NEW YORK CITY ENVIRONMENTAL QUALITY REVIEW
ENVIRONMENTAL ASSESSMENT STATEMENT

COYLE STREET REZONING

CEQR NUMBER: 21DCP123K

2134 COYLE STREET (BLOCK 7367, LOTS 11 AND 29)

BOROUGH OF BROOKLYN



Prepared For:

Coyle Properties LLC
c/o Pryor Cashman
7 Times Square
New York, NY 10036

Lead Agency:

NYC Department of City Planning
120 Broadway
New York, New York, 10271

Prepared By:

Langan Engineering, Environmental, Surveying, Landscape Architecture, and Geology D.P.C.
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LANGAN

27 August 2021

bdf design

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

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

Part I: GENERAL INFORMATION

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

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

2. *Project Name* Coyle Street Rezoning

3. *Reference Numbers*

CEQR REFERENCE NUMBER (to be assigned by lead agency) 21DCP123K	BSA REFERENCE NUMBER (if applicable)
ULURP REFERENCE NUMBER (if applicable) 210239ZMK, N210240ZRK	OTHER REFERENCE NUMBER(S) (if applicable) (*e.g.*, legislative intro, CAPA)

4a. *Lead Agency Information*			**4b. *Applicant Information***		
NAME OF LEAD AGENCY New York City Department of City Planning			NAME OF APPLICANT Coyle Properties LLC		
NAME OF LEAD AGENCY CONTACT PERSON Olga Abinader Director, Environmental Assessment and Review Division			NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON Neil Weisbard Pryor Cashman LLP		
ADDRESS 120 Broadway, 31st Floor			ADDRESS 7 Times Square		
CITY New York	STATE NY	ZIP 10271	CITY New York	STATE NY	ZIP 10036
TELEPHONE (212) 720-3493	EMAIL oabinad@planning.nyc.gov		TELEPHONE (212) 326-0465	EMAIL nweisbard@pryorcashman.com	

5. *Project Description*

The Applicant seeks approval of two discretionary land use actions from the City Planning Commission, including a zoning map amendment and zoning text amendment, to facilitate a mixed-use development containing residential and commercial uses in the Sheepshead Bay neighborhood of Community District 15, Brooklyn. The Proposed Actions would facilitate the development of a five-story, 70-foot-tall (55 feet plus a 15-foot-tall bulkhead), 164,604 gsf mixed-use building containing 103,320 gsf of residential area, 32,086 gsf of ground floor retail area, and 50,600 gsf (195 spaces) of accessory parking (the "Proposed Development").

Project Location

BOROUGH Brooklyn	COMMUNITY DISTRICT(S) 15	STREET ADDRESS 2134 and 2156 Coyle Street
TAX BLOCK(S) AND LOT(S) Block 7367, Lots 11 and 29		ZIP CODE 11229

DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS The Rezoning Area comprises Brooklyn Block 7367 within 100 feet of Coyle Street and beyond 100 feet of both Avenue U and Avenue V.

EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY	ZONING SECTIONAL MAP NUMBER
R4/C1-2	29a

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

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

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

☐ SPECIAL PERMIT (if appropriate, specify type: ☐ modification; ☐ renewal; ☐ other); EXPIRATION DATE:

SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION Appendix F

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

☐ VARIANCE (use)

☐ VARIANCE (bulk)

☐ SPECIAL PERMIT (if appropriate, specify type: ☐ modification; ☐ renewal; ☐ other); EXPIRATION DATE:

SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

***Department of Environmental Protection*:** ☐ YES ☒ NO If "yes," specify:

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

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

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

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

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

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

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

☒ SITE LOCATION MAP ☒ ZONING MAP ☒ SANBORN OR OTHER LAND USE MAP
☒ TAX MAP ☐ FOR LARGE AREAS OR MULTIPLE SITES, A GIS SHAPE FILE THAT DEFINES THE PROJECT SITE(S)
☒ PHOTOGRAPHS OF THE PROJECT SITE TAKEN WITHIN 6 MONTHS OF EAS SUBMISSION AND KEYED TO THE SITE LOCATION MAP

Physical Setting (both developed and undeveloped areas)

Total directly affected area (sq. ft.): 50,000
Waterbody area (sq. ft) and type: N/A
Roads, buildings, and other paved surfaces (sq. ft.): 42,080
Other, describe (sq. ft.): Open rear yards (7,920 sf)

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

SIZE OF PROJECT TO BE DEVELOPED (gross square feet): 220,624
NUMBER OF BUILDINGS: 2
GROSS FLOOR AREA OF EACH BUILDING (sq. ft.):
Bldg 1: 161,408
Bldg 2: 59,217
HEIGHT OF EACH BUILDING (ft.): 100' (85' + 15' bulkhead)
NUMBER OF STORIES OF EACH BUILDING: 8

Does the proposed project involve changes in zoning on one or more sites? ☒ YES ☐ NO
If "yes," specify: The total square feet owned or controlled by the applicant: 36,000
The total square feet not owned or controlled by the applicant: 14,000

Does the proposed project involve in-ground excavation or subsurface disturbance, including, but not limited to foundation work, pilings, utility lines, or grading? ☒ YES ☐ NO
If "yes," indicate the estimated area and volume dimensions of subsurface permanent and temporary disturbance (if known):
AREA OF TEMPORARY DISTURBANCE: 50,000 sq. ft. (width x length)
VOLUME OF DISTURBANCE: (50,000 sf x 20') = 1,000,000 cubic ft. (width x length x depth)
AREA OF PERMANENT DISTURBANCE: 50,000 sq. ft. (width x length)

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

	Residential	***Commercial***	***Community Facility***	***Industrial/Manufacturing***
Size (in gross sq. ft.)	186,274	1,937	0	0
Type (*e.g.,* retail, office, school)	198 units	Retail		

Does the proposed project increase the population of residents and/or on-site workers? ☒ YES ☐ NO
If "yes," please specify: NUMBER OF ADDITIONAL RESIDENTS: 369 NUMBER OF ADDITIONAL WORKERS: 17
Provide a brief explanation of how these numbers were determined: Based on 2018 ACS 5-Year data, the average household size of a renter-occupied unit is 2.49 for NYC- Brooklyn Community District 15 PUMA. Employment estimated based on 3 employees per 1,000 sf of retail, 1 employee per 25 DU, and 1 per 50 parking spaces.

Does the proposed project create new open space? ☐ YES ☒ NO If "yes," specify size of project-created open space: sq. ft.
Has a No-Action scenario been defined for this project that differs from the existing condition? ☐ YES ☒ NO If "yes," see Chapter 2, "Establishing the Analysis Framework" and describe briefly:
9. *Analysis Year* CEQR Technical Manual Chapter 2
ANTICIPATED BUILD YEAR (date the project would be completed and operational): 2027
ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: A single phase of less than 24 months.
WOULD THE PROJECT BE IMPLEMENTED IN A SINGLE PHASE? ☒ YES ☐ NO IF MULTIPLE PHASES, HOW MANY? 1
BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE: Projected Development Site 1, the Applicant's Site, would be constructed over approximately 20 months. Assuming ULURP is complete by the end of 2021 and six months for DOB documentation, Projected Development Site 1 would be fully operational by early 2023.
10. *Predominant Land Use in the Vicinity of the Project* (check all that apply) ☒ RESIDENTIAL ☐ MANUFACTURING ☒ COMMERCIAL ☐ PARK/FOREST/OPEN SPACE ☐ OTHER, specify:

Part II: TECHNICAL ANALYSIS

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

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

	YES	NO
1. *LAND USE, ZONING, AND PUBLIC POLICY*: CEQR Technical Manual Chapter 4		
(a) Would the proposed project result in a change in land use different from surrounding land uses?	☐	☒
(b) Would the proposed project result in a change in zoning different from surrounding zoning?	☒	☐
(c) Is there the potential to affect an applicable public policy?	☒	☐
(d) If "yes," to (a), (b), and/or (c), complete a preliminary assessment and attach. See Attachment B.		
(e) Is the project a large, publicly sponsored project?	☐	☒
○ If "yes," complete a PlaNYC assessment and attach.		
(f) Is any part of the directly affected area within the City's Waterfront Revitalization Program boundaries?	☒	☐
○ If "yes," complete the Consistency Assessment Form. See Appendix D.		
2. *SOCIOECONOMIC CONDITIONS*: CEQR Technical Manual Chapter 5		
(a) Would the proposed project:		
○ Generate a net increase of 200 or more residential units?	☐	☒
○ Generate a net increase of 200,000 or more square feet of commercial space?	☐	☒
○ Directly displace more than 500 residents?	☐	☒
○ Directly displace more than 100 employees?	☐	☒
○ Affect conditions in a specific industry?	☐	☒
3. *COMMUNITY FACILITIES*: CEQR Technical Manual Chapter 6		
(a) Direct Effects		
○ Would the project directly eliminate, displace, or alter public or publicly funded community facilities such as educational facilities, libraries, hospitals and other health care facilities, day care centers, police stations, or fire stations?	☐	☒
(b) Indirect Effects		
○ **Child Care Centers:** Would the project result in 20 or more eligible children under age 6, based on the number of low or low/moderate income residential units? (See Table 6-1 in Chapter 6)	☐	☒
○ **Libraries:** Would the project result in a 5 percent or more increase in the ratio of residential units to library branches? (See Table 6-1 in Chapter 6)	☐	☒
○ **Public Schools:** Would the project result in 50 or more elementary or middle school students, or 150 or more high school students based on number of residential units? (See Table 6-1 in Chapter 6)	☐	☒
○ **Health Care Facilities and Fire/Police Protection:** Would the project result in the introduction of a sizeable new neighborhood?	☐	☒
4. *OPEN SPACE*: CEQR Technical Manual Chapter 7		
(a) Would the proposed project change or eliminate existing open space?	☐	☒
(b) Is the project located within an under-served area in the Bronx, Brooklyn, Manhattan, Queens, or Staten Island?	☐	☒
○ If "yes," would the proposed project generate more than 50 additional residents or 125 additional employees?	☐	☐
(c) Is the project located within a well-served area in the Bronx, Brooklyn, Manhattan, Queens, or Staten Island?	☒	☐
○ If "yes," would the proposed project generate more than 350 additional residents or 750 additional employees?	☒	☐
(d) If the project in located an area that is neither under-served nor well-served, would it generate more than 200 additional residents or 500 additional employees?	☐	☒
5. *SHADOWS*: CEQR Technical Manual Chapter 8		

	YES	NO
(a) Would the proposed project result in a net height increase of any structure of 50 feet or more?	☒	☐
(b) Would the proposed project result in any increase in structure height and be located adjacent to or across the street from a sunlight-sensitive resource?	☐	☒
6. *HISTORIC AND CULTURAL RESOURCES*: CEQR Technical Manual Chapter 9		
(a) Does the proposed project site or an adjacent site contain any architectural and/or archaeological resource that is eligible for or has been designated (or is calendared for consideration) as a New York City Landmark, Interior Landmark or Scenic Landmark; that is listed or eligible for listing on the New York State or National Register of Historic Places; or that is within a designated or eligible New York City, New York State or National Register Historic District? (See the GIS System for Archaeology and National Register to confirm)	☐	☒
(b) Would the proposed project involve construction resulting in in-ground disturbance to an area not previously excavated?	☒	☐
(c) If "yes" to either of the above, list any identified architectural and/or archaeological resources and attach supporting information on whether the proposed project would potentially affect any architectural or archeological resources. See LPC correspondence in Appendix A.		
7. *URBAN DESIGN AND VISUAL RESOURCES*: CEQR Technical Manual Chapter 10		
(a) Would the proposed project introduce a new building, a new building height, or result in any substantial physical alteration to the streetscape or public space in the vicinity of the proposed project that is not currently allowed by existing zoning?	☒	☐
(b) Would the proposed project result in obstruction of publicly accessible views to visual resources not currently allowed by existing zoning?	☐	☒
8. *NATURAL RESOURCES*: CEQR Technical Manual Chapter 11		
(a) Does the proposed project site or a site adjacent to the project contain natural resources as defined in Section 100 of Chapter 11?	☐	☒
○ If "yes," list the resources and attach supporting information on whether the proposed project would affect any of these resources.		
(b) Is any part of the directly affected area within the Jamaica Bay Watershed?	☒	☐
○ If "yes," complete the Jamaica Bay Watershed Form, and submit according to its instructions. See Appendix E.		
9. *HAZARDOUS MATERIALS*: CEQR Technical Manual Chapter 12		
(a) Would the proposed project allow commercial or residential uses in an area that is currently, or was historically, a manufacturing area that involved hazardous materials?	☐	☒
(b) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to hazardous materials that preclude the potential for significant adverse impacts?	☐	☒
(c) Would the project require soil disturbance in a manufacturing area or any development on or near a manufacturing area or existing/historic facilities listed in Appendix 1 (including nonconforming uses)?	☐	☒
(d) Would the project result in the development of a site where there is reason to suspect the presence of hazardous materials, contamination, illegal dumping or fill, or fill material of unknown origin?	☒	☐
(e) Would the project result in development on or near a site that has or had underground and/or aboveground storage tanks (*e.g.*, gas stations, oil storage facilities, heating oil storage)?	☒	☐
(f) Would the project result in renovation of interior existing space on a site with the potential for compromised air quality; vapor intrusion from either on-site or off-site sources; or the presence of asbestos, PCBs, mercury or lead-based paint?	☐	☒
(g) Would the project result in development on or near a site with potential hazardous materials issues such as government-listed voluntary cleanup/brownfield site, current or former power generation/transmission facilities, coal gasification or gas storage sites, railroad tracks or rights-of-way, or municipal incinerators?	☐	☒
(h) Has a Phase I Environmental Site Assessment been performed for the site?	☒	☐
○ If "yes," were Recognized Environmental Conditions (RECs) identified? Briefly identify: See Attachment F.	☒	☐
10. *WATER AND SEWER INFRASTRUCTURE*: CEQR Technical Manual Chapter 13		
(a) Would the project result in water demand of more than one million gallons per day?	☐	☒
(b) If the proposed project located in a combined sewer area, would it result in at least 1,000 residential units or 250,000 square feet or more of commercial space in Manhattan, or at least 400 residential units or 150,000 square feet or more of commercial space in the Bronx, Brooklyn, Staten Island, or Queens?	☐	☒
(c) If the proposed project located in a separately sewered area, would it result in the same or greater development than the amounts listed in Table 13-1 in Chapter 13?	☒	☐
(d) Would the proposed project involve development on a site that is 5 acres or larger where the amount of impervious surface would increase?	☐	☒
(e) If the project is located within the Jamaica Bay Watershed or in certain specific drainage areas, including Bronx River, Coney Island Creek, Flushing Bay and Creek, Gowanus Canal, Hutchinson River, Newtown Creek, or Westchester Creek, would it involve development on a site that is 1 acre or larger where the amount of impervious surface would increase?	☒	☐

	YES	NO
(f) Would the proposed project be located in an area that is partially sewered or currently unsewered?	☐	☒
(g) Is the project proposing an industrial facility or activity that would contribute industrial discharges to a Wastewater Treatment Plant and/or generate contaminated stormwater in a separate storm sewer system?	☐	☒
(h) Would the project involve construction of a new stormwater outfall that requires federal and/or state permits?	☐	☒
11. *SOLID WASTE AND SANITATION SERVICES*: CEQR Technical Manual Chapter 14		
(a) Using Table 14-1 in Chapter 14, the project's projected operational solid waste generation is estimated to be (pounds per week): (198 DU x 41 lbs/wk/DU) + (109 retail employees x 79 lbs/wk/employee) = 16,718 lbs/wk		
○ Would the proposed project have the potential to generate 100,000 pounds (50 tons) or more of solid waste per week?	☐	☒
(b) Would the proposed project involve a reduction in capacity at a solid waste management facility used for refuse or recyclables generated within the City?	☐	☒
12. *ENERGY*: CEQR Technical Manual Chapter 15		
(a) Using energy modeling or Table 15-1 in Chapter 15, the project's projected energy use is estimated to be (annual BTUs): (152,338 residential gsf x 126.7 Mbtus/sf) + (36,387 commercial sf x 216.3 Mbtu/sf) = 27,150,102,700 btu (With-Action Condition)		
(b) Would the proposed project affect the transmission or generation of energy?	☐	☒
13. *TRANSPORTATION*: CEQR Technical Manual Chapter 16		
(a) Would the proposed project exceed any threshold identified in Table 16-1 in Chapter 16?	☒	☐
(b) If "yes," conduct the screening analyses, attach appropriate back up data as needed for each stage and answer the following questions:		
○ Would the proposed project result in 50 or more Passenger Car Equivalents (PCEs) per project peak hour?	☒	☐
If "yes," would the proposed project result in 50 or more vehicle trips per project peak hour at any given intersection? ***It should be noted that the lead agency may require further analysis of intersections of concern even when a project generates fewer than 50 vehicles in the peak hour. See Subsection 313 of Chapter 16 for more information.***	☐	☒
○ Would the proposed project result in more than 200 subway/rail or bus trips per project peak hour?	☐	☒
If "yes," would the proposed project result, per project peak hour, in 50 or more bus trips on a single line (in one direction) or 200 subway trips per station or line?	☐	☒
○ Would the proposed project result in more than 200 pedestrian trips per project peak hour?	☒	☐
If "yes," would the proposed project result in more than 200 pedestrian trips per project peak hour to any given pedestrian or transit element, crosswalk, subway stair, or bus stop?	☐	☒
14. *AIR QUALITY*: CEQR Technical Manual Chapter 17		
(a) *Mobile Sources*: Would the proposed project result in the conditions outlined in Section 210 in Chapter 17?	☐	☒
(b) *Stationary Sources*: Would the proposed project result in the conditions outlined in Section 220 in Chapter 17?	☒	☐
○ If "yes," would the proposed project exceed the thresholds in Figure 17-3, Stationary Source Screen Graph in Chapter 17? (Attach graph as needed)	☐	☒
(c) Does the proposed project involve multiple buildings on the project site?	☒	☐
(d) Does the proposed project require federal approvals, support, licensing, or permits subject to conformity requirements?	☐	☒
(e) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to air quality that preclude the potential for significant adverse impacts?	☐	☒
15. *GREENHOUSE GAS EMISSIONS*: CEQR Technical Manual Chapter 18		
(a) Is the proposed project a city capital project or a power generation plant?	☐	☒
(b) Would the proposed project fundamentally change the City's solid waste management system?	☐	☒
(c) If "yes" to any of the above, would the project require a GHG emissions assessment based on the guidance in Chapter 18?	☐	☐
16. *NOISE*: CEQR Technical Manual Chapter 19		
(a) Would the proposed project generate or reroute vehicular traffic?	☒	☐
(b) Would the proposed project introduce new or additional receptors (see Section 124 in Chapter 19) near heavily trafficked roadways, within one horizontal mile of an existing or proposed flight path, or within 1,500 feet of an existing or proposed rail line with a direct line of site to that rail line?	☒	☐
(c) Would the proposed project cause a stationary noise source to operate within 1,500 feet of a receptor with a direct line of sight to that receptor or introduce receptors into an area with high ambient stationary noise?	☐	☒
(d) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to noise that preclude the potential for significant adverse impacts?	☐	☒

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

See Attachment L, "Construction".

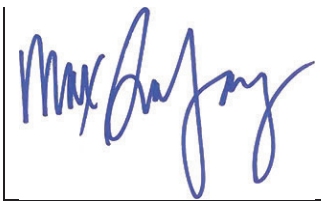
20. *APPLICANT'S CERTIFICATION*

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

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

APPLICANT/REPRESENTATIVE NAME	DATE
Max Stember-Young	27 August 2021

SIGNATURE



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

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

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

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

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

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

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

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

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

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

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

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

TITLE	LEAD AGENCY
NAME	DATE
SIGNATURE	

NEGATIVE DECLARATION

Statement of No Significant Effect

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

Reasons Supporting this Determination

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

Land Use, Zoning, and Public Policy

A detailed analysis of land use, zoning, and public policy is included in the EAS. The Applicant, Coyle Properties LLC, seeks approval of two discretionary land use actions from the City Planning Commission, including a zoning map amendment and zoning text amendment to rezone the area of Brooklyn Block 7367 Lots 11 and 29 within 100 feet of Coyle Street and beyond 100 feet of both Avenue U and Avenue V from an R4/C1‑2 district to an R6A/C2‑4 district, to facilitate a mixed-use development containing residential and commercial uses in the Sheepshead Bay neighborhood of Community District 15, Brooklyn. The Proposed Actions would facilitate the development of a five-story, 70-foot-tall (55 feet plus a 15-foot-tall bulkhead), 164,604 gsf mixed-use building containing 103,320 gsf of residential area, 32,086 gsf of ground floor retail area, and 50,600 gsf (195 spaces) of accessory parking. The Study Area is predominately residential and commercial land uses, with one- and two-family residences to the north and west, the New York City Housing Authority Nostrand Houses to the south, and commercial uses to the east. The introduction of additional housing, including affordable units, would be consistent with the mix of multifamily and one and two‑family residential uses in the Study Area. Accordingly, the Proposed Actions would not result in any significant adverse land use and zoning impacts and no further analysis is warranted.

Open Space

An analysis of Open Space resources is included in the EAS. The Proposed Actions would generate 493 incremental residents in the Study Area over the No‑Action Condition, and would result in an approximately 1.738 percent decrease in the Open Space Ratio (OSR) in the Study Area compared to the No‑Action Condition. The Proposed Actions would result in less than a five percent decrease to the open space ratio that would warrant a detailed open space assessment. In the With‑Action condition, the Study Area would have an overall open space ratio of 3.291 acres per 1,000 residents, which would be more than double the City's median open space ratio of 1.5 acres per 1,000 residents and above the City's open space planning goal of 2.5 acres per 1,000 residents. Therefore, in accordance with the CEQR Technical Manual, the Proposed Actions would not result in significant adverse open space impacts, and no further analysis is warranted.

Hazardous Materials, Air Quality

An (E) designation (E-620) related to hazardous materials and air quality would be established as part of the approval of the proposed actions. Refer to "Determination of Significance Appendix: (E) designation" for the applicable (E) designation requirements. The hazardous materials and air quality analyses conclude that with the (E) designation in place, the proposed actions would not result in a significant adverse impact related to hazardous materials or air quality.

No other significant effects upon the environment that would require the preparation of a Draft Environmental Impact Statement are foreseeable. This Negative Declaration has been prepared in accordance with Article 8 of the New York State Environmental Conservation Law (SEQRA). Should you have any questions pertaining to this Negative Declaration, you may contact Katherine Glass at +1 212-720-3425.

TITLE Deputy Director, Environmental Assessment and Review Division	LEAD AGENCY Department of City Planning on behalf of the City Planning Commission 120 Broadway, 31st Fl. New York, NY 10271 | 212.720.3328
NAME Stephanie Shellooe, AICP	DATE August 27, 2021
SIGNATURE	
TITLE Chair, City Planning Commission	
NAME Marisa Lago	DATE August 30, 2021
SIGNATURE	

Project Name: 2134 Coyle Street Rezoning
CEQR # 21DCP123K
SEQRA Classification: Unlisted

Determination of Significance Appendix

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

Development Site	Borough	Block and Lot
Projected Development Site 1	Bk	Projected Development Site 1 (Block 7367, Lot 11)
Projected Development Site 2	Bk	Projected Development Site 2 (Block 7367, Lot 29)

(E) Designation Requirements

To ensure that the proposed actions would not result in significant adverse impacts related to hazardous materials, air quality, and noise an (E) designation (**E-620**) would be established as part of approval of the proposed actions on **Projected Development Sites 1 and 2** as described below:

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

Hazardous Materials

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

Task 1-Sampling Protocol

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

Task 2-Remediation Determination and Protocol

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

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

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

Project Name: 2134 Coyle Street Rezoning
CEQR # 21DCP123K
SEQRA Classification: Unlisted

Air Quality

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

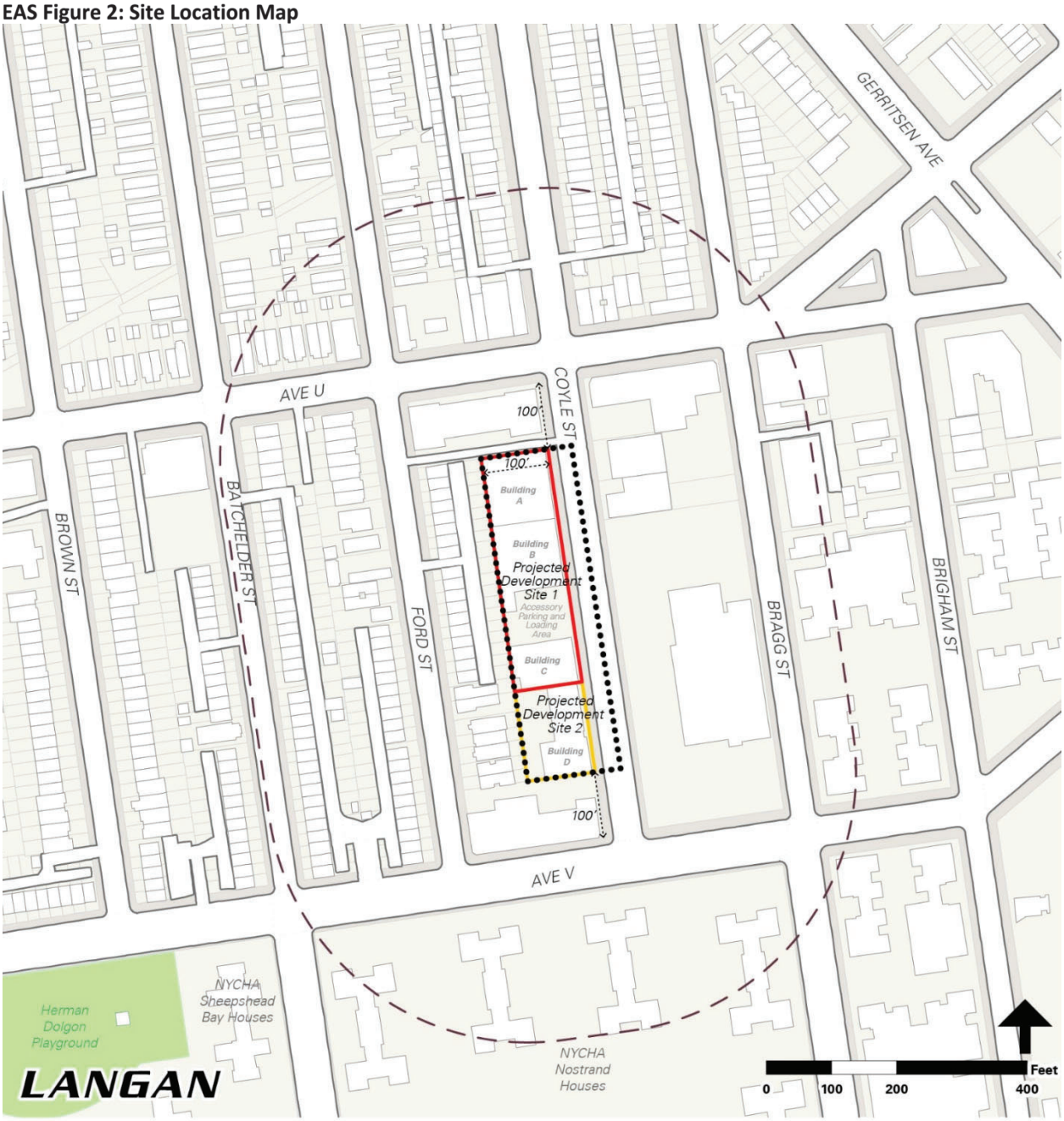
Projected Development Site 1 (Block 7367, Lot 11): Any new residential and/or commercial development must ensure the heating, ventilating, and air conditioning (HVAC) systems and hot water equipment stack is located at the highest tier and at least 73 feet above grade and at least 120 feet from the southern lot line facing Avenue V; if the new residential and/or commercial development use natural gas as the type of fuel for HVAC systems and hot water equipment, the stack must be located at least 73 feet above grade and at least 85 feet from the southern lot line facing Avenue V to avoid any potential significant adverse air quality impacts.

Projected Development Site 2 (Block 7367, Lot 29): Any new residential and/or commercial development must ensure the heating, ventilating, and air conditioning (HVAC) systems and hot water equipment stack is located at the highest tier and at least 88 feet above grade to avoid any potential significant adverse air quality impacts.

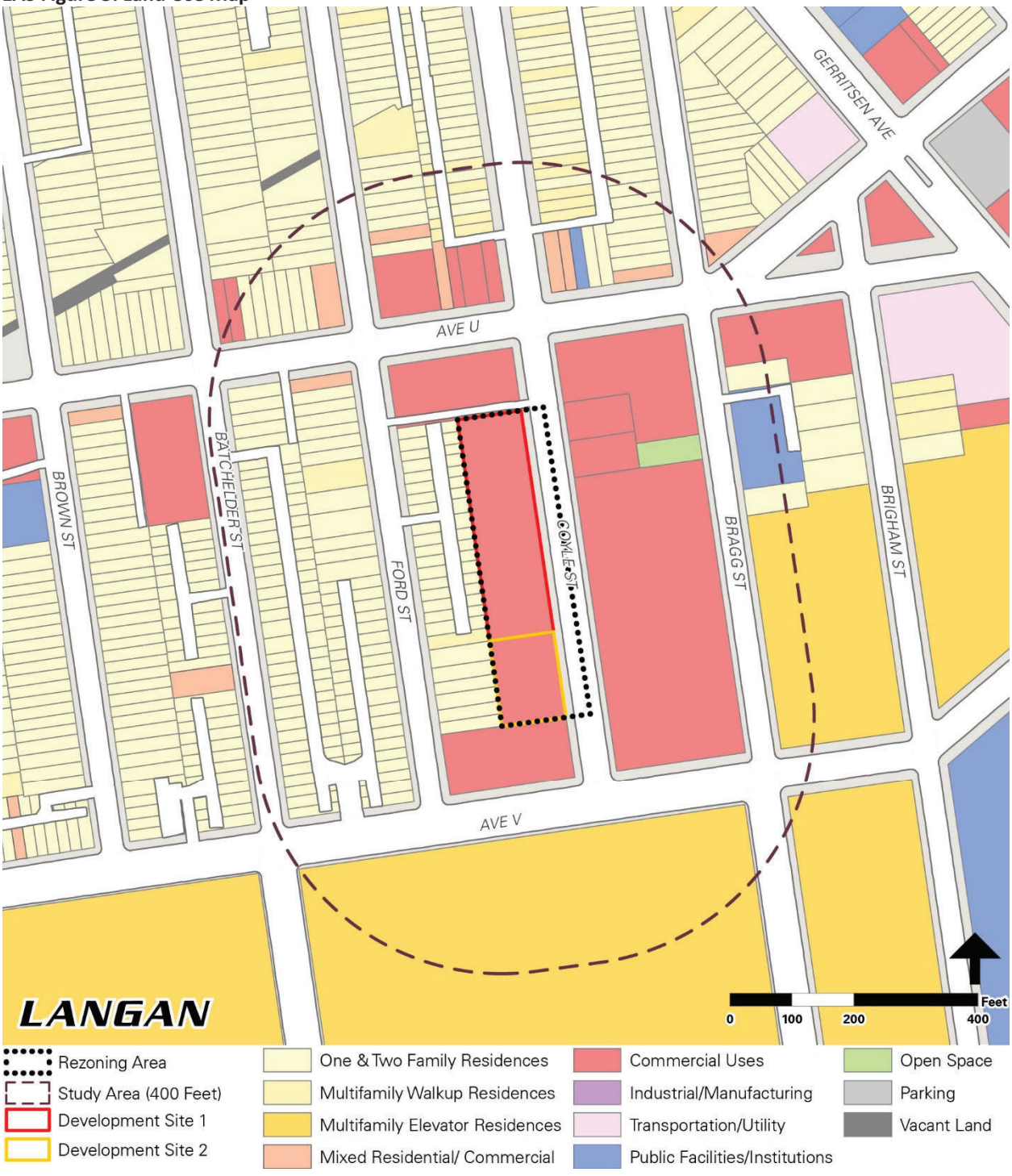
EAS Figure 1: Regional Location Map



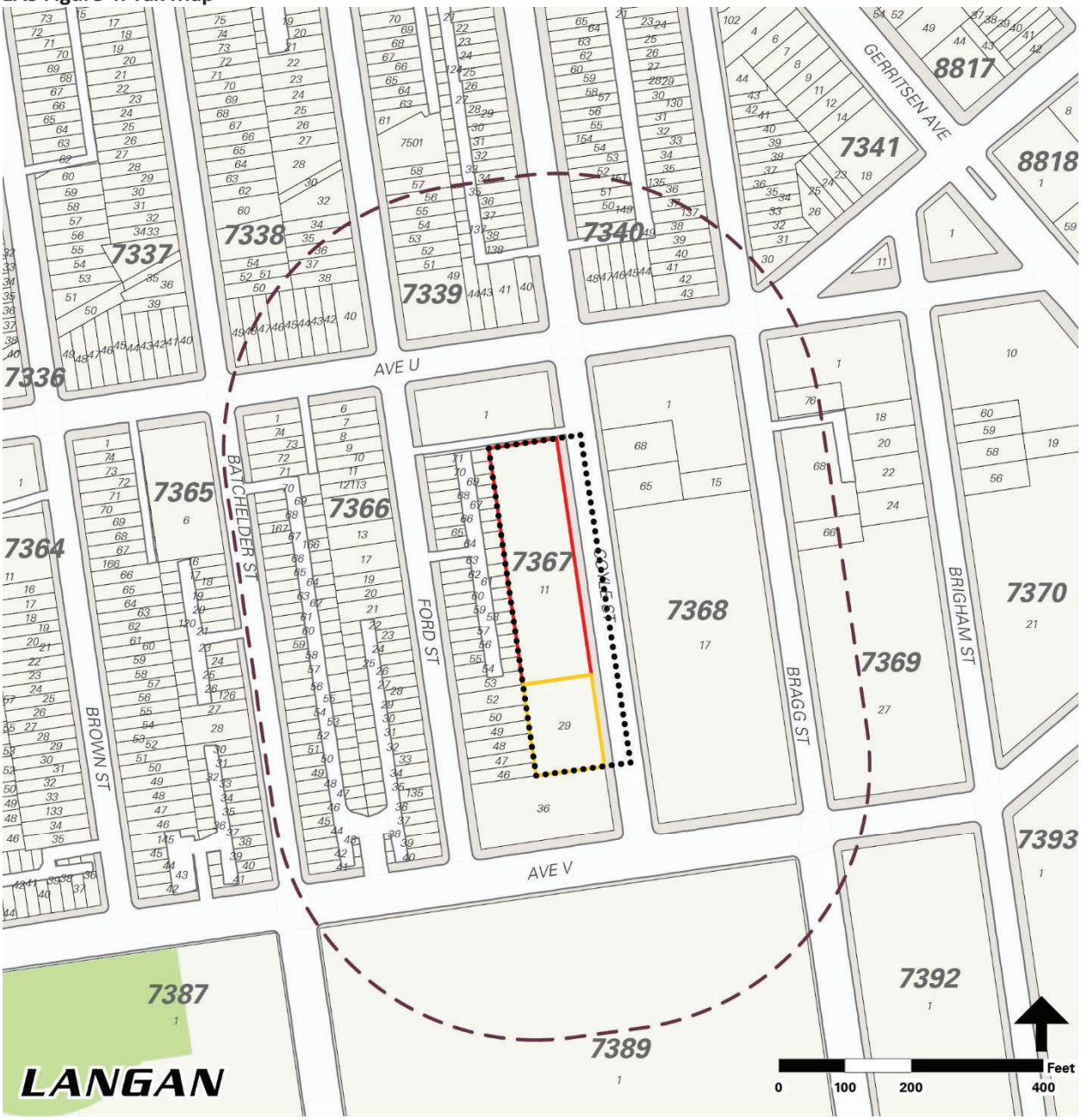
EAS Figure 2: Site Location Map



EAS Figure 3: Land Use Map

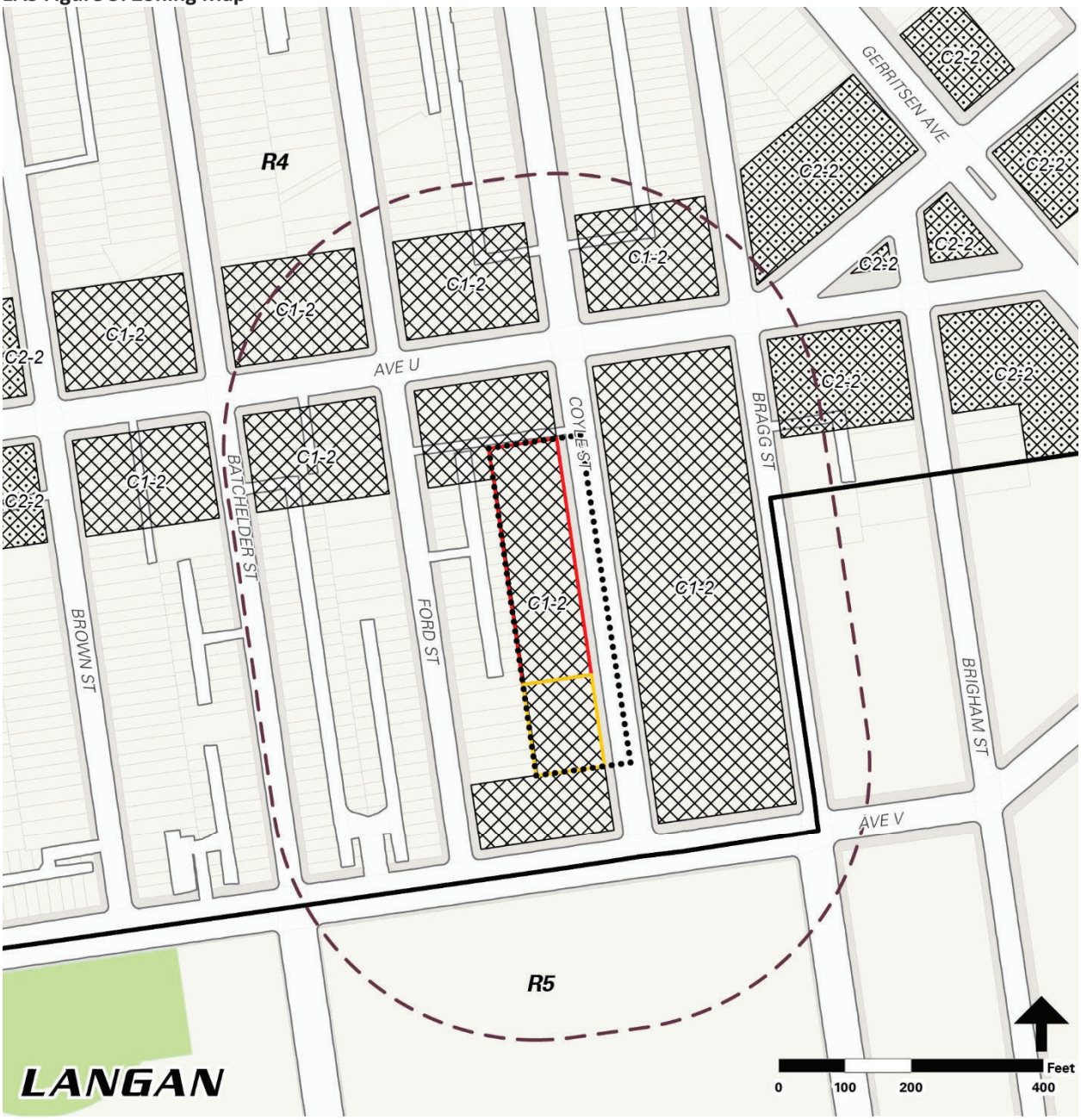


EAS Figure 4: Tax Map

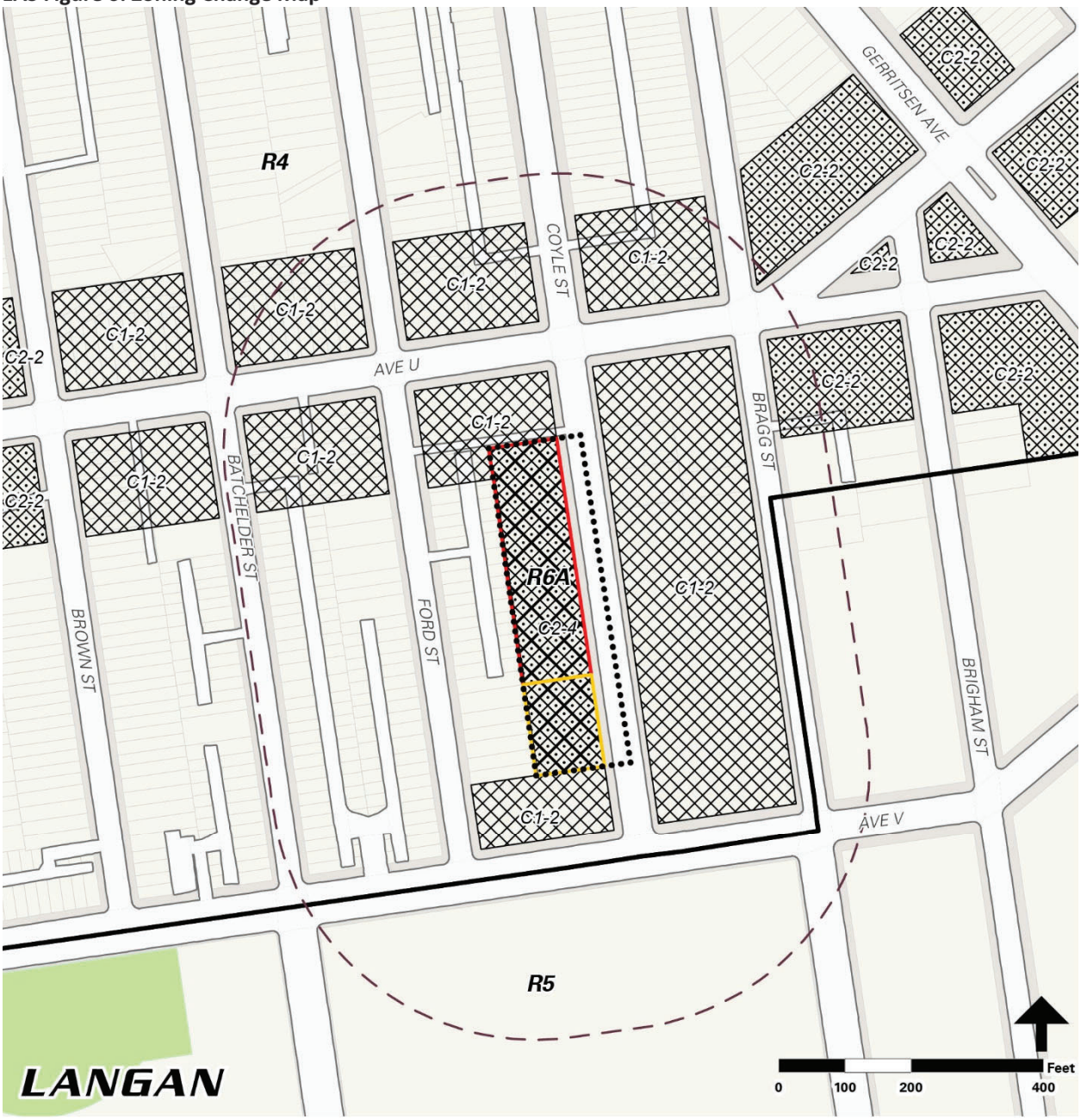


Rezoning Area
Study Area (400 Feet)
Projected Development Site 1
Projected Development Site 2

EAS Figure 5: Zoning Map



EAS Figure 6: Zoning Change Map



EAS Figure 7: Aerial Photograph and Photograph Location Key Map



EAS Photograph 1



View west across Coyle Street to Building A on Projected Development Site 1 (Block 7367, Lot 11). Building A is one of three commercial buildings on Projected Development Site 1 and is occupied by a Dollar Tree.
Captured: 4 September 2020

EAS Photograph 2



View south along Coyle Street towards Building B, one of the three commercial buildings on Projected Development Site 1 (Block 7367, Lot 11). Building B is one of two buildings occupied by a hardware supply retailer on Projected Development Site 1.
Captured: 4 September 2020

EAS Photograph 3



View west across Coyle Street towards the open accessory parking and loading area between Buildings B and C on Projected Development Site 1. The parking and loading area provides access to the loading docks on the south side of Building B and the north side of Building C.
Captured: 4 September 2020

EAS Photograph 4



View west across Coyle Street towards Building C, a one-story brick building on Projected Development Site 1. Building C is the southernmost building on Projected Development Site 1 and contains a loading bay that is accessed via a curb cut on Coyle Street.
Captured: 4 September 2020

EAS Photograph 5



View west across Coyle Street towards Building D on Projected Development Site 2 (Block 7367, Lot 29). Building D is just south of Building C on Projected Development Site 1 and contains a one-story commercial building occupied by a bank, dry cleaning facility, tailor, and appliance sales and repair facility.
Captured: 4 September 2020

EAS Photograph 6



View south along Coyle Street from Avenue U towards the Rezoning Area. Building A (Dollar Tree) is shown in the center-left of the frame, with Buildings B-D beyond.
Captured: 4 September 2020

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Appendix E: Jamaica Bay Watershed Protection Plan Form
Appendix F: Phase I Environmental Site Assessment (ESA)

A PROJECT DESCRIPTION

A1 Introduction

The Applicant, Coyle Properties LLC, seeks approval of two discretionary land use actions from the City Planning Commission, including a zoning map amendment and zoning text amendment to facilitate a mixed-use development containing residential and commercial uses in the Sheepshead Bay neighborhood of Community District 15, Brooklyn (see EAS Figure 1). The Proposed Actions consist of:

1. A zoning map amendment to rezone the area of Brooklyn Block 7367 within 100 feet of Coyle Street and beyond 100 feet of both Avenue U and Avenue V (the "Rezoning Area," see EAS Figures 1 and 2) from an R4/C1-2 district to an R6A/C2-4; and
2. A zoning text amendment to modify ZR Appendix F to designate a Mandatory Inclusionary Housing (MIH) area.

The Proposed Actions would affect Brooklyn Block 7367 Lot 11 (Projected Development Site 1) and Lot 29 (Projected Development Site 2).

The Proposed Actions would result in the demolition of the two southern-most structures on Projected Development Site 1 and facilitate the development a five-story, 70-foot-tall (55 feet, plus a 15 foot bulkhead), 207,408 gsf building containing 103,321 gsf of residential area, 32,087 gsf of ground floor retail area, and 72,000 gsf (195 spaces) of accessory parking (the "Proposed Development"). Illustrative architectural plans for the Proposed Development were prepared by BDF Designs, and are provided in Appendix A.

The Proposed Development would contain approximately 148 dwelling units (DU), of which approximately 45 would be designated as permanently affordable. The northern-most 10,683 gsf one-story retail building (Building A) would be retained and integrated in the Proposed Development.

A2 Rezoning Area

The Rezoning Area is midblock along the west side of Coyle Street between Avenue U and Avenue V, and is bounded by a one-story commercial retail building with accessory parking on the north, Coyle Street on the east, a one-story commercial retail building on the south, and, on the west, a row of two-story one and two family attached residences fronting along the project block's Ford Street frontage (see EAS Figures 2 and 3). The surrounding area is predominately residential, with one- and two-family residences to the north and west, and the New York City Housing Authority (NYCHA) Nostrand Houses to the south. The NYCHA Nostrand Houses contain sixteen 6-story multifamily elevator buildings situated on 23.8-acres. The block to the east of the Rezoning Area is developed entirely with commercial uses, including a grocery store, beverage distributor, and flooring supply store. Further east is a mixture of multi-family residences, one-family residences, a daycare, and a pharmacy. The areas to the north and west of the Rezoning Area are almost exclusively residential uses with a mix of one-and two- family and multi-family residences.

The Reasonable Worst Case Development Scenario (RWCDS) for this project established that there would be two "projected development sites" as a result of the Proposed Actions. The Applicant-controlled part of the Rezoning Area is Projected Development 1.

Projected Development Site 1 is a regularly shaped 36,000-square-foot interior lot with 360 feet of frontage along Coyle Street and a lot depth of 100 feet. It contains three one-story commercial buildings with approximately 26,430 gsf of commercial area. Building A is a 10,683 gsf building occupied by a general retail store (Dollar Tree) on the northern portion of the lot. Building B is a 9,157 gsf one-story building adjacent to Building A's southern façade. Building C is a 6,590 gsf one-story building on the southern portion of the lot. Buildings B and C are occupied by hardware supply retailer. All three buildings on Projected Development Site 1 are built to the front lot line with no setback. Projected Development Site 1 also contains an open parking and loading area between Buildings B and C that is accessed via a curb cut along Coyle Street.

Projected Development Site 2 is not controlled by the Applicant and would be rezoned by the Proposed Actions. It is a regularly shaped 14,000-square-foot interior zoning lot with 140 feet of frontage along Coyle and a lot depth of 100 feet. The site contains a one-story building fronting on Coyle Street with four retail spaces totaling 7,920 gsf (Building D). The building is occupied by a bank, dry cleaning facility, tailor, and appliance sales and repair facility. There is no accessory parking on Projected Development Site 2.

In September 2020, the New York City Landmarks Preservation Commission (LPC) determined that Projected Development Sites 1 and 2 have no historic significance (see LPC correspondence in Appendix A).

The Rezoning Area is entirely within an R4/C1-2 zoning district and is in both the City's Coastal Zone boundary and the New York City Food Retail Expansion to Support Health Program (FRESH) Zone.

The Rezoning Area was mapped with an R4 zoning district in 1961 and the C1-2 commercial overlay was mapped in 1964. The existing commercial buildings on Projected Development Site 1 and 2 were constructed in 1956 and 1955, respectively.

A3 Proposed Actions

As described above, the Applicant seeks two discretionary land use actions to redevelop the site: a zoning map amendment to rezone the Rezoning Area from a R4/C1-2 to R6A/C2-4; and, a zoning text amendment to modify ZR Appendix F to designate a Mandatory Inclusionary Housing (MIH) area.

The Proposed Actions are classified as "Unlisted" discretionary actions pursuant to Part 617 of the New York Codes, Rules, and Regulations. Unlisted actions require an environmental review per City Environmental Quality Review (CEQR) to enable the lead agency to make an informed decision regarding the land use actions. For the Proposed Actions, the NYC Department of City Planning is the Lead Agency on behalf of the NYC City Planning Commission (CPC).

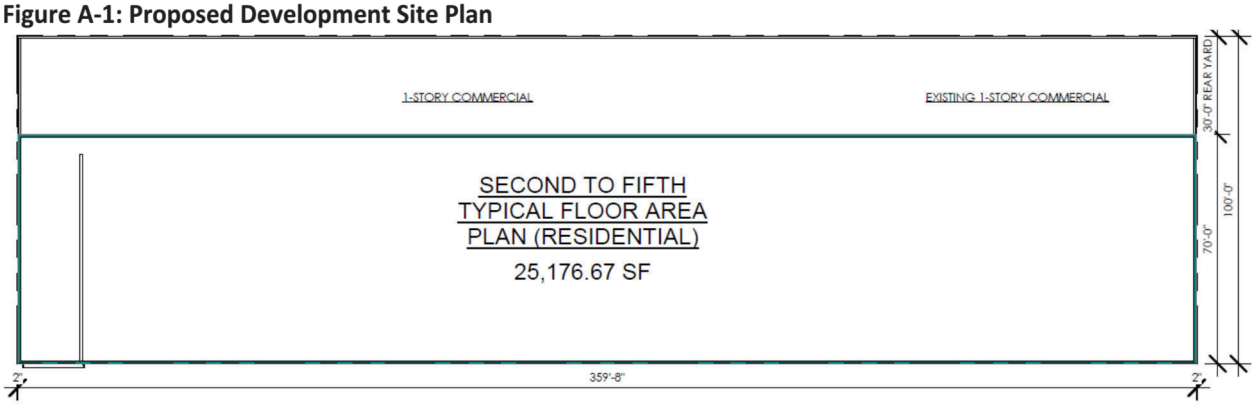
A4 Proposed Development

The Applicant proposes to improve Projected Development Site 1 with a five-story, 70-foot-tall (55 feet plus a 15-foot-tall bulkhead), 164,604 gsf mixed-use building containing 103,320 gsf of residential area, 32,086 gsf of ground floor retail area, and 50,600 gsf of accessory parking (195 spaces). The existing Dollar Tree has been designed and constructed to allow future construction above. The 10,683 gsf retail space occupied by Dollar Tree would remain and be integrated into the proposed building, and an additional 21,403 gsf of retail space would be provided on the remainder of the ground floor. The Proposed Development would contain approximately 148 dwelling units (DU), of which approximately 45 would be designated as permanently affordable and reserved for households earning up to 80 percent of the AMI.

