ENVIRONMENTAL ASSESSMENT AND REVIEW DIVISION

Marisa Lago, *Director*
Department of City Planning

November 4, 2020

RP Inlet Prop, LLC
c/o Ellen Hay
Herrick, Feinstein LLP
Two Park Avenue
New York, New York 10016

Re:	**Acme Fish Expansion**
CEQR No.	20DCP009K
ULURP No(s).	210138ZMK, 210139ZSK, 210140LDK
SEQRA Classification:	Type I
Brooklyn Community District:	BK01

Dear Ms. Ellen Hay,

Please find attached the 1) Final Scope of Work for the Draft Environmental Impact Statement (DEIS), 2) full DEIS including appendices, and 3) Notice of Completion for the DEIS prepared for the above-referenced application.

A Positive Declaration and the Draft Scope of Work were issued on July 26, 2019. A public scoping meeting was held on August 27, 2019 at the Polish & Slavic Center at 176 Java Street, Brooklyn, NY 11222, and written comments on the Draft Scope of Work were accepted by the lead agency through September 6, 2019. The Final Scope of Work incorporates changes made to the Draft Scope of Work subsequent to the public scoping meeting.

The Draft Environmental Impact Statement and Notice of Completion were issued on October 30, 2020. A public hearing on the DEIS will be held at a later date to be announced, in conjunction with the City Planning Commission's citywide public hearing pursuant to ULURP. Advance notice will be given of the time and place of the hearing.

If there are any questions concerning the attached document, please feel free to call the Project Manager, Rachel Antelmi, at (212) 720-3621.

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NYC PLANNING

ENVIRONMENTAL ASSESSMENT AND REVIEW DIVISION

Marisa Lago, *Director*
Department of City Planning

November 4, 2020

Olga Abinader, *Director* Date

cc:

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DEPARTMENT OF CITY PLANNING
CITY OF NEW YORK

ENVIRONMENTAL ASSESSMENT AND REVIEW DIVISION

Marisa Lago, *Director*
Department of City Planning

October 30, 2020

NOTICE OF COMPLETION OF
THE DRAFT ENVIRONMENTAL IMPACT STATEMENT

Acme Fish Expansion

Project Identification
CEQR No. 20DCP009K
ULURP Nos. 210138ZMK, 210139ZSK, 210140LDK
SEQRA Classification: Type I

Lead Agency
City Planning Commission
120 Broadway, 31st Floor
New York, New York 10271

Contact Person
Olga Abinader, Director (212) 720-3493
Environmental Assessment and Review Division
New York City Department of City Planning

Pursuant to City Environmental Quality Review (CEQR), Mayoral Executive Order No. 91 of 1977, CEQR Rules of Procedure of 1991 and the regulations of Article 8 of the State Environmental Conservation Law, State Environmental Quality Review Act (SEQRA) as found in 6 NYCRR Part 617, a Draft Environmental Impact Statement (DEIS) has been prepared for the action described below. Copies of the DEIS are available for public inspection at the office of the undersigned as well as online at www.nyc.gov/planning. The proposal involves actions by the City Planning Commission and Council of the City of New York pursuant to Uniform Land Use Review Procedure (ULURP). A public hearing on the DEIS will be held at a later date to be announced, in conjunction with the City Planning Commission's citywide public hearing pursuant to ULURP. Advance notice will be given of the time and place of the hearing. Written comments on the DEIS are requested and would be received and considered by the Lead Agency until the 10th calendar day following the close of the public hearing.

A. INTRODUCTION

RP Inlet, LLC ("the Applicant") is requesting two discretionary actions that would facilitate a mixed-use development comprising a total of approximately 654,300 gross square feet (gsf) (583,778 zoning square feet (zsf)) of commercial/ manufacturing uses (the "Proposed Development") on the block bounded by Banker Street to the east, Wythe Avenue to the south, Gem and North 15th streets to the west, and Meserole Avenue to the north (the "Development Site"), in the Greenpoint neighborhood of Brooklyn Community District (CD) 1. The Development Site is comprised of Brooklyn Block 2615, Lots 1, 6, 19, 21, 25, 50, and 125 (a.k.a. the proposed rezoning area).

The Applicant seeks a zoning map amendment to rezone the Development Site (Block 2615, Lots 1, 6, 19, 21, 25, 50, and 125) from M3-1 to M1-5, and a Large-Scale General Development (LSGD) special

permit pursuant to Section 74-743(a)(2) of the Zoning Resolution of the City of New York ("ZR") to allow the Proposed Development to penetrate the required sky exposure plane and the required initial setback distance, contrary to ZR 43-43 (collectively, the "Proposed Actions"). The Applicant may also seek discretionary tax incentives from the New York City Industrial Development Agency (NYCIDA).

The Proposed Actions would facilitate a new development with approximately 654,300 gsf, comprised of (i) a new and improved approximately 109,300 gsf (95,299 zsf) Acme Smoked Fish processing facility (including accessory administrative space), and (ii) approximately 545,000 gsf (488,479 zsf) of commercial office and retail space (including parking/loading/bike storage spaces). The Acme Smoked Fish processing facility would contain four stories with a height of approximately 74 feet to the building roofline1. There would be a mechanical metal louver screen on the roof that is approximately 25 feet high. The Acme Smoked Fish facility would be located on the northeastern portion of the block, fronting on Meserole Avenue and Banker Street. The commercial office/retail component of the Proposed Development would consist of nine stories, with a maximum building height envelope of approximately 178.5 feet to the building roofline2, occupying the remainder of the block. There would be a mechanical bulkhead and mechanical equipment screen on the roof that would be approximately 25 feet tall. Although no parking spaces are required under the proposed zoning, up to approximately 150 off-street accessory parking spaces would be provided on the ground level, with curb-cut access via Gem Street. A total of six loading berths would be provided – three for Acme Smoked Fish, with access from Meserole Avenue (two berths) and Banker Street (one berth), and three for the commercial building, with access from Banker Street. The Proposed Development is also anticipated to include partially covered open space areas at the southern portion of the Development Site, totaling approximately 21,403 sf of public access area.

It is expected that the Proposed Development would be constructed over an approximately 48-month period following approval of the Proposed Actions, with completion and full occupancy expected to occur by late 2024.

B. BACKGROUND AND EXISTING CONDITIONS

Proposed Rezoning Area/Development Site

The Development Site (Block 2615 in its entirety) comprises approximately 116,756 square feet (sf) of lot area, and is bounded by Banker Street to the east, Wythe Avenue to the south, Gem and North 15th streets to the west, and Meserole Avenue to the north. It is the current home of the processing plant and smokehouse for Acme Smoked Fish, a New York City institution founded in 1905 and operated by four generations of the Caslow family. Acme Smoked Fish first opened their facility on Gem Street in 1954, and the facility was rebuilt in 1966 after a major fire. The business has thrived since its opening at 30 Gem Street (Lot 50) and grown, in a piecemeal manner, from an approximately 10,000 gsf facility to its current size of approximately 72,885 gsf. In 1975, Acme Smoked Fish expanded to an adjacent building at 14 Meserole Avenue (Lot 1), and in 1994, it expanded again to an adjacent building at 192 banker Street (Lot 21), and expanded further in 2003 to the adjacent building at 190 Banker Street (Lot 25). Thus, Acme Smoked Fish's current Brooklyn facility is a cobbled together agglomeration of four different buildings, assembled piecemeal over a course of decades. The Acme Smoked Fish facility continues to occupy the majority of the subject block. The existing buildings on the block mostly date from the 1920s and 1930s, but have undergone various alterations since the 1980s.

The Acme Smoked Fish facility currently occupies tax lots 1, 21, 25, and 50 (64,151 sf of total lot area), comprising four interconnected 1- to 2-story buildings with a total of approximately 72,885 gsf of built floor area. The Development Site also includes Lot 6, which contains ABC Stone, a stone supplier

occupying a 2-story building (approximately 21,500 gsf), which is currently in the process of moving out and is expected to relocate within the area. The Development Site also includes, a single-story vacant building with approximately 3,800 gsf on Lot 19, and the field office and open storage for Corzo Contracting Company, a utility construction company that occupies the southern portion of the block (Lot 125), which intends to relocate within New York City.

The Development Site is currently zoned M3-1. M3 districts are designated areas for heavy industrial uses that generate noise, traffic, or pollutants. Typical uses include power plants, solid waste transfer facilities and recycling plants, and fuel supply depots. Uses with potential nuisance effects are required to conform to minimum performance standards. The maximum floor area ratio (FAR) in M3 districts is 2.0, with a maximum base height before setback of 60 feet, and buildings are governed by the sky exposure plane, a virtual sloping plane that begins at a specified height above the street line and rises inward over the zoning lot at a ratio of vertical distance to horizontal distance set forth in district regulations. A building may not penetrate the sky exposure plane which is designed to provide light and air at street level. The Development Site was initially proposed for rezoning (from M3-1 to M1-2) as part of the 2005 Greenpoint-Williamsburg Rezoning; however, it was ultimately excluded from the rezoning area in response to comments received from Acme Fish Co. to facilitate the continued operation and expansion of their active business.

The Development Site is located within the Greenpoint-Williamsburg Industrial Business Zone IBZ (the "Greenpoint-Williamsburg IBZ"), which is discussed further in the following section.

Neighborhood Context

The area surrounding the Development Site is characterized by a wide variety of industrial, commercial, and residential land uses and various building types. The Development Site straddles the neighborhoods of Greenpoint and Williamsburg in Brooklyn, and is located a few blocks northeast of Bushwick Inlet Park, which is planned for expansion by NYC Parks in the future, and a block to the northwest of McCarren Park. Current land uses within a 400-foot radius reflect longstanding manufacturing and industrial buildings (some of which have been converted to commercial uses). Commercial uses can be found throughout the 400-foot radius, and include creative workspace, restaurants, retail, and studios. Some residential uses are also located within a 400-foot radius, largely concentrated on the block bounded by Calyer Street, Clifford Place, Meserole Avenue, and Banker Street. Beyond a 400-foot radius, the area to the northeast of the Development site is the residential neighborhood of Greenpoint, and to the south is the mixed office, industrial and residential neighborhood of Williamsburg. Although the Development Site is zoned M3-1, a district designated for heavy industries, it is surrounded by M1-2 and M1-1 zoning districts, which typically include light industrial uses and are often buffers between M2 or M3 districts and adjacent residential or commercial districts.

The surrounding Greenpoint-Williamsburg area has seen significant changes since 2005, including new hotel, office, and residential development. South of the Development Site, the Wythe Hotel (at 75 North 11th Street) opened in 2012, and Amazon developed a 40,000 gsf photo studio and office space at 35 Kent Avenue. Additionally, the recently completed eight story, approximately 405,156 gsf 25 Kent Avenue development is three blocks to the south of the Development Site. 25 Kent Avenue was the first project in the City to establish and map an Industrial Business Incentive Area (IBIA) and apply for a special permit that incentivizes the construction of commercial and/or manufacturing buildings that allocate a portion of their floor area to certain light industrial uses in IBIAs.

As noted above, the Development Site is located within the Greenpoint-Williamsburg IBZ. The IBZ covers over twenty blocks (or portions thereof) in the Greenpoint and Williamsburg neighborhoods, and

is generally bounded by Kent Avenue/Franklin Street to the west, Calyer Street and Meserole Avenue to the north, Banker, Dobbin, and Guernsey Streets to the east, and Nassau Ave/Berry Street and North 12th and North 13th streets to the south. IBZs offer various incentives to prevent industrial uses from relocating outside of the City and represent a commitment by the City not to rezone these areas for residential uses. Within an IBZ, Industrial Business Solutions Providers offer industrial firms guidance accessing appropriate financial and business assistance programs, navigating and complying with regulatory requirements, developing workforces, and ensuring the neighborhood is well-maintained. The Industrial Business Solutions Provider for the Greenpoint-Williamsburg IBZ is Evergreen, a membership-based industrial advocacy and non-profit organization that manages the IBZ and assists industrial businesses in North Brooklyn.

