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Grace Houses Rezoning

Environmental Assessment Statement

Brooklyn Community District 5

Block 3705, Lots 1, 3, 4, 5, 6, 7, 8, 9, 10, p/o 14, 27, 28, 29, 30, 31, 32, 34, 35, 38, 39, 40, 42
Block 3704, Lots 25, 26, 27, 28, 29, 31, 33, 35, 36

Project Number: 23DCP108K

Lead Agency:
Department of City Planning
120 Broadway, 31st Floor
New York, NY 10271

Prepared for:
Grace Housing Development Fund Co. Inc.

Prepared by:
Equity Environmental Engineering, a Division of GZA

Date Submitted:
November 27, 2024

55 Lane Road, Fairfield, NJ 07004
104 W 29th Street, 10th Floor, New York, NY 10001
www.gza.com

EAS SHORT FORM

City Environmental Quality Review
ENVIRONMENTAL ASSESSMENT STATEMENT (EAS) SHORT FORM

FOR UNLISTED ACTIONS ONLY • *Please fill out and submit to the appropriate agency* (see instructions)

Part I: GENERAL INFORMATION

1. *Does the Action Exceed Any Type I Threshold in 6 NYCRR Part 617.4 or 43 RCNY §6-15(A) (Executive Order 91 of 1977, as amended)?* ☐ YES ☒ NO

If "yes," **STOP** and **complete the FULL EAS FORM**.

2. *Project Name* Grace Houses Rezoning

3. *Reference Numbers*

CEQR REFERENCE NUMBER (to be assigned by lead agency)	BSA REFERENCE NUMBER (if applicable)
23DCP108K	
ULURP REFERENCE NUMBER (if applicable)	OTHER REFERENCE NUMBER(S) (if applicable) (*e.g.*, legislative intro, CAPA)
Pending	

4a. *Lead Agency Information*			**4b. *Applicant Information***		
NAME OF LEAD AGENCY			NAME OF APPLICANT		
New York City Department of City Planning			Grace Housing Development Fund Co. Inc.		
NAME OF LEAD AGENCY CONTACT PERSON			NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON		
Stephanie Shellooe, AICP, Director of EARD			Qianyu Xiang		
ADDRESS 120 Broadway, 31st Floor			ADDRESS 55 Lane Road		
CITY New York	STATE NY	ZIP 10271	CITY Fairfield	STATE NJ	ZIP 07004
TELEPHONE 212-720-3328	EMAIL sshellooe@planning.nyc.gov		TELEPHONE 917-470-3077	EMAIL qianyu.xiang@gza.com	

5. *Project Description*

The Applicant, Grace Housing Development Fund Co. Inc., requests approval of a zoning map amendment and a zoning text amendment (the "Proposed Actions") of approximately 82,555 square feet (sf) comprising Block 3705, Lots 1, 3, 4, 5, 6, 7, 8, 9, 10, p/o 14, 27, 28, 29, 30, 31, 32, 34, 35, 38, 39, 40, 42 and Block 3704, Lots 25, 26, 27, 28, 29, 31, 33, 35, 36 (the "Affected Area") bounded by Liberty Avenue to the north, Vermont Street to the east, Glenmore Avenue to the south, and Pennsylvania Avenue to the west and split by New Jersey Avenue in the East New York neighborhood within Brooklyn Community District 5.

The zoning map amendment would rezone the Affected Area from an R5B zoning district to an R6A zoning district. The zoning text amendment would modify Zoning Resolution ("ZR") Appendix F: Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing ("MIH") Areas for Community District 5, Brooklyn to establish an MIH Area coterminous with the Affected Area. The Applicant proposes mapping both MIH Option 1 and Option 2 within the Affected Area to provide maximum flexibility for future development of the non-Applicant-controlled sites.

The Proposed Actions would facilitate the development of a 131,404 gross square feet ("GSF") (98,795 zoning square feet ("ZSF"); 3.60 FAR), 7-story, residential building with a building height of 67'-8"on Projected Development Site 1 (Block 3705, Lots 27, 28, 29, 30, 31, 32, 34, 35, 38, and 39) and a 65,824 GSF (51,034 ZSF; 3.44 FAR), 5-story, 60-foot-tall mixed residential and community facility building on Projected Development Site 2 (Block 3705, Lots 9, 10, and 14).

The Proposed Actions are discretionary actions subject to environmental review. The New York City (NYC) Department of City Planning (DCP) shall be the lead agency on behalf of the NYC City Planning Commission (CPC) for environmental review under City Environmental Quality Review (CEQR) Process.

Project Location

BOROUGH Brooklyn	COMMUNITY DISTRICT(S) 5	STREET ADDRESS 223, 224, 233, 235, 236, 237, 239, 240, 241, 243, 245, 246, 247, 251, 256, 258 New Jersey Avenue/ 224, 228, 230, 232, 234, 236, 238, 246, 252, 256 Vermont Street/ 421, 425 Glenmore Avenue
TAX BLOCK(S) AND LOT(S) Block 3705, Lots 1, 3, 4, 5, 6, 7, 8, 9, 10,		ZIP CODE 11207

14, 27, 28, 29, 30, 31, 32, 34, 35, 38, 39, 40/ Block 3704, Lots 25, 26, 27, 28, 29, 31, 33, 35, 36	

DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS The Affected Area is bounded by Liberty Avenue to the north, Vermont Street to the east, Glenmore Avenue to the south, and Pennsylvania Avenue to the west and split by New Jersey Avenue.

EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY R5B | ZONING SECTIONAL MAP NUMBER 17c

6. *Required Actions or Approvals* (check all that apply)

***City Planning Commission*:** ☒ YES ☐ NO ☒ UNIFORM LAND USE REVIEW PROCEDURE (ULURP)

☐ CITY MAP AMENDMENT	☐ ZONING CERTIFICATION	☐ CONCESSION
☒ ZONING MAP AMENDMENT	☐ ZONING AUTHORIZATION	☐ UDAAP
☒ ZONING TEXT AMENDMENT	☐ ACQUISITION—REAL PROPERTY	☐ REVOCABLE CONSENT
☐ SITE SELECTION—PUBLIC FACILITY	☐ DISPOSITION—REAL PROPERTY	☐ FRANCHISE
☐ HOUSING PLAN & PROJECT	☐ OTHER, explain:	

☐ SPECIAL PERMIT (if appropriate, specify type: ☐ modification; ☐ renewal; ☐ other); EXPIRATION DATE:
SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

***Board of Standards and Appeals*:** ☐ YES ☒ NO

☐ VARIANCE (use)
☐ VARIANCE (bulk)
☐ SPECIAL PERMIT (if appropriate, specify type: ☐ modification; ☐ renewal; ☐ other); EXPIRATION DATE:
SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

***Department of Environmental Protection*:** ☐ YES ☒ NO ☐ Cogeneration Facility ☐ Title V Permit

Other City Approvals Subject to CEQR (check all that apply)

☐ LEGISLATION	☐ FUNDING OF CONSTRUCTION, specify:
☐ RULEMAKING	☐ POLICY OR PLAN, specify:
☐ CONSTRUCTION OF PUBLIC FACILITIES	☒ FUNDING OF PROGRAMS, specify: HPD Funding
☐ 384(b)(4) APPROVAL	☐ PERMITS, specify:
☐ OTHER, explain:	

Other City Approvals Not Subject to CEQR (check all that apply)

☐ PERMITS FROM DOT'S OFFICE OF CONSTRUCTION MITIGATION AND COORDINATION (OCMC)	☐ LANDMARKS PRESERVATION COMMISSION APPROVAL
	☐ OTHER, explain:

***State or Federal Actions/Approvals/Funding*:** ☐ YES ☒ NO If "yes," specify:

7. *Site Description:* *The directly affected area consists of the project site and the area subject to any change in regulatory controls. Except where otherwise indicated, provide the following information with regard to the directly affected area.*

***Graphics*:** *The following graphics must be attached and each box must be checked off before the EAS is complete. Each map must clearly depict the boundaries of the directly affected area or areas and indicate a 400-foot radius drawn from the outer boundaries of the project site. Maps may not exceed 11 x 17 inches in size and, for paper filings, must be folded to 8.5 x 11 inches.*

☒ SITE LOCATION MAP	☒ ZONING MAP	☒ SANBORN OR OTHER LAND USE MAP
☒ TAX MAP	☒ FOR LARGE AREAS OR MULTIPLE SITES, A GIS SHAPE FILE THAT DEFINES THE PROJECT SITE(S)	

☒ PHOTOGRAPHS OF THE PROJECT SITE TAKEN WITHIN 6 MONTHS OF EAS SUBMISSION AND KEYED TO THE SITE LOCATION MAP

Physical Setting (both developed and undeveloped areas)

Total directly affected area (sq. ft.): 90,055	Waterbody area (sq. ft) and type:
Roads, buildings, and other paved surfaces (sq. ft.):	Other, describe (sq. ft.):

8. *Physical Dimensions and Scale of Project* (if the project affects multiple sites, provide the total development facilitated by the action)

SIZE OF PROJECT TO BE DEVELOPED (gross square feet): 197,228

NUMBER OF BUILDINGS: 2	GROSS FLOOR AREA OF EACH BUILDING (sq. ft.): 131,404/65,824
HEIGHT OF EACH BUILDING (ft.): 67'-8"/60'	NUMBER OF STORIES OF EACH BUILDING: 7/5

Does the proposed project involve changes in zoning on one or more sites? ☒ YES ☐ NO
If "yes," specify: The total square feet owned or controlled by the applicant: 49,718
The total square feet not owned or controlled by the applicant: 40,337

Does the proposed project involve in-ground excavation or subsurface disturbance, including, but not limited to foundation work, pilings, utility lines, or grading? ☒ YES ☐ NO

If "yes," indicate the estimated area and volume dimensions of subsurface permanent and temporary disturbance (if known):

AREA OF TEMPORARY DISTURBANCE: 44,393 sq. ft. (width x length) VOLUME OF DISTURBANCE: 443,930 cubic ft. (width x length x depth)

AREA OF PERMANENT DISTURBANCE: 44,393 sq. ft. (width x length)

Description of Proposed Uses (please complete the following information as appropriate)

	Residential	***Commercial***	***Community Facility***	***Industrial/Manufacturing***
Size (in gross sq. ft.)	142,814		18,635	
Type (*e.g.,* retail, office, school)	153 units		UG 4- House of Worship UG 4- General Community Facility (non-profit office or community assembly space)	

Does the proposed project increase the population of residents and/or on-site workers? ☒ YES ☐ NO

If "yes," please specify: NUMBER OF ADDITIONAL RESIDENTS: 447 NUMBER OF ADDITIONAL WORKERS: 19

Provide a brief explanation of how these numbers were determined: 2.9 persons per DU in CD 5 as per 2020 decennial census; 1 employee per 1000 GSF of house of worship; 1 employee per 333 GSF of general community facility; 1 employee per 25 dwelling units.

Does the proposed project create new open space? ☐ YES ☒ NO If "yes," specify size of project-created open space: sq. ft.

Has a No-Action scenario been defined for this project that differs from the existing condition? ☐ YES ☒ NO

If "yes," see Chapter 2, "Establishing the Analysis Framework" and describe briefly:

9. *Analysis Year* CEQR Technical Manual Chapter 2

ANTICIPATED BUILD YEAR (date the project would be completed and operational): 2027

ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: 22 months

WOULD THE PROJECT BE IMPLEMENTED IN A SINGLE PHASE? ☒ YES ☐ NO IF MULTIPLE PHASES, HOW MANY?

BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE: Assuming a completion of ULURP by March 2025, followed by a preconstruction design, bid and DOB approval period, and a construction period of 22 months, a build year of 2027 is projected for the Proposed Development on the two Applicant-owned Projected Development Sites, which would be under construction simultaneously. Since the Potential Development Site is considered less likely to be redeveloped as a result of the Proposed Actions, the construction timeline of the Potential Development Site is not included in the build year.

10. *Predominant Land Use in the Vicinity of the Project* (check all that apply)

☒ RESIDENTIAL ☐ MANUFACTURING ☒ COMMERCIAL ☐ PARK/FOREST/OPEN SPACE ☒ OTHER, specify: Community Facility and Vacant lots

Part II: TECHNICAL ANALYSIS

INSTRUCTIONS: For each of the analysis categories listed in this section, assess the proposed project's impacts based on the thresholds and criteria presented in the CEQR Technical Manual. Check each box that applies.

- If the proposed project can be demonstrated not to meet or exceed the threshold, check the "no" box.
- If the proposed project will meet or exceed the threshold, or if this cannot be determined, check the "yes" box.
- For each "yes" response, provide additional analyses (and, if needed, attach supporting information) based on guidance in the CEQR Technical Manual to determine whether the potential for significant impacts exists. Please note that a "yes" answer does not mean that an EIS must be prepared—it means that more information may be required for the lead agency to make a determination of significance.
- The lead agency, upon reviewing Part II, may require an applicant to provide additional information to support the Short EAS Form. For example, if a question is answered "no," an agency may request a short explanation for this response.

	YES	NO
1. *LAND USE, ZONING, AND PUBLIC POLICY*: CEQR Technical Manual Chapter 4		
(a) Would the proposed project result in a change in land use different from surrounding land uses?	☐	☒
(b) Would the proposed project result in a change in zoning different from surrounding zoning?	☒	☐
(c) Is there the potential to affect an applicable public policy?	☐	☒
(d) If "yes," to (a), (b), and/or (c), complete a preliminary assessment and attach.		
(e) Is the project a large, publicly sponsored project?	☐	☒
○ If "yes," complete a PlaNYC assessment and attach.		
(f) Is any part of the directly affected area within the City's Waterfront Revitalization Program boundaries?	☐	☒
○ If "yes," complete the Consistency Assessment Form.		
2. *SOCIOECONOMIC CONDITIONS*: CEQR Technical Manual Chapter 5		
(a) Would the proposed project:		
○ Generate a net increase of 200 or more residential units?	☐	☒
○ Generate a net increase of 200,000 or more square feet of commercial space?	☐	☒
○ Directly displace more than 500 residents?	☐	☒
○ Directly displace more than 100 employees?	☐	☒
○ Affect conditions in a specific industry?	☐	☒
3. *COMMUNITY FACILITIES*: CEQR Technical Manual Chapter 6		
(a) Direct Effects		
○ Would the project directly eliminate, displace, or alter public or publicly funded community facilities such as educational facilities, libraries, hospitals and other health care facilities, day care centers, police stations, or fire stations?	☐	☒
(b) Indirect Effects		
○ **Early Childhood Programs:** Would the project result in 20 or more eligible children under age 6, based on the number of low or low/moderate income residential units? (See Table 6-1 in Chapter 6)	☒	☐
○ **Public Schools:** Would the project result in 50 or more elementary or middle school students, or 150 or more high school students based on number of residential units? (See Table 6-1 in Chapter 6)	☐	☒
○ **Libraries:** Would the project result in a 5 percent or more increase in the ratio of residential units to library branches? (See Table 6-1 in Chapter 6)	☐	☒
○ **Health Care Facilities and Fire/Police Protection:** Would the project result in the introduction of a sizeable new neighborhood?	☐	☒
4. *OPEN SPACE*: CEQR Technical Manual Chapter 7		
(a) Would the project change or eliminate existing open space?	☐	☒
(b) Would the project generate more than 200 additional residents or 500 additional employees?	☒	☐
5. *SHADOWS*: CEQR Technical Manual Chapter 8		
(a) Would the proposed project result in a net height increase of any structure of 50 feet or more?	☒	☐
(b) Would the proposed project result in any increase in structure height and be located adjacent to or across the street from a sunlight-sensitive resource?	☒	☐
6. *HISTORIC AND CULTURAL RESOURCES*: CEQR Technical Manual Chapter 9		

	YES	NO
(a) Does the proposed project site or an adjacent site contain any architectural and/or archaeological resource that is eligible for or has been designated (or is calendared for consideration) as a New York City Landmark, Interior Landmark or Scenic Landmark; that is listed or eligible for listing on the New York State or National Register of Historic Places; or that is within a designated or eligible New York City, New York State or National Register Historic District? (See the GIS System for Archaeology and National Register to confirm)	☒	☐
(b) Would the proposed project involve construction resulting in in-ground disturbance to an area not previously excavated?	☒	☐
(c) If "yes" to either of the above, list any identified architectural and/or archaeological resources and attach supporting information on whether the proposed project would potentially affect any architectural or archeological resources.		
7. *URBAN DESIGN AND VISUAL RESOURCES*: CEQR Technical Manual Chapter 10		
(a) Would the proposed project introduce a new building, a new building height, or result in any substantial physical alteration to the streetscape or public space in the vicinity of the proposed project that is not currently allowed by existing zoning?	☒	☐
(b) Would the proposed project result in obstruction of publicly accessible views to visual resources not currently allowed by existing zoning?	☐	☒
8. *NATURAL RESOURCES*: CEQR Technical Manual Chapter 11		
(a) Does the proposed project site or a site adjacent to the project contain natural resources as defined in Section 100 of Chapter 11?	☐	☒
○ If "yes," list the resources and attach supporting information on whether the proposed project would affect any of these resources.		
(b) Is any part of the directly affected area within the Jamaica Bay Watershed?	☒	☐
○ If "yes," complete the Jamaica Bay Watershed Protection Plan Project Tracking Form, and submit according to its instructions.		
9. *HAZARDOUS MATERIALS*: CEQR Technical Manual Chapter 12		
(a) Would the proposed project allow commercial or residential uses in an area that is currently, or was historically, a manufacturing area that involved hazardous materials?	☐	☒
(b) Would the proposed project introduce new activities or processes using hazardous materials and increase the risk of human or environmental exposure?	☐	☒
(c) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to hazardous materials that preclude the potential for significant adverse impacts?	☐	☒
(d) Would the project require soil disturbance in a manufacturing area or any development on or near a manufacturing area or existing/historic facilities listed in the Hazardous Materials Appendix (including nonconforming uses)?	☒	☐
(e) Would the project result in the development of a site where there is reason to suspect the presence of hazardous materials, contamination, illegal dumping or fill, or fill material of unknown origin?	☒	☐
(f) Would the project result in development on or near a site that has or had underground and/or aboveground storage tanks (*e.g.*, gas stations, oil storage facilities, heating oil storage)?	☐	☒
(g) Would the project result in renovation of interior existing space on a site with the potential for compromised air quality; vapor intrusion from either on-site or off-site sources; or the presence of asbestos, PCBs, mercury or lead-based paint?	☐	☒
(h) Would the project result in development on or near a site with potential hazardous materials issues such as government-listed voluntary cleanup/brownfield site, current or former power generation/transmission facilities, coal gasification or gas storage sites, railroad tracks or rights-of-way, or municipal incinerators?	☐	☒
(i) Has a Phase I Environmental Site Assessment been performed for the site?	☒	☐
○ If "yes," were Recognized Environmental Conditions (RECs) identified? Briefly identify: Multiple RECs and VECs were identified in the Phase I ESA.	☒	☐
(j) Based on the Phase I Assessment, is a Phase II Investigation needed?	☒	☐
10. *WATER AND SEWER INFRASTRUCTURE*: CEQR Technical Manual Chapter 13		
(a) Would the project result in water demand of more than one million gallons per day?	☐	☒
(b) If the proposed project located in a combined sewer area, would it result in at least 1,000 residential units or 250,000 square feet or more of commercial space in Manhattan, or at least 400 residential units or 150,000 square feet or more of commercial space in the Bronx, Brooklyn, Staten Island, or Queens?	☐	☒
(c) If the proposed project located in a separately sewered area, would it result in the same or greater development than the amounts listed in Table 13-1 in Chapter 13?	☐	☒
(d) Would the proposed project involve development on a site that is 5 acres or larger where the amount of impervious surface would increase?	☐	☒
(e) If the project is located within the Jamaica Bay Watershed or in certain specific drainage areas, including Bronx River, Coney Island Creek, Flushing Bay and Creek, Gowanus Canal, Hutchinson River, Newtown Creek, or Westchester Creek, would it involve development on a site that is 1 acre or larger where the amount of impervious surface would increase?	☐	☒
(f) Would the proposed project be located in an area that is partially sewered or currently unsewered?	☐	☒

	YES	NO
(g) Is the project proposing an industrial facility or activity that would contribute industrial discharges to a Wastewater Treatment Plant and/or generate contaminated stormwater in a separate storm sewer system?	☐	☒
(h) Would the project involve construction of a new stormwater outfall that requires federal and/or state permits?	☐	☒
11. *SOLID WASTE AND SANITATION SERVICES*: CEQR Technical Manual Chapter 14		
(a) Using Table 14-1 in Chapter 14, the project's projected operational solid waste generation is estimated to be (pounds per week): 7,097 = (41 * 162) + (13 * 35)		
○ Would the proposed project have the potential to generate 100,000 pounds (50 tons) or more of solid waste per week?	☐	☒
(b) Would the proposed project involve a reduction in capacity at a solid waste management facility used for refuse or recyclables generated within the City?	☐	☒
12. *ENERGY*: CEQR Technical Manual Chapter 15		
(a) Using energy modeling or Table 15-1 in Chapter 15, the project's projected energy use is estimated to be (annual BTUs): 23,576,873 = (126.7 * 145,994) + (250.7 * 20,261)		
(b) Would the proposed project affect the transmission or generation of energy?	☐	☒
13. *TRANSPORTATION*: CEQR Technical Manual Chapter 16		
(a) Would the proposed project exceed any threshold identified in Table 16-1 in Chapter 16?	☐	☒
(b) If "yes," conduct the screening analyses, attach appropriate back up data as needed for each stage and answer the following questions:		
○ Would the proposed project result in 50 or more Passenger Car Equivalents (PCEs) per project peak hour?	☐	☐
If "yes," would the proposed project result in 50 or more vehicle trips per project peak hour at any given intersection? ***It should be noted that the lead agency may require further analysis of intersections of concern even when a project generates fewer than 50 vehicles in the peak hour. See Subsection 313 of Chapter 16 for more information.*	☐	☐
○ Would the proposed project result in more than 200 subway/rail, bus trips, or 50 Citywide Ferry Service ferry trips per project peak hour?	☐	☐
If "yes," would the proposed project result, per project peak hour, in 50 or more bus trips on a single line (in one direction), 200 subway/rail trips per station or line, or 25 or more Citywide Ferry Service ferry trips on a single route (in one direction), or 50 or more passengers at a Citywide Ferry Service landing?	☐	☐
○ Would the proposed project result in more than 200 pedestrian trips per project peak hour?	☐	☐
If "yes," would the proposed project result in more than 200 pedestrian trips per project peak hour to any given pedestrian or transit element, crosswalk, subway stair, or bus stop, or Citywide Ferry Service landing?	☐	☐
14. *AIR QUALITY*: CEQR Technical Manual Chapter 17		
(a) *Mobile Sources*: Would the proposed project result in the conditions outlined in Section 210 in Chapter 17?	☐	☒
(b) *Stationary Sources*: Would the proposed project result in the conditions outlined in Section 220 in Chapter 17?	☒	☐
○ If "yes," would the proposed project exceed the thresholds in Figure 17-3, Stationary Source Screen Graph in Chapter 17? (Attach graph as needed)	☒	☐
(c) Does the proposed project involve multiple buildings on the project site?	☒	☐
(d) Does the proposed project require federal approvals, support, licensing, or permits subject to conformity requirements?	☐	☒
(e) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to air quality that preclude the potential for significant adverse impacts?	☐	☒
15. *GREENHOUSE GAS EMISSIONS*: CEQR Technical Manual Chapter 18		
(a) Is the proposed project a city capital project or a power generation plant?	☐	☒
(b) Would the proposed project fundamentally change the City's solid waste management system?	☐	☒
(c) If "yes" to any of the above, would the project require a GHG emissions assessment based on the guidance in Chapter 18?	☐	☒
16. *NOISE*: CEQR Technical Manual Chapter 19		
(a) Would the proposed project generate or reroute vehicular traffic?	☒	☐
(b) Would the proposed project introduce new or additional receptors (see Section 114 in Chapter 19) near heavily trafficked roadways, within one horizontal mile of an existing or proposed flight path, or within 1,500 feet of an existing or proposed rail line with a direct line of site to that rail line?	☒	☐
(c) Would the proposed project cause a stationary noise source to operate within 1,500 feet of a receptor with a direct line of sight to that receptor or introduce receptors into an area with high ambient stationary noise?	☐	☒
(d) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to noise that preclude the potential for significant adverse impacts?	☐	☒

	YES	NO
17. *PUBLIC HEALTH*: CEQR Technical Manual Chapter 20		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Air Quality; Hazardous Materials; Noise?	☐	☒
(b) If "yes," explain why an assessment of public health is or is not warranted based on the guidance in Chapter 20, "Public Health." Attach a preliminary analysis, if necessary.		
18. *NEIGHBORHOOD CHARACTER*: CEQR Technical Manual Chapter 21		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Land Use, Zoning, and Public Policy; Socioeconomic Conditions; Open Space; Historic and Cultural Resources; Urban Design and Visual Resources; Shadows; Transportation; Noise?	☒	☐
(b) If "yes," explain why an assessment of neighborhood character is or is not warranted based on the guidance in Chapter 21, "Neighborhood Character." Attach a preliminary analysis, if necessary.		
19. *CONSTRUCTION*: CEQR Technical Manual Chapter 22		
(a) Would the project's construction activities involve:		
○ Construction activities lasting longer than two years?	☐	☒
○ Construction activities within a Central Business District or along an arterial highway or major thoroughfare?	☐	☒
○ Closing, narrowing, or otherwise impeding traffic, transit, or pedestrian elements (roadways, parking spaces, bicycle routes, sidewalks, crosswalks, corners, *etc.*)?	☒	☐
○ Construction of multiple buildings where there is a potential for on-site receptors on buildings completed before the final build-out?	☐	☒
○ The operation of several pieces of diesel equipment in a single location at peak construction?	☒	☐
○ Closure of a community facility or disruption in its services?	☐	☒
○ Activities within 400 feet of a historic or cultural resource?	☒	☐
○ Disturbance of a site containing or adjacent to a site containing natural resources?	☐	☒
○ Construction on multiple development sites in the same geographic area, such that there is the potential for several construction timelines to overlap or last for more than two years overall?	☐	☒
(b) If any boxes are checked "yes," explain why a preliminary construction assessment is or is not warranted based on the guidance in Chapter 22, "Construction." It should be noted that the nature and extent of any commitment to use the Best Available Technology for construction equipment or Best Management Practices for construction activities should be considered when making this determination.		

20. *APPLICANT'S CERTIFICATION*

I swear or affirm under oath and subject to the penalties for perjury that the information provided in this Environmental Assessment Statement (EAS) is true and accurate to the best of my knowledge and belief, based upon my personal knowledge and familiarity with the information described herein and after examination of the pertinent books and records and/or after inquiry of persons who have personal knowledge of such information or who have examined pertinent books and records.

Still under oath, I further swear or affirm that I make this statement in my capacity as the applicant or representative of the entity that seeks the permits, approvals, funding, or other governmental action(s) described in this EAS.

APPLICANT/REPRESENTATIVE NAME	DATE
Qianyu Xiang	11/27/2024

SIGNATURE QIANYU XIANG

PLEASE NOTE THAT APPLICANTS MAY BE REQUIRED TO SUBSTANTIATE RESPONSES IN THIS FORM AT THE DISCRETION OF THE LEAD AGENCY SO THAT IT MAY SUPPORT ITS DETERMINATION OF SIGNIFICANCE.

Part III: DETERMINATION OF SIGNIFICANCE (To Be Completed by Lead Agency)

INSTRUCTIONS: In completing Part III, the lead agency should consult 6 NYCRR 617.7 and 43 RCNY § 6-06 (Executive Order 91 or 1977, as amended), which contain the State and City criteria for determining significance.

1. For each of the impact categories listed below, consider whether the project may have a significant adverse effect on the environment, taking into account its (a) location; (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude.

IMPACT CATEGORY	Potentially Significant Adverse Impact YES	NO
Land Use, Zoning, and Public Policy	☐	☒
Socioeconomic Conditions	☐	☒
Community Facilities and Services	☐	☒
Open Space	☐	☒
Shadows	☐	☒
Historic and Cultural Resources	☐	☒
Urban Design/Visual Resources	☐	☒
Natural Resources	☐	☒
Hazardous Materials	☐	☒
Water and Sewer Infrastructure	☐	☒
Solid Waste and Sanitation Services	☐	☒
Energy	☐	☒
Transportation	☐	☒
Air Quality	☐	☒
Greenhouse Gas Emissions	☐	☒
Noise	☐	☒
Public Health	☐	☒
Neighborhood Character	☐	☒
Construction	☐	☒

2. Are there any aspects of the project relevant to the determination of whether the project may have a significant impact on the environment, such as combined or cumulative impacts, that were not fully covered by other responses and supporting materials? ☐ YES ☒ NO

If there are such impacts, attach an explanation stating whether, as a result of them, the project may have a significant impact on the environment.

3. Check determination to be issued by the lead agency:

☐ **Positive Declaration**: If the lead agency has determined that the project may have a significant impact on the environment, and if a Conditional Negative Declaration is not appropriate, then the lead agency issues a *Positive Declaration* and prepares a draft Scope of Work for the Environmental Impact Statement (EIS).

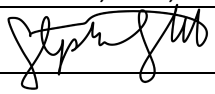
☐ **Conditional Negative Declaration:** A *Conditional Negative Declaration* (CND) may be appropriate if there is a private applicant for an Unlisted action AND when conditions imposed by the lead agency will modify the proposed project so that no significant adverse environmental impacts would result. The CND is prepared as a separate document and is subject to the requirements of 6 NYCRR Part 617.

☒ **Negative Declaration:** If the lead agency has determined that the project would not result in potentially significant adverse environmental impacts, then the lead agency issues a *Negative Declaration*. The *Negative Declaration* may be prepared as a separate document (see template) or using the embedded Negative Declaration on the next page.

4. ***LEAD AGENCY'S CERTIFICATION***

TITLE	LEAD AGENCY
Director, Environmental Assessment and Review Division	Department of City Planning on behalf of the City Planning Commission
NAME	DATE
Stephanie Shellooe, AICP, Director	November 27, 2024

SIGNATURE



NEGATIVE DECLARATION

Statement of No Significant Effect

Pursuant to Executive Order 91 of 1977, as amended, and the Rules of Procedure for City Environmental Quality Review, found at Title 62, Chapter 5 of the Rules of the City of New York and 6 NYCRR, Part 617, State Environmental Quality Review, the Department of City Planning acting on behalf of the City Planning Commission assumed the role of lead agency for the environmental review of the proposed actions. Based on a review of information about the project contained in this environmental assessment statement (EAS) and any attachments hereto, which are incorporated by reference herein, the lead agency has determined that the proposed actions would not have a significant adverse impact on the environment.

Reasons Supporting this Determination

The above determination is based on information contained in this EAS, which finds the proposed actions sought before the City Planning Commission would not have a significant adverse impact on the environment. Reasons supporting this determination are noted below.

Land Use, Zoning, and Public Policy

A detailed analysis of land use, zoning, and public policy is included in the EAS. The Applicant, Grace Housing Development Fund Co. Inc., proposes a zoning map amendment and a zoning text amendment (the "Proposed Actions") of approximately 82,555 square feet (sf) “Affected Area”, which is generally bounded by Liberty Avenue to the north, Vermont Street to the east, Glenmore Avenue to the south, and Pennsylvania Avenue to the west and split by New Jersey Avenue in the East New York neighborhood of Brooklyn Community District 5. The zoning map amendment would rezone the Affected Area from an R5B zoning district to an R6A zoning district. The zoning text amendment would modify Zoning Resolution (“ZR”) Appendix F: Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing (“MIH”) Areas for Community District 5, Brooklyn to establish an MIH Area coterminous with the Affected Area. The Proposed Actions would facilitate the development of a 131,404 gross square feet (“GSF”) (98,795 zoning square feet (“ZSF”); 3.60 Floor Area Ratio (“FAR”)), 7-story, 68-foot tall, residential building on Projected Development Site 1 (Block 3705, Lots 27, 28, 29, 30, 31, 32, 34, 35, 38, and 39) and a 65,824 GSF (51,034 ZSF; 3.44 FAR), 5-story, 60-foot-tall mixed residential and community facility building on Projected Development Site 2 (Block 3705, Lots 9, 10, and 14). Projected Development Site 1 would contain 114 dwelling units (DUs, 29-34 affordable units pursuant to MIH) and 44 residential accessory parking spaces. Projected Development Site 2 would contain 39 DUs (10-12 affordable pursuant to MIH) and 23 residential accessory parking spaces. The project is seeking NYC Housing Preservation and Development (HPD) funding to develop all 153 incremental DUs on Projected Development Sites 1 and 2 as income restricted affordable DUs. For a conservative analysis, the applicant owned Potential Development Site (Block 3704, Lots 26, 27, and 28), is assumed to be developed with 28 units (7-9 affordable pursuant to MIH). The Affected Area would also include Block 3705, Lots 1, 3, 4, 5, 6, 7, 8, 40, 42 and Block 3704, Lots 25, 29, 31, 33, 35, and 36, however no additional development is anticipated as a result of the Proposed Actions on these lots. While the Proposed Actions would result in a change in zoning, and land use, the proposed change would be compatible with the existing character and density in the area, and not alter the development patterns of the area, and therefore would not result in a significant adverse impact with respect to land use, zoning and public policy.

Community Facilities and Services

A detailed analysis related to community facilities and services is included in this EAS. As a result of the preliminary screening, the Proposed Actions would not exceed the thresholds for detailed analysis of public schools, libraries, healthcare facilities, fire or police services. A detailed analysis was required for publicly funded early childhood programs. The analysis concluded that the Proposed Actions would result in 27 additional children under the age of 6 eligible for publicly-funded early childhood, which would increase the utilization rate of publicly funded child care centers from 80.48 percent under the No-Action Condition to 81.79 percent under the With-Action Condition. As the utilization rate does not exceed 100 percent utilization, and the change in utilization is under 5 percent, the Proposed Actions would not result in significant adverse impacts related to publicly funded childhood, and would not result in a significant adverse impact on community facilities and services and further analysis is not required.

Open Space

A detailed analysis related to open space is included in this EAS. Pursuant to the 2021 CEQR Technical Manual, an area with an open space ration (OSR) of 0.50 or less can tolerate up to a 1 percent decrease in the OSR between the Future No-Action and Future With-Action Condition. Although the area has a relatively low OSR of 0.289 under the With-Action Condition, the OSR decrease induced by the Proposed Actions would be 0.90 percent, which is lower than the CEQR threshold for areas with an OSR of 0.50 or less. In addition, there are additional open space resources located within walking distance of the Affected Area, which could help serve local demand for open space and alleviate the shortfall of open spaces within the study area. Also, the Affected Area is located within a Walk to Park Service Area and is therefore not identified as a walk gap area. As a result of the quantitative and qualitative analysis, the Proposed Actions would not have significant adverse impacts on open space and further analysis is not warranted.

Historic and Cultural Resources

A detailed analysis related to historic and cultural resources is included in this EAS. The Proposed Actions would not result in any types of visual and contextual impacts to the known historic resources within the Study Area or introduce any incompatible visual, audible, or atmospheric elements to the settings of historic resources. Though no architectural resources were identified in the project study area, there is potential for the recovery of remains from 19th Century occupation on the project site. A Phase IA report indicated that Affected Area was undeveloped until the late 1840s, and that at least one lot was never developed while others sequentially developed with new buildings replacing older ones. The project site was characterized by a series of residential dwellings dating from the mid-nineteenth century onward. According to the findings of Phase IA report, it is recommended that a Phase 1B including a program of archaeological field testing be undertaken on portions of each historic lot designated as potentially sensitive. This testing would determine the presence or absence of nineteenth-century shaft features and possible yard deposits associated with the former residents and commercial endeavors on the property. The Applicant has prepared an Archeological Restrictive Declaration, which will mandate that the Applicant may not apply for Department of Buildings permits, including certificates of occupancy, until LPC has issued the documents specified in the agreement after the successful completion of archaeological work as recommended in the Phase 1A report. With the Archeological Restrictive Declaration in place, significant adverse impacts to architectural or archaeological resources are not expected because of the Proposed Actions, and further analysis is not warranted.

Project Name: Grace Houses
CEQR # 23DCP108K
SEQRA Classification: Unlisted

Urban Design and Visual Resources

A detailed analysis related to Urban Design and Visual Resources is included in this EAS. The analysis concludes that while the development facilitated by the Proposed Actions could change the urban design of the project area, the development would not adversely impact any of the constituent urban design elements or impact the overall character of the neighborhood. It would not significantly change the pedestrian experience, nor would it disturb the vitality, walkability, or the visual character of the area. Therefore, the Proposed Actions would not result in any significant adverse impact to the constituent elements of Urban Design, and further analysis is not warranted.

Hazardous Materials, Air Quality, and Noise

An (E) designation (E-802) related to hazardous materials, air quality, and noise would be established as part of the approval of the proposed actions. Refer to "Determination of Significance Appendix: (E) designation" for the applicable (E) designation requirements. The hazardous materials, air quality, and noise analyses conclude that with the (E) designation in place, the proposed actions would not result in a significant adverse impact related to hazardous materials, air quality, or noise.

No other significant effects upon the environment that would require the preparation of a Draft Environmental Impact Statement are foreseeable. This Negative Declaration has been prepared in accordance with Article 8 of the New York State Environmental Conservation Law (SEQRA). Should you have any questions pertaining to this Negative Declaration, you may contact Louise Cafiero at lcafiero@planning.nyc.gov.

TITLE	LEAD AGENCY
Director, Environmental Assessment and Review Division	Department of City Planning on behalf of the City Planning Commission 120 Broadway, 31st Fl. New York, NY 10271 | 212.720.3328
NAME Stephanie Shellooe, AICP	DATE 11/27/2024
SIGNATURE	
TITLE Chair, City Planning Commission	
NAME Daniel R. Garodnick	DATE 12/2/2024
SIGNATURE	

Project Name: Grace Houses
CEQR # 23DCP108K
SEQRA Classification: Unlisted

Determination of Significance Appendix

The Proposed Action(s) were determined to have the potential to result in changes to development on the following site(s):

Development Site	Borough	Block and Lot
Projected Development Site 1	Brooklyn	Block 3705, Lots 27, 28, 29, 30, 31, 32, 34, 35, 38, and 39
Projected Development Site 2	Brooklyn	Block 3705, Lots 9, 10, and 14
Potential Development Site 1	Brooklyn	Block 3704, Lots 26, 27, and 28

(E) Designation Requirements

To ensure that the proposed actions would not result in significant adverse impacts related to hazardous materials, air quality, and noise an (E) designation (**E-802**) would be established as part of approval of the proposed actions on **Projected Development Site 1, 2 and Potential Development Site 1** as described below:

Development Site	Hazardous Materials	Air Quality	Noise
Projected Development Site 1	X	X	X
Projected Development Site 2	X	X	
Potential Development Site 1		X	

Hazardous Materials

The (E) designation requirements applicable to **Projected Development Site 1 and 2** for hazardous materials would apply as follows:

Task 1-Sampling Protocol

The applicant submits to OER, for review and approval, a Phase I of the site along with a soil, groundwater and soil vapor testing protocol, including a description of methods and a site map with all sampling locations clearly and precisely represented. If site sampling is necessary, no sampling should begin until written approval of a protocol is received from OER. The number and location of samples should be selected to adequately characterize the site, specific sources of suspected contamination (i.e., petroleum based contamination and non-petroleum based contamination), and the remainder of the site's condition. The characterization should be complete enough to determine what remediation strategy (if any) is necessary after review of sampling data. Guidelines and criteria for selecting sampling locations and collecting samples are provided by OER upon request.

Task 2-Remediation Determination and Protocol

A written report with findings and a summary of the data must he submitted to OER after completion of the testing phase and laboratory analysis for review and approval. After receiving such results, a determination is made by OER if the results indicate that remediation is necessary. If OER determines that no remediation is necessary, written notice shall be given by OER.

If remediation is indicated from test results, a proposed remediation plan must be submitted to OER for review and approval. The applicant must complete such remediation as determined necessary by OER. The applicant should then provide proper documentation that the work has been satisfactorily completed.

A construction-related health and safety plan should be submitted to OER and would be implemented during excavation and construction activities to protect workers and the community from potentially significant adverse

impacts associated with contaminated soil, groundwater and/or soil vapor. This plan would be submitted to OER prior to implementation.

Air Quality

The (E) designation requirements for air quality would apply as follows:

Block 3705, Lots 27, 28, 29, 30, 31, 32, 34, 35, 38, and 39 (Projected Development Site 1): *Any new residential development on the above-referenced property must exclusively use natural gas as the type of fuel for the heating, ventilation, and air conditioning (HVAC) system and hot water equipment, and ensure that the stack is located at the building's highest level and at a minimum of 70.7 feet above grade, and that the stack is located at least 30 feet from the property's western lot line facing New Jersey Avenue to avoid any potential significant adverse air quality impacts.*

Block 3705, Lots 9, 10, and 14 (Projected Development Site 2): *Any new residential or community facility development on the above-referenced property must exclusively use natural gas as the type of fuel for the heating, ventilation, and air conditioning (HVAC) system and hot water equipment, and ensure that the stack is located at the building's highest level and at a minimum of 73 feet above grade, and that the stack is located at least 50 feet from the property western lot line facing New Jersey Avenue and at least 20 feet from the property's eastern lot line facing Vermont Street to avoid any potential significant adverse air quality impacts.*

Block 3704, Lots 26, 27, and 28 (Potential Development Site 1): *Any new residential development on the above-referenced property must exclusively use natural gas as the type of fuel for the heating, ventilation, and air conditioning (HVAC) system and hot water equipment, and ensure that the stack is located at the building's highest level and at a minimum of 93 feet above grade, and that the stack is located at least 40 feet from the property's western lot line facing Pennsylvania Avenue to avoid any potential significant adverse air quality impacts.*

Noise

The (E) designation requirements for noise would apply as follows:

Block 3705, Lots 27, 28, 29, 30, 31, 32, 34, 35, 38 and 39 (Projected Development Site 1): *In order to ensure an acceptable interior noise environment, future residential use must provide a closed window condition with a minimum of 28 dB(A) window/wall attenuation on the facade facing Vermont Street, the facade facing Liberty Avenue within 50 feet of Vermont Street, the facade facing Glenmore Avenue, and the facade facing New Jersey Avenue within 50 feet of Glenmore Avenue to maintain an interior noise level not greater than 45 dB(A) for residential use. In order to maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, air conditioning.*

Table of Contents

1 Project Description 1
1.1 Introduction 1
1.2 Background and Site History 2
1.3 Description of the Surrounding Area 2
1.4 Description of the Affected Area 3
1.5 Description of the Proposed Development 6
1.6 Action(s) Necessary to Facilitate the Project 7
1.7 Purpose and Need 7
1.8 Analysis Framework 8
2 Environmental Review 15
2.1 Land Use, Zoning, and Public Policy 16
2.1.1 Land Use 16
2.1.2 Zoning 23
2.1.3 Public Policy 30
2.2 Community Facilities and Services 33
2.2.1 Preliminary Screening 33
2.2.2 Early Childhood Program Assessment 35
2.2.3 Conclusion 38
2.3 Open Space 39
2.3.1 Preliminary Open Space Assessment 40
2.3.2 Conclusion 49
2.4 Shadows 51
2.4.1 Tier 1 Shadow Screening Assessment 52
2.4.2 Tier 2 Shadow Screening Assessment 53
2.4.3 Conclusion 53
2.5 Historic and Cultural Resources 56
2.5.1 Architectural Resources 57
2.5.2 Archaeological Resources 64
2.5.3 Conclusion 67
2.6 Urban Design and Visual Resources 70

2.6.1 Existing Conditions 70
2.6.2 Future No-Action Condition 76
2.6.3 Future With-Action Condition 76
2.6.4 Conclusion 77
2.7 Natural Resources 83
2.8 Hazardous Materials 84
2.8.1 Phase I Environmental Site Assessment 85
2.8.2 Conclusion 87
2.9 Air Quality 89
2.9.1 Pollutants of Concern 89
2.9.2 Applicable Standards/Guidelines 91
2.9.3 Mobile Sources 93
2.9.4 Stationary Sources 94
2.9.5 Industrial Emissions 103
2.9.6 Conclusion 113
2.10 Noise 114
2.10.1 Stationary Sources 118
2.10.2 Monitoring Locations and Results 124
2.10.3 Conclusion 126
2.11 Neighborhood Character 128
2.11.1 Preliminary Analysis 128
2.11.2 Conclusion 133
2.12 Construction 134
2.12.1 Preliminary Analysis 137
2.12.2 Conclusion 141

Appendix A: Agency Correspondence

Appendix B: Phase IA Report

Appendix C: Early Childhood Program List

Appendix D: Phase 1 Environmental Site Assessment

Appendix E: Noise Backup Data

Appendix F: Jamaica Bay Watershed Protection Plan Project Tracking Form

Appendix G: Construciton Schedule

Appendix H: Illustrative Architectural Plan

Appendix I: CHO Technical Memorandum

Figure 1.1-1: Site Location Map

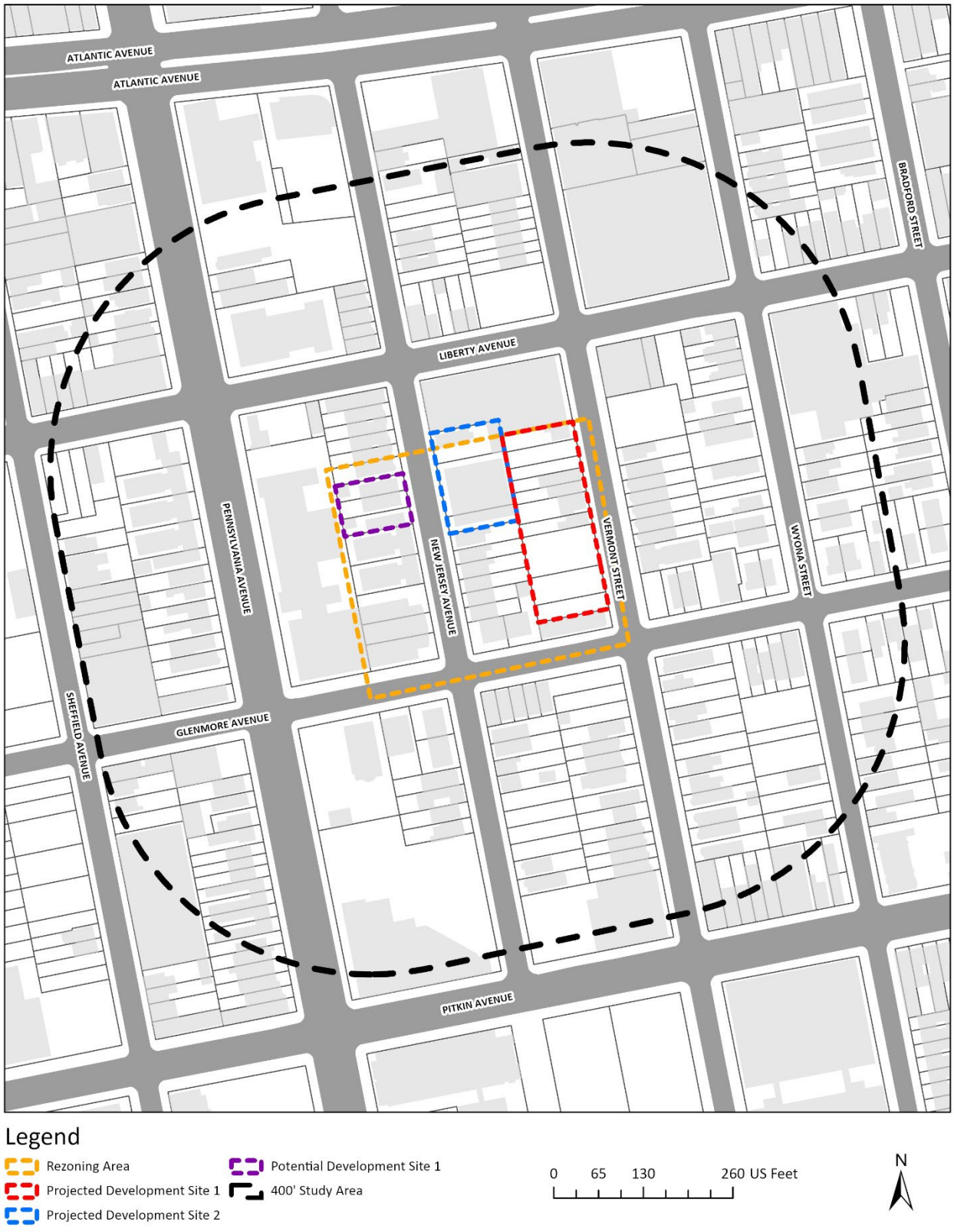


Figure 1.1-2: Land Use Map



Figure 1.1-3: Tax Map



Figure 1.1-4: Zoning Map

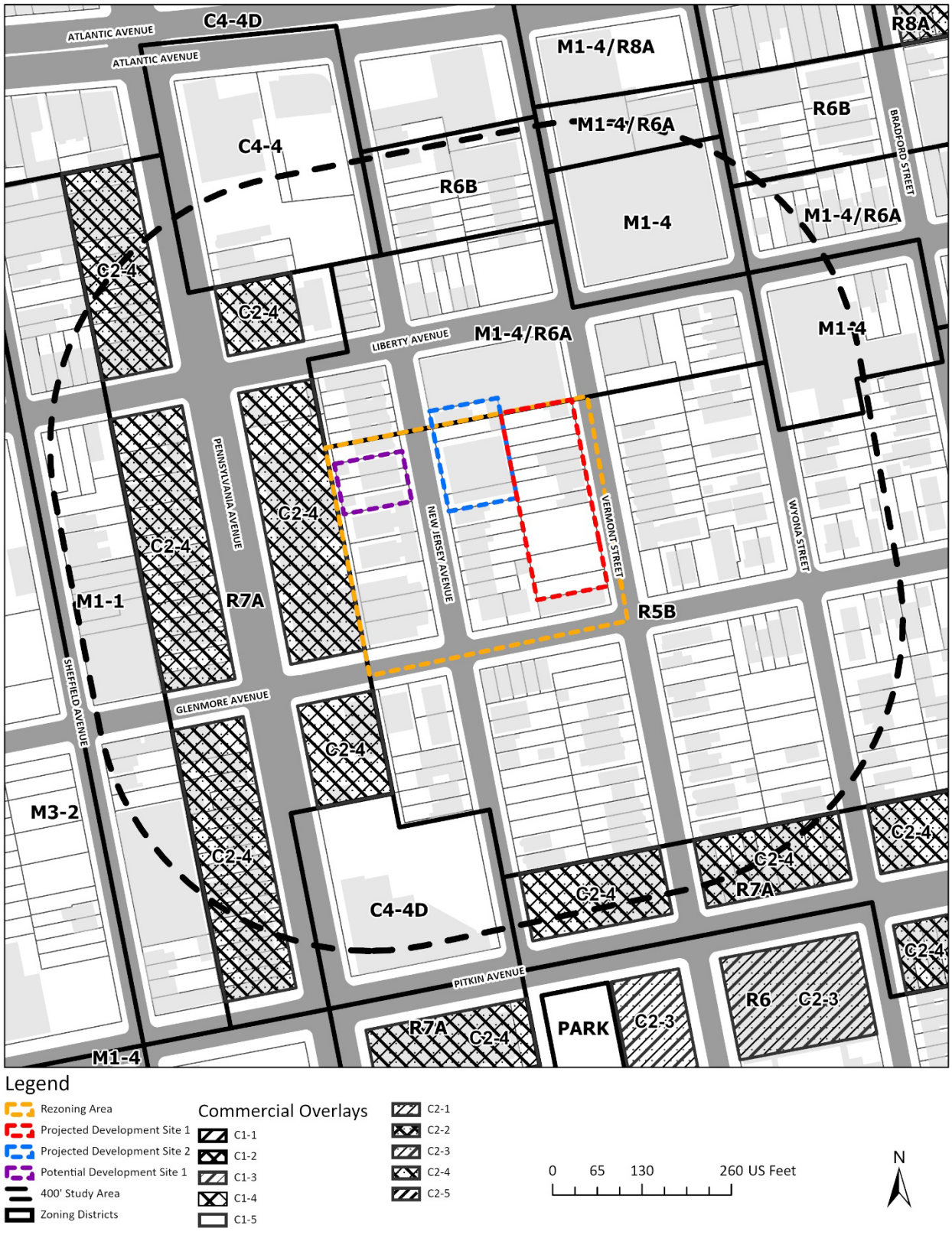
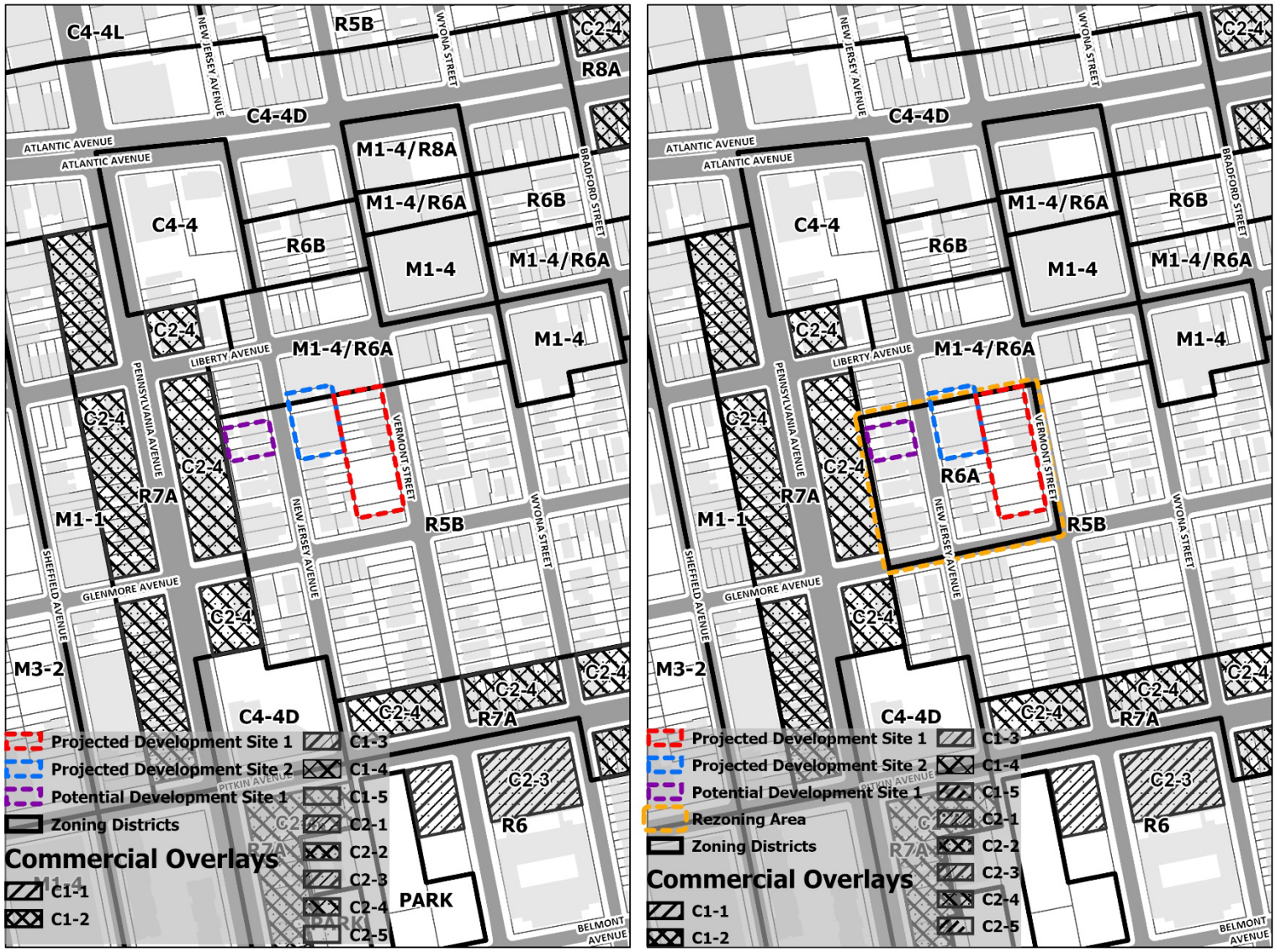


Figure 1.1-5: Zoning Change Map



Existing R5B Zoning District

Proposed R6A Zoning District



1 View of Potential Development Site 1 from the intersection of New Jersey Ave and Liberty Ave facing southwest



Study Area Map with Photo Key



2 View of Projected Development Site 2 from the intersection of New Jersey Ave and Liberty Ave facing southeast



3 View of Liberty Ave facing east



4 View of New Jersey Ave facing north



Study Area Map with Photo Key



5 View of Liberty Ave facing west



6 View of Pennsylvania Ave facing north



7 View of Liberty Ave facing west



Study Area Map with Photo Key



8 View of Pennsylvania Ave facing south



9 View of Pennsylvania Ave facing north



10 View of Glenmore Ave facing west



Study Area Map with Photo Key



11 View of Pennsylvania Ave facing south



12 View of Glenmore Ave facing east



13 View of Projected Development Site 2 facing northeast



Study Area Map with Photo Key



14 View of Potential Development Site 1 facing northwest



15 View of Glenmore Ave facing west



16 View of New Jersey Ave facing south



Study Area Map with Photo Key



17 View of Glenmore Ave facing east



18 View of Vermont St facing south



19 View of Projected Development Site 1 facing northwest



Study Area Map with Photo Key



20 View of Glenmore Ave facing west



21 View of Glenmore Ave facing east



22 View of Projected Development Site 1 facing southwest



Study Area Map with Photo Key



23 View of Liberty Ave facing east



24 View of Glenmore Ave facing west

1 Project Description

1.1 Introduction

The Applicant, Grace Housing Development Fund Co. Inc., requests approval of a zoning map amendment and a zoning text amendment (the "Proposed Actions") of approximately 82,555 square feet (sf) comprising Block 3705, Lots 1, 3, 4, 5, 6, 7, 8, 9, 10, p/o 14, 27, 28, 29, 30, 31, 32, 34, 35, 38, 39, 40, 42 and Block 3704, Lots 25, 26, 27, 28, 29, 31, 33, 35, 36 (the "Affected Area"), which is bounded by Liberty Avenue to the north, Vermont Street to the east, Glenmore Avenue to the south, and Pennsylvania Avenue to the west and split by New Jersey Avenue in the East New York neighborhood within Brooklyn Community District 5.

The zoning map amendment would rezone the Affected Area from an R5B zoning district to an R6A zoning district. The zoning text amendment would modify Zoning Resolution ("ZR") Appendix F: Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing ("MIH") Areas for Community District 5, Brooklyn to establish an MIH Area coterminous with the Affected Area. The Applicant proposes mapping both MIH Option 1 and Option 2 within the Affected Area to provide maximum flexibility for future development of the non-Applicant-controlled sites.

The Proposed Actions would facilitate the development of a 131,404 gross square feet ("GSF") (98,795 zoning square feet ("ZSF"); 3.60 Floor Area Ratio ("FAR")), 7-story, residential building with a building height of 67'-8"on Projected Development Site 1 (Block 3705, Lots 27, 28, 29, 30, 31, 32, 34, 35, 38, and 39) and a 65,824 GSF (51,034 ZSF; 3.44 FAR), 5-story, 60-foot-tall mixed residential and community facility building on Projected Development Site 2 (Block 3705, Lots 9, 10, and 14).

The NYC Department of City Planning is proposing a citywide zoning text amendment, the City of Yes for Housing Opportunity "CHO" (CEQR No. 24DCP033Y) to expand opportunities for housing within all zoning districts, and across all 59 of the City's Community Districts. These changes to the City's Zoning Resolution would enable more housing and a wider variety of housing types in every neighborhood, from the lowest-density districts to the highest, to address the housing shortage and high cost of housing in New York City. Currently, this proposed zoning text amendment is referred into public review. It has been determined that this project may be affected by the proposals included in the text amendment. The technical memorandum that examines whether the analysis conclusion of the EAS would be altered by CHO could be found in **Appendix I**.

The Proposed Actions are discretionary actions subject to environmental review. The New York City (NYC) Department of City Planning (DCP) shall be the lead agency on behalf of the NYC City Planning Commission (CPC) for environmental review under CEQR.

1.2 Background and Site History

The Affected Area is located at the western edge of the East New York neighborhood, just south of Jackie Robinson Parkway and Atlantic Avenue in Brooklyn, NY. East New York was originally farmland but grew extensively when elevated transit lines connected it to Queens, Downtown Brooklyn, and Manhattan in the 1880s and 1890s. Residential, commercial, and manufacturing land uses were built up around transit and vehicular corridors throughout the early 20th century. However, this trend of growth waned in the latter half of the 20th century including significant disinvestment and abandonment of property throughout the 1960s and 1970s mirroring other working-class neighborhoods. During this time period, the foreclosure and vacancy rates climbed, and many properties deteriorated and were abandoned. During this time significant net out-migration was experienced including a decrease in population by approximately one-third and the number of housing units by half.

With the stabilization of the City's finances after the crisis of the mid 1970s, along with ambitious new publicly sponsored housing plans and other grass-roots initiatives, came renewed development in the 1980s that stemmed the tide and began to reverse the cycle of out-migration and disinvestment. These initiatives removed physical blight from many blocks, helped stabilize the remaining buildings, and rehabilitated existing structures. Through the 1990s programs like these helped rehabilitate and recover much of the lost human and physical capital of East New York, increasing population from a low point of approximately 40,000 in 1980 to approximately 200,000 by the mid-2020s.

Passed in 2016, the East New York Rezoning Proposal was intended to facilitate vibrant, inclusive residential neighborhoods with a wide variety of local retail options, job opportunities, and attractive streets for residents, workers, and visitors. Opportunities for new housing, including affordable housing, along key corridors, particularly Atlantic Avenue, provided more housing choices for current and future residents in this area. Along with zoning map changes, this rezoning included amendments to the text of the Zoning Resolution to apply a new Mandatory Inclusionary Housing Program (MIH) to much of East New York that promoted new housing. Amendments to the Zoning Resolution to establish a new residential district for moderate residential density along transit corridors and to establish an Enhanced Commercial District within the rezoning area along Atlantic Avenue, Pitkin Avenue, and Fulton Street were approved.

1.3 Description of the Surrounding Area

The surrounding area is predominantly one- and two-family residences, multi-family walk-up buildings, commercial and office buildings, and public facilities and institutions. To a lesser degree, transportation and utility uses, light industrial uses (mostly self-storage) and vacant land are present. Atlantic Avenue is a major thoroughfare in the area and contains a mix of high-density multi-family, commercial, and mixed residential and commercial uses.

Built form in the area varies by use, and generally consists of low-rise residential and mixed-use commercial and residential uses as well as multi-family residential buildings. The residential buildings range from three to four stories in height and the manufacturing and industrial buildings are mostly one story in height, but occasionally range from two to four stories.

The Affected Area is within an R5B zoning district that is surrounded by a mix of moderate density residential, light manufacturing, mixed residential/light-manufacturing districts, as well as commercial overlays along major corridors including Pennsylvania Avenue, Pitkin Avenue, and Atlantic Avenue. The R5B district housing all of the Affected Area less the northern half of Block 3705, Lot 14 generally extends to the East. South of this district, along Pitkin Avenue, the area is generally zoned R7A with a C2-4 Commercial overlay. North of the R5B district is a mix of small commercial, manufacturing, and residential district (often less than a Block in size) including R6B, M1-4/R6A, and M1-4/R8A. West of the R5B there is a corridor along Pennsylvania Avenue of R7A with a C2-4 commercial overlay as well as manufacturing districts M1-1 and M3-2 as well as smaller commercial districts including C4-4.

Major commercial corridors in the vicinity include Atlantic Avenue East-to-West, Pennsylvania Avenue North-to-South, and Pitkin Avenue East-to-West. Atlantic Avenue in particular is a major thoroughfare through northern Brooklyn and eastern Queens.

The area is well served by transit. The Liberty Avenue A/C train subway station one block west of the Affected Area. The nearest transfer station to another subway is one stop away at Broadway Junction to the northwest. The A/C line also connects provides connectivity to Atlantic Terminal. MTA bus lines in the vicinity include the Q24 which runs East/West along Atlantic Avenue and the B20 and B83 which run North/South along Pennsylvania Avenue.

As discussed above in **Section 1.2**, while there has been significant improvement in housing and building quality, the area is still not back to its peak in the early 1960s.

1.4 Description of the Affected Area

The Affected Area is in Brooklyn Community District 5, on portions of Block 3705 and Block 3704. The lots within the Affected Area are a mix of residential, community facility/religious facilities, parking lots, and vacant lots. Blocks 3705 and 3704 are bounded by Liberty Avenue to the north and Glenmore Avenue to the south. Block 3705 is bounded by Vermont Street to the east and New Jersey Avenue to the west while Block 3704 is bounded by New Jersey Avenue to the east and Pennsylvania Avenue to the west.

There is a Grace Baptist Church located on Block 3705 Lots 9, 10, and 14, which is in poor condition, with sidewalk bridging erected because the rood and the bell tower is in danger of falling causing unsafe conditions. No church services are allowed to be conducted at the church due to these conditions since 2019.

There would be two Projected Development Sites on Block 3705 and one Potential Development Site on Block 3704, all of which are owned and controlled by the Applicant.

Applicant-Owned Development Site 1

The Applicant Controlled Lots for Projected Development Site 1 on Block 3705 are Lots 27, 28, 29, 30, 31, 32, 34, 35, 38, and 39 and are summarized below:

- Lot 27 is a 2,500-sf lot that is improved with a 1,980 GSF (0.79 FAR) residential building with 3 dwelling units;
- Lot 28 is a 2,500-sf lot that is vacant;
- Lot 29 is a 1,767-sf lot that is vacant;
- Lot 30 is a 1,767-sf lot that is improved with a 1,325 GSF (0.75 FAR) residential building with 2 dwelling units;
- Lot 31 is a 1,767-sf lot that is improved with a 1,310 GSF (0.74 FAR) residential building with 2 dwelling units;
- Lot 32 is a 2,917-sf lot that is improved with a 2,008 GSF (0.69 FAR) residential building with 2 dwelling units;
- Lot 34 is a 1,725-sf lot that is improved with a 1,148 GSF (0.67 FAR) residential building with 2 dwelling units;
- Lot 35 is a 6,000-sf lot that is currently unimproved and used for surface parking. A September 2020 Street View shows the NYPD use the site for NYPD vehicle parking;
- Lot 38 is a 4,000-sf lot that is currently unimproved and used for surface parking. A September 2020 Street View shows the NYPD use the site for NYPD vehicle parking;
- Lot 39 is a 2,500-sf lot that is currently unimproved and used for surface parking. A September 2020 Street View shows the NYPD use the site for NYPD vehicle parking.

Applicant-Owned Projected Development Site 2

The Applicant Controlled Lots for Projected Development Site 2 on Block 3705 are Lots 9, 10, and 14 and are summarized below:

- Lot 9 is a 2,500-sf lot that is improved with a 1,350 GSF (0.54 FAR) building that is a part of the Grace Baptist Church;
- Lot 10 is an 8,000-sf lot that is improved with a 13,200 GSF (1.65 FAR) building that is part of the Grace Baptist Church;

- Lot 14 is a 4,350-sf lot that is improved with an 1,880 GSF (0.43 FAR) building that is part of the Grace Baptist Church. It should be noted that only half of Lot 14 is included in the Affected Area.

Applicant-Owned Potential Development Site 1

The Applicant Controlled Lots for Potential Development Site 1 on Block 3704 are Lots 26, 27, and 28 and are summarized below:

- Lot 26 is a 2,500 sf -lot that is improved with a 2,080 GSF (0.83 FAR) residential building with 2 dwelling units;
- Lot 27 is a 2,500 sf -lot that is improved with a 2,080 GSF (0.83 FAR) residential building with 2 dwelling units;
- Lot 28 is a 2,500 sf -lot that is improved with a 2,200 GSF (0.88 FAR) residential building with 1 dwelling units.

Other Applicant-Owned Sites

There is one Applicant-owned lot (Lot 5) on Block 3705 that would not be included in the two Projected Development Sites or the Potential Development Site. Block 3705 Lot 5 is a 2,100-sf lot that is currently improved with an 1,800 GSF (0.86 FAR) residential building with 2 dwelling units.

Non-Applicant-Controlled Sites

The non-Applicant-controlled lots on Block 3705, on which redevelopment is not anticipated, are Lots 1, 3, 4, 6, 7, 8, 40, and 42 and are summarized below:

- Lot 1 is a 2,430-sf lot that is improved with a 2,584 GSF (1.06 FAR) residential building with 2 dwelling units;
- Lot 3 is a 1,687-sf lot that is improved with a 2,268 GSF (1.34 FAR) residential building with 2 dwelling units;
- Lot 4 is a 1,680-sf lot that is improved with a 2,268 GSF (1.35 FAR) residential building with 2 dwelling units;
- Lot 6 is a 2,100-sf lot that is improved with a 1,680 GSF (0.80 FAR) residential building with 3 dwelling units;
- Lot 7 is a 2,083-sf lot that is improved with a 1,440 GSF (0.69 FAR) residential building with 2 dwelling units;
- Lot 8 is a 2,500-sf lot that is improved with a 2,100 GSF (0.84 FAR) residential building with 2 dwelling units;

- Lot 40 is a 2,500-sf lot that is improved with a 2,500 GSF (1.00 FAR) UG 6 local retail establishment that is a nonconforming use;
- Lot 42 is a 2,865-sf lot that is improved with a 3,876 GSF (1.35 FAR) residential building with 3 dwelling units.

The non-Applicant-controlled lots on Block 3704, on which redevelopment is not anticipated, are Lots 25, 29, 31, 33, 35, and 36 and are summarized below:

- Lot 25 is a 2,500 sf -lot that is improved with a 2,080 GSF (0.83 FAR) residential building with 2 dwelling units;
- Lot 29 is a 4,375-sf lot with a 15,400 GSF (3.52 FAR) residential building built in 1920 with 16 dwelling units;
- Lot 31 is a 4,375-sf lot with a 11,712 GSF (2.68 FAR) residential building built in 1920 with 16 dwelling units;
- Lots 33, 35, and 36 are combined to form a 11,242-sf lot with a 31,847 GSF (2.83 FAR) community facility building built in 1995 that is occupied by an NYC DOE public school.

1.5 Description of the Proposed Development

The Proposed Development is to demolish the existing buildings and structures on Block 3705, Lots 27, 28, 29, 30, 31, 32, 34, 35, 38, and 39 (Projected Development Site 1) and Block 3705, Lots 9, 10, and 14 (Projected Development Site 2) and to construct two new buildings with each building on one site respectively.

Projected Development Site 1 (Block 3705, Lots 27, 28, 29, 30, 31, 32, 34, 35, 38, and 39)

The Applicant-Owned lots would have a projected lot size of 27,443 SF and would be developed with a 131,404 GSF (98,795 ZSF; 3.60 FAR) residential building of 7 stories. There would be a total of 25,012 GSF of parking at the cellar and ground level and 106,392 GSF (98,795 ZSF; 3.60 FAR) of residential uses above grade with 114 dwelling units. Projected Development Site 1 would be within the proposed MIH area, which would require new developments to set aside 25-30% of the residential floor area (29-34 units) for affordable housing at an average of 60-80% of Area Median Income (AMI) per MIH Options 1 or 2. However, the Applicant is pursuing a 100% affordable residential development for all 114 residential units, utilizing the Mix and Match programs of NYC Housing Preservation and Development ("HPD") and NYC Housing Development Corp ("HDC"), which provide tax exempt bond financing with 4% low income housing tax credits and subsidized subordinate financing. The Mix and Match program requires that at least half of the units are affordable at under 60% AMI, and the other half of the units at under 120% AMI. The Mix and Match program also requires a homeless set aside for at least 15% of the residential units.

Given that Vermont Street (60 feet wide) is a narrow street, the proposed building would have a height of 67'-8" after a 15-foot setback on Vermont Street above the base height of 60 feet. 44 residential accessory parking spaces would be provided in the enclosed garage at the cellar level accessible by a parking ramp at Vermont Street.

Projected Development Site 2 (Block 3705, Lots 9, 10, and 14)

The Applicant-Owned lots would assemble and have a projected lot size of approximately 14,850 SF and would be developed with a 5-story mixed residential and community facility building of 65,824 GSF (51,034 ZSF; 3.44 FAR). There would be 10,767 GSF (1,167 ZSF; 0.08 FAR) of parking at the cellar level and a parking ramp on the ground floor, 18,635 GSF (15,911 ZSF; 1.07 FAR) of church (15,453 GSF) and general community facility uses (3,182 GSF) on the cellar, first floor, and mezzanine levels, and 36,422 GSF (33,956 ZSF; 2.29 FAR) of residential uses with a residential lobby on the ground floor and 39 dwelling units on the upper floors. Projected Development Site 2 would be within the proposed MIH area which would require new developments to set aside 25-30% of the residential floor area (10-12 units) for affordable housing at an average of 60-80% AMI per MIH Options 1 or 2. However, the Applicant is pursuing a 100% affordable residential development for all 39 residential units, utilizing the Mix and Match programs of HPD and HDC, which provide tax exempt bond financing with 4% low income housing tax credits and subsidized subordinate financing. The Mix and Match program requires that at least half of the units are affordable at under 60% AMI, and the other half of the units at under 120% AMI. The Mix and Match program also requires a homeless set aside for at least 15% of the residential units.

Given that New Jersey Avenue (60 feet wide) is a narrow street, the proposed building would have a height of 60 feet after a 15-foot setback on New Jersey Avenue above the base height of 22'-8". 23 residential accessory parking spaces would be provided in the enclosed garage at the cellar level accessible by a parking ramp located at New Jersey Avenue.

1.6 Action(s) Necessary to Facilitate the Project

The actions necessary to facilitate construction of the Proposed Development are approvals of:

- a Zoning Map Amendment to rezone Block 3705, Lots 1, 3, 4, 5, 6, 7, 8, 9, 10, p/o 14, 27, 28, 29, 30, 31, 32, 34, 35, 38, 39, 40, 42 and Block 3704, Lots 25, 26, 27, 28, 29, 31, 33, 35, 36 from an R5B zoning district to an R6A zoning district; and
- a Zoning Text Amendment to amend Brooklyn Community District 5, Map 17c in Appendix F: Inclusionary Housing Designated Area to establish the Affected Area as an MIH Area.

1.7 Purpose and Need

Currently Grace Baptist Church, along with much of the project site and much of the surrounding area, are in a dilapidated condition and cannot be salvaged for their original purpose or use. While the whole Affected Area is located within the East New York neighborhood, which was rezoned under the pivotal East New York Rezoning in 2016, it has missed out on the prosperity

and renewal brought by that program and stayed under-developed in the past decade. As a result, the historic cycle of disinvestment, out-migration, and decreasing property values has perpetuated to this day.

Given the restrictions encumbered upon property owners in this area due to the current zoning and bulk constraints, further investment is unlikely to suitably revitalize this area as the East New York Rezoning did for so much of this portion of Brooklyn. This rezoning would mitigate these issues by joining the surrounding area in the transformative investment and renewal brought by the East New York rezoning. Additionally, it would provide an import community fixture in the Grace Baptist Church the opportunity to provide services of incredible value to the community as well as adding over 100 permanently affordable housing units to a predominately working-class neighborhood that has historically suffered from a lack of such housing.

1.8 Analysis Framework

The analysis framework compares the incremental difference between the proposed and potential development under the Proposed Actions (With-Action) and the development which could occur under the existing zoning (No-Action). This EAS studies the potential for individual and cumulative environmental impacts related to the Proposed Actions occurring in a study area of approximately 400 feet around the Affected Area. This environmental assessment considers the potential effects of the Proposed Actions compared to future conditions without the approvals sought by the project sponsor. This analysis framework is described below:

Reasonable Worst-Case Development Scenario

Discretionary actions sometimes permit a range of project characteristics, or development scenarios, to occur even though the action may be sought in order to facilitate a specific development. From the range of possible scenarios that are considered reasonable and likely, the scenario with the worst environmental consequences is chosen for analysis. This is considered to be the Reasonable Worst-Case Development Scenario (RWCDS), the use of which ensures that, regardless of which scenario actually occurs, its impacts would be no worse than those considered in the environmental review. The environmental assessment examines the incremental differences between the RWCDS of the future without the project in place (No-Action Scenario) and the future with the project in operation (With-Action Scenario).

Build Year

Assuming a completion of ULURP by March 2025, followed by a preconstruction design, bid and DOB approval period, and a construction period of 22 months, a build year of 2027 is projected for the Proposed Development on the two Applicant-owned Projected Development Sites, which would be under construction simultaneously. Since the Potential Development Site is considered less likely to be redeveloped as a result of the Proposed Actions, the construction timeline of the Potential Development Site is not included in the build year.

Given the expected ULURP certification in Spring of 2025, HPD is targeting closing on the project financing in Winter of 2025.

Future Without the Proposed Actions (No-Action Scenario)

Under the Future No-Action Scenario, the Applicant would develop an as-of-right building on the Applicant Controlled Projected Development Site 2 on Block 3705 as the existing church building has not been able to hold services since around 2019 due to the structural instability of the bell tower. The Applicant would rebuild a new residential building on this site to subsidize the relocation of the church.

The as-of-right building on Projected Development Site 2 (Block 3705, Lots 9, 10, and 14) would be a new 4-story, 33-foot-tall, 27,485 GSF (20,048 ZSF; 1.35 FAR) residential building, which would contain 7,037 GSF of parking (15 spaces) at the cellar level and 20,448 GSF (20,048 ZSF; 1.35 FAR) of residential uses above grade from the first floor through the fourth floor with 23 dwelling units (900 GSF per unit). All of the residential units would be market-rate.

Redevelopment is not considered likely in the Future No-Action Scenario on the other Applicant-owned or non-Applicant-owned lots within the Affected Area because of the inability to develop to a bulk, density, or a number of units that would induce development under the current R5B zoning, which is a legacy of the 1961 zoning and does not reflect the more recent 2016 East New York Rezoning district that surrounds much of the site and neighborhood as discussed above in **Section 1.2** and **Section 1.7**.

Future With the Proposed Actions (With-Action Scenario)

Projected Development Site 1 (Block 3705, Lots 27, 28, 29, 30, 31, 32, 34, 35, 38, and 39)

A new 8-story, 85-foot-tall, 131,404 GSF (98,795 ZSF; 3.60 FAR) residential building would be developed on a combined 27,443-SF lot. The proposed building would contain 25,012 GSF of parking at the cellar level and 106,392 GSF (98,795 ZSF; 3.60 FAR) of residential uses above grade from the first floor through the eighth floor with 114 dwelling units. Projected Development Site 1 would be within the proposed MIH area, which would require new developments to set aside 25-30% of the residential floor area (29-34 units) for affordable housing at an average of 60-80% AMI per MIH Options 1 or 2. However, the worst-case scenario assumes a 100% affordable residential development for all 114 residential units utilizing HPD financing. The proposed building would have a height of 85 feet after a 15-foot setback on Vermont Street above the base height of 65 feet. 44 residential accessory parking spaces would be provided at the cellar level accessible by a curb cut on Vermont Street.

Projected Development Site 2 (Block 3705, Lots 9, 10, and 14)

A new 8-story, 85-foot-tall 69,838 GSF (53,460 ZSF; 3.60 FAR) mixed-use residential and community facility building would be developed on a combined 14,850-SF lot. The proposed building would contain 10,767 GSF of parking at the cellar level, 18,635 GSF (15,911 ZSF; 1.07

FAR) of church (15,453 GSF) and general community facility uses (3,182 GSF) on the ground floor and mezzanine level, and 40,436 GSF (37,549 ZSF; 2.53 FAR) of residential uses on the second floor through the eighth floor with 39 dwelling units. Projected Development Site 2 would be within the proposed MIH area, which would require new developments to set aside 25-30% of the residential floor area (10-12 units) for affordable housing at an average of 60-80% AMI per MIH Options 1 or 2. However, the worst-case scenario assumes a 100% affordable residential development for all 39 residential units utilizing HPD financing. The proposed building would have a height of 85 feet after a 15-foot setback on New Jersey Avenue above the base height of 65 feet. 23 residential accessory parking spaces would be provided at the cellar level accessible by a curb cut on New Jersey Avenue.

In total, Projected Development Sites 1 and 2 would contain 153 units of affordable housing.

