City Environmental Quality Review

ENVIRONMENTAL ASSESSMENT STATEMENT
PART I, GENERAL INFORMATION

Reference Numbers

1. **10DCP002K**
CEQR REFERENCE NUMBER (TO BE ASSIGNED BY LEAD AGENCY)

BSA REFERENCE NO. IF APPLICABLE

ULURP REFERENCE NO. IF APPLICABLE

OTHER REFERENCE NO. (S) IF APPLICABLE
(e.g., Legislative Intro, CAPA, etc.)

Lead Agency & Applicant Information

PROVIDE APPLICABLE INFORMATION

2a. LEAD AGENCY
New York City Planning Commission
NAME OF LEAD AGENCY

New York City Department of City Planning
Robert Dobruskin, Director
NAME OF LEAD AGENCY CONTACT PERSON

Environmental Assessment and Review Division
22 Reade Street, Room 4E
ADDRESS

New York | **NY** | **10007**
CITY | STATE | ZIP

212-720-3423 | **212-720-3495**
TELEPHONE | FAX

rdobrus@planning.nyc.gov
EMAIL ADDRESS

2b. APPLICANT INFORMATION
Thor Shore Parkway Developers, LLC
NAME OF APPLICANT

Toni L. Finger
NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON

Kramer Levin Naftalis & Frankel, LLP
1177 Avenue of the Americas
ADDRESS

New York | **NY** | **10036-2714**
CITY | STATE | ZIP

212-715-9239 | **212-715-8000**
TELEPHONE | FAX

tfinger@kramerlevin.com
EMAIL ADDRESS

Action Description

SEE CEQR MANUAL SECTIONS 2A & 2B

3a. **NAME OF PROPOSAL** **1752 Shore Parkway**

3b. DESCRIBE THE ACTION(S) AND APPROVAL(S) BEING SOUGHT FROM OR UNDERTAKEN BY CITY (AND IF APPLICABLE, STATE AND FEDERAL AGENCIES) AND, BRIEFLY, DESCRIBE THE DEVELOPMENT OR PROJECT THAT WOULD RESULT FROM THE PROPOSED ACTION(S) AND APPROVAL(S):
See page 1a.

3c. DESCRIBE THE PURPOSE OF AND NEED FOR THE ACTION(S) AND APPROVAL(S):
See page 1a.

Required Action or Approvals

4. **CITY PLANNING COMMISSION** ■ Yes ☐ No

☐ Change in City Map ■ Zoning Certification ☐ Site Selection – Public Facility
■ Zoning Map Amendment ☐ Zoning Authorization ☐ Disposition – Real Property ☐ Franchise
☐ Zoning Text Amendment ☐ Housing Plan & Project ☐ UDAAP ☐ Revocable Consent ☐ Concession
☐ Charter 197-a Plan
■ Zoning Special Permit, specify type: **§ 74-922, § 62-836, § 74-744**
☐ Modification of:
☐ Renewal of:
■ Other: **Certification pursuant to § 62-811 (Waterfront Public Access and Visual Corridors); City Planning Commission (CPC) Authorization pursuant to §62-822 (Modification of waterfront public access area and visual corridor requirements) will be sought, pursuant to paragraph (a) (Modification of requirement that an upland connection be provided at least every 600 feet along a shore public walkway) and, due to site constraints, an Authorization may be sought pursuant to paragraph (b) (Modification of design requirements for waterfront public access areas).**

5. **UNIFORM LAND USE PROCEDURE (ULURP)** ■ Yes ☐ No

6. **BOARD OF STANDARDS AND APPEALS** ☐ Yes ■ No

☐ Special Permit ☐ New ☐ Renewal Expiration Date
☐ Variance ☐ Use ☐ Bulk
Specify affected section(s) of Zoning Resolution

7. **DEPARTMENT OF ENVIRONMENTAL PROTECTION** ☐ Yes ■ No

☐ Title V Facility ☐ Power Generation Facility ☐ Medical Waste Treatment Facility

3b. DESCRIBE THE ACTION(S) AND APPROVAL(S) BEING SOUGHT FROM OR UNDERTAKEN BY CITY (AND IF APPLICABLE, STATE AND FEDERAL AGENCIES) AND, BRIEFLY, DESCRIBE THE DEVELOPMENT OR PROJECT THAT WOULD RESULT FROM THE PROPOSED ACTION(S) AND APPROVAL(S):

The proposed project would consist of a two-story, up to approximately 56-foot-tall commercial building containing retail uses, a public waterfront access area, and a three-level parking garage with approximately 690 parking spaces (see **Figures 1 through 3**). The proposed commercial building would contain approximately 214,000 square feet, and would include a BJ's Wholesale Club and three other retail stores. The project site is located on a waterfront parcel, and would provide public access to the waterfront in the form of a landscaped shore public walkway with benches, additional lawn space, a terrace with movable tables and seating, and an upland connection. In total, the proposed project would create approximately 97,000 square feet of publicly accessible waterfront open space. It is anticipated that the proposed project would be completed by 2013.

The 363,737-square-foot[1] project site is located at 1752 Shore Parkway (Block 6491, Lots 207 and 292) in Brooklyn. The project site is located west of the Shore Parkway access road between 24th Avenue and Bay 37th Street, east of Gravesend Bay (Lower New York Bay). The project site, which is occupied by a bus storage company, contains a two-story building, one-story storage building, and bus parking lot in the rear of the site. There is one vehicular entrance to the property along the 24th Avenue frontage and a gated entrance along Shore Parkway at the southern end of the project site. The existing buildings on the project site would be demolished as part of the proposed project. Absent the proposed project, the bus storage operation would remain. (See **Figures 4 and 5**.)

Development of the proposed project will require approvals from the City Planning Commission (CPC) and City Council for the following discretionary actions:

- Zoning map amendment, to change zoning on the project site from M3-1 to M1-1;
- Special permit pursuant to New York City Zoning Resolution (ZR) §74-922 to permit certain commercial establishments over 10,000 square feet;
- Special permit pursuant to ZR §62-836 to permit bulk modifications on waterfront blocks;
- Special permit pursuant to ZR §74-744 to permit modification of signage requirements in General Large-Scale Developments;
- Chairperson certification pursuant to ZR §62-811 for public access to the waterfront and visual corridor; and
- CPC Authorization pursuant to ZR §62-822 for modification of waterfront public access area and visual corridor requirements will be sought, pursuant to paragraph (a), to modify the provisions of ZR §62-56 that require that an upland connection be provided at least every 600 feet along a shore public walkway and, due to site constraints, an Authorization may be sought pursuant to paragraph (b) to modify certain requirements of ZR §62-60 (design requirements for waterfront public access areas), in order to achieve a superior design that integrates the various elements of the waterfront public access areas.

[1] Lot area, includes only the land above water.

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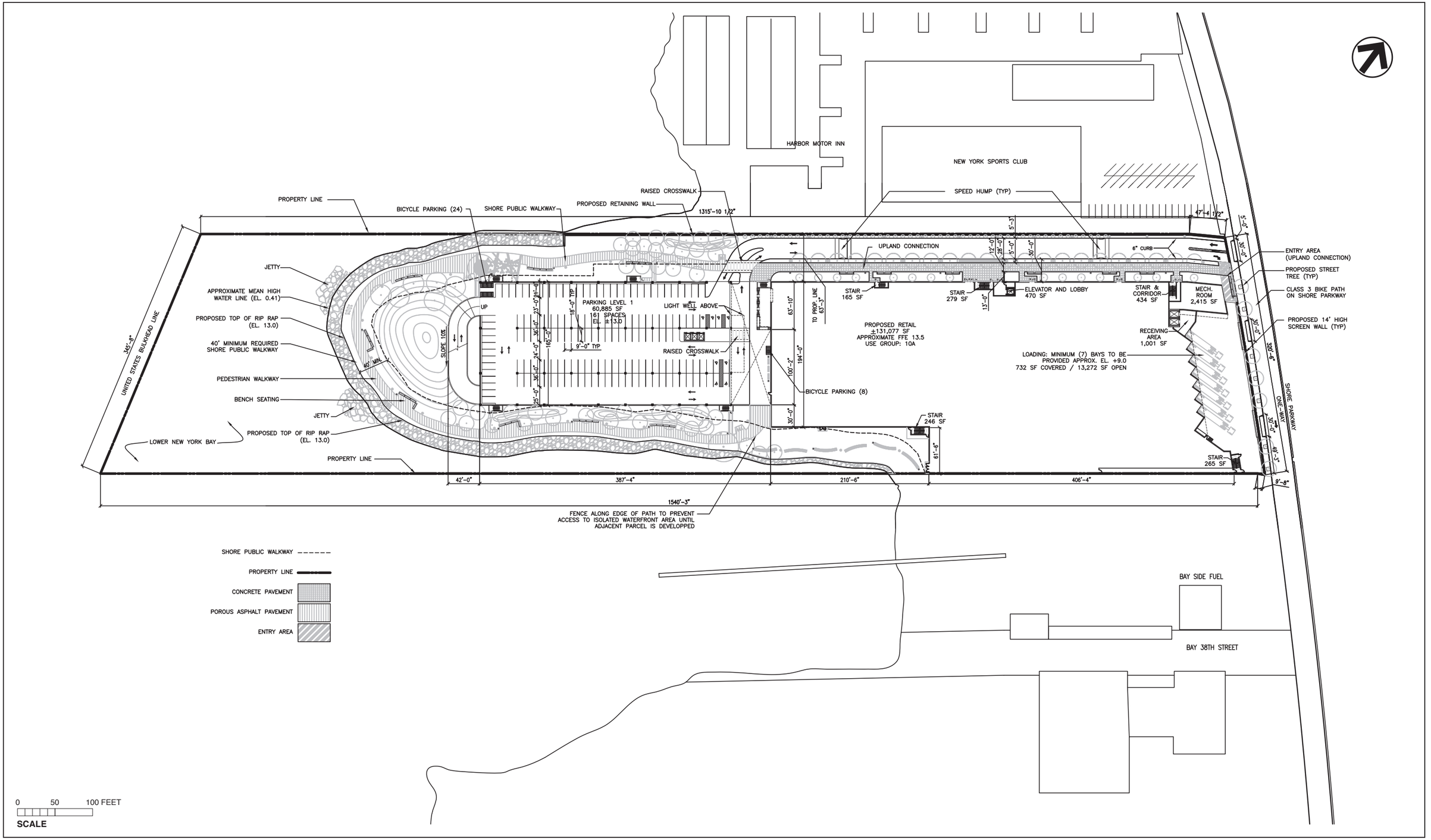