In response to input from Community Board 15 and other local stakeholders, the Applicant intends to construct more parking spaces than would be required by the proposed R6A/C2-4 zoning district. Additionally, in response to stakeholder request, the Applicant would not maximize the permitted building envelope – the building would have a roof height of 55 feet (70 feet including bulkhead), which would be shorter than the maximum permitted height of 85 feet under the proposed zoning.

Residential lobby, retail, and accessory parking uses would be located on the ground floor along Coyle Street, while residential units would be on floors two through five. The building would have five stories and a roof height of 70 feet (50 feet plus a 15-foot mechanical bulkhead). Accessory parking spaces would be provided in two below-grade cellars. The Proposed Development's illustrative architectural drawings were prepared by BDF Design and are provided in Appendix B.

Figure A-1: Proposed Development Site Plan



Source: BDF Design

Figure A-2: Proposed Development



Source: BDF Design

A5 Purpose and Need

The Rezoning Area has been zoned R4/C1-2 since 1964 and no new development has occurred in the Rezoning Area since 1955. The surrounding area comprises a mix of land uses and building types. Nearby residences were predominately constructed in the 1940s and 1950s and consist of single-family residences and midrise multifamily buildings. Commercial establishments and mixed-use residential and commercial buildings are along Avenue U to the north and Coyle Street. The Proposed Actions are needed to redevelopment Projected Development Site 1 into a mixed-use, midrise, multifamily development with affordable dwelling units and ground-floor retail, consistent with the surrounding area.

Additionally, pursuant to MIH, the Proposed Development would include approximately 45 permanently affordable dwelling units. The Proposed Project would support the vision set forth in Mayor Bill DeBlasio's Housing New York: A Five-Borough, Ten-Year Plan to create and preserve affordable housing in New York City by providing permanently affordable dwelling units.

A6 Analysis Framework

The 2020 *CEQR Technical Manual* will serve as guidance on the methodologies and impact criteria to evaluate the potential environmental effects of the Proposed Actions. Consistent with the guidelines set forth in the *CEQR Technical Manual*, existing conditions will be described. Conditions will then be forecast to the future analysis year absent the Proposed Actions (No-Action Condition). The With-Action Condition assumes the Proposed Actions would be adopted and the projected developments would be complete and fully occupied by the analysis (build) year. The With-Action Condition will be compared to the No-Action Condition to determine the potential for the Proposed Actions to result in significant adverse impacts, as defined in the *CEQR Technical Manual* (and pursuant to both Title 62 of the Rules of the City of New York and Part 617 of the New York Codes, Rules and Regulations). Collectively, the existing, No-Action, and With-Action conditions are referred to as the Reasonable Worst-Case Development Scenario (RWCDS). The RWCDS established for this project is provided in Appendix C.

While Projected Development Site 2 is not controlled by the Applicant and there are no specific plans to redevelop this site, the Proposed Actions would unlock additional development rights and it is reasonable to assume this site would be redeveloped by the analysis year in the With-Action Condition. To provide a conservative assessment of the environmental effects of the Proposed Actions, the RWCDS for this project assumed Projected Development Site 2 would be redeveloped to the maximum floor area ratio that would be permitted under the proposed zoning.

No-Action Condition

As described previously, the Rezoning Area contains approximately 34,350 gsf of commercial area across four buildings occupied by a general retail store (Dollar Tree), hardware supply retailer, bank, dry cleaning facility, tailor, and appliance sales and repair facility. In the No-Action Condition, the existing conditions in the Rezoning Area would remain.

With-Action Condition

With a building height of 55-feet (70 feet including bulkhead) and up to 195 accessory parking spaces, the Proposed Development would be shorter than permitted by zoning, and contain more than the minimum amount of accessory parking spaces required. To present a conservative assessment, the With-Action Condition analyzes a development scenario on Projected Development Site 1 that would maximize the permitted building envelope pursuant to the proposed R6A/C2-4 zoning district and provide the minimum number of required parking spaces.

For analysis framework purposes, in the With-Action Condition, Projected Development Site 1 would be developed with an eight-story, 161,408 gsf mixed-use residential and commercial building with a height of 100 feet (85-feet plus 15-foot bulkhead), containing 103,321 gsf of residential area, 32,087 gsf of ground floor retail area, and 63 accessory below-grade parking spaces. Projected Development Site 1 would have 148 DU, of which approximately 45 will be designated as permanently affordable for households earning up to 80 percent of the AMI.

While there are no specific plans to redevelop Projected Development Site 2, the RWCDS established this site would be developed with an eight-story, 59,217 gsf mixed use residential and commercial building with a height of 100 feet (85 feet plus 15-foot bulkhead). The building would contain 4,200 gsf of local retail, 49,017 gsf of residential space (50 DU, of which 15 would be permanently affordable units at or below 80 percent AMI), and 21 accessory parking spaces.

Increment

Compared to the No-Action Condition, the With-Action Condition would result in the development of two new buildings and an increment of 151,681 gsf. The increment by use established in the RWCDS is shown in Table A-1.

Table A-1: Project Increment by Use

Condition	DU	Parking Spaces	Parking gsf	Residential gsf	Retail gsf	Total gsf
No-Action	0	6	0	0	34,350	34,350
With-Action	198	84	32,000	152,338	36,287	220,624
Increment	**198**	**78**	**32,000**	**152,338**	**1,921**	**186,274**

Analysis (Build) Year

The analysis year established for this project is 2027, the year when new development generated by the Proposed Actions would be complete and fully occupied. The analysis year assumes the Proposed Actions would be adopted in late 2021, and construction would commence soon after and last approximately two years at Projected Development Site 1. There would be at least six months between construction on Projected Development Site 1 and Projected Development Site 2. The RWCDS assumed that Projected Development Site 2 would be developed at least six months after construction is complete on Projected Development Site because there are no known plans to redevelop this site. While construction of Projected Development Site 1 is anticipated to have a construction period less than two years, a 2027 Build Year provides additional time for design development and construction of Projected Development Site 2.

B LAND USE, ZONING, AND PUBLIC POLICY

B1 Introduction

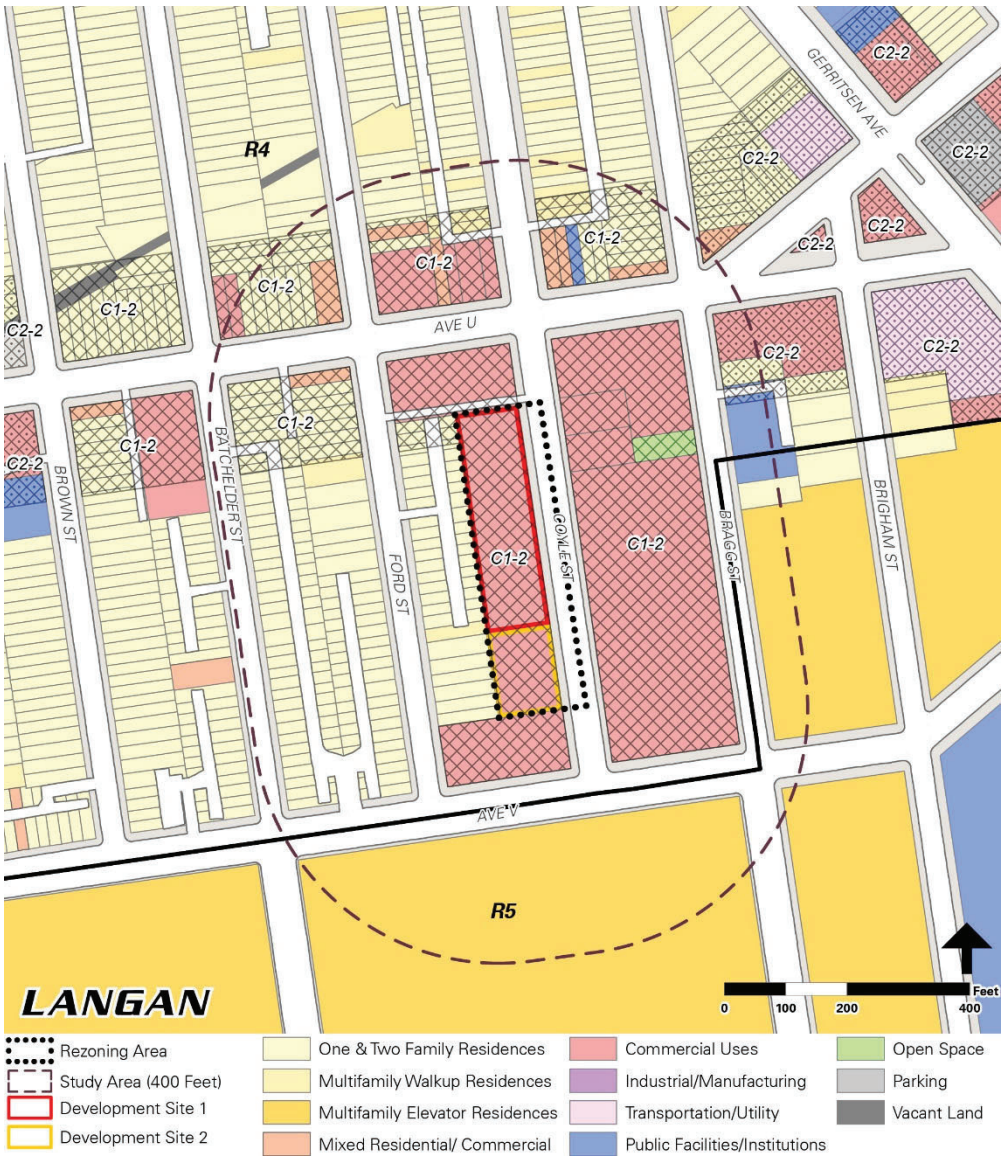
A land use, zoning, and public policy assessment analyzes a project's compatibility and consistency with the land use patterns and development trends in the area, and determines whether a project would generate land use changes. Similarly, the analysis considers the project's compliance with, and effect on, the area's zoning and other applicable public policies. This analysis follows the guidelines set forth in the *CEQR Technical Manual*.

The Applicant, Coyle Properties LLC, seeks approval of two discretionary land use actions from the City Planning Commission, including a zoning map amendment and zoning text amendment, to facilitate a mixed-use development containing residential and commercial uses in the Sheepshead Bay neighborhood of Community District 15, Brooklyn. The Proposed Actions consist of:

1. a zoning map amendment to rezone the area of Brooklyn Block 7367 Lots 11 and 29 within 100 feet of Coyle Street and beyond 100 feet of both Avenue U and Avenue V (the "Rezoning Area") from an R4/C1-2 district to an R6A/C2-4 district; and
2. a zoning text amendment to modify ZR Appendix F to designate a Mandatory Inclusionary Housing (MIH) area.

The Proposed Actions would affect the area bounded by a one-story commercial retail building with accessory parking on the north, Coyle Street on the east, a one-story commercial retail building on the south, and a row of two-story one- and two-family residences on the west, encompassing Brooklyn Block 7367 Lot 11 (Projected Development Site 1) and Lot 29 (Projected Development Site 2). Figure B-1 shows the projected development sites and the surrounding zoning and land use.

Figure B-1: Land Use and Zoning Map



The Reasonable Worst Case Development Scenario (RWCDS) prepared for this project established that the Proposed Actions would facilitate two mixed-use buildings across two projected development sites. In the With-Action Condition, the existing buildings on the development sites would be demolished to facilitate construction of two mixed-use buildings totaling 220,556 gsf, including 149,722 gsf of residential area (198 dwelling units (DU)), 38,844 gsf of commercial retail area, and 84 accessory parking spaces. Of the 198 DU, approximately 60 would be permanently affordable for households earning up to 80 percent of the Area Median Income (AMI).

B2 Methodology

This land use, zoning, and public policy assessment follows the guidance set forth in the *CEQR Technical Manual*. The analysis assesses the Proposed Actions' consistency with

local land use patterns, development trends, zoning regulations, and applicable polices. The Proposed Actions include discretionary land use actions, and therefore a preliminary land use, zoning, and public policy assessment is warranted. The Study Area for this land use, zoning, and public policy assessment is a 400-foot radius around the Rezoning Area (see Figure B-1).

Existing conditions within the Study Area were identified through field reconnaissance and research using resources such as the Department of City Planning's (DCP) Zoning Application Portal (ZAP), Primary Land Use Tax Lot Output (PLUTO™) data files, DCP's Zoning and Land Use Map (ZoLa), the NYC Mayor's Office of Environmental Coordination's (MOEC) CEQR Access, the NYC Department of Finance's Automated City Register Information System (ACRIS), and the Brooklyn Community District 15 website. Relevant public policy documents were also reviewed to identify and describe existing public policies that have the potential to affect both the Rezoning Area and Study Area.

B3 Land Use and Zoning

Existing Conditions

Rezoning Area

Figure B-1 shows the Rezoning Area is midblock along the west side of Coyle Street between Avenue U and Avenue V. The Applicant-controlled part of the Rezoning Area is Lot 11 (Projected Development Site 1).

Projected Development Site 1 contains approximately 26,430 gsf of commercial area across three buildings (Buildings A-C). The northern building (Building A) is occupied by a general retail store (Dollar Tree). The two southern buildings (Buildings B and C) are occupied a hardware supply retailer across two buildings in the southern portion of the lot. All three buildings on Projected Development Site 1 are one-story buildings and are built to Coyle Street with no setback. Projected Development Site 1 also contains an open parking and loading area between the two hardware supply retail buildings. There is a curb cut along Coyle Street to the off-street parking and loading area.

Projected Development Site 2 is not controlled by the Applicant and contains approximately 7,920 gsf of commercial area across four retail spaces in a one-story building fronting Coyle Street (Building D). The property is occupied by a bank, dry cleaning facility, tailor, and appliance sales and repair facility. There is no accessory parking on Projected Development Site 2.

The Rezoning Area is on a block entirely within an R4 zoning district, with a C1-2 commercial overlay mapped on the project block within 100 feet of Coyle Street and Avenue V, and within 150 feet of Avenue U. The Rezoning Area is also within the City's Coastal Zone boundary and a New York City Food Retail Expansion to Support Health Program (FRESH) Zone.

R4 districts are low density non-contextual residential districts that allow residential uses (Use Groups 1 and 2) and community facilities (Use Groups 3 and 4) at a maximum floor area ratio (FAR) of 0.75, and 2.0, respectively. Residential uses are permitted with a maximum lot coverage of 45 percent of the lot area. The maximum permissible building height in an R4 district is 35 feet for residential uses. Residential buildings must provide a minimum front yard of 10 feet and may have a perimeter wall up to 25 feet tall. Above a

height of 25 feet, buildings are subject to setback regulations guided by a sky exposure plane. Accessory parking is required at a rate of one space per dwelling unit.

In R4 districts, optional regulations apply in "predominately built up areas" – which are defined as a block entirely within an R4 (or R5) district, having a maximum area of four acres with buildings on zoning lots comprising 50 percent or more of the area of the block. Pursuant to the New York City Zoning Resolution (ZR) 23-143, in predominately built up areas, the maximum permitted lot coverage under these optional regulations is 55 percent, and the minimum open space requirement is 45 percent. Additionally, the maximum permitted residential FAR is 1.35. The building height and perimeter wall requirements of development using these optional regulations are unchanged from the standard R4 provisions; however, the parking requirement is reduced to 66 percent of the dwelling units.

C1-2 overlay districts are local retail and service districts that allow commercial uses (Use Groups 5 and 6) at an FAR of 1.0 when mapped across an R4 district. Commercial uses must be located below residential uses and are limited to the first floor of mixed-use buildings. No front yard is required for mixed-use buildings in C1-2 commercial overlay districts (including R4/C1-2 districts); however, above a building height of 25 feet, a commercial development would require an initial setback of 20 feet on a narrow street and 15 feet on a wide street. Accessory parking is required for retail uses at a rate of one space per 300 square feet.

Study Area

The Study Area is predominately residential and commercial land uses, with one- and two-family residences to the north and west, the New York City Housing Authority (NYCHA) Nostrand Houses to the south, and commercial uses to the east. The NYCHA Nostrand Houses contain sixteen 6-story multifamily elevator buildings across 23.8-acres. The block to the east of the Rezoning Area is developed entirely with commercial uses, including a grocery store, beverage distributor, and flooring supply store. Farther east is a mixture of multi-family residences, one-family residences, a daycare, and a pharmacy. Other than commercial uses along Avenue U, the areas to the north and west of the Rezoning Area are almost exclusively residential uses with a mix of one-and two- family and multi-family residences.

The Study Area is predominately mapped as an R4 zoning district, with commercial overlays mainly along Avenue U and to the east of the Rezoning Area. R5 districts are mapped at the eastern and southern edges of the Study Area south of Avenue V and to the east of Bragg Street. R4 is mapped to the north and west of the Rezoning Area. Similar to R4 districts, R5 districts are low density non-contextual residential districts. R5 districts allow residential uses (Use Groups 1 and 2) and community facilities (Use Groups 3 and 4) at a maximum floor area ratio (FAR) of 1.25, and 2.0, respectively. Residential uses are permitted with a maximum lot coverage of 55 percent of the lot area.

C1-2 and C2-2 commercial overlay districts are mapped across the Study Area's R4 district on both sides of Avenue U to a depth of 100 feet, and across the entire block to the east of the Rezoning Area. C2-2 districts are commercial overlay districts that allow commercial uses (Use Groups 5 and 6) at an FAR of 1.0 when mapped across R4 or R5 districts. C2 commercial overlay districts, including C2-2 districts allow for a slightly wider range of commercial uses compared to C1 overlay districts. Similar to C1-2 districts, accessory parking is required for retail uses at a rate of one space per 300 square feet in C2-2 districts.

No-Action Condition

Rezoning Area

In the No-Action Condition, the Rezoning Area would remain as existing conditions and no changes would occur in the Rezoning Area.

Study Area

A review of new building applications within 400 feet of the Rezoning Area indicate there is a three-story, 30,211 gsf mixed commercial and community facility building at 3025 Avenue U (Block 7339 Lot 49) that would be developed independent of the Proposed Actions by the 2027 analysis year. 3025 Avenue U is approximately 175 feet north of Projected Development Site 1.

With-Action Condition

Rezoning Area

In the With-Action Condition, the Proposed Actions would be adopted and the Rezoning Area would be mapped as an MIH area and rezoned to an R6A/C2-4 zoning district.

R6A districts are medium-density contextual residential districts. When paired with a C2-4 commercial overlay district, the zoning would permit residential (Use Groups 1 and 2), community facilities (Use Groups 3 and 4) and commercial (Use Groups 5-9, and 14) uses at a maximum FAR of 3.6, 3.0, and 2.0. In R6A/C2-2 districts, buildings must comply with the Quality Housing height and setback regulations. Accordingly, the base heights in R6A districts must be between 40 and 65 feet, with a maximum building height (excluding bulkhead and other permitted obstructions) of 85 feet. Above the base height, a setback must be provided at a height between 40 and 65 feet to a depth that is dependent on distance from a wide street (defined as a street mapped to a width of 75 feet or greater). Coyle Street is mapped to width of 80 feet and therefore a wide street. Within 100 feet of a wide street, a setback of at least 10 feet is required from the building base before a building may rise to its maximum permitted height of 85 feet. In the proposed R6A/C2-4 district, accessory parking would be required a rate of one space per 1,000 square feet for commercial uses, 50 percent of the number of market-rate dwelling units, and 25 percent of income-restricted housing units (IRHU).

In the With-Action Condition, Projected Development Site 1 would be developed with an eight-story, 161,349 gsf mixed-use residential and commercial building with a height of 100 feet (85-feet plus 15-foot bulkhead), containing 100,705 gsf of residential area, 34,644 gsf of ground floor retail area (Use Group 6), and 63 accessory below-grade parking spaces. Projected Development Site 1 would have 148 DU, of which approximately 45 will be designated as permanently affordable for households earning up to 80 percent of the AMI.

Projected Development Site 2 would be developed with an eight-story, 59,217 gsf mixed use residential and commercial building with a height of 100 feet (85 feet plus 15-foot bulkhead) containing 4,200 gsf of ground floor retail (Use Group 6), 49,017 gsf of residential space (50 DU, of which 15 would be permanently affordable units at or below 80 percent AMI), and 21 accessory parking spaces.

In the With-Action Condition, commercial uses would be developed at the ground floor, and the upper floors would be occupied by residences, including permanently affordable

housing units. Accessory parking would be provided at the ground floor or below grade. While the Proposed Actions would increase the permissible FAR in the Rezoning Area, the projected developments would be tenanted by Use Group 6 uses, which are permitted as-of-right under the existing R4/C1-2 zoning and therefore would not conflict with the land uses in the Study Area.

Study Area

Similar to the No-Action Condition, in the With-Action Condition, a three-story, 30,211 gsf mixed commercial and community facility building would be developed independent of the Proposed Actions by the 2027 analysis year at 3025 Avenue U (Block 7339 Lot 49), which is approximately 175 feet north of Projected Development Site 1.

Land Use and Zoning Conclusion

The Proposed Actions would facilitate the development of two new mixed-use buildings in the Rezoning Area, containing residential, and retail, and accessory parking - uses that are already permitted as-of-right in the existing R4/C1-2 zoning. The proposed change in the commercial overlay district from C1-2 to C2-4 would allow a slightly larger range of commercial uses than currently allowed as-of-right in the Rezoning Area, as well as reduce parking requirements for commercial uses.

The contextual requirements of the proposed R6A/C2-4 zoning district would require new development to be built to the street line and would limit building heights to 85 feet (plus permitted obstructions, such as bulkheads and mechanical equipment). Additionally, the introduction of additional housing, including affordable units, would be consistent with the mix of multifamily and one- and two-family residential uses in the Study Area. Accordingly, the Proposed Actions would not result in any significant adverse land use and zoning impacts and no further analysis is warranted.

B4 Public Policy

According to the *CEQR Technical Manual*, a proposed project located in areas governed by public policies controlling land use, or that has the potential to substantially affect land use regulation or policy, requires an analysis of public policies that pertain to a project's study area. If the proposed actions could potentially alter or conflict with identified policies, a detailed assessment should be conducted; otherwise, no further analysis of public policy is necessary.

OneNYC 2050

OneNYC 2050, originally released as PlaNYC in 2007, is a policy document designed to address New York City's long-term challenges, such as accommodating a projected population of more than 9 million residents by 2050, decreasing reliance on fossil fuels, encouraging new modes of transportation, increasing neighborhood safety, better access to education, and aging infrastructure. OneNYC 2050 builds upon PlaNYC and focuses on eight goals comprised of 30 initiatives. The eight goals consist of a vibrant democracy, an inclusive economy, thriving neighborhoods, healthy lives, equity and excellent in education, a livable climate, efficient mobility, and modern infrastructure.

Thriving Neighborhoods (Volume 4)

Initiative 9 of 30: Ensure all New Yorkers have access to safe, secure, and affordable housing.

It is critically important to capitalize on opportunities for housing wherever large, appropriately located, underutilized parcels of land present an opportunity. Sites in all five boroughs include obsolete facilities; large, low-rise commercial sites; and even infrastructure that can support overbuilds, such as rail yards and tracks.

The Proposed Actions would facilitate the development of 198 dwelling units, of which 60 would be permanently affordable and reserved for households earning up to 80 percent of the Area Median Income (AMI).

Housing New York 2.0

Housing New York 2.0 is an extension of the City's comprehensive housing development policy that includes a primary goal of building or preserving 200,000 units of high-quality affordable housing by 2022 and 300,000 homes by 2026. Housing New York 2.0, builds on the foundation laid with Housing New York: A Five-Borough, Ten-Year Plan, and was developed in conjunction with the New York City Department of Housing and Preservation (HPD) to create housing opportunities for New Yorkers with a range of incomes, while fostering vibrant and diverse neighborhoods. Framed by the policy goals and objectives in Housing New York, the City Council adopted an amendment to the ZR to establish the MIH program on March 22, 2016 that requires a percent of new housing be permanently affordable when an increase in permissible residential floor area is requested via discretionary land use action (i.e., an upzoning).

The primary components of Housing New York 2.0 include the Mandatory Inclusionary Housing program, which requires areas rezoned for residential growth to include a minimum of 20 to 30 percent of dwelling units be affordable in new developments.

The Proposed Actions would support the policies and goals of Housing New York 2.0. The Proposed Actions would create approximately 60 permanently affordable dwelling units in Sheepshead Bay, Brooklyn. The Proposed Actions would therefore provide the Sheepshead Bay neighborhood with new permanently affordable housing, which would support the City's effort to increase the overall supply of affordable housing.

New York City Food Retail Expansion to Support Health Program (FRESH)

New York City's Food Retail Expansion to Support Health Program (FRESH) promotes the establishment of grocery stores in underserved communities by lowering the costs of owning, developing, and renovating retail space. The Rezoning Area is in an area where discretionary tax incentives are available through the FRESH program. FRESH financial incentives are available to grocery store operators renovating existing retail space or developers looking to construct or renovate retail space to be leased to a full-line grocery store operator.

The FRESH program is administered by the New York City Industrial Development Agency (NYCIDA) and the New York City Department of City Planning (DCP) with support from the Department of Health and Mental Hygiene (DOHMH) and the Mayor's Office of Food Policy. Facilities eligible for the program must be located in the eligible FRESH area and must provide:

- A minimum of 5,000 square feet of retail space for a general line of food and nonfood grocery products intended for home preparation, consumption, and utilization;
- At least 50 percent of retail space for a general line of food products intended for home preparation, consumption, and utilization;
- At least 30 percent of retail space for perishable goods that may include dairy, fresh produce, fresh meats, poultry, fish, and frozen foods; and
- At least 500 square feet of retail space for fresh produce.

The With-Action Condition would contain ground floor commercial uses, and would be subject to market conditions. The Proposed Actions would not preclude participation in the FRESH program and would create new commercial spaces that could be used by a supermarket or grocery store operator.

Waterfront Revitalization Program (WRP)

The management tool for New York City's Coastal Zone is the Waterfront Revitalization Program (WRP), which was adopted in 1982. Projects that are within the designated boundaries of New York City's Coastal Zone must be assessed with the WRP. The City Planning Commission, acting as the City Coastal Commission, and the Department of City Planning administer the WRP, and ensure that local discretionary actions in the Coastal Zone are subject to review. Authorized by New York State's Waterfront Revitalization of Coastal Areas and Inland Waterway Act, the WRP looks to maximize environmental conservation, public use of the waterfront and economic development, while minimizing conflicts among these goals. The WRP is designed to review activities and decisions potentially affecting development on the coastal zones, which is determined by the consistency with the coastal policies found in the WRP. The framework for evaluating the policies is provided in the WRP, and supporting designation areas such as the Coastal Zone Boundary, Special Natural Waterfront Areas, and Significant Maritime and Industrial Areas were created to provide aid in analysis.

The WRP establishes ten policies for the development and use of the waterfront, and each policy contains a list of related goals.

1. Support and facilitate commercial and residential redevelopment in areas well-suited to such development;
2. Support water-dependent and industrial uses in New York City coastal areas that are well-suited to their continued operation;
3. Promote use of New York City's waterways for commercial and recreational boating and water-dependent transportation;
4. Protect and restore the quality and function of ecological systems within the New York City coastal area;
5. Protect and improve water quality in the New York City coastal area;
6. Minimize loss of life, structures, infrastructure, and natural resources caused by flooding and erosion, and increase resilience to future conditions created by climate change;

7. Minimize environmental degradation and negative impacts on public health from solid waste, toxic pollutants, hazardous materials, and industrial materials that may pose risks to the environment and public health and safety;
8. Provide public access to, from, and along New York City's coastal waters;
9. Protect scenic resources that contribute to the visual quality of the New York City coastal area; and
10. Protect, preserve, and enhance resources significant to the historical, archaeological, architectural, and cultural legacy of the New York City coastal area.

The Rezoning Area is within the City's Coastal Zone and the Proposed Actions are therefore subject to review for consistency with the policies of the WRP. The WRP Consistency Assessment Form (CAF) provided at Appendix D lists the WRP policies and indicates whether the With-Action Condition would promote or hinder that policy, or if that policy would not be applicable. The Proposed Actions would promote WRP policies by facilitating development that would incorporate adaptive strategies and manage the release of stormwater generated on the Rezoning Area. The WRP for the Proposed Development was reviewed by the City Coastal Commission, and the Proposed Actions were determined to not substantially hinder the achievement of any WRP policy. The Proposed Actions have no potential to conflict with the policies set forth in the WRP; therefore, no further WRP assessment is warranted.

Jamaica Bay Watershed Protection Plan

The Rezoning Area is a highly developed urban area within the Jamaica Bay Watershed, and is developed with four existing buildings. Projected Development Site 1 is developed with fully impervious surfaces, while approximately 60 percent of Projected Development Site 2 is developed with impervious surfaces. The Proposed Actions would increase the impervious surface at Projected Development Site 2 up to 100 percent of the site's area. While there would be no incremental impervious surface at Projected Development Site 1, impervious surface area would increase at Projected Development Site 2. Projected Development Site 2's pervious surfaces have been previously disturbed and contain vegetation overgrowth; there is no native vegetation on this site.

As described in Chapter G, "Water and Sewer Infrastructure," the development facilitated by the Proposed Actions will connect to the City's water supply network and will be required to adhere to DEP stormwater runoff regulations. The Jamaica Bay Watershed Protection Plan Form provided in Appendix E shows that the Proposed Actions do not have the potential to conflict with the Jamaica Bay Watershed Protection Plan.

Public Policy Conclusion

The Proposed Actions would facilitate two mixed-use residential and commercial developments with a combined 60 dwelling units of permanently affordable housing. Based on the above information, the Proposed Actions would not conflict with and would support public policies including OneNYC 2050, Housing New York 2.0, and the WRP. The Proposed Actions would not result in a significant adverse public policy impact and no further analysis is warranted.

C OPEN SPACE

C1 Introduction

This chapter assesses the potential of the Proposed Actions to result in a significant adverse impact on open space resources. According to the *CEQR Technical Manual*, an open space assessment is conducted to determine whether a proposed project would have a direct impact resulting from the elimination or alteration of open space or an indirect impact resulting from burdening available open space by the introduction of a new residential or worker population. The *CEQR Technical Manual* defines open space as publicly or privately owned land that is publicly accessible and available for leisure, play, or sport, or is set aside for the protection or enhancement of the natural environment.

In addition to the analysis provided in this section, Attachment D, "Shadows," provides an assessment of the Proposed Actions' potential shadow effects on open space resources.

C2 Methodology

Direct Effects

According to the *CEQR Technical Manual*, a proposed project would directly affect open space resources if it would encroach upon, limit public access to, or cause a loss of public open space. Direct effects may also occur if the resource would be so changed that the open space no longer serves the same user population, or if the proposed project would result in increased noise or air pollutant emissions, odor, or shadows that would temporarily or permanently affect the usefulness of a public open space. The development facilitated by the Proposed Actions would not directly displace any open space. As detailed in Attachment D, "Shadows," Attachment J, "Noise," and Attachment I, "Air Quality," the Proposed Actions would not result in noise, air pollutant emissions, odors, or shadows that would directly affect the usefulness of a public open space.

Indirect Effects

Open space can be indirectly affected by a proposed action if a project would add sufficient population, either residential or non-residential, to substantively diminish the capacity of open space in the area to serve the future population. Typically, an assessment is conducted if a proposed project would generate more than 200 residents or 500 employees; 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. For areas underserved by open space, the threshold for assessment is more than 50 residents or 125 employees; for areas well-served by open space, the threshold for assessment is more than 350 residents or 750 employees.

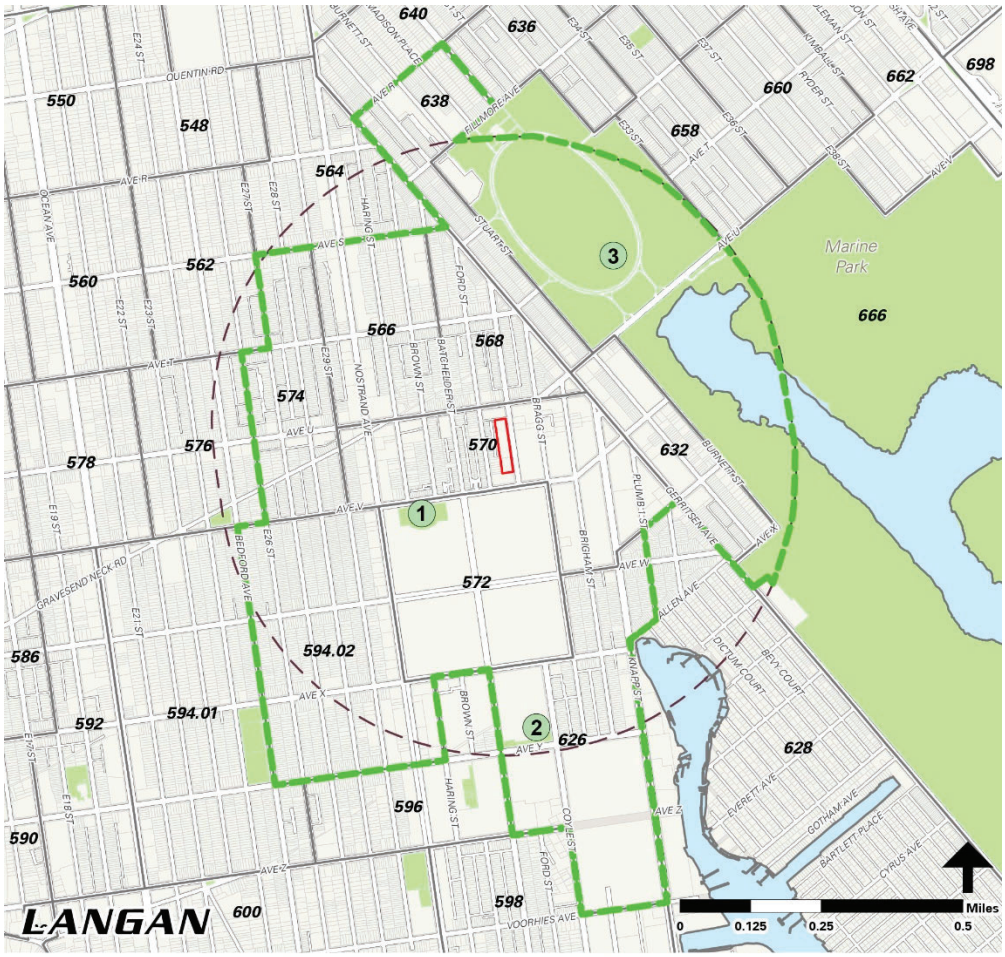
The open space maps in the *CEQR Technical Manual* show the Rezoning Area is in an area that is well-served by open space; therefore, the threshold that would warrant a preliminary assessment is 350 or more residents or 750 or more employees. Pursuant to *CEQR Technical Manual* guidelines, the residential open space analysis is based on the incremental residents generated by the Proposed Actions. The With-Action Condition would result in an additional 493 residents and 23 employees over the No-Action Condition. Because the Proposed Actions would result in more than 350 residents, an indirect open space assessment is warranted for the residential population. Because the Proposed Actions would generate fewer than 750 employees, an indirect open space assessment is not warranted for non-residential population.

Study Area

The first step to assess potential open space effects is to define the study area for the population that would be generated by a proposed project – in this case a residential population. According to the *CEQR Technical Manual*, an open space study area is defined by a reasonable walking distance that users would travel to reach local open space and recreation areas – typically a 0.50-mile radius for projects that require a residential indirect open space assessment. Therefore, consistent with the guidelines in the *CEQR Technical Manual*, a 0.50-mile radius was used to determine which census tracts have more than 50 percent of their areas within 0.50 mile of the Rezoning Area.

The Study Area shown in Figure C-1 includes Brooklyn 2010 Census Tracts 566, 568, 570, 572, 574, 594.02, 626, 632, and 638, the census tracts with at least 50 percent of their areas within the 0.50-mile boundary. Additionally, the Rezoning Area is less than 0.2 miles from Marine Park, which is Brooklyn's largest park. While the nearest portions of the park are within the 0.50-mile radius, the large census tract containing Marine Park does not have more than 50 percent of its area within 0.5-miles of the Rezoning Area. Due to the proximity of the Rezoning Area to Marine Park, the approximately 91 acres of the park within 0.50 miles of the Rezoning Area was included as part of the Study Area; the areas of Marine Park beyond 0.5 miles were not included in the quantitative assessment.

Figure C-1: Open Space Resource Map



Information on publicly-accessible open space resources within the Open Space Study Area, including names and acreages, were found on the New York City Department of Parks and Recreation's (NYC Parks) website.

Open Space Ratio

An open space ratio (OSR) is the acreage of open space per 1,000 residents. Because local OSRs vary widely in New York City, as a planning goal, an OSR of 2.5 acres per 1,000 residents represents an area well-served by open space. This ratio is consequently used as an optimal benchmark for residential populations. The City's planning goal is based, in part, on the National Recreation and Park Association's guideline of 1.25 to 2.5 acres of open space per 1,000 residents within one-half mile.

If the OSR would increase or remain substantially the same in the With-Action Condition compared to the No-Action Condition, no further analysis of open space is warranted. If there is a decrease in the OSR that approaches or exceeds five percent, it is generally considered to be a substantial change that warrants a more detailed analysis. However, a

greater percentage of change may be tolerated if open space in the area exceeds the City's open space planning goals.

As described below, the OSR for this project would not decrease by more than five percent in the With-Action Condition; therefore, a detailed assessment was not warranted.

C3 Assessment

Existing Conditions

Inventory of Publicly-Accessible Open Spaces

The publicly accessible open space resources wholly in the Study Area are Herman Dolgon and Yak playgrounds. While the census tract containing Marine Park is a very large tract and does not have more than 50 percent of its area within 0.5 miles of the Rezoning Area, the portions of Marine Park within 0.5 miles of the Rezoning Area were included in the Study Area's OSR calculations. Marine Park is a 798-acre regional park and provides a wide variety of recreational facilities that serve many users. Approximately 65 percent of the 91 acres of Marine Park in the Study Area is attributable to active recreation, and 35 percent to passive recreation.

In total, the Study Area contains 93.33 acres of publicly accessible open space, which consists of both passive and active recreational space (Table C-1). All open space resources within the Study Area were determined to be in acceptable condition.[1]

Table C-1: Open Space Resources

Map No.	Open Space Resource	Owner/ Agency	Amenities	Total Acres	Passive Acres	Passive %	Active Acres	Active %	Category
1	Herman Dolgon Playground	NYC Parks	Basketball courts, handball courts, playgrounds, bathrooms, and spray showers	1.89	0	0	1.89	100	Active
2	Yak Playground	NYC Parks	Basketball courts, handball courts, and bathrooms	0.44	0	0	0.44	100	Active
3	Marine Park[1]	NYC Parks	Baseball fields, basketball courts, bathrooms, bicycling and greenways, bocce courts, cricket fields, football fields, handball courts, hiking trails, nature center, playgrounds, soccer fields, spray showers, tennis courts	91.00	32.00	35.00	59.00	65	Active/ Passive
			Total	**93.33**	**32.00**	**34%**	**61.33**	**61%**	

[1] Portions within 0.5 miles of the Rezoning Area.

The Herman Dolgon Playground is a 1.89-acre neighborhood park on Avenue V between Nostrand Avenue and Batchelder Street. The playground contains basketball courts, handball courts, playgrounds, bathrooms, and spray showers.

Yak Playground is a 0.44-acre on Avenue Y between Batchelder and Coyle streets. The playground is jointly operated by NYC Parks and the New York City Department of Education. The playground contains handball courts, basketball courts, and bathrooms.

[1] Conditions of open spaces were derived from inspection summaries performed by NYC Parks.

Marine Park is a 798-acre regional park that spans along Shore Parkway, Avenue U, and Filmore Avenue between Brigham Street, Gerritsen Avenue, and Flatbush Avenue. Marine Park is the largest park in Brooklyn. The park contains approximately 530 acres of grassland and salt marsh protected as a Forever Wild preserve. Environmental education is provided in the Salt Marsh Nature Center and opportunities for active recreation through amenities such as bocce courts, a skate park, baseball and football fields, and playgrounds. The park offers bicycle and greenways as well as a launch and landing site for canoes and kayaks at Gerritsen Inlet. The portions of Marine Park within 0.50 miles of the Rezoning Area contain a variety of passive and active amenities such as baseball fields, basketball courts, bathrooms, bicycling and greenways, bocce courts, cricket fields, football fields, handball courts, hiking trails, nature center, playgrounds, soccer fields, spray showers, and tennis courts.

OSR in the Study Area

Data derived from the 2014-2018 American Community Survey (ACS) indicates the Study Area has a residential population of 27,870 people.[2] Table C-2 shows there is 93.33 acres of open space within the Study Area, including 32 acres of passive space and 61.33 acres of active space. Accordingly, the Study Area has an open space ratio of 3.349 acres per 1,000 residents, which includes a passive OSR of 1.148 and an active OSR of 2.201 acres per 1,000 residents.

Table C-2: Adequacy of Open Space Resources – Existing Conditions

	Open Space Acreage			OSR per 1,000 Residents			*CEQR Technical Manual* Guidelines		
Pop.	**Total**	**Passive**	**Active**	**Total**	**Passive**	**Active**	**Total**	**Passive**	**Active**
27,870	93.33	32.00	61.33	3.349	1.148	2.201	2.500	0.500	2.000

No-Action Condition

Rezoning Area

In the No-Action Condition, the Rezoning Area (Projected Development Sites 1 and 2) would remain the same as the existing conditions. While there would be no changes to the Rezoning Area, there is one planned development ("No-Build" Project) within 400 feet of the Rezoning Area for the 2027 build year. In the No-Action Condition, a three-story commercial office and community facility building would be completed at 3025 Avenue U. This No-Build project would not introduce additional residential population into the Study Area. Because there would continue to be a total of 93.33 acres of open space in the No-Action Condition in the Study Area, the No-Action Study Area OSR would continue to be 3.349 acres per 1,000 residents.

The No-Action Condition's overall OSR would be greater than the 2.5 acres per 1,000 residents guideline set forth in the *CEQR Technical Manual*. With an active OSR of 2.201, the active OSR would be eight percent greater than the *CEQR Technical Manual* guideline of the recommended 2.0 acres per 1,000 residents. The No-Action passive OSR of 1.148 would be more than double the *CEQR Technical Manual* guideline of the recommended 0.5 acres of passive space per 1,000 residents.

[2] Residential population data within the Study Area per 2014-2018 ACS.

With-Action Condition

Rezoning Area

The With-Action Condition would result in 493 incremental residents over the No-Action Condition.[3] The Proposed Actions would introduce two mixed-use residential and commercial buildings that would comply with quality housing regulations, which require amenity space for residential tenants.

Study Area

Like the No-Action Condition, there would be one No-Build project at 3025 Avenue U, which would not introduce additional residential population. Table C-3 shows the change in residential OSR in the Study Area with the addition of 493 project-generated residents.

Table C-3: Percent Change in Open Space Ratio

Residential Population	Type	Acreage	OSR[1]	OSR Planning Goal
No-Action Condition				
27,280	Active	61.33	2.201	2.000
	Passive	32.00	1.148	0.500
	Total	**93.33**	**3.349**	**2.500**
With-Action Condition				
28,363	Active	61.33	2.162	2.000
	Passive	32.00	1.128	0.500
	Total	**93.33**	**3.291**	**2.500**
Increment				
493	Active	0.00	-0.038	
	Passive	0.00	-0.020	
	Total	**0.00**	**-0.058**	
Percent Change				
	Active (%)	0.00	-1.738	
	Passive (%)	0.00	-1.738	
	Total (%)	**0.00**	**-1.738**	

[1] Open Space Ratio = Acres of Open Space/ residential population * 1,000.

Note: Numbers are rounded to the nearest one thousandth and may not add due to rounding.

Based on the With-Action Condition population of 28,363 residents in the Study Area, the OSR in the With-Action Condition would be 3.291 acres per 1,000 residents, which would be more than double the City's median of 1.5 acres of total open space per 1,000 residents and above the City's planning goal of 2.5 acres per 1,000 residents. The With-Action Condition would result in an active open space ratio of 2.162 acres per 1,000 residents, which will continue to be above the City's planning goal of 2.0 acres of active open space per 1,000 residents. The passive open space ratio would be 1.128 acres per 1,000

[3] The Project Area is in Brooklyn Community District 5, which has an average household size of a renter-occupied unit of 2.68, based on 2014-2018 American Community Survey 5-Year Estimates.

residents in the With-Action Condition and continue to be more than double the City's planning goal of 0.5 acres of passive open space per 1.000 residents.

The Study Area is an urbanized area that is well-served by open space according to the *CEQR Technical Manual*. The Proposed Actions would result in an OSR decrease of 1.738 percent from the No-Action Condition, less than the five percent reduction that would warrant a detailed open space assessment. The Rezoning Area is in an area that is well-served by open space, in close proximity to Marine Park, a large regional park with a variety of recreational amenities. Because the Proposed Actions would reduce the OSR by less than five percent, the Proposed Actions would not result in a significant adverse open space impact, and a detailed assessment is not warranted.

C4 Conclusion

The Proposed Actions would not result in direct open space impacts; however, a preliminary indirect open space analysis was warranted for residential users. The Proposed Actions would generate 493 incremental residents in the Study Area over the No-Action Condition, and would result in an approximately 1.738 percent decrease in the OSR in the Study Area compared to the No-Action Condition. The Proposed Actions would result in less than a five percent decrease to the OSR that would warrant a detailed open space assessment. In the With-Action condition, the Study Area would have an overall OSR of 3.291 acres per 1,000 residents, which would be more than double the City's median Community District 15 OSR of 1.5 acres per 1,000 residents and above the City's open space planning goal of 2.5 acres per 1,000 residents. Therefore, the Proposed Actions would not result in significant adverse open space impacts, and no further analysis is warranted.

D SHADOWS

D1 Introduction

A CEQR shadow assessment is warranted when a proposed project would result in a new structure 50 feet or taller, or is adjacent to a sunlight-sensitive resource. Incremental shadows occur when a shadow from a proposed project would be cast on a publicly accessible open space, historic landscape, or other historic resource that relies on sunlight for its enjoyment by the public, or its architectural and historic integrity (e.g., stained glass windows). A significant adverse shadows impact may occur if shadow falls on a natural feature and adversely affects its use or landscaping and vegetation. Shadows on features such as city streets, sidewalks, buildings, and privately-owned open space, or that occur within 1.5 hours of sunrise or sunset, generally are not considered significant by CEQR.

In the No-Action Condition, the existing conditions would continue at the Rezoning Area (Block 7367, Lots 11 and 29) with three one-story buildings (Buildings A-C) on Projected Development Site 1 (Lot 11), and a one-story building (Building D) on Projected Development Site 2 (Lot 29).

In the With-Action Condition, Buildings B, C and D in the Rezoning Area would be demolished to allow the construction of one new mixed-use building on each of these projected development sites. Building A would be retained and integrated into the new mixed-use building on Projected Development Site 1. The Reasonable Worst Case Development Scenario established both projected development sites would be developed with eight-story buildings, each with a building height of 100 feet (85 feet plus a 15-foot-tall mechanical bulkhead).

D2 Methodology

This analysis includes a preliminary assessment per *CEQR Technical Manual* guidelines to determine whether shadows resulting from a proposed project could reach any sunlight-sensitive resource at any time of year.

Tier 1 and Tier 2 Screening

A Tier 1 screening assessment identifies a study area based on the With-Action building height and the longest shadow a structure can cast, which in New York City is 4.3 times its height. If a sunlight-sensitive resource is in the study area, a Tier 2 screening assessment is warranted.

Because of the path the sun travels across the sky in the northern hemisphere, shadow can only be cast between -108 and +108 degrees from true north in New York City. If the Tier 2 screening shows that the sunlight-sensitive resources are within an angle of 108 degrees from true north at the project site's southern-most point, a Tier 3 screening assessment is required.

Tier 3 Screening

The Tier 3 assessment further refines the screening assessment by depicting With-Action Condition shadows and their durations on sunlight-sensitive resources in the absence of intervening buildings on four representative days of the year: the summer and winter solstices (December 21 and June 21), the equinoxes (March 21 or September 21), and midpoint between the equinox and the summer solstice (May 6 or August 6).

Detailed Shadows Assessment

If a Tier 3 screening analysis cannot rule out the possibility that project-generated shadows could result in significant adverse shadows impacts, a detailed shadow assessment is warranted. In a detailed shadow assessment, intervening buildings are included in the shadows modeling, and the difference between the No-Action and With-Action shadows conditions are compared to determine the incremental shadow generated by a project. For this project, a Tier 1 screening was able to rule out the potential for significant adverse impacts, and a detailed analysis was not warranted.

Study Area

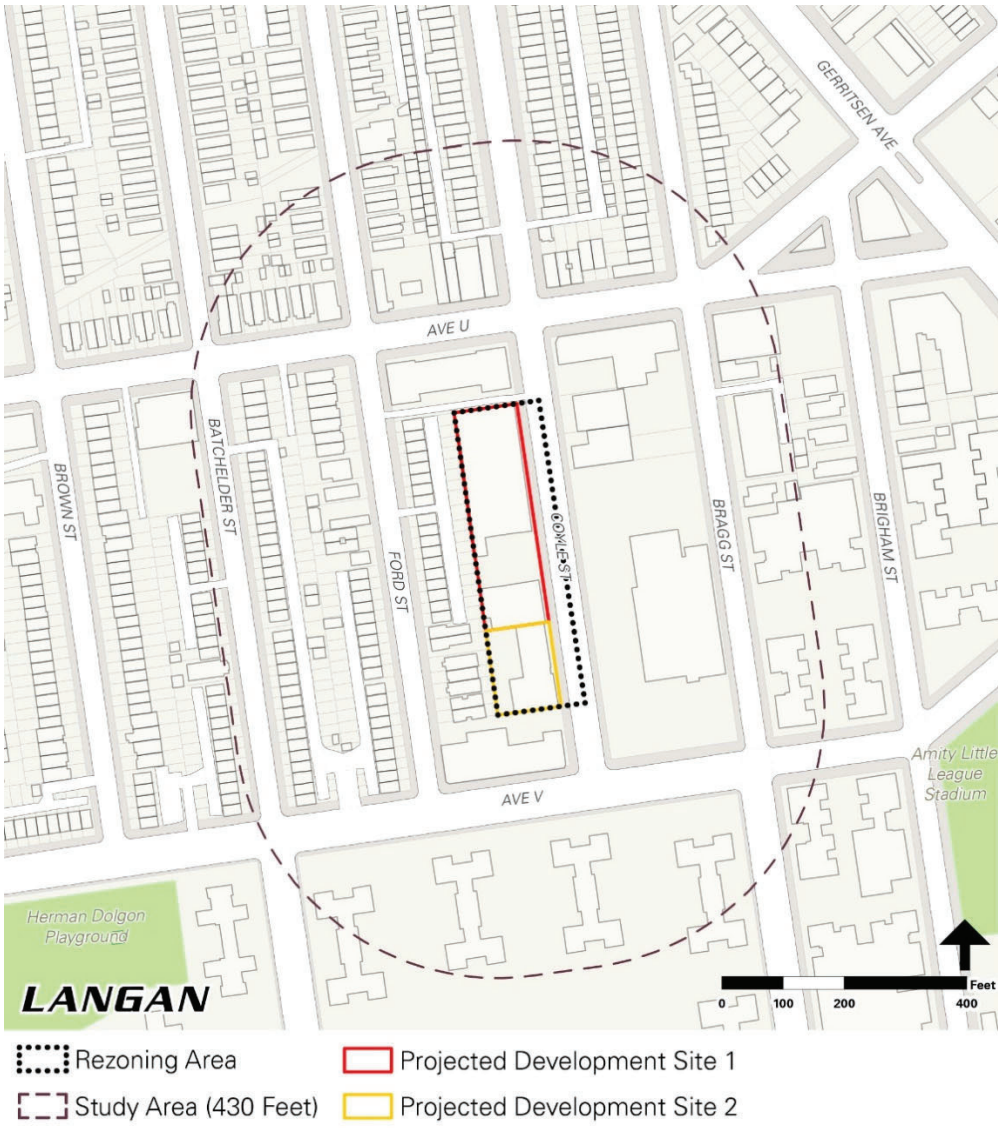
The Proposed Actions would result in two buildings with a bulkhead height of 100 feet (85 feet to rooftop plus 15-foot-tall mechanical bulkhead); therefore, a Study Area of 430 feet, 4.3 times the 100-foot maximum building height, was established around the Development Sites. The Study Area is generally bound by Avenue V to the south, Batchelder Street to the west, Avenue U to the north, and Bragg Street to the east.