Potential Development Site 1 (Block 3704, Lots 26, 27, and 28)

A new 8-story, 85-foot-tall, 35,040 GSF (27,000 ZSF; 3.60 FAR) residential building would be developed on a combined 7,500-SF lot. The proposed building would contain 27,540 GSF (27,000 ZSF; 3.60 FAR) of residential uses above grade from the first floor through the eighth floor and 7,500 GSF of parking at the cellar level. There would be 28 dwelling units (1,000 GSF per unit), with 7 or 9 units reserved as permanently affordable at an average of 60-80% AMI per MIH Options 1 or 2. The proposed building would have a height of 85 feet after a 15-foot setback on New Jersey Avenue above the base height of 65 feet. 11 residential accessory parking spaces would be provided at the cellar level accessible by a curb cut on New Jersey Avenue.

Other Affected Lots (Block 3705, Lots 1, 3, 4, 5, 6, 7, 8, 40, and 42; Block 3704, Lots 25, 29, 31, 33, 35, and 36)

There is one Applicant-owned lot (Lot 5) on Block 3705 that would not be included in the two Projected Development Sites or the Potential Development Site. Block 3705 Lot 5 is a 2,100-sf lot that is currently improved with an 1,800 GSF (0.86 FAR) residential building with 2 dwelling units. Since the Applicant has no development plan on the lot and this lot has a narrow frontage that is not feasible for redevelopment with the setback requirements under the proposed R6A zoning district, redevelopment is not considered possible on this Applicant-owned lot.

The non-Applicant-controlled sites on Block 3705 include Lots 1, 3, 4, 6, 7, 8, 40, and 42. Lot 1 is a 2,430-sf lot that is improved with a 2,584 GSF (1.06 FAR) residential building with 2 dwelling units; Lot 3 is a 1,687-sf lot that is improved with a 2,268 GSF (1.34 FAR) residential building with 2 dwelling units; Lot 4 is a 1,680-sf lot that is improved with a 2,268 GSF (1.35 FAR) residential building with 2 dwelling units; Lot 6 is a 2,100-sf lot that is improved with a 1,680 GSF (0.80 FAR) residential building with 3 dwelling units; Lot 7 is a 2,083-sf lot that is improved with a 1,440 GSF (0.69 FAR) residential building with 2 dwelling units; Lot 8 is a 2,500-sf lot that is improved with a 2,100 GSF (0.84 FAR) residential building with 2 dwelling units; Lot 40 is a 2,500-sf lot that is improved with a 2,500 GSF (1.00 FAR) UG 6 local retail establishment (nonconforming use) that

is in good repair and is operating with an active business; Lot 42 is a 2,865-sf lot that is improved with a 3,876 GSF (1.35 FAR) residential building with 3 dwelling units.

Because of the narrow frontage of the eight non-Applicant-controlled lots on Block 3705 and the setback requirements of the proposed R6A zoning district, the lots would not be able to realize their full development potential within the new rezoning district. Additionally, given the development patterns in the surrounding area and the economic impact of the Covid-19 pandemic, redevelopment is less likely.

The non-Applicant-controlled sites on Block 3704 include Lots 25, 29, 31, 33, 35, and 36. Lot 25 is a 2,500 sf -lot that is improved with a 2,080 GSF (0.83 FAR) residential building with 2 dwelling units; Lot 29 is a 4,375-sf lot with a 15,400 GSF (3.52 FAR) residential building built in 1920 with 16 dwelling units; Lot 31 is a 4,375-sf lot with a 11,712 GSF (2.68 FAR) residential building built in 1920 with 16 dwelling units; Lots 33, 35, and 36 are combined to form a 11,242-sf lot that is developed with a 31,847 GSF (2.83 FAR) community facility building built in 1995.

Block 3704, Lot 25 has a narrow frontage, which would not be able to realize its full development potential with the setback requirements of the proposed R6A zoning district. Lots 29 and 31 are likely under rent control regulations given the building's age and exceedance of six dwelling units. It should be noted that the building on Lots 33, 35, and 36 is currently occupied by W. H. Maxwell Career and Technical Education High School (19K660), which is an actively operating public career technical high school, with 418 enrolled students in the 2021-2022 academic year. In addition, the existing school building has an FAR of 7.28, which is higher than the maximum permitted community facility FAR of 3.0 under the proposed R6A zoning district.

As such, the existing conditions of the lots listed above on Block 3705 and Block 3704 are projected to persist under the Future With-Action Conditions.

Increment of Analysis

Because only Projected Development Site 1 and 2 are considered in the increment between the No-Action and With-Action development scenarios, Potential Development Site 1 and Other Affected Sites will not be considered in the analysis of density-related aspects of the environmental review (such as community facility and open space conditions). The net residential square footage would increase 118,609 GSF (119 dwelling units) and the net community facility square footage would increase 18,635 GSF (15,453 GSF of church and 3,182 GSF of general community facility). It should be noted that though the incremental dwelling units are only 119 units, the net affordable units would increase 153 units as all the dwelling units would be permanently affordable.

The Projected Development Sites, Potential Development Site, and Other Affected Sites are shown in **Figure 1.1-1**, while the RWCDS Analysis Framework is shown below in **Table 1.8-1**. The Existing, No-Action, and With-Action Scenarios on the lots within the Affected Area are presented in **Table 1.8-2**.

Table 1.8-1: RWCDS Analysis Framework - No-Action and With-Action Calculations

	Site Information			No-Action Condition				With-Action Condition				Increment		
	Block	Lot	Lot Area	Zoning	Res. (GSF)	DU	CF (GSF)	Zoning	Res. (GSF)	DU	CF (GSF)	Res. (GSF)	DU	CF (GSF)
Projected Site 1	3705	39	2,500	R5B	7,771	11	0	R6A	106,392	114	0	98,621	103	0
		38	4,000											
		35	6,000											
		34	1,725											
		32	2,917											
		31	1,767											
		30	1,767											
		29	1,767											
		28	2,500											
		27	2,500											
Projected Site 2		14	4,350	R5B	20,448	23	0	R6A	40,436	39	18,635	19,988	16	18,635
		10	8,000											
		9	2,500											
Total			**42,293**		**28,219**	**34**	**0**		**146,828**	**153**	**18,635**	**118,609**	**119**	**18,635**

GSF = Gross Square Feet
Res. = Residential
DU =-Dwelling Unit
CF = Community Facility

Table 1.8-2: RWCDS Incremental Analysis Table

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
Land Use				
Residential	☑ Yes ☐ No	☑ Yes ☐ No	☑ Yes ☐ No	
If "yes," specify the following:				
Describe type of residential structures	UG 2	UG 2	UG 2	
No. of dwelling units	11	34	153	119
No. of low- to moderate-income units	NA	NA	153	153
Gross floor area (sq. ft.)	7,771	28,219	146,828	118,609
Commercial	☐ Yes ☑ No	☐ Yes ☑ No	☐ Yes ☑ No	
If "yes," specify the following:				
Describe type (retail, office, other)	N/A	N/A	N/A	
Gross floor area (sq. ft.)	N/A	N/A	N/A	
Manufacturing/Industrial	N/A	N/A	N/A	
If "yes," specify the following:				
Type of Use	N/A	N/A	N/A	
Gross floor area (sq. ft.)	N/A	N/A	N/A	
Open storage area (sq. ft.)	N/A	N/A	N/A	
If any enclosed activities, specify:	N/A	N/A	N/A	
Community Facility	☑ Yes ☐ No	☐ Yes ☑ No	☑ Yes ☐ No	
If "yes," specify the following:				
Type of Use	UG 4- House of Worship		UG 4- House of Worship UG 4- General Community Facility (non-profit office or community assembly space)	
Gross floor area (sq. ft.)	16,430		Total: 18,635 House of Worship: 15,453 General Community Facility: 3,182	18,635
Vacant Land	☑ Yes ☐ No	☑ Yes ☐ No	☐ Yes ☑ No	
If "yes", describe:			N/A	
Publicly Accessible Open Space	☐ Yes ☑ No	☐ Yes ☑ No	☐ Yes ☑ No	
If "yes," specify type (mapped City, State, or Federal Parkland, wetland-mapped or otherwise known, other):	N/A	N/A	N/A	
Other Land Uses	☐ Yes ☑ No	☐ Yes ☑ No	☐ Yes ☑ No	
If "yes," describe:	N/A	N/A	N/A	
Parking				
Garages	☐ Yes ☑ No	☑ Yes ☐ No	☑ Yes ☐ No	
If "yes," specify the following:				
No. of public spaces	N/A	N/A	N/A	
No. of accessory spaces	N/A	15	Total: 67 (residential only) Projected Development Site 1: 44 Projected Development Site 2: 23	52
Operating hours	N/A	24/7	24/7	
Attended or non-attended	N/A	TBD	TBD	
Lots	☑ Yes ☐ No	☑ Yes ☐ No	☐ Yes ☑ No	
If "yes," specify the following:				
No. of public spaces	N/A	N/A	N/A	
No. of accessory spaces	36	36	N/A	-36
Operating hours	24/7	24/7	N/A	
Other (includes street parking)	☐ Yes ☑ No	☐ Yes ☑ No	☐ Yes ☑ No	
If "yes," describe:	N/A	N/A	N/A	

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
Population				
Residents	☑ Yes ☐ No	☑ Yes ☐ No	☑ Yes ☐ No	
If "yes," specify number:	32	99	447	348
Briefly explain how the number of residents was calculated:	2.90 persons per DU in Brooklyn CD 5 as per 2020 decennial census data			
Businesses	☑ Yes ☐ No	☐ Yes ☑ No	☑ Yes ☐ No	
If "yes," specify the following:				
No. and type	UG 4- House of Worship	N/A	UG 4- House of Worship UG 4- General Community Facility	
No. and type of workers by business	16	0	Total: 35 House of Worship: 15 General Community Facility: 14 Residential: 6	35
No. and type of non-residents who are not workers	N/A	N/A	N/A	
Briefly explain how the number of businesses was calculated:	1 employee per 1000 GSF of house of worship; 1 employee per 333 GSF of general community facility; 1 employee per 25 dwelling units.			
Other (students, visitors, concert-goers, *etc* .)	☐ Yes ☑ No	☐ Yes ☑ No	☐ Yes ☑ No	
If any, specify type and number:	N/A	N/A	N/A	
Briefly explain how the number was calculated:				
Zoning				
Zoning classification	R5B	R5B	R6A	
Maximum amount of floor area that can be developed	1.35 FAR Res; 2.0 FAR CF	1.35 FAR Res; 2.0 FAR CF	3.6 FAR Res; 3.0 FAR CF	1.0 FAR CF, 2.25 FAR Res
Predominant land use and zoning classifications within land use study area(s) or a 400 ft. radius of proposed project	Residential, Community Facilities, Parking, Vacant Lots	Residential, Community Facilities, Parking, Vacant Lots	Residential, Community Facilities, Parking, Vacant Lots	

Attach any additional information that may be needed to describe the project.

If your project involves changes that affect one or more sites not associated with a specific development, it is generally appropriate to include total development projections in the above table and attach separate tables outlining the reasonable development scenarios for each site.

2 Environmental Review

The following technical sections are provided as supplemental assessments to the Environmental Assessment Statement ("EAS") Short Form. Part II: Technical Analyses of the EAS forms a series of technical thresholds for each analysis area in the respective chapter of the *2021 CEQR* Technical Manual. If the proposed development was demonstrated not to meet or exceed the threshold, the 'NO' box in that section was checked; thus, additional analyses were not needed. If the proposed development was expected to meet or exceed the threshold, or if this was not able to be determined, the 'YES' box was checked on the EAS Short Form, resulting in a preliminary analysis to determine whether further analyses were needed. For those technical sections, the relevant chapter of the *2021 CEQR* Technical Manual was consulted for guidance on providing additional analyses (and supporting information, if needed) to determine whether detailed analysis was needed.

A 'YES' answer was provided in the following technical analyses areas on the EAS Short Form:

- Land Use, Zoning, and Public Policy
- Community Facilities
- Open Space
- Shadows
- Historic and Cultural Resources
- Urban Design and Visual Resources
- Natural Resources
- Hazardous Materials
- Air Quality
- Noise
- Neighborhood Character
- Construction

2.1 Land Use, Zoning, and Public Policy

The *2021 CEQR Technical Manual* recommends procedures for analysis of land use, zoning and public policy to ascertain the impacts of a project on the Surrounding Area. Land use, zoning, and public policy are described in detail below. This section considers existing conditions, development trends, and zoning and other public policies in relation to the Projected Development Site and the Surrounding Area as well as the larger area in which the Proposed Actions may have an effect. Because the Proposed Actions would permit the development of multiple family residential uses with a larger bulk and would also reduce the parking requirements for commercial uses compared to existing zoning regulations, a preliminary assessment of Land Use, Zoning, and Public Policy is provided.

Methodology

Existing land uses were determined by reference to the New York City Zoning and Land Use (Zola) database and PLUTOTM 22v1 shapefiles. These uses were then confirmed through site visits. The evaluation of lots within the 400-foot Study Area was performed with reference to New York City Zoning Maps and the Zoning Resolution of the City of New York and served as the basis for the zoning evaluation of the Future No Action and Future With-Action Conditions. Public Policy research was performed through an evaluation of New York City Department of City Planning (NYCDCP) and other city agencies programs and documentation.

2.1.1 Land Use

The *2021 CEQR Technical Manual* suggests that a land use, zoning, and public policy study area should generally extend 400 feet from the Affected Area. Existing land uses within approximately 400 feet of the Affected Area are presented in **Figure 2.1-1**: Land Use Map.

Figure 2.1-1: Land Use Map



Existing Conditions

Land Use Study Area

As shown in **Figure 2.1-1**: Land Use Map and stated in **Section 1.3**, the surrounding area is predominantly one- and two-family residences, multifamily walk-up buildings, commercial and office buildings, and public facilities and institutions. To a lesser degree, transportation and utility uses, light industrial uses (mostly self-storage) and vacant land are present. Atlantic Avenue is a major thoroughfare in the area and contains a mix of high-density multi-family, commercial, and mixed residential and commercial uses.

Built form in the area varies by use, and generally consists of low-rise residential and mixed-use commercial and residential uses as well as multi-family residential buildings. The residential buildings range from three to four stories in height and the manufacturing and industrial buildings are mostly one story in height, but occasionally range from two to four stories.

Affected Area

Applicant-Owned Projected Development Site 1

The Applicant Controlled Lots for Projected Development Site 1 on Block 3705 are Lots 27, 28, 29, 30, 31, 32, 34, 35, 38, and 39 and are summarized below:

- Lot 27 is a 2,500-sf lot that is improved with a 1,980 GSF (0.79 FAR) residential building with 3 dwelling units;
- Lot 28 is a 2,500-sf lot that is vacant;
- Lot 29 is a 1,767-sf lot that is vacant;
- Lot 30 is a 1,767-sf lot that is improved with a 1,325 GSF (0.75 FAR) residential building with 2 dwelling units;
- Lot 31 is a 1,767-sf lot that is improved with a 1,310 GSF (0.74 FAR) residential building with 2 dwelling units;
- Lot 32 is a 2,917-sf lot that is improved with a 2,008 GSF (0.69 FAR) residential building with 2 dwelling units;
- Lot 34 is a 1,725-sf lot that is improved with a 1,148 GSF (0.67 FAR) residential building with 2 dwelling units;
- Lot 35 is a 6,000-sf lot that is currently unimproved and used for surface parking. A September 2020 Street View shows the NYPD use the site for NYPD vehicle parking;
- Lot 38 is a 4,000-sf lot that is currently unimproved and used for surface parking. A September 2020 Street View shows the NYPD use the site for NYPD vehicle parking;

- Lot 39 is a 2,500-sf lot that is currently unimproved and used for surface parking. A September 2020 Street View shows the NYPD use the site for NYPD vehicle parking.

Applicant-Owned Projected Development Site 2

The Applicant Controlled Lots for Projected Development Site 2 on Block 3705 are Lots 9, 10, and 14 and are summarized below:

- Lot 9 is a 2,500-sf lot that is improved with a 1,350 GSF (0.54 FAR) building that is a part of the Grace Baptist Church;
- Lot 10 is an 8,000-sf lot that is improved with a 13,200 GSF (1.65 FAR) building that is part of the Grace Baptist Church;
- Lot 14 is a 4,350-sf lot that is improved with an 1,880 GSF (0.43 FAR) building that is part of the Grace Baptist Church. It should be noted that only half of Lot 14 is included in the Affected Area.

Applicant-Owned Potential Development Site 1

The Applicant Controlled Lots for Potential Development Site 1 on Block 3704 are Lots 26, 27, and 28 and are summarized below:

- Lot 26 is a 2,500 sf -lot that is improved with a 2,080 GSF (0.83 FAR) residential building with 2 dwelling units;
- Lot 27 is a 2,500 sf -lot that is improved with a 2,080 GSF (0.83 FAR) residential building with 2 dwelling units;
- Lot 28 is a 2,500 sf -lot that is improved with a 2,200 GSF (0.88 FAR) residential building with 1 dwelling units.

Other Applicant-Owned Sites

There is one Applicant-owned lot (Lot 5) on Block 3705 that would not be included in the two Projected Development Sites or the Potential Development Site. Block 3705 Lot 5 is a 2,100-sf lot that is currently improved with an 1,800 GSF (0.86 FAR) residential building with 2 dwelling units.

Non-Applicant-Controlled Sites

The non-Applicant-controlled lots on Block 3705, on which redevelopment is not anticipated, are Lots 1, 3, 4, 6, 7, 8, 40, and 42 and are summarized below:

- Lot 1 is a 2,430-sf lot that is improved with a 2,584 GSF (1.06 FAR) residential building with 2 dwelling units;
- Lot 3 is a 1,687-sf lot that is improved with a 2,268 GSF (1.34 FAR) residential building with 2 dwelling units;

- Lot 4 is a 1,680-sf lot that is improved with a 2,268 GSF (1.35 FAR) residential building with 2 dwelling units;
- Lot 6 is a 2,100-sf lot that is improved with a 1,680 GSF (0.80 FAR) residential building with 3 dwelling units;
- Lot 7 is a 2,083-sf lot that is improved with a 1,440 GSF (0.69 FAR) residential building with 2 dwelling units;
- Lot 8 is a 2,500-sf lot that is improved with a 2,100 GSF (0.84 FAR) residential building with 2 dwelling units;
- Lot 40 is a 2,500-sf lot that is improved with a 2,500 GSF (1.00 FAR) UG 6 local retail establishment that is a nonconforming use;
- Lot 42 is a 2,865-sf lot that is improved with a 3,876 GSF (1.35 FAR) residential building with 3 dwelling units.

The non-Applicant-controlled lots on Block 3704, on which redevelopment is not anticipated, are Lots 25, 29, 31, 33, 35, and 36 and are summarized below:

- Lot 25 is a 2,500 sf -lot that is improved with a 2,080 GSF (0.83 FAR) residential building with 2 dwelling units;
- Lot 29 is a 4,375-sf lot with a 15,400 GSF (3.52 FAR) residential building built in 1920 with 16 dwelling units;
- Lot 31 is a 4,375-sf lot with a 11,712 GSF (2.68 FAR) residential building built in 1920 with 16 dwelling units;
- Lots 33, 35, and 36 are combined to form a 11,242-sf lot with a 31,847 GSF (2.83 FAR) community facility building built in 1995 that is occupied by an NYC DOE public school.

Future No-Action Condition

Land Use Study Area

There are three active construction permits in the surrounding 400-foot study area, accounting for approximately 26,277 square feet of residential land uses comprised of approximately 53 units. The two largest active developments account for approximately 95% of proposed floor area and dwelling units. These two developments are located at 369 Glenmore Avenue and 221 Vermont Street. Both are residential buildings rising three stories tall. There are no proposed rezonings within the 400-foot Study Area. No-Action Developments are shown below in **Table 2.1-1**.

Table 2.1-1: No-Action Developments

Address	Type	Land Use	Additional Floor Area (GSF)	Dwelling Units	Stories
369 Glenmore Avenue	New Building	Residential	14,445	40	3
221 Vermont Street	New Building	Residential	10,487	11	3
188 Wyona Street	Alt 1 Enlargement	Residential	1,345	2	2

GSF = Gross Square Feet

Affected Area

Under the Future No-Action Scenario, the Applicant would develop an as-of-right building on the Applicant Controlled Projected Development Site 2 on Block 3705 as the existing church building has not been able to hold services since around 2019 due to the structural instability of the bell tower. The Applicant would rebuild a new residential building on this site to subsidize the relocation of the church.

The as-of-right building on Projected Development Site 2 (Block 3705, Lots 9, 10, and 14) would be a new 4-story, 33-foot-tall, 27,485 GSF (20,048 ZSF; 1.35 FAR) residential building, which would contain 7,037 GSF of parking (15 spaces) at the cellar level and 20,448 GSF (20,048 ZSF; 1.35 FAR) of residential uses above grade from the first floor through the fourth floor with 23 dwelling units (900 GSF per unit). All of the residential units would be market-rate.

Redevelopment is not considered likely in the Future No-Action Scenario on the other Applicant-owned or non-Applicant-owned lots within the Affected Area because of the inability to develop to a bulk, density, or a number of units that would induce development under the current R5B zoning.

Future With-Action Condition

Land Use Study Area

Land use and development patterns in the study area are anticipated to remain unchanged in the future with the Proposed Actions. Any new development in the surrounding area would be consistent with the underlying zoning regulations.

Affected Area

Projected Development Site 1 (Block 3705, Lots 27, 28, 29, 30, 31, 32, 34, 35, 38, and 39)

A new 8-story, 85-foot-tall, 131,404 GSF (98,795 ZSF; 3.60 FAR) residential building would be developed on a combined 27,443-SF lot. The proposed building would contain 25,012 GSF of parking at the cellar level and 106,392 GSF (98,795 ZSF; 3.60 FAR) of residential uses above grade from the first floor through the eighth floor with 114 dwelling units. Projected Development Site 1 would be within the proposed MIH area, which would require new developments to set aside

25-30% of the residential floor area (29-34 units) for affordable housing at an average of 60-80% AMI per MIH Options 1 or 2. However, the worst-case scenario assumes a 100% affordable residential development for all 114 residential units utilizing HPD financing. The proposed building would have a height of 85 feet after a 15-foot setback on Vermont Street above the base height of 65 feet. 44 residential accessory parking spaces would be provided at the cellar level accessible by a curb cut on Vermont Street.

Projected Development Site 2 (Block 3705, Lots 9, 10, and 14)

A new 8-story, 85-foot-tall 69,838 GSF (53,460 ZSF; 3.60 FAR) mixed-use residential and community facility building would be developed on a combined 14,850-SF lot. The proposed building would contain 10,767 GSF of parking at the cellar level, 18,635 GSF (15,911 ZSF; 1.07 FAR) of church (15,453 GSF) and general community facility uses (3,182 GSF) on the ground floor and mezzanine level, and 40,436 GSF (37,549 ZSF; 2.53 FAR) of residential uses on the second floor through the eighth floor with 39 dwelling units. Projected Development Site 2 would be within the proposed MIH area, which would require new developments to set aside 25-30% of the residential floor area (10-12 units) for affordable housing at an average of 60-80% AMI per MIH Options 1 or 2. However, the worst-case scenario assumes a 100% affordable residential development for all 39 residential units utilizing HPD financing. The proposed building would have a height of 85 feet after a 15-foot setback on New Jersey Avenue above the base height of 65 feet. 23 residential accessory parking spaces would be provided at the cellar level accessible by a curb cut on New Jersey Avenue.

In total, Projected Development Sites 1 and 2 would contain 153 units of affordable housing.

Potential Development Site 1 (Block 3704, Lots 26, 27, and 28)

A new 8-story, 85-foot-tall, 35,040 GSF (27,000 ZSF; 3.60 FAR) residential building would be developed on a combined 7,500-SF lot. The proposed building would contain 27,540 GSF (27,000 ZSF; 3.60 FAR) of residential uses above grade from the first floor through the eighth floor and 7,500 GSF of parking at the cellar level. There would be 28 dwelling units (1,000 GSF per unit), with 7 or 9 units reserved as permanently affordable at an average of 60-80% AMI per MIH Options 1 or 2. The proposed building would have a height of 85 feet after a 15-foot setback on New Jersey Avenue above the base height of 65 feet. 11 residential accessory parking spaces would be provided at the cellar level accessible by a curb cut on New Jersey Avenue.

Conclusion

The Applicant believes that the density and uses permitted by the Proposed Actions would be consistent with nearby medium- to high-density mixed-use buildings mostly along Atlantic Avenue and throughout East New York. The Proposed Actions would be compatible with the surrounding land uses, which are predominantly residential uses with commercial and community facility uses. As such, the Proposed Actions would not alter the development patterns in the area. Rather, the Proposed Actions would bring the Affected Area into alignment with the

surrounding area. Therefore, there would be no adverse impacts to land use as a result of the Proposed Actions, and further analysis is not required.

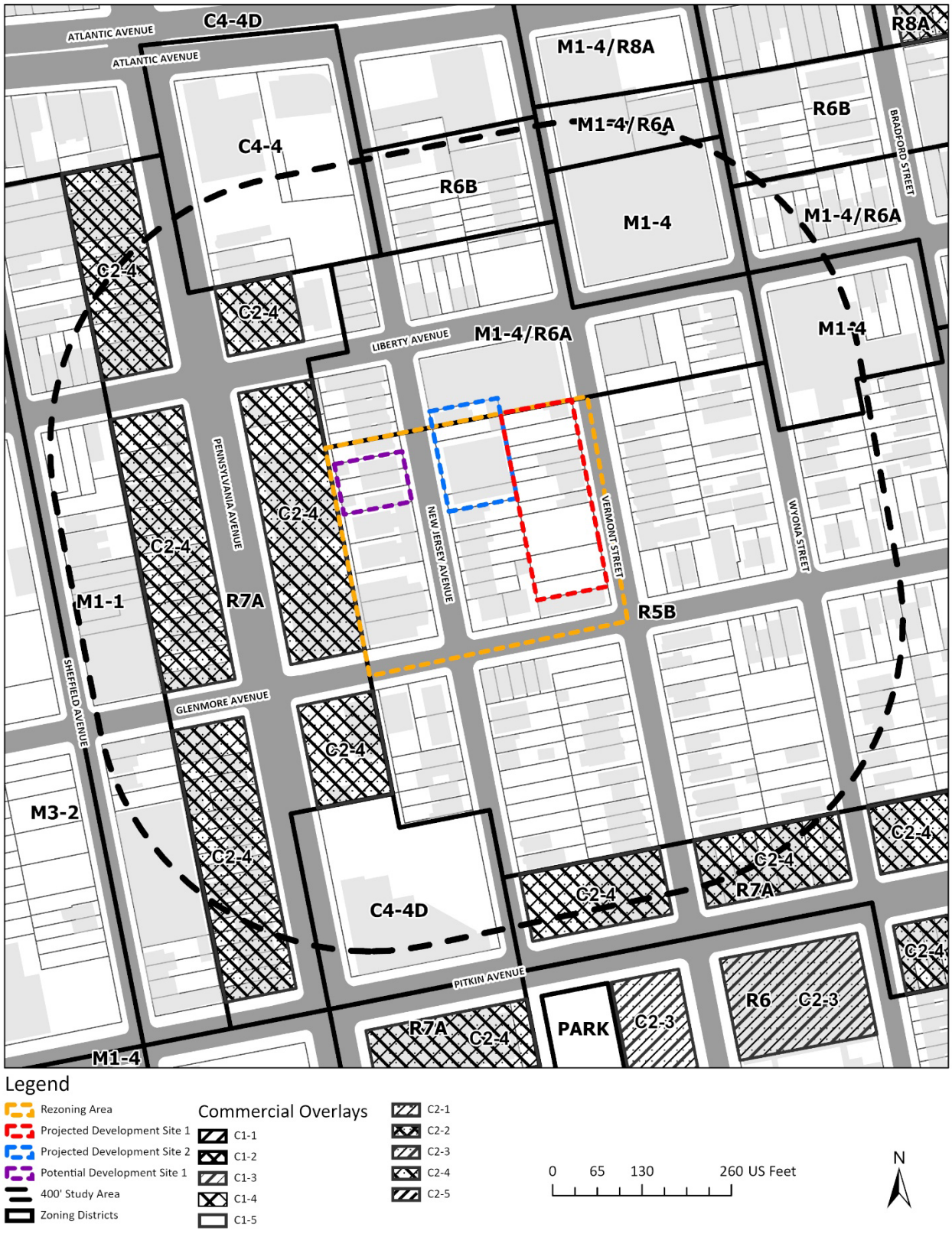
2.1.2 Zoning

The *2021 CEQR Technical Manual* suggests that a zoning study area should extend 400 feet from the Affected Area. The proposed zoning map amendment would affect the following lots: Block 3705, Lots 1, 3, 4, 5, 6, 7, 8, 9, 10, p/o 14, 27, 28, 29, 30, 31, 32, 34, 35, 38, 39, 40, 42 and Block 3704, Lots 25, 26, 27, 28, 29, 31, 33, 35, 36. The actions necessary to facilitate construction of the Proposed Development are approvals of:

- a Zoning Map Amendment to rezone Block 3705, Lots 1, 3, 4, 5, 6, 7, 8, 9, 10, p/o 14, 27, 28, 29, 30, 31, 32, 34, 35, 38, 39, 40, 42 and Block 3704, Lots 25, 26, 27, 28, 29, 31, 33, 35, 36 from an R5B zoning district to an R6A zoning district; and
- a Zoning Text Amendment to amend Brooklyn Community District 5, Map 17c in Appendix F: Inclusionary Housing Designated Area to establish the Affected Area as an MIH Area.

Existing zoning districts within approximately 400 feet of the Project Site are presented in **Figure 2.1-2.**

Figure 2.1-2: Area to be Rezoned Overlaid Existing Zoning Map



Existing Conditions

Zoning Study Area

As shown in **Figure 2.1-2** above and summarized in **Table 2.1-2** below, the zoning districts within 400 feet of the Affected Area are R5B, C4-4D, R7A, M1-4, M1-4/R6A, and C2-4 Commercial Overlays.

Existing zoning districts in the surrounding area include:

R5B

Although an R5B contextual district permits detached and semi-detached buildings, it is primarily a three-story rowhouse district typical of such neighborhoods as Windsor Terrace and Bay Ridge in Brooklyn. The traditional quality of R5B districts is reflected in the district's height and setback, front yard and curb cuts regulations that maintain the character of the neighborhood.

The floor area ratio (FAR) of 1.35 typically produces a building with a maximum street wall height of 30 feet, above which the building slopes or is set back to a maximum height of 33 feet. As in R4B districts, the front yard must be at least five feet deep and it must be at least as deep as one adjacent front yard and no deeper than the other, but it need not exceed a depth of 20 feet. Attached rowhouses do not require side yards but there must be at least eight feet between the end buildings in a row and buildings on adjacent zoning lots. Curb cuts are prohibited on zoning lot frontages less than 40 feet. Where off-street parking is required, on-site spaces must be provided for two-thirds of the dwelling units although parking can be waived when only one space is required. Requirements are lower for income-restricted housing units (IRHU) and are further modified within the Transit Zone. Front yard parking is prohibited.

C4-4D

A C4-4D district is a contextual district with differing bulk and density regulations in order to be in synch with their largely dense built areas.

C4 districts are mapped in regional commercial centers, such as Flushing in Queens and the Hub in the Bronx, that are located outside of the central business districts. In these areas, specialty and department stores, theaters and other commercial and office uses serve a larger region and generate more traffic than neighborhood shopping areas. Use Groups 5, 6, 8, 9, 10 and 12, which include most retail establishments, are permitted in C4 districts. Uses that would interrupt the desired continuous retail frontage, such as home maintenance and repair service stores listed in Use Group 7, are not allowed.

C4 districts with an A, D or X suffix are contextual districts in which the commercial and residential bulk and density regulations can differ from corresponding non-contextual districts. Some districts have the same commercial and residential floor area ratios (FAR) as shown in the table, but may differ in parking requirements. Floor area may be increased with a public plaza or

Inclusionary Housing Program bonus. C4-4 districts are mapped in more densely built areas, such as Fordham Road (C4-4).

R7A

R7A is a contextual district where the Quality Housing bulk regulations are mandatory. These regulations utilize height limits to produce high lot coverage, seven- to nine- -story apartment buildings set at or near the street line. Designed to be compatible with older buildings found in medium-density neighborhoods, R7A districts are mapped along Prospect Park South and Ocean Parkway in Brooklyn, Jackson Heights in Queens, and in Harlem and along the avenues in the East Village in Manhattan.

The basic residential FAR in R7A districts is 4.0. Above a base height of 40 to 65 feet, or 75 feet if providing a qualifying ground floor, the building must set back by at least 10 feet on a wide street and 15 feet on a narrow street before rising to its maximum height of 80 feet, or 85 feet if providing a qualifying ground floor. Higher maximum FAR and heights are available for buildings participating in the Inclusionary Housing Program or that provide certain senior facilities.

Off-street parking is generally required for 50 percent of a building's dwelling units, but requirements are lower for income-restricted housing units (IRHU) and are further modified in certain areas, such as within the Transit Zone and the Manhattan Core, or for lots 10,000 square feet or less. Off-street parking requirements can be waived if 15 or fewer parking spaces are required.

M1-4

An M1-4 is a manufacturing district that allows nearly all industrial uses and a variety of bulks and FARs and does not require parking.

M1 districts range from the Garment District in Manhattan and Port Morris in the Bronx with multistory lofts, to parts of Red Hook or College Point with one- or two-story warehouses characterized by loading bays. M1 districts are often buffers between M2 or M3 districts and adjacent residential or commercial districts. M1 districts typically include light industrial uses, such as woodworking shops, repair shops, and wholesale service and storage facilities. Nearly all industrial uses are allowed in M1 districts if they meet the stringent M1 performance standards. Offices, hotels and most retail uses are also permitted. Certain community facilities, such as hospitals, are allowed in M1 districts only by special permit, but houses of worship are allowed as-of-right.

Floor area ratios in M1 districts range from 1.0 to 10.0, depending on location; building height and setbacks are controlled by a sky exposure plane which may be penetrated by a tower in certain districts. Except along district boundaries, no side yards are required. Rear yards at least 20 feet deep are usually required, except within 100 feet of a corner.

Parking is not required in Long Island City or M1-4 districts, mapped mainly in Manhattan. Requirements for loading berths of specified dimensions differ according to district, size and type of use.

M1-4/R6A

M1-4/R6A is a mixed-use manufacturing and contextual residential district. M1-4 is described above.

R6A is a contextual district where the Quality Housing bulk regulations are mandatory. These regulations produce high lot coverage, six- to eight-story apartment buildings set at or near the street line. Designed to be compatible with older buildings found in medium-density neighborhoods, R6A districts are mapped in the Bronx, Brooklyn and Queens. Parts of Kingsbridge in the Bronx and Williamsburg in Brooklyn are typical R6A areas.

The floor area ratio (FAR) in R6A districts is 3.0. Above a minimum base height of 40 feet, the building must set back by at least 10 feet on a wide street and 15 feet on a narrow street before rising to its maximum height of 70 feet, or 75 feet if providing a qualifying ground floor. To preserve the traditional streetscape, the street wall of a new building can be no closer to the street line than any adjacent street wall, but need not be farther than 10 feet. The area between a building's street wall and the street line must be planted. R6A buildings must have interior amenities for the residents pursuant to the Quality Housing Program.

Higher maximum FAR and heights are available for buildings participating in the Inclusionary Housing Program or that provide certain senior facilities.

Off-street parking is generally required for 50 percent of a building's dwelling units, but requirements are lower for income-restricted housing units (IRHU) and are further modified in certain areas, such as within the Transit Zone and the Manhattan Core, or for lots less than 10,000 square feet. Parking can be waived if five or fewer spaces are required. Off-street parking is not allowed in front of a building.

C2-4 Commercial Overlay

C2-4 districts are commercial overlays mapped within residence districts. Mapped along streets that serve local retail needs, they are found extensively throughout the city's lower- and medium-density areas and occasionally in higher-density districts.

Typical retail uses include neighborhood grocery stores, restaurants and beauty parlors. In mixed buildings, commercial uses are limited to one or two floors and must always be located below the residential use.

When commercial overlays are mapped in R1 through R5 districts, the maximum commercial floor area ratio (FAR) is 1.0; when mapped in R6 through R10 districts, the maximum commercial FAR is 2.0. Commercial buildings are subject to commercial bulk rules.

Overlay districts differ from other commercial districts in that residential bulk is governed by the residence district within which the overlay is mapped. All other commercial districts that permit residential use are assigned a specific residential district equivalent. Unless otherwise indicated on the zoning maps, the depth of overlay districts ranges from 100 to 200 feet.

Table 2.1-2: Zoning Districts in the Surrounding Area[1]

Zoning District	Type and Use Group	Floor Area Ratio (FAR)	Parking
R5B	Contextual Residential UGs 1-4	1.35	66% of DU; 42.5% for IRHU
C4-4D	Contextual Commercial UGs 5, 6, 8, 9, 10, 12	3.4	None required
R7A	Contextual Residential UGs 1-4	4.6 for Residential; 4.0 for Community Facility	50% of DU; 0 for IRHU
M1-4	Manufacturing UGs 4-14, 16-17	1.0 for Manufacturing	Based on use and size
M1-4/R6A	Contextual Residential/ Manufacturing UGs 1-4/4-14, 16-17	1.0 for Manufacturing/3.0 for Basic Residential; 3.60 for Inclusionary Residential	50% of DU; 25% for IRHU/ Based on use and size for Manufacturing
C2-4 Commercial Overlay	Local Retail UGs 1-9, 14	1.0 FAR - Commercial (R1-R5B) 2.0 FAR - Commercial (R5B - R10X)	1 per 1,000 sf

Affected Area

The Affected Area is zoned R5B. It should be noted that though Block 3705, Lot 14 is included in Projected Development Site 2, the northern half of Block 3705, Lot 14 is not within the Affected Area and is zoned M1-4/R6A.

Future No-Action Condition

Zoning Study Area and Affected Area

No changes to zoning would occur in the future without the Proposed Actions in the Affected Area. Existing zoning patterns would remain, and the Affected Area would continue to be subject to R5B zoning regulations.

Future With-Action Condition

Zoning Study Area

[1] Zoning Handbook, New York City Department of City Planning, 2019

Changes to zoning would only occur in the Affected Area in the future with the Proposed Actions.

Affected Area – R6A

Block 3705, Lots 1, 3, 4, 5, 6, 7, 8, 9, 10, p/o 14, 27, 28, 29, 30, 31, 32, 34, 35, 38, 39, 40, 42 and Block 3704, Lots 25, 26, 27, 28, 29, 31, 33, 35, 36 would be rezoned from R5B to R6A and an MIH area would be established coterminous with the Affected Area.

Under the With-Action condition, the proposed R6A district would permit a maximum FAR of 3.0 for basic residential, and 3.60 for inclusionary residential uses. Above a minimum base height of 40 feet, the building must set back by at least 10 feet on a wide street and 15 feet on a narrow street before rising to its maximum height of 70 feet, or 75 feet if providing a qualifying ground floor. To preserve the traditional streetscape, the street wall of a new building can be no closer to the street line than any adjacent street wall, but need not be farther than 10 feet. The area between a building's street wall and the street line must be planted. R6A buildings must have interior amenities for the residents pursuant to the Quality Housing Program. Additionally, higher maximum FAR and heights are available for buildings participating in the Inclusionary Housing Program or that provide certain senior facilities.

Off-street parking is generally required for 50 percent of a building's dwelling units, but requirements are lower for income-restricted housing units (IRHU) and are further modified in certain areas, such as within the Transit Zone and the Manhattan Core, or for lots less than 10,000 square feet. Parking can be waived if five or fewer spaces are required. Off-street parking is not allowed in front of a building.

This contrast with the existing R5B zoning district by allowing for a much larger FAR (3.0/3.6 vs 1.35) as well as lowered parking requirements (50% dwelling units, 25% for IRHU vs 66% and 42.5%, respectively). These larger bulk regulations would allow the development of contextually scaled buildings given the predominately R6A districts and residential land uses in the surrounding area.

Conclusion

The proposed rezoning would bring the Affected Area into alignment with the surrounding area. As previously discussed, this would allow for redevelopment of the site that would likely to help the revitalization of the surrounding community. The rezoning would not adversely affect the surrounding land uses, nor would it be incompatible with those land uses. Therefore, no significant adverse impacts are anticipated to zoning, and further analysis is not warranted.

2.1.3 Public Policy

The project site is not part of, or subject to, an Urban Renewal Plan (URP), adopted community 197-a Plan, Solid Waste Management Plan, Business Improvement District (BID), Industrial Business Zone (IBZ), or the New York City Landmarks Law. The Proposed Action is also not a large publicly sponsored project, and as such, consistency with the City's PlaNYC 2030 for sustainability is not warranted.

The Proposed Action include a Zoning Text Amendment to amend Brooklyn Community District 5, Map 17c in Appendix F: Inclusionary Housing Designated Area to establish the Affected Area as an MIH Area. As a result, analysis of the Proposed Development's alignment with Housing New York is warranted.

Housing New York

Carried out by Housing Preservation and Development (HPD), Housing New York is the Mayor's plan to build or preserve 300,000 affordable homes by 2026. The plan outlines a comprehensive set of policies and programs to address the city's affordable housing crisis and retain the diversity and vitality of its neighborhoods. An analysis was provided for the Projected Development regarding how the Housing New York public policy would or would not be promoted in the No Action and With Action conditions.

Existing Conditions

The individual lots making up Projected Development Sites 1 and 2 are described in detail above in **Section 1.4**. Under Existing conditions, there exist 11 market-rate dwelling units across five buildings (Block 3705, Lots 27, 30, 31, 32, 34). Block 3705, Lots 9, 10, and 14 contain approximately 16,430 GSF (16,430 ZSF) of Community Facility (Grace Baptist Church).

Future No-Action Condition

Under the Future No-Action Scenario, the Applicant would develop an as-of-right building on the Applicant Controlled Projected Development Site 2 on Block 3705 as the existing church building has not been able to hold services since around 2019 due to the structural instability of the bell tower. The Applicant would rebuild a new residential building on this site to subsidize the relocation of the church.

The as-of-right building on Projected Development Site 2 (Block 3705, Lots 9, 10, and 14) would be a new 4-story, 33-foot-tall, 27,485 GSF (20,048 ZSF; 1.35 FAR) residential building, which would contain 7,037 GSF of parking (15 spaces) at the cellar level and 20,448 GSF (20,048 ZSF; 1.35 FAR) of residential uses above grade from the first floor through the fourth floor with 23 dwelling units (900 GSF per unit). All of the residential units would be market-rate.

Redevelopment is not considered likely in the Future No-Action Scenario on the other Applicant-owned or non-Applicant-owned lots within the Affected Area because of the inability to develop

to a bulk, density, or a number of units that would induce development under the current R5B zoning.

Future With-Action Condition

Projected Development Site 1 (Block 3705, Lots 27, 28, 29, 30, 31, 32, 34, 35, 38, and 39)

The Applicant-Owned lots would have a projected lot size of 27,443 SF and would be developed with a 131,404 GSF (98,795 ZSF; 3.60 FAR) residential building of 8 stories. There would be 25,012 GSF of parking at the cellar level and 106,392 GSF (98,795 ZSF; 3.60 FAR) of residential uses above grade. There would be 114 dwelling units, all being permanently affordable units as the building would utilize HPD financing.

Projected Development Site 2 (Block 3705, Lots 9, 10, and 14)

The Applicant-Owned lots would assemble and have a projected lot size of approximately 14,850 SF and would be developed with an 8-story mixed residential and community facility building of 69,838 GSF (53,460 ZSF; 3.60 FAR). There would be 10,767 GSF of parking at the cellar level, 18,635 GSF (15,911 ZSF; 1.07 FAR) of church and community facility uses on the first floor and mezzanine levels, and 40,436 GSF (37,549 ZSF; 2.53 FAR) of residential uses on the upper floors. There would be 39 dwelling units, all being permanently affordable units as the building would utilize HPD financing.

Potential Development Site 1 (Block 3704, Lots 26, 27, and 28)

The Applicant-Owned lots would assemble and have a projected lot size of approximately 7,500 SF and would be developed with an 8-story mixed residential building of 35,040 GSF (27,000 ZSF; 3.60 FAR). There would be 7,500 GSF of parking at the cellar level and 27,540 GSF (27,000 ZSF; 3.60 FAR) of residential uses on the upper floors. There would be 28 dwelling units, with 7 or 9 units reserved as permanently affordable at an average of 60-80% AMI per MIH Options 1 or 2.

In the future with the Proposed Actions, the Proposed Developments on Projected Development Sites 1 and 2 would add 153 dwelling units, all of which would be set aside as permanently affordable units utilizing HPD financing. In addition, additional 18,635 GSF of community facility uses would be provided on Projected Development Site 2. Meanwhile, the new residential building on Potential Development Site 1 would provide 28 dwelling units, with 7 or 9 units reserved as permanently affordable at an average of 60-80% AMI per MIH Options 1 or 2. The developments would help foster diverse and livable neighborhoods with the mixed-use buildings consisting of residential, commercial, and community facility uses in an underutilized area and ensures the housing supply increases in an equitable way, building new affordable housing units for local community.

The Proposed Actions are consistent with the goals of Housing New York as an MIH area would be established over the Affected Area to introduce more affordable residential units to the area. The Proposed Developments on Projected Development Sites 1 and 2 would set aside 153

dwelling units and the new residential building on Potential Development Site 1 would create 7 or 9 dwelling units as permanently affordable units for households making an income at an average of 60-80% AMI per MIH Options 1 or 2. The affordable units provided on site would foster diverse and livable neighborhood, preserve the affordability and quality of the housing stock, and build new affordable housing for all New Yorkers.

Conclusion

The Proposed Development that is projected as a result of the Proposed Actions would not create a land use conflict, nor would itself conflict with public policies and plans for the site or surrounding area. The Proposed Actions would also not result in significant material changes to existing regulations or policy. Therefore, no significant adverse impacts are anticipated to public policies and no further analysis is warranted.

The *2021 CEQR Technical Manual* recommends procedures for analysis of land use, zoning and public policy to ascertain the impacts of a project on the Surrounding Area. Land use, zoning, and public policy are described in detail below. As described above, no significant adverse impacts are projected to Land Use, Zoning, or Public Policy as a result of the Proposed Development, and as such no further analysis is warranted.

2.2 Community Facilities and Services

The *2021 CEQR Technical Manual* defines community facilities and services as public or publicly funded schools, hospitals, libraries, day care centers and police and fire services. Per the screening levels established in the *2021 CEQR* Technical Manual, there are direct and indirect effects. An assessment of the project's effects on community facilities is generally warranted if:

- a project would add new population to an area that would increase the demand for services and cause potential indirect effects on service delivery. Depending on the size, income characteristics, and age distribution of the new population there may be effects on public or publicly funded schools, libraries, health care facilities, or daycare/Head Start facilities.
- a project would physically alter a community facility, whether by displacement of the facility or other physical change. This direct effect triggers the need to assess the service delivery of the facility and the potential effect that the change may have on that service delivery.

2.2.1 Preliminary Screening

The Proposed Actions would not result in physical alteration or displacement of any community facilities, therefore, no direct effects to existing community facilities are expected as a result of the Proposed Actions.

Under the Future No-Action Scenario, the Applicant would develop an as-of-right building on the Applicant Controlled Projected Development Site 2 on Block 3705 as the existing church building has not been able to hold services since around 2019 due to the structural instability of the bell tower. The Applicant would rebuild a new residential building on this site to subsidize the relocation of the church. The existing conditions of the other lots within the Affected Area would remain under the Future No-Action Scenario.

Under the With-Action scenario, Projected Development Site 1 would have a projected lot size of 27,443 SF and would be developed with a 131,404 GSF (98,795 ZSF; 3.60 FAR) residential building of 8 stories. There would be 25,012 GSF of parking at the cellar level and 106,392 GSF (98,795 ZSF; 3.60 FAR) of residential uses above grade. There would be 114 dwelling units, all being permanently affordable units utilizing HPD financing.

Under the With-Action scenario, Projected Development Site 2 would assemble and have a projected lot size of approximately 14,850 SF and would be developed with an 8-story mixed residential and community facility building of 69,838 GSF (53,460 ZSF; 3.60 FAR). There would be 10,767 GSF of parking at the cellar level, 18,635 GSF (15,911 ZSF; 1.07 FAR) of church and community facility uses on the first floor and mezzanine levels, and 40,436 GSF (37,549 ZSF; 2.53 FAR) of residential uses on the upper floors. There would be 39 dwelling units, all being permanently affordable units utilizing HPD financing.

In total, the net incremental in the future with the Proposed Actions would be 119 dwelling units, including an increase of 153 affordable housing units and a decrease of 34 market-rate units.

Since the Affected Area is located within Brooklyn, the multiplier for estimating the number of children eligible for early childhood programs is 0.178. Accordingly, 27 eligible children under age 6 for publicly funded early childhood programs would be introduced to the area by the Proposed Actions based on the net increase of 153 affordable residential units.

Based on a preliminary assessment of Brooklyn CEQR thresholds for analysis, as shown in **Table 2.2-1** below, the Proposed Development does trigger a detailed CEQR analysis for publicly funded early childhood programs, but does not trigger a detailed CEQR analysis for public schools, libraries, health care facilities, or Police and Fire Protection services.

Table 2.2-1: Community Facilities-Preliminary Assessment of CEQR Thresholds[2]

Community Facility	Threshold	Minimum # of DU	Net Increments	Exceeds Criteria Threshold
Public Schools (CSD 19)				
Elementary School and Middle School Students	>50 elementary and middle school students (combined)	192 DUs	119 DUs	No
High School Students	>150 high school students	3,000 DUs	119 DUs	No
Libraries	>5% increase in ratio of residential units to library branches	834 DUs	119 DUs	No
Publicly Funded Early Childhood Programs	>20 eligible children under age 6 based on # of low or low/moderate income DUs	110 affordable DUs	153 affordable DUs	Yes
Health Care Facilities	Introduction of sizeable new neighborhood or Direct Effect	n/a	n/a	No
Fire Protection	Direct Effect	n/a	n/a	No
Police Protection	Direct Effect	n/a	n/a	No

As shown in **Table 2.2-1** above, the Proposed Actions would result in development above the applicable threshold of 20 eligible children under age 6 based on the number of low or low/moderate income dwelling units. Therefore, further analyses on the public funded early childhood programs are warranted.

[2] **Source: Table 6-1 *2021 CEQR* Technical Manual**

2.2.2 Early Childhood Program Assessment

Based on the preliminary analysis, the Proposed Actions are expected to result in 27 additional eligible children under age 6 for publicly funded early childhood programs based on the 153 affordable housing units on Projected Development Sites 1 and 2, which is above the threshold of 20 eligible children.

Study Area

Per the *2021 CEQR Technical Manual*, the study area for the analysis of publicly funded child care and Head Start Centers should be approximately a 1.5-mile radius from the Affected Area (See **Figure 2.2-1**). For the quantitative analysis, information on existing publicly funded Early Childhood Programs within the study area should be obtained from DOE's Division of Early Childhood Education, including the location, number of seats (capacity), and enrollment (utilization). A detailed list of these facilities is presented in **Appendix C**.

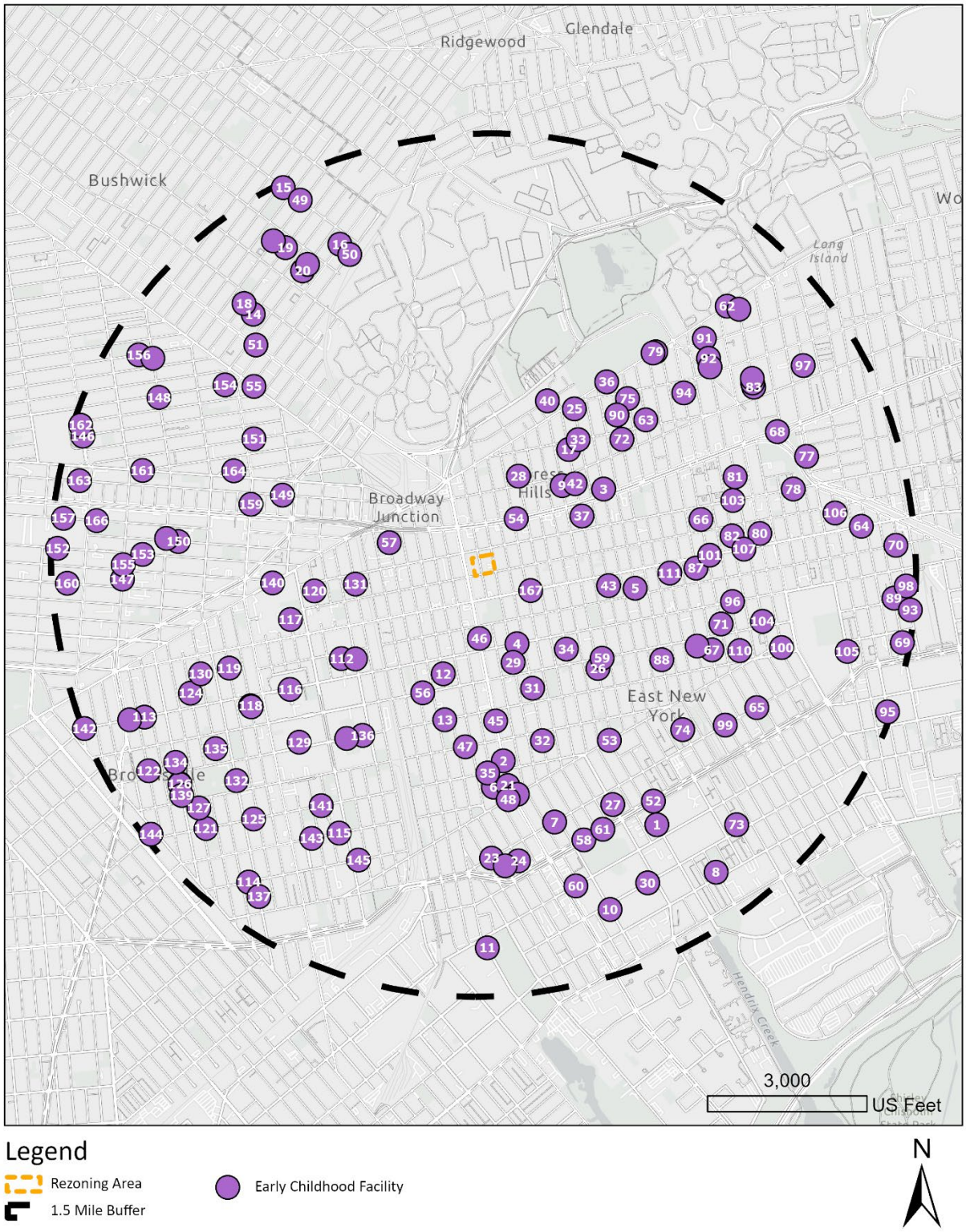
Existing Conditions

Within the Study Area, as shown in **Figure 2.2-1**, there are 169 publicly funded day care and Head Start centers. As **Table 2.2-2** shows below, these facilities have a total capacity of 2,090 seats and a total enrollment of 1,664 children from 2020 to 2021, reaching a utilization rate of approximatley 79.62%.

Table 2.2-2: Enrollment, Capacity, and Utilization of Child Care and Head Start Centers Within 1.5-Mile Study Area (2020-2021)

Number of Facilities	Existing Capacity	Existing Enrollment	Existing Utilization
169	2,090	1,664	79.62%

Figure 2.2-1: 1.5-Mile Publicly Funded Child Care/ Head Start Facility Study Area[3]



[3] The map has been number coded to the list of facilities in Appendix C.

Future No-Action Condition

In the future without the Proposed Actions, no redevelopment is anticipated on any of the lots within the Affected Area, and as such would add no additional eligible children for the publicly funded day care and Head Start centers.

As shown in **Table 2.2-3** below, within the 1.5-mile study area, there are 8 known residential developments planned that could affect the Future No-Action Condition, resulting in 533 dwelling units. Using the 0.178 multiplier per dwelling unit identified for Brooklyn in Table 6-1A of the *2021 CEQR Technical Manual* and assuming that 20% of the total MIH dwelling units are low-income units, approximately 18 publicly funded child care and Head Start program eligible children would be introduced to the area.

Table 2.2-3: No-Action Developments

Address	Type	Square Footage	Stories	Dwelling Units	Affordable Units	Eligible Children
149 New Jersey Ave	New Building	28,129	7	49	10	2
2718 Fulton Street	New Building	36,769	7	102	20	4
2741 Fulton Street	New Building	11,233	4	10	2	0
2769 Fulton Street	New Building	8,145	4	6	1	0
449 Liberty Avenue	New Building	8,376	4	10	2	0
50 Pennsylvania Ave	New Building	211,406	9	218	44	8
51 Sheffield Avenue	New Building	24,197	9	69	14	2
55 Sheffield Avenue	New Building	24,197	9	69	14	2
Total		**352,452**	**53**	**533**	**107**	**18**

There is no ongoing or planned capital project in the pre-K facilities within the 1.5-mile study area. As a result, the 2,090 existing seats would remain under the No-Action Condition. The conditions utilization rate would increase modestly by 0.86% from 79.62% under the existing conditions to 80.48% under the No-Action Condition.

Table 2.2-4: No-Action Utilization Rate

	Capacity	Enrollment			Utilization Rate
		Existing	No-Action Developments	Total	
Total	**2,090**	1,664	18	**1,682**	**80.48%**

Future With-Action Condition

The Proposed Actions would result in a net increase of 153 permanently affordable units. This would generate approximatley 27 publicly funded child care and Head Start program eligible children for Brooklyn based on the same 0.178 multiplier as above. No capacity enhancing projects for child care and Head Start centers is projected within the study area compared to the Future No-Action Condition. As shown below in **Table 2.2-5**, under the Future With-Action Condition, factoring in the projected eligible children generated by the Proposed Actions, there would be approximatley 1,709 child care and Head Start eligible children, thereby increasing the

occupancy rate modestly by 1.31% from 80.48% under the No-Action Condition to 81.79% under the With-Action Condition.

Table 2.2-5: With-Action Utilization Rate

	Capacity	Enrollment			
		No-Action Enrollment	Project Generated	Total	Utilization Rate
Total	**2,090**	1,682	27	**1,709**	**81.79%**

Determination of Significant Impact

As stated in the *2021 CEQR Technical Manual*, for the purpose of CEQR analysis, a Future With-Action based utilization rate of 100% is the threshold for overcrowding. As such, per CEQR, a significant adverse impact may result; warranting consideration of potential mitigation, if a proposed development would result in both of the following conditions:

1) A collective utilization rate of child care and Head Start centers in the study area that is equal to or greater than 100% in the Future With-Action Condition; and

2) An increase in five percent or more in the collective utilization rate between the Future No-Action and Future With-Action conditions.

As shown in **Table 2.2-5** above, the analysis indicates that the Proposed Actions would increase the utilization rate of publicly funded child care and Head Start centers from 80.48% under the No-Action Condition to 81.79% under the With-Action Condition. The Proposed Actions would only raise the collective utilization rate of publicly funded child care and Head Start centers by 1.31% within the 1.5-mile study area, which is way less than the CEQR threshold of 5%. Furthermore, the collective utilization rate of child care and Head Start centers within the 1.5-mile study area would be 81.79% with the 27 additional eligible children introduced by the Proposed Actions, which is less than 100% utilization rate, leaving 381 seats available in the area.

Therefore, pursuant to *CEQR Technical Manual* methodology, the Proposed Actions would not result in significant adverse impacts related to publicly funded child care and Head Start facility utilization because the Future With-Action utilization rate is less than 100% and the change in utilization rate between the Future No-Action and Future With-Action is less than 5%.

2.2.3 Conclusion

Based on the results of the analysis, the Proposed Actions would not have significant adverse impacts on the utilization of publicly funded early childhood programs because the Future With-Action utilization rate would be less than 100% and the increase from the Future No-Action Condition to the Future With-Action Condition is under 5%. Therefore, further analysis is not warranted.

2.3 Open Space

The *2021 CEQR Technical Manual* defines the need for an open space assessment if the Proposed Action would have a direct or indirect effect on open space resources. Direct effects would occur if the Proposed Action would result in the physical loss of a public open space; change of use of an open space so that it no longer serves the same user population; limit public access to an open space; or cause increased noise or air pollutant emissions, odors, or shadows on public open space that would affect its usefulness, whether temporary or permanent. Indirect effects would occur if the Proposed Action would result in an increase of population sufficiently large enough to noticeably diminish the ability of an area's open space to serve future population.

Open space is defined as publicly or privately-owned land that is publicly accessible and operates, functions, or is available for leisure, play, or sport, or set aside for the protection and/or enhancement of the natural environment.

Pursuant to Chapter 7, Section 100 of the *2021 CEQR Technical Manual*, Open Space Resources are defined as active and/or passive, and may include, but is not limited to, the following:

- Parks operated or managed by the City, State, or Federal governments and include neighborhood and regional parks, beaches, pools, golf courses, boardwalks, playgrounds, ballfields, and recreation centers that are available to the public at no cost or through a nominal fee, as in the case of recreation centers and golf courses;
- Open space designated through regulatory approvals (such as zoning), including large-scale permits that prescribe publicly accessible open space, such as public plazas;
- Outdoor schoolyards if available to the public during non-school hours;
- Publicly-accessible institutional campuses;
- Esplanades;
- Designated greenways, as shown on the City's Bike Map, and defined as multi-use pathways for non-motorized recreation and transportation along natural and manmade linear spaces such as rail and highway rights-of-way, river corridors, and waterfront spaces;
- Landscaped medians with seating;
- Housing complex grounds, if publicly accessible;
- Nature preserves, if publicly accessible;
- Gardens, if publicly accessible.

Methodology

According to the guidelines of the City's *CEQR Technical Manual* for analysis of residential development, census tracts with at least half of their geographic area within a one-half mile radius of the Affected Area comprise the open space Study Area. Using current population figures, an open space ratio is calculated for both the future no-action and future with-action conditions, expressed as the amount of open space acreage per 1,000 user population. Typically, a comparison is made to the median open space ratio, which is 1.50 acres per 1,000 residents, and the city's planning goal of 2.50 acres per 1,000 residents. A reduction in the open space ratio increment of more than 5 percent over future no-action conditions generally warrants a more detailed analysis, unless the open space ratio is below the City's planning goal, in which case even a small reduction could be considered significant.

In addition to field surveys, information from the NYC Department of City Planning's Community District Needs Statements, NYC Parks Department website, and U.S. Census data were utilized in preparing the open space analysis.

2.3.1 Preliminary Open Space Assessment

Direct Effects

Direct effects to open space are addressed in the sections for those specific technical areas where warranted. Construction impacts to open space are not anticipated as there would be no physical loss of public open space, no change in existing open space so that it no longer serves the same user population, would not limit public access, and would not increase noise or air pollutant emissions, odors, or shadows on public open space that would affect its usefulness. An assessment of the effects of the Proposed Actions related to shadows on open space resources is provided in **Chapter 2.4: Shadows**.

Indirect Effects

The threshold for assessment of the potential for indirect impacts within the Affected Area is 200 new residents or 500 additional employees. The Proposed Actions would result in an incremental of approximately 345 new residents in 119 additional dwelling units, based on an average of 2.90 persons per unit from the 2020 Decennial Census data for Brooklyn Community District 5. The addition of approximately 345 residents is above the *2021 CEQR* preliminary screening threshold level, and a preliminary analysis of open space impacts due to new residents is warranted. Additionally, Projected Development Sites 1 and 2 would add approximately 35 new workers (15 workers for house of worship, 14 workers for general community facility, and 6 workers for residential uses), which is below the *2021 CEQR* preliminary screening threshold level of 500 employees. As such, only the potential impact resulting from the increased residential population resulting from the Proposed Actions will be analyzed.

Study Area Definition

In accordance with the guidelines established in the City's *2021 CEQR Technical Manual*, the open space Study Area is defined to analyze both the nearby open spaces and the population using those open space resources. It is generally defined by a reasonable walking distance that users would travel to reach local open spaces and recreational areas. Pursuant to the *2021 CEQR Technical Manual*, the open space Study Area includes all U.S. Census Tracts that have 50 percent or more of their area within a half-mile radius of the Affected Area for residential users. As shown in **Figure 2.3-1**, the Census Tracts with 50% or more of their area within the 1/2-mile Study Area are Brooklyn Census Tracts 908, 1134, 1142.01, 1144, 1146, 1150, 1152, 1156, 1158, 1160, 1170, and 1198.

The open space resources located within the 1/2-mile study area are shown below in **Figure 2.3-2** and the acreage of these open space resources are summarized in **Table 2.3-1**. It should be noted that several open space resources are located immediately adjacent to or have the majority of their acreage outside of the 0.5-mile buffer of the Affected Area. Open space resources that have less than 50% of the area located within the Study Area are excluded from OSR calculations. For resources with 50% or more of the area partially contained within the Study Area, the acreage contained within the Study Area will be used for OSR calculations, with the remainder excluded. Open space resources like this include Houston Playground and Powell Playground. In addition, only the open space resources that have a reasonable size and amenities for people to enjoy outdoor activities and are accessible to the residents regularly will be included in the OSR calculations. As a result, though multiple green streets and parkways are located to the north of the Affected Area along Jamaica Avenue and Jackie Robinson Parkway and a cluster of community gardens is located to the east of the Affected Area along Glenmore Avenue, these green streets and community gardens are excluded due to their limited size, insufficient outdoor features, and irregular open time.

Figure 2.3-1: Open Space Study Area

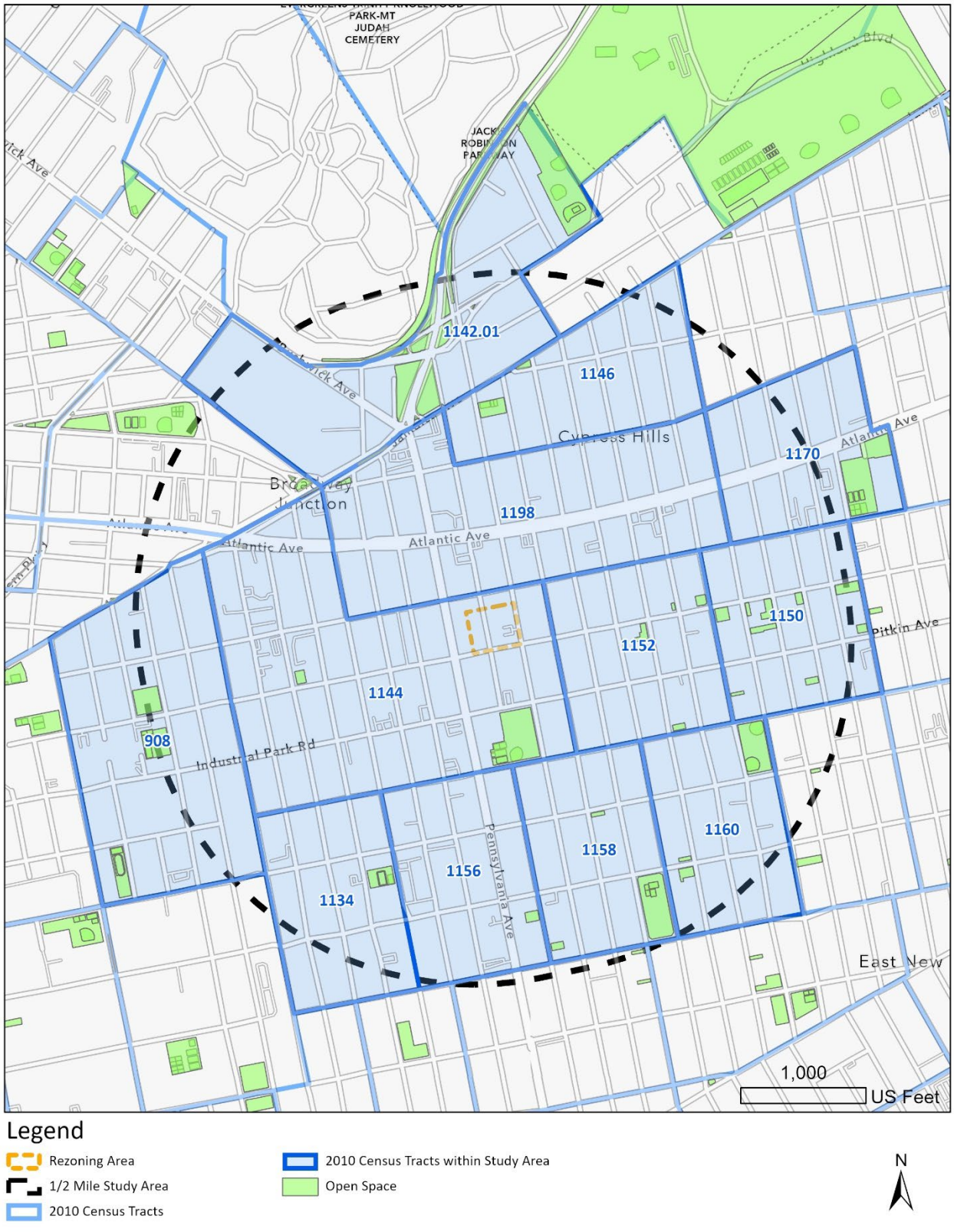


Figure 2.3-2: Open Space Resources within the Study Area

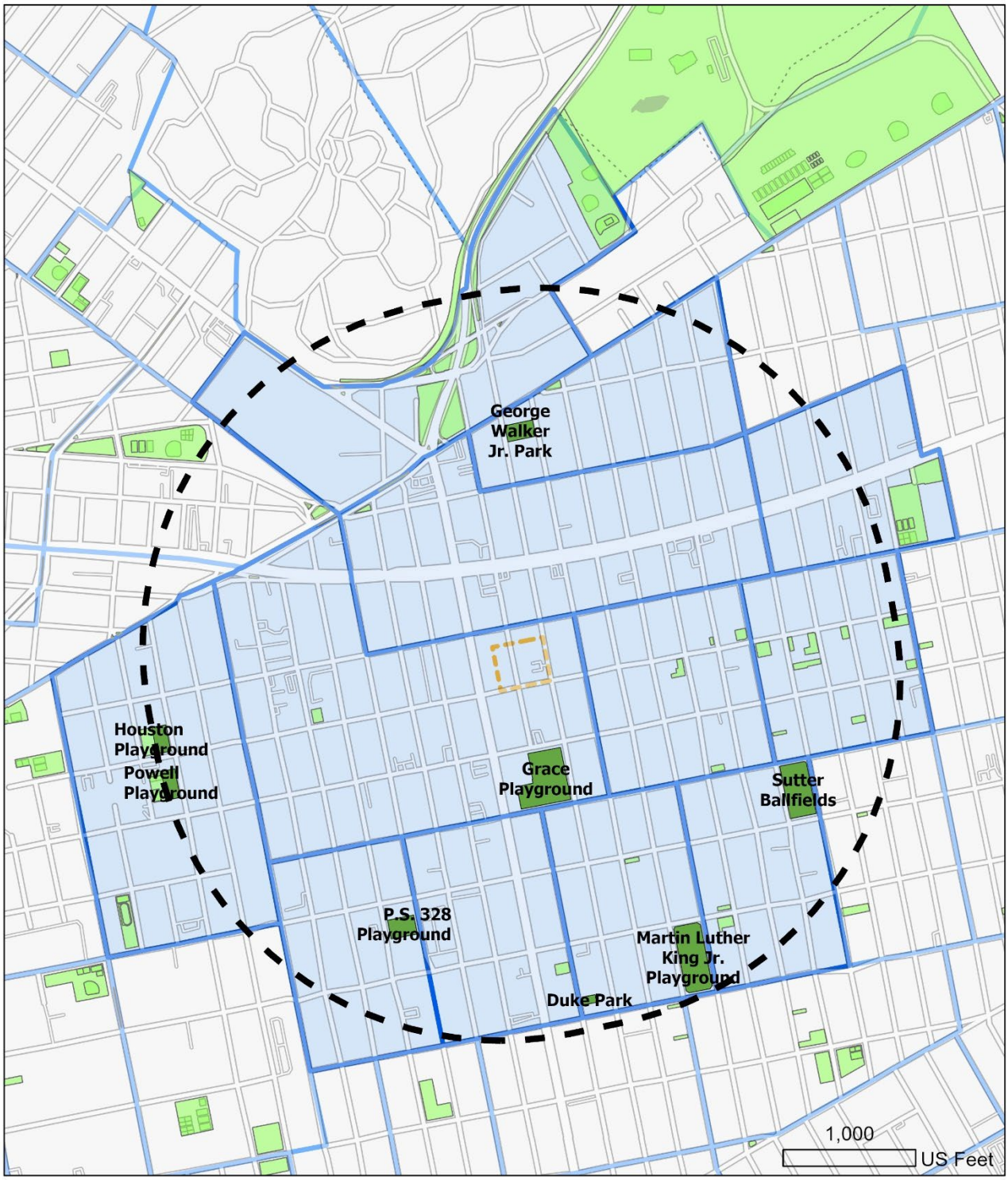


Table 2.3-1: Open Space Resource Summary

Name	Use	Acreage	Active		Passive		Features
			Acres	%	Acres	%	
Duke Park	Playground	0.13	0.10	75%	0.03	25%	Pg
George Walker Jr. Park	Neighborhood Park	0.59	0.30	50%	0.30	50%	Pg, SS
Grace Playground	Jointly Operated Playground	2.73	2.05	75%	0.68	25%	BC, FE, HC, Pg, SS
Houston Playground	Jointly Operated Playground	0.92	0.69	75%	0.23	25%	BC, HC, Pg, SS
Martin Luther King Jr. Playground	Playground	2.29	1.15	50%	1.15	50%	BC, Ba, HC, Pg, SS
P.S. 328 Playground	School Yard to Playground	0.79	0.59	75%	0.20	25%	Ba, RT, Pg
Powell Playground	Playground	1.02	0.77	75%	0.26	25%	HC, Pg, SS
Sutter Ballfields	Recreation Field/Courts	2.73	2.73	100%	0.00	0%	BF
Total		**11.20**	**8.36**		**2.84**		

BC = Basketball Courts; BF = Baseball Field; Ba = Bathrooms; FE=Fitness Equipment; HC = Handball Courts; Pg = Playgrounds; RT = Running Tracks; SS = Spray Showers

Existing Conditions

According to US Census Bureau 2015 - 2019 ACS 5-Year data for Brooklyn Census Tracts 908, 1134, 1142.01, 1144, 1146, 1150, 1152, 1156, 1158, 1160, 1170, and 1198, the current residential population of the study area is approximately 36,315 as shown in **Table 2.3-2** below. The Study Area contains a total of 8 open space resources, as depicted in **Figure 2.3-2** and listed in **Table 2.3-1** above. All these resources are accessible to the public on a constant and regular basis and as such, have been factored into the quantitative open space assessment (i.e., the open space ratio calculation). These 8 resources provide a total of approximately 11.20 acres of open space (both active and passive). This results in an Existing Conditions OSR of 0.308.

Table 2.3-2: Existing Study Area Population[4]

Tract	Residents
Census Tract 1134, Kings County, New York	3,105
Census Tract 1142.01, Kings County, New York	1,554
Census Tract 1144, Kings County, New York	2,545
Census Tract 1146, Kings County, New York	2,852
Census Tract 1150, Kings County, New York	2,557
Census Tract 1152, Kings County, New York	3,122
Census Tract 1156, Kings County, New York	3,924
Census Tract 1158, Kings County, New York	2,878
Census Tract 1160, Kings County, New York	2,324
Census Tract 1170, Kings County, New York	1,791
Census Tract 1198, Kings County, New York	3,671
Census Tract 908, Kings County, New York	5,992
Total	**36,315**

No-Action Condition

The No-Action Condition for the 1/2-Mile Study Area, projecting to the 2027 build year, is based on the household size and known developments within the 1/2-Mile Study Area. A review of construction projects, DOB permits, approved or pending BSA applications, and approved or pending ULURP actions were undertaken to determine known developments in the area.

In the future without the Proposed Actions, the Project Site is not expected to undergo any changes or development. However, there are known developments within the Open Space Study Area that would increase the population absent the Proposed Actions. **Table 2.3-3** shows the No-Action developments within the Open Space Study Area.

[4] 2015 - 2019 5 Year ACS Table S0101

Table 2.3-3: No-Action Developments in Open Space Study Area[5]

Address	Type	Square Footage	Dwelling Units	Residents
105 Wyona St	New Building	3,271	3	9
107 Wyona St	New Building	3,271	3	9
149 New Jersey Ave	New Building	28,129	49	142
188 Wyona Street	ALT 1 Enlargement	1,345	2	6
221 Vermont Street	New Building	10,487	11	32
2718 Fulton Street	New Building	36,769	102	296
2741 Fulton Street	New Building	11,233	10	29
2769 Fulton Street	New Building	8,145	6	17
314 Pennsylvania Avenue	New Building	24,290	54	157
329 Pennsylvania Ave	ALT 1 Enlargement	4,000	4	12
353 Miller Ave	New Building	14,578	15	44
369 Glemnore Avenue	New Building	14,445	40	116
396 Warwick Street	New Building	3,375	2	6
430 Belmont Avenue	New Building	6,286	8	23
449 Liberty Avenue	New Building	8,376	10	29
50 Pennsylvania Ave	New Building	211,406	218	632
51 Sheffield Avenue	New Building	24,197	69	200
527 Glenmore Avenue	ALT 1 Enlargement	527	2	6
531 Glenmore Avenue	ALT 1 Enlargement	2,139	3	9
55 Sheffield Avenue	New Building	24,197	69	200
581 Belmont Avenue	New Building	13,089	16	46
Total		**453,555**	**696**	**2,020**

The Existing Conditions population of 36,315 would be grown to the 2027 Future No-Action Condition using guidelines outlined in the *2021 CEQR Technical Manual* to which this Known Development Population described above in **Table 2.3-3** are added. This results in a Future No-Action Condition population of approximately 38,444. As there are no known or projected open space developments in the Study Area during this time period, the Existing Conditions total acreage of 11.20 would continue into the Future No-Action Conditions. This results in a No-Action Condition OSR of 0.291.

With-Action Condition

The Proposed Actions would introduce 119 new dwelling units. With an average household size of 2.90, the Proposed Actions would result in a total of 345 additional residents in the Study Area. Therefore, the Future With-Action Scenario Population in the Study Area would be approximately 38,789. This results in a With-Action OSR of 0.289.

The change in population and OSR from Existing to No-Action and to With-Action are shown below in **Table 2.3-4**.

[5] NYC Construction Dashboard; 2.90 residents per Dwelling Unit as per 2020 decennial census data for Brooklyn Community District 5.

Table 2.3-4: Existing, No-Action, and With-Action Population and OSR

	Existing	No-Action	With-Action
Residents	36,315	38,444	38,789
Acreage	11.20	11.20	11.20
Resident OSR	**0.308**	**0.291**	**0.289**
		% Change	**-0.90%**

Pursuant to the *2021 CEQR Technical Manual*, projects expected to result in a decrease in the open space ratio should consider the following to determine if a more detailed analysis is warranted:

- Projects in study areas where the open space ratio approaches or exceeds the City's planning goal of 2.5 acres per 1,000 residents, may generally tolerate up to a five percent decrease of the open space ratio before considering the need for more detailed analysis.
- For projects in study areas where the open space ratio is not near the City's planning goal of 2.5 acres per 1,000 residents, the percentage decrease in open space ratio is weighed against how the open space ratio of the study area compares to the City's planning goal for open space. Table 7-1 of the *2021 CEQR Technical Manual* (**Table 2.3-5** below) provides general guidelines for ranges of open space ratios and acceptable percentage changes.
- Projects that have an effect on a nonresidential population's use of passive open space would not follow the guidelines presented in the below table, and should consider the need for a detailed assessment based on a comparison of the open space ratio to the optimal ratio of 0.15 acres of passive space per 1,000 nonresidents. Projects that lead to the non-residential open space ratio to drop below the optimal ratio of 0.15 acres of passive open space per 1,000 non-residents may warrant a more detailed assessment.

Under the No-Action and With-Action Conditions, the overall residential OSR in the area would be below 2.5 acres per thousand residents, which is the planning goal in NYC.

Under Future With-Action Condition, the OSR would be 0.289 acres per 1,000 residents, or a 0.90 percent reduction from the No-Action OSR. Using **Table 2.3-5** below, the Proposed Actions would not warrant a detailed analysis of open space as the decrease in OSR under the With-Action Condition would not exceed 1%.

