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7120 New Utrecht Ave Rezoning

Environmental Assessment

Address: 7120 New Utrecht Ave, Brooklyn; CD 11

Block/Lot: 6180, Lots 29, 31, 33, p/o 27, and p/o 44

Project Number: 2021KO383

CEQR Reference: 23DCP002K

ULURP Reference:230001ZMK, N230002ZRK



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

Prepared for:
7120 New Utrecht LLC

Prepared by:
Equity Environmental Engineering, LLC

January 24, 2023

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EAS SHORT FORM

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

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

Part I: GENERAL INFORMATION

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

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

2. *Project Name* 7120 New Utrecht

3. *Reference Numbers*

CEQR REFERENCE NUMBER (to be assigned by lead agency)	BSA REFERENCE NUMBER (if applicable)
23DCP002K	
ULURP REFERENCE NUMBER (if applicable)	OTHER REFERENCE NUMBER(S) (if applicable) (*e.g.*, legislative intro, CAPA)
230001ZMK, N230002ZRK	

4a. *Lead Agency Information*			**4b. *Applicant Information***		
NAME OF LEAD AGENCY New York City Department of City Planning			NAME OF APPLICANT 7120 New Utrecht LLC		
NAME OF LEAD AGENCY CONTACT PERSON Stephanie Shellooe, AICP Director of Environmental Assessment and Review Division			NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON Amber Kartalyan Equity Environmental Engineering		
ADDRESS 120 Broadway, 31st Floor			ADDRESS 500 International Drive, Suite 150		
CITY Manhattan	STATE NY	ZIP 10271	CITY Mount Olive	STATE NJ	ZIP 07828
TELEPHONE 212-720-3328	EMAIL sshellooe@planning.nyc.gov		TELEPHONE 201-757-3561	EMAIL amber.kartalyan@equityenvironmental.com	

5. *Project Description*

7120 New Utrecht LLC, proposes a zoning map amendment and a zoning text amendment ("Proposed Actions") of approximately 22,056 square feet (sf) comprising Block 6180, Lots 29, 31, 33, p/o 27, and p/o 44 ("Affected Area") located along the west block front of New Utrecht Avenue between 71st Street and 72nd Street at Bensonhurst neighborhood of Brooklyn, Community District 11.

The zoning map amendment would rezone Block 6180, Lots 29, 31, and 33 from an R5/C2-2 zoning district to a C4-4L zoning district and eliminate the existing C2-2 commercial overlays on Block 6180, Lots 29, 31, 33, p/o 27 and p/o 44. The zoning text amendment would affect Zoning Resolution Appendix F by modifying Brooklyn CD 11 Map with MIH area coterminous with the Affected Area.

The Proposed Actions would facilitate the development of Block 6180, Lots 31 and 33 ("Projected Development Site"). The Proposed Development is the demolition of the existing massing and the construction of a new 115,101 GSF (85,034 ZSF; 4.59 FAR), 9-story, 95-foot-tall mixed-use commercial and residential building on the Projected Development Site. The Proposed Development would include 16,708 GSF of accessory parking at the cellar level, 11,828 GSF (11,651 ZSF; 0.63 FAR) of commercial uses (UG 6 local retail) on the ground floor, and 85,565 GSF (73,383 ZSF; 3.96 FAR) of residential uses from the second to the ninth floor. The building would contain approximately 100 dwelling units (850 GSF average size), 30 of which would be designated as affordable housing units permanently set aside at or below 80% AMI pursuant to MIH Option 2. The dwelling units would consist of a mix of studio, 1-bedroom, 2-bedroom, and 3-bedrooms. The Proposed Development would include 35 enclosed residential accessory parking spaces, a mechanical and storage space, and a bicycle parking area at cellar level containing 52 spaces.

Per Environmental Assessment Review Division Practice, a description of the range of affordable units from the potential MIH Options proposed and what the Applicant intends to pursue will be reviewed. The Environmental Assessment Statement (EAS) will analyze the above Applicant's Proposed Development Scenario, with the exception of analyzing the maximum height of 115 feet allowed under the proposed C4-4L zoning district. For child care assessment, the number

of affordable units to be analyzed is assumed at 20% of all units at 60% AMI.