D3 Preliminary Assessment

Tier 1 Screening

The Tier 1 screening shows there are no sunlight-sensitive resources of concern within the Study Area. The nearest sunlight-sensitive resources are Amity Little League Stadium and Hermon Dolgon Playground, both of which are more than 500 feet from the Rezoning Area as shown in Figure D-1.

Figure D-1: Shadow Study Area and Resources of Concern (Tier 1 Screening)



D4 Conclusion

The Tier 1 screening shows there are no sunlight-sensitive resources in the Study Area; therefore, the Proposed Actions do not have the potential to result in a significant adverse shadows impact, and no further analysis is warranted.

E URBAN DESIGN AND VISUAL RESOURCES

E1 Introduction

This section assesses the potential for the Proposed Actions to result in significant adverse urban design and visual resources impacts. According to the *CEQR Technical Manual*, a preliminary assessment of urban design and visual resources is appropriate when there is the potential for a pedestrian to observe, from street level, a physical alteration beyond that allowed by the existing zoning, including projects that permit the modification of yard, height, and setback requirements or projects that result in an increase in built floor area beyond what would be allowed as-of-right or in the No-Action Condition. A detailed analysis may be warranted for projects that would result in substantial alterations to the streetscape of the neighborhood by noticeably changing the scale of buildings.

The Rezoning Area is midblock along the west side of Coyle Street between Avenue U and Avenue V in a mature urban area of Brooklyn. It comprises Block 7367, Lots 11 and 29 (see EAS Form Figure 2). Projected Development Site 1 (Lot 11) is the applicant-controlled part of the Rezoning Area and is improved with a commercial area across three buildings: A, B, and C. Building A is occupied by a general retail store on the northern portion of the lot and Buildings B and C are occupied by a hardware supply retailer in the southern portion of the lot. All three buildings are one-story and built to Coyle Street with no setback. A surface parking and loading area is located between Buildings B and C. Projected Development Site 2 (Lot 29) is not controlled by the applicant and is improved with a one-story retail building fronting Coyle Street (Building D).

In the No-Action Condition, the Rezoning Area would continue as existing conditions with three one-story buildings on Projected Development Site 1 and a one-story building on Projected Development Site 2.

In the With-Action Condition, the Reasonable Worst Case Development Scenario (RWCDS) established Buildings B, C, and D in the Rezoning Area would be demolished and one new

building would be developed on each projected development site. Building A would be integrated into the mixed-use building on Projected Development Site 1. The buildings on both Projected Development Sites would be eight-story, 100-foot-tall (85-foot-tall building plus a 15-foot-tall mechanical bulkhead) mixed-use buildings with ground floor retail spaces and residential units on the second through eighth floors.

The With-Action Condition would alter the arrangement, appearance, and functionality of the built environment, and consequently change the experience of a pedestrian at the street level. An urban design and visual resources assessment is therefore warranted.

E2 Methodology

Based on the guidelines and definitions in the *CEQR Technical Manual*, this assessment of urban design and visual resources considers the Proposed Actions' potential effect on the following elements:

- Streets refers to the arrangement and orientation of streets (the "street grid") that defines the location and flow of activity in an area, sets street views, and creates the blocks on which buildings and open spaces are organized. Streetscape elements are physical features that make up a streetscape, such as building street walls, building entrances, building fenestration, sidewalks, street trees, street furniture, and other permanent fixtures, including plantings, streetlights, fire hydrants, curb cuts, or newsstands that are critical to making a successful streetscape.
- Buildings support the street grid and the streetscape by conveying a sense of the overall form and design of a block or a larger area. A building's street wall forms the most common backdrop for public space and includes a building's size, shape, setbacks, lot coverage, and placement on the zoning lot and block. Active uses and pedestrian and vehicular entrances all play major roles in the vitality of the streetscape.
- Visual Resources are the connections from the public realm to significant natural or built features, including views of the waterfront, public parks, landmark structures or districts, otherwise distinct buildings or groups of buildings, or natural resources.
- Open Space includes public and private areas such as parks, yards, parking lots, and privately-owned public spaces.
- Natural Features include vegetation, geologic, topographic, and aquatic features that may help define the overall visual character of the area.
- Wind is channelized pressure from between tall buildings and downwashed wind pressure from parallel tall buildings may cause winds that affect pedestrian comfort and safety.

The Proposed Actions would not result in parallel tall buildings and therefore a wind analysis is not warranted. For this project, a preliminary urban design and visual resources analysis was warranted.

Study Area

According to the guidelines set forth in the *CEQR Technical Manual*, the study area for an urban design assessment is generally consistent with that used for the land use, zoning,

and public policy assessment. Consistent with the land use, zoning, and public policy assessment, the urban design and visual resources Study Area is defined as a 400-foot radius around the Rezoning Area. The Study Area is generally bound by Avenue U to the north, Batchelder Street to the west, Bragg Street to the east, and Avenue V to the south.

E3 Assessment

Existing Conditions

Rezoning Area

The Rezoning Area is bounded by a one-story commercial retail building with accessory parking on the north, Coyle Street on the east, a one-story commercial retail building fronting along Avenue V on the south, and, on the west, a row of two-story one- and two-family attached residences with frontage along Ford Street. The Rezoning Area contains four one-story buildings, including three approximately 25-foot-tall buildings on Projected Development Site 1 and one building on Projected Development Site 2.

Projected Development Site 1

Projected Development Site 1 is an interior lot and has 360 feet of frontage along Coyle Street. The site is improved with three one-story buildings and an open, paved accessory parking area. Except for a 195-square-foot open area at the southwestern corner of the site behind Building C, Projected Development Site 1 is developed with impervious surfaces comprising three buildings and a paved accessory parking and loading area (see EAS Figure 2). The three buildings total 26,430 gross square feet (gsf) and a floor area ratio (FAR) of 0.73.

Building A

The northern-most building, Building A, is a one-story, 10,683-gross-square-foot (gsf) retail store (Dollar Tree) built up to the street (see EAS Photograph 1). The building extends 100 feet deep from Coyle Street to Projected Development Site 1's rear lot line. The building façade is a mixture of painted concrete and glazing. The doorways to the building are recessed from the street line approximately two feet, and an approximately 20-foot wide awning is above the store's primary pedestrian entrance. Commercial signage is present on the front façade.

Building B

Adjacent to Building A to the south is Building B, a one-story, 25-foot-tall brick building occupied by a 9,559 gsf retail use. Similar to Building A, Building B is built to Coyle Street with no setback and extends to a depth of 100 feet to the rear lot line. The building façade is predominately brick except for a stone-pattern veneer covering approximately 30 feet of its Coyle Street façade (see EAS Photograph 2). There is one loading bay at the center of the building's Coyle Street frontage, which is recessed approximated six inches from the street line. Approximately 20 feet to the north and south of the loading bay are doorways for pedestrian access from Coyle Street. These doorways and the loading bay are protected by roller doors deployed after business hours. There is commercial signage along the street frontage. A series of eight evenly-spaced windows are present on the front façade above a height of approximately 12 feet.

Building C

The southern-most building on Projected Development Site 1, Building C, is a one-story brick building with commercial signage on the front façade (EAS Photograph 4). Like Building B, there is a loading bay that is accessed via a curb cut to Coyle Street. Building C has a total area of 6,590 gsf. The building has very little articulation and does not have windows on any of its façades.

Open Accessory Parking and Loading Area

Between Buildings B and C is an open, paved accessory parking and loading area (EAS Photograph 3) totaling approximately 8,000 sf (80 feet wide by 100 feet deep). The parking and loading area provide access to the loading docks on the south side of Building B and the north side of Building C. The parking and loading area is also used for the storage of supply materials. The open, paved accessory parking area is partially screened from view from Coyle Street by a slatted chain link fence. At the rear of Building C in the southwest portion of the lot is a 195-square-foot open area.

Projected Development Site 2 – Building D

Projected Development Site 2 is an interior lot and has 140 feet of frontage along Coyle Street. Projected Development Site 2 is improved with a 20-foot-tall one-story retail building that contains approximately 7,920 gsf of commercial area across four retail spaces (see EAS Photograph 5). The property is occupied by a bank, dry cleaning facility, tailor, and appliance sales and repair facility. The site has an open area at the rear of the site. The front façade includes a mix of glazing, roller doors, brick veneer, and commercial signage. There is a vegetated open area along the rear of the site.

Study Area

The Study Area includes a mix of building types and urban design conditions. With a mix of building types, heights, uses, and setbacks, there is no uniform urban design pattern across the Study Area.

Existing conditions in the Study Area are shown in Photographs E-1 through E-12, and a key map of the Study Area showing the location of these photographs is provided in Figure E-1.[4] Figure E-2 shows the building heights in the Study Area.

[4] All photographs were captured on 4 September 2020.

Figure E-1: Urban Design Photograph Location Map



Photograph E-1



View north along Coyle Street from Avenue V towards the Rezoning Area. Projected Development Site 2 is shown in the center of the frame with one-story retail buildings shown to the left of the frame along Avenue V.

Photograph E-2



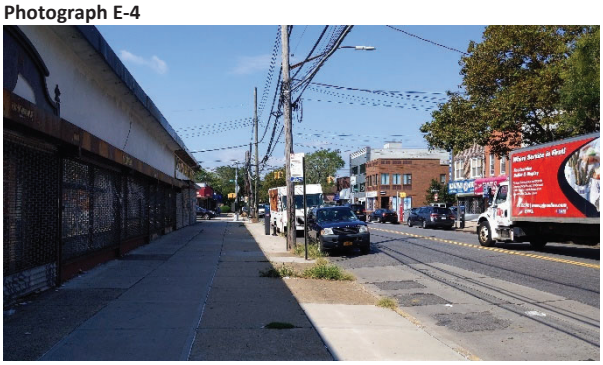
View south along Coyle Street towards the Rezoning Area from Avenue U. Building A (Dollar Tree) is shown in the center left of the frame with Buildings B-D and the NYCHA Nostrand Houses beyond.

Photograph E-3



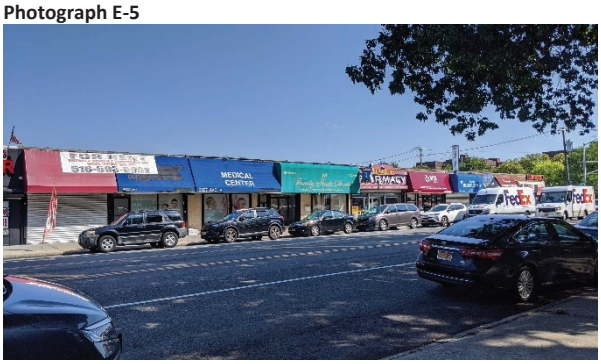
View east along Avenue U from Ford Street. A one-story commercial building with multiple retail businesses is shown to the right of the frame on the south side of Avenue U. To the left of the frame at the northeast corner of Ford Street and Avenue U is the site of a proposed three-story commercial and community facility building, which would be developed independent of the Proposed Actions.

Photograph E-4



View west along Avenue U between Bragg and Coyle streets. To the left of the frame is a one-story commercial building on the south side of Avenue U. In the right of the frame are two- to three-story mixed-use residential and commercial buildings featuring ground floor commercial uses.

Photograph E-5



View north across Avenue V between Ford and Coyle streets. The one-story commercial building features multiple retail businesses opposite the NYCHA Nostrand Houses.

Photograph E-6



View of one of the 16 six-story residential buildings that comprise the NYCHA Nostrand Houses. The NYCHA campus is between Avenue V and W in the south of the Study Area.

Photograph E-7



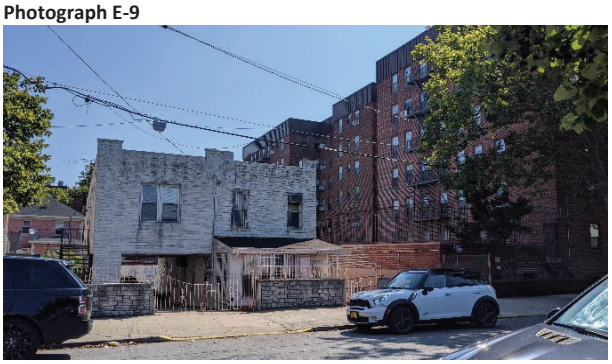
View southeast across Avenue V towards Bragg Street. The residential building in the center of the frame is 2211 Bragg Street, the tallest building in the Study Area (62 feet plus bulkhead).

Photograph E-8



View south along the east side of Coyle Street towards the one-story grocery store (Foodtown) across from the Rezoning Area. The west side of Coyle Street features buildings with varying setbacks from the street line.

Photograph E-9



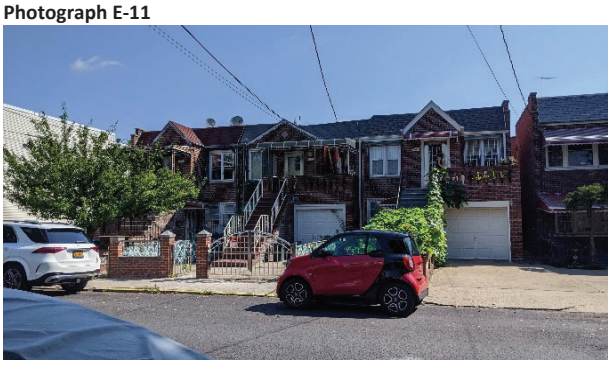
View east across Bragg Street towards a one-and-two family home mid-block along Bragg Street. The home is adjacent to the six-story, 61-foot-tall residential building fronting Bragg Street (2170 Brigham Street of the Brigham Park Cooperative).

Photograph E-10



View east towards Brigham Park Cooperative's six-story multi-family elevator buildings along the east side of Bragg Street. The multi-building development includes private open and landscaped areas featuring benches and walking paths between buildings.

Photograph E-11



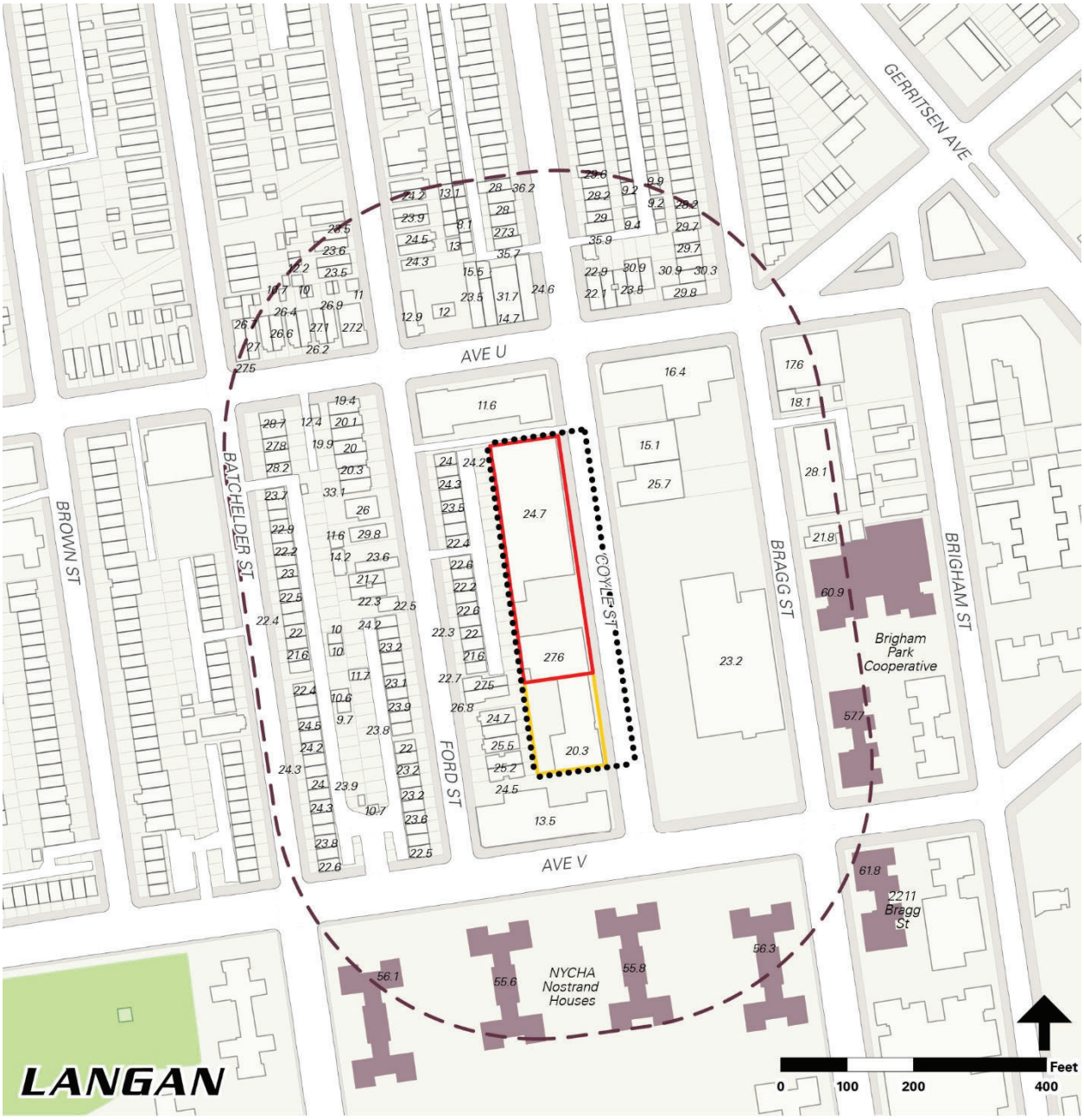
View east across Ford Street between Avenues U and V. The homes along Ford Street are predominately two-story one- and two-family residences. These residences accessory off-street parking in the front yard.

Photograph E-12



View south along the west side of Ford Street between Avenues U and V. These two-story one-and-two family homes do not have off-street accessory parking in the front yard and instead feature vegetated front yards.

Figure E-2: Study Area Building Heights



Streets

The Study Area is characterized by the typical grid street pattern found in south Brooklyn, which is generally characterized by narrow streets running north-south and wide avenues running east-west. Coyle Street is unique in that it is the only wide (defined as wider than 75 feet) north-south oriented street between Knapp Street and Nostrand Street, both of which are beyond the Study Area. Coyle Street is built to a width of 80 feet, which includes one lane of travel in each direction, parallel parking, and sidewalks (see Photograph E-3 and Photograph E-4). The grid street pattern allows for views along the streets.

Avenue U and Avenue V are the main east-west streets through the Study Area and provide connections to arterial streets such as Knapp Street and Gerritsen and Nostrand Avenues beyond the Study Area. Avenue U, to the north of the Rezoning Area, is a wide east-west street that fronts a mix of residential, commercial, and mixed-use buildings (see Photograph E-4 through Photograph E-12). Residential buildings along the north side of Avenue U are generally two-story single family houses and two-story mixed-use residential and ground floor retail buildings. The south side of Avenue U is predominately one-story commercial buildings. Avenue U has one lane of travel in each direction, and sidewalks and parallel parking on either side of the street.

Avenue V in the south of the Study Area is a wide east-west street. On the project block, the street fronts along a one-story retail building (see Photograph E-5). In the southwest of the Study Area, the south side of Avenue V fronts six-story multifamily buildings, including the NYCHA Nostrand Houses (see Photograph E-6) and 2211 Bragg Street (see Photograph E-7) at the southeast corner of Bragg Street Avenue V. The street has two-way traffic and parallel parking and sidewalks on both sides of the street.

Buildings

The Study Area includes a mix building types, including one-story retail establishments, six-story multifamily buildings, attached two-story single-family residences, and mixed-use residential and retail buildings. The tallest buildings in the Study Area are the six-story NYCHA Nostrand Houses, Brigham Park Cooperative buildings at 2170-2190 Brigham Street (on the east side of Bragg Street in the very east of the Study Area), and 2211 Bragg Street (in the southeast of the Study Area).

On the east side of Coyle Street opposite the Rezoning Area is a mix of building types including a one-story grocery store setback approximately 60 feet from Coyle Street and Avenue V (see Photograph E-8), a two-story beer sales establishment set back approximately 20 feet from the street, and a two-story flooring sales establishment built up to the street line. Farther east along Bragg Street includes a mix of one- and two-family houses, multifamily buildings, and a daycare center (see Photograph E-9 and Photograph E-10).

The area to the west of the Rezoning Area is along Ford and Batchelder streets is a relatively intact pattern of two-story (plus attic) attached single-family houses (see Photograph E-11 and Photograph E-12). These houses are predominately brick houses setback from the street with sloping gabled roofs. There is a mix of vegetated front yards and front yards containing accessory off-street parking. This pattern is interrupted in discrete locations along Ford Street by newer multi-family buildings up to three stories tall.

North of the Rezoning Area, buildings fronting Avenue U are a mix one- and two-family houses, mixed-use buildings with ground floor commercial space, and one-story retail and commercial office buildings. There is no cohesive pattern of building types along Avenue U. In the very north of the Study Area beyond Avenue U is predominately one- and two-family houses.

South of Avenue V is predominately six-story–tall multifamily residential buildings. The six-story brick buildings that are part of the NYCHA Nostrand Houses are set back from the street to create a "tower-in-the-park" setting. The campus is situated on a superblock with interior pedestrian walkways and vegetated areas.

Visual Resources, Open Spaces, and Natural Features

There are no historic resources, open spaces, or natural features in the Study Area.

No-Action Condition

In the No-Action Condition, the existing urban design conditions would remain in the Rezoning Area. Projected Development Site 1 (Lot 11) would continue to have three one-story buildings with an open parking and loading area. Projected Development Site 2 (Lot 29) would continue to be a one-story retail building set back approximately three feet from Coyle Street. There would be no modification to the existing street grid system or the views along the street grid.

Independent of the Proposed Actions, a new three-story office and community facility (school) building would be constructed at 3025 Avenue U (Block 7339, Lot 49) at the corner of Avenue U and Ford Street.[5] The new building would introduce additional commercial and community facility spaces in the Study Area. The commercial space would be sited at the ground floor, with school uses on floors 2 and 3.

With-Action Condition

Rezoning Area

In the With-Action Condition, Buildings B, C, and D in the Rezoning Area would be demolished and two eight-story mixed-use residential and commercial buildings would be constructed along a stretch of Coyle Street where there is no prevailing cohesive urban design character. The buildings would be constructed with modern construction materials to a height similar to other multifamily buildings in the Study Area, and overall would improve the urban design conditions of the Rezoning Area.

Projected Development Site 1

In the With-Action Condition, Buildings B and C would be demolished. Projected Development Site 1 would be developed with an up to eight-story mixed-use residential and commercial building. Building A would be integrated into the new building on Projected Development Site 1. The building would be built up to the street and rise to a height of up to a base height of up to 65 feet before a minimum 10-foot setback from Coyle Street. The building would then rise to a maximum roof height of up to 85 feet. Including a 15-foot-tall bulkhead, the building would have a total height of 100 feet. The

[5] Buildings Information System (BIS) published by the NYC Department of Buildings. Last accessed 21 Sept 2020.

building would have a maximum of 129,464 zoning square feet for a total floor area ratio (FAR) of 3.6.

The ground floor would cover the entirety of the lot (100 percent lot coverage) and be developed with retail, residential lobby, and accessory parking uses. Above the ground floor, the residential units on floors two through eight would be set back at least 30 feet from the rear lot line. The accessory parking would be developed in the cellar level and would be accessed from via a ramp and curb cut to Coyle Street in the southern portion of the site. The new building would be constructed with modern construction materials.

Projected Development Site 2

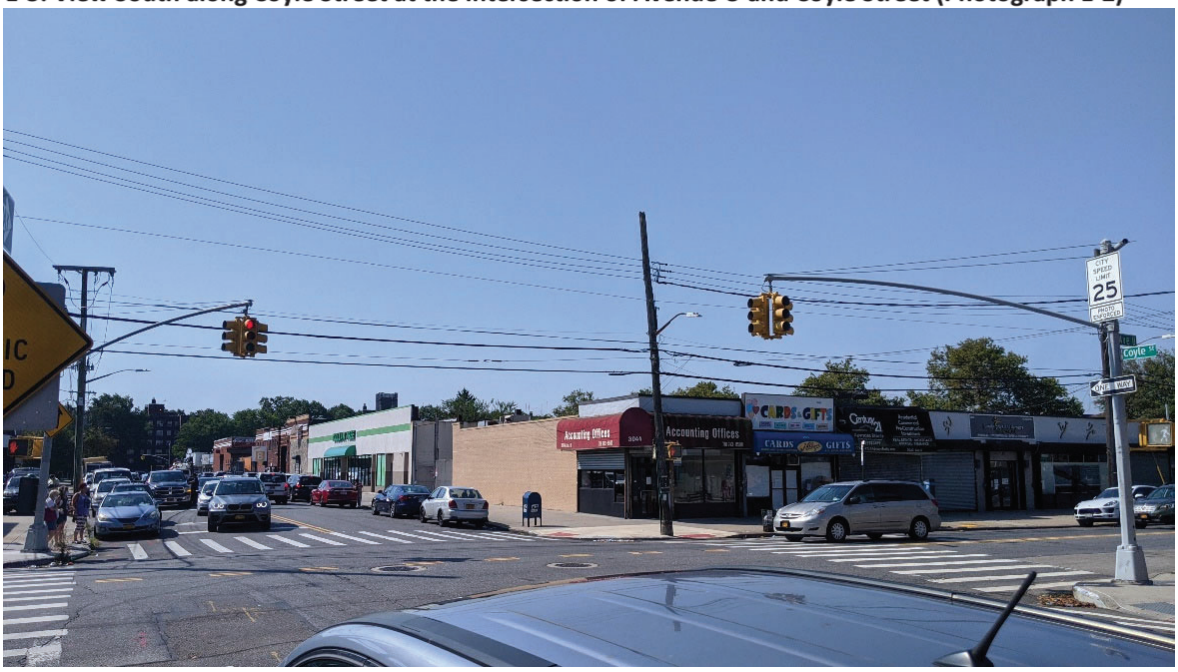
In the With-Action Condition, the existing one-story retail building on Projected Development Site 2 would be demolished to allow construction of a new 8-story residential building with ground floor retail and accessory parking uses. Similar to Projected Development Site 1, Projected Development Site 2 would have a lot coverage of 100 percent at the ground floor, and a setback of at least 30 feet from the rear lot line on floors 2 through 8.

The building would be constructed to the street line and rise a height of up to 65 feet before a 10-foot setback. The building then would rise to a roof height of up to 85 feet. Including a 15-foot-tall bulkhead, the building would have a total height of 100 feet. A new curb cut would be established in the south of the site to Coyle Street, which will provide access to a ground-level parking area. The building would be constructed with modern construction materials.

Figure E-3 provides a representative view of the Proposed Development in the No-Action and With-Action conditions.

Figure E-3: View South along Coyle Street at the Intersection of Avenue U and Coyle Street (Photograph E-2)

No-Action Condition



With-Action Condition



In the With-Action Condition, Buildings B and C on Projected Development Site 1 would be demolished and replaced with an up to eight-story mixed-use residential and retail building. The existing Dollar Tree would remain in the With-Action Condition along Coyle Street and integrated into the new building. Ground floor retail space in both buildings would activate Coyle Street. As shown above, the permissible floor area would fit within a 5-story building on Projected Development Site 1, however, the zoning envelope (shown in wireframe) would allow a building up to 85 feet tall (plus bulkhead).

Study Area

Similar to the No-Action Condition and independent of the Proposed Actions, a three-story office and community facility building would be constructed at 3025 Avenue U in the With-Action Condition. There would be no changes to the existing grid street network, which would continue to provide views along the streets, including north-south along Coyle Street and east-west along Avenues U and V.

Overall, the Proposed Actions would introduce two buildings with a roof height of up to 85 feet. An 85-foot-tall building would be the tallest building in the Study Area by approximately 20 feet. Being regularly-shaped lots with minimal impediments to redevelopment, the proposed zoning would allow the permissible floor area to fit in a building envelope shorter than the 85-foot roof height limit of R6A/C2-4 (MIH) districts. Typical of new development in mature urban areas, the With-Action Condition would introduce new buildings that would modify the context of some views along the street network by introducing new buildings to the streetscape.

E4 Conclusion

The Proposed Actions would facilitate the development of two new mixed-use buildings within the Rezoning Area. In the With-Action Condition, Buildings B, C, and D in the Rezoning Area would be demolished, and the Projected Development Sites would contain two mixed-use residential and commercial buildings along Coyle Street up to eight-stories tall. Building A would be integrated into the new building on Projected Development Site 1.

Over the No-Action Condition, the With-Action Condition would allow taller and larger buildings. While the Proposed Actions would allow buildings approximately 20 feet taller than the tallest buildings in the Study Area, the development sites are regularly shaped and could accommodate buildings shorter than the maximum building height of 85 that would be permitted as-of-right in the With-Action Condition. Urban form in the Study Area, including Coyle Street, is varied and does not have a uniform character.

The Proposed Actions are limited to the Rezoning Area, which is midblock along the west side of Coyle Street between Avenue U and Avenue V. The Proposed Actions would not have the potential to affect existing views along the surrounding mapped street network; however, typical of new development in mature urban areas, the With-Action Condition would have the potential to affect views of the streetscape in the Study Area. Buildings facilitated by the Proposed Actions would be constructed with modern building materials and result in an overall improvement to the urban design of the Study Area.

Overall, the urban design and visual resources effects of the Proposed Development is typical of new mixed use projects within mature urban areas in the outer boroughs. Because views within the Study Area would not be substantially altered in the With-Action Condition and the Proposed Development would improve the overall urban design conditions of the Study Area, the Proposed Development would not result in a significant adverse urban design and visual resources impact, and no further analysis is warranted.

F HAZARDOUS MATERIALS

F1 Introduction

The *CEQR Technical Manual* defines hazardous materials as substances that pose a threat to human health or the environment. Substances of concern include, but are not limited to, heavy metals, volatile and semi volatile organic compounds (VOCs, including petroleum constituents and chlorinated solvents, and SVOCs), methane, polychlorinated biphenyls (PCBs), and hazardous wastes (defined as substances that are chemically active, ignitable, corrosive, or toxic).

The potential for significant impacts from hazardous materials occurs when hazardous materials exist on a site and an action would increase pathways to their exposure to humans and the environment, or an action would introduce new activities or processes using hazardous materials. Potential routes of exposure to hazardous materials can include direct contact, such as contact between contaminated soil and skin (dermal contact), breathing of VOCs or chemicals associated with suspended soil particles (inhalation), or swallowing soil or water (ingestion). According to the *CEQR Technical Manual*, public health may also be threatened when soil vapors migrate through the subsurface or along preferential pathways (such as a building foundation, utility conduit, or duct) and accumulate beneath a concrete slab or inside a basement, resulting in an explosive, oxygen-deficient, or hazardous atmosphere.

F2 Methodology

According to the guidelines of the *CEQR Technical Manual*, the first step to evaluate the potential presence of hazardous materials on the Rezoning Area is to conduct a Phase I Environmental Site Assessment (ESA). The Proposed Actions would facilitate development on two development sites: Projected Development Site 1 (Block 7367, Lot 11) and Projected Development Site 2 (Block 7367, Lot 29).

The objective of a Phase I ESA is to identify the presence or likely presence, use, or release of hazardous substances or petroleum products, as defined in American Society for

Testing and Materials (ASTM) E1527-13 (Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process) as a Recognized Environmental Condition (REC). A Phase I ESA also identifies historical recognized environmental concerns (HREC). An HREC is defined by ASTM E1527-13 as a past release of hazardous substance or petroleum product that has occurred in connection with the property. An HREC has been addressed to the satisfaction of the applicable regulatory authority or meets unrestricted use criteria established by a regulatory authority without subjecting the property to any regulatory controls. Typically, a Phase I ESA qualitatively evaluates environmental conditions within a particular area.

This hazardous materials assessment summarizes the findings of ESAs available for Development Sites 1, the Applicant's site. In October 2020, a Phase I ESA was prepared by Langan Engineering, Environmental, Surveying, Landscape Architecture, and Geology, D.P.C. (Langan) for Projected Development Site 1. The Phase I ESA is provided in Appendix F. Projected Development Site 1 is under control of the Applicant and the information in the most recent Phase I ESA is summarized in this assessment. Projected Development Site 2 is not under control of the Applicant and therefore a Phase I ESA was not available for this assessment.

F3 Projected Development Site 1

Phase I ESA (October 2020)

The Phase I ESA for Projected Development Site 1 was conducted in accordance with the ASTM Practice E1527-13 and the U.S. Environmental Protection Agency's All Appropriate Inquiry Rule. While the Phase I ESA did not identify HRECs or controlled recognized environmental conditions (CRECs), three RECs and one Business Environmental Risk (BER) were identified at Projected Development Site 1:

Recognized Environmental Conditions (RECs)

1. Documented Contamination in On-Site Drywell: A Phase II Subsurface Investigation performed in 2007 collected one soil sample and one liquid sample from an on-site drywell. The analytical results identified VOCs, SVOCs, and metals above the New York State Department of Environmental Conservation (NYSDEC) Unrestricted Use (UU), Restricted Residential Use (RR), and/or Protection of Groundwater (PG) Soil Cleanup Objectives (SCOs). One SVOC, benzo(a)pyrene, was detected above the Commercial Use SCO. The liquid sample collected from the drywell in 2007 contained VOCs, SVOCs, pesticides, and metals at concentrations exceeding NYSDEC Technical and Operational Guidance Series (TOGS) 1.1.1 Ambient Water Quality Standards and Guidance Values for Groundwater (collectively SGVs).
2. Historical Use of Adjoining and Surrounding Properties: Historical uses and regulatory listings at adjoining and surrounding properties include registered and historical drycleaners, unspecified manufacturers, private garages, and a fuel oil company. Undocumented spills or releases of petroleum products, solvents, chemicals, and/or other hazardous substances associated with these historical operations may have affected groundwater, and/or soil vapor beneath property.
3. Active Groundwater Remediation at Adjoining Property: A petroleum spill was reported at the east-adjoining property, 2171 Coyle Street on August 25, 2000 (Spill No.: 0006250) when petroleum-impacted soil and groundwater were identified in

association with a leaking 5,000-gallon No. 2 fuel oil underground storage tank (UST). After the removal and closure of the UST on November 15, 2000, free product was observed in groundwater monitoring wells on site. Between 2001 and 2015, multiple on- and off-site groundwater monitoring and free product recovery events have occurred, including soil excavations to remove source material.

Business Environmental Risk (BER)

1. Likely presence of historic fill. Historic fill found in urban environments typically contains ash, demolition debris, or municipal waste products, and may contain contaminants at concentrations above applicable regulatory standards.

The report further stated that based on the age of the existing buildings (constructed circa the 1950s and 1970s), ACM, LBP, and/or PCB-containing materials may be present.

F4 Projected Development Site 2

Based on the spill referenced in the Phase I ESA (Spill No.: 0006250) and continued recovery of free product related to that spill, there is a potential for hazardous materials to be present on Projected Development Site 2.

F5 Proposed E-Designation (E-620)

Due to the COVID-19 pandemic and the requisite health and safety guidance, a Phase II Environmental Site Investigation (ESI) cannot be performed in support of this environmental assessment statement. Projected Development Site 1 is leased to an "essential business" that operates daily from 7:00AM to 4:00PM in an enclosed space. Collecting samples at the Project Site would require a crew to remain on site and in an enclosed space for several hours over the course of a day or more without being able to adhere to social distancing protocols, and potentially increase exposure pathways to the business's workforce and customers. Because the business operates daily and is an essential business during COVID, soil sampling is not currently physically possible at this site. In lieu, an E-Designation is proposed, which would require the Applicant to receive a Letter of No Objection from the Mayor's Office of Environmental Remediation (OER) before building permits can be issued by the Department of Buildings.

Based on the findings presented above, an E-Designation (E-620) for hazardous materials would be incorporated into the Proposed Actions for the Rezoning Area. The specific requirements of the E-Designation (E-620) would be as follows:

Projected Development Sites 1 and 2 (Brooklyn Block 7367, Lots 11 and 29)

Task 1:

The applicant shall submit to OER, for review and approval, a Phase 1 of the site along with a soil and groundwater testing protocol, including a description of methods and a site map with all sampling locations clearly and precisely represented.

If site sampling is necessary, no sampling should begin until written approval of a protocol is received from OER. The number and location of sample sites should be selected to adequately characterize the site, the specific source of suspected contamination (i.e., petroleum based contamination and non-petroleum based contamination), and the remainder of the site's condition. The characterization should

be complete enough to determine what remediation strategy (if any) is necessary after review of sampling data. Guidelines and criteria for selecting sampling locations and collecting samples are provided by OER upon request.

Task 2:

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

If OER determines remediation is necessary, a proposed remediation plan must be submitted to OER for review and approval. The applicant must complete such remediation in accordance with the OER approved remediation plan. The applicant should then provide proper documentation that the work has been satisfactorily completed.

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

With this E-Designation in place, there would be no significant adverse hazardous materials impacts, and no further analysis is warranted.

F6 Conclusion

The October 2020 Phase I ESA identified three RECs, and one Business Environmental Risk (BER) on Projected Development Site 1. As described in the Phase I ESA for Projected Development Site 1, a spill (Spill No. 0006250) was reported within close proximity to the Rezoning Area. Projected Development Site 2 is not under the control of the Applicant, and a Phase I ESA was not available; however, because of the spill referenced in the Phase I ESA and continued recovery of free product related to the spill, there is a potential for hazardous materials to be present on Projected Development Site 2. Therefore, an E-Designation (E-620) for hazardous materials would be incorporated into the Proposed Actions. The E-Designation would place certain hazardous materials requirements for each development site in the event contamination exists, thereby precluding the potential for significant adverse hazardous materials impacts. If contamination is confirmed, a remedial action plan would require approval from OER before construction permits can be issued by the Department of Buildings. With the proposed E-Designation (E-620) in place, the Proposed Actions would not result in any potentially significant adverse hazardous materials impacts and no further analysis is necessary.

G WATER AND SEWER INFRASTRUCTURE

G1 Introduction

According to the *CEQR Technical Manual*, New York City's water and sewer network is fundamental to the operation, health, safety, and quality of life of the City and its surrounding environment, and must be sized to fit users and surface conditions to function adequately. Ensuring these systems have adequate capacity to accommodate land use or density changes and new development is critical to avoid environmental and health problems, such as sewer back-ups, street flooding, or reduced water pressure.

The purpose of a water and sewer infrastructure analysis is to assess whether a proposed project may adversely affect the City's water distribution or sewer system and, if so, assess whether its impact will be significant. As described in Attachment A, "Project Description" the With-Action Condition would facilitate the development of 220,624 gross square feet (gsf) of floor area within two buildings across two Projected Development Sites in the Rezoning Area: Projected Development Site 1 (Block 7367, Lot 11) and Projected Development Site 2 (Block 7367, Lot 29). Over the No-Action Condition, the With-Action Condition would facilitate a net increase of 152,338 gsf of residential use comprising 198 incremental dwelling units (DU), and 1,937 gsf of commercial use.

This chapter assesses the potential effects of the Proposed Actions on the City's water supply, wastewater treatment, and stormwater management in accordance with the 2020 *CEQR Technical Manual* guidelines.

G2 Methodology

This Water and Sewer Infrastructure analysis follows the guidelines set forth in the *CEQR Technical Manual*. The Rezoning Area is in Brooklyn and would contain up to 198 residential dwelling units and 1,937 gsf of commercial space over the No-Action Condition. A preliminary wastewater and stormwater conveyance and treatment analysis

is therefore warranted because the Rezoning Area is located in a separately sewered area and would exceed the threshold of 50 incremental DUs in an existing R4 zoning district.

The Rezoning Area is not within an area that experiences low water pressure. The With-Action Condition would demand 15,376 gpd of water supply, which would be 1,293 gpd more than the No-Action Condition and less than the CEQR threshold of one million incremental gallons of water per day (mgd) that would warrant water supply assessment. The Proposed Actions therefore do not have the potential to result in a significant adverse water supply impact, and a preliminary water supply assessment is not warranted.

G3 Existing Conditions

Wastewater Treatment

Sewers collect sanitary wastewater from buildings as well as stormwater from buildings and catch basins in City streets. Collection sewers can be ten inches to two feet in diameter on side streets, and larger in diameter under other roadways. Trunk sewers bring the sewage to interceptor sewers, which then bring the wastewater to the Wastewater Treatment Plants (WWTPs) for treatment. While the majority of New York City is managed by combined sewers and treated by WWTPs, portions of Brooklyn, Queens, and Staten Island are managed by separate storm sewers or are in unsewered areas. The Rezoning Area is in a separately sewered area where sanitary sewers are transported for treatment at the Coney Island WWTP and storm water is directly discharged via an outfall to Sheepshead Bay. The Coney Island WWTP has operated since 1935 and has a design capacity to treat 110 mgd of wastewater.[6] In 2020, Coney Island received an average flow of 87.85 mgd as shown in Table G-1. Based on these average flows, the WWTP has an excess capacity of 22.15 mgd or approximately 20 percent of its total capacity.

Table G-1: 2019-2020 Monthly Average Dry Weather Flows to Coney Island WWTP

Year	Month	Flows at Coney Island WWTP (mgd)[1]
2019	August	94
	September	89
	October	92
	November	83
	December	102
2020	January	88
	February	91
	March	90
	April	90
	May	82
	June	77
	July	82
	August	82
	Average	**87.85**

[1] mgd = million gallons per day.
Source: New York City Department of Environmental Protection (DEP).

[6] New York City's Wastewater Treatment System Report.

According to the Department of Environmental Protection (DEP) NYC Open Sewer Atlas,[7] the Rezoning Area is tributary to outfall CI-610. There are separate storm and sanitary sewers present in Coyle Street fronting the Rezoning Area. The 12-inch storm sewer and 10-inch sanitary sewer flow from south to north. New site connections would be required to service the new buildings, and existing utility infrastructure would be confirmed by the Applicant prior to preparing the required Site Connection Proposal for the DEP.

Both development sites consist of retail spaces. Using the multipliers provided in the *CEQR Technical Manual*, Table G-2 shows the existing water consumption demand to be 14,083 gpd and the wastewater generation would be 8,244 gpd.

Table G-2: Existing Condition Water Consumption & Waste Generation – Development Sites

Land Use	Water Consumption & Wastewater Generation Rates	Gross Floor Area	Domestic Water/ Wastewater Generation (gpd)[1]	Air Conditioning (gpd)
Projected Development Site 1				
Retail[2]	Domestic 0.24 gpd/sf A/C 0.17 gpd/sf	26,430 sf	6,343 gpd	4,493 gpd
Projected Development Site 2				
Retail[2]	Domestic 0.24 gpd/sf A/C 0.17 gpd/sf	7,920 sf	1,901 gpd	1,346 gpd
		Subtotal	**8,244**	**5,839**
		Total Water Demand (gpd)	**14,083**	
		Total Wastewater Generation (gpd)	**8,244**	

[1] Gallons per day (gpd).
[2] Use group comprises retail, supermarket, and restaurant.
Source: Consumption rates obtained from the *CEQR Technical Manual* (2020), Table 13-2, "Water Usage and Sewage Generation Rates for Use in Impact Assessment," unless otherwise noted.

Stormwater and Drainage Management

The volume of stormwater runoff at a site varies depending on the type of land cover, which can be either pervious or impervious. The DEP defines runoff coefficients to correlate with the pervious or impervious qualities of the land cover. According to the *CEQR Technical Manual*, grass and softscape have a runoff coefficient of 0.20 because of their ability to absorb rainfall, whereas roof area and pavement have much higher runoff coefficients of 1.00 and 0.85 respectively, due to the inability of these materials to absorb or sequester rainfall.

The majority of the Rezoning Area is occupied by the existing building footprints and pavement. Projected Development Site 1 (Lot 11) contains three one-story buildings and Projected Development Site 2 (Lot 29) contains a one-story building.

Table G-3 shows the weighted runoff coefficient for the Projected Development Site 1 and Site 2 is 0.87.

[7] NYC Open Sewer Atlas, Langan New York GIS Viewer.

Table G-3: Existing Project Surface Areas and Runoff Coefficients – Development Sites

Site Area	Surface Type	Softscape	Pavement	Roof	Total
Projected Development Site 1					
Lot 11	Surface Area (sf)	195	9,375	26,430	36,000
	Area (%)	0.5	26	75	100
	Runoff Coefficient[1]	0.2	0.85	1.00	0.97
Projected Development Site 2					
Lot 29	Surface Area (sf)	6,080	-	7,920	14,000
	Area (%)	44	-	56	100
	Runoff Coefficient[1]	0.2	-	1.00	0.64
				Total Area of Projected Development Site 1 & Site 2 (sf)	**50,000**
				Weighted Runoff Coefficient of Projected Development Site 1 & Site 2	**0.87**

[1] Runoff coefficients for each surface type per Department of Environmental Protection (DEP)
Source: Department of City Planning (DCP) Footprint and MapPLUTO data; aerial photographs.

Standard DEP runoff coefficients were used to determine the stormwater runoff generated during a variety of rainfall events over specified periods of time ranging from 3.8 to 19.5 hours. During storm events with up to 2.5 inches of rainfall, the development sites would discharge up to 0.07 millions of gallons (mg) of stormwater to the existing outfall CI-610, and up to 0.007 mg of sanitary flow into Coney Island WWTP. Table G-4 shows the existing stormwater and sanitary discharges during representative storm events.

Table G-4: Existing Runoff and Wastewater Generation for Projected Development Site 1 & Site 2

Rainfall (in)	Duration (hrs)	Total Area (acres)	Weighted Runoff Coefficient[1]	Stormwater Generation to Outfall[2]	Sanitary Generation to CSS[2]
0.00	3.80	1.147	0.87	0.000	0.001
0.40	3.80			0.010	0.001
1.20	11.30			0.030	0.004
2.50	19.50			0.070	0.007

[1] Refer to Table G-3.
[2] Numbers are rounded to the thousandth decimal place.
Source: DEP runoff coefficients.

G4 No-Action Condition

As described in Attachment A, "Project Description," the Rezoning Area currently contains approximately 34,350 gsf of commercial area in four buildings. In the No-Action Condition, the existing conditions in the Rezoning Area would remain.

G5 With-Action Condition

In the With-Action Condition, Projected Development Site 1 would be improved with an eight-story mixed-use commercial and residential building with 148 DUs. Projected Development Site 2 would be developed with an eight-story mixed-use commercial and residential building with 50 DUs. Table G-5 shows that the With-Action Condition water consumption demand would be 15,376 gpd and the wastewater generation would be 9,207 gpd.

Table G-5: With-Action Water Consumption & Waste Generation – Development Sites

Land Use	Water Consumption & Wastewater Generation Rates	Area/ Dwelling Units	Domestic Water/ Wastewater Generation (gpd)[1]	Air Conditioning (gpd)
Projected Development Site 1				
Residential	2.51 gpd/ DU[2]	148 DU	372	-
Retail[3]	Domestic 0.24 gpd/sf A/C 0.17 gpd/sf	32,087 sf	7,701	5,455
Projected Development Site 2				
Residential	2.51 gpd/ DU[2]	50 DU	126	-
Retail[3]	Domestic 0.24 gpd/sf A/C 0.17 gpd/sf	4,200 sf	1,008	714
		Subtotal	**9,207**	**6,169**
		Total Water Demand (gpd)	**15,376**	
		Total Wastewater Generation (gpd)	**9,207**	

[1] Gallons per day (gpd).
[2] Approximately 2.51 residents per dwelling unit (DU) for residential development within Community District 1 taken from the Dept. of City Planning Population FactFinder (100 gpd per resident).
[3] Source: Consumption rates obtained from the *CEQR Technical Manual* (2020), Table 13-2, "Water Usage and Sewage Generation Rates for Use in Impact Assessment," unless otherwise noted.

Wastewater Treatment

Wastewater generated in the With-Action Condition would continue to be treated by the Coney Island WWTP, which – like the existing and No-Action conditions – would continue to have an operating capacity of approximately 22.15 mgd in the With-Action Condition.

Table G-6 shows the incremental wastewater generation in the Rezoning Area. Under the RWCDS established for this project, the With-Action Condition would generate 9,207 gpd of wastewater, which is an increase of 963 gpd of wastewater over the No-Action Condition.

Table G-6: No-Action and With-Action Wastewater Generation from Development Sites

Condition	Wastewater Generated (gpd)[1]
Existing/No-Action Condition	8,244
With-Action Condition	9,207
Increment	**963**

[1] Gallons per day (gpd).
Source: Consumption rates obtained from the *CEQR Technical Manual* (2020), Table 13-2.

The Coney Island WWTP has a design capacity of approximately 110 mgd and operates with an average dry weather flow of approximately 87.85 mgd (80 percent of capacity), maintaining an excess capacity of approximately 22.15 mgd (20 percent of capacity). The incremental 963 gpd (0.001 mgd) of wastewater generated by the development in the With-Action Condition would represent less than one percent of the Coney Island WWTP's total capacity. The development in the With-Action Condition would result in approximately 0.001 mgd of incremental wastewater flows adding an insignificant amount of flow to the Coney Island WWTP and would therefore not cause the Coney Island WWTP to operate over capacity or result in significant adverse wastewater treatment impacts.

Stormwater and Drainage Management

In the With-Action Condition, planned impervious cover would be increased to the full extent of each development site. Table G-7 shows the weighted runoff coefficient for the combined sites would be 1.00.

Table G-7: With-Action Project Surface Areas and Runoff Coefficients

Site Area	Surface Type	Roof	Total
Projected Development Site 1	Surface Area (sf)	36,000	36,000
	Area (%)	100	100
	Runoff Coefficient[1]	1.00	1.00
Projected Development Site 2	Surface Area (sf)	14,000	14,000
	Area (%)	100	100
	Runoff Coefficient[1]	1.00	1.00
	Total Area of Projected Development Site 1 & Site 2 (sf)		**50,000**
	Weighted Runoff Coefficient of Projected Development Site 1 & Site 2		**1.00**

[1] Runoff coefficients for each surface type per Department of Environmental Protection (DEP)
Source: Department of City Planning (DCP) Footprint and PLUTO data; aerial photographs.

Compared to the Existing Condition, the With-Action Condition runoff coefficient would increase thirteen percent points from 0.87 to 1.00.

Table G-8 shows the estimated stormwater runoff tributary to outfall CI-610 and the sanitary flows to the Coney Island WWTP in the With-Action Condition. Depending on intensity and continuity during storm events with up to 2.5 inches of rainfall, direct discharge volumes to the CI-610 outfall would range between 0.00 and 0.08 mgd. Sanitary flow from the Projected Development Sites would contribute between 0.002 to 0.008 mgd to the Coney Island WWTP. Stormwater flows in the With-Action Condition would represent an increase of 0.01 mgd over the No-Action Condition.

Table G-8: With-Action Stormwater Runoff and Wastewater Generation from the Development Sites

Rainfall (in)	Duration (hrs)	Total Area (acres)	Weighted Runoff Coefficient[1]	Stormwater Generation to Outfall[2]	Sanitary Generation to CSS2
0.00	3.80	1.147	1.00	0.000	0.002
0.40	3.80			0.010	0.002
1.20	11.30			0.040	0.005
2.50	19.50			0.080	0.008

[1] Refer to Table G-7.
[2] Numbers are rounded to the thousandth decimal place.
Source: DEP runoff coefficients.

New developments in New York City are required to comply with Chapter 31 of Title 15 of the Rules of the City of New York (RCNY). As noted in Chapter 31 of Title 15 of the Rules of the City of New York (RCNY), the stormwater release rate is the greater of 0.25 cubic feet per second (cfs), or 10 percent of the allowable flow using NYCDEP calculations. The 0.08 mgd of stormwater is estimated to be 0.14 cfs and therefore would be compliant with the NYCDEP's release rate requirement.

G6 Conclusion

The Proposed Actions would result in incremental residential and commercial floor area over the No-Action Condition. The With-Action Condition would not generate demand for more than 1 mgd of water and therefore a water supply analysis is not warranted.