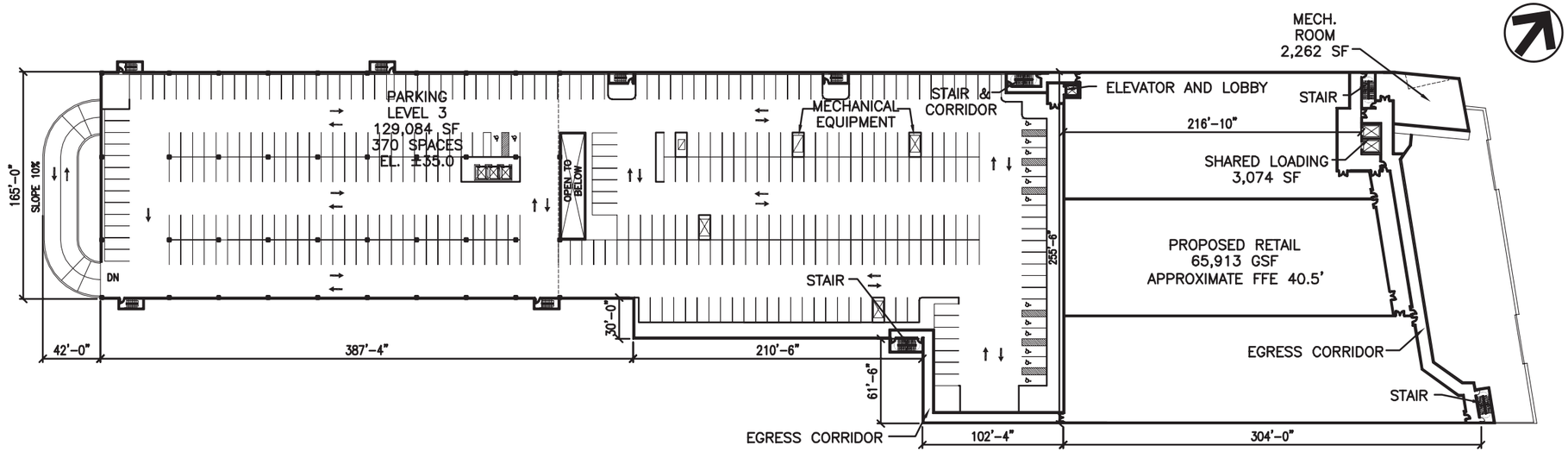
INTERIOR LAYOUTS FOR ILLUSTRATIVE PURPOSES ONLY

1752 SHORE PARKWAY

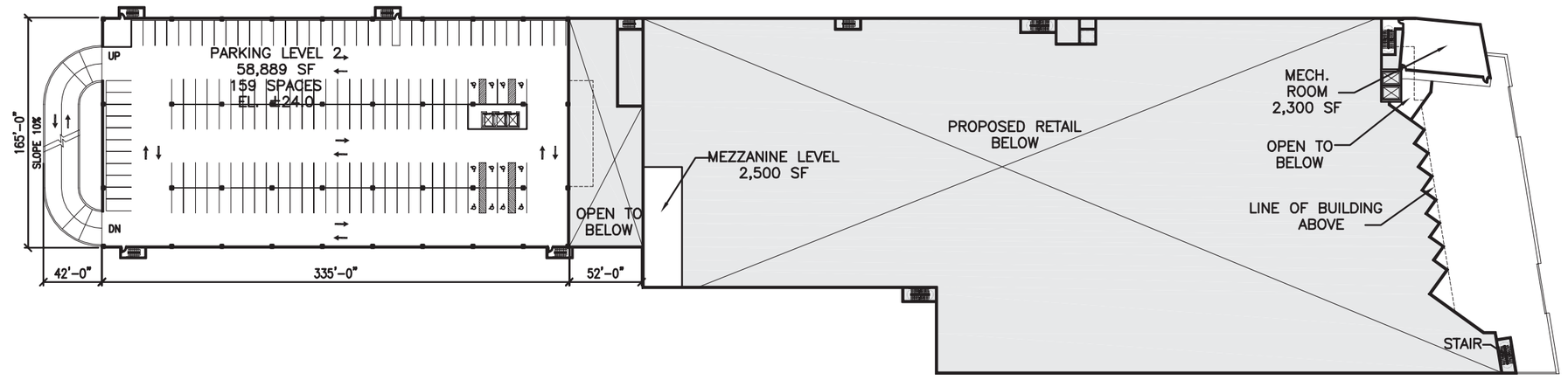
Ground Floor Plan/Landscape Site Plan

Figure 1

6.10.09



SECOND FLOOR / PARKING LEVEL 3



PARKING LEVEL 2

0 100 200 FEET

SCALE

INTERIOR LAYOUTS FOR ILLUSTRATIVE PURPOSES ONLY

1752 SHORE PARKWAY

Parking Levels and 2nd Floor Tenants

Figure 2

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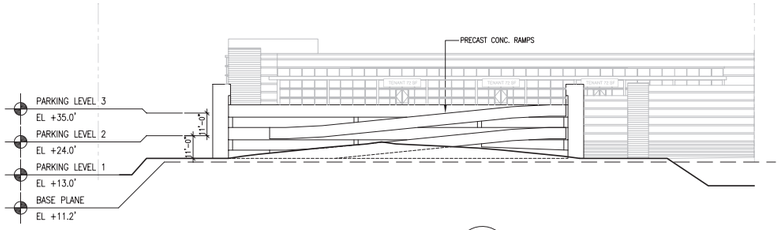
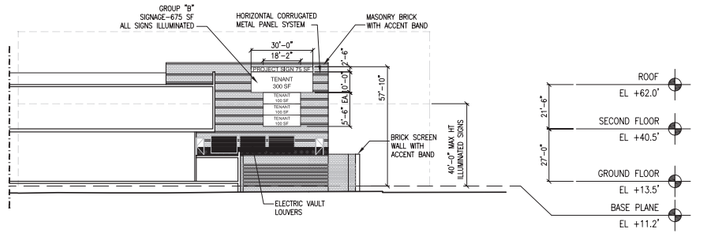
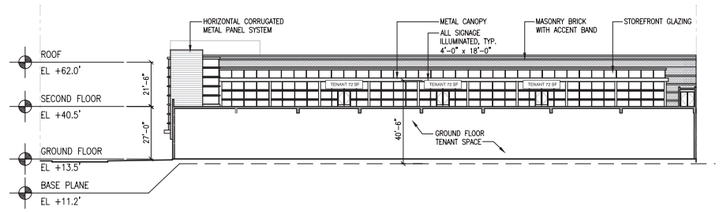


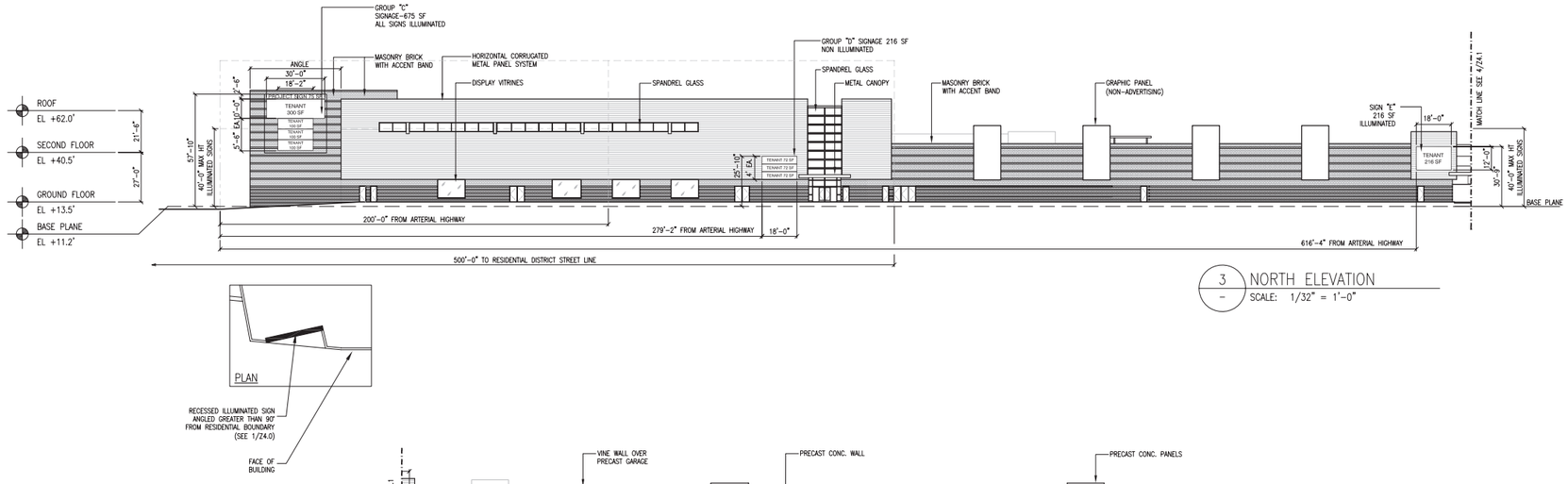
5 – WEST ELEVATION
SCALE: 1/32" = 1'-0"



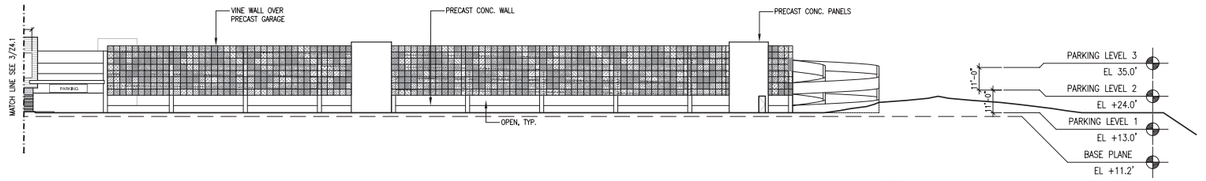
1 – SOUTH ELEVATION
SCALE: 1/32" = 1'-0"



2 – WEST ELEVATION
SCALE: 1/32" = 1'-0"



3 – NORTH ELEVATION
SCALE: 1/32" = 1'-0"



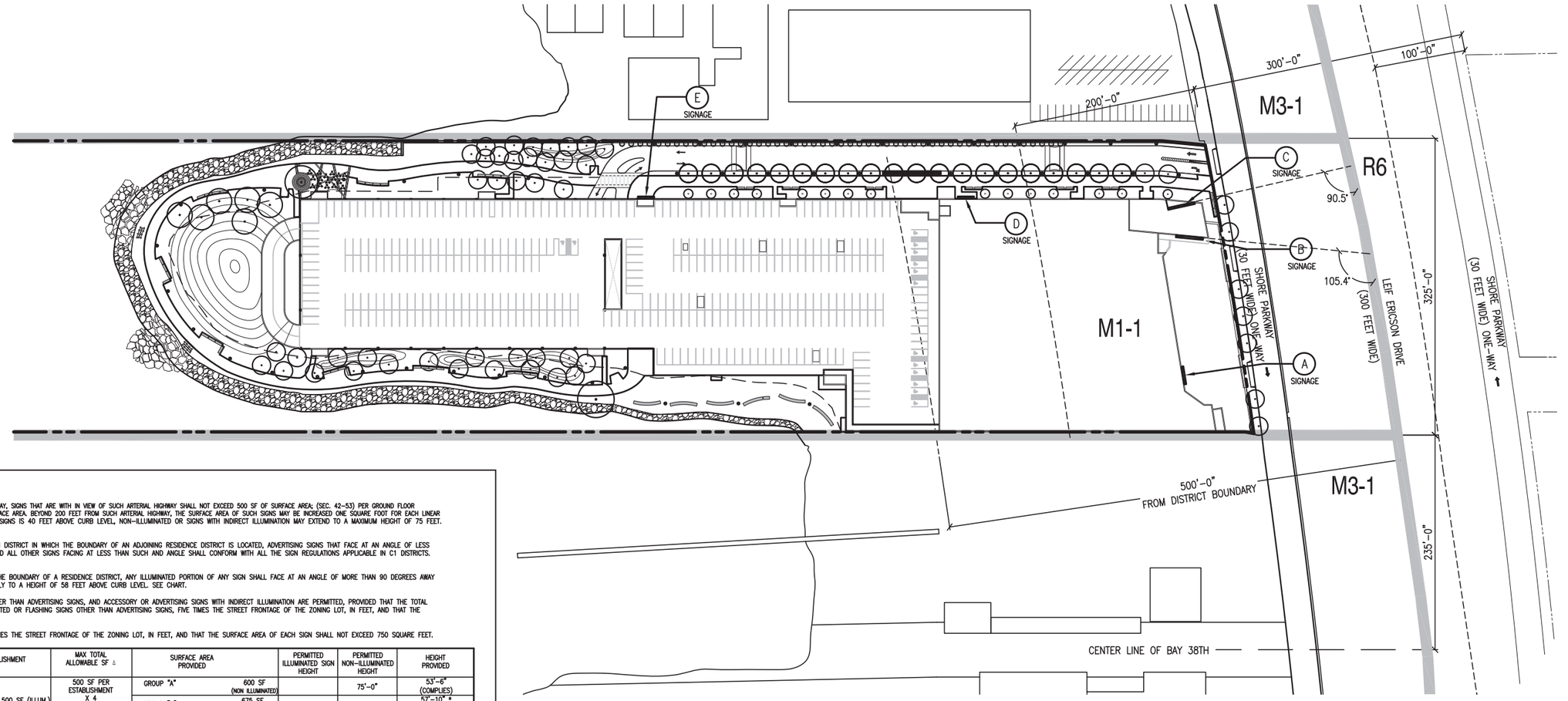
4 – NORTH ELEVATION
SCALE: 1/32" = 1'-0"

