APPENDIX F

WRITTEN COMMENTS ON THE DEIS

Brooklyn Borough President Recommendation
CITY PLANNING COMMISSION
120 Broadway, 31st Floor, New York, NY 10271
CalendarOffice@planning.nyc.gov

INSTRUCTIONS

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

APPLICATION

ACME SMOKED FISH/GEM STREET REZONING – 210138 ZMK, 210139 ZSK

Applications submitted by RP Inlet, LLC pursuant to Sections 197-c and 201 of the New York City Charter for a zoning map amendment to change a block bounded by Meserole and Wythe avenues, and Banker, Gem, and North 15th streets from M3-1 to M1-5, as well as a Large-Scale Development Special Permit by the City Planning Commission (CPC) to permit such development to exceed applicable height and setback requirements. These actions are requested to facilitate a mixed-use building with approximately 488,480 square feet (sq. ft.) of commercial space, including office and retail, as well as 95,300 sq. ft. of industrial space, to accommodate the relocation of the existing Acme Smoked Fish processing facility into the first phase of the intended construction, at 30 Gem Street in Brooklyn Community District 1 (CD 1).

BROOKLYN COMMUNITY DISTRICT NO. 1 BOROUGH OF BROOKLYN

RECOMMENDATION

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

SEE ATTACHED

Eric L. Adams

BROOKLYN BOROUGH PRESIDENT

February 22, 2021

DATE

RECOMMENDATION FOR: ACME SMOKED FISH/GEM STREET REZONING – 210138 ZMK, 210139 ZSK

RP Inlet, LLC submitted applications pursuant to Sections 197-c and 201 of the New York City Charter for a zoning map amendment to change a block bounded by Meserole and Wythe avenues, and Banker, Gem, and North 15th streets from M3-1 to M1-5, as well as a Large-Scale Development Special Permit by the City Planning Commission (CPC) to permit such development to exceed applicable height and setback requirements. These actions are requested to facilitate a mixed-use building with approximately 488,480 square feet (sq. ft.) of commercial space, including office and retail, as well as 95,300 sq. ft. of industrial space, to accommodate the relocation of the existing Acme Smoked Fish processing facility into the first phase of the intended construction, at 30 Gem Street in Brooklyn Community District 1 (CD 1).

On December 21, 2020, Brooklyn Borough President Eric Adams held a remote public hearing on these zoning map and text amendments and special permit. There were three speakers on the item: a board member of North Brooklyn Neighbors who expressed opposition to the development's height and size, a representative of Service Employees International Union Local 32BJ (SEIU 32BJ) who commended the developer's intent to provide prevailing wage jobs, and the executive director of Evergreen, who expressed support for the proposal as a way to retain and grow manufacturing in New York City.

In response to Borough President Adams' inquiry regarding the project's lack of a zoning special permit that links new multi-story office development to the provision of beneficial industrial space, and what mechanism would ensure that the new Acme Smoked Fish facility is maintained as maker space, the applicant's representative disclosed that the project would enter the City's Industrial Development Agency (IDA) program, which would require the Acme Smoked Fish building to be preserved as manufacturing space for a defined term.

In response to Borough President Adams' inquiry regarding the feasibility of incorporating open and/or enclosed rooftop agriculture to provide beneficial use through non-zoning floor area, the representative noted that green roofs would be created on areas resulting from the building's setbacks, which would be intended primarily for tenant use.

In response to Borough President Adams' inquiry regarding concerns about the proposed height, and what factors preclude a more horizontal massing of the intended bulk, the representative clarified that the building's zoning envelope is limited by several considerations. Ventilation requirements for Acme Smoked Fish preclude any construction directly about the building — the planned open space on North 15th Street and Wythe Avenue pushes the building back from the street; the commercial floorplates must be of sufficient depth to create rentable space, while maximizing light penetration. The resulting massing concentrates the building's bulk in the center of the block, which, in turn, yields the represented height of 178 feet.

In response to Borough President Adams' inquiry as to what consideration has been given to setting aside a portion of the building for local arts and/or cultural uses, as well as neighborhood retail and small businesses, the representative noted that the applicant is engaged in discussions with community groups but is not able to guarantee availability or set aside such space at this time.

In response to Borough President Adams' inquiry regarding the incorporation of sustainable features such as passive house design, New York City Department of Environmental (DEP) rain gardens, and wind turbines, the representative noted that onsite cogeneration has been considered but was deemed infeasible as part of the project. The representative expressed intent to work with the New York State Energy Research and Development Authority (NYSERDA) to meet the City's energy goals and with DEP to capture all rainwater onsite.

In response to Borough President Adams' inquiry regarding the inclusion and participation of locally-owned business enterprises (LBEs) and minority and women-owned business enterprises (MWBEs) in the construction process, the representative referenced 25 Kent Avenue, a nearby mixed commercial/industrial development that participates in the City's Industrial & Commercial Abatement Program (ICAP). The applicant would seek to utilize these incentives and conduct outreach to MWBE firms through the New York City Department of Small Business Services (SBS).

Subsequent to the hearing, Borough President Adams received letters in support of the project from several organizations, including the Brooklyn Chamber of Commerce, Evergreen, the New York City Council of the United Brotherhood of Carpenters and Joiners of America, and St. Nicks Alliance. Borough President Adams also received testimony from a longtime local resident on the importance of keeping Acme Smoked Fish in the community.

Subsequent to the hearing, Borough President Adams received 364 form letters expressing support for the proposed development.

Subsequent to the hearing, Borough President Adams received a letter from a group called North Brooklyn Residents advocating a minimum three-story reduction in the building's height, and a guarantee that the manufacturing space would be maintained for at least 25 years, as conditions of approval.

Consideration

On December 8, 2020, Brooklyn Community Board 1 (CB 1) voted to approve this application with the following conditions:

- That there would be a deed restriction guaranteeing that the Acme Fish building remains zoned for manufacturing use for 25 years
- That the Acme Smoked Fish portion of the development would have a state-of-the art emissions control system
- That the special permit would contain language precluding subsequent filing for hotel use
- That there would be no bars or amplified music on any of the development's rooftops

That the applicant would:

- Commit to partnering with the New York City Department of Parks and Recreation (NYC Parks) to help fund the maintenance of Bushwick Inlet Park upon receipt of a Certificate of Occupancy (C of O) for the ancillary building
- Keep the community apprised, via a liaison about construction conditions including air monitoring, pile driving, and truck staging
- Comply with Local Law 97, the Climate Mobilization Act
- Ensure that the development has a net zero effect on the City's stormwater and waste management systems
- Comply with Local Law 15 requirements for bird-friendly construction

The board further recommended that the developer consider downsizing the ancillary building, and that M1-5 zoning should not be permitted unless paired with other discretionary actions, such as a large-scale plan until the New York City Department of City Planning (DCP) returns to discuss a cohesive zoning plan for New York City's manufacturing areas. In sum, the board seeks to restrict the application of zoning tools requested by the developer to the unique situation at 30 Gem Street.