Table 2.3-5: Preliminary Assessment Guidance for Percentage Change in Open Space Ratio

Open Space Ratio Range	Percentage Change in Open Space Ratio
2.01 to 2.50* or greater	5%
1.51 to 2.00	4%
1.01 to 1.50	3%
0.51 to 1.00	2%
0.50 or Less	1%
*2.5 OSR is the planning goal in NYC	

Nearby Open Space Resources Outside of the Study Area

In the future with the Proposed Actions, the Proposed Development would not cause increased shadows, noise, or air pollutant emissions that would affect the usefulness of any open space in the study area, whether on a permanent or temporary basis. Furthermore, the Proposed Actions would not change the use of a publicly accessible open space so that it no longer serves the same user population, nor would it limit public access to any open spaces.

While not included in the calculation of OSR in the analysis above, there are some open space resources located beyond the 1/2-mile study area but within 1-mile distance from the Projected Development Sites. The largest of them are Callahan-Kelly Playground, Sperandeo Brothers Playground, and Highland Park.

- Callahan-Kelly Playground is a 4.2-acre community park located on Truxton Street between Fulton Street and Van Sinderen Avenue, is approximately 0.51 miles to the northwest of the site (approximately 10-minute walk). The Playground has Eateries, Fitness Equipment, Handball Courts, Playgrounds, and Spray Showers.
- Sperandeo Brothers Playground is a 3.08-acre jointly operated playground located on the block bound by Atlantic Avenue to the North, Liberty Avenue to the South, Cleveland Street to the West, and Linwood Street to the East, approximately 0.51 miles to the East of the site (approximately 10-minute walk). The Playground has Basketball Courts, Bathrooms, Handball Courts, Playgrounds, and Spray Showers.
- Highland Park is a 148-acre flagship park that is generally bounded by the Jackie Robinson Parkway to the North, Jamaica Avenue to the South, Cypress Hill Street to the East, and Vermont Place to the West. The park is approximately 0.57 miles to the North of the site (approximately 14-minute walk). The park includes Barbecuing Areas, Baseball Fields, Basketball Courts, Bathrooms, Fitness Equipment, Handball Courts, Pickleball Courts, Playground, Soccer Fields, Spray Showers, and Tennis Courts.

Given the short distance from the Projected Development Sites to these additional open space resources, the Applicant believes that it is reasonable to assume that these open space resources could provide the residents of the study area as well as those who would reside in the future

Proposed Development with a high-quality open space for both active and passive outdoor activities.

It should also be noted that the proposed contextual R6A zoning districts would require that any new residential development adhere to the Quality Housing Program regulations. The Quality Housing Program regulations require that the residential developments include open space amenities such as tree plantings, landscaping, and recreational spaces. These amenities would improve open space quality and conditions on the Projected Development Sites and help alleviate future open space shortfalls.

NYC Parks Walk to a Park Initiative

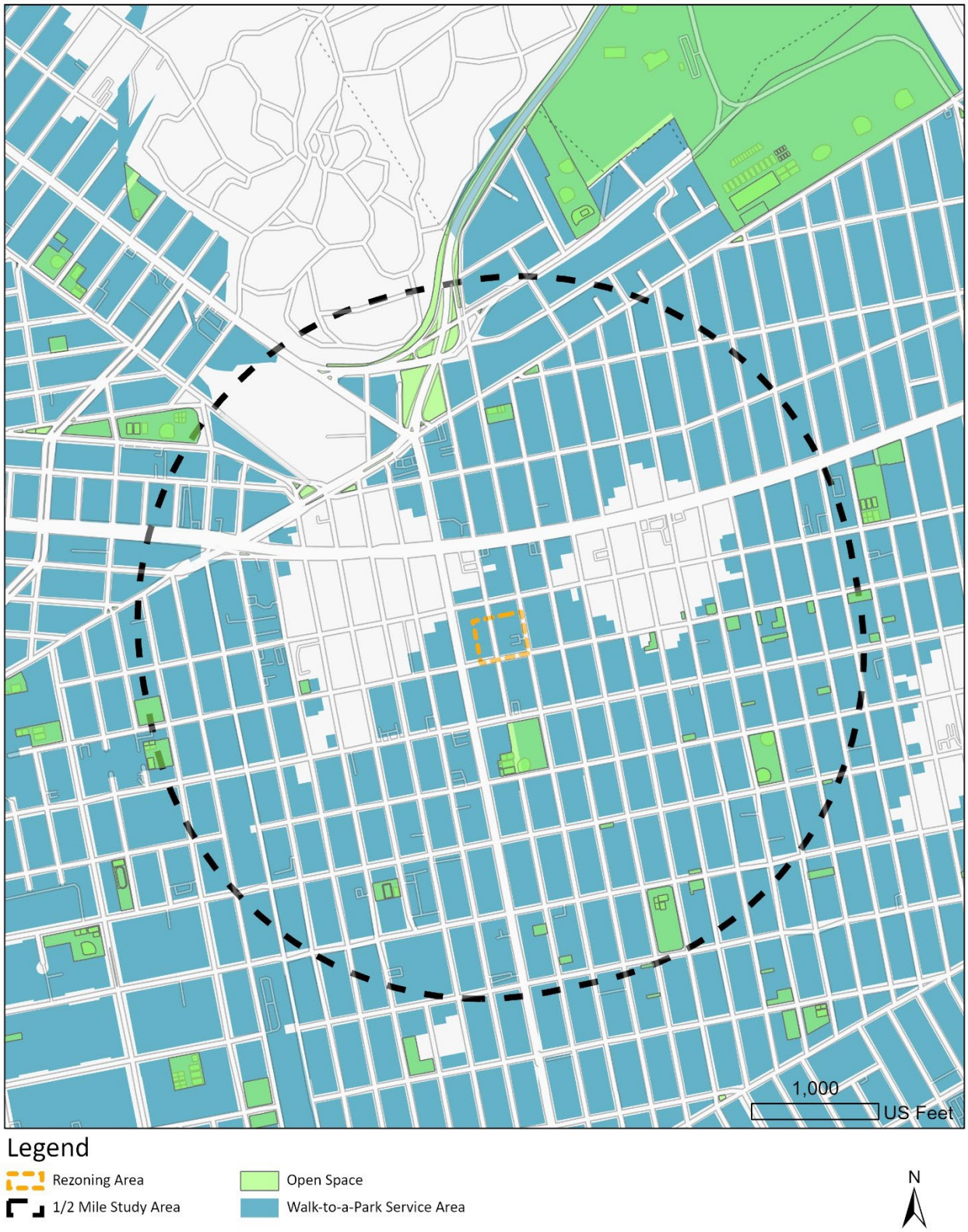
As part of the OneNYC 2050 Building a Strong and Fair City Plan, the City has identified a goal of 85% of NYC residents living within walking distance of a park by 2030. NYC Parks has a Walk to a Park Initiative focusing on increasing access to parks and open space in areas of the City where residents are not within walking distance to such resources. Areas that are not covered by a Walk to a Park Service Area are considered "walk gaps", or areas not within walking distance to a park. The *2021 CEQR Technical Manual* suggests that a Project Site (or Project Area) is within a "walk gap", there is a need for detailed analysis to determine if the project may further exacerbate a condition of residents living in areas of the city with inadequate park access. The focus of the Walk to a Park Initiate is on residents. However, projects that create a non-residential population (new workers) should also be considered if the project is located within a known walk gap to determine if the project would generate a new non-residential population within areas of the city with inadequate access to open space resources.

As shown below in **Figure 2.3-3**, the Project Area is located within a Walk to Park Service Area, and is therefore not identified as a walk gap area.

2.3.2 Conclusion

Under the existing, No-Action, and With-Action conditions, the OSR in the area would be below the city's planning goal of 2.5 acres per thousand residents. Pursuant to Table 7-1 of the *2021 CEQR Technical Manual*, an area with an OSR of 0.50 or less can tolerate up to a 1 percent decrease in the OSR between the Future No-Action and Future With-Action Condition without warranting additional analyses. As discussed above, although the area has a relatively low OSR of 0.289 under the With-Action Condition, the OSR decrease induced by the Proposed Actions would be 0.90%, which is lower than the CEQR threshold for areas with an OSR of 0.50 or less (see **Table 2.3-5** above). In addition, there are additional open space resources located within walking distance of the Affected Area, which could help mitigate the shortfall of open spaces within the study area. Also, the Affected Area is located within a Walk to Park Service Area and is therefore not identified as a walk gap area. As a result, the Proposed Actions would not have significant adverse impacts on open space resources and further open space analysis is not warranted.

Figure 2.3-3: Walk to a Park Service Area



2.4 Shadows

The *2021 CEQR Technical Manual* defines a shadow as the condition that results when a building or other built structure blocks the sunlight that would otherwise directly reach a certain area, space or feature. An incremental shadow is the additional or new shadow that a building or other built structure resulting from a Proposed Actions would cast on a sunlight-sensitive resource during the year. The sunlight-sensitive resources of concern are those resources that depend on sunlight or for which direct sunlight is necessary to maintain the resource's usability or architectural integrity, including public open space, architectural resources and natural resources. Shadows can have impacts on publicly accessible open spaces or natural features by adversely affecting their use and important landscaping and vegetation. In general, increases in shadow coverage make parks feel darker and colder, affecting the experience of park patrons. Shadows can also have impacts on historic resources whose features are sunlight-sensitive, such as stained-glass windows, by obscuring the features or details, which make the resources significant.

The duration and dimensions of shadows are determined by the geographic location of the area from which the shadow is cast and the time of day and season. Shadows cast during the morning and evening, when the sun is low in the sky, are longer, while midday shadows are shorter in length. Shadows in winter, when the sun arcs low across the southern sky, are also longer throughout the day than at corresponding times in spring and fall seasons. In summer, the high arc of the sun casts shorter shadows than at any other time of year, and early and late shadows during the summer are cast farther towards the south than shadows cast in early and late winter months.

The *2021 CEQR Technical Manual* states that a shadow assessment considers projects that result in new shadows long enough to reach a sunlight-sensitive resource. Therefore, a shadow assessment is warranted only if the project would either result in: (a) new structures (or additions to existing structures including the addition of rooftop mechanical equipment) of 50 feet or more; or, (b) be located adjacent to, or across the street from, a sunlight-sensitive resource.

The sunlight-sensitive resources of concern are those resources that depend on sunlight or for which direct sunlight is necessary to maintain the resource's usability or architectural integrity, including public open space, architectural resources and natural resources. In general, shadows on city streets and sidewalks or on other buildings are not considered significant. Some open spaces also contain facilities that are not sensitive to sunlight. These are usually paved such as handball or basketball courts, places containing no seating areas and no vegetation, no unusual or historic plantings, or containing only unusual or historic plantings that are shade tolerant. These types of facilities do not need to be analyzed for shadow impacts. Additionally, it is generally not necessary to assess resources located to the south of projected development sites, as shadows cast by the action-generated development would not be cast in the direction of these resources. Furthermore, shadows occurring within one and one-half hour of sunrise or sunset

generally are not considered significant in accordance with *2021 CEQR Technical Manual* guidance.

Methodology

This preliminary analysis of shadows follows the guidelines set forth in the *2021 CEQR Technical Manual* for a preliminary assessment (Section 310). According to the *2021 CEQR Technical Manual*, a preliminary shadow assessment includes the development of a base map showing the site location in relationship to any sunlight-sensitive resources as per guidelines provided in the *2021 CEQR Technical Manual*. Following these guidelines, the longest shadow study area is determined, and a Tier 1 screening assessment is conducted to determine if any sunlight-sensitive resources fall within the study area. If no resources are identified, no further analysis would be required. If sunlight-sensitive resources lay within the longest shadow study area, the next tier of screening assessment should be conducted. This preliminary assessment includes a basic description of the proposed development that would be facilitated by the Proposed Actions in order to determine whether a more detailed assessment would be appropriate.

Analysis Framework

Projected Development Site 1 (Block 3705, Lots 27, 28, 29, 30, 31, 32, 34, 35, 38, and 39)

A new 8-story, 85-foot-tall 131,404 GSF (98,795 ZSF; 3.60 FAR) residential building would be developed on a combined 27,443-SF lot on the eastern portion of Block 3705. The proposed building would have a height of 85 feet after a 15-foot setback on Vermont Street above the base height of 65 feet.

Projected Development Site 2 (Block 3705, Lots 9, 10, and 14)

A new 8-story, 85-foot-tall 65,824 GSF (53,460 ZSF; 3.60 FAR) mixed-use residential and community facility building would be developed on a combined 14,850-SF lot on the western portion of Block 3705. The proposed building would have a height of 85 feet after a 15-foot setback on New Jersey Avenue above the base height of 65 feet.

Potential Development Site 1 (Block 3704, Lots 26, 27, and 28)

A new 8-story, 85-foot-tall 35,040 GSF (27,000 ZSF; 3.60 FAR) residential building would be developed on a combined 7,500-SF lot on the eastern portion of Block 3704. The proposed building would have a height of 85 feet after a 15-foot setback on New Jersey Avenue above the base height of 65 feet.

No other lots are anticipated to be developed as a result of the Proposed Actions.

2.4.1 Tier 1 Shadow Screening Assessment

Under the Future With-Action Condition, Projected Development Site 1, Projected Development Site 2, and Potential Development Site 1 could each be developed with a new building having a

maximum height of 85 feet with a qualifying ground floor and a 15-foot setback upon a base height of 65 feet. Assuming 15-foot-tall bulkheads for the proposed buildings, the maximum building height inclusive of mechanical bulkheads would be 100 feet, for the purpose of a conservative shadows analysis. As such, the maximum shadow length of these structures would be approximately 430 feet in length (4.3 x 100 feet). The first step in a shadow analysis is to determine there are any sunlight sensitive resources located within the length of the 430-foot radius.

As **Figure 2.4-1** shows below, one sunlight sensitive resource (Holy Trinity Russian Orthodox Church) is identified within the longest shadow study area. As a result, a tier 2 analysis is warranted.

2.4.2 Tier 2 Shadow Screening Assessment

The *CEQR Technical Manual* states that if any portion of a sunlight sensitive resource lies within the longest shadow study area, a Tier 2 screening assessment should be performed. Because of the path the sun travels across the sky in the northern hemisphere, no shadow can be cast in a triangular area south of any given project site. In New York City, this area lies between -108 and +108 degrees from true north. For a Tier 2 screening assessment, sunlight sensitive resources within the triangular area cannot be shaded by the new Projected Development Site, and are screened out. The complementing portion to the north within the longest shadow study area is the area that can be shaded by the proposed project.

As shown in **Figure 2.4-2**, the Tier 2 screening assessment shows that the Holy Trinity Russian Orthodox Church (Resource 1) is not within the -108/+108-degree area. Accordingly, a tier 3 shadow screening assessment is not required.

2.4.3 Conclusion

Though there is one sunlight sensitive resource (Holy Trinity Russian Orthodox Church) located within the longest shadow extent, it is not within the area between -108 and +108 degrees from true north of the Projected and Potential Development Sites. As a result, the shadows cast from the Proposed Development would not reach the church. Therefore, no significant impact due to shadows is projected as a result of the Proposed Actions and no further analysis is warranted.

Figure 2.4-1: Tier 1 Shadow Screening Assessment

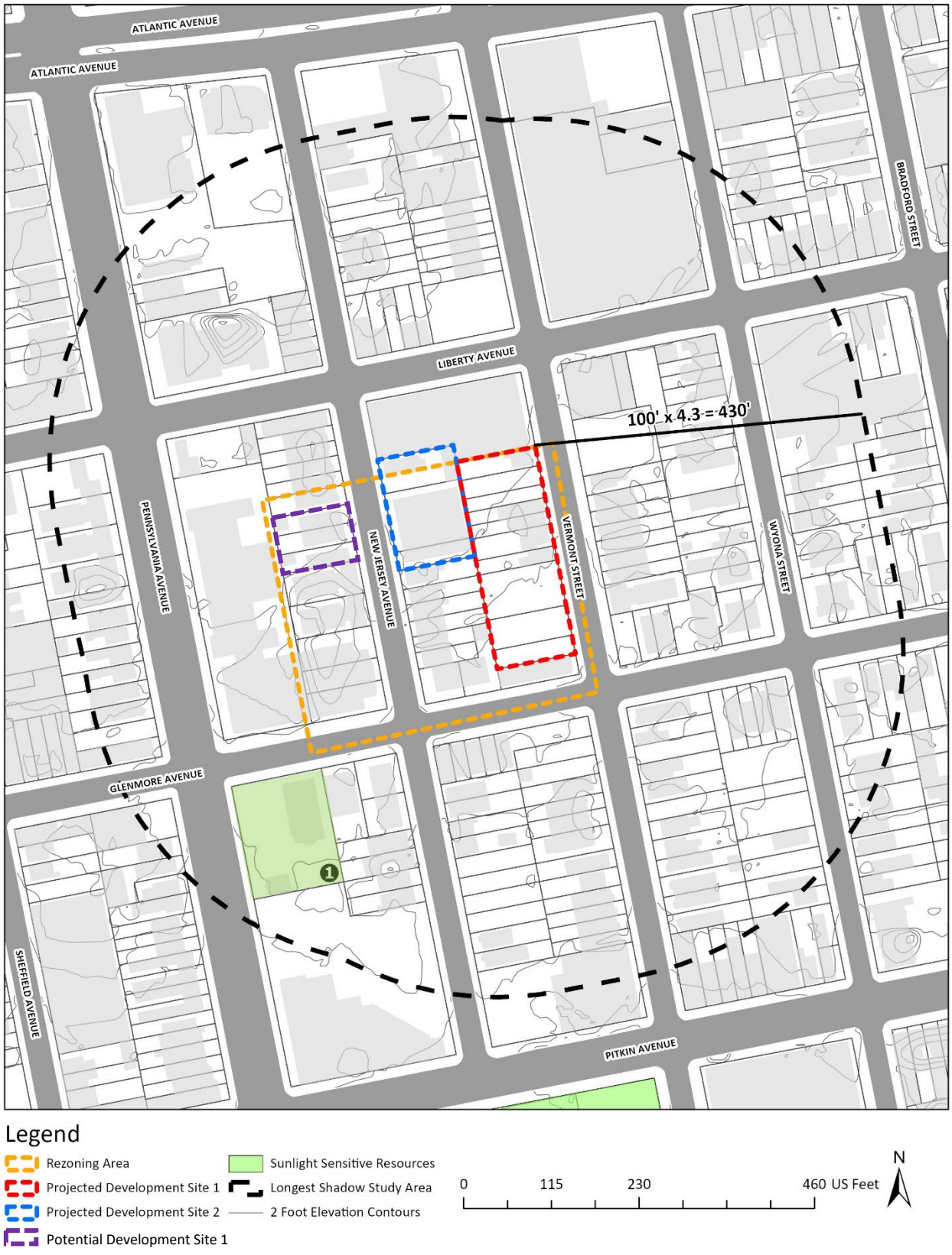
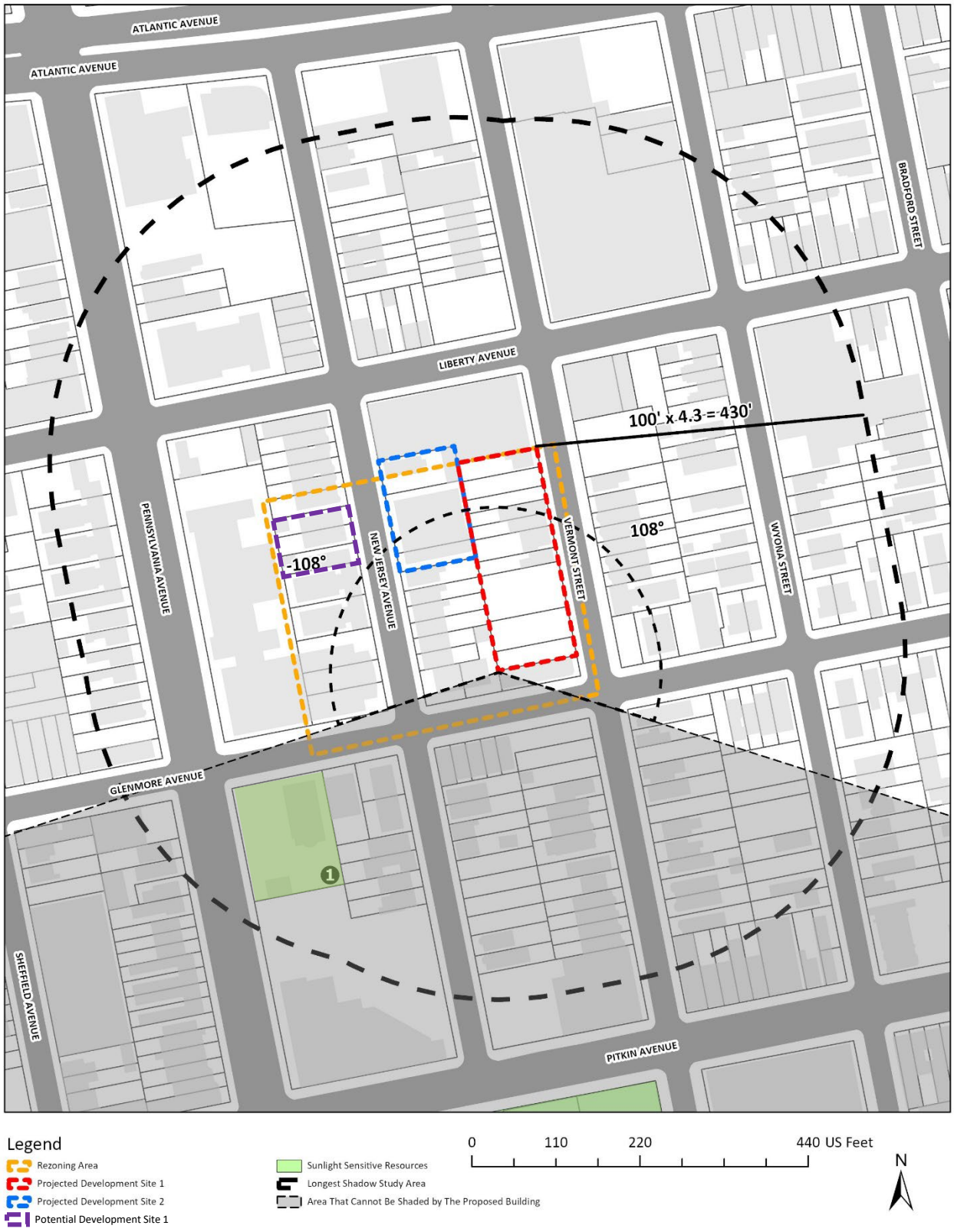


Figure 2.4-2: Tier 2 Shadow Screening Assessment



2.5 Historic and Cultural Resources

An assessment of historic and cultural resources is usually necessary for projects that are located in close proximity to historic or landmark structures or districts, or for projects that require in-ground disturbance, unless such disturbance occurs in an area that has been formerly excavated, according to the *2021 CEQR Technical Manual*.

The term "historic resources" defines districts, buildings, structures, sites, and objects of historical, aesthetic, cultural, architectural and archaeological importance. In assessing both historic and cultural resources, the findings of the appropriate city, state, and federal agencies are consulted. Historic resources include: the New York City Landmarks Preservation Commission (LPC) designated landmarks, interior landmarks, scenic landmarks, and historic districts; locations being considered for landmark status by the LPC; properties/districts listed on, or formally determined eligible for, inclusion on the State and/or National Register (S/NR) of Historic Places; locations recommended by the New York State Board for Listings on the State and/or National Register of Historic Places and National Historic Landmarks.

Methodology

Archaeological and architectural resources usually need to be assessed for projects that would result in any in-ground disturbance. In-ground disturbance is any disturbance to an area not previously excavated, including new excavation that is deeper and/or wider than previous excavation on the same site.

For projects that may affect historic or cultural resources, the first step in evaluating a project's potential effects on historic resources is to consider what area the project might affect and then identify historic resources—whether officially recognized or eligible for such recognition—within that area. The area of subsurface work for the proposed development is considered the impact area for archaeological resources while the study area for architectural resources is the area in which any resources may be affected by the project, which is defined by the radius of 400 feet from the borders of the project site for most proposals.

After the study areas have been established, all known archaeological and architectural resources within the study areas are identified, and the potential for unknown resources is investigated. It is recommended that lead agencies and applicants contact LPC for archaeological and architectural resources review. Based on the report from LPC, if any listed historic or cultural resources are located in the study areas, then further analysis of the project's impact on these resources must be performed. The proposed development's effects on any designated or potential archaeological and architectural resources are then analyzed under Existing, No-Action, and With-Action condition. The assessment specifically considers whether the project may result in disturbance or destruction of those archaeological and architectural resources as a result of the Proposed Actions.

2.5.1 Architectural Resources

Per *CEQR Technical Manual* guidelines, impacts on historic resources are considered on those sites affected by the proposed action and in the area surrounding identified development sites. The historic resources study area is therefore defined as the project site plus an approximately 400-foot radius around the Proposed Action area.

According to the *CEQR Technical Manual*, significant adverse impacts to historic and cultural resources could potentially result if a proposed action affects those characteristics that make a resource eligible for LPC designation or S/NR listing. This section assesses the potential for the proposed action to result in significant adverse impacts on identified historic and cultural resources. **Table 2.5-1** below provides information about possible direct, indirect and construction-related impacts on historic and cultural resources. Generally, architectural resources should be surveyed and assessed if the proposed project would result in any of the following, whether or not any known historic resources are located near the site of the project:

Table 2.5-1: Possible Impacts to Historic and Cultural Resources

Construction resulting in ground disturbance, including construction of temporary roads and access facilities, grading, and landscaping.
Below-ground construction, such as excavation or installation of utilities.
Physical destruction, demolition, damage, alteration or neglect of all or part of an historic property.
Changes to the architectural resource that cause it to become a different visual entity, such as a new location, design, materials, or architectural features.
Isolation of the property from, or alteration of, its setting or visual relationship with the streetscape. This includes changes to the resource's visual prominence so that it no longer conforms to the streetscape in terms of height, footprint, or setback; is no longer part of an open setting; or can no longer be seen as part of a significant view corridor.
Introduction of incompatible visual, audible, or atmospheric elements to a resource's setting.
Replication of aspects of the resource so as to create a false historical appearance.
Elimination or screening of publicly accessible views of the resource.
Construction-related impacts such as falling objects, vibration, dewatering, flooding, subsidence, or collapse.
Introduction of significant new shadows, or significant lengthening of the duration of existing shadows, over an historic landscape or an historic structure to the extent that the architectural details that distinguish that resource as significant are obscured.

Direct Impacts

Historic resources could be directly affected by physical destruction, demolition, damage, alteration, or neglect of all or part of a historic resource. For example, alterations, such as the addition of a new wing to a historic building could result in significant adverse impacts, depending on the design. Direct impacts also include changes to an architectural resource that cause it to become a different visual entity, such as a new location, design, materials, or architectural features.

NR-listed and eligible resources are given a measure of protection from the effects and impacts of projects sponsored, assisted, or approved by federal agencies under Section 106 of the National Historic Preservation Act. Although preservation is not mandated, federal agencies must attempt to avoid adverse impacts on such resources through a notice, review, and consultation process. S/NR-listed and eligible resources are similarly protected against impacts resulting from projects sponsored, assisted, or approved by State agencies under the State Historic Preservation Act. However, private owners of S/NR-listed and eligible resources using private funds can alter or demolish their properties without such a review process. Privately owned properties that are NYCLs, in LPC-designated historic districts, or pending designation as Landmarks by LPC are protected under the New York City Landmarks Law. The law requires LPC review and approval before any alteration or demolition occurs, regardless of whether the project is publicly or privately funded. Publicly owned resources are also subject to review and advisement by LPC before project implementation.

Construction Impacts

The assessment of construction impacts on historic and cultural resources considers the possibility of physical damage to any architectural or archaeological resources identified in the project's historic and cultural resources assessment.

Pursuant to Chapter 22, Section 300 of the *2021 CEQR Technical Manual*, if a project's construction activities are located within 400 feet of a historic or cultural resource, potential hazards should be assessed, such as whether certain character-defining elements of a structure, including but not limited to rooftops or stained-glass windows, could be impacted by falling objects from an adjacent construction site.

The City has two procedures for avoidance of damage to historic structures from adjacent construction.

1. All buildings are provided some protection from accidental damage through New York City Department of Buildings (DOB) controls that govern the protection of any adjacent properties from construction activities, under Building Code Section 27-166 (C26-112.4). For all construction work, Building Code section 27-166 (C26-112.4) serves to protect buildings by requiring that all lots, buildings, and service facilities adjacent to foundation

and earthwork areas be protected and supported in accordance with the code requirements.

2. The second protective measure applies only to designated NYCL and S/NR listed historic buildings that are located within 90 linear feet of a proposed construction site. For these structures, the DOB's Technical Policy and Procedure Notice (TPPN) #10/88 is applicable. The DOB's TPPN 10/88 supplements the standard building protections afforded by the Building Code C26-112.4 by requiring, among other things, a monitoring program to reduce the likelihood of construction damage to adjacent LPC-designated or S/NR-listed resources (within 90 feet), and to detect at an early stage the beginnings of damage so that construction procedures can be changed.

If the project is not located within 90 feet of a historic or cultural resource that is NYC-landmark eligible, eligible for the State and National Register of Historic Places, or within an eligible New York City Historic District, then no special protections apply. Therefore, the potential for physical disturbance and adverse impacts on those historic and cultural resources should be disclosed.

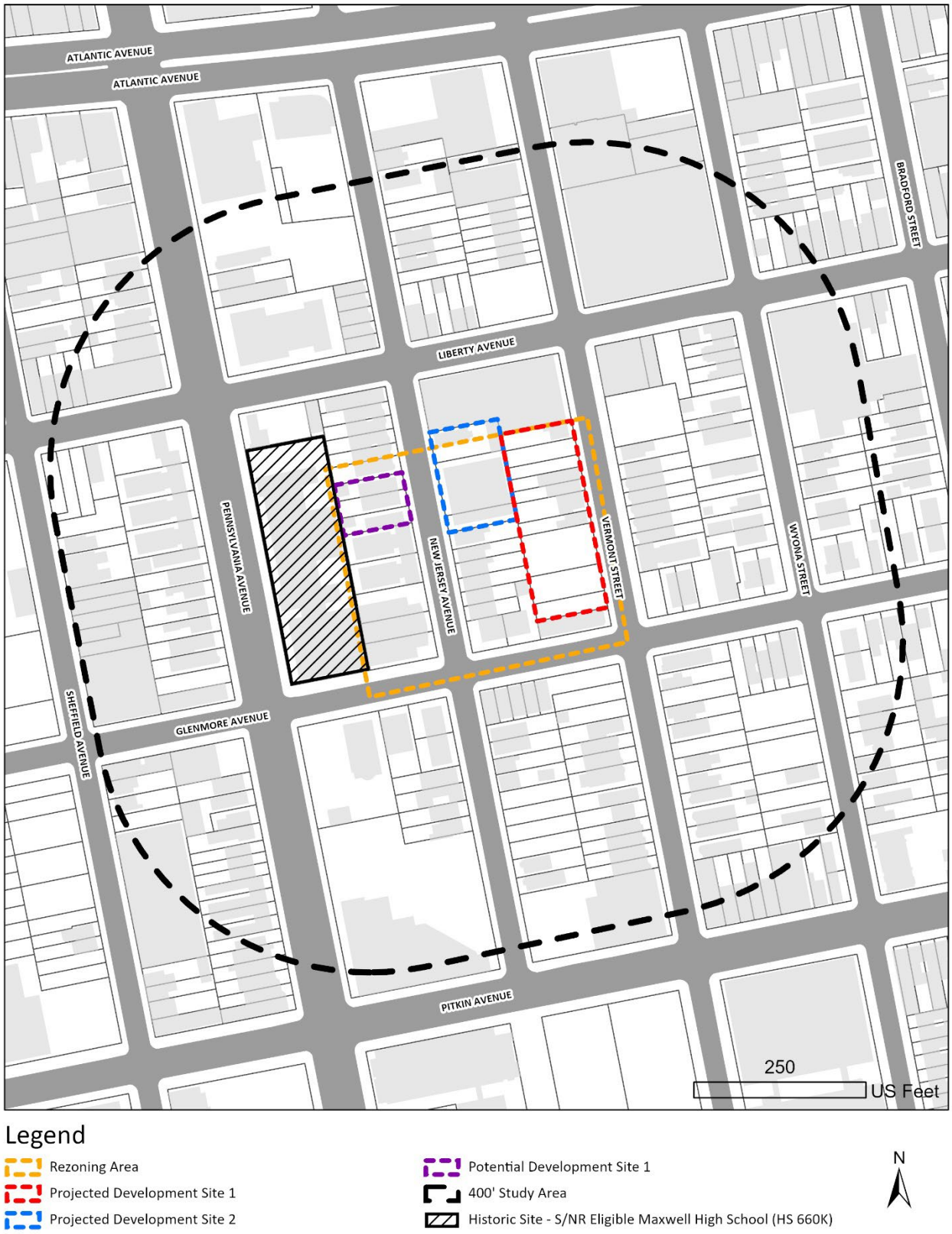
Indirect Impacts

As per the *CEQR Technical Manual*, visual and contextual impacts on historic resources can include: the isolation of a property from or alteration of its setting or visual relationship with the streetscape; introduction of incompatible visual, audible, or atmospheric elements to a resource's setting; elimination or screening of publicly accessible views of a resource; or introduction of significant new shadows, over a historic landscape or on a historic structure (if the features that make the resource significant depend on sunlight) to the extent that the architectural details that distinguish that resource as significant are obscured.

Architectural Resources within the Study Area

To determine whether the Projected Development has the potential to affect nearby off-site historic or architectural resources, the study area was screened for historic and architectural resources. The LPC was contacted for their initial review of the project's potential to impact nearby historic or architectural resources, and by letter dated January 31, 2022, indicating that S/NR Eligible Maxwell High School (HS 660K) is located at 147 Pennsylvania Avenue within the study radius (see **Appendix A**). **Figure 2.5-1** shows the location of this resource, and that no historic districts intersect the Study Area. Therefore, an analysis on the potential impacts of the Proposed Actions on the architectural resource is warranted.

Figure 2.5-1: Historic Resources Within 400-Foot Study Area



Existing Conditions

According to the LPC letter dated January 31, 2022, S/NR Eligible Maxwell High School (HS 660K) at 147 Pennsylvania Avenue within the Affected Area has architectural significance. Maxwell High School (HS 660K) is a 5-story brick building constructed in 1911, which is located approximately 250 feet to the west of Projected Development Site 1 and approximately 150 feet to the west of Projected Development Site 2. Located on the east side of Pennsylvania Avenue, between Liberty and Glenmore, the school opened as a grade school in 1913. The location was previously occupied by a church. In the 1940s, while still serving as a grade school, it also housed 900 students as an annex for the East New York Vocational School for Girls. The original ENY Vocational resided at 2416 Atlantic Avenue and as early as 1937 the city was trying to allocate funds for a separate girl's vocational facility. P.S. 173 was converted to William H. Maxwell Vocational School in 1950. William Maxwell was a former Superintendent of Schools who strongly supported vocational training.

Future No-Action Condition

Under the Future No-Action Scenario, the Applicant would develop an as-of-right building on the Applicant Controlled Projected Development Site 2 on Block 3705 as the existing church building has not been able to hold services since around 2019 due to the structural instability of the bell tower. The Applicant would rebuild a new residential building on this site to subsidize the relocation of the church.

The as-of-right building on Projected Development Site 2 (Block 3705, Lots 9, 10, and 14) would be a new 4-story, 33-foot-tall, 27,485 GSF (20,048 ZSF; 1.35 FAR) residential building, which would contain 7,037 GSF of parking (15 spaces) at the cellar level and 20,448 GSF (20,048 ZSF; 1.35 FAR) of residential uses above grade from the first floor through the fourth floor with 23 dwelling units (900 GSF per unit). All of the residential units would be market-rate.

Redevelopment is not considered likely in the Future No-Action Scenario on the other Applicant-owned or non-Applicant-owned lots within the Affected Area because of the inability to develop to a bulk, density, or a number of units that would induce development under the current R5B zoning.

Future With-Action Condition

As a result of the Proposed Actions, the following development is anticipated:

<u>Projected Development Site 1 (Block 3705, Lots 27, 28, 29, 30, 31, 32, 34, 35, 38, and 39)</u>

A new 8-story, 85-foot-tall 113,947 GSF (106,400 ZSF; 3.60 FAR) residential building would be developed on a combined 29,543-SF lot on the eastern portion of Block 3705. The proposed building would have a height of 85 feet after a 15-foot setback on Vermont Street above the base height of 65 feet.

<u>Projected Development Site 2 (Block 3705, Lots 9, 10, and 14)</u>

A new 8-story, 85-foot-tall 65,824 GSF (53,460 ZSF; 3.60 FAR) mixed-use residential and community facility building would be developed on a combined 14,850-SF lot on the western portion of Block 3705. The proposed building would have a height of 85 feet after a 15-foot setback on New Jersey Avenue above the base height of 65 feet.

Potential Development Site 1 (Block 3704, Lots 26, 27, and 28)

A new 8-story, 85-foot-tall 27,540 GSF (27,000 ZSF; 3.60 FAR) residential building would be developed on a combined 7,500-SF lot on the eastern portion of Block 3704. The proposed building would have a height of 85 feet after a 15-foot setback on New Jersey Avenue above the base height of 65 feet.

The potential for significant adverse impacts on historic resources under the Future With-Action Condition was assessed following **Table 2.5-1** above to determine (a) whether there would be a physical change to any designated resource or its setting, and (b) if so, is the change likely to diminish the qualities of the resource that make it important (including non-physical changes such as context or visual prominence).

Direct impacts

In the future, with the Proposed Actions, it is expected that the existing Architectural Resources within the Study Area would be the same as the existing conditions. There are no existing Architectural Resources within the Affected Area (LPC letter dated January 31, 2022). As such, no direct impacts on architectural resources are anticipated.

Construction impacts

S/NR Eligible Maxwell High School (HS 660K)

HS 660K is located approximately 250 feet to the west of Projected Development Site 1. HS 660K is buffered from Projected Development Site 1 by the adjacent intervening buildings on the western portion of Block 3705 and is further buffered by the roadway of New Jersey Avenue. Accordingly, Projected Development Site 1 would not introduce adverse construction-related impacts to S/NR eligible HS 660K, Maxwell High School from ground-borne construction period vibrations, falling debris, and/or collapse.

HS 660K is located approximately 150 feet to the west of Projected Development Site 2. HS 660K is buffered from Projected Development Site 2 by the roadway of New Jersey Avenue. Accordingly, Projected Development Site 2 would not introduce adverse construction-related impacts to S/NR eligible HS 660K, Maxwell High School from ground-borne construction period vibrations, falling debris, and/or collapse. Therefore, significant adverse impacts to this resource are not expected because of the Proposed Actions, and further analysis is not warranted.

HS 660K is located within 90 feet to the west of Potential Development Site 1. To mitigate any possible construction impact on S/NR-listed properties within a 90-foot radius, a special protective measure TPPN #10/8 should apply. TPPN #10/88 requires a monitoring program to

reduce the likelihood of construction damage to adjacent NYCLs and NR-listed properties (within 90 feet) and to detect at an early stage the beginnings of damage so that construction procedures can be changed. As such, no construction impacts from Potential Development Site 1 to S/NR eligible HS 660K are anticipated.

Indirect impacts

The Proposed Actions would not result in any types of visual and contextual impacts to the known historic resources within the Study Area, as the new buildings that could be developed under the Proposed Actions would be consistent with urban design features of the Surrounding Area. The Proposed Actions would not introduce any incompatible visual, audible, or atmospheric elements to the settings of the identified historic resources. As discussed in **Section 2.6 Urban Design and Visual Resources,** the buildings effectuated by the Proposed Actions would be designed to be visually compatible and consistent with existing developments, but would not be replicated so as to create a false historical appearance.

Publicly accessible views of the identified historic architectural resources would not be blocked, because the new development would occur on existing blocks and lots. In addition, none of the identified historic resources feature sunlight-sensitive physical characteristics based on the *CEQR Technical Manual*:

- The buildings do not contain design elements that are part of a recognized architectural style that depends on the contrast between light and dark design elements.
- The buildings are not distinguished by elaborate, highly carved ornamentation.
- The buildings do not have stained glass windows.
- The buildings do not contain exterior materials and color that depend on direct sunlight for visual character.
- The buildings do not include a historic landscape, such as scenic landmarks including vegetation recognized as a historic feature of the landscape.
- The buildings do not include features where the effect of direct sunlight is described as playing a significant role in the structure's significance as an historic landmark.

As such, no sunlight sensitive historic resources would be affected by incremental shadows as a result of the Proposed Actions.

The redevelopment of the Projected Development Sites would also not pose any changes to the setting or context of historic resources. Since the S/NR eligible architectural resource is located less than 400 feet from the Affected Area, the construction activity happening on the Projected Development Sites may induce some temporary changes to the environment surrounding the architectural resources. However, the construction activity is expected to last for approximately 22 months, of which the major exterior construction that may have an impact on the architectural resources would last no more than 12 months. In addition, temporary changes resulting from

construction would be relatively minor due to the intervening New Jersey Avenue, which would serve as natural barriers between the construction and the historic architectural resources. As such, no significant indirect impacts on architectural resources are anticipated as a result of the Proposed Actions.

2.5.2 Archaeological Resources

Unlike the architectural evaluation of a study area that extends beyond the footprint of a project's block and lot lines, the analysis of potential and/or projected impacts to archaeological resources is controlled by the actual footprint of the limits of soil disturbance. Archeological resources are physical remains, usually subsurface, of the prehistoric and historic periods such as burials, foundations, artifacts, wells and privies. The *2021 CEQR Technical Manual* requires a detailed evaluation of a project's potential effect on the archeological resources if it would potentially result in an in-ground disturbance to an area not previously excavated.

The Proposed Actions would result in new in-ground construction on Projected Development Site 1, Projected Development Site 2, and Potential Development Site 1. As noted, the LPC was contacted for their initial review of the project's potential to impact nearby cultural or archaeological resources, and a response was received on January 31, 2022 (see **Appendix A**). LPC review of archaeological sensitivity models and historic maps indicates that there is potential for the recovery of remains from 19th Century occupation on the project site. Accordingly, the Commission recommends that an archaeological documentary study be performed for this site to clarify these initial findings and provide the threshold for the next level of review, if such review is necessary as per *2021 CEQR Technical Manual*.

Future No-Action Conditions

Under the Future No-Action Scenario, the Applicant would develop an as-of-right building on the Applicant Controlled Projected Development Site 2 on Block 3705 as the existing church building has not been able to hold services since around 2019 due to the structural instability of the bell tower. The Applicant would rebuild a new residential building on this site to subsidize the relocation of the church.

The as-of-right building on Projected Development Site 2 (Block 3705, Lots 9, 10, and 14) would be a new 4-story, 33-foot-tall, 27,485 GSF (20,048 ZSF; 1.35 FAR) residential building, which would contain 7,037 GSF of parking (15 spaces) at the cellar level and 20,448 GSF (20,048 ZSF; 1.35 FAR) of residential uses above grade from the first floor through the fourth floor with 23 dwelling units (900 GSF per unit). All of the residential units would be market-rate.

Redevelopment is not considered likely in the Future No-Action Scenario on the other Applicant-owned or non-Applicant-owned lots within the Affected Area because of the inability to develop to a bulk, density, or a number of units that would induce development under the current R5B zoning.

Future With-Action Conditions

As a result of the Proposed Actions, the following development is anticipated:

Projected Development Site 1 (Block 3705, Lots 27, 28, 29, 30, 31, 32, 34, 35, 38, and 39)

A new 8-story, 85-foot-tall 131,404 GSF (98,795 ZSF; 3.60 FAR) residential building would be developed on a combined 27,443-SF lot on the eastern portion of Block 3705. The proposed building would have a height of 85 feet after a 15-foot setback on Vermont Street above the base height of 65 feet.

Projected Development Site 2 (Block 3705, Lots 9, 10, and 14)

A new 8-story, 85-foot-tall 65,824 GSF (53,460 ZSF; 3.60 FAR) mixed-use residential and community facility building would be developed on a combined 14,850-SF lot on the western portion of Block 3705. The proposed building would have a height of 85 feet after a 15-foot setback on New Jersey Avenue above the base height of 65 feet.

Potential Development Site 1 (Block 3704, Lots 26, 27, and 28)

A new 8-story, 85-foot-tall 35,040 GSF (27,000 ZSF; 3.60 FAR) residential building would be developed on a combined 7,500-SF lot on the eastern portion of Block 3704. The proposed building would have a height of 85 feet after a 15-foot setback on New Jersey Avenue above the base height of 65 feet.

No other lots are anticipated to be developed as a result of the Proposed Actions and the S/NR Eligible resource is not projected to be affected under the Future With-Action conditions.

The project would result in in-ground disturbance to develop these proposed mixed-use buildings with cellar space for parking. LPC was contacted for their initial review of the Proposed Development's potential to impact historic and cultural resources on or near the Affected Area. LPC review of archaeological sensitivity models and historic maps indicates that there is potential for the recovery of remains from 19th Century occupation on the project site – including the following addresses:

- 228 New Jersey Avenue, BBL: 3037040026
- 230 New Jersey Avenue, BBL: 3037040027
- 234 New Jersey Avenue, BBL: 3037040028
- 243 New Jersey Avenue, BBL: 3037050005
- 235 New Jersey Avenue, BBL: 3037050009
- 233 New Jersey Avenue, BBL: 3037050010
- 223 New Jersey Avenue, BBL: 3037050014
- 224 Vermont Street, BBL: 3037050027
- 228 Vermont Street, BBL: 3037050028
- 230 Vermont Street, BBL: 3037050029
- 232 Vermont Street, BBL: 3037050030

- 234 Vermont Street, BBL: 3037050031
- 236 Vermont Street, BBL: 3037050032
- 238 Vermont Street, BBL: 3037050034
- Vermont Street, BBL: 3037050035
- Vermont Street, BBL: 3037050038
- Vermont Street, BBL: 3037050039

Accordingly, the Commission recommends that an archaeological documentary study be performed for this site to clarify these initial findings and provide the threshold for the next level of review, if such review is necessary as per *2021 CEQR Technical Manual*. Thus, a Phase IA archaeological documentary study was prepared in accordance with LPC guidance.

Phase IA

A Phase IA study was completed on the two Projected Development Sites and one Potential Development Site in December of 2022. The Phase IA concluded that the project site was undeveloped until the late 1840s, and that at least one lot was never developed while others sequentially developed with new buildings replacing older ones. In general, the project site was characterized by a series of residential dwellings dating from the mid-nineteenth century onward. Based on the documentary research, it is recommended "that a program of archaeological field testing be undertaken on portions of each historic lot designated as potentially sensitive (See **Table 2.5-2**). This testing, often referred to as Phase IB, would determine the presence or absence of nineteenth-century shaft features and possible yard deposits associated with the former residents and commercial endeavors on the property." The Phase IA was accepted by New York City LPC in a letter dated 4/25/2023 and is attached in **Appendix B**.

Table 2.5-2: Potential Historical Archaeological Sensitivity Summary for Project Lots

Block and Lot	Historic Lot No.	Potential Sensitivity and Dates
Projected Development Site 1		
Block 3705, Lot 27		Privy & cistern ca. 1852-1856, 1870-1900s
Block 3705, Lot 28		Privy & cistern ca. 1863-1900s
Block 3705, Lot 32		Privy & cistern Furgang house ca. 1855-onward
Block 3705, Lot 34		Low sensitivity - postdates 1887
Block 3705, Lot 35	22	Privy & cistern ca. 1859-onward
Block 3705, Lot 38	28	Privy & cistern Kiefer house ca. 1863-onward
Block 3705, Lot 39		Privy & cistern ca. 1859-1900s
Projected Development Site 2		
Block 3705, Lot 9		Privy & cistern ca. 1856-1900s
Block 3705, Lot 10		Privy & cistern ca. 1856-1900s
Block 3705, Lot 14	7&9	Privy & cistern associated with church and/or dwelling ca. 1856-1904
Potential Development Site 1		

Block 3704, Lot 26		Davis Mill factory wing ca. 1840s-1904
Block 3704, Lot 27		Privy & cistern ca. 1873-1904
Block 3704, Lot 28		Privy & cistern ca. 1873-1904

2.5.3 Conclusion

According to the *2021 CEQR Technical Manual*, significant adverse impacts to historic and cultural resources could potentially result if a proposed action affects those characteristics that make a resource eligible for LPC designation or S/NR listing. The Future With-Action Scenario's potential for significant adverse impacts on historic resources were assessed in accordance with **Table 2.5-3** to determine (a) whether there would be a physical change to any designated resource or its setting, and (b) if so, is the change likely to diminish the qualities of the resource that make it important (including non-physical changes such as context or visual prominence). The assessment of the potential for impacts on significant resources are described below.

Table 2.5-3: Possible Impacts to Historic and Cultural Resources[6]

Construction resulting in ground disturbance, including construction of temporary roads and access facilities, grading, and landscaping.
Below-ground construction, such as excavation or installation of utilities.
Physical destruction, demolition, damage, alteration or neglect of all or part of an historic property.
Changes to the architectural resource that cause it to become a different visual entity, such as a new location, design, materials, or architectural features.
Isolation of the property from, or alteration of, its setting or visual relationship with the streetscape. This includes changes to the resource's visual prominence so that it no longer conforms to the streetscape in terms of height, footprint, or setback; is no longer part of an open setting; or can no longer be seen as part of a significant view corridor.
Introduction of incompatible visual, audible, or atmospheric elements to a resource's setting.
Replication of aspects of the resource so as to create a false historical appearance.
Elimination or screening of publicly accessible views of the resource.
Construction-related impacts such as falling objects, vibration, dewatering, flooding, subsidence, or collapse.

[6] **Source: Table 8-1 *2021 CEQR* Technical Manual**

Introduction of significant new shadows, or significant lengthening of the duration of existing shadows, over an historic landscape or an historic structure to the extent that the architectural details that distinguish that resource as significant are obscured.

The Proposed Actions would not result in any types of visual and contextual impacts to the known historic resources within the Study Area, as all the new buildings that could be developed under the Proposed Actions would be commercial, residential, or community facility structures of heights and bulk consistent with those urban design features of the area. The Proposed Actions would not introduce any incompatible visual, audible, or atmospheric elements to the settings of historic resources. As discussed in the Urban Design section below (See **Chapter 2.6, Urban Design and Visual Resources**), the proposed building would be designed to be visually compatible and consistent with existing developments, but would not be replicated so as to create a false historical appearance. Additionally, the significant views of the historic architectural resource identified above would not be adversely affected by the Proposed Actions.

Publicly accessible views of the resources would not be blocked, because the new development would occur on existing block and lot, and the maximum building height would be compatible with the existing built environment. In addition, as more fully described in the Shadows section (See **Chapter 2.4, Shadows**), there would be no significant adverse impacts to historic resources with sunlight dependent features as no resources would be affected by incremental shadows as a result of the Proposed Actions.

Though no architectural resources were identified in the project study area, there is potential for the recovery of remains from 19th Century occupation on the project site. A Phase IA report was completed, and the result indicated that the project site was undeveloped until the late 1840s, and that at least one lot was never developed while others sequentially developed with new buildings replacing older ones. In general, the project site was characterized by a series of residential dwellings dating from the mid-nineteenth century onward. According to the findings of Phase IA report, it is recommended that a program of archaeological field testing be undertaken on portions of each historic lot designated as potentially sensitive as listed in **Table 2.5-2** above. This testing, often referred to as Phase IB, would determine the presence or absence of nineteenth-century shaft features and possible yard deposits associated with the former residents and commercial endeavors on the property.

Instead of conducting a Phase IB testing, the Applicant is proposing to proceed with an Archeological Restrictive Declaration, which is a legal agreement between the Applicant and the city agency to address identified archaeological concerns after the environmental review process has been successfully concluded. Such agreement will mandate that the Applicant may not apply for Department of Buildings permits, including certificates of occupancy, until LPC has issued the documents specified in the agreement after the successful completion of archaeological work. With the Archeological Restrictive Declaration in place, significant adverse impacts to

architectural or archaeological resources are not expected because of the Proposed Actions, and further analysis is not warranted.

2.6 Urban Design and Visual Resources

According to the *2021 CEQR Technical Manual*, urban design is the totality of components that may affect a pedestrian's experience of public space. Elements that play an important role in the pedestrian's experience include streets, buildings, visual resources, open space, and natural features, as well as wind as it relates to channelization and downwash pressure from tall buildings. Pursuant to the *2021 CEQR Technical Manual*, an assessment of Urban Design may be warranted when a Proposed Action may affect one or more of the elements that contribute to the pedestrian experience of an area, specifically the arrangement, appearance, and functionality of the built environment.

The proposed rezoning of the Affected Area from R5B to R6A would alter permitted use, bulk, and height within the Affected Area. Therefore, further analysis is warranted. The differences between existing and proposed zoning, with regards to those aspects of zoning affecting urban design, are presented in the following **Table 2.6-1**.

Table 2.6-1: No-Action and With-Action Zoning

	No-Action	With-Action
Zoning	R5B	R6A
Permitted Uses	Residential	Residential
Maximum FAR	1.35	3.0 Basic; 3.6 Inclusionary
Maximum Height	33 Feet	70 feet (75 feet with QGF) Basic; 80 feet (85 feet with QGF) Inclusionary
Lot Coverage	55% (All lots)	100% Corner Lot; 65% Other Lot

2.6.1 Existing Conditions

The Affected Area consists of multiple lots in Block 3705 and 3704 in the East New York neighborhood, Brooklyn, which is described in detail in **Sections 1.4.**

The surrounding area is predominantly one and two family, and multifamily walkup, multifamily elevator buildings, and public facilities and institutions. To a lesser degree, transportation and utility uses, light industrial uses (mostly self-storage) and vacant land are present. Manufacturing buildings range from 1 to 3 stories in height and the residential buildings consist of multiple family apartment buildings ranging from 3 to 4 stories in height. Atlantic Avenue is a major thoroughfare in the area and contains a mix of high-density multi-family, commercial, and mixed residential and commercial uses.

Built form in the area varies by use, and generally consists of low-rise residential and mixed-use commercial and residential uses as well as multi-family residential buildings. The manufacturing and industrial buildings are mostly one story in height, but occasionally range from two to four stories.

The Affected Area is within an R5B zoning district that is surrounded by a mix of moderate density residential, light manufacturing, mixed residential/light-manufacturing districts, as well as commercial overlays along major corridors including Pennsylvania Avenue, Pitkin Avenue, and Atlantic Avenue. The R5B district housing all of the Affected Area less the northern half of Block 3705, Lot 14 generally extends to the East. South of this district, along Pitkin Avenue, the area is generally zoned R7A with a C2-4 Commercial overlay. North of the R5B district is a mix of small commercial, manufacturing, and residential district (often less than a Block in size) including R6B, M1-4/R6A, and M1-4/R8A. West of the R5B there is a corridor along Pennsylvania Avenue of R7A with a C2-4 commercial overlay as well as manufacturing districts M1-1 and M3-2 as well as smaller commercial districts including C4-4.

Major commercial corridors in the vicinity include Atlantic Avenue East-to-West, Pennsylvania Avenue North-to-South, and Pitkin Avenue East-to-West. Atlantic Avenue in particular is a major thoroughfare through northern Brooklyn and eastern Queens.

The Affected Area is in Brooklyn Community District 5, on Blocks 3705 and 3704. These lots are a mix of residential, community facility/religious facilities, parking lots, and vacant lots. Blocks 3705 and 3704 are bounded by Liberty Avenue to the north and Glenmore Avenue to the south. Block 3705 is bounded by Vermont Street to the east and New Jersey Avenue to the west while Block 3704 is bounded by New Jersey Avenue to the east and Pennsylvania Avenue to the west.

Regarding the Church, it is in poor condition, with sidewalk bridging erected because the roof and the bell tower are in danger of falling causing unsafe conditions. No church services are allowed to be conducted at the church due to these conditions.

There would be two Projected Development Sites on Block 3705 and one Potential Development Site on Block 3704, all of which are owned and controlled by the Applicant. Individual block and lot descriptions are included above in **Section 1.4**.

Sidewalks, ranging from 10 feet to 15 feet wide, are in fair condition with paved surface, sufficient street trees, and regular streetlights throughout the study area. All the intersections are under good control with properly functioning traffic lights and clear crossing markings, securing the safety of the pedestrians when crossing the streets.

A photo key for all images is shown below in **Figure 2.6-1**. These ground-level photographs of the Study Area under the existing condition are shown in **Figure 2.6-2** to **Figure 2.6-4** below.

Figure 2.6-1: Urban Design Study Area – Photomontage Locations

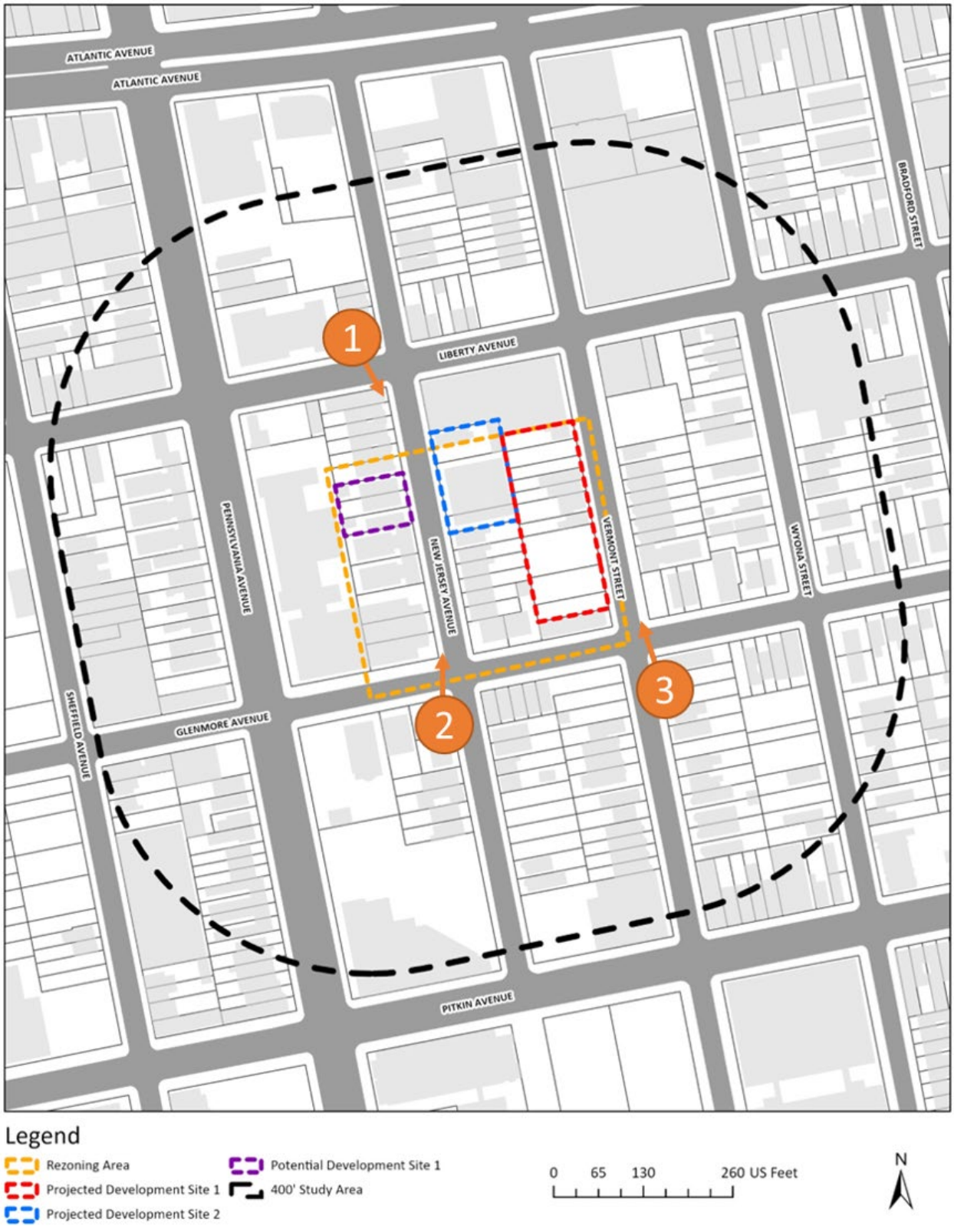


Figure 2.6-2: Existing Condition 1
New Jersey Ave and Liberty Ave Looking South



Figure 2.6-3: Existing Condition 2
New Jersey Ave and Glenmore Ave Looking North



Figure 2.6-4: Existing Condition 3
Glenmore Ave and Vermont St looking North



2.6.2 Future No-Action Condition

Under the Future No-Action Scenario, the Applicant would develop an as-of-right building on the Applicant Controlled Projected Development Site 2 on Block 3705 as the existing church building has not been able to hold services since around 2019 due to the structural instability of the bell tower. The Applicant would rebuild a new residential building on this site to subsidize the relocation of the church.

The as-of-right building on Projected Development Site 2 (Block 3705, Lots 9, 10, and 14) would be a new 4-story, 33-foot-tall, 27,485 GSF (20,048 ZSF; 1.35 FAR) residential building, which would contain 7,037 GSF of parking (15 spaces) at the cellar level and 20,448 GSF (20,048 ZSF; 1.35 FAR) of residential uses above grade from the first floor through the fourth floor with 23 dwelling units (900 GSF per unit). The proposed building would have a street wall height of 30 feet, above which the building slopes or is set back to a maximum height of 33 feet.

Redevelopment is not considered likely in the Future No-Action Scenario on the other Applicant-owned or non-Applicant-owned lots within the Affected Area because of the inability to develop to a bulk, density, or a number of units that would induce development under the current R5B zoning.

The urban design figures under the Future No-Action condition are shown in **Figure 2.6-5** and **Figure 2.6-6** below.

2.6.3 Future With-Action Condition

Projected Development Site 1 (Block 3705, Lots 27, 28, 29, 30, 31, 32, 34, 35, 38, and 39)

A new 8-story, 85-foot-tall 131,404 GSF (98,795 ZSF; 3.60 FAR) residential building would be developed on a combined 27,443-SF lot on the eastern portion of Block 3705. The proposed building would have a height of 85 feet after a 15-foot setback on Vermont Street above the base height of 65 feet.

Projected Development Site 2 (Block 3705, Lots 9, 10, and 14)

A new 8-story, 85-foot-tall 65,824 GSF (53,460 ZSF; 3.60 FAR) mixed-use residential and community facility building would be developed on a combined 14,850-SF lot on the western portion of Block 3705. The proposed building would have a height of 85 feet after a 15-foot setback on New Jersey Avenue above the base height of 65 feet.

Potential Development Site 1 (Block 3704, Lots 26, 27, and 28)

A new 8-story, 85-foot-tall 35,040 GSF (27,000 ZSF; 3.60 FAR) residential building would be developed on a combined 7,500-SF lot on the eastern portion of Block 3704. The proposed building would have a height of 85 feet after a 15-foot setback on New Jersey Avenue above the base height of 65 feet.

No other lots are anticipated to be developed as a result of the Proposed Actions.

The urban design figures under the Future With-Action condition are shown in **Figure 2.6-7** to **Figure 2.6-9** below. The proposed buildings on Projected Development Sites 1, 2, and Potential Development Site 1 are displayed in different color for clear renderings as such:

- Projected Development Site 1 in white with red outline,
- Projected Development Site 2 in white with blue outline,
- Potential Development Site 1 in white with green outline.

2.6.4 Conclusion

The development facilitated by the Proposed Actions would not adversely impact any of the constituent urban design elements or impact the overall character of the neighborhood. It would not significantly change the pedestrian experience, nor would it disturb the vitality, walkability, or the visual character of the area. Instead, with affordable housing and community facility service provided on-site, the Proposed Development would improve the pedestrian experience in the area. Therefore, the Proposed Actions would not result in any significant adverse impact to the constituent elements of Urban Design, and a detailed analysis is not warranted.

Figure 2.6-5: No-Action Condition 1 - New Jersey Ave and Liberty Ave Looking South



Figure 2.6-6: No-Action Condition 2 - New Jersey Ave and Glenmore Ave Looking North



Figure 2.6-7: With-Action Condition 1 - New Jersey Ave and Liberty Ave Looking South



Figure 2.6-8: With-Action Condition 2 - New Jersey Ave and Glenmore Ave Looking North

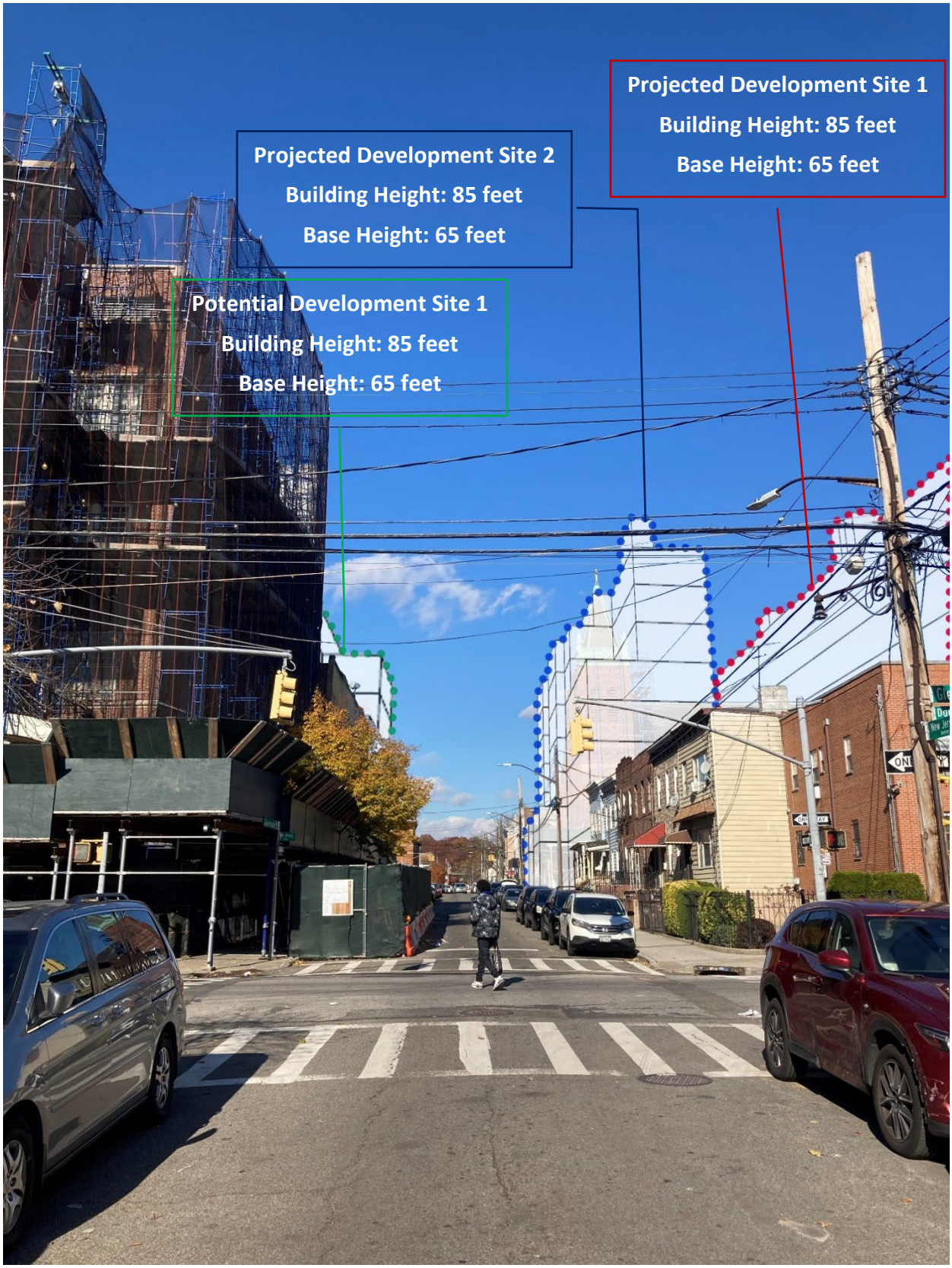


Figure 2.6-9: With-Action Condition 3 - Glenmore Ave and Vermont St looking North



2.7 Natural Resources

Natural resources are defined in the *2021 CEQR Technical Manual* as the City's biodiversity (plants, wildlife, and other organisms); any aquatic or terrestrial areas capable of providing suitable habitat to sustain the life processes of plants, wildlife, or other organisms; and any areas capable of functioning in support of the ecological systems that maintain the City's environmental stability.

An assessment of a proposed development's impacts on natural resources is typically performed for projects that either would occur on or near natural resources (e.g., wetlands, woodlands, meadows, etc.), or for projects that would result in either the direct or indirect disturbance of such resources. Based on the initial field observations, the Projected Development Sites are essentially paved and devoid of natural resources, which are currently used as outdoor parking lots. The Projected Development Sites contain no landscaped features with natural resources values, have no subsurface conditions, the disruption of which might affect the function or value of an adjacent or nearby natural resource, and are neither near nor contiguous to any natural resources. Any vegetation on the Affected Area under the existing condition would be typical urban invasive vegetation with no vegetation or wildlife habitat value. Wildlife in the Affected Area is also urban mammals and transitory avian wildlife. There are no streams, ponds, or lakes that would provide any habitat for aquatic-related wildlife within the Affected Area. In sum, the Projected Development Sites are within a disturbed urban environment and no natural resource impacts are anticipated. Therefore, there would be no impact to the area's natural resources and no further assessment is necessary.

According to the *2021 CEQR Technical Manual*, however, the Affected Area is located within the Jamaica Bay Watershed. As such, the Jamaica Bay Watershed Protection Plan, Project Tracking Form was completed (see **Appendix F**). The Jamaica Bay Watershed Protection Plan, developed pursuant to Local Law 71 of 2005, mandates that the New York City Department of Environmental Protection (DEP) work with the Mayor's Office of Environmental Coordination (MOEC) to review and track Projected Development projects in the Jamaica Bay Watershed that are subject to CEQR, in order to monitor growth and trends. If a project is in the Jamaica Bay Watershed, the applicant should complete the Project Tracking Form and submit it to DEP and MOEC. The information in the Form is to be used for tracking purposes only. It is not intended to indicate whether further CEQR analysis is needed or to substitute for the guidance offered in the relevant chapters of the *2021 CEQR Technical Manual*.

2.8 Hazardous Materials

According to the *2021 CEQR Technical Manual*, the potential for significant impacts from hazardous materials can occur when: (a) hazardous material exists on a site, and (b) an action would increase pathways to their exposure, or (c) an action would introduce new activities or processes using hazardous materials.

Methodology

The hazardous materials assessment begins with a Phase 1 ESA, which is a qualitative evaluation of the environmental conditions present at a site, based on a review of available information, site observations, and interviews. Pursuant to the *2021 CEQR Technical Manual*, the Phase 1 ESA is conducted in accordance with the standards established by the current ASTM Phase 1 ESA Standard and includes research and field observations to determine whether the site may contain contamination from either past or present activities on the site or as a result of activities on adjacent or nearby properties. If a potential Recognized Environmental Conditions (RECs) is identified during this assessment, then building any subsurface investigations are usually conducted as part of a Phase II ESA to confirm the presence and extent of the contamination.

Analysis

A detailed breakdown of the Affected Area is described above in **Section 1.4**. Development is anticipated on Projected Development Site 1 and 2 as such:

Projected Development Site 1 (Block 3705, Lots 27, 28, 29, 30, 31, 32, 34, 35, 38, and 39)

A new 8-story, 85-foot-tall 131,404 GSF (98,795 ZSF; 3.60 FAR) residential building would be developed on a combined 27,443-SF lot on the eastern portion of Block 3705. The proposed building would have a height of 85 feet after a 15-foot setback on Vermont Street above the base height of 65 feet.

Projected Development Site 2 (Block 3705, Lots 9, 10, and 14)

A new 8-story, 85-foot-tall 65,824 GSF (53,460 ZSF; 3.60 FAR) mixed-use residential and community facility building would be developed on a combined 14,850-SF lot on the western portion of Block 3705. The proposed building would have a height of 85 feet after a 15-foot setback on New Jersey Avenue above the base height of 65 feet.

The Proposed Actions would allow for residential, commercial, and community facility uses to be built with a higher FAR in the proposed R6A district. Accordingly, a Phase I Environmental Site Assessment (ESA) was conducted for the Applicant-owned Projected Development Site 1 and 2 by Equity on December 20, 2021. A copy of the reports is included as an Attachment. The Phase I ESA will be reviewed by the Department of Environmental Protection.

2.8.1 Phase I Environmental Site Assessment

The purpose of a Phase I ESA is to determine whether any type of environmental hazard exists within or adjacent to the project site. Environmental hazards may include, but are not be limited to, hazardous/toxic wastes or raw chemicals stored, dumped, or spilled on the site, underground and above ground storage of petroleum or hazardous materials; asbestos within the building materials/structures; and identification of potential off-site sources of hazardous waste contamination, such as industrial facilities adjacent to the subject property.

Recognized Environmental Conditions (RECs) are defined as the presence or likely presence of any hazardous substances or petroleum products under conditions that indicate an existing release, past release, or a material threat of a release into structures on the property or into the ground, groundwater or surface waters of the property. De minimis RECs are those that do not present a threat to health or the environment and would not be the subject of an enforcement action by a government agency. All RECs, excluding de minimis RECs, were considered in the Phase I.

Equity has performed a Phase I Environmental Site Assessment on December 10, 2021 in conformance with the scope and limitations of ASTM Practice E 1527-13. The following conditions were observed:

- Recognized Environmental Condition (RECs): Multiple RECs were observed as a result of this assessment in relation to oil staining on the floor around the boiler, on the heating oil AST, and in the parking area of 223 New Jersey Avenue (Property 1); staining on the floor around the heating oil ASTs in the basement of 233 New Jersey Avenue (Property 2); motor oil staining in the parking lot of 240 Vermont Street (Property 9); staining around the heating oil AST in the basement of 238 New Jersey Avenue (Property 8); and a pile of dirt and stone that was observed on the vacant asphalt lot (Property 4) which is from the renovation of a driveway from a nearby residential property according to Mr. Linden Mckenzie.

- Controlled Recognized Environmental Condition (CRECs): There are no CRECs associated with the Subject Property.

- Historical Recognized Environmental Condition (HRECs): There are no HRECs associated with the Subject Property.

- Vapor Encroachment Conditions (VECs): The EDR Vapor Encroachment database identified numerous VECs (Vapor Encroachment Conditions) within 1/10 of a mile of the Subject Properties that are related to two historic auto shops, one historic dry cleaner, two USTs (underground storage tanks) with recorded evidence of previous leaks, and four ASTs (aboveground storage tanks) with recorded evidence of previous leaks. Based on these findings, a possible vapor encroachment could not be ruled out.

Based on the findings of the Phase I ESA, RECs and VECs were identified related to the Subject Property. Therefore, the development of Projected Development Site 1 and Projected Development Site 2 under the Proposed Actions may have the potential for adverse impacts related to hazardous materials and a Phase II ESA should be undertaken, collecting original samples of soil, groundwater or building materials to analyze for quantitative values of various contaminants. However, a Phase II ESA cannot be performed currently as the intrusive investigation through the Phase II process is not practical on the site where the existing buildings are not evacuated.

Projected Development Site 1 (Block 3705, Lots 27, 28, 29, 30, 31, 32, 34, 35, 38, and 39) is comprised of multiple lots that make it impracticable to complete a Phase II absent demolition of structures on the site. While Block 3705 Lots 28 and 29 are paved vacant lands, Block 3705 Lots 27, 30, 31, 32, and 34 each contain a multifamily walk-up residential building with two to three dwelling units and Lots 35, 38, and 39 are actively used by NYPD for NYPD vehicle parking. Phase II ESA testing will require site investigative work in multiple locations on the properties, including the drilling of multiple borings into pavement area. Accessibility for sampling in these residential buildings would require drilling rigs with large equipment on the basement floor, which could impact the resident's normal life. In addition, it is difficult to provide access for equipment into the narrow basement.

Projected Development Site 2 (Block 3705, Lots 9, 10, and 14) is also composed of multiple lots that also make it impracticable to complete a comprehensive Phase II absent demolition of structures on Site. The lots within Projected Development Site 2 collectively contain the Grace Baptist Church, which is in poor condition, with sidewalk bridging erected because the rood and the bell tower is in danger of falling causing unsafe conditions. No church services are allowed to be conducted at the church due to these conditions since 2019. Accessibility for sampling in the church building would require drilling rigs with large equipment on the basement floor. As a result, it would be dangerous for the technicians to conduct the sampling work in the unstable building structure.

Furthermore, Landmarks and Preservation Commission determined that both Projected Development Sites are sensitive for archeological recovery via a letter dated 1/31/2022 (See **Appendix A**). A Phase IA study was completed in December of 2022. Based on the documentary research in the Phase IA, it is recommended that a program of archaeological field testing be undertaken on portions of each historic lot designated as potentially sensitive on Projected Development Site 1 and 2. This testing, often referred to as Phase IB, would determine the presence or absence of nineteenth-century shaft features and possible yard deposits associated with the former residents and commercial endeavors on the property. As a result, it is recommended that a Phase II investigation should not occur until approved archeological sampling under a Phase IB investigation is coordinated with Phase II activities subject to an approved protocol with LPC. For these reasons, performance of a Phase II absent clearance of Projected Development Site 1 and 2 is impracticable.

2.8.2 Conclusion

Based on the findings and conclusions of the Phase I ESA, it is recommended that in the event any future excavation/construction activities are proposed, further assessment of the historic fill material should be conducted via a Phase II ESA. However, the narrow basements of the residential buildings on Projected Development Site 1 would impede the accessibility of the large equipment for drilling rigs. Meanwhile, as the rood and the bell tower of the Grace Baptist Church on Projected Development Site 2 is in danger of falling, it would be dangerous for the technicians to conduct the sampling work in the unstable building structure. In addition, as Landmarks and Preservation Commission determined that both Projected Development Sites are sensitive for archeological recovery via a letter dated 1/31/2022, it is recommended that a Phase II investigation should not occur until approved archeological sampling under a Phase IB investigation is coordinated with Phase II activities subject to an approved protocol with LPC and therefore that an (E) Designation should be placed on the Projected Development Sites.

As a result, an E-Designation is proposed to be mapped on the Affected Area. The proposed E-Designation language related to Hazardous Materials is as follows:

E-Designation (E-802)

Block 3705, Lots 27, 28, 29, 30, 31, 32, 34, 35, 38, and 39 (Projected Development Site 1) and Block 3705, Lots 9, 10, and 14 (Projected Development Site 2)

An E-Designation should be placed on the site to assure that testing and mitigation will be performed, as necessary, before any future development and/or soil disturbance. Further hazardous materials assessments should be coordinated through the Mayor's Office of Environmental Remediation (OER).

Task 1-Sampling Protocol

The applicant submits to OER, for review and approval, a Phase I of the site along with a soil, groundwater, and soil vapor testing protocol, including a description of methods and a site map with all sampling locations clearly and precisely represented. If site sampling is necessary, no sampling should begin until written approval of a protocol is received from OER. The number and location of samples should be selected to adequately characterize the site, specific sources of suspected contamination (i.e., petroleum-based contamination and non-petroleum-based contamination), and the remainder of the site's condition. The characterization should be complete enough to determine what remediation strategy (if any) is necessary after review of sampling data. Guidelines and criteria for selecting sampling locations and collecting samples are provided by OER upon request.

Task 2-Remediation Determination and Protocol

A written report with findings and a summary of the data must be submitted to OER after completion of the testing phase and laboratory analysis for review and approval. After receiving such results, a determination is made by OER if the results indicate that remediation is necessary. If OER determines that no remediation is necessary, written notice shall be given by OER.

If remediation is indicated from test results, a proposed remediation plan must be submitted to OER for review and approval. The Applicant must complete such remediation as determined necessary by OER. The Applicant should then provide proper documentation that the work has been satisfactorily completed.

A construction-related health and safety plan should be submitted to OER and would be implemented during excavation and construction activities to protect workers and the community from potentially significant adverse impacts associated with contaminated soil, groundwater and/or soil vapor. This plan would be submitted to OER prior to implementation.

With this (E) designation in place, no significant adverse impacts related to hazardous materials are expected, and no further analysis is warranted.