Project Location

BOROUGH Brooklyn	COMMUNITY DISTRICT(S) 11	STREET ADDRESS 7104, 7108, 7120 New Utrecht Avenue, 1548 71st Street, 1553 72nd Street
TAX BLOCK(S) AND LOT(S) Block 6180, Lots 29, 31, 33, p/o 27, and p/o 44		ZIP CODE 11228

DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS The Project Area is bounded by New Utrecht Avenue to the east, 71st Street to the north, 15th Avenue to the west, and 72nd Street to the south.

EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY	ZONING SECTIONAL MAP NUMBER
R5/C2-2	22d

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

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

- ☐ 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 AUTHORIZATION
- ☐ ACQUISITION—REAL PROPERTY
- ☐ DISPOSITION—REAL PROPERTY
- ☐ OTHER, explain:
- ☐ CONCESSION
- ☐ UDAAP
- ☐ REVOCABLE CONSENT
- ☐ FRANCHISE

SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

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

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

SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

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

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

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

Physical Setting (both developed and undeveloped areas)

Total directly affected area (sq. ft.): 22,056
Waterbody area (sq. ft) and type:
Roads, buildings, and other paved surfaces (sq. ft.):
Other, describe (sq. ft.):

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

SIZE OF PROJECT TO BE DEVELOPED (gross square feet): 115,101
NUMBER OF BUILDINGS: 1
GROSS FLOOR AREA OF EACH BUILDING (sq. ft.): 115,101
HEIGHT OF EACH BUILDING (ft.): 115
NUMBER OF STORIES OF EACH BUILDING: 9

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: 18,518
The total square feet not owned or controlled by the applicant: 3,538

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: 18,518 sq. ft. (width x length) VOLUME OF DISTURBANCE: 185,180 cubic ft. (width x length x depth)

AREA OF PERMANENT DISTURBANCE: 18,518 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.)	85,565	11,828		
Type (*e.g.,* retail, office, school)	100 units	Local 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: 294 NUMBER OF ADDITIONAL WORKERS: 9

Provide a brief explanation of how these numbers were determined: 2.94 persons per dwelling unit as per 2020 decennial census data of Brooklyn Community District 11; 3 employees per 1,000 gsf local retail

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): 2025

ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: 18-20

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

BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE: Factoring the environmental process and ULURP process of 18 months, with an expected City Council approval date of May 2023, and a single phase 18-20 month construction period for the applicant site, ending January 2025

