to suggest different preservation options for the refinery, as well as sizes for the surrounding buildings - fall extremely close to those figures, though none match them exactly.

For example, the total number of units in each scenario is 2,091, 2,382, 2,096 and 2,134; the number of affordable apartments is 714, 700, 630 and 630 (equaling affordability components of 20 to 34 percent); and the FAR ranges from 5.25 to 6.0.

Given the city's eventual decision to landmark the refinery, and the developer's subsequent preservation design for that building, the current proposal's physical dimensions can best be compared to a hybrid of all four scenarios, taking elements of one, such as Scenario B's 29 percent affordability level, and combining it with others, like Scenario D's multi-level build out on the preserved refinery's rooftop.

Averaged out, a composite of all four figures yields one that is nearly identical to the current proposal: 2,175 units, including 668 affordable ones, with an FAR of 5.6.

If, as the city argued, the analysis was made to determine the impact and costs of a potential redevelopment of the sugar plant site, and was not done using CPCR's specific proposal in mind, it was certainly made using a mock development model that had resembled the real thing.

Then there is the question of money.

Clearly the real estate market has changed dramatically for the worse since the cost estimates associated with New Domino were made in 2006. Those were based on the sale of market-rate units priced at $900 per square foot, a general valuation of North Brooklyn waterfront property that HPD characterized as "aggressive" even then.

That figure has since dropped to somewhere between $650 and $700 per square foot.

In multiple conversations over a two-day period last week, after the developer was shown the city's analysis (it is important to note that not even CPCR had seen the in-house report until then), Pollock and Lloyd Kaplan, the preservation corporation's spokesperson, argued that present market conditions render 2006 revenue estimates entirely out of reach. And in private, city officials agree no developer right now could hope for a profit margin exceeding 40 percent.

This is true, but it ignores a greater point: the residential real estate market is not stagnant, it is recovering, and will improve - if not next year then at some point in the future.

"Sales are picking up slightly," said Lucien Savant of the National Association of Realtors, "which is having an effect on housing inventory, which is starting to stabilize housing prices."

CPCR could not fetch prices of $900 or even $800 per square foot today, but the developer is not building any units today. If the project is approved by the City Council, construction would not begin for at least three years, and would take ten to 12 years to finish, according to the testimony of Michael Lappin, CPCR's president, at the City Planning Commission's April 28th hearing on the project.

Savant predicted nationwide real estate prices will likely rebound to pre-2008 levels well before that. And several New York City real estate experts who were interviewed for this article said the market in Brooklyn has already started to improve.

The borough's average property value in dollars per square foot has increased over the past year by three to four percent, according to Jack Nyman, director of CUNY's Steven L. Newman Real Estate Institute at Baruch College. "That's a good sign that things are coming back," he said. "Will Domino do well over the next ten to twelve years? I think it will."

"At some point the market will be there," said Ward Dennis, chair of Community Board One's Land Use Committee. The committee, and later the full board, rejected the developer's plan to rezone the site for redevelopment. He added, "I assume that if someone comes to us to rezone a property there will eventually be a market for that project."

And as Assemblyman Joseph Lentol - who has led an unsuccessful community effort to obtain financial information on the project from CPCR - pointed out, the possibility exists that one decade after the recession has fizzled, North Brooklyn waterfront real estate could become the hot commodity developers hoped it would be all along.

"By the time this project is finished, the real estate market could be higher than it was in 2006," Lentol said in an interview. The developer "might make even more money."

Importantly, the city's estimate of a profit of several hundred million dollars for CPCR must be adjusted because it failed to include several routine expenses incurred in any development project.

These include pre-development, environmental remediation, and carrying costs, among others, according to Pollock, who also noted that the analysis excludes questions of taxes, and misses the mark on the steep price of preservation. Also, development costs are continually rising.

The estimated profit margin has "absolutely no resemblance to the numbers we're working with today," Pollock said in a brief interview shortly after reading the city's analysis. In the statement she issued the next day she went further, saying, "It is not even considered by the city as relevant to the current plan before them."

But when asked if comparing the physical scope of the 2006-era project in the analysis with the current proposal was an unfair exercise, city officials speaking on background said it was not.

When asked to provide more accurate data to prove that the city's estimate was wrong, Pollock refused to do so.

The analysis may represent the city's rough, snapshot guess of the scale of profit a developer could make on the site, were they to build a project like New Domino. And unless the developer releases more financial information, it will remain the only estimate of any kind on record.

And it sheds new light on a central argument CPCR has used to justify the project's size: that the number of market-rate units and density levels - which far exceed the zoning requirements put in place in 2006 - are necessary in order to cover the cost of, or cross-subsidize, the 30 percent affordable housing component.

That argument has been rejected by elected officials and community groups who say the project could be smaller, while still providing the same if not higher levels of affordable housing. So far, both the community board and the borough president have recommended that New Domino be scaled down.

Councilman Steve Levin, whose district includes the site, has testified in favor of "real and significant changes" to the proposal, including a reduction to 1,600-apartments, an amount that would drive the 660 affordable units to the 40 percent threshold. His vote could prove crucial when the project goes before the City Council.

Earlier this year, Levin negotiated an agreement with the developer of Rose Plaza, a smaller waterfront project near New Domino, that reduced its overall size while slightly increasing the amount of affordable housing.

The deal cost the developer, Isaac Rosenberg, untold millions in profit, but was hailed as a victory by neighborhood and housing activists. It showed that large-scale developments on the Williamsburg waterfront remain profitable and worthwhile even if developers are pushed to accept smaller profits than originally anticipated.

Indeed, one major Brooklyn developer, who spoke on the condition of anonymity, said that in good times developers hope to make back 20 percent on big projects. "But in the last number of years nobody's making 20 percent," he said.

"Let them make a profit," Lentol said of CPCR. "That's what you have to do in business." But the community would benefit from a smaller project, he said, one that still allows for a "reasonable" profit for the developer.

In any case, a greater level of transparency on the part of the developer from the start would have helped, he said. "They could have given themselves some credibility if they showed us their figures but they didn't do it," Lentol said. "Now we know why."

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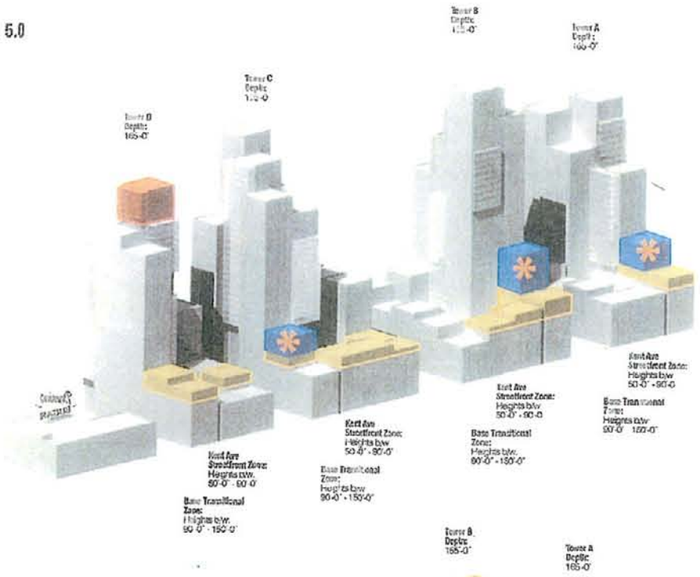
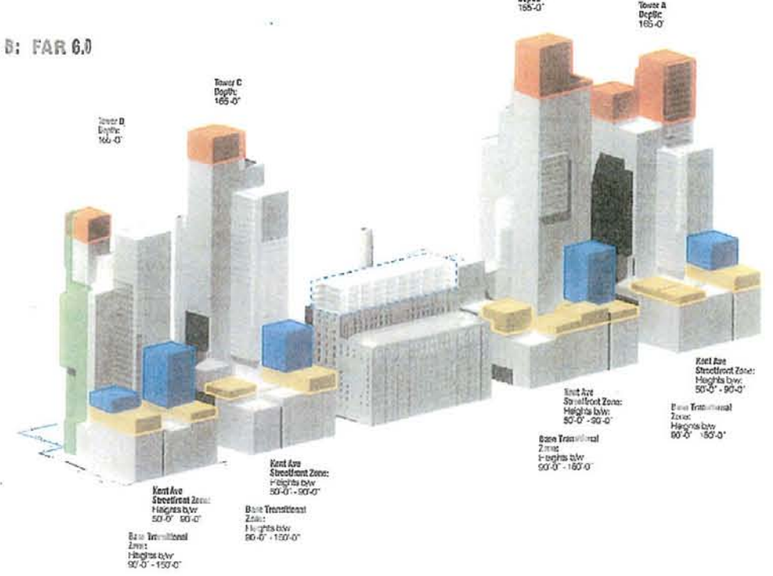
Domino Site Urban Design

Scheme A: FAR 5.0



Scheme B: FAR 6.0



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Key Areas of Concern

Based on key principles established in the Greenpoint-Williamsburg Rezoning's urban design:
- buildings (towers) above 85' are linited in flooplate size and dimensions
- buildings are limited to 65' maximum height within 100' of Kent Avenue
- towers are limited to 300' and 400' maximum heights
- towers cannot be located within 70' of the shoreline

Tower size (above 85') and height within 100' of Kent Avenue/upland neighborhood context

Street wall/building height along Kent Avenue above 65'

Tower Height above 300' & 400' limits

Location within 70' of Shoreline (relaxed to 65')

Configuration different from original 5 FAR scheme shown to DCP

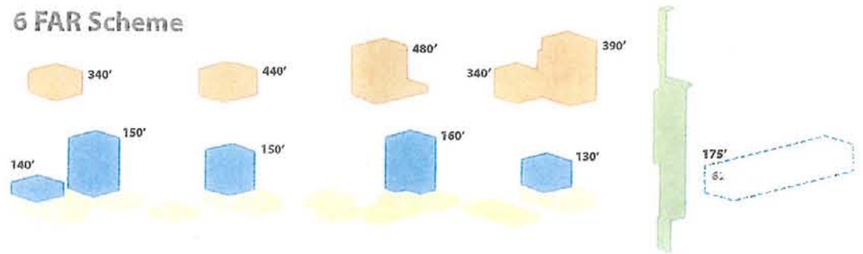
5 FAR Scheme



Approx. 44,000 sf located in main tower portions

Approx. 34,000 sf located in tower portions above 85' within 100' of Kent Avenue.

6 FAR Scheme

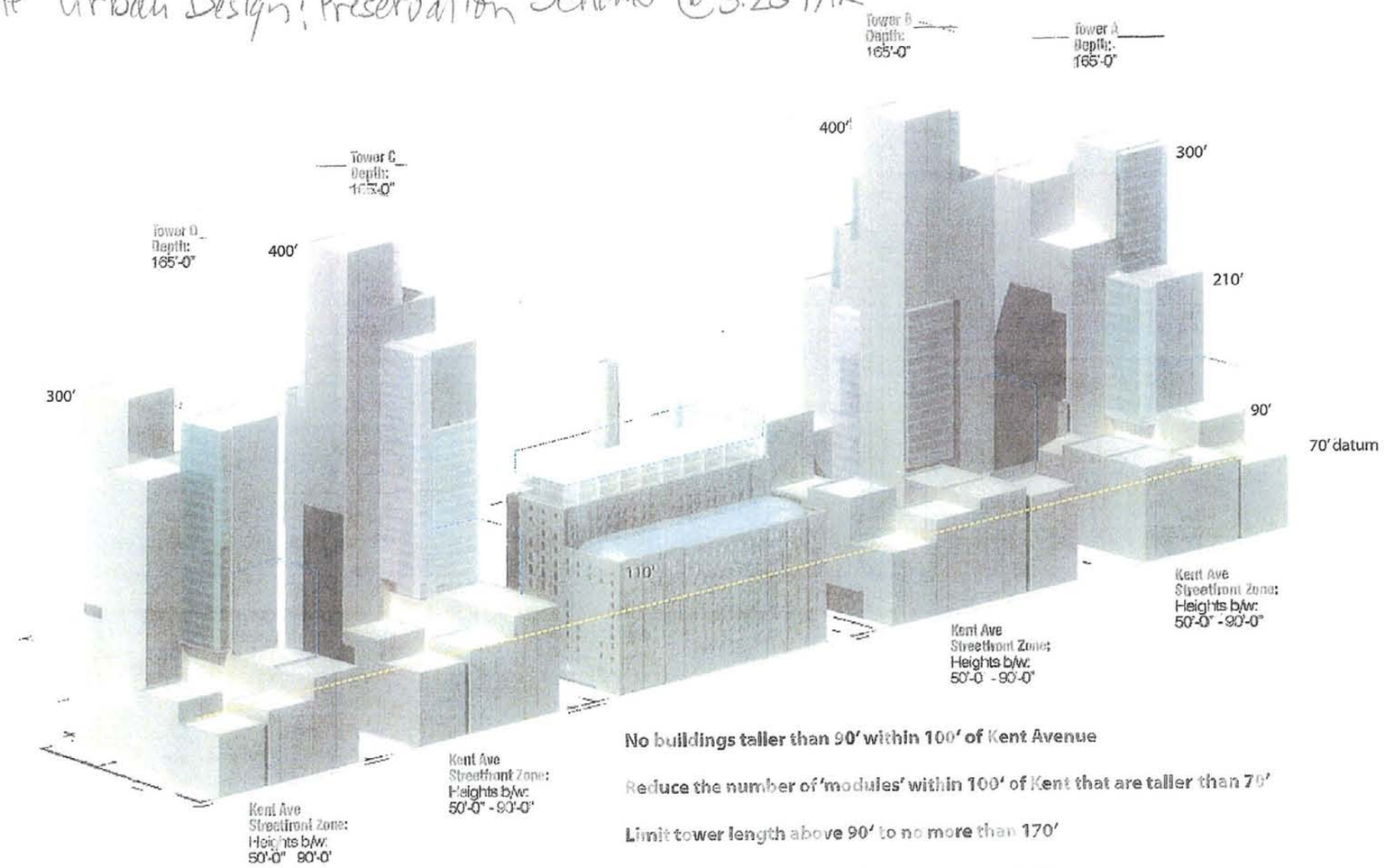


Approx. 234,500 sf located in main tower portions

Approx. 98,000 sf located in tower portions above 85' within 100' of Kent Avenue.

South tower located within footprint of required waterfront yard and public access

Domino Site Urban Design: Preservation Scheme @ 5.25 FAR



No buildings taller than 90' within 100' of Kent Avenue

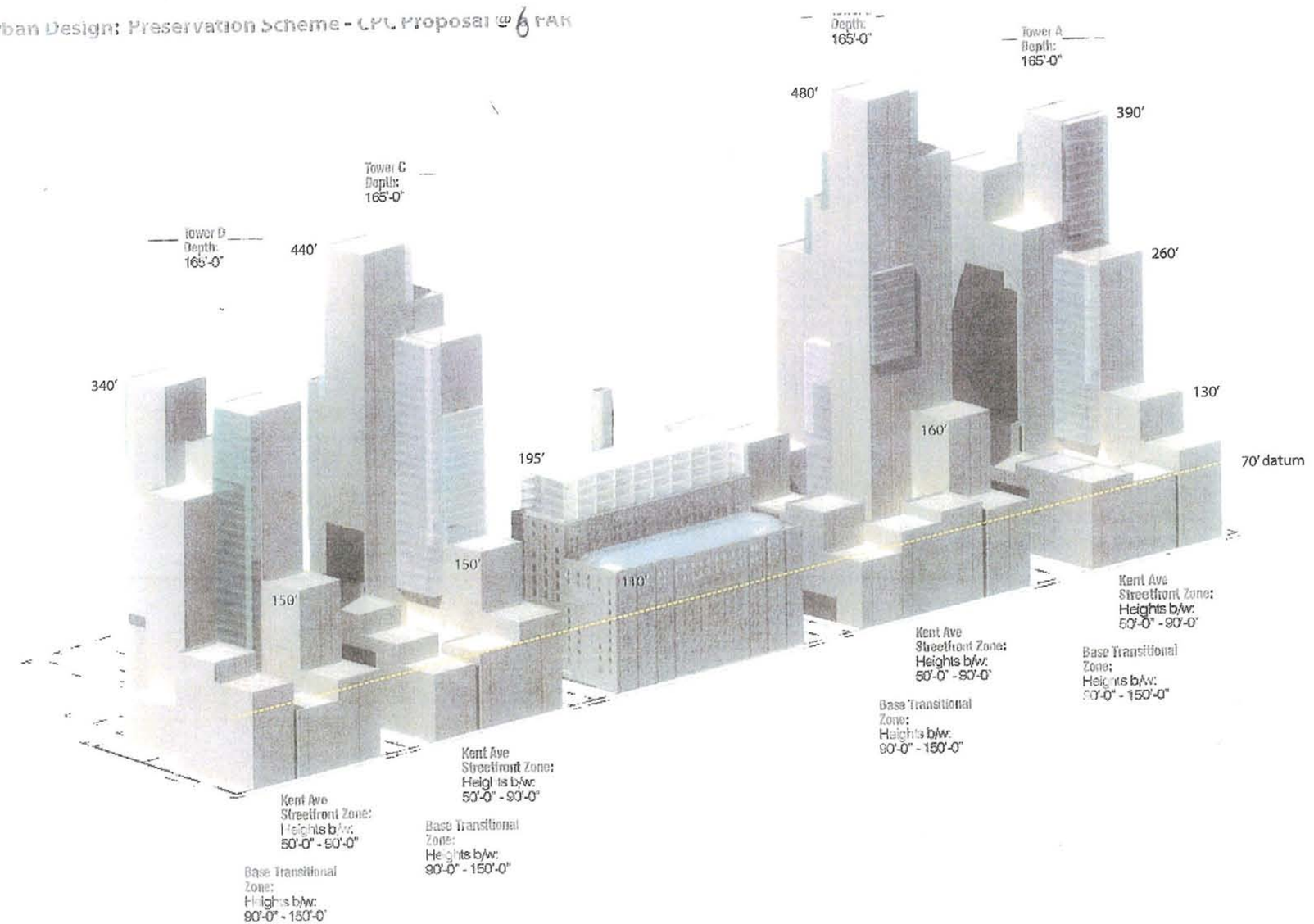
Reduce the number of 'modules' within 100' of Kent that are taller than 70'

Limit tower length above 90' to no more than 170'

Limit tower width above 90' to no more than 110'

Reduce tower heights while maintaining skyline variation

Domino Site Urban Design: Preservation Scheme - CPC Proposal @ 6 FAR



PC DOMINO REFINERY HPD WATERFRONT ANALYSIS

SCENARIOS FOR WATERFRONT PARCELS ONLY — 10/18/2006 — *DRAFT: for discussion only*

Figures assume no income/profit from parking or retail

Scenario A: 6.0 No Preservation

manent Sources	Aff Rental	Aff Ownership	Mkt Ownership	
sh Equity/Deferred Developer Fee				
st Mortgage	$ 16,305,024	-	-	
DC Subsidy	$ 23,205,000	$ 6,255,000	-	
x Credit Equity	$ 26,898,000	-	-	
les - Condos	-	28,012,456	$	1,272,002,040
tal Sources	$ 66,409,774	$ 33,282,780	$	1,372,002,040
manent Uses				
nd	-	-	$	55,831,675
rd Costs - Demo				8,000,000
rd Costs - Residential	$ 47,026,800	$ 22,894,200	$	603,253,000
ft Costs	$ 14,378,840	$ 6,656,250	$	180,975,900
Velopers Fee (% unsubsidized TDC)	$ 3,810,344	$ 2,449,746		
tal Uses	$ 66,217,684	$ 32,212,206	$	848,060,575

	MARKET	AFFORDABLE
OTAL UNITS	2,081	1,377	714
NITS ON WATERFRONT	1,756	1,366	390
NITS ON UPLAND	325	11	324
	affordable / total units		34%
	aff / total waterfront		22%

$	422,941,285	net
	50%	return on cost

Scenario A: 6.0 No Preservation

Land Acquisition	$ 55,831,675	From 1/24/05 ACRIS Deed btwn American Refinery Inc and CPC.
Land per Total Res SF	$ 27	
Mkt Construction Hard Costs	$ 350	
Aff Construction Hard Costs	$ 200	
Demo Costs/SF	$ 20	
Mkt Sales	$ 900	
Aff Homeownership Sales	$ 250	
Total Res sqft	2,077,885	
Aff Rental sqft	238,844	
Aff Homeownership sqft	119,471	
Soft Costs	30%	
Developer Fee	10%	
Condo Loss Factor + Broker	16%	

UNITS/DU	98,530
LIHTC Eligible	224
HDC LAMP-MIRP Subsidy	$5,000
LAMP-MIRP units	224
Aff Homeownership Subsidy	45,000
Aff homeownership units	112

BASE CASE PROFIT

Scenario B: DCP 6.0 w/ Preservation

manent Sources	Aff Rental	Aff Ownership	Mkt Ownership	
sh Equity/Deferred Developer Fee				
st Mortgage	$ 17,029,021	-	-	
DC Subsidy	$ 27,200,000	$ 6,142,500	-	
x Credit Equity	$ 31,629,000	-	-	
les - Condos	-	35,286,413	$	1,471,935,725
tal Sources	$ 76,759,221	$ 42,410,913	$	1,471,935,725
manent Uses				
nd	-	-	$	55,831,675
rd Costs - Demo				
rd Costs - Residential	$ 53,664,499	$ 28,014,730	$	629,072,408
rd Costs - Preservation			$	81,200,000
ft Costs	$ 16,165,350	$ 8,704,419	$	202,421,760
ustry Cost 10% of Acq.				
velopers Fee (% unsubsidized TDC)	$ 4,284,985	$ 3,057,685		
tal Uses	$ 74,334,834	$ 40,976,814	$	1,024,626,123

	MARKET	AFFORDABLE
TOTAL UNITS	2,382	1,682	700
UNITS ON WATERFRONT	2,075	1,618	457
UNITS ON UPLAND	307	64	244
	affordable / total units		29%
	aff / total waterfront		22%

$	447,408,602	net
	44%	return on cost

Scenario B: CPC 6.0 W/Preservation

Land Acquisition	$ 55,831,675	From 1/24/05 ACRIS Deed btwn American Refinery Inc and CPC.
Land per Total Res SF	$ 23	
Mkt Construction Hard Costs	$ 350	
Aff Construction Hard Costs	$ 200	
Preserv Cost/SF	$ 130	
Mkt Sales	$ 900	
Aff Homeownership Sales/SI	$ 250	
Total Res sqft	2,408,888	
Aff Rental sqft	288,422	
Aff Homeownership sqft	145,074	
Preserv sqft	450,000	331,204 additional res SF from Scenario A to B
Soft Costs	30%	
Developer Fee	10%	
Condo Loss Factor + Broker	16%	

UNITS/DU	98,530
LIHTC Eligible	1,425
HDC LAMP-MIRP Subsidy	$5,000
LAMP-MIRP units	950
Aff homeownership subsidy	45,000
Aff homeownership units	137

AT 6.0, RETURN ON COST IS LOWER, BUT NET PROFIT REMAINS WHOLE

Scenario C: DCP 5.25 w/ Preservation and 2 stories on refinery

manent Sources	Aff Rental	Aff Ownership	Mkt Ownership	
sh Equity/Deferred Developer Fee				
st Mortgage	$ 15,105,321	-	-	
DC Subsidy	$ 21,250,000	$ 4,881,230	-	
x Credit Equity	$ 24,532,500	-	-	
les - Condos	-	28,477,216	$	1,301,815,424
tal Sources	$ 60,887,821	$ 33,278,446	$	1,301,815,424
manent Uses				
nd	-	-	$	55,831,675
rd Costs - Demo				
rd Costs - Residential	$ 42,234,720	$ 22,741,772	$	617,297,268
rd Costs- Preservation			$	81,200,000
ft Costs	$ 12,670,416	$ 6,822,532	$	186,189,168
ustry Cost, 10% of Acq.				
velopers Fee (% unsubsidized TDC)	$ 3,365,514	$ 2,471,307		
tal Uses	$ 58,270,650	$ 32,035,612	$	818,518,348

	MARKET	AFFORDABLE
TOTAL UNITS	2,099	1,466	633
UNITS ON WATERFRONT	1,788	1,431	356
UNITS ON UPLAND	307	35	272
	affordable / total units		30%
	aff / total waterfront		20%

$	382,907,076	net
	42%	return on cost

Scenario C: DCP 5.25 w/ Preservation and 2 stories on Refinery

Land Acquisition	$ 55,831,675	From 1/24/05 ACRIS Deed btwn American Refinery Inc and CPC.
Land per Total Res SF	$ 27	
Mkt Construction Hard Costs	$ 350	
Aff Construction Hard Costs	$ 200	
Pres Cost/SF	$ 130	
Mkt Sales	$ 900	
Aff Homeownership Sales	$ 250	
Total Res sqft	2,085,580	
Aff Rental sqft	211,174	
Aff Homeownership sqft	113,709	
Preserv sqft	450,000	320,400 DCP Res SF Reduction from 6.0 to 5.25
Soft Costs	30%	
Developer Fee	10%	
Condo Loss Factor + Broker	16%	

UNITS/DU	98,530
LIHTC Eligible	250
HDC LAMP-MIRP Subsidy	$5,000
LAMP-MIRP units	250
Aff homeownership subsidy	45,000
Aff homeownership units	196

AT 5.25, RETURN ON COST IS SLIGHTLY LOWER, BUT NET PROFIT IS $41M LOWER (-10%)

Scenario D: DCP 5.25 w/ preservation and 6 stories on Refinery

manent Sources	Aff Rental	Aff Ownership	Mkt Ownership	
sh Equity/Deferred Developer Fee				
st Mortgage	$ 17,254,049	-	-	
DC Subsidy	$ 21,289,405	$ 4,830,369	-	
x Credit Equity	$ 24,678,727	-	-	
les - Condos	-	28,427,216	$	1,335,892,424
tal Sources	$ 63,222,221	$ 33,257,585	$	1,335,892,424
manent Uses				
nd	-	-	$	55,831,676
rd Costs - Demo				
rd Costs - Residential	$ 42,234,720	$ 22,741,772	$	633,572,288
rd Costs- Preservation			$	81,200,000
ft Costs	$ 12,670,416	$ 6,822,532	$	190,071,686
ustry Cost, 10% of Acq.				
velopers Fee (% unsubsidized TDC)	$ 3,381,573	$ 2,473,394		
tal Uses	$ 66,288,709	$ 32,037,868	$	940,675,611

	MARKET	AFFORDABLE
TOTAL UNITS	2,134	1,504	630
UNITS ON WATERFRONT	1,827	1,469	358
UNITS ON UPLAND	307	35	272
	affordable / total units		30%
	aff / total waterfront		20%

$	395,250,670	net
	42%	return on cost

Scenario D: DCP 5.25 w/ preservation and 6 stories on Refinery

Land Acquisition	$ 55,831,675	From 1/24/05 ACRIS Deed btwn American Refinery Inc and CPC.
Land per Total Res SF	$ 26	
Mkt Construction Hard Costs	$ 350	
Aff Construction Hard Costs	$ 200	
Pres Cost/SF	$ 130	
Mkt Sales	$ 900	
Aff Homeownership Sales	$ 250	
Total Res sqft	2,135,080	
Aff Rental sqft	211,174	
Aff Homeownership sqft	113,709	
Preserv sqft	450,000	46,500 Res SF Increase from DCP 5.25 Scenario C
Soft Costs	30%	
Developer Fee	10%	
Condo Loss Factor + Broker	16%	
Additional Stories @ 15,000sf	3	

UNITS/DU	98,530
LIHTC Eligible	250
HDC LAMP-MIRP Subsidy	$5,000
LAMP-MIRP units	250
Aff homeownership subsidy	45,000
Aff homeownership units	196

AT 6.25 W/ REFINERY AT 6 TOTAL FLOORS, RETURN ON COST IS SAME, BUT NET PROFIT IS $28M LOWER (-7%)

The calculations above do not take into account the following factors from CPC's calculations:
- Assumes there is no profit or loss in the parking
- Assumes there is no profit or loss in the retail
- Assumes that the affordable housing is not a loss
- Affordable portion carries 10% Developer Fee, which is not factored into returns
- Affordable percentage in Scenario D matches Scenario C, though neither reach the target of 35% overall affordable.

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Domino: An Alternate Plan

AN ECONOMIC ENGINE FOR NEW YORK AND A PROUD LEGACY FOR FUTURE GENERATIONS

CASE STUDY: THE TATE MODERN. REGENERATION OF AN INDUSTRIAL SITE



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Domino: An Alternate Plan

Overview





PRESERVE THE PAST, CREATE A FUTURE…
JOBS, TOURISM, AFFORDABLE HOUSING

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Domino: An Alternate Plan

Overview

- Transforming obsolete industrial-age sites into major "cultural hubs" has significant local, regional, and national positive effects. All domestic and international case studies have resulted as "win-win" economic engines.
- **The economic benefits have staggering positive results.**
- The Domino site is one of the United States' last standing and intact icons of America's Industrial Revolution.
- The following case study focuses on the Tate Modern because it is **directly relevant** and well-documented.

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Case study: The Tate Modern

Just an Old Power Station in the U.K.?



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Just an Old Power Station in the U.K.?



The Tate Modern Case Study

Regeneration Impact:

- Estimated to generate revenue of $205.5 million[1] per annum to London overall

(1) Pound Sterling to US$, July 22, 2007.

Source: Government of Birmingham, Gardiner & Theobald LLP, Jura Consultants, Gleets (20 January 2005).

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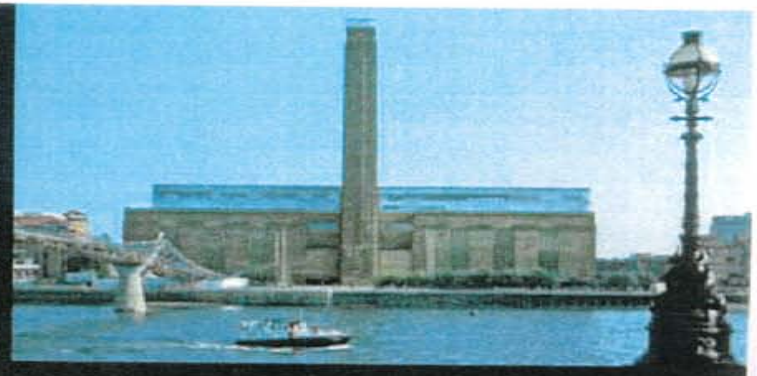
Just an Old Power Station in the U.K.?



The Tate Modern Case Study

Regeneration Impact:

- It is estimated that Tate Modern is worth between $102.7 –143.8 million(1) in revenue to the borough of Southwark alone.

(1) Pound Sterling to US$, July 22, 2007.

Source: Government of Birmingham, Gardiner & Theobald LLP, Jura Consultants, Gleets (20 January 2005).

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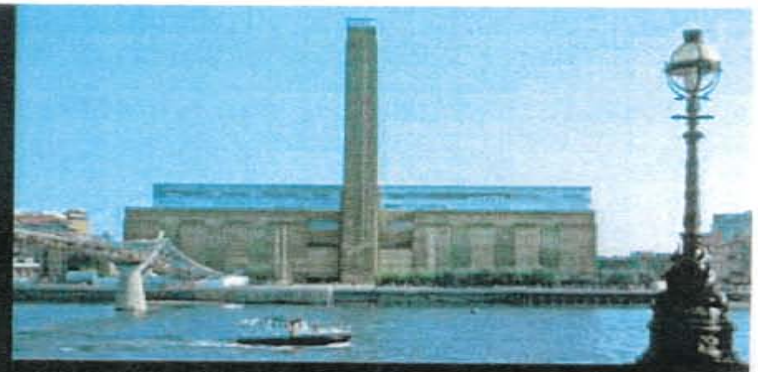

The Tate Modern Case Study

Regeneration Impact:

- The Tate Modern has attracted new investment and led to an estimated 1,800 hotel and catering jobs. **This has contributed to the estimated 3,000 new jobs** which have been directly or indirectly linked to the creation of the Tate Modern.

Source: Government of Birmingham, Gardiner & Theobald LLP, Jura Consultants, Gleets (20 January 2005).

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Just an Old Power Station in the U.K.?



The Tate Modern Case Study

Regeneration Impact:

- During its first year in operation, the Tate Modern attracted 5.25 million visitors – well above original estimates – and had become **the third most visited tourist attraction in all of England.**

Source: Government of Birmingham, Gardiner & Theobald LLP, Jura Consultants, Gleets (20 January 2005).

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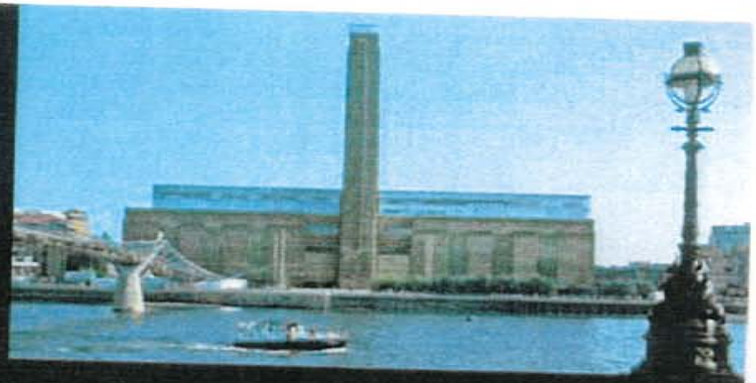

The Tate Modern Case Study

Regeneration Impact:

- As with other major new visitor attractions, visitor numbers have now stabilized. Around 3.5 million visitors are attracted to the Tate Modern annually.
- This figure exceeds the initial predictions. In addition to the millions of annual visitors, **the project has also brought new jobs and investment to the area.**

Source: Government of Birmingham, Gardiner & Theobald LLP, Jura Consultants, Gleets (20 January 2005).