Area Transportation

The area surrounding the Development Site is served by several public transit options. The Nassau Avenue G subway station (located to the southeast at the intersection of Nassau and Manhattan avenues) is approximately 0.3 miles to the southeast of the Development Site and the Bedford Avenue L subway station (located to the south at the intersection of Bedford Avenue and North 7th Street) is approximately 0.6 miles from the Development Site. In addition, the B32 bus (connecting Williamsburg Bridge Plaza and Long Island City) runs along Franklin Street/Kent Avenue and Wythe Avenue, the B62 bus (connecting Downtown Brooklyn/Fulton Mall and Long Island City) runs along Bedford and Driggs Avenues, and the B43 bus (connecting Lefferts Gardens/Prospect Park and Greenpoint) runs along Manhattan Avenue and Graham Avenue. The B32 bus also makes a wide variety of connections to other local bus lines along the Broadway commercial corridor in Brooklyn, including connections with the B24, B39, B46, B60, B62, Q54 and Q59 bus lines. The North Williamsburg stop on the NYC Ferry East River route is located less than 0.7 miles to the south of the Development Site at the western terminus of North 5th Street, and the Greenpoint stop is located less than 0.7 miles to the northwest of the Development Site at the western terminus of India Street. There are two nearby CitiBike stations, at the corner of Banker Street and Meserole Avenue and at the corner of North 15th Street and Wythe Avenue. Taken together, these transit options provide access to the Development Site from much of North Brooklyn and beyond.

C. DESCRIPTION OF THE PROPOSED ACTIONS

The Proposed Actions comprise a zoning map amendment and a Large-Scale General Development (LSGD) Special Permit. These actions are detailed below.

The proposed zoning map amendment, which would rezone the proposed rezoning area from M3-1 to M1-5, would increase the permitted FAR from 2.0 to 5.0 for commercial and industrial uses (and up to 6.5 FAR for community facility uses), allowing for additional development of these uses than could be provided under existing conditions. The Proposed Rezoning Area encompasses the entirety of the Development Site.

M1-5 districts allow uses in Use Groups 4 through 17, subject to certain limitations, and allow Use Group 18, subject to compliance with performance standards. In M1-5 districts, Use Group 5 hotels are allowed only by special permit. In addition, the Development Site is in an area designated in Appendix J of the Zoning Resolution, where self-storage facilities are permitted by special permit. The proposed Use Group 18A (preparation of fish for packing) will comply with all applicable performance standards and therefore is permitted in the M1-5 zoning district as-of-right.

A LSGD special permit is being sought, pursuant to Section 74-743(a)(2) of the Zoning Resolution of the City of New York ("ZR"), is to allow the Proposed Development to penetrate the required sky exposure

plane and the required initial setback distance, contrary to ZR 43-43. Upon approval, the Applicant would enter into a Restrictive Declaration (RD), a legally binding mechanism tied to the Development Site that governs the provisions of the LSGD.

Specifically, ZR 43-43 requires that the front wall of a development in an M1-5 zoning district be set back 20 feet from a narrow street above a height of 85 feet or 6 stories (whichever is less). The commercial component of the Proposed Development along Gem Street and Meserole Avenue would rise on the lot line to a height of approximately 104 feet before providing the setback. This waiver is requested to allow the roof of the Acme Smoked Fish facility to be unobstructed for ventilation purposes. The waiver would permit the distribution of the commercial floor area on the site to accommodate the factory ventilation requirements and would produce a better site plan with maximum landscaped public areas, allowing improved pedestrian access in and through the large block.

Additionally, Section 43-43 of the Zoning Resolution requires that a development in an M1-5 zoning district stay below a sky exposure plane of 2.7 vertical feet to 1 horizontal foot extending from the maximum front wall height of 85 feet. The commercial component of the Proposed Development would penetrate the required sky exposure plane on the Gem Street and Meserole Avenue sides of the building. This LSGD modification is requested to allow the Proposed Development to shift the bulk into the middle of the block, along Gem Street, and to allow the building to step back on the Wythe Avenue side of the site. This provides the office component of the Proposed Development, with most of its frontage along Gem Street and a portion of Banker Street, a building design that incorporates increased office floor plates. Additionally, this modification is requested to permit the roof of the Acme Smoked Fish facility to be unobstructed for ventilation purposes. By permitting the vertical distribution of the commercial floor area on the site to accommodate the factory ventilation requirements, a better site plan is achieved with maximum landscape public access areas and improved pedestrian access in and through the large block.

The Applicant may also seek discretionary tax incentives from the NYCIDA for the commercial office component of the Proposed Development.

D. PURPOSE AND NEED FOR THE PROPOSED ACTIONS

The existing Acme Smoked Fish facility on the Development Site poses a number of challenges, including limited capacity and an outdated plant. Moreover, advances in food safety require increased cost, and stretch the capabilities of the existing aging facility, and the level of investment required to upgrade the current facility would be cost-prohibitive. The only cost-effective and operationally acceptable solution to allow Acme Smoked Fish to remain in Greenpoint would be to construct a new flexible, purpose-built facility, while keeping the current plant operational. The Proposed Development seeks to enable the cost of a new state-of-the-art factory for Acme Smoked Fish to be offset by allowing a mix of complementary uses. Amending the zoning to facilitate the preservation of an existing industrial use while allowing greater commercial density would achieve this objective.

The Proposed Actions, consisting of a zoning map amendment and LSGD special permit, are being requested in order to facilitate the Proposed Development and achieve the objectives discussed above. The Proposed Actions would help to create opportunities for uses, such as Acme Smoked Fish, that have limited siting opportunities, and maintain the light industrial and manufacturing character of the area while allowing a mix of other complementary uses that are permitted within the proposed M1-5 zoning district. The Proposed Development is an opportunity to stabilize the loss of industrial space in the area and help create a synergy between industrial tenants and office tenants, which will reinforce the mixed-use character of the Greenpoint-Williamsburg IBZ.

The proposed zoning map amendment would complement the existing context of the surrounding area, which has experienced a change in land use patterns, through the conversion of existing buildings and new construction, from heavy industrial uses to light manufacturing and commercial uses. Although the Development Site is currently zoned M3-1, a district designated for heavy industries, it is surrounded by M1-2 and M1-1 zoning districts which typically include commercial and light industrial use that similar to uses found in the proposed M1-5 district. The proposed M1-5 zoning district would also be appropriate for the Development site given its proximity to public transportation, as higher density zoning districts are better suited in areas with proximity to a variety of public transit options to accommodate workers.

The designation of the Development Site as a LSGD would allow for the modification of the height and setback provision under ZR 43-43, which would provide for a better site plan on the block and better relationship among the building and the open areas, thereby creating a site plan that the Applicant believes to be superior. Provision of the Acme Smoked Fish processing facility with unique programmatic requirements, combined with the need to create adequately sized office floor plates, requires waiver of the required 20-foot front wall setback, and penetration of the required sky exposure plane. The requested LSGD special permit offers flexibility in the project design that allows for a better site plan while still allowing the Proposed Development to both have a state-of-the-art fish processing facility and to provide first-class office space.

The proposed increase in density for industrial and commercial uses would allow the existing food processing manufacturer to remain in the same location in Brooklyn. The increase in the commercial FAR to 5.0 would allow the development of a new, state of the art fish processing facility for Acme Smoked Fish, which has outgrown its existing industrial space. A maximum building height envelope of approximately 178.5 feet[3] is necessary for the Proposed Development to fully utilize the required 5.0 FAR due to the approximately 29,925 sf footprint (equivalent to approximately 25% of the total lot area of the Development Site) allocated for the Acme Smoked Fish processing facility, leaving the remainder of the Development Site for the office component. As a result of the unique programmatic needs of Acme Smoked Fish, most of the floor area remaining for the commercial portion must be developed on less than the entire site, and hence the Proposed Development requires a taller building to be constructed than would otherwise be necessary.

The proposed zoning map amendment is consistent with recently approved zoning actions in the surrounding area, including several Industrial Business Incentive Area (IBIA) Special Permits. As proposed, the combined industrial/commercial Proposed Development is in keeping with the City's policy of encouraging the retention and expansion of industrial businesses, especially in IBZ areas, by providing increased commercial floor area and acknowledging the site constrains that such developments may entail.

The Proposed Development is expected to serve a variety of office uses in addition to the Acme Smoked Fish facility, encourage job creation in areas near transit, provide increased walk-to-work opportunities in Brooklyn CD 1, strengthen the economic base of the City, contribute to a diverse mix of business uses and employment in the area, and protect the City's tax revenues. This would be in-line with Mayor de Blasio's initiative, *New York Works* – the 2017 jobs plan for New York City, which seeks to create 100,000 jobs over the next ten years (including much needed office jobs in the outer boroughs), combat economic inequality, grow middle class jobs, and adapt the economy to ongoing changes in technology.

Furthermore, introducing additional commercial office space in Greenpoint would address a borough-wide need for more commercial office space. As demand for commercial space has increased in Brooklyn, substantial new commercial space has been created in Downtown Brooklyn, DUMBO, the

Navy Yard, and Williamsburg over the past five years. This includes the approximately 1.2 million sf Dumbo Heights, a five-building complex in DUMBO, the approximately 400,000 sf Empire Stores development, also in DUMBO, as well as the approximately 1 million sf Building 77 renovation and the new approximately 675,000 sf Dock 72 building, both within the Brooklyn Navy Yard. Additional commercial development is also currently under construction, including the 25 Kent Avenue development, the approximately 700,000 sf Panorama project, a 5-building commercial complex in Columbia Heights, and the approximately 600,000 sf new building at 47 Hall Street near the Brooklyn Navy Yard, among others. The commercial office space facilitated by the Proposed Actions would contribute toward addressing demand for new commercial space in Brooklyn. Particularly in light of the Covid-19 health crisis, the commercial component of the Proposed Development would meet the need for new, modern, office space offering the latest in health and wellness measures (e.g., state-of the art infrastructure and HVAC systems). It would also allow companies to locate in the Greenpoint/Williamsburg neighborhood, closer to a large pool of available workforce that currently lives there, thereby allowing many office workers to walk or bike to work.

E. DESCRIPTION OF PROPOSED DEVELOPMENT

The Proposed Actions would allow the Applicant to construct a new development with approximately 654,300 gsf on the Development Site, comprised of (i) a new and improved approximately 109,300 gsf Acme Smoked Fish processing facility, and (ii) approximately 545,000 gsf of commercial office and retail space (including parking/loading/bike storage spaces). The Acme Smoked Fish processing facility would be constructed first, on Lot 6, while the current facility would continue to operate on Lots 1, 21, 25, and 50. Once the new Acme Smoked Fish processing facility is complete, Acme Smoked Fish would move its operations to the new facility, with a minimum of disruption. Only after Acme Smoked Fish is operating in the new facility will the Applicant begin construction on the remaining portion of the Development Site. Although the fish processing portion, and the office and retail portion, of the Proposed Development would be constructed separately and in sequence without interruption, the two portions are part of one single building that comprises the Proposed Development. A total of six loading berths would be provided for the Proposed Development – three for Acme Smoked Fish, with access from Meserole Avenue (two berths) and Banker Street (one berth), and three for the commercial building, with access from Banker Street.