These proposed land-use actions would facilitate the full redevelopment of a block bounded by Banker Street, Gem Street, Meserole Avenue, North 15th Street, and Wythe Avenue. The project site consists of seven tax lots with a total area of approximately 116,756 sq. ft. In addition to its original

facility at 30 Gem Street, Acme Fish occupies 14 Meserole Avenue, as well as 190 and 192 Banker Street.

These interconnected buildings provide approximately 72,855 of manufacturing floor area. The three non-Acme properties are 234 Banker Street, a 21,500 sq. ft. soon-to-be-vacant warehouse; 200 Banker Street, a 3,800 sq. ft. vacant building, and 168 Banker Street, a 21,730 sq. ft. irregular lot fronting four of the block's cross streets, used primarily for open storage.

The new Acme Smoked Fish facility would occupy the northwest corner of Banker Street and Meserole Avenue. The building would rise to four stories with a maximum height of 104 feet. A 25-foot high mechanical louver screen would be installed on the roof to comply with venting requirements. The redevelopment would achieve approximately 95,299 sq. ft. of production space, served by one loading berth on Banker Street and two on Meserole Avenue. To avoid interruption, the current Acme Fish operation would be maintained during the initial development phase. Upon completion of the new facility, the company would relocate entirely to this space, and construction would begin on the commercial building, slated to occupy the remainder of the block.

The new office/retail development would rise to nine stories with a maximum height of 178.5 feet, surmounted by a 25-foot tall mechanical bulkhead. Office uses would occupy approximately 454,661 sq. ft. of the total floor area, with the remaining 33,818 sq. ft. reserved for ground-floor retail. The building would have a 150-car parking facility accessible via Gem Street, and separately, 65 bicycle parking spots. The project's site plan provides approximately 21,403 sq. ft. of open and partially covered Public Access Area (PAA), concentrated on the south end of the block. The PAA would have a variety of plantings and seating options. The design also includes approximately 5,775 sq. ft. of green space in front of the building's retail stores.

The project area is zoned M3-1, a heavy manufacturing district with a permitted Floor Area Ratio (FAR) of 2.0 for commercial and industrial buildings, and a parking requirement of one space per 300 sq. ft. of floor area for certain uses. Uses with potential nuisance effects in M3 zones are required to meet minimum performance standards set forth in the New York City Zoning Resolution (ZR). It is also located in the Greenpoint-Williamsburg Industrial Business Zone (IBZ), which is zoned primarily for light manufacturing. In the IBZ's M1-2 zones, several property owners have taken advantage of a special permit created in 2016 that allows the maximum 4.8 community facility FAR for commercial development with the provision of least 0.8 FAR of required industrial use area. So far, three projects have been approved pursuant to this special permit: 25 Kent Avenue, 12 Franklin Street, and 103 North 13th Street. Acme Smoked Fish is seeking the greater FAR permitted by M1-5 zoning to advance a similar concept, whereby otherwise prohibitively expensive industrial space is financed through Class A and office and retail development. To maximize such revenues, the applicant also seeks relief from M1-5 height and setback requirements via a special permit that would facilitate a more flexible and optimal building envelope.

One quirk of manufacturing districts is that office and retail uses have been allowed to proliferate to such an extent that they are now primarily commercial in character. This phenomenon appears contrary to the expectations of the 1961 ZR. Because commercial uses tend to be higher value than industrial ones, without regulation, the private market would not provide land or space for maker uses. Changing the commercial zoning from M3-1 to the proposed M1-5 with the requested bulk modification permit, provides an opportunity to leverage certainty for manufacturing and other uses deemed beneficial to the community by restricting office and retail occupancy. Establishing effective legal means to ensure maker space and uses would help maximize the project's public purpose, including a new facility for Acme Smoked Fish that would secure its operations in Brooklyn.

Borough President Adams supports land use actions that broaden economic opportunity by providing employment for varied skill sets. This project would leverage the higher FAR permitted by an M1-5 zoning district to facilitate new commercial office development, which would, in turn, underwrite long-term upgrades to vital manufacturing space. promote commercial development, and upgrade vital manufacturing space. Such a proposal aligns with the City's industrial and workforce goals, which include the creation of quality jobs for those without college degrees. Borough President Adams supports the preservation and expansion of manufacturing floor area to sustain and grow the City's industrial sector.

Borough President Adams supports the creation of new manufacturing space through commercial office and retail development in sections of Brooklyn with thriving innovation and maker economies. He further supports actions that establish reasonable height limits, advance more need-based car parking and truck loading requirements, and incorporate desired neighborhood amenities.

Borough President Adams believes that it is appropriate to zone for increased commercial density in proximity to public transportation. The site's location is equidistant from the Brooklyn-Queens Crosstown Local G train Nassau Avenue and Greenpoint Avenue stations. It is also accessible via the B32 bus, which makes stops along Franklin Avenue and North 14th Street. Finally, the area is well-served by Citi Bike, with a docking station located directly on the block, at the intersection of North 15th Street and Wythe Avenue, and another across the street on Meserole Avenue.

The surrounding area contains a variety of commercial, industrial, and residential land uses. Major open space resources include Bushwick Inlet Park and McCarren Park, located several blocks west and south of the site.

Borough President Adams acknowledges the large jump in density from what is otherwise permitted by the existing zoning. Without the rezoning, there would be no means to compel the applicant to retain and modernize Acme Smoked Fish — placing more than 100 union jobs and a legacy business at risk. The proposed rezoning would enable any combination of office use and most forms of retail at substantially greater density and height. Borough President Adams acknowledges community concerns about large-scale commercial development at this site but recognizes that such occupancy is necessary to underwrite a state-of-the-art facility for Acme Smoked Fish. The resulting bulk, while an aberration to the surrounding context, is generally justified to achieve this important policy objective.

Borough President Adams generally supports the proposed rezoning to facilitate the represented mixed-use development at 30 Gem Street. However, he seeks assurances of dedicated commercial space for maker businesses, a mechanism to ensure user compliance, a restricted range of permitted use groups, limitations on accessory retail floor area, consideration of bulk redistribution and reduction, integration of resilient and sustainable features including rain gardens, advancement of Vision Zero policies, the implementation of car-share, and a high level of local and MWBE hiring for the project.

Ensuring the Provision and Retention of Space for Innovation and Maker Jobs

To ensure that maker use floor area at 30 Gem Street is retained in the proposed expansion, it is necessary to establish compliance standards. ZR Section 74-962 provides a template for required compliance and recordation, including periodic notification by the owner, and annual reporting by a qualified third party. Under the rules of that Special Permit (established as part of the 25 Kent Avenue application), the property owner must file a Notice of Restrictions to receive a building permit from the New York City Department of Buildings (DOB). ZR Section 74-962 also states that "no temporary certificate of occupancy for any portion of the building to be occupied by incentive uses shall be issued until a temporary certificate of occupancy for the core and shell is issued for all portions of the building required to be occupied by required industrial uses." Such regulation was

designed to ensure that the Required Industrial Use area is developed before any Incentive Use area contingent on the provision of such manufacturing floor area is occupied.

