FINAL SCOPE OF WORK FOR AN ENVIRONMENTAL IMPACT STATEMENT

500 Kent Avenue

CEQR No. 21DCP139K

Lead Agency:
NYC Department of City Planning

Applicant:
Kent Member LLC

Prepared by:
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19 January 2024

500 Kent Avenue

Final Scope of Work (FSOW)

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SCOPE OF WORK FOR AN ENVIRONMENTAL IMPACT STATEMENT

CEQR NO. 21DCP139K

~~February 17, 2021~~January 19, 2024

This document is the Final Scope of Work (FSOW) for the 500 Kent Avenue proposal Draft Environmental Impact Statement (DEIS). This Final Scope has been prepared to describe the Proposed Action, present the proposed framework for the EIS analysis, and discuss the procedures to be followed in the preparation of the DEIS. This Final Scope incorporates changes that were made subsequent to publication of the Draft Scope of Work (DSOW). Revisions of the Draft Scope have been incorporated into this Final Scope and are indicated by double-underlining new text and striking deleted text.

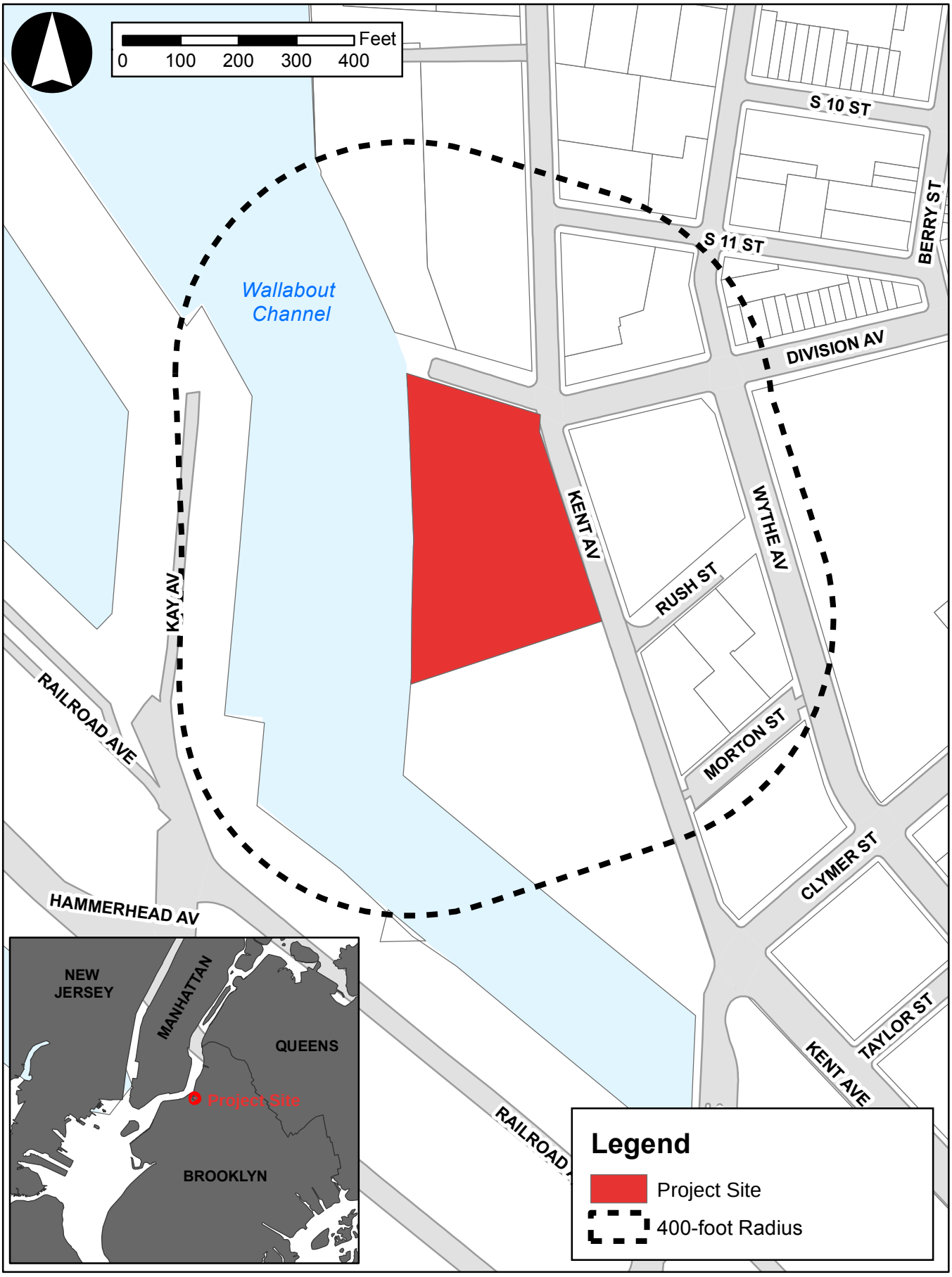
A. INTRODUCTION

This ~~Draft~~ Final Scope of Work (~~DSOW~~FSOW) outlines the technical areas to be analyzed in the preparation of an Environmental Impact Statement (EIS) for the 500 Kent Avenue proposal. The New York City Department of City Planning (DCP), acting on behalf of the New York City Planning Commission (CPC), as lead agency for City Environmental Quality Review (CEQR), has determined that the Proposed Actions may result in significant adverse environmental impacts and directed that an EIS be prepared.

The Applicant, 500 Kent LLC and United Jewish Organizations of Williamsburg, Inc.~~Kent Member LLC~~, proposes to develop a new 23-story, 352~~0~~-foot tall (roof height), ~~757,431~~684,242-gross-square-foot commercial building at 500 Kent Avenue (Block 2023, Lot 10) in the South Williamsburg neighborhood of Brooklyn Community District (CD) 2 (the "Project Site"). The building would contain approximately ~~593,435~~598,442 gross square feet (gsf) of office space, ~~20,476~~21,233 gsf of retail, and ~~196~~ 234 public parking spaces (~~143,520~~64,567 gsf) (the "Proposed Project"). The Project Site, which is owned by the Applicant, is a 115,244-sf zoning lot (see **Figure 1**).

To facilitate the Proposed Project, the Applicant is seeking the following approvals~~ Proposed Actions~~ collectively referred to as the Proposed Action: (1) a zoning map amendment that would rezone the 2.65-acre Project Site from M3-1 to M1-5; (2) a special permit pursuant to ZR 62-837 to modify various bulk requirements in sub-sections of ZR 62-341, including (i) ZR 62-341(a)(2) - initial setback distance, (ii) ZR 62-341(c)(1) - maximum base height, (iii) ZR 62-341(c)(2) - maximum building height, and (iv) ZR 62-341(c)(5) - maximum width of walls facing shoreline~~, and (v) 62-341(a)(4)(ii) - permitted obstruction lot coverage maximum for penthouses~~; and (3) a special permit pursuant to ZR 74-5~~1~~2 to allow a ~~196~~234-space public parking garage~~; (4) a waterfront zoning authorization to permit modification of certain otherwise applicable waterfront zoning regulations~~. The project also requires one non-discretionary ministerial action by the City Planning Commission: a waterfront zoning certification pursuant to ZR 62-81 to demonstrate compliance with ~~other~~ applicable waterfront zoning regulations~~ not modified pursuant to the authorization~~.

Figure 1
Project Location



A reasonable worst-case development scenario (RWCDS) has been established for the Proposed Action~~s~~ for an analysis year of ~~2024~~2026. Under the RWCDS, the Proposed Project would be constructed pursuant to the proposed zoning map amendment, zoning special permits, ~~waterfront zoning authorization,~~ and waterfront zoning certification, instead of an as-of-right development built pursuant to the existing zoning. Under the RWCDS the Proposed Action~~s are~~ is expected to result in a net increase of 540,442 gsf of commercial office space, 21,233 gsf of retail space, and 49,453 sf (1.14 acres) of ~~waterfront~~public open space~~555,911 gsf of commercial space, including office and retail spaces~~, a net reduction of 181,401 gsf of warehouse space and a net decrease of 45 parking spaces (consisting of a net decrease of 279 off-street accessory parking spaces and ~~(~~a net increase of ~~196~~ 234 public parking spaces and a switch from accessory to public parking) as compared to the 2026~~4~~ future without the proposed action, the baseline for environmental analysis.

This document provides a description of and purpose and need for the Proposed Action~~s~~, the resulting Proposed Project and associated RWCDS, and task categories for all technical areas to be analyzed in the EIS.

B. REQUIRED APPROVALS AND REVIEW PROCEDURES

Required Approvals

The Proposed Action~~s~~ would encompass discretionary approvals that are subject to review under the Uniform Land Use Review Procedure (ULURP), Section 200 of the City Charter, and CEQR process. These include:

- A zoning map amendment (Zoning Sectional Map 12d) approval by the CPC to change the zoning in the Proposed Rezoning Area from the existing M3-1 heavy manufacturing zoning district to an M1-5 light manufacturing zoning district (see **Figure 2**);
- A Special Permit approval by the CPC pursuant to ZR 62-837 to modify various waterfront bulk requirements contained in sub-sections of ZR 62-341, including: (i) initial setback distance, (ii) maximum base height, (iii) maximum building height, and (iv) maximum width of wall~~s~~ facing shoreline~~, and (v) permitted obstruction lot coverage requirement for penthouses~~;
- A Special Permit pursuant to ZR 74-5~~1~~2 to allow a below-grade public parking garage with ~~196~~ 234 spaces in the Proposed Project;
- ~~A Waterfront Zoning Authorization pursuant to ZR 62-822(b) to allow modification of ZR 62-62(c)(1) planting area requirements.~~

The project is also seeking a non-discretionary Waterfront Zoning Certification by the CPC pursuant to ZR 62-81 to demonstrate compliance with ~~other applicable visual corridor and~~ waterfront zoning ~~public access~~ regulations.

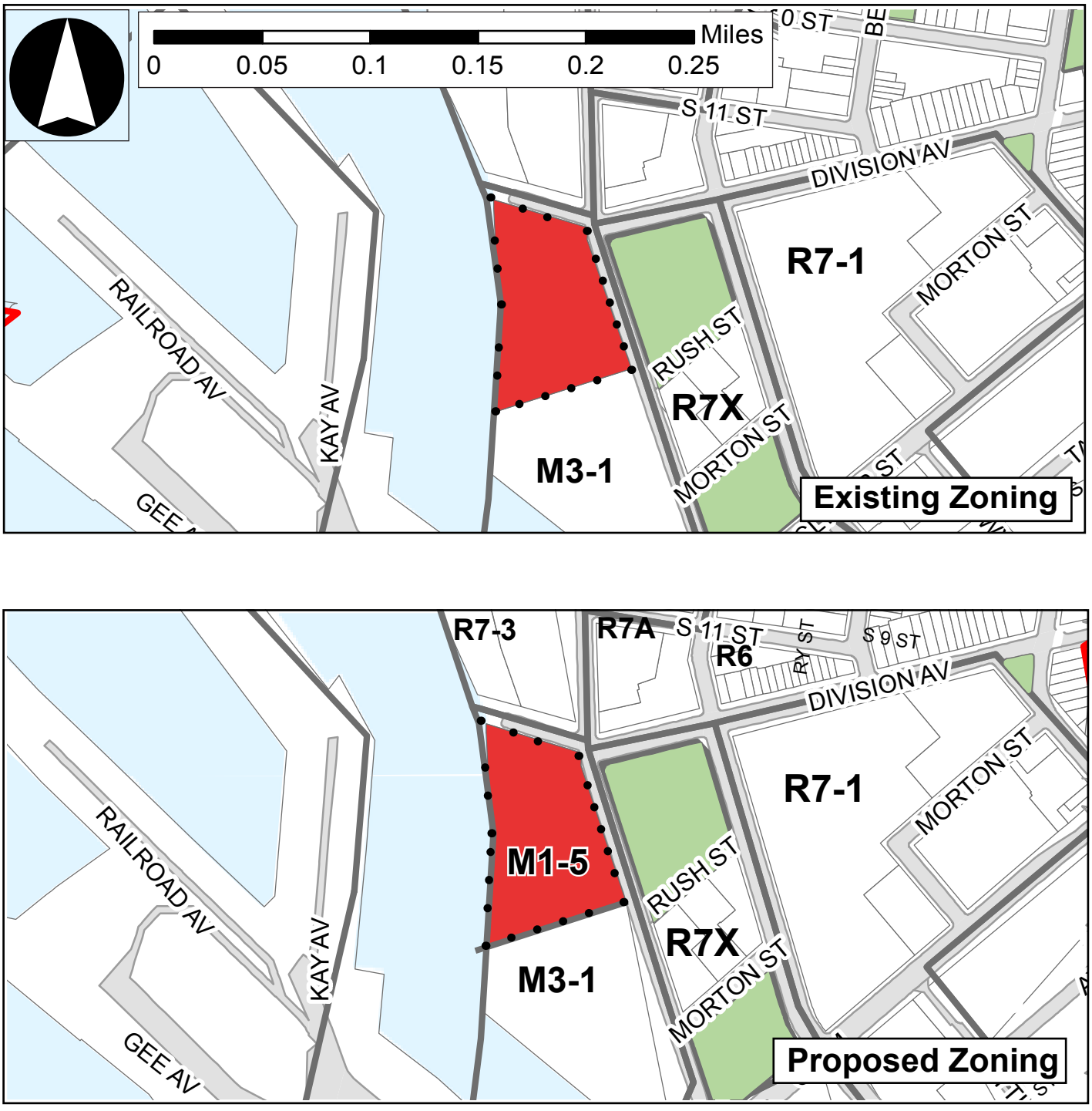
All of these approvals would only apply to the Project Site.

Zoning Map Amendment

The proposed zoning map amendment would rezone the Project Site (see **Figure 2**) from M3-1 to M1-5. As a result, changes to what is permitted/prohibited would include: prohibiting heavy manufacturing uses

Figure 2

Existing & Proposed Zoning



(Use Group 18) allowed under M3-1 and permitting certain types of community facility (Use Group 4) and transient accommodations (Use Group 5) not allowed under M3-1 while continuing to allow other types of commercial uses (Use Groups 6-14 and 16) and light manufacturing uses (Use Group 17) as-of-right; allowing higher densities of commercial and light manufacturing by increasing permitted FAR from 2.0 to 5.0 and allowing a community facility maximum FAR of 6.5; allowing a larger maximum permitted bulk envelope including increasing maximum base height from 60 to 65 feet and maximum building height from 110 to 185 feet; and eliminating accessory parking requirements for most permitted uses including those included in the Proposed Project. This would create opportunities for increased development at densities comparable to other waterfront developments in the area; for example, the area immediately to the north was rezoned from M3-1 to R7-3/C2-4 in 2006, increasing the maximum permitted FAR from 2.0 to 5.0 (Kedem Winery Redevelopment Rezoning: ULURP No. C 020518 ZMK).

ZR 62-837 Bulk Modifications on Waterfront Block Special Permit

The proposed Special Permit pursuant to ZR 62-837 would modify:

(i) initial setback distance: ZR 62-341(a)(2) requires the development has a 10-foot setback from a wide street, a 15-foot setback from a narrow street and a visual corridor, and a 30-foot setback from a shore public walkway above the required base height of 65 feet. As would be allowed by the special permit the Proposed Project has: (a) a horizontal plane area of approximately 1,890 sf encroaching within the required 30-foot setback from the shore public walkway for a frontage of approximately 125 feet to a maximum permitted height of 130 feet (however this building volume is planned to only reach a height of approximately 127 feet); (b) a horizontal plane area of approximately 900 sf encroaching within the required 30-foot setback from the shore public walkway for a frontage of approximately 60 feet to a maximum permitted height of 355 feet (however the proposed project is planned to only reach a height of approximately 352 feet); (c) a horizontal plane area of approximately 1,070 sf encroaching within the 10-foot required setback from Kent Avenue for a frontage of approximately 110 feet to a maximum permitted height of 130 feet (however this building volume is planned to only reach approximately 127 feet); and (d) a horizontal plane area of approximately 140 sf encroaching within the 10-foot required setback from Kent Avenue for a frontage of approximately 30 feet to a maximum permitted height of 355 feet (however the proposed project is planned to only reach a height of approximately 352 feet). ~~ZR 62-341(a)(2) requires a 10-foot setback from a wide street, a 15-foot setback from a narrow street, and a 30-foot setback from a shore public walkway above the required base height of 65 feet; the Proposed Project would provide a 10-foot setback at a height of 125 feet along Kent Avenue for a width of approximately 109 feet, i.e., setting back 65 feet higher than required;~~

(ii) maximum base height: ZR 62-341(c)(1) allows a maximum base height of 65 feet; consistent with the setback waiver described above for item (i), portions of the Proposed Project would have maximum permitted base heights of 130 feet and 355 feet (however the proposed project is planned to only reach base heights of approximately 127 feet and approximately 352 feet, respectively); the dimensions and cubic volumes of the initial setback and maximum base height encroachments would be defined per the application's zoning waiver plans. ~~ZR 62-341(c)(1) allows a maximum base height of 65 feet; the Proposed Project would have a base height of 125 feet;~~

(iii) maximum building height: ZR 62-341(c)(2) allows a maximum building height of 185 feet; the Proposed Project would have a maximum permitted building height of 355 feet, a cubic volume encroachment extending 170 feet vertically with a horizontal plane area of approximately 20,530 sf at its upper plane. ~~ZR 62-341(c)(2) allows a maximum building height of 185 feet; the Proposed Project would have a building height of 3505 feet;~~

(iv) maximum width of wall facing shoreline: ZR 62-341(c)(5) allows a maximum width of 100 feet for walls above the 65-foot maximum base height and facing the shoreline; the Proposed Project would have walls facing the shoreline with a cumulative width of approximately 345 feet; the height of shoreline facing walls would vary consistent with the other waiver modifications described and as defined per the application's zoning waiver plans. ~~ZR 62-341(c)(5) allows a maximum width of 100 feet for walls above the base height and facing the shoreline; however, the 23-story tower portion of the Proposed Project would have a wall facing the shoreline with a width of 135 feet;~~

~~(v) permitted obstruction lot coverage maximum for penthouses: ZR 62-341(a)(4)(ii) requires that penthouses, i.e., enclosed areas above the maximum permitted building height, have a gross area lot coverage equivalent to at least 50 percent and not more than 85 percent of highest story of building that is located entirely below the maximum permitted height; the Proposed Project penthouse would only cover 10.5 percent of said area.~~

ZR 74-5~~1~~2 Public Parking Garage Special Permit

The proposed Public Parking Garage Special Permit pursuant to ZR 74-5~~1~~2 by the CPC would allow the Proposed Project to provide a 234-space public parking garage in excess of 150 spaces on the Proposed Development. Without the proposed Public Parking Garage Special Permit, the Project Site would provide only the maximum number of spaces permitted pursuant to the proposed M1-5 zoning, i.e., 150 spaces if a single entry/exit curb cut provided or 225 spaces if complying separate entry/exit curb cuts are provided, which in either case would not fully address the Proposed Project's anticipated site-generated parking demand. (NB: with the proposed M1-5 zoning no parking would be required.) The Public Parking Garage Special Permit would enable the building to provide ~~196~~ 234 parking spaces and to make productive use of its cellar space and fully accommodate its own on-site demand.

~~**ZR 62-822(b) Waterfront Zoning Authorization**~~

~~A waterfront zoning authorization pursuant to ZR 62-822(b) by the CPC is being sought to allow the Proposed Project to modify its compliance with ZR 62-513 planting area requirements in order to provide additional hardscape areas connecting the shore public walkway and upland waterfront public access areas. Given the site's grade, which rises from the waterfront toward Kent Avenue, these hardscape areas would include stepped and sloped paved areas facilitating public access through the site.~~

ZR 62-81 Waterfront Zoning ~~Public Access and Visual Corridor~~ Certification

Certification pursuant to ZR 62-81 by the CPC Chair to the DOB demonstrating compliance with ~~other~~ applicable waterfront zoning ~~public access and visual corridor~~ regulations.

City Environmental Quality Review (CEQR) and Scoping

The Proposed Project is classified as a Type 1 Action, as defined under New York State Codes, Rules, and Regulations Part 617.4 and NYC Executive Order 91 of 1977 §6-15 (2), subject to environmental review in accordance with CEQR guidance. An Environmental Assessment Statement (EAS) and Positive Declaration ~~is anticipated to be~~ were issued on February ~~22~~ 17, 2021 by DCP, as lead agency. DCP has determined that the Proposed Action~~s~~ may result in significant adverse environmental impacts and directed that an EIS be prepared.

This ~~Draft~~ Final Scope of Work (DSOW) for the preparation of an EIS contains a description of the Proposed Action~~s~~ and the tasks that would be undertaken to analyze the potential environmental impacts of the Proposed Action~~s~~ and associated RWCDS. The issuance of the DSOW marked~~s~~ the beginning of the public comment period. The scoping process allows the public a voice in framing the scope of the EIS. The scoping document sets forth the analyses and methodologies that will be utilized to prepare the EIS. During the public comment period, those interested in reviewing the DSOW ~~may~~ were able to do so and gave ~~give~~ their comments to the lead agency. In accordance with City and State environmental review regulations and methodologies, the Draft Scope of Work to prepare the EIS was issued on February 17, 2021. The public, interested agencies, and elected officials, ~~are~~ were invited to comment on the DSOW, either in writing or orally, at the public scoping meeting.

A public scoping meeting ~~is anticipated to be~~ was held on March 25, 2021 ~~starting~~ at 2 pm. In support of the City's efforts to contain the spread of COVID-19, DCP ~~will hold~~ held the public scoping meeting remotely through video conferencing. The meeting ~~will be~~ was live streamed and accessible from New York City's online remote meeting portal- NYC Engage: www.nyc.gov/NYCEngage

Comments were received during the scoping meeting and written comments received up to ten days after the meeting - through ~~Monday,~~ April 5, 2021~~, will be~~ - were considered and incorporated, as appropriate, into ~~the~~ this ~~Final Scope of Work (~~FSOW~~)~~. The FSOW ~~will~~ incorporates all relevant comments made on the DSOW and has revised the extent or methodologies of the studies, as appropriate, in response to comments made during the CEQR scoping process, and includes any other necessary changes to the scope of work for the EIS. Appendix II includes responses to comments made on the DSOW. The oral and written comments received are included in Appendix III. The ~~Draft EIS (~~DEIS~~)~~ will be prepared in accordance with ~~the resulting~~ this FSOW.

Once the DEIS is complete, the document will be made available for public review and comment. A public hearing will be held on the DEIS in conjunction with the CPC hearing on the land use applications to afford all interested parties the opportunity to submit oral and written comments. At the close of the public review period, a Final EIS (FEIS) will be prepared. Comments made on the DEIS will be responded to and incorporated into the FEIS, as appropriate. The FEIS will then be used by the relevant City agencies to evaluate CEQR findings, which address project impacts and proposed mitigation measures, and to decide whether to approve the requested discretionary actions, with or without modifications. The rationale for this decision is then set forth in a document called a Statement of Findings.

C. PROJECT DESCRIPTION

Project Site

The 115,244-sf Project Site, which consists of one tax lot (Lot 10) on Block 2023, is an irregularly-shaped, waterfront property and corner lot bound by Wallabout Channel to the west, Division Avenue to the north, Kent Avenue to the east, and the Brooklyn Navy Yard's Nassau Gas Works site to the south. The lot, which is currently vacant, has approximately 227 feet of frontage on Division Avenue, approximately 372 feet of frontage on Kent Avenue and approximately 528 feet of shoreline along Wallabout Channel. It was occupied by power generating plants from the late nineteenth to early twenty-first centuries. In 1959, Consolidated Edison (Con Edison) acquired the property from the City of New York. Con Edison continued to operate the power plant until shuttering it in 1999 and subsequently demolished the plant buildings in 2009. Con Edison performed environmental remediation which was completed in 2014 under New York State Department of Environmental Conservation supervision through the Voluntary Cleanup Program.

The project site has been vacant since 2009 and the applicant acquired it from Con Edison in 2019 with the intent of redeveloping it.

The Project Site also constitutes the proposed rezoning area and the zoning lot that would be subject to the special permits, ~~zoning authorization,~~ and waterfront zoning certification, i.e., there are no other sites affected by the Proposed Action~~s~~. Similarly, there are no other sites that would transfer developments rights to or from the Project Site.

Zoning

As shown in **Figure 2,** the Project Site has been zoned M3-1 since the adoption of the 1961 Zoning Resolution, when the power plant was the existing use on the property. M3 districts are designated for heavy industries that generate noise, traffic, or pollutants. Typical uses include power plants, solid waste transfer facilities and recycling plants, and fuel supply depots, though permitted uses also include warehousing, automotive uses, and most types of commercial uses. Even in M3 districts, uses with potential nuisance effects are required to conform to minimum performance standards. M3 districts are usually located near the waterfront and buffered from residential areas. No new residences or community facilities are permitted as-of-right in M3 districts. Development within M3-1 districts can be built to a maximum FAR of 2.0, with bulk subject to special waterfront regulations as it is located on a waterfront block. Within M3-1 districts, off-street parking is required and varies by use.

Public Policy

The Project Site is located within the City's designated Coastal Zone and the Brooklyn Navy Yard Industrial Business Zone (IBZ), although it is not part of the Brooklyn Navy Yard.

The Coastal Zone, designated by the City pursuant to legislative guidance, consists of land and water that have a direct and significant effect on coastal waters. Proposed projects that are located within the designated boundaries of New York City's Coastal Zone must be assessed for their consistency with the City's Waterfront Revitalization Program (WRP).

The designation of an IBZ seeks to foster high-performing business districts by creating competitive advantages over locating in areas outside of New York City. The IBZs are supported by tax credits for relocating within them, zone-specific planning efforts, and direct business assistance from Industrial Providers of NYC Business Solutions Industrial and Transportation. In light of the purpose of IBZs to foster industrial sector growth by creating real estate certainty, residential rezonings are generally not supported within IBZs. Unlike the other properties in this IBZ, the Project Site is privately-owned and was not historically part of the Navy Yard.

Surrounding Area and Context

The Project Site is located in the southwestern portion of the Williamsburg neighborhood of Brooklyn and is immediately northeast of the Brooklyn Navy Yard, which is now an industrial park with many adaptively reused older structures and some new buildings. Predominant land uses in the area surrounding the Project Site include low-, mid-, and high-rise apartment multi-family residential and mixed use buildings, commercial uses, industrial properties, and vacant land. Generally, there has been a trend of redevelopment of vacant land and underutilized and unoccupied properties formerly occupied by industrial and general service uses with new higher density residential and commercial development, particularly along the waterfront. There are several notable buildings within the surrounding area. These

include Schaefer Landing, a waterfront apartment complex located 0.2 miles north of the Project Site completed in 2006 that consists of three apartment buildings and contains a total of approximately 350 DUs, of which 140 DUs are affordable housing units, approximately 10,000 gsf of retail, and approximately 146 accessory parking spaces. Also on the waterfront, 0.3 miles north of the project site is 420 Kent Avenue, an apartment complex with two separate buildings. The development, completed in 2019, has a total of 857 DUs, of which 186 DUs are affordable housing units, 15,867 sf of commercial space, and 429 accessory parking spaces. Notable institutional uses including Beikvie Hatzion and Ohel Sura Schools. There are several public open spaces in the vicinity of the Project Site including Roberto Clemente Ballfields, located across the street from the Project Site, Jacob's Ladder Playground, located one block southeast of the Project Site, Schaefer Landing Park, and 420 Kent Avenue waterfront public open space. Bedford Playground is located three blocks northeast of the project site, it is one acre and has basketball courts, handball courts and playgrounds.

Beside M3-1, which is also mapped in the Brooklyn Navy Yard area immediately to the south of the Project Site, predominant zoning designations in the surrounding area include an M1-2 light manufacturing district, C4-3 commercial district, and R6, R7X, R7A, R7-1, and R7-3 residential districts.

The Project Site is well served by public transit. The Marcy Avenue J/M/Z subway station (to the northeast at the intersection of Broadway and Williamsburg Street) is located approximately 0.7 miles from the Project Site. In addition, the B67 (connecting Williamsburg Bridge Plaza and Long Island City) runs along Kent and Wythe Avenues, the B62 (connecting Downtown Brooklyn/Fulton Mall and Long Island City) runs along Wythe and Kent Avenues, and the B32/Q59 (connecting Lefferts Gardens/Prospect Park and Greenpoint) run along Broadway. The South Williamsburg landing on the East River Ferry route is located less than 0.3 miles to the north of the Project Site at the western terminus of S. 10th Street. The site is served by bike lanes on Kent and Wythe avenues. The bike lane on Kent Avenue will eventually be a part of the Brooklyn Waterfront Greenway, a long corridor of bike lanes connecting open space along the waterfront in Brooklyn. There is also a Citi Bike station located on Kent Avenue and S 11th Street 300-feet to the north of the Project Site.