The Acme Smoked Fish processing facility would contain four stories with a height of approximately 74 feet to the building roofline and a maximum building height envelope of approximately 104 feet. There would be a mechanical metal louver screen on the roof that is approximately 25 feet high. The Acme Smoked Fish facility would be located on the northeastern portion of the block, fronting on Meserole Avenue and Banker Street. The proposed Acme Smoked Fish facility would provide a more efficient and state of the art industrial space for the optimal production of their fish products. The entrance of the building would be on Banker Street near the corner of Meserole Avenue. The raw materials would be delivered through two loading berths on Meserole Avenue. The first floor of the facility would contain the cooler and freezer areas, brining section, defrosting and cleaning areas, and a storage area to hold the organic waste and refrigerated compactor. The organic waste would be removed through the third loading berth on Banker Street. The second and third floors would contain the salting, smoking and oven areas for smoking the fish products, hanging cooler area, packaging, and packaging cooling areas along with salad production and mayo storage areas. The administrative office and employee wellness areas will be located on the fourth floor of the facility. The proposed facility, being true to its industrial nature, is expected to feature a variation of dark grey textured insulated metal panels in keeping with the industrial context of the neighborhood.

The commercial office/retail component of the Proposed Development would consist of nine stories, with a maximum building height envelope of approximately 178.5 feet to the building roofline, occupying the remainder of the block. There would be a mechanical bulkhead and mechanical equipment screen on the roof that would be 25 feet tall. The commercial office/retail component of the Proposed Development would comprise a total of approximately 545,000 gsf, of which the office use would be approximately 496,800 gsf and the ground floor retail use approximately 33,800 gsf, and approximately 14,400 gsf would be occupied by parking/loading/bike storage space. Although no parking spaces are required under the proposed zoning, up to approximately 150 off-street accessory parking spaces would be provided on the ground level, with access via a curb-cut on Gem Street. The building would also provide approximately 65 accessory bicycle parking spaces.

The commercial/office component of the Proposed Development is intended to imitate the feeling of the many surrounding warehouse buildings. From grade, the brick vernacular base engages the ground, the metal industrial commercial segment then rests above the brick portions, and the modern intervention of the glass volume floats above. The goal of the façade articulation design is to break down the mass and scale by aggregating the height at nine stories in the center of the building, decreasing the floor heights at five stories on Gem Street and Meserole Avenue, two and six stories on Banker Street, and two and six stories on Wythe Avenue. The terrace on the roof of the building and the terraces on the setbacks provided at varying roof heights on all façades will offer a visual connection between street and building levels as well as views towards the planned future phases of Bushwick Inlet Park. The commercial office entrance, situated in a modern transparent double height lobby featuring glass walls and roof, would be located on Gem Street.

In addition, the Proposed Development is also anticipated to include approximately 21,403 sf of Public Access Area ("PAA") at the southern portion of the Development Site, of which approximately 12,880 sf would be open to the sky and approximately 8,523 sf would be partially covered. Additionally, separate from the PAA, there would be approximately 5,775 sf of open areas adjacent to the retail establishments on the Development Site. The proposed PAA of the Proposed Development, occupying four street frontages (Banker Street, Wythe Avenue, North 15th Street, and Gem Street), would be planted with street trees and feature differing levels of plantings establishing a vertical hierarchy of landscaped integration within the Development Site and the adjoining neighborhood. Within the PAA, the open space areas would include a variety of seating options throughout the site, including accessible companion seating, moveable tables and chairs, benches, and wooden platforms with sculptural seating.

The Proposed Development would feature two pedestrian pathways, with textured and patterned stone pavers, which would be partially covered by the Building. The main pedestrian pathway would extend north-south from Wythe Avenue to the mid-block of the Development Site, and the second pedestrian pathway, under the commercial building, would extend east-west from Banker Street to Gem Street. Along Banker Street, Wythe Avenue, and North 15th Street the Proposed Development would step back toward the north providing an open to the sky landscaped area. The main pedestrian pathway would start at Wythe Avenue and proceed from the uncovered public space to the covered public space and the east-west connection. Both proposed pedestrian pathways would be flanked by ground level retail frontage (e.g. restaurants with cafes) to promote activity and security.

The open areas adjacent to the retail establishments, which are separate from the PAA, can be accessed from these establishments and provide furnishings for sitting and dining. The proposed furnishings will include dining tables, chairs, outdoor sofas, and lounge chair seating.

F. ANALYSIS FRAMEWORK

The Proposed Actions would change the regulatory controls governing land use and development at the Development Site. The 2014 *CEQR Technical Manual* serves as the general guide on the methodologies and impact criteria for evaluating the Proposed Actions' potential effects on the various environmental areas of analysis.

Construction of the Proposed Development, according to the Applicant, would occur over an approximately 48-month period, with all components complete and fully operational by the end of 2024. This build year was determined in consideration of the amount of time necessary for the Proposed Development site to reasonably be developed. The construction timeline for the Proposed Development is estimated at approximately 48 months, beginning with the start of demolition of the existing building on the site of the future Acme Smoked Fish facility by the end of 2020, which can occur on an as-of-right basis. This would allow for construction of the new Acme Smoked Fish facility adjacent to the existing facility in order to allow for continued operation. Once the new facility is constructed and occupied by Acme Smoked Fish, the existing facility would be demolished and construction of the office component of the Proposed Development on the remainder of the site would be completed. With an anticipated approval date of Spring 2021 and an approximately 48-month construction period, and accounting for design finalization and DOB approvals, the Proposed Development is expected to be completed and fully occupied by the end of 2024. Accordingly, a 2024 Build Year will be used for CEQR analysis purposes.

As the Proposed Development would be operational in 2024, its environmental setting is not the current environment, but the future environment. Therefore, the technical analyses and consideration of alternatives assess current conditions and forecast these conditions to the expected 2024 Build Year for the purposes of determining potential impacts. Each chapter of the EIS provides a description of the "Existing Condition" and assessment of future conditions without the Proposed Actions ("No-Action" condition) and future conditions with the Proposed Actions ("With-Action" condition).

Reasonable Worst-Case Development Scenario (RWCDS)

In order to assess the possible effects of the Proposed Actions and resulting Proposed Development, a reasonable worst-case development scenario (RWCDS) was established for both the future without the Proposed Actions (No-Action) and the future with the Proposed Actions (With-Action) for an analysis year, or Build Year, of 2024. The incremental difference between the No-Action and With-Action conditions will serve as the basis of the impact category analyses. The Proposed Development described above, which would occupy the entire proposed rezoning area (a.k.a. the "Development Site"), would have a built FAR of approximately 5.0, and would therefore maximize the allowable commercial/manufacturing FAR of 5.0 under the proposed M1-5 zoning. In addition, the Proposed Actions include a LSGD special permit, which would govern the bulk on the site based on the proposed development plans. For the above reasons, the Applicant's Proposed Development constitutes the With-Action RWCDS for the Build Year of 2024.

The Future Without the Proposed Actions (No-Action)

Under future conditions without the Proposed Actions, the existing M3-1 zoning would remain and the Proposed Development would not be constructed. It is anticipated that, without a new state-of-the-art purpose-built facility for its operations, Acme Smoked Fish would strongly consider relocating outside of New York State. As such, for analysis purposes, it is assumed that in absence of the Proposed Actions Acme Smoked Fish would vacate its buildings on the site (Lots 1, 21, 25, and 50). Lot 6, which is currently occupied by ABC Stone, is also expected to be vacated in the No-Action, as the business is currently in the process of moving out. Based on existing and anticipated real estate market trends,

existing structures and site conditions, and uses allowed by existing zoning, it is expected that those vacated buildings would be re-occupied. As such, the No-Action scenario assumes that Acme Smoked Fish's and ABC Stone's vacated buildings would be re-occupied by a mix of eating/drinking/entertainment establishments, creative office and warehouse uses. The vacant building on Lot 19, which is the smallest lot on the block, is assumed to be re-occupied by restaurant use in the No-Action. Finally, the No-Action scenario assumes that Lot 125, which currently accommodates parking and open storage, would be redeveloped with a new 3-story commercial building with distillery, office, dance studio and restaurant uses.

Overall, as shown in Table 1 below, the No-Action condition for the Development Site is assumed to consist of a total of 169,485 gsf, comprised of approximately 35,225 gsf of restaurant/entertainment uses, 66,750 gsf of creative office space, 28,610 gsf of warehousing spaces, and 17,500 gsf of industrial space (distillery), as well as an estimated 21,400 gsf of accessory parking (107 spaces).

The Future With the Proposed Actions (With-Action)

In the 2024 future with the Proposed Actions, the 116,756 sf Development Site would accommodate a new development with approximately 654,300 gsf (the "Proposed Development"), comprised of (i) a new and improved approximately 109,300 gsf Acme Smoked Fish processing facility, and (ii) approximately 545,000 gsf of commercial office and retail space (including parking/loading/bike storage spaces). As described above, the Acme Smoked Fish processing facility would contain four stories with a height of approximately 74 feet to the building roofline; there would be a metal louver screen on the roof that is 25 feet high, and the building envelope would have a maximum permitted height of 104 feet. The Acme Smoked Fish facility would be located on the northeastern portion of the block, fronting on Meserole Avenue and Banker Street. The commercial office/retail component of the Proposed Development would consist of nine stories, with a maximum building height envelope of approximately 178.5 feet to the building roofline, occupying the remainder of the block. There would be a mechanical bulkhead and mechanical equipment screen on the roof that would be approximately 25 feet tall. Although no parking spaces are required under the proposed zoning, up to approximately 150 off-street accessory parking spaces would be provided on the ground level, with access via Gem Street. A total of six loading berths would be provided – three for Acme Smoked Fish, with access from Meserole Avenue (two berths) and Banker Street (one berth), and three for the commercial building, with access from Banker Street. The Proposed Development is also anticipated to include partially covered public access area at the southern portion of the Development Site, totaling approximately 21,403 sf.

Possible Effects of the Proposed Actions

Table 1 below provides a comparison of the No-Action and With-Action scenarios identified for analysis purposes. As shown, the incremental (net) change that would result from the Proposed Actions is an increase of approximately 91,800 gsf of industrial space, 430,050 gsf of office space, 33,800 gsf of retail space, and 43 accessory parking spaces, and a decrease of approximately 35,225 gsf of restaurant/ entertainment space and 28,610 gsf of warehouse space, compared to No-Action conditions. As also shown in Table 1, the Proposed Actions are estimated to result in a net increase of approximately 1,810 workers on the Development Site compared to No-Action conditions.

TABLE 1: Comparison of No-Action and With-Action Development Scenarios

Use	No-Action Scenario [gsf]	With-Action Scenario [gsf]	Increment
Industrial/Manufacturing[1]	17,500	109,300	**+ 91,800 gsf**
Office[2]	66,750	496,800	**+ 430,050 gsf**
Local Retail	--	33,800	**+ 33,800 gsf**
Restaurant/Entertainment	35,225	--	**- 35,225 gsf**
Warehousing	28,610	--	**- 28,610 gsf**
Parking	107 spaces (21,400 gsf)	150 spaces (14,400 gsf)	**+ 43 spaces (-7,000 gsf)**
Employment[3]	**No-Action Scenario**	**With-Action Scenario**	**Increment**
Workers	422	2,232	**+ 1,810**

Notes:
[1] Industrial/Manufacturing uses include some accessory administrative spaces.
[2] Office use includes loading and bike storage space.
[3] Employee numbers for Acme Smoked Fish provided by Applicant (approximately 169 current employees, and 140 on-site employees with the Proposed Actions, including administrative staff). For other No-Action and proposed uses, estimates based on 1 employee per 1,000 sf for industrial/warehousing, 1 employee per 250 sf of office space, 3 employees per 1,000 sf of retail/restaurant space, and 1 employee per 50 parking spaces.

