APPENDIX H

DEIS TECHNICAL MEMORANDUM

TECHNICAL MEMORANDUM 001
HERKIMER-WILLIAMS – CEQR No. 24DCP055K

ULURP Nos.: 250284ZRK, 250285ZMK, 250286ZSK, 25087ZSK, and 250288PCK

October 2, 2025

A. INTRODUCTION

The Herkimer-Williams project (the Proposed Development) is the subject of a Uniform Land Use Review Procedure (ULURP) application currently under consideration by the City Planning Commission (CPC). On May 30, 2025, a Draft Environmental Impact Statement (DEIS) was completed and a Notice of Completion was issued; the ULURP application was certified by the CPC on June 2, 2025.

Since certification of the DEIS, the Applicant has proposed a modification (ULURP No. C250286(A)ZSK) to the Proposed Development that would modify the maximum permitted envelope for Projected Development Site 1B (Block 1576, Lots 1 and 34) compared to what was analyzed in the DEIS (the "Modified Project"). To facilitate the Modified Project, the proposed special permit has been modified as follows:

- The maximum permitted envelope under the proposed Large-Scale General Development (LSGD) Special Permit for Projected Development Site 1B (also known as Parcel 2/Building B in the ULURP application) has been modified to indicate that the proposed setback depth above the base height of Parcel 2/Building B has been modified from ten (10) feet to eight (8) feet.

No other modifications to the Proposed Actions are proposed as part of the amended ULURP application. This Technical Memorandum has been prepared to examine whether the Modified Project would result in any significant adverse environmental impacts not previously identified and addressed in the DEIS. This memorandum concludes that the Modified Project would not result in any new or different significant adverse impacts not already identified in the DEIS.

B. BACKGROUND

Broadway Junction Partners LLC, the Applicant, and the co-applicants, the New York City Economic Development Corporation (NYCEDC) and New York City Department of Citywide Administrative Services (DCAS), as representative agency of the City of New York, seek discretionary actions to facilitate the redevelopment of portions of four blocks in the East New York neighborhood of Brooklyn Community District (CD) 5. The Project Area includes Block 1555, Lots 1 and 19; Block 1576, Lots 1, 9, 13, 32, and 34; and Block 1577, Lots 1, 7, 17, 26, 32, 35, 51, 53, 56, and 58. The Applicant is seeking CPC approval of discretionary actions, including: (i) a Zoning Map Amendment to rezone the Project Area from an M1-2 zoning district to C6-4 and M1-6 zoning districts; (ii) special permits within an LSGD pursuant to Sections 74-743(a)(1) and (2) of the *Zoning Resolution of the City of New York* (ZR) to distribute floor area across the LSGD and to modify rear yard and height and setback regulations, respectively; (iii) a ZR Section 74-161 special permit to allow Use Group VI retail uses in excess of 20,000 sf of floor area in the proposed M1-6 zoning district; (iv) Zoning Text Amendments to (a) ZR Appendix F to designate a Mandatory Inclusionary Housing (MIH) Area over the C6-4 zoning district-portion of the Project Area and (b) ZR Section 74-742 with respect to the contiguity of ownership of zoning lots in an LSGD when there is an intervening elevated rail line; and (v) a combination acquisition and site selection of real property by the City to construct a publicly accessible open space at 1519 Herkimer Street (also known as Parcel 1; Block

1555, Lot 19) within the LSGD (collectively, the "Proposed Actions"). DCAS is applicant and NYCEDC is co-applicant only for the combination acquisition and site selection action.

The Proposed Actions would facilitate the redevelopment of several projected development sites within the Project Area: Projected Development Site 1A (Block 1555, Lot 19), Projected Development Site 1B (Block 1576, Lots 1 and 34), Projected Development Site 1C (Block 1577, Lots 17 and 26), Projected Development Site 1D (Block 1577, Lots 32, 35, 51, and 53), and Projected Development Site 1E (Block 1577, Lots 1, 7, 56, and 58) (refer to **Figure 1**). Additionally, Projected Development Site 2 comprises Block 1576, Lot 9. Projected Development Sites 1A through 1E are under the ownership or control of the Applicant and are coterminous with the LSGD. Projected Development Site 2 is owned by Calvary Church and is not under the ownership or control of the Applicant and is not included within the LSGD. Within the Project Area, no redevelopment would occur on Block 1555, Lot 1 and Block 1576, Lots 13 and 32; therefore, these lots are not considered projected development sites.