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

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

Part II: TECHNICAL ANALYSIS

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

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

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

	YES	NO
(a) Does the proposed project site or an adjacent site contain any architectural and/or archaeological resource that is eligible for or has been designated (or is calendared for consideration) as a New York City Landmark, Interior Landmark or Scenic Landmark; that is listed or eligible for listing on the New York State or National Register of Historic Places; or that is within a designated or eligible New York City, New York State or National Register Historic District? (See the GIS System for Archaeology and National Register to confirm)	☒	☐
(b) Would the proposed project involve construction resulting in in-ground disturbance to an area not previously excavated?	☒	☐
(c) If "yes" to either of the above, list any identified architectural and/or archaeological resources and attach supporting information on whether the proposed project would potentially affect any architectural or archeological resources. S/NR Eligible Our Lady of Guadalupe R.C. Church Complex at 7201 15th Avenue is located within 400-foot radius.		
7. *URBAN DESIGN AND VISUAL RESOURCES*: CEQR Technical Manual Chapter 10		
(a) Would the proposed project introduce a new building, a new building height, or result in any substantial physical alteration to the streetscape or public space in the vicinity of the proposed project that is not currently allowed by existing zoning?	☒	☐
(b) Would the proposed project result in obstruction of publicly accessible views to visual resources not currently allowed by existing zoning?	☐	☒
8. *NATURAL RESOURCES*: CEQR Technical Manual Chapter 11		
(a) Does the proposed project site or a site adjacent to the project contain natural resources as defined in Section 100 of Chapter 11?	☐	☒
○ If "yes," list the resources and attach supporting information on whether the proposed project would affect any of these resources.		
(b) Is any part of the directly affected area within the Jamaica Bay Watershed?	☐	☒
○ If "yes," complete the Jamaica Bay Watershed Protection Plan Project Tracking Form, and submit according to its instructions.		
9. *HAZARDOUS MATERIALS*: CEQR Technical Manual Chapter 12		
(a) Would the proposed project allow commercial or residential uses in an area that is currently, or was historically, a manufacturing area that involved hazardous materials?	☐	☒
(b) Would the proposed project introduce new activities or processes using hazardous materials and increase the risk of human or environmental exposure?	☐	☒
(c) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to hazardous materials that preclude the potential for significant adverse impacts?	☐	☒
(d) Would the project require soil disturbance in a manufacturing area or any development on or near a manufacturing area or existing/historic facilities listed in the Hazardous Materials Appendix (including nonconforming uses)?	☐	☒
(e) Would the project result in the development of a site where there is reason to suspect the presence of hazardous materials, contamination, illegal dumping or fill, or fill material of unknown origin?	☒	☐
(f) Would the project result in development on or near a site that has or had underground and/or aboveground storage tanks (*e.g.*, gas stations, oil storage facilities, heating oil storage)?	☒	☐
(g) Would the project result in renovation of interior existing space on a site with the potential for compromised air quality; vapor intrusion from either on-site or off-site sources; or the presence of asbestos, PCBs, mercury or lead-based paint?	☐	☒
(h) Would the project result in development on or near a site with potential hazardous materials issues such as government-listed voluntary cleanup/brownfield site, current or former power generation/transmission facilities, coal gasification or gas storage sites, railroad tracks or rights-of-way, or municipal incinerators?	☐	☒
(i) Has a Phase I Environmental Site Assessment been performed for the site?	☒	☐
○ If "yes," were Recognized Environmental Conditions (RECs) identified? Briefly identify: A large oil stain was observed in the parking lot on the Subject Property and is presumably from a vehicle that was previously parked at the stain location.	☒	☐
(j) Based on the Phase I Assessment, is a Phase II Investigation needed?	☒	☐
10. *WATER AND SEWER INFRASTRUCTURE*: CEQR Technical Manual Chapter 13		
(a) Would the project result in water demand of more than one million gallons per day?	☐	☒
(b) If the proposed project located in a combined sewer area, would it result in at least 1,000 residential units or 250,000 square feet or more of commercial space in Manhattan, or at least 400 residential units or 150,000 square feet or more of commercial space in the Bronx, Brooklyn, Staten Island, or Queens?	☐	☒
(c) If the proposed project located in a separately sewered area, would it result in the same or greater development than the amounts listed in Table 13-1 in Chapter 13?	☐	☒
(d) Would the proposed project involve development on a site that is 5 acres or larger where the amount of impervious surface would increase?	☐	☒
(e) If the project is located within the Jamaica Bay Watershed or in certain specific drainage areas, including Bronx River, Coney Island Creek, Flushing Bay and Creek, Gowanus Canal, Hutchinson River, Newtown Creek, or Westchester Creek, would it involve development on a site that is 1 acre or larger where the amount of impervious surface would increase?	☐	☒