In the With-Action Condition, wastewater generated at the development sites would continue to be treated by the Coney Island WWTP. Based on the water usage and sewage generation rates shown on Table 13-2 of the *CEQR Technical Manual*, development in the With-Action Condition would generate approximately 9,207 gpd of wastewater, which is a net increase of approximately 963 over the No-Action Condition. This 963 gpd of incremental wastewater represents an increase of 0.001 mgd to the Coney Island WWTP. The Coney Island WWTP has an excess capacity of approximately 22.15 mgd and can accommodate the incremental flows without exceeding the WWTP's design capacity.

The Rezoning Area is in a separately sewered drainage area, where stormwater runoff is discharged directly into Sheepshead Bay via outfall CI-610. The Proposed Actions would result in an increase of 0.01 mgd of stormwater runoff to this outfall over the No-Action Condition during storm events. The Proposed Actions would not result in significant adverse impacts on the City's wastewater infrastructure or treatment facilities. Accordingly, the Proposed Actions would not result in a significant adverse water and infrastructure impact, and no further analysis is warranted.

H TRANSPORTATION

H1 Introduction

The objective of a transportation analysis is to determine whether a proposed action may have a potentially significant adverse impact on traffic operations and mobility; public transportation facilities and services; pedestrian elements and flow; safety of roadway users (including pedestrians, bicyclists, and drivers); and on- and off-street parking. The Proposed Actions include a zoning map amendment (rezoning) and a zoning text amendment.

H2 Methodology

The *CEQR Technical Manual* identifies minimum development densities that potentially require a transportation analysis. Development at less than the densities shown in Table 16-1 of the *CEQR Technical Manual* generally result in fewer than 50 peak-hour vehicle trips, 200 peak-hour transit riders, or 200 peak-hour pedestrian trips, and are unlikely to result in potential significant adverse impacts. Based on a weighted average, the land uses of this mixed-use project would exceed the density thresholds identified in Table 16-1, and therefore, a preliminary trip generation assessment was provided.

H3 Transportation Assessment

To assess the potential effects of the Proposed Actions, it is necessary to determine the incremental development that could occur in the Rezoning Area with the Proposed Actions. The Rezoning Area contains two projected development sites (Brooklyn Block 7367, Lots 11 and 29 for Projected Development Sites 1 and 2, respectively). As such, a Reasonable Worse Case Development Scenario (RWCDS) for both the "Future Without the Proposed Actions," also referred to as the Future No-Action Condition and "Future With the Proposed Actions," also referred to as the Future With-Action Condition, was developed for Build Year 2027, the year that the project is expected to be completed and operational.

In the Future No-Action Condition, there would be no modifications to the Rezoning Area and it would remain the same as in existing conditions. The existing buildings on Projected Development Site 1 (PDS1) are comprised of 26,430 gross square feet (gsf) of local retail use distributed across three buildings, including a Dollar Tree store (10,683 gsf). The existing buildings on Projected Development Site 2 (PDS2) include 7,920 gsf of local retail use distributed across four retail spaces. Together, the existing uses include 34,350 gsf of local retail use, and a total of 6 on-site parking spaces.

In the Future With-Action Condition, on PSD1 the Proposed Actions would facilitate the development of an eight story, approximately 161,408 gsf mixed-use building containing 148 dwelling units (DU), 32,087 gsf of local retail (including the existing Dollar Tree store, which would remain), and 63 accessory below-grade parking spaces. On PDS2, the Proposed Actions would facilitate the development of an eight-story, 59,217 gsf mixed-use building containing 50 DU, 4,200 gsf of local retail, and 21 accessory parking spaces. Together, the Proposed Actions would facilitate a total of 198 DU, 36,287 gsf of local retail use, and 84 accessory parking spaces. The development program used for the transportation analyses in the Future No-Action and With-Action conditions is shown in Table H-1.

Table H-1: Incremental Difference between Future No-Action and With-Action Conditions

Development Program		Residential DUs	Local Retail gsf	Parking spaces
Future No-Action Condition	Projected Development Site 1	0	26,430	6
	Projected Development Site 2	0	7,920	0
	Total	**0**	**34,350**	**6**
Future With-Action Condition	Projected Development Site 1	148	32,087	63
	Projected Development Site 2	50	4,200	21
	Total	**198**	**36,287**	**84**
Increment	Projected Development Site 1	148	5,657	57
	Projected Development Site 2	50	-3,720	21
	Total	**198**	**1,937**	**78**

Level 1 (Trip Generation) Screening Assessment

A Level 1 screening assessment was conducted in accordance with the CEQR guidelines to determine if the increment in the With-Action Condition as compared to the No-Action Condition would exceed thresholds for conducting quantified transportation analyses. To undertake this assessment, a trip generation analysis was conducted for the weekday AM, midday, PM, and Saturday midday peak hours. Trip estimates were developed for the residential and local retail components to derive the net increment between the No-Action and With-Action conditions.

Trip Generation Analysis

Travel Demand Factors for residential and local retail uses are summarized in Table H-2. These factors are based on information provided in the *CEQR Technical Manual*, 2014–2018 U.S. Census Bureau's American Community Survey (ACS) database, the 2015 East New York Rezoning Proposal FEIS (CEQR No. 15DCP102K), and the NYCDOT Local Retail Mode Choice Study for Brooklyn.

Residential

Daily person trip generation rates of 8.075 person trips per 1,000 gsf for weekday and 9.6 person trips per 1,000 gsf for Saturday were obtained from the *CEQR Technical Manual*.

Temporal distributions of 10 percent for the weekday AM peak hour, 5 percent for the weekday midday peak hour, 11 percent for the weekday PM peak hour, and 8 percent for the Saturday midday peak hour were also obtained from the *CEQR Technical Manual*. Directional distributions for the weekday AM, midday, PM, and Saturday midday peak hours were obtained from the 2015 East New York Rezoning Proposal FEIS. Modal splits of 40.8 percent by auto, 0.5 percent by taxi, 38.5 percent by subway, 13.2 percent by bus, 0.4 percent by railroad and 6.5 percent by walk for weekday AM, midday, PM and Saturday midday peak hours were based on the U.S. Census Bureau's Journey to Work, 2014-2018 American Community Survey. Vehicle occupancies of 1.11 per auto and 1.30 per taxi were obtained from the U.S. Census Bureau's Journey to Work, 2014-2018 American Community Survey and the 2015 East New York Rezoning Proposal FEIS.

For truck deliveries, daily trip generation rates of 0.06 trips per 1,000 gsf for weekday and 0.02 trips per 1,000 gsf for Saturday were obtained from the *CEQR Technical Manual*. Temporal and directional distribution factors for truck deliveries were also obtained from the *CEQR Technical Manual*.

Local Retail

Daily person trip generation rates of 205 person trips per 1,000 square feet for weekday and 240 person trips per 1,000 square feet for Saturday were obtained from the *CEQR Technical Manual*. Temporal distributions of 3 percent for the weekday AM peak hour, 19 percent for the weekday midday peak hour, 10 percent for the weekday PM peak hour, and 10 percent for the Saturday peak hour were also obtained from the *CEQR Technical Manual*. Directional distributions for the weekday AM, midday, PM, and Saturday peak hours were obtained from the 2015 East New York Rezoning Proposal FEIS. Modal splits of 11.0 percent by auto, 3.0 percent by subway, 2.0 percent by bus, and 84.0 percent by walk were obtained from the NYCDOT Local Retail Mode Choice Study for Brooklyn. Vehicle occupancies of 1.20 per auto and 1.20 per taxi were also obtained from a NYCDOT survey.

For truck deliveries, daily trip generation rates of 0.35 trips per 1,000 square feet for weekday and 0.04 trips per 1,000 square feet for Saturday were obtained from the *CEQR Technical Manual*. Temporal and directional distribution factors for truck deliveries were also obtained from the *CEQR Technical Manual*.

Net Incremental Trips

Trip generation for the Future No-Action Condition, Future With-Action Condition, and the resulting net incremental trips is shown in Tables H-3, H-4, and H-5, respectively. As summarized in Table H-5, the Future With-Action Condition would generate approximately 172, 155, 216, and 199 net incremental person trips; and 63, 38, 70, and 62 net incremental vehicle trips during the weekday AM, midday, PM, and Saturday midday peak hours, respectively.

Table H-2: Transportation Planning Assumptions and Demand Estimates

Use	Residential 198 DUs				Local Retail 1,937 gsf			
Total Daily Person Trip	(1) **Weekday** 8.075 Trips/DU			**SAT** 9.6	(1) **Weekday** 205 Trips/KSF			**SAT** 240
Trip Linkage	0%				0%			
Net Daily Person Trip	**Weekday** 8.075 Trips/DU			**SAT** 9.6	**Weekday** 205.0 Trips/KSF			**SAT** 240.0
Temporal	(1)				(1)			
	AM	**MD**	**PM**	**SAT**	**AM**	**MD**	**PM**	**SAT**
	10%	5%	11%	8%	3%	19%	10%	10%
Direction	(2)				(2)			
In	15%	50%	70%	50%	50%	50%	50%	55%
Out	85%	50%	30%	50%	50%	50%	50%	45%
Total	100%	100%	100%	100%	100%	100%	100%	100%
Modal Split	(3)				(4)			
	AM	**MD**	**PM**	**SAT**	**AM**	**MD**	**PM**	**SAT**
Auto	40.8%	40.8%	40.8%	40.8%	11%	11%	11%	11%
Taxi	0.5%	0.5%	0.5%	0.5%	0%	0%	0%	0%
Subway	38.5%	38.5%	38.5%	38.5%	3%	3%	3%	3%
Bus	13.2%	13.2%	13.2%	13.2%	2%	2%	2%	2%
Railroad	0.4%	0.4%	0.4%	0.4%	0%	0%	0%	0%
Walk/Other	6.5%	6.5%	6.5%	6.5%	84%	84%	84%	84%
Total	100%	100%	100%	100%	100%	100%	100%	100%
Vehicle Occupancy	(2) (3)				(4)			
	AM	**MD**	**PM**	**SAT**	**AM**	**MD**	**PM**	**SAT**
Auto	1.11	1.11	1.11	1.11	1.20	1.20	1.20	1.20
Taxi	1.30	1.30	1.30	1.30	1.20	1.20	1.20	1.20
Daily Delivery Trip Generation Rate	(1) Weekday 0.06 Delivery Trips/DU			SAT 0.02	(1) Weekday 0.35 Delivery Trips/KSF			SAT 0.04
Delivery Temporal	(1)				(1)			
	AM	**MD**	**PM**	**SAT**	**AM**	**MD**	**PM**	**SAT**
	12%	9%	2%	9%	8%	11%	2%	11%
Delivery Direction	(1)				(1)			
In	50%	50%	50%	50%	50%	50%	50%	50%
Out	50%	50%	50%	50%	50%	50%	50%	50%
Total	100%	100%	100%	100%	100%	100%	100%	100%

Notes

(1) 2014 CEQR Technical Manual

(2) East New York Rezoning Proposal (15DCP102K)

(3) U.S. Census Bureau 2014-2018 American Community Survey 5-Year Journey to Work Data (weighted average of Census Tracts 566, 568, 570, 572, 574, and 632 of Kings County, NY)

(4) NYCDOT Local Retail Mode Choice Survey

Table H-3: Travel Demand Estimates – Future No-Action Condition

Use	Peak Hour	In/Out	Person Trips							Vehicle Trips			
			Auto	Taxi	Subway	Bus	Railroad	Walk	Total	Auto	Taxi	Delivery	Total
Residential PDS1	Weekday AM	In	0	0	0	0	0	0	0	0	0	0	0
		Out	0	0	0	0	0	0	0	0	0	0	0
		Total	0	0	0	0	0	0	0	0	0	0	0
	Weekday Midday	In	0	0	0	0	0	0	0	0	0	0	0
		Out	0	0	0	0	0	0	0	0	0	0	0
		Total	0	0	0	0	0	0	0	0	0	0	0
	Weekday PM	In	0	0	0	0	0	0	0	0	0	0	0
		Out	0	0	0	0	0	0	0	0	0	0	0
		Total	0	0	0	0	0	0	0	0	0	0	0
	Saturday	In	0	0	0	0	0	0	0	0	0	0	0
		Out	0	0	0	0	0	0	0	0	0	0	0
		Total	0	0	0	0	0	0	0	0	0	0	0
Local Retail PDS1	Weekday AM	In	9	0	2	2	0	68	81	7	0	0	8
		Out	9	0	2	2	0	68	81	7	0	0	8
		Total	18	0	5	3	0	137	163	15	0	1	16
	Weekday Midday	In	57	0	15	10	0	432	515	47	0	1	48
		Out	57	0	15	10	0	432	515	47	0	1	48
		Total	113	0	31	21	0	865	1,029	94	0	1	95
	Weekday PM	In	30	0	8	5	0	228	271	25	0	0	25
		Out	30	0	8	5	0	228	271	25	0	0	25
		Total	60	0	16	11	0	455	542	50	0	0	50
	Saturday	In	38	0	10	7	0	293	349	32	0	0	32
		Out	31	0	9	6	0	240	285	26	0	0	26
		Total	70	0	19	13	0	533	634	58	0	0	58
Residential PDS2	Weekday AM	In	0	0	0	0	0	0	0	0	0	0	0
		Out	0	0	0	0	0	0	0	0	0	0	0
		Total	0	0	0	0	0	0	0	0	0	0	0
	Weekday Midday	In	0	0	0	0	0	0	0	0	0	0	0
		Out	0	0	0	0	0	0	0	0	0	0	0
		Total	0	0	0	0	0	0	0	0	0	0	0
	Weekday PM	In	0	0	0	0	0	0	0	0	0	0	0
		Out	0	0	0	0	0	0	0	0	0	0	0
		Total	0	0	0	0	0	0	0	0	0	0	0
	Saturday	In	0	0	0	0	0	0	0	0	0	0	0
		Out	0	0	0	0	0	0	0	0	0	0	0
		Total	0	0	0	0	0	0	0	0	0	0	0
Local Retail PDS2	Weekday AM	In	3	0	1	0	0	20	24	2	0	0	2
		Out	3	0	1	0	0	20	24	2	0	0	2
		Total	5	0	1	1	0	41	49	4	0	0	5
	Weekday Midday	In	17	0	5	3	0	130	154	14	0	0	14
		Out	17	0	5	3	0	130	154	14	0	0	14
		Total	34	0	9	6	0	259	308	28	0	0	29
	Weekday PM	In	9	0	2	2	0	68	81	7	0	0	7
		Out	9	0	2	2	0	68	81	7	0	0	7
		Total	18	0	5	3	0	136	162	15	0	0	15
	Saturday	In	11	0	3	2	0	88	105	10	0	0	10
		Out	9	0	3	2	0	72	86	8	0	0	8
		Total	21	0	6	4	0	160	190	17	0	0	17
Total	Weekday AM	In	12	0	3	2	0	89	106	10	0	0	10
		Out	12	0	3	2	0	89	106	10	0	0	10
		Total	23	0	6	4	0	177	211	19	0	1	20
	Weekday Midday	In	74	0	20	13	0	562	669	61	0	1	62
		Out	74	0	20	13	0	562	669	61	0	1	62
		Total	147	0	40	27	0	1,124	1,338	123	0	1	124
	Weekday PM	In	39	0	11	7	0	296	352	32	0	0	32
		Out	39	0	11	7	0	296	352	32	0	0	32
		Total	77	0	21	14	0	592	704	65	0	0	65
	Saturday	In	50	0	14	9	0	381	453	42	0	0	42
		Out	41	0	11	7	0	312	371	34	0	0	34
		Total	91	0	25	16	0	692	824	76	0	0	76

Note: In and Out volumes may not sum to Total volumes due to rounding.

Table H-4: Transportation Demand Forecast, Future With-Action Condition

Use	Peak Hour	In/Out	Person Trips							Vehicle Trips			
			Auto	Taxi	Subway	Bus	Railroad	Walk	Total	Auto	Taxi	Delivery	Total
Residential PDS1	Weekday AM	In	0	0	0	0	0	0	0	0	0	0	0
		Out	0	0	0	0	0	0	0	0	0	0	0
		Total	0	0	0	0	0	0	0	0	0	0	0
	Weekday Midday	In	0	0	0	0	0	0	0	0	0	0	0
		Out	0	0	0	0	0	0	0	0	0	0	0
		Total	0	0	0	0	0	0	0	0	0	0	0
	Weekday PM	In	0	0	0	0	0	0	0	0	0	0	0
		Out	0	0	0	0	0	0	0	0	0	0	0
		Total	0	0	0	0	0	0	0	0	0	0	0
	Saturday	In	0	0	0	0	0	0	0	0	0	0	0
		Out	0	0	0	0	0	0	0	0	0	0	0
		Total	0	0	0	0	0	0	0	0	0	0	0
Local Retail PDS1	Weekday AM	In	9	0	2	2	0	68	81	7	0	0	8
		Out	9	0	2	2	0	68	81	7	0	0	8
		Total	18	0	5	3	0	137	163	15	0	1	16
	Weekday Midday	In	57	0	15	10	0	432	515	47	0	1	48
		Out	57	0	15	10	0	432	515	47	0	1	48
		Total	113	0	31	21	0	865	1,029	94	0	1	95
	Weekday PM	In	30	0	8	5	0	228	271	25	0	0	25
		Out	30	0	8	5	0	228	271	25	0	0	25
		Total	60	0	16	11	0	455	542	50	0	0	50
	Saturday	In	38	0	10	7	0	293	349	32	0	0	32
		Out	31	0	9	6	0	240	285	26	0	0	26
		Total	70	0	19	13	0	533	634	58	0	0	58
Residential PDS2	Weekday AM	In	0	0	0	0	0	0	0	0	0	0	0
		Out	0	0	0	0	0	0	0	0	0	0	0
		Total	0	0	0	0	0	0	0	0	0	0	0
	Weekday Midday	In	0	0	0	0	0	0	0	0	0	0	0
		Out	0	0	0	0	0	0	0	0	0	0	0
		Total	0	0	0	0	0	0	0	0	0	0	0
	Weekday PM	In	0	0	0	0	0	0	0	0	0	0	0
		Out	0	0	0	0	0	0	0	0	0	0	0
		Total	0	0	0	0	0	0	0	0	0	0	0
	Saturday	In	0	0	0	0	0	0	0	0	0	0	0
		Out	0	0	0	0	0	0	0	0	0	0	0
		Total	0	0	0	0	0	0	0	0	0	0	0
Local Retail PDS2	Weekday AM	In	3	0	1	0	0	20	24	2	0	0	2
		Out	3	0	1	0	0	20	24	2	0	0	2
		Total	5	0	1	1	0	41	49	4	0	0	5
	Weekday Midday	In	17	0	5	3	0	130	154	14	0	0	14
		Out	17	0	5	3	0	130	154	14	0	0	14
		Total	34	0	9	6	0	259	308	28	0	0	29
	Weekday PM	In	9	0	2	2	0	68	81	7	0	0	7
		Out	9	0	2	2	0	68	81	7	0	0	7
		Total	18	0	5	3	0	136	162	15	0	0	15
	Saturday	In	11	0	3	2	0	88	105	10	0	0	10
		Out	9	0	3	2	0	72	86	8	0	0	8
		Total	21	0	6	4	0	160	190	17	0	0	17
Total	Weekday AM	In	12	0	3	2	0	89	106	10	0	0	10
		Out	12	0	3	2	0	89	106	10	0	0	10
		Total	23	0	6	4	0	177	211	19	0	1	20
	Weekday Midday	In	74	0	20	13	0	562	669	61	0	1	62
		Out	74	0	20	13	0	562	669	61	0	1	62
		Total	147	0	40	27	0	1,124	1,338	123	0	1	124
	Weekday PM	In	39	0	11	7	0	296	352	32	0	0	32
		Out	39	0	11	7	0	296	352	32	0	0	32
		Total	77	0	21	14	0	592	704	65	0	0	65
	Saturday	In	50	0	14	9	0	381	453	42	0	0	42
		Out	41	0	11	7	0	312	371	34	0	0	34
		Total	91	0	25	16	0	692	824	76	0	0	76

Note: In and Out volumes may not sum to Total volumes due to rounding.

Table H-5: Transportation Demand Forecast, Net Incremental Trips

Use	Peak Hour	In/Out	Person Trips								Vehicle Trips			
			Auto	Taxi	Subway	Bus	Railroad	Bicycle	Walk	Total	Auto	Taxi	Delivery	Total
Residential PDS1	Weekday AM	In	7	0	7	2	0	0	1	18	7	1	1	8
		Out	41	1	39	13	0	0	7	102	37	1	1	38
		Total	49	1	46	16	1	0	8	120	44	1	1	46
	Weekday Midday	In	12	0	11	4	0	0	2	30	11	0	0	12
		Out	12	0	11	4	0	0	2	30	11	0	0	12
		Total	24	0	23	8	0	0	4	60	22	1	1	23
	Weekday PM	In	38	1	35	12	0	0	6	92	34	1	0	34
		Out	16	0	15	5	0	0	3	39	15	1	0	15
		Total	54	1	51	17	1	0	9	131	48	1	0	50
	Saturday	In	23	0	22	7	0	0	4	57	21	0	0	22
		Out	23	0	22	7	0	0	4	57	21	0	0	22
		Total	46	1	44	15	0	0	7	114	42	1	0	43
Local Retail PDS1	Weekday AM	In	2	0	1	0	0	0	15	17	2	0	0	2
		Out	2	0	1	0	0	0	15	17	2	0	0	2
		Total	4	0	1	1	0	0	29	35	3	0	0	3
	Weekday Midday	In	12	0	3	2	0	0	93	110	10	0	0	10
		Out	12	0	3	2	0	0	93	110	10	0	0	10
		Total	24	0	7	4	0	0	185	220	20	0	0	20
	Weekday PM	In	6	0	2	1	0	0	49	58	5	0	0	5
		Out	6	0	2	1	0	0	49	58	5	0	0	5
		Total	13	0	3	2	0	0	97	116	11	0	0	11
	Saturday	In	8	0	2	1	0	0	63	75	7	0	0	7
		Out	7	0	2	1	0	0	51	61	6	0	0	6
		Total	15	0	4	3	0	0	114	136	12	0	0	12
Residential PDS2	Weekday AM	In	2	0	2	1	0	0	0	6	2	0	0	3
		Out	14	0	13	5	0	0	2	34	13	0	0	13
		Total	16	0	16	5	0	0	3	40	15	0	0	16
	Weekday Midday	In	4	0	4	1	0	0	1	10	4	0	0	4
		Out	4	0	4	1	0	0	1	10	4	0	0	4
		Total	8	0	8	3	0	0	1	20	7	0	0	8
	Weekday PM	In	13	0	12	4	0	0	2	31	11	0	0	12
		Out	5	0	5	2	0	0	1	13	5	0	0	5
		Total	18	0	17	6	0	0	3	44	16	0	0	17
	Saturday	In	8	0	7	3	0	0	1	19	7	0	0	7
		Out	8	0	7	3	0	0	1	19	7	0	0	7
		Total	16	0	15	5	0	0	3	38	14	0	0	15
Local Retail PDS2	Weekday AM	In	-1	0	0	0	0	0	-10	-11	-1	0	0	-1
		Out	-1	0	0	0	0	0	-10	-11	-1	0	0	-1
		Total	-3	0	-1	0	0	0	-19	-23	-2	0	0	-2
	Weekday Midday	In	-8	0	-2	-1	0	0	-61	-72	-7	0	0	-7
		Out	-8	0	-2	-1	0	0	-61	-72	-7	0	0	-7
		Total	-16	0	-4	-3	0	0	-122	-145	-13	0	0	-13
	Weekday PM	In	-4	0	-1	-1	0	0	-32	-38	-3	0	0	-4
		Out	-4	0	-1	-1	0	0	-32	-38	-3	0	0	-4
		Total	-8	0	-2	-2	0	0	-64	-76	-7	0	0	-7
	Saturday	In	-5	0	-1	-1	0	0	-41	-49	-5	0	0	-5
		Out	-4	0	-1	-1	0	0	-34	-40	-4	0	0	-4
		Total	-10	0	-3	-2	0	0	-75	-89	-8	0	0	-8
Total	Weekday AM	In	10	0	9	3	0	0	7	30	9	1	1	11
		Out	56	1	52	18	1	0	14	142	51	1	1	52
		Total	67	1	62	21	1	0	20	172	60	1	1	63
	Weekday Midday	In	20	0	17	6	0	0	34	78	18	0	1	19
		Out	20	0	17	6	0	0	34	78	18	0	1	19
		Total	41	0	33	12	0	0	69	155	36	1	1	38
	Weekday PM	In	52	1	48	17	1	0	25	143	47	1	0	48
		Out	24	0	21	7	0	0	20	73	21	1	0	22
		Total	76	1	69	24	1	0	45	216	68	1	0	70
	Saturday	In	34	0	30	11	0	0	26	102	30	1	0	31
		Out	33	0	30	10	0	0	23	97	30	1	0	31
		Total	67	1	60	21	1	0	49	199	60	1	0	62

Note: In and Out volumes may not sum to Total volumes due to rounding.

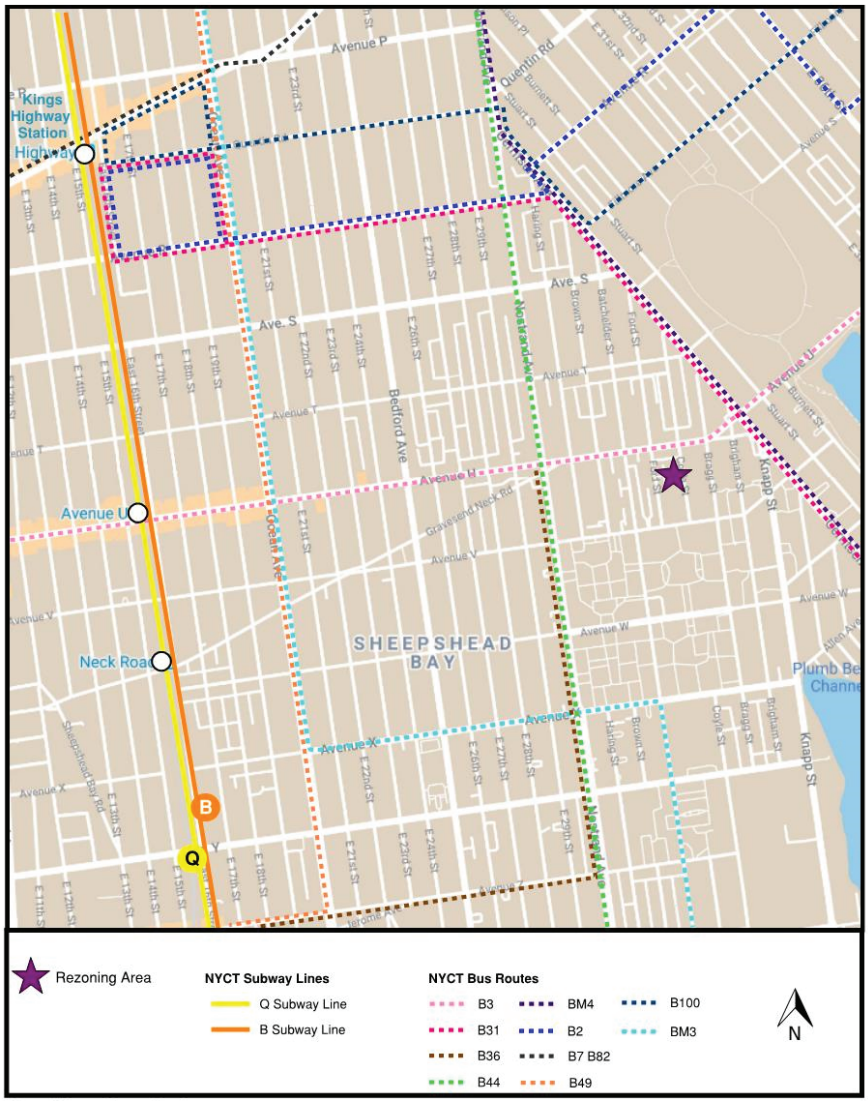
Traffic

As presented in Table H-2, the Proposed Actions would result in approximately 63, 38, 70, and 62 net incremental vehicle trips during the weekday AM, midday, PM, and Saturday midday peak hours, respectively. The net incremental vehicle trips during the weekday AM, PM and Saturday midday peak hours would exceed the CEQR Level 1 trip generation threshold (50 peak hour vehicle trip-ends). Therefore, a Level 2 screening assessment for potential project-generated vehicle trips was conducted for these three peak hours.

Transit

As shown in Figure H-1, the Rezoning Area is well-served by New York City Transit (NYCT) bus lines, which include the B3 line that runs east-west on Avenue U; the B31 and BM4 lines that run north-south on Gerritsen Avenue; and the B36, B44, and B44 SBS lines that run north-south on Nostrand Avenue. The Rezoning Area is also served by the NYCT Q subway line (Avenue U station) located approximately one mile to the west on Avenue U between East 15th Street and East 16th Street.

Figure H-1: Transit Map



As shown in Table H-5, the Proposed Actions would result in approximately 62, 33, 69, and 60 incremental subway trips; 21, 12, 24, and 21 incremental bus trips; and 1, 0, 1, and 1 incremental railroad trips during the weekday AM, midday, PM, and Saturday midday peak hours, respectively. Combining the subway, bus and railroad trips would result in a total of 84, 45, 94, and 82 incremental transit trips during the weekday AM, midday, PM, and Saturday midday peak hours, respectively. Based on this screening assessment, the Proposed Actions would generate fewer than 200 peak hour transit trips. According to the *CEQR Technical Manual*, typically only actions that would generate more than 200 peak hour transit trips may warrant a detailed transit assessment. Therefore, the project-generated transit trips would have a minimal effect on transit conditions and would not result in a significant adverse transit impact.

Pedestrians

As shown in Table H-5, the Proposed Actions would result in approximately 172, 155, 216, and 199 net incremental person trips in the weekday AM, midday, PM, and Saturday midday peak hours, respectively. The net incremental person trips during the weekday PM and Saturday midday analysis peak hours would come close to or exceed the CEQR Level 1 trip generation threshold (200 peak hour pedestrian trips). Therefore, a Level 2 screening assessment for potential project-generated pedestrian trips was conducted for these two peak hours.

Level 2 (Trip Assignment) Screening Assessment

A Level 2 screening assessment involves the assignment of project-generated trips to the study area street network, pedestrian elements and transit facilities, and the identification of specific locations where the increase in demand may potentially exceed *CEQR Technical Manual* analysis thresholds. If these thresholds are exceeded, quantitative analyses would be required to identify any adverse impacts that result from the Proposed Actions.

Traffic

As shown in Table H-5, the Proposed Actions would result in approximately 63, 38, 70, and 62 net incremental vehicle trips in the weekday AM, midday, PM, and Saturday midday peak hours, respectively. The net incremental person trips during the weekday AM, PM and Saturday midday analysis peak hours would exceed the CEQR Level 1 trip generation threshold (50 peak hour vehicle trips). Therefore, a Level 2 screening assessment for potential project-generated vehicle trips was conducted for the three peak hours.

There are multiple routes from nearby highway, major arterial and collector roads available to access and egress the Rezoning Area. This includes Coyle Street, which is the only street providing access and egress to and from the Rezoning Area. Project-generated vehicle trips were assigned through intersections in the study area based on the *CEQR Technical Manual* guidelines, prevailing travel patterns, and the existing roadway configuration. Traffic assignments for autos, taxis, and deliveries for individual development program components are discussed as follows:

Autos

Residential: Vehicular trips for the residential component were assigned within the study area based on guidance from U.S. Census Journey-to-Work Origin/Destination (O/D)

patterns and direct routes to and from the site. For conservative analysis purposes, all auto trips were assigned to and from the entrance of each building's parking garage on Coyle Street between Avenue U and Avenue V.

Local Retail: Vehicular trips for the local retail component were assigned to the study area roadways based on direct routes to and from the site. For conservative analysis purposes, these trips were assigned to and from the entrance to each building's parking garage on Coyle Street between Avenue U and Avenue V.

Taxis

Taxi trips were assigned to pick up and drop off on the west sidewalk of Coyle Street between Avenue U and Avenue V. Overall, the taxi trips were distributed to the study area streets following the same distribution patterns as the residential and local retail auto trips.

Deliveries

Delivery vehicle trips for all land uses were assigned to NYCDOT-designated truck routes. Delivery vehicles were assigned to the study area from regional origins via Flatbush Avenue and Avenue U. Delivery vehicles would access the Rezoning Area via Coyle Street.

Traffic Conclusion

Using these distribution patterns, the project-generated peak hour incremental vehicle trips were assigned to the study area intersections for the weekday AM, PM and Saturday midday peak hours (see Figures H-2, H-3 and H-4). Based on these traffic assignments, the Proposed Actions would generate fewer than 50 peak hour vehicular trips. According to the *CEQR Technical Manual*, typically only actions that would generate more than 50 peak hour vehicular trips at an intersection warrant a detailed traffic assessment. Therefore, the project-generated vehicular trips would have a minimal effect on traffic conditions and would not result in a significant adverse traffic impact.

Pedestrians

As shown in Table H-5, the Proposed Actions would result in approximately 172, 155, 216, and 199 net incremental person trips in the weekday AM, midday, PM, and Saturday midday peak hours, respectively. The net incremental person trips during the weekday PM and Saturday midday analysis peak hours would come close to or exceed the CEQR Level 1 trip generation threshold (200 peak hour pedestrian trips). Therefore, a Level 2 screening assessment for potential project-generated pedestrian trips was conducted for these two peak hours.

The pedestrian trips were assigned through the study area based on the *CEQR Technical Manual* guidelines, prevailing travel patterns, and the location of key transportation elements near the Rezoning Area, including transit stations and stops. For conservative analysis purposes, it was assumed that the residential and local retail auto person trips would park in close proximity of the Rezoning Area and would use the west sidewalk of Coyle Street between Avenue U and Avenue V to access and egress the development sites.

Using these distribution patterns, the project-generated peak hour incremental pedestrian trips were assigned to the study area sidewalks, crosswalks, and corners as presented for the weekday PM and Saturday midday peak hours (see Figures H-5 and H-6). Based on these pedestrian assignments, the Proposed Actions would generate fewer

than 200 peak hour pedestrian trips. According to the *CEQR Technical Manual*, typically only actions that would generate more than 200 peak hour pedestrian trips at a pedestrian element warrant a detailed pedestrian assessment. Therefore, the project-generated pedestrian trips would have a minimal effect on pedestrian conditions and would not result in a significant adverse pedestrian impact.

Conclusion

The Proposed Actions would not exceed CEQR Level 2 screening thresholds. Therefore, the Proposed Actions would not result in a significant adverse transportation impact and further analyses are not warranted.

I AIR QUALITY

I1 Introduction

According to *CEQR Technical Manual* (2020) guidelines, an air quality analysis is conducted to assess the effect of a proposed action on ambient air quality (i.e., the quality of the surrounding air), or effects on a proposed project because of ambient air quality. Air quality can be affected by mobile sources (such as pollutants produced by motor vehicles) and by stationary sources (such as pollutants produced by fixed facilities). An air quality assessment is carried out when actions have the potential to result in either significant adverse mobile source or stationary source air quality impacts. This section evaluates the potential for significant adverse air quality impacts that may result from the Proposed Actions, which would allow two new eight-story mixed-use buildings in the Rezoning Area.

I2 Methodology

This air quality analysis follows the guidelines set forth in the *CEQR Technical Manual*. For this project, a preliminary screening in the areas of HVAC, industrial source, mobile source, and large or major sources is warranted.

Stationary Sources

A stationary source preliminary screening evaluates the potential for a significant adverse air quality impact from the Proposed Development's heat and hot water systems. While the emissions stacks would be sited on the buildings' roofs, the specific stack locations are not yet known. To provide a conservative analysis, this assessment considers the distance between the building's roof and the nearest receptor of similar or greater height.

Consistent with the *CEQR Technical Manual* guidance, the exhaust stacks were assumed to be sited on the building bulkheads. Consistent with Building Code, all stacks will be required to be at least ten feet from the edge of the roof and at least three feet above the roof. The Proposed Development would allow two 100-foot-tall buildings (85-foot-tall

building plus a 15-foot-tall bulkhead). To conservatively assess the potential for project-on-existing impacts, an emissions height of 103 feet was assumed for both buildings.

While the Proposed Actions would allow up to 100-foot-tall buildings, the Applicant intends to develop a 70-foot-tall building (55-foot-tall plus 15-foot-tall bulkhead). Therefore, to conservatively analyze the potential for project-on-project air quality effects arising from a shorter building, this assessment also considers a 70-foot-tall building on Projected Development Site 1 and its potential effects on a 100-foot-tall building on Projected Development Site 2.

The fuel source for each building is not yet known; however, the recent updates to the New York City Energy Conservation Code highly incentivize the use of electricity as a fuel source. To allow a conservative assessment, both fuel oil #2 and natural gas were analyzed as potential fuel sources to represent worst-case conditions. To determine the nearest receptors of similar or greater height, the building roof heights in the New York City Department of Information Technology and Telecommunications' NYC Planimetric Database were reviewed. Building heights were also surveyed using available aerial imagery of the surrounding area. Using the data from the Planimetric Database and available aerial imagery, the certificates of occupancy issued by the Department of Buildings (DOB) for the nearest receptors of similar or greater height were reviewed on DOB's Building Information System to confirm building heights.

Industrial Source Analysis

The Proposed Actions would not introduce a new industrial air emissions source. Industrial source permits within 400 feet of the Project Area listed on DEP's Clean Air Tracking System (CATS) were reviewed for potential industrial sources. Site reconnaissance did not identify any facilities that have the potential to operate without a permit (such as unpermitted spray painting facilities) within 400 feet of the Rezoning Area.

Large or Major Source

The Proposed Actions would not introduce a large or major emissions source. Existing large or major sources within 1,000 feet of the Rezoning Area were reviewed using the New York State Department of Conservation's DEC Info Locator online application. The large or major emissions source nearest to the Rezoning Area is the Coney Island Wastewater Resource Recovery Facility, which is more than 3,000 feet to the southeast of the Rezoning Area. Because Proposed Actions would not introduce a new large or major source and there are no large or major sources within 1,000 feet of the Rezoning Area, a large or major source assessment is not warranted.

Mobile Source Analysis

Per the New York State Department of Transportation's Functional Classification Map, Coyle Street is a "paved road" and Avenue V is a "major collector road." As described in Attachment H, "Transportation," the worst case condition would be the PM peak hour, where there would be 15 incremental trips from Coyle Street to Avenue V, and 29 incremental trips from Avenue V to Coyle Street. Using these volumes and the worksheet provided in Chapter 17, Section 210 of the *CEQR Technical Manual*, the Proposed Project would result in 13 equivalent heavy-duty diesel vehicle (HDDV) trips.

Based on the percentage of Coyle Street and Avenue V incremental trips and their respective screen values (12 and 19 equivalent HDDVs), the weighted screen value for the intersection of Avenue V and Coyle Street would be approximately 17 HDDV equivalent-trips. The Proposed Project would result in 13 HDDV equivalent-trips and the intersection would pass the screening for $PM_{2.5}$. Therefore, a mobile source assessment for particulate matter 2.5 ($PM_{2.5}$) or particulate matter 10 (PM_{10}) was not warranted. Because the Proposed Actions would generate fewer than 170 peak hour trips a mobile assessment for carbon monoxide emissions was not warranted. Additionally, the Proposed Actions would not introduce new large parking facilities, and therefore a parking facilities analysis is not warranted.

Study Areas

For this project, a 400-foot study area around the Development Site was established for the heating, ventilation, and air conditioning (HVAC) and industrial source preliminary screenings. For large or major sources, a study area of 1,000 feet around the Project Area was established per CEQR guidance.

I3 Assessment

Stationary Sources

HVAC Screening Analysis

The Proposed Actions would allow buildings up to 100 feet tall. Figure I-1 shows existing building heights in the Study Area; there are no buildings that would be of similar or greater height to the proposed buildings. However, to conservatively assess the potential for project-on-existing impacts, the cumulative floor area of Projected Development Sites 1 and 2 (220,624 gsf) was used on Figure 17-5 of the *CEQR Technical Manual* assuming a stack height of 73 feet.

As shown in Figure I-1 there are no buildings of similar or greater height within 400 feet of the Rezoning Area. The tallest building within 400 feet of the Rezoning Area has a roof height 62 feet, which is nine feet below the worst-case stack height of 73 feet. Accordingly, as shown in Figure I-2, the Proposed Actions have no potential to result in project-on-existing impacts.

Figure I-1: Receptors 60 Feet or Taller Within 400 Feet of Development Site

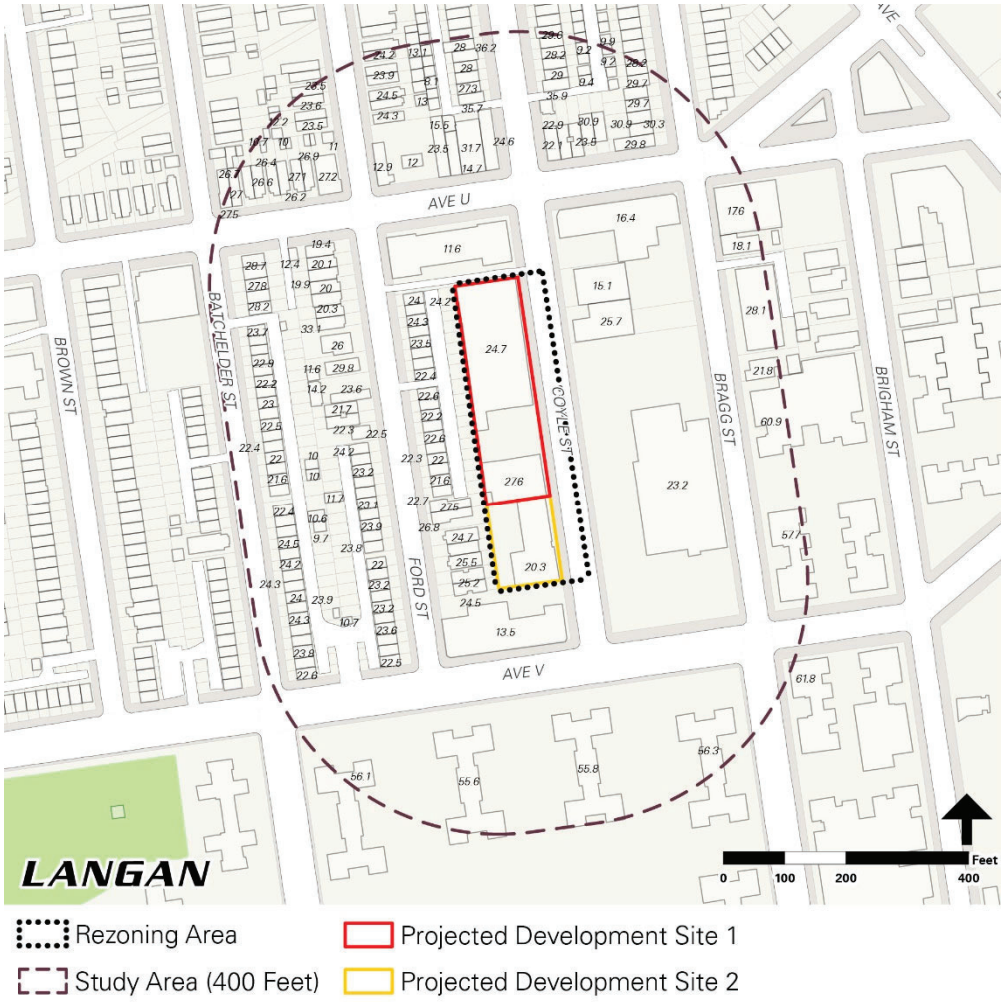
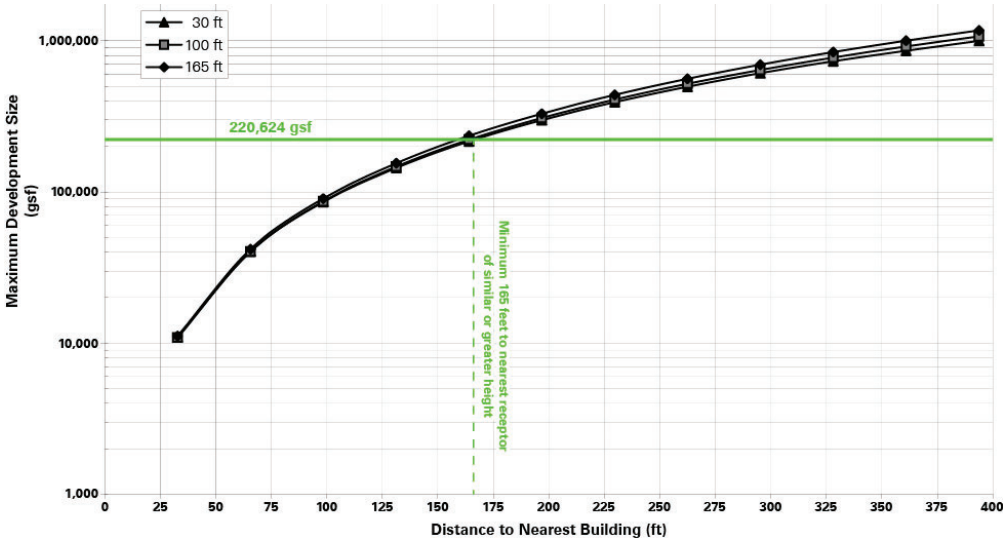


Figure I-2: SO_2 Boiler Screening for Residential Development – Fuel Oil #2



Because the Applicant intends to develop a 70-foot-tall building on Projected Development Site 1 and Projected Development Site 2 could be developed to a roof height of 85 feet (and a bulkhead height of 100 feet), an HVAC screening assessment was completed assuming a 70-foot-tall (55-foot-tall building plus 15-foot-tall bulkhead) on Projected Development Site 1. With the Applicant's proposed building height of 70 feet, Projected Development Site 1 would be taller than all other existing buildings in the Study Area except for Projected Development Site 2, which would be developed with a 100-foot-tall building. Therefore, because Projected Development Site 2 is greater in height and within 400-feet of Projected Development Site 1, an HVAC screening was warranted to assess the potential for project-on-project effects.

Consistent with Building Code, Projected Development Site 1's emissions would be released at least three feet above the bulkhead's roof level and at least ten feet from the edge of the bulkhead's roof. The stack height for Projected Development Site 1 would be 73 feet under worst-case conditions. Because the parking areas would not be served by the building's HVAC system, up to 135,408 gross square feet of floor area would be served by the building's HVAC system. The HVAC screening assessment for project-on-project effects of a 135,408-gsf building using natural gas and fuel oil #2 a fuel source is shown in Figure I-3 and Figure I-4.

Figure I-3: NO2 Boiler Screening for Residential Development - Natural Gas

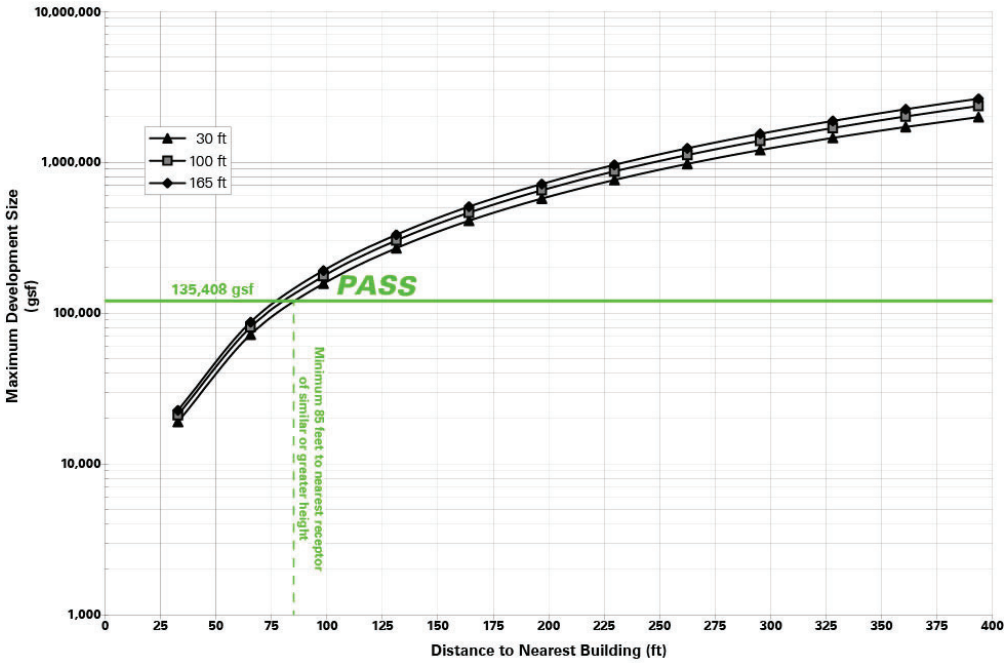
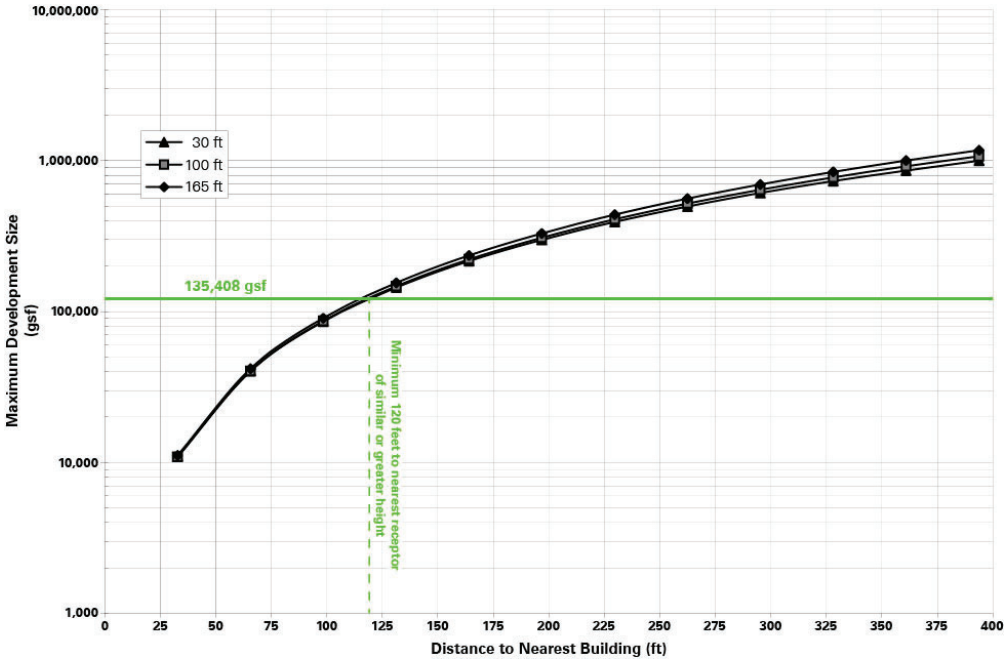


Figure I-4: NO_2 Boiler Screening for Residential Development – Fuel Oil #2



Relative to Projected Development Site 2, the emissions stack on Projected Development Site 1 would need to be located at least approximately 85 feet away if using natural gas, or 120 feet if using fuel oil #2 to preclude the potential for project-on-project impacts. Accordingly, to ensure the stack is located appropriately, an (E) Designation would be required:

Projected Development Site 1 (Block 7367, Lot 11)

Any new residential and/or commercial development must ensure the heating, ventilating, and air conditioning (HVAC) systems and hot water equipment stack is located at the highest tier and at least 73 feet above grade and at least 120 feet from the southern lot line facing Avenue V; if the new residential and/or commercial development use natural gas as the type of fuel for HVAC systems and hot water equipment, the stack must be located at least 73 feet above grade and at least 85 feet from the southern lot line facing Avenue V to avoid any potential significant adverse air quality impacts.

Projected Development Site 2 (Block 7367, Lot 29)

Any new residential and/or commercial development must ensure the heating, ventilating, and air conditioning (HVAC) systems and hot water equipment stack is located at the highest tier and at least 88 feet above grade to avoid any potential significant adverse air quality impacts.

Industrial Source Analysis (Air Toxics)

A review of the New York City Department of Environmental Protection (DEP) Clean Air Tracking System (CATS) database indicates there are three registered emissions sources are within 400 feet of the Project Area. Table I-1 shows these three sources are boilers.

Table I-1: Clean Air Tracking System (CATS) Search

BI	Lot	Address	Application	Type	Exp. Date
7367	29	2166 Coyle St	CB005905	Boiler	2/14/2020
7367	29	2166 Coyle St	CA155784	Boiler	5/10/2020
7369	27	2170 Brigham St	CA250598	Boiler	5/12/2020

According to the *CEQR Technical Manual*, projects near existing boilers for residential or commercial uses do not have the potential to result in significant adverse impacts and therefore do not warrant further analysis.