G. PROBABLE IMPACTS OF THE PROPOSED ACTIONS

Land Use, Zoning, and Public Policy

No significant adverse impacts on land use, zoning, or public policy are anticipated in the future with the Proposed Actions in the primary or secondary study areas in the 2024 analysis year. The Proposed Actions would not directly displace any land uses so as to adversely affect surrounding land uses, nor generate land uses that would be incompatible with land uses, zoning, or public policy in the secondary study area. The Proposed Actions would allow a new development containing a mix of commercial office, light industrial/manufacturing, and local retail uses in an area where there is a strong demand for these particular uses that is well-served by infrastructure and public transportation. Additionally, the Proposed Development would support light industrial/manufacturing uses in the Greenpoint-Williamsburg Industrial Business Zone (the "Greenpoint-Williamsburg IBZ"). As here are currently limited retail uses within the 400-foot study area, the Proposed Development would also introduce ground-floor local retail uses on the Development Site, in an area that does not have an abundance of local retail uses.

The Proposed Development would be built at a density and bulk compatible with neighboring recently developed properties and planned projects, including the recently completed eight-story commercial office and light manufacturing building located at 25 Kent Avenue, three blocks to the south, and the approved seven-story commercial office and light manufacturing building located at 12 Franklin Street, one block to the west. As such, the Proposed Actions would result in a development that, in addition to being appropriate for the area, would complement and improve the diverse land use character of the secondary study area.

In allowing the zoning map amendment, as well as the LSGD special permit, the Proposed Actions would help to create opportunities for uses, such as Acme Smoked Fish, that have limited siting opportunities, and maintain the light industrial and manufacturing character of the Greenpoint and Williamsburg neighborhoods while allowing a mix of other complementary uses that are permitted within the proposed M1-5 zoning district. As such, the Proposed Actions are not anticipated to result in significant adverse land use or zoning impacts.

Finally, based on the Waterfront Revitalization Program (WRP) Consistency Assessment Form (CAF) completed for the Proposed Development (WRP #18-047), three policies required further assessment. The assessment provided found that the Proposed Development would be consistent with all applicable policies. The Proposed Actions would also be consistent with the public policies outlined in OneNYC and New York Works, which seek to diversify the City's economic base and increase middle-class employment in the City. Therefore, the Proposed Development would not conflict with any applicable public policies.

Socioeconomic Conditions

This preliminary assessment determined that the Proposed Actions would not result in significant adverse socioeconomic impacts. The following summarizes the conclusions for each of the five CEQR areas of socioeconomic concern.

Direct Residential Displacement

The Development Site is currently zoned M3-1 and the Proposed Actions would map a M1-5 zoning district at the site. There are no residential dwelling units on the Development Site; therefore, the Proposed Actions would not directly displace any residents, and would not result in significant adverse socioeconomic impacts due to direct residential displacement.

Indirect Residential Displacement

The Proposed Actions would not introduce a residential population and therefore, would not introduce a trend that could potentially result in changing socioeconomic conditions for the residents within the surrounding area. The Development Site is located within the Greenpoint-Williamsburg Industrial Business Zone (IBZ) and the Proposed Actions would retain manufacturing zoning on the site, which does not allow residential use as-of-right. Therefore, the Proposed Actions would not result in significant adverse socioeconomic impacts due to indirect residential displacement.

Direct Business Displacement

The Proposed Actions would facilitate the redevelopment of the Development Site and would not directly displace any businesses. The Development Site's existing uses would be directly displaced irrespective of the Proposed Actions (as part of the No-Action condition), and therefore, the Proposed Actions would not result in significant adverse socioeconomic impacts due to direct businesses displacement. In absence of the Proposed Actions, without a new flexible purpose-built facility for its operations, Acme Smoked Fish, an existing industrial use, would strongly consider relocating outside of New York State and vacate its buildings on the Development Site. The Proposed Actions would facilitate the preservation of Acme Smoked Fish at the Development Site by increasing the allowable density and intensity of use, and allowing a mix of complementary uses to offset the cost of a new state-of-the-art industrial facility.

Indirect Business Displacement

A preliminary assessment finds that the Proposed Actions would not result in significant adverse impacts due to indirect business displacement. According to the CEQR Technical Manual, indirect displacement of businesses or institutions could be an issue if an action would increase property values and thus rents throughout the study area, making it difficult for some categories of businesses to remain in the area. The Proposed Actions would increase the allowable density and intensity of uses at the Development Site, providing additional flexibility for economic growth, as well as facilitate the retention of an existing, long-standing industrial use, Acme Smoked Fish, and its associated light industrial jobs at the Development Site.

The Proposed Actions would facilitate the construction of a new 654,300 gsf mixed-use commercial and industrial development in the Greenpoint-Williamsburg IBZ, which would allow Acme Smoked Fish to remain within its trade area, and retain the company's production in Brooklyn, where it originated more than 100 years ago. The proposed zoning changes would provide capacity for growth and investment in the area, as well as facilitate the expansion, modernization, and increased efficiency of the Acme Smoked Fish operations. In absence of the Proposed Actions, Acme Smoked Fish would strongly consider relocating outside of New York State and vacate its buildings on the Development Site. The Proposed Actions would create the opportunity for the preservation and growth of Acme Smoked Fish, which has limited siting opportunities, and would maintain the light industrial and manufacturing character of the area, while allowing complementary uses.

The area surrounding the Development Site is an established mixed-use business district that supports a dense and diverse amount of economic activity with an emerging office market. All of the uses contemplated under the Proposed Actions are well-established in the study area, and would not constitute new economic activities or alter existing economic patterns. The proposed office and local retail uses would be consistent with the existing and future mix of land uses in the study area and create new opportunities for businesses to expand and attract new companies. The study area has been experiencing commercial investment, including new construction and the transformation of former industrial buildings into a wide range of commercial uses. The Proposed Development would be consistent with recent mixed-use development in the study area.

While the Proposed Actions would contribute to an existing trend of increasing commercial development in the study area, any upward rent pressure experienced by industrial businesses in the area would be present in the future without the Proposed Actions. Changes are already occurring in the study area; the area is already experiencing a trend of increase in commercial uses, rents are relatively high, and most investment in the area has been commercial development- including hotels, studio/film/production spaces, office, and creative workspaces. New industrial space has been limited and is largely being introduced in conjunction with new commercial space as mixed-use commercial and industrial developments. Through leveraging the demand for office space, newly constructed industrial spaces are being created within mixed-use developments that provide flexible, modern workspaces that serve current industry needs and standards.

Adverse Effects on Specific Industries

The Proposed Actions would not result in significant adverse impacts on specific industries. The Proposed Actions are site-specific and would not result in the direct displacement of any businesses. The Proposed Development also would not significantly affect business conditions in any specific industry or any category of businesses, nor would it indirectly reduce employment or impair the economic viability of any specific industry or category of business.

Open Space

A detailed open space analysis was conducted and determined that the Proposed Actions would not result in significant adverse open space impacts. According to the *CEQR Technical Manual,* a proposed action may result in a significant impact on open space resources if (a) there would be direct displacement or alteration of existing open space within the study area that would have a significant adverse effect on existing users; or (b) it would reduce the open space ratio and consequently result in the overburdening of existing facilities or further exacerbating a deficiency in open space.

Direct Effects

The Proposed Actions would not result in the physical loss of existing public open space resources. The Proposed Actions would also not result in any significant adverse operational air quality, construction, noise, or shadow impacts affecting open space resources. Therefore, the Proposed Actions would not result in significant adverse direct open space impacts.

Indirect Effects

The open space analysis determined that the Proposed Actions would not result in significant adverse indirect open space impacts. In the future with the Proposed Actions, while the quarter-mile study area's passive open space ratio would decrease by more than five percent from the No-Action condition (a 9.46 percent reduction), it would remain well above the City's planning guideline of 0.15 acres per 1,000 workers, at 0.67 acres per 1,000 workers. Therefore, workers in the defined study area would continue to be well-served by passive open space resources, and there would be no significant adverse open space impact in the study area as a result of the Proposed Actions.

Shadows

A detailed shadows analysis was conducted and found that the Proposed Actions would not have a significant adverse shadows impact. The Proposed Development would result in incremental shadow coverage (i.e. additional, or new, shadow coverage compared to No-Action conditions) on one open space resource, the future phase of Bushwick Inlet Park, and one natural resource, the Bushwick Inlet section of the East River. Project-generated shadows would not affect the utilization, enjoyment, or character of these sunlight-sensitive resources and all vegetation would continue to receive a minimum of four to six hours of direct sunlight throughout the growing season. Additionally, project-generated shadows would not have any adverse impacts on the aquatic biota in the East River.

Historic & Cultural Resources

An assessment was conducted and determined that the Proposed Actions would not result in significant adverse impacts on historic or cultural resources, as summarized below.

As it was found that none of the lots comprising the Development Site have archaeological significance, an archaeological analysis was not warranted for the Proposed Actions. As such, the Proposed Development would not result in any significant adverse archaeological impacts.

Direct (Physical) Impacts

The Proposed Actions are site-specific, and the Development Site does not contain any designated or eligible historic resources. Therefore, the Proposed Actions would not result in any direct impacts to historic architectural resources.

Indirect (Contextual) Impacts

The Proposed Actions would not result in significant adverse indirect impacts on historic architectural resources. The Proposed Development on the Development Site would not significantly alter the context or setting of the Greenpoint Historic District as compared to No-Action conditions. The Proposed Actions would facilitate the development of a building rising up to nine stories (maximum building envelope height of approximately 178.5 feet to the roofline, plus mechanical bulkhead) on the Development Site. Although it is possible that the top of the Proposed Development could be visible when looking southwest in the Greenpoint Historic District, this would not be significant or adverse. The study area is a dense urban environment with multiple existing mid-rise buildings that currently form the backdrop for the

Greenpoint Historic District. The Proposed Development would not substantially change the visual setting of the Greenpoint Historic District so as to affect those characteristics that make it eligible for listing on the S/NR or designation as a NYCL.

Additionally, in the future with the Proposed Actions, no incompatible visual, audible, or atmospheric elements would be introduced to any historic resource's setting. The Proposed Development would not alter the relationship of any identified historic architectural resources to the streetscape, as all streets in the study area would remain open and all historic resources' relationships to the street would remain unchanged in the future with the Proposed Actions. The Proposed Development would not eliminate or screen public views of any historic architectural resources, which would remain visible in view corridors on adjacent public streets and sidewalks. No primary facades, significant architectural ornamentation, or notable features of the buildings within the Greenpoint Historic District would be obstructed by the Proposed Development.

The Proposed Actions would not result in development that would diminish the qualities that make the LPC-designated and S/NR-listed Greenpoint Historic District historically and architecturally significant. As such, the Proposed Actions would not result in any significant adverse indirect or contextual impacts on historic architectural resources.

Construction-Related Impacts

Any new construction taking place within historic districts or adjacent to individual landmarks has the potential to cause damage to contributing buildings to those historic resources from ground-borne construction vibrations. As there are no historic architectural resources located within 90 feet of the Development Site, the Proposed Actions would not result in any significant adverse construction-related impacts to historic resources.