Purpose and Need for the Proposed Action~~s~~

Overview

In the vicinity of the Project Site both the demand for workspace and the residential population have increased substantially in recent years. The Brooklyn Navy Yard (BNY), immediately south and southwest of the Project Site, has undergone a transformation and is now home to over ~~400~~ 450 commercial and light industrial businesses employing ~~approximately 8,000~~more than 11,000 people with further growth anticipated. At the same time, there has been a resurgence of residential development in Williamsburg and other nearby neighborhoods. There are multiple new, high rise residential buildings near the Project Site and additional development expected in the future. The City is now promoting the increase of walk-to-work commuting patterns and new forms of public transportation along the waterfront including the NYC Ferry service. By providing a new hub of business development, the Proposed Project would be compatible with the ongoing development of the neighboring BNY and would be complementary to the increased residential uses in the area, providing space for work (office) and shopping (retail) that could reduce travel times and distances for local residents.

As a medium-density, i.e., 5.0 FAR, commercial waterfront development the Proposed Project would provide a transitional land use between two distinct areas, the commercial-industrial BNY to the south and the redeveloping, predominantly residential waterfront corridor to the north. As such, it would infill

a vacant site at a density similar to other nearby developments, buffering residential uses from the BNY and light industrial uses from residential developments across the street to the north and east. The applicant believes that this project, by leveraging demand for office in space in Brooklyn, would further the mission of the Brooklyn Navy Yard IBZ by strengthening the non-residential character of the IBZ with an active commercial use compatible with the mix of uses in present in the Navy Yard.

More broadly, the Proposed Project would result in the re-use of a vacant, former brownfield site that has been remediated and is served by existing water and sewer infrastructure and other utilities. The Proposed Project would contribute to the vitality of Brooklyn's East River waterfront and its new public waterfront open space by attracting new workers and visitors to the site.

Need for the Proposed Action~~s~~

The approvals that comprise the Proposed Action~~s~~ are intended to facilitate the applicant's proposed 23-story, approximately ~~757,431~~684,242-gsf (576,220-zsf) commercial building on the project site.

Proposed Zoning Map Amendment

The site's existing M3-1 zoning district, in place since the adoption of the 1961 Zoning Resolution, limits the maximum floor area ratio (FAR) for the site to 2.0 for permitted manufacturing and commercial uses (Use Groups 6-14, 16-18), specifies sky exposure plane bulk requirements as modified by waterfront zoning regulations, and requires parking at a rate of 1 space per 300 zsf for general retail and office uses. The Proposed Project could not be facilitated as-of-right under the existing zoning as M3-1 would not allow the project's proposed density and bulk envelope and would require substantially more parking spaces than the project's anticipated demand.

Given the Proposed Project's location in the BNY IBZ, City policy is that IBZ land be retained for potential industrial uses and should not allow for residential rezonings; accordingly, the applicant seeks a rezoning to M1-5 which would limit the site to permitted commercial, light manufacturing uses, and community facility uses; commercial hotel uses only would be allowed by special permit and the applicant is not seeking such a special permit.

The proposed zoning map amendment from M3-1 to M1-5 would establish maximum FAR of 5.0 for permitted manufacturing and commercial uses (Use Groups 5-14, 16-17) and 6.5 for community facility uses (Use Group 4), which the applicant considers to be a more appropriate density to achieve the development on the site. The M1-5 district regulations would act as a buffer between the future residential uses at 470 Kent Avenue to the north and the BNY to the south.

Proposed Special Permits

The proposed special permits would facilitate a design that the applicant believes is superior in terms of function and aesthetics to what can be achieved as-of-right under the proposed M1-5 zoning and allow for a provision of parking at a level commensurate to the site-generated demand.

~~*Proposed Waterfront Zoning Authorization*~~

~~The proposed waterfront zoning authorization pursuant to ZR 62-822(b) would allow a modification of planting requirements specified in ZR 62-62(c)(1) in the upland public access area. The applicant believes that strict compliance with planting coverage requirements would adversely affect the utility of the public~~

~~open space. The increased hardscape area that would be permitted by the authorization would facilitate better pedestrian circulation between the shore public walkway and upland areas, thereby improving visitor experience and encouraging better public realm linkages between the waterfront and Kent Avenue. The modification allowed by the proposed authorization would not, in the applicant's opinion, detract from the public's use and enjoyment of the waterfront public access area. The applicant believes that this modification would result in a design that is functionally equivalent or superior to one prescribed by strict adherence to the applicable provisions.~~

The Proposed Project

The Proposed Action~~s~~ would facilitate the development of the Proposed Project, a new 23-story (352~~0~~-foot tall) commercial building with office and retail space on the Project Site. The Proposed Project would contain a total of 684,242~~757,431~~ sf of gross floor area (gfa, a/k/a gsf) [576,220 sf of zoning floor area (zfa, a/k/a zsf)], comprised of: 598,442~~593,435~~ gsf (555,476~~556,358~~ zsf) of Use Group 6B office, 21,233~~20,476~~ gsf (20,744 ~~19,862~~ zsf) of Use Group 6A retail, and 64,567~~143,520~~ gsf of below-grade parking. Two loading berths would be provided, as required by the office use. A ~~196~~234~~-~~space public parking garage would be located in the cellar, which would be exempt from being counted as floor area. Waterfront public open space would be provided, including a 20,466-sf shore public walkway along Wallabout Channel,~~ 2,714~~ 2,584-sf supplemental public access area linking the shore public walkway to a covered corridor between two wings of the building extending up to Kent Avenue, and two additionally provided public open spaces. One would be 12,350 sf, designated Public Access Area (PAA) 1, which would link the shore public walkway and supplemental public access area with the corner of the site at Kent Avenue and Division Avenue through the middle portion of the site between the building's two bases. The other additionally provided public open space would be ~~an approximately~~ 14,053 ~~-~~sf coinciding with the required ~~area also serving as a~~ visual corridor along the southern edge of the project site, designated PAA 2, linking Kent Avenue to the shore public walkway. In~~, for a~~ total, there would be ~~of~~ ~~37,233~~49,453 sf of publicly accessible open space.

D. ANALYSIS FRAMEWORK FOR ENVIRONMENTAL REVIEW

The Proposed Action~~s~~ would change the regulatory controls governing land use and development on the Project Site. The 2021~~0~~ *CEQR Technical Manual* will serve as the general guide on the methodologies and impact criteria for evaluating the Proposed Action's~~'~~ potential effects on various environmental areas of analysis. The EIS defines a RWCDS for analysis using site-specific assumptions that can be reasonably anticipated base on zoning and surround land use trends. Based on this, the EIS considers the Proposed Action's~~'~~ potential to result in significant adverse impacts on the environmental setting.

Reasonable Worst-Case Development Scenario (RWCDS)

In order to assess the possible effects of the Proposed Action~~s~~, a RWCDS was developed for both Future No-Action and Future With-Action conditions. The incremental difference between the Future No-Action and Future With-Action conditions will serve as the basis for the impact analyses of the EIS.

Analysis Year

Accounting for the ULURP approval timeline and based on the Proposed Project's anticipated 2~~0~~2-month construction timeline, it is assumed that full build-out would occur ~~by 2024~~in 2026. Accordingly, the EIS will use a 2026~~4~~ analysis year. As development facilitated by the Proposed Action~~s~~ is expected to be

operational in 202~~6~~4, its environmental setting is not the current environment, but the future environment. Therefore, the technical analyses assess current conditions and forecast these conditions to the analysis year of 202~~4~~6 for the purposes of determining potential impacts.

Project Site

As noted above, the Proposed Action~~s~~ would only have the potential to result in new development on the Project Site, i.e., there are no other areas that may have the potential to be directly affected by the Proposed Action~~s~~.

The Future without the Proposed Action~~s~~ (No-Action Condition)

The future without the Proposed Action~~s~~ condition—also known as the "No-Action condition"—assumes the future conditions on the Project Site and surrounding area without approval of the Proposed Action~~s~~. Absent the Proposed Action~~s~~, it is anticipated that the Project Site would be developed as-of-right under the existing M3-1 zoning. The No-Action development would have an FAR of 2.0 (1.5 FAR of warehouse use and 0.5 FAR of office space) maximizing the permitted 2.0 FAR and would be 74 feet tall with four stories. The project site would be occupied by approximately 312,599 gsf, including 58,000 gsf of office space, 181,401 gsf of warehouse space, and 73,198 gsf of accessory parking. In terms of zoning floor area, it would have 57,622 zsf of office space and 172,866 zsf of warehouse space. As the No-Action development would be predominantly Use Group 16d warehouse, the Project Site will be exempt from waterfront public access area and visual corridor requirements and therefore no on-site public open space would be provided. The Project Site would provide 279 accessory parking spaces on the first and mezzanine floors, meeting the minimum requirement that the site provide 1 space per 300 zsf of office space and 1 space per 2,000 zsf of warehouse space. A summary of the No-Action uses on the Project Site is provided in **Table 1**, below.

Table 1, Comparison of RWCDS No-Action and With-Action Development Scenarios (Project Site)

Use	No-Action Scenario	With-Action Scenario	Increment
Commercial			
Office	58,000 gsf	598,442~~593,435~~ gsf	**+540,442~~535,534~~ gsf**
Retail	0 gsf	21,233 ~~20,476~~ gsf	**+21,233~~20,476~~ gsf**
Warehouse	181,401 gsf	0 gsf	**-181,401 gsf**
Public~~al~~ly Accessible Open Space	0 gsf	49,453~~37,233~~ gsf	**+49,453~~37,233~~ gsf**
Parking			
Spaces	279 accessory spaces (attended)	~~196~~ 234 public spaces (~~non-~~attended)	**-45~~83~~ spaces**
Area	73,198 gsf	64,567 gsf	**-8,631 gsf**
TOTAL	***312,599 gsf***	***~~757,431~~684,242 gsf***	***+371,643~~444,833~~ gsf***
Building height (roof)	74 feet	352~~0~~ feet	**+278~~6~~ feet**
Building stories	4	23	**+19**
Workers[1]	413 workers	2,458~~35~~ workers	**+2,045~~22+~~ workers**

Notes:

[1] Estimate of workers is based on standard rates and are as follows: 1 worker per 250 gsf of office space; one worker per 333 gsf of retail space; and 1 worker per 1,000 gsf of warehouse space

The Future with the Proposed Action~~s~~ (With-Action Condition)

The future with the Proposed Action~~s~~ condition—also known as the "With-Action condition"—assumes the Project Site would be redeveloped as proposed by the Applicant, pursuant to the Proposed Action~~s~~.

As a result, the With-Action development scenario for the Project Site would include 598,442~~593,435~~ gsf of commercial office uses, 21,233~~20,476~~ gsf of retail uses, and 64,567~~143,520~~ gsf of below-grade parking/mechanical space containing ~~196~~ 234 public parking spaces (see **Table 1**).

Net Increment: Possible Effects of the Proposed Action~~s~~

Table 1 provides a comparison of the No-Action and With-Action scenarios identified for analysis purposes of the Proposed Action~~s~~. As shown, the incremental (net) change that would result from the Proposed Action~~s~~ would be the net addition of 540,442~~535,435~~ gsf of office space, 21,233~~20,476~~ gsf of retail space, ~~and 196 off-street public parking spaces,~~ as well as a net reduction of approximately 181,401 gsf of warehouse space and ~~279~~ 45 ~~off-street accessory~~ parking spaces (~~a net decrease of 83 spaces and~~ with a switch from accessory to public parking). **Table 1** also provides an estimate of the number of workers generated by the Proposed Action~~s~~. As shown in **Table 1**, based off these ratios, the incremental change in workers that would result from the Proposed Action~~s~~ is the net addition of 2,045~~22~~ workers. The With-Action building would be 27~~8~~6 feet and 19 stories taller than the No-Action building.

E. PROPOSED SCOPE OF WORK FOR THE EIS

Because the Proposed Action~~s~~ would affect various areas of environmental concern and were found to have the potential for significant adverse impacts in a number of impact categories, pursuant to the EAS and Positive Declaration, an EIS will be prepared for the Proposed Action~~s~~ that will analyze all technical areas of concern.

The EIS will be prepared in conformance with all applicable laws and regulations, including the State Environmental Quality Review Act (SEQRA; Article 8 of the New York State Environmental Conservation Law) and its implementing regulations found at 6 NYCRR Part 617, New York City Executive Order No. 91 of 1977, as amended, and the Rules and Procedure for CEQR, found at Title 62, Chapter 5 of the Rules of the City of New York.

The EIS, following the guidance of the *~~2020~~ 2021 CEQR Technical Manual*, will include:

- A description of the Proposed Action~~s~~, Proposed Project, and its environmental setting;
- A statement of the environmental impacts of the Proposed Action~~s~~, including short- and long-term effects and typical associated environmental effects;
- An identification of any adverse environmental effects that cannot be avoided if the Proposed Action~~s are~~ is implemented;
- A discussion of reasonable alternatives to the Proposed Action~~s~~;
- An identification of irreversible and irretrievable commitments of resources that would be involved in the Proposed Action~~s~~, should it be implemented; and
- A description of mitigation proposed to eliminate or minimize any significant adverse environmental impacts.

Based on the preliminary screening assessments as outlined in the *CEQR Technical Manual* and detailed in the EAS for the Proposed Action~~s~~, all of the CEQR technical areas warrant assessment and would

therefore be included in the EIS, with the following exceptions: community facilities and services; and solid waste and sanitation services. The specific technical areas to be included in the EIS, as well as their respective tasks and methodologies, are described below.

TASK 1. PROJECT DESCRIPTION

The first chapter of the EIS introduces the reader to the Proposed Action~~s~~ and sets the context in which to assess impacts. This chapter contains a description of the Proposed Action~~s~~: site location; the background and/or history of the project; a statement of the purpose and need; key planning considerations that have shaped the current proposal; a detailed description of the Proposed Action~~s~~; and discussion of the approvals required, procedures to be followed, and the environmental review process.

In addition, the Project Description chapter will present the planning background and rationale for the ~~actions~~ approvals being proposed and summarize the RWCDS for analysis in the EIS.

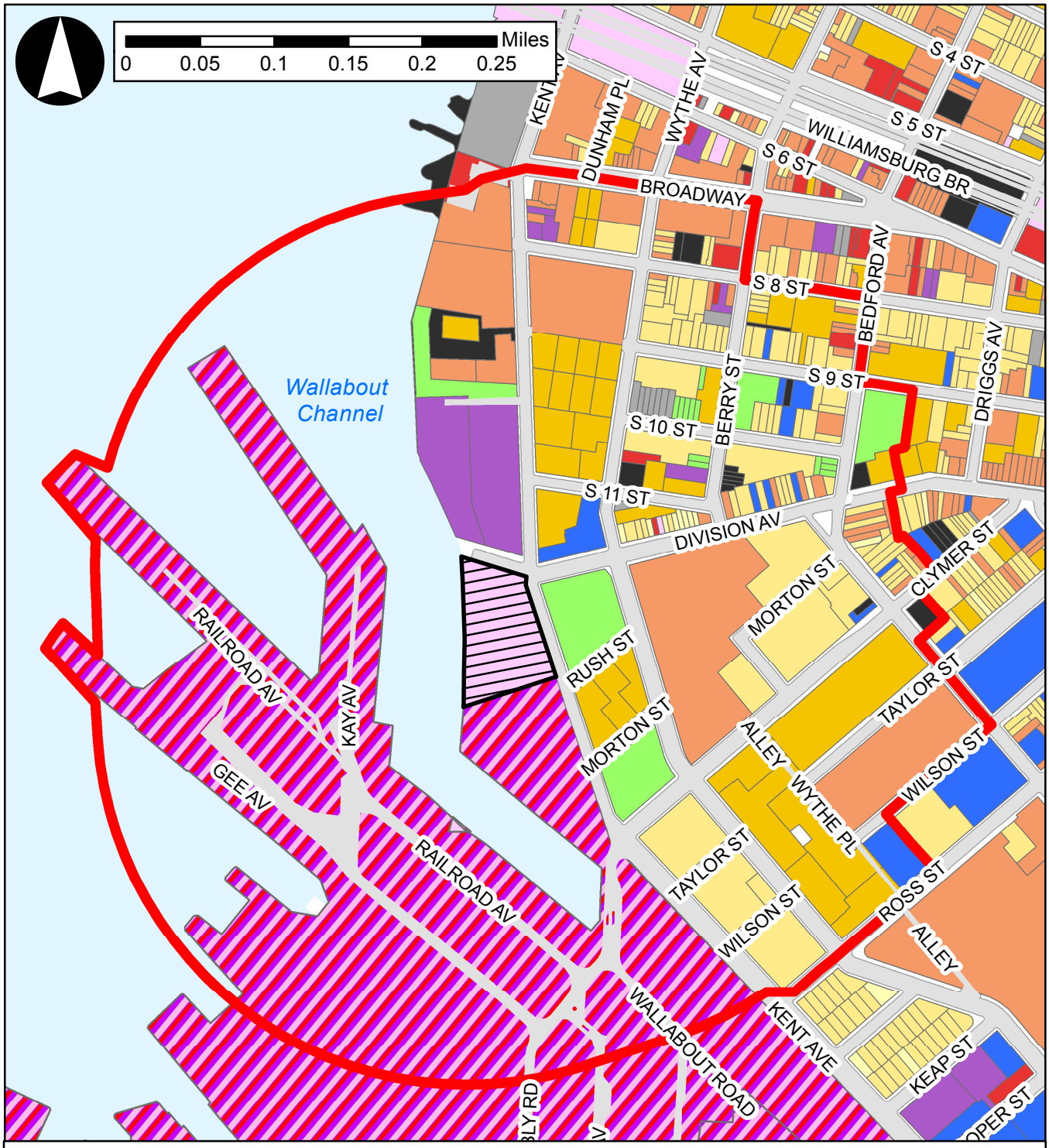
TASK 2. LAND USE, ZONING, AND PUBLIC POLICY

A land use analysis characterizes the uses and development trends in the area that may be affected by a proposed action, and determines whether a proposed action is either compatible with those conditions or whether it may affect them. Similarly, the analysis considers the action's compliance with, and effect on, the area's zoning and other applicable public policies. This chapter will analyze the potential impacts of the Proposed Action~~s~~ on land use, zoning, and public policy, pursuant to the methodologies presented in the *CEQR Technical Manual*. The primary land use study area will consist of the Project Site, where the potential effects of the Proposed Action~~s~~ would be directly experienced (reflecting the Proposed Action~~s~~ and resultant RWCDS). The secondary land use study area would include the neighboring areas within a ¼-mile radius from the Project Site, as shown in **Figure 3**, which could experience indirect impacts. The analysis will include the following subtasks:

- Provide a brief development history of the primary (i.e., Project Site) and secondary study areas.
- Provide a description and map of land use patterns and trends in the study areas, including recent development activity.
- Describe and map existing zoning and recent zoning actions in the study areas.
- Describe public policies that apply to the study areas, including specific development projects and plans for public improvement, including: OneNYC Plan, the Williamsburg Waterfront 197-a Plan, the Brooklyn Navy IBZ, and the NYC Coastal Zone.
- Based on field surveys and prior studies, identify, describe, and graphically portray predominant land use patterns for the balance of the study areas. Describe recent land use trends in the study areas and identify major factors influencing land use trends.
- Prepare a list of future development projects in the study areas that are expected to be constructed by the 2026~~4~~ analysis year and may influence future land use trends. Also, identify pending zoning actions or other public policy actions that could affect land use patterns and trends in the study areas. Based on these planned projects and initiatives, assess future land use and zoning conditions without the Proposed Action~~s~~ (No-Action condition).
- Describe proposed zoning changes and the potential land use changes resulting from the Proposed Action~~s~~.
- Assess the potential impacts of the Proposed Action~~s~~ on land use, land use trends, zoning, and public policy.
- Describe the Proposed Action's~~'~~ potential effects related to issues of compatibility with surrounding land use, the consistency with zoning and other public policies, and the effect of the Proposed Action~~s~~ on ongoing development trends and conditions in the study areas.

Figure 3

Land Use Study Area



Legend

- Project Site
- Land Use Study Area Boundary
- Brooklyn Navy Yard

Land Use

- All Others of No Data
- One & Two Family Buildings
- Multi-Family Walk-Up Buildings
- Multi-Family Elevator Buildings
- Mixed-Residential & Commercial Buildings
- Commercial & Office Buildings
- Industrial & Manufacturing
- Transportaion & Utility
- Public Facilities & Institutions
- Open Space & Outdoor Recreation
- Parking Facilities
- Vacant Land
- Industrial & Commercial Buildings

- If necessary, mitigation measures to avoid or reduce potential significant adverse land use, zoning, and/or public policy impacts will be identified.

TASK 3. SOCIOECONOMIC CONDITIONS

The socioeconomic character of an area includes its population, housing, and economic activity. Socioeconomic changes may occur when a project directly or indirectly changes any of these elements. Although socioeconomic changes may not result in impacts under CEQR, they are disclosed if they would affect land use patterns, low-income populations, the availability of goods and services, or economic investment in a way that changes the socioeconomic character of the area. This chapter will assess the Proposed Action's~~'~~ potential effects on the socioeconomic character of the study area.

The five principal issues of concern with respect to socioeconomic conditions are whether a proposed action would result in significant adverse impacts due to: (1) direct residential displacement; (2) direct business and institutional displacement; (3) indirect residential displacement; (4) indirect business and institutional displacement; and (5) adverse effects on specific industries. As detailed below, the Proposed Action~~s~~ do not warrant an assessment of socioeconomic conditions with respect to direct or indirect residential displacement, direct business displacement, or adverse effects on specific industries. The assessment of the remaining areas of concern will begin with a preliminary assessment to determine whether a detailed analysis is necessary, in conformance with the *CEQR Technical Manual* guidance. Detailed analyses will be conducted for those areas in which the preliminary assessment cannot definitively rule out the potential for significant adverse impacts. The detailed assessments will be framed in the context of existing conditions and evaluations of the Future No-Action and With-Action conditions in 2026~~4~~, including any population and employment changes anticipated to take place by the analysis year of the Proposed Action~~s~~.

Direct Residential Displacement

The Proposed Action~~s~~ would not directly displace any residents, and therefore this issue does not require analysis in the EIS.

Indirect Residential Displacement

The Proposed Action~~s~~ would not indirectly displace any residents, given that it would not introduce any new residents, and therefore this issue does not require analysis in the EIS.

Direct Business Displacement

The Proposed Action~~s~~ would not directly displace any business, and therefore this issue does not require analysis in the EIS.

Indirect Business Displacement

The indirect business displacement analysis determines whether the Proposed Action~~s~~ may introduce trends that would make it difficult for those businesses that provide products or services essential to the local economy, or those subject to regulations or publicly adopted plans to preserve, enhance, or otherwise protect them, to remain in the area. The purpose of the preliminary assessment is to determine whether a proposed action has potential to introduce such a trend. The RWCDS would introduce a net

increment of ~~555,911~~ 561,675 gsf of new commercial uses, which exceeds the 200,000-gsf analysis threshold for "substantial" new development warranting a preliminary assessment. The preliminary assessment will entail the following subtasks:

- Identify and characterize conditions and trends in employment and businesses within the study area. This analysis will be based on field surveys, employment data from the New York State Department of Labor (NYSDOL) and/or Census, and discussions with real estate brokers.
- Determine whether the RWCDS would introduce enough of a new economic activity or alter existing economic patterns.
- Determine whether the RWCDS would add to the concentration of a particular sector of the local economy enough to alter or accelerate an ongoing trend to alter existing economic patterns.
- Determine whether the RWCDS would directly displace uses of any type that directly support businesses in the area or bring people to the area that form a customer base for local businesses.
- Determine whether the RWCDS would directly or indirectly displace residents, workers, or visitors who form the customer base of existing businesses in the area.

If the preliminary assessment determines that the Proposed Action~~s~~ could introduce trends that make it difficult for businesses that are essential to the local economy to remain in the area, a detailed analysis will be conducted. The detailed analysis would determine whether the Proposed Action~~s~~ would increase property values and thus increase rents for a potentially vulnerable category of business and whether relocation opportunities exist for those businesses.

It should be noted that a preliminary assessment of indirect business displacement due to market saturation is not warranted. The Proposed Action~~s are~~ is not expected to add to, or create, a retail concentration that may draw a substantial amount of sales from existing businesses within the study area to the extent that certain categories of business close and vacancies in the area increase, thus resulting in a potential for disinvestment on local retail streets. The RWCDS is expected to introduce an increment of up to approximately ~~20,476~~ 21,233 gsf of retail space as compared to the No-Action condition. Projects resulting in less than 200,000 sf of regional-serving retail in the study area, or less than 200,000 sf of locally-serving or regional-serving retail on a single site would not typically result in socioeconomic impacts, according to *CEQR Technical Manual* guidance. As the RWCDS would not exceed the CEQR threshold, further analysis is not warranted and will not be provided in the EIS.

Adverse Effects on Specific Industries

An assessment of adverse effects on specific industries is not warranted as the Proposed Action~~s~~ would not involve regulatory changes or other activities that could affect business conditions in any industry or any category of businesses or indirectly substantially reduce employment or impair the economic viability in an industry or category of businesses.

TASK 4. OPEN SPACE

If a project may add population to an area, demand for existing open space facilities would typically increase. Indirect effects may occur when the population generated by a proposed action would be sufficiently large to noticeably diminish the ability of an area's open space to serve the future population. For the majority of projects, an assessment is conducted if the proposed action would generate more than 200 residents or 500 employees, or a similar number of other uses. However, the need for an open space assessment may vary in certain areas of the City that are considered either underserved or well-served by open space; if a project is located in an underserved area, an open space assessment should be conducted if that project would generate more than 50 residents or 125 workers. The Project Site is neither

underserved nor well-served per CEQR guidance, and the RWCDS exceeds the worker analysis threshold of 500. Therefore, an assessment of nonresidential open space is warranted and will be provided in the EIS.

The open space analysis will consider passive open space resources within a nonresidential (¼-mile radius) study area. The study areas will generally comprise those census tracts that have 50 percent or more of their area located within the ¼-mile radius of the Project Site, as recommended in the *CEQR Technical Manual*. The resultant open space study area is shown in **Figure 4**.

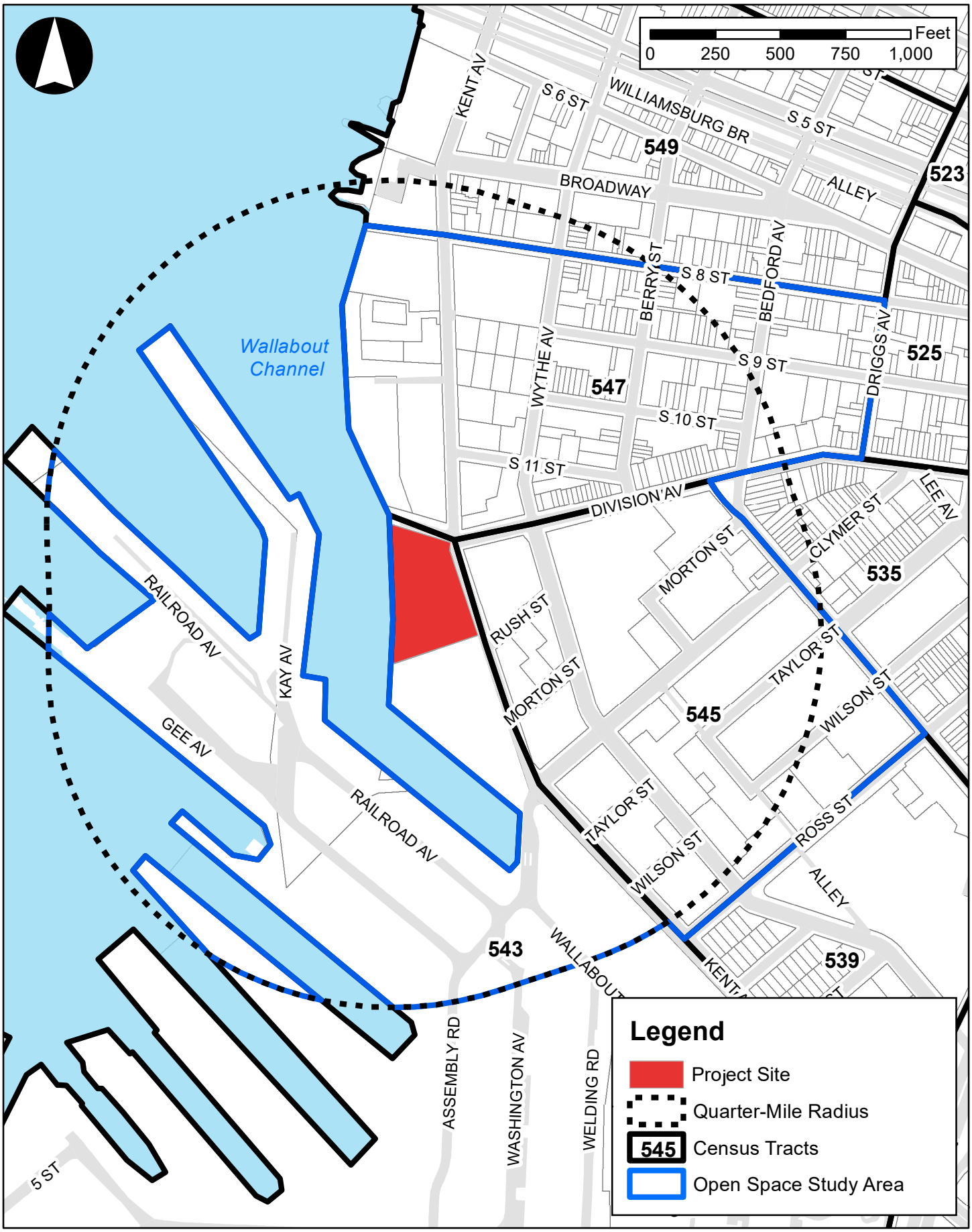
The detailed open space analysis in the EIS will include the following subtasks:

- Characteristics of worker/daytime open space users will be determined. The number of employees and daytime workers in the study area will be calculated based on 2010 Census reverse journey-to-work census data.
- Existing open spaces within the ¼-mile open space study area will be inventoried and mapped. The condition and usage of existing facilities will be described based on the inventory and field visits. Acreages of these facilities will be determined and the total study area acreages will be calculated. The percentage of passive and active open space will also be calculated.
- Based on the inventory of facilities and study area populations, a passive open space ratio will be calculated for the worker populations and compared to City guidance to assess adequacy. Passive open space ratios are expressed as the amount of passive open space acreage per 1,000 non-residential populations.
- Expected changes in future levels of open space supply and demand in the 2026~~4~~ analysis year will be assessed, based on other planned development projects within the open space study area. Any new open space or recreational facilities that are anticipated to be operational by the analysis year will also be accounted for. The passive open space ratio will be calculated for future No-Action conditions and compared with the exiting ratio to determine the change in future levels of adequacy.
- Effects on open space supply and demand resulting from the increased worker population associated with the RWCDS will be assessed. Any open space facilities included in the RWCDS would also be taken into account. The assessment of the Proposed Action's~~'~~ impacts will be based on a comparison of the passive open space ratio for the future No-Action versus future With-Action conditions. In addition to the quantitative analysis, a qualitative analysis will be performed to determine if the changes resulting from the Proposed Action~~s~~ constitute a substantial change (positive or negative) or an adverse effect to open space conditions. The qualitative analysis will assess whether or not the study area is sufficiently served by passive open space, given the capacity, condition, and distribution of open space, and the profile of the study area population.