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Just an Old Power Station in the U.K.?



The Tate Modern Case Study

Regeneration Impact:

- Commercial development in Southwark has also outpaced the London average, as has the increase in the number of new businesses.
- In addition, **the Tate Modern is credited with helping change the attitude, image and aspirations of the area.**

Source: Government of Birmingham, Gardiner & Theobald LLP, Jura Consultants, Gleets (20 January 2005).

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Domino: An Alternate Plan

Summary

Benefits

Major Points:

- Using conservative figures based on the Tate Modern Case Study, with a modest admission price, the Domino site would bring in between **$80–$100 million in revenue per annum.**[1] These figures do not include revenue generated through businesses outside the Domino site.

(1) Average number of visitors multiplied by average price of museum admissions.

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Domino: An Alternate Plan

Summary

Benefits

Major Points:

- Site is large enough to maintain the historical nature of the original structures **and develop other commercial aspects to support the arts center, including affordable housing.**
- A **"Green Technology Center"** will be included to develop, showcase, and power the entire site through sustainable alternate energy – Wind, Wave, Solar, and Geothermal. The visibility of this site will help spearhead New York State as a global center of green technology.

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Domino: An Alternate Plan

Summary

Benefits

Major Points:

- Strong positive ripple effect throughout the economy
- Unique waterfront location, with promenade for park, restaurants, and landing sites for water taxis, private boats
- Theaters for the performing arts, music, and film
- Magnet school for the arts
- Develop space for the local community to function as a creative incubator
- International traveling exhibitions
- Showcase for art fairs
- Rotating exhibitions of private collections

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Domino: An Alternate Plan

Summary

A Selection of Other Regenerated Sites:

- Agricultural & Industrial Museum of York County
- Andy Warhol Museum
- Art Center College Design
- BALTIC
- Centrale Montemartini of Rome
- Custard Factory
- Dia: Beacon
- Geffen Contemporary @ MOCA
- Harborough Museum
- King Plow Art CenterKünstlerhaus Bethanien Berlin
- Letterman Digital Arts
- The Lowry Center
- Mass Moca
- Musee d'Orsay
- Museum of Estonian Architecture
- Noguchi Museum
- Old Ford Motor Factory
- Radialsystem V New Space for the Arts in Berlin
- P.S.1
- Queen Victoria Museum
- Solvent Space
- The Power Plant Contemporary Art Gallery
- Torpedo Art Center

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Domino: An Alternate Plan

Conclusion

When is the right time for this project?

NOW!

I am Dennis Richard Farr, Puerto Rican and lifelong Williamsburg, Brooklyn resident. My mother, Ruth Martinez, was employed at Domino Sugar in the 1970s, and my family has resided in Williamsburg since the 1950s. I have resided in the Southside, the Northside, and the so-called Third Ward of Williamsburg, Brooklyn. No measure of Williamsburg has escaped my notice and devotion, and I have investigated and reported on its gentrification, at great personal cost, for the past twenty years. My people, the Puerto Ricans, have been connected to Domino Sugar since its inception in 1900, and before, in its "previous incarnation" as the Havemeyer, Townsend & Co. Refinery in 1859. Truly, no group is deeper connected, since Domino Sugar transacted in Caribbean sugar at a time when slavery shackled Puerto Ricans to sugar cane plantations. Whereas much is made concerning Domino Sugar's rich history and how it figures into its future development, discussion about Puerto Rico's, and Williamsburg's Puerto Ricans', contribution to Domino Sugar and American manufacturing remains in desiderata, in parallel to the neglect of Puerto Ricans in Williamsburg's gentrification: most significantly in the race to tear up and divide Williamsburg amongst rapacious developers. My wish is to contribute to a remedy by urging rejection of Community Preservation Corporation's proposal for luxury condominiums in favor of a University of Urban Design at the Domino Sugar Site.

Let's preface this bold idea by summarizing the reasons for rejection of CPC's proposal. There's no doubt that Williamsburg's real estate development is connected to the neighborhood's changing cultural trends: Williamsburg's gentrification began in the early 1980s, gained mainstream attention by the

1990s and steamrolled through the end of one millennium into the beginning of another. Without this gentrification, the significant waterfront and inland development being experienced right now could not be conceived. And yet, it takes no genius to see that maybe only Goldman-Sachs is profiting from the development hypertrophy, if they also shorted against the neighborhood the way they have against the nation. The real estate market in Williamsburg is supersaturated. Waterfront projects like the Edge and Northside Piers are performing terribly. Occupancy rates are in the basement. Down the street from them more housing developments rise, adding to the glut. Recently, New York Magazine reported that there are more "vacant" (read: foreclosed and abandoned) buildings in Williamsburg than there are in the entirety of the South Bronx. The cannibalization of the landscape has contributed significant pollution, constant construction noise, re-routing of traffic, overcrowding, infrastructure and municipal service stresses—all but eliminating the neighborhood's gains in so-called "quality of life," while the Mayor, who campaigned in mimicry of Mayor Giuliani before him, derides residents who point out the hypocrisy of a politician who alarms with bogeyman stories about second-hand smoke in bars while ignoring the environmental perils now confronting Williamsburg. Like the real estate developers he champions, this myopic Mayor Bloomberg fails to see the irony in dividing, consuming and destroying the landscape that made Williamsburg so appealing in the first place. And to foist folly upon nonsense, he urges that the so-called powers that be support and fast track CPC's development project, one that proposes to add, on an unprecedented scale, to the supersaturated real estate market in Williamsburg, and add on a greater scale to

its environmental woes, as well as the increased displacement of its local population.

Mark these words but do not call them prophecy because revelation is unnecessary when we look upon clear signs: CPC's New Domino site will fail. Why? Because the gentrification that made such speculation possible can barely sustain the strip of generic pan-Asian restaurants on Bedford Avenue and the few two-bit social clubs scattered across Williamsburg: without lasting and significant cultural institutions to initiate and support the requisite population growth, the gentrification of the neighborhood will likely not reach the growth seen in Manhattan in the past century or so. There already exists a backlash against Williamsburg: the agents/explorers/settlers that propelled Williamsburg's gentrification have moved onto Bushwick; that is, the seemingly trite "hipness" that is the most powerful indicator of Williamsburg's gentrification has vacated the neighborhood, or better yet, in supreme irony, it has been "displaced." As the process realizes itself in Bushwick the way it did in Williamsburg, the overestimated dollars flowing into Northside/Southside Williamsburg, "dollars" that flow only because of that seemingly trite "hipness," will move along to Bushwick. And when that happens, the low occupancy rates you are finding in the Edge, Northside Piers, and similar projects, will freefall. Seriously, what will motivate buyers to spend $2 million for a cramped condominium in Williamsburg? Wild Ginger? L.A. Burrito? It is imperative that all the parties involved open their eyes: the failures we are now only beginning to see in current real estate development will reach their shocking culmination in the New Domino luxury condominium plan.

[illegible]

CPC's promises of jobs, affordable-unit apportionment, and community space have already been debunked by neighborhood activists such as Phil Depaolo, but even debunked, these promises predicate on New Domino being fully occupied—a notion so absurd that it baffles. No development site on the scale of New Domino ever reaches full occupancy—it took the World Trade Center decades before the majority of its space was occupied. It makes one suspect that CPC, in fact, hopes to emulate Goldman-Sachs by betting on failure. Does CPC contend that New Domino somehow has greater appeal and significance than similar projects in Manhattan? It simply cannot, because those Manhattan benefits from significant and durable cultural institutions such as museums, schools, theatre—durable cultural institutions that Williamsburg lacks. How then will CPC deliver on its promises of jobs, affordable-housing, community space and waterfront access?

Let's segue into a discussion of a significant and durable cultural institution for Williamsburg, and how all of CPC's promises, inflated even, pale to what University can offer. We propose an autodidactic, auto-generative University of Urban Design, emphasizing residential enrolment, building itself from within, filling its professional capacity through local artisans, its production capacity through local manufacturing and its personnel through the local population. Unlike CPC's short-term and volatile profit goals, it will serve long-term educational and employment needs. It will attract technology, engineering and architecture businesses. It will increase patronage at local eateries, and occupancy rates in surrounding structures. Sites like the Edge, Northside Piers, and others, slated to suffer from the competition offer by CPC's plan, will see

their occupancy rates increase, not just by students, professors and school administration, but by dint of an actual, durable cultural institution raising property values and income in the neighborhood, enhancing the quality of local lives while preventing their displacement (unlike CPC).

A School of Urban Design would be charged with confronting and overcoming Williamsburg's infrastructure problems. It would task itself with the neighborhood's engineering: the maintenance of the Williamsburg Bridge, the building of streets and roads, the layout of block parcels, and electrical, sewage and water systems treatment. It will build with the responsibility of Beauty and the rigor of Justice. It will envision a green valley in Williamsburg, planning and building alternative fuel and traffic systems. Unlike CPC's hollow promises to serve an elite and tiny portion of Williamsburg's population, it will be the jewel in the crown—serving the public and private good. All that surround it will benefit: residents, property owners, small business owners, manufacturing and artisan trade, but it will also benefit the City, and American society, as it will set trends in urban design that match and sustain the culture of Williamsburg. It will rehabilitate the gentrification that has divided the local Latino population and the incoming artisan and professional population, and no just and righteous person can ever turn from that.

So much has been made about the promise of Williamsburg in the past twenty years, and yet, that promise cannot be realized with CPC's proposal for the Domino Sugar site. Whatever is built there will surely stand for decades, if not centuries. How will we explain our acquiescence to history? How will we explain this failure to Brooklyn's coming generations? Are we to cede our legacy to

rapacity, to greed, to stupidity, lack of vision and design? No! I say we reject impotence, and support a different legacy: one where our children, and theirs, and generations thereafter, investigate, design and labor towards a greater Williamsburg through University. History demands it.

Sincerely,

A Williamsburg resident.

May 7, 2010

To: Commissioner Amanda Burden
Department of City Planning

From: Jacqueline Frankel
330 Wythe Avenue 2C
Brooklyn, New York 11211

Subject: CEQR No. 07DCP094K

Re: Objection to Bulk, Density and Overdevelopment of the Domino Sugar Site

Dear Commissioner Burden:

I object to the height and bulk of the New Domino plan.

My name is Jacqueline Frankel and I'm a resident of Williamsburg and have lived a block away from the Domino site for the last 15 years. I support the idea of doing something with the site and opening up the waterfront to the public. I also support affordable housing. I do wish there could be a more visionary and powerful way to transform this historic and significant piece of Williamsburg beyond building more condos. I think there has been a real lost opportunity here.

However, my biggest issue with the new Domino is the immense and unprecedented height and density which is being proposed. Just look at the model. The rezoning of Edge and Northside Piers with 30 story towers and FAR of 4.7 was a lot more than the community board originally wanted. Domino, with it's 40-story towers and FAR of 5.9 for the waterfront make these developments look modest.

FAR and building heights may seem abstract but the results are not abstract and I'm not just talking about the impact of 8,000 new residents on already overburdened infrastructure. The upland site with its 14 story tower in a 6 story zone, and almost triple the density allowed its neighbors sets a dangerous precedent for future development in the neighborhood.

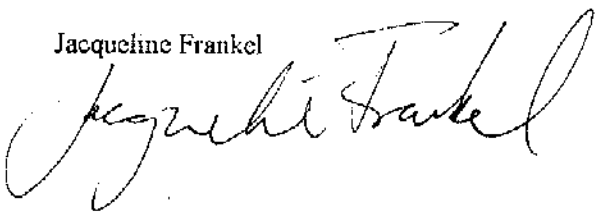
Kent Avenue frontage has been zoned for 6 story buildings for reasons of light and air and neighborhood context– Domino proposes 10 story structures along these narrow sidewalks. The 30 story tower on the south border of Grand Street Park will tower over and cast shadows on Grand Street Park for much of the day.

Although there are streets and real connections to the water in the Domino plan, the overall effect of the huge dense building mass is like a wall between the water and the Community. I urge the planning Commission to hold the developers to the same regulations regarding bulk and height as the other waterfront developments. This project will set the benchmark for all future development and zoning.

Please don't supersize Domino.

Thank you,

Jacqueline Frankel



May 7, 2010

To: Commissioner Amanda Burden
Department of City Planning

From: Steven Frankel
330 Wythe Avenue 2C
Brooklyn, New York 11211

Subject: CEQR No. 07DCP094K

Re: Objection to Bulk, Density and Overdevelopment of the Domino Sugar Site

Dear Commissioner Burden:

I object to the height and bulk of the New Domino plan. I testified at the recent Commission hearing and would like to submit the testimony below for the record:

My name is Steven Frankel and I'm a resident of Williamsburg and have lived a block away from the Domino site for the last 15 years. I support the idea of doing something with the site and opening up the waterfront to the public. I also support affordable housing. I do wish there could be a more visionary and powerful way to transform this historic and significant piece of Williamsburg beyond building more condos. I think there has been a real lost opportunity here.

However, my biggest issue with the new Domino is the immense and unprecedented height and density which is being proposed. Just look at the model. The rezoning of Edge and Northside Piers with 30 story towers and FAR of 4.7 was a lot more than the community board originally wanted. Domino, with it's 40-story towers and FAR of 5.9 for the waterfront make these developments look modest.

FAR and building heights may seem abstract but the results are not abstract and I'm not just talking about the impact of 8,000 new residents on already overburdened infrastructure. The upland site with its 14 story tower in a 6 story zone, and almost triple the density allowed its neighbors sets a dangerous precedent for future development in the neighborhood.

Kent Avenue frontage has been zoned for 6 story buildings for reasons of light and air and neighborhood context– Domino proposes 10 story structures along these narrow sidewalks. The 30 story tower on the south border of Grand Street Park will tower over and east shadows on Grand Street Park for much of the day.

Although there are streets and real connections to the water in the Domino plan, the overall effect of the huge dense building mass is like a wall between the water and the Community. I urge the planning Commission to hold the developers to the same regulations regarding bulk and height as the other waterfront developments. This project will set the benchmark for all future development and zoning.

Please don't supersize Domino.

Thank you,

Steven Frankel

Steven Frankel

-----Original Message-----

From: PortalAdmin@doitt.nyc.gov
Sent: 05/06/2010 23:04:27
To: sbladmp@customerservice.nyc.gov
Subject: < No Subject >

From: stevenmfrankel@yahoo.com (Steven Frankel)
Subject: Message to Director, DCP

Below is the result of your feedback form. It was submitted by
Steven Frankel (stevenmfrankel@yahoo.com) on Thursday, May 6, 2010 at 23:04:27

This form resides at
http://www.nyc.gov/html/mail/html/maildcp.html

Message Type: Misc. Comments

Topic: Zoning and Land Use Questions/Information

Contact Info: Yes

M/M: Mr.

First Name: Steven

Middle Name: M

Last Name: Frankel

Street Address: 330 Wythe Avenue

Address Number: 2C

City: Brooklyn

State: NY

Postal Code: 11211

Country: United States

Work Phone #: 718-610-9246

Email Address: stevenmfrankel@yahoo.com

Message: Dear Commissioner Burden.

I object to the height and bulk of the New Domino plan.
There must be a more visionary and powerful way to transform this historic and significant piece of Williamsburg beyond building more condos.

However, my biggest issue with the new Domino is the immense and unprecedented height and density which is being proposed.

Domino, with it s 40 story towers and FAR of 5.9 for the waterfront makes the 30 story towers and 4.7 FAR of North side Piers and the Edge look modest.

The upland site with its 14 story tower in a 6 story zone, and almost triple the density allowed its neighbors sets a dangerous precedent for future development in the neighborhood.

Kent Avenue frontage has been zoned for 6 story buildings for reasons of light and air and neighborhood context Domino proposes 10 story structures along these narrow sidewalks.

Please dont superize Domino!

REMOTE_HOST: 71.167.17.210
HTTP_ADDR: 71.167.17.210
HTTP_USER_AGENT: Mozilla/5.0 (Windows; U; Windows NT 5.1; en-US; rv:1.9.2.3) Gecko/20100401 Firefox/3.6.3 (.NET CLR 3.5.30729)

****

5/8/10

To Whom It May Concern:

I would like to make it known that I am against the present plans for the Domino Sugar Factory. The height and density of the buildings (40 story towers and FAR of 5.9, far acceding even the Northside Piers and Edge buildings), the reduction of open space, the lack of sufficient public transit options, the traffic it will create, as well as the sudden and destructive shift in the social foundations of the neighborhood in which I live and pay taxes are all reasons why the plans for Domino Sugar should he rejected. The buildings when full will increase the population by nearly 25% population in the surrounding ½ mile area. This is unacceptable. On a purely aesthetic level, these buildings are an example of uncreative architecture that will be an eyesore not only for those on the Brooklyn side, but those on the Manhattan, affecting the skyline negatively. This a simply terrible plan on every level. Please reject it summarily.

Thanks,
Michael Friedberg / Michael Galbe
330 Wythe Ave, Apt. 5i
Brooklyn, NY 11211

Michael Galbe ESQ

Message Type: Complaint

Topic: Zoning and Land Use Questions/Information

Contact Info: Yes

M/M: Mr.

First Name: Michael

Last Name: Friedberg

Street Address: 330 Wythe Ave

Address Number: 5i

City: Brooklyn

State: NY

Postal Code: 11211

Country: United States

Work Phone #: 646-298-5626

Email Address: mfriedbe@wiley.com

Message: I would like to make it known that I am against the present plans for the Domino Sugar Factory. The height and density of the buildings, the reduction of open space, the lack of sufficient public transit options, the traffic it will create, as well as the sudden and destructive shift in the social foundations of the neighborhood in which I live and pay taxes are all reasons why the plans for Domino Sugar should be rejected.

-----Original Message-----

From: PortalAdmin@doitt.nyc.gov
Sent: 05/06/2010 14:17:58
To: sbladmp@customerservice.nyc.gov
Subject: < No Subject >

From: gwynneg@gmail.com (Gwynne Gauntlett)
Subject: Message to Director, DCP

Below is the result of your feedback form. It was submitted by
Gwynne Gauntlett (gwynneg@gmail.com) on Thursday, May 6, 2010 at 14:17:58

This form resides at
http://nyc.gov/html/mail/html/maildcp.html

Message Type: Complaint

Topic: Zoning and Land Use Questions/Information

Contact Info: Yes

M/M: Ms

First Name: Gwynne

Last Name: Gauntlett

Street Address: 330 Wythe Avenue

Address Number: 5G

City: Brooklyn

State: NY

Postal Code: 11211

Country: United States

Work Phone #: 9177497211

Email Address: gwynneg@gmail.com

Message: I am writing to express my concern about the impact of the proposed Domino project on Williamsburg. The scale of the project is enormous - does the area have the infrastructure to support it?

CITY PLANNING COMMISSION
Calendar Information Office room 2E
22 Reade Street, New York, N.Y. 10007

Subject: CEQR Application #: CEQR No. 07DCP094K
Brooklyn

To: Dept. of City Planning Commissioner Amanda Burden

I am here to speak out against the proposed development at the Domino Sugar Factory site. The overwhelming height & density of this project, five solid blocks of 20/30/40 story towers including a total of 2200 units is completely out of character for our neighborhood. There are already a large number of buildings some under construction and others completed that include hundreds of apartments that developers are unable to rent or sell.

There is no infrastructure to support this project. It's already impossible to get on the subway in the morning as it is. I don't mean we cant get a seat on the subway, I mean we can't fit into the subway car, even after waiting for two or three trains to pass. There is absolutely no need for such a large development in Williamsburg. It would be irresponsible for to you to allow this development to go forward without drastic changes to the plan.

1. The towers should not be higher than 20 stories with fewer than 1500 total units. This is not midtown Manhattan. We don't want 40 story towers on our waterfront, or anywhere in Williamsburg.

2. This project lacks green open space. If you look at the developer's proposed plan for open space it is concrete. There's more greenery in a parking lot then they show in their renderings of open space in this plan.

3. 30% of the units should be affordable housing. These should include mixed-use live work units for artists.

4. The project should support the arts. It should include community space for arts organizations including galleries, theaters, music and dance space, and arts education programs. Williamsburg's artistic community supplies NYC with the talent and product that attracts visitors from all over the world. The arts industry is good for our economy. Let's keep it in Williamsburg.

Thank you.

Kathleen Gilrain
475 Kent Ave. Apt 504
Brooklyn, NY 11211

FAX TO: 212·720·3219

Ellen Goldin

315 Berry St. 7N

Brooklyn, NY 11211

718-388-7136

April 28, 201

21325

Subject : CEQR Application #: **CEQR No. 07DCP094K**

Dear Commisioner,

I urge you to scale back the proposed development of the Domino Sugar factory complex to something more in scale with our existing neighborhood – 4-6 stories.

As you can see by my address, I would be directly impacted by lack of light, and the wall of structures that would separate me and my neighbors from the river we have lived by for so long. I have lived at my current address for over 20 years.

If this plan goes through, we will not even be able to see the bridge that gives the area its name.

Williamsburg is already over-burdened by development **without any upgrade to the services in the area. The L train**, according to the survey done just last year, is operating at **105% of capacity**. Imagine what the injection of **thousands** of additional residents would mean to those of us who take public transportation! Imagine how much more crowded the streets and sidewalks of our neighborhood will be!

This is our nightmare! No one asked what we think about it! We don't like it!

Please, please, have a heart! There is already **unsold housing stock** on the market in Williamsburg! Please don't add to the amount of empty buildings in our area – think long term, and leave us room to breathe.

With all due respect, Ellen Goldin proud resident since 1987

-----Original Message-----

From: PortalAdmin@doitt.nyc.gov
Sent: 04/28/2010 09:53:41
To: sbladmp@customerservice.nyc.gov
Subject: < No Subject >

From: rubeefalls@aol.com (Ellen Goldin)
Subject: Message to Director, DCP

Below is the result of your feedback form. It was submitted by Ellen Goldin (rubeefalls@aol.com) on Wednesday, April 28, 2010 at 09:53:41

This form resides at
http://www.nyc.gov/html/mail/html/maildcp.html

Message Type: Misc. Comments

Topic: Zoning and Land Use Questions/Information

Contact Info: Yes

First Name: Ellen

Last Name: Goldin

Street Address: 315 Berry St

Address Number: 7N

City: Brooklyn

State: NY

Postal Code: 11211

Country: United States

Work Phone #: 781-388-7136

Email Address: rubeefalls@aol.com

Message: I urge you to scale back the proposed development of the Domino Sugar complex. As proposed it is totally our of scale with our neighborhood, and would add thousands and thousands of new people to an area that is already lacking in services - no supermarket and the L train operates at 105% of capacity. No more than 5 stories, please - dont wall off the long term residents behind a wall of glass, blocking our light and river. We may not be rich, but we should count for something - I have lived here for over 20 years.

To: City Planning Commission, Calendar Information Office, Room 2E, 22 Reade Street, New York, NY 10007

From: Albert Goldson, 330 Wythe Avenue, 4-B, Brooklyn, NY 11211

Subject: CEQR Application #; CEQR No. 07DCP094K

Borough: Brooklyn

This communiqué represents my *strong* opposition to the development of the Domino complex. The construction of the Domino complex will have a significant deleterious effect on the quality of life in every aspect in Williamsburg as listed below:

Air & Noise Pollution

The Domino complex's proposed parking garages with a capacity for hundreds of vehicles will result in significantly elevated levels of noise and air pollution. Adding to the pollution are the increased visitors arriving by car and commercial vehicles that will make deliveries to the Domino residents and newly opened stores. The typical narrow streets of the area does not allow for a free-flow of traffic increasing the amount of pollution by slow and idling vehicles.

Transportation

Williamsburg's infrastructure is already at the breaking point with the completion of the newest large developments that includes Schaeffer Landing, Edge and North Pier and other smaller developments. The additional thousands of residents in these complexes, some of which are *not yet* fully occupied, are currently placing a strain on Williamsburg's transportation system.

Already the L train Bedford Avenue subway station is overwhelmed at all hours of the day & night. Additional subway trains on the L line will ***not*** resolve the increased number of commuters for one simple reason: the L train must make a transition at the 8th Avenue/14th Street station, the last stop in Manhattan. With only a 2-track line and the standard 8-minute turnaround time required at the 8th Avenue terminus, additional subway trains will only ***add*** to the back-log, ***not*** relieve it. Additionally, the J train which runs from the Marcy Street Station will be eliminated this summer.

Schools

Currently the schools in the local area of the Domino complex are already over-crowded. The combination of the construction of the Domino complex and other large projects not yet fully occupied will deny additional students a facility in which to learn.

Security

The closing of the fire house on Wythe Avenue several years ago leaves only one small firehouse to attend to the needs of the community which now has several new large projects. Furthermore, the ability for fire, police, rescue teams and other emergency services & equipment to maneuver through Williamsburg's typically mall & narrow and limited access streets in a highly density area will be seriously compromised, particularly in the case of major emergency.

More ominously, this area is already a ***designated flood zone*** and any evacuation and/or relief assistance to the thousands of residents in this area will be significantly compromised.

Paul D. Graziano
Associated Cultural Resource Consultants
146-18 32nd Avenue
Flushing, NY 11354
718.358.2535
718.359.6108 Fax

DOMINO Draft EIS – Comments
Paul Graziano, ACRC
May 10th, 2010

Much of the discussion of the Domino Sugar Factory property, like all potential development sites, hinges on what is described in planner-speak as the "highest and best use" for a particular proposed project area or parcel. In crafting a draft EIS, the applicant attempts to justify why their proposal will be more beneficial than the current built environment and/or existing zoning designation.

AKRF, as consultants for CPCR, has purported to do this. However, glaring inconsistencies, flaws, fallacies and untruths riddle this document in virtually every section of this application. While my analysis will be limited to the Land Use, Zoning and Public Policy chapter, it is incumbent upon the Department of City Planning and other agencies and elected officials reviewing this document to carefully examine what is being claimed by the applicant as truth. And, while the City of New York has policy standards that are generally adhered to in the decision-making process when various portions of a proposal are weighed against the project as a whole, there are definitively other options and proposals for the Domino property that will meet the standard of "highest and best use" and not harm the surrounding Williamsburg neighborhoods and the resources of the City of New York in the way that this proposed project will.

A. INTRODUCTION

Chapter 3 – Land Use, Zoning and Public Policy

On page 3-1 under the *LAND USE* summary, there are several overly broad and indefensible statements in favor of the proposed project.

1) *This chapter concludes that the proposed project would not result in any significant adverse impacts with respect to land use, zoning, or public policy.*

   Replacing a century-old industrial complex with over 2,200 units of housing, 225,000 square feet of retail and office space and almost 150,000 square feet of community facility space will have adverse effects as described below.

2) *The proposed project would have a strong positive effect on land use by creating a vibrant new mixed-use development with public waterfront access and open space on a site that is currently vacant and would otherwise be occupied by industrial and commercial uses with no public open space or waterfront access and limited views of the water.*

The Domino site is not in itself vacant, with the exception of the former parking lot on the east side of Kent Avenue. The extant buildings – all National/State Register-eligible – are vacant due to the closure of the Domino plant in 2004. It is not necessarily true that if the proposed project were not to be constructed, the buildings would "be occupied by industrial and commercial uses with no public open space or waterfront access and limited views of the water." On the contrary, under several highly feasible alternate plans that have been proposed, not only would the existing buildings be retained and reused for various purposes, including commercial, residential, affordable housing, arts-oriented community facility and industrial use and public open space/waterfront access, and existing viewsheds would be enhanced. The proposed construction of at least four buildings between 297' and 400' in height as well as numerous smaller buildings between 97' and 257' in height (and lower buildings along Kent Avenue), all placed in five mega-clusters not including the retained Refinery complex will not enhance views for the public, regardless of how they are placed overall on the Domino property. They will, however, enhance views for those who rent or own the highest levels of the proposed towers, which will be significantly taller than even the anchorages and towers of the Williamsburg Bridge immediately to the south. On the contrary, like the waterfront towers further to the north, the proposed development will cut the inland portions of Williamsburg off visually from the waterfront and remove the most visible industrial complex left on the East River – the Domino Sugar Factory complex.

3) *The proposed project would make possible the adaptive reuse of the landmarked Refinery, which would otherwise remain vacant.*

According to numerous historic preservation experts, architects and advocates who have gone on record since 2006, there are no impossible barriers to immediate and reasonable adaptive reuse of the Refinery building. Furthermore, almost all of the remaining buildings – all National/State Register-eligible – on the Domino property can also be adaptively reused for residential, commercial, industrial or community facility usage.

On page 3-2 under the *ZONING* summary, there are a number of inconsistent statements and outright fallacies which undermine the very arguments in favor of the proposed project that the authors of the DEIS are making.

1) *The proposed residential and commercial districts on the project site would also be compatible with nearby mixed-use districts such as those mapped along Grand, South 4th, and South 5th Streets.*

This comparison is simply untrue. The proposed residential and commercial zoning districts for the project are mostly R8 (6.02 FAR) with a C6-2 commercial overlay and C6-2 (6.0/6.02 FAR), and a small portion – on the east side of Kent Avenue – designated as R6 with a commercial overlay (2.43 FAR). While it is true that the proposed rezoning will include a General Large Scale Development Plan (GLSDP) that will mitigate the maximum FARs for the overall site, it is still

three times the as-of-right FAR as is currently allowed or otherwise exists in the surrounding Southside neighborhood. And, in fact, no R8 zone exists anywhere within the DEIS Study Area except farther north on the waterfront of the Northside of Williamsburg.

The MX zone on Grand Street is an M1-2/R6B, which has a 2.0/2.0 FAR and a 50' height limit for the R6B. Similarly, immediately north of Grand Street is another MX zone with an M1-2/R6A zoning designation, which has a 2.0/3.0 FAR and a 70' height limit. The MX zone on South 4th/South 5th streets is an M1-2/R6, which has a 2.0/2.43 FAR and, while there is no height limit, the building that could be generated there would be on average in the 6-to-8 storey range.

The remainder of the immediate neighborhood surrounding the Domino property is zoned M3-1, R6, R6B and, to the south of the Williamsburg Bridge, C4-3 (3.4 FAR for commercial/R6 equivalent for residential development).

In summary, the surrounding blocks have a mix of zones, mostly in the 2.0 to 2.43 FAR range with height limitations, or 3 to 6-storey streetwall limitations and overall height guided by sky-exposure planes; the Waterfront R6 zone using the inclusionary housing option, 2.75 FAR; and, with the C4-3 zone and R6 zone using the inclusionary housing option, 3.4 to 3.6 FAR. A development at the density and height being proposed for the subject property would not in any way relate or be compatible with nearby mixed-use districts nor the remainder of the Southside neighborhood, with the exception of the vacant parcel on the east side of Kent Avenue with a proposed R6 designation. Any claim otherwise is simply untrue.

2) *The removal of M3-1 zoning on the project site would ensure that heavy industrial uses that are not compatible with these adjacent districts do not locate on the project site. While M3-1 zoning districts would remain directly to the north and east of the project site, these would not adversely affect the proposed project. M3 districts have increased performance standards near residential districts to minimize potential impacts on residential uses, include a requirement that all manufacturing uses be fully enclosed within 300 feet of a residential district. The entire adjacent M3-zoned area is within 300 feet of the proposed residential district and adjacent existing residential districts. Therefore, this enclosure requirement would apply to the entirety of the adjacent M3-zoned blocks if the proposed rezoning were approved.*

This statement is contradictory. The first sentence states that removing the M3-1 zone from the Domino property is good for the neighboring blocks because it will ensure that heavy industry will not locate there. In the following sentences, however, it states that heavy industry will remain on adjacent parcels to the north and east but that it will not affect the Domino site, due to increased performance standards and mandatory enclosures because of close proximity to residential districts.

Clearly, this is currently applicable for the Domino property as well, as any "heavy industry" that located there would have to abide by the same high performance standards and mandatory enclosures. While the removal of heavy industry from the Williamsburg waterfront in favor of overly dense residential and commercial development is a debatable benefit at best, the more important discussion hinges on the justification that removing the possibility of new or relocated heavy industry from one site that already has significant controls – as does the surrounding blocks to the north east and south – should be rewarded with a rezoning that will enable the property owner to build at more than triple the existing density.

On page 3-2 under the *PUBLIC POLICY* summary, it is clear that the proposal meets some of the criteria to further the tenets of PlaNYC, the Waterfront Revitalization Program and the Plan for the Brooklyn Waterfront. However, many of the same benefits that the proposed project purports to achieve can be realized under alternate plans that will not create many of the adverse impacts on the Southside neighborhood in particular and Williamsburg in general that will occur, despite AKRF's claims for the applicant to the contrary.

B. <u>BACKGROUND AND DEVELOPMENT HISTORY</u>

On page 3-3, a description of part of the owner's intention for the Domino property is provided.

> *Over the past several decades, Williamsburg has experienced a development trend of residential and retail uses. Large factories and industrial uses that once occupied the waterfront north and south of the project site have left, and the sites have been rezoned and are being redeveloped with residential, retail and public open space. This redevelopment has been facilitated by recent City policies and zoning actions.*
>
> *The project site is adjacent to the area rezoned in May 2005 as part of the Greenpoint-Williamsburg rezoning. That rezoning project, which included the rezoning of approximately 184 blocks for residential and mixed residential / industrial use, made use of a combination of R6 and R8 districts along the waterfront to the north of the project site to facilitate residential redevelopment with public waterfront access and open space…The Greenpoint-Williamsburg rezoning also incorporated an inclusionary zoning mechanism to incentivize the development of affordable housing. The project site is adjacent to the area rezoned as part of the Greenpoint-Wiliamsburg rezoning. At the time that rezoning was formulated in 2003-2004, the project site continued to include limited manufacturing and distribution operations, and therefore was not included in the rezoning.*
>
> AKRF and the applicant, while summarizing the previous decade of history for the site and Williamsburg in general, have underemphasized or not included some critical information in justifying their proposal both here and later in the EIS:

1) The development trend of residential and retail uses replacing industrial and manufacturing concerns has been accelerated and exacerbated by the changes – both private applications and public actions by the Department of City Planning – instigated during the past decade. These zoning actions have removed thousands of jobs, including in the industrial arts, from the Williamsburg/Greenpoint area.