Shadows Impacts

The Proposed Actions would not result in any significant adverse shadows impacts on historic resources. No historic resources in the vicinity of the Development Site contain sunlight-sensitive features. Therefore, the Proposed Actions would not generate any shadows that would affect sunlight-sensitive historic resources.

Urban Design

A detailed assessment found that the Proposed Actions would not result in significant adverse impacts to urban design or visual resources within the primary study area (the Development Site), or in the 400-foot secondary study area. The development facilitated by the Proposed Actions is being built on an existing block, and would not entail any changes to topography, street patterns, street hierarchy, block shapes, or natural features. The proposed building would not negatively alter views in the secondary study area from adjacent publicly-accessible locations, and would not obstruct any view corridors of significant visual resources. Several view corridors would undergo a noticeable transformation in relation to the visual context of the primary study area, with the Proposed Development representing a visible change to the perspective of a pedestrian adjacent to the Development Site. The Proposed Development would alter the visual setting of the primary study area by replacing several low-rise industrial buildings, as well as open storage areas surrounded by metal fencing, with a development that is larger than adjacent low-rise buildings present in the surrounding secondary study area. However, the Proposed Development would not obstruct any views of visual resources, nor would the Proposed Development adversely impact the four view corridors in the secondary study area; rather, the Proposed Development would open up the existing block and generate additional view corridors through the southern portion of the primary study

area. The Proposed Development would enhance the pedestrian experience adjacent to the primary study area through the improvement of streetscape and sidewalk conditions, including the introduction of a new Public Access Area ("PAA"), the elimination of unnecessary curb cuts, and the addition of numerous street trees. Additionally, the Proposed Development would feature two pedestrian pathways, which would improve circulation within the primary study area. As such, the Proposed Actions would not result in significant adverse impacts to urban design or visual resources, but is expected to complement and improve the urban design of the surrounding area.

Hazardous Materials

The Proposed Actions would not result in significant adverse impacts related to hazardous materials with the placement of an (E) designation on the lots comprising the Development Site. Phase I Environmental Site Assessments (ESAs) and Limited Phase II Environmental Site Investigations were prepared in March 2018 and November 2019 in order to evaluate potential contamination on the Development Site. These hazardous materials assessments identified various potential sources of subsurface contamination on, or in close proximity to, the Development Site, including past or present industrial, commercial and automotive uses.

To reduce the potential for adverse impacts associated with new construction resulting from the Proposed Actions, further environmental investigations and remediation will be required. To ensure that these investigations are undertaken, hazardous materials (E) designations would be placed on the lots comprising the Development Site (Lots 1, 6, 19, 21, 25, 50, and 125).

By placing an (E) designation on the lots comprising the Development Site, where Recognized Environmental Conditions (RECs) have been identified relating to soil, groundwater, and soil vapor, the potential for an adverse impact to human health and the environment resulting from the Proposed Development would be avoided. The New York City Office of Environmental Remediation (OER) would provide the regulatory oversight of any required supplemental sampling; including environmental scope, investigation, and potential remedial action during this process. Building permits are not issued by the New York City Department of Buildings (DOB) without prior OER approval of the investigation and/or remediation pursuant to the provisions of Section 11-15 of the Zoning Resolution (Environmental Requirements).

The (E) designation would require that the Applicant conduct any required supplemental subsurface investigations and have an approved Remedial Action Plan (RAP), where appropriate, under the review and approval of OER. The RAP provided to OER to satisfy the (E) designation must also include a mandatory Construction Health and Safety Plan (CHASP).

With the inclusion of the remedial measures described above, which involve the mapping of an (E) designation (E-585) on the Development Site, the Proposed Actions and resultant Proposed Development would not result in any significant adverse impacts related to hazardous materials.

Water and Sewer Infrastructure

An assessment of water and sewer infrastructure determined that the Proposed Actions would not result in significant adverse impacts on the City's water supply or wastewater and stormwater conveyance and treatment.

Water Supply

The Proposed Development would generate an incremental water demand of approximately 167,416 gpd (including water related to sanitary and domestic uses) compared with the No-Action condition. While this would represent an increase in demand on the New York City water supply system, it does not meet the *CEQR Technical Manual* threshold requiring a detailed analysis. Therefore, an analysis of water supply is not warranted as it is expected that there would be adequate water service to meet the incremental water demand from the Proposed Development and there would be no significant adverse impacts on the City's water supply. The New York City Department of Environmental Protection (DEP) Bureau of Water Distribution indicated that existing water infrastructure should be able to handle the estimated increase in water demand, and noted that multiple connections to the City mains would probably be necessary due to the large lot size of the Proposed Development.

Wastewater and Stormwater Conveyance and Treatment

Based on preliminary assessment, it was determined that the Proposed Actions would not result in significant adverse impacts on wastewater treatment or stormwater conveyance infrastructure. The Proposed Development is expected to generate approximately 109,847 gallons per day (gpd) of sanitary sewage, an increase of approximately 83,807 gpd compared to No-Action conditions. This incremental increase in sewage generation is less than 0.03 percent of the average daily flow at the Newtown Creek Water Pollution Control Plant (WPCP) and would not result in an exceedance of the plant's permitted capacity of 310 million gallons per day (mgd). Therefore, the Proposed Actions would not result in a significant adverse impact to the City's sanitary sewage conveyance and treatment system.

Depending on the rainfall volume and duration, the total With-Action volume to the combined sewer system could be between 0.02 and 0.26 mg. Compared to existing conditions, this would represent an increase in combined sewer flows of up to 0.03 mg, depending on rainfall intensities. With the incorporation of selected stormwater source control best management practices (BMPs) that would be required as part of the site connection approval process, subject to the review and approval of DEP, the peak stormwater runoff rates would be reduced. Overall, the Proposed Development would not result in significant adverse impacts on the City's sewage conveyance and treatment systems.

Transportation

A detailed transportation analysis was conducted and determined that the Proposed Actions would result in significant adverse traffic impacts at several intersections near the Development Site, as summarized below. The Proposed Actions would not result in any significant adverse impacts on transit services or pedestrian conditions, nor would they adversely impact vehicular and pedestrian safety or parking conditions.

Traffic

Traffic conditions were evaluated for the weekday 7:30-8:30 AM and 5-6 PM peak hours at 13 intersections (three signalized and ten unsignalized) in the traffic study area where additional traffic resulting from the Proposed Actions would exceed the 50-trips/hour *City Environmental Quality Review* (CEQR) *Technical Manual* analysis threshold. As summarized in Table 2 and Table 3, the traffic impact analysis indicates the potential for significant adverse impacts at eight intersections (three signalized and five unsignalized) during one or both analyzed peak hours. Significant adverse impacts were identified to seven lane groups at six intersections during the AM peak hour and eight lane groups at seven intersections during the PM peak hour. The "Mitigation" section below discusses potential measures to mitigate these significant adverse traffic impacts.

TABLE 2: Number of Impacted Intersections and Lane Groups by Peak Hour

	Peak Hour	
	Weekday AM	**Weekday PM**
Impacted Lane Groups	7	8
Impacted Intersections	6	7

TABLE 3: Summary of Significantly Impacted Intersections

Intersection		Peak Hour	
Location	Control	Weekday AM	Weekday PM
Calyer Street (EB/WB) & Franklin Street (NB/SB)	Signalized	X	X
Calyer Street (EB/WB) & Lorimer Street (SB)	Stop-Controlled	X	X
Calyer Street (EB) & Manhattan Avenue (NB/SB)	Signalized	---	X
Quay Street (EB) & Franklin Street (NB/SB)	Signalized	X-	X
Meserole Avenue (WB) & Franklin Street (NB)/(SB)	Stop-Controlled	X	X
Meserole Avenue (WB) & Gem Street (NB)	Stop-Controlled	---	X
Norman Avenue (WB) & Banker Street (NB)	Stop-Controlled	X	---
Norman Avenue (WB) & Dobbin Street (NB)	Stop-Controlled	X	X
	Total	6	7

It should be noted that there have been recent street network changes/closures related to DOT initiatives in response to the COVID-19 pandemic, including the Open Streets Program, the Open Restaurants Program, Open Streets Outdoor Learning, transit initiatives, and new bicycle lanes. However, as these changes are generally a response to an emergency order, and no permanent approvals that would be needed to make the closures permanent have been granted, they are not reflected in the analyses of No-Action or With-Action conditions. Should new information become available indicating that local street closures are permanent, before the final EIS is issued, the final EIS would account for any necessary updates. Additional traffic intersections could be impacted, and if so, additional mitigation measures will be explored, where feasible in consultation with DCP and the NYCDOT.

Transit

SUBWAY

Subway Stations

The Proposed Actions would generate a net increment of approximately 418 and 438 new subway trips during the weekday AM and PM commuter peak hours. The analysis of subway station conditions focuses on New York City Transit's Nassau Avenue (G) station as incremental demand from the Proposed Actions would exceed the 200-trips/hour *CEQR Technical Manual* analysis threshold at this station in both peak hours. In the future with the Proposed Actions, those stairs and fare arrays that would be used by project-generated demand are expected to operate at an acceptable level of service (LOS) A or B in both the AM and PM peak hours and would therefore not be significantly adversely impacted by the Proposed Actions based on *CEQR Technical Manual* criteria.

Subway Line Haul

The proposed rezoning area is served by two New York City Transit (NYCT) subway routes—G trains operating on the Crosstown Line and L trains operating on the Canarsie Line. Incremental demand generated by the Proposed Actions on the Crosstown Line is expected to exceed the 200 trips/hour *CEQR Technical Manual* threshold for a detailed subway analysis in both the AM and PM commuter peak hours. Therefore, the potential for significant adverse line haul impacts to G train service is assessed in the EIS. As there would be fewer than 200 incremental trips per hour in the AM and PM on the Canarsie Line, the Proposed Actions are not expected to result in significant adverse line haul impacts to L train service.

The peak direction of travel on the Crosstown Line is typically northbound in the AM and southbound in the PM. Line Haul conditions on the G train are assessed at two maximum load points in the peak direction in each peak period—one in relative proximity to the Development Site location in Greenpoint, and a second further south at which a greater share of the Proposed Action's incremental demand is expected to present on the trains.

In the future with the Proposed Actions, peak direction G trains are expected to be operating below capacity in both the AM and PM peak hours at all analyzed maximum load points with the exception of northbound trains leaving Greenpoint Avenue in the AM peak hour. These trains would be operating at capacity with a volume-to-capacity (v/c) ratio of 1.01 (the same as in the future without the Proposed Actions); however, incremental demand due to the Proposed Actions would only amount to an average of 0.08 additional passengers per car. As no peak direction G trains operating at or over capacity would experience an average increase of five or more additional passengers per car at any maximum load point in either the AM or PM peak hours as a result of the Proposed Actions, G train service would not be considered significantly adversely impacted under *CEQR Technical Manual* impact criteria.

BUS

The Proposed Actions are expected to generate only 49 incremental trips by bus in the weekday AM peak hour and two incremental trips by bus in the PM peak hour. A total of three NYC Transit bus routes operate within ¼-mile of the Development Site (the B32, B43 and B62), and the number of incremental trips in one direction on any one of these routes would not exceed the 50-trip *CEQR Technical Manual* analysis threshold. Therefore, the Proposed Actions are not expected to result in significant adverse impacts to local bus service.