TASK 5. SHADOWS

A shadows analysis assesses whether new structures resulting from a proposed action would cast shadows on sunlight-sensitive publicly accessible resources or other resources of concern, such as natural resources, and to assess the significance of their impact. This chapter will examine the RWCDS's potential for significant and adverse shadow impacts pursuant to *CEQR Technical Manual* criteria. Generally, the potential for shadow impacts exists if an action would result in new structures or additions to buildings resulting in structures over 50 feet in height that could cast shadows on important natural features, publicly accessible open space, or on historic features that are dependent on sunlight. New construction or building additions resulting in incremental height changes of less than 50 feet can also potentially result in shadow impacts if they are located adjacent to, or across the street from, a sunlight-sensitive resource.

Figure 4
Open Space Study Area



Based on the anticipated height and bulk of the RWCDS envelope, the Proposed Action~~s~~ would result in the construction of new buildings that would be greater than 50 feet in height. The EIS will assess the RWCDS on a site-specific basis for potential shadowing effects on sunlight-sensitive uses and disclose the range of shadow impacts, if any, which are likely to result from the Proposed Action~~s~~. The shadows analysis in the EIS will include the following subtasks:

- A preliminary shadows screening assessment will be prepared to ascertain whether shadows from the RWCDS may potentially reach any sunlight-sensitive resources at any time of year.
    - A Tier 1 Screening Assessment will be conducted to determine the longest shadow study area for the RWCDS, which is defined as 4.3 times the height of a structure (the longest shadow that would occur on December 21, the winter solstice), pursuant to the *CEQR Technical Manual*. A base map that illustrates the locations of the Project Site in relation to the sunlight-sensitive resources will be developed.
    - A Tier 2 Screening Assessment will be conducted if any portion of a sunlight-sensitive resource lies within the longest shadow study area. The Tier 2 assessment will determine the triangular area that cannot be shaded by the developments, which in New York City is the area that lies between -108 and +108 degrees from true north.
    - If any portion of a sunlight-sensitive resource is within the area that could be potentially shaded by the developments, a Tier 3 Screening Assessment will be conducted. The Tier 3 Screening Assessment will determine if shadows resulting from the RWCDS can reach a sunlight-sensitive resource through the use of three-dimensional computer modeling software with the capacity to accurately calculate shadow patterns. The model will include a three-dimensional representation of the sunlight-sensitive resource(s), a three-dimensional representation of the Proposed Project, and a three-dimensional representation of the topographical information within the area to determine the extent and duration of new shadows that would be cast on sunlight-sensitive resources as a result of the Proposed Action~~s~~.
- If the screening analysis does not rule out the possibility that action-generated shadows would reach any sunlight-sensitive resources, a detailed analysis of potential shadow impacts on publicly-accessible open spaces or sunlight-sensitive historic resources resulting from the Proposed Action~~s~~ will be provided in the EIS. The detailed shadow analysis will establish a baseline condition (No-Action), which will be compared to the future condition resulting from the Proposed Action~~s~~ (With-Action) to illustrate the shadows cast by existing or future buildings and distinguish the additional (incremental) shadow cast by the RWCDS buildings. The detailed analysis will include the following tasks:
    - The analysis will be documented with graphics comparing shadows resulting from the No-Action condition with shadows resulting from the RWCDS, with incremental shadow highlighted in a contrasting color.
    - A summary table listing the entry and exit times and total duration of incremental shadow on each applicable representative day for each affected resource will be provided.
    - The significance of any shadow impacts on sunlight-sensitive resources will be assessed.
    - If potential significant adverse impacts are identified, the amount of remaining sunlight on those sensitive resources, as well as the types of vegetation and or recreational activities involved, will be considered.

TASK 6. HISTORIC AND CULTURAL RESOURCES

Historic and cultural resources include both architectural and archaeological resources. Such resources are identified as districts, buildings, structures, sites, and objects of historical, aesthetic, cultural, and archaeological importance in the *CEQR Technical Manual*. Impacts on historic resources are considered

on the affected site and in the surrounding area. The historic resources study area is therefore defined as the directly affected area, i.e., the project site, plus a 400-foot radius, as per the guidance provided in the *CEQR Technical Manual*. Archaeological resources are considered only for the project site, where new in-ground disturbance would occur compared to No-Action conditions. This is discussed in more detail below.

Archaeological Resources

As the Project Site has previously been disturbed, there will be consultation with LPC to see if any further evaluation of archaeological resources is needed. If LPC identifies the Project Site as archaeologically sensitive, a Phase 1A Archaeological Documentary Report would be prepared for the Project Site. The Phase 1A would include an evaluation of archaeological resources on the site, documentation of site history, its development and use, and the potential to host significant archaeological resources. The EIS would summarize the results of the Phase 1A report, if required.

If the Project Site is identified as having archaeological potential in the Phase 1A report and LPC concurs, the effect of the Proposed Project on those resources would be evaluated to determine if a significant adverse impact would result due to the Proposed Project. If it is found that a significant adverse impact to archaeological resources would occur, LPC would be consulted on what, if any, mitigation measures may be available to address those impacts.

Architectural Resources

Impacts to historic resources may result from both temporary (e.g., related to construction process) and permanent (e.g., related to long-term or permanent result of the Proposed Project or construction project) activities. As part of the architectural resources assessment, known and eligible architectural resources within 400 feet of the Project Site will be identified in consultation with the LPC and SHPO. Identified resources will be mapped and described. If known and/or eligible architectural resources are identified in the study area, probable impacts of the Proposed Project on architectural resources will be assessed. The assessment will address the following: (a) would there be a physical change to the property; or (b) would there be a physical change to its setting, such as context or visual prominence ("indirect impacts"), and, if so, is the change likely to alter or eliminate the significant characteristics of the resource that make it important. Additionally, the EIS will determine if the Proposed Project will result in the introduction of significant new shadows or significant lengthening of the duration of existing shadows on an historic landscape or on an historic structure if the features that make the structure significant depend on sunlight. For example, stained glass windows that cannot be seen without sunlight, or buildings containing design elements that are part of a recognized architectural style that depends on the contrast between light and dark design elements, such as deep window reveals and prominent rustication. This task will be coordinated with Task 5, "Shadows." If significant adverse impacts to architectural resources are identified, mitigation measures would be developed in consultation with LPC.

TASK 7. URBAN DESIGN AND VISUAL RESOURCES

Urban design is the totality of components that may affect a pedestrian's experience of public space. An assessment of urban design and visual resources is appropriate when there is the potential for a pedestrian to observe, from the street level, a physical alteration beyond that allowed by existing zoning. When an action would potentially obstruct view corridors, compete with icons in the skyline, or would result in substantial alterations to the streetscape of the neighborhood by noticeably changing the scale of buildings, a more detailed analysis of urban design and visual resources would be appropriate.

As the Proposed Action~~s~~ would involve a rezoning to allow higher density and a building envelope not permitted under No-Action conditions, a preliminary assessment of urban design and visual resources will be provided in the EIS.

The urban design study area will be the same as that used for the land use analysis (delineated by areas within a ¼-mile radius from the Project Site boundary). For visual resources, the view corridors within the study area from which such resources are publicly viewable will be identified. The preliminary assessment will consist of the following:

- Based on field visits, the current urban design and visual resources of the Project Site and adjacent study area will be described using text, photographs, and other graphic material, as necessary, to identify critical features, use, bulk, form, and scale.
- In coordination with Task 2, Land Use, the changes expected in the urban design and visual character of the study area due to known development projects in the future No-Action condition will be described.
- Potential changes that could occur in the urban design character of the study area as a result of the Proposed Action~~s~~ will be described. The analysis will focus on the general massing for the Proposed Project, consistent with the controls that would be established by the Proposed Action~~s~~, as well as elements such as streetwall height, setback, and building envelope. Photographs and/or other graphic material will be utilized, where applicable, to assess the potential effects on urban design and visual resources, including views of/to resources of visual or historic significance and a three-dimensional representation of the future With-Action condition streetscape.

A detailed analysis will be prepared if warranted based on the preliminary assessment. Examples of projects that may require a detailed analysis are those that would make substantial alterations to the streetscape of a neighborhood by noticeably changing the scale of buildings, potentially obstructing view corridors, or competing with icons in the skyline, as described in the *CEQR Technical Manual*. The narrative will address the components of urban design as defined in the CEQR Technical Manual: streets, buildings, visual resources, open space, natural resources, wind, and sunlight. The detailed analysis would describe the Project Site and the urban design and visual resources of the surrounding area. The analysis would describe the potential changes that could occur to urban design and visual resources in the future with the Proposed Action~~s~~ condition, in comparison to the future without the Proposed Action~~s~~ condition, focusing on the changes that could negatively affect a pedestrian's experience of the area. If necessary, mitigation measures to avoid or reduce potential significant adverse impacts will be identified.

TASK 8. NATURAL RESOURCES

The *CEQR Technical Manual* defines natural resources as water resources, including surface water bodies and groundwater; wetlands, including freshwater and tidal wetlands; terrestrial resources, such as grasslands and thickets; shoreline resources, such as beaches, dunes, and bluffs; gardens and other ornamental landscaping; and natural resources that may be associated with built resources, such as old piers and other waterfront structures. The Proposed Action~~s~~ would facilitate development on a site located in proximity to a natural resource, specifically Wallabout Channel which is part of the larger East River waterway. It should be noted that the Proposed Project would not include any in-water disturbance, excavation, filling, or any other activities beyond the existing bulkhead or shoreline except for any repairs required or necessary to maintain the integrity of the bulkhead. Impact-avoidance techniques would be examined during the permitting process for any such work, which would also occur under No-Action conditions.

This section of the EIS will evaluate the presence of natural resources and the potential impact the Proposed Action~~s~~ may have on such communities per *CEQR Technical Manual* guidance. If the results of the impact analysis identify a potential for significant adverse impacts, potential practicable mitigation measures to avoid or reduce those significant adverse impacts will be identified. A discussion of any related permits that may be required will be provided. As warranted, it is expected that the natural resources assessment will include the following subtasks:

- Describe the water quality conditions along the project site, including water quality trends and projection data as are available through existing literature and studies (e.g., the New York City Department of Environmental Protection [NYCDEP] Harbor Survey). This section will describe the general water quality characteristics of the East River, including currents, tidal range, water quality classification, and overall pollutant loads and chemical and biological conditions.
- Data on aquatic resources/habitats will be reviewed and presented for the study area. This task will also be undertaken using published literature, including the identification of essential fish habitats. The presence of tidal wetlands will be based on existing New York State Department of Environmental Conservation (NYSDEC) tidal wetlands maps.
- While there are limited issues with respect to terrestrial resources (flora and fauna) since the Project Site, although presently vacant, is a formerly developed urbanized lot, the Project Site will be characterized based on a review of aerial photography and a field visit.
- The New York State Natural Heritage Program and the U.S. Fish and Wildlife Service will be contacted to obtain any data on the potential presence of rare or endangered plant or animal species in the study area, and essential fish habitats along the East River.
- A projection will be made of natural resources conditions through the 2026~~4~~ analysis year based on anticipated future conditions without the Proposed Action~~s~~.
- An assessment of potential impacts from the Proposed Action~~s~~ will be presented analyzing any potential water quality and river disturbance issues, impacts to any fish and bird habitats, and terrestrial resources. A stormwater analysis will be performed that will specify how stormwater flows would be treated, and managed, and an analysis of appropriate Best Management Practices (BMP's) to be implemented will also be included in the EIS. Impact issues could include additional flow from outfalls (see also Task 10, "Water and Sewer Infrastructure," below). Any potential impacts on rare or endangered species or essential fish habitats will be identified. The need for any additional State or Federal approvals or will also be described.

This analysis will also evaluate the potential for impacts due to any combined sewer overflow resulting from the Proposed Action~~s~~ (see also Task 10, "Water and Sewer Infrastructure," below).

TASK 9. HAZARDOUS MATERIALS

The objective of the hazardous materials assessment is to determine whether the directly affected area may have been adversely affected by current or historical uses at or adjacent to the site. As development facilitated by the Proposed Action~~s~~ would require excavation and in-ground disturbance on the Project Site, this chapter of the EIS will examine the potential for impacts related to subsurface contamination per *CEQR Technical Manual* guidance, including an evaluation of the existing soil and groundwater conditions in areas that would be affected by the Proposed Action~~s~~.

The EIS will include a discussion of the site's history and current environmental conditions. The previous site, owner, Con Edison, performed environmental remediation which was completed in 2014 under New York State Department of Environmental Conservation (NYSDEC) supervision through the Voluntary Cleanup Program. A deed restriction running with the land was recorded against the property in 2014 outlining the required long-term engineering and institutional controls placed on the site under the VCP.

In 2015 NYSDEC approved the Site Management Plan (SMP) and Final Engineering Report and then issued an Assignable Release and Covenant Not to Sue. The SMP also includes notification to the NYSDEC if any intrusive work is conducted at the Site, and a Monitoring Plan to assess the performance and effectiveness of the remedy. It is anticipated that both the No-Action and With-Action conditions would result in new intrusive work and therefore NYSDEC oversight of such work will be required.

The chapter will include a discussion of the Proposed Project's potential to result in significant adverse hazardous materials impacts and, if necessary, will include a description of any additional further testing, remediation, or other measures that would be necessary to avoid impacts.

If significant adverse impacts are identified, mitigation measures will be identified in conjunction with DCP as lead agency and any expert agencies, as appropriate.

TASK 10. WATER AND SEWER INFRASTRUCTURE

The water and sewer infrastructure assessment determines whether a proposed action may adversely affect the City's water distribution or sewer system and, if so, assess the effects of such actions to determine whether their impact is significant. The *CEQR Technical Manual* outlines thresholds for analysis of an action's water demand and its generation of wastewater and stormwater. The threshold of preliminary infrastructure analysis for projects outside Manhattan with combined sewers is 400 dwelling units (DUs) or 150,000 sf of commercial development. As the RWCDS With-Action condition would include a net increment of more than 150,000 sf of commercial development, an assessment of water demand, wastewater and stormwater conveyance systems is required. The water and sewer infrastructure analysis will be performed using *CEQR Technical Manual* guidance and will consider the potential for significant adverse impacts resulting from the Proposed Project. DEP will be consulted in preparation of this assessment.

Water Supply

- The existing water distribution system serving the Project site will be described based on information obtained from DEP's Bureau of Water Supply and Wastewater Collection.
- Water demand generated by the Project Site under existing conditions and No-Action and With-Action conditions will be projected.
- The effects of the incremental demand on the City's water supply system will be assessed to determine if there would be impacts to water supply or pressure. The incremental water demand will be the difference between the water demand in the Project Site in the With-Action condition and the demand in the No-Action condition.

Wastewater and Stormwater Infrastructure

- The appropriate study area for the assessment will be established in accordance with *CEQR Technical Manual* guidance and in consultation with DEP.
- The existing stormwater drainage system and surfaces (pervious or impervious) in the Project Site will be described, and the amount of stormwater generated in the Project Site will be estimated using DEP's volume calculation worksheet.
- The existing sewer system serving the Project Site will be described based on records obtained from DEP. The existing flows to the wastewater treatment plant (WWTP) serving the Project Site will be obtained for the latest twelve-month period, and the average dry weather monthly flow will be presented.

- Any changes to the stormwater drainage plan, sewer system, and surface area expected in the future without the Proposed Action~~s~~ will be described, as warranted.
- Future stormwater generation from the Project Site will be assessed to determine the Proposed Action's~~'~~ potential to result in impacts. Changes to the Project Site's surface area will be described, runoff coefficients and runoff for each surface type/area will be presented, and volume and peak discharge rates from the Project Site will be determined based on the DEP volume calculation worksheet.
- Sanitary sewage generation for the Project Site will also be estimated. The effects of the incremental demand on the system will be assessed to determine if there will be any impact on operations of the WWTP.

A more detailed assessment may be required if increased sanitary or stormwater discharges from the RWCDS With-Action condition are predicted to affect the capacity of portions of the existing sewer system, exacerbate combined sewer overflow (CSO) volumes/frequencies, or contribute greater pollutant loadings in stormwater discharged to receiving water bodies. The scope of a more detailed analysis, if necessary, will be developed based on conclusions from the preliminary infrastructure assessment and coordinated with DEP.

TASK 11. ENERGY

An EIS must include a discussion of the effects of a proposed project on the use and conservation of energy, if applicable and significant, in accordance with CEQR. In most cases, a project does not need a detailed energy assessment, but its operational energy is projected. A detailed energy assessment is limited to projects that may significantly affect the transmission or generation of energy. For other projects, in lieu of a detailed assessment, the estimated amount of energy that would be consumed annually as a result of the day-to-day operation of the buildings and uses resulting from a proposed project is disclosed, as recommended in the *CEQR Technical Manual*.

An analysis of the anticipated additional demand from the Proposed Action~~s~~ and resultant RWCDS will be provided in the EIS. The EIS will disclose the projected amount of energy consumption during long-term operation resulting from the Proposed Action~~s~~. The projected amount of energy consumption during long-term operation will be estimated based on the average and annual whole-building energy use rates for New York City (per Table 15-1 of the *CEQR Technical Manual*).

TASK 12. TRANSPORTATION

The objective of a transportation analysis is to determine whether a proposed action may have a potential significant impact on traffic operations and mobility, public transportation facilities and services, pedestrian elements and flow, the safety of all roadway users (pedestrians, bicyclists and motorists), on- and off-street parking, or goods movement. The Proposed Action~~s are~~ is expected to induce new commercial development, which would generate additional vehicular travel and demand for parking, as well as additional subway and bus riders and pedestrian traffic. These new trips have the potential to affect the area's transportation systems.

Travel Demand and Screening Assessment

Detailed travel demand forecasts were prepared for the RWCDS using standard sources, including the *CEQR Technical Manual*, U.S. census data, previously-approved studies, and other references to determine the worse-case scenario to be analyzed in the EIS transportation analysis. The travel demand

forecast (a Level 1 screening assessment) is summarized by peak hour, mode of travel, and person and vehicle trips. The travel demand forecasts also identify the number of peak hour person trips made by transit and the numbers of pedestrian trips traversing the area's sidewalks, corner areas, and crosswalks. The results of these forecasts have been summarized in a ~~Preliminary~~ Transportation Planning Factors and Travel Demand Forecast (TPF/TDF) technical memorandum (refer to **Appendix I~~1~~**). Detailed vehicle, pedestrian and transit trip assignments (a Level 2 screening assessment) were prepared based on the results of the Proposed Action's~~'~~ travel demand forecast to identify the intersections and pedestrian/transit elements selected for quantified analysis.

Traffic

The EIS will provide a detailed traffic analysis focusing on those peak hours and street network intersections where the highest concentrations of action-generated demand would occur. The peak hours for analysis will be selected, and the specific intersections to be included in the traffic study area will be determined based upon the assignment of project-generated traffic and the *CEQR Technical Manual* analysis threshold of 50 additional vehicle trips per hour, or at known congested locations. A discussion on the existing bicycle network in the study area will be included in the EIS.

The following outlines the anticipated scope of work for conducting a traffic impact analysis for the Proposed Action~~s~~:

- Conduct a count program for traffic analysis locations that includes a mix of automatic traffic recorder (ATR) machine counts and intersection turning movement counts, along with vehicle classification counts and travel time studies (speed runs) as support data for air quality and noise analyses. Turning movement count data will be collected at each analyzed intersection during the weekday and Saturday peak hours, and will be supplemented by nine days of continuous ATR counts. Vehicle classification count data will be collected during each peak hour at several representative intersections along each of the principal corridors in the study area. The turning movement counts, vehicle classification counts and travel time studies will be conducted concurrently with the ATR counts. Where applicable, available information from recent studies in the vicinity of the study area will be compiled, including data from such agencies as DOT and DCP.
- Inventory physical data at each of the analysis intersections, including street widths, number of traffic lanes and lane widths, pavement markings, turn prohibitions, bicycle routes, curbside parking regulations, and vehicle queue lengths. Signal phasing and timing data for each signalized intersection included in the analysis will be obtained from DOT.
- Determine existing traffic operating characteristics at each analysis intersection including capacities, volume-to-capacity (v/c) ratios, average vehicle delays, and levels of service (LOS) per lane group, per intersection approach, and per overall intersection. This analysis will be conducted using the 2000 Highway Capacity Manual (HCM) methodology with the latest approved Highway Capacity Software (HCS).
- Based on available sources, Census data, and standard references, including the *CEQR Technical Manual*, estimate the demand from other major developments planned in the vicinity of the Rezoning Area by the 2026~~4~~ analysis year. This will include total daily and peak hour person and vehicular trips, and the distribution of trips by auto, taxi, and other modes. A truck trip generation forecast will also be prepared based on data from the *CEQR Technical Manual* and previous relevant studies. Mitigation measures accepted for all No-Action projects, as well as other DOT initiatives, will be included in the future No-Action network, as applicable.
- Compute the future 2026~~4~~ No-Action traffic volumes based on approved background traffic growth rates for the study area (0.50 percent per year for 2019 to 2024 period and 0.25 percent for the 2024 to 2026 period) and demand from major development projects expected to be

completed in the future without the Proposed Action~~s~~. Incorporate any planned changes to the roadway system anticipated by 2026~~4~~, and determine the No-Action v/c ratios, delays, and LOS at analyzed intersections.

- Based on available sources, Census data, and standard references, including the *CEQR Technical Manual*, develop a travel demand forecast for the RWCDS based on the net change in uses compared to the No-Action condition. Determine the net change in vehicle trips expected to be generated by the RWCDS as described in the ~~Preliminary~~ TPF/TDF technical memorandum. Assign the net action-generated trips in each analysis period to likely approach and departure routes, and prepare traffic volume networks for the 2026~~4~~ future with the Proposed Action~~s~~ condition for each analyzed peak hour.
- Determine the v/c ratios, delays, and LOS at analyzed intersections for the With-Action condition, and identify significant adverse traffic impacts in accordance with *CEQR Technical Manual* criteria.
- Identify and evaluate potential traffic mitigation measures, as appropriate, for all significantly impacted locations in the study area in consultation with the lead agency and DOT. Potential traffic mitigation could include both operational and physical measures, such as changes to lane striping, curbside parking regulations and traffic signal timing and phasing, roadway widening, and the installation of new traffic signals. Where impacts cannot be fully or partially mitigated, they will be described as unavoidable adverse impacts.

Transit

Detailed transit analyses are generally not required if a proposed action is projected to result in fewer than 200 peak hour rail or bus transit trips according to the general thresholds used by the Metropolitan Transportation Authority (MTA) and specified in the *CEQR Technical Manual*. If a proposed action would result in 50 or more bus trips being assigned to a single bus line (in one direction), or if it would result in an increase of 200 or more trips at a single subway station or on a single subway line, a detailed bus or subway analysis would be warranted.

Subway

The Proposed Action~~s are~~ is expected to generate a net increase of more than 200 additional subway trips at the Marcy Avenue (J/M/Z) station in one or more peak hour (refer to **Appendix I**), and would therefore require a detailed subway analysis of this station. In addition, as the RWCDS could generate more than 200 new peak hour subway trips per line in one direction, an analysis of the J/M/Z subway line haul conditions is therefore warranted per *CEQR Technical Manual* analysis criteria. Transit analyses typically focus on the weekday AM and PM commuter peak hours when overall demand on the subway and bus systems is usually highest. The detailed subway analysis will include the following subtasks:

- Identify for analysis those stairways and fare entrance control elements expected to be used by significant concentrations of action-generated demand in the weekday AM and PM peak hours.
- Conduct counts of existing weekday AM and PM peak hour demand at the Marcy Avenue (J/M/Z) station elements and determine existing v/c ratios and LOS based on *CEQR Technical Manual* criteria.
- Determine volumes and conditions at the Marcy Avenue (J/M/Z) station elements in the future without the Proposed Action~~s~~ using approved background growth rates and accounting for any trips expected to be generated by No-Action development within the Project Site, as well as major No-Action projects in the vicinity of the Project Site.
- Add action-generated demand to the No-Action volumes at analyzed subway station elements and determine AM and PM peak hour volumes and conditions in the future with the Proposed Action~~s~~.

- Identify potential significant adverse impacts at subway station stairways and fare control elements based on *CEQR Technical Manual* impact criteria.
- As the RWCDS could generate 200 or more subway trips in one direction of the J/M/Z subway lines, subway line haul conditions will also be assessed in the EIS.
- Mitigation needs and potential subway station improvements will be identified, as appropriate, in conjunction with the lead agency and New York City Transit (NYCT). Where impacts cannot be mitigated, they will be described as unavoidable adverse impacts.

Bus

As part of the EIS, a Level 1 trip generation and (if warranted) Level 2 bus trip assignment will be prepared for the RWCDS. A detailed analysis of bus conditions is generally not required if a proposed action is projected to result in fewer than 50 peak hour trips being assigned to a single bus route (in one direction) based on the general thresholds used by the MTA and specified in the *CEQR Technical Manual*. As the incremental person-trips by bus generated by the Proposed Action~~s~~ are expected to exceed 50 peak hour trips in one direction on two of the five routes serving the Project Site, a detailed bus analysis is warranted to determine whether or not significant adverse impacts are anticipated (refer to **Appendix I~~1~~**).

Pedestrians

Projected pedestrian volumes of less than 200 persons per hour at any pedestrian element (sidewalks, corner areas, and crosswalks) would not typically be considered a significant impact, since the level of increase would not generally be noticeable and therefore would not require further analysis under *CEQR Technical Manual* criteria. Based on the level of new pedestrian demand generated by the RWCDS, it is anticipated that action-generated pedestrian trips would exceed the 200-trip analysis threshold at one or more locations in one or more peak hour. A detailed pedestrian analysis will therefore be prepared for the EIS focusing on selected sidewalks, corner areas, and crosswalks along corridors that would experience more than 200 additional peak hour pedestrian trips. Pedestrian counts will be conducted at each analysis location and used to determine existing LOS. No-Action and With-Action pedestrian volumes and LOS will be determined based on approved background growth rates, trips expected to be generated by No-Action development on the Project Site and other major projects in the vicinity of the study area, and action-generated demand. The specific pedestrian facilities to be analyzed will be determined in consultation with the lead agency once the assignment of action-generated pedestrian trips has been finalized (see **Appendix I~~1~~** for a ~~preliminary~~ list). The analysis will evaluate the potential for incremental demand from the Proposed Action~~s~~ to result in significant adverse impacts based on current *CEQR Technical Manual* criteria. Potential measures to mitigate any significant adverse pedestrian impacts will be identified and evaluated, as warranted, in consultation with the lead agency and DOT.