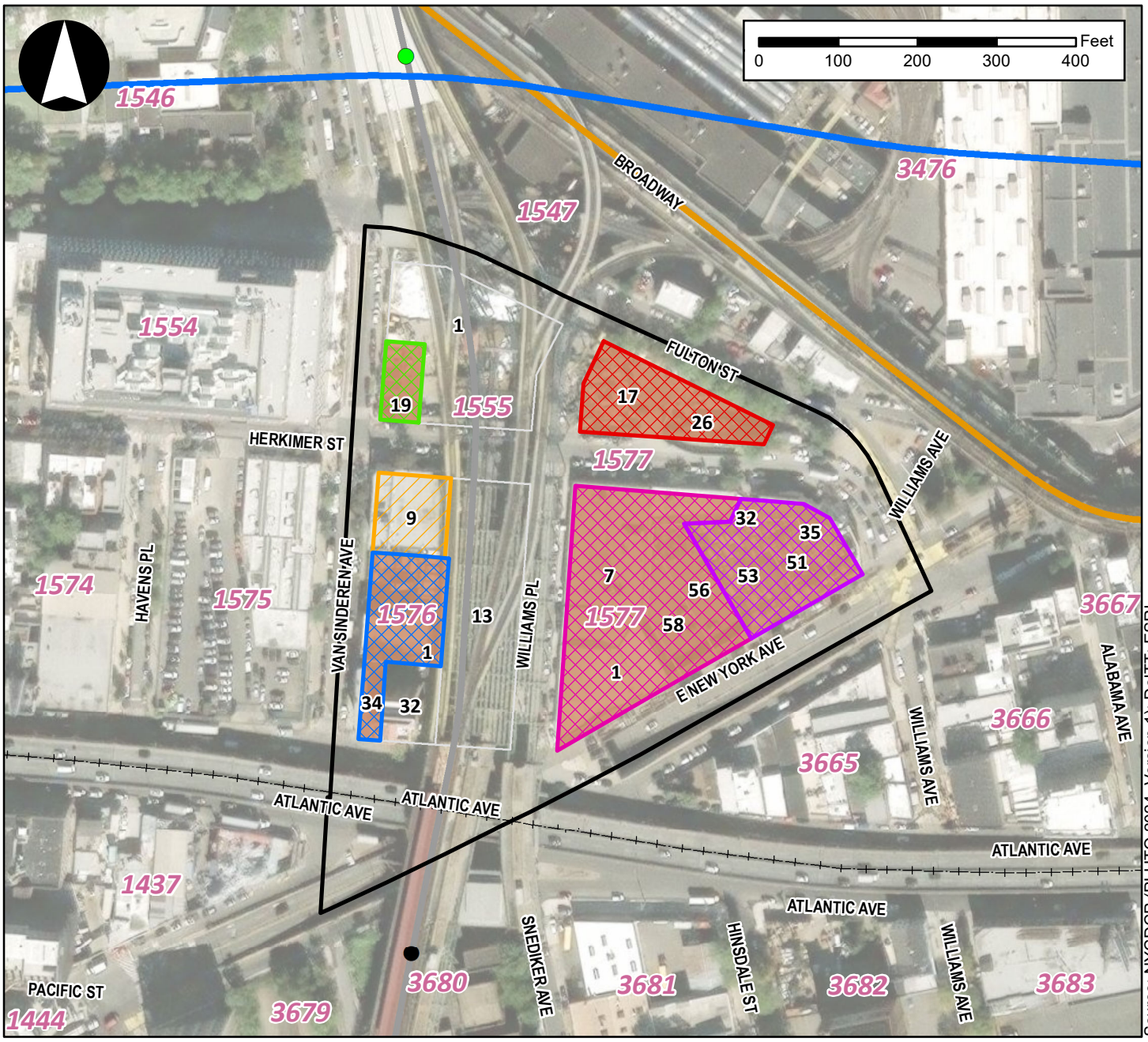
Approval of the Proposed Actions would facilitate the Proposed Development, which would contain five new buildings and potentially, a small retail kiosk on the projected development sites in the Project Area. The Reasonable Worst Case Development Scenario (RWCDS) program for the Proposed Development is summarized in **Table 1**. In addition, a second RWCDS (the "Alternate Community Facility Scenario") has been assessed for conservative analysis purposes, where deemed appropriate for any technical area in the DEIS where this development scenario serves as the more conservative RWCDS compared to the Proposed Development. The RWCDS program for the Alternate Community Facility Scenario is summarized in **Table 1**.