2.9 Air Quality

When assessing the potential for air quality significant impacts, the 2021 New York City Environmental Quality Review (*2021 CEQR*) *Technical Manual* seeks to determine a Proposed Action's effect on ambient air quality, or the quality of the surrounding air. Ambient air can be affected by motor vehicles, referred to as "mobile sources," or by fixed facilities, referred to as "stationary sources." This can occur during operation and/or construction of a project being proposed. The pollutants of concern include six criteria pollutants, which are the most common pollutants, and hazardous air pollutants (HAPs), air toxics or toxic air pollutants known as noncriteria pollutants.

The *2021 CEQR Technical Manual* generally recommends an assessment of the potential impact of mobile sources on air quality when an action increases traffic or causes a redistribution of traffic flows, creates any other mobile sources of pollutants (such as diesel train usage), or adds new uses near mobile sources (e.g., roadways, parking lots, garages). The *CEQR Technical Manual* generally recommends assessments when new stationary sources of pollutants are created, when a new use might be affected by existing stationary sources, or when stationary sources are added near existing sources and the combined dispersion of emissions would impact surrounding areas.

Ambient air quality describes pollutant levels in the surrounding environment to which the public has access. To assess potential health hazards due to ambient air quality, the impact of air pollutants emitted by motor vehicles (mobile source) and by fixed facilities (stationary source) are analyzed, where the effects of both the proposed project on ambient air quality and the ambient air quality effect on the proposed project are considered. The analysis framework, as mandated by the State Environmental Review Act, follows the 2021 New York City Environmental Quality Review *Technical Manual*.

2.9.1 Pollutants of Concern

The Clean Air Act (CAA) is a comprehensive federal law that regulates all sources of air emissions. The CAA requires U.S. Environmental Protection Agency (EPA) to set National Ambient Air Quality Standards (NAAQS) for pollutants that are common in outdoor air, considered harmful to public health and the environment, and that come from numerous and diverse sources. The EPA has identified six key pollutants considered harmful to public health and the environment. In addition, national and state regulations identified numerous other pollutants, primarily due to industrial activities.

- Carbon monoxide (CO) is a colorless, odorless gas, which is primarily formed by incomplete combustion of carbon-containing fuels and by photochemical reactions in the atmosphere. Nationally, particularly in urban areas, the majority of CO emissions to ambient air come from mobile sources. The majority of these on-road CO emissions are derived from gasoline

powered vehicles.[7] Because CO disperses quickly, its concentrations may vary greatly over relatively short distances. Elevated concentrations are usually limited to locations near congested intersections and along heavily traveled and congested roadways.

- Nitrogen oxides (NOx) is emitted from both mobile and stationary sources. Nitric Oxide (NO) accounts for approximately 90% of the total oxidized nitrogen emitted. In the atmosphere, and in the presence of sunlight, NO reacts with radicals and ozone (O_3) to form mainly nitrogen dioxide (NO_2).[8] Ground-level ozone is formed when volatile organic compounds (VOCs), also known as hydrocarbons, and nitrogen oxides (NOx) interact in the presence of sunlight. Because the reactions are slow and occur as the pollutants are transported downwind, elevated ozone levels are often found many miles from the sources of the precursor pollutants.

  The zone of elevated NO_2 concentration from vehicular emission extends away from the roadway. Therefore, the effects of NOx (NO and NO_2) emissions from mobile sources are generally examined on a regional basis. The Proposed Action

  would not substantially increase the vehicle mile traveled or stationary source emissions at a regional scale. Therefore, mesoscale (regional) analysis for ozone precursor is not required. The Proposed Action would include stationary fuel combustion sources (boiler(s) for heating and hot water). Therefore, the proposed project's effects on local NO_2 concentration were evaluated.

- Airborne particulate matter (PM) is a mixture of substances suspended in air as small liquid and/or solid particles. In contrast to the other criteria pollutants, PM does not have a unique chemical composition. These individual particles range in size from less than 0.01 µm to more than 10 µm. $PM_{2.5}$ is the abbreviation for fine PM with a diameter smaller than 2.5 microns. PM_{10} refers to particulates with diameter less than or equal to 10 micrometers. Some particles, such as dust, dirt, soot, or smoke, are large or dark enough to be seen with the naked eye.

  PM sources are both primary and secondary in nature. Primary sources are specific sources, such as particles produced by mechanical abrasion. Secondary PM sources originate from gas-phase chemical compounds that condensate with certain gasses or when different gasses react with each other. These small particles might then coagulate with other particles to form larger particles. Sulfur oxides, nitrogen oxides, and volatile organic compounds (VOC) are examples of PM precursors.[9] The burning of fossil fuel can produce both primary and

[7] EPA. *Integrated Science Assessment (ISA) for Carbon Monoxide (Final Report, Jan 2010)*. U.S. Environmental Protection Agency, Washington, DC, EPA/600/R-09/019F, 2010

[8] EPA. *Integrated Science Assessment (ISA) for Oxide of Nitrogen – Health Criteria (Final Report, Jan 2010)*. U.S. Environmental Protection Agency, Washington, DC, EPA/ EPA/600/R-15/068, 2016

[9] EPA. *Integrated Science Assessment (ISA) for Particulate Matter (Final Report, Dec 2019)*. U.S. Environmental Protection Agency, Washington, DC, EPA EPA/600/R-19/188, 2019

secondary PM. $PM_{2.5}$ is extremely persistent in the atmosphere and has the ability to reach the lower regions of the respiratory tract, delivering with it other compounds that adsorb to the surfaces of the particles.

Anthropogenic sources of PM are prevalent in many activities. Common sources include fuel combustion, such as in boilers or vehicular engines, industrial processes, such as spray painting or sanding of wood, and construction activities. Fugitive road dust that gets airborne when vehicles traverse roadways is also a common source.

- Fossil fuel combustion is the main anthropogenic source of primary SO_2. The amount of SO_2 emitted is directly related to the amount of sulfur in the fuel. Therefore, fuels with low sulfur content produces little SO_2. Beginning in 2006, EPA began to phase-in more stringent regulations to lower the amount of sulfur in diesel fuel to 15 parts per million (ppm). This fuel is known as ultra-low sulfur diesel (ULSD). SO_2 is also a precursor for the formation of $PM_{2.5}$. As such, controlling SO_2 emissions, controls $PM_{2.5}$ concentrations.

  The amount of SO_2 emitted from on-road vehicles is not significant. Therefore, mobile source analysis for SO_2 is not required. The developments could potentially include stationary fuel combustion sources (boiler(s) for heating and hot water), where fuel oil No. 2 is burned. Therefore, effects on local SO_2 concentration were examined.

- Emissions of lead (Pb) have dropped substantially over the past 40 years as results of phasing out of Pb as an anti-knock agent in gasoline for on-road vehicles, and later from enhanced controls of the metal processing industry.[10] The Proposed Action is unlikely to result in lead emission. Therefore, no analysis is required.

- Noncriteria pollutants, also referred to as toxic air pollutants or air toxics, are mainly associated with industrial sources. The CAA identifies 187 HAPs to be regulated by the EPA (currently there are 185 HAP), where the EPA regulates their emissions. These are substances that cause or may cause cancer or other serious health effects. In addition, the New York State Department of Environmental Conservation (NYSDEC) identified numerous other pollutants (also noncriteria pollutants) of various toxicities for which the EPA has no established standards.

2.9.2 Applicable Standards/Guidelines

Criteria Pollutants

The US Environmental Protection Agency (EPA) has established national ambient air quality standards (NAAQS) for six of the most common air pollutants—known as "criteria" pollutants. The presence of these pollutants in ambient air is generally due to numerous diverse and widespread sources of emissions. The NAAQS primary standards are designed to protect public

[10] EPA. *Integrated Science Assessment (ISA) for Lead (Final Report, Jul 2013)*. U.S. Environmental Protection Agency, Washington, DC, EPA/600/R-10/075F, 2013

health with adequate margin of safety. The NAAQS secondary standards are designed to protect the public welfare from adverse effects, including those related to effects on soils, water, vegetation, visibility, and other aspects. As required by the Clean Air Act (CAA), EPA periodically conducts comprehensive reviews of the scientific literature on health and welfare effects associated with exposure to the criteria air pollutants. The NAAQS have been adopted as the ambient air quality standards for the State of New York.

Determination of significant impact related to criteria pollutants accounts for pollutants concentrations in the ambient air, which include background concentrations. The New York State Department of Environmental Conservation (NYSDEC) measures air pollutants concentrations at more than 50 sites across the state. The primary NAAQS and background concentrations from the nearest federally-mandated monitoring station(s) are presented in **Table 2.9-1**.

Table 2.9-1: NAAQS and Background Concentration Published in the NYSDEC 2020 Report

Pollutant	Averaging Period	National and State Standards	Background Concentration	Monitoring Station
NO_2	1-Hour	188 µg/m^3	99.8 µg/m^3	Queens College
	Annual	100 µg/m^3	23.5 µg/m^3	
$PM_{2.5}$	24-Hour	35 µg/m^3	18.7 µg/m^3	JHS 126
	Annual	12 µg/m^3	7.6 µg/m^3	
PM_{10}	24-Hour	150 µg/m^3	28 µg/m^3	Queens College
CO	1-Hour	35 ppm	2.13 ppm	Queens College
	8-Hour	9 ppm	1.60 ppm	
SO_2	1-Hour	196 µg/m^3	15.1 µg/m^3	Queens College
	Annual	80 µg/m^3	0.9 µg/m^3	
O_3	8-hour	0.070 ppm	0.070 ppm	Queens College
Pb	24-hour	0.15 µg/m^3	0.0027 µg/m^3	IS 52

1. NYSDEC (2020). New York State Ambient Air Quality Report for 2020, <https://www.dec.ny.gov/chemical/8406.html#Quality>.
2. µg/m^3 – microgram per meter cube; ppm – parts per million.

In addition to the NAAQS, the *2021 CEQR Technical Manual* requires that projects subject to the CEQR apply a $PM_{2.5}$ significant impact criteria ("*de minimis*" criteria), which are based on concentration increments. The *de minimis* criteria are more stringent than the NAAQS and the state standards as they set a maximum increase of pollutant concentration that is below the national standard. If the estimated impacts of a proposed project are less than the *de minimis* criteria, the impacts are not considered to be significant. The following *de minimis* criteria are applicable to stationary sources:

- Predicted 24-hour maximum $PM_{2.5}$ concentration increase of more than half the difference between the 24-hour background concentration and the 24-hour standard; or

- Predicted annual average $PM_{2.5}$ concentration increments greater than 0.3 $\mu g/m^3$ at any receptor location for stationary sources.

Noncriteria Pollutants and New York State Standards

As mentioned, New York State has adopted the national standard, NAAQS. In addition, the NYSDEC has established guidelines for maximum allowable concentration of "noncriteria pollutants," which are potentially toxic or carcinogenic pollutants. These include 185 hazardous air pollutants (HAPs) which are also regulated by the EPA. The maximum allowable guidelines set a maximum 1-hour and annual averaging time concentrations and are published in the DAR-1 AGC/SGC Table, where AGC/SGC refers to Annual and Short-term Guideline Concentrations. The most recent DAR-1 guidelines were published on February 12, 2021.

NYSDEC also regulates pollutants that produce discomfort due to odors, where significant discomfort is evaluated on quantity, characteristic or duration.

2.9.3 Mobile Sources

According to the *2021 CEQR Technical Manual*, projects, whether site- specific or generic, may result in significant mobile source air quality impacts when they increase or cause a redistribution of traffic; create any other mobile sources of pollutants (such as diesel trains, helicopters etc.); or add new uses near mobile sources (roadways, garages, parking lots, etc.). Projects requiring further assessment include:

- Projects that would result in placement of operable windows, balconies, air intakes or intake vents generally within 200 feet of an atypical source of vehicular pollutants.
- Projects that would result in the creation of a fully or partially covered roadway, would exacerbate traffic conditions on such a roadway, or would add new uses near such a roadway.
- Projects that would generate peak hour auto traffic or divert existing peak hour traffic of 170 or more auto trips in this area of the City.
- Projects that would generate peak hour heavy- duty diesel vehicle traffic or its equivalent in vehicular emissions resulting from 12 or more heavy-duty diesel vehicles (HDDVs) for paved roads with average daily traffic of fewer than 5,000 vehicles, 19 or more HDDVs for collector roads, 23 or more HDDVs for principal and minor arterials, or 23 or more HDDVs for expressways and limited-access roads.
- Projects that would result in new sensitive uses (e.g., schools or hospitals) adjacent to large existing parking facilities or parking garage exhaust vents.
- Projects that would result in parking facilities or applications requesting the grant of a special permit or authorization for parking facilities; or projects that would result in a

sizable number of other mobile sources of pollution (e.g., a heliport or a new railroad terminal).

- Projects that would substantially increase the vehicle miles traveled in a large area.

The Proposed Actions would not result in operable windows or air intakes within 200 feet of an atypical roadway. It would not result in creation of a covered roadway or affect any covered roadway. The Proposed Development screens out of the thresholds warranting transportation analysis, and as such a detailed CO impact analysis is not warranted. Based on the NYS DOT functional classification, Liberty Avenue is a minor arterial road, Pennsylvania Avenue is a principal arterial road, and New Jersey Avenue, Vermont Street, and Glenmore Avenue are paved roads. With the traffic distribution at nearby intersections, the incremental trip-ends generated by the project is not expected to exceed the $PM_{2.5}$ screening threshold. The project would not create a new sensitive receptor adjacent to large parking facilities or result in creation of a new parking facility. As a result, mobile source analysis is not required.

2.9.4 Stationary Sources

According to the *2021 CEQR Technical Manual*, projects may result in stationary source air quality impacts when one or more of the following occurs:

- New stationary sources of pollutants are created (e.g., emission stacks for industrial plants, hospitals, and other large institutional uses).
- Certain new uses near existing (or planned future) emissions stacks are introduced that may affect the use.
- Structures near such stacks are introduced so that the structures may change the dispersion of emissions from the stacks so that surrounding uses are affected.
- Fossil fuels (fuel oil or natural gas) for heating/hot water, ventilation, and air conditioning systems are used.
- Large emission sources are created (e.g., solid waste or medical-waste incinerators, cogeneration facilities, asphalt/concrete plants, or power-generating plants, etc.).
- New sensitive uses are located near a large emission source.
- Medical, chemical, or research labs are created or result in new uses being located near them.
- Operation of manufacturing or processing facilities is created.
- New sensitive uses created within 400 feet of manufacturing or processing facilities.

- New uses created within 400 feet of a stack associated with commercial, institutional, or residential developments (and the height of the new structures would be similar to or greater than the height of the emission stack).
- Potentially significant odors are created.
- New uses near an odor-producing facility are created.
- "Non-point" sources that could result in fugitive dust are created.
- New uses near nonpoint sources are created.
- A generic or programmatic action is introduced that would change or create a stationary source or that would expose new populations to such a station.

Analysis Framework

The stationary source analysis will study the potential impacts of the Projected Development Site 1, Projected Development Site 2, and Potential Development Site 1 on nearby receptors. The Proposed Developments and Potential Development Site 1 Reasonable Worst Case Development Scenario (RWCDS), applied in the air quality analysis, are described below.

Projected Development Site 1 (Block 3705, Lots 27, 28, 29, 30, 31, 32, 34, 35, 38, and 39) – Proposed Development

The Applicant-Owned lots would have a projected lot size of 27,443 SF and would be developed with a 131,404 GSF (98,795 ZSF; 3.60 FAR) residential building of 7 stories. There would be 25,012 GSF of parking at the cellar level and 106,392 GSF (98,795 ZSF; 3.60 FAR) of residential uses above grade with 114 dwelling units. Projected Development Site 1 would be within the proposed MIH area, which would require new developments to set aside 25-30% of the residential floor area (29-34 units) for affordable housing at an average of 60-80% AMI per MIH Options 1 or 2. However, the Applicant is pursuing a 100% affordable residential development for all 114 residential units utilizing HPD financing. Given that Vermont Street (60 feet wide) is a narrow street, the proposed building would have a height of 67'-8" after a 15-foot setback on Vermont Street above the base height of 60 feet. 44 residential accessory parking spaces would be provided in the enclosed garage at the cellar level accessible by a parking ramp at Vermont Street.

Projected Development Site 2 (Block 3705, Lots 9, 10, and 14) – Proposed Development

The Applicant-Owned lots would assemble and have a projected lot size of approximately 14,850 SF and would be developed with a 5-story mixed residential and community facility building of 65,824 GSF (51,034 ZSF; 3.44 FAR). There would be 10,767 GSF (1,167 ZSF; 0.08 FAR) of parking at the cellar level and a parking ramp on the ground floor, 18,635 GSF (15,911 ZSF; 1.07 FAR) of church (15,453 GSF) and general community facility uses (3,182 GSF) on the cellar, first floor, and mezzanine levels, and 36,422 GSF (33,956 ZSF; 2.29 FAR) of residential uses with a residential lobby on the ground floor and 39 dwelling units on the upper floors. Projected Development Site

2 would be within the proposed MIH area which would require new developments to set aside 25-30% of the residential floor area (10-12 units) for affordable housing at an average of 60-80% AMI per MIH Options 1 or 2. However, the Applicant is pursuing a 100% affordable residential development for all 39 residential units utilizing HPD financing. Given that New Jersey Avenue (60 feet wide) is a narrow street, the proposed building would have a height of 60 feet after a 15-foot setback on New Jersey Avenue above the base height of 22'-8". 23 residential accessory parking spaces would be provided in the enclosed garage at the cellar level accessible by a parking ramp located at New Jersey Avenue.

Potential Development Site 1 (Block 3704, Lots 26, 27, and 28) - RWCDS

A new 8-story, 85-foot-tall, 35,040 GSF (27,000 ZSF; 3.60 FAR) residential building would be developed on a combined 7,500-SF lot. The proposed building would contain 27,540 GSF (27,000 ZSF; 3.60 FAR) of residential uses above grade from the first floor through the eighth floor and 7,500 GSF of parking at the cellar level. There would be 28 dwelling units (1,000 GSF per unit), with 7 or 9 units reserved as permanently affordable at an average of 60-80% AMI per MIH Options 1 or 2. The proposed building would have a height of 85 feet after a 15-foot setback on New Jersey Avenue above the base height of 65 feet. 11 residential accessory parking spaces would be provided at the cellar level accessible by a curb cut on New Jersey Avenue.

Heating and Hot Water Systems - Screening Assessment

The potential for the heat and hot water system(s) to have a significant adverse impact on nearby receptors depends on the type of fuel that would be used by the HVAC system, the height of the stack venting the emissions, the distance to the nearest building of similar or greater height, and the building's use and the square footage of the development that would be served by the system, both of which effect the amount of fossil fuel consumed. The *2021 CEQR Technical Manual* screening assessment is based on these factors. In addition, the CEQR screening procedure is applicable to buildings that are not less than 30 feet from the nearest building of similar or greater height. A detailed analysis is required if the screening assessment failed.

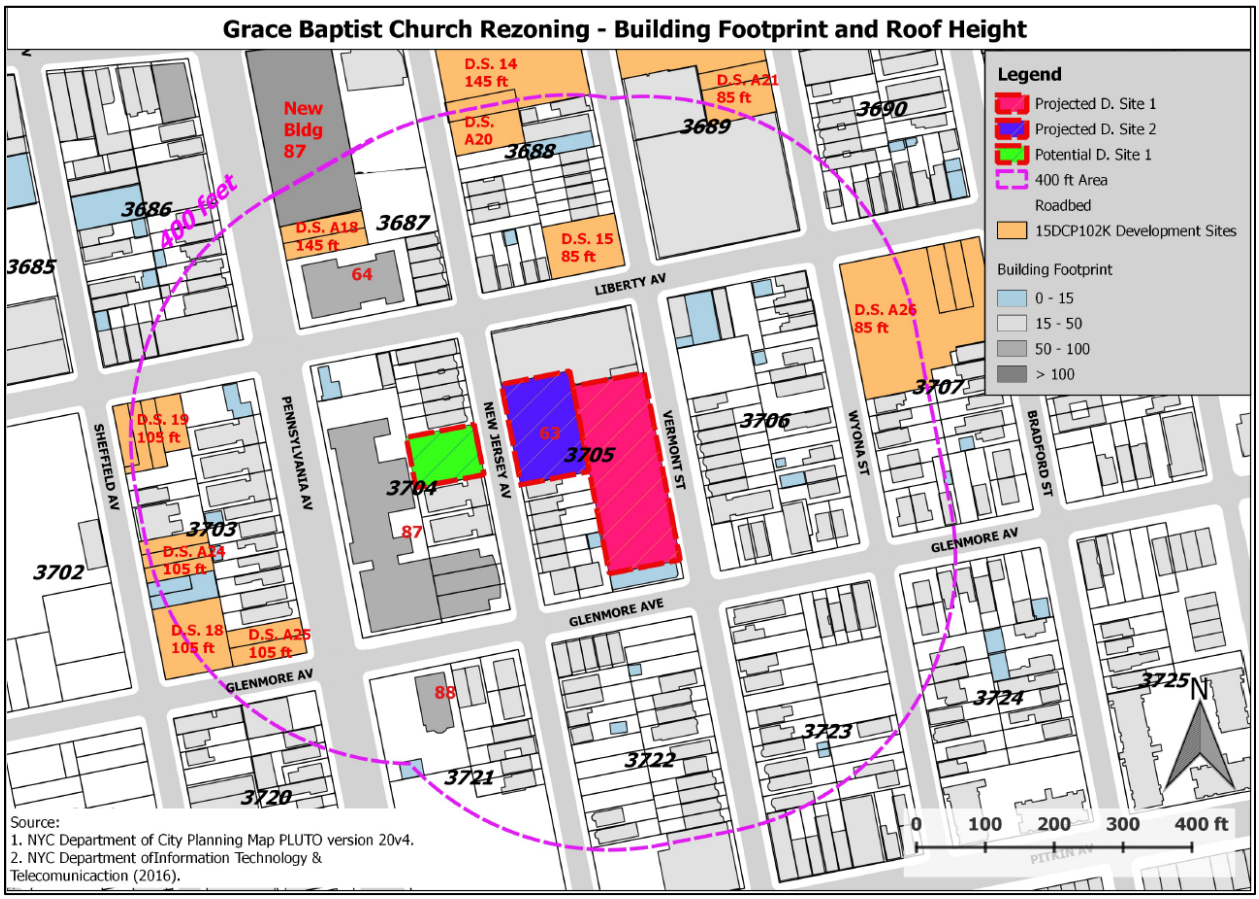
The *2021 CEQR Technical Manual* Figure 17-3 nomograph was used for the screening assessment. This stationary source screen is a generic screen for heat and hot water systems. The nomograph depicts the size of the development versus the distance below which the potential impact can occur and provides a conservative estimate of the threshold distance. In addition, as screening analysis is only applicable to a single smokestack, for the purposes of a cumulative screening analysis emissions from multiple stacks were combined in a single stack situated as close as possible to the receiving building.

Roof height of buildings in the area were obtained from the NYC Building Footprint database[11] or the New York City Department of Building (DOB) database for newly constructed buildings.

[11] City of New York, nyc-geo-metadata (May 03, 2016); https://data.cityofnewyork.us/Housing-Development/Building-Footprints/nqwf-w8eh

Development Sites associated with the Proposed Action East New York Rezoning (CEQR # 15DCP102K) that were not yet developed, were included in the screening assessment. **Figure 2.9-1** shows the Development Sites with a 400 feet area and buildings in the area with their roof height specified.

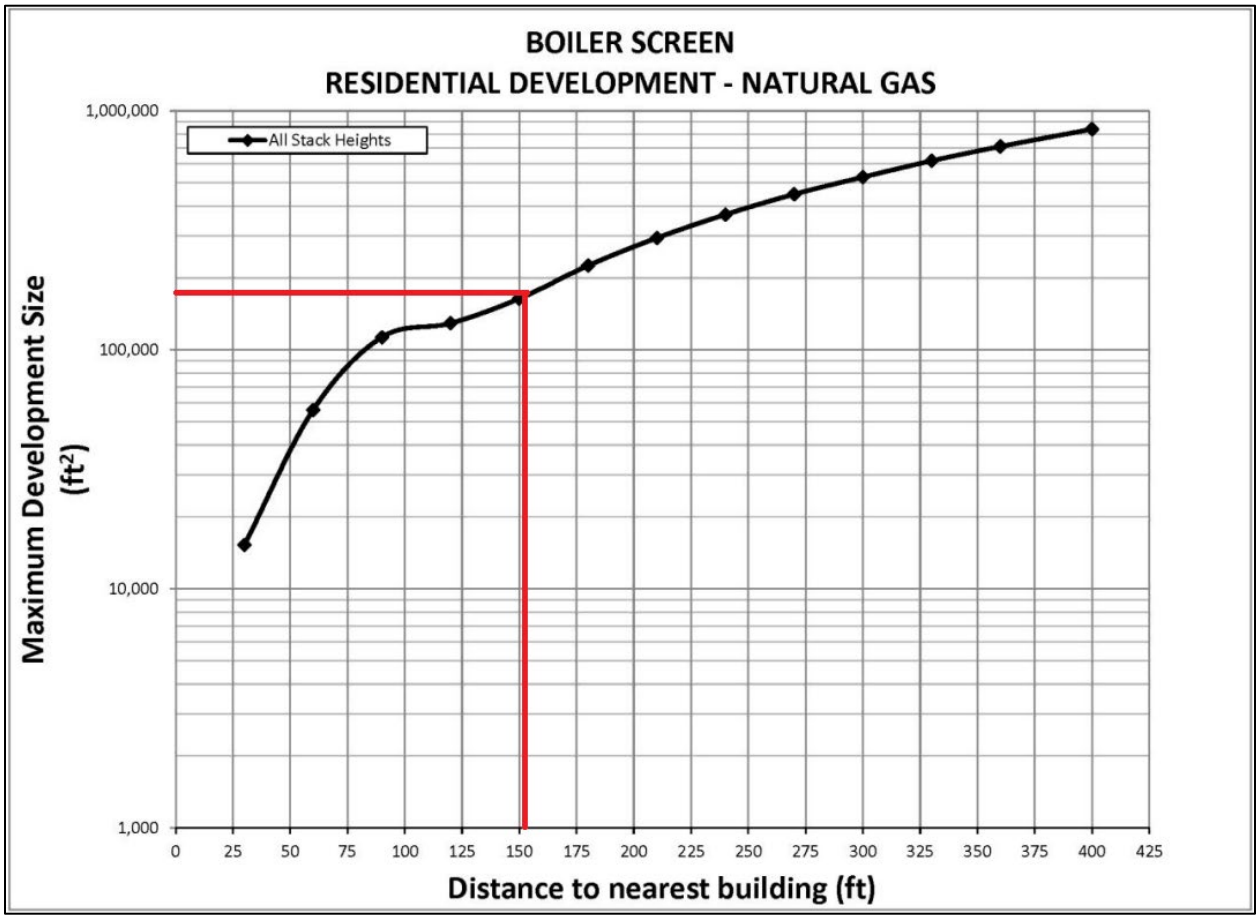
Figure 2.9-1: Project incremental buildings, existing building footprints/roof heights, and East New York Rezoning (CEQR #: 15DCP102K) development sites



Project-on-Existing

For the project-on-existing screening analysis, the project increment buildings were analyzed as a single 188,989 gsf building, which is the floor areas of Projected Development Site 1, Projected Development Site 2, and Potential Development Site 1 combined floor areas excluding the parking facilities gsf. A height of 63 feet was assumed, which is the Projected Development Site 2 proposed building height plus a minimum stack height of 3 feet above the rooftop, and the most conservative approach (applying the lowest project increment building). Natural gas was assumed to be the type of fuel used in the project increment buildings HVAC systems. **Figure 2.9-2** (using Figure App 17-2 of the *2021 CEQR Technical Manual Appendices*) shows the project-on-existing screening analysis.

Figure 2.9-2: Project-on-existing minimum distance screening nomograph



As seen in **Figure 2.9-2**, the project increment buildings gsf, excluding their parking garage(s) floor area(s), intersects the curve for natural gas fueled HVAC system(s) at a distance of 153 feet. Two buildings 60-foot or taller are located within 153 feet of the project increment buildings:

- The 5-story, 87-foot-tall, public facilities and institutions building, located at 147 Pennsylvania Avenue (Block 3704, Lot 1), which is adjacent to Potential Development Site 1.
- The East New York Rezoning (CEQR #: 15DCP102K) 85-foot-tall increment building (identified as Development Site 15 in the Environmental Impact Statement), located at 401 Liberty Avenue (Block 3688, Lot 33), situated 135 feet of Projected Development Site 2.

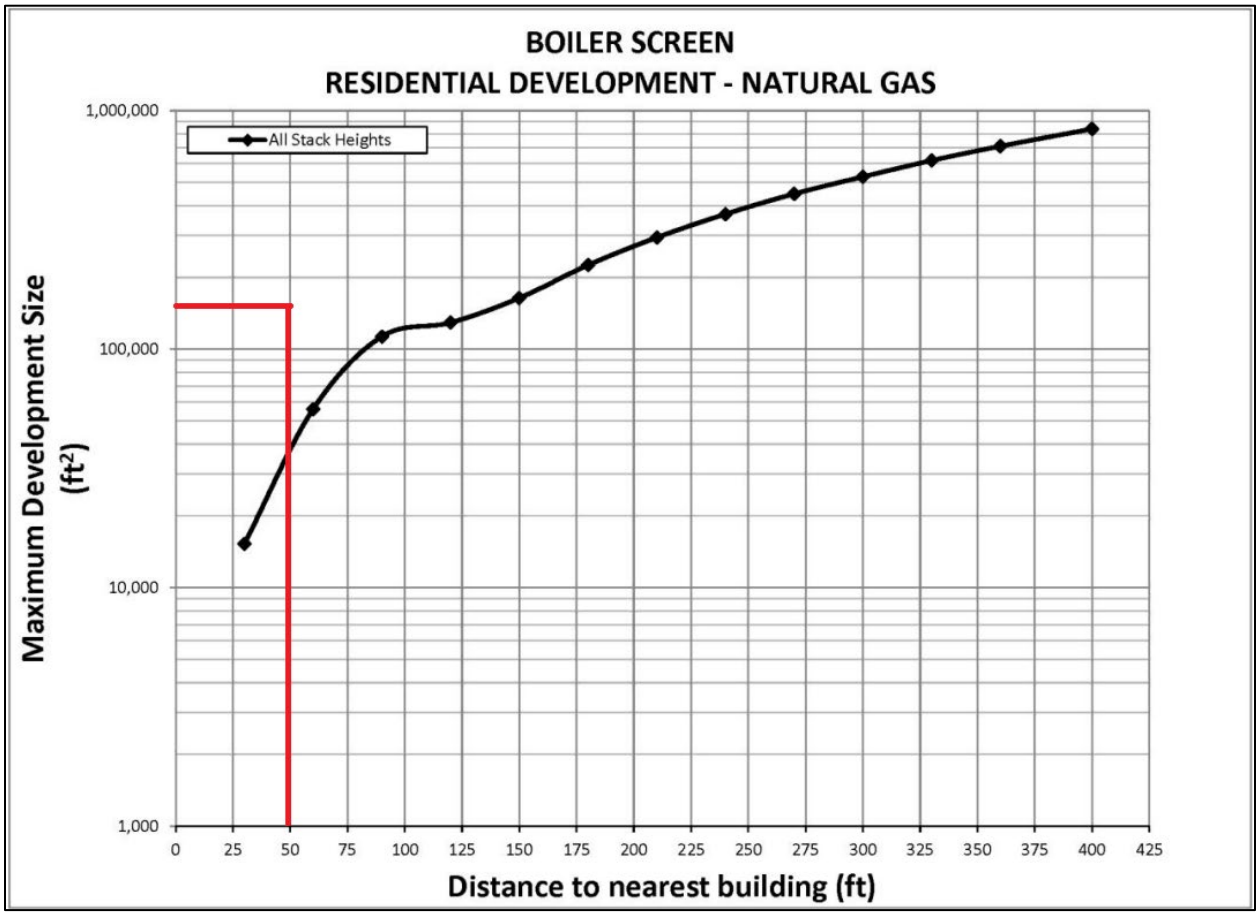
A detailed analysis was required for these buildings as they failed the screening analysis.

Project-on-Project

Two screening analyses were conducted for the project-on-project screening assessment scenario:

- Projected Development Site 2 on Projected Development Site 1: As these Development Sites are located less than 30 feet from each other, a detailed analysis is required (screening analysis is applicable to distance greater than 30 feet).
- Projected Development Sites 1 and 2 on Potential Development Site: The Projected Development Sites 1 and 2 were analyzed as a single 161,449 gsf building, which is the floor areas of Projected Development Sites 1 and 2 combined floor areas excluding the parking facilities gsf. A distance of 50 feet was applied, which is the distance between the Projected Development Site 2 and the Potential Development Site, and natural gas was assumed to be the type of fuel used in the developments' HVAC systems. **Figure 2.9-3** (using Figure App 17-2 of the *2021 CEQR Technical Manual Appendices*) shows the Projected Development Sites 1 and 2 on Potential Development Site screening analysis.

Figure 2.9-3: Projected Development Sites 1 and 2 on Potential Development Site screening analysis nomograph



As seen in **Figure 2.9-3** (using Figure App 17-2 of the *2021 CEQR Technical Manual Appendices*), the line corresponding to the Projected Development Sites 1 and 2 combined gsf (excluding their parking garages gsf) is above the curve. Therefore, a detailed analysis is required.

Heating and Hot Water Systems - Air Dispersion Analysis

Lakes Environmental, Inc. MPI version 22112 executable was used in the AERMOD detailed analysis. The MPI executable takes advantage of computers with multiple processors, reducing run-time significantly. Lakes Environmental, Inc. adjusted the US EPA AERMOD source code and recompiled the model to parallelize the processing of receptors. The latest MPI executable (used in the analysis) modified EPA's AERMOD latest executable model version 22112. AERMOD model incorporates air dispersion based on planetary boundary layer turbulence structure and scaling concepts, including treatment of both surface and elevated sources, and both simple and complex terrain. The model was run with the regulatory default option, where applicable, and for both with and without downwash effects options, where the Building Profile Input Program (BPIP) was run with the downwash effect enabled. All analyses were conducted using five consecutive years of meteorological data (2016-2020), obtained from the NYSDEC. Surface data used in the analysis is from John F. Kenedy Airport, upper air data is from Brookhaven station, New York. The meteorological data provided hour-by-hour wind speeds and directions, stability states, and temperature inversion elevations over the 5-year period. Population in Kings County, obtained from the New York City Department of City Planning (DCP) 2020 annual report, was specified to account for the effects of increased surface heating from an urban area on pollutant dispersion under stable atmospheric conditions.

Natural gas would be the type of fossil fuel used in the project increment buildings' HVAC systems. The pollutants of concern of natural gas-fueled boilers are NO_2 and $PM_{2.5}$. The developments HVAC systems' total energy capacities were calculated based on their building gsf, excluding their parking garages gsf, and an energy consumption rate of 52.8 thousand Btu per gsf, obtained from the *2021 CEQR Technical Manual Appendices*, corresponding to residential use in the buildings. Nitrogen oxides (NOx) and $PM_{2.5}$ emission factors were obtained from the EPA AP-42 manual for external combustion sources. All fuel was assumed to be consumed during the 100-day (or 2,400 hour) heating season. **Table 2.9-2** shows the project increment buildings HVAC systems short-term and annual emission rates.

The boilers stacks' diameters and stack exit temperatures were estimated based on values obtained from the New York City Department of Environmental Protection (DEP) "CA Permit" database for the corresponding boiler sizes (i.e., rated heat input or million Btu per hour).[12] Boiler stacks were initially placed 3 feet above the roofline and as close as possible to the receiving building. A stack set back distance and/or raising the stack was specified if impact was predicted.

[12] DEP "CA Permit" database obtained from the New York City Department of City Planning, February 2020.

Table 2.9-2: Project increment buildings HVAC Systems Short-term and Annual Emission Rates

Site ID	Floor Area Served by the HVAC System (gsf), and Building Height (ft)	Boiler Heat Input (MMBtu/hr); Fuel used	Pollutant	Averaging Time	Emission Rate (g/s)
Projected Development Site 1	106,392 gsf; 67.7 ft	2.3; Natural Gas	NO_2	1-hour	2.83E-02
				Annual	7.75E-03
			$PM_{2.5}$	24-hour	2.15E-03
				Annual	5.89E-04
Projected Development Site 2	56,397 gsf; 60 ft	1.3; Natural Gas	NO_2	1-hour	1.56E-02
				Annual	4.28E-03
			$PM_{2.5}$	24-hour	1.19E-03
				Annual	3.26E-04
Potential Development Site 1	27,540 gsf; 85 ft	0.6; Natural Gas	NO_2	1-hour	7.63E-03
				Annual	2.09E-03
			$PM_{2.5}$	24-hour	5.80E-04
				Annual	1.59E-04

The Development Sites were modeled as buildings that cover their entire lot area(s) (wall façade placed on the outer lot line(s)) and raise to the heights shown in **Table 2.9-2**. Buildings in the surrounding area were accounted for in the downwash effect on plume dispersions (BPIP). Receptors on the receiving building were placed on all wall façade from the ground floor to the roof-top height in spaced intervals. For the project-on-existing scenario, receptors were placed on the public facility and institutional building located at 147 Pennsylvania Avenue (Block 3704, Lot 1), which is adjacent to Potential Development Site 1, and the development associated with the East New York Rezoning (CEQR #: 15DCP102K) increment building (identified as Development Site 15 in the Environmental Impact Statement), located at 401 Liberty Avenue (Block 3688, Lot 33).

The U.S. Geological Service (USGS) National Elevation Dataset (NED) 1/3 arc-second resolution (GeoTIFF dataset) was used to process buildings' base elevations. The base elevations of receptors and stacks were set to their buildings' base elevations. Existing buildings in the area, discussed in the Heating and Hot Water Systems – Screening Assessment, were accounted for in the model.

One-hour NO_2 was predicted using Tier 1, 2, or 3 approaches. For determining compliance with the 1-hour NO_2 standard, the EPA has developed a three-tiered modeling approach. Tier 1 approach assumes a full conversion of NOx to NO_2, which is the most conservative approach. Tier 2 Ambient Ratio Method 2 (ARM 2) assumes ambient equilibrium between NO and NO_2. ARM 2 adjusts the modeled NOx concentrations based on an empirical relationship between ambient NOx and ambient NO_2 concentrations. Tier 3, which is the most precise approach, accounts for the chemical transformation of NO emitted from the stack to NO_2 within the source plume using hourly ozone background concentrations. For the Tier 2 approach, the national default in-stack

and ambient ratios of 0.5 and 0.9, respectively, were applied. The Plum Volume Molar Ratio Model ("PVMRM") was applied in the Tier 3 approach, where model ready 2018-2020 background 1-hour NO_2 concentration was processed by NYSDEC. 2016-2020 hourly ozone background concentrations dataset, obtained from NYSDEC, was used to construct the model-ready ozone background concentration file, where missing data was filled with IS 52 monitoring station data, except single missing hours which the methodology specified in the NYSDEC DAR10 was used. An in-stack NO_2 to NOx ratio of 0.1, which is appropriate for boilers, and NO_2/NOx default equilibrium ratio of 0.9 were applied in the 1-hour NO_2 Tier 3 approach.

The NO_2 modeled concentrations were added to the background concentrations (in the Tier 3 approach, background concentration is added within the model) and the result evaluated with the NAAQS. $PM_{2.5}$ modeled concentrations were evaluated with the *de minimis* for stationary source. The HVAC dispersions analysis results are shown in **Table 2.9-3**.

Table 2.9-3: HVAC dispersion analysis results

Pollutant	Modeled Concentration ($\mu g/m^3$)	Background Concentration ($\mu g/m^3$)	Evaluated Concentration ($\mu g/m^3$)	Threshold Concentration ($\mu g/m^3$)	Threshold Standard
Cumulative at Projected Development Site 1					
1-hour NO_2	85.92	99.83	185.8	188	NAAQS
Annual NO_2	1.13	23.5	25	100	NAAQS
24-hour $PM_{2.5}$	1.99	18.7	2.0	8.15	*de minimis*
Annual $PM_{2.5}$	0.09	7.6	0.09	0.3	*de minimis*
Cumulative at Potential Development Site 1					
1-hour NO_2	184.9		184.9	188	NAAQS
Annual NO_2	1.00	23.5	25	100	NAAQS
24-hour $PM_{2.5}$	1.67	18.7	1.7	8.15	*de minimis*
Annual $PM_{2.5}$	0.08	7.6	0.08	0.3	*de minimis*
Cumulative at 147 Pennsylvania Avenue (Block 3704, Lot 1)					
1-hour NO_2	175.2		175.2	188	NAAQS
Annual NO_2	0.70	23.5	24	100	NAAQS
24-hour $PM_{2.5}$	1.06	18.7	1.1	8.15	*de minimis*
Annual $PM_{2.5}$	0.05	7.6	0.05	0.3	*de minimis*
Cumulative at East New York Rezoning associated development, located at 410 Liberty Avenue (Block 3688, Lot 33)					
1-hour NO_2	61.83	99.83	161.7	188	NAAQS
Annual NO_2	1.25	23.5	25	100	NAAQS
24-hour $PM_{2.5}$	1.43	18.7	1.4	8.15	*de minimis*
Annual $PM_{2.5}$	0.10	7.6	0.10	0.3	*de minimis*

As seen in **Table 2.9-3**, the NO_2 predicted concentrations are within the NAAQS and $PM_{2.5}$ concentrations do not exceed the *de minimis*. These results were predicted with certain

restrictions to ensure that no impact would occur. The stacks' restrictions, specified in the E-Designation language below, is as follows:

Block 3705, Lots 27, 28, 29, 30, 31, 32, 34, 35, 38, and 39 (Projected Development Site 1): Any new residential development on the above-referenced property must exclusively use natural gas as the type of fuel for the heating, ventilation, and air conditioning (HVAC) system and hot water equipment, and ensure that the stack is located at the building's highest level and at a minimum of 70.7 feet above grade, and that the stack is located at least 30 feet from the property's western lot line facing New Jersey Avenue to avoid any potential significant adverse air quality impacts.

Block 3705, Lots 9, 10, and 14 (Projected Development Site 2): Any new residential or community facility development on the above-referenced property must exclusively use natural gas as the type of fuel for the heating, ventilation, and air conditioning (HVAC) system and hot water equipment, and ensure that the stack is located at the building's highest level and at a minimum of 73 feet above grade, and that the stack is located at least 50 feet from the property western lot line facing New Jersey Avenue and at least 20 feet from the property's eastern lot line facing Vermont Street to avoid any potential significant adverse air quality impacts.

Block 3704, Lots 26, 27, and 28 (Potential Development Site 1): Any new residential development on the above-referenced property must exclusively use natural gas as the type of fuel for the heating, ventilation, and air conditioning (HVAC) system and hot water equipment, and ensure that the stack is located at the building's highest level and at a minimum of 93 feet above grade, and that the stack is located at least 40 feet from the property's western lot line facing Pennsylvania Avenue to avoid any potential significant adverse air quality impacts.

2.9.5 Industrial Emissions

The Proposed Actions would introduce sensitive land uses into the area. Accordingly, a preliminary screening was conducted to determine if there are any potential sources of industrial process emissions that could affect project occupants. Industrial sources were identified through a site visit within a 400-foot study area and the DEP CATS search.

400-Foot Study Area

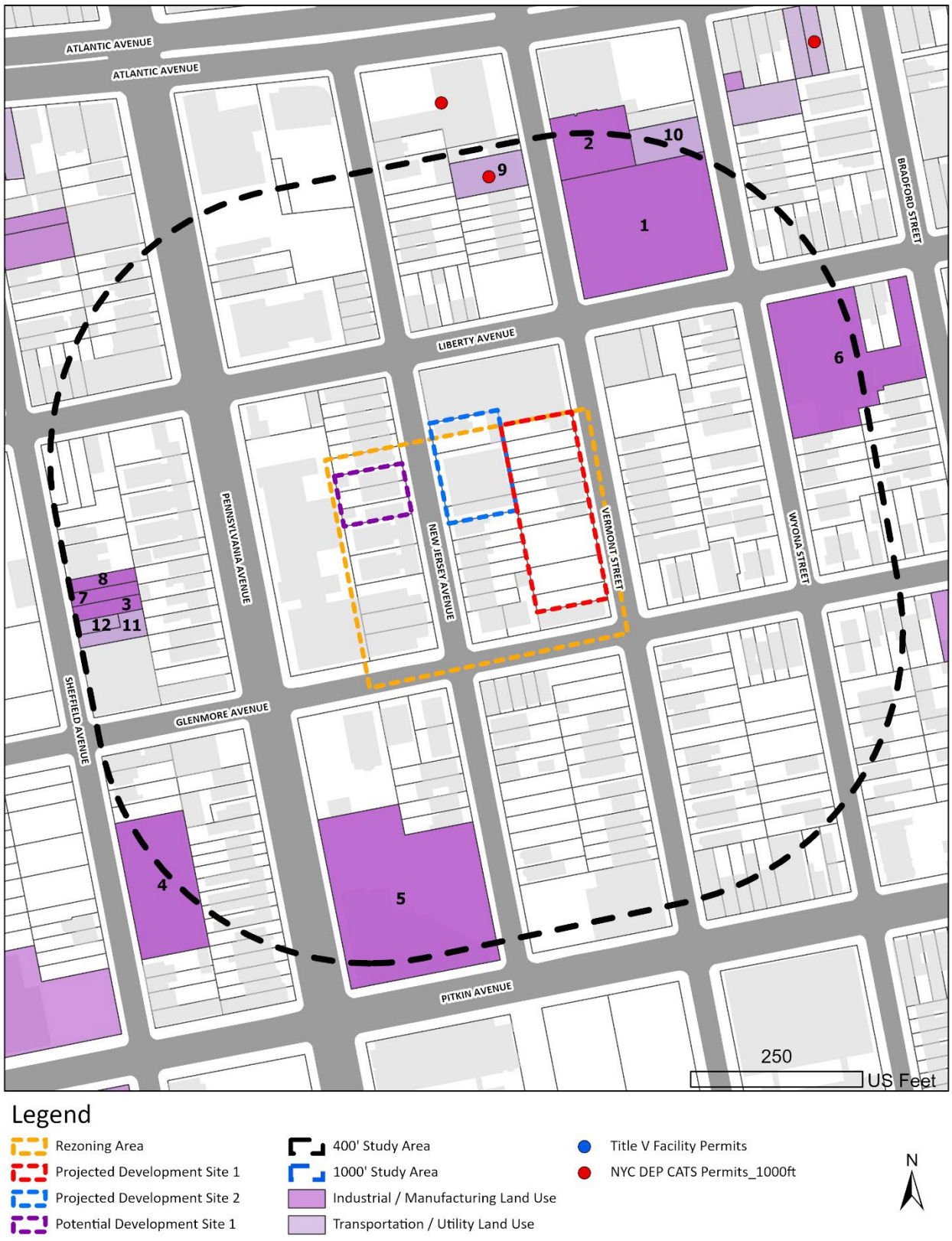
The Affected Area is located within a R5B zoning district, and the surrounding area is a mixture of residential, commercial, and industrial properties. The 400-foot radius was screened for potential sources of industrial emissions and is shown below in **Figure 2.9-4** and **Table 2.9-4**. Based on field observations and reviews of DCP land use maps, twelve sites were identified as industrial/manufacturing and transportation/utility land uses. Based on review of the DEP CATS database, there are two expired industrial permits identified within the 400-foot study area, one paper and printing processing permit located at 187 Wyona Street (Inland Paper Products Corp.) to the east of the Affected Area and one auto body spray booth permit located at 186 Vermont Street (Dependable Auto Collision Corp.) to the north of the Affected Area. The results of the

search were verified by DEP via the Air Permits email, and the appropriate DEP Air Permit Request form was submitted.

Table 2.9-4: Industrial/Manufacturing within 400 feet of the Affected Area

ID	Block	Lot	Address	Current Use	Expired Industrial Permit	Active Industrial Permit
1	3689	1	413 Liberty Ave	Warehouses - Miscellaneous (E9)	-	-
2	3689	11	179 Vermont St	Factory and Industrial Buildings - Heavy Manufacturing - Fireproof (F1)	-	-
3	3703	7	157 Sheffield Ave	Warehouses - Fireproof (E1)	-	-
4	3720	5	205 Sheffield Ave	Factory and Industrial Buildings - Light Manufacturing (F5)	-	-
5	3721	1	189 Pennsylvania Ave	Warehouses - Self-Storage (E7)	-	-
6	3707	7	187 Wyona St	Factory and Industrial Buildings - Light Manufacturing (F5)	DEP: PB037713 (Paper & Printing Processing)	NYSDEC Air Facility Registration Certificate #: 2-6105-00271/00005
7	3703	8	155 Sheffield Ave	Warehouses - Fireproof (E1)	-	-
8	3703	9	153 Sheffield Ave	Warehouses - Fireproof (E1)	-	-
9	3688	25	186 Vermont St	Auto Repair (G2)	PB053303 (Auto Body Spray Booth)	-
10	3689	26	146 Wyona St	Auto Body/Collision or Auto Repair (G2)		NYSDEC Air Facility Registration Certificate #: 2-6105-00653/00001
11	3703	5	161 Sheffield Ave	Auto Body/Collision or Auto Repair (G2)	-	-
12	3703	6	159 Sheffield Ave	Auto Body/Collision or Auto Repair (G2)	-	-

Figure 2.9-4: Industrial Emissions Screening Within 400-Foot Area



Site 6: 187 Wyona Street (Block 3707, Lot 7)

According to NYC's Zoning and Land Use Map (ZoLa), this property is owned by New Jersey Transport Co Inc. and is classed as a light manufacturing factory and industrial building. The Inland Paper Products Corp. operates from the building. Based upon the review of the DEP CATS database and Air Permit Request Services, the permit related to 187 Wyona Street is PB037713. This permit included emissions from paper and printing processing, which expired on 8/30/2022. The Inland Paper Products Corp. also has an active Air Facility Registration Certificate (Registration ID: 2-6105-00653/00001) with the NYSDEC, which expires on June 24, 2023. Therefore, further investigation is warranted as there is potential for continued emission sources.

Site 9: 186 Vermont Street (Block 3688, Lot 25)

According to NYC's Zoning and Land Use Map (ZoLa), this property is owned by 188 VERM, LLC and is classed as auto body/collision or auto repair. Based upon the review of the DEP CATS database and Air Permit Request Services, the permit related to 186 Vermont Street is PB053303. The DEP permit, registered to Dependable Auto Collision Corp. for an auto body spray booth, expired on 9/16/2012.Equity conducted a site investigation through Google Street View to see the current use of the property. Based on images from July 2019, the building is currently used as an auto repair shop by B & S Repair Shop Corp. The current repair shop provides services for brakes, tune-up, electrical work, transmission, AC service, and front and rear suspension. No body work like painting is provided on site. Therefore, the facility was screened out, and further investigation is not warranted as there is no potential for continued emission sources.

Site 10: 146 Wyona Street (Block 3689, Lot 26)

According to NYC's Zoning and Land Use Map (ZoLa), this property is owned by Wyonasper LLC and is classed as a light manufacturing factory and industrial building. According to the NYSDEC database, the facility has an active NYSDEC Air Facility Registration Certificate (Registration ID: 2-6105-00653/00001) registered to Wyona Auto Repair. The facility's Air Facility Registration Certificate, no expiration date, authorizes the activity of top and body repair and paint shops for one emission point. Therefore, further investigation is warranted as there is potential for continued emission sources.

Industrial Source – Air Dispersion Analysis

Wyona Auto Repair – Emission Profile

The Wyona Auto Repair auto body repair facility is located within 400 feet of the Development Sites. The facility has a NYSDEC Air Facility Registration Certificate for auto body refinishing. Emission from spray-painting processing comprises of particulate and solvents, which are volatile organic compounds (VOCs). The particulate (solids) binds to the sprayed article, giving it the desired look and color. However, some amount of the sprayed solids is over-sprayed and could be emitted to the outside air. VOCs evaporated while spraying and while the coating substance dries. Particulate and VOC emissions were based on coating compound consumption rate of

0.125 gallon per hour during 4 hour per day and 250 day per year activity, based on DCP guidance on similar type of analysis. **Table 2.9-5** shows the Wyona Auto Repair particulates and VOC emissions, and hour per day activities.

Table 2.9-5: Wyona Auto Repair particulates and VOC emissions

Permit ID	Particulate		VOC		Activity Rate
	(lb/hr)	(lb/yr)	(lb/hr)	(lb/yr)	
NYSDEC Air Facility Registration Certificate: 2-6105-00653/00001	0.01625	16.3	0.775	775	4 (hr/day), 250 (day/yr)

Particulate emissions shown in **Table 2.9-5** include PM, PM_{10} and $PM_{2.5}$ combined. The particle size distribution ($PM_{10}/PM_{2.5}$) from the spray-painting processing emission was obtained from the EPA *AP-42 Manual Appendix B.1-12, Automobile and Light-Duty Truck Surface Coating Operations: Automobile Spray Booths (Water-Base Enamel)*. In addition, the facility hour par day activity was used to calculate the 24-hour average emission. **Table 2.9-6** shows the Wyona Auto Repair short-term and annual particulate emissions.

Table 2.9-6: Wyona Auto Repair $PM_{2.5}$ and PM_{10} Emissions

Process Activity	$PM_{2.5}$			PM_{10}	
	(lb/hr)	(lb/day)	(lb/yr)	(lb/hr)	(lb/day)
Auto body spray painting	0.0046	0.019	4.6	0.0076	0.03

The chemicals that make up the VOCs group, which is not included in the facility Air Facility Registration Certificate, by percent weight were derived from the DEP permit PW001217. The DEP permit PW001217, registered to Alex's Auto Body, is a comprehensive DEP certificate that includes paint, clear coats, reducer, and thinner (as applied coating compound). **Table 2.9-7** shows the Wyona Auto Repair chemicals that make up the VOC emission.

Table 2.9-7: Wyona Auto Repair VOCs Emissions

Chemical	CAS No.	Wyona Auto Repair	
		(lb/hr)	(lb/yr)
Isopropyl Alcohol	67-63-0	0.0111	10.3
Acetone	67-64-1	0.1313	131.7
Butanone	78-93-3	0.0481	47.3
Benyzl Butyl Phthalate	85-68-7	0.0055	6.2
Ethylbezene	100-41-4	0.0055	4.8
4-Methylpentan	108-10-1	0.0037	3.4
2-Methoxy-1-Methylethyl Acetate	108-65-6	0.0277	28.1
Methylcyclohexane	108-87-2	0.0166	16.5
Toluene	108-88-3	0.0980	98.8

Isopropyl Acetate	110-19-0	0.0203	20.6
Heptan-2-one	110-43-0	0.0018	1.4
N-Butyl Acetate	123-86-4	0.2811	281.2
Heptane	142-82-5	0.0481	48.0
Ethyl 3-Ethoxypropionate	763-69-9	0.0092	9.6
Xylenes	1330-20-7	0.0277	28.8
Ligroine	8032-32-4	0.0277	28.1
2-(2H-Benzotriazol-2-yl)-4,6-Ditertpentylphenol	25973-55-1	0.0037	3.4
Solvent Naphtha	64742-89-8	0.0074	6.9

Inland Paper Products Corp. (DEP Permit PB037713) – Emission Profile

The emission profile specified in the Inland Paper Products Corp. DEP permit PB037713 was used in the analysis. Air toxics emission associated with the DEP permit is from flexographic printing press with drying tunnel that consist of two natural gas burners with 1.2 million Btu per hour (MMBtu/hr) input, where water-based ink is the material being processed. The facility's processing activity rate is 10-hour per day, 240 day per year. **Table 2.9-8** shows the Inland Paper Products Corp. contaminants emission rates.

Table 2.9-8: Inland Paper Products Corp. DEP permit PB037713 Emission Rate

Pollutant Name	CAS No.	Emission	
		(lb/hr)	(lb/yr)
Isopropyl Alcohol	67-63-0	0.21	512

Air Dispersion Analysis

The *2021 CEQR Technical Manual* Industrial Source Screen methodology was used to predict each pollutant concentration. The *CEQR Technical Manual* Industrial Source Screen methodology can be used to predict pollutant concentration emitted from a single source at various distances (from 30 to 400 feet) and at different averaging times (1-hour, 3-hour, 8-hour, 24-hour, and annual averaging times). The distance between each facility and the nearest Development Site to the facility was used in the screening analysis. The cumulative concentration of each pollutant is the sum of concentrations from the facilities.

The Wyona Auto Repair is located approximately 370 feet from the Projected Development Site 1 (the nearest development site). A distance of 360 feet was used to calculate the concentrations. The Inland Paper Products Corp. (DEP Permit PB037713) is located approximately 305 feet from the Projected Development Site 1 (the nearest development site). A distance of 300 feet was used to calculate the concentrations. The criteria pollutants dispersion analysis results are presented in **Table 2.9-9**.

Table 2.9-9: Criteria pollutants cumulative dispersion analysis results

Criteria Pollutant	Threshold Standard	Modeled Concentration (µg/m³)	Background Concentration (µg/m³)	Ambient Concentration (µg/m³)	Threshold Criteria (µg/m³)
$PM_{2.5}$ 24-Hour	NAAQS	0.04	18.7	18.74	35
$PM_{2.5}$ Annual	NAAQS	0.004	7.6	7.604	12
PM_{10} 24-Hour	NAAQS	0.07	28	28.1	150

As seen in **Table 2.9-9**, $PM_{2.5}$ and PM_{10} concentrations are within the NAAQS. As seen in **Table 2.9-9**, only Isopropyl Alcohol is emitted from the Inland Paper Products Corp. (DEP Permit PB037713) processing activity, and the chemical is also emitted from the Wyona Auto Repair spray-painting activity. Using the above methodology, Isopropyl Alcohol concentrations are:

- Inland Paper Products Corp. (DEP PB037713) 1-hour and annual concentrations are 38.4 µg/m³ and 0.55 µg/m³, respectively.
- Wyona Auto Repair 1-hour and annual concentrations are 1.6 µg/m³ and 0.01 µg/m³, respectively.

Table 2.9-10 shows the cumulative VOC air dispersion analysis results.

Table 2.9-10: Noncriteria pollutants cumulative dispersion analysis result

Contaminant	CAS No.	1-Hour	SGC	Annual	AGC
		(µg/m³)	(µg/m³)	(µg/m³)	(µg/m³)
Isopropyl Alcohol (1)	67-63-0	40.0	98000.0	0.6	7000.0
Acetone	67-64-1	19.1	180000.0	0.1	30000.0
Butanone	78-93-3	7.0	13000.0	0.038	5000.0
Benyzl Butyl Phthalate (2)	85-68-7	0.8	---	0.005	0.4
Ethylbezene (2)	100-41-4	0.8	---	0.004	1000.0
4-Methylpentan (2)	108-10-1	0.5	31000.0	0.003	3000.0
2-Methoxy-1-Methylethyl Acetate	108-65-6	4.0	36850.0	0.023	2000.0
Methylcyclohexane	108-87-2	2.4	---	0.013	3800.0
Toluene (2)	108-88-3	14.3	37000.0	0.1	5000.0
Isopropyl Acetate	110-19-0	3.0	71300.0	0.017	565.0
Heptan-2-one	110-43-0	0.3	---	0.001	550.0
N-Butyl Acetate	123-86-4	40.9	71300.0	0.2	565.0
Heptane	142-82-5	7.0	210000.0	0.039	3900.0
Ethyl 3-Ethoxypropionate (2)	763-69-9	1.3	140.0	0.008	64.0
Xylenes (2)	1330-20-7	4.0	22000.0	0.023	100.0
Ligroine	8032-32-4	4.0	---	0.023	900.0

2-(2H-Benzotriazol-2-yl)-4,6-Ditertpentylphenol	25973-55-1	0.5	---	0.003	---
Solvent Naphtha	64742-89-8	1.1	---	0.006	3200.0
Note: 1. Cumulative concentration is the sum of concentrations from emission at each facility. 2. Indicates a HAP or AGC equivalent to one in a million excess cancer risk.					

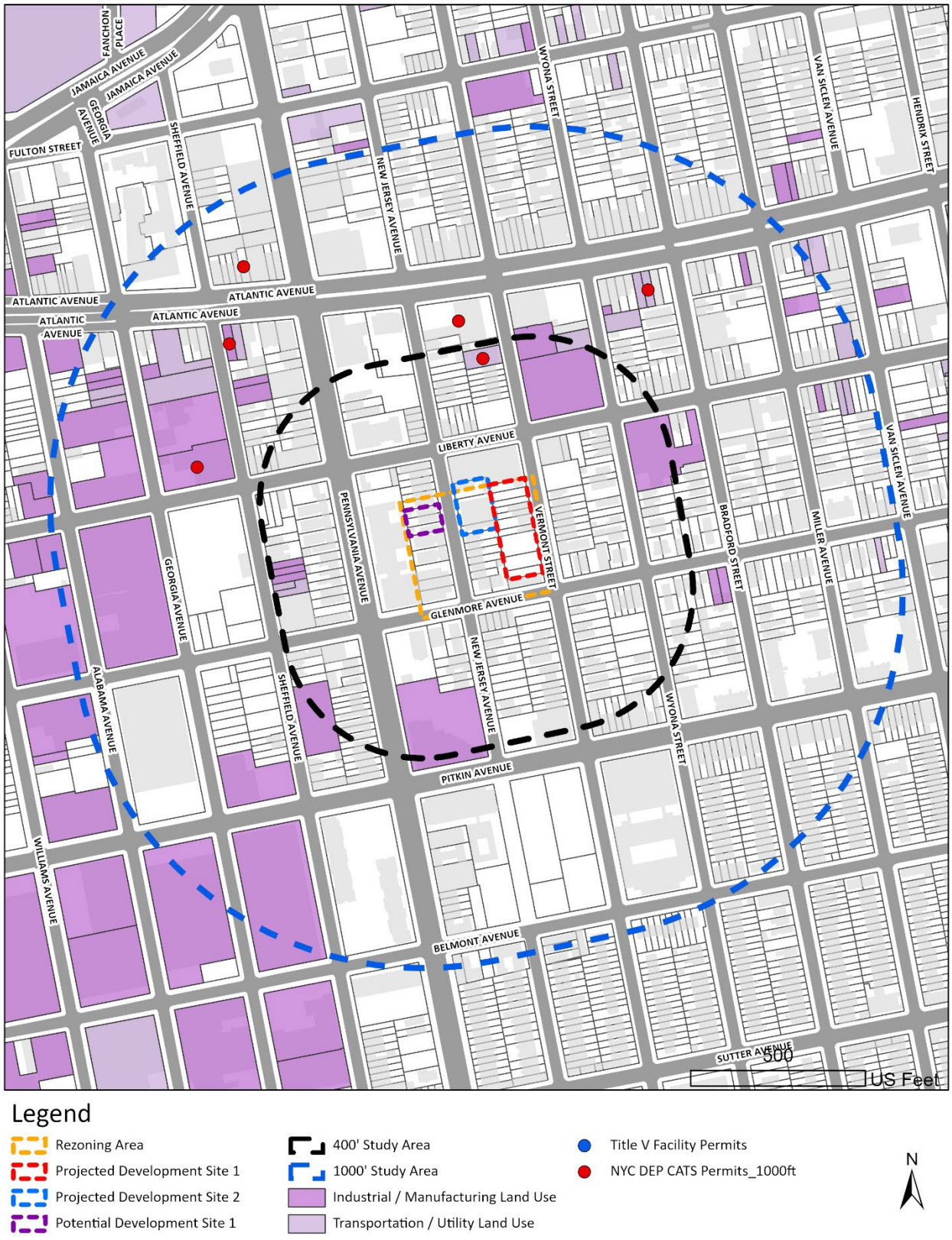
As seen in **Table 2.9-10**, the noncriteria pollutants concentrations are within the SGC/AGC standard. In addition, the inhalation risk for the HAPs is 0.01 (less than 10), and the Hazardous Index is 0.001 (less than 2) for the non-carcinogenic pollutants. Therefore, no adverse air quality impact is predicted at the project increment buildings from existing industrial source emissions in the study area.

Major/Large Source - 1,000-Foot Study Area

As outlined in the *2021 CEQR Technical Manual*, projects that would introduce new uses near major sources, large sources, and odor-producing facilities may result in potentially significant adverse air quality impacts. The study area considers major sources, large sources, and odor-producing facilities within 1,000 feet of the Affected Area. Major emission sources are identified as those sources located at Title V facilities that require Prevention of Significant Deterioration permits; large emission sources are identified as sources located at facilities which require a State facility permit. Solid waste or medical waste incinerators, asphalt and concrete plants, power generating plants, large boilers of large public facilities for example, and large industrial facilities are typical type of sources requiring these permits. Odor-producing facilities are operations that have the potential to cause discomfort, such as: solid waste management facilities, water pollution control plants (i.e., sewage treatment plants), and incinerators.

A search using the EPA's Envirofacts database was conducted for large or major source emissions. As shown in **Figure 2.9-5**, no existing large or major combustion sources, such as power plants, cogeneration facilities, etc. were identified within 1,000 feet of the Project Area. As such, no analysis was warranted.

Figure 2.9-5: Industrial Emissions Screening Within 1,000-Foot Area



2.9.6 Conclusion

No significant adverse air quality impact was predicted in the analysis. The HVAC refined analysis indicates that there would be no potential for significant adverse air quality impact(s) from the HVAC systems with the requirements specified in the (E) Designation for the Projected/Potential Development Sites adhered to.

Air toxics concentrations of existing industrial sources of emission operating within 400 feet of the Development Sites would be below the threshold criterions (NAAQS, SGC/AGC and cumulative risk assessments). Additionally, there is no evidence present to conclude that there are illegal unpermitted air emissions present in the study area. Hence, no significant adverse impacts are anticipated due to air toxics emissions from industrial sources operating within 400 feet of the Development Sites.

In addition, the Proposed Actions would not result in any significant adverse mobile source air quality impacts and no major/large source is located within 1,000 feet of the Development Sites.

2.10 Noise

Introduction

Equity Environmental Engineering, LLC (Equity) conducted Noise Monitoring in support of the Proposed Actions. Vehicular traffic and rail traffic are the predominant sources of noise in the area. Therefore, the Proposed Actions warrant an assessment of the potential for adverse effects on project occupants from ambient noise.

The Proposed Actions would not create a significant noise generator. The project-generated traffic is not anticipated to be a significant noise generator as it is below levels stated in the *2021 CEQR Technical Manual* requiring detailed analysis.

The purpose of the noise assessment under CEQR is to determine: (1) if new noise receptors that would be introduced by the proposed actions would be in an acceptable ambient sound level environment; and (2) if the proposed actions would significantly increase sound levels from mobile and stationary sources at existing noise receptors adjacent to the Project Site.

According to the *2021 CEQR Technical Manual*, a noise analysis is appropriate if an action would generate mobile or stationary sources of noise or would be located in an area with high ambient noise levels. Mobile sources include vehicular traffic generated by the proposed action and stationary sources include rooftop equipment such as emergency generators, cooling towers, and other mechanical equipment.

Framework of Noise Analysis

Noise is defined as any unwanted sound, and sound is defined as any pressure variation that the human ear can detect. Humans can detect a large range of sound pressures, from 20 to 20 million micropascals, but only those air pressure variations occurring within a particular set of frequencies are experienced as sound. Air pressure changes that occur between 20 and 20,000 times a second, stated as units of Hertz (Hz), are registered as sound.

Because the human ear can detect such a wide range of sound pressures, sound pressure is converted to sound pressure level (SPL), which is measured in units called decibels (dB). The decibel is a relative measure of the sound pressure with respect to a standardized reference quantity. Because the dB scale is logarithmic, a relative increase of 10 dB represents an acoustic energy that is 10 times higher. However, humans do not perceive a 10-dB increase as 10 times louder. Instead, they perceive it as twice as loud.

Sound is often measured and described in terms of its overall energy, taking all frequencies into account. However, the human hearing process is not the same at all frequencies. Humans are less sensitive to low frequencies (less than 250 Hz) than mid-frequencies (500 Hz to 1,000 Hz) and are most sensitive to frequencies in the 1,000- to 5,000-Hz range. Therefore, noise measurements are often adjusted, or weighted, as a function of frequency to account for human perception and sensitivities. The most common frequency weightings used are the A- and C-

weightings. These weight scales were developed to allow sound level meters, which use filter networks to approximate the characteristic of the human hearing mechanism, to simulate the frequency sensitivity of human hearing. The A-weighting is the most commonly used for environmental measurements, and sound levels measured using this weighting are denoted as dBA. The letter "A" indicates that the sound has been filtered to reduce the strength of very low and very high-frequency sounds, much as the human ear does. C-weighting gives nearly equal emphasis to sounds of most frequencies. Mid-range frequencies approximate the actual (unweighted) sound level, while the very low and very high-frequency bands are significantly affected by C-weighting.

Table 2.10-1: Noise Levels of Common Sense[13]

Sound Source	SPL (dB(A))
Air Raid Siren at 50 feet	120
Maximum Levels at Rock Concerts (Rear Seats)	110
On Platform by Passing Subway Train	100
On Sidewalk by Passing Heavy Truck or Bus	90
On Sidewalk by Typical Highway	80
On Sidewalk by Passing Automobiles with Mufflers	70
Typical Urban Area	60-70
Typical Suburban Area	50-60
Quiet Suburban Area at Night	40-50
Typical Rural Area at Night	30-40
Isolated Broadcast Studio	20
Audiometric (Hearing Testing) Booth	10
Threshold of Hearing	0
Notes: A change in 3dB(A) is a just noticeable change in SPL. A change in 10 dB(A)Is perceived as a doubling or halving in SPL.	

The following are typical human perceptions of dB(A) relative to changes in noise level:

- 3 dB(A) change is the threshold of change detectable by the human ear;
- 5 dB(A) change is readily noticeable; and
- 10 dB(A) increase is perceived as a doubling of the noise level.

The decrease in sound level caused by the distance from any single noise source normally follows the inverse square law. In a large open area with no obstructive or reflective surfaces, it is a general rule that at distances greater than 50 feet, the SPL from a point source of noise drops off at a rate of 6 dB with each doubling of distance away from the source. For "line" sources, such as

[13] Source: *2021 CEQR Technical Manual*

vehicles on a street, the SPL drops off at a rate of 3 dBA with each doubling of the distance from the source. Sound energy is absorbed in the air as a function of temperature, humidity, and the frequency of the sound. This attenuation can be up to 2 dB over 1,000 feet. The drop-off rate also will vary with both terrain conditions and the presence of obstructions in the sound propagation path.

The SPL that humans experience typically varies from moment to moment. Therefore, various descriptors are used to evaluate noise levels over time. Some typical descriptors are defined below.

a) L_{eq} is the continuous equivalent sound level. The sound energy from the fluctuating SPLs is averaged over time to create a single number to describe the mean energy, or intensity level. High noise levels during a measurement period will have a greater effect on the L_{eq} than low noise levels. L_{eq} has an advantage over other descriptors because L_{eq} values from various noise sources can be added and subtracted to determine cumulative noise levels.

b) L_{dn} is the day-night equivalent sound level, defined as a 24-hour continuous L_{eq} with a 10 dB adjustment added to all hourly noise levels recorded between the hours of 10 PM and 7 AM. This 10 dB addition accounts for the extra sensitivity people have to noise during typical sleeping hours.

c) L_{max} is the highest SPL measured during a given period of time. It is useful in evaluating Leqs for time periods that have an especially wide range of noise levels.

The sound level exceeded during a given percentage of a measurement period is the percentile-exceeded sound level (L_X). Examples include L_{10}, L_{50}, and L_{90}. L_{10} is the A-weighted sound level that is exceeded 10% of the measurement period.

Noise Standards and Guidelines

In 1983, the New York City Department of Environmental Protection (NYCDEP) adopted the City Environmental Quality Review (CEQR) noise exposure guidelines for exterior noise levels. As shown in **Table 2.10-2** below, noise standards classify noise exposure into four categories based on noise level limits and land use, for vehicular traffic, rail, and aircraft noise sources: Acceptable, Marginally Acceptable, Marginally Unacceptable and Clearly Unacceptable, Table 19-3 of the *2021 CEQR Technical Manual* defines attenuation requirements for buildings based on exterior noise exposure levels. Recommended noise attenuation values for buildings are designed to maintain interior noise levels of 45 dBA (*L_{10} or Ldn, depending on the source*) or below in **Table 2.10-3**.

Table 2.10-2: Noise Exposure Guidelines for Use in City Environmental Impact Review

Receptor Type	Time Period	Acceptable General External Exposure	Airport[3] Exposure	Marginally Acceptable General External Exposure	Airport[3] Exposure	Marginally Unacceptable General External Exposure	Airport[3] Exposure	Clearly Unacceptable General External Exposure	Airport[3] Exposure
1.Outdoor area requiring serenity and quiet[2]		$L_{10} \leq 55$ dBA	DNL ⩽ 60 dBA		60 < DNL ⩽ 65 dBA		(I) 65 < DNL ⩽ 75 dBA		75 dBA < DNL
2. Hospital, Nursing Home		$L_{10} \leq 55$ dBA		55 < $L_{10} \leq 65$ dBA		65 < $L_{10} \leq 80$ dBA		$L_{10} > 80$ dBA	
3. Residence, residential hotel or motel	7 am to 10 pm	$L_{10} \leq 65$ dBA		65 < $L_{10} \leq 70$ dBA		70 < $L_{10} \leq 80$ dBA		$L_{10} > 80$ dBA	
	10 pm to 7 am	$L_{10} \leq 55$ dBA		55 < $L_{10} \leq 70$ dBA		70 < $L_{10} \leq 80$ dBA		$L_{10} > 80$ dBA	
4. School, museum, library, court house of worship, transient hotel or motel, public meeting room, auditorium, out-patient public health facility		Same as Residential Day (7 AM-10 PM)		Same as Residential Day (7 AM-10 PM)		Same as Residential Day (7 AM- 10 PM)		Same as Residential Day (7 AM –10 PM)	
5. Commercial or office		Same as Residential Day (7 AM-10 PM)		Same as Residential Day (7 AM-10 PM)		Same as Residential Day (7 AM-10 PM)		Same as Residential Day (7 AM-10 PM)	
6. Industrial, public areas only[4]	Note 4	Note 4		Note 4		Note 4		Note 4	

Source: New York City Department of Environmental Protection (adopted policy 1983).

Notes:

(i) In addition, any new activity shall comply with Impact Thresholds detailed in Section 410.

1. Measurements and projections of noise exposures are to be made at appropriate heights above site boundaries as given by American National Standards Institute (ANSI) Standards; all values are for the worst hour in the time period.

2. Tracts of land where serenity and quiet are extraordinarily important and serve as important public need, and where the preservation of these qualities is essential for the area to serve its intended purpose. Such areas could include amphitheaters, particular parks or portions of parks, or open spaces dedicated or recognized by appropriate local officials for activities requiring special qualities of serenity and quiet. Examples are grounds for ambulatory hospital patients and patients and residents of sanitariums and nursing homes.

3. One may use the FAA-approved DNL contours supplied by the Port Authority of New York and New Jersey (PANYNJ), or the noise contours may be computed from the federally approved Aviation Environmental Design Tool (AEDT) Computer Model using flight data supplied by the PANYNJ.

4. External Noise Exposure standards for industrial areas of sounds produced by industrial operations other than operating motor vehicles or other transportation facilities are spelled out in the New York City Zoning Resolution, Sections 42-20 and 42-21. The referenced standards apply to M1, M2, and M3 manufacturing districts and to adjoining residence districts (performance standards are listed by octave bands).

Table 2.10-3: *CEQR* Attenuation Values to Achieve Acceptable Interior Noise Levels

	Marginally Unacceptable				Clearly Unacceptable
Vehicular Traffic	$70 < L_{10} \leq 73$	$73 < L_{10} \leq 76$	$76 < L_{10} \leq 78$	$78 < L_{10} \leq 80$	$80 < L_{10}$
Aircraft [A]	$65 < DNL \leq 68$	$68 < DNL \leq 71$	$71 < DNL \leq 73$	$73 < DNL \leq 75$	$75 < DNL$
Train	$65 < L_{dn} \leq 68$	$68 < L_{dn} \leq 71$	$71 < L_{dn} \leq 73$	$73 < L_{dn} \leq 75$	$75 < L_{dn}$
Attenuation [B]	(I) 28 dB(A)	(II) 31 dB(A)	(III) 33 dB(A)	(IV) 35 dB(A)	See note [C]

Source: New York City of Environmental Protection

Notes:

A. DNL descriptor based on average values of L_{dn} over a year period.

B. The above composite window-wall attenuation values are for residential dwellings and community facility development. Commercial office spaces and meeting rooms would be 5 dB(A) less in each category. All of the above categories require a closed window situation and hence an alternate means of ventilation.

C. The required attenuation value is the difference between L_{build} and $L_{interior}$, using the appropriate noise descriptor.

Where:

L_{build} is the projected noise level under the build condition rounded up to the whole number

$L_{interior}$ is the designed interior noise level (45 dB(A) for vehicular noise, 40 dB(A) for aircraft and train noise

2.10.1 Stationary Sources

As per the *2021 CEQR Technical Manual*, a detailed analysis of stationary noise may be appropriate if the proposed project would introduce a stationary noise source, such as a playground, to be operating within 1,500 feet of a receptor, or within direct line of sight to that receptor or if the project would be subject to high ambient noise levels from any nearby stationary source. The Proposed Project would not add any new stationary noise source. A review of the existing ambient noise levels is discussed below.

Noise Monitoring Location and Equipment

Because the predominant noise sources in the area of the Proposed Project consist of vehicular traffic, noise monitoring was conducted during peak weekday vehicular travel periods (AM, Midday, PM) on a typical midweek day for 20-minute periods. The weather condition is normal with calm wind and is considered suitable for an ambient noise measurement. The noise monitoring locations are shown in **Figure 2.10-1** to **Figure 2.10-5** below.

Noise monitoring was conducted using Type 1 Casella CEL-633 sound level meters with wind screens. The monitors were placed on a tripod at a height of approximately four feet above the ground, away from any other noise-reflective surfaces. The monitors were calibrated prior to and following each monitoring session. Periods of peak vehicular around the Affected Area constitute a worst-case condition for noise at the project site. Noise meter calibration certification and back up data are provided in **Appendix E**.