	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): 6,865 = (100 * 41) + (35 * 79)		
○ 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): 13,372,875 = (85,355 * 126.7) + (11,828 * 216.3)		
(b) Would the proposed project affect the transmission or generation of energy?	☐	☒
13. *TRANSPORTATION*: CEQR Technical Manual Chapter 16		
(a) Would the proposed project exceed any threshold identified in Table 16-1 in Chapter 16?	☐	☒
(b) If "yes," conduct the screening analyses, attach appropriate back up data as needed for each stage and answer the following questions:		
○ Would the proposed project result in 50 or more Passenger Car Equivalents (PCEs) per project peak hour?	☐	☐
If "yes," would the proposed project result in 50 or more vehicle trips per project peak hour at any given intersection? ***It should be noted that the lead agency may require further analysis of intersections of concern even when a project generates fewer than 50 vehicles in the peak hour. See Subsection 313 of Chapter 16 for more information.*	☐	☐
○ Would the proposed project result in more than 200 subway/rail, bus trips, or 50 Citywide Ferry Service ferry trips per project peak hour?	☐	☐
If "yes," would the proposed project result, per project peak hour, in 50 or more bus trips on a single line (in one direction), 200 subway/rail trips per station or line, or 25 or more Citywide Ferry Service ferry trips on a single route (in one direction), or 50 or more passengers at a Citywide Ferry Service landing?	☐	☐
○ Would the proposed project result in more than 200 pedestrian trips per project peak hour?	☐	☐
If "yes," would the proposed project result in more than 200 pedestrian trips per project peak hour to any given pedestrian or transit element, crosswalk, subway stair, or bus stop, or Citywide Ferry Service landing?	☐	☐
14. *AIR QUALITY*: CEQR Technical Manual Chapter 17		
(a) *Mobile Sources*: Would the proposed project result in the conditions outlined in Section 210 in Chapter 17?	☐	☒
(b) *Stationary Sources*: Would the proposed project result in the conditions outlined in Section 220 in Chapter 17?	☒	☐
○ If "yes," would the proposed project exceed the thresholds in Figure 17-3, Stationary Source Screen Graph in Chapter 17? (Attach graph as needed)	☐	☒
(c) Does the proposed project involve multiple buildings on the project site?	☐	☒
(d) Does the proposed project require federal approvals, support, licensing, or permits subject to conformity requirements?	☐	☒
(e) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to air quality that preclude the potential for significant adverse impacts?	☐	☒
15. *GREENHOUSE GAS EMISSIONS*: CEQR Technical Manual Chapter 18		
(a) Is the proposed project a city capital project or a power generation plant?	☐	☒
(b) Would the proposed project fundamentally change the City's solid waste management system?	☐	☒
(c) If "yes" to any of the above, would the project require a GHG emissions assessment based on the guidance in Chapter 18?	☐	☐
16. *NOISE*: CEQR Technical Manual Chapter 19		
(a) Would the proposed project generate or reroute vehicular traffic?	☒	☐
(b) Would the proposed project introduce new or additional receptors (see Section 114 in Chapter 19) near heavily trafficked roadways, within one horizontal mile of an existing or proposed flight path, or within 1,500 feet of an existing or proposed rail line with a direct line of site to that rail line?	☒	☐
(c) Would the proposed project cause a stationary noise source to operate within 1,500 feet of a receptor with a direct line of sight to that receptor or introduce receptors into an area with high ambient stationary noise?	☒	☐
(d) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to	☐	☒

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

20. *APPLICANT'S CERTIFICATION*

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

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

APPLICANT/REPRESENTATIVE NAME	DATE
Amber Kartalyan	1/24/2023

SIGNATURE Amber Kartalyan

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:

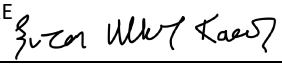
☐ **Positive Declaration**: If the lead agency has determined that the project may have a significant impact on the environment, and if a Conditional Negative Declaration is not appropriate, then the lead agency issues a *Positive Declaration* and prepares a draft Scope of Work for the Environmental 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
Deputy Director, Environmental Assessment and Review Division	Department of City Planning on behalf of the City Planning Commission
NAME	DATE
Evren Ulker-Kacar, AICP - Deputy Director	January 27, 2023

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, 7120 New Utrecht LLC, proposes a zoning map amendment and a zoning text amendment ("Proposed Actions") of approximately 22,056 square feet (sf) comprising Block 6180, Lots 29, 31, 33, p/o 27, and p/o 44 (the "Affected Area") located along the west block front of New Utrecht Avenue between 71st Street and 72nd Street at Bensonhurst neighborhood of Brooklyn, Community District 11. The Proposed Actions would rezone Block 6180, Lots 29, 31, and 33 from an R5/C2-2 zoning district to a C4-4L zoning district, eliminate the existing C2-2 commercial overlays on Block 6180, Lots 29, 31, 33, p/o 27 and p/o 44, and would map Mandatory Inclusionary Housing coterminous with the Affected Area. The Proposed Actions would facilitate the development of Block 6180, Lots 31 and 33, resulting in the demolition of the existing massing and the construction of a new 115,101 GSF (85,034 ZSF; 4.59 FAR), 9-story, 95-foot-tall mixed-use commercial and residential building. The Proposed Development would include 16,708 GSF of accessory parking at the cellar level, 11,828 GSF (11,651 ZSF; 0.63 FAR) of commercial uses (UG 6 local retail) on the ground floor, and 85,565 GSF (73,383 ZSF; 3.96 FAR) of residential uses from the second to the ninth floor. The building would contain approximately 100 dwelling units (850 GSF average size), 30 of which would affordable pursuant to MIH Option 2 (at an average of 80% AMI). The Proposed Development would include 35 enclosed residential accessory parking spaces, a mechanical and storage space, and a bicycle parking area at cellar level containing 52 spaces. The Proposed Actions would result in a change in zoning, land use and public policy, however, the proposed changes would be compatible with the existing residential and commercial mixed-use character and density around New Utrecht Avenue, nor would it alter the land-use and development patterns in the area or conflict with public policies, and therefore would not result in significant adverse impacts with respect to land use, zoning and public policy.