FOR ILLUSTRATIVE PURPOSES ONLY

1752 SHORE PARKWAY

Building Elevations and Signage
Figure 3a

6.10.09



1 KEY PLAN
– SCALE: 1/64" = 1'-0"

SIGNAGE REGULATIONS
PER NYC ZONING RESOLUTION SEC. 42-543 & 42-55 WITHIN 200 FEET OF AN ARTERIAL HIGHWAY, SIGNS THAT ARE WITH IN VIEW OF SUCH ARTERIAL HIGHWAY SHALL NOT EXCEED 500 SF OF SURFACE AREA; (SEC. 42-53) PER GROUND FLOOR ESTABLISHMENT. 4 ESTABLISHMENTS x 500 SF FOR A MAXIMUM OF 2000 SF OF SIGNAGE SURFACE AREA. BEYOND 200 FEET FROM SUCH ARTERIAL HIGHWAY, THE SURFACE AREA OF SUCH SIGNS MAY BE INCREASED ONE SQUARE FOOT FOR EACH LINEAR FOOT SUCH SIGN IS LOCATED FROM THE ARTERIAL HIGHWAY. MAXIMUM HEIGHT FOR ILLUMINATED SIGNS IS 40 FEET ABOVE CURB LEVEL, NON-ILLUMINATED OR SIGNS WITH INDIRECT ILLUMINATION MAY EXTEND TO A MAXIMUM HEIGHT OF 75 FEET. SEE CHART.

PER NYC ZONING RESOLUTION SEC. 42-561 WITHIN 100 FEET OF THE STREET LINE IN MI DISTRICT IN WHICH THE BOUNDARY OF AN ADJOINING RESIDENCE DISTRICT IS LOCATED, ADVERTISING SIGNS THAT FACE AT AN ANGLE OF LESS THAN 165 DEGREES AWAY FROM SUCH RESIDENCE DISTRICT SHALL NOT BE PERMITTED AND ALL OTHER SIGNS FACING AT LESS THAN SUCH AND ANGLE SHALL CONFORM WITH ALL THE SIGN REGULATIONS APPLICABLE IN C1 DISTRICTS. COMPLIES.

PER NYC ZONING RESOLUTION SEC. 42-562 IN DISTRICT M1 AND WITHIN 500 FEET OF THE BOUNDARY OF A RESIDENCE DISTRICT, ANY ILLUMINATED PORTION OF ANY SIGN SHALL FACE AT AN ANGLE OF MORE THAN 90 DEGREES AWAY FROM SUCH A BOUNDARY LINE AND A SIGN WITH INDIRECT ILLUMINATION MAY EXTEND ONLY TO A HEIGHT OF 58 FEET ABOVE CURB LEVEL. SEE CHART.

PER NYC ZONING RESOLUTION SEC. 42-533 a) – ILLUMINATED OR FLASHING SIGNS, OTHER THAN ADVERTISING SIGNS, AND ACCESSORY OR ADVERTISING SIGNS WITH INDIRECT ILLUMINATION ARE PERMITTED, PROVIDED THAT THE TOTAL SURFACE AREA OF ALL SUCH SIGNS, IN SQUARE FEET, SHALL NOT EXCEED: FOR ILLUMINATED OR FLASHING SIGNS OTHER THAN ADVERTISING SIGNS, FIVE TIMES THE STREET FRONTAGE OF THE ZONING LOT, IN FEET, AND THAT THE SURFACE AREA OF EACH SIGN SHALL NOT EXCEED 500 SQUARE FEET, SEE CHART.

PER NYC ZONING RESOLUTION SEC. 42-533 b) – INDIRECT ILLUMINATION SIGNS, FIVE TIMES THE STREET FRONTAGE OF THE ZONING LOT, IN FEET, AND THAT THE SURFACE AREA OF EACH SIGN SHALL NOT EXCEED 750 SQUARE FEET.

BUILDING SIGNAGE	BUILDING FRONTAGE	ALLOWABLE SF PER ESTABLISHMENT		MAX TOTAL ALLOWABLE SF △	SURFACE AREA PROVIDED		PERMITTED ILLUMINATED SIGN HEIGHT	PERMITTED NON-ILLUMINATED HEIGHT	HEIGHT PROVIDED
SHORE PARKWAY (SIGNS WITHIN 200' OF ARTERIAL HWY) ZR 42-55	268'-9"	5 x STREET FRONTAGE (ZR 42-533) 5 x (268'-9") = 1344 SF	MAX 500 SF (ILLUM.) PER SIGN	500 SF PER ESTABLISHMENT X 4 ESTABLISHMENTS 500 x 4 = 2000 SF	GROUP "A"	600 SF (NON ILLUMINATED)	40'-0"	75'-0"	53'-6" (COMPLIES)
					GROUP "B"	675 SF (ILLUMINATED)			57'-10" * (NON-COMPLIANT)
					GROUP "C"	675 SF (ILLUMINATED)			57'-10" * (NON-COMPLIANT)
					TOTAL	1950 SF (COMPLIES)			

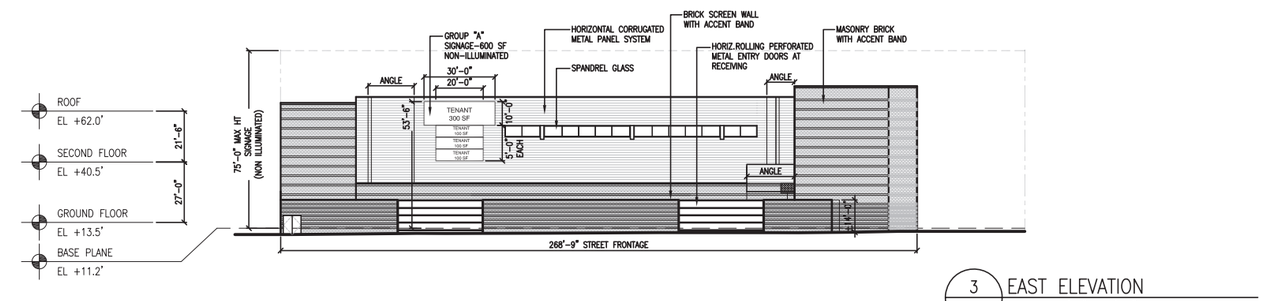
△ ALLOWABLE SQ FT ASSUMES FOUR (4) ESTABLISHMENTS

BUILDING SIGNAGE	MAX TOTAL ALLOWABLE SF 500 SF + ADDITIONAL	SURFACE AREA PROVIDED		PERMITTED ILLUMINATED HT	PERMITTED NON ILLUMINATED HEIGHT	HEIGHT PROVIDED
SHORE PARKWAY (SIGNS BEYOND 200' OF ARTERIAL HWY) ZR 42-55	ADDITIONAL 1 x (279'-2") = 279 SF 500 + 279 = 779 SF	GROUP "D"	216 SF (NON ILLUMINATED)		75'-0"	25-10" (COMPLIES)
	ADDITIONAL 1 x (614'-4) = 614 SF 500 + 614 = 1114 SF	SIGN "E"	216 SF (ILLUMINATED)	40'-0"		30'-9" (COMPLIES)
		TOTAL (NON ILLUMINATED)	216 SF (COMPLIES)			
		TOTAL (ILLUM.)	216 SF (COMPLIES)			

BUILDING SIGNAGE	SURFACE AREA PROVIDED	ALL PERMITTED ILLUMINATED SIGNS MUST FACE AT ≥90°	PERMITTED ILLUMINATED SIGN HEIGHT	PERMITTED NON ILLUMINATED HEIGHT	HEIGHT PROVIDED
SIGNS WITHIN 500' OF A RESIDENTIAL BOUNDARY ZR 42-562	GROUP "A" (NON ILLUMINATED)	(COMPLIES)		75'-0"	53'-6" (COMPLIES)
	GROUP "B" (ILLUMINATED)	> 90° (COMPLIES)	40'-0"		57'-10" * (NON-COMPLIANT)
	GROUP "C" (ILLUMINATED)	> 90° (COMPLIES)	40'-0"		57'-10" (NON-COMPLIANT)
	GROUP "D" (NON-ILLUMINATED)	(COMPLIES)		75'-0"	25-10" (COMPLIES)

* 74-744(c) SPECIAL PERMIT REQUESTED TO MODIFY THE SIGN REGULATIONS.

2 SIGNAGE CALCULATIONS
– SCALE: 1/32" = 1'-0"



3 EAST ELEVATION
– SCALE: 1/32" = 1'-0"

FOR ILLUSTRATIVE PURPOSES ONLY

1752 SHORE PARKWAY

Building Elevation and Signage
Figure 3b

6.10.09



FOR ILLUSTRATIVE PURPOSES ONLY

Aerial View - No Build Conditions

Figure 4

1752 SHORE PARKWAY

6.9.09



FOR ILLUSTRATIVE PURPOSES ONLY

Aerial View - Proposed Project

Figure 5

1752 SHORE PARKWAY

The project would also require the following State and Federal approvals and actions:

- Joint Permit Application from the New York State Department of State Environmental Conservation (NYSDEC) and the Army Corps of Engineers (ACE) (for NYSDEC Tidal Wetlands Article 25, NYSDEC Protection of Waters Article 15, Coastal Erosion Hazard Area, NYSDEC Water Quality Certification Section 401, ACE Nationwide Permit #13, and ACE Rivers/Harbors Section 10 Permits) to permit any in-water work, stabilization of riprap, outfalls, upland building, and esplanade coverage;
- State pollutant discharge elimination system (SPDES) Permit from NYSDEC, to permit the discharge of stormwater during and after construction;
- Beneficial Use Determination (BUD), including a Soil Management Plan (SMP) from NYSDEC to permit the on-site reuse of soil from the western half of the project site to the eastern half of the project site.

3c. DESCRIBE THE PURPOSE OF AND NEED FOR THE ACTION(S) AND APPROVAL(S):

The proposed zoning map amendment would make the project site eligible for a special permit that would allow retail establishments greater than 10,000 square feet in floor area. The proposed special permit (ZR §74-922) would permit the development of a commercial building with Use Group 6 and 10 retail uses that would address a need for convenient commercial retail goods and services in the area. This use would be consistent with the concentration of commercial retail buildings along Shore Parkway.

The proposed special permit (ZR §62-836) to permit bulk modifications on waterfront blocks is being sought because the proposed approximately 56-foot building does not comply with the maximum building height of 30 feet, as well as the front wall height requirements and the sky exposure plane. This waiver would enhance the relationship between the proposed project and adjacent streets, surrounding development, and adjacent open areas and shoreline.