Figure 2.10-1: Noise Monitoring Locations

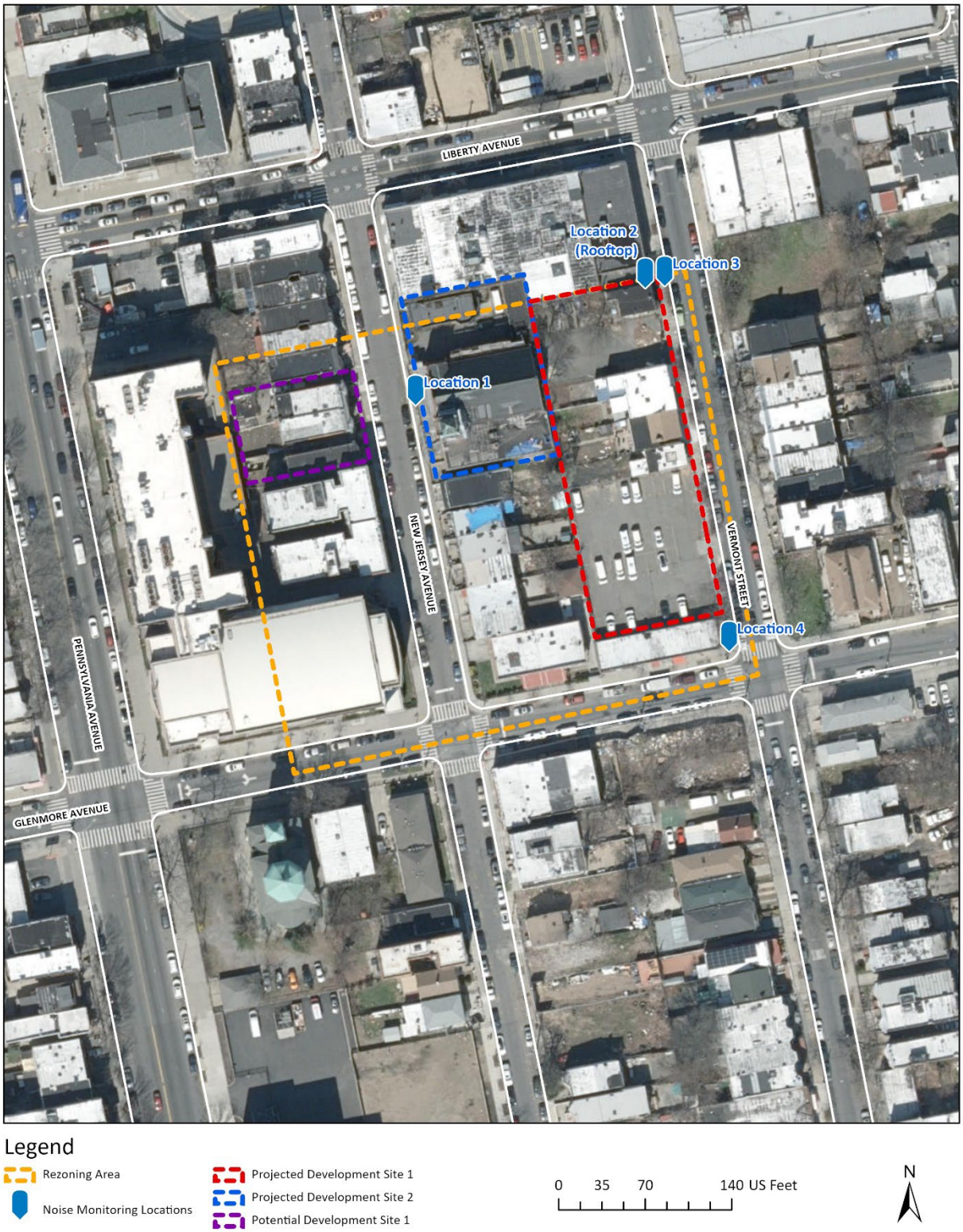


Figure 2.10-2: Noise Monitor Location (1)



Figure 2.10-3: Noise Monitor Location (2)



Figure 2.10-4: Nosie Monitor Location (3)



Figure 2.10-5: Noise Monitor Location (4)



2.10.2 Monitoring Locations and Results

Monitoring was conducted during typical midweek conditions, on November 16th, 2021. The weather was dry and wind speeds were moderate during all monitoring periods. The sound meters were calibrated before and after each monitoring session. **Table 2.10-4** to **Table 2.10-7** below contains the results for the noise measurements taken at Location 1 to Location 4, respectively.

Table 2.10-4: Noise Levels in dBA at Location 1

Noise Metric	Tuesday, November 16, 2021		
	7:35 am – 7:55 am	12:06 pm – 12:26 pm	4:32 pm – 4:52 pm
L_{max}	73.6	70.2	76.6
L_{10}	61.0	60.0	61.0
L_{eq}	58.6	57.0	59.4
L_{50}	56.0	53.0	55.0
L_{90}	54.5	50.0	52.5
L_{min}	53.4	47.3	50.5

Table 2.10-5: Noise Levels in dBA at Location 2 (Rooftop)

Noise Metric	Tuesday, November 16, 2021		
	7:30 am – 8:30 am	12:04 pm – 1:04 pm	4:30 pm – 5:30 pm
L_{max}	82.1	83.3	88.2
L_{10}	68.0	66.0	62.5
L_{eq}	64.8	62.7	62.3
L_{50}	61.5	58.5	57.5
L_{90}	58.5	56.0	55.0
L_{min}	55.1	52.8	52.8

Table 2.10-6: Noise Levels in dBA at Location 3

Noise Metric	Tuesday, November 16, 2021		
	8:25 am – 8:45 am	12:53 pm – 1:13 pm	5:18 pm – 5:38 pm
L_{max}	88.9	82.0	82.1
L_{10}	**71.5**	63.5	65.5
L_{eq}	70.6	62.7	63.5
L_{50}	62.0	57.5	59.0
L_{90}	57.5	55.0	55.5
L_{min}	53.2	53.5	49.7

Table 2.10-7: Noise Levels in dBA at Location 4

Noise Metric	Tuesday, November 16, 2021		
	8:01 am – 8:21 am	12:30 pm – 12:50 pm	4:56 pm – 5:16 pm
L_{max}	84.5	80.6	77.9
L_{10}	66.5	66.5	64.0
L_{eq}	64.8	63.6	60.8
L_{50}	59.5	56.0	56.5
L_{90}	54.5	52.0	51.5
L_{min}	51.2	50.1	49.1

The traffic volumes (vehicle counts) and vehicle classifications taken at the Project Site during peak vehicular travel periods [morning (AM), noon (MD), and evening (PM)] concurrent with noise monitoring at Location 1 are shown below in **Table 2.10-8** to **Table 2.10-10.**

Table 2.10-8: Traffic Volumes and Vehicle Classifications Noise Location 1

	7:35 am – 7:55 am	12:06 pm – 12:26 pm	4:32 pm – 4:52 pm
Car/ Taxi	4	10	9
Van/Light Truck/SUV	4	13	6
Medium Truck	0	0	1
Heavy Truck	0	0	0
Bus	0	0	0

Table 2.10-9: Traffic Volumes and Vehicle Classifications Noise Location 3

	8:25 am – 8:45 am	12:53 pm – 1:13 pm	5:18 pm – 5:38 pm
Car/ Taxi	47	40	59
Van/Light Truck/SUV	60	55	72
Medium Truck	0	3	2
Heavy Truck	0	1	1
Bus	2	2	1

Table 2.10-10: Traffic Volumes and Vehicle Classifications Noise Location 4

	8:01 am – 8:21 am	12:30 pm – 12:50 pm	4:56 pm – 5:16 pm
Car/ Taxi	79	62	69
Van/Light Truck/SUV	90	74	86
Medium Truck	4	3	1
Heavy Truck	0	1	0
Bus	4	1	0

The *2021 CEQR Technical Manual* Table 19-2 contains noise exposure guidelines. For a residential use such as would occur under the Proposed Actions, an L_{10} of between 65 and 70 dB(A) is identified as marginally acceptable general external exposure. An L_{10} of between 70 and 80 dB(A) is identified as marginally unacceptable general external exposure. The highest recorded L_{10} at Noise Monitoring Location One (1) was 61.0 during the morning and evening monitoring period. The highest recorded L_{10} at Noise Monitoring Location Two (2) was 68.0 during the morning monitoring period. The highest recorded L_{10} at Noise Monitoring Location Three (3) was 71.5 during the morning monitoring period. The highest recorded L_{10} at Noise Monitoring Location Four (4) was 66.5 during the morning and midday monitoring period.

Based on the field notes, a dog was barking near the meter and some light construction activities were happening across the street from the meter at Noise Monitoring Location Three (3) during the morning session. Therefore, the sound level in the morning monitoring session is not representative of typical conditions at this location. However, for a more conservative analysis, the highest L_{10} of 71.5 recorded at Noise Monitoring Location Three (3) during the morning monitoring session will still be applied.

2.10.3 Conclusion

Based on the results of the noise monitoring as summarized above, a window/wall attenuation of 28 dB(A) would be required on the facade facing Vermont Street, the facade facing Liberty Avenue within 50 feet of Vermont Street, the facade facing Glenmore Avenue, and the facade facing New Jersey Avenue within 50 feet of Glenmore Avenue. No other facades require attenuation. Attenuation requirements are shown in **Figure 2.10-6** below.

Accordingly, an E-Designation is proposed to be mapped on the Affected Area. The proposed E-Designation language related to Noise is as follows:

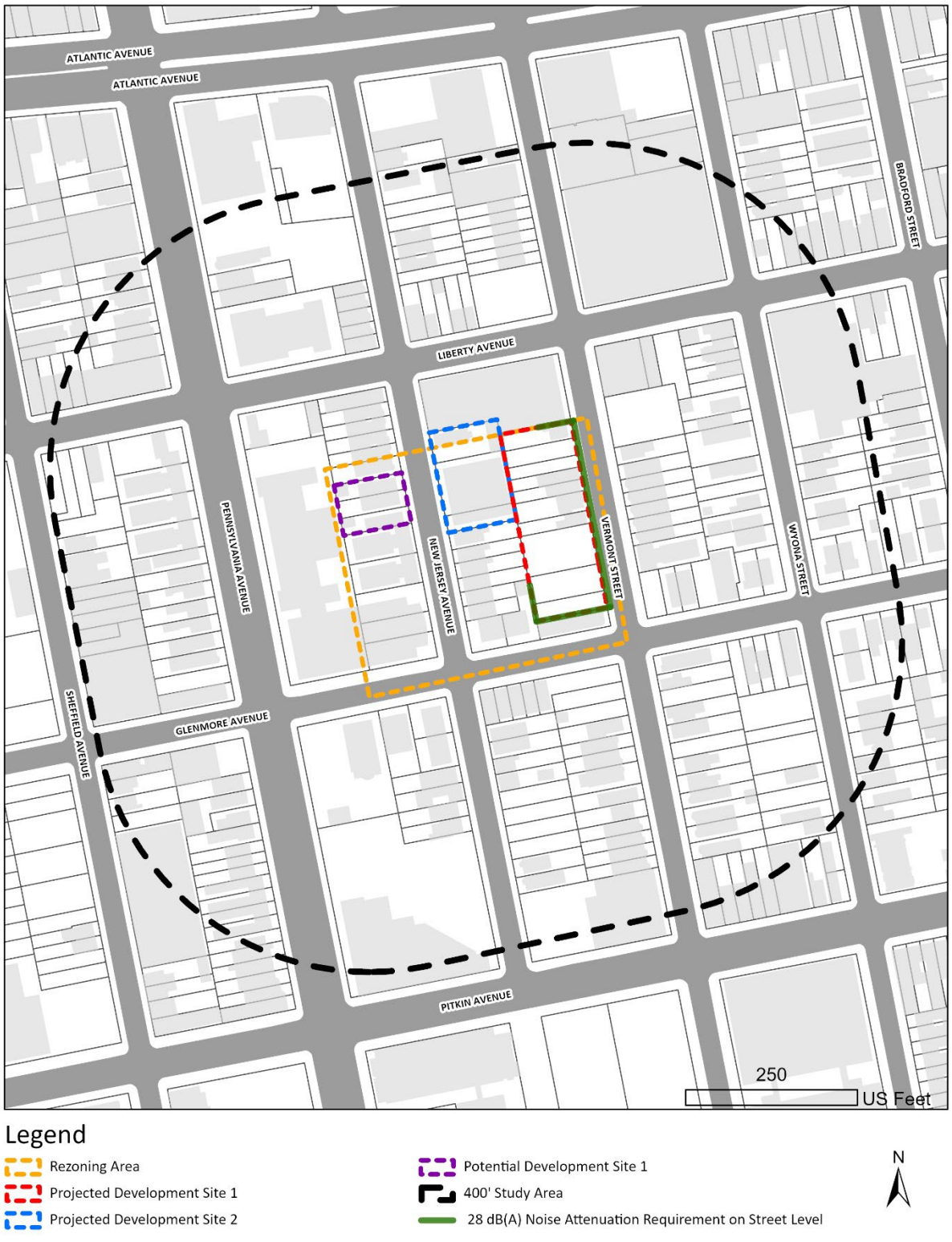
E-Designation (E-802)

Block 3705, Lots 27, 28, 29, 30, 31, 32, 34, 35, 38 and 39 (Projected Development Site 1):

In order to ensure an acceptable interior noise environment, future residential use must provide a closed window condition with a minimum of 28 dB(A) window/wall attenuation on the facade facing Vermont Street, the facade facing Liberty Avenue within 50 feet of Vermont Street, the facade facing Glenmore Avenue, and the facade facing New Jersey Avenue within 50 feet of Glenmore Avenue to maintain an interior noise level not greater than 45 dB(A) for residential use. In order to maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, air conditioning.

With this level of attenuation, there would be no adverse noise impacts as a result of the Proposed Actions.

Figure 2.10-6: Noise Attenuation Map[14]



[14] Above attenuation requirements are for residential and community facility uses. Commercial office uses would require attenuation 5 dBA less.

2.11 Neighborhood Character

According to the *2021 CEQR Technical Manual*, a neighborhood character assessment considers how elements of the environment combine to create the context and feeling of a neighborhood and how a project may affect that context and feeling. Thus, to determine a project's effects on the neighborhood character, the elements that contribute to a neighborhood's context and feeling are considered together. These elements may include land use, zoning, public policy, socioeconomic conditions, open space, historic and cultural resources, urban design, visual resources, shadows, transportation, and noise. The study area for a preliminary analysis of neighborhood character is typically consistent with the study areas of the relevant technical areas under CEQR that contribute to the defining elements of the neighborhood. The study area should generally extend to a 400-foot radius around the Affected Area.

2.11.1 Preliminary Analysis

Existing Conditions

The surrounding area is predominantly one and two family, and multifamily walkup, multifamily elevator buildings, and public facilities and institutions. To a lesser degree, transportation and utility uses, light industrial uses (mostly self-storage) and vacant land are present. Manufacturing buildings range from 1 to 3 stories in height and the residential buildings consist of multiple family apartment buildings ranging from 3 to 4 stories in height. Atlantic Avenue is a major thoroughfare in the area and contains a mix of high-density multi-family, commercial, and mixed residential and commercial uses.

Built form in the area varies by use, and generally consists of low-rise residential and mixed-use commercial and residential uses as well as multi-family residential buildings. The manufacturing and industrial buildings are mostly one story in height, but occasionally range from two to four stories.

The Affected Area is within an R5B zoning district that is surrounded by a mix of moderate density residential, light manufacturing, mixed residential/light-manufacturing districts, as well as commercial overlays along major corridors including Pennsylvania Avenue, Pitkin Avenue, and Atlantic Avenue. The R5B district housing all of the Affected Area less the northern half of Block 3705, Lot 14 generally extends to the East. South of this district, along Pitkin Avenue, the area is generally zoned R7A with a C2-4 Commercial overlay. North of the R5B district is a mix of small commercial, manufacturing, and residential district (often less than a Block in size) including R6B, M1-4/R6A, and M1-4/R8A. West of the R5B there is a corridor along Pennsylvania Avenue of R7A with a C2-4 commercial overlay as well as manufacturing districts M1-1 and M3-2 as well as smaller commercial districts including C4-4.

Major commercial corridors in the vicinity include Atlantic Avenue East-to-West, Pennsylvania Avenue North-to-South, and Pitkin Avenue East-to-West. Atlantic Avenue in particular is a major thoroughfare through northern Brooklyn and eastern Queens.

The area is well served by transit. The Liberty Avenue A/C train subway station one block west of the Affected Area. The nearest transfer station to another subway is one stop away at Broadway Junction to the northwest. The A/C line also connects provides connectivity to Atlantic Terminal which includes the LIRR as well as JFK via the AirTrain. MTA bus lines in the vicinity include the Q24 which runs East/West along Atlantic Avenue and the B20 and B83 which run North/South along Pennsylvania Avenue.

Open space in the study area is largely playgrounds and community gardens, and the large regional Highland Park is just over ½ mile from the Affected Area.

A complete breakdown of the surrounding area and the Affected Area are discussed above in **Section 1.3** and **Section 1.4**, respectively. The Affected Area is in Brooklyn Community District 5, on Blocks 3705 and 3704. These lots are a mix of residential, community facility/religious facilities, parking lots, and vacant lots. Blocks 3705 and 3704 are bounded by Liberty Avenue to the north and Glenmore Avenue to the south. Block 3705 is bounded by Vermont Street to the east and New Jersey Avenue to the west while Block 3704 is bounded by New Jersey Avenue to the east and Pennsylvania Avenue to the west.

Future No-Action Condition

There are three active construction permits in the surrounding 400' study area, accounting for approximately 26,277 square feet of residential land uses comprised of approximately 53 units. The two largest active developments account for approximately 95% of proposed floor area and dwelling units. These two developments are located at 369 Glenmore Avenue and 221 Vermont Street. Both are residential buildings rising three stories tall. There are no proposed rezonings within the 400-foot Study Area. No-Action Developments are shown above in **Table 2.1-1**. No other rezonings are anticipated to affect the Study Area under the Future No-Action conditions.

Within the Affected Area, existing conditions are expected to remain the same within the No-Action Condition.

Future With-Action Condition

Land use and development patterns in the study area are anticipated to remain unchanged in the future with the Proposed Actions. Any new development in the surrounding area would be consistent with the underlying zoning regulations.

Block 3705, Lots 1, 3, 4, 5, 6, 7, 8, 9, 10, p/o 14, 27, 28, 29, 30, 31, 32, 34, 35, 38, 39, 40, 42 and Block 3704, Lots 25, 26, 27, 28, 29, 31, 33, 35, 36 would be rezoned from R5B to R6A and an MIH area would be established coterminous with the Affected Area.

Under the With-Action condition, the proposed R6A district would permit a maximum FAR of 3.0 for basic residential, and 3.60 for inclusionary residential uses. Above a minimum base height of 40 feet, the building must set back by at least 10 feet on a wide street and 15 feet on a narrow street before rising to its maximum height of 70 feet, or 75 feet if providing a qualifying ground

floor. To preserve the traditional streetscape, the street wall of a new building can be no closer to the street line than any adjacent street wall, but need not be farther than 10 feet. The area between a building's street wall and the street line must be planted. R6A buildings must have interior amenities for the residents pursuant to the Quality Housing Program. Additionally, higher maximum FAR and heights are available for buildings participating in the Inclusionary Housing Program or that provide certain senior facilities.

Off-street parking is generally required for 50 percent of a building's dwelling units, but requirements are lower for income-restricted housing units (IRHU) and are further modified in certain areas, such as within the Transit Zone and the Manhattan Core, or for lots less than 10,000 square feet. Parking can be waived if five or fewer spaces are required. Off-street parking is not allowed in front of a building.

This contrast with the existing R5B zoning district by allowing for a much larger FAR (3.0/3.6 vs 1.35) as well as lowered parking requirements (50% dwelling units, 25% for IRHU vs 66% and 42.5%, respectively). These larger bulk regulations would allow the development of contextually scaled buildings given the predominately R6A districts and residential land uses in the surrounding area.

Projected Development Site 1 (Block 3705, Lots 27, 28, 29, 30, 31, 32, 34, 35, 38, and 39)

A new 8-story, 85-foot-tall, 131,404 GSF (98,795 ZSF; 3.60 FAR) residential building would be developed on a combined 27,443-SF lot. The proposed building would contain 25,012 GSF of parking at the cellar level and 106,392 GSF (98,795 ZSF; 3.60 FAR) of residential uses above grade from the first floor through the eighth floor with 114 dwelling units. Projected Development Site 1 would be within the proposed MIH area, which would require new developments to set aside 25-30% of the residential floor area for affordable housing at an average of 60-80% AMI per MIH Options 1 or 2. However, the worst-case scenario assumes a 100% affordable residential development for all 114 residential units utilizing HPD financing. The proposed building would have a height of 85 feet after a 15-foot setback on Vermont Street above the base height of 65 feet. 44 residential accessory parking spaces would be provided at the cellar level accessible by a curb cut on Vermont Street.

Projected Development Site 2 (Block 3705, Lots 9, 10, and 14)

A new 8-story, 85-foot-tall 69,838 GSF (53,460 ZSF; 3.60 FAR) mixed-use residential and community facility building would be developed on a combined 14,850-SF lot. The proposed building would contain 10,767 GSF of parking at the cellar level, 18,635 GSF (15,911 ZSF; 1.07 FAR) of church (15,453 GSF) and general community facility uses (3,182 GSF) on the ground floor and mezzanine level, and 40,436 GSF (37,549 ZSF; 2.53 FAR) of residential uses on the second floor through the eighth floor with 39 dwelling units. Projected Development Site 2 would be within the proposed MIH area, which would require new developments to set aside 25-30% of the residential floor area for affordable housing at an average of 60-80% AMI per MIH Options 1 or 2. However, the worst-case scenario assumes a 100% affordable residential development for

all 39 residential units utilizing HPD financing. The proposed building would have a height of 85 feet after a 15-foot setback on New Jersey Avenue above the base height of 65 feet. 23 residential accessory parking spaces would be provided at the cellar level accessible by a curb cut on New Jersey Avenue.

In total, Projected Development Sites 1 and 2 would contain 153 units of affordable housing.

Potential Development Site 1 (Block 3704, Lots 26, 27, and 28)

A new 8-story, 85-foot-tall, 35,040 GSF (27,000 ZSF; 3.60 FAR) residential building would be developed on a combined 7,500-SF lot. The proposed building would contain 27,540 GSF (27,000 ZSF; 3.60 FAR) of residential uses above grade from the first floor through the eighth floor and 7,500 GSF of parking at the cellar level. There would be 28 dwelling units (1,000 GSF per unit), with 7 or 9 units reserved as permanently affordable at an average of 60-80% AMI per MIH Options 1 or 2. The proposed building would have a height of 85 feet after a 15-foot setback on New Jersey Avenue above the base height of 65 feet. 11 residential accessory parking spaces would be provided at the cellar level accessible by a curb cut on New Jersey Avenue.

In order to determine the Proposed Actions' potential effects on neighborhood character, the elements that contribute to a neighborhood's context and feeling are considered both separately and cumulatively. The examination focuses on whether a defining feature of the neighborhood's character may be significantly affected, as further described below:

- **Land Use, Zoning, and Public Policy (See Section 2.1):** The Proposed Actions would not adversely impact the neighborhood in terms of land use, zoning, or public policy. Though the proposed rezoning would effectuate developments of residential and community facility uses at a higher density than that is currently allowed within the study area, the permitted uses would be in character with the existing mixed residential, commercial, light industrial, and institutional uses and the density would be consistent with the existing R6A zoning districts in the area. Accordingly, the Proposed Action would not alter the overall land use patterns in the area or jeopardize the intent of the zoning resolution.
- **Community Facility (See Section 2.2):** The Proposed Actions would increase the utilization rate of publicly funded child care and Head Start centers within the 1.5-mile study area from 64.41% under the No-Action Condition to 65.34% under the With-Action Condition. The Proposed Actions would only raise the collective utilization rate of publicly funded child care and Head Start centers by 0.93% within the study area, which is way less than the CEQR threshold of 5%. Furthermore, the collective utilization rate of child care and Head Start centers within the study area would be 65.34% with the 27 additional eligible children introduced by the Proposed Actions, which is less than 100% utilization rate, leaving 996 seats available in the area. Therefore, the Proposed Actions would not result in significant adverse impacts related to publicly funded child care and Head Start facility utilization.

- **Open Space (See Section 2.3):** Though the area has a relatively low OSR 0f 0.415 under the With-Action Condition, the OSR decrease induced by the Proposed Actions would be 0.90%, which is lower than the CEQR threshold of 1% decrease for areas with an OSR of 0.50 or less. In addition, there are additional open space resources located within walking distance of the Affected Area, which could help mitigate the shortfall of open spaces within the study area. Also, the Affected Area is located within a Walk to Park Service Area, and is therefore not identified as a walk gap area. As a result, the Proposed Actions would not have significant adverse impacts on open space resources and further open space analysis is not warranted.

- **Shadows (See Section 2.4):** Though there is one sunlight sensitive resource (Holy Trinity Russian Orthodox Church) located within the longest shadow extent, it is not within the area between -108 and +108 degrees from true north of the Projected and Potential Development Sites. As a result, the shadows cast from the Proposed Development would not reach the church. Therefore, no significant impact due to shadows is projected as a result of the Proposed Actions and no further analysis is warranted.

- **Historic and Cultural Resources (See Section 2.5):** Though the LPC review identified that one known Architectural resource, Maxwell High School (S/NR eligible property), intersects with the 400-foot study area, no potential impacts associated with the Proposed Development on the identified historic resources would occur. The Proposed Actions would not result in any types of visual and contextual impacts to the known historic resources within the 400-foot radius or introduce any incompatible visual, audible, or atmospheric elements to the settings of historic resources. Meanwhile, there is potential for the recovery of remains from 19th Century occupation on the Projected Development Sites. As a result, direct construction-related effects via ground-borne construction activities are anticipated. Only temporary changes related to the construction activity to the existing environment surrounding the architectural resources is expected for a limited construction period of 18 months. After the completion of the construction, the environment of the architectural resources would be the same as the existing condition. Therefore, significant adverse impacts to architectural resources are not expected because of the Proposed Actions, and further analysis is not warranted.

- **Urban Design and Visual Resources (See Section 2.6):** The development facilitated by the Proposed Actions would not adversely impact any of the constituent urban design elements or impact the overall character of the neighborhood. It would not significantly change the pedestrian experience, nor would it disturb the vitality, walkability, or the visual character of the area. Instead, with affordable housing and community facility service provided on-site, the Proposed Development would improve the pedestrian experience in the area. Therefore, the Proposed Actions would not result in any significant adverse impact to the constituent elements of Urban Design, and a detailed analysis is not warranted.

- **Hazardous Materials (See Section 2.8):** A Phase I ESA was prepared for the two Projected Development Sites, where RECs and VECs were identified related to the Subject Properties. Thus, a Phase II ESA was required to evaluate the potential impact to the Projected Development Sites from the RECs and VECs identified in the Phase I ESA. However, a Phase II ESA cannot be performed currently as the intrusive investigation through the Phase II process is not practical on the site where the existing buildings are not evacuated. Therefore, it is recommended that in the event any future excavation/construction activities are proposed, further assessment of the historic fill material should be conducted. As a result, an E-Designation will be mapped on Projected Development Site 1 and Projected Development Site 2. With the (E) designation in place, no significant adverse impacts related to hazardous materials are expected.
- **Air Quality (See Chapter 2.9):** The Proposed Actions would not result in a development that would have significant adverse impact on the air quality within the study area or would receive industrial emissions that would have significant adverse impact on the project occupants. The HVAC refined analysis indicates that there would be no potential for significant adverse air quality impact(s) from the HVAC systems with the requirements specified in the (E) Designation for the Projected/Potential Development Sites adhered to. Air toxics concentrations of existing industrial sources of emission operating within 400 feet of the Development Sites would be below the threshold criterions (NAAQS, SGC/AGC and cumulative risk assessments). Meanwhile, there are no active industrial emissions permits or large industrial emission sources within the 1,000-foot study areas. Additionally, there is no evidence present to conclude that there are illegal unpermitted air emissions present in the study area. Therefore, there does not appear to be any potentially significant impact in terms of air toxics to project occupants.
- **Noise (See Chapter 2.10):** Based on the results of the noise monitoring as summarized above, a window/wall attenuation of 28 dB(A) would be required on the eastern (Vermont Avenue) façade below the level of the elevated rail line. No other facades require attenuation. With this level of attenuation, there would be no adverse noise impacts as a result of the Proposed Action.

Combination of Moderate Effects:

Based on the above findings, there would be no combination of moderate effects to several elements that cumulatively may affect neighborhood character.

2.11.2 Conclusion

As discussed above, the Proposed Actions would not in whole or from a specific technical study standpoint result in a significant impact to the neighborhood character, nor would have cumulative effects of two or more of the above technical areas have any significant impacts to the 400-foot study area.

2.12 Construction

According to the *2021 CEQR Technical Manual*, construction impacts may be analyzed for any project that involves construction or could induce construction. For construction activities not related to in-ground disturbance, short-term construction generally does not warrant a detailed construction analysis. For example, the use of a property for construction staging activities is likely to only warrant analysis if this activity continues for a period of several years. Consideration of several factors, including the location and setting of the project in relation to other uses and intensity of construction activities are used to determine if a project's construction activities warrant analysis in one or more of the following technical areas:

- Transportation
- Air Quality or Noise
- Historic and Cultural Resources
- Hazardous Materials
- Natural Resources
- Open Space
- Socioeconomic Conditions
- Community Facilities
- Land Use and Public Policy
- Neighborhood Character
- Infrastructure

A preliminary construction analysis may be required because the proposed development would result in the following:

- Construction activities are considered long-term (Last longer than two years); or
- Short term construction activities would directly affect a technical area, such as impeding the operation of a community facility.
- Result in the closing, narrowing, impeding of traffic, transit, or obstruction of pedestrian or vehicular routes in proximity to critical land uses.
- Construction of multiple buildings where there is a potential for on-site receptors on buildings completed before the final build-out.
- The operation of several pieces of diesel equipment in a single location at peak construction.

- Closure of a community facility or disruption in its services.
- Disturbance of a site containing or adjacent to a site containing natural resources.
- Construction on multiple development sites in the same geographic area, such that there is the potential for several construction timelines to overlap or last for more than two years overall.

Analysis Framework

Future No-Action Scenario

In the Future No-Action Scenario existing conditions would be expected to remain. No redevelopment or construction-related activities would be expected to occur.

Future With-Action Scenario

Projected Development Site 1 (Block 3705, Lots 27, 28, 29, 30, 31, 32, 34, 35, 38, and 39)

A new 8-story, 85-foot-tall, 131,404 GSF (98,795 ZSF; 3.60 FAR) residential building would be developed on a combined 27,443-SF lot. The proposed building would contain 25,012 GSF of parking at the cellar level and 106,392 GSF (98,795 ZSF; 3.60 FAR) of residential uses above grade from the first floor through the eighth floor with 114 dwelling units. Projected Development Site 1 would be within the proposed MIH area, which would require new developments to set aside 25-30% of the residential floor area for affordable housing at an average of 60-80% AMI per MIH Options 1 or 2. However, the worst-case scenario assumes a 100% affordable residential development for all 114 residential units utilizing HPD financing. The proposed building would have a height of 85 feet after a 15-foot setback on Vermont Street above the base height of 65 feet. 44 residential accessory parking spaces would be provided at the cellar level accessible by a curb cut on Vermont Street.

Projected Development Site 2 (Block 3705, Lots 9, 10, and 14)

A new 8-story, 85-foot-tall 69,838 GSF (53,460 ZSF; 3.60 FAR) mixed-use residential and community facility building would be developed on a combined 14,850-SF lot. The proposed building would contain 10,767 GSF of parking at the cellar level, 18,635 GSF (15,911 ZSF; 1.07 FAR) of church (15,453 GSF) and general community facility uses (3,182 GSF) on the ground floor and mezzanine level, and 40,436 GSF (37,549 ZSF; 2.53 FAR) of residential uses on the second floor through the eighth floor with 39 dwelling units. Projected Development Site 2 would be within the proposed MIH area, which would require new developments to set aside 25-30% of the residential floor area for affordable housing at an average of 60-80% AMI per MIH Options 1 or 2. However, the worst-case scenario assumes a 100% affordable residential development for all 39 residential units utilizing HPD financing. The proposed building would have a height of 85 feet after a 15-foot setback on New Jersey Avenue above the base height of 65 feet. 23 residential

accessory parking spaces would be provided at the cellar level accessible by a curb cut on New Jersey Avenue.

In total, Projected Development Sites 1 and 2 would contain 153 units of affordable housing.

Potential Development Site 1 (Block 3704, Lots 26, 27, and 28)

A new 8-story, 85-foot-tall, 35,040 GSF (27,000 ZSF; 3.60 FAR) residential building would be developed on a combined 7,500-SF lot. The proposed building would contain 27,540 GSF (27,000 ZSF; 3.60 FAR) of residential uses above grade from the first floor through the eighth floor and 7,500 GSF of parking at the cellar level. There would be 28 dwelling units (1,000 GSF per unit), with 7 or 9 units reserved as permanently affordable at an average of 60-80% AMI per MIH Options 1 or 2. The proposed building would have a height of 85 feet after a 15-foot setback on New Jersey Avenue above the base height of 65 feet. 11 residential accessory parking spaces would be provided at the cellar level accessible by a curb cut on New Jersey Avenue.

Other Affected Lots (Block 3705, Lots 1, 3, 4, 5, 6, 7, 8, 40, and 42; Block 3704, Lots 25, 29, 31, 33, 35, and 36)

There is one Applicant-owned lot (Lot 5) on Block 3705 that would not be included in the two Projected Development Sites or the Potential Development Site. Block 3705 Lot 5 is a 2,100-sf lot that is currently improved with an 1,800 GSF (0.86 FAR) residential building with 2 dwelling units. Since the Applicant has no development plan on the lot and this lot has a narrow frontage that is not feasible for redevelopment with the setback requirements under the proposed R6A zoning district, redevelopment is not considered possible on this Applicant-owned lot.

The non-Applicant-controlled sites on Block 3705 include Lots 1, 3, 4, 6, 7, 8, 40, and 42. Lot 1 is a 2,430-sf lot that is improved with a 2,584 GSF (1.06 FAR) residential building with 2 dwelling units; Lot 3 is a 1,687-sf lot that is improved with a 2,268 GSF (1.34 FAR) residential building with 2 dwelling units; Lot 4 is a 1,680-sf lot that is improved with a 2,268 GSF (1.35 FAR) residential building with 2 dwelling units; Lot 6 is a 2,100-sf lot that is improved with a 1,680 GSF (0.80 FAR) residential building with 3 dwelling units; Lot 7 is a 2,083-sf lot that is improved with a 1,440 GSF (0.69 FAR) residential building with 2 dwelling units; Lot 8 is a 2,500-sf lot that is improved with a 2,100 GSF (0.84 FAR) residential building with 2 dwelling units; Lot 40 is a 2,500-sf lot that is improved with a 2,500 GSF (1.00 FAR) UG 6 local retail establishment (nonconforming use) that is in good repair and is operating with an active business; Lot 42 is a 2,865-sf lot that is improved with a 3,876 GSF (1.35 FAR) residential building with 3 dwelling units.

Because of the narrow frontage of the eight lots on Block 3705 and the setback requirements of the proposed R6A zoning district, the lots would not be able to realize their full development potential within the new rezoning district. Additionally, given the development patterns in the surrounding area and the economic impact of the Covid-19 pandemic, redevelopment is less likely.

The non-Applicant-controlled sites on Block 3704 include Lots 25, 29, 31, 33, 35, and 36. Lot 25 is a 2,500 sf -lot that is improved with a 2,080 GSF (0.83 FAR) residential building with 2 dwelling units; Lot 29 is a 4,375-sf lot with a 15,400 GSF (3.52 FAR) residential building built in 1920 with 16 dwelling units; Lot 31 is a 4,375-sf lot with a 11,712 GSF (2.68 FAR) residential building built in 1920 with 16 dwelling units; Lots 33, 35, and 36 are combined to form a 11,242-sf lot that is developed with a 31,847 GSF (2.83 FAR) community facility building built in 1995.

Block 3704, Lot 25 has a narrow frontage, which would not be able to realize its full development potential with the setback requirements of the proposed R6A zoning district. Lots 29 and 31 are likely under rent control regulations given the building's age and exceedance of six dwelling units. It should be noted that the building on Lots 33, 35, and 36 is currently occupied by W. H. Maxwell Career and Technical Education High School (19K660), which is an actively operating public career technical high school as opposed to a general academic school, with 418 enrolled students in the 2021-2022 academic year. In addition, the existing school building has an FAR of 7.28, which is higher than the maximum permitted community facility FAR of 3.0 under the proposed R6A zoning district.

As such, redevelopment is not anticipated on the non-Applicant-controlled lots on Block 3705 and Block 3704 and the existing conditions of these lots are projected to persist under the Future With-Action Conditions.

Build Year & Construction Schedule

Assuming a completion of ULURP by March 2025, followed by a preconstruction design, bid and DOB approval period, and a construction period of 22 months, a build year of 2027 is projected for the Proposed Development on the two Applicant-owned Projected Development Sites, which would be under construction simultaneously. Since the Potential Development Site is considered less likely to be redeveloped as a result of the Proposed Actions, the construction timeline of the Potential Development Site is not included in the build year.

Given the expected ULURP certification in Spring of 2025, HPD is targeting closing on the project financing in Winter of 2025. The proposed construction schedules for each site can be found in **Appendix G**. Because the construction activities would last for fewer than 24 months, the Proposed Actions are not expected to result in significant impacts to the adjacent community.

2.12.1 Preliminary Analysis

Transportation

According to the *2021 CEQR Technical Manual*, a number of factors should be considered before determining whether a preliminary assessment of the effect of construction on transportation is needed including:

- Whether the project’s construction would be located in a Central Business District (CBD) or along an arterial or major thoroughfare;

- Whether the project's construction activities would require closing, narrowing, or otherwise impeding moving lanes, roadways, key pedestrian facilities, parking lanes and/or parking spaces, bicycle routes and facilities, bus lanes or routes, or access points to transit; and
- Whether the project would involve construction on multiple development sites in the same geographic area, such that there is the potential for several construction timelines to overlap, and last for more than two years overall.

Projected Development Site 1 has a single frontage along Vermont Street, while Projected Development Site 2 has a single frontage along New Jersey Avenue. No construction activities would occur on along a CBD, arterial, or major thoroughfare. Further, the total duration of construction on both Projected Development Sites would not last for more than two years overall.

Any potential closure of the sidewalks adjacent to the Projected Development Sites would be considered a short-term routine closure that would be addressed by a permit and pedestrian access plan issued by the NYC DOT Office of Construction Mitigation and Coordination at the time of closure. Changes to moving traffic lanes are not expected.

There is a community facility, Maxwell High School (HS 660K), located within the 400-foot radius of the Projected Development Sites. However, the current pavement markings for crosswalks leading to and from the surrounding community facility uses would facilitate the avoidance of the potentially impacted sidewalk segments around the Affected Area. Therefore, the Proposed Actions would not disrupt the flow of pedestrians.

Considering the above, construction of the development sites would not be expected to result in significant adverse impacts on transportation.

Air Quality

Demolition, excavation, and foundation activities, which often generate the highest levels of air emissions, would be temporary and limited in duration and would take approximately 8 months for Projected Development Site 1 and 2 (beginning in June 2025, and ending in January 2026). These activities would be spread out over two locations on the block. In addition, any heavy equipment associated with the construction of the buildings (such as a crane) would operate from at least two different locations during construction.

As with most construction projects in the City, the proposed project would require the operation of several pieces of diesel equipment at one time during the heavier periods of construction, such as demolition and excavation. However, as stated in the *CEQR Technical Manual*, all the necessary measures would be implemented to ensure compliance with the NYC Air Pollution Control Code regulating construction-related dust emissions. Based on the project size and the construction work involved, construction activities for the Proposed Actions would not be considered out of the ordinary or exceptional in terms of intensity and would be of a relatively short duration (less than 2 years). Therefore, based on the above and with the implementation of emissions control

measures that are required by local law, the construction of the development sites would not result in any significant adverse impacts on air quality.

Noise

While increases in ambient noise levels due to construction exceeding the *2021 CEQR* impact criteria for two years or less may be noisy and intrusive, they are not considered to be significant adverse noise impacts. As described above, construction of the development sites would occur simultaneously over a relatively short time period of approximately 18 months. In addition, demolition, excavation, foundation activities, and superstructure activities, which are the noisiest construction activities, would be temporary and limited in duration and would take approximately 12 months to complete for all two sites combined. These activities would be spread out over two separate locations on the block.

Construction noise is regulated by the NYC Noise Control Code and by EPA's noise emission standards for construction equipment. These local and federal requirements mandate that certain classifications of construction equipment and motor vehicles meet specified noise emission standards; that construction activities be limited to weekdays between the hours of 7AM and 6PM; and that construction materials be handled and transported in such a manner as not to create unnecessary noise. If weekend or after hour work is necessary, permits would be required to be obtained, as specified in the NYC Noise Control Code. Therefore, no significant noise impacts are expected to occur as a result of the project construction.

Historic and Cultural Resources

The assessment of construction impacts on historic and cultural resources considers the possibility of physical damage to any architectural or archaeological resources identified in the project's historic and cultural resources assessment.

Pursuant to Chapter 22, Section 300 of the *2021 CEQR Technical Manual*, if a project's construction activities are located within 400 feet of a historic or cultural resource, potential hazards should be assessed, such as whether certain character-defining elements of a structure, including but not limited to rooftops or stained-glass windows, could be impacted by falling objects from an adjacent construction site.

The City has two procedures for avoidance of damage to historic structures from adjacent construction:

1. All buildings are provided some protection from accidental damage through New York City Department of Buildings (DOB) controls that govern the protection of any adjacent properties from construction activities, under Building Code Section 27-166 (C26-112.4). For all construction work, Building Code section 27-166 (C26-112.4) serves to protect buildings by requiring that all lots, buildings, and service facilities adjacent to foundation and earthwork areas be protected and supported in accordance with the code requirements.

2. The second protective measure applies only to designated NYCL and S/NR listed historic buildings that are located within 90 linear feet of a proposed construction site. For these structures, the DOB's Technical Policy and Procedure Notice (TPPN) #10/88 is applicable. The DOB's TPPN 10/88 supplements the standard building protections afforded by the Building Code C26-112.4 by requiring, among other things, a monitoring program to reduce the likelihood of construction damage to adjacent LPC-designated or S/NR-listed resources (within 90 feet), and to detect at an early stage the beginnings of damage so that construction procedures can be changed.

If the project is not located within 90 feet of a historic or cultural resource that is NYC-landmark eligible, eligible for the State and National Register of Historic Places, or within an eligible New York City Historic District, then no special protections apply. Therefore, the potential for physical disturbance and adverse impacts on those historic and cultural resources should be disclosed.

The Cultural Resource Information System (CRIS) online resource has indicated one eligible architectural resource within the Study Area, S/NR eligible Maxwell High School (HS 660K) at 147 Pennsylvania Avenue. Therefore, an analysis on the potential impacts of the Proposed Actions on the identified architectural resource related to construction is warranted and is discussed below (see also **Section 2.5.1**).

S/NR eligible Maxwell High School (HS 660K)

Maxwell High School (HS 660K) is a 5-story brick building constructed in 1911 and is located about 250 feet to the west of Projected Development Site 1. HS 660K is buffered from Projected Development Site 1 by the adjacent intervening buildings on the western portion of Block 3705 and is further buffered by the roadway of New Jersey Avenue. Accordingly, Projected Development Site 1 would not introduce adverse construction-related impacts to S/NR eligible HS 660K, Maxwell High School from ground-borne construction period vibrations, falling debris, and/or collapse.

HS 660K is located about 150 feet to the west of Projected Development Site 2. HS 660K is buffered from Projected Development Site 2 by the roadway of New Jersey Avenue. Accordingly, Projected Development Site 2 would not introduce adverse construction-related impacts to S/NR eligible HS 660K, Maxwell High School from ground-borne construction period vibrations, falling debris, and/or collapse. Therefore, significant adverse impacts to this resource are not expected because of the Proposed Actions, and further analysis is not warranted.

HS 660K is located within 90 feet to the west of Potential Development Site 1. To mitigate any possible construction impact on S/NR-listed properties within a 90-foot radius, a special protective measure TPPN #10/8 should apply. TPPN #10/88 requires a monitoring program to reduce the likelihood of construction damage to adjacent NYCLs and NR-listed properties (within 90 feet) and to detect at an early stage the beginnings of damage so that construction

procedures can be changed. As such, no construction impacts from Potential Development Site 1 to S/NR eligible HS 660K are anticipated.

2.12.2 Conclusion

Construction activities at the Development Sites would be completed in 22 months. Construction would be performed subject to relevant EPA, DEP, DOT and DOB codes and regulations to ensure minimal construction impacts. With the construction control and protective measures identified above, no impacts to transportation, air quality, noise, or historic buildings would occur. On the basis of the above analysis, the Proposed Actions would not have any significant adverse construction impacts, and further analysis is not required.

APPENDIX A

AGENCY CORRESPONDENCE

Landmarks Preservation Commission

1 Centre Street
9th Floor North
New York, NY 10007

Voice (212)-669-7700
Fax (212)-669-7960
http://nyc.gov/landmarks

ENVIRONMENTAL REVIEW

Project number: DEPARTMENT OF CITY PLANNING / LA-CEQR-K
Project: GRACE BAPTIST CHURCH REZONING
Date Received: 1/17/2022

Properties with Archaeological and No Architectural significance:

1) 228 NEW JERSEY AVENUE, BBL: 3037040026
2) 230 NEW JERSEY AVENUE, BBL: 3037040027
3) 234 NEW JERSEY AVENUE, BBL: 3037040028
4) 243 NEW JERSEY AVENUE, BBL: 3037050005
5) 235 NEW JERSEY AVENUE, BBL: 3037050009
6) 233 NEW JERSEY AVENUE, BBL: 3037050010
7) 223 NEW JERSEY AVENUE, BBL: 3037050014
8) 224 VERMONT STREET, BBL: 3037050027
9) 228 VERMONT STREET, BBL: 3037050028
10) 230 VERMONT STREET, BBL: 3037050029
11) 232 VERMONT STREET, BBL: 3037050030
12) 234 VERMONT STREET, BBL: 3037050031
13) 236 VERMONT STREET, BBL: 3037050032
14) 238 VERMONT STREET, BBL: 3037050034
15) VERMONT STREET, BBL: 3037050035
16) VERMONT STREET, BBL: 3037050038
17) VERMONT STREET, BBL: 3037050039

Comments:

LPC review of archaeological sensitivity models and historic maps indicates that there is potential for the recovery of remains from 19th Century occupation on the project site. Accordingly, the Commission recommends that an archaeological documentary study be performed for this site to clarify these initial findings and provide the threshold for the next level of review, if such review is necessary (see CEQR Technical Manual 2020).

In radius: S/NR ELIGIBLE MAXWELL HIGH SCHOOL (HS 660K), 145 PENNSYLVANIA AVENUE.



1/31/2022

SIGNATURE DATE
Gina Santucci, Environmental Review Coordinator
File Name: 36091_FSO_DNP_01312022.docx

Landmarks Preservation Commission

1 Centre Street
9th Floor North
New York, NY 10007

Voice (212)-669-7700
Fax (212)-669-7960
http://nyc.gov/landmarks

ENVIRONMENTAL REVIEW

Project number: DEPARTMENT OF CITY PLANNING / 23DCP108K
Project: GRACE BAPTIST CHURCH REZONING
Date Received: 2/23/2023

Comments:

The LPC is in receipt of the Shadows chapter of the EAS dated 1/25/23. There are no concerns.

Gina Santucci 3/21/2023

SIGNATURE DATE
Gina Santucci, Environmental Review Coordinator

File Name: 36091_FSO_GS_03212023.docx

APPENDIX B

PHASE IA

APPENDIX C

EARLY CHILDHOOD PROGRAM LIST

Map ID	Site ID	Name	Address	School Type	Early Childhood Program Capacity	Early Childhood Program Enrollment
1	84K785	Imagine Me Leadership Charter School	818 Schenck Avenue	Charter	0	0
2	19K013	P.S. 013 Roberto Clemente	557 Pennsylvania Avenue	District School	0	21
3	19K089	P.S. 089 Cypress Hills	265 Warwick Street	District School	0	15
4	19K149	P.S. 149 Danny Kaye	700 Sutter Avenue	District School	0	15
5	19K158	P.S. 158 Warwick	400 Ashford Street	District School	0	30
6	19K190	P.S. 190 Sheffield	590 Sheffield Avenue	District School	0	8
7	19K213	P.S. 213 New Lots	580 Hegeman Avenue	District School	0	19
8	19K273	P.S. 273 Wortman	923 Jerome Street	District School	0	22
9	19K290	P.S. 290 Juan Morel Campos	135 Schenck Avenue	District School	0	0
10	19K306	P.S. 306 Ethan Allen	970 Vermont Street	District School	0	16
11	19K325	The Fresh Creek School	875 Williams Avenue	District School	0	10
12	19K328	P.S. 328 Phyllis Wheatley	330 Alabama Avenue	District School	0	19
13	19K557	Brooklyn Gardens Elementary School	574 Dumont Avenue	District School	0	15
14	32K045	P.S./I.S. 045 Horace E. Greene	84 Schaefer Street	District School	0	13
15	32K151	P.S. 151 Lyndon B. Johnson	763 Knickerbocker Avenue	District School	0	14
16	32K384	P.S. /I.S. 384 Frances E. Carter	242 Cooper Street	District School	0	10
17	KCYJ	Milka'S Group Family Daycare At 131 Barbey Street	131 Barbey Street	FCC	0	0
18	KCYU	Carolyn Colteryçös Group Family Daycare At 88 Covert Street	88 Covert Street	FCC	0	0
19	KCZC	Narcisa Luz Del Saber Group Family Daycare At 205 Covert Street	205 Covert Street	FCC	0	0
20	KDAA	Almanzar Family Group Day Care At 1199 Decatur Street	1199 Decatur Street	FCC	0	0
21	KDAF	Baba-Lee Angels Family Daycare At 610 Pennsylvania Avenue	610 Pennsylvania Avenue	FCC	0	0
22	KDCV	Meli'S Little Royalties At 212 Eldert Street	212 Eldert Street	FCC	0	0
23	KDDR	Regina'S Group Family Daycare At 456 Hegeman Avenue	456 Hegeman Avenue	FCC	0	6
24	KDEB	Kiddiecare Daycare At 757 Georgia Avenue	757 Georgia Avenue	FCC	0	0
25	KDEM	D Little Angels Group Daycare At 3 Jerome Street	3 Jerome Street	FCC	0	0
26	KDHK	Danioko, Mariame At 493 Schenck Avenue	493 Schenck Avenue	FCC	0	6
27	KDID	Lovingkindness G.F.D.C. At 753 Van Siclen Avenue	753 Van Siclen Avenue	FCC	0	6
28	KDIE	Dlc Kidyçös Group Family Daycare At 128 Miller Avenue	128 Miller Avenue	FCC	0	0
29	KDIG	Wonderful Kids Child Daycare At 440 Vermont Street	440 Vermont Street	FCC	0	0
30	KDIY	Emma Boatwright At 250 Wortman Avenue	250 Wortman Avenue	FCC	0	0
31	KDJG	Extraordinary Childcare At 457 Wyona Street	457 Wyona Street	FCC	0	0
32	KDJI	Theresa Aponte At 558 Wyona Street	558 Wyona Street	FCC	0	7
33	KDMW	Shiningstarz At 167 Arlington Avenue	167 Arlington Avenue	FCC	0	8
34	KDMX	Christina Paul At 419 Van Siclen Avenue	419 Van Siclen Avenue	FCC	0	0
35	KDNA	Charlene Denton G.F.D.C At 574 Riverdale Avenue	574 Riverdale Avenue	FCC	0	0
36	KDNQ	My Little Sunshine Family Group Daycare At 438 Jamaica Ave.	438 Jamaica Ave.	FCC	0	0
37	KDOX	Yiyiyçös Group Family Daycare At 269 Barbey Street	269 Barbey Street	FCC	0	0
38	KDOZ	Racquel Gilkes At 390 New Lots Avenue	390 New Lots Avenue	FCC	0	0
39	KDQV	Tiffany Campbell At 1222 Decatur Street	1222 Decatur Street	FCC	0	0
40	KDRO	Rosalba Estrella At 186 Sunnyside Avenue	186 Sunnyside Avenue	FCC	0	0
41	KDSA	Dlc Kids Group Family Daycare At 128 Miller Avenue	128 Miller Avenue	FCC	0	0
42	KDSC	Mitchell Day Care At 208 Barbey Street	208 Barbey Street	FCC	0	0
43	KDSF	Adolphena Little Darlings Day Care Inc At 368 Jerome Street	368 Jerome Street	FCC	0	0
44	KDUH	Angelic Minds Academy At 740 Alabama Avenue	740 Alabama Avenue	FCC	0	0
45	KDWY	Little Hearts And Stars Daycare At 469 Pennsylvania Avenue	469 Pennsylvania Avenue	FCC	0	0
46	KDXF	Mini Miracles Daycare At 307 Pennsylvania Avenue	307 Pennsylvania Avenue	FCC	0	0

47	KAXU	Children'S Corner	565 Livonia Avenue	NYCEEC	120	28
48	KBJR	Friends Of Crown Heights - 370 New Lots Avenue	370 New Lots Avenue	NYCEEC	80	41
49	KBKH	Buhdfc9	803 Knickerbocker Avenue	NYCEEC	0	9
50	KBMB	Audrey Johnson Dcc	272 Moffat Street	NYCEEC	66	41
51	KBOS	Life-John Coker	1375 Bushwick Avenue	NYCEEC	66	22
52	KBPA	Boulevard Nursery School Inc	2150 Linden Boulevard	NYCEEC	12	0
53	KBPK	United Community Centers	613 New Lots Avenue	NYCEEC	75	21
54	KCHT	Baybee Lounge Daycare, Corp.	2745 Atlantic Avenue	NYCEEC	0	10
55	KCHW	Superior Daycare Center, Inc	1741 Broadway	NYCEEC	41	27
56	KCJX	Mohdc Smartstart Blake Ave	533 Blake Avenue	NYCEEC	52	17
57	KCLM	Trey Whitfield School	17 Hinsdale Street	NYCEEC	0	29
58	KCUU	Strawberrry Patch Daycare Center, Inc	2007 Linden Boulevard	NYCEEC	41	14
59	KCYP	God'S Gift Group Family Day Care Inc.	852 Blake Avenue	NYCEEC	0	11
60	75K004	P.S. 4 (Ecc) - Brooklyn	530 Stanley Avenue	Special Education	0	8
61	75K036	P.S. 36	2045 Linden Boulevard	Special Education	0	0
62	19K065	Ps. 065	696 Jamaica Avenue	District School	0	23
63	19K108	P.S. 108 Sal Abbracciamento	200 Linwood Street	District School	0	15
64	19K159	P.S. 159 Isaac Ptikin	2781 Pitkin Avenue	District School	0	0
65	19K202	P.S. 202 Ernest S. Jenkyns	982 Hegeman Avenue	District School	0	13
66	19K345	P.S. 345 Patrolman Robert Bolden	111 Berriman Street	District School	0	25
67	19K677	East New York Elementary School Of Excellence	605 Shepherd Avenue	District School	0	14
68	19K938	P.S. 938	3269 Atlantic Avenue	District School	0	13
69	KCXV	Delia Mercado At 773 Autumn Avenue	773 Autumn Avenue	FCC	0	0
70	KCYK	Childrenyçös Garden Daycare At 1135 Belmont Avenue	1135 Belmont Avenue	FCC	0	0
71	KCYN	Vision Of True Life Gfdc At 321 Berriman Street	321 Berriman Street	FCC	0	0
72	KCZS	Orqu ├ìdea Group Family Daycare At 199 Cleveland Street	199 Cleveland Street	FCC	0	0
73	KCZT	L & G Scholars Daycare Inc. At 1005 Cleveland Street	1005 Cleveland Street	FCC	0	0
74	KCZU	Horizonscholarprep At 788 Cleveland Street	788 Cleveland Street	FCC	0	0
75	KDCW	Dedes Day Care Inc At 46 Elton Street	46 Elton Street	FCC	0	0
76	KDCY	Happy Children Development Gfdc At 569 Essex Street	569 Essex Street	FCC	0	0
77	KDCZ	Jenny Padilla At 354 Euclid Avenue	354 Euclid Avenue	FCC	0	5
78	KDEG	Mis Ni ├Æos Group Family Daycare At 958 Liberty Avenue	958 Liberty Avenue	FCC	0	5
79	KDEI	New Age Day Care At 546 Jamaica Avenue	546 Jamaica Avenue	FCC	0	12
80	KDEZ	Sara Group Family Daycare At 442 Logan Street	442 Logan Street	FCC	0	0
81	KDFA	Mouldding Lives Group Family Dc At 57 Milford Street	57 Milford Street	FCC	0	0
82	KDFC	Isabel Family Daycare At 164 Montauk Avenue	164 Montauk Avenue	FCC	0	0
83	KDGN	Richmond Daycare At 191 Richmond Street	191 Richmond Street	FCC	0	0
84	KDGO	Papayas Place Childcare At 178 Richmond St	178 Richmond St	FCC	0	6
85	KDGP	Rosa'S Village Day Care At 15 Richmond Street	15 Richmond Street	FCC	0	5
86	KDGQ	Papayas Place Childcare Inc At 165 Richmond Street	165 Richmond Street	FCC	0	0
87	KDMU	Elicia Alcocks Dba God Is Daycare At 442 Shepherd Avenue	442 Shepherd Avenue	FCC	0	0
88	KDND	Twinkle Little Wonders Daycare At 634 Cleveland Street	634 Cleveland Street	FCC	0	6
89	KDNY	Step With Purpose Llc At 681 Autumn Avenue	681 Autumn Avenue	FCC	0	0
90	KDTS	Papayas Place Childcare At 153 Cleveland Street	153 Cleveland Street	FCC	0	0
91	KDXR	Teddy Bear Day Care At 34 Norwood Avenue	34 Norwood Avenue	FCC	0	0
92	KDYX	Julia'S Group Family Day Care At 69 Norwood Ave	69 Norwood Ave	FCC	0	0
93	KDYY	The Play Pen Creative Daycapre At 718 Lincoln Avenue	718 Lincoln Avenue	FCC	0	0

94	KBBL	St. Peter'S Evangelical Lutheran Church In The Borough Of Brookly	105 Highland Place	NYCEEC	0	31
95	KBCZ	Crescent-Pine Child Care Center	872-874 Crescent Street	NYCEEC	35	7
96	KBDA	Urban Strategies Earlylearn #1	1091 Sutter Avenue	NYCEEC	148	46
97	KBDC	Cypress Hills Child Care Center	108 Pine Street	NYCEEC	55	31
98	KBGS	Urban Strategies Earlylearn #5	675 Lincoln Avenue	NYCEEC	33	11
99	KBJQ	The Friends Of Crown Heights Educational Centers, Inc.	921 Hegeman Avenue	NYCEEC	69	40
100	KBKC	The Friends Of Crown Heights Educational Centers, Inc.	668 Logan Street	NYCEEC	76	35
101	KBKU	Friends Of Crown Heights - 2505 Pitkin Avenue	2505 Pitkin Avenue	NYCEEC	72	30
102	KBKX	New Age Day Care	546 Jamaica Avenue	NYCEEC	10	6
103	KBLB	Friends Of Crown Heights - 851 Liberty Avenue	851 Liberty Avenue	NYCEEC	48	23
104	KBOZ	Christina Day Care, Inc.	334 Milford Street	NYCEEC	48	32
105	KBPD	Sylvia Klein Child Care Center	720 Euclid Avenue	NYCEEC	47	0
106	KBRP	Friends Of Crown Heights - 374 Pine Street	374 Pine Street	NYCEEC	77	22
107	KCJH	A Castle For Classy Kids Learning Center, Inc.	2570 Pitkin Avenue	NYCEEC	45	39
108	KCJI	Simfran Academy	93 Norwood Avenue	NYCEEC	0	0
109	KCPU	New Age Day Care Center	538 Jamaica Avenue	NYCEEC	24	7
110	KDTA	Miles Of Smiles Daycare, Inc.	382 Atkins Avenue	NYCEEC	0	8
111	KDVG	Little Birds Day Care Center Llc	490 Linwood Street	NYCEEC	27	9
112	23K150	P.S. 150 Christopher	364 Sackman Street	District School	0	8
113	23K156	P.S. 156 Waverly	104 Sutter Avenue	District School	0	0
114	23K165	P.S. 165 Ida Posner	76 Lott Avenue	District School	0	21
115	23K184	P.S. 184 Newport	273 Newport Street	District School	0	0
116	23K284	The Gregory Jocko Jackson School Of Sports, Art, And Technology	213 Osborn Street	District School	0	17
117	23K298	P.S. 298 Dr. Betty Shabazz	85 Watkins Street	District School	0	27
118	23K323	P.S./I.S. 323	210 Chester Street	District School	0	29
119	23K327	P.S. 327 Dr. Rose B. English	111 Bristol Street	District School	0	14
120	23K401	Christopher Avenue Community School	51 Christopher Avenue	District School	0	21
121	23K446	Riverdale Avenue Community School	76 Riverdale Avenue	District School	0	20
122	KCWI	Hand Nyçö Hand Group Family Daycare At 211 Grafton Street	211 Grafton Street	FCC	0	0
123	KCZM	Success Learning At 213 Chester Street	213 Chester Street	FCC	0	6
124	KDDU	Royal Priesthood Family Daycare - Annie Bagby At 127 Herzl St	127 Herzl St	FCC	0	0
125	KDGS	Frandessa Group Family Daycare At 162 Riverdale Avenue	162 Riverdale Avenue	FCC	0	7
126	KDHH	Little Hearts Group Family Daycare At 741 Saratoga Avenue	741 Saratoga Avenue	FCC	0	0
127	KDHS	Eli Shining Stars Daycare Center At 2148 Strauss Street	2148 Strauss Street	FCC	0	0
128	KDMN	Little Lambs Daycare Two Inc. At 84 Sutter Avenue	84 Sutter Avenue	FCC	0	0
129	KDOK	Koreenyçös Family Daycare At 311 Osborn Street	311 Osborn Street	FCC	0	0
130	KDOQ	Kim'S Little Angels Day Care Llc At 88 Amboy Street	88 Amboy Street	FCC	0	0
131	KDRE	Brownlee, Channel At 91 Junius Street	91 Junius Street	FCC	0	0
132	KDSH	Bambi Land Group Family Daycare At 735 Thomas S. Boyland Stree	735 Thomas S. Boyland Street	FCC	0	0
133	KDSR	Joy & Gladness Children'S Center At 743 Saratoga Avenue	743 Saratoga Avenue	FCC	0	0
134	KDXA	Claire Wilson Daycare At 705 Saratoga Avenue	705 Saratoga Avenue	FCC	0	0
135	KDXC	Pinkys Daycare At 247 Amboy Street	247 Amboy Street	FCC	0	0
136	KDXE	Tiffany M. Blagrove At 429 Dumont Avenue	429 Dumont Avenue	FCC	0	0
137	KDZR	Kersha Richardson At 966 Thomas S Boyland St	966 Thomas S Boyland St	FCC	0	0
138	KBAZ	Nat Azarow Children'S Center	232 Powell Street	NYCEEC	18	11
139	KBJL	Saratoga - Morris Koppelman Center	774 Saratoga Avenue	NYCEEC	95	18
140	KBJW	Howard Children'S Center	1592 East New York Avenue	NYCEEC	30	11

141	KBRT	The Salvation Army Brownsville Corps Community Center	280 Riverdale Avenue	NYCEEC	4	9
142	KBYM	Friends Of Crown Heights 26	20 Sutter Avenue	NYCEEC	66	23
143	KCFA	Sco Family Of Services Firststepnyc/Brownsville Early Education Ce	225 Newport Street	NYCEEC	63	68
144	KCOE	Step By Step Early Childhood Center, Inc.	1163 Lenox Road	NYCEEC	0	25
145	KCTT	Joyful Tots Daycare Center Inc.	265 Lott Avenue	NYCEEC	12	5
146	16K040	P.S. 040 George W. Carver	265 Ralph Avenue	District School	0	29
147	17K012	Dr. Jacqueline Peek-Davis School	430 Howard Avenue	District School	0	11
148	23K137	P.S./I.S. 137 Rachel Jean Mitchell	121 Saratoga Avenue	District School	0	14
149	23K155	P.S./ I.S. 155 Nicholas Herkimer	1355 Herkimer Street	District School	0	11
150	23K178	P.S. 178 Saint Clair Mckelway	2163 Dean Street	District School	0	13
151	23K599	Brooklyn Landmark Elementary School	251 Mcdougal Street	District School	0	15
152	KCYL	Sheila Brisport At 1760 Bergen St	1760 Bergen St	FCC	0	0
153	KCYM	Seltha Browne At 1902 Bergen St.	1902 Bergen St.	FCC	0	5
154	KCZY	New Beginning08 Group Family Daycare Inc At 619 Bainbridge Stre	619 Bainbridge Street	FCC	0	0
155	KDED	Prince Ofumaka Family Daycare At 408 Howard Avenue	408 Howard Avenue	FCC	0	0
156	KDFB	Nikky Child Care Learning Center At 816 Macon Street	816 Macon Street	FCC	0	0
157	KDFV	Happy Children Daycare At 1953 Pacific Street	1953 Pacific Street	FCC	0	0
158	KDIZ	Group Family Daycare At 816 Macon Street	816 Macon Street	FCC	0	0
159	KDNX	Kayleigh'S Family Group Daycare At 169 Rockaway Avenue	169 Rockaway Avenue	FCC	0	0
160	KDNZ	Zaireyçös Beautiful Beginnings At 1607 Prospect Place	1607 Prospect Place	FCC	0	0
161	KDTF	Omon Ojeikere At 1943 Fulton Street	1943 Fulton Street	FCC	0	0
162	KASC	Bks - Brevoort	250 Ralph Avenue	NYCEEC	30	6
163	KAXC	Bishop Sexton Head Start	933 Herkimer Street	NYCEEC	84	22
164	KBFC	Shirley Chisholm Child Care Center Site 4 Somers	33 Somers Street	NYCEEC	123	72
165	KBJZ	Saratoga Ii - Shirley Chisholm Center	69 Saratoga Avenue	NYCEEC	0	21
166	KBNT	Shirley Chisholm Day Care Center Site 1	2023 Pacific Street	NYCEEC	123	48
167	KDWH	Canarise Children First Academy	2188 Pitkins Avenue	NYCEEC	0	0
168	KDVB	Friends Of Crown Heights - 405 Dumont Avenue	405 Dumont Avenue	NYCEEC	75	0
169	KDUM	Wiser Choice Learning, Inc.	311 Saratoga Avenue	NYCEEC	0	0

APPENDIX D

PHASE 1 ENVIRONMENTAL SITE ASSESSMENT

PHASE I ENVIRONMENTAL SITE ASSESSMENT

Grace Housing Development Sites

Property Number	Building Address	Block/Lot
1	223 New Jersey Avenue, Brooklyn, NY 11207	3705 / 14
2	223 and 235 New Jersey Avenue, Brooklyn, NY 11207	3705 / 9 and 10
3	224 Vermont Street, Brooklyn, NY 11207	3705 / 27
4	228 and 230 Vermont Street, Brooklyn, NY 11207	3705 / 28 and 29
5	232 Vermont Street, Brooklyn, NY 11207	3705 / 30
6	234 Vermont Street, Brooklyn, NY 11207	3705 / 31
7	236 Vermont Street, Brooklyn, NY 11207	3705 / 32
8	238 Vermont Street, Brooklyn, NY 11207	3705 / 34
9	240 Vermont Street, Brooklyn, NY 11207	3705 / 35, 38, and 39

December 10, 2021

Prepared for:

Charles Simpson
Grace Housing Development Fund Co Inc.
156 Wet 56th Street
New York, NY 10019

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Table of Contents

EXECUTIVE SUMMARY 1
I. INTRODUCTION 4
A. Purpose 4
B. Scope-of-Services 4
C. Significant Assumptions, Limitations and Exceptions 1
D. Special Terms and Conditions 1
E. Reliance 1
II. SITE DESCRIPTION 1
A. Location and Description 1
B. Site and Vicinity Characteristics 2
C. Current Use of the Property 2
D. Description of Structures, Improvements and Utilities 4
E. Current Uses of Adjoining Properties 5
III. USER PROVIDED INFORMATION 5
IV. RECORDS REVIEW 6
A. Standard Environmental Record Sources 6
B. Orphans Summary 7
C. City Environmental Quality Review "E" Designation 7
D. Physical Setting Source 7
E. Historical Use Information on the Property 8
F. Historical Use Information on Adjoining Properties 14
V. SITE RECONNAISSANCE 14
A. Methodology and Limiting Conditions 14
B. On-Site Operations/Manufacturing 14
C. Vapor Migration/Encroachment 15
D. Other Environmental Considerations 15
E. Off-Site Concerns 15
VI. INTERVIEWS 15
VII. RECOGNIZED ENVIRONMENTAL CONDITIONS (RECs) 16
VIII. DEVIATIONS 17
IX. REFERENCES 17
X. SIGNATURE(S) OF ENVIRONMENTAL PROFESSIONALS 18
XI. QUALIFICATIONS OF ENVIRONMENTAL PROFESSIONALS 18

Table of Contents

TABLES

Table 1 – Site Overview
Table 2 – Site Findings

APPENDICES

Appendix A – Figures
Appendix B – Site Photographs
Appendix C – Radius Map Report (EDR)
Appendix D – Sanborn Fire Insurance Maps
Appendix E – Historical Topographic Maps
Appendix F – Historical Aerial Photographs
Appendix G – City Directory
Appendix H – Regulatory Records
Appendix I – Qualifications of Environmental Professionals & Associates

PHASE I ENVIRONMENTAL SITE ASSESSMENT

EXECUTIVE SUMMARY

Equity Environmental Engineering, LLC (Equity) was retained by Grace Housing Development Fund Co Inc. to conduct a Phase I Environmental Site Assessment (Phase I) to identify Recognized Environmental Conditions (RECs) associated with current and prior site use at the nine properties identified within the Grace Housing Development Sites. These properties include the following addresses:

Property Number	Building Address	Block/Lot
1	223 New Jersey Avenue, Brooklyn, NY 11207	3705 / 14
2	223 and 235 New Jersey Avenue, Brooklyn, NY 11207	3705 / 9 and 10
3	224 Vermont Street, Brooklyn, NY 11207	3705 / 27
4	228 and 230 Vermont Street, Brooklyn, NY 11207	3705 / 28 and 29
5	232 Vermont Street, Brooklyn, NY 11207	3705 / 30
6	234 Vermont Street, Brooklyn, NY 11207	3705 / 31
7	236 Vermont Street, Brooklyn, NY 11207	3705 / 32
8	238 Vermont Street, Brooklyn, NY 11207	3705 / 34
9	240 Vermont Street, Brooklyn, NY 11207	3705 / 35, 38, and 39

Equity conducted the assessment in accordance with the requirements of the American Society for Testing and Materials (ASTM) Standard E1527-13, "Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process" and good professional practices.

Site Overview

The details of the nine Subject Properties (address, block, lot, size, construction date, use, etc.) are provided in Table 1.

Definitions

The ASTM Phase I Standard defines environmental conditions as follows:

- ***Recognized Environmental Conditions (RECs)***

  The term "Recognized Environmental Condition" means the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: (1) due to any release to the environment; (2) under conditions indicative of a release to the environment; or (3) under conditions that pose a material threat of a future release to the environment.

- ***Controlled Recognized Environmental Conditions (CRECs)***

  The term "Controlled Recognized Environmental Condition" is a recognized environmental condition resulting from a past release of hazardous substances or petroleum products that has been addressed to the satisfaction of the applicable regulatory authority (for example, as evidenced by the issuance of a no further action letter or equivalent, or meeting risk-based

criteria established by regulatory authority), with hazardous substances or petroleum products allowed to remain in place subject to the implementation of required controls (for example, property use restrictions, activity and use limitations, institutional controls, or engineering controls).

- ***Historical Recognized Environmental Conditions (HRECs)***

  The term "Historical Recognized Environmental Condition" is a past release of any hazardous substances or petroleum products that has occurred in connection with the property and has been addressed to the satisfaction of the applicable regulatory authority or meeting unrestricted residential use criteria established by a regulatory authority, without subjecting the property to any required controls, such as property use restrictions or activity and use limitations (AULs, which include both institutional controls and engineering controls).

- ***Vapor Encroachment Conditions (VECs)***

  The term "Vapor Encroachment Condition" is a condition where the presence or likely presence of chemical of concern vapors in the subsurface of the target property caused by the release of vapors from contaminated soil and/or groundwater either on or near the target property.

- ***De Minimis Conditions***

  The term "De Minimis Condition" is a condition that generally does not present a threat to human health or the environment and that generally would not be the subject of an enforcement action if brought to the attention of appropriate governmental agencies.

- ***Data Gaps***

  The term "Data Gap" is a lack of or inability to obtain information required by this practice despite good faith efforts by the environmental professional to gather such information. Data gaps may result from incompleteness in any of the activities required by this practice, including, but not limited to site reconnaissance (for example, an inability to conduct the site visit), and interviews (for example, an inability to interview the key site manager, regulatory officials, etc.).

- ***Non-Scope Considerations***

  Consideration of business environmental risk issues some of which are identified in Section 13 and Appendix XI of ASTM E1527-14 (e.g., asbestos, ecological resources, mold, wetlands, regulatory compliance et. Al.).

Findings

The following environmental conditions were identified:

A. Recognized Environmental Conditions (RECs)

Multiple RECs were observed as a result of this assessment in relation to oil staining on the floor around the boiler, on the heating oil AST, and in the parking area of 223 New Jersey Avenue (Property 1); staining on the floor around the heating oil ASTs in the basement of 233 New Jersey Avenue (Property 2); motor oil staining in the parking lot of 240 Vermont Street (Property 9); staining around the heating oil AST in the basement of 238 New Jersey Avenue (Property 8); and a pile of dirt and stone that was observed on the vacant asphalt lot (Property 4) which is from the renovation of a driveway from a nearby residential property according to Mr. Linden Mckenzie.

B. Controlled Recognized Environmental Conditions (CRECs)

No Controlled RECs were identified as a result of this assessment.

C. Historical Recognized Environmental Conditions (HRECs)

No Historic RECs were identified as a result of this assessment.

D. Vapor Encroachment Conditions (VECs)

The EDR Vapor Encroachment database identified numerous VECs (Vapor Encroachment Conditions) within 1/10 of a mile of the Subject Properties that are related to two historic auto shops, one historic dry cleaner, two USTs (underground storage tanks) with recorded evidence of previous leaks, and four ASTs (aboveground storage tanks) with recorded evidence of previous leaks. Based on these findings, a possible vapor encroachment could not be ruled out. Details on the VECs can be found in Appendix C.

E. De Minimis Conditions

No De Minimis Conditions were identified as a result of this assessment.

F. Data Gaps

Equity did not identify any significant data gaps that would affect its ability to identify RECs associated with the Subject Properties.

Conclusions

Equity's review of available information and observations of the Subject Properties and surrounding properties indicates that no CRECs, HRECs, De Minimis conditions, or Data Gaps were identified as a result of this assessment. However, multiple RECs were identified and a VEC could not be ruled out. The VECs that were identified during the Phase I are documented in Appendix C.

PHASE I ENVIRONMENTAL SITE ASSESSMENT

I. INTRODUCTION

A. Purpose

Equity Environmental Engineering, LLC (Equity) was contracted by Grace Housing Development Fund Co Inc. to perform a Phase I Environmental Site Assessment of the referenced properties in accordance with the American Society for Testing and Materials (ASTM) Standard E1527-13, "Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process. The ASTM Standard satisfies the requirements of the United States Environmental Protection Agency's (USEPA) All Appropriate Inquiry Standard, 40 CFR Part 312, which is required to qualify for certain landowner liability protections under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA). The ASTM Standard constitutes "all appropriate inquiry into previous ownership and uses of the property consistent with good commercial or customary practice." The investigation was conducted to identify Recognized Environmental Conditions (RECs), which are identified as the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: (1) due to any release to the environment; (2) under conditions indicative of a release to the environment; or (3) under conditions that pose a material threat of a future release to the environment.

It is Equity's understanding that the proposed project is part of a zoning map amendment to rezone the existing R5B zoning district to an R6A zoning district. Equity also understands that a zoning text amendment to make the Rezoning Area a Mandatory Inclusionary Housing (MIH) Designated Area is being requested. We understand that the development that is proposed would include all 13 lots, with a 7-story, 117-unit, 133,947 square foot residential building on Vermont Street. It includes 52 underground parking spaces and a 5-story, 67,191 square foot mixed use building on New jersey Avenue, with approximately 20,000 square feet of church and community facility use, and 47,000 square feet, 34-unit residential use (includes 23 underground parking spaces). In total, 151 units of affordable housing are proposed to be developed.

B. Scope-of-Services

The Phase I consisted of the following components:

1. Review of environmental and historical records
2. Site reconnaissance
3. Interviews
4. Report preparation

The environmental assessment is non-invasive, and does not include any testing or sampling of materials, such as soil, water, air or building materials. The environmental assessment included a non-invasive (no sampling) evaluation of the potential for asbestos-containing materials, lead-based paint, and lead in drinking water.

C. Significant Assumptions, Limitations and Exceptions

Unless noted, Equity assumes that the information obtained through the records review, site inspection, and interviews is correct. Equity does not warrant the accuracy of this information, or warrant that any RECs that were not identified through the Phase I process do not exist on the properties. RECs do not include De Minimis conditions that do not present a threat to human health or the environment, and that would not be subject to an enforcement action by government agencies.

D. Special Terms and Conditions

No Special Terms or Conditions apply to this project.

E. Reliance

This report is for the use and benefit of Grace Housing Development Fund Co Inc. and any of their respective affiliates, agents, and advisors.

II. SITE DESCRIPTION

A. Location and Description

The nine subject parcels are identified as:

Property Number	Building Address	Block/Lot
1	223 New Jersey Avenue, Brooklyn, NY 11207	3705 / 14
2	223 and 235 New Jersey Avenue, Brooklyn, NY 11207	3705 / 9 and 10
3	224 Vermont Street, Brooklyn, NY 11207	3705 / 27
4	228 and 230 Vermont Street, Brooklyn, NY 11207	3705 / 28 and 29
5	232 Vermont Street, Brooklyn, NY 11207	3705 / 30
6	234 Vermont Street, Brooklyn, NY 11207	3705 / 31
7	236 Vermont Street, Brooklyn, NY 11207	3705 / 32
8	238 Vermont Street, Brooklyn, NY 11207	3705 / 34
9	240 Vermont Street, Brooklyn, NY 11207	3705 / 35, 38, and 39

Title to the nine properties is vested in Grace Baptist Church and Grace Housing Development Fund Co Inc. The Subject Properties are identified as Block 3705 / Lots 9, 10, 14, 27, 28, 29, 30, 31, 32, 34, 35, 38, and 39 on the New York City Tax Map. The Subject Properties are located in the East New York (North) neighborhood of Brooklyn, NY, Community District 5.

A USGS Site Location Map and Site Boundary Map are included as Figures 1 and 2.

B. Site and Vicinity Characteristics

The Subject Properties are located in an R5B zoning district surrounded by mostly residential use, commercial use, and public facilities and institutions.

R5 districts allow a variety of housing at a higher density than permitted in R3-2 and R4 districts. The floor area ratio (FAR) of 1.25 typically produces three-and four-story attached houses and small apartment houses. With a height limit of 40 feet, R5 districts provide a transition between lower- and higher-density neighborhoods and are widely mapped in Brooklyn, Queens and the Bronx. Portions of Windsor Terrace and Ocean Parkway in Brooklyn are R5 districts. R5 zoning is a residential zone and allows single family, two family, and multifamily buildings. In R5 zoning districts you can often see 3 to 4 story attached row houses of 1, 2, or multiple families. R5 properties include the development of attached, semi-detached, and detached houses / buildings. Community facilities can also exist is R5 zoning districts.

C. Current Use of the Properties

At the time of the site reconnaissance the Subject Properties consisted of vacant lots, a parking lot used by the NYPD (New York Police Department), six residential buildings, a garage, and a church. The current use of each property is listed below:

Property 1- (Block 3705 / Lot 14):

The Subject Property is used as a two-story residential parsonage to Grace Baptist Church and is currently vacant. The basement of the Subject Property is occupied with a number two heating oil AST and oil-fired boiler. Staining was observed on top of the AST and on the floor around the boiler in the basement of the residential building. The first floor is occupied with common areas, a bathroom, and a kitchen. The second story is occupied with bedrooms and a bathroom. The detached garage was observed in the rear of the Subject Property and is used for storage. The detached garage contains various debris, vehicular maintenance fluids, gasoline containers, and helium containers. Oil staining that is presumably from motor vehicles, was observed in the parking area on the Subject Property near a storm water drain and cracking in the asphalt.

Property 2- (Block 3705 / Lots 9 and 10):

The Subject Property is used as a two-story church and is currently active. The basement of the Subject Property is occupied with two, number two heating oil ASTs, an oil-fired boiler, hot water heater, and storage areas. Multiple natural gas fired furnaces exist throughout the building as well. Staining was observed on top of the ASTs, on the floor surrounding the ASTs and around the boiler in the basement of the Church. The first floor is occupied with a sanctuary, a freezer room, bathrooms, a kitchen, offices, a baptism room, and various storage areas. The second story of the Subject Property is occupied with additional seating in the sanctuary, access to the bell tower, bathrooms, various storage areas, and offices. Cracking was observed in the concrete walls within the sanctuary of the Subject Property and may indicate the structural integrity of the building has been compromised.

Property 3- (Block 3705 / Lot 27):

The Subject Property is a three-story residential building and is currently occupied. The basement of the Subject Property is occupied with utilities including a natural gas-fired boiler and hot water heater. The first, second, and third floor of the Subject Property are occupied with residential units including kitchens, bedrooms, and bathrooms. At the time of the site reconnaissance, Equity only inspected the common spaces of the buildings and did not inspect individual residential units due to Covid. Equity assumes that all spaces not investigated are used as residential units and may contain typical house hold cleaning products within each residential unit.