Open Space

A detailed analysis related to open space is included in this EAS. In the qualitative analysis, under Future With-Action conditions, the Open Space Ratio would be 0.049 acres per 1,000 residents, which represents a 0.64% decrease compared to that in the No-Action condition. This percentage change is below the 1% impact threshold as defined by the CEQR Technical Manual. In addition, the project area is located in a "Walk to a Park" service area which indicates easy access to a park from the site, and located within ¾-mile of the Dyker Beach Park and six public schools whose yards are enrolled in the "schoolyard to playground" program with regularly accessible hours to the public during the non-school hours. Therefore, based on both the quantitative and qualitative factors considered in the assessment, the Proposed Actions would not result in a significant adverse impact on Open Space and further analysis is not required.

Shadows

A detailed analysis related to shadows is included in this EAS. There are two sunlight sensitive resources located in the Project Area that required more detailed analysis, the P.S. 112 Playground (a PlaNYC Schoolyards to Playground), and Lt. Joseph Petrosino Park. On the December 21st and March 21st/ September 21st analysis periods the shadows cast from the Projected Building would affect the sunlight sensitive resource, P.S. 112 Playground, for a limited extent and duration. No shadows will reach the P.S. 112 playground during the May 6th/ August 6th and June 21st analysis periods. On all four analysis days, the shadows cast from the Proposed Development would affect the sunlight sensitive resource, Lt. Joseph Petrosino Park, for limited extent and duration. The incremental shadow duration on Lt. Joseph Petrosino Park ranges from 52 minutes (on December 21st) to 1 hour and 49 minutes (on March 21st/September 21st). Therefore, no significant adverse shadows impacts would occur, and no further analysis is warranted.

Urban Design and Visual Resources

A detailed analysis related to urban design and visual resources is included in this EAS. The analysis concludes that while the Proposed Actions could result in a change to the existing character of the area, the proposed development intends to improve walkability and character of the area and would not significantly change the pedestrian experience or affect the vitality, walkability, or the visual character of the area. Therefore, the Proposed Actions would not result in any significant adverse impact to urban design, and no further analysis is not warranted.

Hazardous Materials, Air Quality, and Noise

An (E) designation (E-704) related to hazardous materials, air quality, and noise would be established as part of the approval of the proposed actions. Refer to "Determination of Significance Appendix: (E) designation" for the applicable (E) designation requirements. The hazardous materials, air quality, and noise analyses conclude that with the (E) designation in place, the proposed actions would not result in a significant adverse impact related to hazardous materials, air quality, or noise.

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

Project Name: 7120 New Utrecht Ave Rezoning
CEQR # 23DCP002K
SEQRA Classification: Unlisted

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 | 212.720.3493
NAME Evren Ulker-Kacar, AICP	DATE 1/27/2023
SIGNATURE 	
TITLE Chair, City Planning Commission	
NAME Daniel R. Garodnick	DATE 1/30/2023
SIGNATURE	

Project Name: 7120 New Utrecht Ave Rezoning
CEQR # 23DCP002K
SEQRA Classification: Unlisted

Determination of Significance Appendix

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

Development Site	Borough	Block and Lot
Projected Development Site 1	Brooklyn	Block 6180, Lots 31 and 33

(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-704**) would be established as part of approval of the proposed actions on **Projected Development Site 1** as described below:

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

Hazardous Materials

The (E) designation requirements applicable to **Projected Development Site 1** 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: 7120 New Utrecht Ave Rezoning
CEQR # 23DCP002K
SEQRA Classification: Unlisted