I4 Conclusion

The Proposed Actions would allow construction of two mixed-use buildings up to 100 feet tall in the Rezoning Area. There are no buildings within 400 feet of the Rezoning Area of similar or greater height. Accordingly, there would be no potential for project-on-existing impacts from HVAC emissions sources. The Applicant intends to develop a shorter building on Projected Development Site 1 than would be allowed by zoning. Therefore, to preclude project-on-project impacts, an (E) Designation would be mapped to specify the HVAC fuel source and emissions stack location. With the (E) Designation in place, the Proposed Actions would not result in a significant adverse project-on-project impact due to project-generated stationary sources.

There are no large or major emissions sources within 1,000 feet of the Project Area, and therefore detailed large or major source industrial emissions assessment is not warranted. A review of industrial emissions sources within 400 feet of the Project Area found three CATS permits issued for boilers, which do not warrant further analysis. Additionally, the Proposed Project would not introduce a new industrial source or a large or major emissions source.

Detailed mobile source assessment was not warranted because the Proposed Actions would generate fewer than 50 peak hour vehicular trips, fewer than 12 HDDV-equivalent peak hour vehicular trips at any intersection, and would not introduce a large parking facility. Therefore, the Proposed Actions would not result in significant adverse air quality impacts, and further assessment is not warranted.

J NOISE

J1 Introduction

According to the *CEQR Technical Manual*, the goal of a CEQR noise assessment is to determine both a proposed project's potential effects on sensitive noise receptors – such as residential, commercial, and institutional facilities and open spaces – and the effects of ambient noise levels on new sensitive uses introduced by a proposed project. If significant adverse impacts are identified, CEQR requires such impacts to be mitigated or avoided to the greatest extent practicable.

J1 Methodology

The initial impact screening considers whether a proposed project would generate any mobile or stationary sources of noise or would be located in an area with existing high ambient noise levels. For a mobile source analysis to be warranted, a project must have the potential to affect vehicular traffic noise, aircraft noise, and/or train noise. An initial noise assessment of a project's effect on vehicular traffic noise is warranted if a proposed project would generate or reroute traffic, or introduce a new receptor near a heavily trafficked thoroughfare.

A stationary source analysis is warranted if a proposed project would cause a substantial stationary source to be operating within 1,500 feet of a receptor and with direct line of sight to that receptor, or a project would introduce a receptor in an area with high ambient noise levels resulting from stationary sources, such as manufacturing activities or other loud uses. The Proposed Actions would introduce new uses sensitive to noise conditions; therefore, a noise analysis is warranted.

According to the *CEQR Technical Manual*, a mobile source noise assessment is required if a proposed project results in an increase in passenger car equivalent (PCE) values by 100 percent or more, which is the equivalent of a noise increase of 3 dB(A) or more. Based on the traffic analysis in Attachment H, "Transportation," the Proposed Action would generate fewer than 50-peak hour vehicle trips at any intersection. This volume of

vehicular traffic would not result in an increase in PCE values on any street by 100 percent or more and would have minimal effect on the ambient noise conditions; therefore, a mobile source noise analysis is not required.

Noise Standards and Criteria

The *CEQR Technical Manual* provides attenuation requirements for buildings based on exterior noise levels. Table J-1 shows the recommended noise attenuation values for buildings are designed to maintain interior noise levels of 45 dB(A) or lower for residential uses and 50 dB(A) or lower for commercial office uses and are determined based on exterior $L_{10}(1)$ noise levels.

Table J-1: Required Attenuation Values to Achieve Acceptable Interior Noise Levels

	Marginally Unacceptable				Clearly Unacceptable
Noise Level with Proposed Action	70 < L10 ≤ 73	73 < L10 ≤ 76	76 < L10 ≤ 78	78 < L10 ≤ 80	80 < L10
Attenuation [A]	(I) 28 dB(A)	(II) 31 dB(A)	(III) 33 dB(A)	(IV) 35 dB(A)	36 + (L10 – 80)[B] dB(A)

Notes:
[A] The above composite window-wall attenuation values are for residential dwellings. Commercial office spaces and meeting rooms would be 5 dB(A) less in each category. All the above categories require a closed window situation and hence an alternate means of ventilation.
[B] Required attenuation values increase by 1 dB(A) increments for L10 values greater than 80 dB(A).
Source: *CEQR Technical Manual*

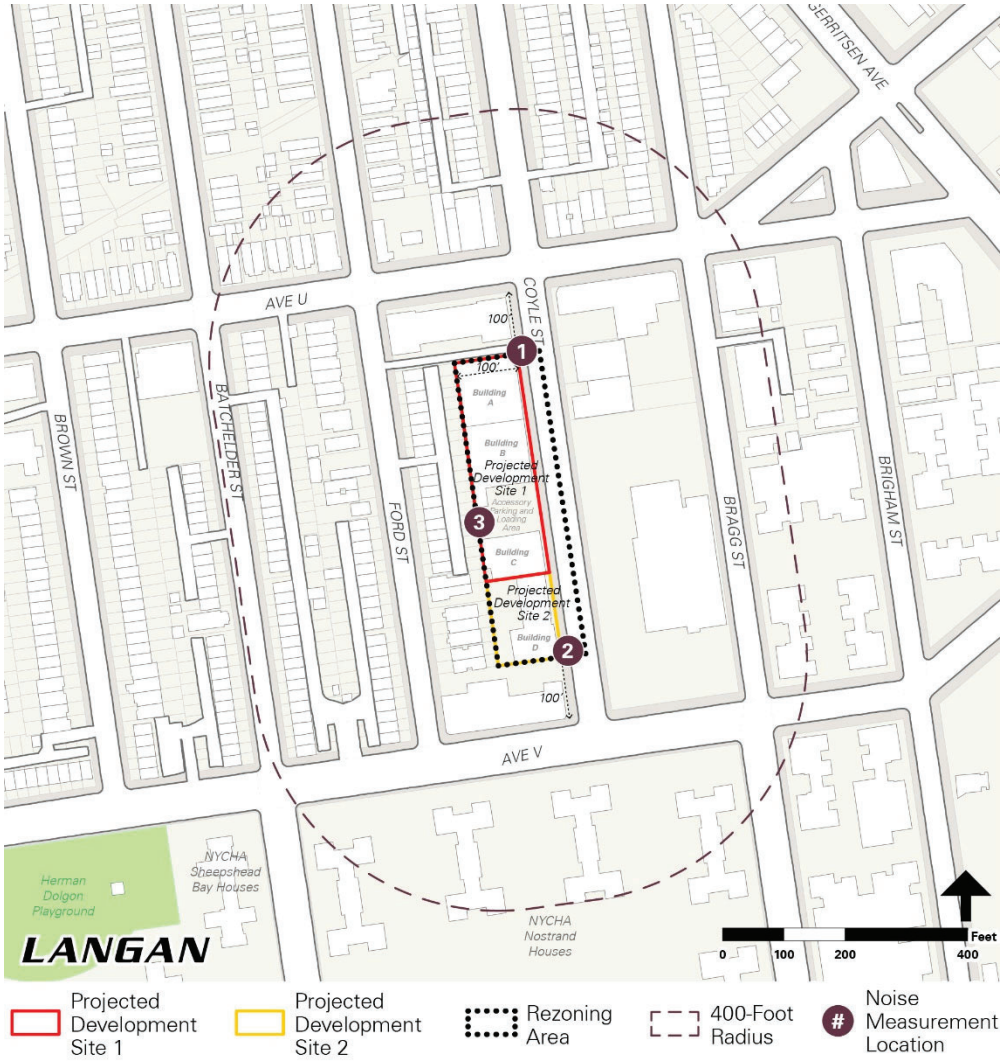
Noise Measurements

Existing noise levels in the Rezoning Area were measured at three representative locations. The noise survey locations were selected by examining the location of the Projected Development Sites, and the locations of the dominant sources of vehicular traffic noise. These locations are described in Table J-2 and Figure J-1.

Table J-2: Noise Measurement Locations

Receptor	Location
1	Northeast corner of Projected Development Site 1
2	Southeast corner of Projected Development Site 2
3	Rear yard of Projected Development Site 1

Figure J-1: Noise Measurement Locations



These measurements collectively represent the worst-case existing noise levels where the Proposed Actions would introduce noise-sensitive receptors, such as residential units or commercial spaces. The measured noise levels were then used to determine minimum window/wall attenuation requirements needed to satisfy CEQR interior noise level criteria.

Noise levels were measured for three 20-minute periods during a weekday peak period ¬– AM (7:30AM – 9:30 AM), midday (11:30AM – 1:30PM), and PM (4:00PM – 6:00PM), as well as a weekend midday period (11:30AM – 1:30PM).[8]

J2 Existing Conditions

Measurements were performed using an NTi XL2 sound level meter. During the measurements, the microphone was mounted on a tripod at a height of approximately 5 feet above the street level. Measurements at each location were made on the A-scale

[8] Measurements were taken on November 14, 2020, and November 18, 2020.

(dBA). The data was digitally recorded by the SLMs and displayed at the end of the measurement period in units of dB(A). Measured quantities included L_{eq}, L_{MAX}, L_{10}, L_{50}, and L_{90}. A windscreen was used during all sound measurements except for calibration. The results of the existing noise level measurements are summarized in Table J-3 along with the observed vehicle movements by vehicle classification type observed in each measurement period. The results for Receptor Location 2 represent the hour with the highest measured L_{10} noise level (68.4 dB(A)).

Table J-3: Existing Noise Levels at Receptor Locations and Vehicle Classification Counts

Measurement				Noise Levels					Vehicle Counts by Classification				
#	Location	Day	Time	Leq	LMAX	L10	L50	L90	Motorcycle	Auto	Med. Truck	Heavy Truck	Bus
1	Northeast Corner of Projected Development Site 1	Weekday	AM	61.4	87.0	61.4	54.1	50.0	1	29	1	0	1
			MD	60.4	79.2	63.1	57.5	52.2	See Note				
			PM	59.1	79.3	62.1	54.9	51.6	0	52	1	0	1
		Weekend	MD	58.0	73.3	61.2	54.8	52.3	0	62	2	0	0
2	Southeast Corner of Projected Development Site 2	Weekday	AM	68.1	91.8	68.4	60.8	55.2	0	32	1	1	1
			MD	60.7	77.2	63.1	58.0	55.0	0	61	1	0	0
			PM	63.4	87.2	63.6	58.6	54.6	0	75	1	0	0
		Weekend	MD	62.5	83.9	62.9	58.5	54.0	0	54	2	0	0
3	Rear Yard of Projected Development Site 1	Weekday	AM	53.5	65.1	55.9	52.0	49.5	0	0	0	0	0
			MD	53.5	63.2	55.7	52.1	50.2	0	0	0	0	0
			PM	49.8	63.8	52.9	47.6	44.5	0	0	0	0	0
		Weekend	MD	45.5	59.8	48.1	43.2	40.4	0	0	0	0	0

Note: Vehicle counts by classification were taken during the weekday MD peak hour at Location 1, however, these counts were lost due a to a file corruption issue, and cannot be confirmed.

At all receptor locations, vehicular traffic from the adjacent roadways was the dominant noise source. As defined in the *CEQR Technical Manual*, the existing noise levels at the receptor location falls within the "marginally acceptable" and "acceptable" categories.

J3 No-Action Condition

In the No-Action Condition, the existing conditions would remain and there would be no substantial changes to existing noise conditions. The No-Action noise levels would continue to be in the "marginally acceptable" and "acceptable" categories at the receptor locations.

J4 With-Action Condition

As shown in Table J-1, the *CEQR Technical Manual* has set noise attenuation values for building facades, based on exterior $L_{10(1)}$ noise levels. These recommended noise attenuation values are designed to maintain interior noise levels of 45 dB(A) or less for residential uses, and 50 dB(A) or less for commercial office uses.

A composite structure's attenuation is a function of the attenuation provided by each of the its component parts and the area making up each part. Normally, a building façade consists of a wall, glazing, and any vents or louvers associated with the building mechanical systems in various ratios of area. New development on the development sites would include acoustically-rated windows and an alternate means of ventilation (i.e., air conditioning) that would not degrade the acoustical performance of the façade, and would therefore be designed to provide a composite Outdoor-Indoor Transmission Class (OITC) rating to provide an interior noise environment of 45 dB(A) or less for residential

uses, and 50 dB(A) or less for commercial office uses. Table J-4 lists the With-Action worst-case noise conditions at each representative receptor location, and the required building attenuation values.

Table J-4: Building Attenuation Requirements

Measurement #	Representative Façades	Maximum L_{10}	Attenuation Requirement (dB(A))
1	North (side) and east (front) façade	63.1	N/A[1]
2	South (side) and east (front) façade	68.4	N/A[1]
3	West (rear) façade	55.9	N/A[1]

Notes:
[1] Maximum L10 is below 70 dB(A). The *CEQR Technical Manual* does not contain guidance for noise levels that are less than or equal to 70 dB(A).

As shown above in Table J-4, all measured L10 sound levels are "Marginally Acceptable" because the L10 noise conditions were below the 70 dB(A) threshold. With standard construction materials, new developments at the development sites would be able to provide an interior noise environment of 45 dB(A) or less for residential uses and 50 dB(A) or less for commercial office uses without the need for additional façade attenuation. Therefore, an E-Designation or other noise controls would not be required to meet the CEQR requirements for interior noise levels for residential or commercial uses.

Mechanical Systems

The design of and specification for building mechanical systems, such as heating, ventilation, and air conditioning (HVAC), would be designed to meet all applicable noise regulations (Subchapter 5, §24-227 of the New York City Noise Control Code and the New York City Department of Buildings Mechanical Code) to ensure that the equipment does not result in any significant increase in ambient noise levels.

J5 Conclusion

Noise measurements indicate the L_{10} noise conditions at the receptor locations are below 70 dB(A). For CEQR purposes, the noise levels are "Marginally Acceptable" per CEQR guidance for residential and commercial uses. With standard construction materials, new developments at the development sites would be able to provide an acceptable interior noise environment (45 dB(A) or less for residential uses, or 50 dB(A) or less for commercial office uses) without the need for additional façade attenuation. Therefore, the Proposed Actions would not result in significant adverse noise impacts, and no further analysis is necessary.

K NEIGHBORHOOD CHARACTER

K1 Introduction

This section assesses the Proposed Actions' potential effects on neighborhood character. As defined in the *CEQR Technical Manual*, neighborhood character is an amalgam of various elements that give a neighborhood its distinct "personality." These elements may include a neighborhood's land use, socioeconomic conditions, open space, historic and cultural resources, urban design and visual resources, shadows, transportation, and noise conditions; however, not all of these elements contribute to neighborhood character in all cases. For a proposed project or action, a neighborhood character assessment pursuant to CEQR should first identify the defining features of the neighborhood and then evaluate whether the project or action has the potential to adversely affect one or more of these defining features.

A project has the potential to affect a neighborhood's character by a combination of moderate effects or significant adverse impacts to any of the defining features of the neighborhood. Therefore, to determine the effects of a proposed action on neighborhood character, the relevant features of neighborhood character are considered cumulatively. In addition, a significant adverse impact identified in one of the technical areas that may contribute to a neighborhood's character is not automatically equivalent to a significant impact on neighborhood character, but rather serves as an indication that neighborhood character should be examined.

The Rezoning Area comprises a midblock portion of Coyle Street between Avenue U and Avenue V containing two tax lots – Block 7367, Lots 11 and 29. Projected Development Site 1 (Lot 11), is Applicant-owned and consists of three one-story retail buildings (Buildings A-C). Projected Development Site 2 (Lot 29) is not controlled by the Applicant and consists of a one-story retail building (Building D).

K2 Methodology

A neighborhood character assessment is generally needed when a proposed action has the potential to alter the conditions of the technical areas contributing to neighborhood character. A preliminary neighborhood character assessment determines whether anticipated impacts in identified technical areas may adversely impact a defining feature of the neighborhood. The preliminary assessment first identifies the defining features and then evaluates whether the proposed project or action has the potential to adversely impact those defining features, either through the potential for a significant adverse impact in a single relevant technical area or a combination of moderate effects in the relevant technical areas. A "moderate" effect is generally defined as being reasonably close to the significant adverse impact threshold for a particular technical analysis area.

The key elements that define neighborhood character, and their relationships to one another, form the basis of determining impact significance. In general, the more uniform and consistent the existing neighborhood character, the more sensitive it is to change. A neighborhood that has a varied context typically is able to tolerate greater change without experiencing significant impacts. If there is no potential for a proposed project or action to affect the defining features of neighborhood character, a detailed assessment is not warranted.

Study Area

According to the *CEQR Technical Manual*, the study area for a preliminary assessment of neighborhood character is typically consistent with the study areas in other relevant technical areas assessed, such as land use and urban design. Thus, the neighborhood character Study Area is a 400-foot radius around the Rezoning Area. The Study Area is generally bounded by Bragg Street to the east, Avenue V to the south, Avenue U to the north, and Batchelder Street to the west.

K3 Existing Conditions

The Study Area is in the Sheepshead Bay neighborhood of Brooklyn and is characterized as a mature predominately residential urban area of south Brooklyn with commercial and mixed-uses along the east-west through-streets. The principal vehicular routes through the Study Area are Avenue U and Avenue V, two east-west streets with two-way traffic and a mix of uses such as local retail, medical offices, and mixed-use buildings up to three stories in height. Coyle Street is a north-south two-way street with one travel lane and one parking lane for each travel direction.

The Study Area has a wide range of building types, uses, and building scales. South of the Rezoning Area along Avenue V is a one-story commercial building built up to the street, which is across from the multifamily elevator of the buildings Nostrand Houses NYCHA campus. The Nostrand Houses are arranged in a tower-in-a-park setting with six story buildings set back from the street line. Opposite the Rezoning Area across Coyle Street is a mix of one- and two-story commercial buildings that have varying front yard depths and no cohesive urban design pattern.

The residential uses in the Study Area includes low- to medium-density residential buildings between two and six stories. At a height of approximately 62 feet, the tallest

building in the Study Area is the multi-family elevator building at 2211 Bragg Street at the very edge of the Study Area at the southeast corner of Avenue V and Bragg Street. The areas to the west of the Rezoning Area along Ford and Batchelder streets are relatively uniform with two- and three-story attached brick residences with a relatively consistent setback from the street.

K4 Assessment

Land Use, Zoning, and Public Policy

The Proposed Actions would facilitate the construction of two mixed-use buildings on the Projected Development Sites consisting of residential and retail uses along Coyle Street. The With-Action Condition would establish the first R6A/C2-4 district in the Study Area. Both buildings in the With-Action Condition would be up to eight-stories tall and have a building height of up to 85 feet (100 feet including the bulkhead). With a roof height of 85 feet (or 100 feet including the mechanical bulkhead), the buildings in the Rezoning Area would be up to two stories taller than the tallest buildings in the Study Area, including 2211 Bragg Street and the NYCHA Nostrand Houses in the southern edges of the Study Area. While taller, these buildings would create new affordable housing opportunities, consistent with goals of multiple public policies such as OneNYC 2050 and Housing 2.0.

The land uses in the With-Action Condition would be similar to the surrounding land uses already found in the Study Area, which already contains retail and multifamily residential uses. The Proposed Actions would allow new mixed-use buildings on the development sites with active street frontage along Coyle Street.

Accordingly, the Proposed Actions would not result in any significant adverse impacts on neighborhood character in the area of land use, zoning, and public policy.

Socioeconomic Conditions

The Proposed Actions would facilitate demolition of the three one-story commercial buildings along Coyle Street resulting in the direct displacement of fewer than 100 employees, however, the Proposed Actions would result in more than 4,000 square feet of additional commercial area in the Rezoning Area over the No-Action Condition, allowing for new employment and retail opportunities. The Proposed Actions would result in fewer than 200 dwelling units in the neighborhood, and does not have the potential to significantly affect the socioeconomic conditions of the area. Further, the Proposed Actions would introduce 60 permanent income-restricted (affordable) units. Accordingly, the Proposed Actions would not result in a significant adverse neighborhood character impact in the area of socioeconomics conditions.

Open Space

The Proposed Actions would result in a net increase of 493 residents. The Study Area's residential open space ratio (OSR) is more than 2.5 acres per 1,000 residents, indicating the Rezoning Area is an area well-served by open space.

In the With-Action Condition, the OSR would continue to be above the citywide community district median of 1.5 acres of total open space, and city's planning goal of 2.5

acres of open space per 1,000 residents. In the With-Action Condition, the total OSR would decrease by less than five percent.

The Open Space Study Area contains portions of Marine Park, a regional park at 798 acres and the largest park in Brooklyn. Future tenants in the Rezoning Area would be expected to use the range of recreational facilities available at Marine Park, including active and passive recreation options. The Proposed Actions would not affect the character of Marine Park, or any other open space resources in the Study Area. Accordingly, the Proposed Actions would not result in a significant adverse impact on neighborhood character as a result of availability and utilization of open space resources.

Shadows

The Proposed Actions would facilitate the development of two buildings up to 100 feet (including the mechanical bulkheads). The shadow assessment shows that there are no sunlight-sensitive resources that can be shaded by project-generated buildings. Accordingly, the Proposed Actions do not have the potential to result in a significant adverse neighborhood character impact in the area of shadows, and no further analysis is warranted.

Historic and Cultural Resources

As part of the historic and cultural resources assessment, a request was sent to the Landmarks Protection Commission (LPC) for comment on the architectural and archaeological significance of the Development Site. LPC confirmed that there are no architectural or archaeological resources on the development sites and there would be no potential to result in significant adverse impacts to archaeological resources or eligible and/or designated architectural resources (see LPC correspondence in Appendix A).

Additionally, there are no historic resources within 400 feet of the Rezoning Area. Based on this information, the Proposed Actions would not result in a significant adverse impact on neighborhood character as a result of changes to the area's historic and cultural resources.

Urban Design and Visual Resources

The Study Area contains a mix of building types, uses, and scales, and there is no uniform urban design pattern in the Study Area. The Proposed Actions would introduce two mixed-use buildings along Coyle Street between Avenue U and Avenue V, where there is no cohesive urban design pattern. Both buildings would be built to the street line and provide active ground floor uses such as retail space and residential lobbies. Building A would be retained and integrated into the new building on Projected Development Site 1.

The architectural and urban design elements would introduce additional visual variety to the Coyle Street corridor and enhance current urban design conditions with high quality architecture. The Proposed Actions have the potential to introduce buildings up to two stories taller than the tallest buildings in the Study Area; however, the configurations of the development sites are such that the permitted FAR could be accommodated within fewer than eight stories or 85 feet.

There are no visual resources, open spaces, or natural resources in the Rezoning Area or Study Area. New buildings introduced by the Proposed Actions would alter certain

streetscape views within the Study Area in a manner that is typical of new development in urban areas. Accordingly, the Proposed Actions would not result in any significant adverse impacts on neighborhood character in relation to urban design and visual resources.

Transportation

The Proposed Actions would not modify the existing patterns of vehicular traffic through the Study Area and would generate fewer than 50 peak hour vehicular trips at any intersection over the No-Action Condition. While new development would generate nominal additional vehicular traffic, traffic would use existing vehicular routes to access the Rezoning Area. Avenue U and Avenue V would continue to function as the primary streets through the Study Area. Coyle Street would continue to function as a local street with commercial uses. The Proposed Actions do not involve mapping new streets, changing street directions, or other changes to transportation that have the potential to significantly alter movement patterns through the Study Area.

While the Proposed Actions would generate additional pedestrian activity along Coyle Street, there would be fewer than 200 incremental pedestrian trips at any pedestrian element. Accordingly, the Proposed Actions would not significantly modify the neighborhood's transportation characteristics and would not result in significant adverse impacts to the transportation character of the neighborhood.

Noise

Based on site observations, traffic is the main contributor to ambient noise levels around the Rezoning Area. Representative noise conditions were obtained in the Rezoning Area. The Proposed Actions would introduce two mixed-use buildings with uses sensitive to noise conditions. Mechanical equipment would comply with New York City Noise Code and would be typical of new construction. Project-generated vehicular traffic would travel along the existing street network and would not significantly alter traffic circulation patterns or volumes in a way that would significantly affect noise conditions. The Proposed Actions would not introduce a large modal share of truck trips because the new buildings are predominantly residential. Therefore, the Proposed Actions do not have the potential to result in a significant adverse neighborhood character impact in the area of noise.

K5 Conclusion

As stated in the *CEQR Technical Manual*, if a proposed project would have the potential to affect the defining features of the neighborhood, either through the potential for a significant adverse impact or a combination of moderate effects in relevant technical areas, then a detailed neighborhood character assessment would be required. The Study Area contains a mix of building types, uses, and scales. The Proposed Actions would not cause significant adverse impacts to the technical areas contributing to neighborhood character. In addition, the Proposed Actions would not, either individually or in combination, result in moderate adverse impacts on neighborhood character. Accordingly, there is no potential for the Proposed Actions to result in significant adverse impacts to neighborhood character, and further analysis is not warranted.

L CONSTRUCTION

L1 Introduction

According to the *CEQR Technical Manual*, construction activities, although temporary, may sometimes result in significant adverse impacts. Construction duration, a critical measure to determine a project's potential for adverse impacts, is categorized as short-term (less than 24 months) and long-term (24 months or more). For construction activities not related to in-ground disturbance, short-term construction generally does not warrant a detailed construction analysis. However, consideration of several factors – including the location and setting of the project in relation to surrounding uses, and the intensity of construction activities – may indicate that a project's construction activities, even if short-term, warrant analysis in additional areas such as transportation, hazardous materials, historic and cultural resources, noise, and air quality.

In the With-Action Condition, Projected Development Site 1 would be developed with an eight-story, 161,408 gsf mixed-use residential and commercial building with a height of 100 feet (85-feet plus 15-foot bulkhead), containing 103,321 gsf of residential area, 32,087 gsf of ground floor retail, and 63 accessory below-grade parking spaces. Projected Development Site 2 would be developed with an eight-story, 59,217 gsf mixed use residential and commercial building with a height of 100 feet (85 feet plus 15-foot bulkhead) containing 4,200 gsf of local retail, 49,017 gsf of residential space, and 21 accessory parking spaces.

Although neither development would require more than a 24 month construction schedule, the cumulative construction timeframe would be approximately 45 months, including a year between the completion of Projected Development Site 1 and the start of construction on Projected Development Site 2. Based on this anticipated schedule, a construction assessment is warranted.

Rezoning Area

The Rezoning Area is midblock along the west side of Coyle Street between Avenue U and Avenue V and is bounded by a one-story commercial retail building with accessory parking on the north, Coyle Street on the east, a one-story commercial retail building on the south, and, on the west, a row of two-story one and two family attached residences fronting along Ford Street. As a result of the Proposed Actions, new construction would occur on Projected Development Sites 1 and 2.

L2 Methodology

In the No-Action Condition, the existing conditions on the Rezoning Area would remain and no new construction would be anticipated.

In the With-Action Condition, construction would occur in two phases with a one-year gap between the completion of construction on Projected Development Site 1 (the Applicant's site) and the start of construction on Projected Development Site 2 (not controlled by the Applicant), for a total construction duration of 45 months from demolition to completion of the fit-out stage on Projected Development Site 2. The new buildings are expected to be fully operational and occupied by 2027 (the "Build Year"). The construction schedule was established by evaluating the condition of each development site, as well as the size and scale of the proposed buildings, including for Projected Development Site 2, which is not controlled by the Applicant.

Although neither building would require more than 24 months to complete construction, the cumulative timeframe would exceed 24 months; therefore, an assessment of construction effects is warranted. This construction assessment follows the guidance provided in the *CEQR Technical Manual*.

L3 Regulatory Agencies and Oversight

Compliance with New York City construction regulations is required regardless of the length of the construction period. In addition to the regulatory requirements, applicants must coordinate with New York City, New York State, and occasionally federal agencies to ensure that effects of construction are reasonably minimized.

New York City Air Pollution Control Code

All projects, whether or not subject to the requirements of CEQR, are required to comply with the New York City Air Pollution Control Code, which regulates fugitive dust under Section 1402.2-9.11, "Preventing Particulate Matter from Becoming Air-Borne; Spraying of Asbestos Prohibited; Spraying of Insulating Material and Demolition Regulated" (Title 24 of the Administrative Code of the City of New York, Chapter 1, Subchapter 6, Section 24-146).

New York City Asbestos Control Program

The purpose of the New York City Asbestos Control Program is to protect public health and the environment by minimizing the emission of asbestos fibers into the air when buildings or structures with asbestos-containing material are renovated, altered, repaired,

or demolished by ensuring that asbestos-containing material is handled appropriately and by individuals qualified to do so. The program includes specific procedures that must be followed to control the handling of asbestos during construction. In instances where demolition of an existing building could result in the release of asbestos, all applicable rules and regulations would be followed.

Required Permits from DOT's Office of Construction Mitigation and Coordination

Before permits can be issued by the New York City Department of Transportation (DOT) for general construction activity, sidewalk construction, canopy permits, traffic, bicycle detour, and pedestrian access plans must be approved by the DOT Office of Construction Mitigation and Coordination (OCMC). Among other matters, the OCMC approved pedestrian access plans will identify the extent to which any sidewalks and/or crosswalks would be closed or narrowed to allow for construction-related activity and describe how pedestrian access to adjacent land uses and intersections will be maintained.

New York City Noise Control Code

The New York City Noise Control Code, as amended by Local Law 113 of 2005, defines "unreasonable and prohibited noise standards and decibel levels" for the City of New York. The New York City Noise Control Code, Section 24-219, contains rules that prescribe "noise mitigation strategies, methods, procedures, and technology that shall be used at construction sites" when certain construction devices or activities occur. Additionally, the New York City Noise Control Code requires construction activities to occur between 7 AM and 6 PM Monday through Friday. Construction activities occurring outside the permitted days/hours would require an After Hours Variance from the Department of Buildings (DOB).

New York City Procedure for the Avoidance of Damage to Historic Structures

Regulations for the protection of historic structures are found in "Technical Policy and Procedure Notice #10/88, Procedures for the Avoidance of Damage to Historic Structures Resulting from Adjacent Construction When Subject to Controlled Inspection by Section 27-724 and for Any Existing Structure Designated by the Commissioner," issued by DOB. As noted previously, there are no historic structures on the development sites or within 90 feet of the Rezoning Area.

L4 General Construction Practices

Hours of Work

Construction activities will adhere to New York City laws and regulations, which generally permit construction work to begin at 7:00 AM on weekdays, with workers arriving to prepare work areas between 6:00 AM and 7:00 AM. Construction activities would typically cease around 3:30 PM, but on occasion can be extended to finish specific tasks, such as finishing a concrete pour of a floor deck. In the case of an extended workday, construction

activities would continue until about 6:00 PM and would only include the workers involved in the task requiring additional work time.

Occasionally, Saturday or overtime hours may be required to complete time-sensitive tasks. A permit from DOB and approval of a noise mitigation plan from the NYC Department of Environmental Protection (DEP) may be required for weekend work. The New York City Noise Control Code limits construction to weekdays between the hours of 7:00 AM and 6:00 PM and sets noise limits for specific pieces of construction equipment. Construction activities occurring after hours may be permitted only to accommodate: (i) emergency conditions; (ii) public safety; (iii) construction projects by or on behalf of city agencies; (iv) construction activities with minimal noise impacts; and (v) undue hardship resulting from unique site characteristics, unforeseen conditions, scheduling conflicts, and/or financial considerations. Similar to an extended workday during the week, only the workers and equipment needed to complete the specific task during weekend work are required. The typical weekend workday would be on Saturday from 7:00 AM to 5:00 PM, and the level of activity for any weekend work would be less than a normal workday.

Sidewalk Lanes and Closures

Traffic lanes, on-street parking, or sidewalks would be closed or protected during the construction period at varying lengths of time. The Office of Construction Mitigation and Coordination (OCMC) within DOT reviews and approves all Maintenance and Protection of Traffic (MPT) plans, which identify any planned sidewalk or lane closures and staging for all construction activities. Additionally, coordination with DOT would be necessary to determine the appropriate measures to ensure pedestrian safety surrounding the Rezoning Area.

For the Proposed Actions and depending on the stage of construction, truck movements would generally occur between 6:00 AM and 3:00 PM. No rerouting of traffic is anticipated during construction activities and all moving lanes on streets are expected to be available to traffic at all times. Due to construction activities, there may be temporary closing of on-street parking or sidewalks, but pedestrian circulation and access would be maintained through the use of a temporary sidewalk or be diverted to walk on the opposite side of the street. Additionally, the use of sidewalk enclosures or sidewalk bridges may be implemented.

Deliveries and Access

In the With-Action Condition, the construction site would be fenced off and access would be limited to construction-related activities. Workers and trucks that are not needed on the construction site would not be granted entry. Additionally, aside from the required workers on site, both security guards and flaggers may be posted as necessary. Security guards may patrol the Rezoning Area after hours and over the weekends to deter unauthorized access. Access points to construction areas would be locked and closed after hours.

Material deliveries to the Rezoning Area would be controlled and scheduled, with both workers and trucks required to pass through security points. Flaggers may be posted at each of the entry gates to assist delivery schedules and provide traffic aid when trucks enter and exit the on-street traffic streams.

Rodent Control

Construction contracts may include provisions for a rodent control program. Before the start of construction, the contractor would survey and bait the appropriate areas and provide for proper site sanitation as necessary. During construction, the contractor would carry out a maintenance program as necessary and signage on all baiting areas would be posted to protect the community along with appropriate public agency coordination. Additionally, only Environmental Protection Agency (EPA) and Department of Environmental Conservation (DEC) registered rodenticides would be permitted. A rodent control program would be required to be implemented in a manner that is not hazardous to the general public, domestic animals, and non-target wildlife.

L5 Primary Construction Tasks

Demolition

The development sites contain buildings that would be demolished in the With-Action Condition. In the demolition stage, the existing buildings would be torn down following established demolition regulations. Equipment used during the demolition stage would include high reach excavators, front end loaders, dozers, dump trucks, and compact excavators. Trucks would transport materials from the construction site to onward destinations such as processing facilities or landfills.

Excavation and Foundation

Excavation and foundation work would begin on each development site upon completion of demolition. Sheeting would be installed to hold back soil around the excavation area and excavators would then be used to remove soil to the appropriate depth. Below-grade elements and foundations would then be built for the new buildings.

Equipment that would be used during the excavation and foundation stage includes bar benders, compactors, compressors, front end loaders, dozers, pumps (concrete), impact pile drivers, gradalls, vibratory concrete mixers, and generators. During this construction stage, construction vehicles would include dump trucks, flatbed trucks, pickup trucks, and concrete mix and pump trucks. These trucks would assist the excavation and foundation process through the removal of excavated soil and demolished materials.

The foundations would not be waterproofed until a slab-on-grade is built after excavation is complete, creating the potential for water to accumulate in the excavated area. Water from rain and snow collected in the excavation area during construction would be removed as necessary using a dewatering pump. If dewatering is required, it would be performed in accordance with DEP sewer use requirements. Testing would be required to protect against contaminated groundwater before it can be discharged into the existing sewer system.

Superstructure, Envelope, and Façade

The superstructure of a building includes the building's framework such as beams, slabs, and columns. Construction of the interior structure, or core, of the building would include elevator shafts, vertical risers for mechanical, electrical and plumbing systems, electrical

and mechanical rooms, core stairs, and restroom areas. A crane would likely be used during the superstructure stage to lift structural components, façade elements, and other large materials. Superstructure construction activities would typically also require the use of rebar benders, welding equipment and a variety of trucks to support superstructure construction. In addition, temporary construction elevators (hoists) would be used for the vertical movement of workers and materials during superstructure activities.

Interior Fit-Out

This final stage of construction would include the construction of interior partitions, installation of lighting fixtures, interior finishes (such as flooring, painting, cabinetry, etc.), and mechanical and electrical work, such as the installation of elevators and lobby finishes. Final cleanup, building system (e.g., electrical system, fire alarm, plumbing, etc.) testing, and inspections would also be part of this stage of construction. Equipment used during interiors and finishing would generally include hoists, forklifts, scissor lifts, delivery trucks, and a variety of small hand-held tools. Interior fit-out activities would be limited to the interior of the building, and generally would not require the use of diesel machinery. The interior fit-out stage would generate significantly less heavy duty diesel vehicle trips to the Rezoning Area than the excavation and superstructure phases. The use of heavy machinery would also be minimal during this construction stage, thereby limiting the noise and air effects on the surroundings.

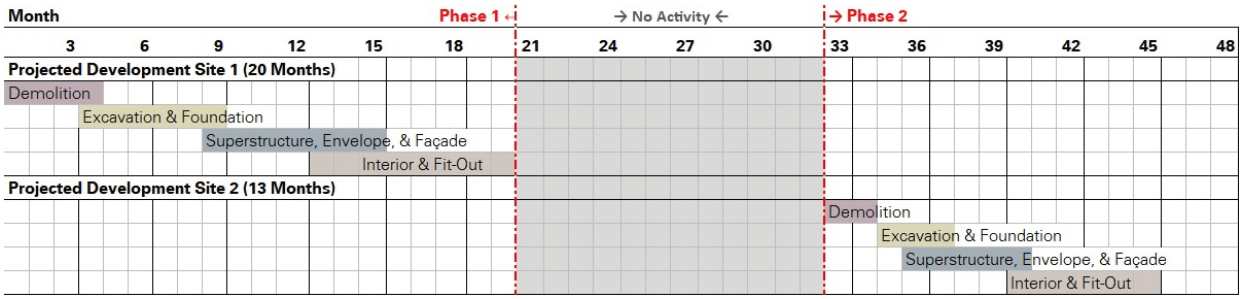
L6 Construction Sequencing

Construction facilitated by the Proposed Actions would occur on Projected Development Sites 1 and 2 over the course of approximately 45 months, including a year between the end of construction on Projected Development Site 1 and the start of construction on Site 2.

For Projected Development Site 1, activities related to demolition would occur over an approximately four month period, overlapping the six month completion of the excavation and foundation for a period of one month. Construction of the superstructure, envelope, and façade would occur over a seven month period and overlap slightly with the excavation and foundation phase. Lastly, the interior and fit-out activities would occur over an eight month period and would begin in month five of the superstructure, envelope, and façade stage, overlapping for approximately three months.

For Projected Development Site 2, activities related to demolition would occur over an approximately two month period, immediately followed by three months to complete excavation and foundation. Construction of the superstructure, envelope, and façade would occur over a five month period and would begin in month two of the excavation and foundation stage, overlapping for approximately two months. Lastly, the interior and fit-out activities would occur over a six month period and would begin in month five of the superstructure, envelope, and façade stage, overlapping for approximately one month. The illustrative construction schedule is shown in Figure L-1.

Figure L-1: Illustrative Construction Schedule



L7 Assessment of Project Construction

Projected Development Site 1

Projected Development Site 1 is under control of the Applicant. To allow time for construction documentation to be approved by the Department of Buildings, it is assumed that construction would commence on this site approximately six months after the Proposed Actions are approved. At no point would construction on Projected Development Site 1 generate more than 50 peak hour vehicular trips.

Demolition

Projected Development Site 1 currently contains approximately 26,430 gsf of commercial area in three one-story buildings (Buildings A-C), and an open parking and loading area between Buildings B and C.

In the With-Action Condition, Buildings B and C on Projected Development Site 1 would be demolished over an approximately four month period. Building A would be retained and its retail use would remain open throughout the construction period.

Excavation and Foundation

The excavation and foundation work would involve in-ground disturbance, and would occur over a six month period. Excavation would occur outside of Building A's footprint. The area under Building A would not be excavated. Measures would be undertaken to underpin Buildings A and D during the excavation and foundation period. Excavation and foundation activities on Projected Development Site 1 would overlap with the prior demolition stage for approximately one month.

Superstructure, Envelope, and Façade

The superstructure, envelope, and façade stage is anticipated to occur over a seven month period for Projected Development Site 1, and activities would overlap with the prior excavation and foundation stage for approximately one month.

Interior Fit-Out

As described previously, the interior fit-out stage would generate significantly less heavy duty diesel vehicle trips compared to previous stages of construction and require limited use of heavy machinery. The interior fit-out stage is anticipated to occur over an eight

month period for Projected Development Site 1, and activities would overlap with the prior superstructure, envelope, and façade stage for approximately three months.

Projected Development Site 2

Projected Development Site 2 is not under control of the Applicant. It is assumed that construction would occur on this site one year after construction completes on Projected Development Site 1. At no point would construction on Projected Development Site 2 generate more than 50 peak hour vehicular trips.

Demolition

Projected Development Site 2 currently contains approximately 7,920 gsf of commercial area in four separate retail spaces located in a one-story retail building fronting Coyle Street (Building D). This building would be demolished to allow a new mixed-use building.

Approximately one year after construction is completed on Projected Development Site 1, construction at Projected Development Site 2 would commence with demolition activities occurring over an approximately two month period.

Excavation and Foundation

The excavation and foundation work would involve in-ground disturbance, and would occur over a three month period. Measures would be undertaken to underpin the newly constructed building on Projected Development Site 1.

Superstructure and Façade

The superstructure, envelope, and façade stage is anticipated to occur over a five month period for Projected Development Site 2, and activities would overlap with the prior excavation and foundation stage for approximately two months.

Interior Fit-Out

The interior fit-out stage is anticipated to occur over a six month period for Projected Development Site 2, and activities would overlap with the prior superstructure, envelope, and façade stage for approximately one month.

Construction Stages Summary

Ultimately, Projected Development Sites 1 and 2 would be constructed over the course of approximately 45 months, including a one year gap between construction completion on Projected Development Site 1 and construction commencing on Projected Development Site 2. From demolition to completion of interior fit-out, both projected development sites 1 and 2 are expected to be fully operational by 2027 (the "Build Year"). Typical of new construction projects, air quality and noise emissions would be elevated during construction, however, the effects would be temporary and typical of other infill construction projects in mature urban areas of New York City.

Accounting for the interior fit-out stages where construction-generated noise and air quality emissions would be minimal, construction activities that have the most potential to result in negative externalities with regard to air quality and noise are limited to a maximum term of approximately 15 months during the construction on Projected

Development Site 1 and eight months during the construction on Projected Development Site 2. During the demolition stage, equipment to be used would include high reach excavators, front end loaders, dozers, dump trucks, and compact excavators. During the excavation and foundation stage, construction equipment would include bar benders, compactors, compressors, front end loaders, dozers, pumps (concrete), impact pile drivers, gradalls, vibratory concrete mixers, and generators. A crane, rebar benders, welding equipment and a variety of trucks would support construction in the superstructure and façade stage.

Historic Resources and Hazardous Materials

LPC correspondence provided at Appendix A indicates the Rezoning Area does not contain historic resources. There are no historic resources within 400 feet of the Rezoning Area; therefore, the Proposed Actions do not have the potential to result in significant adverse construction effects to historic resources. However, because the Rezoning Area has Recognized Environmental Concerns (RECs), a preliminary assessment of construction effects on hazardous materials is warranted (see Attachment F, "Hazardous Materials" and Phase I ESA at Appendix F). The projected development sites would receive an E-Designation for hazardous materials. The E-Designation would require coordination with the Mayor's Office of Environmental Remediation to satisfy the E-Designation requirements. If conditions warrant, the E-Designation may require a Remedial Action Plan (RAP) and Construction Health and Safety Plan (CHASP) to be prepared prior to construction activities, thereby precluding the potential for significant adverse construction impacts in the area of hazardous materials.

L8 Conclusion

The Proposed Actions would facilitate the demolition of Buildings B, C, and D in the Rezoning Area to allow two new mixed-use buildings in the With-Action Condition. The most intensive construction activities regarding air quality and noise emissions – the Excavation and Foundation and Superstructure, Envelope, and Façade stages - would be temporary and limited to a maximum term of approximately 15 months during the construction on Projected Development Site 1, and eight months during the construction on Projected Development Site 2. The construction effects would be typical of infill development in mature urban areas and would follow established construction regulations.

Cumulatively, construction activities would occur over 45 months, including a one-year gap between construction activities on Projected Development Site 1 and Projected Development Site 2; however, the final five months of construction on each development site would consist exclusively of interior and fit-out activities. At no point in the construction stages would the Proposed Actions generate more than 50 peak hour vehicular trips.

Through the adherence of the E-Designation requirements (E-620) construction related effects from hazardous materials would be minimized. Additionally, other construction-related effects in the areas of transportation, air quality, and noise effects would be temporary and typical of new infill development. Construction at Projected Development Sites 1 and 2 would be considered short term, and construction at each site would last fewer than 24 months, with a one-year gap between construction activities on each site.

Therefore, the Proposed Actions would not result in a significant adverse construction impact, and no further analysis is warranted.

Appendices

A

Coyle Street Rezoning
LPC Correspondence

LANGAN

NYC Landmarks Preservation Commission

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

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

ENVIRONMENTAL REVIEW

Project number: DEPARTMENT OF CITY PLANNING / LA-CEQR-K
Project: COYLE STREET REZONING
Date Received: 9/10/2020

Properties with no Architectural or Archaeological significance:
1) 2134 COYLE STREET, BBL: 3073670011
2) 2156 COYLE STREET, BBL: 3073670029

Gina Santucci 9/17/2020

SIGNATURE DATE
Gina Santucci, Environmental Review Coordinator

File Name: 35170_FSO_DNP_09172020.docx

B

Coyle Street Rezoning
Architectural Drawings

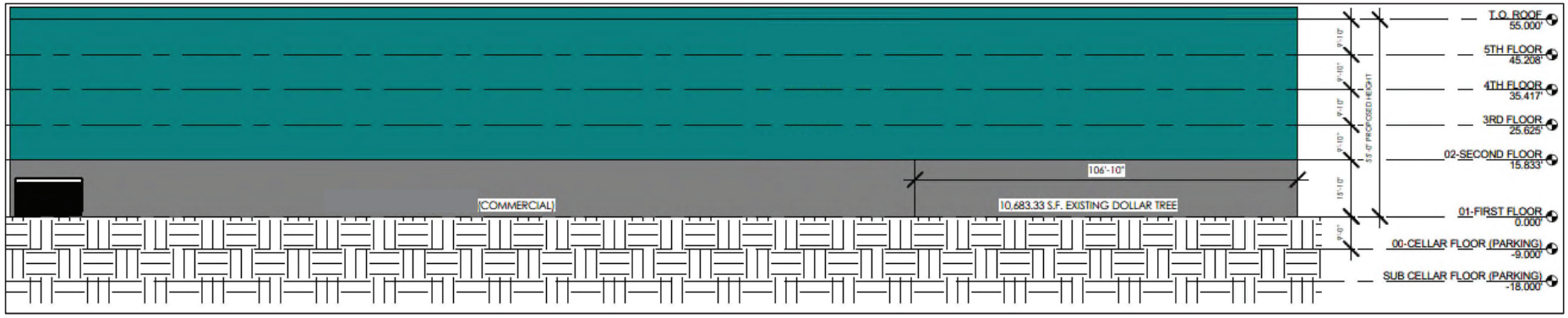
Prepared by BDF Designs

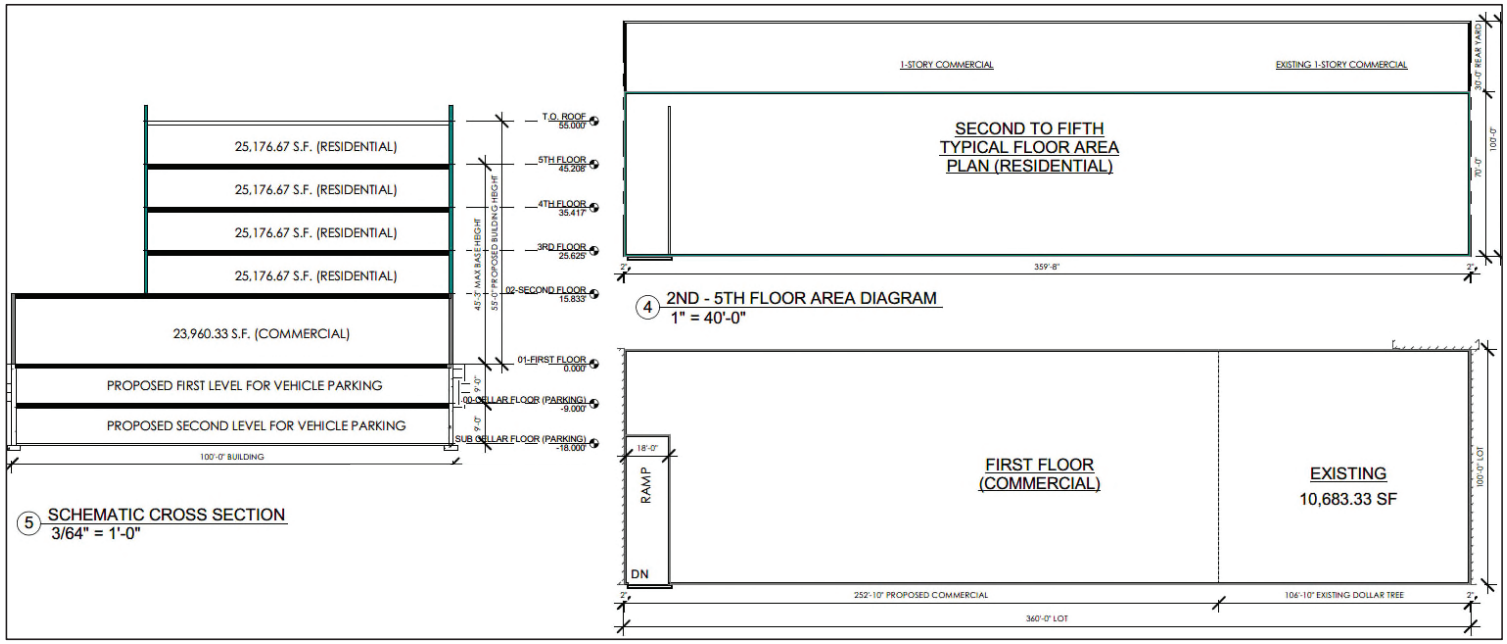
LANGAN


bdf design

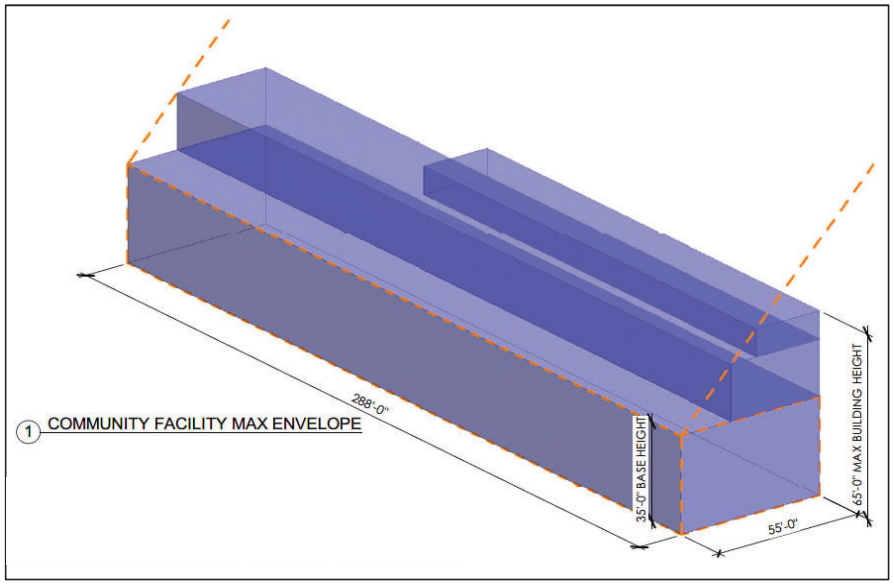

bdF design

ENVELOPE UNDER THE PROPOSED R6A/C2-2 DISTRICT

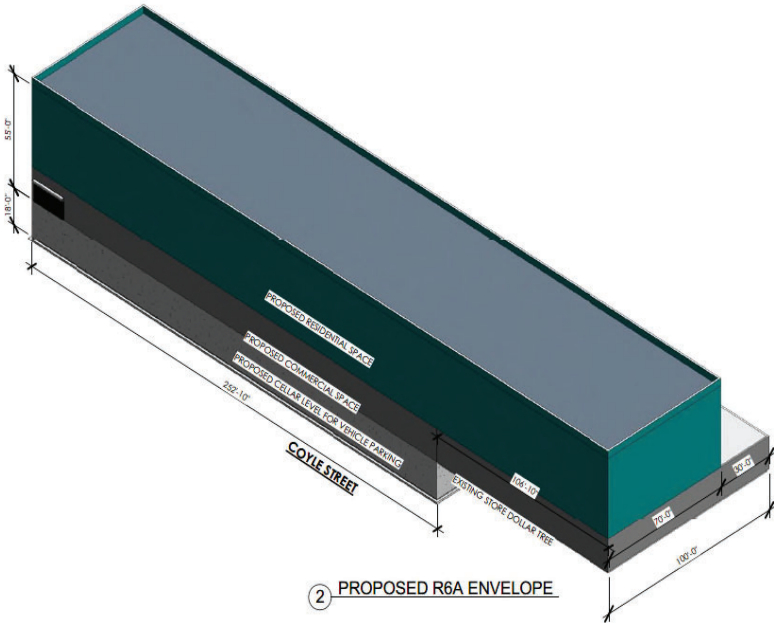




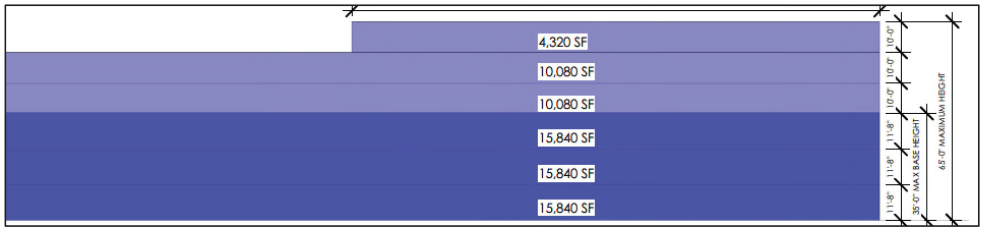
As-of-right Community Facility Building vs. Proposed Mixed-use Building

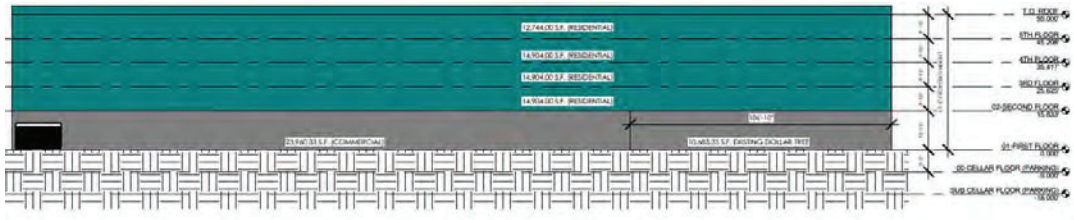


1 COMMUNITY FACILITY MAX ENVELOPE

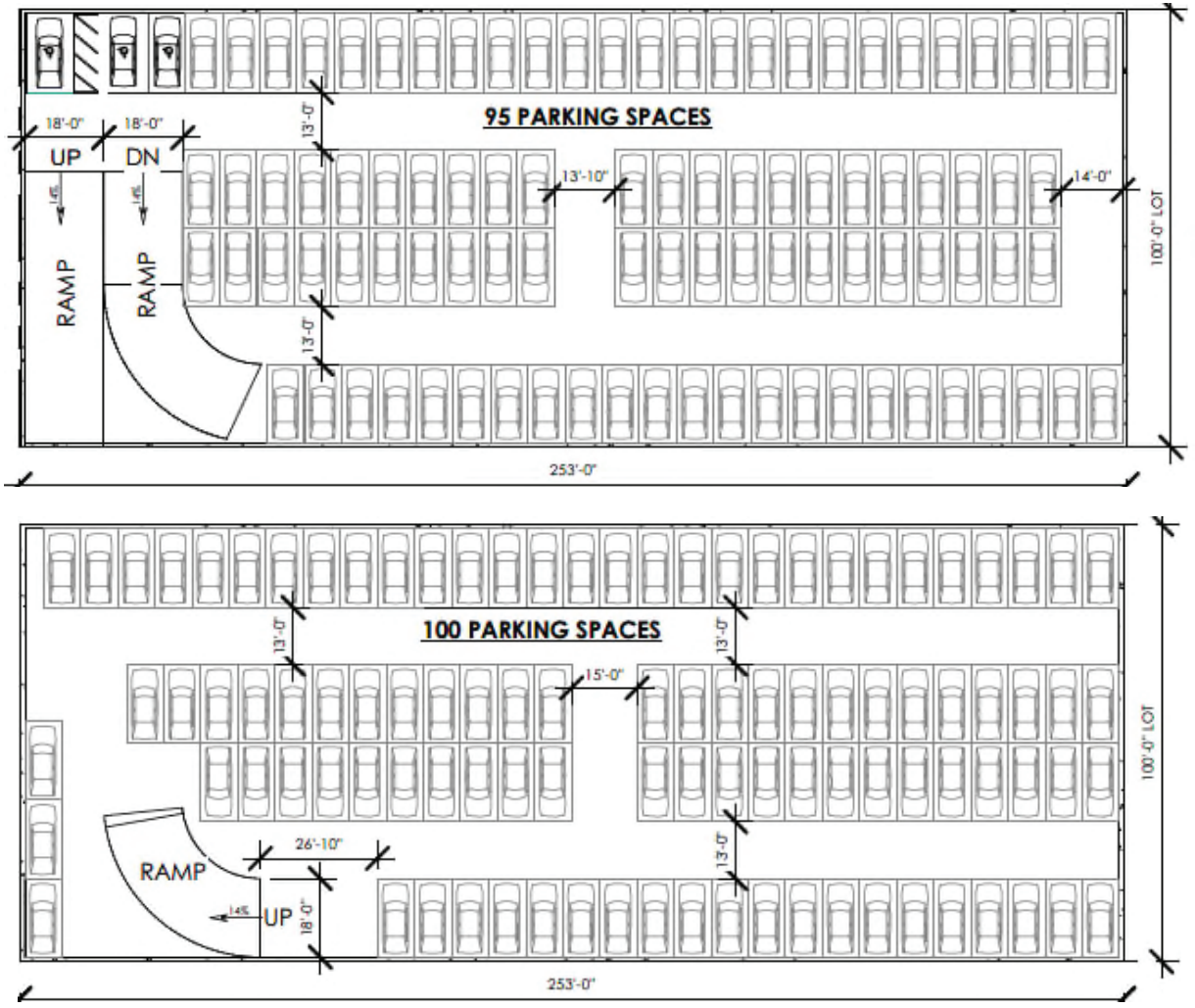


2 PROPOSED R6A ENVELOPE





195 parking spaces on **two** sub-grade levels



C

Coyle Street Rezoning
RWCDS

LANGAN

Reasonable Worst Case Development Scenario

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

This is the RWCDS Form, which may be used for either site-specific or generic/area wide actions. Please fill it out once the proposed action(s) have been finalized. **The RWCDS requires that you submit all three Parts (and attachments) at the same time in one PDF file to your Environmental Project Manager**: Part I, this Form; Part II, the RWCDS Analysis Framework Table; and Part III, the RWCDS Analysis Framework Spreadsheet. Please refer to the attached Instructions for guidance. Please use 9pt font size and adhere to word limits. If you have questions, please contact your Environmental Project Manager.