Property 4 - (Block 3705 / Lots 28 and 29):

The Subject Property is occupied with two vacant lots. The lots are paved with asphalt and are used for the storage of various construction equipment including scrap wood, a ladder, wooden pallets, and scaffolding. Other item stored on the vacant lots include propane tanks, empty five-gallon buckets labeled hydraulic oil and flashing cement, an empty and unlabeled plastic drum, two Steel drums that were converted into grills, a basketball hoop, and a used clothing donation bin. Additionally, a pile of dirt and stone was observed on the asphalt lot and is from the renovation of a driveway from a nearby residential property according to Mr. Linden Mckenzie.

Property 5 - (Block 3705 / Lot 30):

The Subject Property is a two-story residential building and is currently occupied. The basement of the Subject Property is occupied with utilities including a natural gas-fired boiler, electrical meters, and a hot water heater. The first and second floor of the Subject Property are occupied with residential units including kitchens, bedrooms, and bathrooms. At the time of the site reconnaissance, Equity only inspected the common spaces of the building and did not inspect individual residential units due to Covid. Equity assumes that all spaces not investigated are used as residential units and may contain typical house hold cleaning products within each residential unit.

Property 6- (Block 3705 / 31):

The Subject Property is a two-story residential building and is currently occupied. The basement of the Subject Property is occupied with utilities including a natural gas-fired boiler, electrical meters, and a hot water heater. The first and second floor of the Subject Property are occupied with residential units including kitchens, bedrooms, and bathrooms. At the time of the site reconnaissance, Equity only inspected the common spaces of the building and did not inspect individual residential units due to Covid. Equity assumes that all spaces not investigated are used as residential units and may contain typical house hold cleaning products within each residential unit.

Property 7 - (Block 3705 / Lot 32):

The Subject Property is a two-story residential building and is currently occupied. The basement of the Subject Property is occupied with utilities including a natural gas-fired boiler, electrical meters, and a hot water heater. The basement has recently had the sewer pipes replaced and a trench was observed as a result of replacing the piping. A small pit was also observed in the basement and its use in unknown. The first and second floor of the Subject Property are occupied with residential units including kitchens, bedrooms, and bathrooms. At the time of the site reconnaissance, Equity only inspected the common spaces of the building and did not inspect individual residential units due to Covid. Equity assumes that all spaces not investigated are used as residential units and may contain typical house hold cleaning products within each residential unit.

Property 8 - (Block 3705 / Lot 34):

The Subject Property is used as a two-story residential building and is currently vacant. According to Mr. Linden Mckenzie a fire occurred at the Subject Property approximately three year ago. The building has since been in poor condition with fire damage and signs of trespassing. The basement of the Subject Property is occupied with utilities including an oil-fired boiler, a heating oil AST, electrical meters, and a hot water heater. Oil staining was observed on the heating oil AST in the basement of the Subject Property however, due to an active water leak and flooding in the basement of the Subject Property Equity was unable to thoroughly inspect the floor conditions surrounding the AST. Areas of heavy water damage and large amounts of mold were observed throughout the Subject Property. The first and second floor of the Subject Property is occupied with residential units including kitchens, bedrooms, and bathrooms.

Property 9 - (Block 3705 / Lots 35, 38, and 39):

The Subject Property consists of three lots and is used as a fenced in parking lot for the NYPD. Numerous NYPD vehicles were parked on the Subject Property at the time of the site reconnaissance. Multiple oil stains were observed throughout the parking area and are assumed to be the result of motor oil leaking from parked vehicles. The asphalt is in poor to moderate condition with cracking observed.

D. Description of Structures, Improvements and Utilities

The existing residential building on Property 1 (Block 3705 / Lot 14) is constructed of brick and mortar and the garage in the rear of the property is constructed of wood framing and siding. Property 2 (Block 3705, Lots 9 and 10) constructed of brick and mortar with a stone and brick foundation. Property 3 (Block 3705, Lot 27), Property 5 (Block 3705, Lot 30), Property 6 (Block 3705, Lot 31), Property 7 (Block 3705, Lot 32), and property 8 (Block 3705, Lot 34) are constructed of wood framing and vinyl siding with stone and brick foundations. Property 4 (Block 3705, Lots 28 and 29) is a vacant lot with no permanent structures. Property 9 (Block 3705, Lots 35 and 38, and 39) is an asphalt parking lot with no permanent structures.

Utilities at the Subject Properties include the following:
Properties 8 and 9 are vacant and do not have utilities.

1. Electricity

Electricity for all Subject Properties is provided by Consolidated Edison of New York (Con Edison) with the exception of property four (Block 3705 / Lots 28 and 29) and nine (Block 3705 / Lots 35, 38, and 39) which are unoccupied and do not have an electrical supply. There are no emergency generators located on the Subject Properties.

2. Water

Potable water is supplied by the City of New York for all active properties with the exception of property four (Block 3705 / Lots 28 and 29) and nine (Block 3705 / Lots 35, 38, and 39). No groundwater drinking wells were reported or identified as a result of this assessment.

3. Sewers

Sanitary wastewater is discharged to the City of New York sewer system for all active properties.

4. Heat

Property 1 (Block 3705 / Lot 14) is heated by an oil-fired boiler. Property 2 (Block 3705, Lots 9 and 10) is heated by an oil-fired boiler and natural gas fired furnaces. Property 3 (Block 3705, Lot 27), Property 5 (Block 3705, Lot 30), Property 6 (Block 3705, Lot 31), and Property 7 (Block 3705, Lot 32), are heated by natural gas fired boilers. Property 4 (Block 3705, Lots 28 and 29) is a vacant and is not heated. The natural gas is provided by National Grid for all properties with a natural gas supply.

E. Current Uses of Adjoining Properties

The following land uses are present at properties adjoining the perimeter of the Subject Properties:

- North – Mixed Residential/Commercial
- East – Residential
- South – Mixed Residential/Commercial
- West – Residential

III. USER PROVIDED INFORMATION

The ASTM Standard defines the "User" as the person on whose behalf the Phase I is being conducted. The ASTM Standard requires the User to provide site information for the Phase I. Equity was not provided with the following information:

- Environmental liens (i.e., legal, deed notice) or Activity and Use Limitations (i.e., engineering controls, etc.) were identified.

- Specialized knowledge or commonly known information regarding current or historical hazardous material use on the Subject Properties or adjoining properties, which would be considered an REC.

- Indications that the fair market value of the property was reduced due to environmental concerns.

IV. RECORDS REVIEW

A. Standard Environmental Record Sources

EDR of Shelton, Connecticut, was contracted by Equity to prepare an environmental database survey for the Subject Properties and surrounding areas. A copy of the EDR report, which summarizes the environmental concerns presented by nearby sites, is attached as Appendix C. The listing of a site on any of these databases is, in itself, not indicative of an existing environmental concern. Distance, geology, and groundwater flow gradient are the factors that determine the importance of a listed site to the soil and groundwater quality on the Subject Properties. Equity has relied on distance from the listed site and topographical gradient to judge whether that site has the potential to affect the Subject Properties.

According to the EDR environmental database search, all of the Subject Properties were not identified on any databases searched by EDR. The surrounding properties were identified in the federal and state databases within a one-mile search radius of the Subject Properties and are identified as follows:

Database	Subject Properties	0-1/8 Mile	1/8 – 1/4 Mile	1/4 – 1/2 Mile	1/2 – 1 Mile
SMES-ARCHIVE	NR	NR	NR	1	NR
RCRA-LQG	NR	1	5	NR	NR
RCRA-SQG	NR	1	3	NR	NR
RCRA-VSQG	NR	NR	1	NR	NR
NY SHWS	NR	NR	NR	NR	1
NY SWF/LF	NR	1	2	3	NR
NY LTANKS	NR	2	10	24	NR
NY UST	NR	3	13	NR	NR
NY AST	NR	12	14	NR	NR
NY VCP	NR	NR	4	3	NR
NY BROWNFIELDS	NR	NR	1	1	NR
NY SWRCY	NR	NR	NR	1	NR
NY SPILLS	NR	23	NR	NR	NR
RCRA NonGen / NLR	NR	17	37	NR	NR
NY DRYCLEANERS	NR	NR	1	NR	NR
NY E DESIGNATION	NR	34	NR	NR	NR

Database	Subject Properties	0-1/8 Mile	1/8 – 1/4 Mile	1/4 – 1/2 Mile	1/2 – 1 Mile
NY HSWDS	NR	NR	NR	1	NR
NY MANIFEST	NR	22	52	NR	NR
NJ MANIFEST	NR	10	20	NR	NR
EDR MGP	NR	NR	NR	1	1
EDR Hist Auto	NR	3	NR	NR	NR
EDR Hist Cleaner	NR	1	NR	NR	NR

According to the EDR environmental database search, properties of concern immediately surrounding the Subject Properties were identified on the EDR HIST Auto and EDR HIST Cleaner databases. The EDR HIST Auto database is related to a historic automobile service station located at 401 Liberty Avenue to the north of the Subject Property. The EDR HOST Cleaner database is related to a historic drycleaner that was located at 384 Liberty Avenue to the northwest of the Subject Properties.

Additional information regarding each of the individual properties identified in the databases listed above is provided in Appendix C.

B. Orphans Summary

The EDR Orphan Summary lists six properties that were included in certain federal or state environmental databases but were reported by EDR to be unmapped due to insufficient address information. The listing of orphan sites within the database search was reviewed, cross referencing available address information with facility names. Upon review, it was determined that no orphan sites appear to be associated with the Subject Properties or adjoining properties. The orphan sites are not located on the Subject Properties and are listed as follows:

1) Union Station (Citizens Branch)
2) Belmont Station
3) Linwood Street GW
4) Crescent Street - Sheridan & Fairfield Avenue
5) Pennsylvania Ave
6) Pennsylvania Ave Municipal Landfill

Additional information regarding the EDR Orphan Summary Report can be found in Appendix C.

C. City Environmental Quality Review "E" Designation

The "E" designations shown on the zoning maps function as indicators of the environmental review that must be conducted when the lots are developed in accordance with the regulations of the rezoned district. The City Planning Commission's rezoning actions, including environmental designations, were made effective upon the City Council's approval of the Zoning Map Amendment. Based upon a review of the NYCDEP "E" Designation database on November 2, 2021, the Subject Properties were not identified with environmental designations.

D. Physical Setting Source

The Subject Properties are located in Brooklyn and surrounded by primarily mixed residential and commercial use. The ground surface at the sites is predominantly level. Ground cover consists primarily of building coverage, a paved parking area, a vacant paved lot, and concrete sidewalks. Subject Properties 1, 2, and 3 are accessed from the west via New Jersey Avenue and Subject Properties 4, 5, 6, 7, 8, and 9 are accessed from the east via Vermont Street. Based on a review of the 2020 Brooklyn Topographical Bureau Borough Map for the area, groundwater is inferred to flow to the southeast.

Based on the soil survey maps published by the Soil Survey Geographic Database and information provided in the EDR Report, the soil component at the Subject Properties includes Urban Land, which is variable in texture and does not qualify as hydric soil. Urban Land soils are those which have lost original characteristics due to human activity (construction, development, demolition, debris, etc.). Based on Soil Conservation Service STATSGO data, the following additional subordinate soil types may appear within the general area of the Subject Property: silt loam, loamy sand, sandy loam, and fine sandy loam. Due to the predominant soil component being Urban Land, the soil at the Subject Properties is not well-drained.

The bedrock underlying the Subject Properties is the Raritan Formation. The lithology of this stratigraphic unit majorly consists of clay and minorly consists of sand and silt. The geologic age identification of the bedrock at the Subject Properties is of the Mesozoic Era, Late Cretaceous Period.

E. Historical Use Information on the Property

1. Sanborn Fire Insurance Maps

Equity reviewed 24 digital Sanborn Fire Insurance Maps from 1887 to 2007 provided by EDR, Inc. Copies are provided as Appendix D.

Year	Subject Properties	Surrounding Area
1887	The Subject Properties are partially developed with residential buildings and a shed.	To the immediate north of the Subject Properties is a German Lutheran Church with a large shed. To the west across the street is a Gum and Starch manufacturer. There are two bakeries in the surrounding areas, one to the south and one to the southwest. The area surrounding the Subject Properties consists largely of residential units.
1908	The block in which the Subject Properties are located is now listed as 3705, previously listed as 336. In a previously undeveloped area of the Subject Properties, the German Lutheran	To the north where the German Lutheran Church was previously located is Bordens Condensed Milk Co. There is also now a horse shoeing building listed directly north of the Subject

	Church has been relocated. The previously listed shed has been removed, while a new shed in the northern portion of the property has been constructed. There is a new wood shed located in the southern area of the Subject Properties.	Properties. Further north there is a listed basket manufacturer. Across the street to the east is now a grocery store. Also to the east is an Essential Oils Flavoring Extract Manufacturer.
1928	Several of the units within the perimeter of Subject Properties are now labeled as stores.	The previous location of the Bordens Condensed Milk Co. is now labeled as closed and vacant. The previous Essential Oils Manufacturer is now listed as a dwelling. To the west of the Subject Properties across the street is a used car sales lot. To the north, there is a garage with one gas tank. To the northeast, there is now a garage with two labeled gas tanks, one listed as "not used". There is a smaller garage farther north. West of this garage is a building listed as Chemical Works. To the west of the Subject Properties a school has been constructed. To the east of the southern portion of the Subject Properties is a shoe factory and two listed gas tanks.
1950	The church within the Subject Properties is now labelled as the St. Johns Evangelical Lutheran Church.	The previously vacant manufacturing site to the direct north of the Subject Properties is now occupied by Linden Boxcraft Co. Paper Box Manufacturing. The Horse Shoeing facility to the north has now been removed. The garage to the northeast is now Ideal Clamp Manufacturing Co. Inc., and the two previous gas tanks are not shown. The second garage to the north is now a drug store. To the north of the Subject Properties across the street is now an auto repair shop as well as a filling station with 12 gas tanks. The previous garage north of this is now listed as storage and no longer contains a gas tank.

		Across the street to the east, northeast of the Subject Properties, there is now a laundry building. There is no longer a Chemical Works facility in the area. The used car sales yard to the west of the Subject Properties is now listed as a parking lot adjacent to a new store building. There is a filling station labeled to the west of the southern portion of the Subject Properties where one of the two gas tanks are located. Across the street to the south of the Subject Properties is another laundry facility next to a clothing manufacturer.
1966	Unchanged.	The grocery store to the east of the Subject Properties is now listed as storage and manufacturing. The laundry facility to the north of the Subject Properties is now listed as storage with a shipping area farther north.
1977, 1979	The church within the Subject Properties has been changed to Grace Baptist Church. Some of the residential buildings in the southwestern area of the Subject Properties have been removed.	To the north of the Subject Properties is now an auto repair shop. The labels for both the laundry facility and the clothing manufacturer to the south of the Subject Properties have been removed.
1983, 1986, 1987, 1989	Buildings in the southeast corner of the Subject Properties have been removed.	Unchanged.
1991	Unchanged.	There is a new auto repair store to the northeast of the Subject Properties.
1992, 1994, 1995, 1996	The building in the southeast corner of the Subject Properties is now labeled as IR Works & C.	The drug store to the northeast of the Subject Properties is now an auto repair store.
2001, 2002	A new building has been constructed within the Subject Properties adjoining the Grace Baptist Church to the south.	A new building for the nearby school has been constructed to the west of the Subject Properties.

2003, 2004, 2005	Unchanged	The filling station and gas tanks to the north of the Subject Properties have been removed.
2006	Two new buildings have been constructed in the southwest portion of the Subject Properties.	Two new buildings have been constructed to the east of the southern portion of the Subject Properties.
2007	Unchanged.	Two additional buildings have been constructed to the east of the southern portion of the Subject Properties.

2. USGS Topographic Maps

Equity reviewed a total of nine historical Topographic Maps provided by EDR, Inc. from 1897 to 2013. Information derived from these maps is as follows:

Year	Subject Property
1897, 1898, 1900	The Subject Properties are shown two blocks south of a primary road, Atlantic Avenue. The Subject Properties are located within a grid system of roadways. To the far west of the Subject Properties is a multiple track, standard gauge railroad which runs north to south. Far north of the Subject Properties is the Brooklyn Reservoir and Evergreen Cemetery.
1947	The area surrounding the Subject Properties has been much more highly developed. There are multiple new roadways extending south toward Jamaica Bay as well as to the west of the Subject Properties. New buildings have been developed throughout as well as Broadway Junction, a railway station. To the southwest of the Subject Properties there is an area listed as "New York Freight Yard" Just south of this there is a gas tank. There is a school shown across the street to the west of the Subject Properties.
1956, 1957	There is now a house of worship marked in the northern portion of the Subject Properties. Atlantic Avenue to the north has now been marked as a highway as well as Pennsylvania Avenue which runs north to south to the west of the Subject Properties. To the north of the Subject Properties is a pumping station. Two railroad stations have been added near to Subject Properties, one to the southwest and one to the southeast.
1966, 1967, 1979, 1994, 1995, 2013	The labels for the freight yards and gas tank to the southwest of the Subject Properties are now gone.

Copies of the historical Topographic Maps are provided in Appendix E.

3. Historic Aerial Photographs

Equity reviewed a total of 14 historic Aerial Photographs spanning from 1924 to 2017. Any discernable information derived from these photographs is as follows:

Year	Subject Property
1924, 1941, 1951, 1954, 1961, 1966, 1976	The Subject Properties are shown between Liberty Avenue and Glenmore Avenue. The eastern and western sides of the Subject Properties are lined with smaller buildings which are marked on the Sanborn maps as residential. There is one larger building in the northern area of the Subject Properties which is the German Evangelical Lutheran St. Johns Church.
1980, 1984	Small buildings in the southeastern portion of the Subject Properties have been removed. This is consistent with the Sanborn maps.
1994	Buildings in the southwest corner of the Subject Properties have been removed.
2006, 2009, 2013, 2017	A small new building has been constructed adjoining the church building in the northern portion of the Subject Properties.

Copies of the historical Aerial Photographs are provided in Appendix F.

4. City Directory

Equity reviewed local city directory listings provided by EDR, Inc. for the Subject Properties and adjacent properties from 1928 through 2017. For both the Subject Properties and the surrounding area, the City Directory identified commercial and residential listings. For the addresses within the Subject Properties and surrounding, the listings are largely residential. The following are examples of the fewer commercial listings: Two Thousand and One Unisex Hair Cutting (1999), Prison Women's Association (1999-2009), and Fresh Coat Paint and Remodeling (2014-2017). The City Directory report is included as Appendix G.

5. Regulatory File Review

Equity reviewed title information for the Subject Properties contained in New York City Zola database. Title to the properties is vested in Grace Baptist Church and Grace Housing Development Fund Company, Inc. The Subject Properties are identified as Block 3705 / Lots 9, 10, 14, 27, 28, 29, 30, 31, 32, 34, 35, 38, and 39.

According to the New York City Department of Buildings (DOB) website, no complaints, ten violations, four jobs, and 17 actions have been identified at 233 New Jersey Avenue. The violations are in relation to a low-pressure boiler. The jobs are in relation to a two-story addition to the existing church, installation of a fire alarm

system, and installation of new boilers. The actions are in relation to boiler penalties, building alterations, and certification of occupancy.

According to the New York City Department of Buildings (DOB) website, four complaints, 14 violations, two jobs, and 14 actions have been identified at 235 New Jersey Avenue. The complaints are in relation to unsafe scaffolding and wooden planks blowing off. The violations are in relation to temporary construction equipment not meeting code specifications, continuing work while on notice of a stop work order, not displaying job site signs, pedestrian protection not meeting code specifications, use of expired site permits, and use of expired temporary construction equipment. The jobs are in relation to the installation of a sidewalk shed and temporary pipe scaffold. The actions are in relation to construction of a new building, unsafe building, certification of occupancy, building alterations, and plumbing/plumbing repair.

According to the New York City Department of Buildings (DOB) website, three complaints, one violation, one job, and nine actions have been identified at 224 Vermont Street. The complaints are in relation to a defective stone foundation wall, landlord refusal to provide access to a secondary exit, and an illegal driveway/loading dock. The violation is not identified. The job is in relation to installation of a new gas line from the basement to the second floor. The actions are in relation to an unlisted violation, a building notice, and several building alterations.

According to the New York City Department of Buildings (DOB) website, no complaints, one violation, no jobs, and two actions have been identified at 228 Vermont Street. The violation is not identified. The actions are in relation to an unsafe building notice and building demolition.

According to the New York City Department of Buildings (DOB) website, no complaints, one violation, no jobs, and ten actions have been identified at 230 Vermont Street. The violation is not identified. The actions are in relation to an unsafe building notice, plumbing installation, plumbing repair, and building alterations.

According to the New York City Department of Buildings (DOB) website, no complaints, no violations, no jobs, and one action have been identified at 232 Vermont Street. The action is in relation to a plumbing repair.

According to the New York City Department of Buildings (DOB) website, no complaints, no violations, no jobs, and no actions have been identified at 234 Vermont Street.

According to the New York City Department of Buildings (DOB) website, no complaints, no violations, no jobs, and one action have been identified at 236 Vermont Street. The action is in relation to a plumbing repair.

According to the New York City Department of Buildings (DOB) website, no complaints, no violations, no jobs, and two actions have been identified at 238 Vermont Street. The action is not identified.

According to the New York City Department of Buildings (DOB) website, no complaints, no violations, no jobs, and 13 actions have been identified at 240 Vermont Street. The actions are in relation to a building notice, certification of occupancy, building alterations, plumbing repair, and building demolition.

Equity submitted a Freedom of Information Law (FOIL) request to the New York City Department of Environmental Protection (DEP) and the New York State Department of Environmental Conservation (DEC) on November 2nd, 2021 and November 30th, 2021 for all 13 lots. Responses were unavailable prior to the completion of this report. In the event records of environmental concern are identified, this report will be amended and stakeholders will be notified. Regulatory records are included in Appendix H.

6. Prior Environmental Assessments and Reports

Equity was not provided with any prior environmental assessments or reports.

F. Historical Use Information on Adjoining Properties

The following information summarizes the historical use of properties adjoining the perimeter of the Subject Properties based on a review of the Sanborn Fire Insurance Maps and Historic Aerial Photographs.

- North – Mixed Residential/Commercial/Manufacturing
- East – Mixed Residential/Commercial
- South – Mixed Residential/Commercial
- West – Mixed Residential/Commercial/Manufacturing

V. SITE RECONNAISSANCE

A. Methodology and Limiting Conditions

Mr. John Vrabel, Project Scientist, of Equity Environmental conducted the Phase I site inspection on November 16th, 2021. No limiting conditions such as weather or inaccessible areas were encountered during the completion of this assessment.

B. On-Site Operations/Manufacturing

There are currently no on-site operations or manufacturing at any of the Subject Properties. Photographs of the building's interior and exterior are provided in Appendix B.

The building specific information and findings from the site reconnaissance is provided in Table 2.

C. Vapor Migration/Encroachment

The EDR Vapor Encroachment database identified numerous VECs (Vapor Encroachment Conditions) within 1/10 of a mile of the Subject Property that are related to 2 historic auto shops, 1 historic dry cleaner, 36 USTs (underground storage tanks), and 12 ASTs (aboveground storage tanks), with 6 of these tanks recording evidence of previous leaks. Based on these findings, a possible vapor encroachment could not be ruled out. Details on the VECs can be found in Appendix C.

D. Other Environmental Considerations

Asbestos Containing Materials

The EPA banned several types of asbestos in the late 1970s, but its use continued in some building applications through the 1980s. An asbestos survey was not performed as part of this study. Given the age of the building, there is a potential for the presence of asbestos.

Drinking Water

Potable water is supplied by the City of New York. A drinking water assessment was not performed as part of this study.

Lead-Based Paint

In 1978, EPA banned the manufacture and use of lead-based paint and lead-based paint products. Given the age of the buildings, the presence of lead-based-paint is likely. A lead-based paint study was not performed as part of this study.

Mold

Mold and water damage was observed on the ceiling, walls, and surrounding ceiling vents in numerous areas on the first and second floor of property 2 (Block 3705, Lots 9 and 10). Mold was surrounding multiple ceiling vents throughout the basement. Property 8 (Block 3705, Lot 34) had an active water leak and flooding in the basement of the Subject Property however mold was not observed. Mold was not observed at any other Subject Properties.

E. Off-Site Concerns

There were no offsite concerns, other than the VECs identified in Section K.

VI. INTERVIEWS

As part of the Phase I of the property, Equity interviewed Mr. Linden Mckenzie, the property manager and pastor of Grace Baptist Church, during each site inspection. Mr. Mckenzie was not aware of any previous environmental issues related to the Subject Properties.

VII. RECOGNIZED ENVIRONMENTAL CONDITIONS (RECs)

Equity completed the Phase I of the Subject Properties in accordance with the scope and limitations of ASTM Practice 1527-13. Any exceptions to, or deletions from, this practice are noted in appropriate sections of this report. RECs are defined as the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: (1) due to any release to the environment; (2) under conditions indicative of a release to the environment; or (3) under conditions that pose a material threat of a future release to the environment. Controlled Recognized Environmental Condition is a recognized environmental condition resulting from a past release of hazardous substances or petroleum products that has been addressed to the satisfaction of the applicable regulatory authority (for example, as evidenced by the issuance of a no further action letter or equivalent, or meeting risk-based criteria established by regulatory authority), with hazardous substances or petroleum products allowed to remain in place subject to the implementation of required controls (for example, property use restrictions, activity and use limitations, institutional controls, or engineering controls). Historical RECs are RECs previously remediated to current unrestricted residential use applicable regulatory standards. De Minimis conditions are those that do not present a threat to human health or the environment, and would not be the subject of an enforcement action by a government agency. Data Gaps are a lack of, or inability to obtain information required by the practice that affects the ability of the environmental professional to identify RECs despite good faith efforts to gather the information.

A. Recognized Environmental Conditions (RECs)

Multiple RECs were observed as a result of this assessment in relation to oil staining on the floor around the boiler, on the heating oil AST, and in the parking area of 223 New Jersey Avenue (Property 1); staining on the floor around the heating oil ASTs in the basement of 233 New Jersey Avenue (Property 2); motor oil staining in the parking lot of 240 Vermont Street (Property 9); staining around the heating oil AST in the basement of 238 New Jersey Avenue (Property 8); and a pile of dirt and stone that was observed on the vacant asphalt lot (Property 4) which is from the renovation of a driveway from a nearby residential property according to Mr. Linden Mckenzie.

B. Controlled Recognized Environmental Conditions (CRECs)

No Controlled RECs were identified as a result of this assessment.

C. Historical Recognized Environmental Conditions (HRECs)

No Historic RECs were identified as a result of this assessment.

C. Vapor Encroachment Concerns (VECs)

The EDR Vapor Encroachment database identified numerous VECs (Vapor Encroachment Conditions) within 1/10 of a mile of the Subject Properties that are related to two historic auto shops, one historic dry cleaner, two USTs (underground storage tanks) with recorded evidence of previous leaks, and four ASTs (aboveground storage tanks) with recorded evidence of previous leaks. Based on these findings, a possible vapor encroachment could not be ruled out. Details on the VECs can be found in Appendix C.

E. De Minimis Conditions

No De Minimis Conditions were identified as a result of this assessment.

F. Data Gaps

Equity did not identify any significant data gaps that would affect its ability to identify Recognized Environmental Concerns (RECs) associated with the Subject Properties.

Conclusions

Equity's review of available information and observations of the Subject Properties and surrounding properties indicates that no CRECs, HRECs, De Minimis conditions, or Data Gaps were identified as a result of this assessment. However, multiple RECs were identified and a VEC could not be ruled out. The VECs that were identified during the Phase I are documented in Appendix C.

VIII. DEVIATIONS

Equity did not deviate from the scope of service outlined in Section I of this report.

IX. REFERENCES

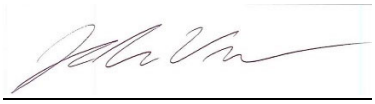
The following references were used in the preparation of this report:

1. EDR Environmental Databases
2. Sanborn Fire Insurance Maps
3. Historic Aerial Photographs
4. City Directory
5. Historical Topographic Maps
6. Rockd Geologic Database
7. New York City Department of Buildings Website
8. New York City Zola Database
9. 2020 Brooklyn Topographical Bureau Borough Map

X. SIGNATURE(S) OF ENVIRONMENTAL PROFESSIONALS

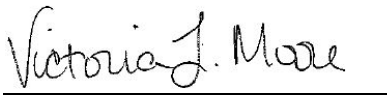
We declare that, to the best of our professional knowledge and belief, we meet the definition of Environmental Professional, as defined in the USEPA All Appropriate Inquiry Standard, 40 CFR, Part 312.10. We have the specific qualifications based on education, training, and experiences to assess a property of the nature, history, and setting of the subject property. We have developed and performed all appropriate inquiries in conformance with the standards and practices set forth in 40 CFR, Part 312.

Assessor :



John Vrabel
Project Scientist

Assessor :



Victoria Moore
Junior Environmental Scientist

Environmental Professional:



Robert Jackson
Managing Director

XI. QUALIFICATIONS OF ENVIRONMENTAL PROFESSIONALS

Qualifications of the Environmental Professionals are provided in Appendix I.

Tables

Table 1 - Site Overview (Howard Ave - Park Place Sites)

Property Number	Property Address	Block/Lot	Parcel Size	Number bldgs.	No. Stories	Date Constructed	Construction Type	Use
1	223 New Jersey Avenue, Brooklyn, NY 11207	3705 / 14	4,250 sq. ft.	one residential building and one detached garage	Residential: 2 Garage: 1	1930	Residential - Brick and mortar Garage - wood framing and siding	Residential: Multi-Family Walk-up with detached garage
2	223 and 235 New Jersey Avenue, Brooklyn, NY 11207	3705 / 9 and 10	Lot 10: 8,000 sq. ft. Lot 9: 2,500 sq. ft. **Total: 10,500 sq.ft.**	1	2	1930	Brick and mortar with stine and brick foundation	Church
3	224 Vermont Street, Brooklyn, NY 11207	3705 / 27	2,500 sq. ft.	1	3	1901	wood framing with viny siding and stone and brick foundation	Residential: Multi-Family Walk-up
4	228 and 230 Vermont Street, Brooklyn, NY 11207	3705 / 28 and 29	Lot 28: 2,500 sq. ft. Lot 29: 1,767 sq. ft. **Total: 4,267 sq. ft.**	Vacant	N/A	N/A	N/A	Vacant lot
5	232 Vermont Street, Brooklyn, NY 11207	3705 / 30	1,767 sq. ft.	1	2	1901	wood framing with viny siding and stone and brick foundation	Residential: Multi-Family Walk-up
6	234 Vermont Street, Brooklyn, NY 11207	3705 / 31	1,767 sq. ft.	1	2	1901	wood framing with viny siding and stone and brick foundation	Residential: Multi-Family Walk-up
7	236 Vermont Street, Brooklyn, NY 11207	3705 / 32	2,917 sq. ft.	1	2	1901	wood framing with viny and stone siding and concrete block foundation	Residential: Multi-Family Walk-up
8	238 Vermont Street, Brooklyn, NY 11207	3705 / 34	1,725 sq. ft.	1	2	1901	wood framing with viny siding and stone and brick foundation	Residential: Multi-Family Walk-up
9	Vermont Street, Brooklyn, NY 11207	3705 / 35, 38, and 39	Lot 35: 6,000 sq. ft. Lot 38: 4,000 sq. ft. Lot 39: 2,500 sq. ft. **Total: 10,500 sq.ft.**	0	N/A	N/A	N/A	NYPD Parking

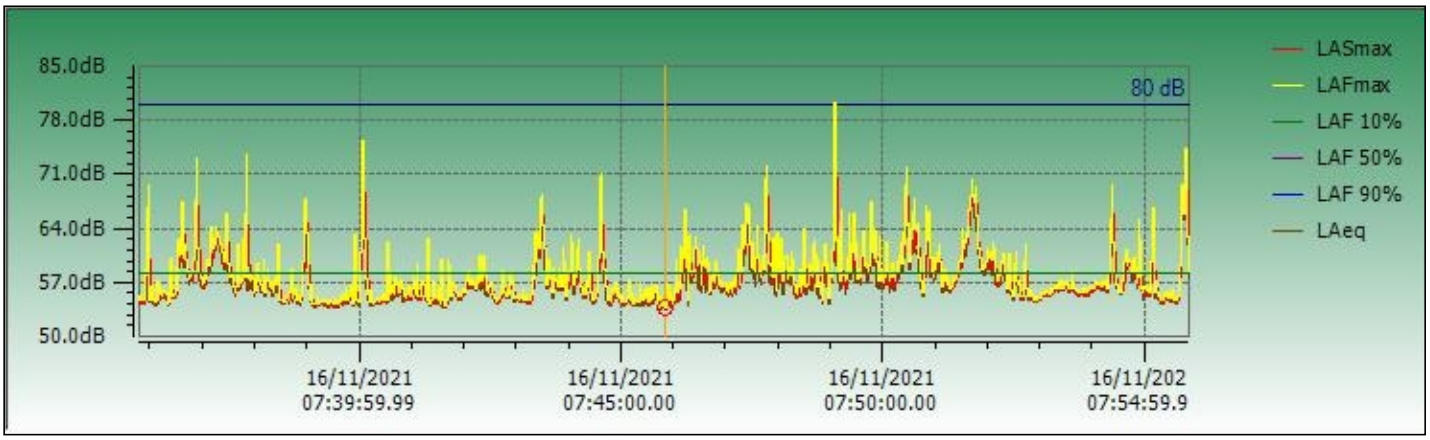
Table 2 - Findings Table

Property Address	RECs	On-site Operations	Chemical Storage	Solid/Hazardous Waste	Release or Spills	Groundwater Wells	Stormwater Drainage/Wastewater Discharge	Wetlands	PCB Equipment	Drains & Sumps	Vapor Encroachment	Other Considerations	Offsite Concerns	Asbestos	Lead-based Paint	Mold	Other
223 New Jersey Avenue, Brooklyn, NY 11207	Multiple RECs were observed as a result of this assessment in relation to oil staining on the floor around the boiler, on the heating oil AST, and in the parking area	Residential: Multi-Family Walk-up with detached garage	The detached garage contains various debris, vehicular maintenance fluids, gasoline containers, and helium containers	Solid waste is not produced at the Subject Property	Oil staining that is presumably from motor vehicles was observed in the parking area on the Subject Property near a storm water drain and cracking in the asphalt.	None observed during site walk	Roof gutters and one storm water drain in the parking area	None observed during site walk	None observed	Two pits observed in the basement for sewage cleanout access	A VEC cannot be ruled out, due to close proximity to 2 historic auto garages, 1 historic drycleaner, and 6 leaking USTs	Not Applicable	There were no offsite concerns, other than the VECs identified in Section K of the Phase I Report	None observed during site walk	None observed during site walk	None observed during site walk	None
223 and 235 New Jersey Avenue, Brooklyn, NY 11207	Staining on the floor around the heating oil ASTs in the basement	Church	Typical household cleaning products, paints, and flashing cement was observed throughout the Subject Property	Solid waste is stored in trash cans on exterior portion of building	Staining was observed on top of the ASTs, on the floor surrounding the ASTs and around the boiler in the basement of the Church	None observed during site walk	Roof gutters	None observed during site walk	None observed	None observed	One pit observed in the basement for sewage cleanout access	Not Applicable	There were no offsite concerns, other than the VECs identified in Section K of the Phase I Report	None observed during site walk	None observed during site walk	Mold observed in multiple areas of the Subject Property where water damage and leaking has occurred.	Cracking was observed in the concrete walls within the sanctuary of the Subject Property and could be potentially affecting the structural integrity of the building
224 Vermont Street, Brooklyn, NY 11207	No RECs observed	Residential: Multi-Family Walk-up	A few one gallon latex paint cans.	Solid waste is stored in trash cans on exterior portion of building.	None observed during site walk.	None observed during site walk	Roof gutters	None observed during site walk	None observed	None observed	A VEC cannot be ruled out, due to close proximity to 2 historic auto garages, 1 historic drycleaner, and 6 leaking USTs	Not Applicable	There were no offsite concerns, other than the VECs identified in Section K of the Phase I Report	None observed during site walk	None observed during site walk	None observed during site walk	None
228 and 230 Vermont Street, Brooklyn, NY 11207	A pile of dirt and stone was observed on the asphalt lot and is from the renovation of a driveway from a nearby residential property according to Mr. Linden Mckenzie	Vacant lot	Propane tanks, empty five-gallon buckets labeled hydraulic oil and flashing cement, an empty and unlabeled plastic drum	Solid waste is not produced at the Subject Property	None observed during site walk	None observed during site walk	None observed	None observed during site walk	None observed	None observed	A VEC cannot be ruled out, due to close proximity to 2 historic auto garages, 1 historic drycleaner, and 6 leaking USTs	Not Applicable	There were no offsite concerns, other than the VECs identified in Section K of the Phase I Report	None observed during site walk	None observed during site walk	None observed during site walk	None
232 Vermont Street, Brooklyn, NY 11207	No RECs observed	Residential: Multi-Family Walk-up	A small can of alcohol fuel, small container of rain-x, one can of butane fuel	Solid waste is stored in trash cans on exterior portion of building.	None observed during site walk	None observed during site walk	Roof gutters	None observed during site walk	None observed	One shower drain observed in the basement	A VEC cannot be ruled out, due to close proximity to 2 historic auto garages, 1 historic drycleaner, and 6 leaking USTs	Not Applicable	There were no offsite concerns, other than the VECs identified in Section K of the Phase I Report	None observed during site walk	None observed during site walk	None observed during site walk	None
234 Vermont Street, Brooklyn, NY 11207	No RECs observed	Residential: Multi-Family Walk-up	One can of insecticide	Solid waste is stored in trash cans on exterior portion of building.	None observed during site walk	None observed during site walk	Roof gutters	None observed during site walk	None observed	None observed	A VEC cannot be ruled out, due to close proximity to 2 historic auto garages, 1 historic drycleaner, and 6 leaking USTs	Not Applicable	There were no offsite concerns, other than the VECs identified in Section K of the Phase I Report.	None observed during site walk	None observed during site walk	None observed during site walk	None
236 Vermont Street, Brooklyn, NY 11207	No RECs observed	Residential: Multi-Family Walk-up	One bucket of calcium chloride for ice melting	Solid waste is stored in trash cans on exterior portion of building.	None observed during site walk	None observed during site walk	Roof gutters	None observed during site walk	None observed	Small pit in basement with unknown use. Trench in basement was observed as a result of newly installed sewer piping.	A VEC cannot be ruled out, due to close proximity to 2 historic auto garages, 1 historic drycleaner, and 6 leaking USTs	Not Applicable	There were no offsite concerns, other than the VECs identified in Section K of the Phase I Report	None observed during site walk	None observed during site walk	Small area of mold observed on a wall in the basement	None
238 Vermont Street, Brooklyn, NY 11207	Staining was observed on the heating oil AST in the basement of the Subject Property	Residential: Multi-Family Walk-up	Paint cans and joint compound	Solid waste is stored in trash cans on exterior portion of building.	Staining was observed on the heating oil AST in the basement of the Subject Property	None observed during site walk	Roof gutters	None observed during site walk	None observed	None observed	A VEC cannot be ruled out, due to close proximity to 2 historic auto garages, 1 historic drycleaner, and 6 leaking USTs	Not Applicable	There were no offsite concerns, other than the VECs identified in Section K of the Phase I Report	None observed during site walk	None observed during site walk	An active water leak and flooding was observed in the basement of the Subject Property. Areas of heavy water damage and large amounts of mold were observed throughout the Subject Property.	A According to Mr. Linden McKenzie a fire occurred at the Subject Property approximately three year ago. The building has since been in poor condition with fire damage and signs of trespassing.
240 Vermont Street, Brooklyn, NY 11207	Motor oil staining in the parking lot	NYPD Parking	None observed during site walk	Solid waste is not produced at the Subject Property	Multiple oil stains were observed throughout the parking area and is assumed to be the result of motor oil leaking from parked vehicles. The asphalt is in poor to moderate condition with cracking observed.	None observed during site walk	None observed	None observed during site walk	None observed	None observed	A VEC cannot be ruled out, due to close proximity to 2 historic auto garages, 1 historic drycleaner, and 6 leaking USTs	Not Applicable	There were no offsite concerns, other than the VECs identified in Section K of the Phase I Report	None observed during site walk	None observed during site walk	None observed during site walk	None

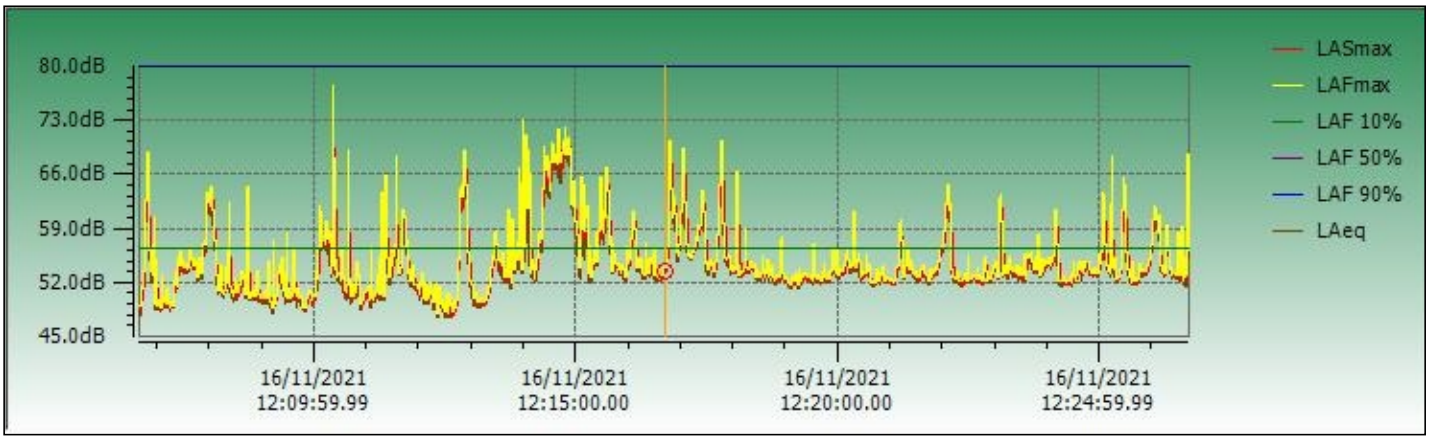
APPENDIX E

NOISE BACKUP DATA

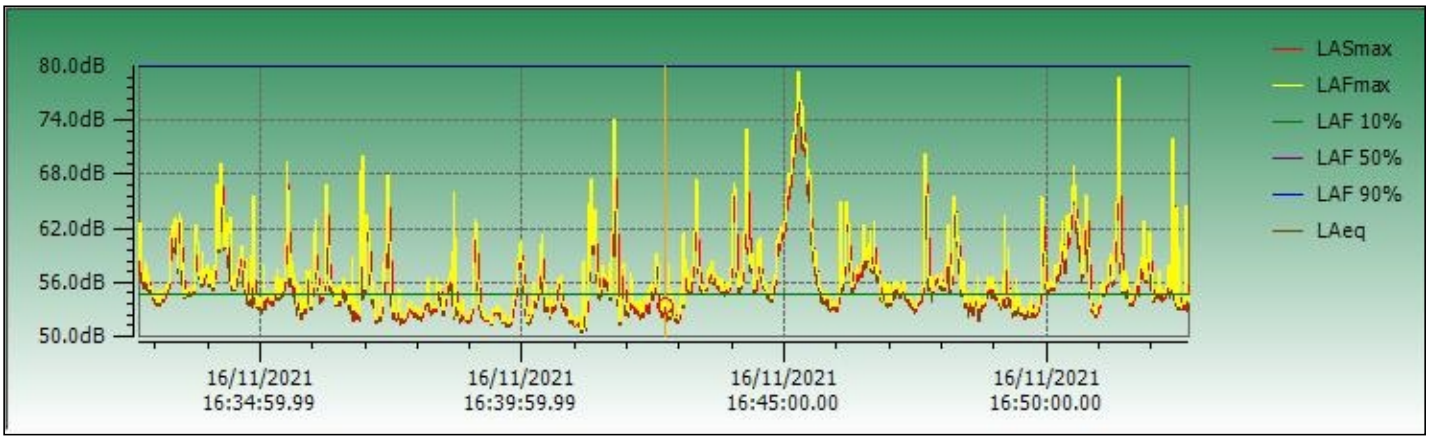
Instrument Model	**CEL-633C**			
Serial Number	5086866	LAS 10%	61 dB	Result
LASmax	73.6 dB	LAS 50%	56 dB	
LASmin	53.4 dB	LAS 90%	54.5 dB	
Start Date & Time	11/16/2021 7:35:48 AM	Calibration (Before) Date	11/16/2021 7:32:56 AM	
Duration	00:20:03 HH:MM:SS	Calibration (After) Date	11/16/2021 7:56:05 AM	
LAeq	58.6 dB	Calibration Drift	0.3 dB	
End Date & Time	11/16/2021 7:55:51 AM	Battery Low	No	
Notes				



Instrument Model	**CEL-633C**			
Serial Number	5086866	LAS 10%	60 dB	Result
LASmax	70.2 dB	LAS 50%	53 dB	
LASmin	47.3 dB	LAS 90%	50 dB	
Start Date & Time	11/16/2021 12:06:40 PM	Calibration (Before) Date	11/16/2021 12:06:15 PM	
Duration	00:20:03 HH:MM:SS	Calibration (After) Date	11/16/2021 12:26:52 PM	
LAeq	57 dB	Calibration Drift	-0.1 dB	
End Date & Time	11/16/2021 12:26:43 PM	Battery Low	No	
Notes				



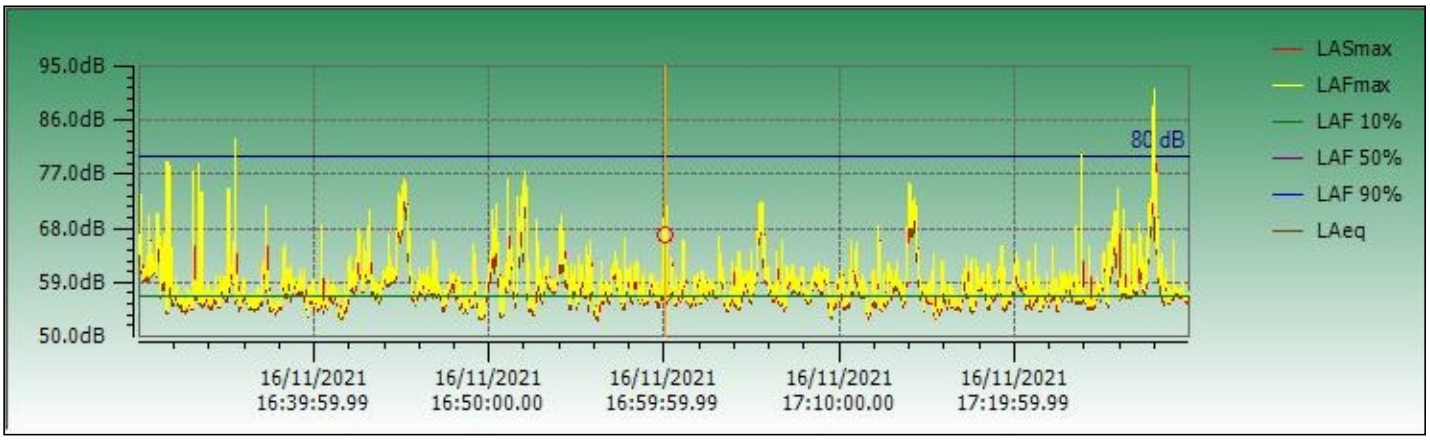
Instrument Model	CEL-633C			
Serial Number	5086866	LAS 10%	61 dB	Result
LASmax	76.6 dB	LAS 50%	55 dB	
LASmin	50.5 dB	LAS 90%	52.5 dB	
Start Date & Time	11/16/2021 4:32:42 PM	Calibration (Before) Date	11/16/2021 4:32:09 PM	
Duration	00:20:01 HH:MM:SS	Calibration (After) Date	11/16/2021 4:52:54 PM	
LAeq	59.4 dB	Calibration Drift	0.1 dB	
End Date & Time	11/16/2021 4:52:43 PM	Battery Low	No	
Notes				



Casella CEL Ltd.

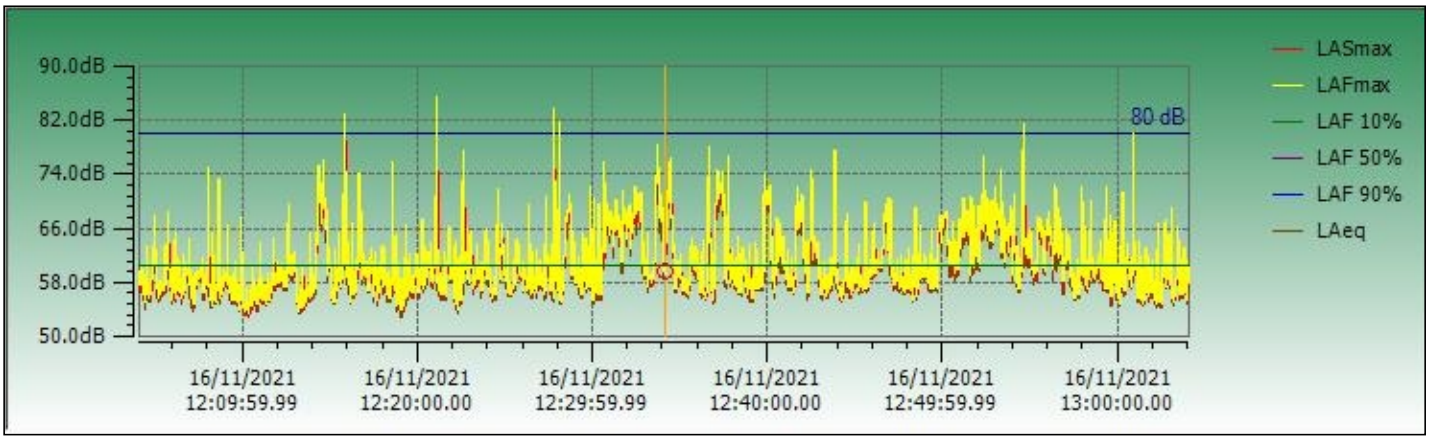
Report On CEL-63X

Instrument Model	**CEL-633C**			
Serial Number	1488256	LAS 10%	62.5 dB	Result
LASmax	88.2 dB	LAS 50%	57.5 dB	
LASmin	52.8 dB	LAS 90%	55 dB	
Start Date & Time	11/16/2021 4:30:00 PM	Calibration (Before) Date	11/16/2021 4:28:05 PM	
Duration	01:00:00 HH:MM:SS	Calibration (After) Date	11/16/2021 5:57:59 PM	
LAeq	62.3 dB	Calibration Drift	-0.2 dB	
End Date & Time	11/16/2021 5:30:00 PM	Battery Low	No	
Notes				

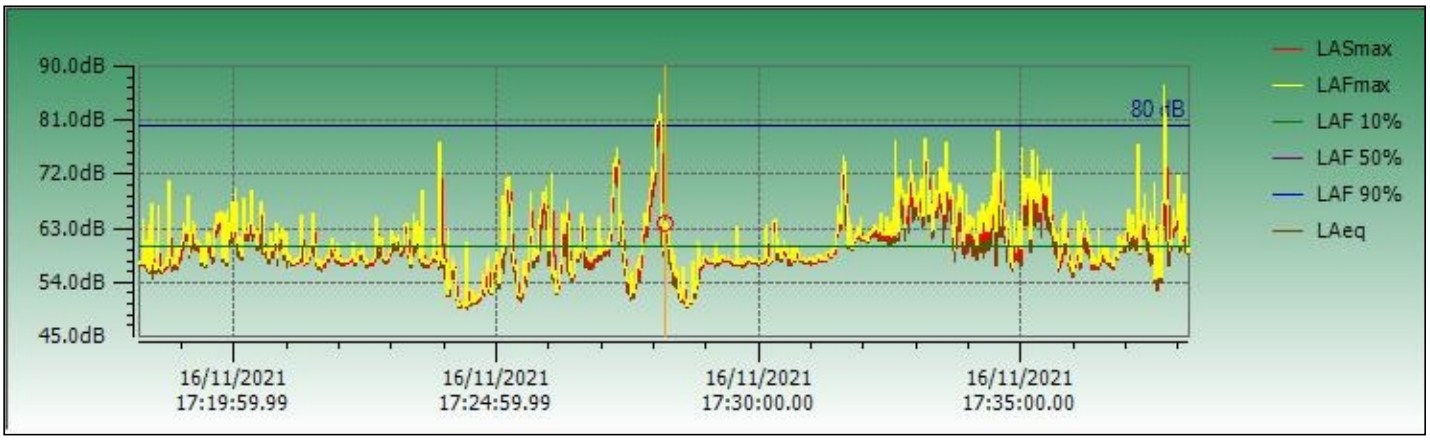


Instrument Model	**CEL-633C**			
Serial Number	1488256	LAS 10%	68 dB	Result
LASmax	82.1 dB	LAS 50%	61.5 dB	
LASmin	55.1 dB	LAS 90%	58.5 dB	
Start Date & Time	11/16/2021 7:30:13 AM	Calibration (Before) Date	11/16/2021 6:50:13 AM	
Duration	01:00:00 HH:MM:SS	Calibration (After) Date	11/16/2021 12:03:16 PM	
LAeq	64.8 dB	Calibration Drift	-0.1 dB	
End Date & Time	11/16/2021 8:30:13 AM	Battery Low	No	
Notes				

Instrument Model	**CEL-633C**			
Serial Number	1488256	LAS 10%	66 dB	Result
LASmax	83.3 dB	LAS 50%	58.5 dB	
LASmin	52.8 dB	LAS 90%	56 dB	
Start Date & Time	11/16/2021 12:04:07 PM	Calibration (Before) Date	11/16/2021 12:03:29 PM	
Duration	01:00:00 HH:MM:SS	Calibration (After) Date	11/16/2021 4:28:05 PM	
LAeq	62.7 dB	Calibration Drift	0.1 dB	
End Date & Time	11/16/2021 1:04:07 PM	Battery Low	No	
Notes				

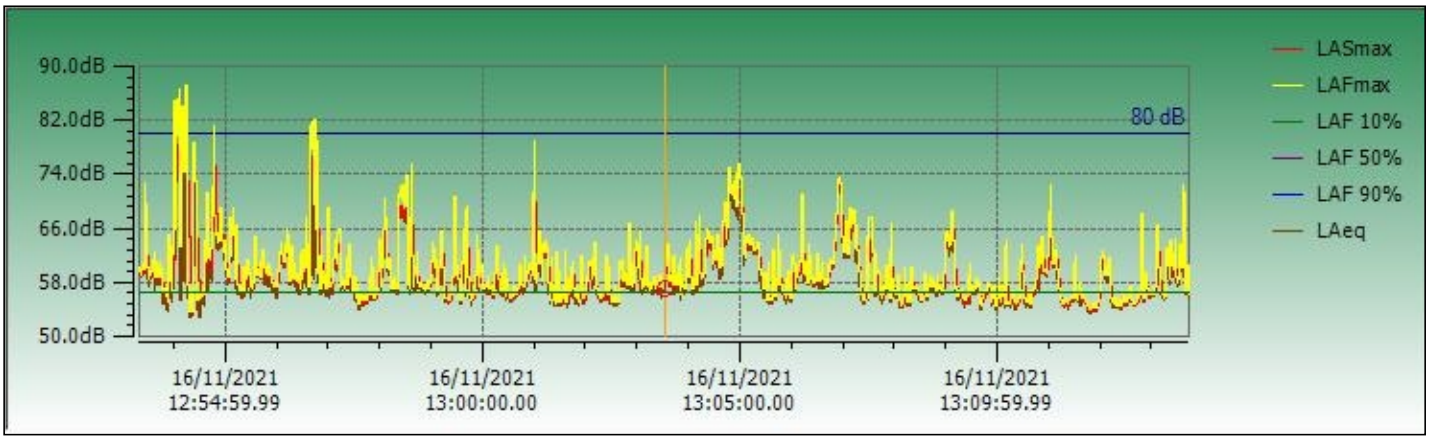


Instrument Model	**CEL-633C**			
Serial Number	5086866	LAS 10%	65.5 dB	Result
LASmax	82.1 dB	LAS 50%	59 dB	
LASmin	49.7 dB	LAS 90%	55.5 dB	
Start Date & Time	11/16/2021 5:18:11 PM	Calibration (Before) Date	11/16/2021 5:16:52 PM	
Duration	00:20:01 HH:MM:SS	Calibration (After) Date	11/16/2021 5:38:35 PM	
LAeq	63.5 dB	Calibration Drift	-0.1 dB	
End Date & Time	11/16/2021 5:38:12 PM	Battery Low	No	
Notes				

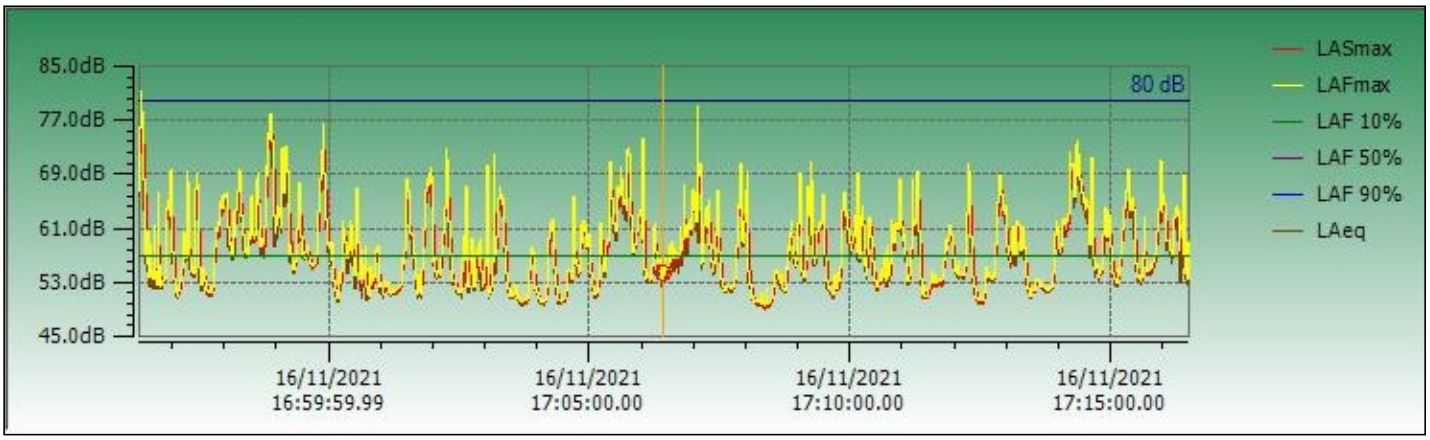


Instrument Model	**CEL-633C**			
Serial Number	5086866	LAS 10%	71.5 dB	Result
LASmax	88.9 dB	LAS 50%	62 dB	
LASmin	53.2 dB	LAS 90%	57.5 dB	
Start Date & Time	11/16/2021 8:25:23 AM	Calibration (Before) Date	11/16/2021 7:12:06 AM	
Duration	00:20:02 HH:MM:SS	Calibration (After) Date	11/16/2021 8:46:36 AM	
LAeq	70.6 dB	Calibration Drift	0.0 dB	
End Date & Time	11/16/2021 8:45:25 AM	Battery Low	No	
Notes				

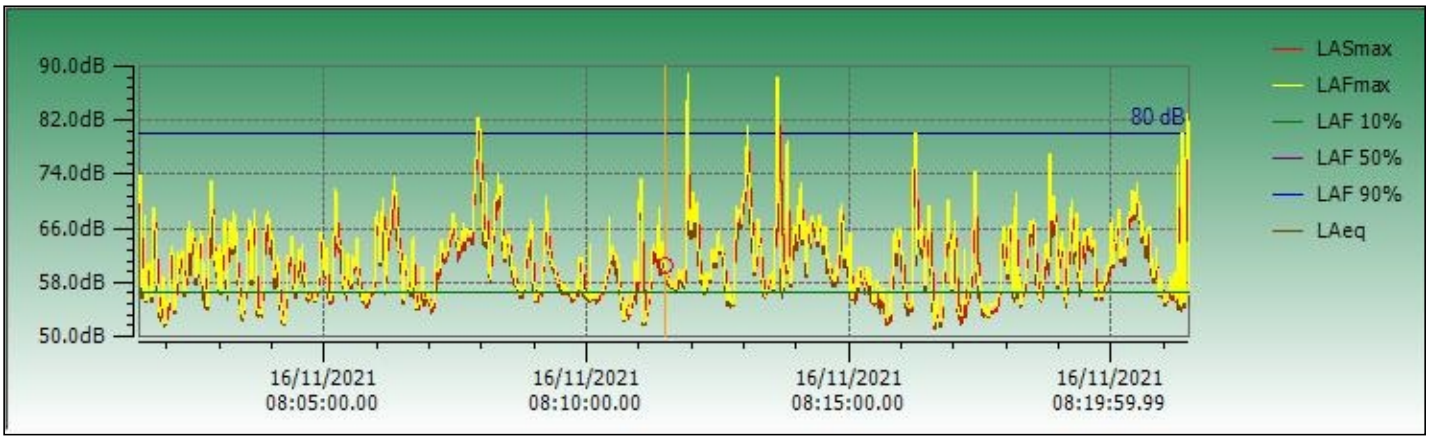
Instrument Model	**CEL-633C**			
Serial Number	5086866	LAS 10%	63.5 dB	Result
LASmax	82 dB	LAS 50%	57.5 dB	
LASmin	53.5 dB	LAS 90%	55 dB	
Start Date & Time	11/16/2021 12:53:19 PM	Calibration (Before) Date	11/16/2021 12:50:56 PM	
Duration	00:20:24 HH:MM:SS	Calibration (After) Date	11/16/2021 1:13:53 PM	
LAeq	62.7 dB	Calibration Drift	-0.1 dB	
End Date & Time	11/16/2021 1:13:43 PM	Battery Low	No	
Notes				



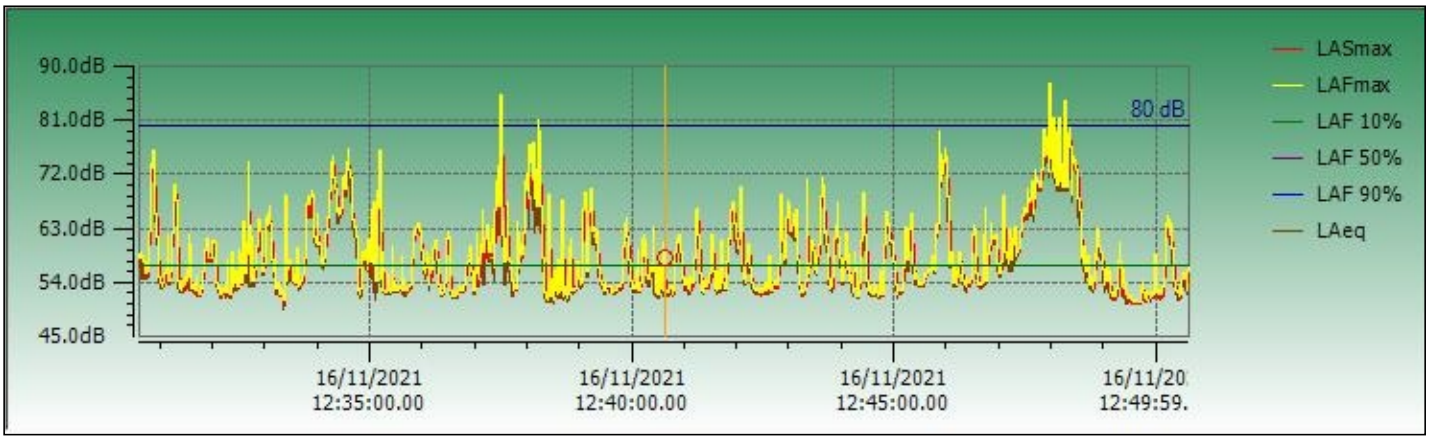
Instrument Model	**CEL-633C**			
Serial Number	5086866	LAS 10%	64 dB	Result
LASmax	77.9 dB	LAS 50%	56.5 dB	
LASmin	49.1 dB	LAS 90%	51.5 dB	
Start Date & Time	11/16/2021 4:56:22 PM	Calibration (Before) Date	11/16/2021 4:53:02 PM	
Duration	00:20:08 HH:MM:SS	Calibration (After) Date	11/16/2021 5:16:43 PM	
LAeq	60.8 dB	Calibration Drift	-0.1 dB	
End Date & Time	11/16/2021 5:16:30 PM	Battery Low	No	
Notes				



Instrument Model	**CEL-633C**			
Serial Number	5086866	LAS 10%	66.5 dB	Result
LASmax	84.5 dB	LAS 50%	59.5 dB	
LASmin	51.2 dB	LAS 90%	54.5 dB	
Start Date & Time	11/16/2021 8:01:28 AM	Calibration (Before) Date	11/16/2021 7:56:14 AM	
Duration	00:20:01 HH:MM:SS	Calibration (After) Date	11/16/2021 8:21:43 AM	
LAeq	64.8 dB	Calibration Drift	-0.2 dB	
End Date & Time	11/16/2021 8:21:29 AM	Battery Low	No	
Notes				



Instrument Model	**CEL-633C**			
Serial Number	5086866	LAS 10%	66.5 dB	Result
LASmax	80.6 dB	LAS 50%	56 dB	
LASmin	50.1 dB	LAS 90%	52 dB	
Start Date & Time	11/16/2021 12:30:36 PM	Calibration (Before) Date	11/16/2021 12:27:01 PM	
Duration	00:20:02 HH:MM:SS	Calibration (After) Date	11/16/2021 12:50:48 PM	
LAeq	63.6 dB	Calibration Drift	-0.2 dB	
End Date & Time	11/16/2021 12:50:38 PM	Battery Low	No	
Notes				



Noise Job Field Sheet

Name of Project: Grace Church Rezoning 2021057

Project Address: 251 New Jersey Avenue Brooklyn, NY

Date(s) of Field Work: 11/16/2021

Personnel: John Vrabel

Project Specific Scope of Work:

3 x 20-minute locations AM, Midday, PM
1 x 1-hour location on the roof AM, Midday, PM
Phase I – Anytime
Site Contact – Linden McKenzie 646-825-1133

I. Start of Noise Monitoring Day

Departure Time: 5:00 Arrival Time: 6:40

Weather Conditions (temp, wind speed, precipitation): Sunny, dry, low wind, 40's-50's

Meter Type: Casella Meter Serial #: 1488256 Meter Location: 2
Meter Type: Casella Meter Serial #: 5066866 Meter Location: 1, 3, + 4
Meter Type: _____ Meter Serial #: _____ Meter Location: _____
*If more locations are needed for a project use a second Field Sheet

Calibrator Serial #: 3041530 4 Meters used on: All
Calibrator Serial #: _____ Meters used on: _____
Calibrator Serial #: _____ Meters used on: _____
Were Photos Taken of Each Location? (Y) / N *Discuss specific photo instructions w/ Project Manager

**On a separate sheet of paper (field book) make a sketch of the noise meter locations and the distances to nearest wall, fence, building, or other solid surfaces.*

II. Morning Session 7:30 AM – 9:00 AM

Before Measurement:

1433256 6:50 (Y)

Meter Serial #: 5086866 Time: 7:11 Calibration Passed at 114 dB? (Y) / N
Meter Serial #: " " Time: 7:32 Calibration Passed at 114 dB? (Y) / N
Meter Serial #: " " Time: 7:55 Calibration Passed at 114 dB? (Y) / N

After Measurement:

1433256 8:50 (Y)

Meter Serial #: 5086866 Time: 8:45 Calibration Passed at 114 dB? (Y) / N
Meter Serial #: " " Time: 7:55 Calibration Passed at 114 dB? (Y) / N
Meter Serial #: " " Time: 8:19 Calibration Passed at 114 dB? (Y) / N

*If more locations are needed for a project use a second Field Sheet

2 7:30 8:30

Location #	Start Time	End Time
3	8:25	8:45
1	7:35	7:55
4	7:59	8:19

*If more locations are needed for a project use a second Field Sheet

Location #	Car	SUV	Medium Truck	Heavy Truck	Bus	Train
3	47	66	0	0	2	—
1	4	4	0	0	0	—
4	74	90	4	—	4	—

*If more locations are needed for a project use a second Field Sheet

Noise Source: please note any loud noises here and time (sirens, garbage truck, etc):

dog barking at 7:14 (Loc.3), construction across st. (periodic banging noise) Loc.3

Dog barking at 7:23 (Loc.3)

Please place noise meters in their respective cases between sessions to avoid damage.

III. Midday Session 12:00 PM – 1:30 PM

Before Measurement: 12:03

Meter Serial #: 1488256 / 5066866 Time: 12:06 Calibration Passed at 114 dB? Y / N
Meter Serial #: " " Time: 12:26 Calibration Passed at 114 dB? Y / N
Meter Serial #: " " Time: 12:49 Calibration Passed at 114 dB? Y / N

After Measurement:

Meter Serial #: 1488256 / 5066866 Time: 12:26 Calibration Passed at 114 dB? Y / N
Meter Serial #: " " Time: 12:49 Calibration Passed at 114 dB? Y / N
Meter Serial #: " " Time: 13:13 Calibration Passed at 114 dB? Y / N

*If more locations are needed for a project use a second Field Sheet

2 12:03 13:03

Location #	Start Time	End Time
1	12:06	12:26
4	12:29	12:49
3	12:53	13:13

*If more locations are needed for a project use a second Field Sheet

Location #	Car	SUV	Medium Truck	Heavy Truck	Bus	Train
1	10	13	0	0	0	—
4	62	74	3	1	1	—
3	40	55	3	1	2	—

*If more locations are needed for a project use a second Field Sheet

Noise Source: please note any loud noises here and time (sirens, garbage truck, etc):
Safe opens near meter @ 12:44 (Loc 1)

Please place noise meters in their respective cases between sessions to avoid damage.

IV. Evening Session 4:30 PM – 6:00 PM

Before Measurement: 16:28 (Y)

Meter Serial #: 5086866 (148256) Time: 16:32 Calibration Passed at 114 dB? (Y) / N
Meter Serial #: 〃 Time: 16:52 Calibration Passed at 114 dB? (Y) / N
Meter Serial #: 〃 Time: 17:15 Calibration Passed at 114 dB? (Y) / N

After Measurement: (Y)

Meter Serial #: 5086866 (148256) Time: 16:52 Calibration Passed at 114 dB? (Y) / N
Meter Serial #: 〃 Time: 17:15 Calibration Passed at 114 dB? (Y) / N
Meter Serial #: 〃 Time: 17:37 Calibration Passed at 114 dB? (Y) / N

*If more locations are needed for a project use a second Field Sheet

Location #	Start Time	End Time
1	16:32	16:52
4	16:55	17:15
3	17:17	17:37

*If more locations are needed for a project use a second Field Sheet

Location #	Car	SUV	Medium Truck	Heavy Truck	Bus	Train
1	9	6	1	0	0	—
4	69	86	1	0	0	—
3	56	72	2	1	1	—

*If more locations are needed for a project use a second Field Sheet

Noise Source: please note any loud noises here and time (sirens, garbage truck, etc):

Please place noise meters in their respective cases between sessions to avoid damage.

V. End of Noise Monitoring Day

- Please return all noise meters to their cases.
- Do not return dead batteries to the cases, throw them out.
- Did you take photos? (Y) N
- Did you complete the site sketch? Y / N
- If a meter(s) was rented, please scan in calibration documents.

Anything of note/concern for the day: _____

_____

_____

Departure Time: 18:00 Arrival Time: 20:00

Total Time to Be Billed: 15



Legend

Projected Development Site 1

Rezoning Area

Noise Monitoring Locations

0 35 70 140 US Feet

N

APPENDIX F

JAMAICA BAY WATERSHED PROTECTION PLAN PROJECT TRACKING FORM

Print Form

Jamaica Bay Watershed Protection Plan
Project Tracking Form

The Jamaica Bay Watershed Protection Plan, developed pursuant to Local Law 71 of 2005, mandates that the New York City Department of Environmental Protection (DEP) work with the Mayor's Office of Environmental Coordination (MOEC) to review and track proposed development projects in the Jamaica Bay Watershed (http://www.nyc.gov/html/oec/downloads/pdf/ceqr/Jamaica_Bay_Watershed_Map.jpg) that are subject to CEQR in order to monitor growth and trends. If a project is located in the Jamaica Bay Watershed, (the applicant should complete this form and submit it to DEP and MOEC. This form must be updated with any project modifications and resubmitted to DEP and MOEC.

The information below will be used for tracking purposes only. It is not intended to indicate whether further CEQR analysis is needed to substitute for the guidance offered in the relevant chapters of the CEQR Technical Manual.

A. GENERAL PROJECT INFORMATION

1. CEQR Number: 2021K0221 1a. Modification ☐
2. Project Name: Grace Houses Rezoning
3. Project Description:

Rezoning to facilitate construction of a mixed-use residential and community facility (house of worship) building on Blocks 2705 and 3704 in Brooklyn, NY. Site 1 would be a 126,179 GSF 7-story residential building and Site 2 would be a 67,191 GSF 5-story mixed-use building.

4. Project Sponsor: Grace Housing Development Fund Co. Inc.
5. Required approvals: ZR R5B to R6A, ZR establish MIH
6. Project schedule (build year and construction schedule): 2026 Build Year, 22 Mo Construction

B. PROJECT LOCATION:

1. Street address: 223 New Jersey Avenue, Brooklyn NY 11207
2. Tax block(s): 3705/3704 Tax Lot(s): 1,3-10,14,27-32,34-35,38-40/25-29,31,33,3
3. Identify existing land use and zoning on the project site: Res,Pkg,ComFac; R5B
4. Identify proposed land use and zoning on the project site: Res,Pkg,ComFac; R6A
5. Identify land use of adjacent sites (include any open space): Res,Pkg,ComFac,Ind,Comm
6. Describe existing density on the project site and the proposed density:

Existing Condition	Proposed Condition
Approx. 7,771 ZSF	Approx. 157,607 ZSF

7. Is project within 100 or 500 year floodplain (specify)? ☐ **100 Year** ☐ **500 Year** ☒ **No**

C. GROUND AND GROUNDWATER

1. Total area of in-ground disturbance, if any (in square feet):
2. Will soil be removed (if so, what is the volume in cubic yards)?
3. Subsurface soil classification:
   (per the New York City Soil and Water Conservation Board):
4. If project would change site grade, provide land contours (**attach** map showing existing in 1' contours and proposed in 1' contours).
5. Will groundwater be used (list volumes/rates)? ☐ **Yes** ☒ **No**

   Volumes: Rates:
6. Will project involve dewatering (list volumes/rates)? ☐ **Yes** ☒ **No**

   Volumes: Rates:
7. Describe site elevation above seasonal high groundwater:

D. HABITAT

1. Will vegetation be removed, particularly native vegetation? ☐ **Yes** ☒ **No**

   If YES,
   - **Attach** a detailed list (species, size and location on site) of vegetation to be removed (including trees >2" caliper, shrubs, understory planting and groundcover).
   - **List** species to remain on site.
   - **Provide** a detailed list (species and sizes) of proposed landscape restoration plan (including any wetland restoration plans).
2. Is the site used or inhabited by any rare, threatened or endangered species? ☐ **Yes** ☒ **No**
3. Will the project affect habitat characteristics? ☐ **Yes** ☒ **No**

   If YES, describe existing wildlife use and habitat classification using "Ecological Communities of New York State." at http://www.dec.ny.gov/animals/29392.html.
4. Will pesticides, rodenticides or herbicides be used during construction? ☐ **Yes** ☒ **No**

   If YES, estimate quantity, area and duration of application.
5. Will additional lighting be installed? ☐ **Yes** ☒ **No**

   If YES and near existing open space or natural areas, what measures would be taken to reduce light penetration into these areas?

E. SURFACE COVERAGE AND CHARACTERISTICS

(describe the following for both the existing and proposed condition):

	Existing Condition	Proposed Condition
1. ***Surface area:***		
Roof:	12,854	77,754
Pavement/walkway:	77,201	6,569
Grass/softscape:	n/a	5,731
Other (describe):		
2. ***Wetland*** (regulated or non-regulated) area and classification:	n/a	n/a
3. ***Water surface area:***	n/a	n/a

4. ***Stormwater management*** (describe):

Existing – how is the site drained?