2) While the waterfront has been rezoned in a combination of R6 and R8 north of Grand Avenue to Newtown Creek, only one site south of East River Park and designated parkland on the north side of Bushwick Inlet is zoned R8. All of the additional R8 areas – five clusters – are located on the Greenpoint waterfront. Additionally, none of the R8 zoning areas are anywhere near the size or take up the length of shoreline as much as the proposed Domino property R8/C6-2 zoning area.

3) One of the main vehicles for this particular proposal is the promise of affordable housing units onsite. Using the argument of inclusionary zoning, which was to generate affordable housing units throughout the Greenpoint/Williamsburg neighborhoods in exchange for higher density and taller buildings, AKRF states that the applicant would generate 660 units out of 2,200 proposed (and up to 2,400 maximum on the project site). However, skepticism must be maintained due to the lack of follow-through in building the promised affordable housing throughout the Greenpoint/Williamsburg neighborhoods based on the inclusionary zoning during the past five years, which has been negligible (less than 800 units out of over 10,000 units constructed or approved), and even fewer by the developers themselves.

4) The Domino Sugar Factory complex and site was *never* intended to be included in the Greenpoint/Williamsburg rezoning. The site, along with the blocks to the north retained their heavy manufacturing designation to maintain industrial and manufacturing jobs in Williamsburg.

C. EXISTING CONDITIONS

LAND USE & ZONING

Southside

In the Southside section, which the Domino property is entirely located within, it is clear that the proposed development will be entirely out-of-context with existing development, both in terms of height and density as well as use, as described on page 3-4:

> *The blocks immediately adjacent to the project site between Kent and Wythe Avenues include light industrial uses, residential uses, and retail establishments. Uses on the blocks adjacent to the project site across Kent Avenue include residences, a nightclub, a dance studio, auto repair and sales, and warehousing and light industrial. Industrial uses on these blocks include construction and*

electrical contracting, metal work, food distribution, stage design, and a facility that treats, stores, and disposes of hazardous waste materials.

East of Wythe Avenue, Southside is predominantly a residential neighborhood. Most of the residential buildings in this section of the study area range from three to six stories. The major concentrations of neighborhood retail uses are found along Bedford Avenue, Havemeyer Street, and Grand Street. Retail uses in these areas include restaurants and cafes, shops, and small groceries. The blocks immediately north of the Williamsburg Bridge between South 4th and South 5th Streets include a mix of residential and light industrial uses

Three and four-storey rowhouses; the occasional six-storey apartment building; industrial loft buildings up to eight storeys; and newer infill, generally at the upper height level are the norm for the Southside. The buildings being proposed immediately adjacent to the Southside at the Domino property by the applicant would be anywhere from the same general height to between 500% and 1000% taller and significantly denser. This is somewhat in context to the higher density waterfront development one to two miles north of the Domino property, but will completely overwhelm both existing *and* future development on the Southside of Williamsburg. Additionally, many of the stores and businesses described in this paragraph will be in immediate jeopardy should the Domino property be developed as envisioned by the applicant. The nearby sites that will be redeveloped, continuing the accelerating trend that the MX zones in general propone combined with an exponential increase in rent for many of the remaining businesses will create significant displacement of neighborhood establishments, jobs and residents.

PUBLIC POLICY

While the applicant has strongly pursued a strategy of higher density in exchange for, among other things, waterfront access and open space, the Domino property was never included in either the Department of City Planning's *Plan for the Brooklyn Waterfront* or *New York City Comprehensive Waterfront Plan* or even the Community Board 1-driven *Williamsburg Waterfront 197-a Plan*, as described on pages 3-9 and 3-10. This property was always intended to be kept industrial as a permanent employment generator and was never foreseen as being a potential development site. While it is critical to have an open space component at the Domino property regardless of future development proposals, the inclusion of open space on the Domino property should not be grounds for an exponential increase in height and density at the site.

D. THE FUTURE WITHOUT THE PROPOSED PROJECT

LAND USE

On page 3-11, it is clear from the description of the proposed use for the Domino property that the applicant intends to demolish the entirety of the National/State Register-eligible site with the exception of the New York City-landmarked Refinery, regardless of whether they receive approvals for this rezoning application. While they describe a lack of public waterfront access as part of the project, this is somewhat misleading. Any redevelopment of the current waterfront site – whether as-of-right or otherwise – will trigger a review by New York State Department of Environmental Conservation. This would include a significant clean-up provision (though perhaps not to the standard of a residential conversion) as well as restoration and rehabilitation of the coastline and possible public access within 100' of the shoreline. There are numerous examples of this occurring along the New York City waterfront in all five boroughs.

Additionally, the intensity of proposed use is minimal in comparison – approximately one-tenth of the 2.8 million square feet being proposed under the "activated" use of the site in a high-density residential and commercial development scenario. While affordable housing and public open space are laudable goals for any part of New York City, they should not dictate an exponential increase in height and density over and above the existing zoning for a proposed project.

There is no reason that the entire Domino property cannot be converted into new industrial and commercial, particularly arts-oriented; residential, including affordable housing units; and open space while retaining many or most of the existing National/State Register-eligible buildings. The section on "The Future without the Proposed Project" is, in simple terms, a scare tactic by the applicant to intimidate and persuade the decision-making bodies in the ULURP process to approve this proposal.

E. THE FUTURE WITH THE PROPOSED PROJECT

LAND USE

On page 3-13, a description of the applicant's vision of beneficial development is included as a foil to his previous "No Build" description:

The new uses introduced by the proposed project would be compatible with the existing and anticipated future mix of residential, retail, and light industrial uses…the study area is becoming increasingly residential, and new housing developments are anticipated on the blocks adjacent to the project site. The proposed project would complement the upland residential neighborhood and would be an extension of the existing housing trend in which vacant or underutilized waterfront sites are being redeveloped with housing, retail space, and public open space. The proposed project's retail uses along Kent Avenue

would complement the retail uses that currently exist near the project site along Grand Street, Bedford Avenue, and Broadway, as well as new retail uses emerging along Kent Avenue, Wythe Avenue, and South 5th Street and throughout the Northside neighborhood in the broader study area. The project's community facility use is expected to be consistent with other nearby community facility uses such as schools, child care facilities, and art spaces.

The proposed project will be mostly incompatible with existing and future development of the surrounding neighborhood – based on scale, square footage and type of development, any comparisons to nearby or adjacent development, particularly on the Southside of Williamsburg, is nearly impossible; one most go between a half-mile and a mile to the north and south of the proposed project to encounter somewhat similar conditions. Additionally, while there are planned developments on some adjacent blocks, none are higher than 70' in height or greater than a 3.0 FAR. Also, the proposed creation of nearly 100,000 square feet of office space is the very antithesis of the surrounding Southside neighborhood and Williamsburg in general. Office space is appropriate in downtown Brooklyn, *not* the Williamsburg/Greenpoint area.

Additionally, nearly 150,000 square feet of community facility space will most likely not go towards "schools, child care facilities or art spaces," as described on page 3-13. It is more likely that the space will go towards a major commercial tenant that will not necessarily benefit the immediate or surrounding Williamsburg community.

ZONING

The number and complexity of zoning map and text amendments; special permits; and other authorizations described on page 3-15 are typical of a massive project such as the one being proposed for the Domino property. Again, this proposal maintains that it is compatible with "nearby mixed-use and commercial districts such as those mapped along Grand, South 4th, and South 5th Streets, Bedford Avenue, and throughout much of the Northside." This is an outright fallacy; should the proposed project be constructed, it will have some commonality with the other mega-projects already constructed or being planned along the coast. Otherwise, in no way will it resemble or be compatible with adjacent or nearby development in Williamsburg.

SUMMARY

The Domino Sugar Rezoning DEIS does not reflect the reality of the Southside of Williamsburg – and many of the surrounding neighborhoods – that it purports to be in compliance or compatible with. While the proposed project may meet some of the criteria of this Administration's public policies, there is no question that other alternative development possibilities exist that would both "activate" the Domino property and retain and reuse many of the existing historic buildings; open up the waterfront to the public; create long-term sustainable commercial and arts-oriented employment, including substantial benefits from international tourism; and affordable housing units for those

residents living in Community Board 1. The proposed project does not meet the criteria for “highest and best use” and, were it not for its landmark designation, would never have included the Refinery building for adaptive reuse in the first place; instead, the proposal would most likely have called for clearing the entire site and perhaps a fifth 40-storey tower would have been included. More to the point: the sheer height, density and scale of the current proposal will overwhelm the surrounding neighborhood and, far from recharging or “activating” this part of Williamsburg, will instead drown it with too much development.

ALISON G. GREENBERG
305 W. 13th Street
Apt. 5G
New York, NY 10014
e-mail: aggreenberg123@yahoo.com

Chair Amanda Burden
New York City Planning Commission
22 Reade Street
Room 2#
New York, New York 10007

April 28, 2010

Re: **"New Domino" - Subject: CEQR Application #: CEQR No. 07DCP094K**

Dear Chair Burden and Commissioners-

I am an attorney and a resident of the West Village. Other than what I had read in the news and on real estate blogs, I became more familiar with the New Domino project through my involvement with the New York and New Jersey chapter of the Society for Industrial Archeology, an organization that appreciates and seeks to preserve our region's industrial heritage.

I am here today to voice my opposition to the application because, in addition to my concern as a preservationist of industrial architecture, I am very concerned about the potential impact the New Domino project will have on the infrastructure and wellbeing of Williamsburg residents. Williamsburg is a diverse and art-centered part of Brooklyn. While I do not live in Williamsburg, I am a citizen of New York City and I have seen similar battles in my neighborhood. The developer should not be permitted special exceptions to build higher and denser than any other developer on the Williamsburg waterfront thus far.

First, the applicant has not provided a persuasive reason as to why they should be relieved from complying with the 2005 rezoning that covers that area and produced several tall residential towers along the north. If the developer has not produced the financials that support some hardship exception, you as the Agency representing our city must deny the application absent such financial information being produced.

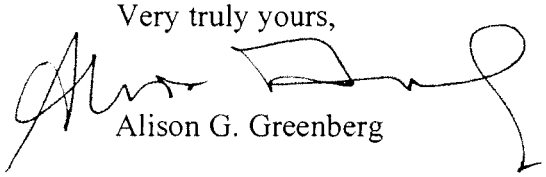
Second, the infrastructure cannot support a projected 6000 to 7000 new residents. Please visit the L Train going west, passing through Bedford Avenue at 9:00 a.m. on a weekday. You will likely find you cannot get onto the subway until a few trains have passed. That is already an intolerable situation for commuters that must be resolved by the MTA and whichever other agencies are responsible. By approving the application before you, Commissioners, you will terribly compound that problem and create an impracticable transit problem for Brooklyn residents. Moreover, your approval will create a significant

burden on street traffic, schools fire and police departments, in a time when the Governor is considering furloughing state employees and we are in a financial crisis.

Finally, when developers use "Affordable Housing" as a lure and wedge, it is up to City officials, such as this Agency, to require that those developers establish in concrete numbers what they mean by affordable. To my knowledge, the developer has not crystallized what the rental amounts will be for those affordable units and whether those amounts will be guaranteed. Moreover, even if the developer does provide such information, and guarantees same, the reality is Williamsburg will lose its current affordability. That is what happens when a luxury development, so far out of context for a community, is permitted. Displacement of low to middle income residents is assured. Please don't choose to make that your legacy in Williamsburg as our planning commission.

Thank you for your consideration.

Very truly yours,



Alison G. Greenberg

Bea Hanson
330 Wythe Avenue, #4C
Brooklyn, NY 11211

May 8, 2010

City Planning Commission
Calendar Information Office, Room 2E
22 Reade Street
New York, NY 10007

Subject: CEQR Application # 07DCP094K
Borough: Brooklyn

Dear Commissioner Burden,

I am writing to join 33rd District City Councilmember Stephen Levin, Community Board One, and Williamsburg residents in opposition to CPC's plan for conversion of the Domino Sugar plant site into high-density housing.

As a resident in Williamsburg for more than twenty years, I have seen an enormous change in the neighborhood. Some of the early changes have been good such as the near elimination of open drug dealing in the neighborhood, reduction of crime, and conversion of abandoned buildings into livable homes for residents. The rezoning of the Williamsburg waterfront from mixed light manufacturing and residential to exclusively residential has rapidly changed the face of the neighborhood in some good and bad ways. While the positives includes the creation of a park on the near north side. The negative is that the increase in housing has led to an increase in traffic (and therefore, pollution from cars), lack of parking space, and an overwhelmed subway system.

The proposal by CPC to convert the Domino Sugar plant into high-density housing will increase the already exploding population by 25% in the surrounding neighborhood. Our streets, schools and public transportation system simply cannot support this size of development.

Historically, Williamsburg has had one of the highest rates of asthma in the City. What Williamsburg sorely needs is additional green space to offset the impact of the carbon emissions from the constant flow of trucks on the street and increasing number of cars in the neighborhood. While the CPC proposal includes community space, that proposed space will not be enough to offset the concomitant increased need for green space that the new residents will need let alone address our already dire need for green space.

While the CPC project includes affordable housing there are other ways to increase affordable housing in the area using existing space, including conversion of already existing luxury rental and condominiums that are lying vacant into affordable housing.

Thank you for your attention.

Sincerely,

Bea Hanson

Message Type: Misc. Comments

Topic: CPC Public Meeting Information/Calendar Office

Contact Info: Yes

M/M: Ms

First Name: Bea

Last Name: Hanson

Street Address: 330 Wythe Avenue

Address Number: 4C

City: Brooklyn

State: NY

Postal Code: 11211

Country: United States

Work Phone #: 718 387 0882

Email Address: beahanson@gmail.com

Message: I am writing in opposition to CPCs proposal for the Domino Sugar plant site. The rapid development in recent years in the neighborhood has created an unsustainable glut of luxury housing, crammed roads, and overflowing subways. What we need is green park space and conversion of unoccupied luxury housing into affordable housing. Thank you.

To: City Planning Commission, Calendar Information Office - Room 2E, 22 Reade Street, New York, N.Y. 10007

From: Brad Harris, 330 Wythe Avenue. Apt. 2K Brooklyn, NY 11211

Subject: CEQR Application #CEQR No. 07DCP094K

Borough: Brooklyn

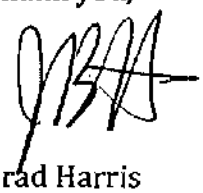
May 9, 2010

Hello,

Having been a resident of this neighborhood for the past 8 years, I have witnessed a lot of change in the neighborhood and I am writing to express my concern over the proposed Domino Sugar site. The proposal on the table about Domino is preposterous. I agree with 33rd District Councilman Stephen Levin's testimony before Borough President Markowitz where he expressed his full support for Community Board One's recent recommendation of Disapproval with Modifications for this project. The overwhelming height and density and inadequate transit options for the area are my reasons.

The project is simply too big. CPC's plan would introduce over 6,000 new residents to the neighborhood - a nearly 25% population increase for the ½ mile area surrounding the site. Unless the issues of height and density, transportation, and open space, among others, are addressed, I cannot support the plan for the Domino Sugar site as currently proposed.

Thank you,



Brad Harris

To: City Planning Commission, Calendar Information Office - Room 2E, 22 Reade Street, New York, N.Y. 10007

From: Tymberly Harris, 330 Wythe Avenue. Apt. 2K Brooklyn, NY 11211

Subject: CEQR Application #CEQR No. 07DCP094K

Borough: Brooklyn

May 7, 2010

To Whom it May Concern,

I am writing to express my concern over the proposed Domino Sugar site. Having been a resident of this neighborhood for the past 8 years, I have witnessed a lot of change. The proposal on the table about Domino is preposterous. I agree with 33rd District Councilman Stephen Levin's testimony before Borough President Markowitz where he expressed his full support for Community Board One's recent recommendation of Disapproval with Modifications for this project. The overwhelming height and density and inadequate transit options for the area are my reasons.

The project is simply too big. CPC's plan would introduce over 6,000 new residents to the neighborhood - a nearly 25% population increase for the ½ mile area surrounding the site. Unless the issues of height and density, transportation, and open space, among others, are addressed, I cannot support the plan for the Domino Sugar site as currently proposed.

Thank you,

Tymberly Harris

Tymberly Harris

Message Type: Misc. Comments

Topic: Zoning and Land Use Questions/Information

Contact Info: Yes

M/M: Mrs.

First Name: Tymberly

Last Name: Harris

Street Address: 330 Wythe Avenue

Address Number: 2K

City: Brooklyn

State: NY

Postal Code: 11211

Country: United States

Work Phone #: 9173276073

Email Address: tymberly@mac.com

Message: Dear Ms. Burden,
I am writing to express my concern over the Domino Sugar site. Having been a resident of this neighborhood for the past 8 years, I have witnessed a lot of change. The proposal on the table about Domino is preposterous. I agree with 33rd District Councilman Stephen Levins testimony before Borough President Markowitz where he expressed his full support for Community Board Ones recent recommendation of Disapproval with Modifications for this project. The overwhelming height and density and inadeqate transit options for the area are my reasons.
Thank you,
Tymberly Harris

CEQR NO
07DCP094K

23-911, General Definitions

- 'Administering Agent' is responsible for ensuring affordability commitments are met. 'Administering Agent' is not named, although language requires said Agent must be a not-for-profit corporation, unaffiliated with the Sponsor.
- 'Affordable Floor Area' is (a) percentage of floor area represented by affordable housing units, plus (b) a pro-rata share of common areas.
- 'Affordable Housing Units' are either 'low' (<80% of 200% of the HUD Very Low-Income Limit (the 'Income Index')) or 'moderate' (≥80% of the Index to <120% of the Index). Middle income are 175% of the Index. See the attached chart of rents. Note that units may be either rental or homeownership units, as detailed in the 'affordable housing plan'.
- 'Affordable Housing Plan' appears not to have been developed. Apparently, it must generally conform to the inclusionary zoning requirements and must be *commented upon* by the Community Board, but there are innumerable options and interpretations that the Plan would clarify. This is the missing key—the EIS ouly provides the framework, not the actual outcome. Principal clarifications:
  - Confirmation of the period of affordability (though the EIS is really clear that it's 'in perpetuity').
  - Percentage of affordable housing
  - Breakdown by unit size (bedroom mix)
  - Set-aside percentages for 'low', 'moderate' and 'middle' income households, as defined by the EIS. It appears that rents for 'middle' income households are at or near market, so there would be no effective affordable housing constraint unless a significant proportion of the units are set aside at 'low' and/or 'moderate' levels.
  - Breakdown of proposed rental and homeownership units.
  - Statement of how tenants will be selected (lottery, time-stamped applications).
  - Whether there will be preferences or set-asides for any population types, including residents of affected neighborhoods, providing for fair housing and civil rights laws.
- 'Regulatory Period' seems to indicate that the regulatory period, which governs affordability commitment, is in effect for the same period of time during which there is a certificate of occupancy covering affordable housing floor area and the floor area compensation pertaining thereto. In other words, I read it as a permanent affordability period. The EIS requires that the regulatory agreement run with the land, and survive foreclosure or transfer
- Distribution of Affordable Units: the following rules appear to apply:
  - Affordable units must be on at least 65% of the residential floors. Thus, a ten-story building with first floor retail would have nine residential floors, and the affordable units would have to be found on at least six of those floors.
  - There can be no more than one-third of the affordable units on any one floor.

- Either (1) the bedroom mix of affordable units must be proportional to total units[1]; or (2) 50% must be 2+ BR units, and 75% must be 1+ BR units.[2] The latter definition appears preferred for new construction and substantial rehab.
- Note, there's no distinction about *where* on a floor the units have to be, so theoretically, the river view units could be market, and the Brooklyn-view units could be affordable. There may be fair housing considerations, but there's not much precedent regarding 'views'.

- Unit sizes required:
  - 0BR = 400SF
  - 1BR = 575SF
  - 2BR = 775SF
  - 3BR = 950SF
- The economic calculation regarding rental units is as follows (this is my math):
  - Supportable debt at affordable rent: Assume 1.15 DSCR, 6.5%, 35 years. For a 1BR, NY 'Low' income unit, the economics suggest the restricted rents could support about $200/sf in debt. By contrast, a 'Middle Income' unit of the same size could support about $350/unit in debt.
  - The difference between the supportable debt at the restricted rent and the development cost is roughly equal to the subsidy required.
  - With IZ, the 'subsidy' is a density bonus which allows the sponsor to construct at a lower TDC/unit (as land is being amortized over a greater project size).
  - If the development costs were $500 PSF, the rents for market units would be consistent with the current market, but the affordable units would need significant amounts of development subsidy.
- Homeownership Provisions: the 'Affordable Housing Plan' may permit a homeownership model in lieu of a rental model.
- Sold to 'Eligible Buyers', per income limits (see my attachment). The price cannot exceed a mortgage supportable per the following terms:
- Eligible Income Level, divided by 12, times 30%
- Less common charges, taxes and utilities
- Equals maximum mortgage payment. My attachment has some calculations for various income levels and unit sizes.

[1] Thus, if there are 60 1BR units and 40 2BR units, and the property is 20% affordable, it must have 12 1BR units and 8 2BR units.

[2] Thus, a developer *could* do 3BRs for the market units, and 50% 2BR, 25% 1BR and 25% 0BR for the affordable units, and not have to adhere to the proportionality rule.

Dominos Calculations Based on EIS Requirements

Calculations on EIS for Domino

2009 HUD Very Low Income			
1-Person	$26,900	NY 'Index'	200%
2-Person	$30,700	NY 'Low'	80%
3-Person	$34,550	NY 'Moderate'	125%
4-Person	$38,400	NY 'Middle'	175%
5-Person	$41,450		
6-Person	$44,550		
7-Person	$47,600		
8-Person	$50,700		

Assume Minimum Qualifying Incomes are 92% of Maximum Qualifying Incomes, rounded to nearest $50

RENTAL

Note: 'Cost' in this chart refers to the combined housing cost of rent plus utility allowance for tenant-paid utilities. 'Rent' is net of U/A.
Note: Utility Allowances assume tenant-paid gas and electric and property-paid heat, based on 2006 allowances. See chart on next worksheet
Note: The EIS doesn't envision 4BR affordable units.

		Tenant-Paid	HUD Very Low			
Unit Size	Minimum SF	Utilities	Min Inc.	Max Inc.	Max Cost	Max Rent
0BR	400	70	24,750	26,900	672	602
1BR	575	78	26,500	28,600	720	650
2BR	775	86	31,800	34,550	863	793
3BR	950	96	36,750	39,925	998	928
4BR	N/A	104	41,000	44,550	1,113	1,043

		Tenant-Paid	NY 'Low'				NY 'Moderate'				NY 'Middle'		
Unit Size	Minimum SF	Utilities	Min Inc.	Max Inc.	Max Cost	Max Rent	Min Inc.	Max Inc.	Max Cost	Max Rent	Min Inc.	Max Inc.	Max Cost
0BR	400	70	39,600	43,040	1,076	1,006	61,850	67,250	1,681	1,611	86,600	94,150	2,353
1BR	575	78	42,400	46,080	1,152	1,082	66,250	72,000	1,800	1,730	92,750	100,800	2,520
2BR	775	86	50,850	55,280	1,382	1,312	79,450	86,375	2,159	2,089	111,250	120,925	3,023
3BR	950	96	58,750	63,880	1,597	1,527	91,850	99,813	2,495	2,425	128,550	139,738	3,493
4BR	N/A	104	65,600	71,350	1,782	1,712	102,450	111,475	2,784	2,714	143,450	156,075	3,898

TESTIMONY SUBMITTED TO BROOKLYN BOROUGH PRESIDENT, MARTY MARKOWITZ
BY
RE: REFINERY LLC APPLICATIONS #C 100185 ZMK, C 100187 ZSK, C 100188 ZSK, C 100189 ZSK
March 11, 2010 HEARING

cc City Planning CEQR No 07DCP094K

Dominos Calculations Based on EIS Requirements

Supportable Debt Assumptions and Calculations for Rental Units

DSCR	1.15
OpEx PUPA	$6,000
Rent Loss	4%
Amort (yrs)	35
Rate	6.50%
Dev Cost / PSF GROSS	$500

NY 'Low'	NOI	Debt	Debt PSF	Subsidy
0BR	5,589	67,036	168	$132,800
1BR	6,466	77,543	194	$175,950
2BR	9,114	109,316	273	$175,925
3BR	11,591	139,025	348	$144,400
NY 'Moderate'				
0BR	12,559	150,636	262	$95,200
1BR	13,930	167,080	291	$120,175
2BR	18,055	216,676	377	$95,325
3BR	21,936	263,106	458	$39,900
NY 'Middle'				
0BR	20,300	243,483	314	$74,400
1BR	22,224	266,560	344	$89,700
2BR	28,019	336,067	434	$51,150
3BR	33,433	401,004	517	($16,150)

Market Rents Needed at indicated development cost

Note: these rents pay debt service on development costs, plus opex, plus coverage

Unit	Rent	Rent/PSF	Rent/PSF/Yr
0BR	1,890	4.73	56.70
1BR	2,497	4.34	52.11
2BR	3,192	4.12	49.42
3BR	3,800	4.00	48.00

HOMEOWNERSHIP CALCULATIONS

maximum sales prices

Common Charges	$1	per square foot per month
Taxes / Insurance	$0	

Unit Size	NY Low	NY Moderate	NY Middle
0BR	$ 95,675	$ 191,633	$298,030
1BR	$ 78,947	$ 181,468	$295,380
2BR	$ 82,428	$ 205,417	$342,072
3BR	$ 87,174	$ 229,297	$387,211
4BR			

TESTIMONY SUBMITTED TO BROOKLYN BOROUGH PRESIDENT, MARTY MARKOWITZ
BY
RE: REFINERY LLC APPLICATIONS #C 100185 ZMK, C 100187 ZSK, C 100188 ZSK, C 100189 ZSK
March 11, 2010 HEARING

CEQR NO 07DCP094K

-----Original Message-----

From: PortalAdmin@doitt.nyc.gov
Sent: 04/28/2010 09:16:54
To: sbladmp@customerservice.nyc.gov
Subject: < No Subject >

From: Armproductions@aol.com (Jennifer Hilton)
Subject: Message to Director, DCP

Below is the result of your feedback form. It was submitted by Jennifer Hilton (Armproductions@aol.com) on Wednesday, April 28, 2010 at 09:16:54

This form resides at
http://www.nyc.gov/html/mail/html/maildcp.html

Message Type: Complaint

Topic: CPC Public Meeting Information/Calendar Office

Contact Info: Yes

First Name: Jennifer

Last Name: Hilton

Street Address: 77 Eagle Street

City: Brooklyn

State: NY

Postal Code: 11222

Country: United States

Work Phone #: 718-383-3602

Email Address: Armproductions@aol.com

Message: Amanda Burden,

Please consider when reviewing the project for Domino Sugar - the large scale conversion in Williamsburg, that many, many families are seeking affordable housing on a waterfront that they have helped to save and preserve! These are hard working class families that will not be able to attend the meeting today - as they will be working! Please consider that both a 30% affordable housing requirement and the necessary review of impact due to scope and infrastructure for the community should be priorities as well. I believe that there is more the developer is able to give than what is being perceived as generosity now.

Thank you for your consideration

20+ year resident of Williamsburg and Greenpoint

Jennifer Hilton

REMOTE_HOST: 67.244.89.133
HTTP_ADDR: 67.244.89.133
HTTP_USER_AGENT: Mozilla/5.0 (Macintosh; U; Intel Mac OS X 10_5_8; en-us)
AppleWebKit/531.22.7 (KHTML, like Gecko) Version/4.0.5 Safari/531.22.7

****

To:
City Planning Commission, Calendar Information Office - Room 2E, 22 Reade Street, New York, N.Y. 10007

From:
John W. Hosmer III and Jesse C. Jenkins
330 Wythe Ave. #6H
Brooklyn NY 11211

Subject:
CEQR Application #CEQR No. 07DCP094K

Borough:
Brooklyn

To Whom It May Concern:

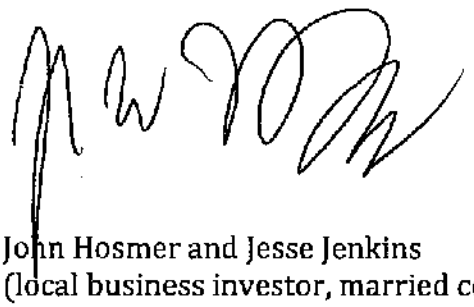
Having seen first-hand how overdevelopment has already affected our neighborhood, we are asking you to please support the community board's rejection of the current New Domino plan and force the developer to find a more appropriate solution for this iconic and beloved stretch of Brooklyn waterfront.

- It's way too big: more than 6000 new residents in a half mile area, a 25% population increase with no attention paid to how to mitigate this
- It flies in the face of the thoughtfully laid out 2005 waterfront rezoning: affordable housing should not be a golden ticket to flaunt the rules
- The "support" for this project is a smokescreen: the developer buses in church groups from other areas to create the illusion of support
- Transit will be a nightmare: the L line is already a laughing stock of overcrowding with the JMZ not far behind; this project will singlehandedly push things completely over the edge
- Things like parking, traffic, and construction logistics have not been addressed by the developer: we are looking at a decade-long quagmire of construction that will affect the surrounding area extremely adversely and send trucking routes into quiet neighborhoods and past schools
- Despite the promise of open space, the amount of open space per area resident will actually DECREASE because of this project: the amount of new residents will offset any gains, and beloved neighborhood areas like Grand Ferry Park will be put into constant shadow by looming towers, effectively killing them

There are so many stalled construction sites around our neighborhood already, and the towers further north are having trouble finding buyers or even renters. Who is to say this development is either wanted or needed? As currently proposed, the new Domino will do more harm than good. We deserve a better solution than this

monstrosity. Please support the people who actually live in the Williamsburg area and reject this project until they get it right.

Sincerely,



John Hosmer and Jesse Jenkins
(local business investor, married couple, and residents of Williamsburg since 2003)

-----Original Message-----

From: PortalAdmin@doitt.nyc.gov
Sent: 05/06/2010 14:09:51
To: sbladmp@customerservice.nyc.gov
Subject: < No Subject >

From: t_hosmer@yahoo.com (John Hosmer)
Subject: Message to Director, DCP

Below is the result of your feedback form. It was submitted by
John Hosmer (t_hosmer@yahoo.com) on Thursday, May 6, 2010 at 14:09:50

This form resides at
http://www.nyc.gov/html/mail/html/maildcp.html

Message Type: Complaint

Topic: Zoning and Land Use Questions/Information

Contact Info: Yes

M/M: Mr.

First Name: John

Middle Name: W

Last Name: Hosmer

Suffix: III

Street Address: 330 Wythe Ave

Address Number: 6H

City: Brooklyn

State: NY

Postal Code: 11211

Country: United States

Work Phone #: 646-246-7698

Email Address: t_hosmer@yahoo.com

Message: This is regarding the proposed New Domino.

The community is overwhelmingly against this project, and the developers are trying to use affordable housing as a Trojan Horse to profit hundreds of millions of dollars while dropping a gigantic, out-of-place, overwhelmingly dense and disproportionate monstrosity right in the middle of a predominantly low-rise community. The project is simply too big. CPCs plan would introduce over 6,000 new residents to the neighborhood - a nearly 25% population increase for the ½ mile area surrounding the site.

Its too big. Please disapprove until they can figure out an appropriate plan for this historic and beloved waterfront landmark site.

REMOTE_HOST: 12.157.60.230
HTTP_ADDR: 12.157.60.230
HTTP_USER_AGENT: Mozilla/5.0 (Macintosh; U; Intel Mac OS X 10.5; en-US; rv:1.9.2.3) Gecko/20100401 Firefox/3.6.3

****

21326

Dana Kane
315 Berry Street, Apt 5 South
Brooklyn, NY 11211

SUBJECT: **CEQR No. 07DCP094K**

Bourough: Brooklyn

To Whom it may concern:

As a long time resident of Williamsburg Brooklyn (since 1982) I have seen many changes to the neighborhood. I am writing to state my opposition to the plans for developing Domino Sugar.

I have two reasons:

There are already an abundance of hi-rise buildings in Williamsburg, and a majority are empty.
Also, this project will create an incredible burden to the infrastructure— the subway at the L train is already beyond crowded. A Lack of parking, not enough Public schools, and no fire department all speak to the inadequacy of the infrastructure to handle this.

Thank You,

Dana Kane

Please mail to:

Fax to: (212) 720-3219

-----Original Message-----

From: PortalAdmin@doitt.nyc.gov
Sent: 04/28/2010 08:48:39
To: sbladmp@customerservice.nyc.gov
Subject: < No Subject >

From: danakane@earthlink.net ()
Subject: Message to Director, DCP

Below is the result of your feedback form. It was submitted by
 (danakane@earthlink.net) on Wednesday, April 28, 2010 at 08:48:39

This form resides at
 http://www.nyc.gov/html/mail/html/maildcp.html

Message Type: Misc. Comments

Topic: Zoning and Land Use Questions/Information

Contact Info: No

State: NY

Country: United States

Email Address: danakane@earthlink.net

Message: I am a long time resident of Williamsburg Brooklyn and would like to state my oppostion to the Domino Building Plan.
Two reasons: the neighborhood already has a multitude of empty hi-rises and the infrastructure will not be able to support such an increase in population. (parking, schools, transportation, fire department, etc). please vote against these plans.

REMOTE_HOST: 24.199.125.137
HTTP_ADDR: 24.199.125.137
HTTP_USER_AGENT: Mozilla/5.0 (Macintosh; U; Intel Mac OS X 10.6; en-US; rv:1.9.2.3) Gecko/20100401 Firefox/3.6.3

****

BRIAN KETCHAM ENGINEERING, P.C.