Furthermore, each new lease executed for any part of the Required Industrial Use space requires public notification, via electronic resource, of certain information about each new tenant and use, including the total floor area of Required Industrial Uses in the development, a digital copy of all approved Special Permit drawings pursuant to ZR Section 74-962 (a)(1) through (a)(4), and the names of all establishments occupying floor area reserved for Required Industrial Uses. Additionally, for each establishment, public notification must specify the amount of Required Industrial Use floor area, the UG, the subgroup, and the specific use as listed in the ZR.

The property owner is also required to retain a qualified third party, approved by SBS to produce an annual report and conduct an inspection to ensure that the Required Industrial Use area is compliant with the provisions of ZR Section 74-962. Such report must include a description of each establishment with the North American Industry Classification System (NAICS) code and number of employees, the total amount of vacant Required Industrial Use floor area, as applicable; the average annual rent for the combined total of the portions of the building reserved for occupancy by Required Industrial Uses, and the number of new leases executed during the calendar year, categorized by lease duration, in five-year increments. Such report must be submitted to DCP, as well as the Brooklyn borough president, the local City Council member, and the community board. Such report must be prepared by an organization under contract with the City to provide inspection services, an SBS-certified firm that provides such inspection services, or an entity that the commissioner of SBS determines to be qualified to produce such report, provided that any qualified third party selected by the owner to prepare such a report shall have a professional engineer or a registered architect licensed under the laws of the State of New York to certify the report.

Borough President Adams believes that to ensure compliance and the desired ratio of uses, the standards established in ZR 74-962 should be incorporated into the proposed zoning text amendment. In addition, one of the area's non-profit industrial business solutions providers, such as Evergreen, would warrant consideration as a potential administering agent for the industrial building at 30 Gem Street. Borough President Adams believes that any floor area managed by a not-for-profit agency should comply with periodic notification and annual reporting requirements.

Therefore, prior to considering the application, the City Council should obtain written commitments from the applicant, RP Inlet, LLC, to establish a legally enforceable mechanism, such as a deed restriction, a contract with an industrial non-profit, and/or a government financing agreement that would ensure industrial floor area compliance, and establish ongoing monitoring.

Use Group Compliance with Innovation and Maker Jobs

According to the applicant, the redevelopment of 30 Gem Street would expand the Acme Smoked Fish manufacturing space by 40 percent. The new, modernized floor area would be better utilized to optimize operations and production. Acme Smoked Fish expects that this purpose-built facility will secure its long-term presence in Brooklyn. However, such occupancy is not guaranteed, and IDA incentive programs would require the building to be maintained as manufacturing space for 25 years.

Borough President Adams seeks to ensure floor area for innovation and maker uses in perpetuity. He believes that such managed manufacturing space should reflect any combination of agricultural, heavy service, manufacturing establishments, as well as studios for art, dancing, motion picture production, music, photographic, radio/television, or theatrical, semi-industrial facilities, and trade schools for adults. It should also include service use categories from Use Group 9A such as blueprinting or photostatting establishments, dental or medical laboratories, musical instrument

repair shops, studios, and trade schools for adults, which he deems consistent with maker uses. Studios are also included in Use Group 10A.

Borough President Adams believes that certain uses, such as depositories and automobile showrooms, as well as truck terminals, warehouses, and wholesale establishments should be excepted from the range of otherwise considered innovation and maker uses.

Borough President Adams further believes that the effectiveness of innovation and maker uses are dependent on being provided with clear access 24 hours a day, seven days a week to common service corridors, freight elevators, and loading docks on streets to ensure active industrial spaces. He believes this should be a requirement of meeting maker floor area as defined above by certain UG 9, 10, 11, 16, 17, and 18 uses noted above.

Borough President Adams believes that, prior to considering the application, the City Council obtain commitments, in writing, from the applicant, RP Inlet, LLC, clarifying how it would establish a legally enforceable mechanism, such as a deed restriction, contract with a non-profit business service provider, and/or government financing agreement to ensure occupancy would be restricted to innovation and maker uses with clear access to the street.

Restricting Accessory Retail Floor Area

Though not expressed as an intention, Borough President Adams believes that the recommended binding agreement address the possibility of retail use under the guise as being accessory to a primary use tenant. Such floor area utilization would undermine the intent of securing dedicated space for innovation and/or maker uses.

There has been a trend for certain uses listed within UGs 11A, 16, 17, and 18 — specifically alcoholic beverages or breweries — in which a small accessory section of floor area is set-aside for retail and/or eating and drinking establishments. For example, such a development might have an interior retail street where one can purchase baked goods from a small store off the main production area. With the ongoing trend of artisanal food and beverage production, an accessory sales component often provides important synergy and financial viability. However, other manufacturing uses, such as metal fabrication and woodworking, do not lend themselves to accessory retail. This puts such makers at a disadvantage because they lack the benefit of such operations and cannot afford to pay higher rents for manufacturing space. Additionally, excessive floor area occupancy by accessory retail and/or eating and drinking establishments undermines the purpose of establishing dedicated floor area for manufacturing uses. The ZR is silent regarding restricting accessory operations.

As Borough President Adams noted in his 2016 recommendations for 25 Kent Avenue, and his recent recommendations for 12 Franklin Street, 103 North 13th Street, Industry City, and Suydam Street, public benefit would be diminished if the accessory retail and/or eating and drinking establishment uses consumed more than a nominal amount of floor area.

As has been Borough President Adams' recommendation for those prior ULURP applications, he seeks to clearly define the extent of the floor area that would be allotted for supporting accessory retail as well as eating and drinking operations at 30 Gem Street. He believes that it is appropriate to limit accessory retail operations, specifically for UGs 6A, 6C, 7B, 7D, 8B, 8C, 10A, and 12 by permitting up to 100 sq. ft. without regard to the size of the industrial/maker establishment, though not more than 1,000 sq. ft. or not exceeding 10 percent of floor area per establishment.

Borough President Adams believes that to maintain the integrity of floor area for maker businesses, 100 sq. ft. — without regard to the size of the establishment or not exceeding 10 percent of floor

area per establishment, though not more than 1,000 sq. ft. — would be an appropriate extent of classifying floor area as an accessory use.

Borough President Adams believes that prior to considering the application, the City Council obtain commitments, in writing, from the applicant, RP Inlet, LLC clarifying how it would establish a legally enforceable mechanism, such as a deed restriction, contract with a non-profit business service provider, and/or government financing agreement limit accessory retail floor area.