SECTION 1 GENERAL INFORMATION

DATE	9/23/2020		
1a. APPLICANT NAME	Coyle Properties LLC		
1b. PROJECT NAME	Coyle Street/Avenue U Rezoning	**1c. PROJECT ID**	2020K0270
1d. BOROUGH	Brooklyn	**1e. COMMUNITY DISTRICT**	15

1j. IS THE APPLICANT'S PROPOSED PROJECT THE REASONABLE WORST CASE DEVELOPMENT SCENARIO? *If yes, please explain why below. If no, please skip this continue to Section 2.* ☐Yes ☒No

50 words

SECTION 2 PROPOSED ACTION(S)

If there are more than three, please attach a separate sheet and include the Project ID.

2a. ACTION		2b. ZONING RESOLUTION SECTION(S)		
# 1	Zoning Map Amendment	ZR section: Map 29a	to modify	ZR section: R4/C1-2 to R6A/C2-4
# 2	Establish a Mandatory Inclusionary Housing (MIH) Area	ZR section: Appendix F	to modify	ZR section: Appendix F
# 3		ZR section:	to modify	ZR section:

2c. DOES THE PROPOSED ACTION(S) INCLUDE A ZONING TEXT AMENDMENT FOR MIH? ☒ Yes ☐ No ☐ Don't Know

2d. DO YOU PLAN ON DEVELOPING A 100% AFFORDABLE HOUSING DEVELOPMENT? ☐ Yes ☒ No

2e. IS THE APPLICANT SEEKING ACTIONS FROM OTHER CITY/STATE/FEDERAL AGENCIES? *Please note that financing for affordable housing is considered an action.* ☐ Yes ☒ No ☐ Don't Know

SECTION 3 PROJECT DESCRIPTION

3a. HAS THE PROJECT CHANGED SINCE SUBMISSION OF THE PRE-APPLICATION STATEMENT (PAS)? *Please ensure your answers to 3b and 3c below account for any changes since submission of the PAS.** ☒ Yes ☐ No

Previously, the PAS indicated the Applicant intended to rezone Projected Development Site 1 to a R6B zoning district with a C2-2 overlay. With input from DCP and the Community Board, the Applicant now intends to rezone Projected Development Sites 1 and 2 to a R6A/C2-4 zoning district. The Rezoning Area (Block 7367, Lots 11 and 29) is entirely within an R4/C2-1 zoning district (the C1-2 zoning overlay is mapped to a depth of 100 feet from Coyle Street).

3b. DESCRIPTION OF THE PROPOSED PROJECT AREA/AFFECTED AREA; DESCRIPTION OF THE PROPOSED PROJECT SITE(S)/DEVELOPMENT SITE(S) *(refer to the PAS, page 6, question 4)*

Brooklyn Block 7367, Lot 11 (Projected Development Site 1) is an interior zoning lot with 360 feet of frontage along Coyle Street, and a lot depth of 100 feet. Projected Development Site 1 contains approximately 26,430 gross square feet (gsf) of commercial area across three buildings occupied by a general retail store (Dollar Tree) on the northern portion of the lot and a hardware distributor in the southern portion of the lot. All three buildings on the Development Site are one-story buildings and are built to the lot line along Coyle Street. Projected Development Site 1 also contains an open parking/ loading area between the two hardware distribution warehouses. There is a curb cut along Coyle Street to access the parking/ loading area.

Brooklyn Block 7367, Lot 29 (Projected Development Site 2) is an interior zoning lot with 140 feet of frontage along Coyle Street, and a lot depth of 100 feet. Projected Development Site 2 contains approximately 7,920 gsf of commercial area across four retail spaces in two one-story buildings that are built to the lot line along Coyle Street. The property is occupied by a bank, dry cleaning facility, tailor, and appliance repair facility. There is no accessory parking on Projected Development Site 2.

400 words

*Any change to the Project during Environmental Review will require you to submit a revised RWCDS prior to Certification.

3c. DESCRIPTION OF THE PROPOSED PROJECT/DEVELOPMENT *(refer to the PAS, page 6, question 5)*
Previously, the PAS indicated the Applicant intended to rezone Projected Development Site 1 from an R4/C1-2 to R6B/C2-2, which would have permitted a residential FAR of 2.2, a commercial FAR of 2.0, and a community facility FAR of 2.0. The Applicant now proposes to rezone Lots 11 and 29 to an R6A/C2-4 district (the district would be mapped to a depth of 100 feet from Coyle Street beyond 100 feet from both Avenue U Avenue V. The Proposed Actions would permit a maximum residential FAR of 3.6, a commercial FAR of 2.0, and a community facility FAR of 3.0 in the proposed R6A/C2-4 district.

The Proposed Actions would facilitate the Proposed Development, a five-story (70 feet, including 15 foot bulkhead), 207,408 gsf building containing 103,321 gsf of residential area, 32,087 gsf of ground floor retail area, and 72,000 gsf (195 spaces) of accessory parking on Projected Development Site 1. The Proposed Development would contain approximately 148 dwelling units (DU), of which approximately 45 would be designated as permanently affordable (of which 30 would be reserved for households earning up to 80 percent of the Area Median Income (AMI)).

300 words

SECTION 4 SITE HISTORY

The Rezoning Area was mapped with an R4 zoning district in 1961 and the C1-2 commercial overlay was later mapped in 1964. The existing commercial buildings on Projected Development Site 1 and 2 were constructed in 1956 and 1955, respectively.

A review of past actions by the City Planning Commission and the NYC Board of Standards and Appeals found no other past discretionary land use approvals applicable to Projected Development Site 1.

100 words

SECTION 5 BUILD YEAR

Base this section on Part III, RWCDS Analysis Framework Spreadsheet
CEQR Technical Manual (page 2-4)

5a. BUILD YEAR 2027	**5b. CONSTRUCTION PHASING** ☒ Single ☐ Multiple

5c. RATIONALE BEHIND THE BUILD YEAR
Assuming the proposed rezoning would take two years to be approved (including approximately seven months for ULURP), approximately six months for construction documentation, and up to two years for demolition and construction, the build year for the Proposed Development would be 2025.

Projected Development Site 2 would require an additional two years to commence construction after ULURP, to allow the retail spaces to be vacated, followed by up to two years for construction, for a build year of 2027.

50 words

SECTION 6 PURPOSE AND NEED FOR THE PROPOSED ACTION(S)

CEQR Technical Manual (page 2-2)

The Rezoning Area has been zoned R4/C2-1 since 1964 and no new development has occurred on the Rezoning Area since 1955. The surrounding area is comprised residences constructed predominately in the 1940s and 1950s, consisting of single-family residences, midrise multi-family buildings. Commercial establishments are along Avenue U to the north and Coyle Street. The Proposed Actions are needed to encourage the redevelopment of Projected Development Site 1 into a mixed-use, midrise, multi-family development with affordable dwelling units and ground-floor retail, consistent with the surrounding area.

Additionally, pursuant to MIH, the Proposed Development would include approximately 45 permanently affordable dwelling units (30 units for households with incomes averaging at or below 80 percent AMI). The Proposed Project would support the vision set forth in Mayor Bill de Blasio's Housing New York: A Five-Borough, Ten-Year Plan to create and preserve affordable housing in New York City by providing permanently affordable dwelling units.

250 words

SECTION 7 DEVELOPMENT SITE ASSUMPTIONS

CEQR Technical Manual (pages 2-6 and 2-7, 2-10 and 2-11)

This RWCDS assumes that Projected Development Sites 1 and 2 would use all of the permissible FAR that would be available in the With-Action Condition. The RWCDS for Projected Development Site 1 would have a floor area schedule consistent with the Proposed Development, but unlike the Proposed Development, would extend up to a height of 100 feet (85 feet plus 15-foot bulkhead), and contain the minimum required accessory parking.

At Projected Development Site 2, it was assumed 30 percent of the lot area would be occupied by local retail uses (with an assumed GFA-ZFA deduction of one percent), and the remaining permissible FAR would be residential uses (with a GFA-ZFA deduction of six percent). Projected Development Site 2 would also rise to a maximum height of 100 feet (85 feet plus a 15-foot bulkhead) and contain the minimum required accessory parking. It was assumed 15 DU (30 percent) would be permanently affordable units for households earning 80 percent or less of the AMI.

400 words

SECTION 8 NO-ACTION SCENARIO

CEQR Technical Manual (page 2-5)

Base this section on Part III - RWCDS Analysis Framework Spreadsheet

8a. DESCRIBE THE NO-ACTION SCENARIO *If this is the same as existing conditions, please skip and continue to Section 9.*
Absent the Proposed Actions, the existing conditions would remain.

250 words

8b. HOW DID YOU DETERMINE THIS NO-ACTION SCENARIO?

100 words

SECTION 9 WITH-ACTION SCENARIO

CEQR Technical Manual (page 2-7)

Base this section on Part III - RWCDS Analysis Framework Spreadsheet

9a. DESCRIBE THE WITH-ACTION SCENARIO

For RWCDS purposes, the Proposed Actions would facilitate a 100-foot-tall (85-foot building plus 15-foot bulkhead), 161,408 gsf building containing 103,321 gsf of residential area, 32,087 gsf of ground floor retail area (the existing Dollar Tree would remain), and 63 accessory below-grade parking spaces at Projected Development Site 1. Projected Development Site 1 would have 148 DU, of which approximately 45 will be designated as permanently affordable for households earning up to 80 percent of the AMI.

Projected Development Site 2 would be improved with an eight-story, 59,217 gsf of mixed use residential and commercial building with a height of 100 feet (85 feet plus 15-foot bulkhead) containing 4,200 gsf of local retail, 49,017 gsf of residential space (50 DU, of which 15 would be permanently affordable units at or below 80 percent AMI), and 21 accessory parking spaces. An illustrative ground floor plan for Projected Development Site 2 is shown in Figure 2.

250 words

9b. HOW DID YOU DETERMINE THIS WITH-ACTION SCENARIO?

The Proposed Development and The With-Action Condition would both maximize the available floor area on Projected Development Site 1; however, the Proposed Development would not maximize the permissible building envelope and would provide parking spaces beyond the minimum amount required pursuant to the Zoning Resolution. Therefore, the With-Action Condition would be more conservative for CEQR purposes compared to the Proposed Development.

The Proposed Development would be approximately 30 feet shorter than the With-Action Condition and contain approximately 132 more parking spaces. The configuration of the lot would allow the Proposed Development to utilize all available floor area without maximizing the building height, and the shorter building would result in more efficient floor plates and more efficient construction. The excess parking proposed by the Applicant is in response to input from the community board.

Projected Development Site 2 contains approximately 7,920 gsf of commercial area in two one-story buildings and would contain less than 50 percent of the permissible floor area in the With-Action Condition as currently developed. Therefore, by 2027, it is reasonable to expect Projected Development Site 2 to be redeveloped and utilize all available floor area of the proposed R6A/C2-4 zoning. While this development would largely be influenced by future market conditions, for the purposes of a conservative assessment the With-Action Condition on Projected Development Site 2 would maximize the available floor area and building envelope.

100 words

SECTION 10 INCREMENT OF ANALYSIS

Site Number(s)	Locations	Existing Zoning	No-Action Buildout (FAR)	Proposed Zoning	With-Action Buildout (FAR)	Increment
Projected Site 1	2134 Coyle St	*R4/C1-2*	0.00 Res 0.73 Com **0.73 FAR Total**	R6A/C2-4 (MIH)	2.65 FAR Res 0.95 FAR Com **3.60 FAR Total**	+2.65 Res +0.22 Com **+2.87 Total**
Projected Site 2	2156 Coyle St	*R4/C1-2*	0.00 Res 0.56 Com **0.56 FAR Total**	R6A/C2-4 (MIH)	3.30 Res 0.30 Com **3.6 Total**	+3.30 Res -0.26 Com **+3.04 Total**

Note: Com = Commercial; CF = Community Facility; Res = Residential

SECTION 11 ATTACHMENTS

If you intend to submit a RWCDS that maximizes density and height, you do not need to submit attachments. Otherwise, please submit a site plan and massing diagram.

Figure 1: Site Location Map

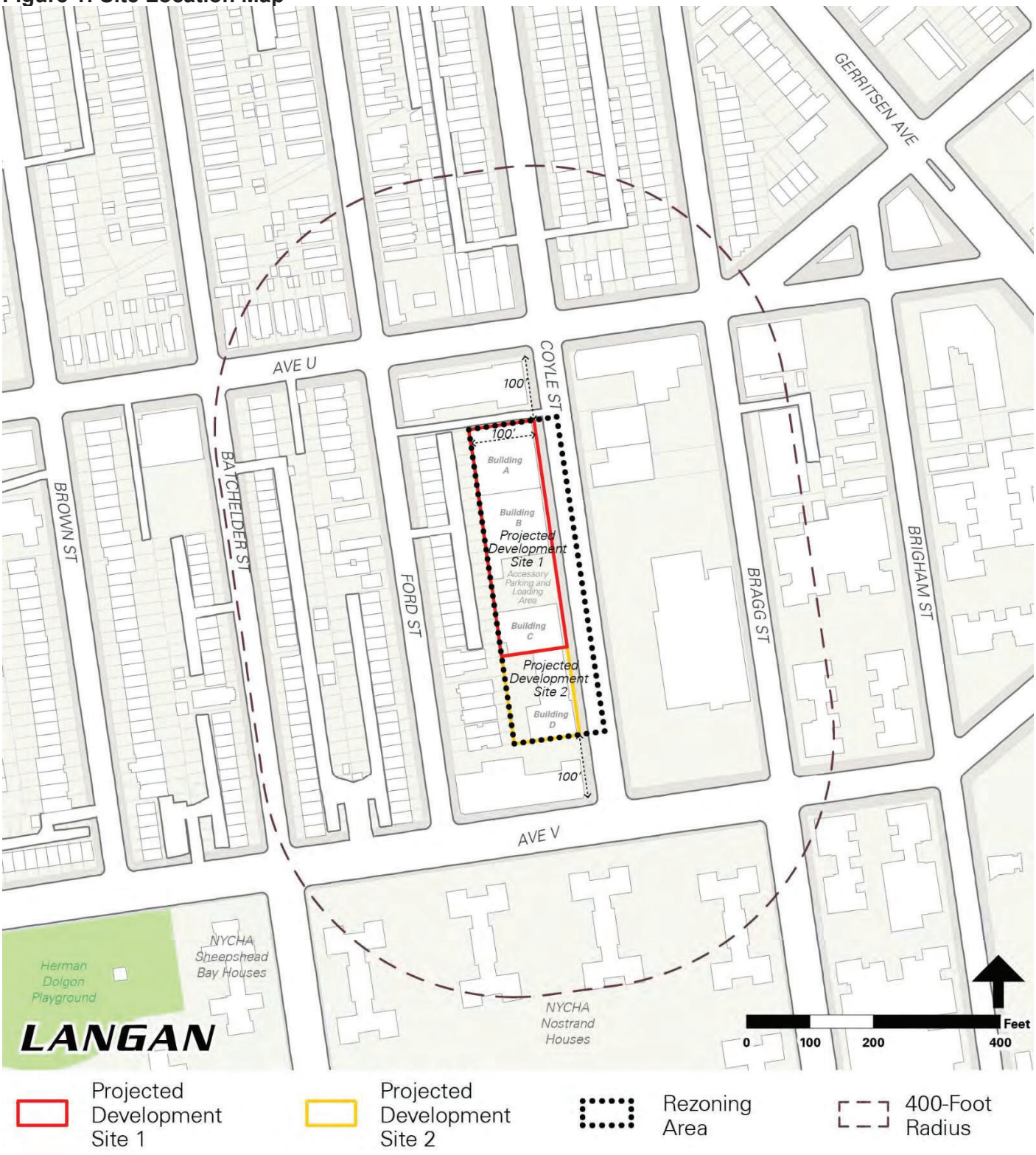


Figure 2: Illustrative Site Plan and Ground Floor Plan – Projected Development Site 1

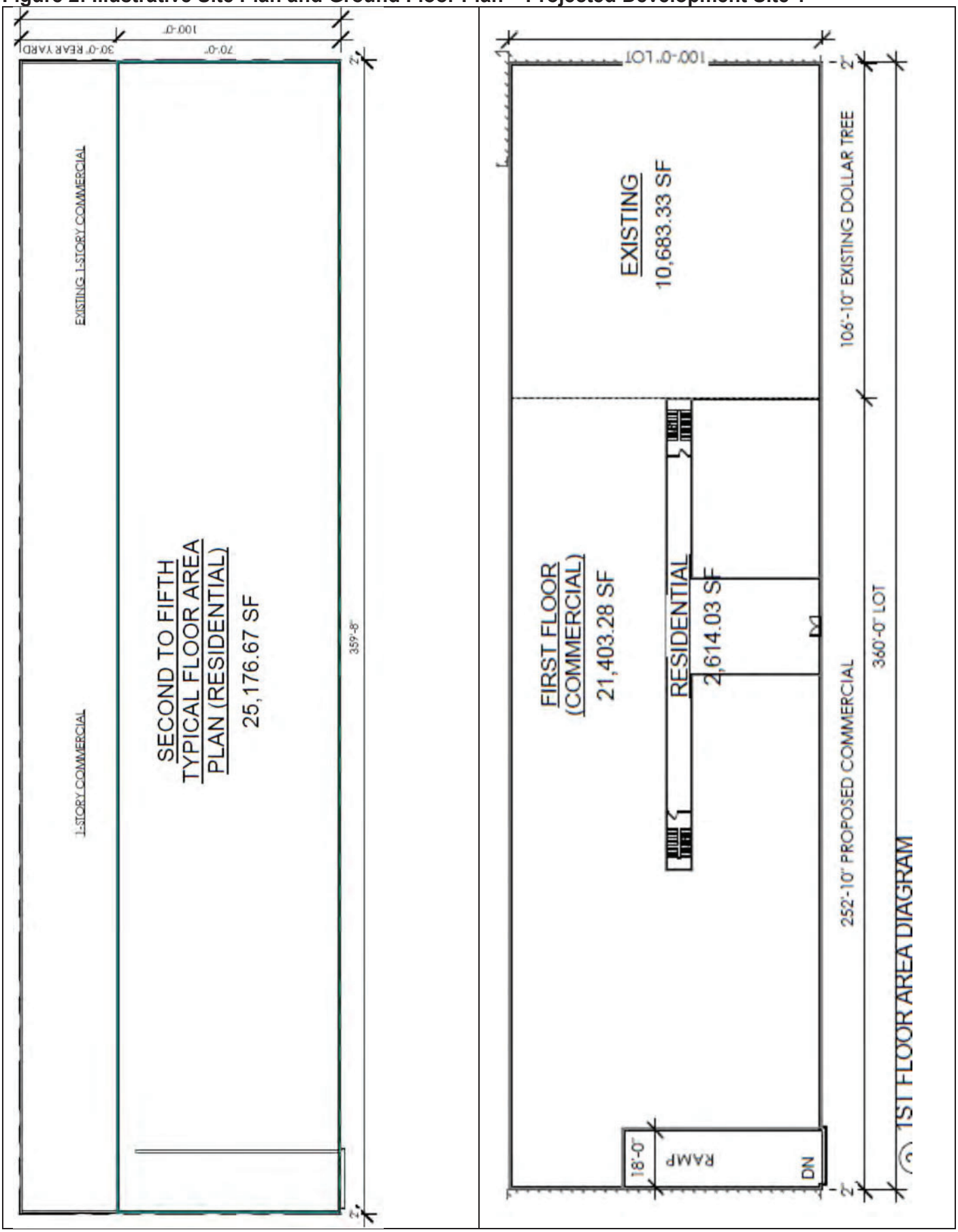
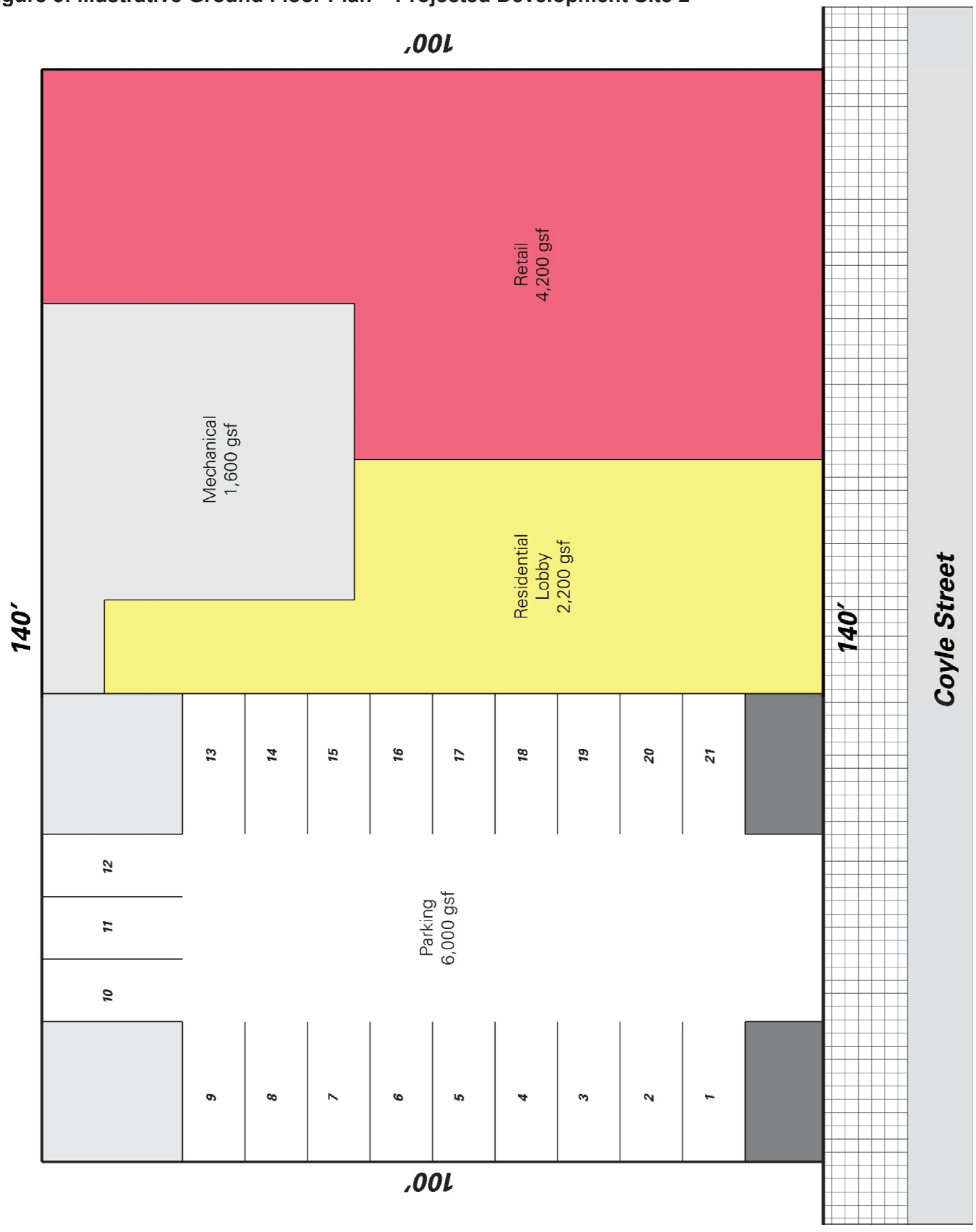


Figure 3: Illustrative Ground Floor Plan – Projected Development Site 2



	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
Land Use				
Residential	☐ Yes ☑ No	☐ Yes ☑ No	☑ Yes ☐ No	
If "yes," specify the following:				
Describe type of residential structures	N/A	N/A	Multi-Family	-
No. of dwelling units	N/A	N/A	198	198
No. of low- to moderate-income units	N/A	N/A	60	60
Gross floor area (sq. ft.)	N/A	N/A	152,338	152,338
Commercial	☑ Yes ☐ No	☑ Yes ☐ No	☑ Yes ☐ No	
If "yes," specify the following:				
Describe type (retail, office, other)	Retail	Retail	Retail	-
Gross floor area (sq. ft.)	34,350	34,350	36,287	1,937
Manufacturing/Industrial	☐ Yes ☑ No	☐ Yes ☑ No	☐ Yes ☑ No	
If "yes," specify the following:				
Type of Use	N/A	N/A	N/A	
Gross floor area (sq. ft.)	N/A	N/A	N/A	
Open storage area (sq. ft.)	N/A	N/A	N/A	
If any enclosed activities, specify:	N/A	N/A	N/A	
Community Facility	☐ Yes ☑ No	☐ Yes ☑ No	☐ Yes ☑ No	
If "yes," specify the following:				
Type of Use	N/A	N/A	N/A	
Gross floor area (sq. ft.)	N/A	N/A	N/A	
Vacant Land	☐ Yes ☑ No	☐ Yes ☑ No	☐ Yes ☑ No	
If "yes", describe:	N/A	N/A	N/A	
Publicly Accessible Open Space	☐ Yes ☑ No	☐ Yes ☑ No	☐ Yes ☑ No	
If "yes," specify type (mapped City, State, or Federal Parkland, wetland-mapped or otherwise known, other):	N/A	N/A	N/A	
Other Land Uses	☐ Yes ☑ No	☐ Yes ☑ No	☐ Yes ☑ No	☐ Yes ☑ No
If "yes," describe:	N/A	N/A	N/A	
Parking	☑ Yes ☐ No	☑ Yes ☐ No	☑ Yes ☐ No	
Garages	☐ Yes ☑ No	☐ Yes ☑ No	☑ Yes ☐ No	
If "yes," specify the following:				
No. of public spaces	N/A	N/A	0	0
No. of accessory spaces	N/A	N/A	84	84
Operating hours	N/A	N/A	24 hours	-
Attended or non-attended	N/A	N/A	Non-Attended	-
Lots	☑ Yes ☐ No	☑ Yes ☐ No	☐ Yes ☑ No	
If "yes," specify the following:				
No. of public spaces	0	0	N/A	0
No. of accessory spaces	6	6	N/A	-6
Operating hours	24 Hours	24 Hours	N/A	-
Other (includes street parking)	☑ Yes ☐ No	☑ Yes ☐ No	☑ Yes ☐ No	
If "yes," describe: **Street Parking**	25	25	25	-
Population				
Residents	☐ Yes ☑ No	☐ Yes ☑ No	☑ Yes ☐ No	

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
If "yes," specify number:	N/A	N/A	493	493
Briefly explain how the number of residents was calculated:	Community 5 District Average Household Size of Renter-Occupied Unit: 2.49			
Businesses	☑ Yes ☐ No	☑ Yes ☐ No	☑ Yes ☐ No	
If "yes," specify the following:				
No. and type	4 (General Retail)	4 (General Retail)	2 (General Retail)	-
No. and type of workers by business	103	103	118	15
No. and type of non-residents who are not workers	0	0	0	0
Briefly explain how the number of businesses was calculated:	Three (3) employees per 1000 sf of retail, one (1) employee per 25 dwelling units, and one (1) employee per 50 parking spaces.			
Other (students, visitors, concert-goers, *etc* .)	☐ Yes ☑ No	☐ Yes ☑ No	☐ Yes ☑ No	
If any, specify type and number:				
Briefly explain how the number was calculated:				
Zoning				
Zoning classification	R4/C1-2	R4/C1-2	R6A/C2-4	-
Maximum amount of floor area that can be developed	100,000	100,000	180,000	80,000
Predominant land use and zoning classifications within land use study area(s) or a 400 ft. radius of proposed project	One and Two Family Buildings, Multi-Family Elevator Buildings, Commercial Uses, Mixed Residential and Commercial Uses			-

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

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

Part III - RWCDS Analysis Framework Spreadsheet (Projected Sites)

Existing

	Address	Block	Lot	Lot Size SF	Projected Site Lot Size SF	Existing Zoning		TOTAL FAR		Residential FAR		Commercial FAR		Community Facility FAR		Manufacturing FAR		# of Stories		Height		TOTAL SF		Residential SF		Commercial SF		Community Facility SF		Manufacturing SF		Parking SF	Total DU (Market + Affordable)	Affordable DU		Market-rate DU	Parking		
								Exist.	Max.	Exist.	Max.	Exist.	Max.	Exist.	Max.	Exist.	Max.	Exist.	Max.	Exist.	Max.	GSF	ZSF	GSF	ZSF	GSF	ZSF	GSF	ZSF	GSF	ZSF						Residential	Commercial	Community
Projected Development Site 1	2134 Coyle Street	7,367	11	36,000	36,000	R4/C1-2		0.73	2.00	0.00	0.75	0.73	1.00	0.00	2.00	0.00	0.00	1 1 1	3	16 16 16	35	26,430	26,166	0	0	26,430	26,166	0	0	0	0	0	0	0	0	0	6	0
Projected Development Site 2	2156 Coyle Street	7,367	29	14,000	14,000	R4/C1-2		0.56	2.00	0.00	0.75	0.56	1.00	0.00	2.00	0.00	0.00	1	3	Approx. 14	35	7,920	7,841	0	0	7,920	7,841	0	0	0	0	0	0	0	0	0	0	0
TOTAL				50,000	50,000																	34,350	34,007	0	0	34,350	34,007	0	0	0	0	0	0	0	0	6	0

No-Action Scenario

	Address	Block	Lot	Lot Size SF	Projected Site Lot Size SF	Existing Zoning		TOTAL FAR		Residential FAR		Commercial FAR		Community Facility FAR		Manufacturing FAR		# of Stories		Height		TOTAL SF		Residential SF		Commercial SF		Community Facility SF		Manufacturing SF		Parking SF	Total DU (Market + Affordable)	Affordable DU		Market-rate DU	Parking		
								Prop.	Max.	Prop.	Max.	Prop.	Max.	Prop.	Max.	Prop.	Max.	Prop.	Max.	Prop.	Max.	GSF	ZSF	GSF	ZSF	GSF	ZSF	GSF	ZSF	GSF	ZSF						Residential	Commercial	Community
Projected Development Site 1	2134 Coyle Street	7,367	11	36,000	36,000	R4/C1-2		0.73	2.00	0.00	0.75	0.73	1.00	0.00	2.00	0.00	0.00	1 1 1	3	16 16 16	35	26,430	26,166	0	0	26,430	26,166	0	0	0	0	0	0	0	0	0	6	0
Projected Development Site 2	2156 Coyle Street	7,367	29	14,000	14,000	R4/C1-2		0.56	2.00	0.00	0.75	0.56	1.00	0.00	2.00	0.00	0.00	1	3	Approx. 14	35	7,920	7,841	0	0	7,920	7,841	0	0	0	0	0	0	0	0	0	0	0
TOTAL				50,000	50,000																	34,350	34,007	0	0	34,350	34,007	0	0	0	0	0	0	0	0	6	0

With-Action Scenario

	Address	Block	Lot	Lot Size SF	Projected Site Lot Size SF	Existing Zoning	Proposed Zoning	TOTAL FAR		Residential FAR		Commercial FAR		Community Facility FAR		Manufacturing FAR		# of Stories		Height		TOTAL SF		Residential SF		Commercial SF		Community Facility SF		Manufacturing SF		Parking SF	Total DU (Market + Affordable)	Affordable DU (100% per HPD)	Affordable DU (@ 80% AMI)	Market-rate DU	Parking		
								Prop.	Max.	Prop.	Max.	Prop.	Max.	Prop.	Max.	Prop.	Max.	Prop.	Max.	Prop.	Max.	GSF	ZSF	GSF	ZSF	GSF	ZSF	GSF	ZSF	GSF	ZSF						Residential	Commercial	Community
Projected Development Site 1	2134 Coyle Street	7,367	11	36,000	36,000	R4/C1-2	R6A/C2-4	3.59	3.60	2.71	3.60	0.88	2.00	0.00	3.00	0.00	0.00	8	8	85	85	161,408	129,242	103,321	97,473	32,087	31,769	0	0	0	0	26,000	148	0	45	103	63	0	0
Projected Development Site 2	2156 Coyle Street	7,367	29	14,000	14,000	R4/C1-2	R6A/C2-4	3.60	3.60	3.30	3.60	0.30	2.00	0.00	3.00	0.00	0.00	8	8	85	85	59,217	50,400	49,017	46,242	4,200	4,158	0	0	0	0	6,000	50	0	15	35	21	0	0
TOTAL				50,000	50,000																	220,624	179,642	152,338	143,715	36,287	35,927	0	0	0	0	32,000	198	0	60	138	84	0	0
INCREMENT				0	0																	186,274	145,636	152,338	143,715	1,937	1,921	0	0	0	0	32,000	198	0	60	138	84	(6)	0

Other Sites Not Expected To Be Affected By The Proposed Actions

	Address	Block	Lot	Lot Size SF	Projected Site Lot Size SF	Existing Zoning		TOTAL FAR		Residential FAR		Commercial FAR		Community Facility FAR		Manufacturing FAR		# of Stories		Height		TOTAL SF		Residential SF		Commercial SF		Community Facility SF		Manufacturing SF		Rationale for Exclusion
								Prop.	Max.	Prop.	Max.	Prop.	Max.	Prop.	Max.	Prop.	Max.	Prop.	Max.	Prop.	Max.	GSF	ZSF	GSF	ZSF	GSF	ZSF	GSF	ZSF	GSF	ZSF	
Other Site 1																															In this box, please provide a rationale for the exclusion of this "Other" Site. As a general starting point, please refer to the CEQR Tech Manual Analysis Framework (Excluded Sites, Pg. 2-7) at: http://www.nyc.gov/html/oec/downloads/pdf/2014_ceqr_tm/02_Establishing_the_Analysis_Framework_2014.pdf. As a reminder, please also consider neighborhood trends in the surrounding area as these trends often tell us more about which sites (including smaller sites) are likely to be developed once the Proposed Actions are approved.
Other Site 2																															In this box, please provide a rationale for the exclusion of this "Other" Site. As a general starting point, please refer to the CEQR Tech Manual Analysis Framework (Excluded Sites, Pg. 2-7) at: http://www.nyc.gov/html/oec/downloads/pdf/2014_ceqr_tm/02_Establishing_the_Analysis_Framework_2014.pdf. As a reminder, please also consider neighborhood trends in the surrounding area as these trends often tell us more about which sites (including smaller sites) are likely to be developed once the Proposed Actions are approved.
TOTAL				0	0																	0	0	0	0	0	0	0	0	0	0	

D

Coyle Street Rezoning
Waterfront Revitalization Program
Consistency Assessment

LANGAN

FOR INTERNAL USE ONLY	WRP No. _____
Date Received: _____	DOS No. _____

NEW YORK CITY WATERFRONT REVITALIZATION PROGRAM
Consistency Assessment Form

Proposed actions that are subject to CEQR, ULURP or other local, state or federal discretionary review procedures, and that are within New York City's Coastal Zone, must be reviewed and assessed for their consistency with the *New York City Waterfront Revitalization Program (WRP)* which has been approved as part of the State's Coastal Management Program.

This form is intended to assist an applicant in certifying that the proposed activity is consistent with the WRP. It should be completed when the local, state, or federal application is prepared. The completed form and accompanying information will be used by the New York State Department of State, the New York City Department of City Planning, or other city or state agencies in their review of the applicant's certification of consistency.

A. APPLICANT INFORMATION

Name of Applicant: Coyle Properties LLC

Name of Applicant Representative: Max Stember-Young

Address: 360 West 31st Street, 8th Floor, New York, NY 10001

Telephone: 212-479-5594 Email: mstemberyoung@langan.com

Project site owner (if different than above): Coyle Properties LLC

B. PROPOSED ACTIVITY

If more space is needed, include as an attachment.

1. Brief description of activity

The Applicant seeks approval of two discretionary land use actions from the City Planning Commission -- a zoning map amendment and zoning text amendment -- to facilitate a mixed-use development in the Sheepshead Bay neighborhood of Community District 15, Brooklyn. The Proposed Actions would enable one building on each of the two projected development sites in the Rezoning Area totaling 220,624 gross square feet (gsf), including 152,338 gsf of residential area (198 dwelling units), 36,287 gsf of local, ground floor retail, and 84 accessory parking spaces.

2. Purpose of activity

The Proposed Actions are needed for the redevelopment of Projected Development Site 1 into a mixed-use, mid-rise, multifamily development with affordable dwelling units and ground-floor retail, consistent with the surrounding area. Additionally, pursuant to MIH, the Proposed Development would include approximately 45 permanently affordable dwelling units. The Proposed Project would support the vision set forth in Mayor Bill de Blasio's Housing New York: A Five-Borough, Ten-Year Plan to create and preserve affordable housing in New York City by providing permanently affordable dwelling units.

C. PROJECT LOCATION

Borough: Brooklyn Tax Block/Lot(s): Block 7367, Lots 11 and 29

Street Address: 2134 & 2156 Coyle Street

Name of water body (if located on the waterfront): N/A

D. REQUIRED ACTIONS OR APPROVALS

Check all that apply.

City Actions/Approvals/Funding

City Planning Commission ☐ Yes ☐ No

- ☐ City Map Amendment
- ☑ Zoning Map Amendment
- ☑ Zoning Text Amendment
- ☐ Site Selection – Public Facility
- ☐ Housing Plan & Project
- ☐ Special Permit
  (if appropriate, specify type: ☐ Modification ☐ Renewal ☐ other) Expiration Date: _____
- ☐ Zoning Certification
- ☐ Zoning Authorizations
- ☐ Acquisition – Real Property
- ☐ Disposition – Real Property
- ☐ Other, explain: _____
- ☐ Concession
- ☐ UDAAP
- ☐ Revocable Consent
- ☐ Franchise

Board of Standards and Appeals ☐ Yes ☐ No

- ☐ Variance (use)
- ☐ Variance (bulk)
- ☐ Special Permit
  (if appropriate, specify type: ☐ Modification ☐ Renewal ☐ other) Expiration Date: _____

Other City Approvals

- ☐ Legislation
- ☐ Rulemaking
- ☐ Construction of Public Facilities
- ☐ 384 (b) (4) Approval
- ☐ Other, explain: _____
- ☐ Funding for Construction, specify: _____
- ☐ Policy or Plan, specify: _____
- ☐ Funding of Program, specify: _____
- ☐ Permits, specify: _____

State Actions/Approvals/Funding

- ☐ State permit or license, specify Agency: _____ Permit type and number: _____
- ☐ Funding for Construction, specify: _____
- ☐ Funding of a Program, specify: _____
- ☐ Other, explain: _____

Federal Actions/Approvals/Funding

- ☐ Federal permit or license, specify Agency: _____ Permit type and number: _____
- ☐ Funding for Construction, specify: _____
- ☐ Funding of a Program, specify: _____
- ☐ Other, explain: _____

Is this being reviewed in conjunction with a Joint Application for Permits? ☐ Yes ☐ No

E. LOCATION QUESTIONS

1. Does the project require a waterfront site? ☐ Yes ☐ No
2. Would the action result in a physical alteration to a waterfront site, including land along the shoreline, land under water or coastal waters? ☐ Yes ☐ No
3. Is the project located on publicly owned land or receiving public assistance? ☐ Yes ☐ No
4. Is the project located within a FEMA 1% annual chance floodplain? *(6.2)* ☐ Yes ☐ No
5. Is the project located within a FEMA 0.2% annual chance floodplain? *(6.2)* ☐ Yes ☐ No
6. Is the project located adjacent to or within a special area designation? *See Maps – Part III of the NYC WRP. If so, check appropriate boxes below and evaluate policies noted in parentheses as part of WRP Policy Assessment (Section F).* ☐ Yes ☐ No

   ☐ Significant Maritime and Industrial Area (SMIA) (*2.1*)

   ☐ Special Natural Waterfront Area (SNWA) (*4.1*)

   ☐ Priority Maritime Activity Zone (PMAZ) (*3.5*)

   ☐ Recognized Ecological Complex (REC) (*4.4*)

   ☐ West Shore Ecologically Sensitive Maritime and Industrial Area (ESMIA) (*2.2, 4.2*)

F. WRP POLICY ASSESSMENT

Review the project or action for consistency with the WRP policies. For each policy, check Promote, Hinder *or* Not Applicable (N/A). *For more information about consistency review process and determination, see* ***Part I*** *of the NYC Waterfront Revitalization Program. When assessing each policy, review the full policy language, including all sub-policies, contained within* ***Part II*** *of the WRP. The relevance of each applicable policy may vary depending upon the project type and where it is located (i.e. if it is located within one of the special area designations).*

For those policies checked Promote *or* Hinder, *provide a written statement on a separate page that assesses the effects of the proposed activity on the relevant policies or standards. If the project or action promotes a policy, explain how the action would be consistent with the goals of the policy. If it hinders a policy, consideration should be given toward any practical means of altering or modifying the project to eliminate the hindrance. Policies that would be advanced by the project should be balanced against those that would be hindered by the project. If reasonable modifications to eliminate the hindrance are not possible, consideration should be given as to whether the hindrance is of such a degree as to be substantial, and if so, those adverse effects should be mitigated to the extent practicable.*

		Promote	Hinder	N/A
1	**Support and facilitate commercial and residential redevelopment in areas well-suited to such development.**	☐	☐	☐
1.1	Encourage commercial and residential redevelopment in appropriate Coastal Zone areas.	☐	☐	☐
1.2	Encourage non-industrial development with uses and design features that enliven the waterfront and attract the public.	☐	☐	☐
1.3	Encourage redevelopment in the Coastal Zone where public facilities and infrastructure are adequate or will be developed.	☐	☐	☐
1.4	In areas adjacent to SMIAs, ensure new residential development maximizes compatibility with existing adjacent maritime and industrial uses.	☐	☐	☐
1.5	Integrate consideration of climate change and sea level rise into the planning and design of waterfront residential and commercial development, pursuant to WRP Policy 6.2.	☐	☐	☐

		Promote	Hinder	N/A
2	**Support water-dependent and industrial uses in New York City coastal areas that are well-suited to their continued operation.**	☐	☐	☐
2.1	Promote water-dependent and industrial uses in Significant Maritime and Industrial Areas.	☐	☐	☐
2.2	Encourage a compatible relationship between working waterfront uses, upland development and natural resources within the Ecologically Sensitive Maritime and Industrial Area.	☐	☐	☐
2.3	Encourage working waterfront uses at appropriate sites outside the Significant Maritime and Industrial Areas or Ecologically Sensitive Maritime Industrial Area.	☐	☐	☐
2.4	Provide infrastructure improvements necessary to support working waterfront uses.	☐	☐	☐
2.5	Incorporate consideration of climate change and sea level rise into the planning and design of waterfront industrial development and infrastructure, pursuant to WRP Policy 6.2.	☐	☐	☐
3	**Promote use of New York City's waterways for commercial and recreational boating and water-dependent transportation.**	☐	☐	☐
3.1.	Support and encourage in-water recreational activities in suitable locations.	☐	☐	☐
3.2	Support and encourage recreational, educational and commercial boating in New York City's maritime centers.	☐	☐	☐
3.3	Minimize conflicts between recreational boating and commercial ship operations.	☐	☐	☐
3.4	Minimize impact of commercial and recreational boating activities on the aquatic environment and surrounding land and water uses.	☐	☐	☐
3.5	In Priority Marine Activity Zones, support the ongoing maintenance of maritime infrastructure for water-dependent uses.	☐	☐	☐
4	**Protect and restore the quality and function of ecological systems within the New York City coastal area.**	☐	☐	☐
4.1	Protect and restore the ecological quality and component habitats and resources within the Special Natural Waterfront Areas.	☐	☐	☐
4.2	Protect and restore the ecological quality and component habitats and resources within the Ecologically Sensitive Maritime and Industrial Area.	☐	☐	☐
4.3	Protect designated Significant Coastal Fish and Wildlife Habitats.	☐	☐	☐
4.4	Identify, remediate and restore ecological functions within Recognized Ecological Complexes.	☐	☐	☐
4.5	Protect and restore tidal and freshwater wetlands.	☐	☐	☐
4.6	In addition to wetlands, seek opportunities to create a mosaic of habitats with high ecological value and function that provide environmental and societal benefits. Restoration should strive to incorporate multiple habitat characteristics to achieve the greatest ecological benefit at a single location.	☐	☐	☐
4.7	Protect vulnerable plant, fish and wildlife species, and rare ecological communities. Design and develop land and water uses to maximize their integration or compatibility with the identified ecological community.	☐	☐	☐
4.8	Maintain and protect living aquatic resources.	☐	☐	☐

		Promote	Hinder	N/A
5	**Protect and improve water quality in the New York City coastal area.**	☐	☐	☐
5.1	Manage direct or indirect discharges to waterbodies.	☐	☐	☐
5.2	Protect the quality of New York City's waters by managing activities that generate nonpoint source pollution.	☐	☐	☐
5.3	Protect water quality when excavating or placing fill in navigable waters and in or near marshes, estuaries, tidal marshes, and wetlands.	☐	☐	☐
5.4	Protect the quality and quantity of groundwater, streams, and the sources of water for wetlands.	☐	☐	☐
5.5	Protect and improve water quality through cost-effective grey-infrastructure and in-water ecological strategies.	☐	☐	☐
6	**Minimize loss of life, structures, infrastructure, and natural resources caused by flooding and erosion, and increase resilience to future conditions created by climate change.**	☐	☐	☐
6.1	Minimize losses from flooding and erosion by employing non-structural and structural management measures appropriate to the site, the use of the property to be protected, and the surrounding area.	☐	☐	☐
6.2	Integrate consideration of the latest New York City projections of climate change and sea level rise (as published in *New York City Panel on Climate Change 2015 Report, Chapter 2: Sea Level Rise and Coastal Storms*) into the planning and design of projects in the city's Coastal Zone.	☐	☐	☐
6.3	Direct public funding for flood prevention or erosion control measures to those locations where the investment will yield significant public benefit.	☐	☐	☐
6.4	Protect and preserve non-renewable sources of sand for beach nourishment.	☐	☐	☐
7	**Minimize environmental degradation and negative impacts on public health from solid waste, toxic pollutants, hazardous materials, and industrial materials that may pose risks to the environment and public health and safety.**	☐	☐	☐
7.1	Manage solid waste material, hazardous wastes, toxic pollutants, substances hazardous to the environment, and the unenclosed storage of industrial materials to protect public health, control pollution and prevent degradation of coastal ecosystems.	☑	☐	☐
7.2	Prevent and remediate discharge of petroleum products.	☑	☐	☐
7.3	Transport solid waste and hazardous materials and site solid and hazardous waste facilities in a manner that minimizes potential degradation of coastal resources.	☐	☐	☑
8	**Provide public access to, from, and along New York City's coastal waters.**	☐	☐	☑
8.1	Preserve, protect, maintain, and enhance physical, visual and recreational access to the waterfront.	☐	☐	☑
8.2	Incorporate public access into new public and private development where compatible with proposed land use and coastal location.	☐	☐	☑
8.3	Provide visual access to the waterfront where physically practical.	☐	☐	☑
8.4	Preserve and develop waterfront open space and recreation on publicly owned land at suitable locations.	☐	☐	☑

		Promote	Hinder	N/A
8.5	Preserve the public interest in and use of lands and waters held in public trust by the State and City.	☐	☐	☑
8.6	Design waterfront public spaces to encourage the waterfront's identity and encourage stewardship.	☐	☐	☑
9	**Protect scenic resources that contribute to the visual quality of the New York City coastal area.**	☐	☐	☑
9.1	Protect and improve visual quality associated with New York City's urban context and the historic and working waterfront.	☐	☐	☑
9.2	Protect and enhance scenic values associated with natural resources.	☐	☐	☑
10	**Protect, preserve, and enhance resources significant to the historical, archaeological, architectural, and cultural legacy of the New York City coastal area.**	☐	☐	☑
10.1	Retain and preserve historic resources, and enhance resources significant to the coastal culture of New York City.	☐	☐	☑
10.2	Protect and preserve archaeological resources and artifacts.	☐	☐	☑

G. CERTIFICATION

The applicant or agent must certify that the proposed activity is consistent with New York City's approved Local Waterfront Revitalization Program, pursuant to New York State's Coastal Management Program. If this certification cannot be made, the proposed activity shall not be undertaken. If this certification can be made, complete this Section.