Pedestrians

The Proposed Actions would generate approximately 216 incremental walk-only trips in the weekday AM peak hour, 1,495 in the midday peak hour and 371 in the PM peak hour. Persons walking to and from subway station entrances and bus and ferry stops would add approximately 496 and 473 incremental pedestrian trips to sidewalks and crosswalks in the vicinity of the Development Site during the weekday AM and PM peak hours, respectively, and there would be a net decrease of 37 such trips in the weekday midday. Pedestrian conditions during the weekday 8-9 AM, 1-2 PM and 5:30-6:30 PM peak hours were evaluated at a total of 19 pedestrian elements (13 sidewalks, two crosswalks and four corner areas) where new trips generated by the Proposed Actions are expected to exceed the 200-trip/hour *CEQR Technical Manual* analysis threshold. These elements are primarily located in the immediate proximity of the Development Site and along the Norman Avenue/Wythe Avenue corridor which connects the Development Site to nearby subway stations and bus routes. In the Future with the Proposed Actions, all analyzed pedestrian elements would continue to operate at an acceptable LOS C or better in all three analyzed peak hours, and there would be no significant adverse pedestrian impacts based on *CEQR Technical Manual* impact criteria.

Vehicular and Pedestrian Safety

The *Vision Zero Brooklyn Pedestrian Safety Action Plan*, released on February 19, 2015, identified no Priority Corridors, Priority Intersections or Priority Areas within the traffic or pedestrian study areas, and no analyzed intersections are located within a designated Senior Pedestrian Focus Area.

Crash data for intersections in the traffic and pedestrian study areas intersections were obtained from the New York City Department of Transportation for the three-year reporting period between January 1, 2015, and December 31, 2017 (the most recent period for which data were available for all locations). The data quantify the total number of crashes as well as the total number of crashes involving injuries to pedestrians or bicyclists. During the three-year reporting period, a total of 62 crashes and 21 pedestrian/bicyclist-related injury crashes occurred at analyzed study area intersections. None of these crashes involved fatalities.

According to the 2014 *CEQR Technical Manual*, a high crash location is one where there were 48 or more reportable and non-reportable crashes or five or more pedestrian/bicyclist-related crashes in any consecutive 12 months within the most recent three-year period for which data are available. Based on these criteria, no analyzed intersections are classified as high crash locations.

Parking

The parking analysis documents changes in parking supply and utilization within a study area extending ¼-mile from the Development Site. Within this study area there are a total of two off-street public parking garages. Under the Proposed Actions, no existing on-street or off-street public parking would be displaced, and it is anticipated that a total of 150 accessory parking spaces would be provided on the Development Site, sufficient to accommodate approximately 63 percent of the 234 spaces of peak With-Action parking demand. This includes existing demand from Acme workers who must currently park on-street or in nearby off-street public parking facilities. Based on anticipated changes in parking demand during the 2019 to 2024 period, it is estimated that in the future with the Proposed Actions there would be a deficit of approximately 64 spaces of on-street and off-street public parking capacity within ¼-mile of the Development Site in the weekday midday period. While some drivers destined for the vicinity of the Development Site would potentially have to travel a greater distance (e.g., between ¼ and ½-mile) to find available parking in the midday, this shortfall would not be considered a significant adverse impact based on *CEQR Technical Manual* criteria due to the magnitude of available alternative modes of transportation. Therefore, the Proposed Actions are not expected to result in significant adverse parking impacts during the weekday midday peak period for commercial and retail parking demand.

Air Quality

An analysis of air quality determined that the Proposed Actions would not result in significant adverse impacts related to mobile source or stationary source air quality.

The mobile source analyses determined that the Proposed Actions would not result in concentrations of particulate matter (PM) less than 10 microns in diameter (PM_{10} and $PM_{2.5}$) exceeding National Ambient Air Quality Standards (NAAQS), and incremental concentrations of $PM_{2.5}$ generated by the Proposed Actions would not exceed the City's *de minimis* criteria for $PM_{2.5}$.

Analysis of the emissions and dispersion of nitrogen dioxide (NO_2) and $PM_{2.5}$ from the heating and hot water systems of the Proposed Development indicate that these emissions would not result in a violation of NAAQS. In addition, the maximum predicted $PM_{2.5}$ incremental concentrations from the Proposed Development would be less than the applicable 24-hour and annual average City's *de minimis* criteria. To

ensure that there would be no significant adverse impacts resulting from the Proposed Development due to heating and hot water system emissions, certain restrictions would be required through the mapping of an (E) Designation (E-585) for air quality.

An analysis of the cumulative impacts of existing industrial sources on the Proposed Development was performed. Maximum concentration levels at the Development Site were found to be below the air toxic guideline levels and health risk criteria established by regulatory agencies, and below National Ambient Air Quality Standards (NAAQS). Likewise, maximum concentrations of pollutant emissions from the proposed Acme Smoked Fish facility were determined to be below applicable thresholds and standards.

Greenhouse Gas Emissions and Climate Change

The Proposed Development would not result in significant adverse impacts related to greenhouse gases as it would be consistent with the City's GHG emissions reduction goals, as defined in the *CEQR Technical Manual*. Furthermore, the Proposed Development would be consistent with policies regarding adaptation to climate change as identified in OneNYC.

Greenhouse Gas Emissions

It is estimated that the Proposed Development facilitated by the Proposed Actions would result in approximately 7,673 total metric tons carbon dioxide equivalent (CO_2e) of annual emissions from building operations and approximately 4,107 metric tons of CO_2e emissions from mobile sources annually, for an annual total of approximately 11,780 metric tons of CO_2e emissions. This represents approximately 0.02 percent of the City's overall 2017 GHG emissions of approximately 50.7 million metric tons. It should also be noted that the estimated GHG emissions for the Proposed Actions conservatively do not account for any energy efficiency measures that may be implemented by the Applicant at the Proposed Development. The Proposed Development would comply with the stringent 2020 New York City Energy Conservation Construction Code, which includes the additional measures from the New York State Energy Research and Development Authority (NYSERDA) NYStretch Energy Code-2020. The Applicant is currently evaluating the specific energy efficiency measures and design elements that may be implemented as part of the Proposed Development.

The Proposed Development would also advance New York City's GHG reduction goals by virtue of its nature and location. The Proposed Actions would facilitate development of a higher-density mixed industrial/commercial building on a site with existing urban infrastructure, including roadways, transit, sewer infrastructure, and water mains, thereby minimizing the need for extensive infrastructure development. By redeveloping a site that is located in an area supported by many transit options, including bus and subway service, NYC East River Ferry, and CitiBike stations, the Proposed Actions would support transit-oriented development in New York City. Therefore, the Proposed Actions would be consistent with the City's applicable emissions reduction goals of transit-oriented development and construction of new resource- and energy-efficient buildings.

Resilience to Climate Change

As the Development Site is located within a 100-year flood zone, the Proposed Development has been designed to incorporate flood mitigation measures with wet and dry floodproofing strategies. The elevation of the Proposed Development's lowest commercial floor, industrial floor, ground floor parking level, and ground floor service closets are above the elevation of the current one percent annual chance floodplain, but could fall below the elevation of the one percent annual chance floodplain by 2020 and 2050. Floors two through nine would be located well above the current and future one percent annual chance floodplain under high-projections. Similarly, mechanical equipment for heating and cooling is

expected to be located on the rooftop within two different bulkheads, which are at an elevation of approximately 74 feet and 172.5 feet (NAVD88), respectively. No building features are expected to be below the elevation of the Mean Higher High Water at any point over the building's lifespan and it is unlikely the Development Site would be affected by tidal flooding. The flood mitigation measures incorporated into the design of the Proposed Development would also help to protect against rising sea levels. The Proposed Development would be designed and constructed in accordance with all applicable City and State flooding and erosion regulations, including New York City Administrative Code, Title 28, Section 104.9 ("Coastal Zones and Water-Sensitive Inland Zones"). As such, the Proposed Development would be consistent with New York City policies regarding adaptation to climate change.

Noise

An analysis was conducted to determine whether traffic generated by the Proposed Development would have the potential to result in significant adverse noise impacts on existing sensitive receptors, and to determine the level of building attenuation necessary to ensure that interior noise levels for the Proposed Development satisfy applicable interior noise criteria. Analysis of mechanical equipment is not warranted because such mechanical equipment would be designed to meet all applicable noise regulations and, therefore, would not result in adverse noise impacts.

Noise from the increased traffic volumes generated by the Proposed Actions would not cause significant adverse noise impacts as the relative increases in noise levels would fall below the applicable 2014 *CEQR Technical Manual* significant adverse impact threshold (3.0 dBA).

Based on the calculated With-Action L_{10} noise levels, it was determined that special attenuation measures beyond standard construction practices would be required for all future building facades on the Development Site facing Gem Street or Wythe Avenue/North 15th Street in order to maintain an interior noise level not greater than 45 dBA for community facility uses or not greater than 50 dBA for commercial uses. To ensure an acceptable interior noise environment, future community facility/commercial uses must provide a closed-window condition with a minimum of 31 dBA window/wall attenuation on the facades facing Wythe Avenue/North 15th Street and the facades facing Gem Street to maintain acceptable interior noise levels. No special attenuation measures beyond standard construction practices would be required for commercial or community facility uses on any other frontage within the Development Site.

The composite window/wall noise attenuation described above would be required through the assignment of an (E)-Designation (E-585) for noise at the Development Site (Block 2615, Lots 1, 6, 19, 21, 25, 50, and 125) in conjunction with the Proposed Actions. With implementation of the attenuation levels outlined above and presented in Table 4, the Proposed Actions and resultant Proposed Development would provide sufficient attenuation to achieve the *CEQR Technical Manual* interior noise level guidance. Therefore, the Proposed Actions would not result in any significant adverse impacts related to noise attenuation.

TABLE 4: Required Attenuation Values for the Proposed Development

Site	Frontage	Associated Receptor Location	Maximum With-Action L_{10}	CEQR Noise Exposure Category	Required Attenuation for Commercial Uses (OITC)[1]	Required Attenuation for Comm. Fac. Uses (OITC)[1]
Proposed Development Site (Block 2615, Lots 1, 6, 19, 21, 25, 50, and 125)	Northern (Meserole Avenue)	2	68.31	Marginally Acceptable	N/A	N/A
	Southern (Wythe Avenue/North 15th Street)	4	74.95[2]	Marginally Unacceptable (II)	26	31
	Western (Gem Street)	3	73.34	Marginally Unacceptable (II)	26	31
	Eastern (Banker Street)	1	69.23	Marginally Acceptable	N/A	N/A

Notes:
[1] The above attenuation values would be required to maintain interior noise levels 50 dBA or lower for commercial uses and 45 dBA or lower for community facility uses.
[2] As the predicted L_{eq} noise levels at Receptor Location 4 during the weekday PM peak period are higher than the corresponding predicted L_{10} noise levels, the more conservative L_{eq} noise level was used to determine the most conservative and appropriate attenuation requirements for that receptor location.
N/A = Not Applicable; no additional noise attenuation measures are required beyond standard construction practices.
All the above categories require a closed window condition and hence an alternate means of ventilation.

Public Health

As described in the relevant analyses of the EIS, the Proposed Development would not have the potential for unmitigated significant adverse impacts in any of the technical areas related to public health (hazardous materials, water quality, air quality, or noise). Therefore, the Proposed Development would not have the potential for significant adverse impacts related to public health and no further analysis is warranted.

Neighborhood Character

The Proposed Actions would not result in significant adverse impacts associated with neighborhood character. The Development Site is located near the East River waterfront in Greenpoint, an established neighborhood defined by its proximity to the East River, its mixture of residential, commercial, and industrial/manufacturing land uses and building typologies, and its transit accessibility.