175 Pacific Street, Brooklyn, NY 11201, 718-330-0550, btk@konheimketcham.com

May 4, 2010

Hon. Amanda M. Burden, FAICP, Chair
New York City Planning Commission
22 Reade Street
New York, New York 10007-1216

RE: DEIS for the Domino Sugar site in Williamsburg, Brooklyn, NY, CEQR #07DCP094K

Dear Chairperson Burden:

I am writing about the traffic and transit impacts reported in the Draft Environmental Impact Statement (DEIS) for the Domino Sugar site along the East River in Williamsburg, Brooklyn, CEQR #07DCP094K.

This project would include up to 2,400 residential units, up to 127,537 gross square feet (gsf) of retail/commercial space, up to 146,451 gsf of community facility space, up to 98,738 gsf of commercial office space and 1,694 below grade accessory parking spaces. Excluding parking 87% of the project would be residential activity. Yet, only 16% of residential trips are assumed to be by auto with the result that only 41% of AM peak hour and 34% of PM peak hour vehicle trips are reported to be generated hy residential units. And 63% of all residential trips are assumed to be by transit for all time periods for all purposes.

I will show that the assumptions used to arrive at these figures are wrong; that the DEIS for the Domino Sugar site drastically under reports the project's auto trip making; and that the DEIS must be revised accordingly.

Before getting into the details I want to report current travel behavior in Brooklyn and in nearby Queens. The DEIS reports that approximately 70% of residents in the Domino site will own a car whereas 47% of residents in Brooklyn own a car. In nearby Queens auto-ownership is double that of Brooklyn, 94%. The proportion of auto-owning residents is therefore in the ballpark of reported data. However, the assumption that only 16% of total travel is by auto is simply wrong.

According to origin-destination data provided by the New York Metropolitan Transportation Council (see table, attached), 38% of all travel in Queens is by auto, 9.8% by bus and 18.4% by

subway and commuter rail versus 16% by auto, 10.1% by bus and 52.9% by subway reported in Table 17-11 in the DEIS. A quick look at table 17-17 on parking accumulation shows that the developer is assuming approx. 58% of residents will not move their cars on weekdays and that approx. 38% will not move their cars on weekends. Perhaps the DEIS is over reporting auto ownership. Or, more likely, the DEIS is drastically under reporting auto use.

Trip generation and temporal characteristics used in the DEIS are from the CEQR Technical Manual and have been used for decades. They derive from limited data collected generations ago during a very different time in New York City. Plus, the data was collected in Manhattan where just 20% of households owned a car. For virtually every EIS that I have prepared we collected trip generation data from nearby sites of similar land use. There are plenty of large scale residential sites just north of Domino Sugar in Queens that would be appropriate for surveys. It is a disgrace that New York City continues to allow the use of ancient travel data to permit developers to low ball project impacts. It is a practice that must stop.

Even with the low halling of traffic volumes the DEIS reports huge traffic impacts. These impacts are on top of equally great traffic impacts resulting from so-called No Build development that imposes gridlock conditions on Williamsburg intersections that, today, are largely operating at reasonably acceptable levels of service. The DEIS does not optimize signal timing and phasing for No Build conditions so it fails to provide a real comparison of performance with and without No Build traffic which, as noted above, is largely gridlocked with No Build traffic.

It is on top of the considerable No Build traffic that the DEIS reports project impacts, impacts that make the gridlock conditions reported for No Build conditions even worse even with the very significant under reporting of project traffic impacts. The DEIS also reports that much of the under reported project traffic impacts can be mitigated. Some of this mitigation is legitimate; but most comes from the optimization of traffic signal timing and phasing which should have been done for No Build conditions. Plus, even with mitigation, many intersections are left with hnge average vehicle delays and gridlock conditions. Clearly, with an honest estimate of project traffic impacts, area wide gridlock conditions would be far worse than reported.

In addition, no analysis is provided on impacts on nearby expressways, particularly the already gridlocked Brooklyn-Queens Expressway or along the ramps accessing the Williamsburg Bridge. It is generally standard practice to omit such impacts but the practice is wrong and, like the measurement of travel characteristics, must change.

Clearly, the reason that traffic can be under reported is that subway use is drastically over estimated. Subway stations are three-quarters to a mile away, a long walk for the 53% of residents asserted to be using the subways for all travel purposes. And, while there is some capacity on the J, M and Z lines at Marcy Avenue (1.1 miles away) there is no capacity during peak commuter- hours on the L at Bedford Avenue (3/4 miles away). But, you cannot determine these capacity constraints because the DEIS does not provide line haul impacts.

Instead, we get the traditional stairway analyses which, while useful, avoid the critical test of the subway---whether or not passengers can actually get on a train in 4 or 5 tries.

While buses are an alternative even the DEIS admits that, to be useful, bus service must be increased three-fold to handle the new demand. Considering the huge deficits that the MTA is running these days it is unlikely any increase is bus service will materialize in the next couple of years let alone over the next decade.

The bottom line is that there is no justification for assuming 53% of residents will use subways for *all* travel or that half of auto-owning residents will never use their cars thereby under reporting auto impacts. The traffic analysis provided in the DEIS makes no sense. Without adjusting for under reporting of traffic volume, the project will worsen gridlock conditions that are reported to occur with No Build development. These impacts cannot, in reality, be mitigated. The DEIS is fatally flawed and must be corrected.

Sincerely,

Brian T. Ketcham, P.E.

INDAMINE OCHRE
ARCHITECTURE
109 Grand Street Brooklyn, NY 11211 718 387 4245
Leah Kreger, RA www.IndamineOchre.com

Date: April 28, 2010

To: City Planning

Re: Domino, CEQR APP 07DCP094K, Brooklyn OPPOSED

From: Leah Kreger, RA

Rezoning decisions should be tied to plans for infrastructure development[1], and architectural design should be married to the planning.

There is an easy way to do it: public transportation every 5 minutes. The developer should pay for the infrastructure and the city should allow this to happen.

Instead of having problems, let's have a development that's in favor of the people.

As an architect I respect Viñoly 's work. I don't question the quality of the project. I want to talk about a subject that's important to the community and the city - the transportation.

Question - how could it be that when Viñoly was asked what he could do to relieve the congestion on the subway from Williamsburg to Manhattan that his answer (on Thursday April 22 at the AIA) was **"to pay my taxes"?!** I think this is very simplistic. As an architect his concern is ***always*** to care for the surroundings and the quality of life that his work should provide.

It's not difficult to provide the solution to the problem of the connection between Williamsburg and Manhattan. All we need are a few boats connecting Grand St to Houston St. All this would cost for the dock is 2 or 3 apartments – a very few apartments from the MANY that the he proposes to add to the landscape. Remember, New Domino would be a more than **32% increase** in the number of apartments over the 2005 rezoning in **less than 3%** of the number of blocks.

On the other hand *City Hall* should *facilitate* the solution - avoiding the unnecessary bureaucracy that normally is used as an excuse for developers not trying.

We need an agreement between the developer and the City - the developer pays, and the City facilitates.

---

[1] from the findings of the Furman Center policy brief on How Rezonings Affected the City's Ability to Grow.

We need 2 anchors, 2 docks - that themselves become open and social public spaces that the community desires. This will prevent Domino from becoming a dead-end cul-de-sac/gated community with empty retail space like Shaffer's Landing has had for four years.

As an admirer of the work of Viñoly I say that accessibility to the population of Williamsburg should be his concern as it should be the concern of the Mayor of NY.

The respect that I have for Viñoly's works and his works when viewed in total demands it – gives him the responsibility to act as a role model.

I want to invite you to 2 rides: to ride the L-train at Bedford Ave at 8 o'clock in the morning, and I want to rent a boat and go from Domino to East River Park, and see what your response

is!!!



Katharina Kruse-Ramey
330 Wythe Ave #5A
Brooklyn, NY 11211

May 3rd, 2010

CITY PLANNING COMMISSION
City of New York
Amanda Burden, FAIC, Chair
Calendar Information Office
Room 2E
22 Reade Street
New York, NY 10007

SUBJECT: CEQR Application #: CEQR No. 07DCP094K, Borough: Kings

Dear City Planning Commissioner:

As a 20 year long resident of the North- and Southside of Williamsburg, I would like to express my opposition to CPCR's development plan for the former Domino Sugar site. The project in its current form will lead to a decline in the quality of life not only for its immediate neighbors but for all residents in Williamsburg.

With towers rising as high as 400 feet and 2,400 new apartment units, the size of the proposed development is grossly out of scale with the surrounding neighborhood. The influx of 7,000 new residents within 4 city blocks is not supported by the neighborhood's current infrastructure and will further stress its already compromised services.

When the developer at your hearing on April 28th, offered to "look into the possibility of a ferry dock on site" - after having been questioned by one of your commissioners, it clearly shows CPCR's lack of interest in addressing the neighborhood's problems. The New Domino has been in various planning stages for 6 years, CPCR is fully aware of Williamsburg's overcrowded transportation system, and will only now, after prompting by your agency, begin to look into a ferry alternative? The developer's response at your hearing seemed very insincere.

Susan Pollock has repeatedly proposed that the Q 59 bus service could be extended to the J-train station at Marcy Avenue. We, as residents of the Southside, know that this is not viable as Broadway is a very congested traffic artery and thus all buses stop at the Williamsburg Plaza bus terminal. I wish CPCR would research their facts and not present inoperative solutions to the community and to City Planning.

CPCR should not be allowed to exceed the zoning requirements, neither on the waterfront nor upland, put in place by your agency. It will negate the 2005 Waterfront Rezoning and will set a bad precedent for future development in Williamsburg. CPCR is asking for 25% more density than all other waterfront projects have agreed to. It should not be granted 1%. The developer's argument that the project is otherwise not financially feasible while refusing to disclose their financials appears very undemocratic.
Isaac and Abraham Rosenberg at Rose Plaza agreed to increase affordable housing from 20% to 30% as well as committed to larger units without increasing the height and density of the overall project .Why is CPCR unable to do the same?
With the media writing about a 2006 report by HPD, which analysed the potential cost of the redevelopment of the Domino Sugar site and showed a large profit margin for CPCR, the developer's arguments become even less persuasive.

CPCR's commitment to affordable housing and historical preservation should not excuse the developer from having to disclose the financials with which CPC justifies the massive increase in density for the overall project. The community and its elected officials have repeatedly asked for and deserve financial transparency.

Our quality of life is further compromised by a decline in open space in Williamsburg. Despite CPCR's commitment to a waterfront esplanade and park area in front of the refinery the ratio of open space per resident in the Southside will decrease if CPCR is granted the zoning changes it asks for.

With the zoning variances sought by CPCR for the waterfront parcels and upland area, out-of-scale development on adjacent upland blocks will be encouraged which will then further contribute to overcrowding and a reduction in quality of life for Williamsburg's residents.

I believe that the project's height and density is too massive for our community to absorb and will completely destroy the character of our neighborhood.

This is the second largest project built in Brooklyn and will have a strong impact on our area. I urge you to consider its implication very carefully. We all have fought long and hard to make Williamsburg into a desirable neighborhood. It would be very sad if CPCR (*Community Preservation* Corp. Resources) can destroy decades of neighborhood work and engagement.

Sincerely,

K. Le-Ra

Katharina Kruse-Ramey

TO:
CITY PLANNING COMMISSION
Calendar Information Office - Room 2E
22 Reade Street, New York, N.Y.10007
Fax to: (212) 720-3219

21329

FROM:
Roy Lethen
59 South 3rd Street
Subject: CEQR Application #: CEQR No. 07DCP094K
KINGS

I was at the hearing on Domino Sugar. I was undecided and listened to both sides. I was surprised to find that both sides wanted the same things. Both sides want more open space and more affordable housing. I believe the Corporation who owns the site tried to create a rift in the community but I believe there was no rift because both sides want these same things.

I believe you should vote no on the proposal because the open space they propose is actually too little when you consider all the 6000+ new residents who will be there. If you look at the numbers their plan would actually make less per capita open space in an area that is already sorely lacking in open space. Furthermore what is not in the numbers is their giant towers will dwarf and shadow the little open space that we do have: Grand Ferry Park, not to mention the historic Domino Sugar buildings and the Williamsburg Bridge.

The proposal also comes with another price besides dwarfing our landmarks and parks: a huge strain on infrastructure. The Corporation has not addressed this because they plan on selling their luxury units, making hundreds of millions of dollars, and being done with it. This leaves us in the neighborhood to deal with a huge mess. The towers need to be significantly smaller and less dense.

After considering the cost of the size of the buildings to our landmarks, the cost of the size of the buildings to our infrastructure, the decrease in per capita open space it has become clear to me that the City Planning Commission should vote no so the plan can be amended to better suit the community and not just their huge profits. And this is something I believe everyone in the community agrees on even though the corporation tried to pull the wool over our eyes and divide us.



faxZERO

Send a fax for free

Recipient Information

To: CITY PLANNING COMMISSION
Company: Calendar informations Office - Room 2E
Fax #: 2127203219

Sender Information

From: Roy Lethen
Email address: roylethen@yahoo.com
Sent on: Wednesday, April 28 2010 at 3:29 PM CDT

This fax was sent using the FaxZero.com free fax service. FaxZero.com has a zero tolerance policy for abuse and junk faxes. If this fax is spam or abusive, please e-mail support@faxzero.com or send a fax to 800-980-6858. Specify fax #3248676. We will add your fax number to the block list.

To: City Planning Commission, Calendar Information Office
22 Reade Street, Room 2E
New York, N.Y. 10007

From: Daniel Levy
330 Wythe Avenue, #3I
Brooklyn, NY 11211

Subject: CEQR Application #CEQR No. 07DCP094K

Borough: Brooklyn

To whom it may concern,

I am writing in reference to the proposed Domino Sugar redevelopment project.

This project is totally out of character with the area and the massing of the huildings will overwhelm the neighborhood. To allow such a development to proceed would be a travesty and will have long lasting negative consequences on the area.

In reviewing the site plan, renderings and models for this proposed project, one is immediately shocked with its scale, density and lack of cohesion with the surrounding neighborhood. With its absolute disregard for all basic principles of urban planning, one is led to believe that all zoning restrictions have been completely ignored. This might be acceptable in cities such as Houston or Las Vegas, though one expects higher standards in New York City.

Considering that the numerous negative consequences of this proposed project, I respectfully urge you to deny this application.

Thank you for your attention to this matter.

Sincerely,

Daniel A. Levy
330 Wythe Avenue

-----Original Message-----

From: PortalAdmin@doitt.nyc.gov
Sent: 05/05/2010 10:10:00
To: sbladmp@customerservice.nyc.gov
Subject: < No Subject >

From: dan@reol.com (Daniel Levy)
Subject: Message to Director, DCP

Below is the result of your feedback form. It was submitted by
Daniel Levy (dan@reol.com) on Wednesday, May 5, 2010 at 10:10:00

This form resides at
http://www.nyc.gov/html/mail/html/maildcp.html

Message Type: Misc. Comments

Topic: Zoning and Land Use Questions/Information

Contact Info: Yes

M/M: Mr.

First Name: Daniel

Last Name: Levy

Street Address: 330 Wythe Ave

Address Number: 3I

City: New York

State: NY

Postal Code: 11211

Country: United States

Email Address: dan@reol.com

Message: I am writing in reference to the proposed Domino Sugar redevelopment project. The bulk of this project is totally out of character with the area and the massing of the buildings will overwhelm the historical context of the neighborhood. To allow such a development to proceed would be a travesty and will have long lasting negative consequences on the area. Please do all that you can to see that any development is of appropriate scale and design. Thank you.

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HTTP_USER_AGENT: Mozilla/5.0 (Macintosh; U; Intel Mac OS X 10.6; en-US; rv:1.9.1.9) Gecko/20100315 Firefox/3.5.9 GTB7.0

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Stephen Long
Member SEIU 32BJ

Testimony to New York City Planning Commission
Public Hearing on the Domino Sugar Plant Redevelopment Project
April 28, 2010

Good morning. Thank you to Chair Burden and to the entire City Planning Commission for hearing my testimony. My name is Stephen Long. I have been a member of SEIU 32BJ for 13 years. I am here this morning to testify in support of the Domino Sugar Plant redevelopment project.

Over the past several years, residential buildings have gone up throughout Brooklyn and New York City that fail to provide the good jobs and affordable housing that working families in New York City need. In neighborhoods like Williamsburg all across our city, working families have been left behind as good industrial jobs have been replaced by luxury condos and poverty level jobs.

Responsible development in Brooklyn is crucial. I'm supporting the Domino Sugar Plant redevelopment because it will create jobs, including nearly 100 good, permanent jobs in the Williamsburg community. It goes beyond traditional affordability requirements by providing 30 percent of the residential units at affordable rates. That is 660 units of affordable housing, including units for families making under $25,000 a year. With the economy lagging, we cannot overlook the importance of creating permanent jobs that provide the wages and benefits that allow hard working New Yorkers to thrive in our City.

As a single parent of three, I have felt the struggle of raising a family in one of the most expensive cities in the world. From finding an affordable place to raise my children, to finding a job that will allow me to provide for them; I know the difficulties that many working families face in this city. As a union member with a good salary and benefits, I have been able to raise my family and enjoy life in New York City. All New Yorkers deserve the same.

I hope that the City Planning Commission recognizes the importance of the affordable housing and good jobs for the Williamsburg community, and works to ensure this project's success. Thank you.

Message Type: Misc. Comments

Topic: CPC Public Meeting Information/Calendar Office

Contact Info: Yes

M/M: Miss

First Name: Tonya

Middle Name: M

Last Name: Martin

Street Address: 330 Wythe Ave

Address Number: 6A

City: Brooklyn

State: NY

Postal Code: 11211

Country: United States

Work Phone #: 917-279-4505

Email Address: tony_martin@me.com

Message: The Domino project is simply too big. CPCs plan would introduce over 6,000 new residents to the neighborhood - a nearly 25% population increase for the mile area surrounding the site. Council Member Levin does not wish to minimize CPCs impressive commitment to 660 units of affordable housing. Affordable housing is desperately needed in this community and CPC has worked hard to recognize this need. The inclusion of community space within the project is also to be commended. Furthermore, Councilman Levin appreciates CPCs involvement with, and respect for, the Williamsburg community throughout this process. Nonetheless, unless the issues of height and density, transportation, and open space, among others, are addressed, Council Member Levin cannot support the plan for the Domino Sugar site as currently proposed. Thank you for your time.

-----Original Message-----

From: PortalAdmin@doitt.nyc.gov
Sent: 04/27/2010 21:25:39
To: sbladmp@customerservice.nyc.gov
Subject: < No Subject >

From: armora2006@hotmail.com (Anna Morales)
Subject: Message to Director, DCP

Below is the result of your feedback form. It was submitted by Anna Morales (armora2006@hotmail.com) on Tuesday, April 27, 2010 at 21:25:39

This form resides at
http://www.nyc.gov/html/mail/html/maildcp.html

Message Type: Misc. Comments

Topic: Other

Contact Info: Yes

M/M: Mrs.

First Name: Anna

Last Name: Morales

Company: Churches United

Street Address: 554 DeKalb Avenue

Address Number: 3

City: Brooklyn

State: NY

Postal Code: 11205

Country: United States

Work Phone #: 7188574080

Email Address: armora2006@hotmail.com

Message: CEQR Application:CEQR No.07DCP094K; I am a member of Churches United and a resident of Brooklyn for the last 56 years. I am writing in support of the Domino Project, specifically its affordable housing for my community. I believe the Senior housing availability would be a phenomenal asset, it would not only provide a safe affordable environment but it would allow the residents the opportunity to take advantage of the natural amenities such as its park and view of the river. This would also be a wonderful opportunity

for families who are currently struggling with the day to day challenges of the economic changes to stay in the communities they have grown to love. The Project would also mean the availability of more jobs, this would help strengthen the community and instill pride in its residents. I hope that this Project would be allowed to proceed.

REMOTE_HOST: 24.189.103.185
HTTP_ADDR: 24.189.103.185
HTTP_USER_AGENT: Mozilla/4.0 (compatible; MSIE 7.0; Windows NT 6.0; GTB5; SLCC1; .NET CLR 2.0.50727; Media Center PC 5.0; .NET CLR 3.5.30729; .NET CLR 3.0.30618)

****

Fwd: Domino Sugar Development

From: Seren Morey <serenrx@aol.com>
To: "bobrodriguez@mindspring.com"
Subject: Fwd: Domino Sugar Development
Date: May 8, 2010 11:27 AM

Sent from my iPhone

Begin forwarded message:

> **From:** Seren Morey <serenrx@aol.com>
> **Date:** May 8, 2010 11:21:32 AM EDT
> **To:** "www.nyc.gov/html/mail/html/maildcp.html" <www.nyc.gov/html/mail/html/maildcp.html>
> **Subject: Domino Sugar Development**
>
> Dear Ms. Burden,
>
> As a property and business owner in this neighborhood I would like to voice my strong opposition to the current proposal for the Domino Sugar Plant. There is no infrastructure to support a project of this scale and there will be too many negative ramifications to mention. The suggestions that have been proposed to support said lack of infrastructure have been weak at best and smack of appeasement to push through this mammoth ill conceived project. I suggest that you skip building more hideously characterless towers and use the Domino plant in a way that fits with the building's historic landmark status while contributing to the enjoyment of the people of the neighborhood, for instance a mini-mall type setting full of artisanal shops with park space.
>
> Thank You,
>
> Seren Morey
>
> Sent from my iPhone

Builders and
Construction Managers

Shawmut Design and Construction
3 East 54 Street, 9th Floor
New York, NY 10022
Telephone 212-920-8900
Facsimile 212-920-8901

To:	Office of City Planning, Commissioner Karen A. Philips
Fax Number:	212-720-3488
Company:	
Address 1:	
From:	Nahrwold, Tom
Fax Number:	617-622-8937
Company:	Shawmut Design and Construction
Voice Number:	(212) 920-8937
Date:	Apr 28, 2010
Subject:	The New Domino Project
Total Pages:	2

Remarks:

Please vote 'No' regarding this development as it is currently planned.

Thomas Nahrwold
Project Manager
Shawmut Design and Construction
3 East 54th Street
9th Floor
New York, NY 10022
(T) 212-920-8937
(F) 617-620-8937
(C) 617-438-3613

From: nyc_8th-copier2@shawmut. [mailto:nycscanner@shawmut.com]
Sent: Wednesday, April 28, 2010 12:29 PM
To: Nahrwold, Tom
Subject: Attached Image

Thomas Nahrwold 376 Wythe Ave., Brooklyn, NY 11211 718-388-6532

City Planning Commission

Calendar Information Office – Room 2E

22 Reade Street, New York, NY 10007

Subject : CEQR Application # 07DCP094K

Attention Commissioner Burden and Staff:

As a longtime resident of Williamsburg Brooklyn's South Side, I am in full agreement with my Community Board's recent vote regarding the land use variances and special permits requested by 'The New Domino' project; **No!**

This developer's out-of-touch request has many offending assumptions. Among them are:

- Overly dense development will be acceptable to the community as long as affordable housing is dangled as bait.
- Public access to waterfront will be so compelling as to allow their proposed development a variance needed to avoid proper setback of its tall buildings from the street.
- Upland structures can exceed all current height restrictions, because the development needs the density to support the public access and affordable housing included in their proposal.
- No negative impact will be felt on the local subway system from the addition of over 6,000 people to the area.

These ludicrous assumptions reveal CPCR's under-estimation and ignorance of this very diverse working-class community. This development, as currently proposed, is completely out of touch with the character of this community, and I urge you to vote 'No', and require this developer to re-think their plan. They will need to be honest with the community regarding their financial projections and profit potential, so we can better evaluate the need for all these special considerations. They will need to perform a serious evaluation of current infrastructure, with an un-biased third party, to truly understand what will be required to support their proposed development. Only when they are honest with this community will I consider offering support to their plans. I hope you will feel the same way.

Thanks for your consideration,

Thomas Nahrwold --- 26-year resident of Williamsburg Brooklyn.

LAW OFFICES OF ADAM D. PERLMUTTER, P.C.
ATTORNEYS AT LAW

260 MADISON AVENUE, SUITE 1800
NEW YORK, NY 10016
TEL. (212) 679-1990
FAX. (212) 679-1995

ADAM D. PERLMUTTER, ESQ.
—
JENNIFER LOUIS-JEUNE, ESQ.

PAUL GREENFIELD, ESQ.
GREGORY ALAN RUTCHIK, ESQ.

Testimony of Adam D. Perlmutter, Esq.
Before the City Planning Commission
On the Proposed Domino Rezoning

April 28, 2010

Good morning. As a local resident and community leader, I want to express my serious concern with the proposed Domino rezoning and ask that the City seriously amend the proposal to better meet the needs of the Williamsburg community.

For the past decade the City has been working hard to recapture the North Brooklyn waterfront for residential and open space uses. The May 2005 comprehensive waterfront rezoning was a major step in that process. Rather that trying to improve on that effort, the Domino proposal represents a major step in the wrong direction. A proverbial wolf in sheep's clothing, Community Preservation Corporation Resources proposes a development that is far too big and offers far too little.

The scale of this project will completely overwhelm the surrounding community both in physical scale and public infrastructure. Neither CPC nor the City have adequately addressed the severe strain that the project will place on our already overwhelmed transportation system. Remedial measures must be funded by CPC and the City to provide subsidized bus and ferry service. The MTA should be required to conduct a feasibility study for creating a new subway station on the "V" line at the base of the Williamsburg Bridge. Also additional train cars and buses must be added to local service routes to meet the additional demand from new residents.

On affordability, CPC must do more than 30%. The recent Rose Plaza rezoning set a new baseline for non-public development projects. With the public funding

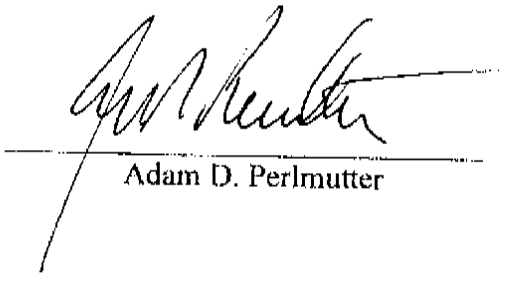
commitment to Domino, the affordable housing component should at least match the 40% realized at Schaffer Landing. CPC should also make more units affordable to local residents by offering 50% of them available to households with income at or below 30% AMI. Alternatively, it should create a 50-30-20 distribution. 30% is simply no longer enough.

On a personal level, the open space is the most disappointing aspect of the project. The project represents a net loss of open space per capita for a community that is already grossly underserved. For City Planning to condone this situation is intolerable given the numerous unfulfilled open space promises from the 2005 rezoning. Even worse, the proposal contains little to no active open space. Rather, CPC touts its waterfront esplanade, "gathering space" and mainly passive uses aside from children playgrounds. To rectify this problem, the City and CPC *must* commit to redevelop City-owned waterfront properties under the Williamsburg Bridge and to Broadway for additional active parkland.

In the final analysis, there is simply too much opportunity with this project to miss the chance to do it right. CPC Resources will realize a projected net profit well in excess of $350,000,000 from this development. It *must* plow this profit back into our community by reducing the scale of the project, reducing its impact, and better meeting the affordable housing and open space needs to make this development a true landmark in every sense of the word.

Thank you.

Dated: New York, New York
April 27, 2010



Adam D. Perlmutter

-----Original Message-----

From: PortalAdmin@doitt.nyc.gov
Sent: 04/28/2010 11:51:28
To: sbladmp@customerservice.nyc.gov
Subject: < No Subject >

From: heldrap1@gmail.com (Pola Rapaport)
Subject: Message to Director, DCP

Below is the result of your feedback form. It was submitted by Pola Rapaport (heldrap1@gmail.com) on Wednesday, April 28, 2010 at 11:51:28

This form resides at
http://www.nyc.gov/html/mail/html/maildcp.html

Message Type: Misc. Comments

Topic: CPC Public Meeting Information/Calendar Office

Contact Info: Yes

M/M: Ms

First Name: Pola

Last Name: Rapaport

Street Address: 446 Kent Avenue

Address Number: 3F

City: Brooklyn

State: NY

Postal Code: 11211

Country: United States

Work Phone #: 347 422 0428

Email Address: heldrap1@gmail.com

Message: Regarding CEQR 07DCP094K, Domino Factory conversion: Limit to minimum of units; We need to maximize open space, which will be reduced per capita by this development, and improve infrastructure of Williamsburg beore adding thousends of units of housing. Also increase of affordable units. Keep heights of buildings to minimum. Thanks

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-----Original Message-----

From: PortalAdmin@doitt.nyc.gov
Sent: 04/28/2010 09:34:26
To: sbladmp@customerservice.nyc.gov
Subject: < No Subject >

From: reinadesigns@aol.com (David Reina)
Subject: Message to Director, DCP

Below is the result of your feedback form. It was submitted by David Reina (reinadesigns@aol.com) on Wednesday, April 28, 2010 at 09:34:26

This form resides at
http://www.nyc.gov/html/mail/html/maildcp.html

Message Type: Misc. Comments

Topic: Zoning and Land Use Questions/Information

Contact Info: Yes

M/M: Mr.

First Name: David

Middle Name: W

Last Name: Reina

Company: David Reina Designs Inc

Street Address: 245 Kent Ave

City: Brooklyn

State: NY

Postal Code: 11211

Country: United States

Work Phone #: 718 486-0262

Email Address: reinadesigns@aol.com

Message: Dear Director Burden, I am questioning the need for such a high density project along the waterfront and I think the litmus test question should be- how does this benefit our neighborhood? We currently have infrastructure deficiencies (The MTA has stated at a Community Board 1 meeting that they have no plans for a river-front L train stop.), have not received tax abatements from waterfront development and driving and parking for longtime

residents is becoming a burden. Finally we are taking a property which was the highest single company employer in Brooklyn (and the community is still in need of good jobs) and instead are using it for an unasked for by the community huge housing project. My wish would be for low rise (5-6 stories) buildings with proper parking, which wont blot out the skyline for neighborhood residents. Bigger is not really better and I believe in beautifully designed low rise buildings with promenades.
Thank you,
David Reina

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Testimony of Leo Reyes
On Behalf of UNO (United Neighbors Alliance)

In Support of the "New Domino" Project and associated rezoning and permit requests

Before the City Planning Commission

Good morning, Madame Chair and members of the Commission:

I am here today to testify in support of the "New Domino" Project and associated rezoning and permit requests on behalf of UNO, a community based organization that fights for creation of affordable housing and against displacement in our community.

You've heard the testimony of many others about how vital the proposed affordable housing is to our community, so I"ll be brief, that is the main reason I'm here to support the New Domino.

But I've also been an activist on many community issues, and its also important to me that CPC has really consulted the community in developing this plan and that has made the plan better, not only in the amount and types of affordable housing they proposed but also in a great park and the promise of jobs and job training for our community. It gives me confidence that we can continue to have a dialog with them as the project develops to address other issues which may come up and make the plan even better.

We urge you to support this plan.

May 9, 2010

To: Commissioner Amanda Burden
Department of City Planning

From: Nancy Rielle
330 Wythe Avenue 3F
Brooklyn, New York 11211

Subject: CEQR No. 07DCP094K -- Objection to CPCR's Proposal for the New Domino

Dear Commissioner Burden:

Per my testimony at the April 28th hearing, I am writing to reiterate my opposition to CPCR's proposed mega development of the Domino site, which is a block away from my home of 8 years. I oppose this project for all the obvious reasons:

- it's overwhelming height and density;
- the overcrowding that 6,000+ new residents in a 5-block stretch will inevitably create;
- the net decrease in per capita open space;
- the shadows that will be cast on what little open space we do have, namely Grand Ferry Park; and
- the strain that it will place upon the already beyond capacity L train at rush hour.

I would add to those reasons the sheer recklessness of it all.

- Reckless because CPCR has no clear transportation plan in place – and no independent studies have been done to assess the real impact that a 6,000+ surge in ridership will have on our community.

- Reckless because CPCR has no track record with a project of this scope – not be a longsbot.

- Reckless because CPCR is asking for enormous concessions that flout the existing 2005 zoning without a compelling reason – and that sets a dangerous precedent for more reckless over development on the Southside.

- Reckless because a for-profit developer with a nebulous "for-the-people" sounding name is asking us to "trust them". For the record, CPC (Community Preservation Corporation) does affordable housing, and CPC Resources, the developer on this project, is a separate for-profit entity. And,

- Reckless because nobody's forcing CPCR to show their numbers and prove that this overwhelming height and density is even necessary in the first place.

Please don't recklessly push this project through – Vote No! Thank you.

Sincerely,

Nancy Rielle

Nancy Rielle

An important P.S. that speaks to CPCR's intentions and trustworthiness:

CPCR has been entrusted with preserving an historically important landmarked building as part of this project – admittedly at greater expense to them. However, it seems that they may be hoping it will disintegrate from "natural causes" before that comes to pass.

Both CPCR and the Landmarks Commission have been informed that numerous windows have been intentionally left open in the currently empty Refinery. And, the Refinery has, in fact, sustained water damage because of it – to the point that the exterior walls are starting to crumble onto the sidewalk. This issue has been documented in the real estate blog Curbed.com (http://ny.curbed.com/archives/2010/03/09/some_say_domino_being_left_to_decay_on_williamsburg_waterfront.php), as well the Williamsburg Waterfront Alliance blog (http://www.wgpa.us/2007/02/hey_close_that_window.html). Maybe somebody could check into this before it's too late? Thanks.