TABLE 1
Proposed Development and Alternate Community Facility Scenario Programs

Land Use	Proposed Development	Alternate Community Facility Scenario
Residential	834,763 gsf	688,065 gsf
Total Units	*1,112 DUs*	*911 DUs*
Market Rate Units	*778-834 DUs*	*638-683 DUs*
Affordable Units	*222-334 DUs*	*182-273 DUs*
Commercial	549,526 gsf	598,775 gsf
Office	*435,766 gsf*	*461,749 gsf*
Retail	*113,760 gsf*	*137,026 gsf*
Community Facility	22,985 gsf	114,691 gsf
House of Worship	*22,985 gsf*	*22,985 gsf*
Academic University	*0 gsf*	*91,706 gsf*
Light Industrial	98,483 gsf	111,933 gsf
Open Space	20,080 sf	20,080 sf
Parking	174 spaces	200 spaces

For Projected Development Sites 1B, 1C, 1D, and 1E under the proposed LSGD Special Permit, the maximum permitted envelope is slightly larger than the space that would be occupied by either the Proposed Development or the Alternate Community Facility Scenario on these projected development sites in order to allow for a modest amount of design flexibility. As the maximum permitted envelope is slightly larger than the Proposed Development and the Alternate Community Facility Scenario for Projected Development Sites 1B, 1C, 1D, and 1E, the potential effects associated with the maximum permitted envelope were considered in the DEIS for Projected Development Sites 1B through 1E for the Shadows and Urban Design and Visual Resources technical areas.

Project Location Map - Aerial View



Source: NYCDCP (PLUTO 2024, Version 1); DoITT; ESRI

Legend

- Project Area
- Projected Development Site 1A
- Projected Development Site 1B
- Projected Development Site 1C
- Projected Development Site 1D
- Projected Development Site 1E
- Projected Development Site 2
- LSGD Development Sites
- Subway Station (Express)
- Subway Station (Local)
- Atlantic Branch Line (LIRR)
- A/C Line
- J/Z Line
- L Line
- 1555 Tax Blocks
- 1 Tax Lots



Based on the analyses presented in the DEIS, the Proposed Actions under either the Proposed Development or the Alternate Community Facility Scenario would result in significant adverse transportation and mobile source air quality impacts. Construction of the Proposed Development would result in temporary significant adverse construction-related transportation impacts.

An (E) designation (E-857) would codify restrictions related to hazardous materials, air quality, and noise; and a Restrictive Declaration would codify Project Components Related to the Environment (PCREs) and mitigation measures related to transportation and construction-related transportation, air quality, and noise.

C. DESCRIPTION OF PROPOSED MODIFICATION

The proposed modification to Projected Development Site 1B, as reflected in the revised ULURP drawings, is described below and shown in **Figure 2**. The modification would not alter the Proposed Development's, nor the Alternate Community Facility Scenario's, programs (i.e., zoning and gross square footages, land uses, and ingress and egress elements) or populations as analyzed in the DEIS. The building envelope for Projected Development Site 1B that is analyzed in the DEIS would accommodate the program of both the Proposed Development and the Alternate Community Facility Scenario.