The Proposed Actions would facilitate the development of a new mixed-use building containing space for light industrial/manufacturing, commercial office, and retail uses, that would be consistent with the existing mixed-use character of the surrounding neighborhood. The Proposed Actions would facilitate the construction of a new modern facility for a long-standing industrial use on the site, as well as new space for commercial office and retail uses, in an established, transit accessible neighborhood with growing residential, worker, and visitor populations. Additionally, the Proposed Actions would add to the neighborhood's public amenities by providing partially covered open space areas at the southern portion of the Development Site, totaling approximately 21,987 sf (0.50 acres), which would provide physical and visual through block connectivity accessible to the public and improve the pedestrian environment in the vicinity of the site.

As described in the EIS and summarized herein, the Proposed Actions would not result in significant adverse impacts in the areas of land use, zoning, and public policy; socioeconomic conditions; open

space; shadows; historic and cultural resources; urban design and visual resources; or noise. As discussed in greater detail below, the significant adverse transportation impacts would not affect any defining feature of neighborhood character, nor would a combination of moderately adverse effects (related to any of the above-mentioned technical analysis areas) affect such a defining feature. While the Proposed Actions would result in increased transportation activities and significant adverse transportation impacts, these impacts would not result in a significant change to one of the determining elements of neighborhood character, and the resulting conditions would be similar to those seen in the study area and would not result in levels of activity or service conditions that would be out of character with the surrounding neighborhood, which is already characterized by heavy vehicle volumes, predominantly in the form of truck traffic, moderate transit (subway and bus) volumes, and low pedestrian volumes. Thus, the changes in transportation due to the Proposed Actions would not result in significant adverse impacts on neighborhood character. In addition, while incremental vehicle volumes introduced as a result of the Proposed Actions would increase noise levels adjacent to the Development Site, the increases would not be perceptible to individuals (i.e., would be less than 3 dBA) and would, therefore, not alter the character of the surrounding neighborhood.

Construction

A construction assessment was conducted and determined that the Proposed Actions are not expected to result in significant adverse construction-period impacts related to transportation, air quality, noise, land use and neighborhood character, socioeconomic conditions, community facilities, open space, historic and cultural resources, or hazardous materials.

Transportation

Peak construction conditions during the first through third quarters (Q1-Q3) of 2024 were considered for the analysis of potential transportation (traffic, transit, pedestrian, and parking) impacts during construction. Based on the anticipated numbers of vehicle trips from construction trucks and construction workers and operational trips from the new Acme Smoked Fish facility (which is expected to be in operation by 2022), incremental vehicle trips during the 2024 Q1-Q3 peak construction period are expected to be substantially less than the incremental peak hour trips that would be generated with full build-out of the Proposed Development. In addition, there is less overall traffic on the study area street network during the 6:00 AM to 7:00 AM and 3:00 PM to 4:00 PM construction peak hours than during the analyzed 7:30 AM to 8:30 AM and 5:00 PM to 6:00 PM operational peak hours. As both incremental demand and background traffic levels would be lower in the construction peak hours during the peak construction period than in the operational peak hours with full build-out of the Proposed Development, significant adverse traffic impacts over and above those identified for full build-out of the Proposed Development are not anticipated during the peak construction period. Early implementation of the mitigation measures recommended for operational traffic impacts would be expected to be equally effective at addressing potential impacts due to construction traffic, as discussed in the "Mitigation" section below.

During the 2024 Q1-Q3 peak construction period, transit demand from construction workers on the Development Site would not meet the 200 trips/hour *CEQR Technical Manual* analysis threshold for a detailed subway analysis, nor the 50 trips/hour/direction analysis threshold for a detailed bus analysis during the AM and PM construction peak hours, and few if any operational transit trips from Acme Smoked Fish workers would occur during these periods. Therefore, significant adverse impacts to subway and bus services are not expected to occur during the 2024 Q1-Q3 peak construction period.

Similarly, during the 2024 Q1-Q3 peak construction period, pedestrian demand from construction workers on the Development Site (both walk-only trips and trips to/from area transit services) would not meet the 200 trips/hour *CEQR Technical Manual* analysis threshold for a detailed pedestrian analysis in either the weekday AM or PM construction peak hours, and few if any operational pedestrian trips from Acme Smoked Fish workers would occur during these periods. Significant adverse pedestrian impacts are therefore not expected to occur during the 2024 Q1-Q3 peak construction period. During construction, where sidewalk closures are required, adequate protection or temporary sidewalks would be provided in accordance with NYCDOT-OCMC requirements.

Incremental parking demand from both Acme Smoked Fish workers and construction workers during the 2024 Q1-Q3 peak construction period would total approximately 159 spaces. As it is assumed that there would be no on-site parking until full build-out of the Proposed Development, it is anticipated that during this period both Acme Smoked Fish workers and construction workers would park on-street or in the two nearby off-street public parking facilities located in proximity to the Development Site. This demand would contribute to an overall deficit of approximately 139 parking spaces within ¼-mile of the Development Site in the weekday midday during the 2024 Q1-Q3 peak construction period. While some drivers destined for the proximity of the Development Site would potentially have to travel a greater distance (e.g., between ¼ and ½ mile) to find available parking, this shortfall would not be considered a significant adverse impact based on *CEQR Technical Manual* criteria due to the magnitude of available alternative modes of transportation. Therefore, the Proposed Actions are not expected to result in significant adverse parking impacts in the weekday midday peak period during the 2024 Q1-Q3 peak construction period.

Air Quality

The approach and procedures for the construction of the Proposed Development would be typical of the methods utilized in other building construction projects throughout New York City and therefore would not be considered out of the ordinary in terms of intensity. Measures would be taken to minimize pollutant emissions during construction in accordance with all applicable laws, regulations, and building codes. These measures would include dust suppression measures, idling restrictions, and the use of ultra-low sulfur diesel (ULSD) fuel. In addition, to minimize air pollutant emissions during construction, emissions reduction measures such as the use of best available technologies and the use of newer and cleaner equipment during construction of the Proposed Development would be implemented to the extent practicable. With these measures in place and based on the duration and intensity of construction activities, the location of nearby sensitive receptors, and an examination of construction on-road sources, the Proposed Development would not result in any significant adverse construction air quality impacts.

Noise

Construction of the Proposed Development would be expected to have the potential to result in elevated noise levels at nearby receptors, and noise due to construction would at times be noticeable. However, noise from construction would be intermittent and of limited duration. Noise associated with the construction of the Proposed Development would not have the potential to rise to the level of a significant adverse noise impact.

Other Technical Areas

LAND USE AND NEIGHBORHOOD CHARACTER

Construction activities would affect land use within the Development Site but would not alter surrounding land uses. As is typical with construction projects, during periods of peak construction activity there would be some disruption, predominantly noise, to the nearby area. These disruptions would be

temporary in nature and would have limited effects on land uses within the surrounding area, particularly as most construction activities would take place within the Development Site or within portions of sidewalks, curbs, and travel lanes of public streets immediately adjacent to the site. Overall, while the construction at the Development Site would be evident to the local community, the temporary nature of construction would not result in significant or long-term adverse impacts on local land use patterns or the character of the nearby area.

SOCIOECONOMIC CONDITIONS

Construction activities could temporarily affect pedestrian and vehicular access. However, lane and/or sidewalk closures would not obstruct entrances to any existing businesses, and businesses are not expected to be significantly affected by any temporary reductions in the amount of pedestrian foot traffic or vehicular delays that could occur as a result of construction activities. Overall, construction activities associated with the Proposed Actions would not result in any significant adverse impacts on surrounding businesses.

Construction would create direct benefits resulting from expenditures on labor, materials, and services, and indirect benefits created by expenditures by material suppliers, construction workers, and other employees involved in the direct activity. Construction also would contribute to increased tax revenues for the City and State, including those from personal income taxes.

COMMUNITY FACILITIES

No community facilities would be directly affected by construction activities for an extended duration. The Development Site will be surrounded by construction fencing and barriers that would limit the effects of construction on nearby facilities. Construction workers would not place any burden on public schools and would have minimal, if any, demands on libraries, child care facilities, and health care. Construction of the Proposed Development would not block or restrict access to any facilities in the area, and would not materially affect emergency response times significantly. The NYPD and FDNY emergency services and response times would not be materially affected due to the geographic distribution of the police and fire facilities and their respective coverage areas.

OPEN SPACE

There are no publicly accessible open spaces within the Development Site and no open space resources would be used for staging or other construction activities. Although construction of the Proposed Development would be expected to have the potential to result in elevated noise levels at nearby receptors, and noise due to construction would at times be noticeable, the site is located more than 600 feet from the nearest existing open space resource (McCarren Park), and noise from construction would be intermittent and of limited duration. Therefore, no significant construction impacts to open space are expected.

HISTORIC AND CULTURAL RESOURCES

The Development Site does not possess archaeological significance, and therefore, the Proposed Development does not have the potential to result in construction period archaeological impacts. The Proposed Actions would not result in any significant adverse impacts to architectural resources on the Development Site as no historic architectural resources are located on the site. Moreover, no architectural resources are located within 90 feet of the Development Site. Therefore, the Proposed Actions would not result in any significant adverse impacts to historic architectural resources.

HAZARDOUS MATERIALS

The hazardous materials assessments identified various potential sources of subsurface contamination on, or in close proximity to, the Development Site. To avoid the potential for adverse impacts associated with new construction resulting from the Proposed Actions, a hazardous materials (E) designation would be placed on the tax lots comprising the Development Site. The (E) designation requires approval by the New York City Office of Environmental Remediation (OER) prior to obtaining NYC Buildings Department (DOB) permits for any new development entailing soil disturbance. The environmental requirements for the (E) designation also include a mandatory Construction Health and Safety Plan (CHASP), which must be approved by OER.

Adherence to these existing regulations would prevent impacts from construction activities at the Development Site.

H. MITIGATION

As discussed above, significant adverse impacts from the Proposed Actions were identified for operational and construction traffic. Potential measures to mitigate these impacts are discussed below.

Transportation

Traffic

As described in the "Transportation" section above, the Proposed Actions would result in significant adverse traffic impacts at eight study area intersections during one or both analyzed peak hours; specifically, seven lane groups at six intersections during the weekday AM peak hour and eight lane groups at seven intersections during the weekday PM peak hour. As shown in Tables 5 and 6, implementation of traffic engineering improvements such as signal timing changes and the installation of a new traffic signal at the intersection of Franklin Street and Meserole Avenue would fully mitigate the significant adverse impacts to two lane groups at two intersections in the AM peak hour and three lane groups at three intersections during the weekday PM peak hour. Impacts to a total of six lane groups would remain unmitigated at five intersections in one or both analyzed peak hours.

Implementation of the recommended traffic engineering improvements is subject to review and approval by DOT. If, prior to implementation, DOT determines that an identified mitigation measure is infeasible, an alternative and equivalent mitigation measure may be identified.