-----Original Message-----

From: PortalAdmin@doitt.nyc.gov
Sent: 05/04/2010 19:07:10
To: sbladmp@customerservice.nyc.gov
Subject: < No Subject >

From: nrielle@gmail.com (Nancy Rielle)
Subject: Message to Director, DCP

Below is the result of your feedback form. It was submitted by
Nancy Rielle (nrielle@gmail.com) on Tuesday, May 4, 2010 at 19:07:10

This form resides at
http://www.nyc.gov/html/mail/html/maildcp.html

Message Type: Misc. Comments

Topic: Zoning and Land Use Questions/Information

Contact Info: Yes

M/M: Ms

First Name: Nancy

Middle Name: M

Last Name: Rielle

Company: Self

Street Address: 330 Wythe Ave

Address Number: 3f

City: Brooklyn

State: NY

Postal Code: 11211

Country: United States

Work Phone #: 718-387-2549

Email Address: nrielle@gmail.com

Message: Per my testimony 4/28, these blog links provide more information on the open windows at Domino that are destroying this landmarked building:

http://ny.curbed.com/archives/2010/03/09/some_say_domino_being_left_to_decay_on_williamsburg_waterfront.php AND http://www.wgpa.us/2007/02/hey_close_that_window.html. Thanks for checking in to why CPCR is allowing and/or initiating this.

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HTTP_USER_AGENT: Mozilla/4.0 (compatible; MSIE 8.0; Windows NT 5.1; Trident/4.0)

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Testimony of Benjamin Robles
On Behalf of UNO (United Neighbors Alliance)

In Support of the "New Domino" Project and associated rezoning and permit requests

Before the City Planning Commission

Good morning, Madame Chair and members of the Commission:

I am here today to testify in support of the "New Domino" Project and associated rezoning and permit requests on behalf of UNO, a community based organization that fights for creation of affordable housing and against displacement in our community

I have lived in Brooklyn all my life and, in fact, have lived in Williamsburg all my life. I'm one of the lucky ones; I live in New York City Public Housing. But hundreds of my neighbors, people I grew up with, people who went to school with me and my kids have been pushed out of their neighborhood ---our neighborhood---by rising rents and a shortage of affordable housing. Many of my neighbors at Cooper Park Houses are living doubled up with their kids, their grandkids or their siblings, because there is no other affordable housing for them in the community.

So the most important thing for me about Domino is those 660 units of affordable housing, which is affordable at a wide range of income levels, and includes a home-ownership component and senior housing component. Of course we'd like to see even more. We asked for 40% affordable housing during the 2005 rezoning and we hope we'll see even more affordable housing emerge in the final negotiations

But many of my neighbors and the hundreds of UNO members can't wait. So I'm here for Alina Perez, who, along with her five kids, has been fighting for more than 2 years to stave off eviction from the rent stabilized apartment she's lived in for nearly 20 years. The City promised Section 8 for people like her but couldn't keep its promise. New affordable housing, like Domino, is her last hope to stay in the community. I'm here for the Rojas' who live just blocks from Domino and couldn't afford to take off work today because they pay more than they can really afford to keep their apartment. We will lose more families, particularly Latino families, like them if we don't get this substantial amount of affordable housing soon.

We, like the Community Board would like to see additional anti-harassment zoning and and additional resources to protect our neighbors from displacement, and we'd urge to add these provisions as well as recommendations on for the City and the MTA to work with the developers on transportation issues.

But, I'm also here to support Domino because they've really reached out to and listened to the Williamsburg community during the planning process for this project. They've

talked to church groups, community organizations; they've been at the Community Board long before they were required to be there. This has resulted in a plan not only with the vital affordable housing but also with a great park and the promise of jobs and job training for our community.

This rezoning deserves your support. Thank you.

-----Original Message-----

From: PortalAdmin@doitt.nyc.gov
Sent: 04/28/2010 10:20:18
To: sbladmp@customerservice.nyc.gov
Subject: < No Subject >

From: danielmrosenbaum@yahoo.com (daniel rosenbaum)
Subject: Message to Director, DCP

Below is the result of your feedback form. It was submitted by daniel rosenbaum (danielmrosenbaum@yahoo.com) on Wednesday, April 28, 2010 at 10:20:18

This form resides at
http://www.nyc.gov/html/mail/html/maildcp.html

Message Type: Complaint

Topic: Zoning and Land Use Questions/Information

Contact Info: Yes

M/M: Mr.

First Name: daniel

Last Name: rosenbaum

Street Address: 315 berry street

Address Number: 4n

City: brooklyn

State: NY

Postal Code: 11211

Country: United States

Work Phone #: 718-7823411

Email Address: danielmrosenbaum@yahoo.com

Message: I am a pioneer founding artist of williamsburg, I helped make the neighborhood safe. The domino project is over the top. They might as well call this part of Brooklyn west manhattan if it is built. The construction noise and dust will be intolerable. 9/11 created enough of that. Please leave the over crowding for manhattan, they are used to it and expect it. The L-train cant handle the xtra people even with more trains, its 3 deep already at rush hour. This project will alter the whole personality of the neighborhood. It wont be a

neighborhood anymore at all. Scale it back. The city should buy the land and make a park and playground. Bigger is not better. Give us a choice!

REMOTE_HOST: 74.72.122.240
HTTP_ADDR: 74.72.122.240
HTTP_USER_AGENT: Mozilla/5.0 (Macintosh; U; Intel Mac OS X 10_5_8; en-us) AppleWebKit/530.19.2 (KHTML, like Gecko) Version/4.0.2 Safari/530.19

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-----Original Message-----

From: PortalAdmin@doitt.nyc.gov
Sent: 05/04/2010 20:01:34
To: sbladmp@customerservice.nyc.gov
Subject: < No Subject >

From: alishec@aol.com (Alice Shechter)
Subject: Message to Director, DCP

Below is the result of your feedback form. It was submitted by
Alice Shechter (alishec@aol.com) on Tuesday, May 4, 2010 at 20:01:34

This form resides at
http://www.nyc.gov/html/mail/html/maildcp.html

Message Type: Complaint

Topic: Zoning and Land Use Questions/Information

Contact Info: Yes

M/M: Ms

First Name: Alice

Last Name: Shechter

Street Address: 330 Wythe Avenue

Address Number: 5K

City: Brooklyn

State: NY

Postal Code: 11211

Country: United States

Work Phone #: 718-486-9196

Email Address: alishec@aol.com

Message: I am writing to express issues about the CPCs proposal for the Domino Sugar site. I am deeply concerned about the projects outsized character, the overall height and density and the effect that this would have on the surrounding community and its existing infrastructure. 6,000 new residents? The eternal shadow? Poorly conceived or nonexistent transit and traffic options? You must know this will not serve the neighborhood. Affordable housing? YES! Destructive development? PLEASE, NO!

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HTTP_USER_AGENT: Mozilla/4.0 (compatible; MSIE 7.0; AOL 9.1; AOLBuild 4334.5009; Windows NT 6.0; WOW64; Trident/4.0; GTB6.4; SLCC1; .NET CLR 2.0.50727; Media Center PC 5.0; InfoPath.2; .NET CLR 3.5.30729; .NET CLR 3.0.30729)

****

-----Original Message-----

From: PortalAdmin@doitt.nyc.gov
Sent: 04/28/2010 19:38:49
To: sbladmp@customerservice.nyc.gov
Subject: < No Subject >

From: susan.silberman@gmail.com (Susan Silberman)
Subject: Message to Director, DCP

Below is the result of your feedback form. It was submitted by Susan Silberman (susan.silberman@gmail.com) on Wednesday, April 28, 2010 at 19:38:49

This form resides at
http://www.nyc.gov/html/mail/html/maildcp.html

Message Type: Complaint

Topic: Other

Contact Info: Yes

M/M: Mrs.

First Name: Susan

Middle Name: J

Last Name: Silberman

Street Address: 330 Wythe Ave

Address Number: 6F

City: Brooklyn

State: NY

Postal Code: 11211

Country: United States

Work Phone #: 7183025642

Email Address: susan.silberman@gmail.com

Message: The Domino Project planned for the waterfront is just too big. These are plans to build a whole new community and the one already here has its own needs. For example L train congestion, decent schools and lack of grocery stores.

We are a relatively low-height community and this bank of towers will put a significant portion of the streets, yards, playgrounds in shadow. And the proposed 10 year construction

plan is frightening especially now that Kent is one-way and more traffic is flooding down Wythe Ave.

I understand that the low-income aspect is driving a lot of the excitement but are those people that have supposedly been displaced really going to move into these towers? I think it will attract a whole different population.

Please urge the developers to eliminate some of the towers and/or consider a 20 story max height. 40 is just out of sync with the neighborhood. Why do that?

Thank you for listening.
Susan Silberman

REMOTE_HOST: 96.246.39.58
HTTP_ADDR: 96.246.39.58
HTTP_USER_AGENT: Mozilla/5.0 (Macintosh; U; Intel Mac OS X 10_5_8; en-us) AppleWebKit/531.22.7 (KHTML, like Gecko) Version/4.0.5 Safari/531.22.7

****

Janyce Stefan-Cole
376 Wythe Avenue
Brooklyn, NY 11211
718 387 2685
jstefcole@msn.com

21350

To: City Planning Commission, Calendar Information Office- Room 2E,
22 Reade Street, New York, NY 10007-1216
Subject: CEQR Application for #CEQR No. 07DCP094K
May 6, 2010

Dear Ms Burden,

As follow up to my testimony on April 28, 1010 regarding the impact CPCR's proposal will have on Williamsburg, Brooklyn, I wish to return to a question asked me by one of the commission: Namely, where behind the upland lot did I live? Answer: right behind the proposed 14 storey upland towers.

I pointed out Architect Viñoly seemed oblivious to those low-rise homes (some, like mine, dating to the 1800's) that would fall under its shadow, with no compelling reason offered other than a better view up hill for the proposed apartments. Density and shadow, not view, are my concerns.

Mr. Viñoly said he "liked density." As in Calcutta, or was he being dismissive of our infrastructure which cannot realistically cope with the population explosion CPCR will bring into a small area with finite resources?

What I would have liked to have added is that the upland lot opposite Domino's upland site, on So. 3rd with and an L extension onto So. 4th St. (on Kent) was also once proposed to go high-rise with eleven storey market value apartments and one commercial space. Because the developer needed a variance they had to go before the Board of Standards and Appeals. We and our near neighbors fought and the BSA sided with us to keep the complex in context at four stories. That complex is now built and the first sales, at 29 South Third St., are going through. The result is an attractive, contextual addition to our neighborhood. PS: they too will fall under Domino's high-rise shadow, both from the waterfront side and the upland lot, as currently proposed.

Another objections to this "small city," as one of your commissioners described *The New Domino*, besides the height, is the unsustainable pressure of a 25% population increase on a half mile site. Also: inadequate parkland for the increased population. Followed by CPCR's equally inadequate alternate plan. I am not opposed to light manufacturing (jobs), to a hotel (jobs and visitors), a college, as was suggested at the hearing. Most of us would like to see more of the old pre-Civil war buildings saved. They've done wonderfully preserving and working with old structures in DUMBO. I see no reason CPCR can't do better than a high-rise, overpriced bedroom community that will, as a side effect, displace many, many Williamsburgians as rents soar beyond the current 60% of income.

Sincerely yours,

Janyce Stefan-Cole

Janyce Stefan-Cole
376 Wythe Avenue
Brooklyn, NY 11211

Presented City Planning Commission April 28, 2010: DOMINO

I'm Janyce Stefan-Cole and my **neighborhood needs your help**, Madame Commissioner. CPC-R should abide by the 2005 Williamsburg/Greenpoint **waterfront** re-zoning, with the **upland** site protected at four stories.

Our Mayor seems intent only on saving Lehman Brothers loans to developer CPC-R, whose sole goal for the New Domino is **profit**.

Though politicians like the palliative sound of affordable housing, CPC-R's plan will drive out thousands of families where rents are already 60% of income.

For too long city planners and developers have followed a Field of Dreams approach: **build it and the infrastructure will come. How?** The L train is beyond capacity now. Our streets will not suddenly widen for thousands more cars, our police, fire and EMS will not magically be enhanced, nor will schools, hospitals, parks and playgrounds suddenly appear for 10,000 new residents. CPC-R's **E. I. S.** study is flawed and inadequate, the height and density unsustainable. They ask for too many **special permits** and zoning changes **without demonstrating financial justification.**

Put Domino on hold: demand solid, long term planning. Consider adaptive reuse: Diversification or a cultural entity to bring visitors *into* Williamsburg; a corridor from Socrates Park, Queens to BWAC in Red Hook. The proposed Domino architecture is arrogantly **out of context**; a waterfront bedroom community that turns Brooklyn into Bloomingdale's.

If profit is the sole motive, our city is doomed to second best. Brooklyn with its long and varied history is in the crosshairs. We can choose: a unique addition or new hardships for all but the few.

Tap the talent that has made **New York** great: End CPC-R's **oppressive**, narrow vision.

Thank you

To: City Planning Commission, Calendar Information Office, Room 2E, 22 Reade Street, NY, NY 10007

From: Greg Steinbruner 330 Wythe Ave #3G, Brooklyn NY 11211

Subject: CEQR application # CEQR NO. 07DCP094K

Usually when a neighborhood is slated for demolition it is because that neighborhood has failed. Where blight has prevented growth for too long and some grand stroke of destructive creativity is reqnired. Williamsburg has not failed. Why should it be demolished?

The CPC Domino proposal represents a demolition of one of the most exciting neighborhoods in Brooklyn—one that by its ingenuity and resourcefulness has become a global standard for renewal and sustainable entrepreneurship in an urban setting.

Enter the clowns with CPC's Domino proposal. Throwing out every single principle that has worked in Williamsburg, they have decided to use tactics and concepts that have turned places like Miami and Phoenix into blighted bailout districts. They want to build big, build fast, build cheap, and get out of dodge leaving their mess behind them.

Fortunately through the objections of almost everyone outside the corrupt sway of the developers, the proposal will go in the trash where it belongs.

25% increase in local population, built on top of infrastructure, which is already way over-burdened. Where will the new schools go? And how long will they take to be built? The new post offices? How on earth will Kent avenue and Wythe avenue be navigable, already clogged with traffic and producing accidents at a vicious rate. 6000 new residents? Ride the L in the morning, in the evening, and any time on the weekend (if it's running) and explain with a straight face why this proposal is a good idea.

Fortunately people like you, as well as everyone who is actually a resident of the neighborhood, responsible city council members, and interested observers in local and national media have already seen the obvious truth of this proposal. It is a still-born, bad idea. Join real New Yorkers in stuffing this turkey and let's build something worthy of Brooklyn instead.

Sincerely,
Greg Steinbruner
330 Wythe Ave 3G
Brooklyn, NY
11211

-----Original Message-----

From: PortalAdmin@doitt.nyc.gov
Sent: 05/07/2010 13:30:46
To: sbladmp@customerservice.nyc.gov
Subject: < No Subject >

From: tom@strodel.com (Thomas Strodel)
Subject: Message to Director, DCP

Below is the result of your feedback form. It was submitted by
Thomas Strodel (tom@strodel.com) on Friday, May 7, 2010 at 13:30:46

This form resides at
http://www.nyc.gov/html/mail/html/maildcp.html

Message Type: Misc. Comments

Topic: CPC Public Meeting Information/Calendar Office

Contact Info: Yes

M/M: Mr.

First Name: Thomas

Last Name: Strodel

Street Address: 330 Wythe Avenue

City: Brooklyn

State: NY

Postal Code: 11211

Country: United States

Email Address: tom@strodel.com

Message: I categorically oppose CPCr s plan for the Dominio s site.

I m a tax-paying, working-class resident of Williamsburg. My tax assessment went up around 15% last year. When I go to work in the morning, I have to wait on-average for three trains before I can board one. The current plan is not fit for this neighborhood. It s ridiculous in it s size and density.

I feel there could be a much better use of this land then more condos. Why not create a cultural center here, like the Tate Modern in London. It ll create more jobs and a better overall tax revenue. Why must condos be the only thing we think of with spaces like this.?

REMOTE_HOST: 71.167.243.204
HTTP_ADDR: 71.167.243.204
HTTP_USER_AGENT: Mozilla/5.0 (Macintosh; U; PPC Mac OS X 10.5; en-US; rv:1.9.2.3) Gecko/20100401 Firefox/3.6.3

****

Thomas J. Strodel
330 Wythe Ave 6K
Brooklyn, NY 11211

City Planning Commission
Calendar Information Office
22 Reade Street, Room 2E
New York, N.Y. 10007

Re: CEQR Application #CEQR No. 07DCP094K

Dear City Planning Commission,

I wish to express my supreme opposition for the new Dominio's site, currently being planned by the CPC.

I'm a tax-paying, working-class, long-time resident of Williamsburg. My tax assessment went up around 15% last year. When I go to work in the morning, I have to wait, on-average, for three trains before I can board one. The current plan is not fit for this neighborhood. It's ridiculous in it's size and density. With the vacancy rate so high in this neighborhood, it's not more condos that's needed, it's JOBS.

Don't get me wrong. I'm a capitalist. I respect a person and companies right to make a profit. But I've seen and read the tactics being utilized by the CPC to further their aims with this project, and find it utterly appalling – manipulating the Latino sentiment to the plan, false-promising "affordable housing," underreporting their potential for profits, creating fake opinion polls, etc. Clearly, if an organization needs to resort to such methods, SOMETHING'S WRONG. Let me be crystal clear – the new Dominos plan proposed by CPC is ONLY about maximizing their profit. It has no benefit to this neighborhood.

I feel there could be a much better use of this land then more condos. Why not create a cultural center here, like the Tate Modern in London. It'll create more jobs and a better overall tax revenue. Why must "condos" be the only thing we think of with spaces like this? Or how about a university? "Who would pay for it?" you ask? Who knows. That question is only answered AFTER you put a stop to this scheme.

If you care about this community, and the growth of New York City as a cultural center (not just a bunch of condos), then you will do the right thing and OPPOSE this plan.

Sincerely,

Tom Strodel

Thomas J. Strodel

-----Original Message-----

From: PortalAdmin@doitt.nyc.gov
Sent: 05/07/2010 13:30:46
To: sbladmp@customerservice.nyc.gov
Subject: < No Subject >

From: tom@strodel.com (Thomas Strodel)
Subject: Message to Director, DCP

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This form resides at
http://www.nyc.gov/html/mail/html/maildcp.html

Message Type: Misc. Comments

Topic: CPC Public Meeting Information/Calendar Office

Contact Info: Yes

M/M: Mr.

First Name: Thomas

Last Name: Strodel

Street Address: 330 Wythe Avenue

City: Brooklyn

State: NY

Postal Code: 11211

Country: United States

Email Address: tom@strodel.com

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HTTP_ADDR: 71.167.243.204
HTTP_USER_AGENT: Mozilla/5.0 (Macintosh; U; PPC Mac OS X 10.5; en-US; rv:1.9.2.3) Gecko/20100401 Firefox/3.6.3

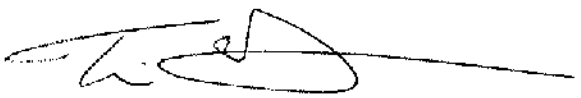
****

May 7, 2010

Dear Amanda Burden at the Department of City Planning,

I oppose the CPC's proposal for the Domino Sugar site. It is too high. It increases the neighborhood population by 25% for the 1/2 mile area surrounding the site where I live. I moved out of Manhattan and to Brooklyn specifically to avoid living in the shadow of high rise buildings. 6000 new residents to the neighborhood with no infrastructure to support this huge change makes no sense. There is not enough parking now, morning commutes on the L train are currently overcrowded and one often has to let 2 to 3 trains go by before managing to get on, additionally this would adversely affect local traffic and the ratio of resident to open space. Please assist Brooklyn to develop in a way that is responsible and beneficial to its residents. Thank you.

Sincerely,



Tami Stronach
330 Wythe Ave #3G
Brooklyn NY 11211

Message Type: Complaint

Topic: Zoning and Land Use Questions/Information

Contact Info: Yes

M/M: Ms

First Name: Tami

Last Name: Stronach

Street Address: 330 Wythe Ave

Address Number: 3G

City: Broolyn

State: NY

Postal Code: 11211

Country: United States

Email Address: tami@tamistronach.com

Message: Dear Amanda Burden at the Department of City Planning,

I oppose the CPCs proposal for the Domino Sugar site.
It is too high. It increases the neighborhood population by 25% for the 1/2 mile area surrounding the site where we live which will cause congestion, commuting problems and general deterioration of the atmosphere for which we moved out of Manhattan and to Brooklyn.

Sincerely,
Tami Stronach

7H 330 Wythe Avenue
Brooklyn 11211

Dear Commissioner Burden

I live a block away from Domino with my 3 children and husband.
The project is the 2nd largest next to Atlantic Yards.
Have you tried getting on the subway from 8-10.30am ever?
Try it.
Then imagine 6000 more on the station platform, with 2 sets of 4 foot wide stairs going down to it on Bedford Avenue, and 2 more on Driggs.
Williamsburg does not want it's population to increase by 25 percent.
Ask the Hassidic community. They will say no.
Ask the Spanish community who aren't being paid to come to the hearings... they want space, light, safety and healthy air quality for their growing families.
They want work and affordable homes too, but they can still have that, even of the project was cut in size by 3/4ers.

My kids and I and my husband, we are all very happy as we are.
If Domino must be built please reduce the size. Don't be weak, and persuaded by those who just want to make money for themselves.

Come visit us here. See that Williamsburg is special. LET'S KEEP IT THAT WAY.

Julia Warr

Martin Brierley

Delilah Brierley

Dexter Brierley

Douglas Brierley

Manhattan Chair Borden's Comments)

NYC City Planning Commission Hearing, April 28, 2010
Testimony of Carol Willis in favor of the proposed New Domino project of CPC

Good ~~morning~~ afternoon. My name is Carol Willis, and I am an architectural historian and the founder and director of The Skyscraper Museum in lower Manhattan (although I should stress that I am here today as an individual expressing my own views and not making an official statement from the Museum). I am also a professor of Urban Studies at Columbia University's GSAPP, where for twenty years I have taught a course entitled "APP" that is, "Architecture, Planning, Preservation"—which is a trio of disciplines that is a perfect description of the New Domino project.

I am here to speak in favor of the proposed New Domino project of the Community Preservation Corporation (CPC). I was asked to consider testifying by my long-time friend and colleague Mike Lappin, because I have been following the evolution of the New Domino project from CPC's first engagement with the site. I replied that I would be delighted to speak in favor of the plans, because I think this is such an intelligent design and important project for New York and for its neighborhood.

I mentioned the trio of disciplines—Architecture, Planning, and Preservation—that are married in the New Domino project. They have already been described in detail, so let me just highlight a few aspects I find most exemplary. In terms of **Preservation**, the restoration of the three buildings of the refinery complex have posed enormous and unprecedented challenges. The CPC/ Beyer Blinder Belle designs for restoration and adaptive re-use of the landmarked buildings are ingenious and (as I'm sure you understand) *expensive*. As much as they are a requirement of the project, they are also a gift to the community in terms of new facilities and in activating the life of the street.

In terms of **Planning**, in addition to the 30% permanently affordable housing, I would cite especially the immeasurable benefit of the waterfront access and public open space. Leveraging private dollars for public benefit, as Alex Garvin has articulated, is a basic principle of good planning and good policy.

In terms of **Architecture**, I want to praise the design of Rafael Vinoly. His slender high-rises designed in segments with various heights break up the massing of each block and maximize views and access to the waterfront. His towers are in no way overbearing: indeed they are urban–appropriately *urban*.

In that regard, I would like to close by making a special point about density in this project, which some have criticized. Concentrating dwelling units in high-rises, which I call "vertical density" is, I'd argue, the only intelligent planning approach for this site. Many New Yorkers today use "density" as a perjorative term. I frankly cannot understand this view. Density is good: it is an expression on urban vitality and value. Planned density of dwelling units, created in combination with generous public open space and good mass transit, is the essential formula for sustainable cities in the 21st century.

And indeed, Domino is *not all that dense* by comparison with many successful urban neighborhoods in New York, or internationally. Let me simply cite one little-known, but highly relevant example: the Taikoo Shing neighborhood in Hong Kong, which was developed on the site of a former sugar refinery. The Taikoo Shing estate covers 8.5 acres and consist of 61 residential towers of around 28-30 stories, with a total of 12,698 apartments, which is more than 1500 units and acre. Taikoo Shing, a privately developed housing estate constructed from the 1970s through the 1990s, has held its value as one of Hong Kong's most desirable middle-class neighborhoods. Now, this is not to say that the density of Domino, of Williamsburg, or of New York on average should match Hong Kong's vertical density. But it is worth noting that the average density of our borough of Manhattan is 71,000 people per square mile. And a lot of people like Manhattan.

Thanks you.

MARY ZIEGLER
43 Grand St
Brooklyn, NY 11211
tel / fax • 718.384.5131

21327

• FAX •

FAX TO: AMANDA BURDEN
City Planning Commission
DEPARTMENT OF CITY PLANNING
22 Reade Street, New York, N.Y. 10007
FAX #: (212) 720-3219
DATE: 4/28/ 2010

Page 1/2

Testimony for City Planning Public Hearing on CPCR New Domino Proposal
CEQR Application #: 07DCP094K
Borough of Brooklyn

As a resident of over two decades, who has worked on many projects over the years to improve this neighborhood, I want to express my deep concerns over the CPCR Domino project.
I appreciate you taking the time to consider the m.

1. Simply, CPCR's plan is too massive.
It is overwhelming in scale.
It is totally out of place in height, density, and lack of set backs from the street.
It should be reduced in size and scope.

2. The feeding frenzy of construction that has taken place since the 2005 zoning change has already resulted in population increase without the infrastructure to support it. And note: this is with much of the new construction not yet uninhabited. Lack of infrastructure was not taken into account in 2005, and this project will add thousands more residents. Water, sewer, and transportation usage will multiply. Already at rush hour you can't get on the L train and it has fixed limit in car increase. Wythe Ave is jammed. Kent Ave has been reduced to one-lane, one-way. How can this possibly accomodate the increase in cars, cabs and truck dellveries for 2200 new residences (4000 people?) plus commercial space within a space of 5 blocks ?? It can't.

3. The extreme height of the new Domino project will block sunlight to a huge area and create sheer wind tunnels, especially at Grand Ferry Park. The wind tunnel effects on the park have not been studied yet and I urge you to get them studied, both for effects on the planting, and the park-goers. I personally worked through *Williamsburg Watch* to get the money to renovate and save that park. The additional open space that the Domino project will add is welcome, but it is astounding to note that with it's thousands of additional residents there will actually be a net DECREASE in open space per capital in this neighborhood.

3. I understand CPC changed the north towers above 100' from residential to office space once it was acknowledged that heated emissions from the NYPA power plant (sulfur dioxide, PM 2.5 etc.) will enter any open windows. So, now they will offer offices with unopenable windows, in an neighborhood where there never has been a market for any volume of office space. It is too far from public transportation to be convenient. Community Board 1 has recommended in their

modifications that CPC knock down the height of those northern towers to 6 - 10 stories. I agree with this recommendation. It would give more light to the park, and lessen the adverse wind tunnel effect.

4. There are many doubts about the affordable housing component of this project. There is much mistrust that it will not be permanent and truly affordable to low and moderate income. As you know, we have lost so many residents, and so much history to the developers of the luxury condos. We need the affordable housing component to be real.

In Closing:

This project is unrealistic when you look at population increase vs. infrastructure support. The height, density and scale will be detrimental to the surrounding area. It might be great to look at the buildings from across the river, but just imagine living here once they're built.
We already feel like City Planning's Give-Away to developers.
Please don't do this again.
Demand that CPCR rework the scope of this project to the HUMAN scale.

Thank you for your help and attention,

Mary Ziegler
43 Grand St.
Brooklyn, NY 11211

Gregory Barsamian
43 Grand St
Brooklyn, NY 11211
tel / fax • 718.782 4317

21327

• FAX •

FAX TO: AMANDA BURDEN
City Planning Commission
DEPARTMENT OF CITY PLANNING
22 Reade Street, New York, N.Y. 10007
FAX #: (212) 720-3219
DATE: 4/28/ 2010

Testimony for City Planning Public Hearing on CPCR New Domino Proposal
CEQR Application #: 07DCP094K
Borough of Brooklyn

I own four buildings on Grand st near Kent Ave.
City Planning must not approve the proposed development on the former Domino Sugar site. The size and scale of the development would impose an enormous burden not only on existing residents but on the proposed residents as well.
Infrastructure in the neighborhood is totally inadequate to handle this quantity of new residents. The single , one way lane of Kent Ave. is entirely inadequate. Southbound Wythe ave. is already at the bursting point. The subways are inadequate. The open space is inadequate. There are no plans to address any of these problems. Any solutions to them would take many years to address. In addition, the plan fails to take into the account the nature of the surrounding area creating a population density of deep inner city in what is a low rise community. For the housing surrounding the development, significant shadows would be cast, wind tunnels created, and traffic issues would make live unbearable. The loss of character (the neighborhoods main asset) would be devastating to those who live and work there.
The development is simply **incompatible** and I urge the Commission to reject the project and work to find a use that truly serves the community. It is your duty.

Sincerely
Gregory Barsamian

NANCY RIELLE

330 Wythe Avenue, #3F ♦ Brooklyn, New York 11211 ♦ (718) 387-2549 ♦ nrielle@gmail.com

May 10, 2010

Amanda M. Burden, Chair
City Planning Commission
City of New York

Concerning: CEQR No. 07DCP094K – Opposition to CPCR's New Domino Proposal

Dear Commissioner Burden,

Attached are 53 letters signed by 60 individuals who oppose CPCR's proposed supersizing of the Domino site. We hope you will take to heart this feedback from those of us who would be living with the fall-out from this ill conceived proposal – and that you will respect the carefully considered recommendations from both Community Board 1 and Councilman Stephen Levin to oppose this project. Thanks for your consideration.

Sincerely,

Nancy Rielle

Nancy Rielle

May 9, 2010

To: Commissioner Amanda Burden
Department of City Planning

From: Ben Freedman
330 Wythe Avenue
Apartment 8E
Brooklyn, NY 11211

Subject: CEQR Application #CEQR No. 07DCP094K

Re: Objection to the Proposed Overdevelopment of the Domino Sugar Site

Dear Commissioner Burden:

I live a block away from Domino, and in keeping with the recommendations of Community Board 1 and Councilman Stephen Levin, I object to the extreme height and density of CPCR's proposed overdevelopment of the site.

My other objections are these:

- CPCR has no back-up plan for the site, which is required by law. Their proposal maintains that demolishing everything, except the landmarked Refinery, and building single-story warehouses would be the only financially viable alternative to their proposed plan. This would create an eyesore of no value to the community.

- CPCR's proposal makes no mention of how the buildings would be demolished and whether lead paint would be removed beforehand. This brings up issues of air quality akin to what the community experienced when the Williamsburg Bridge was being rebuilt.

- Shadow studies have indicated that Grand Ferry Park would be without sunlight an additional 4-6 hours per day. No shadow studies have been done to determine the impact on William Sheridan Playground at Grand and Wythe – or the blocks upland of the proposed towers.

- The Board of Standards and Appeals recently ruled that a maximum height of 4 stories is in keeping with the neighborhood's characteristic maximum at the Domino site (see 291 Kent decision).

- The project's environmental impact study indicates that emergency response time (police, ambulance, fire department) would not be impacted by a 6,000+ population increase in a 5-block radius – how could this be possible?

- The proposed waterfront promenade would not be accessible to the public at night – and the amount of open space per person on the south side will actually decrease with the 25% population surge.

For these reasons, I urge you to VOTE NO to CPCR's plan to overwhelm our community by super sizing Domino. Thank you.

Sincerely,

May 9, 2010

To: Commissioner Amanda Burden
Department of City Planning

From: APRIL HUGHES
330 Wythe Avenue
Apartment 9E
Brooklyn, NY 11211

Subject: CEQR Application #CEQR No. 07DCP094K

Re: Objection to the Proposed Overdevelopment of the Domino Sugar Site

Dear Commissioner Burden:

I live a block away from Domino, and in keeping with the recommendations of Community Board 1 and Councilman Stephen Levin, I object to the extreme height and density of CPCR's proposed overdevelopment of the site.

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Sincerely,



May 9, 2010

To: Commissioner Amanda Burden
Department of City Planning

From: NIR DVIR
330 Wythe Avenue
Apartment 4H
Brooklyn, NY 11211

Subject: CEQR Application #CEQR No. 07DCP094K

Re: Objection to the Proposed Overdevelopment of the Domino Sugar Site

Dear Commissioner Burden:

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For these reasons, I urge you to VOTE NO to CPCR's plan to overwhelm our community by super sizing Domino. Thank you.

Sincerely,

May 9, 2010

To: Commissioner Amanda Burden
Department of City Planning

From: Matthew Dear #4K
330 Wythe Avenue
Apartment
Brooklyn, NY 11211

Subject: CEQR Application #CEQR No. 07DCP094K

Re: Objection to the Proposed Overdevelopment of the Domino Sugar Site

Dear Commissioner Burden:

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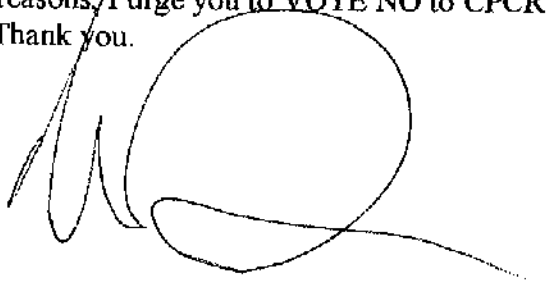
Sincerely,



May 9, 2010

To: Commissioner Amanda Burden
Department of City Planning

From: Jennifer Dear
330 Wythe Avenue
Apartment 4K
Brooklyn, NY 11211

Subject: CEQR Application #CEQR No. 07DCP094K

Re: Objection to the Proposed Overdevelopment of the Domino Sugar Site

Dear Commissioner Burden:

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For these reasons, I urge you to VOTE NO to CPCR's plan to overwhelm our community by super sizing Domino. Thank you.