The proposed special permit (ZR §74-744) to permit modification of signage requirements will be sought, pursuant to paragraph (c), to modify the provisions of ZR §42-54 to allow portions of the proposed illuminated signage to reach approximately 58 feet, which exceeds the 40-foot maximum height requirement; this waiver is being sought to allow for an improved site plan.

The proposed CPC Authorization (ZR §62-822) for modification of waterfront public access area and visual corridor requirements will be sought, pursuant to paragraph (a), to modify the provisions of ZR §62-56 that require that an upland connection be provided at least every 600 feet along a shore public walkway and, due to site constraints, an Authorization may be sought pursuant to paragraph (b) to modify certain requirements of ZR §62-60 (design requirements for waterfront public access areas), in order to achieve a superior design that integrates the various elements of the waterfront public access areas.

The currently underdeveloped project site would be a suitable parcel of land for the siting of a large retail building. The site is highly accessible to major roadways, including the Belt Parkway and the Brooklyn-Queens Expressway. It is also conveniently located near the residential neighborhoods of Bensonhurst and Gravesend to the northeast. A retail establishment on the project site would fulfill the surrounding community's demand for additional commercial goods and services.

PLEASE NOTE THAT MANY ACTIONS ARE NOT SUBJECT TO CEQR. SEE SECTION 110 OF TECHNICAL MANUAL.

8. OTHER CITY APPROVALS ☐ Yes ■ No

☐ Legislation ☐ Rulemaking: specify agency:

☐ Construction of Public Facilities ☐ Funding of Construction, Specify ☐ Funding of Programs, Specify

☐ Policy or plan ☐ Permits, Specify:

Other; explain:

9. STATE ACTIONS/APPROVALS/FUNDING ■ Yes ☐ No

If "Yes," identify **New York State Department of Environmental Conservation Permits; New York State Department of State Coastal Zone Management Act Consistency Determination.**

10. FEDERAL ACTIONS/APPROVALS/FUNDING ■ Yes ☐ No

If "Yes," identify **United States Army Corp of Engineers Nationwide Permit.**

Action Type

11a. ■ Unlisted; or ☐ Type I; specify category (see 6 NYCRR 617.4 and NYC Executive Order 91 of 1977, as amended):

11b. ■ Localized action, site specific ☐ Localized action, change in regulatory control for small area ☐ Generic action

Analysis Year

12. Identify the analysis year (or build year) for the proposed action: **2013**

Would the proposal be implemented in a single phase? ■ Yes ☐ No ☐ NA.

Anticipated period of construction: **Approximately 18 months**

Anticipated completion date: **2013**

Would the proposal be implemented in multiple phases? ☐ Yes ■ No ☐ NA.

Number of phases:

Describe phases and construction schedule:

Directly Affected Area

INDICATE LOCATION OF PROJECT SITE FOR ACTIONS INVOLVING A SINGLE SITE ONLY (PROVIDE ATTACHMENTS AS NECESSARY FOR MULTIPLE SITES)

13a. LOCATION OF PROJECT SITE

1752 Shore Parkway
STREET ADDRESS

West side of Shore Parkway between 24th Avenue and Bay 37th Street
DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS

M3-1 EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY — **28c** ZONING SECTIONAL MAP NO.

Block 6491 TAX BLOCK AND LOT NUMBERS — **Lots 207 and 292** — **Brooklyn** BOROUGH — **11** COMMUNITY DISTRICT NO.

13b. PHYSICAL DIMENSIONS AND SCALE OF PROJECT

TOTAL CONTIGUOUS SQUARE FEET OWNED OR CONTROLLED BY PROJECT SPONSOR: **±363,767**[1] SQ. FT.

PROJECT SQUARE FEET TO BE DEVELOPED: **± 363,767** SQ. FT.

GROSS FLOOR AREA OF PROJECT: **± 214,000** SQ. FT.

IF THE ACTION IS AN EXPANSION, INDICATE PERCENT OF EXPANSION PROPOSED

IN THE NUMBER OF UNITS, SQ. FT. OR OTHER APPROPRIATE MEASURE **N/A** % OF **N/A**

DIMENSIONS (IN FEET) OF LARGEST PROPOSED STRUCTURE: **± 56'** HEIGHT **± 256'** WIDTH **± 616'** LENGTH

LINEAR FEET OF FRONTAGE ALONG A PUBLIC THOROUGHFARE: **± 313'**

13c. IF THE ACTION WOULD APPLY TO THE ENTIRE CITY OR TO AREAS THAT ARE SO EXTENSIVE THAT A SITE-SPECIFIC DESCRIPTION IS NOT APPROPRIATE OR PRACTICABLE, DESCRIBE THE AREA LIKELY TO BE AFFECTED BY THE ACTION:

N/A

13d. DOES THE PROPOSED ACTION INVOLVE CHANGES IN REGULATORY CONTROLS THAT WOULD AFFECT ONE OR MORE SITES NOT ASSOCIATED WITH A SPECIFIC DEVELOPMENT? ☐ Yes ■ No

IF 'YES,' IDENTIFY THE LOCATION OF THE SITES PROVIDING THE INFORMATION REQUESTED IN 13a. & 13b. ABOVE.

[1] Lot area, includes only the land above water.

PART II, SITE AND ACTION DESCRIPTION

Site Description

EXCEPT WHERE OTHERWISE INDICATED, ANSWER THE FOLLOWING QUESTIONS WITH REGARD TO THE DIRECTLY AFFECTED AREA. THE DIRECTLY AFFECTED AREA CONSISTS OF THE PROJECT SITE AND THE AREA SUBJECT TO ANY CHANGE IN REGULATORY CONTROLS.

1. **GRAPHICS** Please attach: (1) a Sanborn or other land use map; (2) a zoning map; (3) a tax map. On each map, clearly show the boundaries of the directly affected area or areas and indicate a 400-foot radius drawn from the outer boundaries of the project site. The maps should not exceed 8 1/2 x 14 inches in size.

See Figures 6 through 9.

2. **PHYSICAL SETTING** (both developed and undeveloped areas)

Total directly affected area (sq. ft.): **±363,767*** Water surface area (sq. ft.): **0**

Roads, building and other paved surfaces (sq. ft.): **±363,767*** Other, describe (sq. ft.):

*** Lot area, includes only land above water.**

3. **PRESENT LAND USE**

Residential **None**

Total no. of dwelling units No. of low-to-moderate income units

No. of stories Gross floor area (sq. ft.)

Describe type of residential structures:

Commercial **None**

Retail: No. of bldgs. Gross floor area of each building (sq. ft.):

Office: No. of bldgs. Gross floor area of each building (sq. ft.):

Other: No. of bldgs. Gross floor area of each building (sq. ft.):

Specify type(s): No. of stories and height of each building:

Manufacturing/Industrial

No. of bldgs. **2** Gross floor area of each building (sq. ft.): **Total approx. 10,400**

No. of stories and height of each building: **One two-story building and one one-story storage building***

Types of use(s):

Open storage area (sq. ft.)

*** The site is occupied by a bus storage facility.**

If any unenclosed activities, specify:

Community facility **None**

Type of community facility:

No. of bldgs. Gross floor area of each building (sq. ft.):

No. of stories and height of each building:

Vacant Land

Is there any vacant land in the directly affected area? ☐Yes ■No

If yes, describe briefly:

Publicly accessible open space **None**

Is there any existing publicly accessible open space in the directly affected area? ☐Yes ■No

If yes, describe briefly:

Does the directly affected area include any mapped City, State or Federal parkland? ☐Yes ■No

If yes, describe briefly:

Does the directly affected area include any mapped or otherwise known wetland? ☐Yes ■No

If yes, describe briefly:

Other Land Use **None**

No. of stories Gross floor area (sq. ft.):

Type of use(s):

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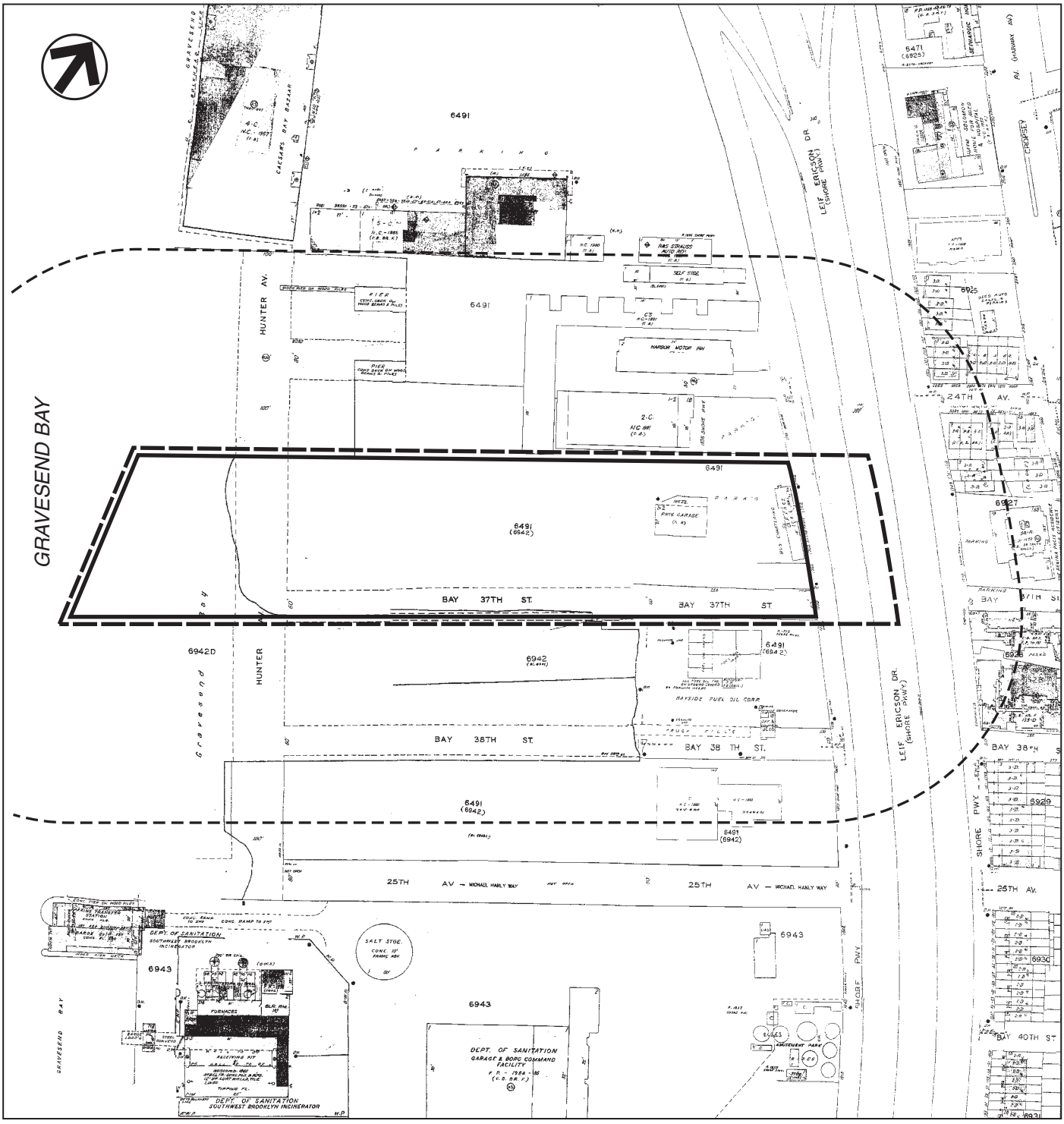