Vehicular and Pedestrian Safety

The City's Vision Zero initiative seeks to eliminate all deaths from traffic crashes regardless of whether on foot, bicycle, or inside a motor vehicle. In an effort to drive these fatalities down, DOT and New York City Police Department (NYPD) developed a set of five plans, each of which analyzes the unique conditions of one New York City borough and recommends actions to address the borough's specific challenges to pedestrian safety. The *Vision Zero Brooklyn Pedestrian Safety Action Plan* outlines a series of recommended actions comprised of engineering, enforcement, and education measures that intend to alter the physical and behavioral conditions on City streets that lead to pedestrian fatality and injury, as well as identifying Priority Areas which are prioritized for safety interventions. According to the 2019 updated plan, the Project Site is not located within a Priority Area.

Data on traffic crashes involving pedestrians and/or cyclists at study area intersections will be obtained from DOT for the most recent three-year period available. These data will be analyzed to determine if any of the studied locations may be classified as high crash locations based on *CEQR Technical Manual* thresholds and whether vehicle and/or pedestrian trips and any street network changes resulting from the Proposed Action~~s~~ would adversely affect vehicular and pedestrian safety in the area. If any high crash locations are identified, feasible improvement measures will be explored to alleviate potential safety issues.

Parking

As part of the EIS transportation task, an hourly parking accumulation forecast was prepared for the RWCDS. As the RWCDS would consist of non-residential uses, peak parking demand would be expected in the weekday midday period, when parking in a business area is expected to be highest. As the overall anticipated demand would not exceed the With-Action on-site accessory parking capacity, a detailed parking analysis would not be required and will not be included in the EIS.

Although it is not anticipated, if the overall anticipated demand exceeds the With-Action on-site accessory parking capacity, a detailed parking analysis would be prepared to determine if there is sufficient on- and off-street capacity in the surrounding area to accommodate overflow demand from the Project Site. As the RWCDS would consist of non-residential uses, the analysis of on-street and off-street parking conditions would focus on the weekday midday period, when demand is expected to be highest. Existing on- and off-street parking inventories would be conducted for the weekday midday period (when parking in a business area is frequently at peak occupancy) to document existing supply and demand for each period. Parking utilization within a ¼-mile of the Project Site will be analyzed. If the initial on- and off-street parking assessment shows conditions at or near capacity, then a parking assessment would be conducted up to a ½-mile radius to determine if capacity is available to accommodate the projected demand. The parking analysis would document changes in the parking utilization in proximity to the Project Site under the No-Action and With-Action conditions based on accepted background growth rates and projected demand from No-Action and With-Action development in the Project Site and other major projects in the vicinity of the study area.

TASK 13. AIR QUALITY

CEQR Technical Manual criteria require an air quality assessment for actions that can result in significant air quality impacts. There are mobile source impacts that could arise when an action increases or causes a redistribution of traffic, creates any other mobile sources of pollutants, or adds new uses near existing mobile sources. There are mobile source impacts that could be produced by parking facilities, parking lots, or garages. Stationary source impacts could occur with actions that (a) create new stationary sources or pollutants such as emission stacks from industrial plants, hospitals, or other large institutional uses, or a building's boilers, that can affect surrounding uses; or (b) when they add uses near existing or planned future emission stacks, and the new uses might be affected by the emissions from the stacks; or (c) when they add structures near such stacks and those structures can change the dispersion of emissions from stacks so that they begin to affect surrounding uses.

The vehicle trips generated by the Proposed Development would potentially exceed the *CEQR Technical Manual's* carbon monoxide (CO) screening threshold of 170 vehicles in a peak hour at one or more intersections and/or the particulate matter (PM) emission screening threshold discussed in Chapter 17, Sections 210 and 311 of the *CEQR Technical Manual*. Therefore, a screening analysis for mobile sources

will be performed. If any screening thresholds are exceeded, a detailed mobile source analysis would be required. The Proposed Project's parking facility will be analyzed to determine its effect on air quality. Potential impacts on surrounding uses from the heating and hot water systems that would serve the Proposed Project will also be assessed. The effect of heating and hot water systems associated with large or major emission sources in existing buildings on the Proposed Project also will be analyzed.

Mobile Source Analysis

A screening analysis for CO and PM will be prepared based on the traffic analysis and the above mentioned CEQR criteria. If screening levels are exceeded, a dispersion analysis would be required.

If warranted, a detailed mobile source analysis will be prepared in accordance with CEQR guidance, to evaluate the Proposed Action~~s~~ for potential impacts from CO, and fine particulate matter less than 10 microns and 2.5 microns in diameter (PM 10 and 2.5, respectively), due to vehicular traffic anticipated to be generated by the Proposed Development. If required, at least two worst-case intersections would be selected for detailed analysis for both CO and PM2.5, as described below:

Emissions Modeling

Vehicular cruise and idle CO and PM emission factors to be utilized in the dispersion modeling will be computed using the most current EPA's Motor Vehicle Emission Simulator (MOVES). Each selected intersection will be divided into distinct links for emissions modeling purposes reflecting different types of vehicle activity in accordance with the recommendations of the USEPA's Guideline on Air Quality Models, Policy DAR-10: NYSDEC Guidelines on Dispersion Modeling Procedures for Air Quality Impact Analysis. Project-specific traffic data obtained through field studies will be used, as well as county-specific hourly temperature, relative humidity, vehicle age distribution, fuels and inspection/maintenance program data obtained from the New York State Department of Environmental Conservation (NYSDEC). The analysis will include vehicle classification, which will be consistent with the *2020 CEQR Technical Manuals* classifications.

In order to account for the suspension of fugitive road dust in air from vehicular traffic in the local microscale analysis, $PM_{2.5}$ emission rates will include fugitive road dust. However, as DEP considers fugitive road dust to have an insignificant contribution on a neighborhood scale, fugitive road dust will not be included in the neighborhood scale $PM_{2.5}$ microscale analyses. Road dust emission factors will be calculated according to the latest procedure delineated by EPA.

Dispersion Modeling

The CO mobile source analysis will be conducted using the US Environmental Protection Agency (EPA) CAL3QHC model Version 2.0. $PM_{2.5}$ analysis will be conducted using the refined CAL3QHCR model and five years of meteorological data. The $PM_{2.5}$ analysis will include estimating off-peak traffic volumes based on available 24-hour count data in the study area.

Parking Garage Analysis

The Proposed Project is expected to include ~~196~~ 234 ~~space accessory~~ parking spaces in a below-grade parking garage~~s~~. The parking garage accumulation table from the transportation chapter will serve as the basis for analysis. Mobile source emission factors will be developed using the latest version of the EPA MOVES model (MOVES). An analysis of CO and PM emissions from the garage will be performed using

MOVES-generated emission factors and the procedures outlined in the *CEQR Technical Manual* for assessing potential impacts from proposed parking facilities. Cumulative impacts from on-street sources and emissions from parking garages will be calculated, where appropriate.

Stationary Source Analysis

HVAC Analysis

The analysis of the HVAC systems of the Proposed Project will consider impacts following the screening procedures outlined in the *CEQR Technical Manual* to determine the potential for impacts on existing developments as well as the potential for "project-on-project impacts." The nearest existing or planned building of a similar or greater height will be analyzed as the potential receptor. If the results fail the initial screening, a refined modeling analysis will be prepared using the latest EPA-approved version of the AERMOD model and five years of representative meteorological data (2015-2019). Emission rates will be developed based on the size of the Proposed Project and assumptions developed to represent boiler stack location(s). Concentrations of nitrogen dioxide (NO_2), sulfur dioxide (SO2), and particulate matter (PM_{10} and $PM_{2.5}$) will be determined at surrounding publicly-accessible locations. Receptors will be placed at publica~~l~~ly accessible locations at ground level and at elevated locations on all facades at multiple elevations on adjacent buildings (including the Proposed Project) to identify maximum pollutant concentrations and concentration increments per the guidance provided in the *CEQR Technical Manual*.

Projected potential values will be compared with the National Ambient Air Quality Standards (NAAQS) for NO_2, SO_2, and PM_{10}, and the CEQR *de minimis* criteria for $PM_{2.5}$. If required, an enforceable legal mechanism will be proposed to mandate fuel, system, operational, and/or exhaust stack restrictions that would be required to avoid any potential significant adverse air quality impacts.

Major/Large Emission Source Analysis

A preliminary review of existing land uses within 1,000 feet of the Project Site showed one large emission source, Kent Village Housing Corporation (i.e., Title V or State Facility permits). Since an emission sources was found, a Major/Large Source Analysis is proposed.

Industrial Source Analyses

The Project Site's existing zoning allows the proposed uses that would be developed under With-Action conditions and therefore the Proposed Action~~s~~ would not introduce any new uses not currently permitted. While under With-Action conditions, community facility uses would be permitted, uses not permitted under the existing/No-Action zoning, no such uses are proposed or expected under the RWCDS, therefore the Proposed Action~~s~~ would not introduce any new uses not currently permitted under M3-1 zoning. However, if it is determined that the increase in commercial density resulting from the Proposed Action~~s~~ would necessitate an Industrial Source Analysis, an analysis would be provided as follows:

- EPA, NYSDEC, and NYCDEP database searches and permit records will be reviewed to identify industrial sources within 400 feet of the proposed rezoning area including areas across the Wallabout Channel within the Brooklyn Navy Yard.
- A field survey will be performed to confirm the operational status of the sites identified in the permit search, and to identify any additional sites that have sources of emissions that would warrant an analysis.

- Emission rates for industrial sources within the study area will be estimated based on air permit data. If industrial sites are present that do not pass the *CEQR Technical Manual* industrial source screening procedure, detailed analysis will be conducted with AERMOD.
- Predicted worst-case impacts would be compared with the short-term guideline concentrations (SGCs) and annual guideline concentrations (AGCs) recommended in NYSDEC's DAR-1 AGC/SGC Tables.

If significant adverse impacts are identified, mitigation measures will be identified in conjunction with DCP as lead agency and any expert agencies, as appropriate.

TASK 14. GREENHOUSE GAS EMISSIONS AND CLIMATE CHANGE

Greenhouse Gas Emissions

Increased greenhouse (GHG) emissions are changing the global climate, which is predicted to lead to wide-ranging effects on the environment, including rising sea levels, increases in temperature, and changes in precipitation levels. Although this is occurring on a global scale, the environmental effects of climate change are also likely to be felt at the local level. As the RWCDS exceeds the 350,000 sf development threshold, a GHG emissions assessment will be provided in the EIS.

In accordance with the *CEQR Technical Manual*, GHG emissions generated by the RWCDS will be quantified, and an assessment of consistency with the City's established GHG reduction goal will be prepared. Emissions will be estimated for the analysis year and reported as carbon dioxide equivalent (CO_2e) metric tons per year. GHG emissions other than carbon dioxide (CO_2) will be included if they would account for a substantial portion of overall emissions, adjusted to account for the global warming potential. Relevant measures to reduce energy consumption and GHG emissions that could be incorporated into the Proposed Project will be discussed, and the potential for those measures to reduce GHG emissions from the Proposed Project will be assessed to the extent practicable.

- *Building Operational Emissions*: GHG emissions from the RWCDS development will be estimated based on carbon intensity factors specified in the *CEQR Technical Manual*.
- *Mobile Source Emissions*: GHG emissions from vehicle trips to and from the Project Site will be quantified using trip distances and vehicle emission factors provided in the *CEQR Technical Manual*.
- *Potential Measures to Reduce GHG Emissions*: Design features and operational measures to reduce the Proposed Project's energy use and GHG emissions will be discussed to the extent that information is available.
- *Consistency with the City's GHG Reduction Goal*: Consistency of the Proposed Project and the Proposed Action~~s~~ overall will be assessed. While the City's overall goal is to reduce GHG emissions by 30 percent below 2005 level by 2025, individual project consistency is evaluated based on building energy efficiency, proximity to transit, on-site renewable power and distributed generation, efforts to reduce on-road vehicle trips and/or to reduce the carbon fuel intensity or improve vehicle efficiency for project-generated vehicle trips, and other efforts to reduce the project's carbon footprint.
- *Construction Emissions*: Direct emissions resulting from the operation of construction vehicles and equipment will be assessed. Emissions resulting from the manufacture or transport of construction materials used for the project will be assessed.

Climate Change

As the Project Site is located within the NYC Coastal Zone, a Climate Change assessment will be provided in the EIS. The Climate Change assessment will be performed in accordance with the *CEQR Technical Manual* and will include the following:

- Projections for the future sea level rise and, to the extent available, likely future flood zone boundaries projected for the area of the site for different years within the expected life of the development will be provided.
- Any city, state, or federal initiatives to improve coastal resilience, such as those set forth in the Special Initiative for Rebuilding and Resiliency (SIRR) Report, "A Stronger, More Resilient New York," will be discussed if they have the potential to affect the Project Site.
- An analysis of consistency with policy 6.2 of the revised (and CPC and City Council approved) WRP will be provided.

If the results of the greenhouse gas emissions and climate change analyses identify a potential for a significant adverse impact, potential mitigation measures will be discussed.

TASK 15. NOISE

For the Proposed Action~~s~~, there are two major areas of concern regarding noise: (1) the effect the Proposed Action~~s~~ would have on noise levels in the surrounding community; and (2) the level of building attenuation necessary to achieve interior noise levels that satisfy CEQR requirements.

The Proposed Action~~s~~ would generate vehicle trips, but given the background conditions and the anticipated project-generated traffic, it is not expected that project-generated traffic would be likely to result in significant adverse mobile-source noise impacts. However, a screening assessment will be performed to determine whether there are any locations where there is the potential for the Proposed Action~~s~~ to result in significant noise impacts (i.e., doubling of Noise Passenger Car Equivalents [PCEs]) due to action-generated traffic. A detailed analysis of potential noise impacts due to outdoor mechanical equipment is not required as the outdoor mechanical equipment for any future development facilitated by the Proposed Action~~s~~ would be required to meet applicable DOB regulations, which ensures that noise levels from equipment are below *CEQR Technical Manual* impact criteria. The noise analysis will also examine the level of building attenuation necessary to meet CEQR interior noise level requirements.

The following tasks will be performed in compliance with *CEQR Technical Manual* guidance:

- Based on the traffic studies conducted for Task 11, Transportation, a screening analysis will be conducted to determine whether there are any locations where there is the potential for the Proposed Action~~s~~ to result in potential significant noise impacts (i.e., doubling Noise PCEs) due to action-generated traffic. If it is determined that Noise PCEs would double at any sensitive receptor, a detailed analysis would be conducted in accordance with *CEQR Technical Manual* guidance.
- Appropriate noise descriptors for building attenuation purposes would be selected. Based on CEQR criteria, the noise analysis will examine the L_{10} and the one-hour equivalent ($L_{eq(1)}$) noise levels.
- Existing noise levels will be measured at the Project Site. Measurements will be made at receptor locations adjacent to the Project Site. At each receptor site, 20-minute measurements will be performed during typical weekday AM, midday, and PM peak periods (coinciding with the traffic

peak periods). Noise measurements will be recorded in conformance with *CEQR Technical Manual* procedures and will be measured in units of "A" weighted decibel scale (dBA), as well as one-third octave bands. The measured noise level descriptors will include equivalent noise level (L_{eq}), maximum level (L_{max}), minimum level (L_{min}), and statistical percentile levels such as L_1, L_{10}, L_{50}, and L_{90}. A summary table of existing measured noise levels will be provided as part of the EIS.

- Following procedures outlined in the *CEQR Technical Manual* for assessing mobile source noise impacts, future No-Action and With-Action noise levels will be estimated at the noise receptor locations based on acoustical fundaments. All projections will be made with L_{eq} noise descriptor.
- The level of building attenuation necessary to satisfy CEQR requirements (a function of the exterior noise levels) will be determined based on the highest L_{10} noise level estimated at each monitoring site. The building attenuation requirements will be memorialized by (E) designations placed on the block and lot requiring specific levels of attenuation pursuant to Section 11-15 of the New York City Zoning Resolution and the (E) Rules, as referenced above in the Hazardous Materials and Air Quality sections. The EIS would include (E) designation language describing the requirements that would apply.

- If the results of the screening analysis indicated that any sensitive receptor location would experience a doubling of traffic between the Future No-Action and Future With-Action conditions, a detailed mobile source noise analysis would be performed at that location in compliance with *CEQR Technical Manual* guidance.

If significant adverse impacts are identified, mitigation measures will be identified in conjunction with DCP as lead agency and any expert agencies, as appropriate.

TASK 16. PUBLIC HEALTH

Public health is the organized effort of society to protect and improve the health and well-being of the population through monitoring; assessment and surveillance; health promotion; prevention of disease, injury, disorder, disability, and premature death; and reducing inequalities in health status, as defined in the *CEQR Technical Manual*. The goal of CEQR with respect to public health is to determine whether adverse impacts on public health may occur as a result of a proposed action, and, if so, to identify measures to mitigate such effects.

A public health assessment may be warranted if an unmitigated significant adverse impact is identified in other CEQR analysis areas, such as air quality, hazardous materials, or noise, according to the *CEQR Technical Manual*. If unmitigated significant adverse impacts are identified for the Proposed Actions in any of these technical areas and a public health assessment is warranted, an analysis will be provided for the specific technical area(s).

TASK 17. NEIGHBORHOOD CHARACTER

Neighborhood character is established by numerous factors, including land use patterns, the scale of its development, the design of its buildings, the presence of notable landmarks, and a variety of other physical features that include traffic and pedestrian patterns, noise, etc. The Proposed Actions have the potential to alter certain elements contributing to the affected area's neighborhood character. Therefore, a preliminary assessment of neighborhood character will be provided in the EIS to determine whether changes expected in other technical analysis areas—land use, zoning, and public policy; socioeconomic conditions; open space; historic and cultural resources; urban design and visual resources; transportation; and noise—may affect a defining feature of neighborhood character. The preliminary assessment will:

- Identify the defining features of the existing neighborhood character.

- Summarize changes in the character of the neighborhood that can be expected in the future With-Action condition and compare to the future No-Action condition.
- Evaluate whether the Proposed Action~~s have~~ has the potential to affect these defining features, either through the potential for a significant adverse impact or a combination of moderate effects in the relevant technical areas.

If the preliminary assessment determines that the Proposed Action~~s~~ could affect the defining features of neighborhood character, a detailed analysis will be conducted in accordance with the *CEQR Technical Manual* guidance.

TASK 18. CONSTRUCTION

Construction impacts, though temporary, can have a disruptive and noticeable effect on the adjacent community, as well as people passing through the area. Construction impacts are usually important when construction activity has the potential to affect transportation conditions, archaeological resources and the integrity of historic resources, community noise levels, air quality conditions, and mitigation of hazardous materials. Projects with overall construction periods lasting longer than two years and that are near to sensitive receptors should undergo a preliminary impact assessment according to the *CEQR Technical Manual*. While the proposed developed is expected to be constructed over a period of less than two years, if construction last longer than two years a preliminary construction assessment is warranted, in accordance with CEQR. Technical areas to be assessed include the following:

- *Transportation Systems:* The assessment will consider temporary losses in lanes, on- and off-street parking, sidewalks, and other transportation services on the adjacent streets during the various phases of construction and identify the increase in vehicle trips from construction workers and equipment going to/from the Project Site. A travel demand forecast for the worst-case construction period will be prepared if warranted under CEQR guidance, including the preparation of a trip generation table identifying the number of construction worker vehicles and equipment-related for the construction AM and PM peak hours for each construction quarter. Based on trip projections of activities associated with peak construction, an assessment of potential transportation impacts during construction and how they compare to the trip projections and origin destinations under the operation condition would be provided. If this effort identifies the need for a separate detailed analysis, a detailed construction transportation analysis will be provided for those locations that are determined to be needed in consultation with DOT.
- *Air Quality:* The construction air quality impact section will include a qualitative discussion of both mobile source emissions from construction equipment and worker and delivery vehicles, and fugitive dust emissions. If warranted, a detailed construction air quality analysis would review the projected activity and equipment in the context of intensity, duration, and location of emissions relative to nearby sensitive locations. This would include a detailed dispersion analysis of construction sources to determine the potential for air quality impacts on sensitive receptor locations. The pollutants of concern include carbon monoxide (CO), particulate matter (PM), and nitrogen dioxide (NO_2). The concentrations to the National Ambient Air Quality Standards (NAAQS), or by comparison of the predicted increase in concentrations to applicable interim guidance thresholds. The construction air quality analysis, if warranted, would also include a discussion of the strategies and best management practices to reduce project related air pollutant emissions associated with construction activities.
- *Noise:* The construction noise impact section will contain an assessment of noise from the Proposed Project's construction activity. This will include estimates of construction noise levels at nearby receptors during the various phases of construction. If warranted, the construction noise

analysis would rely on the conceptual construction schedule developed for the Proposed Project to identify peak periods of construction activity. Assumptions would be developed regarding equipment usage factors and typical equipment noise levels. The magnitude and duration of construction noise experienced at nearby noise receptors will be determined and evaluated. The noise analysis, if warranted, will take into account strategies to reduce noise associated with construction activities. Based on the results of the construction noise analysis, if necessary, the feasibility, practicability, and effectiveness of implementing measures to mitigate significant construction noise impacts will be examined. Appropriate recommendations, if any, will be made to comply with DEP Rules for Citywide Construction Noise Mitigation and the New York City Noise Control Code.

- *Other Technical Areas:* As appropriate, other areas of environmental assessment—such as hazardous materials, historic resources, open space, and socioeconomic conditions—will be analyzed for potential construction-related impacts.

If significant adverse impacts are identified, mitigation measures will be identified in conjunction with DCP as lead agency and any expert agencies, as appropriate.

TASK 19. MITIGATION

Where significant adverse impacts have been identified in Tasks 2 through 18, measures to mitigate those impacts will be described. The chapter will also consider when mitigation measures will need to be implemented. These measures will be developed and coordinated with the responsible City/State agencies, as necessary. Where impacts cannot be fully mitigated, they will be disclosed as unavoidable adverse impacts.

TASK 20. ALTERNATIVES

The purpose of an alternative section in an EIS is to examine development options that would tend to reduce action-related impacts. The alternatives will be better defined once the full extent of the Proposed Project's impacts have been identified. The EIS will include, at a minimum, a No-Action alternative and a No Impact/No Unmitigated Impact alternative. The alternatives analysis will be qualitative, except in those technical areas where significant adverse impacts for the Proposed Action~~s~~ have been identified. The level of analysis provided will depend on an assessment of project impacts determined by the analysis connected with the appropriate tasks.

TASK 21. SUMMARY EIS CHAPTERS

The EIS will include the following three summary chapters, in accordance with CEQR guidance:

- *Unavoidable Adverse Impacts*: summarizes any significant adverse impacts that are unavoidable if the Proposed Action~~s are~~ is implemented regardless of the mitigation employed (or if mitigation is not feasible).
- *Growth-Inducing Aspects of the Proposed Action~~s~~*: which generally refer to "secondary" impacts of the Proposed Action~~s~~ that trigger further development.
- *Irreversible and Irretrievable Commitments of Resources*: which summarizes the Proposed Action~~s~~ and its impact in terms of the loss of environmental resources (loss of vegetation, use of fossil fuels and materials for construction, etc.), both in the immediate future and in the long term.

TASK 22. EXECUTIVE SUMMARY

The executive summary will utilize relevant material from the body of the EIS to describe the Proposed Action~~s~~, the environmental impacts, measures to mitigate those impacts, and alternatives to the Proposed Action~~s~~. The executive summary will be written in enough detail to facilitate drafting of a notice of completion by the lead agency.

APPENDIX I:
TDF TECHNICAL MEMORANDUM

Philip Habib & Associates
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TECHNICAL MEMORANDUM

TO: New York City Department of City Planning

FROM: Philip Habib & Associates

DATE: January 16, 2024

PROJECT: 500 Kent Avenue Rezoning (PHA #1814)

RE: Preliminary Travel Demand Factors (Revised)

INTRODUCTION

This memorandum summarizes the preliminary travel demand factors to be used for the project transportation analyses of the 500 Kent Avenue environmental impact statement (EIS). The Proposed Project is an approximately 684,242-gross square foot (gsf) commercial development located at 500 Kent Avenue (Block 2023, Lot 10) in the South Williamsburg neighborhood of Brooklyn Community District 2 (the "Project Site") (see **Figure 1**). As the project's net incremental development program would exceed the development density screening thresholds specified in Table 16-1 of the 2021 *CEQR Technical Manual*, a travel demand forecast is necessary to determine if detailed transportation analysis is warranted. Provided below are preliminary estimates of the Proposed Project's peak incremental travel demand, along with a discussion of preliminary trip assignment methodologies and study area definitions.

THE PROPOSED ACTION

Kent Member LLC and the United Jewish Organization of Williamsburg, Inc. (hereinafter known as the "Applicant") is seeking discretionary approvals by the City Planning Commission under the Uniform Land Use Review Procedure (ULURP) that would facilitate the Project Site's redevelopment. These actions include: zoning map amendment, height and setback special permit, public parking garage special permit and waterfront zoning authorization. The project also requires a waterfront zoning certification (ministerial action pursuant to ZR 62-81) to demonstrate compliance with applicable waterfront zoning regulations not modified pursuant to the authorization.

The Project Site encompasses an 115,244 sf lot with approximately 528 feet of shoreline along Wallabout Channel, approximately 227 feet of frontage on Division Avenue and approximately 372 feet of frontage on Kent Avenue. The Project Site is currently vacant, but until 2009 it was occupied by a power plant.

The Proposed Project, which represents the Reasonable Worst Case Development Scenario (RWCDS) for the With-Action condition, would consist of a new 23-story 352-foot tall (roof height) approximately 684,242-gsf commercial building comprised of approximately 598,442 gsf of Use Group 6b office space and 21,233 gsf of

500 Kent Avenue

Figure 1

Project Location and Transit Map



Legend

- Proposed Development Site
- 1/4 Mile Radius
- South Williamsburg Ferry
- Marcy Avenue Subway Station

Subway Lines

- J-Z
- M

Bus Routes

- B32
- B39
- B44
- B62
- B67
- Q59

Use Group 6A retail space, as well as approximately 234 parking spaces, which would be exempt from being counted as floor area. This 5.0 built floor area ratio (FAR) building would have 576,220 zoning square feet (zsf) of floor area and would provide two loading berths, as required by the office use. Additionally, the Proposed Project would provide approximately 49,453 sf (1.14 acres) of public open space.

In the vicinity of the Project Site, both the demand for workspace and the residential population have increased substantially in recent years. The Brooklyn Navy Yard (BNY), immediately south and southwest of the Project Site, has undergone a transformation and is now home to over 400 commercial and light industrial businesses employing approximately 8,000 people – with further growth anticipated. At the same time, there has been a resurgence of residential development in Williamsburg and other nearby neighborhoods. There are multiple new, high-rise residential buildings near the Project Site and additional development is expected in the future. The City is now promoting the increase of walk-to-work commuting patterns and new forms of public transportation along the waterfront – including the NYC Ferry service. By providing a new hub of business development, the Proposed Project would be compatible with the ongoing development of the neighboring BNY and would be complementary to the increased residential uses in the area, providing space for work (office), shopping (retail) and recreational activities (open space) that could reduce travel times and distances for local residents.

REASONABLE WORST-CASE DEVELOPMENT SCENARIO (RWCDS)

In order to assess the potential effects of the Proposed Action, a RWCDS for both the future without the Proposed Action (the "No-Action" condition) and the future with the Proposed Action (the "With-Action" condition) is forecasted for an analysis year, or Build Year, of 2026. To develop a reasonable estimate of future growth, tax Lot 10 on Block 2023 was identified as the Project Site and considered for the purposes of the transportation analyses. The No-Action condition represents the baseline against which the effects of the Proposed Actions will be compared in the EIS. The effect of the Proposed Action, therefore, represents the incremental effect on conditions that would result from the net change in development between the No-Action and With-Action conditions (the "Project Increment"). **Table 1** below shows a summary of the No-Action conditions, With-Action conditions, and the increment for the Project Site. No other properties that would be directly affected by the Proposed Action.

The Future Without the Proposed Action (No-Action Condition)

Under the RWCDS No-Action condition, it is projected that the existing 115,244-sf lot would be developed as-of-right under the existing M3-1 zoning district with an approximately 312,599-gsf commercial building including approximately 58,000 gsf of office space, approximately 181,401 gsf of warehouse use and roughly 279 accessory parking spaces in 73,198 gsf of space. The Project Site, under existing zoning, permits manufacturing and general service (semi-industrial) uses as well as commercial uses with a maximum FAR of 2.0, much like the neighboring Brooklyn Navy Yard. Parking requirements include one space for every 300 sf of office floor area and one space for 2,000 sf of warehouse floor area. As such, this development is required to provide 279 accessory parking spaces. Therefore, the development under the No-Action condition would be built as-of-right and would not require discretionary actions.