"The proposed activity complies with New York State's approved Coastal Management Program as expressed in New York City's approved Local Waterfront Revitalization Program, pursuant to New York State's Coastal Management Program, and will be conducted in a manner consistent with such program."

Applicant/Agent's Name: Max Stember-Young

Address: 360 West 31st Street, 8th Floor, New York, NY 10001

Telephone: 212-479-5594 Email: mstemberyoung@langan.com

Applicant/Agent's Signature: _____

Date: _____

Submission Requirements

For all actions requiring City Planning Commission approval, materials should be submitted to the Department of City Planning.

For local actions not requiring City Planning Commission review, the applicant or agent shall submit materials to the Lead Agency responsible for environmental review. A copy should also be sent to the Department of City Planning.

For State actions or funding, the Lead Agency responsible for environmental review should transmit its WRP consistency assessment to the Department of City Planning.

For Federal direct actions, funding, or permits applications, including Joint Applicants for Permits, the applicant or agent shall also submit a copy of this completed form along with his/her application to the NYS Department of State Office of Planning and Development and other relevant state and federal agencies. A copy of the application should be provided to the NYC Department of City Planning.

The Department of City Planning is also available for consultation and advisement regarding WRP consistency procedural matters.

New York City Department of City Planning
Waterfront and Open Space Division
120 Broadway, 31st Floor
New York, New York 10271
212-720-3696
wrp@planning.nyc.gov
www.nyc.gov/wrp

New York State Department of State
Office of Planning and Development
Suite 1010
One Commerce Place, 99 Washington Avenue
Albany, New York 12231-0001
518-474-6000
www.dos.ny.gov/opd/programs/consistency

Applicant Checklist

- ☑ Copy of original signed NYC Consistency Assessment Form
- ☑ Attachment with consistency assessment statements for all relevant policies
- ☐ For Joint Applications for Permits, one (1) copy of the complete application package
- ☑ Environmental Review documents
- ☑ Drawings (plans, sections, elevations), surveys, photographs, maps, or other information or materials which would support the certification of consistency and are not included in other documents submitted. All drawings should be clearly labeled and at a scale that is legible.
- ☑ Policy 6.2 Flood Elevation worksheet, if applicable. For guidance on applicability, refer to the WRP Policy 6.2 Guidance document available at www.nyc.gov/wrp

WRP ASSESSMENT

Coyle Properties LLC is seeking the approval of two discretionary land use actions from the City Planning Commission (zoning map and text amendments – collectively the "Proposed Actions") to facilitate a mixed-use development containing residential and commercial uses in the Sheepshead Bay neighborhood of Community District 15, Brooklyn. The Proposed Actions would affect Brooklyn Block 7367 Lot 11 (Projected Development Site 1) and Lot 29 (Projected Development Site 2) which make up the Rezoning Area.

The Rezoning Area is within the City's Coastal Zone; accordingly, the Proposed Development is subject to review for consistency with the policies of the New York City Waterfront Revitalization Program (WRP). The WRP outlines policies designed to maximize the benefits derived from economic development, environmental preservation, and public use of the waterfront while minimizing the conflicts among those objectives.

The WRP Consistency Form lists the WRP policies and indicates in a checklist format whether the Proposed Actions would promote or hinder a WRP policy, or if a policy would not be applicable. This section provides additional information for the policies identified to "promote" in the WRP Consistency Assessment Form. This WRP assessment utilizes the November 2018 update of New York City's WRP policies and guidance.

Policy 1: Support and facilitate commercial and residential redevelopment in areas well-suited to such development

Policy 1.1: Encourage commercial and residential redevelopment in appropriate Coastal Zone areas

The Proposed Actions would facilitate two new mixed-use buildings containing residential and commercial uses, and enable the redevelopment of both projected development sites into mixed-use, multi-family developments with affordable dwelling units and ground-floor retail. The projected development sites are in a mature urban area already developed with commercial establishments, residential uses, and water and sewer infrastructure; this area of the Coastal Zone is appropriate for mixed-use residential and commercial development.

Policy 1.3: Encourage redevelopment in the Coastal Zone where public facilities and infrastructure are adequate or will be developed.

The Rezoning Area is served by seven MTA New York City Transit (NYCT) bus lines with stops within 0.5 miles of the projected sites. The Proposed Actions would facilitate the development of two mixed-use buildings, which would comply with the proposed R6A/C2-4 zoning. The Projected Development would continue to use existing connections to water and sewer lines within the surrounding streets and would continue to direct sanitary flows to the Coney Island Wastewater Treatment Plant (WWTP) via existing connections. As described in Attachment G, "Water and Sewer Infrastructure," the sewer system and WWTP have the capacity to serve the development that would be facilitated by the Proposed Actions.

Policy 5: Protect and improve water quality in the New York Coastal area

Policy 5.1: Manage direct or indirect discharges to waterbodies

The Rezoning Area is in a Municipal Separate Storm Sewer System (MS4) with an MS4 outfall into Sheepshead Bay. Stormwater generated on the projected development sites would be discharged directly to Sheepshead Bay through this existing outfall. With the Proposed Actions, the existing stormwater outfalls would collect and treat stormwater runoff using water quality treatment units, improving the quality of stormwater conveyed to the outfall. Stormwater would be treated in accordance with the New York State Department of Environmental Conservation (NYSDEC) Special Pollutant Discharge Elimination System (SPDES) General Permit Regulations prior to connecting to existing outfalls.

Individual Best Management Practices (BMPs) would be implemented to support stormwater management. During construction periods, a Stormwater Pollution Prevention Program (SWPPP) would be implemented on the development sites, along with a monitoring program to document that construction meets the requirements of the SWPPP.

Policy 6: Minimize loss of life, structures, infrastructure, and natural resources caused by flooding and erosion, and increase resilience to future conditions created by climate change

Policy 6.1: Minimize losses from flooding and erosion by employing non-structural and structural management measures appropriate to the site, the use of the property to be protected, and the surrounding area

The Proposed Development would be designed and constructed to minimize damage to natural resources, natural features, and to protect the Rezoning Area from flooding and erosion. See the response to Policy 6.2 for more details.

Policy 6.2: Integrate consideration of the latest New York City projections of climate change and sea level rise (as published in New York City Panel on Climate Change 2015 Report, Chapter 2: Sea Level Rise and Coastal Storms) into the planning and design of projects in the City's Coastal Zone.

Coastal floodplains are influenced by astronomic tide and meteorological forces and not by fluvial flooding and, as such, are not affected by the placement of obstructions within the floodplain. Therefore, the Proposed Development would not exacerbate future projected flooding conditions.

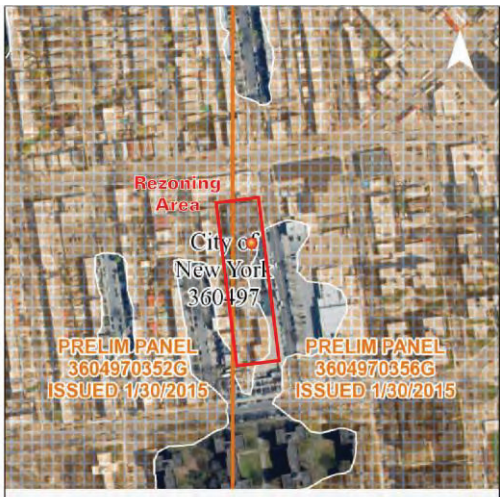
The Base Flood Elevation (BFE) of the projected development sites is approximately 10 feet (NAVD88). Both development sites have a ground elevation generally between 13 and 15 feet (NAVD88), which is more than 3 feet above the BFE. The Effective Flood Rate Insurance Map (FIRM) published by the Federal Emergency Management Agency (FEMA) shows the Rezoning Area is in an area of minimal flood hazard, however, the Rezoning Area is shown on FEMA's preliminary flood insurance rate maps (pFIRMS) as entirely outside of the one percent chance flood hazard area and beyond the limit of moderate wave action. The Rezoning Area is shown on the pFRIMs as being within the 0.2 annual flood hazard chance area, while the Rezoning Area is in an area of minimal flood hazard on the adopted FIRM (see Figure 1). The NYC Flood Hazard Mapper shows the Rezoning

Area is projected to be in the one percent annual flood hazard chance by 2050, as shown in Figure 2.

Figure 1: FEMA Effective and Preliminary Flood Insurance Rate Map Comparison



Effective	
POI Longitude/Latitude	-73.9373, 40.6002
Effective FIRM Panel	3604970356F
Effective Date	9/5/2007
Flood Zone	X
Static BFE*	Not Available
Flood Depth	Not Available
Vertical Datum	Not Available



Preliminary	
POI Longitude/Latitude	-73.9373, 40.6002
Preliminary FIRM Panel	3604970356G
Preliminary Issue Date	1/30/2015
Flood Zone	X
Estimated Static BFE*	Not Available
Estimated Flood Depth	Not Available
Vertical Datum	Not Available

Figure 2: Projected 2050 Flood Zones



Source: NYC Flood Hazard Mapper

In accordance with the New York City Department of City Planning (DCP) Climate Change Adaptation Guidance, the three-step process below assesses the Proposed Development's consistency with Policy 6.2. Step 1 identifies the vulnerabilities and consequences, Step 2 identifies adaptive strategies, and Step 3 assesses policy consistency (see attached flood evaluation spreadsheets for the Proposed Development).

Projected Development Site 1

Projected Development Site 1 would have project features categorized as "vulnerable" and "critical." Of the analyzed features, the lowest "vulnerable" feature contemplated is the sub cellar floor used for accessory parking, which would be at an approximate elevation of -3.5 feet. The first cellar floor, also used for accessory parking, would have an approximate elevation of 5.5 feet. The lowest "critical" feature contemplated is the ground floor area of Projected Development Site 1 at an elevation of approximately 14.5 feet, which would be 4.5 feet above the current assumed BFE. The ground floor area would contain retail, a residential lobby, and mechanical spaces.

All of the features analyzed are projected to be above the elevation of Mean Higher High Water (MHHW) through the 2050s other than the two cellar floors (parking). Both cellar floors would be developed below the existing one percent annual flood chance elevation. At an elevation of -3.5 feet, the sub cellar floor's elevation would be below the existing MHHW. At an elevation of 5.5 feet, the first cellar floor would be in the projected MHHW elevation starting in the 2050s, under high sea level rise (SLR) projection. This cellar level would be in the MHHW elevation by 2080 under mid-high SLR projections, and in the MHHW elevation by 2100 under mid SLR projections. Measures would be incorporated into the building design to prevent ground water from entering into the below-grade areas of the building.

The ground floor retail and residential lobby areas would be sited at an elevation of 14.5 feet and would be in the one percent annual chance flood area starting in the 2080s under high SLR projections. The ground floor would be within the one percent annual chance flood hazard area through 2100 only under the high SLR projections. The second floor, the lowest floor with residential units, would not be in the one percent or 0.2 percent annual chance flood areas throughout 2100 under any of the projected SLR scenarios.

The Proposed Actions would not preclude the future implementation of flood mitigation measures at Projected Development Site 1. Future floodproofing measures may include placing critical features on concrete pads raised to an elevation outside of the projected future flood elevations, and dry floodproofing measures such as deployable flood barriers, or other technologies that may be developed in the future.

Projected Development Site 2

Projected Development Site 2 is not under control of the Applicant and specific plans have not been developed for this site. Any new development on this development site would comply with the applicable floodproofing requirements of Building Code. Similar to Projected Development Site 1, Projected Development Site 2's ground elevation is above the existing BFE. The Proposed Actions would not preclude the implementation of additional floodproofing measures.

Summary of Compliance

The development sites are improved with commercial buildings in a mature urban area. The Proposed Actions would not increase localized flooding or flooding severity. Projected

Development Site 1, which is the only development site under control of the Applicant, would contain only "vulnerable" features below the MHHW elevation through 2100 under the SLR projections; the features below the MHHW would be predominately accessory parking and measures would be implemented to prevent groundwater from entering the below-grade portions. The only "critical" features on Projected Development Site 1 would be located on the ground floor of the building at an elevation of approximately 14.5 feet. This elevation would be above the MHHW elevation through 2100 and would be within the one percent annual chance flood in the 2080s only under high SLR projections.

Currently, the projected development sites are entirely outside of the one percent annual flood hazard area. Portions of the site are shown within the 0.2 percent annual flood hazard area in the 2015 pFIRMs published by the FEMA. The proposed below-grade parking on Projected Development Site 1 would be below the existing MHHW elevation. At an elevation of 14.5 feet, the ground floor would be within the one percent annual chance flood starting in the 2080s only under high SLR projections. The lowest residential floor would not fall within the one percent or 0.2 percent annual chance flood by 2100 under any projected SLR scenarios. The Proposed Actions would not preclude implementation of adaptive solutions in the future, including any technological advancements not yet developed for flood mitigation. Based on this information, the Proposed Development is consistent with Policy 6.2.

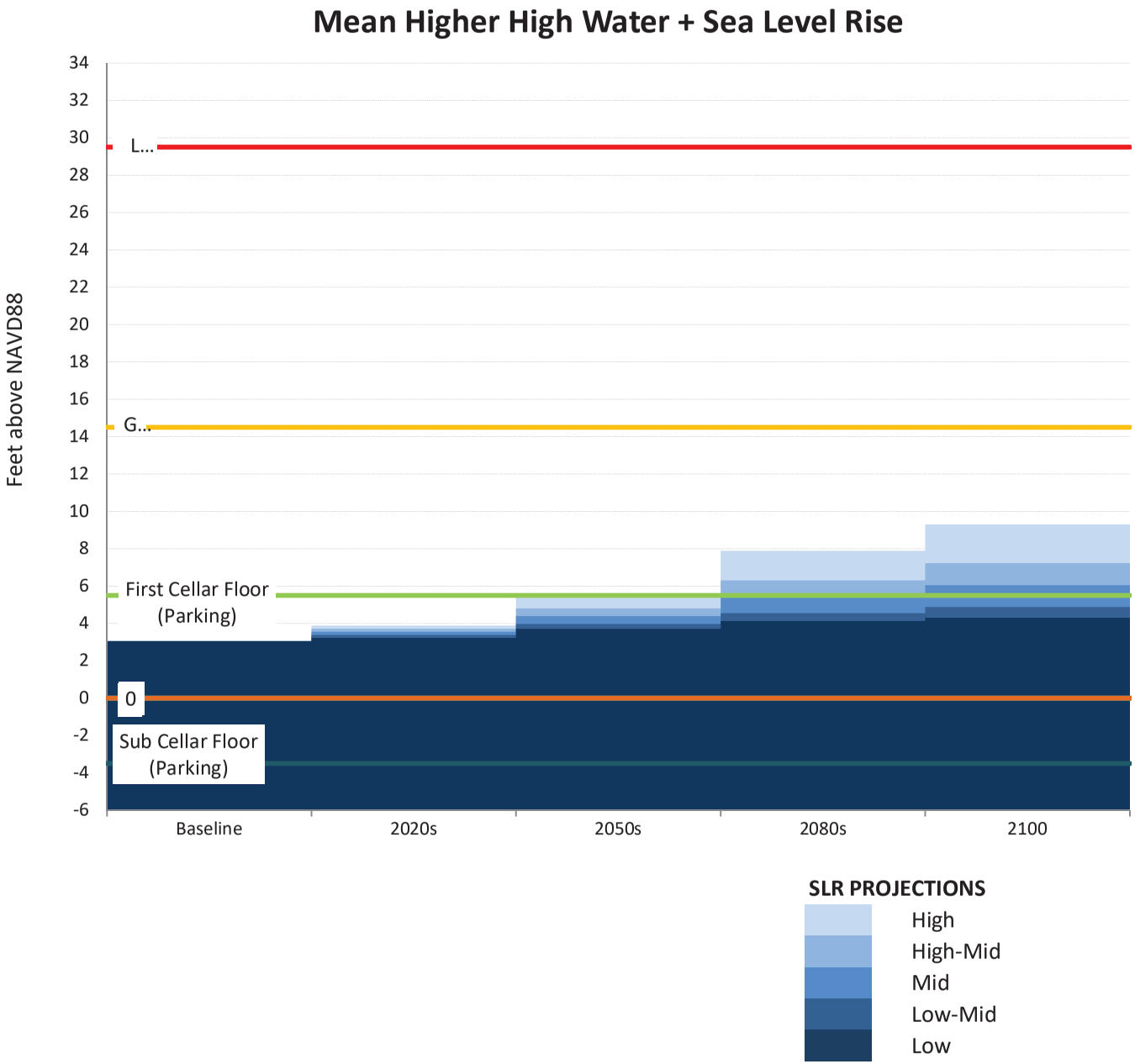
Policy 7: Minimize environmental degradation and negative impacts on public health from solid waste, toxic pollutant, hazardous materials, and industrial materials that may pose risks to the environment and public health and safety

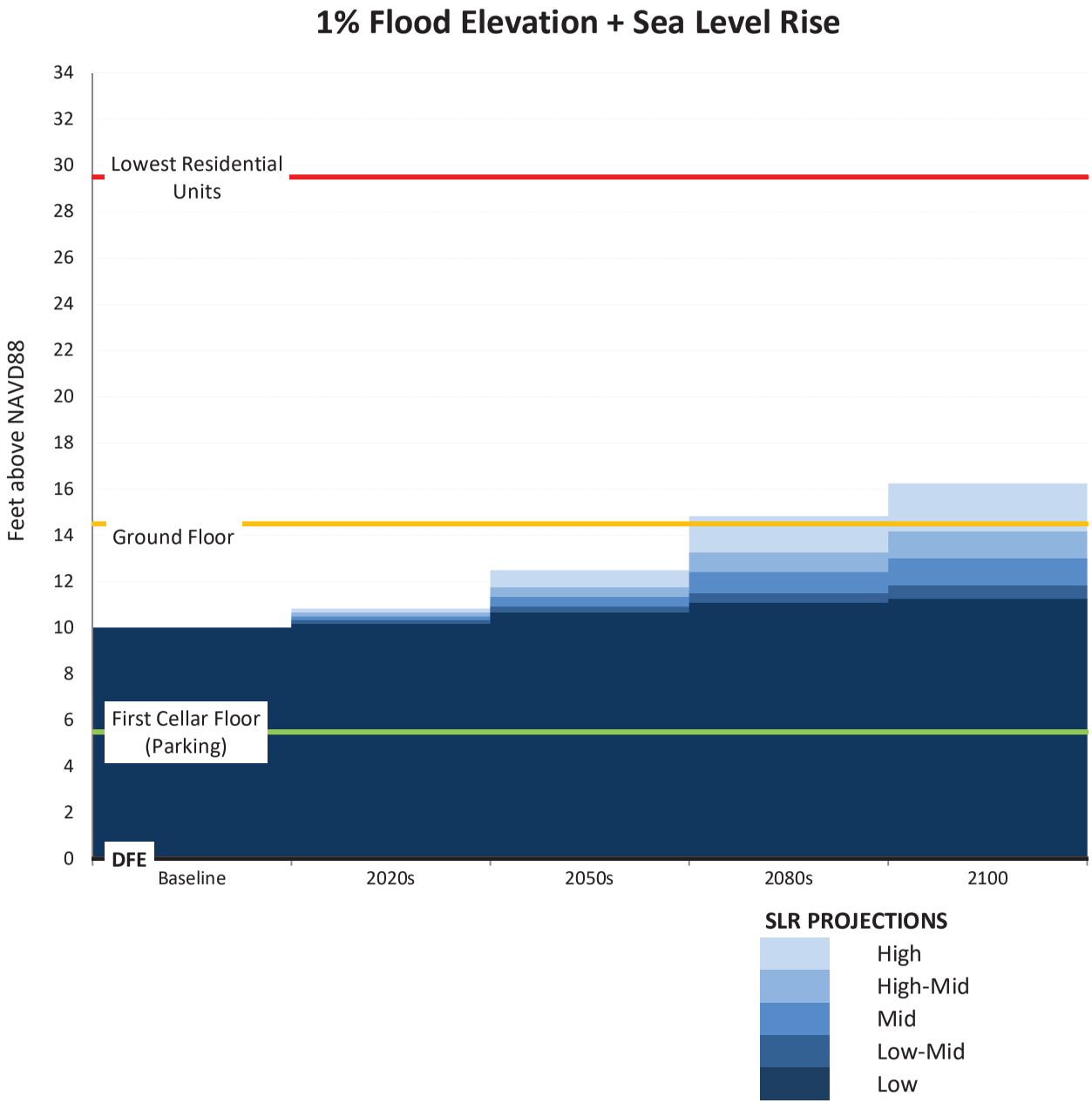
Policy 7.1: Manage solid waste material, hazardous wastes, toxic pollutants, substances hazardous to the environment, and the unenclosed storage of industrial materials to protect public health, control pollution and prevent degradation of coastal ecosystems

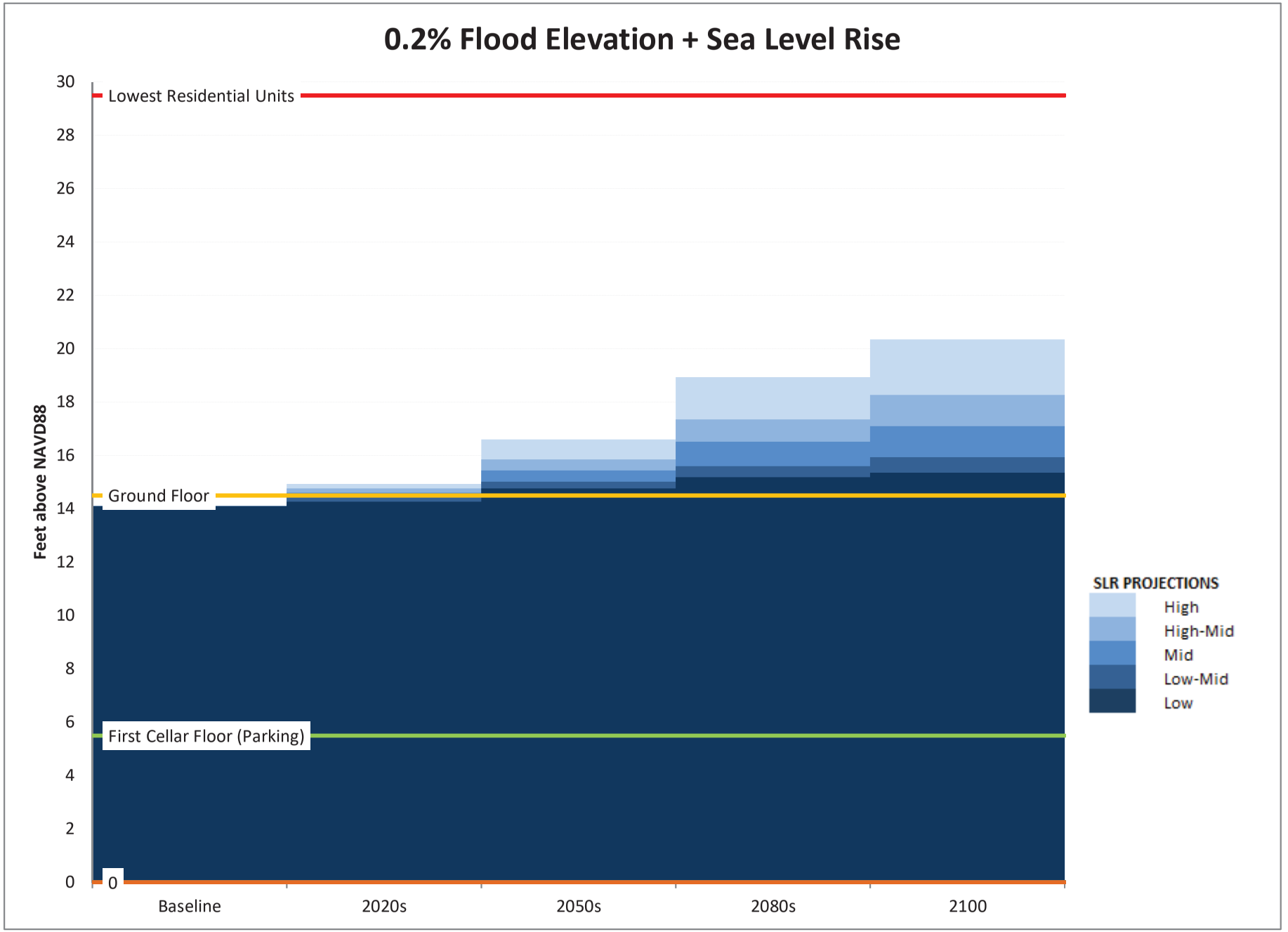
As described in Attachment F, "Hazardous Materials," a Phase I Environmental Site Assessment (ESA) conducted in October 2020 identified three Recognized Environmental Conditions (RECs) and one Business Environmental Risk (BER) at Projected Development Site 1. The RECs on Projected Development Site 1 relate to contamination in an on-site drywell, the historical uses on adjoining and surrounding properties, and active groundwater remediation at an adjoining property. Solid waste material, hazardous wastes, toxic pollutants, and other substances hazardous to the environment would be managed through the E-Designation program and the SWPPP to protect public health, control pollution, and prevent degradation of coastal ecosystems during and after construction. As part of the E-Designation, the Phase I ESA and a soil and groundwater testing protocol memo would be submitted to the New York City Mayor's Office of Environmental Remediation (OER). After the submission of a written report, including the testing phase and laboratory analysis, OER will determine whether remediation is necessary. A proposed remediation plan would be submitted to OER for review and approval if remediation is necessary. Accordingly, the Proposed Development would be consistent with this policy.

Policy 7.2: Prevent and remediate discharge of petroleum products

The Phase I ESA for Projected Development Site 1 indicates that the historical use of the development site may have affected the soil, soil vapor, and/or groundwater through historical releases of petroleum products or other hazardous substances. Additionally a petroleum spill was reported across Coyle Street from the Rezoning Area at the 2171 Coyle Street (Block 7368, Lot 17) in association with a leaking 5,000-gallon No. 2 fuel oil underground storage tank (UST). The UST was removed and closed on November 15, 2000, however free product was observed in groundwater monitoring wells on site. Between 2001 and 2015, multiple on- and off-site groundwater monitoring and free product recovery events have occurred, including soil excavations to remove source material. As part of the E-Designation, a soil and groundwater testing protocol memo, including a description of methods and sampling locations, would be submitted to OER. After the submission of a written report including the testing phase and laboratory analysis, OER will determine whether remediation is necessary. A proposed remediation plan would be submitted to OER for review and approval if remediation is necessary. With the E-Designations in place, the Proposed Development would be consistent with this policy.


Mean Higher High Water + Sea Level Rise
Feet above NAVD88
34
32
30
28
26
24
22
20
18
16
14
12
10
8
6
4
2
0
-2
-4
-6
L...
G...
First Cellar Floor
(Parking)
0
Sub Cellar Floor
(Parking)
Baseline
2020s
2050s
2080s
2100
SLR PROJECTIONS
High
High-Mid
Mid
Low-Mid
Low


1% Flood Elevation + Sea Level Rise
Feet above NAVD88
34
32
30
28
26
24
22
20
18
16
14
12
10
8
6
4
2
0
Lowest Residential Units
Ground Floor
First Cellar Floor (Parking)
DFE
Baseline
2020s
2050s
2080s
2100
SLR PROJECTIONS
High
High-Mid
Mid
Low-Mid
Low


0.2% Flood Elevation + Sea Level Rise
Feet above NAVD88
30
28
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20
18
16
14
12
10
8
6
4
2
0
Lowest Residential Units
Ground Floor
First Cellar Floor (Parking)
0
Baseline
2020s
2050s
2080s
2100
SLR PROJECTIONS
High
High-Mid
Mid
Low-Mid
Low

E

Coyle Street Rezoning
Jamaica Bay Watershed Protection Plan Form

LANGAN

Print Form

Jamaica Bay Watershed Protection Plan
Project Tracking Form

The Jamaica Bay Watershed Protection Plan, developed pursuant to Local Law 71 of 2005, mandates that the New York City Department of Environmental Protection (DEP) work with the Mayor's Office of Environmental Coordination (MOEC) to review and track proposed development projects in the Jamaica Bay Watershed (http://www.nyc.gov/html/oec/downloads/pdf/ceqr/Jamaica_Bay_Watershed_Map.jpg) that are subject to CEQR in order to monitor growth and trends. If a project is located in the Jamaica Bay Watershed, (the applicant should complete this form and submit it to DEP and MOEC. This form must be updated with any project modifications and resubmitted to DEP and MOEC.

The information below will be used for tracking purposes only. It is not intended to indicate whether further CEQR analysis is needed to substitute for the guidance offered in the relevant chapters of the CEQR Technical Manual.

A. GENERAL PROJECT INFORMATION

1. CEQR Number: _____ 1a. Modification ☐
2. Project Name: Coyle Street Rezoning
3. Project Description:

The Proposed Actions would facilitate two eight-story mixed use buildings on Brooklyn Block 7367, Lots 11 and 29. Four one-story commercial buildings on two Projected Development Sites would be demolished to make way for the proposed new development.

4. Project Sponsor: Coyle Properties LLC
5. Required approvals: Zoning Map Amendment (R4/C1-2 to a R6A/C2-4) & MIH Text Amendment
6. Project schedule (build year and construction schedule): 2027

B. PROJECT LOCATION:

1. Street address: 2134 and 2156 Coyle Street
2. Tax block(s): BK 7367 Tax Lot(s): 11 and 29
3. Identify existing land use and zoning on the project site: Commercial, R4/C1-2
4. Identify proposed land use and zoning on the project site: Mixed Res and Comm, R6A/C2-4
5. Identify land use of adjacent sites (include any open space): Residential and Commercial
6. Describe existing density on the project site and the proposed density:

Existing Condition	Proposed Condition
Four one-story commercial buildings	Two mixed-use residential and commercial bldgs up to 8 stories tall

7. Is project within 100 or 500 year floodplain (specify)? ☐ **100 Year** ☒ **500 Year** ☐ **No**

C. GROUND AND GROUNDWATER

1. Total area of in-ground disturbance, if any (in square feet): 39,317
2. Will soil be removed (if so, what is the volume in cubic yards)? 506,340
3. Subsurface soil classification:
   (per the New York City Soil and Water Conservation Board): Urban land-Flatbush complex (UFA) a
4. If project would change site grade, provide land contours (**attach** map showing existing in 1' contours and proposed in 1' contours).
5. Will groundwater be used (list volumes/rates)? ☐ **Yes** ☒ **No**

   Volumes: Rates:
6. Will project involve dewatering (list volumes/rates)? ☐ **Yes** ☒ **No**

   Volumes: Rates:
7. Describe site elevation above seasonal high groundwater:

   The projected development sites are at an elevation of approximately 14.5 feet (NAVD88).

D. HABITAT

1. Will vegetation be removed, particularly native vegetation? ☐ **Yes** ☒ **No**

   If YES,
   - **Attach** a detailed list (species, size and location on site) of vegetation to be removed (including trees >2" caliper, shrubs, understory planting and groundcover).
   - **List** species to remain on site.
   - **Provide** a detailed list (species and sizes) of proposed landscape restoration plan (including any wetland restoration plans).
2. Is the site used or inhabited by any rare, threatened or endangered species? ☐ **Yes** ☒ **No**
3. Will the project affect habitat characteristics? ☐ **Yes** ☒ **No**

   If YES, describe existing wildlife use and habitat classification using "Ecological Communities of New York State." at http://www.dec.ny.gov/animals/29392.html.
4. Will pesticides, rodenticides or herbicides be used during construction? ☒ **Yes** ☐ **No**

   If YES, estimate quantity, area and duration of application.

   Rodenticides may be used during construction in locations throughout each development site.
5. Will additional lighting be installed? ☒ **Yes** ☐ **No**

   If YES and near existing open space or natural areas, what measures would be taken to reduce light penetration into these areas?

   The development sites are more than 400 feet from public open space or natural areas.

E. SURFACE COVERAGE AND CHARACTERISTICS

(describe the following for both the existing and proposed condition):

	Existing Condition	Proposed Condition
1. ***Surface area:***		
Roof:	34,350 sf	50,000 sf
Pavement/walkway:	7,730 sf open parking and loading area	0 sf
Grass/softscape:	6,280 sf (200 sf Projected Development	0 sf
Other (describe):		
2. ***Wetland*** (regulated or non-regulated) area and classification:	None	None
3. ***Water surface area:***	None	None

4. ***Stormwater management*** (describe):

Existing – how is the site drained?

Stormwater is collected from roofs and the open parking area and fed into the local separate sewered system, with an outfall into Sheepshead Bay.

Proposed – describe, including any infrastructure improvements necessary off-site:

Stormwater would be collected and treated before before being conveyed to the outfall for discharge into Sheepshead Bay. All applicable permits and approvals will be obtained before before outfall connection.

F

Coyle Street Rezoning
Phase I Environmental Site Assessment

LANGAN

PHASE I ENVIRONMENTAL SITE ASSESSMENT

for

2134 COYLE STREET
BROOKLYN, NEW YORK

Prepared For:

Coyle Properties LLC
c/o Pryor Cashman LLP
2134 Coyle Street
Brooklyn, New York 11229

Prepared By:

Langan Engineering, Environmental, Surveying
Landscape Architecture and Geology, D.P.C.
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Michael D. Burke, PG, CHMM
Principal/Vice President

October 14, 2020
Langan Project No. 170603101

LANGAN

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EXECUTIVE SUMMARY

Langan Engineering, Environmental, Surveying, Landscape Architecture and Geology, D.P.C. (Langan) was retained by Coyle Properties LLC, c/o Pryor Cashman LLP (the "User") to prepare this Phase I Environmental Site Assessment (ESA) for the property located at 2134 Coyle Street in Brooklyn, New York (the "Subject Property"). The Subject Property is identified on the New York City (NYC) Brooklyn Borough Tax Map as Block 7367, Lot 11, and is situated in the eastern part of the city block bound by Avenue U to the north, Coyle Street to the east, Avenue V to the south, and Ford Street to the west. The Subject Property has an area of 36,000-square-feet and is improved with a one-story warehouse in the southern part of the site, a two-story hardware supply store with partial cellar and an asphalt-paved open-air storage yard in the central part of the site, and a one-story commercial store occupied by the Dollar Tree in the northern part of the site.

This Phase I ESA was conducted in accordance with ASTM International (ASTM) E1527-13 (Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process) and the United States Environmental Protection Agency (USEPA) All Appropriate Inquiry (AAI) Rule, for the purpose of identifying recognized environmental conditions (RECs), historical RECs (HRECs), controlled RECs (CRECs) and business environmental risks (BERs). Two on-site RECs, two off-site RECs, two BERs, one non-ASTM consideration, and one de minimis condition were identified. CRECs and HRECs were not identified.

REC

A REC is defined by ASTM E1527-13 as the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property due to any release to the environment, under conditions indicative of a release to the environment, or under conditions that pose a material threat of a future release to the environment. The following RECs were identified:

REC 1 – Documented Contamination in On-site Drywell

A Phase II Subsurface Investigation performed at the Subject Property in March 2007 by Cashin Associates, P.C. (CA) to investigate whether on-site operations adversely impacted subsurface conditions within a drywell located in the asphalt-paved open-air storage yard (central region of Subject Property). CA collected one soil sample and one liquid sample from the drywell for the USEPA Priority Pollutant (PP) list compounds, including volatile organic compounds (VOC), semivolatile organic compounds (SVOC), pesticides, herbicides, polychlorinated biphenyls (PCBs), and metals. Analytical results identified soil impacted with VOCs, SVOCs, and metals above the New York State Department of Environmental Conservation (NYSDEC) Unrestricted

Use (UU), Restricted Residential (RR) Use, and/or Protection of Groundwater (PG) Soil Cleanup Objectives (SCOs). One SVOC, benzo(a)pyrene, was detected above the Commercial Use SCO. The liquid sample collected from the drywell contained VOCs, SVOCs, pesticides, and metals at concentrations exceeding NYSDEC Technical and Operational Guidance Series (TOGS) 1.1.1 Ambient Water Quality Standards and Guidance Values for Groundwater (collectively SGVs). CA recommended the sediments observed within the drywell be removed and properly disposed of in accordance with applicable laws and regulations. Further investigation regarding the construction of the drywell was recommended to determine whether the subgrade structure is connected to a municipal system, or is a leaching pool that drains to the subsurface. No record of further actions were documented following CA's recommendation. During the site reconnaissance performed on September 30, 2020, water was observed at about 1 foot below grade surface (bgs) in the about 2-foot-diameter drywell, however, no odors, staining, sheen, or evidence of impacts were identified.

REC 2 – Historic Use of the Subject Property

The Subject Property was occupied by a lumber company from as early as 1930 until circa 2007, and continues to warehouse lumber as part of the commercial hardware supply operation. Undocumented releases of petroleum products, solvents and/or hazardous substances (i.e., creosote, resins, acids, lacquers, metals, formaldehyde, etc.) associated with historic lumber-associated operations may have adversely affected soil, groundwater and/or soil vapor beneath the Subject Property.

REC 3 – Historical and Current Use of Adjoining and Surrounding Properties

Historical and current uses and regulatory listings at adjoining and surrounding properties include registered and historical drycleaners, unspecified manufacturers, private garages, and a fuel oil company. Undocumented spills or releases of petroleum products, solvents, chemicals, and/or other hazardous substances associated with these current and/or historical operations may have affected groundwater, and/or soil vapor beneath the Subject Property.

REC 4 – Active Groundwater Remediation at Adjoining Property

A petroleum spill was reported at the east-adjoining property, 2171 Coyle Street, on August 25, 2000 when petroleum-impacted soil and groundwater were identified in association with a leaking 5,000-gallon No. 2 fuel oil underground storage tank (UST). After the removal and closure of the UST on November 15, 2000, free product was observed in groundwater monitoring wells placed within the vicinity of the former UST. Between 2001 and 2015, a subsurface investigation and multiple on- and off-site groundwater monitoring and free product recovery events were

performed, including soil excavations to remove source material. According to the NYSDEC spill database, a draft Remedial Investigation Report (RIR) was completed in 2018 and remediation is ongoing. Based on the proximity of the spill to the Subject Property, presence of free product in on- and off-site down-gradient monitoring wells, no reported up-gradient investigation or delineation, and active remediation status, this listing is considered a REC.

BER

A BER is defined by ASTM E1527-13 as a risk that can have a material environmental or environmentally-driven impact on the business associated with the current or planned use of a parcel of commercial real estate not necessarily limited to those environmental issues required to be investigated in this practice. The following BERs were identified:

BER 1 – Historic Fill Material

Based on the EDR report, the soil underlying the Subject Property is likely comprised of historic fill material. Historic fill material found in urban environments typically contains ash, demolition debris, and/or municipal waste products and may contain contaminants (e.g., SVOCs or metals) at concentrations above applicable regulatory standards. The likely occurrence of historic fill material does not trigger any regulatory obligations or reporting requirements, but may require implementation of soil handling and management procedures during site redevelopment to address excavation, re-use, handling, and off-site disposal, and may result in incremental costs above the baseline development value, specifically associated with transportation and disposal of excess soil generated during foundation excavation.

BER 2 – Improper Storage of Petroleum Products

During the site reconnaissance performed on September 30, 2020, two 55-gallon drums containing diesel fuel and a third empty drum formerly containing diesel, were observed in the asphalt paved storage area. The drums were staged on wooden pallets, and no secondary containment was observed. No evidence of a release from the drums was observed, however the lack of secondary containment is considered a BER.

Non-ASTM Consideration

A Non-ASTM Scope Consideration is identified by ASTM E1527-13 as an environmental issue or condition at a property that parties may wish to assess in connection with commercial real estate that is outside the scope of ASTM E1527-13. The following non-ASTM consideration was identified for the Subject Property:

A formal survey to identify asbestos-containing material (ACM) lead based paint (LBP), and PCB-containing material was not conducted. Based on the age of the on-site buildings (constructed circa the 1950s and 1970s) ACM, LBP, and/or PCB-containing materials may be present.

De Minimis Condition

Petroleum-like staining on concrete slabs and asphalt was observed in the one-story warehouse and asphalt-paved open-air storage yard, including areas beneath forklifts. Surficial, cosmetic cracks in the concrete and asphalt were present, however, no evidence of a release to the subsurface was observed. The staining is considered a de minimis condition.

1.0 INTRODUCTION

Langan Engineering, Environmental, Surveying, Landscape Architecture and Geology, D.P.C. (Langan) was retained by Coyle Properties LLC, c/o Pryor Cashman LLP (the "User") to prepare this Phase I Environmental Site Assessment (ESA) for the property located at 2134 Coyle Street in Brooklyn, New York (the "Subject Property"). The Subject Property is identified on the New York City (NYC) Brooklyn Borough Tax Map as Block 7367, Lot 11 and is situated in the eastern part of the block bound by Avenue U to the north, Coyle Street to the east, Avenue V to the south, and Ford Street to the west. This Phase I ESA was performed for the User in general accordance with ASTM International's (ASTM) Standard E1527-13 (Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process) and the United States Environmental Protection Agency's (USEPA) All Appropriate Inquires (AAI) Rule. The purpose of this Phase I ESA is to accomplish the following:

(1) Identify Recognized Environmental Conditions (RECs) in connection with the Subject Property, as defined in The Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process, Designation E1527-13, which states: The presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: (1) due to any release to the environment; (2) under conditions indicative of a release to the environment; or (3) under conditions that pose a material threat of a future release to the environment. De minimis conditions are not considered RECs. De minimis conditions are further defined as conditions that generally do not present a material risk of harm to public health or the environment and that generally would not be the subject of an enforcement action if brought to the attention of appropriate governmental agencies.

(2) Provide services consistent with the USEPA 40 Code of Federal Regulations (CFR) Part 312 Subpart C Standards and Practices §312.20 AAI Rule.

1.1 Scope of the Phase I ESA

This Phase I ESA was conducted utilizing a standard of good commercial and customary practice using the local standard of case that is consistent with ASTM E1527-13. Any significant scope-of-work additions, deletions, or deviations to ASTM E1527-13 are noted in Section 9.0 of this report. In general, the scope of this assessment consisted of obtaining information from the User; reviewing reasonably ascertainable information and environmental data relating to the Subject Property; reviewing maps and records maintained by federal, state, and local regulatory agencies;

interviewing persons knowledgeable about the Subject Property; and conducting a site inspection. The specific scope of this assessment included the following:

1. A site reconnaissance to characterize conditions and assess the Subject Property's location with respect to adjoining and surrounding property uses and natural surface features. The reconnaissance included the surrounding roads and observations of surrounding properties from public rights-of-way to identify obvious potential environmental conditions on neighboring properties. The site reconnaissance was conducted in a systematic manner focusing on the spatial extent of the Subject Property and then progressing to adjacent and surrounding properties. Photographs taken as part of the site reconnaissance are provided in Appendix A.

2. As per ASTM E1527-13, user and owner/operator questionnaires were provided to the User/Client (also the Owner/Operator) to obtain information related to the Subject Property. A copy of the completed questionnaire is provided in Appendix B.

3. A review of one available previous environmental report completed for the Subject Property. A copy of the report is included in Appendix C.

4. A review of environmental databases maintained by the USEPA, state, and local agencies within the approximate minimum search distance. Environmental Data Resources, Inc. (EDR) prepared the environmental database report, which is included in Appendix D.

5. Freedom of Information Act (FOIA) requests were sent to federal, state, and local agencies. Copies of the FOIA requests are included in Appendix E.

6. New York City Department of Buildings (NYCDOB) records and a New York City Planning Commission (NYCDCP) Zoning Map were reviewed. Available NYCDOB records and Zoning Map are included in Appendices F and G, respectively.

7. Physical characteristics of the Subject Property were determined through referenced sources for topographic, geologic, soils, and hydrologic data.

8. A review and interpretation of aerial photographs, Sanborn® Fire Insurance Maps (Sanborn® Maps), historical topographic maps, and city directories to identify previous activities on and in the vicinity of the Subject Property. Copies are included in Appendices H, I, J and K, respectively.

9. A review of an environmental lien search for the Subject Property. A copy of the environmental lien search report is included in Appendix L.

10. A review of published radon occurrence maps to determine if the Subject Property is located in an area with a propensity for elevated radon levels.

1.2 Assumptions, Limitations, and Exceptions

This Phase I ESA report was prepared for Coyle Properties LLC, c/o Pryor Cashman LLP for the Subject Property located at 2134 Coyle Street in Brooklyn, New York. The report is intended to be used in its entirety. Excerpts taken from this report are not necessarily representative of the assessment findings. Langan cannot assume responsibility for use of this report for any property other than the Subject Property addressed herein, or by any other third party without a written authorization from Langan.

Langan's scope of services, described in Section 1.1, was limited to that agreed to with the User and no other services beyond those explicitly stated are implied. The services performed and agreed upon for this effort comports to those prescribed in the ASTM Standard E1527-13. Intrusive sampling (e.g., soil borings and groundwater sampling) was not performed as part of this Phase I ESA.

This Phase I ESA was not intended to be a definitive investigation of possible environmental impacts at the Subject Property. The purpose of this investigation was limited to determining if there is reason to suspect the possibility of RECs at the Subject Property. It should be understood that even the most comprehensive Phase I ESA may fail to detect environmental liabilities at a particular Subject Property. Therefore, Langan cannot "insure" or "certify" that the Subject Property is free of environmental impacts. No expressed or implied representation or warranty is included or intended in this report, except that our services were performed, within the limits prescribed by our client, with the customary standard of care exercised by professionals performing similar services under similar circumstances within the same jurisdiction.

The conclusions and opinions provided in this report are based solely on the specific activities as required for the performance of ASTM E1527-13 and are intended exclusively for the purpose stated herein, at the specified Subject Property, as it existed at the time of our site visit.

2.0 SUBJECT PROPERTY DESCRIPTION

2.1 Location and Description

The Subject Property is located at 2134 Coyle Street in Brooklyn, New York. The Subject Property is identified on the NYC Brooklyn Borough Tax Map as Block 7367, Lot 11, and is situated in the eastern part of the city block bound by Avenue U to the north, Coyle Street to the east, Avenue V to the south, and Ford Street to the west. The Subject Property covers an area of 36,000-square-feet and is improved with a one-story warehouse in the southern part of the site, a two-story hardware supply store with a partial cellar and an asphalt-paved open-air storage yard in the central part of the site, and a one-story commercial store occupied by the Dollar Tree in the northern part of the site. The Dollar Tree store was formerly part of the hardware supply store until circa 2015. A partial cellar is located in the northern part of the hardware supply store, which houses a sprinkler system, out-of-service furnace, electrical panel room, and storage area. Miscellaneous hardware, cleaning, janitorial, plumbing equipment, and lumber are stored within the hardware supply store, asphalt-paved open-air storage yard, and one-story warehouse located in the southern region of the Subject Property. Based on visual observations of the surrounding area during the site reconnaissance, the Subject Property is located within an urban area characterized by single and multi-story residential and commercial buildings. A Site Location Map is provided as Figure 1. Site reconnaissance photographs are included in Appendix A.

According to the 2013 United States Geological Survey (USGS) Coney Island Quadrangle 7.5-minute Series Topographic Map, the elevation of the Subject Property is about elevation 9 feet above mean seal level (msl). The Subject Property and surrounding area is generally flat, and slopes gently to the south-southeast toward Marine Park Creek and Plumb Beach Channel located about 0.47 miles east and 0.42 miles southeast of the Subject Property, respectively.

Surrounding property use is summarized in the following table:

Direction	Block	Lot	Adjoining Properties	Surrounding Properties
North	7367	1	One-story commercial building with multiple storefronts	Avenue U followed by multiple story commercial and residential buildings
West	7367	54-71	Two-story, one- to two-family residential buildings	Ford Street followed by multiple story residential buildings
		53	Two-story residential multi-family walk-ups	
East	7368	Coyle Street		Outdoor recreation space, multiple story residential, commercial, and institutional buildings
		68	One-story commercial building	
		65	One-story commercial building	

Direction	Block	Lot	Adjoining Properties	Surrounding Properties
East	7368	17	One-story commercial building	
South	7367	29	One-story commercial building	Coyle Street and multiple story residential and commercial buildings

2.2 Description of Subject Property Improvements

Improvements at the Subject Property are summarized in the following table:

Site Improvements	
Size of the Subject Property	About 36,000 square feet
Buildings/Spaces/Structures	A one-story warehouse, a two-story hardware supply store with partial cellar, an asphalt-paved open-air storage yard, and a one-story commercial store occupied by the Dollar Tree (formerly part of the two-story hardware supply store)
Surface Water	None
Potable Water Source	New York City
Sanitary and Storm Sewer Utilities	New York City
Electrical Utilities	Consolidated Edison Company of New York, Inc. (Con Edison)
Construction Completion Date	Two-story hardware supply store and commercial store (Dollar Tree): 1950s One-story warehouse: 1970s
General Construction Type	Brick, cinder block, and concrete masonry
Cooling and Ventilation System Type	Forced air heating, ventilation, and air conditioning (HVAC) system in the hardware supply store offices and Dollar Tree store
Heating System Type	Natural gas, distributed by ceiling-hung heating units in the one-story warehouse and portions of the hardware supply store, and by a the forced-air HVAC system in the hardware supply store offices and Dollar Tree store
Emergency Power	None

2.3 Title Records

Langan researched ownership records for the Subject Property at the Automated City Register Information System (ACRIS) website (https://a836-acris.nyc.gov/DS/DocumentSearch/BBL). According to ACRIS, the Subject Property is owned by Coyle Properties LLC. Available deed information is listed in the table below.

Block 7367, Lot 11			
Document Date	**Document Type**	**Party 1**	**Party 2**
9/14/1998	Deed	Bagels by Bell LTD/DEF	Coyle Properties LLC
4/1/1990	Deed	Fox Lumber Co. Inc.	2134 Realty Corp.

Langan's review of ownership records did not reveal RECs.

3.0 USER PROVIDED INFORMATION

3.1 User/Client and Owner/Operator Questionnaires

Per ASTM E1527-13, a User/Client questionnaire was provided to the User/Client to inquire about specialized information related to the Subject Property. Considering the User is also the current Owner/Operator of the Subject Property, an owner/operator questionnaire was completed by Robert Fischman of Coyle Street Properties LLC. Mr. Fischman stated that he is not aware of litigation administrative proceedings, or environmental notices related to hazardous substances or petroleum products at the property.