On-street drains

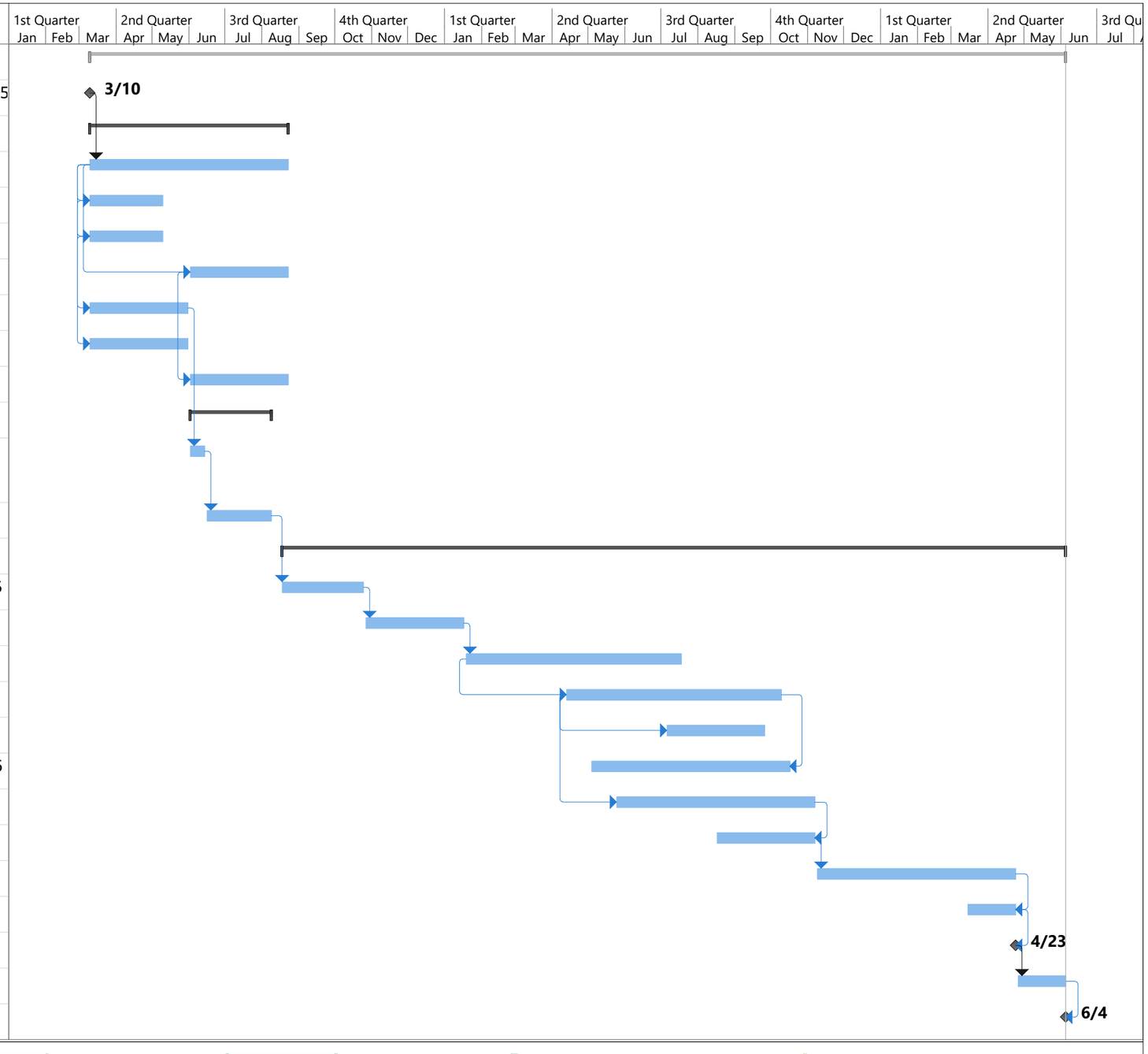
Proposed – describe, including any infrastructure improvements necessary off-site:

on-street drains

APPENDIX G

CONTRUCTION SCHEDULE

ID	Task Name	Duration	Start	Finish
0	**Projected Development Site 1 and 2**	**585 days**	**Mon 3/10/25**	**Fri 6/4/27**
1	ULURP Approvals	0 days	Mon 3/10/25	Mon 3/10/25
2	**Pre Construction Activities**	**120 days**	**Mon 3/10/25**	**Fri 8/22/25**
3	Schematic - Construction Documents	120 days	**Mon 3/10/25**	Fri 8/22/25
4	BID & Award - Demolition	45 days	Mon 3/10/25	Fri 5/9/25
5	BID & Award - Foundation	45 days	Mon 3/10/25	Fri 5/9/25
6	BID & Award - Full Building	60 days	Mon 6/2/25	Fri 8/22/25
7	DOB Approval - Demolition	60 days	Mon 3/10/25	Fri 5/30/25
8	DOB Approval - Foundation	60 days	Mon 3/10/25	Fri 5/30/25
9	DOB Approval - Full Building	60 days	Mon 6/2/25	Fri 8/22/25
10	**Demolition and Site Clearance**	**50 days**	**Mon 6/2/25**	**Fri 8/8/25**
11	Mobilization/ Building Protection/Temp Facilities	10 days	Mon 6/2/25	Fri 6/13/25
12	Demolition & Site Clearing	40 days	Mon 6/16/25	Fri 8/8/25
13	**Construction**	**470 days**	**Mon 8/18/25**	**Fri 6/4/27**
14	Excavation and Support of Excavation	50 days	Mon 8/18/25	Fri 10/24/25
15	Foundation	60 days	Mon 10/27/25	Fri 1/16/26
16	Superstructure	130 days	Mon 1/19/26	Fri 7/17/26
17	Façade Enclosure	130 days	Mon 4/13/26	Fri 10/9/26
18	Roofing and Waterproofing	60 days	Mon 7/6/26	Fri 9/25/26
19	Elevator	120 days	Mon 5/4/26	Fri 10/16/26
20	Interior Core and Shell	120 days	Mon 5/25/26	Fri 11/6/26
21	DOB Inspection Core and Shell	60 days	Mon 8/17/26	Fri 11/6/26
22	Interior Finishes & Fitout	120 days	Mon 11/9/26	Fri 4/23/27
23	Fire Inspection Approval	30 days	Mon 3/15/27	Fri 4/23/27
24	Obtain TCO	0 days	Fri 4/23/27	Fri 4/23/27
25	Final Punchlist & Cleaning	30 days	Mon 4/26/27	Fri 6/4/27
26	Certificate of Occupancy	0 days	Fri 6/4/27	Fri 6/4/27



Project: Projected Developmen
Date: Mon 6/3/24

Task	Project Summary	Manual Task	Start-only	Deadline
Split	Inactive Task	Duration-only	Finish-only	Progress
Milestone	Inactive Milestone	Manual Summary Rollup	External Tasks	Manual Progress
Summary	Inactive Summary	Manual Summary	External Milestone

APPENDIX H

ILLUSTRATIVE ARCHITECTURAL PLAN

GRACE BAPTIST CHURCH DEVELOPMENT

235 New Jersey Avenue.
Brooklyn, New York 10458

INDEX OF DRAWINGS

ARCHITECTURAL

CD Seq.	Dwg. No.	Dwg.
01	T-001.00	Cover Sheet
02	Z-001.00	Zoning Analysis & Zoning Lot Site Plan
03	A-001.00	Development Site Plan
		Site I - New Jersey Avenue
04	A-002.00	New Jersey Avenue Site Plan
05	A-100.00	Cellar Floor Plan
06	A-101.00	First Floor Plan
07	A-102.00	Mezzanine Level
08	A-103.00	Second Floor Plan
09	A-104.00	Typical (3rd - 4th) Floor Plan
10	A-105.00	Fifth Floor Plan
11	A-106.00	Roof Plan
12	A-200.00	New Jersey Avenue Elevation
13	A-201.00	Rear Elevation
14	A-202.00	Side Elevation
15	A-300.00	Building Section A - A
16	A-301.00	Building Section B - B
17	A-302.00	Building Schematic Volumetric Views
		Site II - Vermont Street Site
18	A-003.00	Vermont Street Site Plan
19	A-107.00	Cellar Floor Plan
20	A-108.00	First Floor Plan
21	A-109.00	Typ. (2nd-4th) and Fifth Floor Plans
22	A-110.00	Sixth and Seventh Floor Plans
23	A-111.00	Roof Plan
24	A-203.00	Vermont Street & Right Side Elevations & Building Section A - A
25	A-204.00	Rear & Left Elevations & Building Section B - B'
26	A-900.00	Building Schematic Volumetric Views

NOT PART OF CONSTRUCTION SET

	Area Map
	Tax Map
	Zoning Change Map
	Site Photographs 1
	Site Photographs 2



THE CITY OF NEW YORK
DEPARTMENT OF
HOUSING PRESERVATION
& DEVELOPMENT

Grace Baptist Church Development

235 New Jersey Avenue
Brooklyn, NY

Vermont Street Apartments
Brooklyn, NY

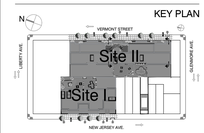
HOUSING CONSULTANT

JT Realty Advisors, LLC.
33 Henrietta Avenue
Oceanside, NY 11572

ARCHITECT

DANOIS
ARCHITECTS,PC
90 Broad Street,Suite 1903
New York, NY 10004

KEY PLAN



REV.	DATE	DESCRIPTION
7		
6		
5		
4		
3		
2		
1		

ISS.	DATE	DESCRIPTION
10		
9		
8		
7		
6		
5		
4		
3		
2	02/10/2023	LUA- DCP SUBMISSION
1	11/15/2021	DCP - LUA SUBMISSION

CONST. DOCUMENTS SEQUENCE: of

Drawing Title
ARCHITECTURAL

Cover Sheet

Dwg. No.
T-001.00

Job No:	18.04
Chk. by:	D.D.
Dwg. by:	E.M/ D.B
Scale:	
Date:	07-17-20
Sheet:	01 of 26

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User:Ingrid Project Name: -- File:C:\Users\Ingrid\appdata\local\temp\AcPublish_42584\1804_T-000.00- Cover Sheet.dwg Plot Date:2/10/2023 11:47 AM

DANOIS ARCHITECTS
90 BROAD STREET, SUITE 1903
NEW YORK, NY 10004

238 VERMONT STREET 2/14/2023

ZONING ANALYSIS			
ADDRESS		**238 Vermont Street** Brooklyn, NY	
BLOCK		3705	
LOT			
ZONING DISTRICT		**ZONING R6A**	
USE GROUPS	*ZR 22 10*	2,3,4	
LOT AREA		**27,457.00 SF**	***PROPOSED***
LOT 39		25.00 X 100.00 = 2,500.00 SF	
LOT 38		40.00 X 100.00 = 4,000.00 SF	
LOT 35		60.00 X 100.00 = 6,000.00 SF	
LOT 34		17.67 X 100.00 = 1,767.00 SF	
LOT 32		28.73 X 100.00 = 2,873.00 SF	
LOT 31		17.73 X 100.00 = 1,773.00 SF	
LOT 30		17.73 X 100.00 = 1,773.00 SF	
LOT 29		17.71 X 100.00 = 1,771.00 SF	
LOT 28		25.00 X 100.00 = 2,500.00 SF	
LOT 27		25.00 X 100.00 = 2,500.00 SF	
		274.57 FT Frontage	
LOT COVERAGE			***PROPOSED***
RESIDENTIAL		**20,122.05 SF**	***15,952.00***
LOT 39 and 38 - CORNER LOT	*ZR 23-153*	100% X 6,500.00 = 6,500.00 SF	
INTERIOR LOTS	*ZR 23-153*	65% X 20,957.00 = 13,622.05 SF	
COMMUNITY FACILITY	*ZR 24-12*	100% X 27,457.00 = **27,457.00 SF**	***N/A***
FAR			
RESIDENTIAL - NEW DEV. R6A (MIH)	*ZR 23-154(b)*	3.60 X 27,457.00 = **98,845.20 SF**	***96,042.00***
COMMUNITY FACILITY	*ZR 24-11*	3.00 X 27,457.00 = **82,371.00 SF**	***N/A***
Total Gross Floor Area			***126,182.00***
DENSITY			
RESIDENTIAL	*ZR 23-22*	98,845.20 / 680.00 = 145.36	***114.00***
YARD REGULATIONS			
RESIDENTIAL			
FRONT YARD	*ZR 23-47(c)*	NONE	***NONE PROVIDED***
SIDE YARD	*ZR 23-531(b)*	NONE (8ft. If provided)	***NONE PROVIDED***
REAR YARD	*ZR 23-541*	30 FT	***PROVIDED***
COMMUNITY FACILITY			
REAR YARD	*ZR 24-23(b)*	NONE IF BLDG UNDER 23'-0"	***N/A***
HEIGHT & SETBACK REGULATIONS			
HEIGHT			
MIN. BASE HEIGHT	*ZR 23-662(a)*	40 FT	
MAX. BASE HEIGHT	*ZR 23-662(a)*	60 FT	
MAX. BUILDING HEIGHT	*ZR 23-662(a)*	70 FT	***70 FT/7 STORIES***
SETBACK			
NARROW STREET	*ZR 23-662(c)(1)*	15 FT	
PARKING REGULATIONS			
RESIDENTIAL			**0**
(Within Transit Zone)	*ZR 25-251*	NONE REQUIRED	***44.00***
COMMUNITY FACILITY (General)	*ZR 25-31*	NONE REQUIRED	***N/A***
BICYCLE PARKING REGULATIONS			
ENCLOSED SPACES			
RESIDENTIAL	*ZR 25-811*	1 PER 2 D.U. 114 / 2.00	**57**
COMMUNITY FACILITY (General)	*ZR 25-811*	NONE REQUIRED	***N/A***

DANOIS ARCHITECTS
90 BROAD STREET, SUITE 1903
NEW YORK, NY 10004

235 NEW JERSEY AVENUE 2/14/2023

ZONING ANALYSIS			
ADDRESS		**235 New Jersey Avenue** Brooklyn, NY	
BLOCK		3705	
LOT(S)		9,10,14	
ZONING DISTRICT		**ZONING R6A**	
USE GROUPS	*ZR 22-10*	2,3,4	
LOT AREA		**14,852.00 SF**	***PROPOSED***
LOT 9		25.00 X 100.00 = 2,500.00 SF	
LOT 10		80.00 X 100.00 = 8,000.00 SF	
LOT 14		43.52 X 100.00 = 4,352.00 SF	
		148.52 FT Frontage	
LOT COVERAGE			
RESIDENTIAL			
INTERIOR LOTS	*ZR 23-153*	65% X 14,852.00 = **9,653.80 SF**	***8,395.00***
COMMUNITY FACILITY	*ZR 24-12*	100% X 14,852.00 = **14,852.00 SF**	***14,088.00***
FAR			
RESIDENTIAL R6A (MIH)	*ZR 23-154(b)*	3.60 X 14,852.00 = **53,467.20 SF**	***34,023.00***
COMMUNITY FACILITY	*ZR 24-11*	3.00 X 14,852.00 = **44,556.00 SF**	***17,537.00***
Total Zoning Floor Area			***51,560.00***
Total Gross Floor Area			***67,543.00***
DENSITY			
RESIDENTIAL	*ZR 23-22*	53,467.20 / 680.00 = 78.63	***39.00***
YARD REGULATIONS			
RESIDENTIAL			
FRONT YARD	*ZR 23-47(c)*	NONE	*NONE PROVIDED*
SIDE YARD	*ZR 23-531(b)*	NONE (8ft. If provided)	*NONE PROVIDED*
REAR YARD	*ZR 23-541*	30 FT	*PROVIDED*
COMMUNITY FACILITY			
REAR YARD	*ZR 24-23(b)*	NONE IF BLDG UNDER 23'-0" OR 1 STORY	
HEIGHT & SETBACK REGULATIONS			
HEIGHT			
MIN. BASE HEIGHT	*ZR 23-662(a)*	40 FT	
MAX. BASE HEIGHT	*ZR 23-662(a)*	60 FT	
MAX. BUILDING HEIGHT	*ZR 23-662(a)*	70 FT	*70 FT/7 STORIES*
SETBACK			
NARROW STREET	*ZR 23-662(c)(1)*	15 FT	
PARKING REGULATIONS			
RESIDENTIAL			0
(Within Transit Zone)	*ZR 25-251*	NONE REQUIRED	*23.00*
COMMUNITY FACILITY (General)	*ZR 25-31*	NONE REQUIRED	*N/A*
BICYCLE PARKING REGULATIONS			
ENCLOSED SPACES			
RESIDENTIAL	*ZR 25-811*	1 PER 2 D.U. 39 / 2.00	20
COMMUNITY FACILITY (General)	*ZR 25-811*	NONE REQUIRED	*N/A*



GRACE HDFC/Grace Church
Land/Building Assemblage
Lots West of New Jersey Ave

Address	Owner	Block	Lot	Land Use	Existing Bldg SF	Lot Size	Max FAR R5B	Max SFBA	Proposed FAR R6A	Proposed Max SFBA
224 New Jersey Ave	Private	3704	25	2-fam	2,080	2,500	1.35	3,375	3.60	9,000
228 New Jersey Ave	Grace - Church	3704	26	2-fam	2,080	2,500	1.35	3,375	3.60	9,000
230 New Jersey Ave	Grace - Church	3704	27	2-fam	2,080	2,500	1.35	3,375	3.60	9,000
234 New Jersey Ave	Grace - Church	3704	28	2-fam	2,200	2,500	1.35	3,375	3.60	9,000
236 New Jersey Ave	Private	3704	29	Mul-fam	15,400	4,375	1.35	5,906	3.60	15,750
240 New Jersey Ave	Private	3704	31	Mul-fam	11,712	4,375	1.35	5,906	3.60	15,750
246 New Jersey Ave	DCAS/DOE	3704	33	School	10,616	4,375	1.35	5,906	3.60	15,750
256 New Jersey Ave	DCAS/DOE	3704	35	School	10,616	3,000	1.35	4,050	3.60	10,800
258 New Jersey Ave	DCAS/DOE	3704	36	School	10,616	3,867	1.35	5,220	3.60	13,921
Total Grace Sites		Total			67,399	29,992		40,489		107,971

Zoning Lot Site Plan
SCALE: N.T.S.

THE CITY OF NEW YORK
DEPARTMENT OF
HOUSING PRESERVATION
& DEVELOPMENT

Grace Baptist Church Development

235 New Jersey Avenue
Brooklyn, NY

Vermont Street Apartments
Brooklyn, NY

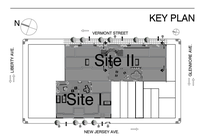
HOUSING CONSULTANT

JT Realty Advisors, LLC.
33 Henrietta Avenue
Oceanside, NY 11572

ARCHITECT

DANOIS
ARCHITECTS,PC
90 Broad Street,Suite 1903
New York, NY 10004

KEY PLAN



REV.	DATE	DESCRIPTION
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2	02/10/2023	LUA- DCP SUBMISSION
1	11/15/2021	DCP - LUA SUBMISSION
ISS.	DATE	DESCRIPTION

CONST. DOCUMENTS SEQUENCE: of

Drawing Title
ARCHITECTURAL

Zoning Analysis & Zoning Lot Site Plan

Dwg. No.
Z-001.00

Job No:	18.04
Chk. by:	D.D.
Dwg. by:	E.M/ D.B
Scale:	
Date:	07-17-20
Sheet:	02 of 26

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VERMONT STREET

MAIN BUILDING ENTRY

PARKING ENTRY

APT. 111 ENTRY

APT. 110 ENTRY

APT. 107 ENTRY

APT.106 ENTRY

5 STORIES

6 STORIES

5 STORIES

6 STORIES

5 STORIES

7 STORIES

REAR YARD

1 STORY

REAR YARD

1 STORY

1 STORY

STAIR A BULKHEAD

ELEVATOR BULKHEAD

5 STORIES

STAIR B BULKHEAD

4 STORIES

4 STORIES

1 STORY

EXIST. 2 STORY FRAME CONST.

GLENMORE AVE.

RESIDENTIAL ENTRY

INSTITUTIONAL ENTRY

COMM.FAC. ENTRY

PARKING ENTRY

NEW JERSEY AVE.

Development Site Plan

3/32"=1'-0"

User:Ingrid Project Name: -- File:C:\Users\ingrid\appdata\local\temp\AcPublish_32\5\21804_A-001.00 Development Site Plan.dwg Plot Date:2/10/2023 1:29 PM

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235 New Jersey Avenue
Brooklyn, NY

Vermont Street Apartments
Brooklyn, NY

HOUSING CONSULTANT

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33 Henrietta Avenue
Oceanside, NY 11572

ARCHITECT

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90 Broad Street,Suite 1903
New York, NY 10004

KEY PLAN

REV.	DATE	DESCRIPTION
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2	02/10/2023	LUA- DCP SUBMISSION
1	11/15/2021	DCP - LUA SUBMISSION
ISS.	DATE	DESCRIPTION

CONST. DOCUMENTS SEQUENCE: of

Drawing Title

ARCHITECTURAL

Development Site Plan

Dwg. No.

A-001.00

Job No:	18.04
Chk. by:	D.D.
Dwg. by:	E.M/ D.B
Scale:	1/32=1'-0"
Date:	07-17-20
Sheet:	03 of 26

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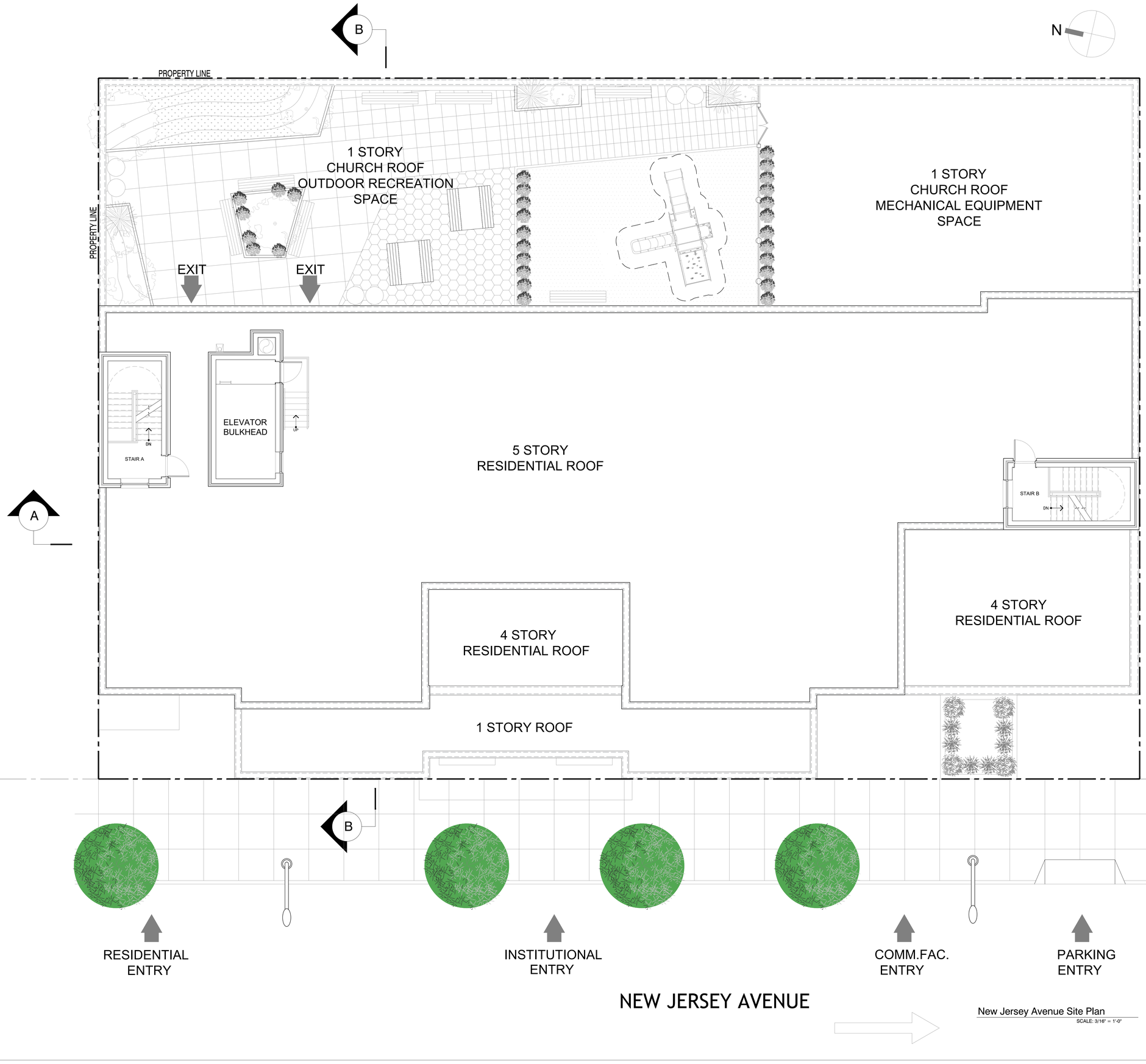

New Jersey Avenue Site Plan
SCALE: 3/16" = 1'-0"

DOB Approval Stamp

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DEPARTMENT OF
HOUSING PRESERVATION
& DEVELOPMENT

Grace Baptist Church Development

235 New Jersey Avenue
Brooklyn, NY

HOUSING CONSULTANT

JT Realty Advisors, LLC.
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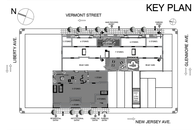
Oceanside, NY 11572

ARCHITECT

DANOIS
ARCHITECTS,PC
90 Broad Street, Suite 1903
New York, NY 10004

MECHANICAL ENGINEER

KEY PLAN



Building #1

REV.	DATE	DESCRIPTION
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1	11/15/2021	DCP - LUA SUBMISSION
ISS.	DATE	DESCRIPTION

CONST. DOCUMENTS SEQUENCE: of

Drawing Title
ARCHITECTURAL

New Jersey Avenue
Site Plan

Dwg. No.
A-002.00

Job No:	18.04
Chk. by:	D.D
Dwg. by:	E.M/D.B
Scale:	As Shown
Date:	07-17-20
Sheet:	04 of 26

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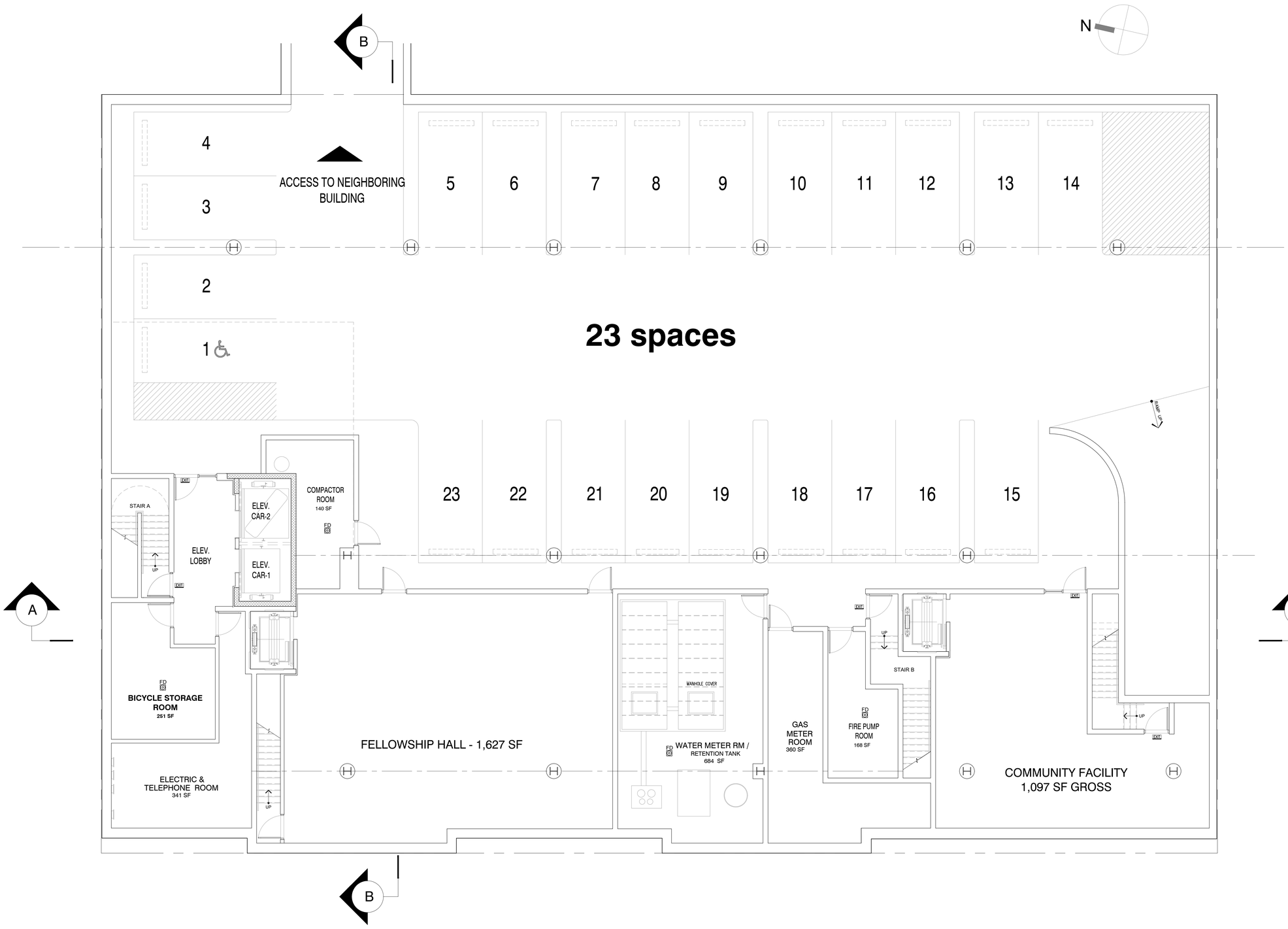

Cellar Floor Plan

SCALE: 3/16" = 1'-0"

DOB Approval Stamp

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Brooklyn, NY

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Oceanside, NY 11572

ARCHITECT

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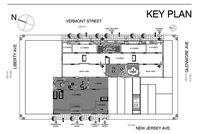
ARCHITECTS,PC
90 Broad Street, Suite 1903
New York, NY 10004

MECHANICAL ENGINEER

KEY PLAN



Building #1

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1	11/15/2021	DCP - LUA SUBMISSION

ISS.	DATE	DESCRIPTION

CONST. DOCUMENTS SEQUENCE: of

Drawing Title
ARCHITECTURAL

Cellar Floor Plan

Dwg. No.

A-100.00

Job No:	18.04
Chk. by:	D.D
Dwg. by:	E.M/D.B
Scale:	3/16"=1'-0"
Date:	07-17-20
Sheet:	05 of 26

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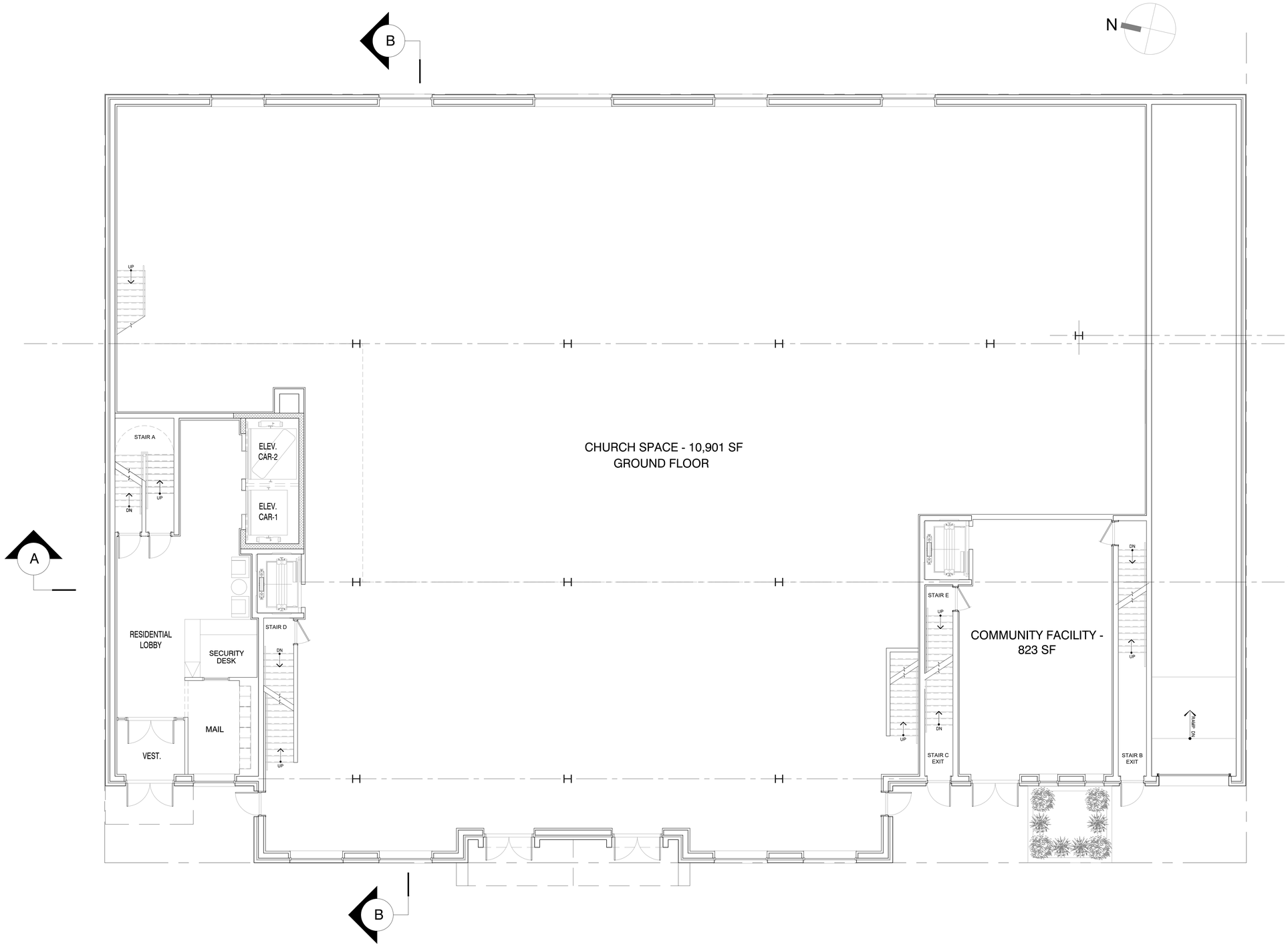

First Floor Plan
SCALE: 3/16" = 1'-0"

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ARCHITECT

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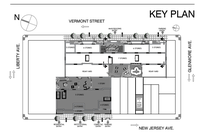
90 Broad Street, Suite 1903
New York, NY 10004

MECHANICAL ENGINEER

KEY PLAN



Building #1

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ISS.	DATE	DESCRIPTION

CONST. DOCUMENTS SEQUENCE: of

Drawing Title
ARCHITECTURAL

First Floor Plan

Dwg. No.
A-101.00

Job No:	18.04
Chk. by:	D.D
Dwg. by:	E.M/D.B
Scale:	3/16" =1'-0"
Date:	07-17-20
Sheet:	06 of 26

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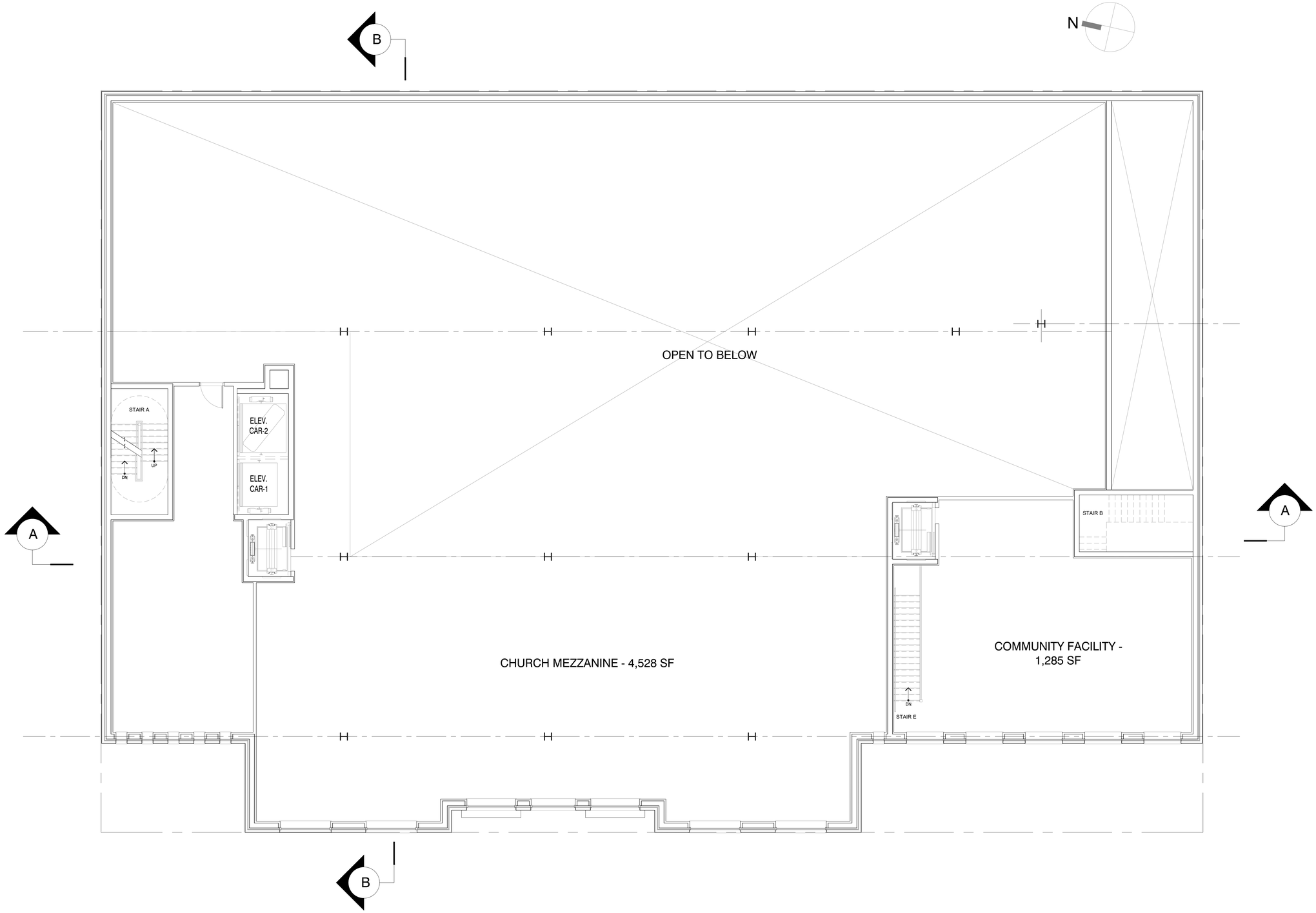

Mezzanine Level Plan
SCALE: 3/16" = 1'-0"

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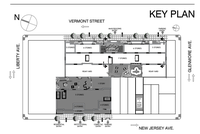
33 Henrietta Avenue
Oceanside, NY 11572

ARCHITECT

DANOIS
ARCHITECTS,PC
90 Broad Street, Suite 1903
New York, NY 10004

MECHANICAL ENGINEER

KEY PLAN



Building #1

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ISS.	DATE	DESCRIPTION

CONST. DOCUMENTS SEQUENCE: of

Drawing Title
ARCHITECTURAL

Mezzanine Level Plan

Dwg. No.
A-102.00

Job No:	18.04
Chk. by:	D.D
Dwg. by:	E.M/D.B
Scale:	3/16"=1'-0"
Date:	07-17-20
Sheet:	07 of 26

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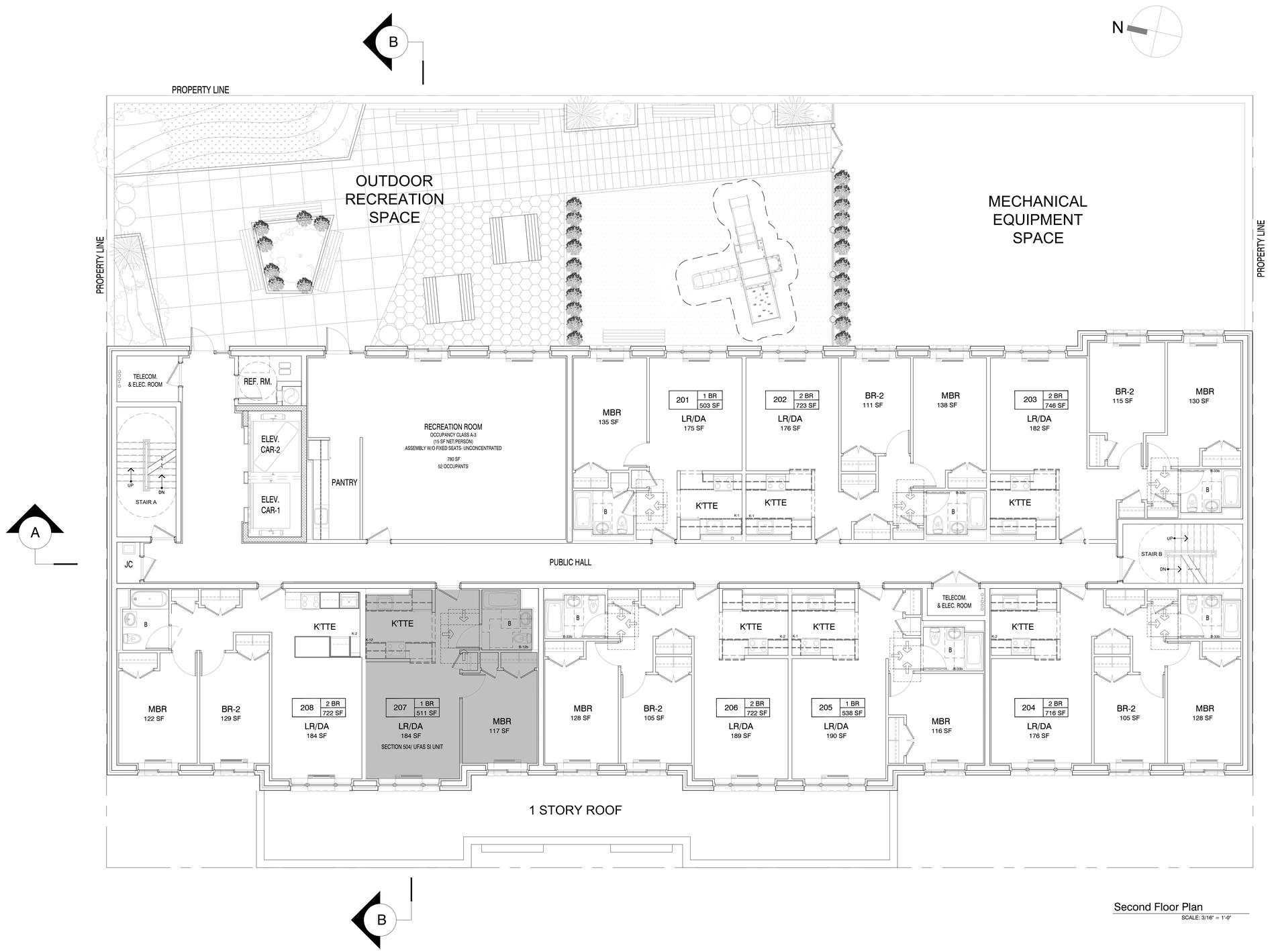

Second Floor Plan
SCALE: 3/16" = 1'-0"

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& DEVELOPMENT

Grace Baptist Church Development

235 New Jersey Avenue
Brooklyn, NY

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33 Henrietta Avenue
Oceanside, NY 11572

ARCHITECT

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ARCHITECTS,PC
90 Broad Street, Suite 1903
New York, NY 10004

MECHANICAL ENGINEER

KEY PLAN



Building #1

REV.	DATE	DESCRIPTION
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1	11/15/2021	DCP - LUA SUBMISSION

ISS.	DATE	DESCRIPTION

CONST. DOCUMENTS SEQUENCE: of

Drawing Title
ARCHITECTURAL

Second Floor Plan

Dwg. No.
A-103.00

Job No:	18.04
Chk. by:	D.D
Dwg. by:	E.M/D.B
Scale:	3/16"=1'-0"
Date:	07-17-20
Sheet:	08 of 26

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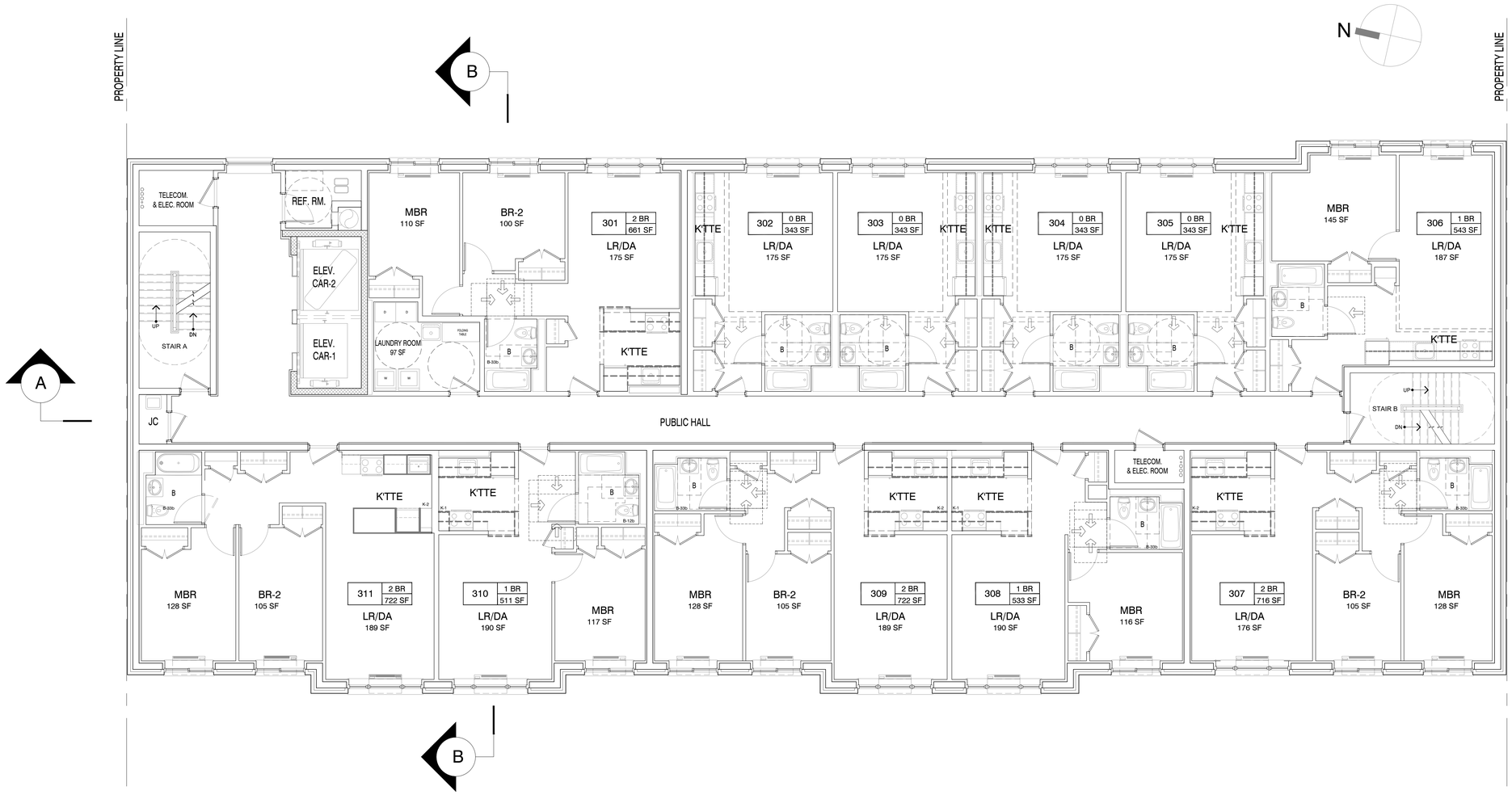
User:esther Project Name: -- File:C:\Users\Esther\appdata\local\temp\AcPublish_36512\A-100-101-102- Cellar, First, Typ (3rd-6th) & Roof Plans.dwg Plot Date:2/15/2023 10:56 AM



Typical (3rd-4th) Floor Plan

SCALE: 3/16" = 1'-0"

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& DEVELOPMENT

Grace Baptist Church Development

235 New Jersey Avenue
Brooklyn, NY

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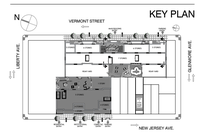
33 Henrietta Avenue
Oceanside, NY 11572

ARCHITECT

DANOIS
ARCHITECTS,PC
90 Broad Street, Suite 1903
New York, NY 10004

MECHANICAL ENGINEER

KEY PLAN



Building #1

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ISS.	DATE	DESCRIPTION

CONST. DOCUMENTS SEQUENCE: of

Drawing Title
ARCHITECTURAL

Typical (3rd-4th) Floor Plan

Dwg. No.

A-104.00

Job No:	18.04
Chk. by:	D.D
Dwg. by:	E.M/D.B
Scale:	3/16"=1'-0"
Date:	07-17-20
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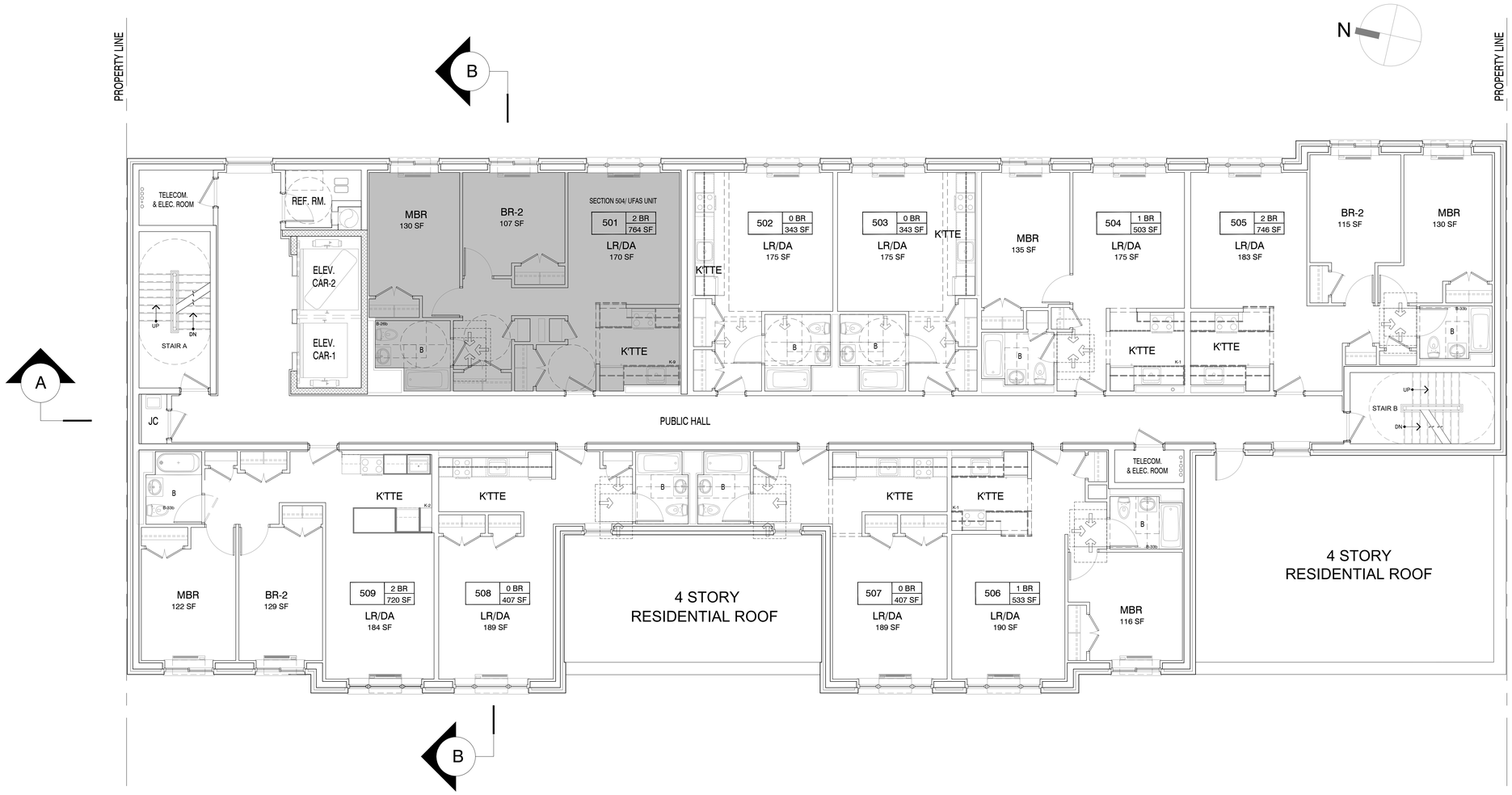

Fifth Floor Plan

SCALE: 3/16" = 1'-0"

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Grace Baptist Church Development

235 New Jersey Avenue
Brooklyn, NY

HOUSING CONSULTANT

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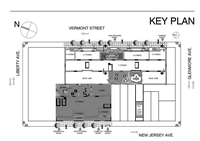
33 Henrietta Avenue
Oceanside, NY 11572

ARCHITECT

DANOIS
ARCHITECTS,PC
90 Broad Street, Suite 1903
New York, NY 10004

MECHANICAL ENGINEER

KEY PLAN



Building #1

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1	11/15/2021	DCP - LUA SUBMISSION
ISS.	DATE	DESCRIPTION

CONST. DOCUMENTS SEQUENCE: of

Drawing Title

ARCHITECTURAL

Fifth Floor Plan

Dwg. No.

A-105.00

Job No:	18.04
Chk. by:	D.D
Dwg. by:	E.M/D.B
Scale:	3/16"=1'-0"
Date:	07-17-20
Sheet:	10 of 26

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BLDG #1

BLDG#1 CHURCH / RESIDENTIAL BREAKDOWN		
Floor		Gross Building Area
Cellar		
	Comm. Fac.	1,097 SF
	Fellowship Hall	1,627 SF
	Res. Utilities	2,466 SF
	Parking Lot	9,600 SF
Cellar Total Gross		14,790 SF
1st Floor		
	Church Sanctuary	10,901 SF
	Residential Lobby	1,171 SF
	Parking Ramp	1,193 SF
	Comm. Facility	823 SF
1st Floor Total Gross		14,088 SF
Mezzanine Level		
	Church Mezzanine	4,528 SF
	Residential Areas	480 SF
	Comm. Facility	1,285 SF
Mezzanine Total Gross		6,293 SF
Residential Levels		
2nd Floor		8,395 SF
3rd Floor		8,395 SF
4th Floor		8,395 SF
5th Floor		7,187 SF
Total Building Gross		67,543 SF

APARTMENT BREAKDOWN						
	1st Flr	2nd Flr	3rd Flr	4th Flr	5th Flr	TOTAL
0 Bedroom Unit	0	0	4	4	4	12
1 Bedroom Unit	0	3	3	3	2	11
2 Bedroom Unit	0	5	4	4	3	16
Total	0	8	11	11	9	39

PROPERTY LINE

PROPERTY LINE

N

B

A

A

B

STAIR A

DN

ELEVATOR BULKHEAD

UP

STAIR B

DN

4 STORY
RESIDENTIAL ROOF

4 STORY
RESIDENTIAL ROOF

Roof Plan

SCALE: 3/16" = 1'-0"

DOB Approval Stamp

THE CITY OF NEW YORK
DEPARTMENT OF
HOUSING PRESERVATION
& DEVELOPMENT

Grace Baptist Church Development

235 New Jersey Avenue
Brooklyn, NY

HOUSING CONSULTANT

JT Realty Advisors, LLC.
33 Henrietta Avenue
Oceanside, NY 11572

ARCHITECT

DANOIS
ARCHITECTS,PC
90 Broad Street, Suite 1903
New York, NY 10004

MECHANICAL ENGINEER

KEY PLAN



Building #1

REV.	DATE	DESCRIPTION
10		
9		
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2		
1	11/15/2021	DCP - LUA SUBMISSION

ISS.	DATE	DESCRIPTION

CONST. DOCUMENTS SEQUENCE: of

Drawing Title

ARCHITECTURAL

Roof Plan, Apartment Distribution Chart & SF Computation

Dwg. No.

A-106.00

Job No:	18.04
Chk. by:	D.D
Dwg. by:	E.M/D.B
Scale:	3/16"=1'-0"
Date:	07-17-20
Sheet:	11 of 26

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1 New Jersey Avenue Elevation
SCALE: 3/16" = 1'-0"

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Oceanside, NY 11572

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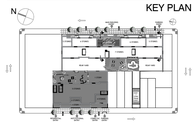
New York, NY 10004

MECHANICAL ENGINEER

KEY PLAN



Building #1

REV.	DATE	DESCRIPTION
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1	11/15/2021	DCP - LUA SUBMISSION
ISS.	DATE	DESCRIPTION

CONST. DOCUMENTS SEQUENCE: of

Drawing Title
ARCHITECTURAL

New Jersey Avenue Elevation

Dwg. No.
A-200.00

Job No:	18.04
Chk. by:	D.D
Dwg. by:	E.M/D.B
Scale:	
Date:	07-17-20
Sheet:	12 of 26

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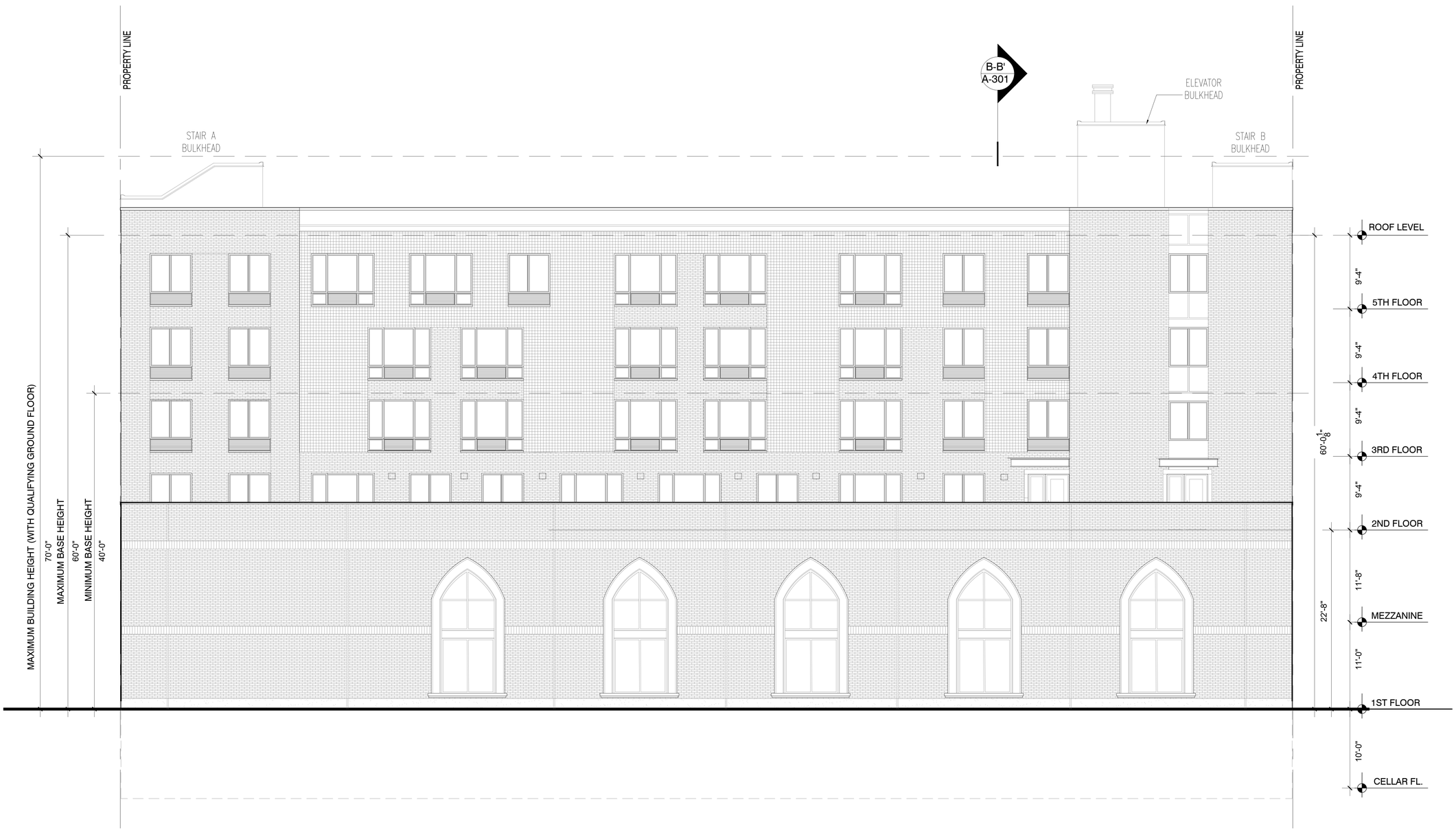

1 Rear Elevation
SCALE: 3/16" = 1'-0"

DOB Approval Stamp

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& DEVELOPMENT

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Brooklyn, NY

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33 Henrietta Avenue
Oceanside, NY 11572

ARCHITECT

DANOIS
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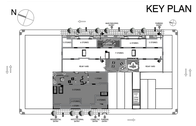
90 Broad Street, Suite 1903
New York, NY 10004

MECHANICAL ENGINEER

KEY PLAN



Building #1

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ISS.	DATE	DESCRIPTION
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1	11/15/2021	DCP - LUA SUBMISSION

CONST. DOCUMENTS SEQUENCE: of

Drawing Title
ARCHITECTURAL

Rear Elevation

Dwg. No.
A-201.00

Job No:	18.04
Chk. by:	D.D
Dwg. by:	E.M/D.B
Scale:	
Date:	07-17-20
Sheet:	13 of 26

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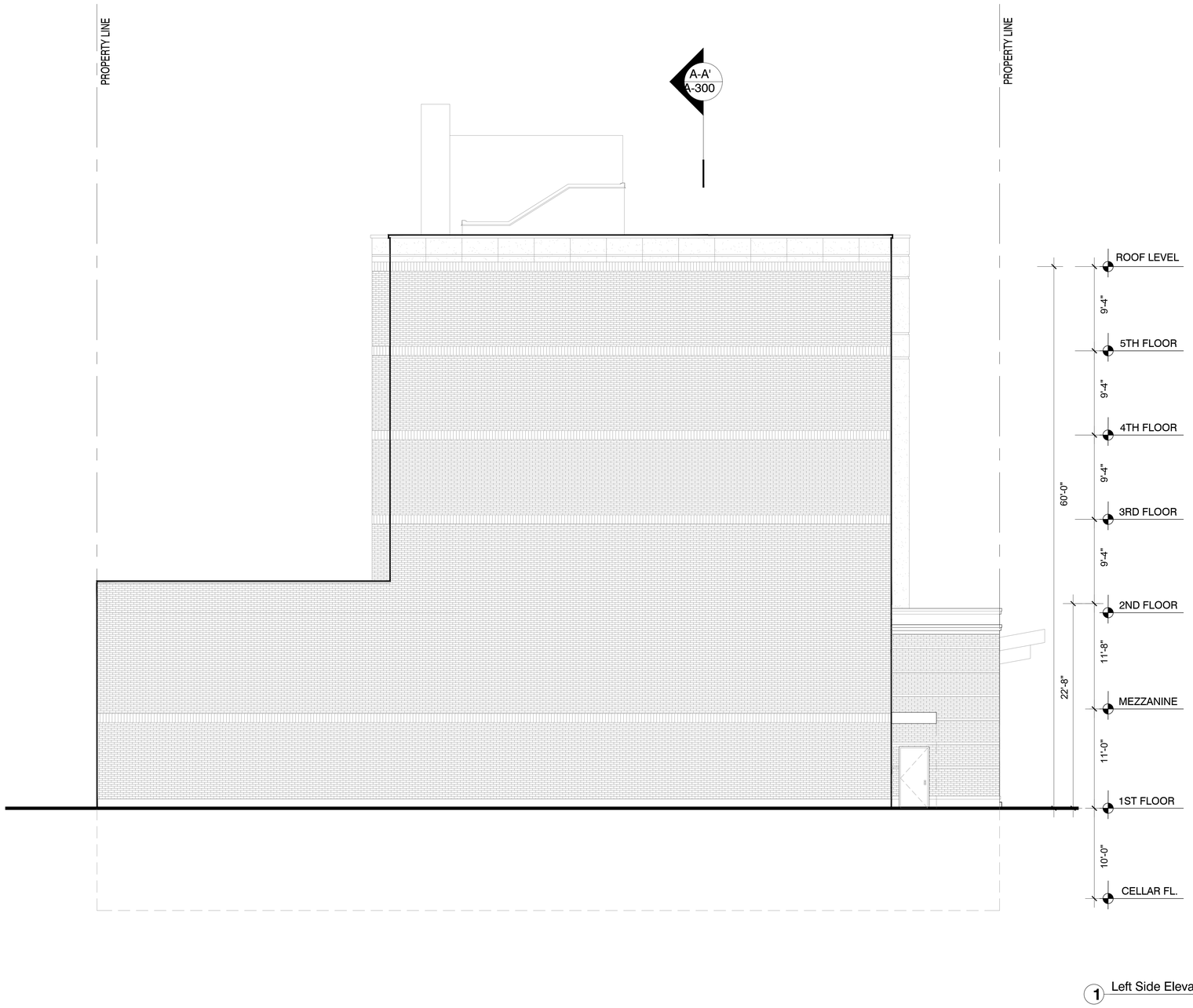

1 Left Side Elevation
SCALE: 3/16" = 1'-0"

DOB Approval Stamp

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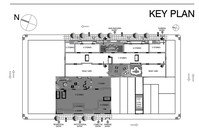
Oceanside, NY 11572

ARCHITECT

DANOIS
ARCHITECTS,PC
90 Broad Street, Suite 1903
New York, NY 10004

MECHANICAL ENGINEER

KEY PLAN



Building #1

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ISS.	DATE	DESCRIPTION
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1	11/15/2021	DCP - LUA SUBMISSION

CONST. DOCUMENTS SEQUENCE: of

Drawing Title
ARCHITECTURAL

Left Side Elevation

Dwg. No.
A-202.00

Job No:	18.04
Chk. by:	D.D
Dwg. by:	E.M/D.B
Scale:	
Date:	07-17-20
Sheet:	14 of 26

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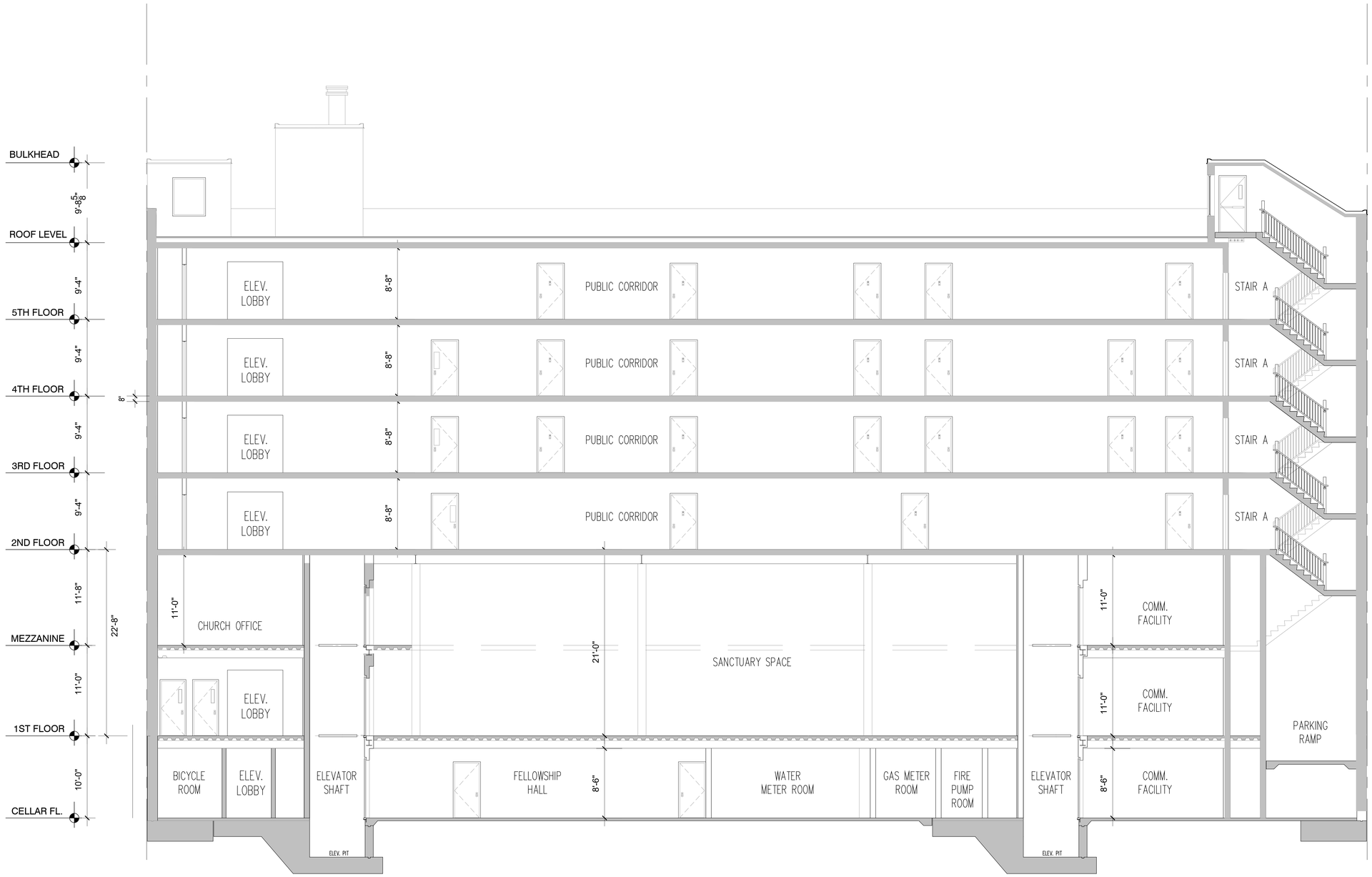

1 Building Section A-A
SCALE: 3/16" = 1'-0"

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& DEVELOPMENT

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33 Henrietta Avenue
Oceanside, NY 11572

ARCHITECT

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New York, NY 10004

MECHANICAL ENGINEER

KEY PLAN

Building #1

REV.	DATE	DESCRIPTION
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1	11/15/2021	DCP - LUA SUBMISSION

ISS.	DATE	DESCRIPTION

CONST. DOCUMENTS SEQUENCE: of

Drawing Title
ARCHITECTURAL

Building Section
A-A

Dwg. No.
A-300.00

Job No:	18.04
Chk. by:	D.D
Dwg. by:	E.M/D.B
Scale:	
Date:	07-17-20
Sheet:	15 of 26

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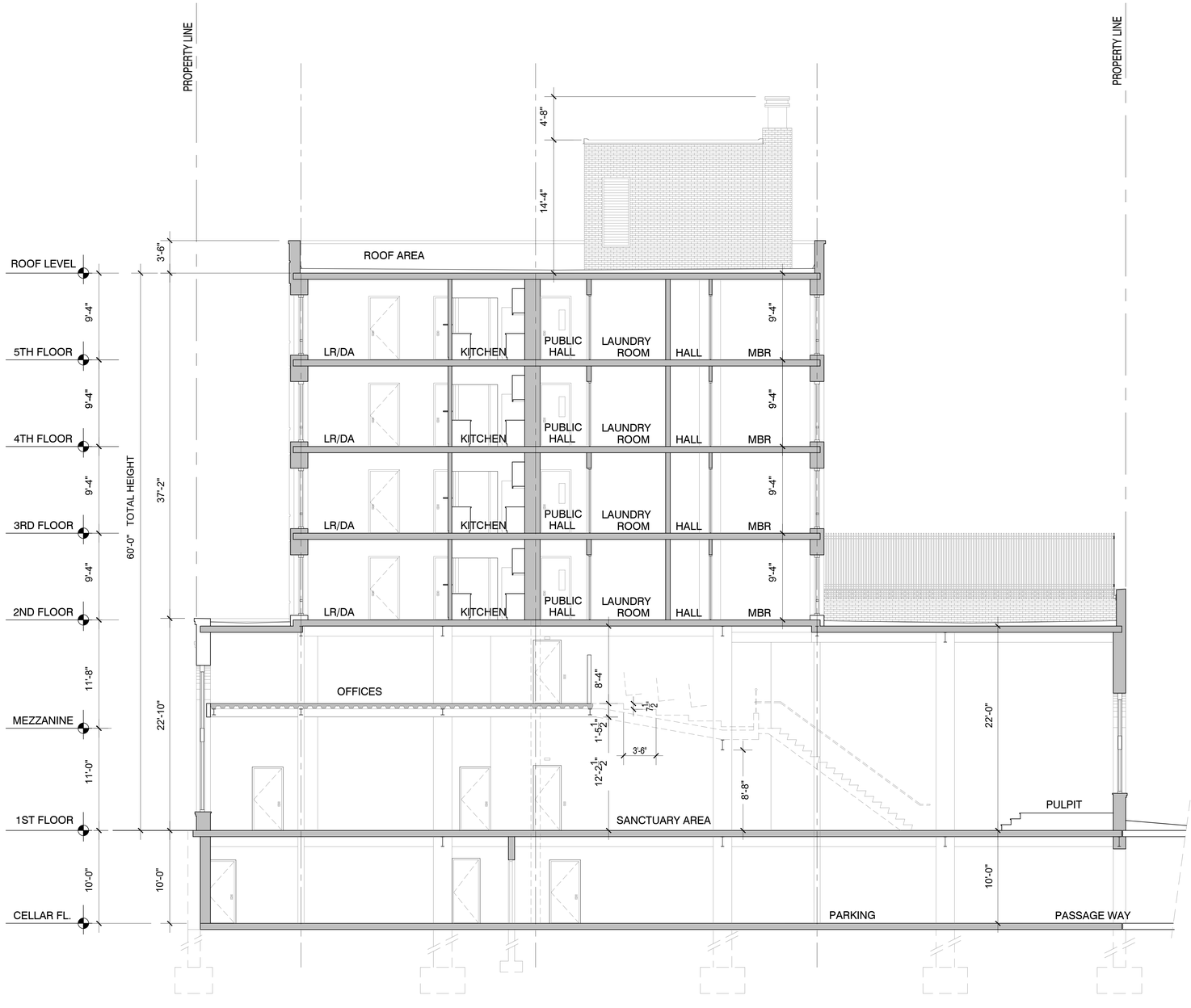

1 Building Section B-B
SCALE: 3/16" = 1'-0"

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235 New Jersey Avenue
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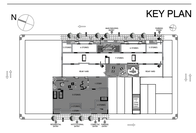
ARCHITECT

DANOIS
ARCHITECTS,PC
90 Broad Street, Suite 1903
New York, NY 10004

MECHANICAL ENGINEER

KEY PLAN



Building #1

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1	11/15/2021	DCP - LUA SUBMISSION
ISS.	DATE	DESCRIPTION

CONST. DOCUMENTS SEQUENCE: of

Drawing Title
ARCHITECTURAL

Building Section
B-B

Dwg. No.
A-301.00

Job No:	18.04
Chk. by:	D.D
Dwg. by:	E.M/D.B
Scale:	
Date:	07-17-20
Sheet:	16 of 26

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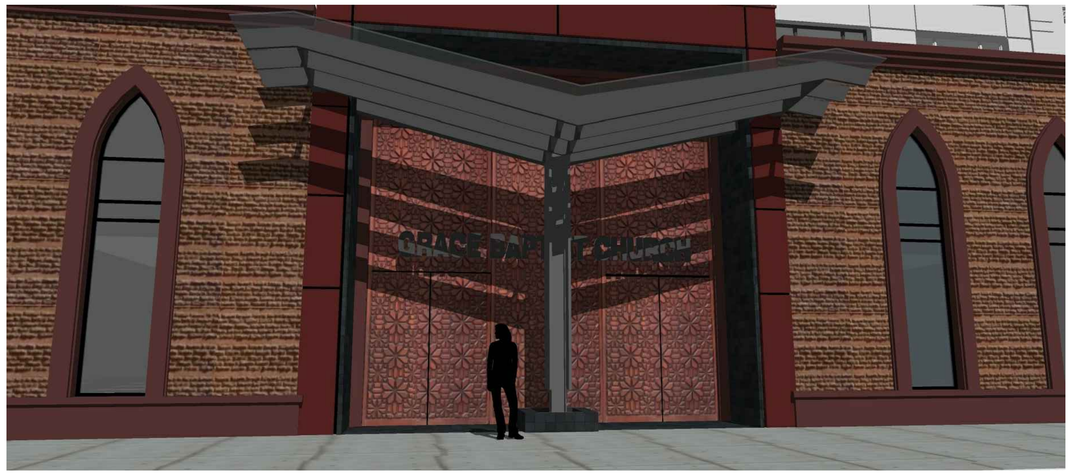

1 Church Main Entry Detail
nts



2 Perspective View
nts



3 Church Entry Detail
nts



4 Residential Entry Detail
nts



5 New Jersey Avenue Elevation
nts

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Oceanside, NY 11572

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ARCHITECTS,PC
90 Broad Street, Suite 1903
New York, NY 10004

MECHANICAL ENGINEER

KEY PLAN



Building #1

REV.	DATE	DESCRIPTION
10		
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1	11/15/2021	DCP - LUA SUBMISSION

ISS.	DATE	DESCRIPTION

CONST. DOCUMENTS SEQUENCE: of

Drawing Title
ARCHITECTURAL

Building Schematic & Volumetric Views

Dwg. No.
A-302.00

Job No:	18.04
Chk. by:	D.D
Dwg. by:	E.M/D.B
Scale:	
Date:	07-17-20
Sheet:	17 of 26

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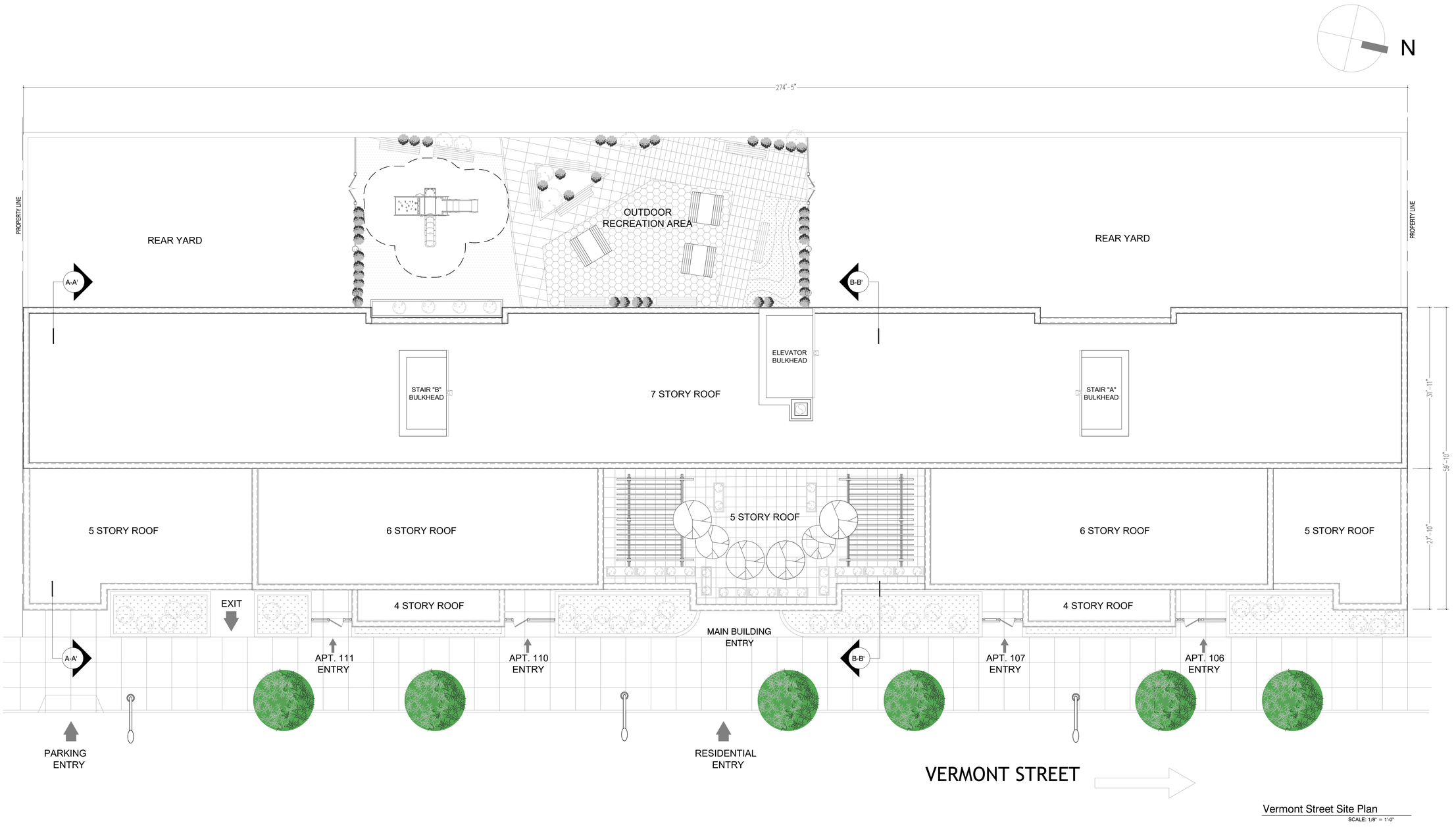

Vermont Street Site Plan

SCALE: 1/8" = 1'-0"

BLDG #2

APARTMENT BREAKDOWN

	1st Flr	2nd Flr	3rd Flr	4th Flr	5th Flr	6th Flr	7th Flr	TOTAL
0 Bedroom Unit	1	3	3	3	3	2	2	17
1 Bedroom Unit	4	7	7	7	7	5	5	42
2 Bedroom Unit	9	9	9	9	9	7	3	55
Total Apts.	14	19	19	19	19	14	10	114

RESIDENTIAL BLDG. GROSS AREAS

	SF
Cellar	27,170
First Floor	15,002
Typ.(2nd - 4th) Floor	47,856
Fifth Floor	15,508
Sixth Floor	11,982
Seventh Floor	8,664
Total	126,179

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Grace Baptist Church Development

Vermont Street
Apartments
Brooklyn, NY

HOUSING CONSULTANT

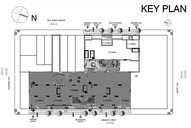
JT Realty Advisors, LLC.
33 Henrietta Avenue
Oceanside, NY 11572

ARCHITECT

DANOIS
ARCHITECTS,PC
90 Broad Street,Suite 1903
New York, NY 10004

MECHANICAL ENGINEER

KEY PLAN



Building #2

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2	02/10/2023	LUA- DCP SUBMISSION
1	11/15/2021	DCP - LUA SUBMISSION
ISS.	DATE	DESCRIPTION

CONST. DOCUMENTS SEQUENCE: of

Drawing Title
ARCHITECTURAL

Vermont Street
Site Plan

Dwg. No.
A-003.00

Job No:	18.04
Chk. by:	D.D
Dwg. by:	E.M/D.B
Scale:	
Date:	07-17-20
Sheet:	18 of 26

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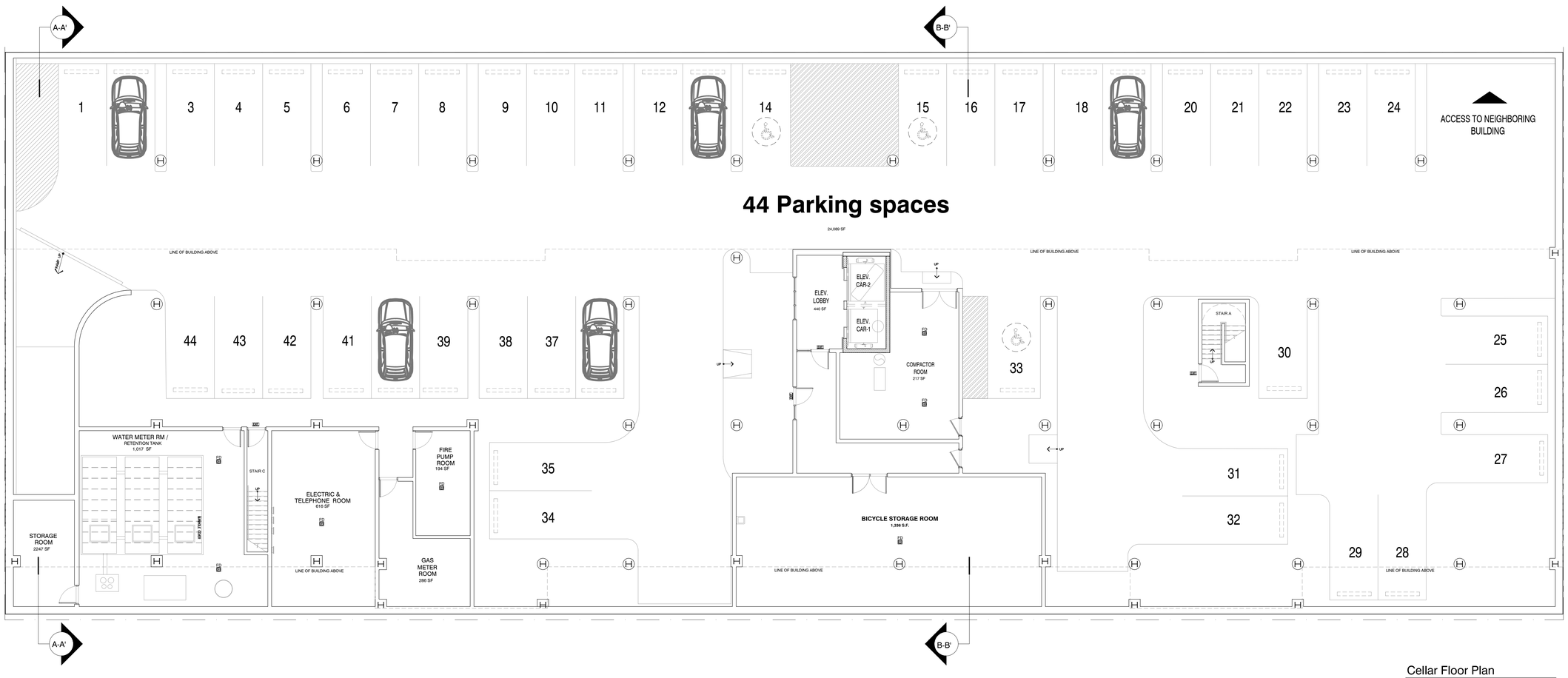

Cellar Floor Plan

SCALE: 1/8" = 1'-0"

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Grace Baptist Church Development

Vermont Street Apartments
Brooklyn, NY

HOUSING CONSULTANT

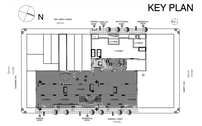
JT Realty Advisors, LLC.
33 Henrietta Avenue
Oceanside, NY 11572

ARCHITECT

DANOIS
ARCHITECTS,PC
90 Broad Street,Suite 1903
New York, NY 10004

MECHANICAL ENGINEER

KEY PLAN



Building #2

REV.	DATE	DESCRIPTION
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2	02/10/2023	LUA- DCP SUBMISSION
1	11/15/2021	DCP - LUA SUBMISSION

ISS.	DATE	DESCRIPTION

CONST. DOCUMENTS SEQUENCE: of

Drawing Title

ARCHITECTURAL

Cellar Floor Plan

Dwg. No.