The Future With the Proposed Action (With-Action Condition)

Under the RWCDS With-Action conditions, the Proposed Project would be constructed pursuant to the proposed zoning map amendment, zoning special permits, zoning certification, and waterfront zoning authorizations. Combined, under the RWCDS, the Proposed Action are expected to result in the development of a new 23-story, 352-foot tall commercial building. The approximately 684,242-gsf building would consist of approximately 598,442 gsf of office space, 21,233 gsf of retail and 234 public parking spaces. Although no parking is required under the proposed M1-5 zoning district, the parking would be permitted via a special permit. The building would have a zoning floor area of approximately 576,220 zsf equaling a built FAR of 5.0. Under the RWCDS, the Proposed Project would provide approximately 49,453 sf (1.14 acres) of publicly accessible waterfront open space.

Project Increment

As shown in **Table 1**, the project increment, the difference between the No-action and With-action conditions, would result in a net increase of approximately 380,274 gsf of total commercial space – including an increase of 540,442 gsf of office, an increase of 21,233 gsf of retail, and a decrease of 181,401 gsf of warehouse use. Additionally, the Proposed Project would add approximately 1.14 acres of public open space. The Proposed Actions would also result in a decrease of 45 parking spaces.

Table 1: Project Increment Summary

Use	No-Action Scenario	With-Action Scenario	Increment
Commercial			
Office	58,000 gsf	598,442 gsf	+ 540,442 gsf
Warehouse	181,401 gsf	0 gsf	- 181,401 gsf
Retail	0 gsf	21,233 gsf	+ 21,233 gsf
Total Commercial Increment			**+ 380,274 gsf**
Parking			
Parking Spaces	279	234	- 45
Total Parking Increment			**- 45**
Open Space			
Publicly Accessible Open Space	0 acres	1.14 acres	+1.14 acres

TRANSPORTATION PLANNING ASSUMPTIONS

The preliminary transportation planning factors used to forecast travel demand for the RWCDS land uses are summarized in **Table 2** and discussed below. **Table 2** provides the daily trip generation rates, temporal and directional distributions, modal splits, vehicle occupancies and truck trip factors for the land uses discussed above. Factors are shown for the weekday AM and PM peak hours (typical peak periods for commuter travel demand) and the weekday midday and Saturday peak hours (typical peak periods for local retail demand). Subway and subway-to-bus mode splits for all peak periods were adapted to reflect area transportation characteristics.

Table 2: Transportation Planning Assumptions

Land Use:	Local Retail	Warehouse	Office	Open Space
Size/Units:	21,233 gsf	-181,401 gsf	540,442 gsf	1.14 acres
No-Action	0 gsf	181,401 gsf	58,000 gsf	0 acres
Size/Units: With-Action	21,233 gsf	0 gsf	598,442 gsf	1.14 acres
Trip Generation:	(1)	(4)(5)	(1)	(1)
Weekday	329	2.36	18	44
Saturday	358	0.20	3.9	62
	per 1,000 sf	per 1,000 sf	per 1,000 sf	per acre
Temporal Distribution:	(1)	(4)	(1)	(1)
AM	4.8%	10.0%	12.4%	3.0%
MD	8.0%	9.0%	11.0%	14.0%
PM	10.9%	11.0%	10.5%	14.0%
Sat	11.7%	33.0%	14.1%	16.0%
	(2)	(6)	(9) (7)	(10)
Modal Splits:	All Period	All Period	AM/PM/Sat MD	All Period
Auto	11.0%	51.0%	12.1% 2.0%	5.0%
Taxi	0.0%	2.0%	5.9% 1.0%	5.0%
Subway-Only	1.0%	11.0%	17.0% 3.0%	2.0%
Subway-to-Bus	2.0%	17.0%	28.7% 4.0%	3.0%
Bus	2.0%	7.0%	6.2% 7.0%	5.0%
Ferry	0.0%	0.0%	2.7% 0.0%	0.0%
Walk/Other	84.0%	12.0%	27.4% 83.0%	80.0%
	100.0%	100.0%	100.0% 100.0%	100.0%
	(1)	(4)	(1)	(1)
In/Out Splits:	In Out	In Out	In Out	In Out
AM	53% 47%	77.0% 23.0%	89% 11%	59% 41%
MD	50% 50%	53.0% 47.0%	48% 52%	55% 45%
PM	50% 50%	27.0% 73.0%	17% 83%	55% 45%
Sat	50% 50%	64.0% 36.0%	50% 50%	55% 45%
Vehicle Occupancy:	(3)	(6)	(9)	(10)
	All Periods	All Periods	All Periods	All Periods
Auto	2.00	1.30	1.15	2.00
Taxi	2.00	1.30	1.85	2.00
Truck Trip Generation:	(1)	(4)(5)(8)	(1)	(10)
Weekday	0.35	0.91	0.32	n/a
Saturday	0.04	0.08	0.01	n/a
	per 1,000 sf	per 1,000 sf	per 1,000 sf	per 1,000 sf
Truck Temporal Distribution:	(1)	(4)	(1)	(10)
AM	8.0%	9.9%	10.0%	n/a
MD	11.0%	8.0%	11.0%	n/a
PM	2.0%	7.0%	2.0%	n/a
Sat	11.0%	28.0%	11.0%	n/a
Truck Directional Distribution:	In Out	In Out	In Out	In Out
	50.0% 50.0%	67.0% 33.0%	50.0% 50.0%	n/a n/a
MD	50.0% 50.0%	57.0% 43.0%	50.0% 50.0%	n/a n/a
PM	50.0% 50.0%	60.0% 40.0%	50.0% 50.0%	n/a n/a
Sat	50.0% 50.0%	42.0% 58.0%	50.0% 50.0%	n/a n/a

Notes :

(1) *2021 City Environmental Quality Review (CEQR) Technical Manual*
(2) Based on data provided by NYCDOT for local retail use in Brooklyn Transit Zone
(3) Based on data from *Atlantic Yards Arena and Redevelopment FEIS* (2014)
(4) Based on data from *ITE Trip Generation Manual, 10th Edition,* Land Use Code 150 (Warehousing)
(5) Included 1.51 adjustment factor per NYCDOT Trip Generation Survey
(6) Based on data from *East New York Rezoning Proposal FEIS* (2016)
(7) Based on data from *12 Franklin Street EAS* (2017)
(8) Adjusted per the ratio between weekday and Saturday based on information from the ITE Generation Handbook, 10th Edition
(9) Based on 2019 PHA mode choice survey data for office use in Williamsburg, Brooklyn
(10) Based on data from the *Domino Sugar Rezoning* (2010)

Local Retail

The trip generation rates, temporal distributions, and directional in/out splits for local retail uses were based on those cited in the 2021 *CEQR Technical Manual*. Modal splits were based on NYCDOT data for a Brooklyn Transit Zone and were adapted to reflect area transportation characteristics. Vehicle occupancies were based on data from the *Atlantic Yards Arena and Redevelopment FEIS* (2014). Truck trip generation factors were based on those cited in the 2021 *CEQR Technical Manual*. As it is likely that there will be overlap between office users with retail, a 25 percent linked-trip credit is assumed for local retail uses in accordance with *CEQR Technical Manual* guidelines.

Warehouse

Table 2 details the preliminary transportation planning factors for the decrease in gsf of warehouse use that would occur within the Project Area as a result of the Proposed Action which were used to forecast the warehouse travel demand. As shown in **Table 2**, the weekday person trip generation rates are based on data from *ITE Trip Generation Manual, 10th Edition*, Land Use Code 150 (Warehousing) with adjustments based on NYCDOT trip generation survey data. Modal split and vehicle occupancy rates were based on data from the *East New York Rezoning Proposal FEIS* (2016). Truck trip generation, truck temporal distribution and truck in/out split were based on NYCDOT trip generation survey data, as well as data from *ITE Trip Generation Manual, 10th Edition*, Land Use Code 150 (Warehousing).

Office

As shown in **Table 2**, the trip generation rates, temporal distributions, directional (in/out) splits, and truck trip factors for the commercial office use were based on those cited in the 2021 *CEQR Technical Manual*. The modal splits and vehicle occupancies were based on data from the 2019 PHA mode choice survey for an office use in Williamsburg, Brooklyn, and midday modal split data cited in the *12 Franklin Street EAS* (2017).

Open Space

The trip generation rates, temporal distributions, and directional in/out splits for open space uses were based on those cited in the 2021 *CEQR Technical Manual*. Modal split, vehicle occupancy and truck rates were based on data from the *Domino Sugar Rezoning FEIS* (2010).

TRIP GENERATION

Tables 3a and **3b** show estimates of incremental peak hour person trips and vehicle trips, respectively, that would occur in the 2026 future with the Proposed Action. Total incremental trips generated by the Proposed Action are further summarized in **Table 4**. As discussed above, the transportation analyses in the EIS will be based on the transportation planning assumptions made for the RWCDS detailed in **Table 2**. The estimated person, vehicle, transit and pedestrian trips generated by the Proposed Project are discussed below in the Level 1 screening assessment.

Table 3a: Travel Demand Forecast – Person Trips

		Increment									
Land Use:		**Local Retail***		**Warehouse**		**Office**		**Open Space**		**Total**	
Size/Units:		21,233 gsf		-181,401 gsf		540,442 gsf		1.14 acres			
Peak Hour Trips:											
	AM	252		-43		1,206		2		1,417	
	MD	420		-39		1,070		8		1,459	
	PM	572		-47		1,021		8		1,554	
	Sat	668		-12		298		12		966	
Person Trips:											
		In	Out	In	Out	In	Out	In	Out	In	Out
AM	**Auto**	15	13	-17	-5	129	16	0	0	127	24
	Taxi	0	0	-1	0	63	8	0	0	62	8
	Subway-Only	2	1	-3	-1	186	23	0	0	185	23
	Subway-to-Bus	2	2	-6	-2	305	38	0	0	301	38
	Bus	3	2	-2	-1	67	8	0	0	68	9
	Ferry	0	0	0	0	29	4	0	0	29	4
	Walk/Other	113	99	-4	-1	294	36	1	1	404	135
	Total	135	117	-33	-10	1,073	133	1	1	1,176	241
		In	Out	In	Out	In	Out	In	Out	In	Out
MD	**Auto**	23	23	-11	-11	10	11	0	0	22	23
	Taxi	0	0	0	0	5	6	0	0	5	6
	Subway-Only	2	2	-2	-2	14	15	0	0	14	15
	Subway-to-Bus	4	4	-4	-3	22	24	0	0	22	25
	Bus	4	4	-1	-1	36	39	0	0	39	42
	Ferry	0	0	0	0	0	0	0	0	0	0
	Walk/Other	177	177	-2	-2	426	462	4	4	605	641
	Total	210	210	-20	-19	513	557	4	4	707	752
		In	Out	In	Out	In	Out	In	Out	In	Out
PM	**Auto**	31	31	-6	-17	21	103	0	0	46	117
	Taxi	0	0	0	-1	10	50	0	0	10	49
	Subway-Only	3	3	-1	-5	30	147	0	0	32	145
	Subway-to-Bus	5	5	-2	-6	49	240	0	0	52	239
	Bus	6	6	-1	-2	11	53	0	0	16	57
	Ferry	0	0	0	0	5	23	0	0	5	23
	Walk/Other	241	241	-2	-4	48	231	5	3	292	471
	Total	286	286	-12	-35	174	847	5	3	453	1,101
		In	Out	In	Out	In	Out	In	Out	In	Out
Sat	**Auto**	37	37	-4	-2	18	18	0	0	51	53
	Taxi	0	0	0	0	9	9	0	0	9	9
	Subway-Only	4	4	-1	0	26	26	0	0	29	30
	Subway-to-Bus	6	6	-1	-1	42	42	0	0	47	47
	Bus	7	7	-1	0	9	9	0	0	15	16
	Ferry	0	0	0	0	4	4	0	0	4	4
	Walk/Other	280	280	-1	-1	41	41	6	6	326	326
	Total	334	334	-8	-4	149	149	6	6	481	485

Note: 25% link trip applied to Local Retail trips

Table 3b: Travel Demand Forecast – Vehicle Trips

		Increment									
Land Use:		**Local Retail***		**Warehouse**		**Office**		**Open Space**		**Total**	
Size/Units:		21,233 gsf		-181,401 gsf		540,442 gsf		1.14 acres			
Peak Hour Trips:											
	AM	252		-43		1,206		2		1,417	
	MD	420		-39		1,070		8		1,459	
	PM	572		-47		1,021		8		1,554	
	Sat	668		-12		298		12		966	
		Increment								*Total*	
Vehicle Trips :											
		In	Out	In	Out	In	Out	In	Out	In	Out
AM	**Auto (Total)**	8	7	-13	-4	112	14	0	0	107	17
	Taxi	0	0	-1	0	34	4	0	0	33	4
	Taxi Balanced	0	0	-1	-1	38	38	0	0	37	37
	Truck	0	0	-11	-5	9	9	0	0	-2	4
	Total	8	7	-25	-10	159	61	0	0	142	58
		In	Out	In	Out	In	Out	In	Out	In	Out
MD	**Auto (Total)**	12	12	-8	-8	9	10	0	0	13	14
	Taxi	0	0	0	0	3	3	0	0	3	3
	Taxi Balanced	0	0	0	0	6	6	0	0	6	6
	Truck	0	0	-8	-6	10	10	0	0	2	4
	Total	12	12	-16	-14	25	26	0	0	21	24
		In	Out	In	Out	In	Out	In	Out	In	Out
PM	**Auto (Total)**	16	16	-5	-13	18	90	0	0	29	93
	Taxi	0	0	0	-1	5	27	0	0	5	26
	Taxi Balanced	0	0	-1	-1	32	32	0	0	31	31
	Truck	0	0	-7	-5	2	2	0	0	-5	-3
	Total	16	16	-13	-19	52	124	0	0	55	121
		In	Out	In	Out	In	Out	In	Out	In	Out
Sat	**Auto (Total)**	19	19	-3	-2	16	16	0	0	32	33
	Taxi	0	0	0	0	5	5	0	0	5	5
	Taxi Balanced	0	0	0	0	10	10	0	0	10	10
	Truck	0	0	-2	-2	0	0	0	0	-2	-2
	Total	19	19	-5	-4	26	26	0	0	40	41

Note: 25% link trip applied to Local Retail trips

Table 4: Incremental Travel Demand Forecast Summary

Peak Hour	**Person Trips**																	
	Net Vehicle[1]			**Total Subway[2]**			**Total Bus[3]**			**Net Ferry**			**Net Walk**			**Total Pedestrian Trips[4]**		
	In	**Out**	**Total**	**In**	**Out**	**Total**	**In**	**Out**	**Total**	**In**	**Out**	**Total**	**In**	**Out**	**Total**	**In**	**Out**	**Total**
AM	**142**	**58**	**200**	**486**	**61**	**547**	**369**	**47**	**416**	**29**	**4**	**33**	**404**	**135**	**539**	**987**	**209**	**1,196**
MD	**21**	**24**	**45**	**36**	**40**	**76**	**61**	**67**	**128**	**0**	**0**	**0**	**605**	**641**	**1,246**	**680**	**723**	**1,403**
PM	**55**	**121**	**176**	**84**	**384**	**468**	**68**	**296**	**364**	**5**	**23**	**28**	**292**	**471**	**763**	**397**	**935**	**1,332**
Sat	**40**	**41**	**81**	**76**	**77**	**153**	**62**	**63**	**125**	**4**	**4**	**8**	**326**	**326**	**652**	**421**	**423**	**844**

[1]Includes Auto, Taxi and Truck trips for all peak hours

[2]Includes Subway-Only and Subway-to-Bus trips

[3]Includes Subway-to-Bus and Bus-Only trips

[4]Includes Walk-Only and pedestrians en route to/from nearby subway stations and bus stops

LEVEL 1 SCREENING ASSESSMENT

According to the *CEQR Technical Manual* guidelines, a two-tier screening process is used to determine whether quantified analyses of any technical areas of the transportation system are necessary. A Level 1 screening is typically necessary if a proposed project has the potential to exceed either 50 vehicle or ferry trips, 200 transit trips or 200 pedestrian trips during any given peak hour. If these thresholds are exceeded, a Level 2 screening assessment is required in order to ensure that there are not 50 vehicle trips, 50 bus trips, 200 subway/rail trips, or 200 pedestrian trips assigned to an individual transportation element (intersections, bus routes, subway stations, etc.), during any analysis peak hour. Based on the preliminary planning factors shown in in **Table 2**, a preliminary travel demand forecast (Level 1 screening) was prepared for the Proposed Project and is shown below in **Tables 3a** and **3b** and summarized in **Table 4**.

Traffic

Under *CEQR Technical Manual* criteria, if a proposed action is expected to generate 50 or more peak hour vehicle trips, there is likely a need for further analysis. As shown in **Table 4**, the Proposed Project would result in a net increase of 200, 45, 176 and 81 vehicle trips in the weekday AM, weekday midday, weekday PM, and Saturday peak periods, respectively. As the number of incremental peak hour trips would exceed the *CEQR Technical Manual* analysis thresholds for vehicular traffic during the weekday AM, PM, and Saturday peak hour periods, a Level 2 screening analysis is warranted to identify if any area intersections may require additional detailed analyses.

Transit

According to the general thresholds used by the Metropolitan Transportation Authority (MTA) and specified in the *CEQR Technical Manual*, detailed transit analyses are generally not required if a proposed development is projected to result in fewer than 200 peak hour subway/rail or bus transit riders. If a proposed action would result an increase of 200 or more passengers at a single subway station or on a single subway line/bus route, a detailed subway and/or bus analysis would be warranted. Transit analyses typically focus on the weekday AM and PM commuter peak hours as it is during these periods that overall demand on the subway and bus system is usually highest.

Subway

As shown in **Table 4**, the project would generate a net increase of approximately 547 and 468 person trips by subway (subway-only and subway-to-bus combined) in the weekday AM and PM peak hours, respectively. As these numbers of trips would exceed the 200 trip *CEQR Technical Manual* analysis threshold, a Level 2 screening analysis is warranted to determine which subway stations and routes would require quantified analysis.

Bus

According to the general thresholds used by the MTA and specified in the *CEQR Technical Manual*, a detailed bus-line haul analysis is generally not required if the project generated increase in person trips by bus is fewer than 200 additional passengers during a peak hour or fewer than 50 peak hour passengers in a single direction on a single route. Due to the Project Site's placement within the City's subway network, some subway trips

would be expected to include a subway-to-bus connection, depending on the trip origin.

As shown in **Table 4**, the project would generate a net increase of 416 and 364 person trips by bus (subway-to-bus and bus-only combined) during the weekday AM and PM peak hours, respectively. While the projected bus trips would exceed 200 trips only during the PM peak hour, the Proposed Project could generate 50 or more passengers per hour during both the AM and PM peak periods and, therefore, a Level 2 analysis is warranted.

Pedestrians

According to *CEQR Technical Manual* guidance, a quantified analysis of pedestrian conditions is typically required if a proposed action would result in 200 or more peak hour pedestrian trips at any pedestrian element (sidewalk, corner area or crosswalk). As shown in **Table 4**, the Proposed Actions' RWCDS would generate an incremental increase of 539, 1,246, 763 and 652 walk-only trips (in and out combined) during the weekday AM, weekday midday, weekday PM and Saturday peak periods, respectively. In addition to the walk-only trips, the Proposed Project would generate pedestrian trips en route to and from nearby subway stations, bus stops, and ferry landings. Including these additional pedestrian trips, the total project generated pedestrian demand would be 1,196, 1,403, 1,332 and 844 trips in the weekday AM, midday, PM and Saturday peak hours, respectively. As the total walk trips exceed the *CEQR* threshold during the weekday AM, midday, PM and Saturday peak hours, a more detailed analysis is warranted.

Citywide Ferry Service

According to *CEQR Technical Manual* guidance, detailed analyses of the citywide ferry service (CWFS) are not typically required if a proposed action would result in 50 or fewer peak hour CWFS peak hour ferry riders. The Proposed Actions' RWCDS would generate a net incremental increase of 33, 0, 28, and 8 ferry trips (in/out combined) in the weekday AM, midday, PM, and Saturday peak hours, respectively. Therefore, based on *CEQR Technical Manual* criteria, the Proposed Action is not expected to result in significant adverse impacts to the CWFS, and a detailed analysis of ferry conditions is not warranted.

LEVEL 2 SCREENING ASSESSMENT: TRIP ASSIGNMENT

Traffic

A Level 2 traffic screening assessment involves the assignment of action-generated vehicle trips to the study area street network and the identification of specific locations where the incremental increase in demand may potentially exceed the *CEQR Technical Manual* analysis threshold of 50 or more vehicle trips at an intersection and, therefore, require a quantitative analysis. As shown in **Table 4** and discussed above, the Proposed Action's RWCDS is expected to result in a net incremental increase of approximately 200, 45, 176 and 81 vehicle trips during the weekday AM, midday, PM and Saturday peak hours, respectively. As these traffic volumes would exceed 50 trips in the weekday AM, PM and Saturday peak hours (the *CEQR Technical Manual* Level 1 screening threshold for a detailed analysis), an assignment of net increment traffic volumes was prepared (a Level 2 screening assessment) to help identify individual intersections for analysis.

The assignments of auto and taxi trips to the street network in proximity to the Project Site are based on the

anticipated origins and destinations of vehicle trips associated with the different land uses projected under the RWCDS (i.e. office, local retail and warehouse uses). The origins/destinations of office and warehouse uses were based on 2012-2016 American Community Survey (ACS) five-year reverse journey-to-work data and AASHTO Census Transportation Planning Products program (CTPP). Origins/destinations for local retail, which generate mostly local trips, were based on population density in proximity to the Project Site and surrounding neighborhoods within an approximately three quarter-mile radius. It should be noted that the majority of Census Tract 543 consists of the Brooklyn Navy Yard, a light industrial and manufacturing hub differing from the surrounding residential neighborhoods, and therefore was not included in the population density calculations. Using these distributions, auto and taxi trips were assigned to various portals on the periphery of Williamsburg and from there were assigned to the Project Site via the most direct route. Auto trips were assigned to the parking garage entrance on Division Avenue, while taxi trips were assigned to the Kent Avenue frontage. **Tables 6** and **7** below shows the directional distributions of auto and taxi trips by land use based on this data. Trucks were assigned to DOT designated truck routes – i.e., Kent Avenue, Broadway, and Williamsburg Street East – and then the most direct paths to and from the Project Site's loading dock entrances along Kent Avenue.

Table 6: Origin Distribution for Office and Warehouse Uses

Origin Location	Percent of Total
Bronx	6.5%
Brooklyn	37.9%
Manhattan	2.4%
Queens	15.6%
Staten Island	6.2%
Long Island	16.7%
New Jersey/Pennsylvania	5.5%
Upstate NY/Connecticut	2.3%
Westchester	6.9%

Source: U.S. Census Bureau, 2012-2016 5-year estimates and AASHTO Special Tabulation: Census Transportation Planning Products program (CTPP)

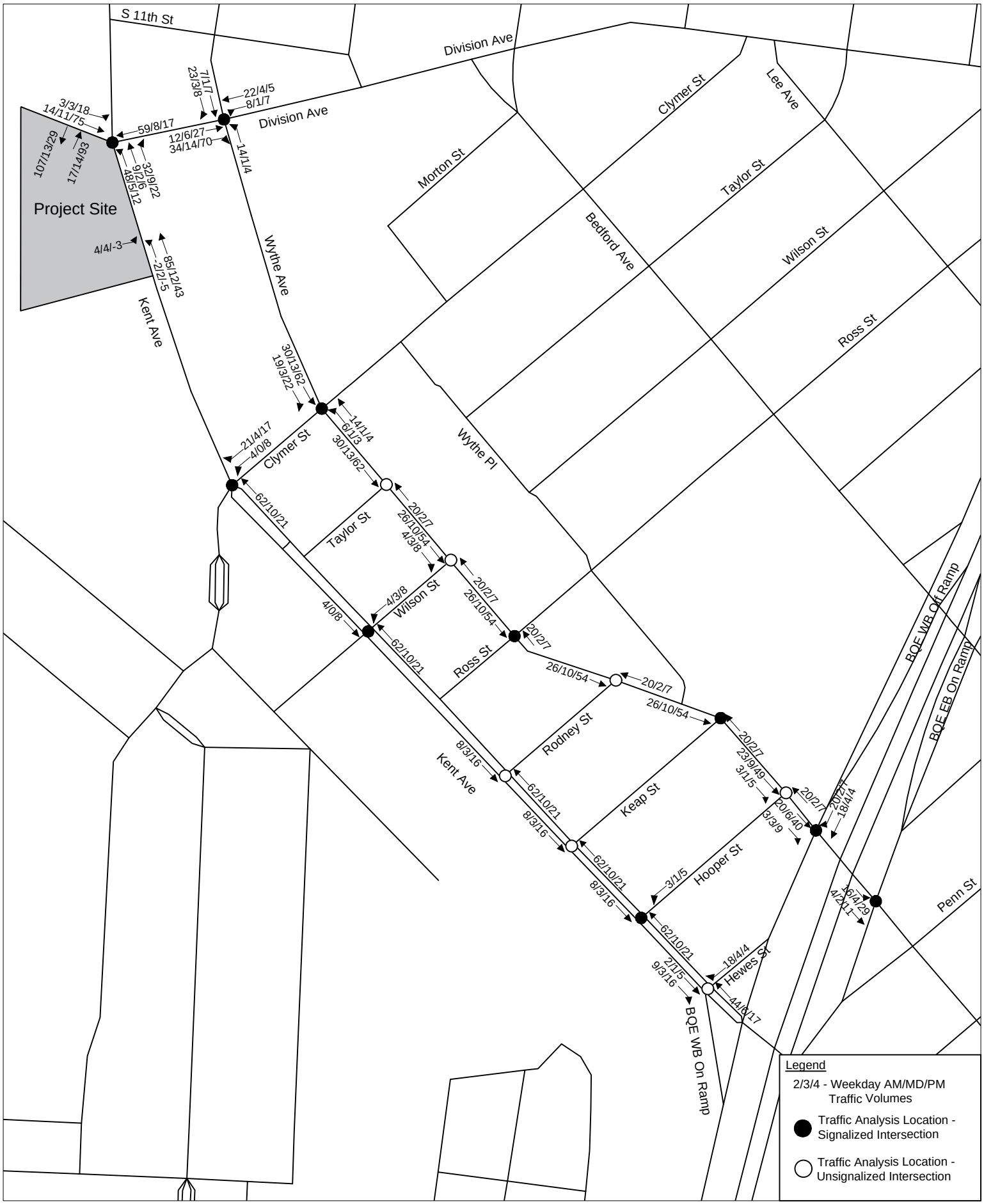
Table 7: Origin Distribution for Local Retail Uses

Origin Location	Percent of Total
North	40%
East	60%

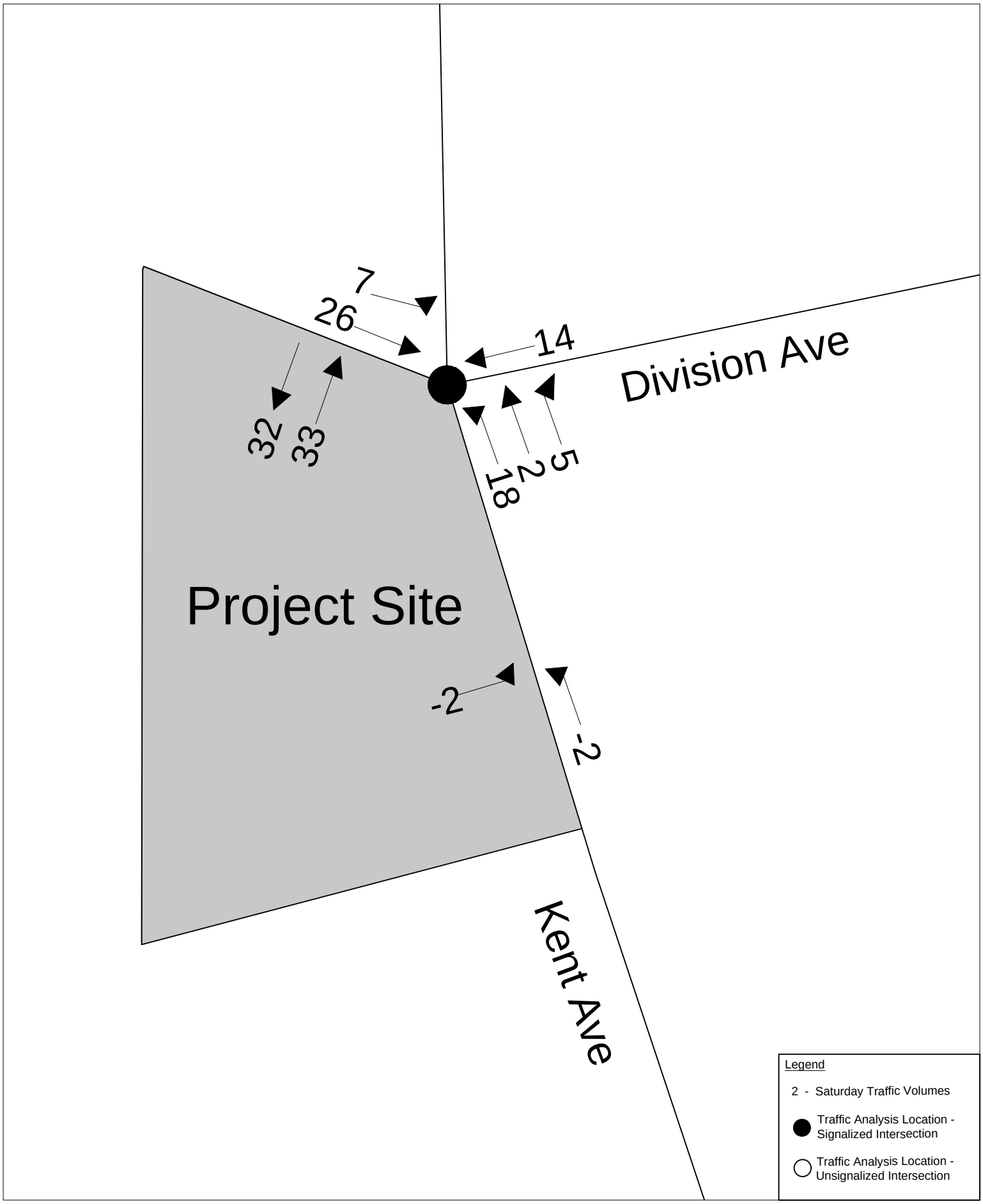
Note: Based on population density within approximately ¾-mile of the Project Site

Figure 2 shows the assignment of incremental vehicle trips generated by the Proposed Actions during the weekday AM, weekday midday, weekday PM and Saturday peak hours, along with the intersections expected to exceed the 50-trip *CEQR Technical Manual* analysis threshold. As shown in **Figure 2,** a total of 17 intersections (10 signalized, seven unsignalized) exceeded this threshold and were selected for detailed analysis. These intersections are listed below along with the peak hour in which the 50 vehicle threshold is expected to be exceeded:

Project Increment Weekday AM/MD/PM Traffic Volumes



Project Increment Saturday Traffic Volumes



Traffic Analysis Locations

1. Kent Avenue at Division Avenue *(signalized*)
2. Kent Avenue at Clymer Street *(signalized)*
3. Kent Avenue at Wilson Street *(signalized)*
4. Kent Avenue at Rodney Street *(unsignalized)*
5. Kent Avenue at Keap Street *(unsignalized)*
6. Kent Avenue at Hooper Street *(signalized*)
7. Kent Avenue at Hewes Street *(unsignalized)*
8. Wythe Avenue at Division Avenue *(signalized*)
9. Wythe Avenue at Clymer Street (*signalized*)
10. Wythe Avenue at Taylor Street *(unsignalized)*
11. Wythe Avenue at Wilson Street *(unsignalized)*
12. Wythe Avenue at Ross Street *(signalized)*
13. Wythe Avenue at Rodney Street *(unsignalized)*
14. Wythe Avenue at Keap Street *(signalized*)
15. Wythe Avenue at Hooper Street *(unsignalized)*
16. Wythe Avenue at Williamsburg Street West *(signalized*)
17. Wythe Avenue at Williamsburg Street East *(signalized*)

Subway

Subway Stations

Typically, transit analyses examine conditions during the weekday AM and PM commuter peak periods, as it is during these times that overall transit demand (and the potential for significant adverse impacts) is generally greatest. As indicated above in **Table 2**, approximately 45.7 percent of office trips, the land use which represent the largest number of action-generated peak hour trips, are expected to utilize the subway while 3 percent of local retail trips and 28 percent of warehouse trips would be made by subway. **Figure 1** shows the nearest subway station to the Project Site (the Marcy Avenue station), as well as nearby bus routes and ferry landing.