Sincerely,

J. Dear

May 9, 2010

To: Commissioner Amanda Burden
Department of City Planning

From: Tonya Martin
330 Wythe Avenue
Apartment 6A
Brooklyn, NY 11211

Subject: CEQR Application #CEQR No. 07DCP094K

Re: Objection to the Proposed Overdevelopment of the Domino Sugar Site

Dear Commissioner Burden:

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For these reasons, I urge you to VOTE NO to CPCR's plan to overwhelm our community by super sizing Domino. Thank you.

Sincerely,

T. Martin

May 9, 2010

To: Commissioner Amanda Burden
Department of City Planning

From: PETER SANDS
330 Wythe Avenue
Apartment 7F
Brooklyn, NY 11211

Subject: CEQR Application #CEQR No. 07DCP094K

Re: Objection to the Proposed Overdevelopment of the Domino Sugar Site

Dear Commissioner Burden:

I live a block away from Domino, and in keeping with the recommendations of Community Board 1 and Councilman Stephen Levin, I object to the extreme height and density of CPCR's proposed overdevelopment of the site.

My other objections are these:

- CPCR has no back-up plan for the site, which is required by law. Their proposal maintains that demolishing everything, except the landmarked Refinery, and building single-story warehouses would be the only financially viable alternative to their proposed plan. This would create an eyesore of no value to the community.

- CPCR's proposal makes no mention of how the buildings would be demolished and whether lead paint would be removed beforehand. This brings up issues of air quality akin to what the community experienced when the Williamsburg Bridge was being rebuilt.

- Shadow studies have indicated that Grand Ferry Park would be without sunlight an additional 4-6 hours per day. No shadow studies have been done to determine the impact on William Sheridan Playground at Grand and Wythe – or the blocks upland of the proposed towers.

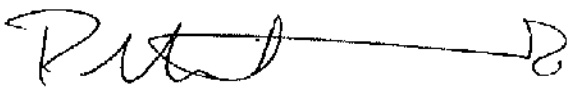
- The Board of Standards and Appeals recently ruled that a maximum height of 4 stories is in keeping with the neighborhood's characteristic maximum at the Domino site (see 291 Kent decision).

- The project's environmental impact study indicates that emergency response time (police, ambulance, fire department) would not be impacted by a 6,000+ population increase in a 5-block radius – how could this be possible?

- The proposed waterfront promenade would not be accessible to the public at night – and the amount of open space per person on the south side will actually decrease with the 25% population surge.

For these reasons, I urge you to VOTE NO to CPCR's plan to overwhelm our community by super sizing Domino. Thank you.

Sincerely,



May 9, 2010

To: Commissioner Amanda Burden
Department of City Planning

From: KRISTIN ROONEY
330 Wythe Avenue
Apartment 7F
Brooklyn, NY 11211

Subject: CEQR Application #CEQR No. 07DCP094K

Re: Objection to the Proposed Overdevelopment of the Domino Sugar Site

Dear Commissioner Burden:

I live a block away from Domino, and in keeping with the recommendations of Community Board 1 and Councilman Stephen Levin, I object to the extreme height and density of CPCR's proposed overdevelopment of the site.

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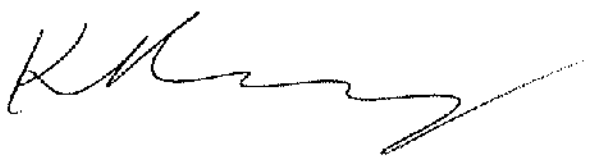

May 9, 2010

To: Commissioner Amanda Burden
Department of City Planning

From: ARPAGE
330 Wythe Avenue
Apartment 4J
Brooklyn, NY 11211

Subject: CEQR Application #CEQR No. 07DCP094K

Re: Objection to the Proposed Overdevelopment of the Domino Sugar Site

Dear Commissioner Burden:

I live a block away from Domino, and in keeping with the recommendations of Community Board 1 and Councilman Stephen Levin, I object to the extreme height and density of CPCR's proposed overdevelopment of the site.

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Sincerely,

May 9, 2010

To: Commissioner Amanda Burden
Department of City Planning

From: PATRICK
330 Wythe Avenue
Apartment 4J
Brooklyn, NY 11211

Subject: CEQR Application #CEQR No. 07DCP094K

Re: Objection to the Proposed Overdevelopment of the Domino Sugar Site

Dear Commissioner Burden:

I live a block away from Domino, and in keeping with the recommendations of Community Board 1 and Councilman Stephen Levin, I object to the extreme height and density of CPCR's proposed overdevelopment of the site.

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Sincerely,

May 9, 2010

To: Commissioner Amanda Burden
Department of City Planning

From: Pamela Quyer
330 Wythe Avenue
Apartment 2a
Brooklyn, NY 11211

Subject: CEQR Application #CEQR No. 07DCP094K

Re: Objection to the Proposed Overdevelopment of the Domino Sugar Site

Dear Commissioner Burden:

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Sincerely,

May 9, 2010

To: Commissioner Amanda Burden
Department of City Planning

From Alison Howard
330 Wythe Avenue
Apartment 2A
Brooklyn, NY 11211

Subject: CEQR Application #CEQR No. 07DCP094K

Re: Objection to the Proposed Overdevelopment of the Domino Sugar Site

Dear Commissioner Burden:

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Sincerely,

Alison Howard

May 9, 2010

To: Commissioner Amanda Burden
Department of City Planning

From: Bonnie Edson
330 Wythe Avenue
Apartment 2A
Brooklyn, NY 11211

Subject: CEQR Application #CEQR No. 07DCP094K

Re: Objection to the Proposed Overdevelopment of the Domino Sugar Site

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Sincerely,

Bonnie Edson

May 9, 2010

To: Commissioner Amanda Burden
Department of City Planning

From: Linda Nagaoka
330 Wythe Avenue
Apartment #4A
Brooklyn, NY 11211

Subject: CEQR Application #CEQR No. 07DCP094K

Re: Objection to the Proposed Overdevelopment of the Domino Sugar Site

Dear Commissioner Burden:

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For these reasons, I urge you to VOTE NO to CPCR's plan to overwhelm our community by super sizing Domino. Thank you.

Sincerely,

Linda Nagaoka

LINDA NAGAOKA

May 9, 2010

To: Commissioner Amanda Burden
Department of City Planning

From: Jason Hershman
330 Wythe Avenue
Apartment
Brooklyn, NY 11211

Subject: CEQR Application #CEQR No. 07DCP094K

Re: Objection to the Proposed Overdevelopment of the Domino Sugar Site

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Sincerely,

May 9, 2010

To: Commissioner Amanda Burden
Department of City Planning

From: INDIGO WELLER
330 Wythe Avenue
Apartment 3H
Brooklyn, NY 11211

Subject: CEQR Application #CEQR No. 07DCP094K

Re: Objection to the Proposed Overdevelopment of the Domino Sugar Site

Dear Commissioner Burden:

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Sincerely,

Indigo Weller

May 9, 2010

To: Commissioner Amanda Burden
Department of City Planning

From: DANIEL LEEB
330 Wythe Avenue
Apartment APT. 4I
Brooklyn, NY 11211

Subject: CEQR Application #CEQR No. 07DCP094K

Re: Objection to the Proposed Overdevelopment of the Domino Sugar Site

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Sincerely,



May 9, 2010

To: Commissioner Amanda Burden
Department of City Planning

From: Michelle Harper
330 Wythe Avenue
Apartment #4i
Brooklyn, NY 11211

Subject: CEQR Application #CEQR No. 07DCP094K

Re: Objection to the Proposed Overdevelopment of the Domino Sugar Site

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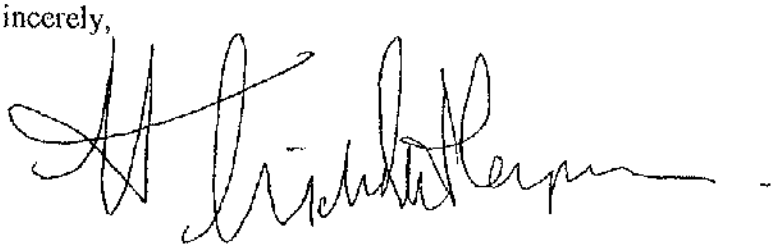

May 9, 2010

To: Commissioner Amanda Burden
Department of City Planning

From:
330 Wythe Avenue
Apartment 4E
Brooklyn, NY 11211

Subject: CEQR Application #CEQR No. 07DCP094K

Re: Objection to the Proposed Overdevelopment of the Domino Sugar Site

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Sincerely,

May 9, 2010

To: Commissioner Amanda Burden
Department of City Planning

From:
330 Wythe Avenue
Apartment 4E
Brooklyn, NY 11211

Subject: CEQR Application #CEQR No. 07DCP094K

Re: Objection to the Proposed Overdevelopment of the Domino Sugar Site

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Sincerely, FRANCH LACROIX

May 9, 2010

To: Commissioner Amanda Burden
Department of City Planning

From:
330 Wythe Avenue
Apartment
Brooklyn, NY 11211

Subject: CEQR Application #CEQR No. 07DCP094K

Re: Objection to the Proposed Overdevelopment of the Domino Sugar Site

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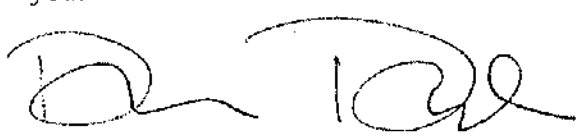

May 9, 2010

To: Commissioner Amanda Burden
Department of City Planning

From: Martin Brierley
330 Wythe Avenue 7H
Apartment
Brooklyn, NY 11211

Subject: CEQR Application #CEQR No. 07DCP094K

Re: Objection to the Proposed Overdevelopment of the Domino Sugar Site

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- The proposed waterfront promenade would not be accessible to the public at night – and the amount of open space per person on the south side will actually decrease with the 25% population surge.

For these reasons, I urge you to VOTE NO to CPCR's plan to overwhelm our community by super sizing Domino. Thank you.

Sincerely,

Martin Brierley

May 9, 2010

To: Commissioner Amanda Burden
Department of City Planning

From: JULIA WARK
330 Wythe Avenue
Apartment 7H
Brooklyn, NY 11211

Subject: CEQR Application #CEQR No. 07DCP094K

Re: Objection to the Proposed Overdevelopment of the Domino Sugar Site

Dear Commissioner Burden:

I live a block away from Domino, and in keeping with the recommendations of Community Board 1 and Councilman Stephen Levin, I object to the extreme height and density of CPCR's proposed overdevelopment of the site.

My other objections are these:

- CPCR has no back-up plan for the site, which is required by law. Their proposal maintains that demolishing everything, except the landmarked Refinery, and building single-story warehouses would be the only financially viable alternative to their proposed plan. This would create an eyesore of no value to the community.

- CPCR's proposal makes no mention of how the buildings would be demolished and whether lead paint would be removed beforehand. This brings up issues of air quality akin to what the community experienced when the Williamsburg Bridge was being rebuilt.

- Shadow studies have indicated that Grand Ferry Park would be without sunlight an additional 4-6 hours per day. No shadow studies have been done to determine the impact on William Sheridan Playground at Grand and Wythe – or the blocks upland of the proposed towers.

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For these reasons, I urge you to VOTE NO to CPCR's plan to overwhelm our community by super sizing Domino. Thank you.

Sincerely,

Julia Wark

May 9, 2010

To: Commissioner Amanda Burden
Department of City Planning

From: STEFANIA GIABARDO
330 Wythe Avenue
Apartment # 3K
Brooklyn, NY 11211

Subject: CEQR Application #CEQR No. 07DCP094K

Re: Objection to the Proposed Overdevelopment of the Domino Sugar Site

Dear Commissioner Burden:

I live a block away from Domino, and in keeping with the recommendations of Community Board 1 and Councilman Stephen Levin, I object to the extreme height and density of CPCR's proposed overdevelopment of the site.

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Sincerely, Stefania Giabardo

May 9, 2010

To: Commissioner Amanda Burden
Department of City Planning

From: FIORENZO BORGHI
330 Wythe Avenue
Apartment 3K
Brooklyn, NY 11211

Subject: CEQR Application #CEQR No. 07DCP094K

Re: Objection to the Proposed Overdevelopment of the Domino Sugar Site

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Sincerely,

Fiorenzo Borghi

May 9, 2010

To: Commissioner Amanda Burden
Department of City Planning

From: Patricia M. Davis
330 Wythe Avenue
Apartment
Brooklyn, NY 11211

Subject: CEQR Application #CEQR No. 07DCP094K

Re: Objection to the Proposed Overdevelopment of the Domino Sugar Site

Dear Commissioner Burden:

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For these reasons, I urge you to VOTE NO to CPCR's plan to overwhelm our community by super sizing Domino. Thank you.

Sincerely,

Patricia M. Davis

917.684.1522

May 9, 2010

To: Commissioner Amanda Burden
Department of City Planning

From: Ron Friedman & April Hughes
330 Wythe Avenue
Apartment 8E
Brooklyn, NY 11211

Subject: CEQR Application #CEQR No. 07DCP094K

Re: Objection to the Proposed Overdevelopment of the Domino Sugar Site

Dear Commissioner Burden:

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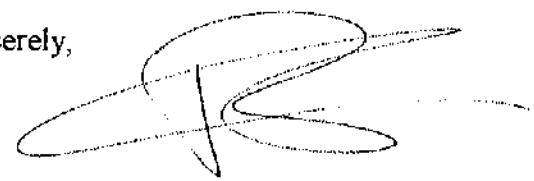

May 9, 2010

To: Commissioner Amanda Burden
Department of City Planning

From: [illegible]
330 Wythe Avenue
Apartment 6I
Brooklyn, NY 11211

Subject: CEQR Application #CEQR No. 07DCP094K

Re: Objection to the Proposed Overdevelopment of the Domino Sugar Site

Dear Commissioner Burden:

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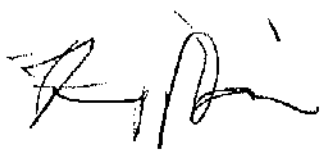

720 Signatures for Domino representing thousands of families in Williamsburg.



FedEx Office

Churches United Corp.

SAINTS PETER AND PAUL (EPIPHANY) PARISH

Name: Rosa Chparo Phone: 718 387-0626

Address: 228 So 3 B5 351-0626
Brooklyn NY 11211

✓ Yes! I support 660 units of affordable housing in The New Domino for our community.

____ I will take the bus to attend the community board meeting this Tuesday, March 9th at 6 p.m.

x Rosa Chparo
SIGNATURE

Brandon Cole
Lifetime Member Writers Guild of America East
376 Wythe Avenue
Brooklyn, New York 11211
brandon376@msn.com
www.brandonwriter.com
718.387.1036

21 348

Thursday, May 06, 2010

FAX TO THE DEPT. OF CITY PLANNING

212 720 3219

TO THE ATTENTION OF AMANDA BURDEN AND STAFF

RE: CEQR APPLICATION NO. O7DCP094K

CPCR REQUEST FOR ZONING CHANGES AND SPECIAL PERMITS

DOMINO SITE, WILLIAMSBURG BROOKLYN

FAX COVER SHEET

PAGE 1 OF 43

PLEASE FIND FOLLOWING PETITIONS COLLECTED BY NEIGHBORHOOD RESIDENTS AGAINST THE REQUEST FOR ZONING CHANGES AND SPECIAL PERMITS ON THE SITE OF THE FORMER DOMINO SUGAR MILL.

IF THERE ARE ANY QUESTIONS PLEASE CALL/EMAIL:

BRANDON COLE, 718 387 1036; brandon376@msn.com

THANKS FOR YOUR KIND ATTENTION.

SINCERELY, Brandon A Cole

PETITION

To the Attention of the New York City Planning Commission
Re: CEQR Application No. O7DCP094K

The undersigned wish to voice their **objection** to the proposed zoning changes and special permits requested by the owner, The Refinery, LLC, for the Domino Sugar site, for the following reasons:

- The proposed upland structures are **enormously out of context** with surrounding upland blocks.
- We ask for **more affordable housing** that targets Brooklyn CB1 median income, which is $35,000 a year for a family of four.
- The increase in residents would severely **strain an already overburdened infrastructure**,especially public transportation.
- The proposed waterfront towers would **decrease per-capita open space** in the neighborhood, despite the proposed waterfront park.
- There needs to be a greater emphasis placed on adaptive reuse of these important historic buildings along the lines of similar Civil-War era buildings in Red Hook and in DUMBO.
- There needs to be an **alternative plan** for the entire site, a plan that creates jobs and maintains industrial zoning, the need for which is shown in the ten-year-long waiting period in the Brooklyn Navy Yard for light industrial and manufacturing space.
- The proposed residential towers will contribute mightily to **displacement** of long-term residents and contribute to the destruction of the character of Williamsburg's South Side.

We urge the Commission to **reject this application for zoning changes and special permits**.

Petition in Opposition to The New Domino

April 15, 2010

The undersigned are not represented by any religious or other community group.

We live, work or have businesses in the neighborhood that is part of Community Board 1 Bklyn.

We are OPPOSED to THE NEW DOMINO based on the Developer, CPC Resources' own environmental impact statement (EIS) that shows major negative impact upon TRANSPORTATION, SCHOOLS, HOSPITALS, DAY CARE SLOTS, OPEN SPACE, SHADOWS, AND EXISTING AFFORDABLE HOUSING (due to secondary DISPLACEMENT).

We want housing on the inland site for families earning below $35,000 per year. NO CONDOS on the waterfront site and the waterfront site adaptively reused.

NAME	SIGNATURE	ADDRESS	PHONE/	EMAIL
Susan Silberman		330 w/ Hunter		susan.silberman @gmail.com
Heike Dickmann		183 Franklin St		
Daniela Reissmann		183 Franklin st 11222		daniela66 @gmail.com
Allegra Reissmann		183 Franklin st. 11222		/
Claudine Arvalos		220 Broadway 11211		Rocco @verizon.net
Lenice Hall		Bklyn. NY		
Joana Maiale		171 Meserole 11206		jmisiale@gmail
Roddy Dunninger		171 MESEROLE ST 11206		rodmalin@yahoo.com

Petition in Opposition to The New Domino

April 15, 2010

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NAME	SIGNATURE	ADDRESS	PHONE/	EMAIL
Michael Abrahams		358 Bryant Ave Bklyn, NY	7686728	michaelabrahams@yahoo.com
JOANNA CLARK		18 Tennyck #4b Brklyn, NY 11206	917 374 1369	
Jacob Milstein		[illegible]	[illegible]	[illegible]
Rachel Dore-Weeks		104 Kent Ave Brooklyn, NY	646 406 2833	DORE.WEEKS @GMAIL.COM
Faye Bowles		145 S. 4th St. Brooklyn, NY	[illegible]	faye@[illegible].com
Haydee Rivera	Haydee Rivera	260 S. 1st str Bklyn N.Y. 11211	347-422-0429	hrivera578gr@yahoo.com
Kim Thompson		337 Kent Ave Brooklyn, NY 11211	917 4609306	talkkimmy@hotmail.com
Matt Nearoth		525 Union Ave Brooklyn, [illegible] 11211	(917) 620-6640	mattnearoth@yahoo.com

Petition in Opposition to The New Domino

April 15, 2010

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NAME	SIGNATURE	ADDRESS	PHONE/	EMAIL
Karianne Halse	Karia	257 N 7TH ST. 11211 NY.	—	karianne-halse@gmail.com
Josh Iden		330 WYTHE BROOKLYN, NY 11211	—	—
Kelly Ramin		278 S. 2nd St. Brooklyn, NY 11211	—	—
Jason Roskey		245 Kent Fl 4 Brooklyn, NY 11211		jasonroskey@hotmail.com
Maggie Goodsmit		245 kent ave fl. 4 Brklyn, NY 11211		mbgo@mac.com
Nicole Mata		427 Humbold St. Brooklyn, NY		nflower@gmail
Elizabeth Botero		176 Grand St Bklyn NY 11211	—	eb@jeer.org
Rolando Barrios		11		ROLANDO@jeer.org

May-06-10 01:43p Colebrando 7183871082 p.05

Petition in Opposition to The New Domino

April 15, 2010

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NAME	SIGNATURE	ADDRESS	PHONE/	EMAIL
DANA ARLEVSON		427 Bedford Ave 11211		DANAEVE@GMAIL.COM
MATT GOLDMAN		150 N. 5th St. 1A Brooklyn 11211		Matt@AKJak.com
Jacqueline Frankel		330 Wythe Ave 11211		
Steve Frankel		330 Wythe Ave 11211		
SARA KIM		132 N 5th St. 11211		
Mochi Li		9 White St 11206		
LAUREN TURNER		330 Wythe 11211		
NATHAN FOLKMAN		330 Wythe 11211		

PETICIÓN PARA UN MEJOR NUEVO DOMINO

A la Comision de Planeamiento de la Ciudad de Nueva York. Re: CEQR Aplicacion No. 07CP094K

Los abajo firmantes desean expresar su objecion a los propuestos cambios de zoneamiento y a los permisos especiales exigidos al propietario, The Refinery, LLC, para el sitio de Domino Sugar por las siguientes razónes:

- Las extructuras propuestas no están planeadas y están enormemente **fuera de contexto** con las extructuras circundantes.
- Pedimos **más vivienda a precios accesibles**.
- Las propuestas torres frente al agua **disminuirán la proporción de espacio disponible** por persona en el vecindario, a pesar del propuesto parque en la costa.
- El aumento en residentes comprometerá sensiblemente una infraestructura ya saturada, especialmente en transporte público.
- Las torres residenciales propuestas contribuirán sobremanera al desplazamiento de residentes de larga data y contribuirá a la destrucción del caracter del lado Sur de Willamsburg.
- El plan del desarrollador para el edificio histórico de la refineria popone su vaciamiento, perdiendo entonces una oportunidad histórica de aplicar los principios del uso de readapación del espacio.

Nosotros le pedimos a la Junta que rechaze esta aplicación de las modificaciónes de las zonas y permisos especiales hasta que el propietario, The Refinery, LLC, considere estos y otros serios questionamientos planteados por la Junta Comunitaria número 1 y su subcomite ULURP.

Name Nombre	Signature Firma	Address Dirección	Phone Number Numero de teléfono	Email Email	Notes Notas
[illegible]	[illegible]	50 Russell St	718-383-7160	[illegible]	We Love
[illegible]	[illegible]	57 Herbert St 01201	[illegible]		
[illegible]	[illegible]	43 Dorset			
Lynn Smiatkowski	[illegible]	78 South 1ST ST.	347-581 1634	—	
AMIE LIN	[illegible]	315 BERRY ST BROOKLYN	917-838 9188	amiedesign@yahoo.com	

May-06-10 01:43P Colebrando 7183871082 P.07

Petition in Opposition to The New Domino

April 15, 2010

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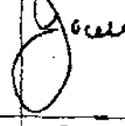
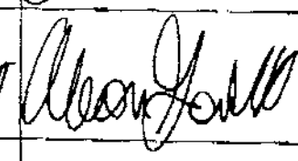
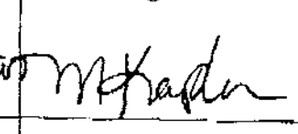
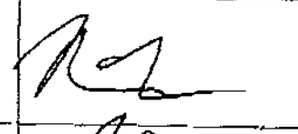
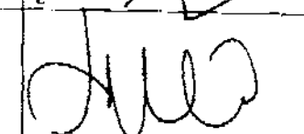
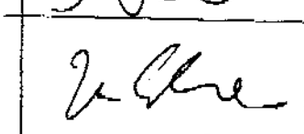
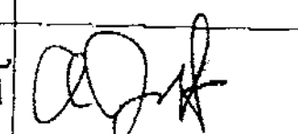
NAME	SIGNATURE	ADDRESS	PHONE/	EMAIL
Jocelyn Yant		123 Guernsey #4B Brooklyn NY 11222	415 377 2280	SFjocelyn@gmail.com
Alison Goudreault		100 S 4th St Brooklyn, NY 11211	646-348-0930	agoudreault@mac.com
Marisa Kaplan		415 S. 5th St Brooklyn, NY 11211	9176017899	eyor455@aol.com
Bryan Busch		415 5th St BK, NY 11211	845 406 2200	BJBusch@gmail.com
Paul McGeever		429 South 5th St	646-226 5053	mcgeever@nyu.com
Jaimen Sfetko		112 N. 7th St. Apt. 3F Brooklyn, ny 11211	718.406. 3093	jaimenlee@hotmail.com
JESKO STAFFE		242 South 7th	917-797 6[illegible]	JESKO@MELODROME.NET
ALLISON ALBERT		158 Grand Street 4th Apt 3L Brooklyn, NY 11211	646 220 2519	allie.albert@gmail.com

May-06-10 01:44P Colebrando 7183871082 P.08

PETICIÓN PARA UN MEJOR NUEVO DOMINO

A la Comision de Planeamiento de la Ciudad de Nueva York. Re: CEQR Aplicacion No. 07CP094K

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- Las torres residenciales propuestas contribuirán sobremanera al desplazamiento de residentes de larga data y contribuirá a la destrucción del caracter del lado Sur de Willamsburg.
- El plan del desarrollador para el edificio histórico de la refineria popone su vaciamiento, perdiendo entonces una oportunidad histórica de aplicar los principios del uso de readapación del espacio.

Nosotros le pedimos a la Junta que rechaze esta aplicación de las modificaciónes de las zonas y permisos especiales hasta que el propietario, The Refinery, LLC, considere estos y otros serios questionamientos planteados por la Junta Comunitaria número 1 y su subcomite ULURP.

Name Nombre	Signature Firma	Address Dirección	Phone Number Numero de teléfono	Email Email	Notes Notas
David Kidd		147 Withers Street, Brooklyn	979.422.6057	dcapperkidd@gmail	
Nicholas Kaiser		10 Playstead Rd. #1 Boston, MA 02135	413 478 3750	nicholas.e.kaiser@gmail.com	
Van Chorbajian		932 Madison St, Brooklyn, NY	9784950292	vwchorbajian@gmail.com	
Heather Dibley		49 6th Ave Ck	8132855918	Hmdibley@yahoo	
Chelsea Hirsch		—	415-806-3985	Simplychelsea@gmail.com	
Bob Bradford		384 Keap St	914-536-6505	Kyc22 AOL.com	
Stephany Bradford		384 Keap St	917-951-1147	Stephs1122@yahoo.com	

May-06-10 01:44P Colebrando 7183871082 P.09

PETICIÓN PARA UN MEJOR NUEVO DOMINO

A la Comision de Planeamiento de la Ciudad de Nueva York. Re: CEQR Aplicacion No. 07CP094K

Los abajo firmantes desean expresar su objecion a los propuestos cambios de zoneamiento y a los permisos especiales exigidos al propietario, The Refinery, LLC, para el sitio de Domino Sugar por las siguientes razónes:

- Las extructuras propuestas no están planeadas y están enormemente **fuera de contexto** con las extructuras circundantes.
- Pedimos **más vivienda a precios accesibles**.
- Las propuestas torres frente al agua **disminuirían la proporción de espacio disponible** por persona en el vecindario, a pesar del propuesto parque en la costa.
- El aumento en residentes comprometerá sensiblemente una infraestructura ya saturada, especialmente en transporte público.
- Las torres residenciales propuestas contribuirán sobremanera al desplazamiento de residentes de larga data y contribuirá a la destrucción del caracter del lado Sur de Willamsburg.
- El plan del desarrollador para el edificio histórico de la refineria popone su vaciamiento, perdiendo entonces una oportunidad histórica de aplicar los principios del uso de readapación del espacio.

Nosotros le pedimos a la Junta que rechaze esta aplicación de las modificaciónes de las zonas y permisos especiales hasta que el propietario, The Refinery, LLC, considere estos y otros serios questionamientos planteados por la Junta Comunitaria número 1 y su subcomite ULURP.

Name Nombre	Signature Firma	Address Dirección	Phone Number Numero de telefono	Email Email	Notes Notas
Bettina Helt	Aarhus architekt	257 Harvard st.	—	—	
Irini Galos		302 Bedford	—	irini421@yahoo.com	
Marc Cameron	M Cameron	170 BROADWAY			
Evadne Wilson		378 E 28 st			
Louisa Thompson		85 S. 2nd st.			
Elisabeth Young	Elisabeth Young	5515 Willard and Houston, Texas			
Stephen Kidd		700 W. Hondo DEVINE TX			

PETICIÓN PARA UN MEJOR NUEVO DOMINO

A la Comision de Planeamiento de la Ciudad de Nueva York. Re: CEQR Aplicacion No. 07CP094K

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Name Nombre	Signature Firma	Address Dirección	Phone Number Numero de teléfono	Email Email	Notes Notas
Sara Strahan		246 E. 4th St 1A NY NY 10009	917 301 2112	sarastrahan@gmail.com	
Maria Bayck		134 Douglass St Brooklyn NY 11217	347-276-7[illegible]	-maria@[illegible].org	Save the neighborhood
Alicia Nunziata		137 Conselyea BKLYN, NY 11211	917-975-2970	auntalicia07@gmail.com	Stop Building!!!
Yanni Papaloizos		N.11 / Bedford			
Cedar Dallago					
Alessandro D'Ale[illegible]		43-10 44 ST SUNNYSIDE NY		ADALLAGO@GMAIL.COM	
Emily Pomeroy		[illegible] 153 Fl 6 [illegible] Brooklyn	718-685-8559	[illegible]	

PETICIÓN PARA UN MEJOR NUEVO DOMINO

A la Comision de Planeamiento de la Ciudad de Nueva York. Re: CEQR Aplicacion No. 07CP094K

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Name Nombre	Signature Firma	Address Dirección	Phone Number Numero de teléfono	Email Email	Notes Notas
Laurenbeckerfrank		318 Grand		lauren1628@gmail.com	
Eric Vince		337 Kent Ave.		not.ericvince@gmail.com	
Samuel B.		446 Kent Ave		samuelbuttrick@yahoo.com	
Amber Mussel		184 N 9th St	212-875-9751	amber.mussel@gmail.com	
M. Bach		59 Maspeth		bachm1@hotmail.	
Scott Schuetz		59 Maspeth		sfschuetz@gmail.com	
Espen Wende		257 N 7th St 9R	3472551146	ESPEN.NIELSEN@GMAIL.COM	

May-06-10 01:45p Colebrando 7183871082 p.12

Petition in Opposition to The New Domino

April 15, 2010

The undersigned are not represented by any religious or other community group.

We live, work or have businesses in the neighborhood that is part of Community Board 1 Bklyn.

We are OPPOSED to THE NEW DOMINO based on the Developer, CPC Resources' own environmental impact statement (EIS) that shows major negative impact upon TRANSPORTATION, SCHOOLS, HOSPITALS, DAY CARE SLOTS, OPEN SPACE, SHADOWS, AND EXISTING AFFORDABLE HOUSING (due to secondary DISPLACEMENT).

We want housing on the inland site for families earning below $35,000 per year. NO CONDOS on the waterfront site and the waterfront site adaptively reused.

NAME	SIGNATURE	ADDRESS	PHONE/	EMAIL
JASON WALZ		S. 8th St.		
BEATRICE SAMPAIO		S. 8TH ST.		BEASAMPAIO@HOTMAIL.COM
LARRY BAMBURG		109 GRAND		
JON BECKWALTER		423 Manhattan		
SONIA IKONI		242 S. 2ND St		SPREMI75@hotmail.com
Karl Myers		135 N. 6TH St #4L		Karl@maindragmusic.com
JUSTICE SOLOS		228 South 2nd St		

Petition in Opposition to The New Domino

April 15, 2010

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NAME	SIGNATURE	ADDRESS	PHONE/	EMAIL
Caroline Carbo		415 St John Pl Brooklyn, NY 11216		
Ben Cain		10440 Queens Blvd Forest Hills 11375		
CARLA KROPT		86-32 55th RD Elmhurst NY 11373		
GABRIELE PASCOLINI		8632 55th RD Elmhurst NY 11373		

Petition in Opposition to The New Domino

April 15, 2010

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NAME	SIGNATURE	ADDRESS	PHONE/	EMAIL
Jason Victor		WG C-1A1	917 [illegible] 34	jwv103@ [illegible]

Petition in Opposition to The New Domino

April 15, 2010

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We want housing on the inland site for families earning below $35,000 per year. NO CONDOS on the waterfront site and the waterfront site adaptively reused.

NAME	SIGNATURE	ADDRESS	PHONE/	EMAIL
THOMAS JUNG	Thomas Jung	102 Roebling St. Brooklyn, NY 11211		thomasjung@hotmail.com
Estelle Richter	Estelle Richter	14 Hope St Apt 2-A Brooklyn NY 11211		estelle@gmail.com
Marta Hernandez	Marta Hernandez	330 Wythe Av #4G BK, 11211		martah2003@yahoo.com
[illegible]	[illegible]	330 Wythe Ave #4G, Bklyn NY 11211		ancohrssen@pol.net
KYRNAN HARVEY	[illegible]	101 Wyckoff Ave B'klyn 11237		
Nuchanat Harvey	Nuchanat Harvey	101 Wyckoff Ave Blaklyn 11237		
JANYCE STEFAN-COLE	[illegible]	376 Wythe Ave BKLN, 11211	718 387 2685	jstefcole@msn.com

Petition in Opposition to The New Domino

April 15, 2010

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We want low-income housing on the inland site, NO CONDOS on the waterfront site and the site adaptively reused.

NAME	SIGNATURE	ADDRESS	PHONE/	EMAIL
David Crespo	David Crespo	30 Wyckoff Ave, 2a	347 385 8975	dcrespo8at@yahoo.com
Tamara Krause	Tamara Krause	91 S. 6th Street	862-222-3312	Krausetd@gmail.com
JAMES TRIMARCO	James Trimarco	91 S. 6TH ST	646-244-0479	james.trimarco@gmail.com

May-06-10 01:46P Colebrando 7183871082 P.17

Petition in Opposition to The New Domino

April 15, 2010

The undersigned are not represented by any religious or other community group.