A-107.00

Job No:	18.04
Chk. by:	D.D
Dwg. by:	E.M/D.B
Scale:	
Date:	07-17-20
Sheet:	19 of 26

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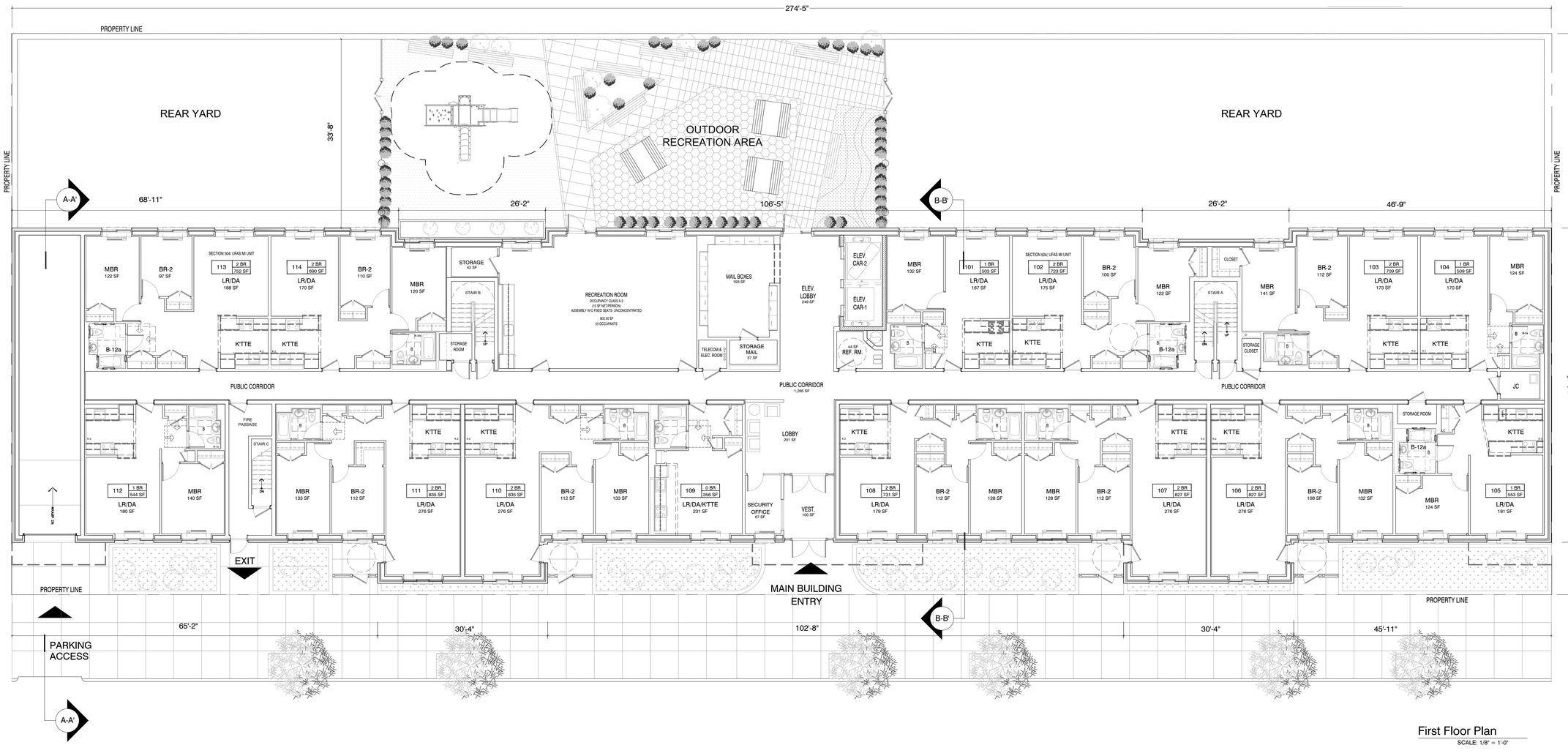

First Floor Plan
SCALE: 1/8" = 1'-0"

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& DEVELOPMENT

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Vermont Street Apartments
Brooklyn, NY

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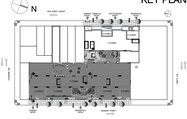
Oceanside, NY 11572

ARCHITECT

DANOIS
ARCHITECTS,PC
90 Broad Street, Suite 1903
New York, NY 10004

MECHANICAL ENGINEER

KEY PLAN



Building #2

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2	02/10/2023	LUA- DCP SUBMISSION
1	11/15/2021	DCP - LUA SUBMISSION
ISS.	DATE	DESCRIPTION

CONST. DOCUMENTS SEQUENCE: of

Drawing Title
ARCHITECTURAL

First Floor Plan

Dwg. No.
A-108.00

Job No:	18.04
Chk. by:	D.D.
Dwg. by:	E.M/D.B
Scale:	
Date:	07-17-20
Sheet:	20 of 26

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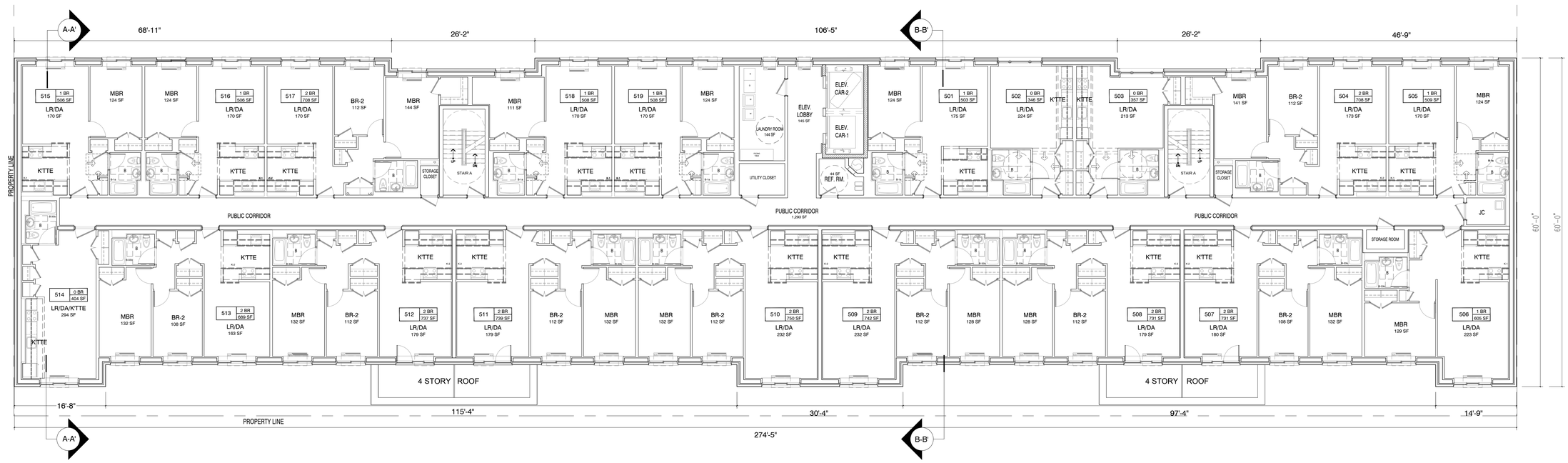

Fifth Floor Plan

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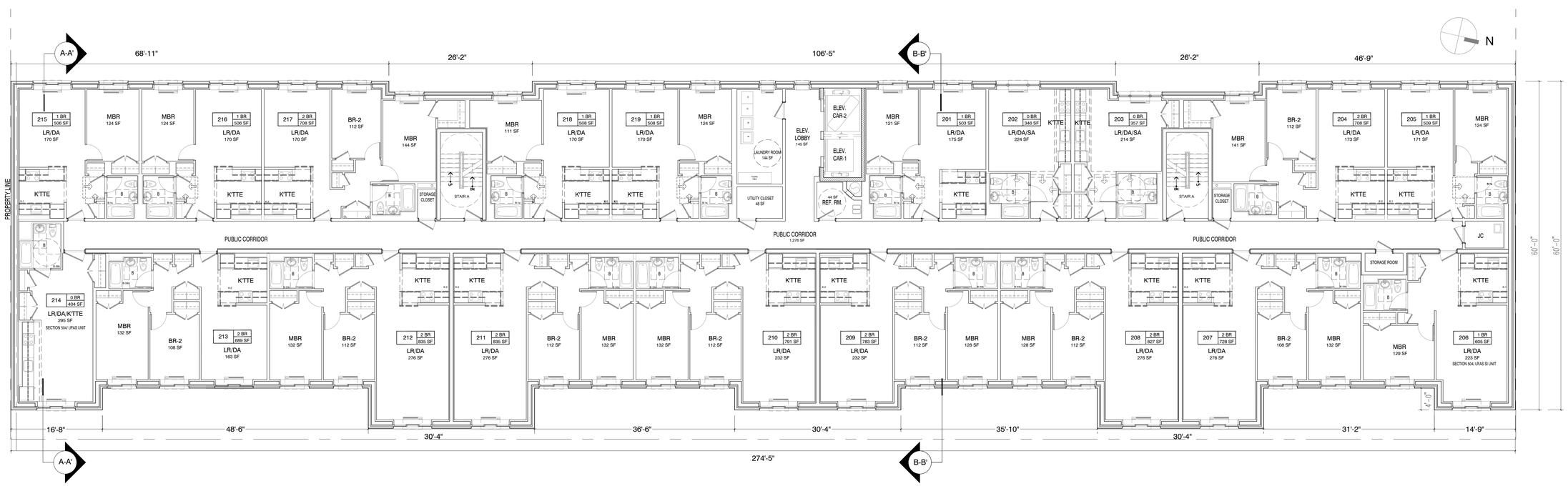

Typ.(2nd-4th) Floor Plan

SCALE: 1/8" = 1'-0"

THE CITY OF NEW YORK
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& DEVELOPMENT

Grace Baptist Church Development

Vermont Street Apartments
Brooklyn, NY

HOUSING CONSULTANT

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Oceanside, NY 11572

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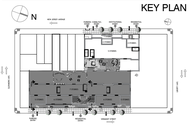
New York, NY 10004

MECHANICAL ENGINEER

KEY PLAN



Building #2

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1	11/15/2021	DCP - LUA SUBMISSION
ISS.	DATE	DESCRIPTION

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Drawing Title

ARCHITECTURAL

Typ(2nd - 4th) & Fifth Floor Plans

Dwg. No.

A-109.00

Job No:	18.04
Chk. by:	D.D
Dwg. by:	E.M/D.B
Scale:	
Date:	07-17-20
Sheet:	21 of 26

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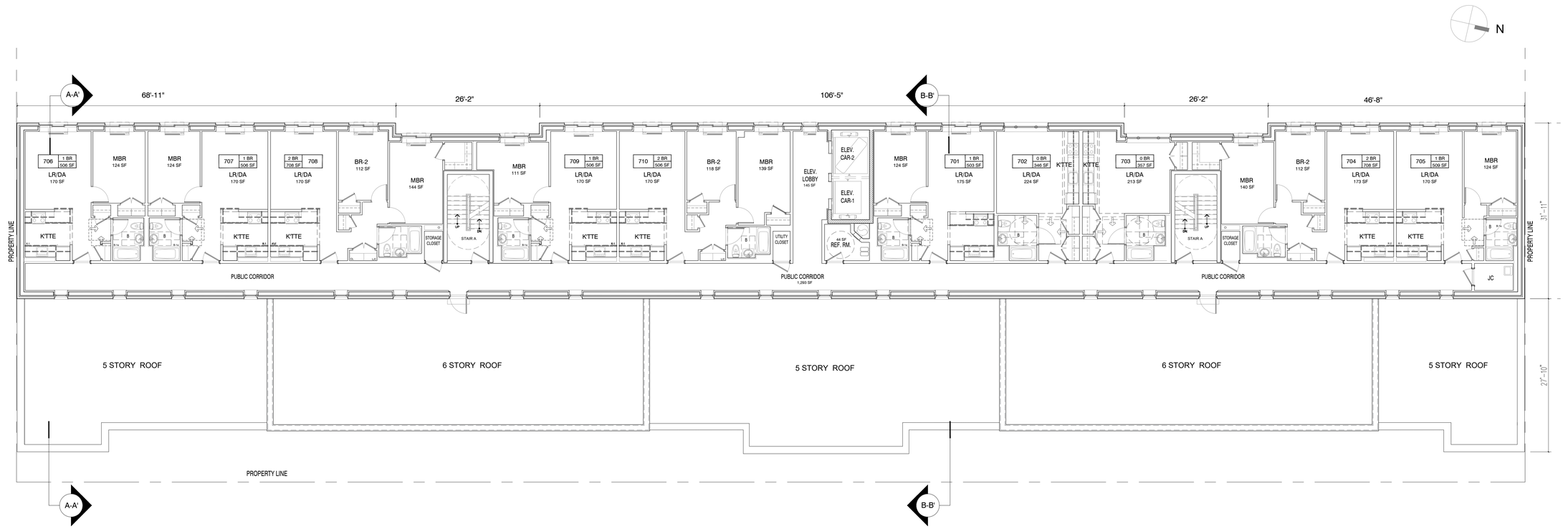

Seventh Floor Plan

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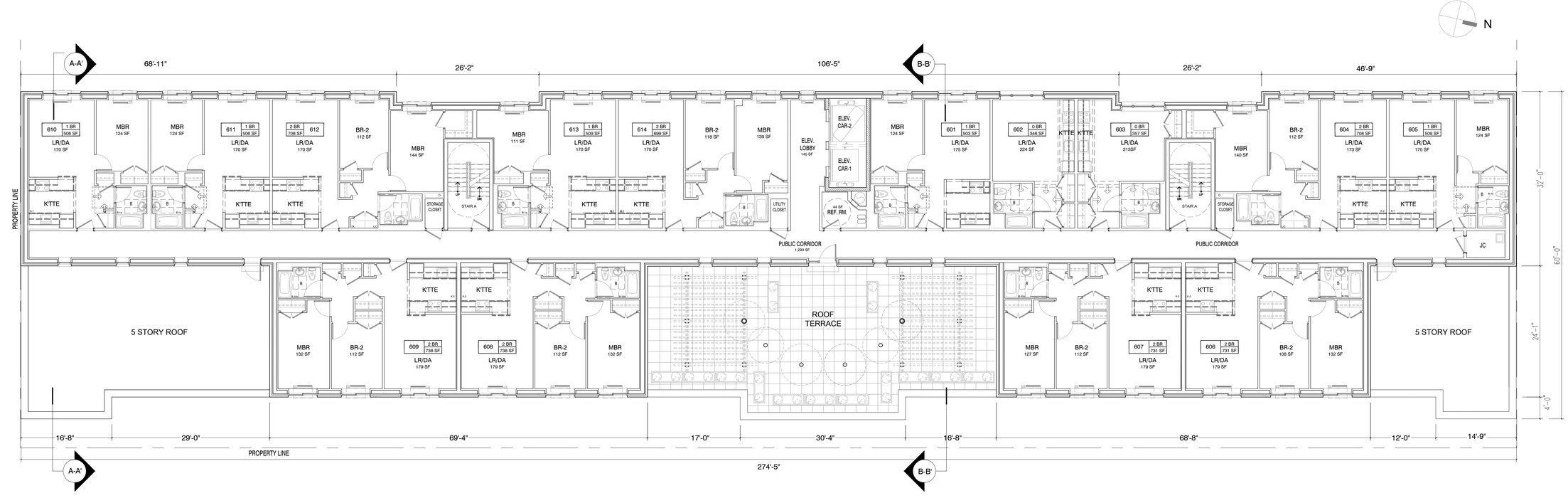

Sixth Floor Plan

SCALE: 1/8" = 1'-0"

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Grace Baptist Church Development

Vermont Street Apartments
Brooklyn, NY

HOUSING CONSULTANT

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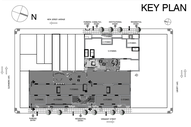
MECHANICAL ENGINEER

KEY PLAN



Building #2

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Drawing Title
ARCHITECTURAL

Sixth & Seventh Floor Plans

Dwg. No.
A-110.00

Job No:	18.04
Chk. by:	D.D
Dwg. by:	E.M/D.B
Scale:	
Date:	07-17-20
Sheet:	22 of 26

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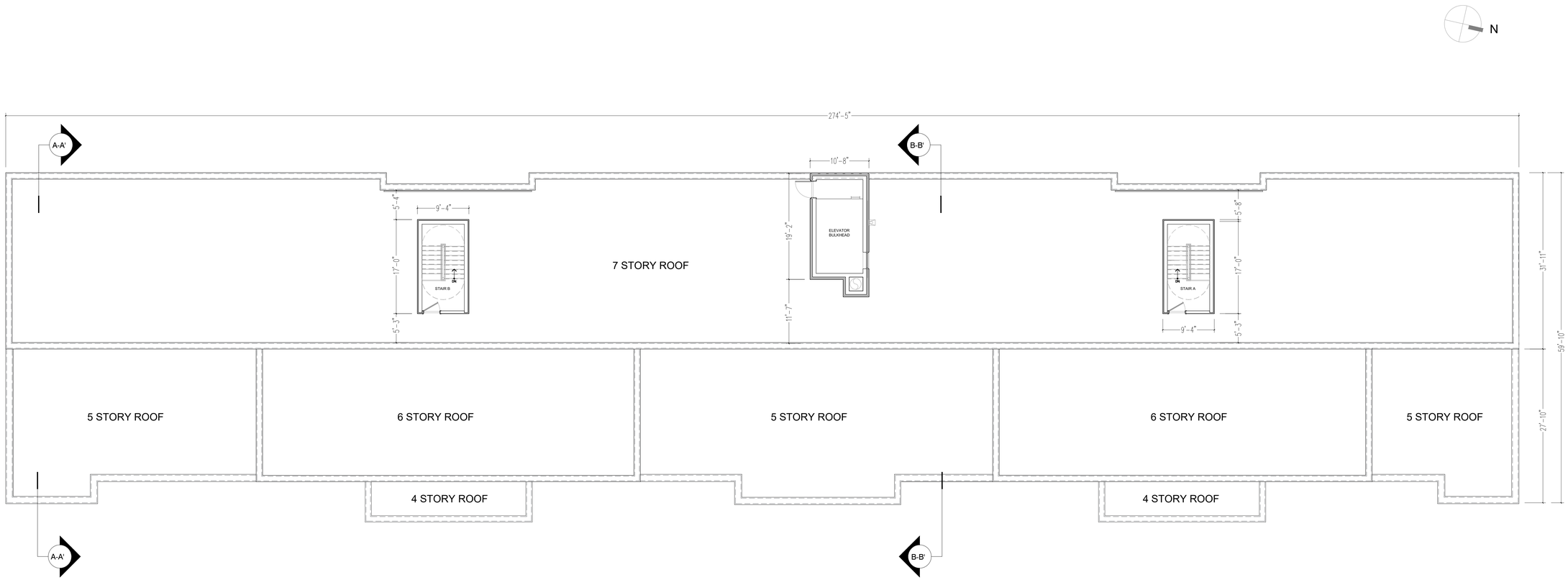

Roof Plan

SCALE: 1/8" = 1'-0"

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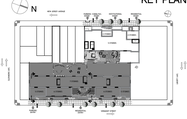
MECHANICAL ENGINEER

KEY PLAN



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CONST. DOCUMENTS SEQUENCE: of

Drawing Title

ARCHITECTURAL

Roof Plan

Dwg. No.

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Job No:	18.04
Chk. by:	D.D
Dwg. by:	E.M/D.B
Scale:	
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Sheet:	23 of 26

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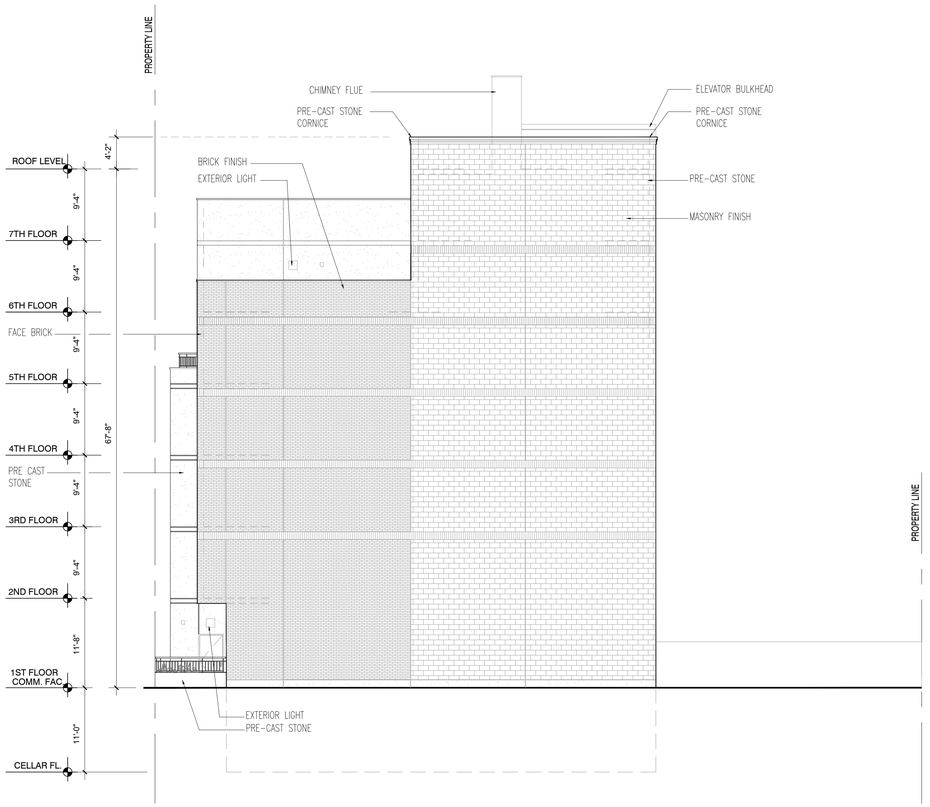
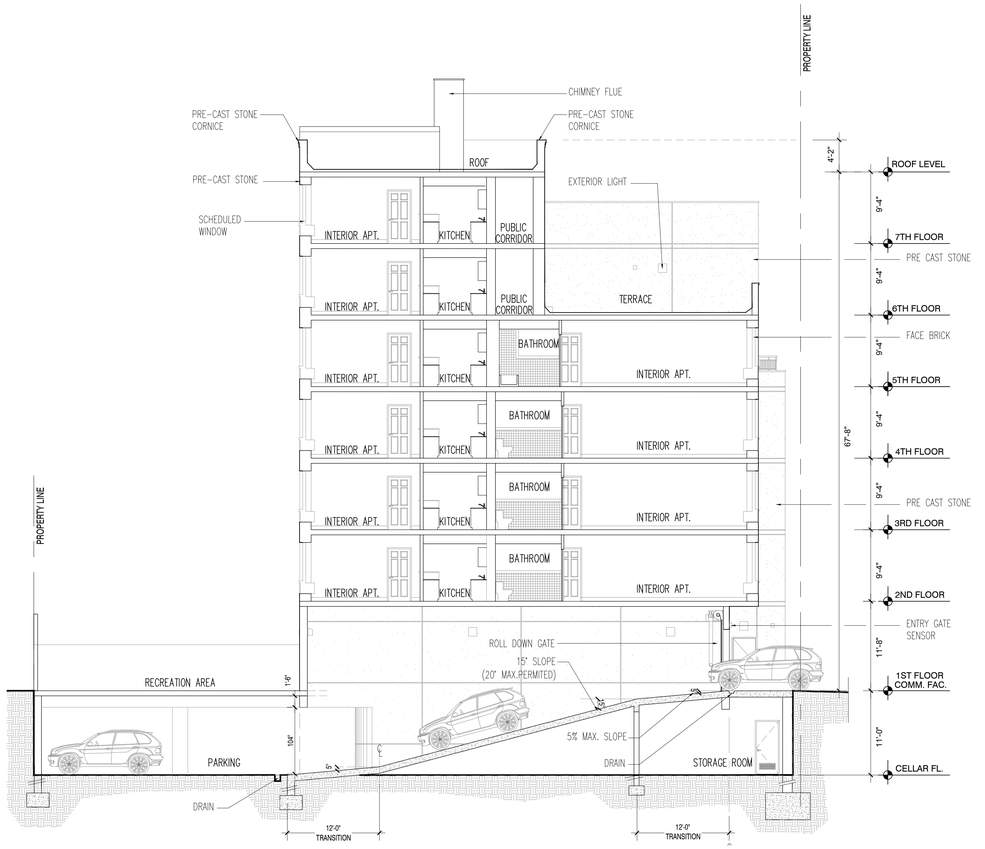
SCALE: 1/8" = 1'-0"



2 Right Side Elevation
SCALE: 1/8" = 1'-0"



3 Cross Section A-A'
SCALE: 1/8" = 1'-0"

THE CITY OF NEW YORK
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Grace Baptist Church Development

Vermont Street Apartments
Brooklyn, NY

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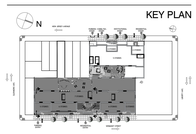
MECHANICAL ENGINEER

KEY PLAN



Building #2

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1	11/15/2021	DCP - LUA SUBMISSION
ISS.	DATE	DESCRIPTION

CONST. DOCUMENTS SEQUENCE: of

Drawing Title
ARCHITECTURAL

Vermont Street , North Elevations & Section A-A'

Dwg. No.
A-203.00

Job No:	18.04
Chk. by:	D.D
Dwg. by:	E.M/D.B
Scale:	
Date:	07-17-20
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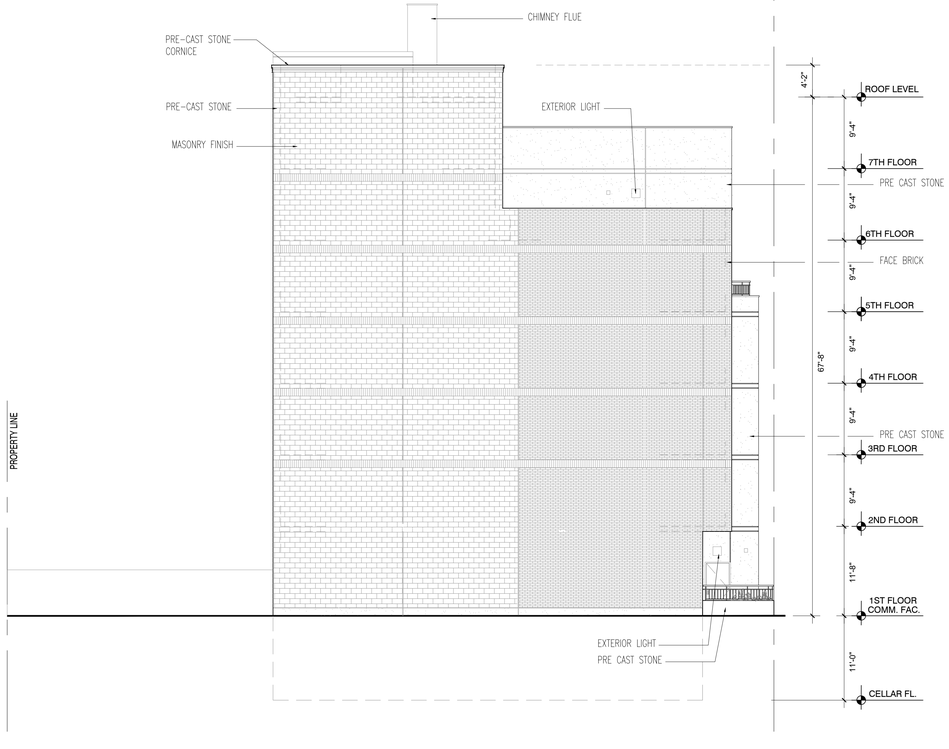
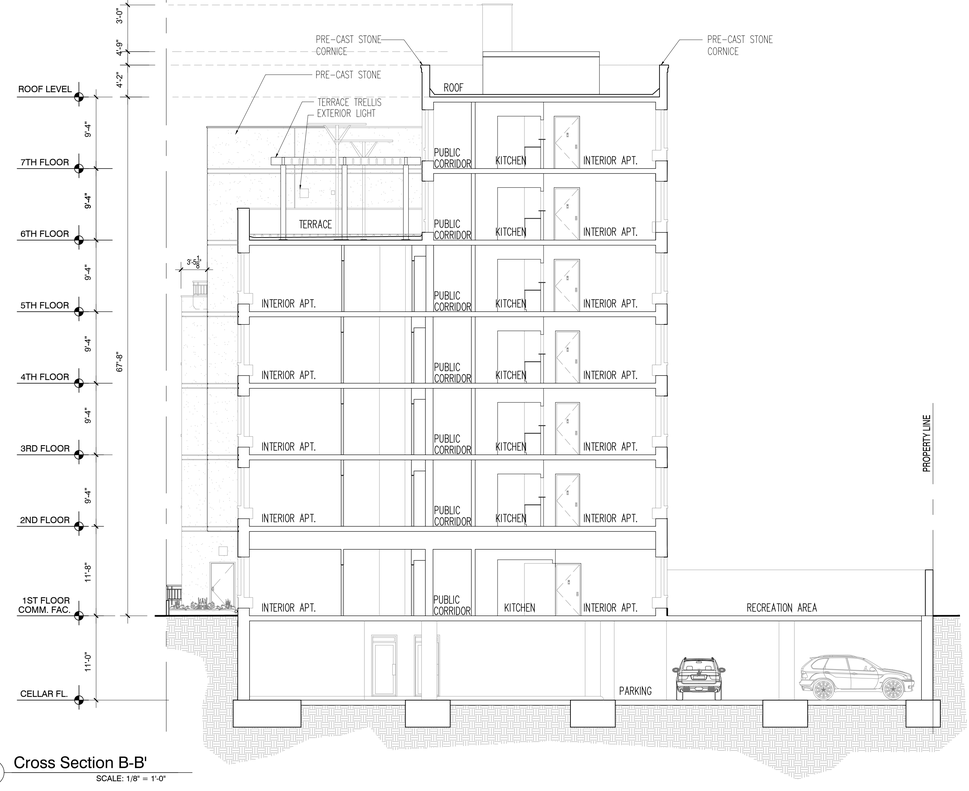
4 Rear Elevation
SCALE: 1/8" = 1'-0"



5 Left Side Elevation
SCALE: 1/8" = 1'-0"



6 Cross Section B-B'
SCALE: 1/8" = 1'-0"

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Grace Baptist Church Development

Vermont Street Apartments
Brooklyn, NY

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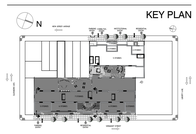
MECHANICAL ENGINEER

KEY PLAN



Building #2

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2	02/10/2023	LUA- DCP SUBMISSION
1	11/15/2021	DCP - LUA SUBMISSION

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Drawing Title
ARCHITECTURAL

Rear,South Elevations & Section B-B'

Dwg. No.
A-204.00

Job No:	18.04
Chk. by:	D.D
Dwg. by:	E.M/D.B
Scale:	
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1 Vermont Street Elevation
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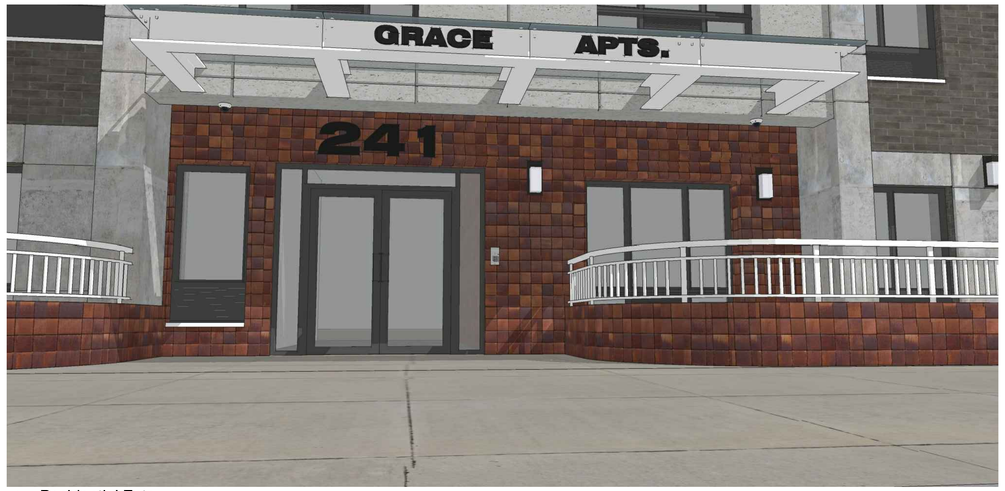

2 Residential Entry
nts



3 Exterior Entry Detail
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4 Apt. Balcony View
nts



5 Exterior Terrace View
nts

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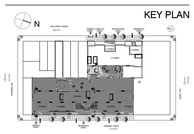
KEY PLAN



Building #2

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1	11/15/2021	DCP - LUA SUBMISSION
ISS.	DATE	DESCRIPTION

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Drawing Title
ARCHITECTURAL

Building Schematic Render Views

Dwg. No.
A-900.00

Job No:	18.04
Chk. by:	D.D
Dwg. by:	E.M/D.B
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APPENDIX I

CHO TECHNICAL MEMORANDUM

Grace Houses Rezoning
City of Yes for Housing Opportunity Technical Memorandum
CEQR No. 23DCP108K

November 20, 2024

I. INTRODUCTION

The New York City Department of City Planning is proposing a citywide zoning text amendment, the City of Yes for Housing Opportunity ("CHO") (CEQR No. 24DCP033Y) to expand opportunities for housing within all zoning districts, and across all 59 of the City's Community Districts. These changes to the City's Zoning Resolution would enable more housing and a wider variety of housing types in every neighborhood, from the lowest-density districts to the highest, to address the housing shortage and high cost of housing in New York City. It is anticipated that this proposed zoning text amendment would be referred into public review in Spring 2024. This project may be affected by the proposals included in the text amendment, and in order to present a conservative environmental analysis, this Technical Memorandum examines whether the analysis conclusion of the environmental assessment statement (EAS) would be altered by the proposed CHO zoning text amendment.

Proposed Actions

The Applicant, Grace Housing Development Fund Co. Inc., requests approval of a zoning map amendment and a zoning text amendment (the "Proposed Actions") of approximately 82,555 square feet (sf) comprising Block 3705, Lots 1, 3, 4, 5, 6, 7, 8, 9, 10, p/o 14, 27, 28, 29, 30, 31, 32, 34, 35, 38, 39, 40, 42 and Block 3704, Lots 25, 26, 27, 28, 29, 31, 33, 35, 36 (the "Affected Area"), which is bounded by Liberty Avenue to the north, Vermont Street to the east, Glenmore Avenue to the south, and Pennsylvania Avenue to the west and split by New Jersey Avenue in the East New York neighborhood within Brooklyn Community District 5.

The zoning map amendment would rezone the Affected Area from an R5B zoning district to an R6A zoning district. The zoning text amendment would modify Zoning Resolution ("ZR") Appendix F: Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing ("MIH") Areas for Community District 5, Brooklyn to establish an MIH Area coterminous with the Affected Area. The Applicant proposes mapping both MIH Option 1 and Option 2 within the Affected Area to provide maximum flexibility for future development of the non-Applicant-controlled sites.

Applicant's Proposed Development

The Proposed Actions would facilitate the development of a 131,404 gross square feet ("GSF") or 98,795 zoning square feet ("ZSF") at 3.60 Floor Area Ratio ("FAR"), 7-story, residential building with a building height of 67'-8"on Projected Development Site 1 (Block 3705, Lots 27, 28, 29, 30, 31, 32, 34, 35, 38, and 39) and a 65,824 GSF (51,034 ZSF; 3.44 FAR), 5-story, 60-foot-tall mixed residential and community facility building on Projected Development Site 2 (Block 3705, Lots 9, 10, and 14).

Projected Development Site 1 (Block 3705, Lots 27, 28, 29, 30, 31, 32, 34, 35, 38, and 39)

The Applicant-Owned lots would have a projected lot size of 27,443 SF and would be developed with a 131,404 GSF (98,795 ZSF; 3.60 FAR) residential building of 7 stories. There would be a total of 25,012 GSF of parking at the cellar and ground level and 106,392 GSF (98,795 ZSF; 3.60 FAR) of residential uses above grade with 114 dwelling units. Projected Development Site 1 would be within the proposed MIH area, which would require new developments to set aside 25-30% of the residential floor area (29-34 units) for affordable housing at an average of 60-80% of Area Median Income (AMI) per MIH Options 1 or 2, respectively. However, the Applicant is pursuing a 100% affordable residential development for all 114

residential units, utilizing the Mix and Match program from the NYC Housing Preservation and Development ("HPD") and the NYC Housing Development Corp ("HDC"), which provide tax exempt bond financing with 4% low-income housing tax credits and subsidized subordinate financing. The Mix and Match program requires that at least half of the units are affordable at under 60% AMI, and the other half of the units at under 120% AMI. The Mix and Match program also requires 15% of residential units be set aside for homeless housing.

Given that Vermont Street (60 feet wide) is a narrow street, the proposed building would have a height of 67'-8" after a 15-foot setback on Vermont Street above the base height of 60 feet. 44 residential accessory parking spaces would be provided in the enclosed garage at the cellar level accessible by a parking ramp at Vermont Street.

Projected Development Site 2 (Block 3705, Lots 9, 10, and 14)

The Applicant-Owned lots would assemble and have a projected lot size of approximately 14,850 SF and would be developed with a 5-story mixed residential and community facility building of 65,824 GSF (51,034 ZSF; 3.44 FAR). There would be 10,767 GSF (1,167 ZSF; 0.08 FAR) of parking at the cellar level and a parking ramp on the ground floor, 18,635 GSF (15,911 ZSF; 1.07 FAR) of church (15,453 GSF) and general community facility uses (3,182 GSF) on the cellar, first floor, and mezzanine levels, and 36,422 GSF (33,956 ZSF; 2.29 FAR) of residential uses with a residential lobby on the ground floor and 39 dwelling units on the upper floors. Projected Development Site 2 would be within the proposed MIH area which would require new developments to set aside 25-30% of the residential floor area (10-12 units) for affordable housing at an average of 60-80% AMI per MIH Options 1 or 2. However, the Applicant is pursuing a 100% affordable residential development for all 39 residential units, utilizing the Mix and Match program as described above.

Given that New Jersey Avenue (60 feet wide) is a narrow street, the proposed building would have a height of 60 feet after a 15-foot setback on New Jersey Avenue above the base height of 22'-8". 23 residential accessory parking spaces would be provided in the enclosed garage at the cellar level accessible by a parking ramp located at New Jersey Avenue.

<u>Reasonable Worst Case Development Scenario (RWCDS)</u>

Discretionary actions sometimes permit a range of project characteristics, or development scenarios, to occur even though the action may be sought in order to facilitate a specific development. From the range of possible scenarios that are considered reasonable and likely, the scenario with the worst environmental consequences is chosen for analysis. This is considered to be the Reasonable Worst-Case Development Scenario (RWCDS), the use of which ensures that, regardless of which scenario actually occurs, its impacts would be no worse than those considered in the environmental review. The environmental assessment statement (EAS) examines the incremental differences between the RWCDS of the future without the project in place (No-Action Condition) and the future with the project in operation (With-Action Condition).

As described in the EAS, in addition to Projected Development Site 1 and 2, another Applicant-owned Potential Development Site 1 was also analyzed in the EAS. Potential Development Site 1 consists of Block 3704 Lots 26, 27, and 28, which are each improved with a residential building of 1 to 2 units. The Applicant has no intent to develop these three lots and the buildings on the three lots are all occupied. However, in order to form the basis for a conservative assessment of potential project-related impacts, it is assumed that the three lots would combine and form a Potential Development Site given that these three adjacent lots are all under the control of the Applicant within the Affected Area.

No-Action Condition

Under the Future No-Action Scenario, the Applicant would develop an as-of-right building on the Applicant-owned Projected Development Site 2 on Block 3705 as the existing church building has not been able to hold services since around 2019 due to the structural instability of the bell tower. The

Applicant would rebuild a new residential building on this site to subsidize the relocation of the church.

The as-of-right building on Projected Development Site 2 (Block 3705, Lots 9, 10, and 14) would be a new 4-story, 33-foot-tall, 27,485 GSF (20,048 ZSF; 1.35 FAR) residential building, which would contain 7,037 GSF of parking (15 spaces) at the cellar level and 20,448 GSF (20,048 ZSF; 1.35 FAR) of residential uses above grade from the first floor through the fourth floor with 23 dwelling units (900 GSF per unit). All of the residential units would be market-rate.

Redevelopment is not considered likely in the Future No-Action Scenario on the other Applicant-owned or non-Applicant-owned lots within the Affected Area because of the inability to develop to a bulk, density, or a number of units that would induce development under the current R5B zoning, which is a legacy of the 1961 zoning and does not reflect the more recent 2016 East New York Rezoning district that surrounds much of the site and neighborhood. Currently, Projected Development Site 1 consists of 11 market-rate dwelling units (7,771 GSF), vacant lots, and surface parking lots. Potential Development Site 1 is improved with residential uses totaling 5 market-rate dwelling units (4,160 GSF) and community facility uses of 2,200 GSF.

With-Action Condition

A new 8-story, 85-foot-tall, 131,404 GSF (98,795 ZSF; 3.60 FAR) residential building would be developed on Projected Development Site 1 (Block 3705, Lots 27, 28, 29, 30, 31, 32, 34, 35, 38, and 39). The proposed building would contain 25,012 GSF of parking at the cellar level and 106,392 GSF (98,795 ZSF; 3.60 FAR) of residential uses above grade from the first floor through the eighth floor with 114 dwelling units. Projected Development Site 1 would be within the proposed MIH area, which would require new developments to set aside 25-30% of the residential floor area (29-34 units) for affordable housing at an average of 60-80% AMI per MIH Options 1 or 2. However, the worst-case scenario assumes a 100% affordable residential development for all 114 residential units utilizing HPD financing. The proposed building would have a height of 85 feet after a 15-foot setback on Vermont Street above the base height of 65 feet. 44 residential accessory parking spaces would be provided at the cellar level accessible by a curb cut on Vermont Street.

A new 8-story, 85-foot-tall 69,838 GSF (53,460 ZSF; 3.60 FAR) mixed-use residential and community facility building would be developed on Projected Development Site 2 (Block 3705, Lots 9, 10, and 14). The proposed building would contain 10,767 GSF of parking at the cellar level, 18,635 GSF (15,911 ZSF; 1.07 FAR) of church (15,453 GSF) and general community facility uses (3,182 GSF) on the ground floor and mezzanine level, and 40,436 GSF (37,549 ZSF; 2.53 FAR) of residential uses on the second floor through the eighth floor with 39 dwelling units. Projected Development Site 2 would be within the proposed MIH area, which would require new developments to set aside 25-30% of the residential floor area (10-12 units) for affordable housing at an average of 60-80% AMI per MIH Options 1 or 2. However, the worst-case scenario assumes a 100% affordable residential development for all 40 residential units utilizing HPD financing. The proposed building would have a height of 85 feet after a 15-foot setback on New Jersey Avenue above the base height of 65 feet. 23 residential accessory parking spaces would be provided at the cellar level accessible by a curb cut on New Jersey Avenue.

Meanwhile, the Applicant-owned Potential Development Site 1 (Block 3704, Lots 26, 27, and 28) is assumed to be developed with a new 8-story, 85-foot-tall, 35,040 GSF (27,000 ZSF; 3.60 FAR) residential building. The proposed building would contain 27,540 GSF (27,000 ZSF; 3.60 FAR) of residential uses above grade from the first floor through the eighth floor and 7,500 GSF of parking at the cellar level. There would be 28 dwelling units (1,000 GSF per unit), with 7 or 9 units reserved as permanently affordable at an average of 60-80% AMI per MIH Options 1 or 2. The proposed building would have a height of 85 feet after a 15-foot setback on New Jersey Avenue above the base height of 65 feet. 11 residential accessory parking spaces would be provided at the cellar level accessible by a curb cut on New Jersey Avenue.

Increment Analyzed in the EAS

For technical analysis purposes, Projected Development Sites 1 and 2 are analyzed for both site-specific and density-related effects, whereas Potential Development Site 1 is only analyzed for site-specific effects. As shown in **Table 1**, the incremental difference on Projected Development Site 1 and 2 between the No-Action Condition and the With-Action Condition in RWCDS analyzed in the EAS includes 118,609 GSF of residential uses (119 DUs) and 18,635 GSF of community facility uses (15,453 GSF of church and 3,182 GSF of general community facility). It should be noted that though the incremental dwelling units are only 119 units, the net affordable units would increase 153 units as all the dwelling units built in the With-Action Condition would be permanently affordable.

Table 1. RWCDS Analysis Framework - No-Action and With-Action Analyzed in EAS

Use	No-Action Condition	With-Action Condition	Increment
Community Facility GSF	0	18,635	+18,635
Residential GSF	28,219	146,828	+118,609
Total GSF	28,219	165,463	+137,244
Residential DUs	34	153	+119
Affordable DUs	*0*	*153*	*+153*

II. DESCRIPTION OF CITY OF YES FOR HOUSING OPPORTUNITY

The proposed CHO zoning text amendment seeks to enable more housing and wider variety of housing types in all neighborhoods citywide, from the lowest-density districts to the highest, to address the housing shortage and high cost of housing in New York City. The proposed text amendment comprises project components in four broad categories: Medium- and High-Density proposals in R6-R10 districts and equivalents; Low-Density proposals in R1-R5 districts and equivalents; Parking proposals, which span the full range of districts and densities; and assorted other changes in line with project goals. In general, these changes will apply in underlying zoning districts, Special Districts, and other geographies that modify underlying zoning, with limited adjustments to reflect planning goals in specific areas.

To create more housing and more types of housing, the proposed text amendment includes components that fall into four major proposal areas—1: Medium- and High-Density Districts, 2: Low-Density Districts, 3: Parking, and 4: Other Initiatives that are miscellaneous, citywide in nature, and align with overall project goals. Because the Proposed Actions would result in an R6A district, it would fall into the medium- and high- density district category.

Medium- and high-density districts (R6 through R10) are typically mapped in areas where transit access, job access, infrastructure, and other factors make such densities appropriate. Housing in these areas generally consists of multifamily housing that includes income-restricted affordable housing, rent-regulated housing, and market-rate housing that ranges from modest and relatively inexpensive to some of the most expensive housing in the world. The proposed text amendment would increase housing opportunities in these areas by increasing affordable and supportive floor area ratios (FARs) in all medium- and high-density districts; expanding eligibility for the City's adaptive reuse regulations to a broader range of buildings, such as struggling office districts; enabling small and shared apartment models to take pressure off family-sized units; and simplifying infill regulations for campuses and other zoning lots with existing buildings. Where necessary, the proposed text amendment would also adjust building envelopes to ensure that typical sites can accommodate the additional floor area provided for affordable and supportive housing. This incremental increase in capacity would only be available for affordable and supportive housing.

As discussed in detail in the City of Yes for Housing Opportunity Draft Environmental Impact Statement, the proposed CHO text would increase the maximum allowable residential FAR for the proposed R6A zoning district from 3.60 (pursuant to Mandatory Inclusionary Housing) to 3.90. In addition, the proposed

CHO zoning text amendment would permit an additional 10 feet for the maximum building height in R6A districts from 85 to 95 feet.[1]

III. ANALYSIS FRAMEWORK

Pursuant to the RWCDS analyzed in the EAS for the Proposed Actions, no significant adverse impacts were identified. The RWCDS analyzed in the EAS consists of Projected Development Site 1, an 85-foot-tall, approximately 131,404 GSF (98,795 ZSF; 3.60 FAR) residential building, Projected Development Site 2, an 85-foot-tall, approximately 69,838 GSF (53,460 ZSF; 3.60 FAR) mixed residential and community facility building, and Potential Development Site 1, an 85-foot-tall, approximately 35,040 GSF (27,000 ZSF; 3.60 FAR) residential building. Both Projected Development Site 1 and 2 and Potential Development Site 1 would maximize the available 3.60 FAR. As shown in **Table 2**, under the proposed CHO zoning text amendment, the maximum permitted FAR for residential uses in the proposed R6A district would increase from 3.60 to 3.90. The maximum building height in the proposed R6A district would increase from 85 feet to 95 feet.

Table 2. Comparison of Existing, With-Action, and With-Action with CHO

	EXISTING/NO-ACTION	WITH-ACTION	WITH-ACTION WITH CHO
	R5B	R6A	R6A
Use Groups	1, 2, 3A, 3B, 4B, 4C	1, 2, 3A, 3B, 4B, 4C	1, 2, 3A, 3B, 4B, 4C
Maximum FAR	1.35 Residential 2.00 Community Facility	3.60 Residential 3.00 Community Facility	3.90 Residential 3.00 Community Facility
Maximum Building Height	33 feet	85 feet	95 feet

No-Action Condition

In the future without the Proposed Actions, the Applicant would develop an as-of-right building on Projected Development Site 2 as the existing church building has not been able to hold services since 2019 due to the structural instability of the bell tower. The Applicant would rebuild a new residential building on this site to subsidize the relocation of the church.

The as-of-right building on Projected Development Site 2 (Block 3705, Lots 9, 10, and 14) would be a new 4-story, 33-foot-tall, 27,485 GSF (20,048 ZSF; 1.35 FAR) residential building, which would contain 7,037 GSF of parking (15 spaces) at the cellar level and 20,448 GSF (20,048 ZSF; 1.35 FAR) of residential uses above grade from the first floor through the fourth floor with 23 dwelling units (900 GSF per unit). All of the residential units would be market-rate.

The existing conditions of Projected Development Site 1 and Potential Development Site 1 would remain under the No-Action Condition. Currently, Projected Development Site 1 consists of 11 market-rate dwelling units (7,771 GSF), vacant lots, and surface parking lots. Potential Development Site 1 is improved with residential uses totaling 5 market-rate dwelling units (4,160 GSF) and community facility uses of 2,200 GSF.

City of Yes for Housing Opportunity would not alter the No-Action Condition presented within the EAS.

With-Action Condition with CHO Zoning Text Amendment

With the proposed CHO zoning text amendment, the maximum permitted FAR for residential uses in the proposed R6A district would increase from 3.60 to 3.90. The maximum building height in the proposed R6A district would increase from 85 feet to 95 feet. As a result, the With-Action development scenarios with the proposed CHO zoning text amendment are detailed as follows.

[1] *City of Yes for Housing Opportunity Draft Environmental Impact Statement (CEQR No. 24DCP033Y).* September 29, 2023.

Projected Development Site 1 (Block 3705, Lots 27, 28, 29, 30, 31, 32, 34, 35, 38, and 39; Applicant-Owned)

A new 9-story, 95-foot-tall, 140,270 GSF (107,028 ZSF; 3.90 FAR) residential building would be developed on a combined 27,443-SF lot. The projected building would contain 25,012 GSF of parking at the cellar level and 115,258 GSF (107,028 ZSF; 3.90 FAR) of residential uses above grade from the first floor through the ninth floor with 128 dwelling units (900 GSF per DU). Projected Development Site 1 would be within the proposed MIH area, which would require the projected development to set aside 25-30% (29-34 units) of the original 114 residential units for affordable housing at an average of 60-80% AMI per MIH Options 1 or 2, respectively. However, the worst-case scenario assumes a 100% affordable residential development for all 114 residential units utilizing HPD financing. The proposed CHO would add 14 income-restricted dwelling units to Projected Development Site 1, reaching a total of 128 income-restricted dwelling units, which includes 25-30% (29-34 units) of the original 114 residential units in the EAS as affordable units pursuant to MIH Options 1 or 2, respectively. The projected building would have a height of 95 feet after a 15-foot setback on Vermont Street above the base height of 65 feet. 44 residential accessory parking spaces would be provided at the cellar level accessible by a curb cut on Vermont Street.

Projected Development Site 2 (Block 3705, Lots 9, 10, and 14; Applicant-Owned)

A new 9-story, 95-foot-tall, 74,636 GSF (57,915 ZSF; 3.90 FAR) mixed residential and community facility building would be developed on a combined 14,850-SF lot. The projected building would contain 10,767 GSF of parking at the cellar level, 18,635 GSF (15,911 ZSF; 1.07 FAR) of church (15,453 GSF) and general community facility uses (3,182 GSF) on the ground floor and mezzanine level, and 45,234 GSF (42,004 ZSF; 2.83 FAR) of residential uses on the second floor through the ninth floor with 50 dwelling units (900 GSF per DU). Projected Development Site 2 would be within the proposed MIH area, which would require the projected development to set aside 25-30% (10-12 units) of the original 39 residential units for affordable housing at an average of 60-80% AMI per MIH Options 1 or 2, respectively. However, the worst-case scenario assumes a 100% affordable residential development for all 39 residential units utilizing HPD financing. The proposed CHO would add 11 income-restricted dwelling units to Projected Development Site 2, reaching a total of 50 income-restricted dwelling units, which includes 25-30% (10-12 units) of the original 39 residential units in the EAS as affordable units pursuant to MIH Options 1 or 2, respectively. The projected building would have a height of 95 feet after a 15-foot setback on New Jersey Avenue above the base height of 65 feet. 23 residential accessory parking spaces would be provided at the cellar level accessible by a curb cut on New Jersey Avenue.

Potential Development Site 1 (Block 12045, Lot 10; Non-Applicant-Owned)

Potential Development Site 1 could be developed with a 9-story, 95-foot-tall, 37,335 GSF (29,250 ZSF; 3.90 FAR) residential building would be developed on a combined 7,500-SF lot. The proposed building would contain 29,835 GSF (29,250 ZSF; 3.90 FAR) of residential uses above grade from the first floor through the ninth floor and 7,500 GSF of parking at the cellar level. There would be 30 dwelling units (1,000 GSF per unit). The proposed building would have a height of 95 feet after a 15-foot setback on New Jersey Avenue above the base height of 65 feet. 11 residential accessory parking spaces would be provided at the cellar level accessible by a curb cut on New Jersey Avenue.

The projected development on Potential Development Site 1 could set aside 25-30% (7-9 units) of the original 28 residential units for affordable housing at an average of 60-80% AMI per MIH Options 1 or 2, respectively. The proposed CHO could add 2 income-restricted dwelling units to Potential Development Site 1, reaching a total of 30 dwelling units including 9-11 income-restricted dwelling units. For the purposes of Early Childhood Programs analysis, a total of 8 units, including 20% (6 units) of the original 28 residential units and the additional 2 income-restricted dwelling units facilitated by CHO, are assumed to be affordable at or below 80% AMI.

<u>Incremental Difference between No-Action and With-Action Conditions</u>

As shown in **Table 3**, under the proposed CHO zoning text amendment, the modified With-Action Condition would include a total of approximately 18,635 GSF (15,911 ZSF) of community facility uses and 160,491 GSF (149,032 ZSF) of residential uses on Projected Development Site 1 and 2. The revised buildings would provide a total of 178 DUs, including the additional 25 income-restricted dwelling units facilitated by CHO and the original 153 units analyzed in the EAS as affordable units utilizing HPD financing. All 178 units would be considered affordable at or below 80% AMI for purposes of early childhood programs analysis. The building heights for Projected Development Site 1, Projected Development Site 2, and Potential Development Site 1 would all increase to 95 feet. Compared to the With-Action Condition analyzed in the EAS, the proposed CHO zoning text amendment would result in an additional 13,663 GSF (12,688 ZSF) of income-restricted residential uses (25 DUs) and 10-feet in the maximum building height (increasing the maximum building height to 95 feet).

Table 3. Comparison of Permitted Floor Area and Maximum Building Height

	NO-ACTION CONDITION	WITH-ACTION CONDITION WITH CHO	NET DIFFERENCE WITH CHO
Community Facility GSF	0	18,635	**+18,635**
Residential GSF	28,219	160,491	**+132,272**
Total GSF	28,219	179,126	**+150,907**
Residential DUs	34	178	**+144**
Income-Restricted DUs	*0*	*178*	***+178***
Building Height	33 feet	95 feet	**+62 feet**

This Technical Memorandum provides a preliminary assessment of the effects of CHO on the Proposed Actions and details how CHO would affect the analysis and conclusions presented in the EAS.

IV. SUPPLEMENTAL SCREENING

In the future With-Action condition with the proposed CHO text amendment, the introduction of 25 additional income-restricted dwelling units to the incremental 119 units analyzed in the EAS would result in a total of 144 incremental dwelling units, including the reduction of 34 market-rate units and the addition of 178 income-restricted dwelling units. The increased number of total residential units and income-restricted dwelling units would not exceed the thresholds requiring analysis within the *2021 CEQR Technical Manual* for Socioeconomic Conditions, Water and Sewer Infrastructure, Solid Waste and Sanitation Services, or Energy. The conclusions presented in the EAS would not change and no further analysis related to these impact categories is necessary. Similarly, changes facilitated by CHO including the introduction of 0.30 additional residential FAR for income-restricted dwelling units to the 3.60 FAR building bulk analyzed in the EAS for a total of 3.90 FAR and an additional 10 feet of maximum building height for a total of 95 feet would not substantially alter the site-specific characteristics of the Affected Area and would not exceed the thresholds in the *2021 CEQR Technical Manual* requiring analysis for Greenhouse Gas Emissions, Natural Resources, or Public Health. The conclusions presented in the EAS would not change and no further analysis related to these impact categories is warranted.

The proposed (E) designations for Hazardous Materials would remain the same as presented within the EAS to avoid significant adverse impacts to this technical area. Therefore, the potential changes to the With-Action Condition facilitated by CHO would not alter the conclusion of the EAS related to Hazardous Materials, and no further analysis is warranted.

The proposed CHO zoning text amendment would allow for a building up to 10 feet taller than the With-Action Condition analyzed in the EAS, with an increase in the developable floor area for income-restrictive dwelling units. The increase in height would allow air quality emissions to be released potentially 10 feet higher than the scenario analyzed in the EAS. As a result, the CHO zoning text amendment would not result in any significant air quality impacts from project-generated sources. Therefore, the proposed (E)

designations for Air Quality would remain the same as presented within the EAS to avoid significant adverse impacts to this technical area. Accordingly, the potential changes to the With-Action Condition facilitated by CHO would not alter the conclusions of the EAS related to Air Quality, and no further analysis is warranted.

The assessment in Section V below reflects every technical area that was analyzed in the EAS to determine if significant adverse impacts would occur as a result of the proposed CHO zoning text amendment.

V. ASSESSMENT OF POTENTIAL IMPACTS

The RWCDS with CHO was assessed for density-related and site-specific conditions for each technical area that was included in the EAS (Land Use, Zoning, and Public Policy, Community Facilities and Services, Open Space, Shadows, Historic and Cultural Resources, Urban Design and Visual Resources, Noise, and Construction). As outlined in the EAS, no significant adverse impacts would occur in any technical areas as a result of the Proposed Actions.

Land Use, Zoning, and Public Policy

The Land Use, Zoning, and Public Policy analysis is considered for site-specific effects. As a result, Projected Development Site 1, Projected Development Site 2, and Potential Development Site 1 are analyzed. Compared to the With-Action Condition analyzed within the EAS, the potential changes facilitated by CHO would allow for the development of mixed residential and community facility uses with an additional 13,663 GSF (12,688 ZSF) of residential uses, approximately 25 additional income-restricted residential dwelling units (resulting in a total of 144 incremental dwelling units including the reduction of 34 market-rate units and the addition of 178 income-restricted dwelling units), and 10 additional feet of maximum building height at Projected Development Site 1 and 2. Meanwhile, the potential changes facilitated by CHO would allow for the development of residential uses with an additional 2,295 GSF (2,250 ZSF) of residential uses, approximately 2 additional income-restricted residential dwelling units (resulting in a total of 25 incremental dwelling units including 9 income-restricted dwelling units), and 10 additional feet of maximum building height at Potential Development Site 1.

The changes that would be facilitated by CHO would not require new analysis nor change the conclusion of the Land Use, Zoning, and Public Policy section analyzed within the EAS. The changes induced by CHO would continue to facilitate the development of Projected Development Site 1, Projected Development Site 2, and Potential Development Site 1 with mixed residential and community facility uses, which are consistent with the existing predominantly residential uses with commercial and community facility uses within 400 feet of the Affected Area. The modified building height and bulk of Projected Development Site 1, Projected Development Site 2, and Potential Development Site 1 are also compatible with the medium-density residential and mixed-use buildings within 400 feet of the Affected Area, mostly along Atlantic Avenue and throughout East New York. The proposed R6A district would be compatible with nearby medium-density R5B, R6A, R6B, and R7A residential zoning districts within 400 feet of the Affected Area. The addition of 14, 11, and 2 income-restricted residential dwelling units on Projected Development Site 1, Projected Development Site 2, and Potential Development Site 1 respectively, would be supportive of the City's housing goals as identified in *Housing New York 2.0* and *Housing Our Neighbors: A Blueprint for Housing and Homelessness*. The incorporation of changes to the With-Action Condition facilitated by CHO would not result in a significant adverse impact to Land Use, Zoning, and Public Policy and no further analysis is warranted.

Community Facilities and Services

The Community Facilities and Services analysis is considered for density-specific effects. As a result, only Projected Development Site 1 and 2 are analyzed. Compared to the With-Action Condition analyzed within the EAS, the potential changes facilitated by CHO would allow for the development of mixed residential and community facility uses with an additional 13,663 GSF (12,688 ZSF) of residential uses, approximately 25 additional income-restricted residential dwelling units (resulting in a total of 144

incremental dwelling units including the reduction of 34 market-rate units and the addition of 178 income-restricted dwelling units), and 10 additional feet of maximum building height at Projected Development Site 1 and 2.

As analyzed in the EAS, the Proposed Actions do not trigger detailed CEQR analyses for public schools, libraries, health care facilities, or Police and Fire Protection services. With the increase of 0.30 FAR for income-restricted residential uses as a result of CHO, the number of total residential units would remain less than the thresholds requiring analysis for public schools, libraries, health care facilities, or Police and Fire Protection services. However, in the EAS, the 153 incremental affordable units resulting from the Proposed Actions exceeds the analysis threshold (110 affordable units) for publicly funded early childhood programs in Brooklyn. As a result, a detailed analysis for publicly funded early childhood programs is warranted with the addition of 25 additional income-restricted residential dwelling units resulting from the proposed CHO zoning text amendment.

With the addition of 25 income-restricted residential dwelling units resulting from the proposed CHO zoning text amendment, the number of children eligible for publicly funded early childhood programs would increase by 5. The utilization rate of publicly funded child care and Head Start centers in the With-Action Condition under CHO would be 82.01%, resulting in a 1.53 percent increase from the 80.48% utilization rate in the No-Action Condition. The increase in children eligible for publicly funded early childhood programs resulting from the proposed CHO zoning text amendment would not increase the study area's utilization rate to over 100% nor would it increase the utilization rate between No-Action and With-Conditions by 5%. The addition of dwelling units facilitated by the proposed CHO zoning text amendment would result in any significant adverse impacts to community facilities and services and would therefore not alter the conclusions of the EAS.

Open Space

The Open Space analysis is considered for density-specific effects. As a result, only Projected Development Site 1 and 2 are analyzed. Compared to the With-Action Condition analyzed within the EAS, the potential changes facilitated by CHO would allow for the development of mixed residential and community facility uses with an additional 13,663 GSF (12,688 ZSF) of residential uses, approximately 25 additional income-restricted residential dwelling units (resulting in a total of 144 incremental dwelling units including the reduction of 34 market-rate units and the addition of 178 income-restricted dwelling units), and 10 additional feet of maximum building height at Projected Development Site 1 and 2.

With the 25 additional income-restricted residential dwelling units as potentially enabled by CHO and an average household size of 2.90 residents per dwelling unit per 2020 decennial census data for Brooklyn Community District 5, the With-Action population would increase by approximately 73 residents, resulting in a total of 38,862 residents under the With-Action Condition in the Study Area. Assuming the total open space acreage of 11.20 under the existing conditions would continue into the With-Action Condition, the OSR in the With-Action Condition with CHO would be 0.288 acres per 1,000 residents, resulting in a 1.07 percent reduction from the No-Action 0.291 OSR (See **Table 4**). With the changes facilitated by CHO, the decrease in the OSR between the Future No-Action and Future With-Action Condition would exceed the threshold of 1 percent.

Though located outside the study area and not included in the quantitative analysis, there are several parks that are considered within the walkable distance (under 20-minute walk) from the Affected Area, including Callahan-Kelly Playground, Howard Playground, Evergreens Cemetery, Carter G. Woodson Children's Park, and Success Garden. Owned and managed by the New York City Department of Parks and Recreation, these open spaces provide various high-quality outdoor activity options for the residents in the neighborhood, including passive enjoyment of the greens and active facilities such as basketball courts, fitness equipment, handball courts, outdoor pools, playgrounds, and spray showers. In addition, the Affected Area is located within a Walk to Park Service Area and is therefore not identified as a walk gap area. The additional open spaces that are not included in the quantitative analysis would help mitigate the impacts from the additional residents introduced by the Proposed Actions in the With-Action

Condition with CHO. As a result, no significant adverse impacts related to open space would occur because of the Proposed Actions in the With-Action Condition with CHO.

Table 4. Existing, No-Action, and With-Action with CHO Population and OSR

	Existing	No-Action	With-Action with CHO
Residents	36,315	38,444	38,862
Acreage	11.20	11.20	11.20
Resident OSR	**0.308**	**0.291**	**0.288**
		% Change	**-1.07%**

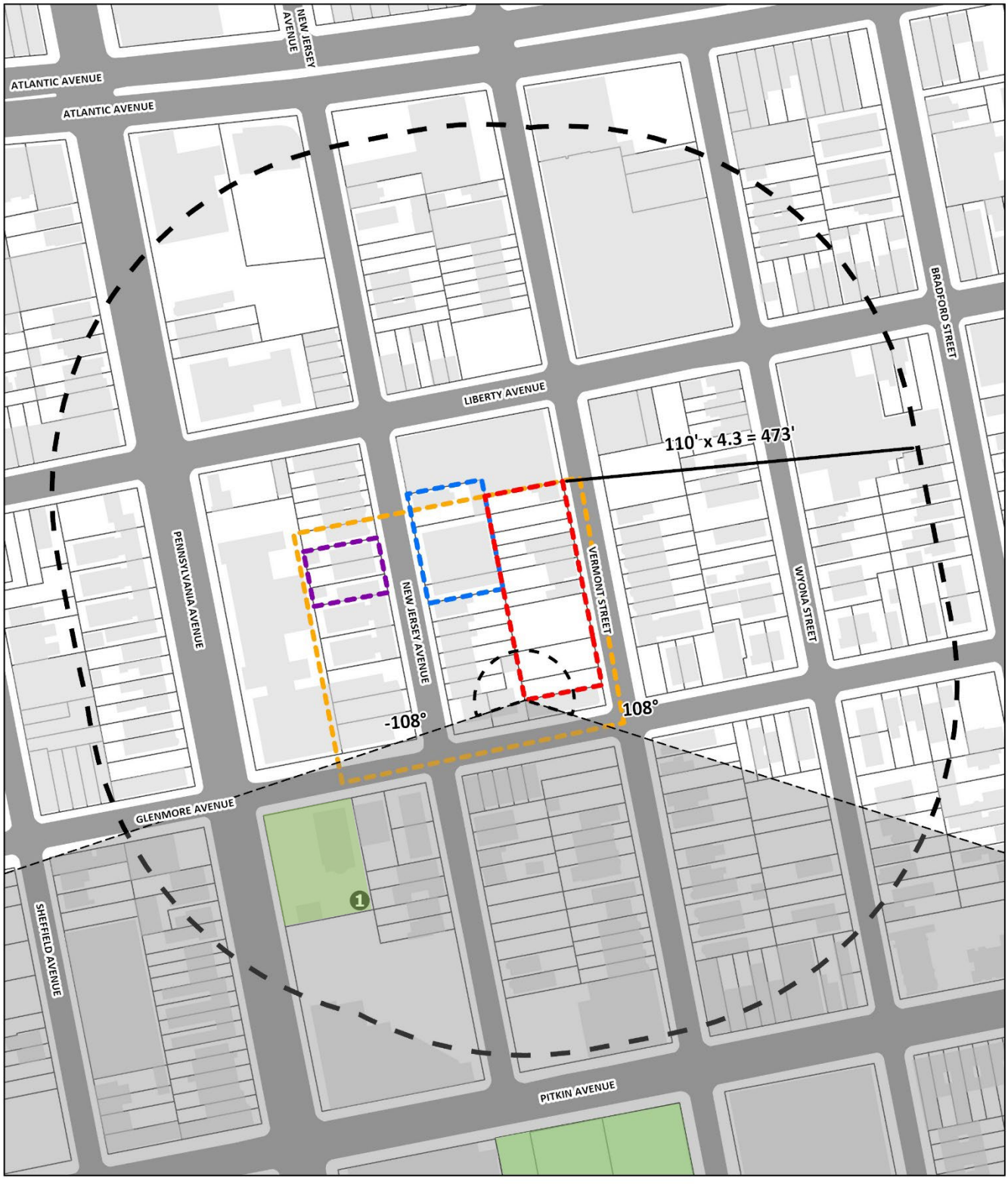
As analyzed above, the additional 25 dwelling units enabled by CHO, resulting in a total of 144 incremental dwelling units including the reduction of 34 market-rate units and the addition of 178 income-restricted dwelling units, would not alter the conclusion of the EAS, as the changes would not result in significant adverse impacts related to Open Space. As such, no further analysis is warranted.

Shadows

The Shadows analysis is considered for site-specific effects. As a result, Projected Development Site 1, Projected Development Site 2, and Potential Development Site 1 are analyzed. With the proposed CHO zoning text amendment, the maximum building height for shadows analysis could be 110 feet (95 feet with assumed 15-foot-tall bulkhead), increasing the maximum shadow radius from the 430 feet analyzed in the EAS to approximately 473 feet.

The additional 10 feet of maximum building height, as potentially enabled by CHO, plus the assumed 15-foot bulkhead would result in the expansion of this analysis area to 473 feet. Therefore, an analysis of how the increase in height with CHO would affect the shadows analysis results in the EAS is warranted. As shown in **Figure 1** below, no additional sunlight sensitive resources were identified within the expanded 473-foot radius. The Holy Trinity Russian Orthodox Church (Resource 1) would not be within the -108/+108-degree area in the With-Action Condition with the proposed CHO text amendment, which indicates that the shadows cast from the Proposed Development would not reach the church. Therefore, the additional height enabled by CHO would not result in significant adverse impacts related to Shadows and no further analysis is warranted.

Figure 1: Tier 1 and 2 Shadow Analysis with CHO



Historic and Cultural Resources

The Historic and Cultural Resources analysis is considered for site-specific effects. As a result, Projected Development Site 1, Projected Development Site 2, and Potential Development Site 1 are analyzed. As analyzed in the With-Action Condition within the EAS, the development of Projected Development Site 1, Projected Development Site 2, and Potential Development Site 1 would require in-ground disturbance. In the future with the CHO, the development with taller building heights would still require in-ground disturbance, but within the same scale, which would not result in additional in-ground disturbance compared to the With-Action Condition within the EAS.

Projected Development Site 1, Projected Development Site 2, and Potential Development Site 1 contain historic architectural resources within the 400-foot study area and cultural archaeological resources within the footprint of the block and lot lines. Though the development sites are located within 400 feet of one identified historic architectural resource (S/NR Eligible Maxwell High School), Projected Development Site 1 and 2 are buffered from the historic architectural resource by the roadway of New Jersey Avenue. In addition, since Potential Development Site 1 is adjacent to the identified historic architectural resource, a special protective measure TPPN #10/8 would be applied, which requires a monitoring program to reduce the likelihood of construction damage to adjacent NYCLs and NR-listed properties (within 90 feet) and to detect at an early stage the beginnings of damage so that construction procedures can be changed. With the protective measure in place, no significant direct impacts on architectural resources are anticipated.

In terms of the cultural archaeological resources, LPC review of archaeological sensitivity models and historic maps indicates that there is potential for the recovery of remains from 19th Century occupation on the project site. Accordingly, a Phase IA study was completed on the two Projected Development Sites and one Potential Development Site in December of 2022. The Phase IA recommended that a program of archaeological field testing (referred to as Phase IB) be undertaken on portions of each historic lot designated as potentially sensitive on Projected Development Site 1, Projected Development Site 2, and Potential Development Site 1. Instead of conducting a Phase IB testing, the Applicant is proposing to proceed with an Archeological Restrictive Declaration, which is a legal agreement between the Applicant and the city agency to address identified archaeological concerns after the environmental review process has been successfully concluded. Such agreement will mandate that the Applicant may not apply for Department of Buildings permits, including certificates of occupancy, until LPC has issued the documents specified in the agreement after the successful completion of archaeological work. With the Archeological Restrictive Declaration in place, no significant direct impacts on archaeological resources are anticipated.

The potential changes enabled by CHO would not alter the conclusion of the EAS, as the changes would not result in significant adverse impacts related to historic and cultural resources. As such, no further analysis is warranted.

Urban Design and Visual Resources

Urban Design and Visual Resources analysis is considered as site-specific effects. As a result, Projected Development Site 1, Projected Development Site 2, and Potential Development Site 1 are analyzed. The urban design and visual resources assessment provided in the EAS analyzed the 85-foot-tall buildings on Projected Development Site 1, Projected Development Site 2, and Potential Development Site 1 and concluded that the Proposed Actions would not result in significant adverse impacts on urban design and visual resources. The proposed CHO zoning text amendment would allow for an additional 0.30 FAR for income-restricted residential units in the proposed R6A district. In addition, the proposed CHO zoning text amendment would also allow an additional 10 feet of maximum height from 85 feet to 95 feet.

The additional height and bulk facilitated by CHO would result in a negligible change in building appearance that would not result in a negative pedestrian experience. The building height with CHO would not obstruct any important visual resources. The potential change in building height facilitated by CHO would not result in any significant adverse impacts to urban design and visual resources and therefore no further analysis is warranted.

Noise

Noise analysis is considered as site-specific effects. As a result, Projected Development Site 1, Projected Development Site 2, and Potential Development Site 1 are analyzed. The potential changes facilitated by CHO would not affect the With-Action Condition noise projections presented in the EAS. Noise levels would continue to be above the level requiring additional window and wall attenuation to maintain interior noise levels of 45 dB(A) or lower. Based on the results of the noise monitoring as summarized in the EAS, a window/wall attenuation of 28 dB(A) would be required on the facade facing Vermont Street, the facade facing Liberty Avenue within 50 feet of Vermont Street, the facade facing Glenmore Avenue, and the facade facing New Jersey Avenue within 50 feet of Glenmore Avenue. Therefore, the proposed (E) designation for Noise would remain the same as presented within the EAS to avoid significant adverse impacts to this technical area. Accordingly, the conclusions of the EAS are not affected by potential changes facilitated by CHO, as the changes would not result in significant adverse impacts related to noise. As such, no further analysis is required.

Construction

Construction analysis is considered as site-specific effects. However, only Projected Development Site 1 and 2 are analyzed, considering that the Applicant has no intent to redevelop the occupied residential buildings on Potential Development Site 1. Compared to the With-Action Condition analyzed within the EAS, the potential changes facilitated by CHO would allow for the development of mixed residential and community facility uses with an additional 13,663 GSF (12,688 ZSF) of residential uses, approximately 25 additional income-restricted residential dwelling units (resulting in a total of 144 incremental dwelling units including the reduction of 34 market-rate units and the addition of 178 income-restricted dwelling units), and 10 additional feet of maximum building height at Projected Development Site 1 and 2.

The potential changes facilitated by CHO would produce a negligible change to the With-Action Condition construction schedule, which would not affect the conclusions presented in the EAS. Therefore, the conclusions of the EAS are not affected by potential changes facilitated by CHO as the changes would not result in significant adverse impacts related to construction. As such, no further analysis is required.

Summary Conclusion

This Technical Memorandum assesses how the CHO proposal would potentially alter the analysis of the Proposed Actions and conclusions presented in the corresponding EAS. The CHO proposal as presented in the Draft Scope of Work would change the allowable FAR for this project's proposed R6A zoning district from 3.60 (pursuant to MIH) to 3.90 (pursuant to CHO). CHO would increase the allowable residential floor area by 0.30 FAR, or 8,866 GSF (8,233 ZSF), 4,798 GSF (4,455 ZSF), and 2,295 GSF (2,250 ZSF) for income-restricted residential units on Projected Development Site 1, Projected Development Site 2, and Potential Development Site 1, respectively. CHO would change the maximum height analyzed in the EAS for the proposed R6A district from 85 feet to 95 feet. Under the proposed CHO zoning text amendment, parking would not be required for the additional 0.30 residential FAR for income-restrictive dwelling units. Therefore, it is assumed that parking would not change under the With-Action condition with the proposed CHO zoning text amendment.

This Technical Memorandum concludes that the potential changes facilitated by CHO would not exceed thresholds nor create conditions that require new analysis, nor would the proposed changes affect the conclusions presented within the EAS.