The completed questionnaire is included in Appendix B.

3.2 Previous Environmental Reports

The following previous environmental report was reviewed for the Subject Property. A copy of the report is available in Appendix C.

Phase II Subsurface Investigation for the Property Located at Berkoff-Fox Supply Source, 2142 Coyle Street, Brooklyn, New York, prepared by Cashin Associates, P.C., dated March 13, 2007

A Phase II Subsurface Investigation performed at the Subject Property in March 2007 by Cashin Associates, P.C. (CA) to investigate whether on-site operations (lumber company with storage areas for various carpentry, electrical, plumbing, janitorial and welding machinery, and hardware supplies) adversely impacted subsurface conditions within a drywell located in the asphalt-paved open-air storage yard (central region of Subject Property). CA collected one soil sample and one liquid sample from the drywell for the USEPA Priority Pollutant (PP) list compounds, including volatile organic compounds (VOC), semivolatile organic compounds (SVOC), pesticides, herbicides, polychlorinated biphenyls (PCBs), and metals. Analytical results identified soil impacted with VOCs (total xylenes, 1,2,4-trimethylbenzene, naphthalene, and acetone), SVOCs (benzo[a]anthracene, chrysene, benzo[b]fluoranthene, benzo[k]fluoranthene, benzo[a]pyrene, and indeno[1,2,3-cd]pyrene), and metals (copper and zinc) above the New York State Department of Environmental Conservation (NYSDEC) Unrestricted Use (UU), Restricted Residential Use (RR), and/or Protection of Groundwater (PG) Soil Cleanup Objectives (SCOs). One SVOC, benzo(a])pyrene, was detected above the UU, RR, and Commercial Use SCOs. The liquid sample collected from the drywell contained VOCs (1,2,4-trimethylbenzene and naphthalene), SVOCs (bis[2-ethylhexyl]phthalate), pesticides (chlordane), and metals (arsenic, beryllium, cadmium, chromium, copper, lead, mercury, nickel, and zinc) at concentrations exceeding NYSDEC Technical and Operational Guidance Series (TOGS) 1.1.1 Ambient Water Quality Standards and Guidance Values for Groundwater (collectively SGVs). CA recommended the sediments observed

within the drywell be removed and properly disposed of in accordance with applicable laws and regulations.

CA recommended further investigation to verify the size and type of the drywell, and that the sediment be pumped out and removed by a qualified contractor. CA noted that the structure may be a solid chamber with a blocked connection to a public sewer/stormwater system, or a leaching pool full of accumulated sediment. If the structure was identified as a leaching pool, CA recommended additional sampling within the structure (i.e., endpoint sampling) and around the dry well.

The analytical results indicate the contents of the drywell are impacted with VOCs, SVOCs, pesticides, and metals above applicable regulatory criteria, which constitutes a REC.

4.0 RECORDS REVIEW

4.1 Environmental Records

A copy of regulatory database information was provided by EDR and is included in Appendix D. The EDR report provides a listing of sites identified on select federal and state standard source environmental databases within the approximate search radius specified by ASTM Standard Practice for E1527-13. Langan reviewed each environmental database on a record-by-record basis to evaluate whether the identified sites represent a potential for environmental impact to the Subject Property. Langan also reviewed "Orphan Sites" listed within the report. Orphan Sites are those sites that could not be mapped due to inadequate address information. Any Orphan Sites that were identified by Langan within the ASTM search radii, either during the site reconnaissance or by cross-referencing to mapped listings, are addressed in the discussion below.

The following table lists the number of sites identified in standard and additional environmental record databases, within the prescribed search area and appearing in the EDR Report.

Database Record Summary			
Database Reviewed (Date of government version)	**Minimum Search Area**	**Subject Property listed**	**Number of Sites Within Minimum Search Area**
USEPA DATABASES			
National Priorities List (NPL) (7/29/2020)	1 Mile Radius	No	0
Delisted NPL (7/29/2020)	1 Mile Radius	No	0
Superfund Enterprise Management System (SEMS) and SEMS-ARCHIVE (7/29/2020)	1/2 Mile Radius	No	0
Resource Conservation and Recovery Act (RCRA) Corrective Reports (CORRACTS) (6/15/2020)	1 Mile Radius	No	0
RCRA Treatment, Storage, and Disposal Facilities (TSDF) (6/15/2020)	1/2 Mile Radius	No	0
RCRA Generators (Large Quantity Generator [LQG], Small Quantity Generator [SQG], Conditionally Exempt Small Quantity Generator [CESQG], Non-Generators [NonGen]) (6/15/2020)	Subject Property and Adjoining Properties	No	2
Facility Index System (FINDS) Database (2/3/2020)	Subject Property	No	0
Environmental Response Notification System (ERNS) (6/15/2020)	Subject Property	No	0
Federal Engineering Controls (US ENG CONTROLS) Sites List (2/13/2020)	Subject Property	No	0

Database Record Summary			
Database Reviewed (Date of government version)	**Minimum Search Area**	**Subject Property listed**	**Number of Sites Within Minimum Search Area**
Federal Institutional Controls (US INST CONTROLS) Sites List (2/13/2020)	Subject Property	No	0
NYSDEC DATABASES			
Inactive Hazardous Waste Disposal Sites (SHWS) (5/12/2020)	1 Mile Radius	No	2
Hazardous Substance Waste Disposal Sites Inventory (HSWDS) (1/1/2003)	1/2 Mile Radius	No	0
Solid Waste or Landfill Facilities (SWF/LF) (6/5/2020)	1/2 Mile Radius	No	1
Solid Waste Disposal Sites Registered Recycling Facility List (SWRCY) (7/01/2020)	1/2 Mile Radius	No	0
Leaking Tanks (LTANKS) (5/12/2020)	1/2 Mile Radius	No	13
SPILLS Information Database (NY SPILLS) (5/12/2020)	1/8 Mile Radius	No	6
New York Engineering Controls (NY ENG CONTROLS) Sites Lists (5/12/2020)	Subject Property	No	0
New York Institutional Controls (NY INST CONTROLS) Sites Lists (5/12/2020)	Subject Property	No	0
NY Voluntary Cleanup Program (VCP) (4/6/2020)	1/2 Mile Radius	No	0
NY Brownfields (3/26/2020)	1/2 Mile Radius	No	0
NY E-Designation (2/27/2020)	1/8 Mile Radius	No	0
Petroleum Bulk Storage Facilities (PBS) Underground Storage Tanks (UST) and Aboveground Storage Tanks (AST) Databases (6/22/2020)	Subject Property and Adjoining Properties	No	1
Chemical Bulk Storage (CBS) UST and AST Databases (1/1/2002)	Subject Property and Adjoining Properties	No	0
Major Oil Storage Facilities (MOSF) UST and AST Databases (1/1/2002)	Subject Property and Adjoining Properties	No	0
Registered Drycleaners (DRYCLEANERS) (6/8/2020)	1/4 Mile Radius	No	5
EDR (PROPRIETARY) DATABASES			
EDR Former Manufactured Gas Plant (MGP) Sites (N/A)	1 Mile Radius	No	0
EDR Historical Auto Stations (N/A)	1/8 Mile Radius	No	1
EDR Historical Cleaners (N/A)	1/8 Mile Radius	No	3

N/A=Not Applicable; databases were reviewed as part of this Phase I ESA but not required as per ASTM E1527-13.

A description of the reviewed databases is included in the EDR Report (Appendix D). A summary of sites identified within the prescribed search area is presented below.

4.1.1 Federal Agency Database Findings

The Subject Property and/or sites within their respective minimum search distances as specified by ASTM E1527-13 were not listed in the following federal agency databases: NPL, Delisted NPL, SEMS, SEMS-ARCHIVE, CORRACTS, RCRA TSDF, FINDS, ERNS, US ENG CONTROLS, or US INST CONTROLS. The following summary describes the sites that were identified within the designated search radii:

RCRA Generators Database

The RCRA generators/transporters database is USEPA's comprehensive information system, providing access to data supporting the RCRA of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites that generate, transport, store, treat and/or dispose of hazardous waste as defined by RCRA. RCRA Databases include LQGs, SQGs, CESQGs, and NonGens. The minimum search radius for the databases includes the Subject Property and adjoining properties.

The Subject Property is not listed in the RCRA hazardous waste generator databases; however, two sites were identified on adjoining properties. One of the sites is identified as a Con Edison facility. Con Edison maintains an internal protocol for managing hazardous waste and no violations were identified for the listing; therefore, it is not considered a REC. The second listing at the south adjoining property is described below:

Site Name: Clothes Care
Site Address: 2166 Coyle Street
Location: South adjoining property (hydraulically down-gradient)
Description: The site is identified under USEPA ID: NYD095758876, and is listed as a LQG in 1985, a NonGen in 1999, and as a CESQG in 2006 and 2007. The site was also listed in the Integrated Compliance Information System (ICIS), minor Aerometric Information Retrieval System (US AIRS MINOR) facility, and NY MANIFEST databases. Spent halogenated solvents (F002) and tetrachloroethylene (PCE) were identified as waste types. A general violation was listed in the RCRA Generators database in 1989, and two enforcement actions were listed in the US AIRS MINOR database in 2001 and 2005 for administrative activities. The entry in the ICIS database is in relation to the US AIRS MINOR listing. Compliance was reported for all violations. Considering the reported violations, the generation of solvent-containing waste at an adjoining property is considered a REC, as

inadvertent releases of non-halogenated solvents may have impacted groundwater and/or soil vapor at the Subject Property.

4.1.2 State Agency Database Findings

The Subject Property and/or sites within the respective minimum search distances as specified by ASTM E1527-13 were not listed in the following state agency databases: HSWDS, SWRCY, NY ENG CONTROLS, NY INST CONTROLS, VCP, NY Brownfields, NY E-Designation, CBS, and MOSF. The following summary describes the sites that were identified within the designated search radii.

SHWS Database

The SHWS database is a comprehensive listing of sites that are the state's equivalent to SEMS. These consist of priority sites planned for cleanup using state funds (state equivalent of Superfund) and or potentially responsible parties. The Subject Property was not listed in the SHWS database. Two SHWS sites, including one orphan site, were identified within the one-mile search radius. Both sites are located more than 1,100 feet hydraulically down-gradient of the Subject Property, and are therefore not considered RECs.

SWF/LF Database

The SWF/LF database is a comprehensive listing of state permitted/recorded solid waste facilities. The Subject Property was not listed in the SWF/LF database; however, one orphan site, Marine Park, was identified within the 1/2-mile search radius. The site is listed as inactive and is located more than 1,000 feet down-gradient the Subject Property. Therefore, this listing is not considered a REC.

LTANKS Database

The LTANKS database contains an inventory of reported leaking storage tank incidents, including leaking USTs and ASTs. The Subject Property was not listed in the database; however, 13 listings were identified within the 1/2-mile search radius. The listed incidents were primarily caused by tank and tank test failures. Each of the LTANKS listings have been granted a closed status by the NYSDEC, indicating that the NYSDEC is satisfied with spill remediation. Therefore, these listings are not considered RECs.

SPILLS Database

The SPILLS database is an inventory of sites where spills have been identified and reported to the NYSDEC. The Subject Property was not listed in the database; however, six spill incidents were identified within the 1/8-mile search radius. Five of the six listings have been granted closed status by the NYSDEC, indicating that the NYSDEC is satisfied with spill remediation, and are not considered RECs. The remaining open listing is summarized below:

Site Name: 2171 Coyle Street
Site Address: 2171 Coyle Street
Site Location: East adjoining property; about 80 feet east of the Subject Property (hydraulically down-gradient)
Description: NYSDEC Spill No. 0006250 was reported on August 25, 2000 when petroleum-impacted soil and groundwater were identified in association with a leaking 5,000-gallon No. 2 fuel oil UST (closed LTANK record No. 0003261 and NYSDEC PBS No. 2-604634). After the removal and closure of the UST on November 15, 2000, free product was observed in groundwater monitoring wells on site. Approximately 20 cubic yards of contaminated soil was removed from the UST area followed by the collection of composite and discrete endpoint samples from the base and/or sidewalls of the excavation. After the endpoint samples were collected, additional excavation was performed to determine the groundwater depth, identified at 12 feet below grade surface (bgs). Free product in groundwater and contaminated soil below the groundwater table were observed, indicating a smear zone below the groundwater table. Between 2001 and 2010, a subsurface investigation, multiple groundwater gauging, sampling, and product recovery events were performed on- and/or off-site to delineate the extent of groundwater impacts. Between 2010 and 2015, available records indicate a network of on- and off-site groundwater monitoring wells were gauged quarterly and enhanced fluid recovery was performed to recover observed free product. According to the NYSDEC spill memo provided in the EDR radius report, a draft Remedial Investigation Report (RIR) was completed in 2018 and remediation is ongoing. Based the proximity of the spill to the Subject Property, presence of free product in on- and off-site down-gradient monitoring wells, no reported up-gradient investigation or delineation, and active remediation status, this listing is considered a REC.

PBS Databases

The PBS and CBS UST and AST databases contain records of registered USTs and ASTs. A registered UST or AST does not constitute a REC in and of itself; however, properties listed on

the UST and/or AST databases with a reported leak, spill, or release could constitute a REC with respect to the Subject Property. The Subject Property was not listed in the PBS database; however, one listing, located at an adjoining property, was identified in the PBS database as discussed below:

Site Name: Waldbaums Supermarket
Site Address: 2171 Coyle Street
Location: East adjoining property; approximately 160 feet southeast of the Subject Property (hydraulically down-gradient)
Description: This site is registered in the UST database under NYSDEC PBS No. 2-604634 with a closed/unregulated status. The listing identifies a former 5,000-gallon No. 2 fuel oil UST that was closed and removed on November 15, 2000. The UST listing is associated with the previously mentioned LTANKS record No. 0003261 and NYSDEC Spill No. 0006250 listings. This site is further described in the SPILLS database above.

NY Drycleaners Database

The NY Drycleaners database is a listing of registered dry cleaning facilities. Dry cleaning facilities are associated with the use of PCE, a solvent that has the potential to infiltrate groundwater and can readily migrate to surrounding properties. The Subject Property was not listed in the NY Drycleaners database; however, five sites were identified within the 1/4-mile search radius. Two of the listings are located more than 800 feet from the Subject Property and are not considered RECs. The remaining two listings are summarized below:

Site Name: Mr. George Landromat & Drycleaning
Site Address: 2166 Coyle Street
Location: South adjoining (hydraulically down-gradient)
Description: The site is registered as a drycleaner under Facility ID: 2-6107-00194. The installation date of the registered drycleaner was not reported, however, the first reported inspection was in 2000 and the most recent inspection was in 2018. The site is also identified as a historical drycleaner (discussed below). The listed address of 2166 Coyle Street is also associated with a former RCRA Generator (described in Section 4.1.1 above) with one reported general violation and two enforcement actions. Residual contamination from undocumented or unreported spills may have adversely impacted the subsurface of the Subject Property; therefore, this listing is considered a REC.

Site Name: Eastern/M&R Carmel Cleaners
Site Address: 3023 Avenue V
Location: About 180 feet southwest of the Subject Property (hydraulically down-gradient)

Description: The site is registered as a drycleaner under Facility ID: 2-6107-00522. The registered drycleaner was installed in 1999, and the next inspection date is listed as 2029. This site is also identified as a historical drycleaner (discussed below). No reported violations were documented for the listing in the EDR radius report. Due to the proximity to the Subject Property, and records indicating the property was used as a dry cleaner as early as 1968, this listing is considered a REC.

4.1.3 Other Database Findings

EDR Historical Auto Stations

The Historical Auto database is a proprietary database that lists potential gas station/filling station/service station sites based on review of national collections of business directories that were available to EDR researchers. EDR's review was limited to those categories of sources that may include gas station/filling station/service station establishments. The Subject Property was not listed in the database; however, one listing was identified within the 1/8-mile search radius and is discussed below:

Site Name: T&E Service
Site Address: 3095 Avenue U
Location: About 600 feet northeast of the Subject Property (hydraulically cross-gradient)
Description: The site is identified as a gasoline service station from 1969 to 2013. The site is also listed in the LTANKS, RCRA NonGen, FINDS, ECHO, and NY MANIFEST databases, and in the PBS UST and AST databases as Marine Park C/C Center Inc. The site is registered in the PBS database under NYSDEC PBS No. 2-333247 for the removal and closure of 12 550-gallon gasoline USTs, three active 8,000-gallon gasoline USTs with secondary containment, and one active 500-gallon waste oil AST on stilts/saddles. LTANKS record No. 9614592 was reported in 1997 when soil and groundwater contamination was confirmed during the removal of the 12, 550-gallon USTs, where holes were observed in six of the USTs. According to the NYSDEC spill memo provided in the EDR radius report, a subsurface investigation report and remediation letter were prepared, and remediation was deemed sufficient by the NYSDEC. The LTANKS listing was closed on March 25, 2005. The site is identified under USEPA ID: NY0001498625 in the RCRA NonGen database, and is listed as a CESQG in 1997 and as a NonGen in 2007, 2006 and 1997. The entries in the FINDS, ECHO, and NY MANIFEST databases are in relation to the RCRA NonGen listing. No violations were reported. Based the regulatory status of the LTANKS listing, lack of reported violations, and distance from the Subject Property, this listing is not considered a REC.

EDR Historical Drycleaners

The historical drycleaner database is a proprietary database that includes records of drycleaner sites compiled by EDR. The Subject Property was not listed in the historical drycleaners database; however, three historical drycleaners were identified within a 1/4-mile radius of the Subject Property. One of the listings is located about 400 feet southeast of the site (hydraulically down-gradient) and is therefore not considered a REC. The remaining two listings are discussed below:

Site Name: Clothes Care/Coyle Laundromat & Dry Cleaning
Site Address: 2162-2166 Coyle Street
Location: South adjoining (hydraulically down-gradient)
Description: The site is identified as Clothes Care from 1979 to 1994 and as Coyle Laundromat & Dry Cleaning from 1995 to 2014. This site is also identified as a registered drycleaner, Mr. George Landromat & Drycleaning (discussed above). Residual contamination from undocumented or unreported spills may have adversely impacted the subsurface of the Subject Property; therefore, this listing is considered a REC.

Site Name: M&R Dry Cleaners
Site Address: 3023 Avenue V
Location: About 230 feet south of the Subject Property (hydraulically down-gradient)
Description: The site is identified as M&R Dry Cleaners from 1986 to 1999, Carmel Dry Cleaners and Tailors from 1994 to 1997, and as Top Eastern Cleaners from 2003 to 2008. The site is also listed as a registered drycleaner (discussed above). No reported violations were documented for the listing in the EDR radius report. Due to the proximity to the Subject Property, and records indicating the property was used as a dry cleaner as early as 1968, this listing is considered a REC.

4.1.4 Local Regulatory Agency Findings

Freedom of Information Act Requests

FOIA requests were submitted on September 22, 2020 to the following federal, state, and local agencies via written correspondence:

- New York City Department of Environmental Protection (NYCDEP);
- New York City Department of Health (NYCDOH);
- New York City Fire Department (FDNY);
- New York State Department of Health (NYSDOH);

- NYSDEC; and
- USEPA, Region 2.

Complete responses to the FOIA requests have not yet been received from the NYCDOH, FDNY, NYSDOH, and NYSDEC. No records were found for the Subject Property in the NYCDEP Clean Air Tracking System (CATS) Information database or the USEPA MyEnvironment and MyPropertyInfo databases. Should pending responses alter the conclusions of this Phase I ESA, an addendum will be issued. Copies of the FOIA requests and any responses received are included in Appendix E.

NYCDOB

Langan conducted a records search through the NYCDOB online query system on September 30, 2020 for the Subject Property. Multiple addresses including 2114-2138, 2142, and 2150-2154 Coyle Street are listed for the Subject Property. The Subject Property is not located within a tidal wetland, freshwater wetland, coastal erosion hazard area, or special flood hazard area. The Subject Property is not identified with a Landmarked Status. The Department of Finance classification for the Subject Property is 'K1-STORE BUILDING.' No elevator records, boiler records, or Certificates of Occupancy (CO) were identified. No active/open NYCDOB violations or Environmental Control Board (ECB) violations were identified. A copy of NYCDOB records in included in Appendix F.

NYCDCP

According to the NYCDCP New York City Zoning and Land Use Map Portal (ZoLa) and Zoning Map 29a, the Subject Property is located in a R4 residential district with a C1-2 commercial overlay. This paired district promotes development and expansion of the longstanding mix of residential and commercial use found in lower to medium density areas, and occasionally in higher density areas. C1-2 districts are commercial overlays, intended for retail use within residential districts. Uses typically include grocery stores, restaurants, salons, and repair services. A copy of the zoning map is included in Appendix G.

4.2 Physical Setting Sources

4.2.1 Topography

According to the 2013 USGS Coney Island Quadrangle 7.5-minute Series Topographic Map, the elevation of the Subject Property is about elevation 9 feet above msl. The Subject Property and surrounding area is generally flat, and slopes gently to the south-southeast towards Marine Park

Creek and Plumb Beach Channel located about 0.47 miles east and 0.42 miles southeast of the Subject Property, respectively.

4.2.2 Geology

The soil and bedrock stratigraphy throughout Brooklyn typically consists of a layer of historic fill material that overlies glacial till, decomposed unconsolidated bedrock, and bedrock. The glacial till deposits, also known as ground moraine, are a widespread dense layer of till material that typically consists of clay, silt, sand, gravel and boulders. Based on a review of the "Bedrock and Engineering Geologic Maps of Bronx County and Parts of New York and Queens Counties, New York" by Charles A. Baskerville (1994), the bedrock underlying the Subject Property is comprised of the Hartland Formation, which primarily consists of gray and white granite and schist. Depth to bedrock at the Subject Property is estimated to be greater than 600 feet bgs. Geological surface features (e.g., rock outcroppings) were not observed on the Subject Property.

According to the U.S. Department of Agriculture's (USDA) Soil Conservation Service (SCS) STATSGO data summarized in the EDR database report, soil in the area around the Subject Property is described as Urban Land. Urban Land refers to soils that have been altered by human activities thus making them unidentifiable. Typically, these soils have been mixed with other materials, such as brick, concrete, and demolition debris of unknown origin (historic fill material). Historic fill material found in urban environments typically contains ash, demolition debris, and/or municipal waste products and may contain contaminants (e.g., SVOCs or metals) at concentrations above current regulatory standards. The likely occurrence of historic fill material does not trigger any regulatory obligations or reporting requirements, but may require implementation of soil handling and management procedures during site redevelopment to address excavation, re-use, handling, and off-site disposal, and may result in incremental costs above the baseline development value, specifically associated with transportation and disposal of excess soil generated during foundation excavation. Historic fill material is considered a business environmental risk (BER).

4.2.3 Hydrology

Groundwater flow is typically topographically influenced, as shallow groundwater tends to originate in areas of topographic highs and flows toward areas of topographic lows, such as rivers, stream valleys, ponds, and wetlands. A broader, interconnected hydrogeologic network often governs groundwater flow at depth or in the bedrock aquifer. Groundwater depth and flow direction are also subject to hydrogeologic and anthropogenic variables such as precipitation, evaporation, extent of vegetation cover, and coverage by impervious surfaces. Other factors influencing groundwater include depth to bedrock, the presence of artificial fill, and variability in

local geology and groundwater sources or sinks. Groundwater is inferred to flow south-southeast toward Marine Park Creek and Plumb Beach Channel, which feed into Sheepshead Bay.

The current Federal Emergency Management Agency (FEMA) Advisory Base Flood Elevation Maps include new advisory flood zone boundaries and advisory base flood elevations. These maps (Map Nos. 3604970352G and 3604970356G, effective on January 30, 2015) indicate that the Subject Property is located in a Zone X – Area of Minimal Flood Hazard with a 0.2 percent annual chance flood hazard According to the National Wetlands Inventory (NWI), no mapped wetlands are located at the Subject Property.

5.0 HISTORICAL USE INFORMATION

Langan reviewed available historic resources (including aerial photographs, Sanborn® and topographic maps, and city directories) dated 1895 to 2017. Findings of the reviews are presented below.

5.1.1 Aerial Photographs

Langan reviewed aerial photographs of the Subject Property and surrounding areas for the years 1924, 1951, 1954, 1961, 1966, 1976, 1984, 1994, 2006, 2009, 2013, and 2017. The 1924 photograph indicates that the Subject Property was undeveloped and located in a sparsely developed area characterized by unpaved roads (gridded roadway network), farmland, and the Marine Park Creek to the east. Avenue U and Nostrand Avenue are depicted north and northwest of the Subject Property, respectively, in the 1924 aerial image. The Subject Property appears to be located in a developed urban setting as early as 1951. By 1951, the Subject Property was improved with multiple buildings and what appears to be a storage yard in the northern and central parts of the site, respectively. The southern region of the Subject Property appears undeveloped. Adjoining developments to the north, northeast, and southwest are shown in the 1951 aerial image, however adjoining properties to the southeast, south and west remain vacant and undeveloped. The NYCHA Nostrand and Sheepshead Bay Houses are shown in the 1951 aerial image south of the Subject Property, across Avenue V. By 1954, the adjoining properties to the west appear to be developed with residential homes. The 1961 aerial image depicts a small building along the southeast corner of the Subject Property, and the adjoining properties to the east and south are developed with parking lots (eastern-adjoining property across Coyle Street only) and buildings. The 1976 aerial photograph is indiscernible; however, the one-story warehouse present at the Subject Property to the south and is depicted in the subsequent 1984 aerial photograph. No significant changes were apparent between 1984 and 2017, with the exception of the objects staged in the storage yard within the Subject Property. Copies of the aerial photographs are included in Appendix H.

5.1.2 Sanborn® Fire Insurance Maps

A search for historical fire insurance maps for the Subject Property and surrounding properties was conducted by EDR and reviewed by Langan. Sanborn® Maps constitute a database of prior site uses of real property for many cities and towns in the United States. Langan reviewed Sanborn® Maps for the Subject Property for the years 1895, 1906, 1930, 1950, 1968, 1969, 1977, 1981, 1982, 1983, 1986, 1987, 1989, 1991, 1992, 1993, 1995, 1996, and 2001-2007. Copies of the maps are included as Appendix I.

The Sanborn® Map review revealed that the Subject Property was undeveloped, yet situated in a gridded roadway network as early as 1895. In 1906, two equestrian-related tracks identified as "Futurity Course" and "Training Track" transect the central part of the Subject Property in east-west direction, and connect to the "Coney Island Jockey Club Grounds" east of the Subject Property on Block 7369. In 1930, the equestrian-related tracks were no longer depicted, and the Subject Property included two, one-story buildings to the north (2114-2118 Coyle Street) identified as "Gerritsen Beach Lumber Co. Inc." The remainder of the Subject Property is vacant and undeveloped in the 1930 map. By 1950, the Subject Property was improved with an additional single-story storage building (2120 Coyle Street) to the north, and a one-story residential dwelling with basement (2152-2154 Coyle Street) to the south. By 1968, the residential dwelling to the south was no longer present, and the Subject Property was developed with two adjoining one- to two-story buildings used as a lumber supply facility, woodworking shop, and storage in the northern and central parts of the site (2114-2138 Coyle Street). An unspecified warehouse is depicted in the southern part of the Subject Property (2150-2154 Coyle Street) in the 1977 Sanborn® Map. No significant changes were apparent on the Sanborn® Maps between 1977 and 2007 (most recent map).

The historical use of the Subject Property for lumber storage/ lumber company as early as 1930 is considered a REC, as undocumented releases of petroleum products, solvents and/or hazardous substances (i.e., creosote, resins, acids, lacquers, metals, formaldehyde, etc.) associated with historic lumber-associated operations may have adversely affected soil, groundwater and/or soil vapor beneath the Subject Property.

Historical use of adjoining and surrounding properties generally consisted of residential, commercial, manufacturing and institutional/community buildings. Nearby historical commercial and industrial uses which may have adversely affected the Subject Property include the following:

- Private Garage: 2125 Coyle Street (east adjoining [maps dated 1968-2007])
- Unspecified Manufacturing: 3030 and 3040 Avenue U (north adjoining [maps dated 1968-1969]), 3022 Avenue U (north adjoining [maps dated 1977-1983]), and 3024 Avenue U (north adjoining [maps dated 1977-1987])
- Dry Cleaner: 3023 Avenue V (about 180 feet southwest of the Subject Property [maps dated 1968-2007]) and 3054 to 3056 Avenue U (about 150 feet northeast of the Subject Property [maps dated 1968-1977])

Undocumented releases of petroleum products, solvents and/or hazardous substances associated with historical use of adjoining and nearby properties may have adversely affected groundwater and/or soil vapor beneath the Subject Property, and are therefore considered RECs.

5.1.3 Historical USGS Topographic Quadrangles

Langan reviewed historical USGS Topographic Quadrangles obtained from EDR for information regarding past uses of the Subject Property. Quadrangle maps were available for the years 1897, 1898, 1900, 1947, 1955, 1966, 1979, 1995, and 2013. Based on a review of the historic topographic maps, the Subject Property was undeveloped in 1897, 1898, and 1900. Nostrand Avenue and Avenue U are depicted north of the Subject Property in the 1897 topographic map. In the 1947 topographic map, the Subject Property is developed within an urban area with gridded city blocks and unspecified buildings visible on surrounding properties. Circa 1947, the surrounding areas to the east, southeast and south were apparently backfilled to generate new land area along the banks of the Gerritsen Creek, Plumb Brach Channel, and Sheepshead Bay. As a result, the Subject Property may also have been backfilled. There were no significant changes to the Subject Property or surrounding areas noted in later topographic maps between 1955 and 2013.

Review of the topographic maps did not reveal evidence of RECs; however, the likely presence of historic fill material at the Subject Property is considered a BER. Copies of the topographic maps are provided in Appendix J.

5.1.4 City Directories

The City Directory Abstract, obtained from EDR, is a review of available business directories, including city, cross-reference, and telephone directories, at approximately five-year intervals for the years spanning 1928 through 2017. The directory was obtained for the Subject Property and surrounding area. A copy of the City Directory Abstract report is included in Appendix K.

From 1934 to 2005, several hardware supply and lumber businesses were listed at the Subject Property, including Gerritsen Beach Lumber Co. Inc. (1934), K&R Construction (1997), Fox Lumber Co. Inc. (1992-2000), Aidone Alarms (1992), All Video Service (1992), MS Berkoff Co. Inc. (2000-2005), and Berkoff Fox Supply Source (2005). As noted in Section 5.1.2, the historical use of the Subject Property for lumber storage circa 1930s is considered a REC, as undocumented releases of petroleum products, solvents and/or hazardous substances associated with historic lumber-associated operations may have adversely affected soil, groundwater and/or soil vapor beneath the Subject Property.

Adjoining and surrounding properties were listed for various residential, commercial, and industrial uses including plumbing and heating supply stores, flooring supplier, and appliance repair shops. The following notable listings were identified on adjoining and surrounding properties:

- Automotive supply store (Kingsboro Automotive Supply Inc. [1976-2000]) located on the north adjoining property (3022 Avenue U)
- Fuel oil company (Richards Fuel Oil Company [1976-2000] and B&L Fuel Corp. [1976]) at the east adjoining property (2121 Coyle Street)
- Drycleaners on the east adjoining (Tres Bien Drive-In Cleaners [1960 and 1965]) property (2127 Coyle Street) and south adjoining (Coyle Laundromat & Dry Cleaning Corp. [1994-2009], 2166 Sunshine Laundromat Inc. [2009], and ABIC Laundromat [2014-2017]) property (2166 Coyle Street)

Undocumented releases of petroleum products, solvents and/or hazardous substances associated with historical use of adjoining and nearby properties may have adversely affected groundwater and/or soil vapor beneath the Subject Property, and are therefore considered RECs.

5.1.5 Environmental Lien Search

Langan contracted EDR to conduct an Environmental Lien search for the Subject Property. The results of the search, which included a compilation of available data and verification of the findings with the appropriate regulatory authorities, revealed that there are no environmental liens or other Activity and Use Limitations (AUL) associated with the Subject Property. A copy of the Environmental Lien Search is provided in Appendix L.

6.0 SITE RECONNAISSANCE

6.1 Methodology and Limiting Conditions

The site reconnaissance was conducted in a systematic manner focusing on the spatial extent of the Subject Property and then progressing to the adjacent and surrounding properties. The assessment of the adjacent and surrounding properties was limited to identifying to the extent practical: 1) indications of past or current use that may involve the use, storage, disposal, or generation of hazardous substances or petroleum products; 2) the general type of current use; 3) the general topography of the surrounding area; and 4) the type and use of adjoining or surrounding structures.

6.1.1 Date and Time of Inspections

The site reconnaissance was performed on September 30, 2020 by Lamees Esmail of Langan who was accompanied by Robert Fischman of Coyle Street Properties LLC. The weather at the time of the inspection was clear and approximately 70°F.

6.1.2 General Site Setting and Reconnaissance Observations

The Subject Property spans about 36,000-square-feet and is improved with a one-story warehouse, two-story hardware supply store, asphalt-paved open-air storage yard, and a commercial store occupied by a Dollar Tree as described in further detail below:

- **One-story warehouse:** The one-story warehouse is located in the southern part of the Subject Property, with primary access via an electric gate along the eastern side of the building facing Coyle Street. The warehouse contains lumber and equipment storage, various building and construction products including 50-pound bags of cement, plaster, sand, and clay all-purpose absorbent, one- to five-gallon buckets or pails of paint, roof coating, and joint compounds, building insulation, building tiles, and power tools. Three forklifts were staged within the one-story warehouse at the time of the site reconnaissance.
- **Asphalt-paved open-air storage yard:** A fenced, asphalt-paved open-air storage yard is located in the central part of the Subject Property, with access to Coyle Street. The storage area contains lumber and equipment storage, dumpsters, parked trucks, wooden pallets, a propane tank storage cage, HVAC system components for the hardware supply store, three 55-gallon drums of diesel engine oil, bags of gravel and deicers, household cleaning product storage, and plumbing parts. A drywell and sump pit are located in the west and north-central parts of the asphalt-paved storage yard, respectively.

- **Two-story hardware supply store:** The two-story hardware supply store consists of the a storefront entrance along Coyle Street, offices, and a supply warehouse that opens to the asphalt-paved open-air storage yard. Various construction and hardware supplies and household products were stored in the building, including but not limited to, soaps, cleaners, joint compound, empty trash bins, paint, plumbing parts and fittings. Two forklifts were observed within the supply warehouse at the time of the site reconnaissance. A partial cellar is located in the eastern part of the building footprint, which houses a sprinkler system, out-of-service furnace, electrical panel room, and storage area. The partial cellar is shared with the north-adjoining commercial store (Dollar Tree). A section of the concrete slab in the partial cellar appeared to be partially removed in an about 7-foot wide, 40-foot long, 2-inch deep area along the northern perimeter. Visibility to the entire section was obscured by box storage, sprinkler parts, and concrete and building insulation debris; however, no staining, sheen, or odors were observed. The second floor includes a mezzanine overlooking the ground floor, additional office space, and door storage (i.e., wooden doors stacked side-by-side vertically). An HVAC system and two open-air vent pipes are located on the roof of the building.
- **Commercial store (Dollar Tree):** The one-story commercial store, occupied by the Dollar Tree, is located in the northern part of the Subject Property, with an entrance along Coyle Street. The store includes the sale of household, cleaning, paper, school, gardening, and kitchen supplies, as well as groceries and beverages. Three, 20- to 64-ounce bottles of all-purpose cleaner were staged on concrete in the northwest part of the store, next to two pallet jacks. During the site reconnaissance, Mr. Fischman noted that the store was formerly part of the hardware supply store and lumber operations. The building was converted to a Dollar Tree store circa 2015.

6.1.3 Pits, Ponds, Lagoons

Ponds and lagoons were not observed at the Subject Property.

6.1.4 Pools of Liquid

Pooled water was observed in the eastern part of the asphalt-paved open-air storage yard and on the roof of the hardware supply store and the Dollar Tree store. No staining, sheen, or evidence of a release was observed, and the pooled water was likely the result of recent precipitation events reported earlier on September 29 and 30, 2020.

6.1.5 Storm Drains, Wells, and Cisterns

Storm drains, wells and cisterns were not observed at the Subject Property. A drywell was observed in the asphalt-paved open-air storage yard and is further described in Section 6.1.9 below.

6.1.6 PCB Transformers and Suspect Equipment

Transformers and other suspect PCB-containing equipment were not observed at the Subject Property.

6.1.7 Storage Containers, Drums, and Chemical Storage Areas

As noted in Section 6.1.2, various types of chemicals and products, including paints, joint compounds, adhesives, diesel exhaust fluid, hydraulic fuel oil, bleach, disinfectant, blacktop sealers, flashing cement, roof coating, and floor finishing products stored in one- to five-gallon buckets or pails were observed throughout the one-story warehouse, asphalt-paved open-air storage yard, and hardware supply store. Three, 20- to 64-ounce bottles of all-purpose cleaner were staged on concrete in the northwest part of the store, next to two pallet jacks. The products/chemicals were generally stacked on wooden pallets or shelves, or placed on the concrete slabs or asphalt. The containers did not appear damaged, and no evidence of a release was observed in the vicinity of the chemical storage areas.

Two 55-gallon drums containing diesel fuel, and a third empty drum formerly containing diesel, were observed on wooden pallets in the northeastern and south-central parts of the open-air storage yard. No secondary containment or spill clean-up kits were observed. No evidence of a release from the drums was observed, however the lack of secondary containment is considered a BER.

A five-gallon bucket containing an unknown liquid was observed next to one of the partially-full drums. Mr. Fischman indicated that the five-gallon bucket contained rainwater and food wrappers (i.e., coffee). No evidence of staining or leaking was observed in the vicinity of the drum.

6.1.8 Air Emissions or Wastewater Discharges

No air emissions or wastewater discharges were observed at the Subject Property.

6.1.9 Floor Drains, Sumps, and Sewage Ejector Pits

A drywell and sump pit were observed in the west and north-central parts of the asphalt-paved open-air storage yard, respectively. Mr. Fischman indicated that the sump pit is used to address

flooding in the asphalt-paved open-air storage yard by pumping accumulated rainwater to the municipal sewer system. The drywell was about 2-feet in diameter and was covered with a steel slotted manhole cover. Water was observed through the slotted manhole cover at about 1 foot bgs. The sump pit was filled with miscellaneous debris at the time of the site reconnaissance, and the interior was inaccessible for inspection. Floor drains were also observed in bathrooms located within the hardware supply store, and are connected to the municipal sewer system. No odors, staining, sheen, or evidence of impacts to the drywell, sump pit, and/or bathroom floor drains were observed.

6.1.10 Waste Generation, Storage, and Disposal

General warehouse refuse was collected in dumpsters or trash bins. Refuse and cardboard boxes are removed and disposed by a private subcontractor.

6.1.11 USTs or ASTs

ASTs or evidence of USTs were not observed at the Subject Property. A furnace was observed in the northern part of the partial cellar. Mr. Fischman noted that the furnace was out-of-service and that the two-story hardware store is currently heated by a gas-fired HVAC system. No evidence of ASTs or USTs associated with the former furnace were observed.

6.1.12 Stained or Discolored Soil

No stained or discolored soil was observed during the site reconnaissance. Petroleum-like staining on concrete slabs and asphalt was observed in the one-story warehouse and asphalt-paved open-air storage yard, including areas beneath forklifts. Surficial, cosmetic cracks in the concrete and asphalt were present, however, no evidence of a release to the subsurface was observed in the vicinity. The staining is considered a de minimis condition.

6.1.13 Leachate or Seeps

Evidence of leachate or seeps were not observed at the Subject Property.

6.1.14 Adjoining and Surrounding Property Uses

The Subject Property is bound to the north by a one-story building occupied by commercial businesses, including a trophy store, dance studio, physical therapy business, real-estate business, gift shop, and accounting office; to the east by Coyle Street followed by a liquor store and distributor, a flooring supplies store, and a vacant parking lot and former grocery store; to the south by a refrigerator, washer, dryer, ranges, and air conditioning repair store, a tailor, a drycleaner (Clothes Care at 2162-2166 Coyle Street), and a bank; and to the west by an alleyway

and two-story residential buildings. Beyond the adjoining properties, the area is comprised of one- to two-story residential and commercial buildings.

7.0 INTERVIEWS

7.1 Subject Property Owner/Occupant

Langan conducted a site inspection with Robert Fischman of Coyle Street Properties LLC. Interviews with Mr. Fischman did not identify any adverse environmental concerns related to the Subject Property. Information was also obtained from the owner through an owner questionnaire discussed in Section 3.1. A copy of the owner/user questionnaire is provided in Appendix B.

7.2 Owners/Tenants of Adjacent Properties

Owners/tenants of adjacent properties were not interviewed as part of this Phase I ESA.

8.0 ADDITIONAL SERVICES

8.1 Radon

Radon is a colorless, odorless radioactive gas that results from the natural breakdown of uranium minerals in soil, rock, and water, which subsequently enters the atmosphere. It can concentrate in buildings, entering through cracks and other penetrations of a building foundation. Some areas are more likely to have elevated concentrations of radon than others, reflecting subsurface lithologic conditions.

The USEPA has established a recommended radon action level of 4.0 pico Curies per liter (pCi/L). According to the USEPA Radon Zone Map, the Subject Property is located in Zone 3, which indicates a predicted average indoor radon screening level less than 2 pCi/L. Based on federal data included in the EDR report, 51 homes were tested in Kings County with average concentrations of 1.370 pCi/L and 0.750 pCi/L in basements and living areas, respectively. Eighty-eight percent of basements and 100% of living areas had concentrations below 4 pCi/L. Based on this information, it is unlikely that elevated levels of radon gas are present at the Subject Property.

8.2 ACM, LBP and PCBs

A formal survey to identify asbestos-containing material (ACM) lead based paint (LBP), and PCB-containing material was not conducted as part of this Phase I ESA. Based on the age of the on-site buildings (constructed circa the 1950s and 1970s) ACM, LBP, and PCB-containing building materials may be present.

9.0 DEVIATIONS AND DATA GAPS

9.1 Deviations

Langan has performed a Phase I ESA of the Subject Property utilizing a standard of good commercial and customary practice that is consistent with the ASTM E1527-13. Significant deviations were not made to the above referenced standards.

9.2 Data Gaps

In order to address data gaps, additional sources of information may be consulted. According to AAI, Section 312.20 (g), "to the extent there are data gaps (as defined in section 312.10) in the information developed…that affect the ability of persons (including the environmental professional) conducting the all appropriate inquiries to identify conditions indicative of releases or threatened releases...such persons should identify such data gaps, identify the sources of information consulted to address such data gaps, and comment upon the significance of such data gaps." According to ASTM E1527-13, Section 8.3.2.3, "historical research is complete when either: (1) the objectives in 8.3.1 through 8.3.2.2 are achieved; or (2) data failure is encountered. Data failure occurs when all standard historical sources that are reasonably ascertainable and likely to be useful have been reviewed and yet the objectives have not been met. If data failure is encountered, the report shall document the failure, and if any of the standard historical sources were excluded, give the reasons for the exclusion." This Phase I ESA was completed without data gaps, except for the following:

- Responses to all FOIA requests have not been received
- Storage and equipment staging areas limited floor visibility within the two-story hardware supply store, asphalt-paved storage yard, and one-story warehouse during the site reconnaissance
- Access to the interior of the sump pit located in the north-central part of the asphalt-paved open-air storage yard was limited due to the presence of debris
- The storage room within the commercial store (Dollar Tree) was not accessible for inspection during the site reconnaissance, however, no evidence of RECs were observed from a visual assessment outside of the open storage room door.

Sufficient information has been provided from other data sources to render conclusions regarding the presence of RECs at the Subject Property. As such, these data gaps are not expected to impact the overall conclusions of the Phase I ESA. If information becomes available that alters the conclusions of this report, an addendum will be issued.

10.0 FINDINGS, CONCLUSIONS, AND OPINIONS

This Phase I ESA was conducted in accordance with ASTM E1527-13 and the USEPA AAI Rule. The objective of this Phase I ESA was to identify the presence or likely presence, use, or release on the Subject Property of hazardous substances or petroleum products as defined in ASTM E1527-13 as a REC.

Based on information obtained during the visual inspection of the Subject Property; review of environmental databases and historical information; and contact with federal, state, and local agencies; two on-site RECs, two off-site RECs, two BERs, one non-ASTM consideration, and one de minimis condition were identified. CRECs and HRECs were not identified.

REC

A REC is defined by ASTM E1527-13 as the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property due to any release to the environment, under conditions indicative of a release to the environment, or under conditions that pose a material threat of a future release to the environment. The following RECs were identified:

REC 1 – Documented Contamination in On-site Drywell

A Phase II Subsurface Investigation performed at the Subject Property in March 2007 by CA to investigate whether on-site operations adversely impacted subsurface conditions within a drywell located in the asphalt-paved open-air storage yard (central region of Subject Property). CA collected one soil sample and one liquid sample from the drywell for the USEPA PP list compounds, including VOCs, SVOCs, pesticides, herbicides, PCBs, and metals. Analytical results identified soil impacted with VOCs, SVOCs, and metals above the NYSDEC UU, RR, and/or PG SCOs. One SVOC, benzo(a)pyrene, was detected above the Commercial Use SCO. The liquid sample collected from the drywell contained VOCs, SVOCs, pesticides, and metals at concentrations exceeding NYSDEC TOGS SGVs. CA recommended the sediments observed within the drywell be removed and properly disposed of in accordance with applicable laws and regulations. Further investigation regarding the construction of the drywell was recommended to determine whether the subgrade structure is connected to a municipal system, or is a leaching pool that drains to the subsurface. No record of follow-up actions were documented following CA's recommendation. During the site reconnaissance performed on September 30, 2020, water was observed at about 1 foot bgs in the about 2-foot-diameter drywell, however, no odors, staining, sheen, or evidence of impacts were identified.

REC 2 – Historic Use of the Subject Property

The Subject Property was occupied by a lumber company from as early as 1930 until circa 2007, and continues to warehouse lumber as part of the commercial hardware supply operation. Undocumented releases of petroleum products, solvents and/or hazardous substances (i.e., creosote, resins, acids, lacquers, metals, formaldehyde, etc.) associated with historic lumber-associated operations may have adversely affected soil, groundwater and/or soil vapor beneath the Subject Property.

REC 3 – Historical and Current Use of Adjoining and Surrounding Properties

Historical and current uses and regulatory listings at adjoining and surrounding properties include registered and historical drycleaners, unspecified manufacturers, private garages, and a fuel oil company. Undocumented spills or releases of petroleum products, solvents, chemicals, and/or other hazardous substances associated with these current and/or historical operations may have affected groundwater, and/or soil vapor beneath the Subject Property.

REC 4 – Active Groundwater Remediation at Adjoining Property

A petroleum spill was reported at the east-adjoining property, 2171 Coyle Street, on August 25, 2000 when petroleum-impacted soil and groundwater were identified in association with a leaking 5,000-gallon No. 2 fuel oil UST. After the removal and closure of the UST on November 15, 2000, free product was observed in groundwater monitoring wells placed within the vicinity of the former UST. Between 2001 and 2015, a subsurface investigation and multiple on- and off-site groundwater monitoring and free product recovery events were performed, including soil excavations to remove source material. According to the NYSDEC spill database, a draft RIR was completed in 2018 and remediation is ongoing. Based on the proximity of the spill to the Subject Property, presence of free product in on- and off-site down-gradient monitoring wells, no reported up-gradient investigation or delineation, and active remediation status, this listing is considered a REC.

BER

A BER is defined by ASTM E1527-13 as a risk that can have a material environmental or environmentally-driven impact on the business associated with the current or planned use of a parcel of commercial real estate not necessarily limited to those environmental issues required to be investigated in this practice. The following BERs were identified:

BER 1 – Historic Fill Material

Based on the EDR report, the soil underlying the Subject Property is likely comprised of historic fill material. Historic fill material found in urban environments typically contains ash, demolition debris, and/or municipal waste products and may contain contaminants (e.g., SVOCs or metals) at concentrations above applicable regulatory standards. The likely occurrence of historic fill material does not trigger any regulatory obligations or reporting requirements, but may require implementation of soil handling and management procedures during site redevelopment to address excavation, re-use, handling, and off-site disposal, and may result in incremental costs above the baseline development value, specifically associated with transportation and disposal of excess soil generated during foundation excavation.

BER 2 – Improper Storage of Petroleum Products

During the site reconnaissance performed on September 30, 2020, two 55-gallon drums containing diesel fuel, and a third empty drum formerly containing diesel, were observed in the asphalt paved storage area. The drums were staged on wooden pallets, and no secondary containment was observed. No evidence of a release from the drums was observed, however the lack of secondary containment and spill clean-up supplies is considered a BER.

Non-ASTM Consideration

A Non-ASTM Scope Consideration is identified by ASTM E1527-13 as an environmental issue or condition at a property that parties may wish to assess in connection with commercial real estate that is outside the scope of ASTM E1527-13. The following non-ASTM consideration was identified for the Subject Property:

A formal survey to identify ACM, LBP, and PCB-containing material was not conducted. Based on the age of the on-site buildings (constructed circa the 1950s and 1970s) ACM, LBP, and/or PCB-containing materials may be present.

De Minimis Condition

Petroleum-like staining on concrete slabs and asphalt was observed in the one-story warehouse and asphalt-paved open-air storage yard, including areas beneath forklifts. Surficial, cosmetic cracks in the concrete and asphalt were present, however, no evidence of a release to the subsurface was observed in the vicinity. The staining is considered a de minimis condition.

11.0 REFERENCES

The following references were reviewed as part of this Phase I ESA:

1. NYSDEC Bulk Storage Database Search, http://www.dec.ny.gov/cfmx/extapps/derexternal/index.cfm?pageid=4, retrieved October 1, 2020
2. NYSDEC Spills Incidents Database Search, http://www.dec.ny.gov/cfmx/extapps/derexternal/index.cfm?pageid=2, retrieved October 1, 2020
3. Environmental Data Resources, Inc., Inquiry Number: 6202611.11, September 23, 2020. Aerial Photo Decade Package.
4. Environmental Data Resources, Inc., Inquiry Number: 6202611.5, September 25, 2020. City Directory Abstract.
5. Environmental Data Resources, Inc., Inquiry Number: 6202611.4, September 23, 2020. Historical Topographic Map Report.
6. Environmental Data Resources, Inc., Inquiry Number: 6202611.2s, September 23, 2020. Radius Map Report with GeoCheck.
7. Environmental Data Resources, Inc., Inquiry Number: 6202611.3, September 23, 2020. Certified Sanborn Map Report.
8. Environmental Data Resources, Inc., Inquiry Number: 6202611.7, September 25, 2020. Environmental Lien and AUL Search.
9. Environmental Data Resources, Inc., Inquiry Number: 6202611.8, September 23, 2020. Building Permit Report.
10. Environmental Data Resources, Inc., Inquiry Number: 6202611.6, September 23, 2020. Property Tax Map Report.
11. USEPA, http://www.epa.gov/radon/zonemap.html.
12. New York City Department of Buildings, Building Information System, http://a810-bisweb.nyc.gov/bisweb/bispi00.jsp?static=true&s=FE6BD8211430D0F8E3EC42C1ABD9133C, retrieved September 30, 2020.
13. New York City Planning Commission. May 28, 1964. Zoning Map 29a.
14. New York City Planning Commission. New York City's Zoning & Land Use Map: https://zola.planning.nyc.gov/about#9.72/40.7125/-73.733
15. FEMA Flood Insurance Rate Maps.

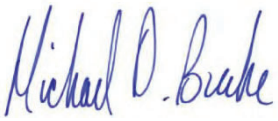
16. The University of the State of New York, Geologic Map of New York – Lower Hudson Sheet, dated 1970.

17. NYC Oasis Maps: http://www.oasisnyc.net/map.aspx.

STATEMENT OF QUALIFICATIONS AND SIGNATURES

Langan declares that, to the best of its professional knowledge and belief, the personnel who performed this Phase I ESA meet the definition of Environmental Professional as defined in Subsection 312 10 of 40 CFR 312 and that they have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the Subject Property. They have developed and performed the AAIs in conformance with the standards and practices set forth in 40 CFR Part 312. Resumes outlining the qualifications of the Environmental Professionals who performed this Phase I ESA are provided in Appendix M.

Langan Engineering, Environmental, Surveying, Landscape Architecture and Geology, D.P.C.



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