SETBACK DEPTH CHANGE

- The maximum permitted envelope under the proposed LSGD Special Permit for Projected Development Site 1B (also known as Parcel 2/Building B in the ULURP application) has been modified to indicate that the proposed setback depth above the base height of Parcel 2/Building B has been modified from ten (10) feet to eight (8) feet (see **Figure 2**).

D. POTENTIAL ENVIRONMENTAL EFFECTS OF THE MODIFIED PROJECT

The DEIS examined a full range of potential environmental impacts and concluded that the Proposed Actions under either the Proposed Development or the Alternate Community Facility Scenario would result in significant adverse transportation and air quality impacts, as well as temporary construction-related transportation impacts. No other significant adverse impacts were identified in the DEIS.

As discussed above, the proposed modification would not alter the Proposed Development's, nor the Alternate Community Facility Scenario's, programs (i.e., gross square footages, land uses, and ingress and egress elements) or populations as analyzed in the DEIS. As such, the proposed modification would not alter the findings and conclusions of the DEIS with respect to any density-based analyses (i.e., socioeconomic conditions, community facilities and services, open space, water and sewer infrastructure, solid waste and sanitation services, energy, transportation, mobile source air quality, greenhouse gas emissions and climate change, or mobile source noise).

In addition, as the proposed modification would not alter the building footprint or proposed land uses of the Proposed Development or Alternate Community Facility Scenario, it would also not alter the findings and conclusions of the DEIS with respect to several of the site-specific analyses, such as land use, zoning and public policy, hazardous materials, or neighborhood character. The construction methods/techniques and duration for the Modified Project would be the same as for RWCDS analyzed in the DEIS, and as such, the proposed modification would not alter the findings and conclusions of the DEIS with respect to construction impacts. For site specific impacts related to noise and air quality, the same (E) designation requirements identified in the DEIS would be warranted under the proposed modification to eliminate potential impacts associated with these technical areas. Similarly, the PCREs and mitigation measures

Proposed Development:



Source: WXY architecture + urban design

Modified Project:



Source: WXY architecture + urban design

Figure 2
Projected Development Site 1B - Proposed Modification

codified in the Restrictive Declaration related to transportation and construction-related transportation, air quality, and noise would also be warranted for the Modified Project.

For CEQR technical areas that are dependent on building form, as the requested modification would slightly alter the maximum permitted envelope under the proposed LSGD Special Permit for Projected Development Site 1B (also known as Parcel 2/Building B in the ULURP application), it may have the potential to affect the findings of analyses that are dependent on bulk, such as shadows, historic and cultural resources, urban design and visual resources, and stationary source air quality. Therefore, an assessment of those four technical areas is provided below. In addition to the analyses presented below, the Final Environmental Impact Statement (FEIS) will incorporate the proposed modification.

SHADOWS

The DEIS concluded that the Proposed Development's maximum permitted envelope, accommodating both the Proposed Development and the Alternate Community Facility Scenario, would cast new, incremental shadows on portions of six sunlight-sensitive resources: the Eastern Parkway Greenstreet, Callahan-Kelly Playground, Jewel Square, the Jamaica Avenue Greenstreet, the Jackie Robinson Parkway Greenstreets, and Cemetery of the Evergreens. The DEIS concluded that these new, incremental shadows would not result in significant adverse shadows impacts on any of the six sunlight-sensitive resources.

For Projected Development Site 1B, compared with the maximum permitted envelope analyzed in the DEIS, the Modified Project would be approximately two (2) feet wider on Projected Development Site 1's Van Sinderen Avenue frontage. For Projected Development Site 1B, the Modified Project would not alter the overall maximum height of the permitted envelope analyzed in the DEIS.