TABLE 5: Summary of Lane Groups/Intersections with Significant Adverse Traffic Impacts

Peak Hour	Lane Groups/ Intersections Analyzed	Lane Groups/ Intersections With No Significant Impacts	Lane Groups/ Intersections With Significant Impacts	Mitigated Lane Groups/ Intersections	Unmitigated Lane Groups/ Intersections
Weekday AM	25/13	18/7	7/6	2/2	5/4
Weekday PM	25/13	17/6	8/7	3/3	5/4

TABLE 6: Lane Groups With Unmitigated Significant Adverse Traffic Impacts

	Peak Hour	
	Weekday AM	**Weekday PM**
Signalized Intersections		
Calyer Street & Franklin Street	NB-LTR, SB-LTR	NB-LTR, SB-LTR
Unsignalized Intersections		
Calyer Street & Lorimer Street	EB-TR	EB-TR
Meserole Avenue & Gem Street	---	NB-L
Norman Avenue & Banker Street	WB-TR	---
Norman Avenue & Dobbin Street	SB-LTR	SB-LTR

Notes:
NB – northbound, SB – southbound, EB – eastbound, WB – westbound
L – left-turn, T – through, R – right-turn, DefL – defacto left-turn

It should be noted that there have also been recent street network changes/closures related to DOT initiatives in response to the COVID-19 pandemic, including the Open Streets Program, the Open Restaurants Program, Open Streets Outdoor Learning, transit initiatives, and new bicycle lanes. However, as these changes are generally a response to an emergency order, and no approvals that would be needed to make the closures permanent have been granted, they are not reflected in the analyses of No-Action or With-Action conditions. Should new information become available indicating that local street closures are permanent, before the FEIS is issued, the FEIS would account for any necessary updates. Additional traffic intersections could be impacted, and if so, additional mitigation measures will be explored, where feasible in consultation with DCP DOT. If no additional mitigation measures are identified, the project's significant adverse impacts would remain unmitigated.

Construction

Traffic

As discussed in "Construction" section above, peak construction period traffic increments at each of the study area intersection approaches would be the same or lower than the corresponding peak hour operational traffic increments. Therefore any potential for significant adverse impacts in the construction peak periods would be within the envelope of the significant adverse impacts associated with the operational traffic. If any mitigation measures that are approved for the operational traffic impacts are advanced for the construction peak periods, then it is anticipated that these measures would be similarly effective at mitigating potential construction period traffic impacts. However, if any of these mitigation measures are not approved for the construction peak periods, then the corresponding construction period traffic impacts would remain unmitigated.

I. ALTERNATIVES

No-Action Alternative

The No-Action Alternative examines future conditions on the Development Site, but assumes the absence of the Proposed Actions (i.e., none of the discretionary approvals proposed as part of the Proposed Actions would be adopted). Under the No-Action Alternative by 2024, existing zoning would remain. It is assumed that in absence of the Proposed Actions, all the existing businesses at the Development Site would relocate, and the vacated buildings would be re-occupied by a mix of eating/drinking/ entertainment establishments, creative office and warehouse uses. It is also assumed that Lot 125, which

currently accommodates parking and open storage, would be redeveloped with a new 3-story commercial building with distillery, office, dance studio and restaurant uses, as was planned by the site owner prior to the current proposal. Overall, the No-Action Alternative assumes that the Development Site would accommodate a total of 169,485 gsf, comprised of approximately 35,225 gsf of restaurant/entertainment uses, 66,750 gsf of creative office space, 28,610 gsf of warehousing spaces, and 17,500 gsf of industrial space (distillery), as well as an estimated 21,400 gsf of accessory parking (107 spaces). The technical chapters of the EIS have described the No-Action Alternative as "the Future Without the Proposed Actions."

The significant adverse impacts related to transportation anticipated for the Proposed Actions would not occur under the No-Action Alternative. However, the No-Action Alternative would not meet the goals of the Proposed Actions. The benefits expected to result from the Proposed Actions — including the preservation of an existing industrial use, maintaining the light industrial and manufacturing character of the area while allowing a mix of other complementary uses, encouraging job creation in areas near transit, and addressing a borough-wide need for more commercial office space — would not be realized under this alternative.

No Unmitigated Significant Adverse Impacts Alternative

The No Unmitigated Significant Adverse Impacts Alternative examines a scenario in which the density and other components of the Proposed Development are changed specifically to avoid the unmitigated significant adverse impacts associated with the Proposed Actions. There is the potential for the Proposed Development to result in unmitigated significant adverse impacts related to transportation (traffic). Overall, in order to eliminate all unmitigated significant adverse impacts, the Proposed Development would have to be modified to a point where the principal goals and objectives would not be realized.

J. UNAVOIDABLE ADVERSE IMPACTS

According to the *City Environmental Quality Review* (CEQR) *Technical Manual*, unavoidable significant adverse impacts are those that would occur if a proposed project or action is implemented regardless of the mitigation employed, or if mitigation is infeasible. As described in the "Mitigation" section the Proposed Actions would potentially result in significant adverse impacts with respect to transportation (traffic) and construction (traffic). To the extent practicable, mitigation has been proposed for the identified significant adverse impacts in this technical area. However, in some instances (a) no practicable mitigation was identified to fully mitigate significant adverse impacts, and (b) there are no reasonable alternatives to the Proposed Actions that would meet the purpose and need of the Proposed Actions, eliminate the impact, and not cause other or similar significant adverse impacts.

Transportation

Traffic

As discussed in the "Transportation" section above, the Proposed Actions would result in significant adverse traffic impacts at eight study area intersections (three signalized and five unsignalized) during one or both analyzed peak hours. Specifically, significant adverse impacts were identified to seven lane groups at six intersections during the weekday AM peak hour, and eight lane groups at seven intersections during the weekday PM peak hour. As discussed in the "Mitigation" section above, implementation of traffic engineering improvements such as signal timing changes and the installation of a new traffic signal at the intersection of Franklin Street and Meserole Avenue would fully mitigate the significant adverse impacts to two lane groups at two intersections in the AM peak hour and three lane groups at three

intersections during the weekday PM peak hour. As shown in Table 7, no practicable mitigation was identified for the impacts to a total of six lane groups at five intersections in one or both analyzed peak hours, and they would remain unmitigated. Consequently, these impacts would constitute unavoidable significant adverse traffic impacts as a result of the Proposed Actions.

TABLE 7: Lane Groups With Unmitigated Significant Adverse Traffic Impacts

	Peak Hour	
	Weekday AM	**Weekday PM**
Signalized Intersections		
Calyer Street & Franklin Street	NB-LTR, SB-LTR	NB-LTR, SB-LTR
Unsignalized Intersections		
Calyer Street & Lorimer Street	EB-TR	EB-TR
Meserole Avenue & Gem Street	---	NB-L
Norman Avenue & Banker Street	WB-TR	---
Norman Avenue & Dobbin Street	SB-LTR	SB-LTR

Notes:
NB – northbound, SB – southbound, EB – eastbound, WB – westbound
L – left-turn, T – through, R – right-turn, DefL – defacto left-turn

Implementation of the recommended traffic engineering improvements is subject to review and approval by DOT. If, prior to implementation, DOT determines that an identified mitigation measure is infeasible, an alternative and equivalent mitigation measure may be identified. In the absence of the application of mitigation measures, the impacts would also remain unmitigated and would also constitute unavoidable adverse traffic impacts as a result of the Proposed Actions.

It should be noted that there have also been recent street network changes/closures related to DOT initiatives in response to the COVID-19 pandemic, including the Open Streets Program, the Open Restaurants Program, Open Streets Outdoor Learning, transit initiatives, and new bicycle lanes. However, as these changes are generally a response to an emergency order, and no approvals that would be needed to make the closures permanent have been granted, they are not reflected in the analyses of No-Action or With-Action conditions. Should new information become available indicating that local street closures are permanent, before the FEIS is issued, the FEIS would account for any necessary updates. Additional traffic intersections could be impacted, and if so, additional mitigation measures will be explored, where feasible in consultation with DCP and DOT. If no additional mitigation measures are identified, the project's significant adverse impacts would remain unmitigated, and would therefore be considered unavoidable adverse impacts.

Construction

Traffic

As discussed in the "Construction" section above, peak construction period traffic increments at each of the study area intersection approaches would be the same or lower than the corresponding peak hour operational traffic increments. Therefore any potential for significant adverse impacts in the construction peak periods would be within the envelope of the significant adverse impacts associated with the operational traffic. As discussed in the "Mitigation" section, if any mitigation measures that are approved for the operational traffic impacts are advanced for the construction peak periods, then it is anticipated that these measures would be similarly effective at mitigating potential construction period traffic

impacts. However, if any of these mitigation measures are not approved for the construction peak periods, then the corresponding construction period traffic impacts would remain unmitigated, and would therefore be considered unavoidable adverse impacts.

K. GROWTH-INDUCING ASPECTS OF THE PROPOSED ACTIONS

The Proposed Actions would result in more intensive land uses on the Development Site, however, it is not anticipated that the Proposed Actions would generate significant secondary impacts resulting in substantial new development in nearby areas. The Proposed Actions would create the opportunity for the preservation and growth of Acme Smoked Fish, which has limited siting opportunities, and would maintain the light industrial and manufacturing character of the area, while allowing complementary uses. The area surrounding the Development Site is an established mixed-use business district that supports a dense and diverse amount of economic activity with an emerging office market. All of the uses contemplated under the Proposed Actions are well-established in the study area, and would not constitute new economic activities or alter existing economic patterns. While the proposed commercial uses would be considerable additions to the study area, they do not represent new types of land uses and would serve both existing and future consumer demand. As such, while the new commercial uses would be expected to contribute to growth in the City and State economies, they would not be expected to induce additional notable growth outside the Development Site.

The Applicant would be required to file a site connection proposal for approval from the NYC Department of Environmental Protection (DEP) to tie into the City's sewer system. In order to obtain a sewer connection permit from DEP, the Applicant would be required to demonstrate that the existing system could handle the increased flows due to the Proposed Development. Any analysis and improvements, if required, would be undertaken prior to construction of the Proposed Development and would be coordinated with DEP for review and approval. The configuration of any infrastructure improvements, if necessary, would be determined based on the demands created by the Proposed Development, and would not be designed to accommodate additional development elsewhere in the surrounding area. Therefore, such improvements, would not result in an expansion of infrastructure capacity in the surrounding area and would not be expected to induce growth outside of the Development Site.

Overall, the Proposed Development is not expected to induce any significant additional growth beyond that identified and analyzed in the Environmental Impact Statement (EIS).

L. IRREVERSIBLE AND IRRETRIEVABLE COMMITMENTS OF RESOURCES

Resources, both natural and man-made, would be expended in the construction and operation of the development projected to occur as a result of the Proposed Actions. These resources include the building materials used in construction; energy in the form of gas and electricity consumed during construction and operation of the Proposed Development by various mechanical and processing systems; and the human effort (time and labor) required to develop, construct, and operate various components of the Proposed Development. These are considered irretrievably committed because their reuse for some other purpose would be highly unlikely.

Although the Proposed Development would result in an increase in new commercial and industrial land uses and publicly accessible open areas on the Development Site, the Proposed Development would constitute an irreversible and irretrievable commitment of the Development Site as a land resource, thereby rendering land use for other purposes infeasible, at least in the near term. The Development Site

does not possess any natural resource values and is currently developed and occupied by a mix of industrial/manufacturing uses, with open and vehicle storage uses occupying the southern portion of the block.

These commitments of materials and land resources are weighed against the benefits of the Proposed Development, which would be in keeping with the City's policy of encouraging the retention and expansion of industrial businesses, especially in IBZ areas, by providing increased commercial floor area and acknowledging the site constrains that such developments may entail. Furthermore, introducing additional commercial office space in Greenpoint would promote job and business growth in a transit accessible area within an emerging office submarket of Brooklyn. The Proposed Development would help meet a borough-wide demand for more commercial office space and locate offices closer to where workers live, consistent with the vision and strategy of *New York Works*. The Proposed Development would complement the existing and ongoing development in the area, introducing a higher intensity of uses and further contribute to the vitality of the streetscape. The Proposed Development would also provide publicly accessible open areas within an existing mixed-use area that is considered underserved by open space.



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