Project Site Boundary

Proposed Rezoning Area

Study Area Boundary (400-Foot Perimeter)

0 500 FEET

SCALE

1752 SHORE PARKWAY

Sanborn Map
Figure 6

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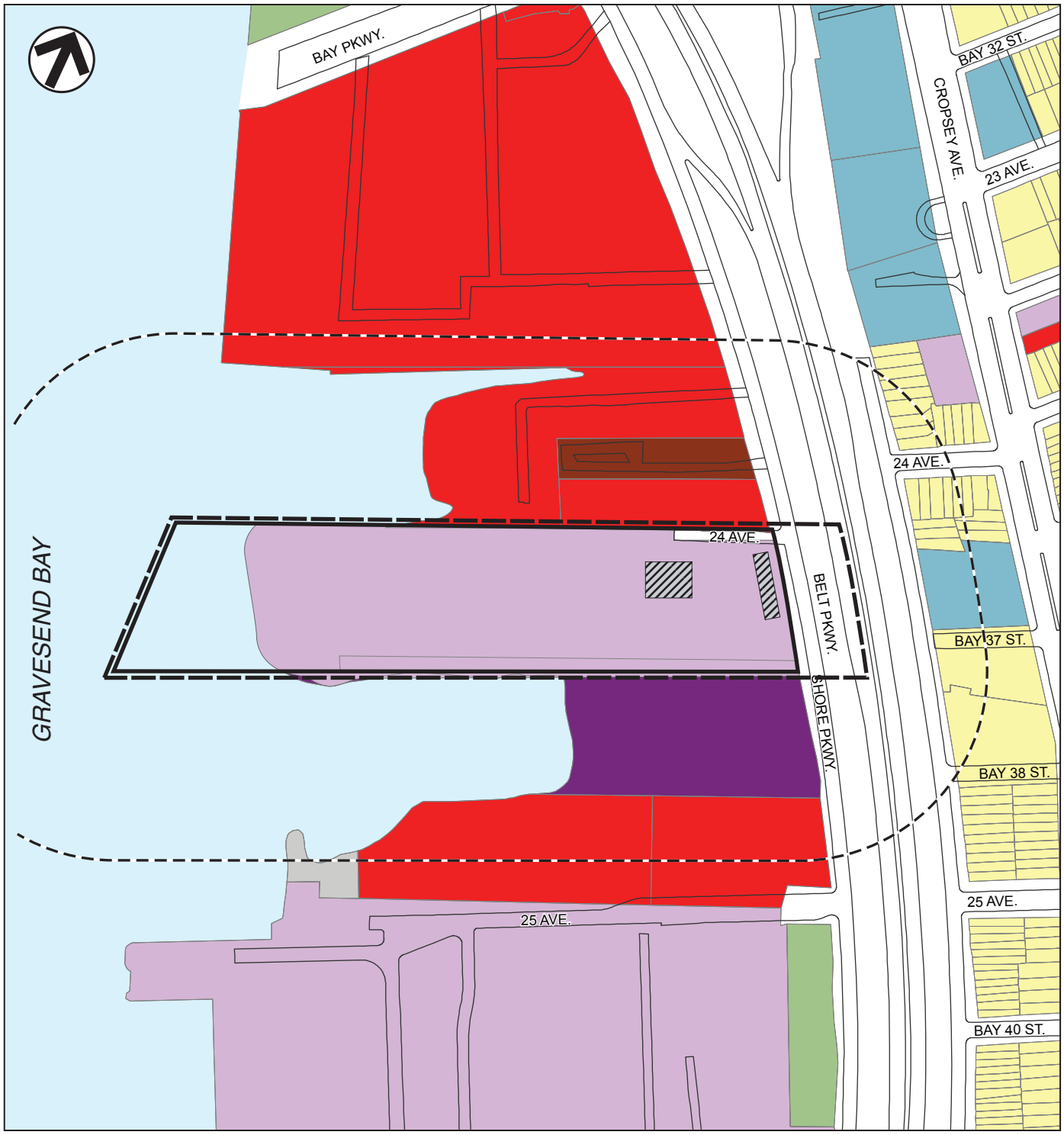


Project Site Boundary

Proposed Rezoning Area

Study Area Boundary (400-Foot Perimeter)

Residential

Hotels

Commercial and Office Buildings

Industrial and Manufacturing

Transportation and Utility

Public Facilities and Institutions

Open Space and Outdoor Recreation

Parking Facilities

Vacant Land

Existing Building on Project Site

0 400 FEET

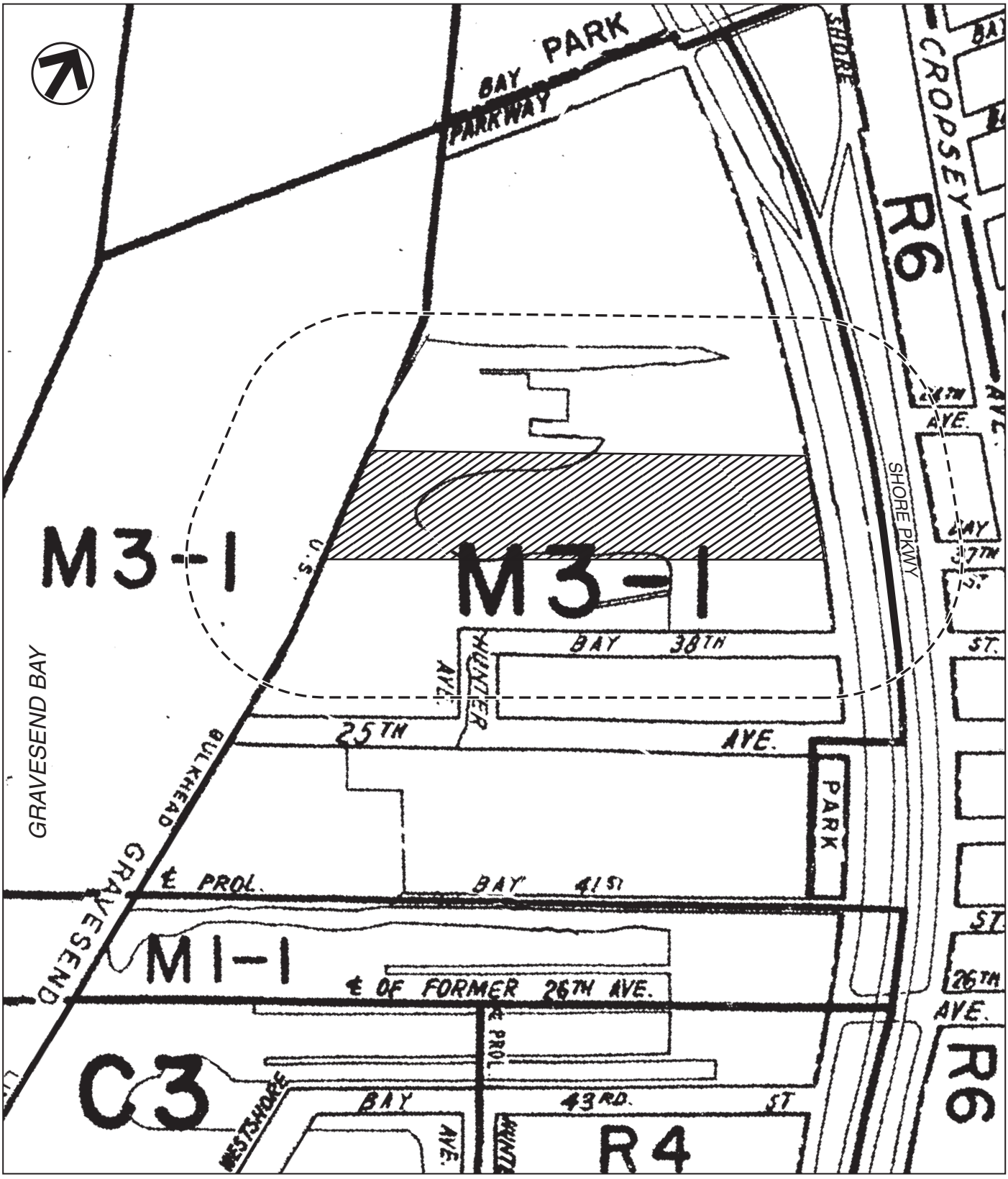
SCALE

1752 SHORE PARKWAY

Land Use

Figure 7

6.9.09



0 500 FEET

SCALE

Project Site

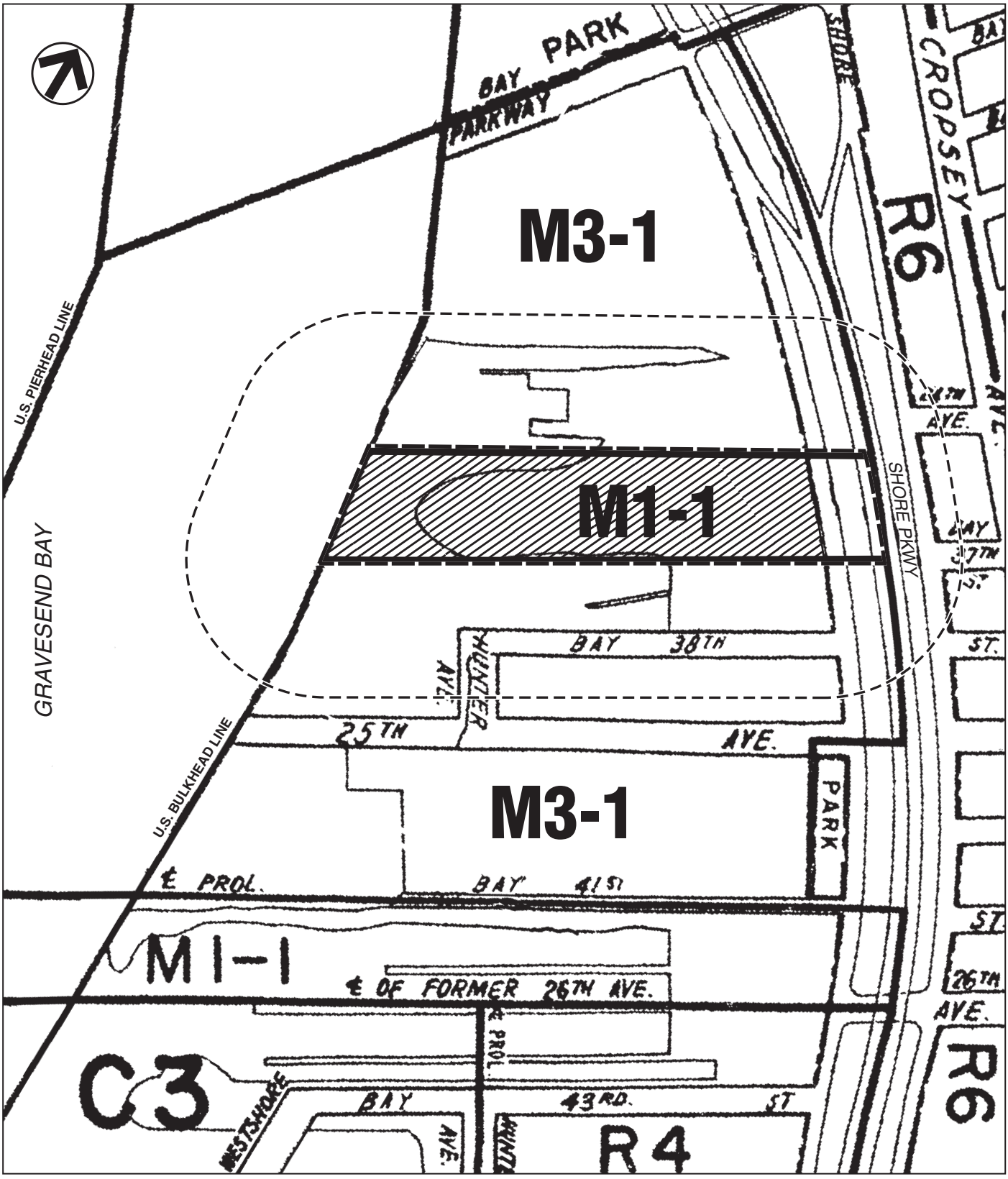
Study Area Boundary (400-Foot Perimeter)

Zoning District Boundary

1752 SHORE PARKWAY

Existing Zoning
Figure 8

6.9.09



0 500 FEET

SCALE

Project Site

Proposed M1-1 Zoning Area

Study Area Boundary (400-Foot Perimeter)

Zoning District Boundary

1752 SHORE PARKWAY

Proposed Zoning

Figure 9

4. **EXISTING PARKING**

Garages **None**

No. of public spaces: _____ No. of accessory spaces: _____

Operating hours: _____ Attended or non-attended? _____

Lots

No. of public spaces: _____ No. of accessory spaces: _____

Operating hours: _____ Attended or non-attended? _____

Other (including street parking) – please specify and provide same data as for lots and garages, as appropriate.