As shown below in **Table 8**, it is anticipated that the majority of project-generated subway trips would utilize the Marcy Avenue subway station, which is located approximately 0.6-miles northeast of the site and served by the J/M/Z subway lines. Only project-generated trips commencing or terminating at the Marcy Avenue Station are considered subway-only trips and are included in the subway analysis. The remaining action-generated subway trips are expected to be dispersed among other nearby subway stations were riders are assumed to complete their journey via bus (i.e. Subway-to-Bus trips). This dispersion is detailed in **Table 8** below and is based on U.S Census Bureau, American Community Survey (ACS) 5-year (2012-2016) reverse journey-to-work data utilizing the AASHTO Census Transportation Planning Products program (CTPP). Subway-to-bus trips were added to the bus-only trips to derive the total bus trips and are evaluated in the bus analysis below.

As shown in **Table 8**, the Proposed Action would generate approximately 356 and 303 subway trips (in and out combined) in the AM and PM peak periods, respectively, at the Marcy Avenue station, which exceeds

the 200-trip CEQR threshold. Therefore, the EIS transit analysis will quantitatively examine subway conditions of circulation and fare control elements, such as stairs and fare arrays, at this station.

Subway Line Haul

The Marcy Avenue subway station is served by the J, M, and Z subway routes. The peak direction of travel along the J, M, and Z routes is typically Manhattan-bound (westbound) in the weekday AM and Queens-bound (eastbound) in the weekday PM. **Table 9**, below, provides the assignment of project-generated subway trips for the weekday AM and PM peak hours for the J, M, and Z routes, by direction.

Table 8: Subway Assignment Summary

Subway Station/Line Summary	AM Peak Hour Projected Sites			PM Peak Hour Projected Sites		
	In	Out	Total	In	Out	Total
Marcy Avenue (J/M/Z) - subway only	185	23	208	32	145	177
Marcy Avenue (J/M/Z) - subway to bus transfer	131	17	148	22	104	126
York Street (F)	34	4	38	6	27	33
Atlantic Terminal (2/3/4/5/B/D/N/Q/R/LIRR)	34	4	38	6	27	33
DeKalb Ave (B/D/N/R/W)	15	2	17	3	12	15
Jay Street-Metrotech (A/C/F/R)	44	5	49	8	35	43
Franklin Ave (C/S)	24	3	27	4	19	23
Bedford Ave (G)	19	3	22	3	15	18
Total	486	61	547	84	384	468

Source: U.S. Census Bureau, ACS 2012-2016 5-year reverse journey-to-work estimates and AASHTO Census Transportation Planning Products (CTPP)

As shown in **Table 9**, the Proposed Project would generate would generate approximately 47 Manhattan-bound trips along the J subway route in the weekday AM peak hour, and 43 Queens-bound trips during the weekday PM peak hour. In addition, the Proposed Project would generate would generate approximately 62 Manhattan-bound trips along the M subway route in the weekday AM peak hour, and 58 Queens-bound trips during the weekday PM peak hour. Along the Z subway route, the Proposed Project would generate approximately 17 Manhattan-bound trips in the weekday AM peak hour, and 15 Queens-bound trips in the weekday PM peak hour. As the Proposed Project would not generate the *CEQR Technical Manual* threshold of 200 or more new peak hour subway trips in any one direction of the J, M, and Z subway routes, an analysis of subway line haul conditions is not warranted as impacts are not expected.

Table 9: Subway Assignments by Direction – J, M, and Z Routes

Subway Line	Direction	AM			PM		
		In	Out	Total	In	Out	Total
J	Manhattan-Bound	37	10	47	6	64	70
	Queens-Bound	81	5	86	14	29	43
	Bi-Directional Total	**118**	**15**	**133**	**20**	**93**	**113**
M	Manhattan-Bound	49	13	62	8	85	93
	Queens-Bound	108	6	114	19	39	58
	Bi-Directional Total	**157**	**19**	**176**	**27**	**124**	**151**
Z	Manhattan-Bound	13	4	17	2	22	24
	Queens-Bound	28	2	30	5	10	15
	Bi-Directional Total	**41**	**6**	**47**	**7**	**32**	**39**
Marcy Avenue Station (J,M,Z) Total		**316**	**40**	**356**	**54**	**249**	**303**

Bus

The Project Site is primarily served by the B67 New York City Transit (NYCT) bus route which operates between Kensington and Williamsburg via Downtown Brooklyn and the Brooklyn Navy Yard. The route runs along Kent Avenue and Wythe Avenue in the vicinity of the Project Site. Service is also provided by the B62 NYCT bus which is routed along Wythe Avenue in proximity to the Project Site and operates between Queens Plaza and Downtown Brooklyn. Additional service is provided by the B44 select bus service (SBS), the B32 and the Q59. These services and the principle corridors on which they operate in proximity to the Project Site are listed below in **Table 10**.

Table 10: Bus Routes Serving the Project Site

Route	Operating Agency	Rout Endpoints	Corridors Served in Proximity to the Project Site
B67	NYCT	Kensington – Downtown Brooklyn	Kent Av/Wythe Av
B62	NYCT	Queens Plaza – Downtown Brooklyn	Wythe Av/Division Av
B44	NYCT	Sheepshead Bay - Williamsburg	Bedford Av/Lee Av
B32	NYCT	Long Island City - Williamsburg	Kent Av/Wythe Av/Broadway
Q59	NYCT	Rego Park – Williamsburg	Kent Av/Wythe Av/Broadway

As shown in **Table 3a**, the Proposed Project is expected to generate a net total (in and out combined) of approximately 77 and 73 incremental bus-only trips during the weekday AM and PM peak hours, respectively. As discussed above, due to the location of the site some subway trips are expected to also include a bus element to complete the journey. These additional subway-to-bus riders are expected to increase the number of incremental bus trips by 339 and 291 in the AM and PM peak hours, respectively, for a net total of 416 and 364 trips utilizing local bus routes in the AM and PM peak hours, respectively. Total bus trip dispersion was based on ridership data provided by NYC MTA and is detailed in **Table 11** below.

Table 11: Bus Line Assignment Summary

Bus Line	Bus Only						Subway to Bus						Total Bus Trip					
	AM			PM			AM			PM			AM			PM		
	In	Out	Total	In	Out	Total	In	Out	Total	In	Out	Total	In	Out	Total	In	Out	Total
Peak Hour Incremental Bus Trips	68	9	77	16	57	73	301	38	339	52	239	291	369	47	416	68	296	364
B67	14	2	16	3	11	14	64	7	71	12	51	63	78	9	87	15	62	77
B62	15	2	17	4	13	17	213	28	241	36	169	205	228	30	258	40	182	222
B44	17	3	20	4	15	19	24	3	27	4	19	23	41	6	47	8	34	42
B32	11	1	12	3	9	12	0	0	0	0	0	0	11	1	12	3	9	12
Q59	11	1	12	2	9	11	0	0	0	0	0	0	11	1	12	2	9	11
Total	**68**	**9**	**77**	**16**	**57**	**73**	**301**	**38**	**339**	**52**	**239**	**291**	**369**	**47**	**416**	**68**	**296**	**364**

Source: U.S. Census Bureau, ACS 2012-2016 5-year reverse journey-to-work estimates and AASHTO Census Transportation Planning Products program (CTPP)

According to the general thresholds used by the MTA and specified in the *CEQR Technical Manual*, a detailed analysis of bus conditions is generally not required if a proposed action is projected to result in fewer than 50 peak hour trips being assigned to a single bus route (in one direction), as this level of new demand is considered unlikely to result in significant adverse impacts. As shown in **Table 11**, two routes (the B62 and B67) are expected to experience 50 or more new trips during both peak hours.

Table 12, below, provides the assignment of project-generated bus trips for the weekday AM and PM peak hours for the B62 and B67 routes, by direction. As shown in **Table 12**, the B62 bus route would experience and increase of 139 northbound and 119 southbound trips in the weekday AM peak hour and 104 northbound and 118 southbound trips in the weekday PM peak hour. Additionally, the B67 bus route would experience an increase of 78 northbound and 9 southbound trips in the weekday AM peak hour and 15 northbound and 62 southbound trips in the weekday PM peak hour. Therefore, detailed bus analyses of the B62 and B67 bus routes are warranted and will be provided in the EIS.

Table 12: Bus Assignment by Direction –B62 and B67 Routes

Bus Line	Direction	AM			PM		
		In	Out	Total	In	Out	Total
B62	NB	125	14	139	22	82	104
	SB	103	16	119	18	100	118
B67	NB	78	0	78	15	0	15
	SB	0	9	9	0	62	62

Pedestrians

As discussed above and summarized in **Table 4**, the Proposed Action would generate 1,196, 1,403, 1,332 and 844 incremental pedestrian trips (including walk-only, subway and bus trips) during the weekday AM, weekday midday, weekday PM and Saturday peak hours, respectively. The analysis of pedestrian conditions focuses on the pedestrian elements – sidewalks, corner areas and crosswalks – where the new trips generated by a proposed development are expected to be concentrated. These elements are primarily located within the vicinity of the Project Site and corridors connecting the site to area subway station entrances, bus stops, and ferry landings. A pedestrian assignment was conducted to determine which pedestrian elements exceeded the *CEQR* threshold of 200 or more incremental pedestrian trips.

Although the number of pedestrian trips in the Saturday peak hour would also exceed the 200-trip *CEQR Technical Manual* analysis threshold, the 844 trips generated during this period would be less than the trips generated in the weekday peak hours. Additionally, the distribution of trips to area sidewalks and crosswalks in the Saturday peak hour is expected to be similar to the distribution in the weekday midday. Consequently, significant adverse pedestrian impacts on Saturday over and above those identified for the weekday peak hours are considered unlikely. Therefore, the analysis of pedestrian conditions will focus on the weekday AM, midday and PM peak hours and the Saturday peak hour is not analyzed.

The locations of elements where incremental pedestrian trips generated by the Proposed Action during the weekday AM, midday and PM peak hours are expected to exceed the 200 or more incremental pedestrian trip threshold are shown in **Figure 3**. As presented in **Figure 3** the Proposed Project would generate 200 or more pedestrian trips at 22 pedestrian elements during the weekday AM, midday and PM peak hours. Accordingly, the EIS will provide detailed analyses for the weekday AM, midday and PM peak hours for these 22 pedestrian facilities (six sidewalks, five crosswalks and 11 corner areas), which are listed below.

Preliminary Pedestrian Analysis Locations

Sidewalks

1. Kent Avenue between S. 11th Street and Division Avenue *(west sidewalk)*
2. Kent Avenue between Division Avenue and Rush Street *(west sidewalk)*
3. Kent Avenue between Rush Street and Clymer Street *(west sidewalk)*
4. Division Avenue between Kent Avenue and Wythe Avenue *(north sidewalk)*
5. Division Avenue between Kent Avenue and Wythe Avenue *(south sidewalk)*
6. Division Avenue between Wythe Avenue and Bedford Avenue *(south sidewalk)*

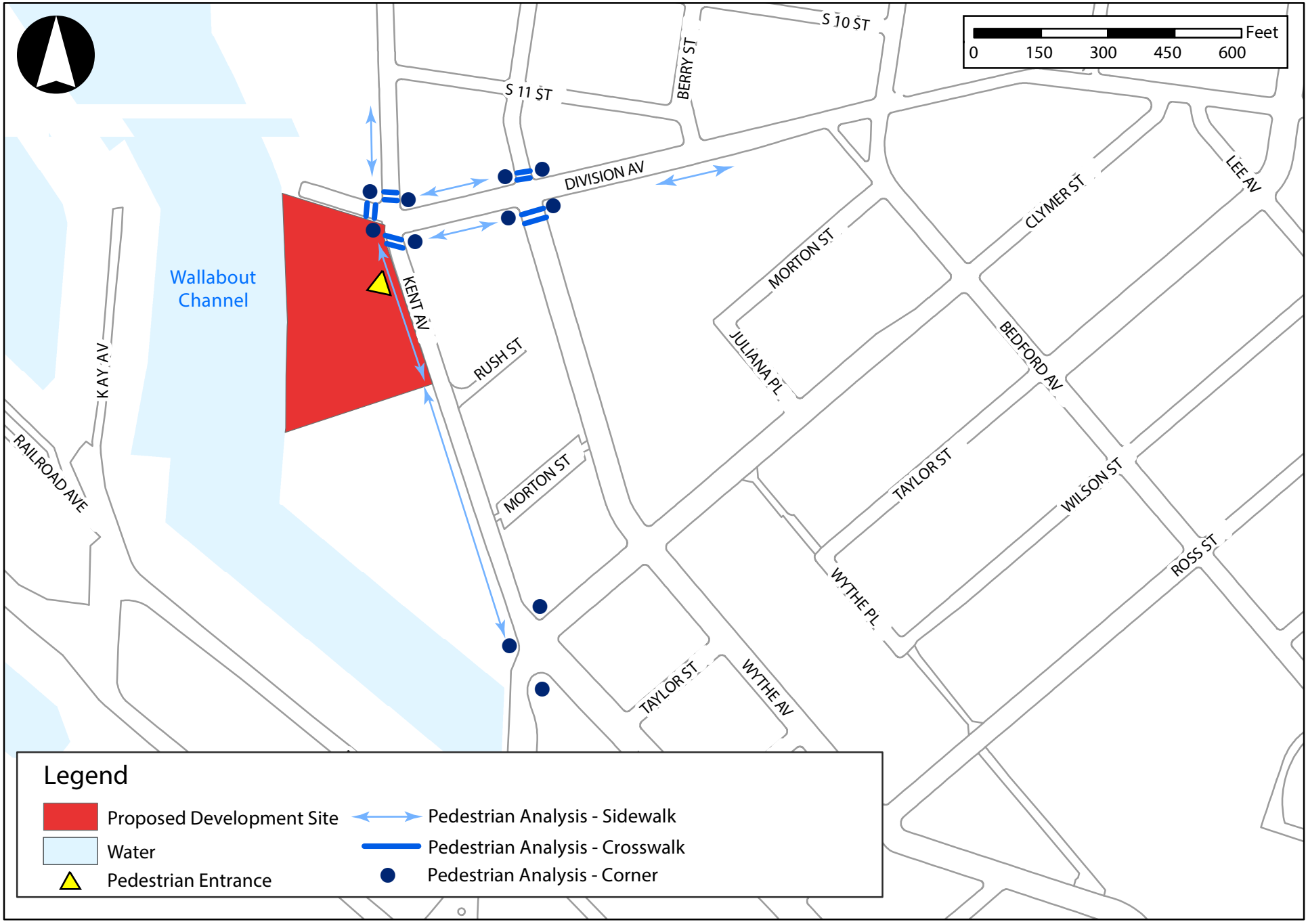
Crosswalks

1. Kent Avenue and Division Avenue *(north crosswalk)*
2. Kent Avenue and Division Avenue *(south crosswalk)*
3. Kent Avenue and Division Avenue *(west crosswalk)*
4. Division Avenue and Wythe Avenue *(north crosswalk)*
5. Division Avenue and Wythe Avenue *(south crosswalk)*

Corners

1. Kent Avenue and Division Avenue *(northwest corner)*
2. Kent Avenue and Division Avenue *(northeast corner)*
3. Kent Avenue and Division Avenue *(southeast corner)*
4. Kent Avenue and Division Avenue *(southwest corner)*
5. Kent Avenue and Clymer Street *(northwest corner)*
6. Kent Avenue and Clymer Street *(northeast corner)*
7. Kent Avenue and Clymer Street *(southwest corner)*
8. Wythe Avenue and Division Avenue *(northwest corner)*
9. Wythe Avenue and Division Avenue *(northeast corner)*
10. Wythe Avenue and Division Avenue *(southeast corner)*
11. Wythe Avenue and Division Avenue *(southwest corner)*

Figure 3
Pedestrian Analysis Locations



Vehicular and Pedestrian Safety

Under *CEQR Technical Manual* guidance, an evaluation of vehicular and pedestrian safety is needed for locations within the traffic and pedestrian study areas that have been identified as high crash locations. These are defined as locations along a Vision Zero intersection or where five or more pedestrian/bicyclist injury crashes have occurred in any consecutive 12 months of the most recent three-year period for which data are available. In addition, any location along a Vision Zero priority corridor with three or more pedestrian/bicyclist injury crashes in any consecutive 12 months of the most recent three-year period for which data is available should be identified as a high crash location. For these locations, crash trends will be identified to determine whether projected vehicular and pedestrian traffic would further impact safety, or whether existing unsafe conditions could adversely impact the flow of the projected new trips.

Vision Zero Brooklyn Pedestrian Safety Action Plan

Consistent with the City's Vision Zero initiative, the *Vision Zero Brooklyn Pedestrian Safety Action Plan* was released in 2015 and updated in 2019. The plan identifies a series of engineering/planning, enforcement, and education/awareness campaign strategies to enhance pedestrian safety along the borough's Priority Corridors and Priority Intersections. These strategies include measures such as reducing the speed limit to 25 miles per hour, expanding exclusive pedestrian crossing time, installing additional lighting around key transit stops, expanding the bicycle network, prioritizing targeted enforcement and deploying speed cameras, and targeting intensive street-level outreach. In proximity to the project site, the plan identifies Bedford Avenue, to the east of the project site, as a "Priority Corridor".

Crash Data

Table 13 shows the crash data summary for the three-year reporting period between January 1, 2017 and December 31, 2019 that were obtained from NYCDOT. This is the most recent three-year period for which data are available.

The data obtained quantify the total number of reportable crashes (crashes involving a fatality, injury, or more than $1,000 in property damage), as well as a yearly breakdown of fatalities, injuries, and vehicular crashes involving pedestrians and bicycles at each location. **Table 13** summarizes the crash data for each intersection within the quarter-mile study area during the study period, including a breakdown of pedestrian and bicycle crashes by year.

During the three-year period, a total of 114 reportable and non-reportable crashes, zero fatalities, 60 total injuries, and 25 pedestrian/bicyclist-related crashes occurred at intersections within the quarter-mile study area. As shown on the following page in **Table 13**, no intersections were found to have experienced a total of three or more pedestrian/bicyclist-related crashes in any one year during the three-year period. Therefore, no intersections were identified as high-crash locations in the quarter-mile study area.

Table 13: Crash Data Summary 2017-2019

Intersection		Pedestrian Injury Crashes			Bicycle Injury Crashes			Total Pedestrian/Bicyclist Injury Crashes			Total Crashes (Reportable + Non-Reportable)		
		2017	2018	2019	2017	2018	2019	2017	2018	2019	2017	2018	2019
Kent Ave	S 8th St	0	0	0	0	0	0	0	0	0	0	1	0
	S 9th St	0	0	0	0	0	0	0	0	0	0	1	1
	S 10th St	0	0	0	0	0	0	0	0	0	0	0	0
	S 11th St	0	0	0	1	0	0	1	0	0	3	1	1
	Division Ave	0	0	0	0	0	1	0	0	1	2	1	4
	Clymer St	0	0	0	0	0	1	0	0	1	1	3	2
	Taylor St	0	0	0	0	0	0	0	0	0	0	1	0
	Wilson St	0	0	0	1	0	0	1	0	0	2	0	1
Wythe Ave	S 8th St	0	0	0	0	0	0	0	0	0	0	1	2
	S 9th St	0	1	0	0	1	0	0	2	0	1	2	1
	S 10th St	1	0	0	0	0	0	1	0	0	2	6	2
	S 11th St	1	0	0	0	1	1	1	1	1	2	2	1
	Division Ave	1	0	0	0	0	0	1	0	0	2	3	5
	Clymer St	1	0	0	1	1	0	2	1	0	4	4	1
	Taylor St	0	0	0	0	0	0	0	0	0	0	0	1
	Wilson St	0	0	0	0	0	1	0	0	1	1	1	2
Berry St	S 8th St	0	0	0	0	0	0	0	0	0	0	2	2
	S 9th St	1	0	0	0	0	0	1	0	0	2	2	1
	S 10th St	0	0	1	1	0	0	1	0	1	1	1	4
	S 11th St	0	0	0	0	0	0	0	0	0	0	1	0
	Division Ave	0	0	0	0	0	0	0	0	0	0	0	0
Bedford Ave	S 10th St	0	1	0	1	0	0	1	1	0	1	1	0
	Division Ave	1	0	0	1	0	1	2	0	1	2	7	7
	Morton St	0	0	0	0	0	1	0	0	1	0	2	1
	Clymer St	0	0	0	1	0	0	1	0	0	2	1	1
Clymer St	Juliana Pl	0	0	0	0	0	0	0	0	0	0	0	2

Parking

In the future with the Proposed Action, the Project Site would be rezoned from M3-1 to M1-5. As such, on-site parking would not be required for the proposed uses – although it is anticipated that the proposed 234 on-site parking spaces to be provided at the Project Site will be sufficient to accommodate the overall demand generated by the Proposed Actions. The proposed parking supply is based on the weekday peak parking demand that would be generated by the Proposed Project, shown below in **Table 14**. As mentioned earlier, 234 spaces would be provided as part of the Proposed Project. Therefore, as the proposed parking supply would accommodate the peak parking demand generated under the RWCDS, a detailed parking analysis is not warranted and will not be included in the EIS.

Table 14: Weekday Parking Accumulation

	Local Retail 21,233 gsf			Office 598,442 gsf			Total
	In	Out	Accum.	In	Out	Accum.	Accum.
Overnight			2			2	
12-1 AM	0	0	2	0	0	2	4
1-2	0	0	2	0	0	2	4
2-3	0	0	2	0	0	2	4
3-4	0	0	2	0	0	2	4
4-5	0	0	2	0	0	2	4
5-6	0	0	2	0	0	2	4
6-7	0	0	2	0	0	2	4
7-8	5	4	3	11	1	12	15
8-9	7	6	4	125	15	122	126
9-10	10	8	6	109	18	213	219
10-11	10	7	9	18	15	216	225
11-12	10	9	10	8	22	202	212
12-1 PM	12	12	10	9	9	202	212
1-2	12	12	10	10	11	201	211
2-3	13	14	9	42	18	225	**234**
3-4	13	12	10	14	22	217	227
4-5	12	14	8	13	91	139	147
5-6	16	16	8	20	98	61	69
6-7	12	12	8	5	43	23	31
7-8	7	9	6	1	22	2	8
8-9	4	6	4	0	0	2	6
9-10	1	3	2	0	0	2	4
10-11	0	0	2	0	0	2	4
11-12	0	0	2	0	0	2	4
Total	144	144		385	385		

APPENDIX II:
RESPONSE TO COMMENTS ON THE DRAFT SCOPE OF WORK

500 KENT AVENUE

RESPONSE TO COMMENTS ON THE DRAFT SCOPE OF WORK FOR A DRAFT ENVIRONMENTAL IMPACT STATEMENT

A. INTRODUCTION

This document summarizes and responds to comments on the Draft Scope of Work (DSOW), issued on February 17, 2021, for the 500 Kent Avenue project (the "Proposed Action.") Oral and written comments were received during the public meeting held by the New York City Department of City Planning (DCP) on behalf of the New York City Planning Commission (CPC) on March 25, 2021. Written comments were accepted through the close of the public comment period, which ended at 5:00 PM on April 5, 2021. Appendix III contains the written comments received on the DSOW. A Final Scope of Work (FSOW) was issued on January 19, 2024 incorporating comments received on the DSOW where relevant and appropriate, as well as other background and project updates that were made subsequent to publication of the DSOW.

Section B lists the elected officials, organizations, and individuals that provided relevant comments on the DSOW. Section C contains a summary of these relevant comments and a response to each. These summaries convey the substance of the comments made, but do not necessarily quote the comments verbatim. Comments are organized by subject matter and generally parallel the chapter structure of the DSOW.

B. LIST OF ELECTED OFFICIALS, ORGANIZATIONS, AND INDIVIDUALS THAT COMMENTED ON THE DRAFT SCOPE OF WORK

Elected Officials and Government Agencies

1. Hon. Eric L. Adams, Brooklyn Borough President; written submission dated April 5, 2021 and oral statement delivered by Richard Bearak at public scoping meeting.

Organizations and Interested Public

2. Association for Neighborhood & Housing Development (ANHD); written submission dated April 5, 2021.
3. Terri Carta, Executive Director, Brooklyn Greenway Initiative; written submission dated March 25, 2021 and oral statement delivered at public scoping meeting.
4. Evergreen: Your North Brooklyn Business Exchange; written submission undated.
5. Sinade Wadsworth, Council Representative, New York City District Council of Carpenters; oral statement delivered at public scoping meeting.