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We want low-income housing on the inland site, NO CONDOS on the waterfront site and the site adaptively reused.

NAME	SIGNATURE	ADDRESS	PHONE/	EMAIL
BRANDON COLE	Brandon Cole	376 WYTHE AV. BKLYN 11211	718 387 1036	brandon376@msn.com
Laura E Vorhies	Laura E Vorhies	81 CALYER ST B'Klyn NY 11222	718 389 0708	TLVORHies@juno.com
Timothy A Vorhies	Timothy A Vorhies	81 Calyer St B'Klyn NY 11222	718 389 0708	TLVORHIES@JUNO.COM
Domino worker ROBERT HORN	Robert Horn	63-36 FOREST AVE. Ridgewood N.Y.	718 366-0516	SIXOTBOB@AOL.
R. DEHAVEN	RDeHaven	448 KENT APT 12D	212-819 0580	RDHNC@MSN.COM
E JORDAN	Eliz Jordan	65 Java St 1L	718 501927	Lizjordan@aol.com
S. Jordan	Selena Jordan	65 Java St 1L	347 307 7954	OHSELENASFINES@aol.com
P. Silvestri	Paloma Silvestri	67 Java St 1L	(718) 844-7904	MRDHSOFTBALL@aol.com

May-06-10 01:47P Colebrando 7183871082 P.18

Petition in Opposition to The New Domino

April 15, 2010

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We want low-income housing on the inland site, NO CONDOS on the waterfront site and the site adaptively reused.

NAME	SIGNATURE	ADDRESS	PHONE/	EMAIL
Ashley Jordan	Ashley Jordan	65 Jay St 1L	17 N - 687- 9946	BKzlilmama08 @aim.com
Alan Capo		315 Berry ST Brooklyn NY	718-782-8628	
PABLO BUSTINDUY	RM Bty	746 DRIGGS AVE 11211	347227 8653	PABLOBUSTINDUY @GMAIL.COM
Ana Villa		344 Rodney	718 3876854	
Jose Burgos	Jose Burgos	124 south 3rd St	718 599-2783	JBurgos226@ gmail.
Jaime Kathyn	Jaime Kathyn	120 N. 5th St Brooklyn NY.	718- 782 2412	
KATHY VARGAS R.	KATHY VARGAS R	70 N 5th S BROOKLYN NY	917 4704229	
Marie Tollentino	Marie Tollentino	20 N NORTH 5 ST Brooklyn	718 4362420	

May-06-10 01:47p Colebrando 7183871082 p.19

Petition in Opposition to The New Domino

April 15, 2010

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We want low-income housing on the inland site, NO CONDOS on the waterfront site and the site adaptively reused.

NAME	SIGNATURE	ADDRESS	PHONE/	EMAIL
CARMEN & MORACHO	Carmen Morocho	20 NORTH 5TH Brooklyn	718 436 2420	
FLOR TENEN	Flor Tenen	20 NORTH 5TH BROOKLYN	1347 4992927	
Ana Batista	2-24 S.3	[illegible]	1718 388-4172	
Milia Vargas	Milia Vargas	124 S 3rd St. Brooklyn N.Y 11211 apt 21	7185992783	
Rosa Caisaguano	Rosa Caisaguano	9 cedar st 2L Brooklyn 11221	347 465-9274	
Annelis-kelly		140 W 238 St Bronx, NY	760-44-5572	
Orland Edwin		Sellsdorf st 21029 Hollis	49-40-23459894	SCHWIRX@20CA-44.de
VIVIAN SUAREZ	Vivian Suarez	702-H 45th St #6B BKLYN N.Y.	718-436-3453	VSUAREZA@N.Y.C.RR.COM

May-06-10 01:47P Colebrando 7183871082 P.20

Petition in Opposition to The New Domino

April 15, 2010

The undersigned are not represented by any religious or other community group.

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We want housing on the inland site for families earning below $35,000 per year. NO CONDOS on the waterfront site and the waterfront site adaptively reused.

NAME	SIGNATURE	ADDRESS	PHONE/	EMAIL
David Valentin	David Valentin	272 So. 5th	7183840815	dvalentin120@nyc.rr.com
Carla Edwards	C Edwards	112 N. 7th St.		CarlaLEdwards@yahoo.com
Tianna Kennedy		302 Bedford Ave	718 791 1966	tianna.kennedy@gmail.com
Paula Segal	Paula Z. Segal	212 Lafayette Ave #2 Bklyn NY 11216	917 9015846	paulazsegal@gmail.com
Frances J Mahl	Frances J Mahl	6651 Clinton St Maspeth NY		
Susan Pellegrino	Susan Pellegrino	376 Wythe Ave 11211	718.388.6532	
Thomas Nahrwold	Thomas Nahrwold	376 Wythe Ave	718.388.6572	thomas.nahrwold@gmail.com
Katharina Kruse-Raney	K. Kruse-Raney	330 Wythe Ave	718 384-2667	kkruse-raney@ardny.com

Petition in Opposition to The New Domino

April 15, 2010

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We want low-income housing on the inland site, NO CONDOS on the waterfront site and the site adaptively reused.

NAME	SIGNATURE	ADDRESS	PHONE/	EMAIL
[illegible]	[illegible]	345 Bedford Apt 2W Brooklyn NY 11211	917 397 7529	[illegible]
Juan Urena	[illegible]	apt 4 Brooklyn NY 11211 370 Bedford	718-599-18 ~~718~~ 89	
Lofti Chortani	[illegible]	78 south 1st st Brooklyn NY 11211	718.730 5870	Lchortani2008@ yahoo.com
Guillermina Hernandez		78 South 1st St Apt 4 Brooklyn, NY	(718) 387-4487	11211
Dan Zahor	Dan	267 Graham Ave Brooklyn	347-841-[illegible]	
Brianne Melville	[illegible]	37 S 3rd. St. Apt 3S Brooklyn, NY 11211	347-885-1525	brianne.melville@gmail.com
Margaret Zirra	[illegible]	59 Jefferson St Brooklyn NY 11206	978.223.8[illegible]	Zyroma@Gmail.com
[illegible]	[illegible]			

May-06-10 01:48P Colebrando 7183871082 P.22

Petition in Opposition to The New Domino

April 15, 2010

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NAME	SIGNATURE	ADDRESS	PHONE/	EMAIL
Miguel De Jesus		345 Bedford Ave	1917.681-7853	
Lidia Castillo		289 South 1st Street	347-554-1315	
Alex Scrimgeour		15 Moultrie St	212 475 4000	
Natalie Vichnevsky		98 Noble st		Natalie.Vichnevska@gmail.com
Jonathan Voris		652 Humboldt St #1	973.271.0655	jvoris@nlgmanb.com
Jessica Molinari		652 Humboldt St Apt #1	917 660 6287	jess.molinari@gmail.com
Chris Angerman		82 Vernon Ave, Bklyn NY 11206 Apt. 4	717 586 1914	ChrisAngerman@mac.com
MAXimino Pena		373 So 2nd Bklyn NY	718 782-0830	

May-06-10 01:49P Colabrando 7183871082 P.23

Petition in Opposition to The New Domino

April 15, 2010

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NAME	SIGNATURE	ADDRESS	PHONE/	EMAIL
[redacted]	[redacted]	[redacted]	[redacted]	
Marcella Brann	Marcella Brann	46 Grand St Bklyn NY 11211	7187827248	Marcellabb@earthlink.net
Tom Gabriel Echevarria		11222 62 South 3rd St Bklyn NY 11211	718 290 4283	tomcruebot.com ggberria@gmail.com
Jennifer Echevarria		62 South 3rd St Bklyn N.Y. 11211	718-290 4283	Jennifer@g.mail.com
Timothy Michalash		22 Rivington NY NY 10002		timothy Smart Integration
Jerry Badillo		355 Grand St Bklyn NY		Nuevayork@AOL.com
Xena Badillo				Maxisours@aol.com

May-06-10 01:49p Colebrando 7183871082 p.24

Petition in Opposition to The New Domino ✓

April 15, 2010

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We want housing on the inland site for families earning below $35,000 per year. NO CONDOS on the waterfront site and the waterfront site adaptively reused.

NAME	SIGNATURE	ADDRESS	PHONE/	EMAIL
PETE DAVIES		548 BROADWAY #5A NY 10012		pd548@nyc.rr.com
Chris Jones		128 Thompson #3R NY, NY 10012		
I-Ling Hsieh		229 S 3 St. Brooklyn NY 11211		
Gwynne Gauntlett		330 Wythe St Brooklyn NY		gwynneg@gmail.com
BETSY KELLEHER		475 KENT AVE. #403 BKLYN 11211		betsykelleher@mac.com
Antonia Levy		333 Berry #2 11211	646 5919751	avette@gmx.net

Petition in Opposition to The New Domino ✓

April 15, 2010

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NAME	SIGNATURE	ADDRESS	PHONE/	EMAIL
MAREK SIKORSKI	Marek Sikorski	157 NEWEL ST BROOKLYN NY	(347)248-8599	—
AGNIESZKA SIKORSKI	Agnieszka Sikorska	1125 Lorimer St. #3A	347/248-8096	—
NINA BENWAY		92 Green St Brooklyn NY	510-517-7388	—
MALLORY SOLOMON		36 Newel St Brooklyn NY #4	805.358.1029	—
ZACH SHEDD		38 NEWEL ST. BROOKLYN NY #4	646-346-4099	—
Antonio Collado	Antonio Collado	626 Wythe Place	171856 92940	—
Santa A Collado	Santa A Collado	626 Wythe Pl	347 605 2740	—
Louis Singh	52 S. 3rd ST.			
Philip Sikorski	97 DIAMOND ST.			

Petition in Opposition to The New Domino ✓

April 15, 2010

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We want housing on the inland site for families earning below $35,000 per year. NO CONDOS on the waterfront site and the waterfront site adaptively reused.

NAME	SIGNATURE	ADDRESS	PHONE/	EMAIL
Kaitlyn Cruz	Kaitlyn Cruz	228 South 1st Street	347/020? 4049	
Cristina Collado	Cristina Collado	362 60th Street	347, 6333, 3923	
David Beach		427 greenpoint	646 373 0769	
Kakyung Cho		59 S 3rd	917 306 2021	
Roy Letton		59 South 3rd	718 387 5144	
Sigfredo Vega	Sigfredo Vega	130 Clymer Street Apt 5B Brooklyn NY 11211	718 7827033	
Dan Nguyen	Dan Nguyen	500 S 4th Ave Unit 9F		
Sylvesta Creque		88 S. 10th	917-355-6492	

Petition in Opposition to The New Domino

April 15, 2010

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NAME	SIGNATURE	ADDRESS	PHONE/	EMAIL
Danielle Aprea		406 Lorimer St #3 11206		danielleaprea@mac.com
MATILDE POSO		101 MOSCOWITZ GV APT 4C BROOKLYN 11206	718-246-2355	
CAROLINE QUIROGA		70 N. 4th 11222		caroline.quiroga@gmail.com
Elizabeth Echevarria		62 S 3rd St 11211	347 276 4918	elizechevarria@aol.com
Allison Leighton		22 River Terrace NYC 10282		allisonl@arkgrove.com
Ann Sladky		107 ORA Brooklyn 11222		
Emilie Selden		107 Greenpoint Ave 11222		

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NAME	SIGNATURE	ADDRESS	PHONE/	EMAIL
D Beaucaire	D Beaucaire	360 Kingsland Brooklyn NY 11211		dbeaucaire@gmail.com
F. Gherardi	F Gherardi	53 Willoughby Ave.		fabio.gherardi@gmail.com
Nancy Cordero	Nancy Cordero	91 South 2nd Street Apt 4L		
John Laitera		67 Metroph.		
Stephanie Seeger		" "		
Steffen Wirth	Steffen Wirth	210 E 47 St		
ED Krafcik		NJ		ekrafcik@gmail.com
Mary Carey	Mary Carey	60 Broadway Apt D 11211	718 599-1665	marywcarey@verizon.net

May-06-10 01:51P Colebrando 7183871082 P.29

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NAME	SIGNATURE	ADDRESS	PHONE/	EMAIL
Eric Aviles		62 South 3rd street Brooklyn NY 11211	646 573-1993	Eric.Aviles82@hotmail
OLYA EVANITSKY		458 FOR DRIVE DR05 NY, NY 10003		evanitsky@gmail.c
Megan Cedro		138 Guernsey ST IL		megan.cedro@gmail.com
Michael Mast		138 Guernsey St #1L		
Alison Walsh		79 Greenpoint Ave #2R Brooklyn 11222		alison.walsh@nyck.com
Rachelle Hurse		34 N. 6TH ST #5H4 BROOKLYN NY 11211		
RAFAEL Echevarria Jr		62 S. 3rd St. Bklyn, N.Y. 11211		MADRAFAEL@AOL.COM
Soledad Echevarria		62 South Brklyn, 11211		

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NAME	SIGNATURE	ADDRESS	PHONE/	EMAIL
Chloe Schwartz		319 Wythe Ave	818 261-522	chlAredO gmail.
Edward Gillen		421 Fifth Ave	646 334 5362	el[illegible]gillen, @gmail.com
Zoe O'Brian		112 E 19th St. # 2R NY, NY 10003	—	—
APRIL ROBIN		107 Broadway	—	—
M. Wesley Ham		98 Noble St 11222	—	—
V. Szczepanik		2 Bayard St- BKNY 11211		nyrogirl@ gmail.com
J. Cadena		2 Bayard St Brooklyn 11211		[illegible] @yaho...com
Fenton Rosenny		505 Georgia Ave, Brooklyn		[illegible] @gmail.com

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NAME	SIGNATURE	ADDRESS	PHONE/	EMAIL
Tim Traynor		47-25 40th St Sunnyside	917 535 3677	timothy.traynor@gmail.c
GUSTAV GRAVE		305 ROEBLING ST 11211	917 583 9736	J-Tambrode Johansen @gmail.
ISABEL ABISLAIMAN		450 Kent 15C Bklyn, NY 11211		abislaiman@gmail.com
Andreea Rusu		79 Rung St. 11211	—	—
Stephanie DeKorte		241 South 2nd St 11211.		
JEROME COMMA		141 SOUTH 2ND 11211	—	—
Pastor Alexander		113 LUDLOW	—	—
Kismery Johnson		105 South 2nd St Bklyn 11211		

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NAME	SIGNATURE	ADDRESS	PHONE/	EMAIL
Milton Lyra		386 S 1st st Brooklyn NY		
Leonidas Reyes	Leonidas Reyes	60 Kingsland Brooklyn, NY 11211	(347)828-5131	none
Marinella Tofino	Marinella Tofino	1605 E 29 Bklyn		none
Joseph Tofino		1605 E. 29th St.		
Marisela K-Raez	Marisela K Raez	182 South 3rd St. Bklyn, NY 11211	(347) 217-1884 (718) 384-3102	Mari1121@aol.com
Joshua Bassett		2 Havemeyer St Brooklyn 11211		Joshua.bassett@gmail.com
FEDERICA CARLET		ITALY		Fede.carlet@gmail.com
SIMONE BISONTIN		ITALY		

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NAME	SIGNATURE	ADDRESS	PHONE/	EMAIL
FRANK FARRELL	Frank Farrell	98 JAY ST	718-383 2435	
ADRIANA C. MACHADO COELHO	Adriana Machado	338 Berry Street #9 NY NY	646.944 3307	
Shelly Chacz	Shelly Chacz	62 Middleton St. Brooklyn, NY 11206	718 387-1246	shechacz@aol.com
Lilia Nuñez		1167 Havemeyer ST #17	347 987 3267	
Digna Mercedes	C. Mercedes	16 Lee Ave #16C Brklyn NY 11211		
Ana Fermin				
JOSEPH VALENTIN		272 South 5th st #D1 BKLYN, NY 11211	347.262 9069	J.VALENTIN72@gmail.com
BRYAN JOHNSON		112 N. 7th Apt 2	917 811 0617	TJOHNSON1276@yahoo.com

May-06-10 01:53p Colebrando 7183871082 p.34

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NAME	SIGNATURE	ADDRESS	PHONE/	EMAIL
THOMAS STRACZYNSKI		13-24 127th St MALBA, NY 11356	718-767-6258	—
Lewanne Jones		55 South 11th St 11211		lewanne@autonomedia.org
WALTER VERDUGA		252 BLEECKER St BROOKLYN N.Y. 11237	(347)219 5330	
Eva Lopez		252 Bleecker Brooklyn ny 11237	646-532 1105	
JOSIE MOTA		43 SOUTH 9th ST Bklyn 11211	(718) 506 5631	Jmota@NYC.gov
Maribel Lizardi		394 Lainer St Bklyn 11206	718 388 4630	Willybe_bell@hotmail.com
Jim RAMER		245 KENT AVE 11211	718-486-3755	ramerj@gmail.com
Holly McDade		245 Kent Ave 11211	718.486.3755	photo.holly@gmail.com

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PAOLA FRANCHIN	Paola Fra.	ITALY		

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NAME	SIGNATURE	ADDRESS	PHONE/	EMAIL
IRIS ORTIZ		344 RODNEY ST		
GUILLERMO PEREZ		344 RODNEY ST		
Eddie Mercz		81 Sutton St 11222		

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NAME	SIGNATURE	ADDRESS	PHONE/	EMAIL
Carlos Vargas	Carlos Vargas	72 South 3st.	(646)286.8784	NN/AA
Annie Muñiz	Annie Muñiz	386 South, 1st St.	(718) 414-7486 cel	
Crucelina Vazquez	Crucelina Vazquez	386 South 1st St	(787) 546-8085	
IAN JELINEK		440 KENT AVE.	917 400 3787	ueebeast@gmail.com
BECKY YAZDAN		440 KENT AVE		byazdan@nyc.rr.com
MONICA SORUCO		318 E. 6TH ST.	323 363 3579	MSORUCO@hotmail.com
JAMES TRIMARCO	James Trimarco	~~302~~ 91 S. 6TH ST. BROOKLYN, NY 11211	"	"
Ruth Ivry		91 S. 6th st Brooklyn, NY 11211	"	"

May-06-10 01:54p Colebrando 7183871082 p.38

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NAME	SIGNATURE	ADDRESS	PHONE/	EMAIL
Tracy Jenkins	Tracy Jenkins	320 Maujer St. Apt 1E Bklyn 11206		tracyajenkins@gmail.com

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NAME	SIGNATURE	ADDRESS	PHONE/	EMAIL
Ricken, Thomas		450 Kent Av Williamsburg		t-ricken @fmcnt.de
Mary Feldmeier		124 Ashland Pl.		
Michael Lewis		2295 Ocean parkway	(347) 351-4778	Mannisy V22000 @yahoo.com
Chris Ferry		51 N6th St		Chris Ferry @gmail.com
Hermina Fap.'01		South 1st		
FIORENZO BORGHI		330 Wythe Av.	917 5928371	fiorenzo@ fiorenzoborghi.com
STEFANIA GIABARDO		330 WYTHE AV.	646. 2364572	STEFANIAGIABARDO@ MAC.com
WANDA KASSIMIS		211 KENT ST	917-697-1100	WJREM70 @YAHOO.

May-06-10 01:55P Colebrando 7183871082 P.40

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NAME	SIGNATURE	ADDRESS	PHONE/	EMAIL
MARIANNE RAMIREZ RALPH "		326 HIGHLAND BLVD	718 647 3129	
Gerry Nieves		101 South 3rd St	917-721-0512	
Y. Goffman		330 Wythe Ave	917 3254134	
LASSE LYNNE-HANSEN		WAVERLY PL 23	347-330-816	
JONAS EBERLE		537 KENT AVE	347-725-0305	
Tanya Bley		337 Kent Ave	347-267-0680	
Nancy Fornwell		330 Wythe Ave	718 387 8769	
[illegible]		330 Wythe Avenue	917	

May-06-10 01:55P Colebrando 7183871082 P.41

PETITION TO THE NYC PLANNING COMMISSION

81 Grand

Vincent Spinola 253 Wythe Ave Brooklyn 11211

Cathy Spinola — 253 Wythe Ave Brklyn 11211

Ethel Rank 101 Grand St.

Lori Cotrupola 255 Wythe ave Brooklyn NY 11211

[illegible] Halloran 101 Grand St. Brooklyn 11211

Nathaniel Drake 101 Grand St. Brooklyn NY 11211

[illegible] 115 South 1st st Brklyn NY. 11211

Elizabeth Andrycak 103 Grand Street Bklyn 11211

DAVID HORVE 101 GRAND ST. BROOKLYN NY 11211

Dennis Ford 662 DRIGGS AVE BRKL. 11211

MING ONG 25 FILLMORE PL

Evelyn Morales 81 Grand St

PAGE 43 OF 43

END OF FAX
FOR
CEQR APPLICATION NO.
07DCP094K

PETITIONS

Brandon Cole
376 Wythe Avenue
Brooklyn, New York 11211
Brandon376@msn.com
718 387 1036

Facsimile Transmittal

21347

FAX

To: Amanda Burden
From: leah kreger
Fax Number: 2127203219
Date: 05/06/2010
Pages: 11 (including cover page)
Re: Petitions that oppose the New Domino

Comments:

Respectfully submitted are the following 159 "signatures" of people who oppose the proposal for New Domino, app. # 07DCP094K.

Thank you

Leah Kreger, Williamsburg Independent People
109 Grand St
Brooklyn, NY 11211

New York City Planning Commission

Re: CEQR Application No. O7DCP094K

The undersigned wish to voice their **objection** to the proposed zoning changes and special permits requested by the owner, The Refinery, LLC, for the Domino Sugar site, for the following reasons:

* The proposed upland structures are **enormously out of context** with surrounding upland blocks.

* We ask for **more affordable housing** that targets Brooklyn CB1 median income, which is $35,000 a year for a family of four.

* The increase in residents would severely **strain an already overburdened infrastructure**, especially public transportation.

* The proposed waterfront towers would **decrease per-capita open space** in the neighborhood, despite the proposed waterfront park.

* There needs to be a greater emphasis placed on adaptive reuse of these important historic buildings along the lines of similar Civil-War era buildings in Red Hook and in DUMBO.

* There needs to be an **alternative plan** for the entire site, a plan that creates jobs and maintains industrial zoning, the need for which is shown in the ten-year-long waiting period in the Brooklyn Navy Yard for light industrial and manufacturing space.

* The proposed residential towers will contribute mightily to **displacement** of long-term residents and contribute to the destruction of the character of Williamsburg's South Side.

We urge the Commission to **reject this application for zoning changes and special permits** until the developer, CPCR, addresses these and other serious issues raised by Community Board 1 and its ULURP subcommittee.

	Name	From	Comments
1.	carol white	Amherst, MA	
2.	Antonia Levy	Brooklyn, NY	a park along the river!
3.	James Trimarco	Brooklyn, NY	Let's approve a plan that's in the community's interest
4.	Brandon Cole	Brooklyn, NY	
5.	James Hoff	New York, NY	Artist's studios Historic landmark

	Name	From	Comments
6.	David Dunkleberger	Doylestown, PA	
7.	Mary Truelove	Martinsville, IN	
8.	Jean Lord	Cliffwood Bch, NJ	
9.	STEVE KLEIN	Herndon, VA	Do you have ideas for alternative uses of the Sugar Domino site? List them here!
10.	beata breg	forest hills, NY	a park!!
11.	Gloria Clements	Macon, GA	
12.	Katharina Kruse-Ramey	Brooklyn - Williamsburg, NY	
13.	Noah Collier	Brooklyn, NY	
14.	enat sidi	Brooklyn, NY	
15.	James Munson	Brooklyn, NY	
16.	Thomas Jung	Brooklyn, NY	
17.	Alberto Pierpaoli	Brooklyn, NY	
18.	Jane Rosenberg	Brooklyn, NY	
19.	Melissa Breyer	Brooklyn, NY	
20.	Stephanie Davies	Brooklyn, NY	It is a terrible shame to lose the character of Brooklyn's waterfront to profit-seeking motives. In decades to come, people will wonder why on earth we all put money before history. There are many uses for this site--a museum, an art gallery, spaces for artists, an educational center that brings community members together, a movie house, or even housing that uses the space itself rather than dwarfs it with monster towers.
21.	stefania giabardo	brooklyn, NY	
22.	Patrizia Nobbe	Brooklyn, NY	
23.	Traci Parks	Brooklyn, NY	
24.	Kate Herz	Brooklyn, NY	How about a Brooklyn historical museum and arts center - similar to one in Red Hook?? How about a movie theater?? How about a Fairway supermarket?? How about a gorgeous waterfront park like the one in Dumbo??
25.	jennifer weber	brooklyn, NY	this is way too much. we dont have to allow so many towers to get a little affordable housing and a school now do we?? alternative uses will also create work and jobs and desirability and help pave the way for good things without further taxing the infrastructure not ready to meet this demand-- or the community not ready for more of the same-- adapt and reuse the historical building further too please. thanks

	Name	From	Comments
26.	Tymberly Harris	Brooklyn, NY	We don't need more new overpriced condos in our neighborhood. We need infrastructure, more basic services and buildings that encourage community and respect the people who live in the neighborhood now.
27.	charlotte canale	Brooklyn, NY	
28.	Balazs Kascsak	Sunnyside,New York, NY	
29.	iris dauber elbaz	brooklyn, NY	don't approve this monstrosity!!! we really do need more creative cultural sites not another condo!
30.	Richard Morin	Broolyn, NY	More public use, absolutely!
31.	Linda Nagaoka	Brooklyn, NY	
32.	David Brody	brooklyn, NY	Good development, not profiteering!
33.	mary helvet	brooklyn, ny 11211, NY	
34.	Natalie Vichnevsky	brooklyn, NY	This development is a great opportunity for Williamsburg and the City. We need to capitalize on the historic value and cultural potential of this site, not create another out of scale condo complex that fails to substantially incorporate the needs and realities of the community.
35.	Evan Cole	Fair Oaks, CA	As a visitor to the area I would recommend you transform this property into something that the neighborhood can use and benefit from; rather than just another private housing structure. A museum or a multipurpose building or an alternative energy generating plant (using the tides from the river), or solar energy. Have a competition among the various independent architecture firms to display their ideas and have the community review and vote on what they would believe to be the best use of the site.
36.	Brian Welsh	brooklyn, NY	There are no facilities in the neighbor hood to handle such an influx of residents. How will additional services be readied in tandem with such a huge development. Between this project and Rose Plaza the entirety of the Williamsburg South Side will turn into one huge corporate investment with little regard to the current residents.
37.	Justen Ladda	New York, NY	There is a great potential to create something interesting and unusual here and a great danger to further screw up the waterfront. The unique character of that part of the neighborhood could be lost forever to yet another generic high rise development. I hope enough people will realize this and oppose it.
38.	Tamara Gonzales	Brooklyn, NY	
39.	Jenny Lynn McNutt	Brooklyn, NY	WILLIAMSBURG IS DISMALLY LOW ON THE RATIO OF ITS POPULATION TO GREEN SPACE. WATERFRONT SPACE FOR ALL - GARDENS, GROCERY STORES, ART PARKS, LO DENSITY

(continues on next page)

	Name	From	Comments
39.	Jenny Lynn McNutt	Brooklyn, NY	*(continued from previous page)* PRIVATIZATION. HOW CAN THE CITY NOT TAKE INTO ACCOUNT THE CREATIVE CAPITAL THAT IS OUR NEIGHBORHOOD and CULTIVATE?!?!?
40.	Marta Hernandez	Brooklyn, NY	
41.	Greg Peterson	long island city, NY	
42.	dorothy wechter	New York, NY	The Domino site as it is currently proposed is way too dense. There has been no forethought as to services etc to accommodate such a huge population increase for the Williamsburg area
43.	Gregory Rukavina	Brooklyn, NY	Enough already! The existing infrastructure can't support the current population density as it is. The scale of this project is obscene --even in Brooklyn!
44.	Jason Hershman	Brooklyn, NY	
45.	Angela Foster	Brooklyn, NY	We do not need more high rises! Already there are literally hundreds of units standing empty and no infrastructure to support them if and when they're occupied.
46.	Ann Hanson	Olivebridge, NY	More community input, please!
47.	MATT FREEDMAN	Ridgewood, NY	
48.	Shonquis Moreno	Brooklyn, NY	One question: Is there truly a pressing need – with so many newly constructed apartments standing empty and unsold – for additional market-rate housing, or any new housing at all? We need affordable housing and we really don't need expensive housing that LOOKS so ugly, cheap and shoddily made as is the case with almost every single new construction in the last two years. Williamsburg is already a missed opportunity.
49.	Alisa Mitkevich	Brooklyn, NY	how about just a nice boardwalk????? there are enough new buildings in Williamsburg--not even enough trains running to support current population. how could they even consider adding another couple thousand bodies? ridiculous.
50.	Sean Mahan	Brooklyn, NY	
51.	Andreas Cohrssen	Brooklyn, NY	With the existing zoning changes, this neighborhood is going to be pushed to the edge of severe quality of life reduction. Already, trains are overcrowded and families get separated when bringing kids to school. The city PLANNING office should put a stop at this expansion effort. Plan for a liveable neighborhood.
52.	Andreas Cohrssen	Brooklyn, NY	With the existing zoning changes, this neighborhood is going to be pushed to the edge of severe quality of life reduction. Already, trains are overcrowded and families get separated when bringing kids to school. The city *(continues on next page)*

	Name	From	Comments
52.	Andreas Cohrssen	Brooklyn, NY	*(continued from previous page)* PLANNING office should put a stop at this expansion effort. Plan for a liveable neighborhood.
53.	Michele Burdiak	Brooklyn, NY	
54.	demetrios meares	Brooklyn, NY	
55.	Frederick Holt	Brooklyn, NY	
56.	Carlos Simões	New York, NY	
57.	peter scibetta	brooklyn, NY	
58.	nellie appleby	brooklyn, NY	
59.	Priya Bhatnagar	Brooklyn, NY	
60.	Dana Kane	Brooklyn, NY	Domino is the perfect site for a Arts and Culture Center. Think of it! Dance, Theater, Film, Visual Arts all under one roof! and since most artists are being forced further and further away from the city, its the perfect opportunity to lure the artists back by creating subsidized living and work studios. and, as far as I can tell, people are more attracted to GREEN than hi-rise buildings made of glass and cement. A wonderful GREEN park or series of parks would be incredible!
61.	richard greenan	oradell, NJ	
62.	Elizabeth Stark	Brooklyn, NY	Please stop the over development of Williamsburg. Let's have smart, community-minded growth.
63.	Philip Suchma	Brooklyn, NY	A city is not just a collection of buildings and streets that mark a map, but rather is at its core the collection of diverse peoples who live, work, and play in a space. They provide the meaning. I understand that a city must continue to evolve over time, but this must happen with a respect to its communities. Change does not have to equal the destruction of a community and those qualities that our civic leaders supposedly want to maintain. Why fundamentally take a neighborhood away from the people who live and work there? Why build a wall disconnecting them visually and physically from the waterfront? Why take away the characteristics - a view of the Manhattan skyline - that is part of the spirit of the area? The proposed development looks to make Brooklyn into a baby-Manhattan. Families, artists, students, and teachers have all moved to or stayed in this area because of its distinct community flavor. I feel it is shameful that a city's leaders care so little for those they are elected to protect.
64.	ELIZABETH MCCAUSLAND	NEW YORK, NY	
65.	Daniel Bloomberg	Brooklyn, NY	We want say in the development of our own neighborhood, thanks.