5. **EXISTING STORAGE TANKS**

Gas or service station? ■ Yes ☐ No Oil storage facility? ☐ Yes ■ No Other? ☐ Yes ■ No

If yes, specify: **Diesel fuel and gasoline underground storage tanks (UST).**

Number and size of tanks: **Two 4,000 gallon UST*** Last NYFD inspection date: _____

Location and depth of tanks: **Within and to the northeast of the maintenance garage**

*** There are two known active USTs and up to 17 suspected USTs on the project site.**

6. **CURRENT USERS**

SEE CEQR TECHNICAL MANUAL CHAPTER III F., HISTORIC RESOURCES

No. of residents: **None** No. and type of businesses: **1**

No. and type of workers by business: **Up to 5** No. and type of non-residents who are not workers: **N/A**

7. **HISTORIC RESOURCES (ARCHITECTURAL AND ARCHAEOLOGICAL RESOURCES)**

Answer the following two questions with regard to the directly affected areas, lots abutting that area, lots along the same blockfront or directly across the street from the same blockfront, and, where the directly affected area includes a corner lot, lots which front on the same street intersection.

Do any of the areas listed above contain any improvement, interior landscape feature, aggregate of landscape of landscape features, or archaeological resource that:

(a) has been designated (or is calendared for consideration as) a New York City Landmark, Interior Landmark or Scenic Landmark; **No**

(b) is within a designated New York City Historic District; **No**

(c) has been listed on, or determined eligible for, the New York State or National Register of Historic Places; **No**

(d) is within a New York State or National Register Historic District; or **No**

(e) has been recommended by the New York State Board for listing on the New York State or National Register of Historic Places? **No**

Identify any resource:

Do any of the areas listed in the introductory paragraph above contain any historic or archaeological resource, other than those listed in response to the previous question? Identify any resource.

No. See page 7b, "Historic Resources."

SEE CEQR TECHNICAL MANUAL CHAPTER III K., WATERFRONT REVITALIZATION PROGRAM

8. **WATERFRONT REVITALIZATION PROGRAM**

Is any part of the directly affected area within the City's Waterfront Revitalization Program boundaries? ■ Yes ☐ No

(A map of the boundaries can be obtained at the Department of City Planning bookstore.)

If yes, append a map showing the directly affected area as it relates to such boundaries. A map requested in other parts of this form may be used.

See Figure 10.

Project Description

THIS SUBPART SHOULD GENERALLY BE COMPLETED ONLY IF YOUR ACTION INCLUDES A SPECIFIC OR KNOWN DEVELOPMENT AT PARTICULAR LOCATIONS

9. **CONSTRUCTION**

Will the action result in demolition of or significant physical alteration to any improvement? ■ Yes ☐ No

If yes, describe briefly:

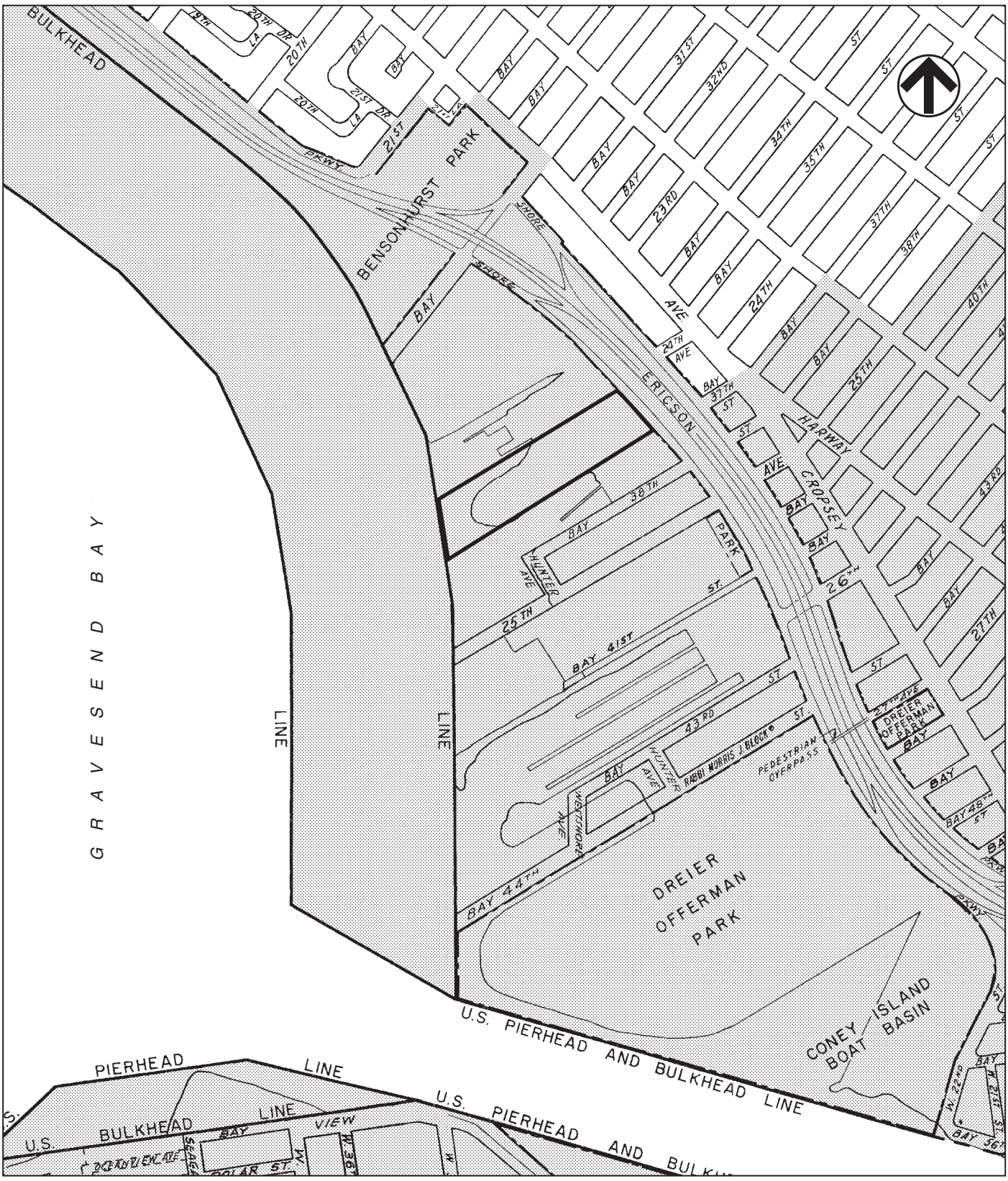
The proposed action would result in the development of an approximately 214,000 gsf retail building with a 690-space, three-level accessory parking garage, and approximately 97,000 square feet of publicly accessible waterfront open space.

Will the action involve either above-ground construction resulting in any ground disturbance or in-ground construction? ■ Yes ☐ No

If yes, describe briefly:

The proposed action would result in the development of an approximately 214,000 gsf retail building with a 690-space, three-level accessory parking garage, and approximately 97,000 square feet of publicly accessible waterfront open space.

6.9.09



Coastal Zone Boundary

1752 SHORE PARKWAY

Figure 10

10. **PROPOSED LAND USE**

Residential **None**

Total no. of dwelling units _____ No. of low-to-moderate income units _____ Gross floor area (sq. ft.) _____

No. of stories _____

Describe type of residential structures:

Commercial

Retail: No. of bldgs.	**1**	Gross floor area of each building (sq. ft.):	**± 214,000**
Office: No. of bldgs.	**0**	Gross floor area of each building (sq. ft.):	**N/A**
Other: No. of bldgs.	**0**	Gross floor area of each building (sq. ft.):	**N/A**
		No. of stories and height of each building:	**2 stories, ± 56'***

***The proposed commercial building is two stories, and the proposed parking structure is three stories**.

Manufacturing/Industrial **None**

No. of bldgs. _____ Gross floor area of each building (sq. ft.) _____

No. of stories and height of each building: _____

Type of use(s): _____ Open storage area (sq. ft.): _____

If any unenclosed activities, specify:

Community facility **None**

Type of community facility: _____

No. of bldgs. _____ Gross floor area of each building (sq. ft.): _____

No. of stories and height of each building: _____

Vacant land **None**

Is there any vacant land in the directly altered area? ☐ Yes ■ No

If yes, describe briefly:

Publicly accessible open space

Is there any publicly accessible open space to be removed or altered? ☐ Yes ■ No

If yes, describe briefly:

Is there any existing publicly accessible open space to be added? ■ Yes ☐ No

If yes, describe briefly:

The project would include ±97,000 sf of publicly accessible waterfront open space, including an esplanade with bench seating, lawn space, and an upland connection.

Other Land Use **None**

No. of stories _____ Gross floor area (sq. ft.): _____

Type of use(s):

11. **PROPOSED PARKING**

Garages

No. of public spaces:	**0**	No. of accessory spaces:	**± 690**
Operating hours:	**To be determined**	Attended or non-attended?	**Non-attended**

Lots

No. of public spaces:	**None**	No. of accessory spaces:	**None**
Operating hours:	**N/A**	Attended or non-attended?	**N/A**

Other (including street parking) – please specify and provide same data as for lots and garages, as appropriate.

No. and location of proposed curb cuts:

12. **PROPOSED STORAGE TANKS**

Gas or storage stations? ☐ Yes ■ No Oil storage facility? ☐ Yes ■ No

Other? ■ Yes ☐ No

If yes, specify: **Fuel oil storage tank for the emergency generator**

Number and size of tanks: **One, 550-gallon** Location and depth of tanks: **TBD**

13. **PROPOSED USERS**

No. of residents: **None** No. and type of businesses? **Up to 4**

No. and type of workers by businesses: **Approx. 323*** No. and type of non-residents who are not workers: **N/A**

***Based on 1 employee per 900 square feet for ±137,500 sf BJ's Wholesale Club use, and 1 employee per 450 retail square feet for ±76,500 sf retail use.**

14. **HISTORIC RESOURCES (ARCHITECTURAL AND ARCHAEOLOGICAL RESOURCES)**

Will the action affect any architectural or archaeological resource identified in response to either of the two questions at number 7 in the Site Description section of the form? ☐ Yes ■ No

If yes, describe briefly:

See page 7b, "Historic Resources."