Appropriate Bulk

Borough President Adams acknowledges concerns expressed during the ULURP process, starting with initial meetings held by CB 1, regarding appropriate bulk for proposed development. While community members have called for a three-story reduction to the commercial building, the board recognized that the resulting floor area would be insufficient to finance the new Acme Smoked Fish facility.

Borough President Adams understands that the proposed bulk and height would contrast sharply with the project's low-rise residential context. The letter from North Brooklyn Residents included those living nearby on Meserole Avenue and Lorimer, Milton, Noble, and Oak streets. Meserole Avenue, at Banker Street, marks the start of a four-story residential context, which extends away diagonally from the development site. Further north along Banker Street, the block transitions again to residential use at Calyer Street, where buildings range from two to four stories (though the view corridor north along Banker Street leads to the Greenpoint, a residential tower on the waterfront). Along Norman Avenue, four-story residential buildings are found mid-block east of Dobbin Street, with three stories being more characteristic of residential buildings further away from the site.

Borough President Adams believes the requested M1-5 district and FAR support the applicant's objective of financing a state of-the-art production facility for Acme Smoked Fish. However, he believes that it is possible to redesign the proposed commercial building and that consideration should be given to modifying its envelope. The requested LSDS special permit would allow the intended development to exceed applicable height and setback requirements. The application drawings pursuant to that permit are subject to consideration by the City Planning Commission (CPC), and provide an opportunity to refine the proposed bulk.

Borough President Adams believes that specific modifications could be considered in consultation with CB 1, North Brooklyn Residents, and local elected officials. However, to realize bulk reductions on certain frontages, it would be necessary to permit enlargements along others, which would require community consensus. Consideration for enlargement without compromising the intended Acme Smoke Fish structure includes extending the commercial building's rear out to the street line for its intended office floors along both Bank and Gem streets. This provides an opportunity to remove nearly 32,000 sq. ft. of bulk elsewhere, based on community prioritization.

Consideration for floor area removal should target upper floor setbacks along Meserole and/or Wythe avenues as to reduce the visual impact on the nearby four-story residential buildings. Both setbacks would decrease the development's bulk by nearly 6,000 sq. ft, leaving at least 26,000 sq. ft. to be removed from the building's tower, which could be reduced through any combination of a uniform setback from Meserole Avenue to a maximum setback of the ninth floor. If upper floor setbacks of the base along Meserole and Wythe avenues are not deemed a priority by the community, the tower segment could be set back much further from Meserole Avenue.

Borough President Adams understands that commercial office floors are imperfect as a rentable commodity. However, a request for the community to accept an increase in FAR from 2.0 to 5.0 and a resulting height of over 175 feet, warrants some reassessment of the proposed massing. Therefore, Borough President Adams believes that prior to considering the application, the CPC and/or the City

Council should seek modifications to the special permit plans to achieve a combination of greater floor area along Banker and Gem streets, a reduction in the building's base height and tower segment along Meserole Avenue, and the base bulk on Wythe Avenue, in consultation with CB 1, North Brooklyn Residents, and local elected officials.

Advancing Resilient and Sustainable Energy and Stormwater Management Policies

It is Borough President Adams' policy to advocate for promoting environmentally sustainable development that integrates blue/green/white roofs, solar panels, and/or wind turbines, as well as passive house construction. Such measures tend to increase energy efficiency and reduce a building's carbon footprint.

In the fall of 2019, the City Council passed Local Laws 92 and 94, which require that newly constructed roofs, as well as existing roofs undergoing renovation (with some exceptions), incorporate a green roof and/or a solar installation. The laws further stipulate 100 percent roof coverage for such systems and expand the City's highly reflective (white) roof mandate. Borough President Adams believes that developers should seek to exceed this mandate by integrating blue roofs with green roof systems. Regarding solar panels, there are now options beyond traditional roof installation. Multiple companies are manufacturing solar cladding from tempered glass that resembles traditional building materials, with energy output approximating that of mass-market photovoltaic systems. For taller buildings, and those in proximity to the waterfront, micro wind turbines can provide effective sustainable energy generation. Finally, passive house construction achieves energy efficiency while promoting locally based construction and procurement.

In Borough President Adams' letter to President Joseph R. Biden Jr., dated January 21, 2021, he outlined an urban agenda based on funding policies that will rebuild America as a more equitable and just society, including initiatives consistent with the Green New Deal. Specifically, Borough President Adams advocated for renewable energy and battery storage to move beyond reliance upon natural gas and dirty "peaker plants," disproportionally sited in communities of color. He believes that grid-connected rooftop batteries should be a standard consideration for commercial buildings. Between existing flat roofs upgrades and newly developed projects, there should be sufficient demand to manufacture such units locally and create industrial jobs.

Borough President Adams recognizes that the applicant has expressed intent to achieve an energy-efficient building envelope at 30 Gem Street and seek LEED certification. He believes it is appropriate for RP Inlet, LLC to engage the Mayor's Office of Sustainability, NYSERDA, and/or the New York Power Authority (NYPA), to give consideration to government grants and programs that might offset costs associated with enhancing the resiliency and sustainability of this development site. One such program is the City's Green Roof Tax Abatement (GRTA), which provides a reduction of City property taxes by $4.50 per sq. ft. of green roof, up to $100,000. The DEP Office of Green Infrastructure advises property owners and their design professionals through the GRTA application process. Borough President Adams encourages the developer to reach out to his office for any help in opening dialogue with these agencies and further coordination on this matter.

As part of his flood resiliency policy, Borough President Adams encourages developers to introduce best practices to manage stormwater runoff, such as incorporating permeable pavers and/or establishing rain gardens that advance DEP's green infrastructure strategy. He believes that sidewalks with nominal landscaping and/or adjacent roadway surfaces could be transformed through the incorporation of rain gardens, which provide tangible environmental benefits through rainwater collection, improved air quality, and streetscape beautification. Tree plantings can be consolidated with rain gardens as part of a more comprehensive green infrastructure strategy. Where it is not advisable to remove existing street trees, there would be an opportunity to integrate stormwater retention measures into existing tree pits, with additional plantings, which would increase infiltration and make the site more pleasant for its users. In

addition, blue/green roofs, permeable pavers, and rain gardens (including street tree pit enhancements) would help divert stormwater from the Newtown Creek Wastewater Treatment Plant.

The required Builders Pavement Plan provides an opportunity to install DEP rain gardens along the proposed development's frontages on Meserole and Wythe avenues, and Banker, Gem, and North 15th streets. The ZR requirement to plant street trees provides of shade on excessively hot days, helps combat the urban heat island effect, and provides other aesthetic, air quality, and enhanced stormwater retention benefits. It should be noted that a rain garden would require a maintenance commitment and attention from the landlord. Maintenance includes cleaning out debris and litter that can clog the inlet/outlet and prevent proper water collection, regular inspection to prevent soil erosion, watering during dry and hot periods, and weeding to keep the plants healthy and uncongested for proper water absorption.