An analysis was conducted to assess the shadow effects of the Modified Project. Overall, with the Modified Project, incremental shadows on the Eastern Parkway Greenstreet, Callahan-Kelly Playground, Jewel Square, the Jamaica Avenue Greenstreet, the Jackie Robinson Parkway Greenstreets, and Cemetery of the Evergreens would be the same in extent and duration on all representative analysis days as compared to the Proposed Development analyzed in the DEIS. Therefore, like the Proposed Development analyzed in the DEIS, the Modified Project would not result in significant adverse shadows impacts.

HISTORIC AND CULTURAL RESOURCES

The DEIS concluded that the Proposed Development would not result in direct or indirect significant adverse impacts to historic and cultural resources. The Proposed Actions are site-specific, and the Modified Project would not introduce a new site or alter Projected Development Site 1B's site boundaries. For Projected Development Site 1B, compared with the maximum permitted envelope analyzed in the DEIS, the Modified Project would be approximately two (2) feet wider on Projected Development Site 1's Van Sinderen Avenue frontage and would not alter the overall maximum height of the permitted envelope analyzed in the DEIS. As such, the Modified Project would not result in development that would diminish the qualities that make the Atlantic Avenue Station potentially eligible for listing on the State and National Registers of Historic Places (S/NR). Therefore, like the Proposed Development analyzed in the DEIS, the Modified Project would not result in significant adverse impacts on historic and cultural resources.

URBAN DESIGN AND VISUAL RESOURCES

The DEIS concluded that the Proposed Development's maximum permitted envelope, accommodating both the Proposed Development and the Alternate Community Facility Scenario, would not have a significant adverse impact related to urban design or visual resources. For Projected Development Site 1B, compared with the maximum permitted envelope analyzed in the DEIS, the Modified Project would be

approximately two (2) feet wider on Projected Development Site 1's Van Sinderen Avenue frontage. The two-foot decrease in setback depth on Projected Development Site 1B's Van Sinderen Avenue frontage would be minimal and barely perceptible from the perspective of a pedestrian when compared to the maximum permitted envelope analyzed in the DEIS. For Projected Development Site 1B, the Modified Project would not alter the overall maximum height of the permitted envelope analyzed in the DEIS, and the streetscape conditions for the Modified Project would not differ from the streetscape conditions for the Proposed Development. Overall, in comparison to the Proposed Development, the Modified Project would result in a very minor change to only one of the six projected development sites analyzed in the DEIS. Therefore, like the Proposed Development, the Modified Project would not have a significant adverse impact related to urban design or visual resources.

AIR QUALITY

As described above, the Modified Project would not result in any additional significant adverse transportation impacts as compared to the Proposed Development. Therefore, like the Proposed Development, the Modified Project would result in significant adverse impacts on air quality from mobile sources.

The DEIS concluded that the Proposed Development would not result in significant adverse air quality impacts from fossil fuel-fired heat and hot water systems. An (E) designation (E-857) would be placed in conjunction with the Proposed Actions to ensure that the Proposed Development would not result in any significant adverse air quality impacts from fossil fuel-fired heat and hot water systems emissions. For Projected Development Site 1B, the Modified Project would feature the same building height and gross square footage of the Proposed Development analyzed in the DEIS. Therefore, the stationary analysis findings for Projected Development Site 1B in the DEIS would remain unchanged and the same restrictions specified for the Proposed Development on Projected Development Site 1B would be required for the Modified Project through an air quality (E) designation (E-857) that would be placed on the Modified Project.

E. CONCLUSION

The purpose of this Technical Memorandum is to determine whether the proposed modification to the maximum permitted envelope for Projected Development Site 1B (also known as Parcel 2/Building B in the ULURP application) would result in any significant adverse environmental impacts that were not previously identified in the Herkimer-Williams DEIS (CEQR No. 24DCP055K). As discussed above, this Technical Memorandum concludes that there would be no additional significant adverse impacts in any of the analyzed CEQR technical areas as a result of the proposed modification. As such, the Modified Project would not result in any significant adverse environmental impacts that had not been previously identified in the DEIS. Therefore, no additional analysis is warranted for the proposed modification to the maximum permitted envelope for Projected Development Site 1B (also known as Parcel 2/Building B in the ULURP application) described herein.