SEE CEQR TECHNICAL MANUAL CHAPTER III B., SOCIOECONOMIC CONDITIONS

15. **DIRECT DISPLACEMENT**

Will the action directly displace specific businesses or affordable and/or low income residential units? ☐ Yes ■ No

If yes, describe briefly:

SEE CEQR TECHNICAL MANUAL CHAPTER III C., COMMUNITY FACILITIES & SERVICES

16. **COMMUNITY FACILITIES**

Will the action directly eliminate, displace, or alter public or publicly funded community facilities such as educational facilities, libraries, hospitals, and other health care facilities, day care centers, police stations, or fire stations? ☐ Yes ■ No

If yes, describe briefly:

Zoning Information

17. What is the zoning classification(s) of the directly affected area?

M3-1

18. What is the maximum amount of floor area that can be developed in the directly affected area under the present zoning? Describe in terms of bulk for each use.

±363,767 sf lot area x 2.0 FAR = 727,534 sf of commercial, manufacturing, and community facility uses.

19. What is the proposed zoning of the directly affected area?

M1-1

20. What is the maximum amount of floor area that could be developed in the directly affected area under the proposed zoning? Describe in terms of bulk for each use.

±363,767 sf lot area x 1.0 FAR = 363,767 sf of commercial, manufacturing, and community facility uses.

21. What are the predominant land uses and zoning classifications within a ¼-mile radius of the proposed action?

Commercial uses, specifically destination retail, which are concentrated southwest of the Belt Parkway are the predominant use within a ¼-mile of the project site. Residential uses are located northeast of the Belt Parkway. Other uses include utility use south of the project site, and open space at Bensonhurst Park. Zoning classifications include: M1-1, M3-1, C8-1, R5, and R-6. See Attachment A, "Land Use, Zoning, and Public Policy."

Additional Information

22. Attach any additional information as may be needed to describe the action. If your action involves changes in regulatory controls that affect one or more sites not associated with a specific development, it is generally appropriate to include here one or more reasonable development scenarios for such sites and, to the extent possible, to provide information about such scenario(s) similar to that requested in the Project Description questions 9 through 16.

Analyses

23. Attach analyses for each of the impact categories listed below (or indicate where an impact category is not applicable):

See analyses beginning on page 7a.

a.	LAND USE, ZONING, AND PUBLIC POLICY	See CEQR Technical Manual Chapter III.A.
b.	SOCIOECONOMIC CONDITIONS	See CEQR Technical Manual Chapter III.B.
c.	COMMUNITY FACILITIES AND SERVICES	See CEQR Technical Manual Chapter III.C.
d.	OPEN SPACE	See CEQR Technical Manual Chapter III.D.
e.	SHADOWS	See CEQR Technical Manual Chapter III.E.
f.	HISTORIC RESOURCES	See CEQR Technical Manual Chapter III.F.
g.	URBAN DESIGN/VISUAL RESOURCES	See CEQR Technical Manual Chapter III.G.
h.	NEIGHBORHOOD CHARACTER	See CEQR Technical Manual Chapter III.H.
i.	NATURAL RESOURCES	See CEQR Technical Manual Chapter III.I.
j.	HAZARDOUS MATERIALS	See CEQR Technical Manual Chapter III.J.
k.	WATERFRONT REVITALIZATION PROGRAM	See CEQR Technical Manual Chapter III.K.
l.	INFRASTRUCTURE	See CEQR Technical Manual Chapter III.L.
m.	SOLID WASTE AND SANITATION SERVICES	See CEQR Technical Manual Chapter III.M.
n.	ENERGY	See CEQR Technical Manual Chapter III.N.
o.	TRAFFIC AND PARKING	See CEQR Technical Manual Chapter III.O.
p.	TRANSIT AND PEDESTRIANS	See CEQR Technical Manual Chapter III.P.
q.	AIR QUALITY	See CEQR Technical Manual Chapter III.Q.
r.	NOISE	See CEQR Technical Manual Chapter III.R.
s.	CONSTRUCTION IMPACTS	See CEQR Technical Manual Chapter III.S.
t.	PUBLIC HEALTH	See CEQR Technical Manual Chapter III.T.

The CEQR Technical Manual sets forth methodologies developed by the City to be used in analyses prepared for the above-listed categories. Other methodologies developed or approved by the lead agency may also be utilized. If a different methodology is contemplated, it may be advisable to consult with the Mayor's Office of Environmental Coordination. You should also attach any other necessary analyses or information relevant to the determination whether the action may have a significant impact on the environment, including, where appropriate, information on combined or cumulative impacts, as might occur, for example, where actions are independent or occur within a discrete geographical area or time frame.

ANALYSIS SECTION

LAND USE, ZONING, AND PUBLIC POLICY

Under CEQR, a land use analysis characterizes the uses and development trends in the area that may be affected by a proposed action. The analysis also considers the action's compliance with and effect on the area's zoning and other applicable public policies. Even when there is little potential for an action to be inconsistent or affect land use, zoning, or public policy, a description of these issues is usually appropriate to establish conditions and provide information for use in other technical areas. A detailed assessment of land use is appropriate if the action would result in a significant change in land use or would substantially affect regulation or policies governing land use.

The proposed project includes a number of actions to allow for a retail development consisting of a Use Group 6 or 10 large retail use. Therefore, a full land use analysis will be included in the EIS to analyze potential land use and zoning impacts and to provide baseline conditions for other analyses in the EIS (see Draft EIS Scope). In addition, other proposed developments in the future without the proposed project will be identified in this section of the EIS.

SOCIOECONOMIC CONDITIONS

The purpose of the socioeconomic assessment is to identify changes that would be created by the proposed project and identify whether they rise to a significant level. According to the *CEQR Technical Manual*, the five principal issues of concern with respect to socioeconomic conditions are whether a proposed action would result in significant 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 a specific industry. The *CEQR Technical Manual* further states that residential development of 200 units or more or commercial development of 200,000 square feet or more should be assessed for their potential to cause significant adverse socioeconomic impacts. Since the proposed actions would displace the existing bus storage facility on the project site, and would result in a commercial development of approximately 214,000 square feet, a socioeconomic assessment will be included in the EIS (see Draft EIS Scope).

COMMUNITY FACILITIES AND SERVICES

The demand for community facilities and services is directly related to the type and size of the new population generated by the proposed action. The *CEQR Technical Manual* recommends an assessment of a proposed action's potential to result in adverse impacts on community facilities and services if 1) the project would directly displace or alter a community facility or 2) the project would generate more than 100 residential units. The proposed action would not directly displace or alter a community facility, and it would not result in any dwelling units. Therefore, further analysis is not warranted, and the proposed action would not result in significant adverse impacts on community facilities.

OPEN SPACE

As described in the *CEQR Technical Manual*, a quantified assessment of potential impacts on open space is considered appropriate for actions that would 1) directly alter or remove an open space resource; 2) result in more than 200 new residents; or 3) result in more than 500 new employees. The proposed project would not introduce any residents, and would add

approximately 323 additional workers[1] to the area. The proposed action would not directly displace or alter open space resources, nor would it introduce more than 200 residents or 500 employees. Therefore, further analysis is not warranted, and the proposed action would not result in significant adverse impacts on open space.

SHADOWS

According to the *CEQR Technical Manual*, for actions resulting in structures 50 feet or taller, a detailed assessment of shadows is required if the longest shadow created by the structure would fall on any parks, publicly accessible open spaces, important natural feature, or any sunlight-dependent architectural resources. The longest shadow that a structure would cause can be calculated by multiplying the building height times a factor of 4.3 (the proposed commercial building is up to approximately 56 feet tall); the proposed building could result in a shadow of up to 241 feet. There are currently no parks, publicly accessible open spaces, or sunlight-dependent architectural resources located within approximately 241 feet of the project site. However, the proposed project would create a waterfront access area, including a walkway, additional open spaces, and upland connections. If it is determined that the proposed project would cast shadows on any sunlight-dependent natural features or the proposed waterfront open space, an assessment of shadows will be included in the EIS.

HISTORIC RESOURCES

According to the *CEQR Technical Manual*, a historic resources assessment is required if there is the potential to affect either archaeological or architectural resources. Actions that could affect archaeological resources and that typically require an assessment are those that involve above-ground construction resulting in ground disturbance or below-ground construction, such as excavation. Actions that trigger an architectural resources assessment include new construction, demolition, or significant alteration to any building, structure, or object; a change in scale, visual prominence, or visual context of any building, structure, or object or landscape feature; construction, including but not limited to, excavation, vibration, subsidence, dewatering, and the possibility of falling objects; additions to or significant removal, grading, or replanting of significant historic landscape features; screening or elimination of publicly accessible views; and the introduction of significant new shadows or significant lengthening of the duration of existing shadows over a historic landscape or on a historic structure with sunlight dependent features (see "Shadows," above).

ARCHAEOLOGICAL RESOURCES

As described in the *CEQR Technical Manual*, a detailed assessment of archaeological resources is required for actions that would result in in-ground disturbance. Since the proposed action would result in subsurface disturbance on portions of the site, an assessment of potential archaeological resources is warranted. In a comment letter dated January 15, 2009, the New York City Landmarks Preservation Commission (LPC) concluded that the project site has no archaeological significance (see Appendix I). In a comment letter dated April 14, 2008, the New York State Office Parks, Recreation and Historic Preservation (OPRHP) concluded that the project site has no archaeological significance (see Appendix I). Therefore, further analysis is not warranted, and the proposed project would have no adverse impacts on archaeological resources.

[1] Based on 1 employee per 900 square feet for ±137,500 sf BJ's Wholesale Club use, and 1 employee per 450 retail square feet for ±76,500 sf retail use.

ARCHITECTURAL RESOURCES

There are no known architectural resources—properties listed on or determined eligible for listing on the State and National Registers of Historic Places (S/NR), National Historic Landmarks, New York City Landmarks and Historic Districts (NYCL), or properties pending such designation—on or within 400 feet of the project site. Furthermore, there are no properties on or within the 400 feet of the project site that appear to meet the eligibility criteria for S/NR listing or for NYCL designation. The three buildings on the project site, which would be demolished to construct the new development, are not architecturally distinguished. In addition, in a letter dated April 14, 2008, the New York State Office of Parks, Recreation, and Historic Preservation determined that project would have no effect on cultural resources in or eligible for inclusion in the National Register of Historic Places.

Overall, the proposed project is not expected to adversely affect architectural resources. Therefore, no further assessment of potential impacts on architectural resources is necessary.

URBAN DESIGN/VISUAL RESOURCES

According to the *CEQR Technical Manual*, a detailed assessment of urban design and visual resources is undertaken when a proposed action would result in a building or structure substantially different in height, bulk, form, setbacks, size, scale, use, or arrangement than exists; when an action would change block form, demap an active street, map a new street, or would affect the street hierarchy, street wall, curb cuts, pedestrian activity, or other streetscape elements; or when an action would result in above-ground development or would change the bulk of new above-ground development and is proposed in an area that includes significant visual resources.

The proposed project would develop an underutilized parcel with new approximately 56-foot-tall, 214,000-square-foot commercial building and a three-level parking garage, as well as create approximately 97,000 square feet of publicly accessible waterfront open space. Therefore, a discussion of the proposed project's effects on urban design and visual resources will be included in the EIS, as described in the attached Draft EIS Scope.

NEIGHBORHOOD CHARACTER

The character of a neighborhood is established by numerous factors, including land use patterns, the scale of its development, the design of buildings, the presence of notable landmarks, and a variety of other features. According to CEQR criteria, a neighborhood character assessment is conducted if the action would result in a significant impact in the areas of land use, zoning, and public policy; urban design; visual resources; historic resources; socioeconomic conditions; traffic; or noise. In addition, if the action falls below these thresholds but would result in moderate changes in the elements that contribute to neighborhood character, thereby resulting in a significant impact, an analysis of neighborhood character is required.