Borough President Adams believes that RP Inlet, LLC should consult with DEP, the New York City Department of Transportation (DOT), and NYC Parks regarding the inclusion of rain gardens integrated with street trees as part of a Builders Pavement Plan. Where the agencies have interest in implementing an enhancement, advance consultation should be initiated with CB 1 and local elected officials.

Therefore, prior to considering the application, the City Council should obtain written commitments from the applicant, RP Inlet, LLC, clarifying how it would memorialize integrating resiliency and sustainability features across 30 Gem Street.

Advancing Vision Zero Policies

Borough President Adams supports Vision Zero policies, including practices that extend sidewalks into the roadway to shorten the path where pedestrians cross in front of traffic lanes. These sidewalk extensions, also known as bulbouts or neckdowns, make drivers more aware of pedestrians and encourage them to slow down at crossings.

In 2015, Borough President Adams launched his initiative Connecting Residents on Safer Streets (CROSS) Brooklyn. This program supports the creation of bulbouts or curb extensions at dangerous intersections in Brooklyn. During the program's first year, $1 million was allocated to fund five dangerous intersections in Brooklyn. With more curb extensions, seniors will benefit because more of their commutes will be spent on sidewalks, especially near dangerous intersections. At the same time, all users of the roadways will benefit from safer streets.

As stated earlier, this block is located within an IBZ, where conflicts often arise between vehicles and pedestrians, particularly near loading zones. As the proposed development would bring additional employees and visitors to area, it is essential to enhance pedestrian crossings at the block's five intersections, especially those intended as public space.

Per his CROSS Brooklyn initiative, Borough President Adams believes there is an opportunity to enhance pedestrian safety by providing curb extensions and/or painted protected sidewalks at any of the development's five intersections, and especially at Banker Street, North 15th Street, and Wythe Avenue, which would be designed as publicly accessible open space.

Borough President Adams recognizes that the costs associated with the construction of sidewalk extensions can be exacerbated by the need to modify infrastructure and/or utilities. Therefore, where such consideration might compromise feasibility, Borough President Adams would urge DOT to explore the implementation of either protected painted sidewalk extensions defined by a roadbed surface treatment or sidewalk extensions as part of a Builders Pavement Plan. If the implementation meets DOT's criteria, the agency should enable RP Inlet, LLC to undertake such improvements as part of its Builders Pavement Plan, after consultation with CB 1 and local elected officials. The implementation of a sidewalk

extension through roadbed treatment requires a maintenance agreement that indemnifies the City from liability, contains a requirement for insurance, and details the responsibilities of the maintenance partner.

Borough President Adams would expect RP Inlet, LLC to commit to such maintenance as an ongoing obligation for each of its development sites. Borough President Adams believes that prior to considering the application, the City Council should obtain written commitments from RP Inlet, LLC to coordinate CROSS Brooklyn implementation with DEP and DOT for curb extensions at one or more of the development's intersections, particularly those intended for pedestrian circulation, either as part of a Builders Pavement Plan or as treated roadbed sidewalk extensions. The City Council should further seek demonstration of RP Inlet, LLC's commitment to enter into a standard DOT maintenance agreement for those intersections. Finally, DOT should confirm that implementation of such improvements would only proceed following consultation with CB 1 and local elected officials.

Promoting Access to Car-Share Vehicles

Borough President Adams supports the establishment of Transit Zones in the ZR to enable affordable housing development without the requirement to provide parking for such permanently affordable housing floor area. Another way to address parking capacity is by accommodating the growing number of users who rely on car-share for their driving needs. A rental car can provide mobility in certain use cases, though it is not as flexible as having direct access to a car for a set amount of time and can be expensive for longer trips. Car rental requires, at minimum, a full day reservation as well as time and effort to access such facilities. However, there can be times when affordable access to automobiles would be considered a quality-of-life enhancement, even for households with higher discretionary income. Furthermore, research suggests that car-share availability reduces automobile use for individuals who already own cars, creating environmental benefits and reducing congestion. Borough President Adams believes that facilitating car-share at this location would benefit building occupants as well as nearby Greenwood Heights residents and those of surrounding communities.

According to ZR Section 36-46(a)(1), a car-sharing entity is permitted to occupy up to five parking spaces, though no more than 20 percent of all spaces in group parking facilities. As stated earlier, M1-5 districts do not mandate the provision of accessory parking. However, the developer intends to provide 150 ground-level vehicle spaces, which would be accessed via Gem Street. Though the garage would be used primarily by the development's employees and patrons, Borough President Adams believes that 30 Gem Street could accommodate car-share rentals based on reasonable pricing. Therefore, a portion of the commercial building's garage should be set aside for a limited number of rental vehicles through dialogue with car-sharing companies.

The incorporation of car-sharing vehicles within the building's garage would require the developer to provide visible signage, per ZR Section 36-523, and to state the total number of parking spaces, as well as the maximum number of car-sharing vehicles. Therefore, prior to considering this application, the City Council should obtain written commitments from the developer, RP Inlet, LLC, clarifying how it would engage car-sharing companies to lease multiple spaces within the garage.

Jobs

Borough President Adams is concerned that too many Brooklyn residents are currently unemployed or underemployed. It is his policy to promote economic development that creates more employment opportunities. According to the Furman Center's "State of New York City's Housing and Neighborhoods in 2017," double-digit unemployment remains a pervasive reality for several of Brooklyn's neighborhoods, with more than half of the borough's community districts experiencing poverty rates of nearly 20 percent or greater. The ongoing COVID-19 pandemic has only exacerbated widespread job insecurity. Prioritizing local hiring would assist in addressing this employment crisis. Additionally, promoting Brooklyn-based businesses, including those that qualify as LBEs and MWBEs, is central to Borough President Adams'

economic development agenda. This site provides opportunities for the developer to retain a Brooklyn-based contractor and subcontractor, especially those that are designated LBEs consistent with Section 6-108.1 of the City's Administrative Code, and MWBEs that meet or exceed standards per Local Law 1 (no less than 20 percent participation).

The applicant has expressed intent to partner with St. Nicks Alliance, a social service organization with experience in workforce development, to maximize local and MWBE hiring. Given the project's purpose, scope, and size, it is important to maximize its economic benefit to the community.

Borough President Adams believes that prior to considering the application, the City Council should obtain written commitments from the applicant, RP Inlet, LLC, to memorialize retention of Brooklyn-based contractors and subcontractors, especially those that are designated LBEs, for both the pending and subsequent development sites, consistent with Section 6-108.1 of the City's Administrative Code and MWBE as a means to meet or exceed standards per Local Law 1 (no less than 20 percent participation), as well as coordinate the oversight of such participation by an appropriate monitoring agency.