	Name	From	Comments
66.	miles bellamy	brooklyn, NY	
67.	Patrick Stettner	Brooklyn, NY	
68.	andrea lerner	brooklyn, NY	
69.	Stacy Lanyon	Jackson Heights, NY	
70.	Tamas Veszi	Brooklyn, NY	Art center. Loft spaces, more park with trees,
71.	nancy buivid	brooklyn, NY	The OLD Domino built this neighborhood. The NEW Domino will destroy it. The density and bulk of the current plan is just to great. Rather than welcome the public to the waterfront, the buildings will form a wall blocking vista and precious light. The future population will actually decrease the amount of open space for Brooklynites. The city has no plans in place to ease the areas current and future transportation problems. Since owning the property, the delvelopers have shown little respect for this historic site.
72.	Adrienne Jennings	Brooklyn, NY	I would like to see a comprehensive plan on how the city is going to deal with traffic flow (cars, trucks) with all the new residence BEFORE Domino is built.
73.	Melissa McGregor	Brooklyn, NY	A cool Art / Music Space would be great...
74.	Charlotte Priddle	New York, NY	The expansion of Williamsburg's housing stock has not been equalled by an expansion in open, green space, especially along the waterfront. Why not follow what the rest of the city is doing, and keep the waterfront for everyone, not just for developers.
75.	lance McGregor	Brooklyn, NY	
76.	Ron Baron	Brooklyn, NY	STOP this obscene project! Consider the impact on our community. This is wrong and only hurts our families and community.
77.	Alexandra Brock	New York, NY	Who best interest is served here? In the midst of the blight of our broken corporate financial system with recently announced teacher layoffs, reduced subsidies for affordable housing, reduced police and fire dept. services, charging the working homeless rent for shelter space, and other insanities of this months news, are we really supposed to be supportive of this or any other overscaled development (governors island) serving to expand the burden for tax payers while developers and bankers run away with the gold and short term gains ??? When will this nonsense end and what will NYC look like when it does?
78.	jennifer Fraser	brooklyn, NY	
79.	jaime salazar	woodside, NY	
80.	Kumanan Jayadevan	New Paltz, NY	

	Name	From	Comments
81.	Nomvuyo Nolutshungu	Brooklyn, NY	
82.	Heather Roslund	Brooklyn, NY	
83.	Lynn Loflin	Brooklyn, NY	Williamsburg should have a wonderful High School which would serve all the High School age kids in the neighborhood. There are specialized high schools in the neighborhood, but no one reasonably large great high school with strong liberal arts, sports, science and enrichment.
84.	Claudia Vettermann	Leipzig, Germany	
85.	Dewey Thompson	Brooklyn, NY	Highlight and preserve the 19th Century industrial landmark nature of the buildings and create a contextual design that respects and echoes the low-density, low-height surroundings of the neighborhood.
86.	Philip DePaolo	Brooklyn, NY	
87.	Alan Hill	Brooklyn, NY	
88.	Omid Balouch	Brooklyn, NY	Make a Community Center, Cultural Center, Museum, Theater and or Entertainment facility that will serve the community.
89.	Sofya Aptekar	Princeton, NJ	
90.	Jason Andrews	Brooklyn, NY	Enough already !
91.	Barbara Campisi	Brooklyn, NY	Williamsburg does not have the infrastructure to handle development of this scale.
92.	joan christian	brooklyn, NY	
93.	John Noonan	New York, NY	
94.	Richard Timperio	Brooklyn, NY	Create a museum in a portion of the old factory it would be fabulous and a great edition to the neighborhood. It would also compliment the new housing which thiers to much of
95.	Brenda Colling	Brooklyn, NY	We are overcrowded and lacking adequate transit now. A megadevelopment is inapropriate for our community.
96.	Benjamin Moffat	Brooklyn, NY	
97.	Natan Daskal	Brooklyn, NY	Community involvement is essential in a development of this scale - please listen to the residents of the community. This is New York City, a creative center of the world. Much more creative, attractive, beneficial, and lucrative solutions can be achieved.
98.	Teri Muroff	Queens, NY	
99.	Jonathan Wahl	Brooklyn, NY	
100.	Maria Benvenuto	Ny, NY	Dog parks!!! Playgrounds! Community pool!!
101.	Tamara Kneese	Brooklyn, NY	

	Name	From	Comments
102.	Douglas Safranek	Brooklyn, NY	Please do not approve this massive development plan in our already over saturated neighborhood. The infrastructure simply isn't in place to support such a development!
103.	Ryan Kuonen	Brooklyn, NY	
104.	Erika Jakubassa	Brooklyn, NY	Outside green spaces with tables and benches for the community! An art-house cinema! A cafe! Rooms for educators to rent, in order to offer classes to the community!!
105.	Allison Rachleff	Kew Gardens, NY	
106.	Sheila Griffin	Brooklyn, NY	
107.	Jennifer Gonzales	Brooklyn, NY	The L train platform during rush hour is almost dangerous. Please consider the development process with the safety and well-being of the current community in mind.
108.	Johannes Novy	Berlin, Germany	
109.	Ken Butler	Brooklyn, NY	
110.	Jezra Kaye	Brooklyn, NY	Sites like this should benefit the community that nurtured it, not just the interests of a heavily-subsidized developer.
111.	Yanis Bibelnieks	Brooklyn, NY	
112.	Alison Greenberg	New York, NY	
113.	Eric Zuckerman	ambler, PA	
114.	samara kupferberg	Brooklyn, NY	
115.	Denise DeCoster	Brooklyn, NY	
116.	Candace Carponter	Brooklyn, NY	
117.	Dana Guyet	Brooklyn, NY	We really need affordable housing in this city- and everyone knows that. Let's use our historic buildings to support the diverse population of residents who can't afford luxury prices.
118.	Sterre van Rossem	brooklyn, NY	
119.	Tamara Zahaykevich	Brooklyn, NY	
120.	elizabeth felicella	new york, NY	
121.	Margie Neuhaus	Brooklyn, NY	
122.	Alyson Shotz	Brooklyn, NY	
123.	Tracy Lane	Brooklyn, NY	

	Name	From	Comments
124.	Paige Stevenson	Brooklyn, NY	The neighborhood cannot handle 1000's of more people and we have developments that are stalled eyesores and many more built and not sold. This is not the time for more development in Williamsburg
125.	Amy Greer	Brooklyn, NY	
126.	hillary kahn	new york, NY	
127.	David Rosen	Brooklyn, NY	
128.	Joel Adas	Brooklyn, NY	Do you have ideas for alternative uses of the Sugar Domino site? List them here!
129.	ALEXANDRE ROCKWELL	NY, NY	
130.	Steven Soblick	Brooklyn, NY	
131.	Kinne Björn	Leipzig, Germany	
132.	Elizabeth Riggle	Brooklyn NY, NY	Do you have ideas for alternative uses of the Sugar Domino site? List them here!
133.	robert Puca	Brooklyn, NY	
134.	Mehiko Kono	Brooklyn, NY	Creative space, school, public day care, affordable housing, landmark site for public use.
135.	jennifer elia	brooklyn, NY	
136.	Lee Zimmerman	Brooklyn, NY	
137.	Camille Hempel	Brooklyn, NY	Please keep the integrity of the outer boroughs. Would be nice to see the bridge from Williamsburg.
138.	Laura Hofmann	Brooklyn, NY	
139.	Akiko Ichikawa	Brooklyn, NY	
140.	Espen Lunde Nielsen	Brooklyn, NY	
141.	kim Carroll	Brooklyn, NY	A hotel! And more open park land.
142.	Ariel Stark	Brooklyn, NY	
143.	Dennis Farr	Brooklyn, NY	A University of Urban Design!
144.	Sam Ruben	San Francisco, CA	
145.	i mactaggart	brooklyn, NY	return it to industrial use
146.	Bonnie McCausland	Villanova, PA	
147.	James Buckley	Brooklyn, NY	
148.	diane vasil-Meyers	brooklyn, NY	
149.	Kate Sheldon	Brooklyn, NY	
150.	Jeny Lin	Brooklyn, NY	artist gallery, public facility...etc.
151.	Kevin Rogers	Brooklyn, NY	
152.	Nancy Rielle	Brooklyn, NY	

	Name	From	Comments
153.	Lee Ornati	Brooklyn, NY	
154.	Susan Silberman	Brooklyn, NY	A decent school for north Brooklyn k-12.
155.	Ryan McFaul	Brooklyn, NY	
156.	Deirdre Dod	Brooklyn, NY	
157.	Daniel Levy	Brooklyn, NY	The scale and scope of the project is way out of line for the area. The massing of the buildings is totally inappropriate. The original Domino building should be converted to apartments, though the new glass towers should be eliminated.
158.	Mary Curren	brooklyn, NY	
159.	Tim Soter	Brooklyn, NY	Williamsburg is already as crowded as it can get and there is only on subway stop that facilitates the movement of the residents in and out. Williamsburg is not a "land grab." it's a neighborhood trying to survive the influx of greed and wealthy new residents.
160.	Peter Sands	Brooklyn, NY	In short, the proposed development is far too big. The volume of people it will bring to the area will add enormous strain on already stretched local amenities (e.g. the subway) and ruin the current character of the community. There are already a number of very large developments along the waterfront, that have had a negative impact on the community, and the proposed Domino development will exacerbate the situation.
161.	KRISTIN ROONEY	NEW YORK, NY	There are an overwhelming number of stalled construction sites and vacant new apt buildings in the area. What value does this project add to Williamsburg...?

21360

Date: May 7, 2010
Commissioners
to: Amanda Burden
NY City Planning Commission

re: Domino Proposal, CEQR app.
07DCP094K, OPPOSED

from: Leah Kreger
109 Grand ST
Brooklyn, NY 11211
718-387-4245

The following is a petition signed by 29 people who are opposed to the application. These are in addition to the names already faxed to NY City Planning.

Thank you.

05/07/2010 16:10 01 J. LENTOL BROOKLYN PAGE 01/05

PETITION FOR A BETTER NEW DOMINO

Re: CEQR Application No. O7DCP094K

The undersigned wish to voice their **objection** to the proposed zoning changes and special permits requested by the owner, The Refinery, LLC, for the Domino Sugar site,

	NAME	ADDRESS	EMAIL ADDRESS	COMMENTS
1	LOUISE BELCOURT	315 BERRY ST #6N BROOKLYN NY 11211	LOUISE@LOUISEBELCOURT.NET	
2	Chester Layman	362 Gates Av, Brooklyn NY	layman.ac@hotmail.com	
3	James Hall	98 South 2nd St. Brooklyn, NY 11211	Jameshallnyc@yahoo.com	
4	JESSE MOORE	105 GRAND ST. BROOKLYN 11211	jessemooredesign@gmail	
5	SEBASTIAN BROMER	109 GRAND ST. NY 11211	SEBASTIAN BROMER@GRATITUDE NET	
6	Esteban Morales	81 Grand St.		
7	Phuong Nguyen	pnguyen@prototypedesign.org	331 3rd St. #3L Brooklyn NY 1121	
8	Jane Bottner	705 Driggs Ave Blklyn 11211	jbot705@earthlink.net	
9	Amanda Crandall	257 Berry St Blklyn 11211		
10	Carrie Naitzki	1128 W. Houghton Ave #1L Blklyn 11207		
11	Leah Kreger	109 Grand St	Brooklyn 11211	
12				
13				
14				
15				

PETITION FOR A BETTER NEW DOMINO

Re: CEQR Application No. 07DCP094K

The undersigned wish to voice their **objection** to the proposed zoning changes and special permits requested by the owner, The Refinery, LLC, for the Domino Sugar site,

	NAME	ADDRESS	EMAIL ADDRESS	COMMENTS
1	ANNY MCDOWELL	1158 Manhattan Ave	macdaddyny@mac.com	"NO!"
2	Doug Safranek	546 Torings Ave Brooklyn, NY 11211	dougsafranek@yahoo.com	
3	Pio Galvis	92 Reilly St. Prospect	(4) Aol.com	
4	Laurie Buck 500 Kingsland		llauriebud@aol.com	
5	Penelope Coe 111 Broadway Brooklyn NY 11211			
6	Shannan Shaughnessy 247 N. 8th Street #3L Brooklyn NY 11211		SSbrooklyn@gmail.com	NO!
7	Melissa Dunn		melissaddunn@gmail	This is a densely crowded neighborhood - no parking, overcrowded L train etc.
8				
9				
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12				
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14				
15				

05/07/2010 16:10 01 J. LENTOL BROOKLYN PAGE 04/05

FULL TEXT IS STAPLED →

PETITION FOR A BETTER NEW DOMINO

Re: CEQR Application No. 07DCP094K

The undersigned wish to voice their **objection** to the proposed zoning changes and special permits requested by the owner, The Refinery, LLC, for the Domino Sugar site,

	NAME	ADDRESS	EMAIL ADDRESS	COMMENTS
1	[illegible]	80 Wooster NYC	susan@galgiani.com	
2	Michelle Marks			
3	MIKE LAPILUSA	341 E. 19th St., APT D NYNY 10003	mlapilusa.[illegible]@hotmail.com	
4	ROSA VALADO	338 BERRY ST, Brooklyn NY	RVALADO@GMAIL.com	
5	Cory Abrams	212 W. 22nd St NYC NY 10011		
6	[illegible]	115 NASSAU APT 2 Bklyn 11222	Rachel.herman.gra[illegible]@gmail.com	
7	Jill Chrisbarra	139 Jefferson St.	lovelycannara@yahoo.com	
8	RICHARD GERGEL	117 North 5TH ST	richardgergel@gmail.com	
9	Benjamin Boatright	128 India St. Apt 3	dudleylawrance@yahoo.com	
10	SARA WINTZ		sara.wintz@gmail.com	
11	JAMIE JOHNSTON	227 Devoe st.	JLYNJOHNSTON@gmail	
12				
13				
14				
15				

APPENDIX K.2
CPC Resources Correspondence

HERRICK

NEW YORK
NEWARK
PRINCETON

MITCHELL A. KORBEY
PARTNER
Direct Tel: 212.592.1483
Direct Fax: 212.545.3352
Email: mkorbey@herrick.com

April 8, 2010

BY HAND

Honorable Marty Markowitz
President of the Borough of Brooklyn
Borough Hall
209 Joralemon Street
Brooklyn, NY 11210

Re: The New Domino
Uniform Land Use Review ("ULURP") Nos. 100185 ZMK, 100186 ZRK, 100187 ZSK, 100188 ZSK, 100189 ZSK, 100190 ZAK, 100191 ZCK, 100192 ZCK

Dear Borough President Markowitz:

We represent The Refinery LLC ("the Applicant") regarding the referenced ULURP Applications which concern a proposed Zoning Map Amendment, Zoning Text Amendment, Special Permits, Authorizations and Certifications to enable the development of an approximately 2.8 million square foot mixed-use project on the Williamsburg waterfront between Grand and South 5th Streets (Block 2412, Lot 1) and on an upland parcel on the East side of Kent Avenue between South 3rd and South 4th Streets (Block 2428, Lot 1) ("the Project"). If approved as described in the ULURP Applications, the Project would contain a mixture of residential, retail/commercial and community facility uses and approximately 4 acres of accessible public open space, with programmed public amenities, playgrounds and a nearly one-acre great lawn. It would also include the adaptive re-use of the New York City Landmarked Refinery complex ("the Refinery"). The Applicant hereby affirms again its commitment to provide 660 units of affordable housing - 30% of the total - providing, once again, that the Project is approved as shown in the ULURP Applications. It is important to note that the density proposed in the ULURP Applications is required to provide the Applicant's committed level of affordable housing - and to serve the income levels described - while at the same time including all of the amenities and the Refinery preservation program.

The Zoning Map Amendment would rezone the property from M3-1 to R8 with a C2-4 commercial overlay for a portion of the waterfront zoning lot; from M3-1 to C6-2 for the Refinery and a portion of the waterfront zoning lot; and from M3-1 to R6 with a C2-4 overlay for the upland parcel. The Special Permits would modify the requirements of ZR Section 62-341, concerning height and setback; ZR Sections 23-852 and 23-863, concerning inner courts; ZR Sections 23-533 and 62-332, concerning rear yards; ZR Section 23-711, concerning distance between buildings; ZR Section 32-42, concerning location of uses; and ZR Section 36-12, concerning maximum number of parking spaces. The authorizations would modify the

requirements of ZR Sections 62-50 and 62-60, which concern requirements for the waterfront public access areas.

The project will include the filing of a Restrictive Declaration, which will mandate compliance with the approved plans and place additional design restrictions on the Project.

On March 11, we attended your public hearing regarding the Project. We greatly appreciate the opportunity to address several comments which were raised at the hearing. Below please find the Applicant's responses to these comments:

Affordable Housing

Subject to the approval of the Project by the City Planning Commission and the City Council as shown in the ULURP Applications, the Applicant will utilize the Inclusionary Housing bonus as provided in the New York City Zoning Resolution ("ZR"), which mandates that 20% of the development's residential floor area be affordable housing. The Applicant is committed to following all of the requirements of the Inclusionary Housing bonus, including the requirement that the housing provided under the program be permanently affordable. The Applicant's commitment to the Inclusionary Housing bonus will be provided for in a legal instrument that the Applicant determines is appropriate, prior to the final approval of the Project.

Assuming the Project is approved as proposed in the ULURP Applications, the Applicant is further committed to maximizing the amount of affordable housing units by providing 30% of the Project's overall units as permanently affordable and will work with the City to memorialize this commitment in a legal instrument.

The Applicant is further committed to provide a 50% local preference in the lottery program pursuant to the Inclusionary Housing bonus and will include in the local preference families that have been recently displaced from Community Board One, subject to review and approval by HPD.

Senior Housing

The Applicant has previously committed to include senior housing units within the overall Project, and will explore the feasibility of including senior housing units within the earliest possible phase of the Project.

Increase in Tiers of Affordable Housing

In addition to the affordable housing commitments discussed above, the Applicant will explore the feasibility of increasing the number of tiers of affordability for the affordable housing units.

Affordable Homeownership

The Applicant will explore subsidy programs and examine the financial feasibility of making the proposed affordable homeownership units permanently affordable and agrees to further investigate mechanisms to facilitate this concept.

Supermarket

The Applicant is committed to seeking a supermarket for the entire retail space shown in the ULURP Applications for the upland parcel.

Artisan Retail Users

The Applicant will explore the feasibility of including custom and crafts-related manufacturing uses and art-related uses, such as jewelry-making, ceramics, galleries or dance studios, as permitted by the Zoning Resolution, within some portion of the proposed retail space on the waterfront parcel.

Parking

The Applicant is committed to working with DCP on a plan to allocate parking spaces for shared parking in the Project's various accessory parking facilities to the maximum extent feasible.

Job Training

The Applicant is committed to cover a substantial portion of the cost of a job training program and has a signed memo of agreement in this regard with a New York City Council-recognized citywide job training organization to train 500 local residents.

Local Construction Suppliers

The Applicant commits to seek out local suppliers when sourcing building materials for the construction of each of the proposed buildings.

School Construction Authority

As discussed at the March 11 hearing, the School Construction Authority ("SCA") does not at this time see a need for an additional school within the Project. However, the Applicant is prepared to include a school within the Refinery should the SCA determine that the need exists. In a letter provided to the SCA dated January 13, 2010, the Applicant expressed its commitment to provide for a school within the Refinery, should the need arise, and to work with the SCA to assess the need for a school as each phase of Project (as shown in the phasing plan included in the ULURP application) proceeds.

Water Taxi

The Applicant will explore the feasibility of future water taxi service at the Site, subject to the Economic Development Corporation including the Domino site within a water taxi route, sufficient demand for the service, and sufficient subsidies.

Bus Relocation

With the MTA, the Applicant will explore the feasibility of relocating the termination point of the Q59 bus to the Marcy Avenue subway station.

Future Shuttle Bus

The Applicant is committed to working with the MTA on a Q59 shuttle bus - or an equivalent shuttle bus program - for the Project, when the demand is sufficient.

Day Care

The Applicant will work with the Department of Children's Services to determine their interest in space for a publicly funded day care center. If the interest exists, the Applicant will explore the feasibility of providing such a center within the Project.

Thank you for your consideration.

Respectfully submitted,

Mitchell A. Korbey

CPC RESOURCES, INC.
A Subsidiary of The Community Preservation Corporation

28 East 28th Street
New York, New York 10016-7943
Tel: (212) 869-5300
Fax (212) 683-2193
www.communitypc.com

May 20, 2010

The Honorable Chair Burden and Commissioners
New York City Planning Commission
22 Reade Street
New York, NY 10007

Re: The New Domino

Dear Chair Burden and Commissioners,

Below please find additional clarifications to address issues raised at the Review Session on the Project held on May 10, 2010. Also attached is a list of the Project's overall components, which we provided for the May 10 meeting. We are always pleased to provide additional information to augment project submissions to date.

Planning and Density

The Domino Sugar site is unique along the Williamsburg waterfront. It is an 11-acre site comprising five blocks along the river plus an adjacent upland parcel, all under common ownership; its current zoning is manufacturing. To add to its distinctiveness, it includes the NYC designated landmark Refinery Building complex. The rezoning sought is not precedent-setting, as there are no similarly scaled sites whose zoning is non-residential.

The plan proposed for the New Domino is similarly unique. It builds upon the 2005 rezoning, and uses the site's size and common ownership to offer a private rezoning application that will provide an unusual array of public benefits which could not have been achieved under the general rezoning of 2005. In fact, the public will benefit from the New Domino plan in ways that could not have been achieved had the Domino site been included in the overall Greenpoint-Williamsburg (GW) rezoning.

The 2005 rezoning sought to address the rezoning from manufacturing to residential of a large segment of both the Northside and Southside neighborhoods of Williamsburg. Sites along the waterfront and sites in the upland areas were approached differently from each other, but all waterfront sites were treated similarly, and all residential upland sites were treated similarly, regardless of their lot area, dimensions, or former uses.

From a planning perspective it is preferable to recognize Domino's unique attributes and treat it with a special set of planning tools rather than to shoehorn a site as large as this into a general mold. After much study, collaborative efforts, and outreach to local and citywide civic organizations and elected officials, a specific plan was developed for the site that advances the 2005 GW rezoning goals but also promotes goals developed by the applicant with the local community. Chief among these goals is the provision of affordable housing – more of it (30% of all units created), and within reach of a broader spectrum of incomes, beginning with families at 30% of the Area Median Income (AMI). Other objectives advocated by the community and embraced by the applicant include the costly and complex preservation of the historic Refinery Building complex, the development of twice as much public open space as is required by the Zoning Resolution, the opening up of all visual and upland corridors, the inclusion of community facility space for a 100,000 square foot potential school and another 45,000 square feet for other community needs, and the inclusion of commercial office space.

From both a planning and a feasibility perspective, only a large site such as Domino can accommodate all these features. It is because of this ability to respond to community goals and objectives while absorbing the costs of a comprehensive site plan program that a large scale site can offer more than a generic rezoning program requires of smaller, individual parcels. Furthermore, the nature of a site-specific rezoning approval allows design controls and guidelines to be tailored to the specifics of the site, again, in a way that cannot be realized for all sites in a broad rezoning. The plan for the New Domino, in fact, provides for carefully construed design controls that lock in the architectural design so that the density can be accommodated in a sensitive fashion. These controls dictate the elegant array of slender building segments that rise to varying heights, and ensure the graceful linking of the architecture with the new public open spaces and the existing neighborhood.

From a density perspective, the difference in FAR between this specific rezoning proposal and the broader GW rezoning will not affect the quality of life of either residents or the community. The minimal difference in residential square footage will result in minimal additional subway trips, vehicular use, school age children, and the like. What the additional density does accomplish, however, is the ability to plan a comprehensive, community-oriented development with community facility space, retail, and office uses, which will provide long-term, meaningful benefits.

Affordable Housing and Density

The high level of fixed extraordinary costs in the proposed program, including the preservation of the Refinery complex, the rebuilding of the ¼-long bulkhead and wharf, the provision and maintenance of the four acres of public open space, numerous community-oriented program commitments, and additional infrastructure elements, requires the creation of a minimum number of market rate units to generate revenue sufficient to cover these costs. The fixed costs do not vary by the number of market units created; with fewer units the costs must simply be spread over a smaller universe – thereby increasing the burden on any market rate unit.

The lower the density – i.e., the lower the number of market rate units – the lower the revenue generated in total. With so much of the overall project's revenue already "earmarked" to pay for the extraordinary costs noted above, the project's scope must ensure that sufficient revenue remain to cover the cost of cross-subsidizing the affordable units – unusually costly because of the amount of affordability (30% of all units created) and the level of affordability (as low as 30% of the Area Median Income) committed to in this project. For this reason, as the density is reduced, a direct proportion of affordable units to market rate units will not be viable - given the burden carried by the market rate units.

Transit

In evaluating the Project's potential effect on transit, it is important to consider that the Project's build-out will occur over a 10-year horizon; occupancy of the 2200 units will be phased. Even at its full build-out, based on a detailed analysis completed in accordance with the CEQR Technical Manual and assuming not 2200 but 2400 units, the Project is expected to generate approximately 815 Manhattan-bound subway trips in the AM peak hour – not the thousands sometimes referred to. This translates into 326 riders on the L line, and 489 riders on the J/M/Z.

The transit analysis as per CEQR did not even trigger the threshold impact to require line-haul analysis, and identified as an impact only potential congestion at one of the access points to the J/M/Z Marcy Avenue Station. The New Domino has already consulted with NYCT on this situation, and will be providing improvements at this access area. These measures will fully mitigate the potential congestion identified in the EIS.

In terms of access to transit, in August 2009 the MTA reconfigured the Q59 route to respond to the street directional changes to Kent Avenue, and in April 2009 adjusted the Q59 route terminus to the Williamsburg Bridge Bus Plaza, less than one block from the main Marcy Avenue subway station at Broadway. This change will make the Marcy Avenue station more accessible for transit riders, and with changes to the M train – which will now follow the V-line route – ridership levels on the L train are expected to decrease in the future. The details on MTA/NYCT responses to Domino-related transit issues can be found in the attached letter dated April 30, 2010. Furthermore, we have always said that we would be pleased to introduce a water taxi stop at the site when there is viable demand for such service, and we have confirmed both with DEC and NY Water Taxi that a dock can be accommodated. We are also reviewing the viability of a shuttle bus service from the

site to various transit access points.

As noted at the Hearing, and as was noted in 2005 with regard to GW, transit is an area-wide matter not to be borne by an individual project. It is NYCT policy to expand service as demand materializes, and not on the basis of CEQR projections.

School Space and the Refinery

The New Domino includes the preservation and adaptive reuse of the landmarked Refinery complex. As a landmark, the Refinery is subject to a maintenance plan that guarantees its safeguarding. Three floors within the Refinery have been earmarked for a PS/IS school should the need arise for additional school capacity at any time during the phasing of the project's development.

The reason for "skipping" over the Refinery in the event the SCA does not yet see the need for a school at Phase IV of the development, rather than completing the residential portion of the Refinery and saving the community facility for another time, is one of practicality and cost.

The programming and design of a NYC PS/IS is quite specific, and does not lend itself to use by other community facility programs. Building out the three-story space for a school that may never materialize would be a prohibitive expense, and would involve very specific floor to ceiling heights to accommodate uses such as gymnasiums, and very specific bearing-wall locations to accommodate other school needs. Alternatively, leaving the space as a "void" that might someday serve a future school or some other community facility, would require expensive structural design to support a three-story void with no interior columns. Were column supports to be placed in the vacant space, any future refurbishing for the ultimate user would be structurally intrusive and expensive.

Should the SCA request that we develop the Refinery outside the currently envisioned phasing sequence, we have addressed the issue of public open space by fashioning an alternative phasing plan that will complete an open space connection between Sites B and C (the two parcels flanking the Refinery) on an interim basis. The full open space program – including the balance of the large central lawn – will then be completed along with the build-out of the Refinery.

Thank you for your consideration.

Sincerely,

Susan Pollock

Susan M. Pollock
Senior Vice President
CPC Resources, Inc.

Overall Project Components

- 11.2 acres
- Five blocks along waterfront; one upland parcel
- Attractive, modulated design
- Design guidelines in the Restrictive Declaration
- Overall FAR 5.64 including commercial office, community facility, retail; overall residential FAR 4.89
- Maximum heights of 30 and 40 stories on waterfront
- 2200 Total Dwelling Units
- 1540 Market
- 660 Permanently affordable units (30%)
- 100 Senior Citizen units
- 100 Affordable units at 30% AMI
- 310 Affordable units at 60% AMI
- 150 Homeownership units at Partnership income levels (130% AMI)
- 50% Community Board 1 preference for affordable, including "look-back" to 2004, wherein HPD considers those displaced since 2004 as "current" residents of CB1
- Preservation and adaptive reuse of the Refinery complex
- Inclusion of iconic Domino Sugar sign on preserved Refinery
- 100,000 sf of community facility space in the Refinery, set aside should the need arise, for a NYC PS/IS public school, in consultation with the School Construction Authority
- Approximately 125,000 sf retail use along Kent Avenue and upland connections
- Full-service supermarket, anticipated in Phase I
- Approximately 100,000 sf commercial office use in Site A towers (northernmost parcel)
- Additional 45,000 sf of community facility space in Site A
- Over 4 acres of landscaped and programmed public open space, including ¼-mile-long esplanade and 3 acres to be donated to the NYC Department of Parks and Recreation and maintained via dedicated funds from private uses on site
- Connection to Grand Ferry Park
- Public access to waterfront along four newly-opened streets connecting to neighborhood grid
- Newly constructed ¼ mile wharf and bulkhead
- Job training program for 500 local residents
- Agreement with 32BJ for on-site building service workers
- Over 1300 permanent on-site jobs
- Estimated 3,598 person-years of construction employment (over 350 jobs per year over 10 years)

Apartment Mix

- On Phase I (Site E) we anticipate:
  Studios 5%

One Bedrooms	25%
Two Bedrooms	40%
Three Bedrooms	20%
Four Bedrooms	10%

- Later phases will be evaluated based on success within community of Phase I.

2 Broadway
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646 252-5800 Tel
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Thomas F. Prendergast
President

New York City Transit

April 30, 2010

Honorable Marty Markowitz
Borough President of Brooklyn
Brooklyn Borough Hall
209 Joralemon Street
Brooklyn, NY 11201

Re: **Recommendations for Increased Public Transportation for New Domino Development**

Dear Borough President Markowitz:

This is in response to your letter of April 2, 2010, to Metropolitan Transportation Authority Chairman and Chief Executive Officer Jay H. Walder, in which you asked MTA NYC Transit to review your recommendations for increased service to the Williamsburg waterfront as a result of the planned New Domino development.

We have reviewed each of your recommendations for increased public transportation in the area, and our responses are listed below. However, please be aware that it is difficult to commit to any increases to current service levels at this time due to the poor financial conditions that the MTA is presently experiencing, especially since the proposal for the New Domino development is still proceeding through New York City's Uniform Land Use Review Process. Moreover, as noted in your letter, the New Domino development is not expected to be fully built out until 2020.

- **Increase the frequency of basic bus service along the Q59, B62 and B39 routes.** If ridership increases on the Q59 or B62 routes such that it exceeds MTA NYC Transit guidelines, then the service frequency will be adjusted accordingly. The B39 route is being eliminated as part of the 2010 service reductions plan because it duplicates J train service.
- **Institute a shuttle bus service, possibly running as a segment of the current Q59.** MTA NYC Transit does not operate any shuttle bus routes, but even if we were in the business of operating them the issue of funding at this time would be prohibitive for exploring this possibility.
- **Extend the last stop of the Q59 east from Williamsburg Bridge Plaza to the southwest corner of Broadway at Marcy Avenue.** Extending the Q59 would increase the cost and expose the bus route to the congestion around Broadway, Havemeyer Street and Marcy Avenue. The Q59 is currently less than a block from the Marcy Avenue J M Z subway station.

- **Examine the possibility of creating an express bus to service the Williamsburg waterfront.** J train service already operates in the area where you requested a service increase, and there is no funding currently available for the creation of a new express bus service.
- **Install bus shelters on Kent and Wythe Avenues.** Bus shelters are under the jurisdiction of the NYC Department of Transportation.
- **Prioritize capacity upgrades on the L train.** The current capacity of the L line is 17 trains per hour. Once the L line is fully equipped with Communication Based Train Control (CBTC), the capacity could be increased to 24 trains per hour or higher with additional car and infrastructure investments. Scheduled service will be based on current and future ridership demand.
- **Closely monitor ridership on the J M Z line and the G train and prepare for increases in ridership.** These subway lines will indeed be closely monitored and we will schedule service increases as needed.

It should also be noted that as a result of our discussions with City Planning during the Environmental Impact Study phase of this development, we have a plan to replace the existing single high entrance/exit wheels on both platforms at the Havemeyer Street side of the Marcy Avenue subway station with two low-turnstiles at each location.

If you have any further questions regarding these issues, please feel free to have a member of your staff contact Andrew Inglesby, Assistant Director, Government and Community Relations, at 646-252-2658.

Sincerely,

Thomas F. Prendergast
President

Cc: Jay H. Walder (CH# 2010-000645)
Hilary D. Ring
Robert Bergen
Lois H. Tendler
Peter Cafiero

Memorandum

To: Ward Dennis, Chair
Land Use (ULURP) and Landmarks Subcommittee
Chris Olechowski, Chair
Executive Committee
Community Board 1, Brooklyn

From: Susan Pollock
The Refinery LLC

Re: Domino Sugar Site
Requested Modifications

Following up on your email of March 1, 2010 outlining in Draft form the ULURP Committee's recommendation for requested modifications to the Domino Sugar ULURP Application, I am pleased to respond as follows:

1. Upland Site. We would be willing to shift the taller segments from the eastern portion of the site to the Kent Avenue street wall subject to approval by the Department of City Planning.
2. Parking. We would be amenable to dropping the Special Permit parking waiver request for additional spaces beyond that permitted under zoning. We would monitor the demand for parking as the development moves forward. Should the demand for parking in the future necessitate the provision of additional parking requiring discretionary approval, we would return to the Community Board.
3. Car Sharing. We are amenable to allocating spaces for car-sharing options.
4. Retail. With the exception of the retail on the upland site (Site E), we are amenable to limiting retail on the site to neighborhood retail.
5. Affordability. We will provide that the affordable units be permanently affordable, consistent with the Inclusionary Housing requirements in the Zoning Resolution.
6. Unit Distribution. We will continue to consult with the Community Board as the project moves into later phases, and for Site E (Phase I) we will commit to the following distribution for family rentals: 5% studios, 25% 1 BRs, 40% 2 BRs, 20% 3 BRs, 10% 4 BRs.
7. Open Space. In our Restrictive Declaration we are required to provide the square footage as outlined in the ULURP Application and Waterfront Open Space Drawings; we will maintain this commitment, assuming our applications are approved as submitted.
8. Upland Connector: We commit to the upland connectors as delineated on the ULURP Application and Drawings, including the additional connector at S. 3rd Street; this will be reflected in the Restrictive Declaration.
9. Design Modifications. We will consult with the Community Board on any significant design modifications.
10. Transportation Issues. We are amenable to having a dialogue with the community about addressing area-wide transportation issues.
11. Tenant Anti-Harassment Fund. Working with the community, we agree to discuss the expansion of the Fund with the City.

12. Job Training. We commit to the job training initiative previously outlined at the Community Board public hearing.
13. Local Sourcing. We will do our best to identify local sources for materials and labor during construction.
14. LEED. We commit to seek LEED Certification or equivalent.

In response to the request to reduce FAR and increase affordability, I regret that we cannot produce an economically viable project under those modification guidelines. In 2005, City financial experts laid out what developers could and could not be expected to undertake in terms of affordable housing on the waterfront. That number, as you know, was 20% at 80% AMI. The 33% level was reached only by adding in the projected development of highly subsidized city owned sites. Unfortunately we are not in a position to control city owned sites in the community. As you also know, we have committed throughout the process to provide more affordable than is currently required of private developers, and to provide it at lower AMIs. That commitment to a higher level of affordability is in addition to our commitment to preserve at great cost a significant complex of historic structures, provide 145,000 square feet of community facility space, and provide twice as much open space as is required under the 2005 rezoning.

Based on the commitments and responses outlined above, we respectfully request that the Board reconsider the ULURP Committee vote of February 23.

Thank you for your continuing input.