The action would change the site's land use and would also change the visual character of the project site and would introduce pedestrian and vehicular traffic to the site. Therefore, the EIS will include an assessment of the proposed action's potential to significantly affect neighborhood character (see Draft EIS Scope).

NATURAL RESOURCES

A natural resources assessment is conducted when a natural resource is present on or near the project site and when an action involves the disturbance of that resource. The *CEQR Technical Manual* defines natural resources as water resources, including surface water bodies and

groundwater; wetland resources, including freshwater and tidal wetlands; upland resources, including beaches, dunes, and bluffs, thickets, grasslands, meadows and old fields, woodlands and forests, and gardens and other ornamental landscaping; and built resources, including piers and other waterfront structures. The project site is located on the waterfront and, although most of the site consists of the parking facility and associated structures, upland vegetation, tidal wetlands and New York State Department of Environmental Conservation (NYSDEC)-regulated tidal wetland adjacent areas are also located on site. Therefore, the EIS will include a natural resources assessment, as described in the Draft EIS Scope.

HAZARDOUS MATERIALS

The project site has been occupied by uses that may have used, stored, or produced hazardous materials, and there are underground storage tanks on the site. Therefore, the EIS will provide a hazardous materials assessment to determine whether significant adverse impacts could occur as a result of the project. See Draft EIS Scope of Work.

WATERFRONT REVITALIZATION PROGRAM

The project site is located within the boundaries of the New York City Coastal Zone. Therefore, as described in the Draft EIS Scope, the EIS will include an assessment of the proposed project's consistency with the New York City Waterfront Revitalization Program (WRP).

INFRASTRUCTURE

According to the *CEQR Technical Manual*, an analysis of an action's impact on the New York City water supply system should be conducted only for actions that would have exceptionally large demand for water, such as power plants, very large cooling systems, or large developments (e.g., those that use more than 1 million gallons per day). In addition, actions located at the extremities of the water distribution system should be analyzed.

According to the *CEQR Technical Manual*, the City is committed to adequately treating all wastewater generated in the City and to maintaining its wastewater treatment plants at or below the capacity permitted by applicable state and federal permits, orders, and decrees. Therefore, only unusual actions with very large flows could have the potential for significant impacts on sewage treatment.

The proposed project is not large enough nor is it located in a water or sewer service area with the capacity deficiencies to require a full infrastructure analysis. Therefore, in accordance with the *CEQR Technical Manual*, the EIS will simply disclose the action's water demands and wastewater generation.

SOLID WASTE AND SANITATION SERVICES

According to CEQR criteria, a detailed solid waste and sanitation services assessment is appropriate if an action enacts regulatory changes affecting the generation or management of the City's waste of if the action involves the construction, operation, or closing of any type of solid waste management facility. The project site is known to have been filled historically with solid waste. The proposed action would involve the potential removal of existing solid waste on the project site. Any disturbance of such waste would be performed in accordance with all applicable requirements, including those required by the New York State Department of Environmental Conservation (DEC). The *CEQR Technical Manual* also states that actions involving construction of housing or other developments (including retail) generally do not require evaluation for solid waste impacts unless they are unusually large. Therefore, in

accordance with the *CEQR Technical Manual*, the EIS will simply disclose the action's sewage and solid waste generation.

ENERGY

According to the *CEQR Technical Manual*, a detailed assessment of energy impacts would be limited to actions that could significantly affect the transmission or generation of energy or that generate substantial indirect consumption of energy (such as a new roadway). Therefore, in accordance with CEQR guidelines, the EIS will simply disclose the action's energy consumption.

TRAFFIC AND PARKING

For this area of Brooklyn, the *CEQR Technical Manual* specifies that if an action would result in development of more than 10,000 gsf of retail use, quantified traffic and parking assessments may be warranted (see Table 3O-1 in the *CEQR Technical Manual*). The *CEQR Technical Manual* further specifies that if an action would result in more than 50 peak hour vehicle trips, quantified analyses are warranted. The scale of the proposed development exceeds this threshold, indicating the need for quantified traffic and parking analyses. Preliminary estimates for trips generated by the proposed project are presented in the Draft EIS Scope. The attached Draft EIS Scope outlines the studies to be undertaken.

TRANSIT AND PEDESTRIANS

According to CEQR criteria, the transit and pedestrian analyses should be coordinated with the traffic and parking analyses (see "Traffic and Parking," above). If an action results in fewer than 200 peak hour rail or bus transit riders, further transit analyses are not typically required. Based on trip generation estimates prepared in accordance with the guidelines presented in the *CEQR Technical Manual*, quantified transit and pedestrian analyses are not required, and no significant adverse impacts to transit or pedestrian conditions would occur as a result of the proposed action (see Draft EIS Scope).

AIR QUALITY

CEQR criteria require an air quality assessment for actions that can result in either significant mobile source or stationary source air quality impacts. Mobile source impacts 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. Stationary source impacts could occur with actions that create new stationary sources or pollutants, such as emission stacks for industrial plants, hospitals, or other large institutional uses, or a building's boilers, that can affect surrounding uses; when they add uses near existing or planned future emissions stacks, and the new uses might be affected by the emissions from the stacks, or when they add structures near such stacks and those structures can change the dispersion of emissions from the stacks so that they begin to affect surrounding uses.

The air quality studies for the proposed project will include both mobile and stationary source analyses. As described in the Draft EIS Scope, the EIS will include an assessment of potential impacts from project-generated mobile sources at roadway intersections near the project site, potential impacts related to air emissions produced by the proposed project's heating systems and parking garages, and potential impacts on the proposed development from off-site industrial sources.

NOISE

According to the *CEQR Technical Manual*, a noise analysis is appropriate if an action would generate any mobile or stationary sources of noise or would be located in an area with high ambient noise levels. Specifically, an analysis would be required if a project generates or reroutes vehicular traffic, or is located near a heavily trafficked thoroughfare. A noise assessment would also be appropriate if the action would result in a playground or would cause a stationary source to be operating within 1,500 feet of a receptor (with a direct line of sight to that receptor), or if the action would be located in an area with high ambient noise levels resulting from stationary sources. The proposed project would increase the volume of traffic in the area, which could result in additional traffic noise. In addition, the proposed project would create a new waterfront open space, which may be affected by ambient noise levels. Therefore, the EIS will include a noise study to determine the potential for significant adverse noise impacts to occur as a result of the proposed project (see the attached Draft EIS Scope).

CONSTRUCTION IMPACTS

As recommended in the *CEQR Technical Manual*, construction-related impacts are typically analyzed to determine any disruptive or noticeable effects arising during a project's construction. Construction analyses for most new projects should include an assessment of at least traffic-related impacts, air quality and noise. As discussed in the Draft EIS Scope, a qualitative assessment of construction impacts with a focus on hazardous materials, traffic, air quality, and noise will be included in the EIS.

PUBLIC HEALTH

According to the *CEQR Technical Manual*, public health comprises the activities that society undertakes to create and promote a community's wellness. Public health may be jeopardized by poor air quality resulting from traffic or stationary sources, hazardous materials in soil or groundwater used for drinking water, significant adverse impacts related to noise or odors, solid waste management practices that attract vermin and pest populations, and actions that result in exceedances in city, state, or federal standards. As discussed in the Draft EIS Scope of Work, an assessment of the proposed project's potential impacts on public health will be included in the EIS.

Applicant Certification

24.

Lisa M. Lau, AICP	**Thor Shore Parkway Developers, LLC**
PREPARER NAME	PRINCIPAL
Vice President, AKRF, Inc.	**Toni L. Finger**
PREPARER TITLE	NAME OF PRINCIPAL REPRESENTATIVE
Lisa M. Lau	**Associate, Kramer Levin Naftalis & Frankel LLP**
PREPARER SIGNATURE	TITLE OF PRINCIPAL REPRESENTATIVE
9/2/09	Toni L. Finger
DATE	SIGNATURE OF PRINCIPAL REPRESENTATIVE
	9/2/09
	DATE

NOTE: Any person who knowingly makes a false statement or who knowingly falsifies any statement on this form or allows any such statement to be falsified shall be guilty of an offense punishable by fine or imprisonment or both, pursuant to Section 10-154 of the New York City Administrative Code, and may be liable under applicable laws.

Impact Significance

PART III, ENVIRONMENTAL ASSESSMENT AND DETERMINATION

TO BE COMPLETED BY THE LEAD AGENCY

The lead agency should complete this Part after Parts I and II have been completed. In completing this Part, the lead agency should consult 6 NYCRR 617.7, which contains the State Department of Environmental Conservation's criteria for determining significance.

The lead agency should ensure the creation of a record sufficient to support the determination in this Part. The record may be based upon analyses submitted by the applicant (if any) with Part II of the EAS. The CEQR Technical Manual sets forth methodologies developed by the City to be used in analyses prepared for the listed categories. Alternative or additional methodologies may be utilized by the lead agency.

1. For each of the impact categories listed below, consider whether the action may have a significant effect on the environment with respect to the impact category. If it may, answer yes.

LAND USE, ZONING AND PUBLIC POLICY	
SOCIOECONOMIC CONDITIONS	
COMMUNITY FACILITIES AND SERVICES	
OPEN SPACE	
SHADOWS	
HISTORIC RESOURCES	
URBAN DESIGN/VISUAL RESOURCES	
NEIGHBORHOOD CHARACTER	
NATURAL RESOURCES	
HAZARDOUS MATERIALS	
WATERFRONT REVITALIZATION PROGRAM	
INFRASTRUCTURE	
SOLID WASTE AND SANITATION SERVICES	
ENERGY	
TRAFFIC AND PARKING	
TRANSIT AND PEDESTRIANS	
AIR QUALITY	
NOISE	
CONSTRUCTION IMPACTS	
PUBLIC HEALTH	

2. Are there any aspects of the action relevant to the determination whether the action may have a significant impact on the environment, such as combined or cumulative impacts, that were not fully covered by other responses and supporting materials? If there are such impacts, explain them and state where, as a result of them, the action may have a significant impact on the environment.

3. If the lead agency has determined in its answers to questions 1 and 2 of this Part that the action will have no significant impact on the environment, a negative declaration is appropriate. The lead agency may, in its discretion, further elaborate here upon the reasons for issuance of a negative declaration.

4. If the lead agency has determined in its answers to questions 1 and 2 of this part that the actions may have a significant impact on the environment, a conditional negative declaration (CND) may be appropriate if there is a private applicant for the action and the action is not Type I. A CND is only appropriate when conditions imposed by the lead agency will modify the proposed action so that no significant adverse environmental impacts will result. If a CND is appropriate, the lead agency should describe here the conditions to the action that will be undertaken and how they will mitigate potential significant impacts.

5. If the lead agency has determined that the action may have a significant impact on the environment, and if a conditional negative declaration is not appropriate, then the lead agency should issue a positive declaration. Where appropriate, the lead agency may, in its discretion, further elaborate here upon the reasons for issuance of a positive declaration. In particular, if supporting materials do not make clear the basis for a positive declaration, the lead agency should describe briefly the impact(s) it has identified that may constitute a significant impact on the environment.

6.

Lead Agency Certification

PREPARER NAME	NAME OF LEAD AGENCY REPRESENTATIVE
PREPARER TITLE	TITLE OF LEAD AGENCY REPRESENTATIVE
PREPARER SIGNATURE	SIGNATURE OF LEAD AGENCY REPRESENTATIVE
DATE	DATE