Recommendation

Be it resolved that the Brooklyn borough president, pursuant to Section 197-c of the New York City Charter, recommends that the City Planning Commission and City Council approve this application with the following conditions:

That prior to considering the application, the City Council obtain written commitments from the applicant, RP Inlet, LLC, for both the commercial and residential development sites, clarifying how it would:

1. Establish a legally enforceable mechanism, such as a deed restriction, contract with a non-profit business service provider, and/or government financing agreement to ensure innovation and/or maker use, monitor use floor area compliance, restrict to innovation and maker uses, establishes clear access to the street, and limit accessory retail floor area as per the following:

    a. That compliance and recordation shall be according to New York City Zoning Resolution (ZR) 74-962(d)

    b. That periodic notification by the owner shall be according to ZR 74-962(e)

    c. That annual reporting by a qualified third party shall be according to ZR 74-962(f)

    d. That floor area managed by a not-for-profit agency shall remain part of the zoning lot and be required to comply with annual reporting and periodic notification requirements

    e. That Innovation and Maker Uses restricted to Use Groups (UGs) 9A, limited to blueprinting or photostatting establishments, dental or medical laboratories, musical instrument repair shops, studios, trade schools for adults, 10A, limited to studios, 11A, 16A except for automobile showrooms, 16B, 16D except for truck terminals, warehouses, and wholesale establishments, 17B, 17C limited to agriculture, and 18A

    f. That such innovation and/or maker uses be provided with clear access to common service corridors, freight elevators, and loading docks on streets 24 hours a day, seven days a week to ensure active industrial spaces

g. That accessory retail floor area that would otherwise meet the definition of (UGs 6A, 6C, 7B, 7D, 8B, 8C, 10A, and 12, not exceed the greater of 100 square feet or 10 percent of an establishment's floor area (limited to 1,000 square feet) in order to be deemed accessory

2. That for 210139 ZSK ZR 74-743 Large-Scale Development Special Permit by the City Planning Commission (CPC)] to allow such development to exceed applicable height and setback requirements, the application documents be modified in consultation with Brooklyn Community Board 1 (CB 1), North Brooklyn Residents, and local elected officials through any combination of the below actions:

   a. That Z-002 LSGD Site Plan be modified as follows:

      1) As a means of providing more floor area:

         i. Along Banker Street, the six-story height of 125 feet with a depth of 20 feet, shall be enlarged to the street line for floors two through six, and along the street line toward Wythe Avenue for a length of 221 feet, resulting in 17,680 square feet (sq. ft.)

         ii. Along Gem Street, the five-story height of 104 feet with a depth of 20 feet shall be enlarged along the street line toward Wythe Avenue for a length of 178 feet, resulting in 14,240 sq. ft. with a recessed ground floor

      2) As a means of providing less floor area:

         i. Along Meserole Avenue, the-five story height of 104 feet with a depth of 40 feet, shall be reduced to a four-story height along the street line away from Meserole Street for a depth of 40 feet for its length of 95 feet along Meserole Avenue, resulting in a reduction of 3,800 sq. ft., and/or

         ii. Along Meserole Avenue, the nine-story height of 178.5 feet, the setback of 45 feet for its length of 120 feet along Meserole Street shall be limited for floors six through nine through any combination of reducing the floor area by not less than 26,000 sq. ft. (for example, by setting back the ninth floor an additional 216.67 feet or setting back floors six through nine an additional 54.17 feet) and up to 31,920 sq. ft. and/or (for example, by setting back the ninth floor an additional 266 feet or setting back floors six through nine an additional 66.5 feet)

         iii. Along Wythe Avenue, the six-story height of 125.5 feet with a building line distanced 555.72 feet, shall be reduced to a five-story height starting at the building line of 140 feet along Wythe Avenue for a depth of 15 feet, resulting in a reduction of 2,100 sq. ft.

   b. That consistent with modifications to Z-002 LSGD Site Plan:

      1) Z-011.00 Illustrative Ground Floor Plan be modified to depict dashed lines along Banker and Gem streets consistent with the above

2) Z-020.00 Zoning Diagram Waivers be modified as follows:

   i. Remove the requested waiver depiction along Meserole Avenue and/or

   ii. Add a requested waiver depiction along Banker Street

   iii. Elongate the requested waiver depiction along Gem Street

3) Z-030.00 and Z-031.00 Zoning Sections, Z-040.00 and Z-041-00 Zoning Elevations, Z-050.00 and Z-051.00 Neighborhood Character Diagrams, be modified to depict removed and added bulk envelope

3. That the City Council obtain written commitments from RP Inlet, LLC to:

   a. Memorialize incorporation of resiliency and sustainability measures, such as blue and/or green roofs, grid-connected rooftop batteries, passive house design, solar panels and/or facades, and/or wind turbines

   b. Coordinate with the New York City Department of Environmental Protection (DEP), New York City Department of Transportation (DOT), and the New York City Department of Parks and Recreation (NYC Parks) to install DEP rain gardens as part of a Builders Pavement Plan on the block bounded by Meserole and Wythe avenues, and Banker, Gem, and North 15th streets in consultation with Brooklyn Community Board 1 (CB 1) and local elected officials

   c. Coordinate Connecting Residents on Safer Streets (CROSS) Brooklyn implementation with DEP and DOT to install a curb extension at the intersections of Meserole Avenue with Banker and Gem streets, and the intersections of Wythe with Banker and North 15th streets, either as part of a Builders Pavement Plan or as a treated roadbed sidewalk extension

   d. Enter into a standard DOT maintenance agreement for those intersections and coordination with DEP and DOT following agency implementation of protected painted areas at the intersections of Meserole Avenue with Banker and Gem streets, and the intersections of Wythe Avenue with Banker and North 15th streets with such improvements to proceed only after consultation with CB 1 and local elected officials

   e. Engage with car-sharing companies, in consultation with CB 1 and local officials, to lease multiple spaces within the development's garage

   f. Retain Brooklyn-based contractors and subcontractors, especially those that are designated local business enterprises (LBEs) consistent with Section 6-108.1 of the City's Administrative Code, and minority- and women-owned business enterprises (MWBEs) as a means to meet or exceed standards per Local Law 1 (no less than 20 percent participation), as well as coordinate the oversight of such participation by an appropriate monitoring agency.

EVERGREEN

Your North Brooklyn Business Exchange

Testimony of Evergreen
NYC Planning Commission Hearing 2/17/21

I am testifying today on behalf of Evergreen to express our enthusiastic support for the Acme Smoked Fish Expansion. We are grateful that Acme and developers Rubenstein Partners have crafted a proposal that both retains industrial real estate and expands commercial development in the Greenpoint Williamsburg Industrial Business Zone (IBZ).