C. COMMENTS AND RESPONSES ON THE DRAFT SCOPE OF WORK

1. Project Description/Development Scenario Comments

Comment 1.1: The planning background and rationale for the actions being proposed should explain why the proposed rezoning was derived in lieu of pursing an Industrial Business Incentive Area with a special permit, which would have required a segment of the floor area to be set aside for Required Industrial Use. [1 – Adams]

Response 1.1: ***The Applicant, after consulting with the Department of City Planning, identified the proposed zoning map amendment, waterfront bulk modification special permit, and public parking special permit, i.e., the discretionary land use approvals being sought as part of the Proposed Action, based on their relevance to the identified purpose and need. The EIS will provide a description of the land use approvals and asses them in terms of their effects related to land use, zoning, and public policy. However, a comparison of other types of discretionary land use approvals that could be pursued if the Applicant or the Department of City Planning identified a different purpose and need would be outside the scope of an EIS.***

Comment 1.2: We are opposed to the proposal for 500 Kent Avenue, as it fails to provide for any industrial uses in a development located within the Brooklyn Navy Yard Industrial Business Zone (IBZ). […] This is a rezoning that remains Manufacturing in name only. In fact, the whole premise of rezoning from M3-1 to M1-5 in this situation would be to take advantage of the loose use group restrictions and lack of height limits and access 5.0 FAR for commercial uses without having to propose a commercial (C zoned) rezoning. This proposal - as with any proposed development in an IBZ - must include a significant amount of square footage set aside for industrial use. At the bare minimum, the developer should look to the model established by the Industrial Business Incentive Area special permit (74-96 in the Zoning Resolution) that would guarantee at least 0.8 FAR of industrial space and would also lock in the design of the building and disincentivize any warehousing. Ideally the developer should go further than this in setting aside a portion of the proposed development for dedicated industrial uses. [2 – ANHD]

Because the applicant intends to create a large scale commercial building with no manufacturing included, Evergreen opposes this application as it is currently proposed. […] We would recommend a mandate that at least 1.0 FAR of M-zoned space be leased to businesses in the manufacturing NAICS codes be included. […] We often find that while businesses in North Brooklyn are interested in expansion, they increasingly have nowhere to go in the City. If we do not protect our industrial and manufacturing spaces, these businesses will be unable to expand locally and the community will lose valuable job opportunities for our residents. [4 – Evergreen]

Response 1.2: ***Comment noted. The Applicant does not anticipate that manufacturing uses would occupy the Proposed Project, though light manufacturing uses (Use Group 17) would be permitted under the Proposed Action. Regarding height limits, it should be noted that the proposed waterfront bulk modification special permit would establish a maximum permitted building envelope for the Proposed Project. The Applicant notes that sites in IBZs do not have a set aside requirement for industrial use under zoning or under the IBZ policy. Regarding the Applicant's rationale for the proposed zoning designation and its view on the appropriateness of an IBIA designation or similar zoning action, please refer to the response to Comments 1.1 and 2.1.***

Comment 1.3: The proposed plan for 500 Kent has several merits that Brooklyn Greenway Initiative has long supported, including the creation of new public waterfront access and open space, the continuation of a public esplanade along the Williamsburg waterfront, maintaining site lines between the waterfront and local community, and adding new connections between the Navy Yard and local community. [3 – Carta]

Response 1.3: ***Comment noted.***

Comment 1.4: Future site plans and renderings should better embrace the Greenway as an adjacent mobility and open space facility that could support goals relating to transportation, open space, GHG and

climate change, neighborhood character, construction, and public health, among others. [3 – Carta]

Response 1.4: ***In advancing the preliminary design of the Proposed Project, the Applicant has consulted with NYC Department of Transportation (DOT) regarding the location of curb cuts for the project parking garage and loading berths to address the interface with the future condition of the Brooklyn Waterfront Greenway. As advised by DOT, the Application site plan includes a note stating: "Final design of sidewalk to be coordinated with DOT in the Builders' Pavement Plan to account for Ken Avenue Waterfront Greenway Project." This site plan also will be included in the EIS. Additionally, the Applicant is coordinating with the Department of City Planning and others regarding the design of the Proposed Project and its connections to existing and future open spaces, including the Brooklyn Waterfront Greenway and these coordination efforts will be reflected in project plans and other graphic materials.***

Comment 1.5: This project looks wonderful in Brooklyn. Would local hiring be a priority, as well as responsible contractors for development of this project? We would love the opportunity to provide careers for the community and we look forward to helping out.

Response 1.5: ***Comment noted. This comment is outside the scope of CEQR. The Applicant intends to work with responsible local contractors.***

2. Land Use, Zoning, and Public Policy

Comment 2.1: When assessing the potential impacts of the Proposed Actions on public policy, include consideration of not designating the site as an Industrial Business Incentive Area. [1 – Adams]

Response 2.1: ***As noted in the Draft Scope of Work, the Project Site is located in the Brooklyn Navy Yard Industrial Business Zone (IBZ) and the effects of the Proposed Action related to this will be assessed in the EIS as part of the public policy analysis. However, there is not a specific public policy associated with the designation of Industrial Business Incentive Areas (IBIAs). Therefore the EIS will not provide an assessment or consideration of the Applicant's choice to not apply for an IBIA designation for the Project Site.***

There are spaces for light industrial uses at the Brooklyn Navy Yard, which has plans for further expansion of such spaces. Given the proximity of these spaces to the Project Site, it is the Applicant's opinion that this would not be an appropriate location for an IBIA project. It is the Applicant's belief that the Proposed Action would allow for a use that would be compatible with the area's industrial uses and existing and planned nearby residential uses including those located across the street.

Comment 2.2: We would urge that the Draft Scope of Work (DSOW) identify that this proposal runs counter to City policy for IBZs […] both in determining the effect on jobs and the development's impact on industrial businesses elsewhere. [2 – ANHD]

Response 2.2: ***The Draft Scope of Work notes that the Project Site is located within the Brooklyn Navy Yard IBZ and notes that the EIS will assess the Proposed Action's consistency with public policies, including the IBZ program.***

3. Socioeconomic Conditions

No specific comments were received on this topic.

4. Open Space

No specific comments were received on this topic.

5. Shadows

No specific comments were received on this topic.

6. Historic and Cultural Resources

No specific comments were received on this topic.

7. Urban Design and Visual Resources

Comment 7.1: Photographs referenced in determining the pedestrian experience should be taken from the level of a person being on the sidewalk and from sidewalk locations as opposed to the street. [1 – Adams]

Response 7.1: ***This comment is generally consistent with CEQR Technical Manual guidance that "photos must be taken from the pedestrian point of view (sidewalks, parks or other visual resources, where pedestrians can safely experience the development." This comment is also consistent with the Draft Scope of Work's description of the urban design and visual resources analysis that will be provided in the EIS. This approach will be followed in the preparation of analysis in the EIS.***

8. Hazardous Materials

No specific comments were received on this topic.

9. Water and Sewer Infrastructure

Comment 9.1: It is Borough President Adams' policy to promote a resilient and sustainable Brooklyn, and he believes that maximum consideration should be given to diverting stormwater runoff from the Newtown Creek Wastewater Treatment Plants (WWTP). If such a detailed assessment would be required, consideration should be given to the incorporation of blue and/or green roof features, New York City Department of Environmental Protection (DEP) rain gardens, and expanded tree pit management infrastructure. [1 – Adams]

Response 9.1: ***Comment noted. As discussed in the Draft Scope of Work, the EIS will provide an assessment of the potential for the Proposed Action to result in impacts related to stormwater. In addition, consistent with CEQR practice, the EIS will include a discussion of stormwater management measures that would ensure that the Proposed Project would reduce its effects on sewer infrastructure including required compliance with the City's Unified Stormwater Rule which went into effect in 2022.***

10. Solid Waste and Sanitation

No specific comments were received on this topic.

11. Energy

No specific comments were received on this topic.

12. Transportation

Comment 12.1: I ask that the environmental review for 500 Kent clearly outline the Greenway-related safety measures that will be implemented and who will be responsible for them throughout the period of site development, construction, and continued operation of the live site. […] How will the design and operation of the site mitigate conflicts between vehicle drivers crossing the Greenway with Greenway users? […] How will the site handle commercial deliveries in a way that minimizes conflict with Greenway users? (3 – Carta)
I share the interest of the Brooklyn Greenway Initiative (BGI) and users of the Kent Avenue bikeway in looking forward to the disclosure in the Construction and Transportation sections toward guiding decisionmakers during the anticipated ULURP process. [1 – Adams]

Response 12.1: ***Refer to the response to comment 1.4 above regarding the Applicant's coordination with DOT. Additionally, with regard to safety and as stated in the Draft Scope of Work, the EIS Transportation chapter will include a vehicular and pedestrian safety assessment.***

Comment 12.2: How will the site encourage commercial tenants and retail customers to use transit or active transportation over personally-owned vehicles wherever possible, thus minimizing conflict at the site edge / Greenway while also reducing VMT and GHG? [4 – Carta]

Response 12.2: ***The Proposed Project is located in an area well served by transit and other alternate modes of transportation and as such is expected to attract a high level of transit and non-motorized use compared to auto-dependent sites. Facilities and services include the Marcy Avenue J/M/Z subway station, bus routes (B67, B62, and B32/Q59), the South Williamsburg landing on the East River Ferry route, bike lanes on Wythe and Kent avenues (the latter part of the Brooklyn Waterfront Greenway), and Citi Bike stations. The Proposed Project is limiting the amount of proposed parking to be equal to the Proposed Project's forecasted peak parking demand to minimize discretionary travel by private vehicle. Additionally, consistent with zoning requirements, the Proposed Project would provide 101 bicycle parking spaces.***

13. Air Quality

No specific comments were received on this topic.

14. Greenhouse Gas Emissions and Climate Change

Comment 14.1: Relevant measures to reduce energy consumption and greenhouse gas (GHG) emissions that could be incorporated into the proposed project should be discussed and quantified for the potential for those measures to reduce GHG emissions from the proposed project. To the extent practicable, such design features should include battery storage, passive house construction, blue and/or green roof assembly, solar façade and roof panels, and wind turbines. [1 – Adams]

Response 15.1: ***Comment noted. As discussed in the Draft Scope of Work, the EIS will discuss relevant measures to reduce energy consumption and GHG emissions that could be incorporated into the Proposed Project. Consistent with the CEQR Technical Manual, the EIS will also present information about city and state laws and policies with which the Proposed Project will comply and that aim to meet New York's greenhouse gas emission reduction targets, including the recently adopted City of Yes for Carbon Neutrality.***

15. Noise

No specific comments were received on this topic.

16. Public Health

No specific comments were received on this topic.

17. Neighborhood Character

No specific comments were received on this topic.

18. Construction

Comment 18.1: Ensure the consideration of the Brooklyn Waterfront Greenway. (1 – Adams)
How will the project ensure that construction vehicles and equipment safely cross the Greenway and never stage on it. [4 – Carta]

Response 18.1: ***As noted above in response to Comment 1.4, the Applicant has conducted preliminary consultations with NYC DOT including regarding the Brooklyn Waterfront Greenway. At the time of the filing of project construction permits, the Applicant will be required to specifically address safety staging concerns through the permit review process with NYC Department of Building and NYC DOT, Office of Construction Mitigation and Coordination (OCMC). Given that the footprint of the Proposed Project would not cover the full Project Site, in order to provide public and accessory open space, such open areas would be used for staging and it is not anticipated that staging in the public street right-of-way, including the greenway, would be avoided to the maximum extent possible.***

19. Mitigation

No specific comments were received on this topic.

20. Alternatives

Comment 20.1: Though not necessarily triggering an impact, the loss of land for maker uses through a floor area upzoning results in a public policy contradiction for property located in an Industrial Business Zone (IBZ). An assessment of an alternative rezoning strategy should consider a zoning map change to M1-2, a zoning text amendment that would establish an Industrial Business Incentive Area for the Brooklyn Navy Yard IBZ, and Special Permits to bulk, parking, and use. [1 – Adams]

We would urge that the Draft Scope of Work (DSOW) includes as an Alternative a scenario that sets aside a significant portion of the building's square footage towards industrial uses; this could include as an alternative a rezoning to M1-2 or M1-4 with a special permit for an Industrial Business Incentive Area [2 – ANHD]

Evergreen believes that this property is better suited to a mix of light industrial and commercial uses, and requests that the scoping document examine this as an alternative. […] We recommend that the scoping document examine a rezoning to an M1-2 district with an Industrial Business Incentive Area permit that would mandate inclusion of 0.8 FAR of manufacturing space. [4 – Evergreen]

Response 20.1: ***As noted in the Draft Scope of Work, the purpose of an alternative section in an EIS is to examine***

development options that would tend to reduce action-related impacts. Consideration of an IBIA Alternative could be warranted if it offered a means of addressing some or all of the purpose and need of the Proposed Action and would minimize or avoid impacts as compared to the Proposed Action. As the Applicant has prepared the DEIS, the analysis has indicated that the Proposed Action has the potential to result in impacts related transportation, specifically on traffic and pedestrian conditions. Furthermore, a sensitivity analysis conducted for the No Significant Adverse Impacts Alternative indicates that transportation impacts are likely for any project unless its density is substantially reduced. An IBIA alternative would not be responsive to the purpose of an alternative under CEQR guidance. Please also refer to the response to Comment 2.1, which discusses the rationale for the Proposed Action and explains why the Applicant believes that an IBIA application would not be appropriate for the Project Site.

APPENDIX III:
COMMENTS ON THE DRAFT SCOPE OF WORK

500 Kent Avenue

Comments on the Draft Scope of Work

Table of Contents

- Written Submissions

- Hon. Eric L. Adams, Brooklyn Borough President
- Association for Neighborhood and Housing Development
- Evergreen: Your North Brooklyn Business Exchange
- Terri Carta, Executive Director, Brooklyn Greenway Initiative

- Public Meeting Transcript, Oral Testimony

- Hon. Eric L. Adams, Brooklyn Borough President, delivered by Richard Bearak
- Terri Carta, Executive Director, Brooklyn Greenway Initiative
- Sinade Wadsworth, Council Representative, NYC District Council of Carpenters

April 5, 2021

Olga Abinader
Director
Environmental Assessment and Review Division
New York City Department of City Planning
120 Broadway, 31st Floor
New York, NY 10271-3100

Re: 500 Kent Avenue Draft Scope of Work Comments

Dear Director Abinader:

I am writing to submit comments in response to the proposed scope of work for the Draft Environmental Impact Statement (DEIS) for 500 Kent Avenue.

Kent Avenue is a highly utilized bike route. The proposed 23-story building would have its parking garage on Division Avenue, with access depending on vehicles crossing the bike lane. In addition, the construction mobilization is likely to require coordination with the bike route. I share the interest of the Brooklyn Greenway Initiative (BGI) and users of the Kent Avenue bikeway in looking forward to the disclosure in the Construction and Transportation sections toward guiding decisionmakers during the anticipated ULURP process.

Enclosed are my formal comments on the Draft Scope of Work. These comments take into consideration the project description; land use, zoning, and public policy; water and sewer resources; greenhouse gas and climate change, and alternatives.

Should you have any questions, please feel free to contact Richard Bearak, my director of land use, at (718) 802-4057 or rbearak@brooklynbp.nyc.gov.

Sincerely,

Eric L. Adams

Eric Adams
Brooklyn Borough President

Enc.

cc: Lenue Singletary, Chair, Brooklyn Community Board 2 (CB 2)
Winston Von Engel, Brooklyn Office Director, New York City Department of City Planning

EA/rb

Comments of Brooklyn Borough President Eric Adams
Response to Proposed Scope of Work:
Draft Environmental Impact Statement (DEIS)
500 Kent Avenue

E. PROPOSED SCOPE OF WORK FOR THE DEIS

Task 1. Project Description
The planning background and rationale for the actions being proposed should explain why the proposed rezoning was derived in lieu of pursing an Industrial Business Incentive Area with a special permit, which would have required a segment of the floor area to be set aside for Required Industrial Use.

Task 2. Land Use, Zoning, and Public Policy
When assessing the potential impacts of the Proposed Actions on public policy, not the consideration of not designating the site as an Industrial Business Incentive Area.

Task 3. Socioeconomic Conditions
No Comment.

Task 4. Open Space
No Comment.

Task 5. Shadows
No Comment.

Task 6. Historic and Cultural Resources
No Comment.

Task 7. Urban Design and Visual Resources
Photographs referenced in determining the pedestrian experience should be taken from the level of a person being on the sidewalk and from sidewalk locations as opposed to the street.

Task 8. Natural Resources
No Comment.

Task 9. Hazardous Materials
No Comment.

Task 10. Water and Sewer Resources
It is Borough President Adams' policy to promote a resilient and sustainable Brooklyn, and he believes that maximum consideration should be given to diverting stormwater runoff from the Newtown Creek Wastewater Treatment Plants (WWTP). If such a detailed assessment would be required, consideration should be given to the incorporation of blue and/or green roof features, New York City Department of Environmental Protection (DEP) rain gardens, and expanded tree pit management infrastructure.

Task 11. Energy
No Comment.

Task 12. Transportation
No Comment.

Task 13. Air Quality
No Comment.

Task 14. Greenhouse Gas Emissions and Climate Change
Relevant measures to reduce energy consumption and greenhouse gas (GHG) emissions that could be incorporated into the proposed project that will be discussed and quantified for the potential for those measures to reduce GHG emissions from the proposed project that will be assessed to the extent practicable, such design features should include battery storage, passive house construction, blue and/or green roof assembly, solar façade and roof panels, and wind turbines.

Task 15. Noise
No Comment.

Task 16. Public Health
No Comment.

Task 17. Neighborhood Character
No Comment.

Task 18. Construction
Ensure the consideration of the Brooklyn Waterfront Greenway

Task 19. Mitigation
No Comment.

Task 20. Alternatives
Though not necessarily triggering an impact, the loss of land for maker uses through a floor area upzoning results in a public policy contradiction for property located in an Industrial Business Zone (IBZ). An assessment of an alternative rezoning strategy should consider a zoning map change to M1-2, a zoning text amendment that would establish an Industrial Business Incentive Area for the Brooklyn Navy Yard IBZ, and Special Permits to bulk, parking, and use.

Comments on the Draft Scope of Work for 500 Kent Avenue
April 5, 2021

Association for Neighborhood & Housing Development

ANHD is a membership organization of NYC neighborhood-based housing and economic development groups. Our mission is to build community power to win affordable housing and thriving, equitable neighborhoods for all New Yorkers. We also convene and participate in the Industrial Jobs Coalition, a citywide alliance of policy advocates, community organizations, and industrial business service providers working to protect and strengthen the industrial sector in New York.

We are opposed to the proposal submitted by Kent Member LLC for 500 Kent Avenue, as it fails to provide for any industrial uses in a development located within the Brooklyn Navy Yard Industrial Business Zone (IBZ). We would urge that the Draft Scope of Work (DSOW) identify that this proposal runs counter to City policy for IBZs and includes as an Alternative a scenario that sets aside a significant portion of the building's square footage towards industrial uses; this could include as an alternative a rezoning to M1-2 or M1-4 with a special permit for an Industrial Business Incentive Area.

The developers of 500 Kent themselves are explicit about the City's policy intentions for IBZs in the DSOW, stating: "Given the Proposed Project's location in the BNY IBZ, City policy is that IBZ land be retained for ***potential industrial uses*** and should not allow for residential rezonings." Yet this rezoning does not propose any potential industrial use. Though the land will still be M zoned, the intention of the developer is for entirely commercial uses: close to 600,000 square feet of office space, with some additional retail. This is a rezoning that remains Manufacturing in name only. In fact, the whole premise of rezoning from M3-1 to M1-5 in this situation would be to take advantage of the loose use group restrictions and lack of height limits and access 5.0 FAR for commercial uses without having to propose a commercial (C zoned) rezoning.

This proposal - as with any proposed development in an IBZ - must include a significant amount of square footage set aside for industrial use. At the bare minimum the developer should look to the model established by the Industrial Business Incentive Area special permit (74-96 in the Zoning Resolution) that would guarantee at least 0.8 FAR of industrial space and would also lock in the design of the building and disincentivize any warehousing. Ideally the developer should go further than this in setting aside a portion of the proposed development for dedicated industrial uses.

Protecting and promoting our industrial sector is crucial to the City's overall economic development. The industrial sector provides over 450,000 jobs in New York City, making up nearly 15% of our city's workforce, while contributing over $1.7 billion annually in tax revenue. In addition, the industrial sector

plays a key role in creating a robust working middle class, providing access to good paying jobs while often not requiring a college degree. Over 80% of those employed in the industrial sector are people of color. These concerns are especially relevant now, when close to a million New Yorkers have recently lost their jobs due to the coronavirus pandemic.

IBZs are intended to be "safe havens" for industrial and manufacturing firms and serve as locations for their preservation and growth. This is especially urgent given how much Manufacturing-zoned land has already been lost in the past two decades. From 2005 to 2015 alone, the city lost nearly 18% of its industrial space to residential and commercial uses - loss that inflates the price of remaining industrial space and upends the viability of other industrial businesses and the good paying jobs that they provide. The amount of remaining land within IBZs is finite and must be preserved for industrial uses.

We would urge that the DSOW identify that this proposal runs counter to City policy for IBZs. The DSOW should include as an Alternative a scenario that sets aside a significant portion of the building's square footage towards industrial uses, both in determining the effect on jobs and the development's impact on industrial businesses elsewhere.

EVERGREEN

Your North Brooklyn Business Exchange

Evergreen Scoping Comments on 500 Kent

Overview

The ownership of 500 Kent Avenue has submitted an application to rezone their property from M3-1 to M1-5. This property is sited in the Brooklyn Navy Yard Industrial Business Zone. These zones were created by NYC to preserve a safe haven for manufacturers and the valuable working class jobs they provide. Because the applicant intends to create a large scale commercial building with no manufacturing included, Evergreen opposes this application as it is currently proposed.

Evergreen believes that this property is better suited to a mix of light industrial and commercial uses, and requests that the scoping document examine this as an alternative. We would recommend a mandate that at least 1.0 FAR of M-zoned space be leased to businesses in the manufacturing NAICS codes be included. Further, we recommend that the scoping document examine a rezoning to an M1-2 district with an Industrial Business Incentive Area permit that would mandate inclusion of 0.8 FAR of manufacturing space. Evergreen is supportive of the mixed commercial/manufacturing concept and we believe that if it is done correctly it will result in a limited net loss of manufacturing space while allowing for additional commercial development.

Industrial Employment in North Brooklyn

Manufacturing is alive and well in North Brooklyn, and for the past 39 years Evergreen has fought to keep it that way. North Brooklyn companies make everything from bespoke suits to architectural steel, from store installations for Park Avenue boutiques to fortune cookies. This is a dynamic combination of businesses old and new, traditional and innovative, big and small. But what they create most are good paying jobs for the people who live here.

Our community needs these jobs. Nearly 40% of the North Brooklyn industrial workforce lives in the local area. These jobs, on average, pay residents 73% more than local retail establishments; or $52,800 vs. $30,600 annually. Additionally, over 60% of manufacturing jobs offer benefits, compared with 30% of service jobs. Also, these jobs frequently do not require English proficiency or advanced education. Considering 20% of our local residents do not speak English, 31% live at or below the poverty line, and nearly 37% of them are on some form of public assistance, these jobs offer the best path to self-sufficiency and economic security for our community residents.

In Evergreen's 2017 North Brooklyn Brownfield Opportunity Area Study (BOA), which focused on the North Brooklyn Industrial Business Zone (IBZ) and Ombudsman Area (OMB), we learned that firms in the study area employ nearly 20,000 workers, 69% of which are in industrial sectors. Many workers commute directly from nearby zip codes in Brooklyn and Queens. 55% of workers are foreign born, and this district has a larger share of minority workers when compared with the city or the borough. Industrial job growth in the study area has outpaced Brooklyn and New York City in recent years. Though manufacturing employment declined

between 2000-2008 in both the BOA and New York city overall, manufacturing employment stabilized since then. Industrial jobs in the study area have grown 9% since 2010.

Demand for Industrial Real Estate in North Brooklyn

Evergreen fields dozens of requests for assistance in locating industrial real estate each year. However, despite this demand, there is an ever-shrinking supply of available properties. This is in no small part a consequence of the 2005 Greenpoint-Williamsburg rezoning, where the amount of M-zoned land was significantly reduced, and of the ongoing illegal residential and legal commercial conversion of our remaining manufacturing buildings. We often find that while businesses in North Brooklyn are interested in expansion, they increasingly have nowhere to go in the City. If we do not protect our industrial and manufacturing spaces, these businesses will be unable to expand locally and the community will lose valuable job opportunities for our residents. Both our real estate subsidiary and fellow nonprofit industrial developers have long lists of small manufacturing businesses interested in leasing in our properties; far more than we will ever have space to lease to.

500 Kent Testimony from Brooklyn Greenway Initiative

Terri Carta <tcarta@brooklyngreenway.org>

Thu 3/25/2021 16:50

To: 21DCP139K_DL <21DCP139K_DL@planning.nyc.gov>

Dear DCP Team for 500 Kent Avenue [CEQR No. 21DCP139K]:

Thank you again for the opportunity to testify at the Public Scoping Meeting held today. In addition to my in-person testimony, I submit this more complete statement for consideration in the CEQR process.

My name is Terri Carta and I am the executive director of Brooklyn Greenway Initiative (BGI), a 501c3 nonprofit organization dedicated to the development, establishment, and long-term stewardship of the Brooklyn Waterfront Greenway -- a 26-mile mobility and open space facility from Greenpoint to East New York that serves people of all ages and abilities using multiple modes for commuting and recreational purposes. The Greenway serves Brooklyn's 2.5 million residents, over 1.1 million people who work in the Borough, and more than 15 million annual visitors from across the city and around the world. It is also a vital part of the 400-mile NYC Greenway network that reaches all corners of the city, connecting New Yorkers with the waterfront and open space, job centers and commercial corridors, cultural and social centers, and outdoor recreation amenities.

Kent Avenue is the busiest segment of the Brooklyn Waterfront Greenway and one of the busiest bicycle facilities in NYC: BGI measured over 1.3 million Greenway users [bikes + pedestrians] in 2020 just a half-mile away from the proposed project site, and use of the Greenway continues to rise, consistent with increasing bicycle use across the city. Kent Avenue is situated between the Williamsburg and Manhattan Bridges -- vital interboro connectors for active transportation, and serves multi-modal linkages with NYC Ferry terminals at the Navy Yard and South Williamsburg, as well as other transit. The Greenway along Kent Avenue also serves significant and increasing commercial use by cargo bikes transporting goods from manufacturing hubs like the Brooklyn Navy Yard and retail giants like Whole Foods to retailers and consumers in the local vicinity. Pedestrian use of the Greenway along Kent Avenue is also at an all-time high with increasing residential development along the waterfront, new retail, and new open space destinations like the Naval Cemetery Landscape, Domino Park, Marsha P. Johnson State Park, and others. Looking ahead, as the Navy Yard realizes its master plan to reach 20,000 jobs by 2024 [almost double the current 11,000!], as current construction along the waterfront moves to operation, and as the Williamsburg waterfront returns to its pre-pandemic trend of rising popularity among visitors, we can only expect use of the Greenway to further skyrocket.

At the same time, safety of pedestrians and cyclists is severely compromised by unsafe street conditions and design, inadequate policies and traffic enforcement, and lack of prioritization by the NYC Mayor to build safe infrastructure for the most vulnerable street users. In 2020 at least 98 pedestrians and 24 cyclists were killed by traffic violence -- an overall reduction of only 20% from 2019 despite traffic dropping by 75% in spring 2020 and returning to only 40% below pre-pandemic use by fall 2020.

It is with these factors in mind that I submit this testimony asking that the environmental review for 500 Kent clearly outline the Greenway-related safety measures that will be implemented and who will be responsible for them throughout the period of site development, construction, and continued

operation of the live site. Specifically, how will the project ensure that construction vehicles and equipment safely cross the Greenway and never stage on it? How will the design and operation of the site mitigate conflicts between vehicle drivers crossing the Greenway with Greenway users? How will the site encourage commercial tenants and retail customers to use transit or active transportation over personally-owned vehicles wherever possible, thus minimizing conflict at the site edge / Greenway while also reducing VMT and GHG? How will the site handle commercial deliveries in a way that minimizes conflict with Greenway users?

Future site plans and renderings should better embrace the Greenway as an adjacent mobility and open space facility that could support goals relating to transportation, open space, GHG and climate change, neighborhood character, construction, and public health, among others.

The proposed plan for 500 Kent that was presented today has several merits that BGI has long-supported, including the creation of new public waterfront access and open space, the continuation of a public esplanade along the Williamsburg waterfront, maintaining site lines between the waterfront and local community, and adding new connections between the Navy Yard and local community.

Thank you again for taking these comments into consideration as part of the CEQR process for 500 Kent.

All best,
Terri

--
Terri Carta | Executive Director
Brooklyn Greenway Initiative
917-913-3129 (m)
www.brooklyngreenway.org
@bkgreenway

THE CITY OF NEW YORK

DEPARTMENT OF CITY PLANNING

----------x

RE: REMOTE PUBLIC SCOPING MEETING

CEQR NO. 21DCP129K

RE: 500 KENT AVENUE PROJECT

----------x

March 25, 2021

2:00 P.M.

B E F O R E :

OLGA ABINADER, Director

Environmental Assessment & Review

A P P E A R A N C E S:

ALSO PRESENT:

Stephanie Shellooe - Deputy Director of EARD

Winston Von Engel, Director Brooklyn Office

Alex Sommer, Deputy Director Brooklyn office

Diane McCarthy, Senior team leader

Evren Ulker-Kacar

Syed Ahmed, project manager

Other Project Participants

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P R O C E E D I N G S

MS. ABINADER: Good afternoon everyone.

Welcome to the public scoping meeting for 500 Kent Avenue.

I just want to make an announcement. In a moment we will be starting the formal scoping meeting, just around 2:00.