As you know, Evergreen is supportive of the mixed commercial/manufacturing concept. We believe that if it is done correctly it will result in at a minimum no net loss of manufacturing space while allowing for additional commercial development. For many years we have been advocating for changes to the zoning code that would allow our local manufacturers to expand on site. With industrial land rapidly constricting citywide, we believe that this is our best option to be able to retain legacy manufacturers and keep their high quality working class jobs in the community. We are particularly glad to have an innovative proposal that will allow Acme Smoked Fish to expand in its long time home in the Greenpoint Williamsburg IBZ and appreciate the creative approach that Acme Smoked Fish and Rubenstein Partners have undertaken in developing this commercial/manufacturing mixed-use development. We are excited to see it come to fruition, and hope that the model will be both successful and replicable.

Acme's local expansion is constrained by the existing condition of its real estate holdings and zoning regulations. In recent years Acme has chosen to expand its operations outside of its longtime home in Brooklyn. This mixed use project will allow them to create a significant manufacturing expansion on the site that they have occupied for almost 70 years. This expansion will allow Acme to increase the number of production and administrative jobs on the site. A significant amount of Acme's current and projected future workforce is local, meaning that their expansion will have a direct economic impact on the local community. Finally, the significant investment in the facility will allow Acme to grow in place in a state of the art production facility purpose-built for their needs, ensuring that the proposed expansion will provide high quality employment opportunities for many years to come. We are gratified to see Acme literally "putting their money where their mouth is" and investing in local expansion; they certainly could have redirected production to other facilities in less expensive locales. They are investing in the future of the community as much as their own facility.

We agree with the applicant's assertion that the proposed map is in alignment with the Industrial Business Incentive Area (IBIA) Special Permits recently approved for nearby blocks in the Greenpoint Williamsburg IBZ. Building off research done for our Brownfield Opportunity Area Plan and subsequent development projects, Evergreen recommends for mixed use industrial/commercial projects at least 20% industrial space. This ratio in this project is 17%, which falls short of the target. However, the proposed percentage does align with the ratio approved through the IBIA project at 25 Kent and will result in an overall increase in the size of Acme's facility. Additionally, the industrial space is not speculative; Acme will be the owner/operator on site, and this family owned business has a 115 year long track record of industrial operations. We want the applicant to be able to complete this project in a timely fashion, and to be able to expand operations as soon as possible. However, we urge the applicant team to work with the Department of City Planning and local building officials to find a way to memorialize the permanence of the active manufacturing portion of the development in the text without delaying the approval process.

We wish Acme Smoked Fish and Rubenstein Partners the greatest success with this project, and we fervently hope that it will serve as a model for creative and equitable mixed industrial/commercial development in NYC and beyond.

To: Borough President Eric Adams
From: North Brooklyn Community Members
Re: Acme Smoked Fish / Rubenstein Partners LLC Request for Grant of Special Permit

February 1, 2021

Dear Borough President Eric Adams and Council Member Stephen Levin,

We North Brooklyn community members are in favor of Acme Fish and of the CB1 resolution to approve the application submitted by the project developer, Rubenstein Partners, LLC. We request that the council member support all the CB1 contingencies. However, there are two things we are calling on the council member to specifically ensure and require**:** that the use of the 4-story Acme Fish building remains zoned for manufacturing use for at least 25 years and a reduction in the height of the development.

In terms of the manufacturing-use designation, the final approval must contain **a binding mechanism which absolutely ensures that the use of the 4-story Acme Fish building remains designated for manufacturing use for at least 25 years.**

We also are demanding that the current proposed design is scaled back to **downsize the height of the ancillary office building by at least three of its nine stories**. The Board made a strong suggestion that the developer “considers downsizing the ancillary building". *We are calling on the council member to ensure that a reduction of the height of the building is an absolute requirement for this grant of this special permit.*

This building must be brought down in height by eliminating at least three of its current proposed stories, so that the development's highest point falls somewhere between the height of 25 Kent Avenue and 12Franklin Street, two neighboring projects that were granted "upzoning" and are lower in height that the proposed ancillary building of the Acme/Rubenstein project.

During the CB hearings, many residents and CB1 members spoke out against the scale and height of the building. It was a recurring complaint.

Let’s look specifically at the scale:
The current proposal, changing the existing zoning from M3-1 to M1-5, if passed, would allow *five times* the floor area ratio than is allowed now as-of-right: a 95,000 sq. ft. facility for Acme Fish and*580,000 sq. foot ancillary building for the project developer*, Rubenstein Partners. Rubenstein Partners would develop and house retail on the first floor and office space on the upper eight floors. Those 9 stories are*170 feet, towering way above any current or planned projects in the IBZ or adjacent residential district.*

This proposal is located in an IBZ. That means, of course, "Industrial Business Zone". Let us emphasize the word "Industrial". The request of this project is to add 580,000 sq. feet of *retail and office space*, which, to state the obvious, is not industrial. That is an immense addition of non-industrial space in an *Industrial* Business Zone. There is no additional manufacturing space, other than the Acme facility, no doubt because better profit can be gained with retail and office rent; that is no excuse for changing the zoning use of this area. We should not accept at face value that this type of mostly-non-industrial-space configuration is the only financially viable model possible. Let's not forget there are many small-scale innovative and creative businesses in need of industrial space that would be of great value to this IBZ.

This proposed development is located in an area which was dedicated as an IBZ in the 2005 rezoning. Until there is any comprehensive reworking of this zone (such as the IBZ Innovation Plan which has not been passed, unfortunately), we strongly feel that any other uses must be limited and curtailed, not only with this project, but any others down the line. In light of this, please note that the Board asked the following in its report: “that until DCP comes back to re-discuss a cohesive plan for zoning in manufacturing... M1-5 rezoning should not be entertained unless paired with other discretionary actions, such as a large-scale plan for the area”. This has not yet occurred. In the meantime, *any current proposals, such as the Acme proposal, should fall within the character and use of the current zoning as much as possible.*

Acme is a special case, since the Acme Fish Company is of value to the IBZ and North Brooklyn. It is important that it remains in Brooklyn. However, the development of office and retail space by Rubinstein Partners, the company that would develop and benefit from this special permit, needs to be--and no doubt can be--reduced in size and still enable the viable development of the entire project, including Acme.

The character of our IBZ needs to be respected and maintained. This ruling also serves as a precedent, no doubt, so is that much more important.

Please do not approve this building without requiring that the height is lowered by at least three stories and that the use of manufacturing is guaranteed as stated above.

In addition, as concerned residents we would like to be apprised of decisions as they are made and before any final agreement is reached and request that community residents are a part of the decision-making process.

Thank you,

North Brooklyn Residents
Katie Naplatarski, Lorimer Street
Elissa Iberti, Oak Street
Sante Miceli, Milton Street
Keith Berger, Northside Piers
Diane Conjeaud, Noble Street
Herve Conjeaud, Noble Street
Willis Elkins, Jewel Street
Molly FitzSimons, Oak Street
Laura Hofmann, Dupont Street
Mike Hofmann, Dupont Street
Cory Kantin, Northside Piers
Kevin LaCherra, Meserole Avenue
Pauline Larkin, Noble Street
Hania Midura, Lorimer Street
Magdalena Mixon, Oak Street
Lucille Mixon, Oak Street
Francoise Olivas, Kent Street
Jane Pool, Oak Street

for the grant of a special permit pursuant to Sections 74-743 of the Zoning Resolution to modify the height and setback requirements of Section 43-43 (Special provisions for bulk modifications), in connection with a proposed mixed-use development, within a large scale general development, on property bounded by Meserole Avenue, Banker Street, Wythe Avenue, North 15th Street and Gem Street (Block 2615, Lot 1, 6, 19, 21, 25, 50 & 125), in an M1-5* District, Borough of Brooklyn, Community District 1. * Note: This site is proposed to be rezoned by changing an existing M3-1 District to an M1-5 District under a concurrent related application for a Zoning Map change (C 210138 ZMK). Plans for this proposal are on file with the City Planning Commission and may be seen at 120 Broadway, 31st Floor, New York, N.Y. 10271-0001. DCP via Drop box:https://nycdcp.box.com/s/206uqohjsoex68ddopxqaxoce7k

This is a ULURP application by Rubenstein Partners and Acme Smoked Fish to construct a new manufacturing facility and commercial/office space at 18 Wythe Avenue with a zoning change from M 3-1 to M 1-5. The zoning change would allow five times the floor area ratio than is allowed now as-of-right.

The briefing was presented by Ray Levin, Jeff Fronek, and Adam Kaslow. The proposed project will occur in two phases.

Phase one: involves building a new stand-alone 4 story, 95,000 sq. foot facility for Acme Fish. Phase two: entails demolition of the current building being used by the business and construction of a 9- story 580,000 sq. foot ancillary building which would house retail on the first floor and office space on the upper eight floors. The project also includes open space with plantings and seating for the public.

The applicants expect that the project could generate approximately 2,000 jobs.

Numerous residents spoke in favor of the application citing the importance of retaining manufacturing and other business in the area in order to provide much needed jobs, to attract other job generating employers, and to stimulate our economy. They also spoke of Acme as an excellent employer that pays prevailing wages and is working with St. Nicks Alliance to provide jobs to local construction workers.

Several residents voiced opposition because of the size of the ancillary building, urging us to deny the application unless it is downsized.

Recommendation: In view of the loss of a quorum, with 10 members present, the majority of the members present approved my presenting the following recommendation to the full board.

The Board strongly suggests that the developer consider downsizing the ancillary building. In addition, the Board does not want this tool to extend to the rest of the surrounding area. The Board asks that until DCP comes back to re-discuss a cohesive plan for zoning in manufacturing areas (including the re-zoning tools that are scheduled to be certified for the Gowanus area), M1-5 rezoning should not be entertained unless paired with other discretionary actions, such as a large-scale plan.
The Board approves the application contingent on:
-1- A restriction will be placed on the deed that use of the 4-story Acme Fish building remains zoned for manufacturing use, or the applicant applies for IDA, to keep the space zoned for manufacturing for 25 years;
-2- The Acme Fish portion of the development will have a state-of-the-art emission control system;
-3- There will be language in the special permit precluding subsequent filing for hotel use;
-4- There will be no bars or amplified music on the roofs.
-5- The applicant will commit to partnering with the Parks Department to contribute to maintenance of the Bushwick Inlet Park after the certificate of occupation to the ancillary building issues;
-6- The applicant will communicate with the community during construction through a community liaison regarding construction conditions, such as truck staging, pile driving and air monitoring;
-7- The applicant will comply with local law 97, the Climate Mobilization Act;
-8- The applicant's storm water and waste management will net zero into the city's system; and
-9-The applicant will comply with the local law 15 requirements for bird-friendly construction

BROOKLYN
CHAMBER OF COMMERCE

February 17, 2021

Testimony submitted by the Brooklyn Chamber of Commerce at a Uniform Land Use Review Procedure public meeting held by the City Planning Commission on February 17, 2021, pursuant to Acme Smoked Fish's expansion at 10 Wythe Avenue.

Good morning:

My name is Randy Peers, and I am President and CEO of the Brooklyn Chamber of Commerce, a membership-based business assistance organization which represents the interests of its member businesses, as well as other businesses across the borough. The Brooklyn Alliance is the not-for-profit economic development affiliate of the Brooklyn Chamber, which works to address the needs of businesses through direct business assistance programs.

The project is for the expansion of Acme Smoked Fish, a Brooklyn-based legacy manufacturing business, to allow them to remain in Brooklyn in a modern 95,000 square-foot facility dedicated to manufacturing, developed by Rubenstein Partners.

The Brooklyn Chamber of Commerce was pleased to support Acme's proposal at a public hearing held by the Land Use Committee of Brooklyn Community Board 1 (and the full community board has since voted by a more than 2-1 margin in favor of the plan), as well as at a public hearing held by the Brooklyn Borough President's office.

Acme started its operations in Brooklyn over 100 years ago and has since expanded to facilities in Massachusetts and Florida. Acme is one of the oldest, continuously operating manufacturers in Brooklyn with a workforce that is almost 75 percent minority, with 88 percent living in New York City and nearly 60 percent within two miles of its Brooklyn factory. It is Acme's desire to remain and expand in Brooklyn, with the new project protecting 100 union manufacturing jobs.

The project follows the model successfully pioneered by Rubenstein Partners at 25 Kent, which is utilizing market-rate retail and commercial uses to offset some of the investment cost of the new manufacturing space, making the development financially feasible. The project will generate $550 million dollars in much-needed private investment in addition to increasing the tax base, which is essential to stimulate economic growth in the borough and citywide.

This development is a key component to supporting continued manufacturing uses in North Brooklyn and will generate up to 2,000 commercial jobs, which are sorely needed as the borough seeks to recover from the current economic crisis. The team has engaged with the community consistently over the last two years to arrive at the current plan which retains a long-time family business, enhances the local innovation economy, and provides for a local hiring plan.

We are in full support of the mixed-use manufacturing and commercial project at 10 Wythe Avenue and look forward to Acme's continued growth as a key employer in the North Brooklyn manufacturing community.

Thank you.



335 Adams Street, Suite 2700
Brooklyn, NY 11201
t: 718-875-1000
f: 718-237-4274
www.ibrooklyn.com
info@brooklynchamber.com

BROOKLYN
CHAMBER OF COMMERCE

Randy Peers
President and CEO
Brooklyn Chamber of Commerce

335 Adams Street, Suite 2700
Brooklyn, NY 11201

t: 718-875-1000
f: 718-237-4274

www.ibrooklyn.com
info@brooklynchamber.com