Thanks to everyone for joining us and we look forward to our scoping meeting.

(Off the record.)

MS. ABINADER: Good afternoon, everyone and welcome.

You're tuning in to the remote public scoping meeting for the 500 Kent Avenue proposal, CEQR No. 21DCP129K.

My name is Olga Abinader and I'm the Director of the Environmental Assessment and Review Division at the New York City Department of City Planning.

Stephane Shellooe, Deputy Director of the Environmental Assessment and Review Division will co-host today's meeting with me and in the event of any technical issues on my behalf,

Stephanie will take over this remote meeting.

We truly appreciate everyone's patience as we adjust to this remote public scoping meeting and the format that we're following, as well as some of the challenges that might come up.

I do want to take the time to thank everyone for taking the time out of their day to attend this remote meeting.

I do acknowledge that technology such as Zoom is imperfect. However, it is an invaluable tool that allows the critical land use and environmental review processes to proceed while keep us safe during this continued public health crisis.

I do want to emphasize as well that we will hear from everyone who wishes to provide testimony today and that this meeting will remain open until we have heard from all speakers.

We welcome written comments and testimony through Monday, April 5th, 2021 and will provide written comments the same attention and consideration as any comments provided live at today's meeting.

Next slide, please.

We will now proceed to the formal public scoping meeting for the 500 Kent Avenue proposal.

For our records, the CEQR, the City Environmental Quality Review application number for this proposal is 21DCP129K. Today's date is March 25th, 2021 and the time is now approximately 2:02 p.m.

Next slide.

Again, I'm Olga Abinader and I'm the Director of the Environmental Assessment and Review Division for EARD at the New York City Department of City Planning.

I will be chairing today's public scoping meeting.

The Department of City Planning is acting on behalf of the City Planning Commission as the lead agency for this proposal's environmental review. As lead agency, the Department of City Planning oversees the preparation and completion of an Environmental Impact Statement, or EIS, for the 500 Kent Avenue proposal.

Next.

Joining me are several of my

colleagues from the Department of City Planning, including:

Stephanie Shellooe, once again, Deputy Director of the EARD;

Winston Von Engel, Director of the Department's Brooklyn Office;

Alex Sommer, Deputy Director of the Department's Brooklyn office;

Diane McCarthy, Senior team leader in EARD;

Evren Ulker-Kacar, who's leading the environmental review of 500 Kent Avenue within EARD;

Syed Ahmed, the project manager for the 500 Kent Avenue proposal in the Brooklyn office;

As well as other colleagues who will be preparing a presentation today on behalf of the applicant.

Next slide.

Together we are here to receive your comments on the Draft Scope of Work for the Draft Environmental Impact Statement, or DEIS, for the 500 Kent Avenue proposal.

A Draft Scope of Work identifies all of the subjects that will be analyzed in the upcoming DEIS and explains how the subjects will be studied.

I'll note that the Draft Scope of Work is available on the Department of City Planning website, public scoping meetings page.

Next slide.

The purpose of today's meeting is to allow for public participation in the preparation of the DEIS at the earliest possible stage. And toward that end, the Department of City Planning will have an opportunity today to receive comments on the Draft Scope of Work from:

Elected officials;

Leaders from government agencies; and,

Leaders from the local Community Board.

As well as members of the public.

We do also welcome written comments on the Draft Scope of Work and written comments may be submitted through Monday, April 5th, 2021, as I'll continue to repeat throughout

today's presentation.

Next slide.

At the end of the written comment period, the Department, as lead agency, will review all comments; those heard today, as well as written comments received through the written comment period.

After carefully reviewing all comments, the Department will decide what changes, if any, need to made to the Draft Scope of Work and the Final Scope of Work will be issued.

It is the Final Scope of Work that will serve as the basis for preparing the Draft Environmental Impact Statement.

Next slide.

Today's scoping meeting marks the formal beginning of the Environmental Review process for the 500 Kent Avenue proposal.

We note that no decisions will be made today regarding the Draft Scope of Work.

The purpose of today's meeting is to allow the public to provide comments on the Draft Scope of Work and to allow the Department of City Planning to listen to those comments. It's

important to us that all voices be heard today.

Next slide.

I will now take a moment to focus on the structure of today's meeting, which will be divided into three separate parts.

During the first part, the applicant team will provide a brief overview describing the 500 Kent Avenue proposal.

Following that presentation, a representative of Philip Habib & Associates, the environmental consultant firm for this proposal, will then provide a short summary of the Environmental Review's Draft Scope of Work.

During the second part of today's meeting, we will receive comments and testimony on the Draft Scope of Work from elected officials, leaders from government agencies and leaders from the local Community Boards.

During the third and final part of today's meeting, the Department will receive comments and testimony from the general public.

Today's meeting will end only when everyone who has signed up to provide testimony has had a chance to be heard.

Next slide.

On to a few logistics for today's public scoping meeting. Again, the protocol is intended to ensure that everyone has a chance to speak and that all voices are heard today.

If you do wish to speak and plan to access today's meeting on line using a computer or tablet or smart phone, please remember to register online through the City Planning Scoping Meeting for 500 Kent Avenue page on the NYC Engage portal, accessible at: www.nyc.gov/nycengage.

A link to join this meeting and provide your testimony will be e-mailed to you after you have completed the registration process on the nycengage portal. At that time, we will add you to the speakers' list for today.

Next slide.

When it is your turn to speak, your name will be called and you will be granted temporary speaking privileges by Department of City Planning staff. At that point you will be promoted to panelist in Zoom and this will allow you to unmute your microphone and it will give you the ability to turn on your camera.

We actually note that promoting speakers can take some time so we ask that everyone remain patient. Once your name has been called, we will help you unmute your microphone and you will be asked to convey your remarks.

And to allow us to hear from everyone who wishes to speak, please limit your remarks to three minutes. A three-minute countdown clock will run on the screen if you are participating on line. And at that three minute mark, your time will expire and you will be asked to conclude your remarks.

If you do choose to turn on your camera, we will be able to see you while you are providing testimony.

Next slide.

An additional note of instruction to anyone joining us by telephone today. If you wish to provide testimony via telephone and haven't registered, please select star 9 upon my prompt. Listen for me to call out the three digits of your phone number and at that point, you will be given the temporary ability to share your testimony. At that point, you must press star 6 to unmute your

telephone and we will be able to hear you speak. When your testimony is complete, or your three minutes have expired, whichever comes first, you must press star 6 again to unmute yourself.

We do always encourage everyone calling in who wishes to provide testimony to please register using the dial-in participant hotline. And also, please note once again that muting and unmuting registered speakers does take a moment as we are continuing to adjust to this remote public scoping meeting format.

Next slide.

Another note on time limits, while speakers from the general public have three minutes to provide testimony, we do have a few exceptions to the time limits. Elected officials, leaders from government agencies and leaders from Community Boards do have the courtesy of jumping to the front of the queue and are not limited to three minutes.

I note to our live stream viewers, if you're viewing us on live stream and you wish to provide testimony, be mindful of any potential background noise during your testimony and make sure that your live stream is muted on your device

as you begin to provide your testimony so that we avoid hearing an echo.

Next slide.

Once again, written comments on the Draft Scope of Work for this proposal will be accepted by the lead agency through Monday, April 5th, 2021 and you may provide comments via e-mail or regular mail. Comments may be e-mailed to: 21DCP139K_dl@planning.nyc.gov. That's 21DCP139K_dl@planning.nyc.gov.

Comments may also be mailed to the New York City Department of City Planning, Environmental Assessment and Review Division, attention Olga Abinader, 120 Broadway, 31st Floor, New York, New York 10271.

Next slide.

Again, if you missed any of the instructions that we have shared today, please be sure to visit, www.nyc.gov/nyengage for instructions on how to participate today and provide testimony if you wish to do so.

At this moment we will move on to the first part of the public scoping meeting. The applicant will present an overview of the proposed

project and this presentation will be followed by the environmental consultant team, who will summarize the Environmental Review Draft Scope of Work.

Thank you.

We're ready for the presentation.

MR. GOKCEBAY: Good afternoon, everyone.

My name is Nebil Gokcebay, representing Marble Architects, for the 500 Kent Project.

As you can see on the screen and in the documents, it is a 23-story building fronting on Kent Avenue and the corner of Division.

Next slide.

On screen is a local site plan where you can see the location of the site, again with Kent on the east and Division on the north and the required boundary of the analysis area with the Brooklyn Navy Yard to the south and a residential neighborhood to the north and west - east. Sorry.

Next slide.

The drawing on the screen represents the current land use in the immediate

vicinity of the site. Towards the site is the Navy Yard with kind of mixed use manufacturing and commercial. To the north and to the east is a mix of residential, multi-family and single-family.

And our site is in the center of the screen.

Next slide.

The project has a few goals when it was brought to us; one was to kind of look at the immediate vicinity, the area to the north, which is being developed residentially and then the area to the south with the Navy Yard and manufacturing and commercial goals, allowed us to kind of look at the site to kind of be a nexus between those two, providing for office space that may not fit in the neighborhood and to support the residents to the north.

It additionally provides continuation of the waterfront esplanade that is being developed to the north and continue within the future Navy Yard master plan.

The project also provides additional access through the site to those required waterfront areas to minimize the kind of

extent of streetscape you would have to kind of navigate to -- to reach the waterfront.

And also, positioning of the building aimed to maintain some of the sight lines that the street and the park to the east currently have, following some of the historic street grids.

Next slide.

On screen you have our site plan, which shows on the left-hand drawing, the bay to the left. Kent running north on the page up and down and then Division at the top of the site.

The project includes primarily office with retail on the ground floor on the northern segment of the building, allowing for activation of the waterfront esplanade areas, as well as kind of the pedestrian pathway that has been added in the center of the site to provide more access to the waterfront.

The drawing on the right-hand indicates the areas that are being incorporated for zoning, supplemental public walkway area in blue, supplemental area in purple, visual corridor upland connection to the south are landscaped. And then unhighlighted is the additional green space

connecting through the site to kind of activate mid block areas and provide access to the waterfront.

Next slide.

On screen is a site plan of landscape to just kind of see the pathways through the visual corridor in and around the building and showing access to the waterfront.

Apologies for the phone in the background.

Okay. Next slide.

The view on screen is a representation of the building from Division Avenue looking toward Wallabout Channel and Kent Avenue in the foreground. This kind of illustrates the orientation of the building in such a way that the view corridors from both the park and along Division are maintained and the impact of the sight lines are minimized by having the lower project -- lower segment of the building in the foreground.

Next slide.

This is a view of the waterfront esplanade with Division on the left side, Division Avenue on the left side of the screen. The smaller segment of the building on the left-hand, will

incorporate the retail, which will be accessible from Division, Kent, the waterfront and the interior pathway. And then illustrating the connection on the right-hand side of the drawing to the visual corridor, which will lead back up to Kent Avenue.

Some additional representations of what those spaces might feel like are shown at the bottom, looking north on the waterfront up toward the visual corridor and then at the (inaudible) space at the southwest corner.

Next slide.

The project is proposing a few actions. One is for initial setback distances. Another is for maximum base heights associated with those initial setback distances. Maximum building height -- maximum width of the -- sorry, I'm going to step back for a moment.

The first action is actually to go from an M-31 zoning to an M-15 zoning district to allow for office development in lieu of manufacturing.

The next are the bulk requests. As I noted the initial setback distance, minimum

base heights. Maximum building height, maximum width of wall facing the shoreline and permitted obstructions related to lot coverage of penthouses, which in our case is the mechanical penthouse.

The project is also incorporating 196 space public parking garage, the M15 district has no parking requirement and the project is seeking to provide parking. So a special permit is required for that.

And then the others are authorization in association with the waterfront development of the public walkway and green spaces.

Next slide.

This represents the change from the M31 district on the top of the page to a straight M15 district on the bottom of the page.

Next slide.

And this page and the following page are 3-dimensional representations of the -- the M15 zoning envelope in red and identifying the areas where we have requests on the maximum height and initial setback zoning. And it's listed off on the left and illustrated graphically on -- in the drawing.

Next slide.

Same diagram with the same massing elements. The zoning and building proposed envelope from Kent Avenue. The previous slide was from the water reflecting how the bulk currently relates to its existing zoning or proposed zoning.

Next slide.

With that -- that's the architectural presentation. And I'll hand you off to Jeff Ruben from Philip Habib & Associates.

MR. REUBEN: Next slide, please.

Good afternoon.

My name is Jeff Reuben. I'm a City Planner with Philip Habib & Associates.

I will give an overview of the Draft Scope of Work, which provides the framework for how the Draft Environmental Impact Statement will be prepared.

It is a draft document pending the comments received as a result of this hearing and writing during the subsequent ten-day comment period.

Next slide, please.

The Draft Environmental Impact

Statement, also referred to as the Draft EIS, will be consistent with the guidance of the City Environmental Quality Review Technical Manual, also referred to as the *CEQR Technical Manual*.

The *CEQR Technical Manual* is the guidance document for Environmental Analysis and Review in New York City. CEQR is the disclosure process by which decisionmakers evaluate the potential environmental consequences before approving a discretionary action.

CEQR prepares a Future No-Action condition to Future With-Action condition through a Worst-Case analysis scenario.

The EIS will analyze the incremental changes that can be reasonably expected to occur if the proposed action is adopted.

Public comments will be incorporated into the Final Scope of Work and then a Draft Environmental Impact Statement will be prepared in accordance with the Final Scope of Work. It will then be published for public review and comment.

A public hearing will be held on the Draft EIS in which all comments received during

the hearing will be incorporated into the Final EIS.

Next slide, please.

As a detail of the Draft Scope, a Reasonable Worst Case Scenario was established --

MALE VOICE: Sorry, Jeff.

MR. REUBEN: Yes.

MALE VOICE: It's -- we're having a bit of an issue with your mic.

MR. REUBEN: Okay.

MALE VOICE: Could you back up to the last two bullet points of the last slide and just try again. It was just very -- it was very broken up.

MR. REUBEN: Okay. We'll try again.

CEQR is the disclosure process by which decisionmakers evaluate the potential environmental consequences before approving a discretionary action.

CEQR compares the Future No-Action condition to the Future With-Action condition through a Reasonable Worst Case development scenario.

The EIS will analyze the incremental changes that could be reasonably expected to occur if the proposed action is adopted.

Public comments will be incorporated into a Final Scope of Work. Then a Draft EIS will be prepared in accordance with the Final Scope of Work, which will then be published for public review and comment.

A public hearing will be held on the Draft EIS in which all comments received during the hearing will be incorporated into the Final EIS.

Next slide, please.

As detailed in the Draft Scope, a Reasonable Worst Case development scenario was established for the 2024 analysis year. In the No Action Condition, it is assumed that the project site will be redeveloped with an as-of-right development, which would be predominately occupied by warehouse use with some office space and parking.

In the With-Action Condition, it is assumed that the project site will be

redeveloped with the development facilitated by the requested approvals, which will be predominately office use with some retail space and parking.

MALE VOICE: Jeff, we're having the same issue again.

MR. REUBEN: Yes.

MALE VOICE: If you just try the last few bullet points.

MR. REUBEN: Give me a moment here to -- okay, so we'll go to the Future No-Action and the Future With Action.

Thank you for your patience.

In the No Action Condition, it is assumed that the project site would be redeveloped with an as-of-right development, which would be predominately occupied by warehouse use with some office space and parking.

In the With-Action condition, it is assumed the project site would be redeveloped with a development facilitated by the requested approvals, which would be predominately office use with some retail space and parking.

The With-Action condition would also include waterfront public open space which is

in the criteria outlined in the CEQR Technical Manual, the EIS will determine if significant adverse impacts would occur.

Next slide, please.

Shown in this table, when comparing No Action condition to the With Action condition, the proposed action is expected to result in net increases of approximately:

555,435 gross square feet of office space;

20,476 gross square feet of retail space; and,

37,233 square feet of public open space, which is the equivalent to 0.858 acres.

The proposed action is also expected to result in net decreases of approximately 181,401 gross square feet of warehouse space and 83 parking spaces.

These incremental changes between the No Action and the With Action condition highlighted in the table on the slide, will serve as the basis for the impact analysis in the DEIS.

Next slide, please.

As detailed in the Draft Scope of

Work and shown on the slide, the proposed action requires consideration of several technical areas, which are listed in this slide. Among these, I will briefly highlight three key areas:

Land use,

zoning and

public policy;

Urban design and

visual resources; and,

Transportation.

Since the proposed action includes a Zoning Map Amendment that will allow for increased density and will also provide -- will also include special permits and an authorization allowing modifications to certain zoning regulations, the EIS will include a detailed analysis of the proposed actions effects on land use, zoning and public policy.

In addition, since the project site is located in the City's designated coastal zone, this chapter of the EIS will also include an assessment to determine if the proposed action is consistent with the City's Waterfront Revitalization program.

Also, since the proposed action would result in a building volume that is not currently allowed under zoning, the EIS will analyze the effects of the proposed action on urban design and visual resources.

In addition, as the proposed action would result in an increase in travel demand, the EIS will include detailed analyses of the proposed action's effects on traffic, transit and pedestrian conditions.

The Draft Scope of Work provides a more detailed outline of how all the technical areas in this slide will be examined and identifies study areas, types of data to be gathered, how these data will be analyzed and how potential impacts would be quantified.

Next slide, please.

The EiS will include a mitigation chapter, which describes mitigation measures to address any significant adverse impacts that are identified. Where impacts cannot be mitigated, they will be identified as unavoidable adverse impacts.

An alternatives chapter will be

included in the EIS with alternative development proposals that would reduce or eliminate the significant adverse impacts. The alternatives are usually defined when the full extent of the proposed action's impacts are determined. As of now, the EIS is expected to analyze a No Action alternative which would be that the site stays the way it is today and a No Impact slash No Unmitigated Impact Alternative, which eliminates or avoids all action-generated impacts.

Additional alternatives may be developed during the scoping process. A chapter summarizing all comments in the Draft Scope, or DEIS, will be included as well.

The Draft Scope can be viewed in its entirety online at the Department of City Planning website.

Thank you.

And now I turn you back to Olga Abinader.

MS. ABINADER: Thank you, Jeff.

Let's move on to the next slide, please.

All right.

We are now ready to move on to part two of today's public scoping meeting. At this time, we are receiving testimony from elected officials, Community Board leaders and leaders from government agencies.

I'll note for a moment that when it is your turn to speak, your name will be called and you will be promoted to panelist in Zoom and this will allow you to unmute yourself and will give you the ability to also turn on your camera while providing testimony.

There will be a short period where it will appear that you're no longer in the meeting but do not be alarmed, this is part of the Zoom process and we will be able to see you and hear you very shortly.

As in other scoping meetings, if some speakers experience any technical challenges that prevents them from sharing their testimony, we will pause, move on to the next speaker and will allow those speakers experiencing challenges to troubleshoot in the background.

We will be able to call your name at a later time to give you your moment to provide

testimony.

If this does happen to you, please revisit the how to guides' page on the NYCengage portal for assistance.

Any callers needing assistance, hang up the phone, call 877-853-5247 and you'll be prompted for a meeting ID and a password. The meeting ID is 6182377396. 6182377396. And when prompted for the password, dial the number 1.

We'll move on to our first speaker in this category. Our first speaker is Richard Barak, on behalf of Brooklyn Borough President Eric Adams.

We're ready for your testimony. Please unmute yourself.

MR. BARAK: All right.

Thank you for having me.

My name is Richard Barak. I'm the land use director for Brooklyn Borough President, Eric Adams.

Today I am here primarily to listen to the comments, and we will take those comments into consideration in formulating our final comment statement which we will submit in

writing.

And after certification -- after the Community Board has its public hearing, the Borough President will also have a public hearing during the ULURP process

Thank you for your time.

MS. ABINADER: Thank you for your testimony.

All right.

I will now check with my colleagues to see if there are any other speakers who have signed up to provide testimony in this particular category.

All right.

I'm hearing from my colleagues that we do not have any other speakers in this category. And now we will proceed to part three of today's public scoping meeting, where members of the general public will have the ability to provide testimony for up to three minutes.

I'd like to ask the production team to now display a three-minute time tracker on the screen so that we can track our speakers who are providing testimony at this time.

All right.

It looks like we're ready and set up. And now I'll call on, I believe the only speaker who has signed up for this category and please forgive me for mispronouncing your name, Sinade Wadsworth. We are ready for your testimony. Please unmute yourself.

Sinade Wadsworth.

Sinade Wadsworth, we do see that you're in the Zoom meeting. Please unmute yourself when you have a moment.

We're ready for your testimony.

MS. WADSWORTH: Good afternoon.

MS. ABINADER: Sinade Wadsworth, we are having trouble with your audio. We're not able to hear you at the moment.

MS. WADSWORTH: (Inaudible.)

MS. ABINADER: All right.

So why don't we -- hit the mute button just for moment.

MS. WADSWORTH: Carpenters representatives. I primarily cover Brooklyn (inaudible).

MS. ABINADER: All right.

Let's reset the clock for Sinade Wadsworth. I think we're just having a few technical difficulties hearing you.

Sinade Wadsworth, why don't you unmute yourself right now so we can try to hear you again and see if that works better and then we'll start the clock when you're ready.

MS. WADSWORTH: Unmuting. Can you hear me?

MS. ABINADER: We can hear you now.

MS. WADSWORTH: (Inaudible.)

MS. ABINADER: My apologies, Sinnade, we are not able to hear you. I think there's some trouble with the connection.

MS. WADSWORTH: You can hear me, right?

MS. ABINADER: No, we are having trouble hearing you once again. So why don't we take a moment to just help you with some troubleshooting. We may need you to call into the meeting if there's trouble with the internet connection.

MS. WADSWORTH: Okay.

MS. ABINADER: So we're going to hit mute just one more time because we're having trouble hearing you and let's see if we can troubleshoot for you in the background so that we can join us. I'm really having a hard time getting that audio in from you, Sinade.

MS. WADSWORTH: Okay.

MS. ABINADER: Okay. While Sinade is working with one of our team members in the background, we'll now see if there are any other speakers who would like to join us and would like to provide testimony.

So please bear with us so that we move on to see if there are any other speakers who might have a little bit better luck.

All right.

I am seeing we have another speaker who would like to provide testimony at this time. Speaker No. 3 is Terri Carter.

Terri Carter, please unmute yourself. We're ready for your testimony.

(No response.)

MS. ABINADER: We'll give Terri a moment.

MS. CARTER: Thank you very much.

Can you hear me?

MS. ABINADER: We can hear you and we can see you.

MS. CARTER: Great.

Thank you for having this meeting and allowing me the opportunity to testify.

My name is Terri Carter and I'm the Executive Director of Brooklyn Greenway Initiative. We're a non-profit organization and it's been around for about two decades building out and helping the City envision a green ribbon along the entire Brooklyn waterfront.

As you are well aware, Kent Avenue comprises part of the Brooklyn waterfront greenway, which is a 26-mile route that travels from Greenpoint all the way around to East New York.

The Kent Avenue section of the Greenway is one of the most traveled bike lanes within New York City's five boroughs, second perhaps only to the Hudson River Greenway, which is the heaviest traveled greenway in the country.

So what I'm trying to get at is that is a critical corridor for people who are

commuting, using active modes of transportation such as bicycles, such as scooters, which are growing in number on our streets and even people, you know, walking to work or to ferry terminals or other modes of transit.

Also, the greenway is a vital asset for open space and recreation.

My question for you all, and as part of the Environmental Review, is about access to the site and what the site construction will, you know, what that site plan will be for safety and greenway users throughout the construction process. And then once construction is complete how access to the greenway, as well as the waterfront will be maintained.

In particular, I would love to see renderings of the site that include the greenway as part of the current state of the street along Kent Avenue and then hear more about how safety of users will be mitigated over time.

Thank you very much.

MS. ABINADER: Thank you very much for your testimony.

And as we mentioned earlier in the

instructions component of this public scoping meeting, today's a listening session. While we won't be responding directly to your questions live, we will be providing a final scope of work with a response to comments and in that particular document, we will be providing a formal response in writing to address this particular -- any comments received today.

So just wanted to clarify that for you, Terri, or for any other listeners that we might have.

MS. CARTER: Thank you.

MS. ABINADER: You're very welcome.

Okay. So we are now moving on to the instruction slide. Just to provide more guidance for any others who are having a bit of trouble joining us.

I would like for Sinade, who had some trouble joining and providing testimony to please review the instruction slide and dial in to our scoping meeting directly. Again, call one of our toll free numbers. I'll share one now. 877-853-5247. And if Sinade, if you're able to

hear us, if you can try and dial in. We will have somebody provide you assistance so that we can hear your testimony today.

Again, it's so important that all voices be heard today because we want to give everyone a chance to have a moment to provide their testimony.

MS. WADSWORTH: Can you hear me?

MS. ABINADER: Oh, Sinade, we are able to hear you.

MS. WADSWORTH: Oh, very good. Fantastic.

MS. ABINADER: So give us a moment, we're going to now put on the three minute timer so you can see that. We're ready for you, Sinade, take it away.

MS. WADSWORTH: Hi. Good afternoon, everyone and thank you for the opportunity to testify.

My name is Sinade Wadsworth. I am a council representative for the New York City District Council of Carpenters. And this project looks wonderful in Brooklyn.

I just wanted to find out, or

rather say if local hiring would be a priority, as well as responsible contractors for development of this project? We would love the opportunity to provide careers for the community and we look forward to helping out.

Thank you so much.

MS. ABINADER: Thank you.

My apologies for mispronouncing your name.

We appreciate your patience in joining us once again to provide your testimony.

As I mentioned, we will be providing a response in writing in the Final Scope of Work. So please look out for that.

Thank you for your participation.

All right.

I'm just going to do a brief check-in with my colleagues to see if we have any other members of the public who have signed up to speak. And in the meantime, we are projecting our instruction slide for anyone who has joined us on line.

I'm not seeing too many other participants at this time. I'm not sure if we have

any callers at this time, who have decided to provide testimony. So I will just do a brief announcement.

If anyone has telephoned into our scoping meeting and has decided at the last minute that they would like to provide testimony, we'd like to hear from you. Indicate to the Department of City Planning that you're like to speak by dialing star 9. Dialing star 9 will let us know that you'd like to provide testimony if you have called in at this time.

And if we do get anyone who has called in and would like to provide testimony, I will get a list of your phone numbers and we'll call them as received. So let's give folks a moment to let us know if anyone's called in and would like to provide their testimony at this time.

Thanks everyone for your patience.

We are checking in momentarily with our colleagues to see if anyone has decided to dial in.

And I'm seeing in real time that we have no dial-ins at this time and no other speakers have actually registered to speak.

So at this time, we're going to take a brief five minute pause and we're going to ask our production team to display the five minutes tracker on the screen. We're going to take a five-minute break for any members of the public who wish to complete the registration process and provide any testimony, to do so during these next five minutes. And the time is approximately 2:43 p.m. We'll join you right back here at 2:48 p.m. to see if there are any other speakers who would like to share their comments.

Thank you.

And we will see you shortly.

(Brief recess.)

MS. ABINADER: All right.

Good afternoon and welcome back.

You are tuning into the remote public scoping meeting for the 500 Kent Avenue proposal, CEQR No. 21DCP129K.

Once again, I'm Olga Abinader, the Director of the Environmental Assessment and Review Division at the New York City Department of City

Planning.

We are currently on part three of today's public scoping meeting where we are asking any members of the public to speak for up to three minutes.

I am hearing from my colleagues that during our five-minute break, we did not receive any new registrants or dial-ins or members of the public who wanted to provide testimony today.

So if no one else wishes to provide testimony at this time, we will be moving ahead to close today's public scoping meeting.

Again, to anyone had difficulties providing testimony today, please recall that you may provide written testimony via e-mail or regular mail. I'll ask our production team to display our e-mail address and mailing information. Here we go.

Written comments will be accepted by the Department of City Planning through Monday, April 5th, 2021. Your comments may be e-mailed to: 21DCP139Kdl@planning@nyc.gov and your comments can be mailed to the New York City Department of City

Planning, Environmental Assessment and Review Division, Attention Olga Abinader, 120 Broadway, 31st floor, New York, New York 10271.

The deadline once again is Monday, April 5th, 2021.

The time is currently 2:50 p.m. and today's public scoping meeting is now closed.

Thanks to everyone who made it to this meeting today and we look forward to seeing your comments in writing.

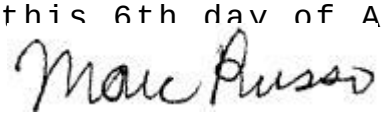
Have a great day.

(At 2:50 p.m., the proceedings were concluded.)

STATE OF NEW YORK)
SS.
COUNTY OF NEW YORK)

I, MARC RUSSO, a Shorthand (Stenotype) Reporter and Notary Public within and for the State of New York, do hereby certify that the foregoing pages 1 through 45, taken at the time and place aforesaid, is a true and correct transcription of my shorthand notes.

IN WITNESS WHEREOF, I have hereunto set my name this 6th day of April, 2021.



MARC RUSSO

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