Air Quality

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

> ***Projected Development Site 1:*** *Any new residential and/or commercial development on the above-referenced property must ensure the heating, ventilating and air conditioning (HVAC) system and hot water equipment stack is located at the highest tier and at least 95 feet above grade to avoid any potential significant adverse air quality impacts.*

Noise

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

> ***Projected Development Site 1:*** *In order to ensure an acceptable interior noise environment, future residential uses must provide a closed-window condition with a minimum attenuation as shown in EAS Table 2.9-11 in order to maintain an interior L10 noise level not greater than 45 dBA and an interior Ldn noise level not greater than 40 dBA for residential uses as illustrated in the EAS. To maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, air conditioning.*

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APPENDICES

Appendix A: Illustrative Architectural Drawings

Appendix B: Agency Correspondence

Appendix C: Phase 1 ESA

Appendix D: Noise Data

Figure 1.1-1: Site Location Map

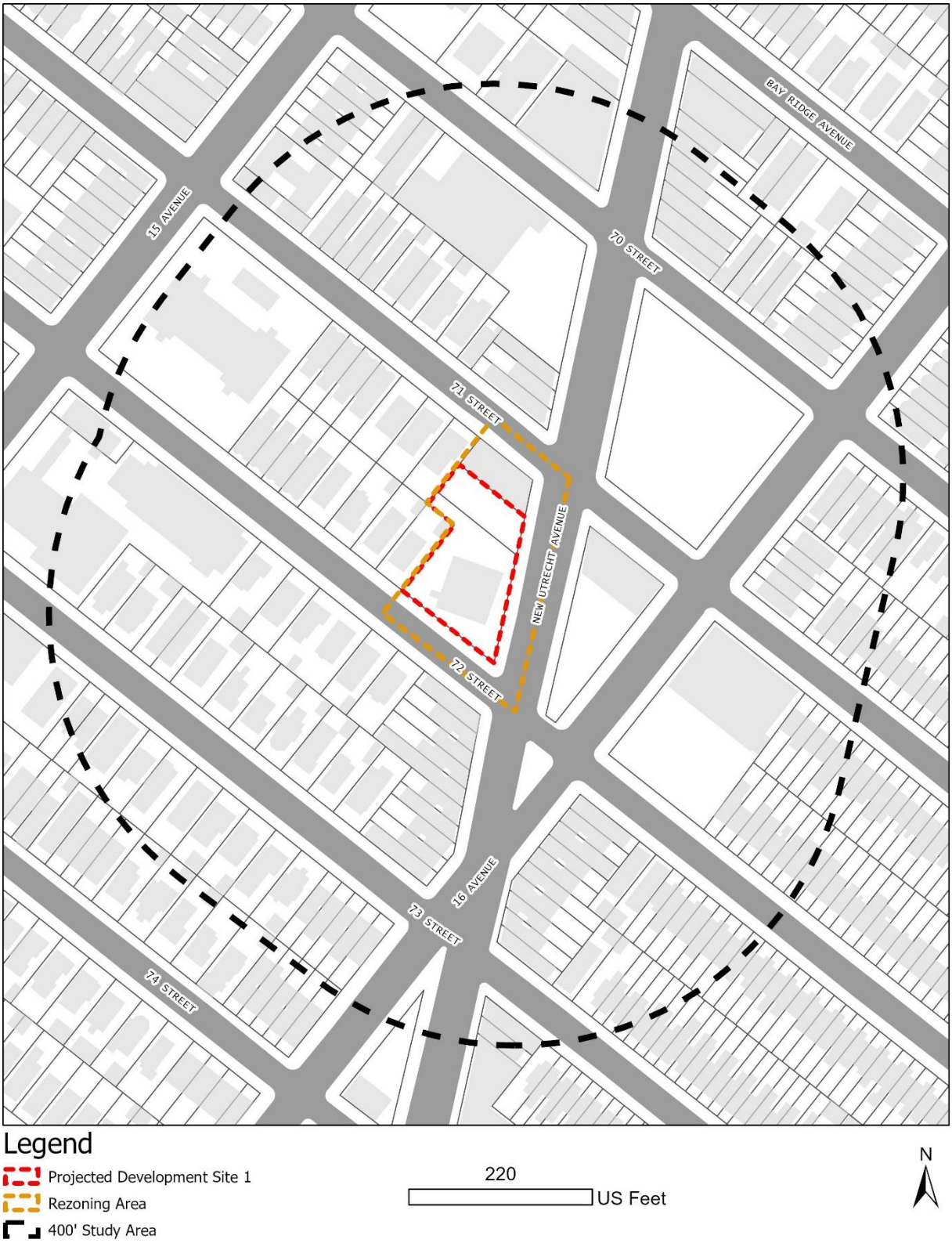


Figure 1.1-2: Existing Land Use Map

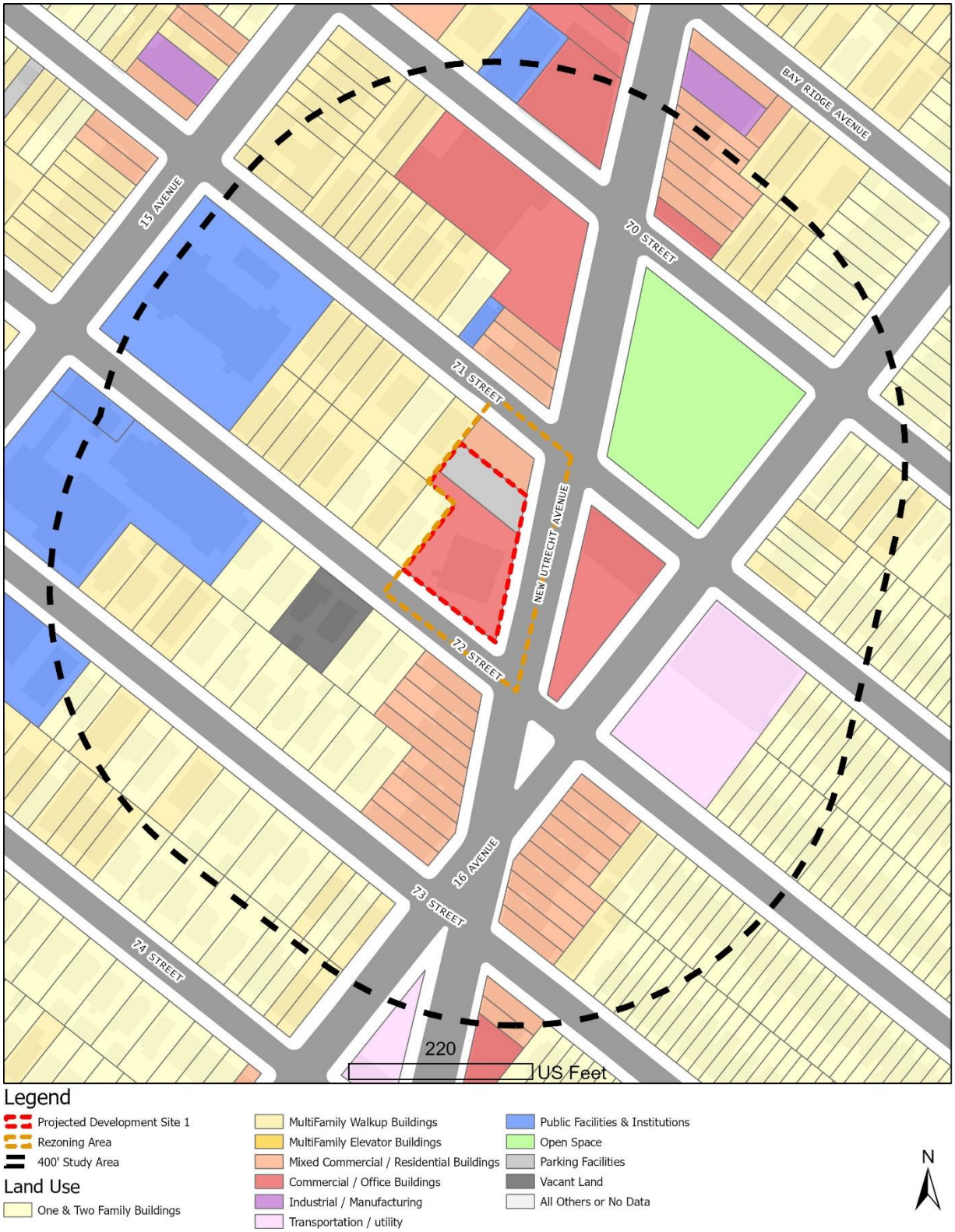


Figure 1.1-3: Zoning Map

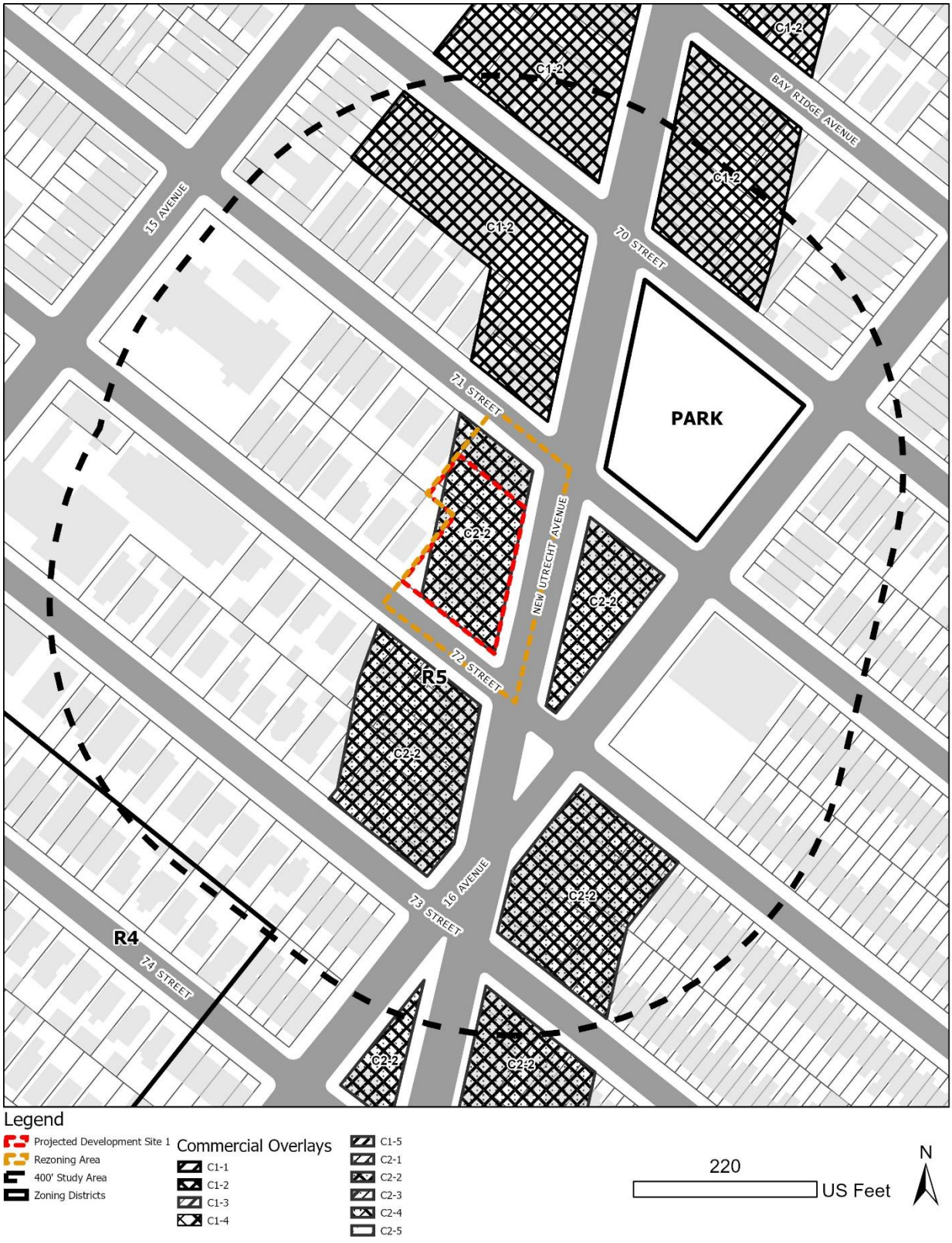


Figure 1.1-4: Zoning Change Map



Existing R5/C2-2 Zoning District

Proposed C4-4L Zoning District

Figure 1.1-5: Tax Map

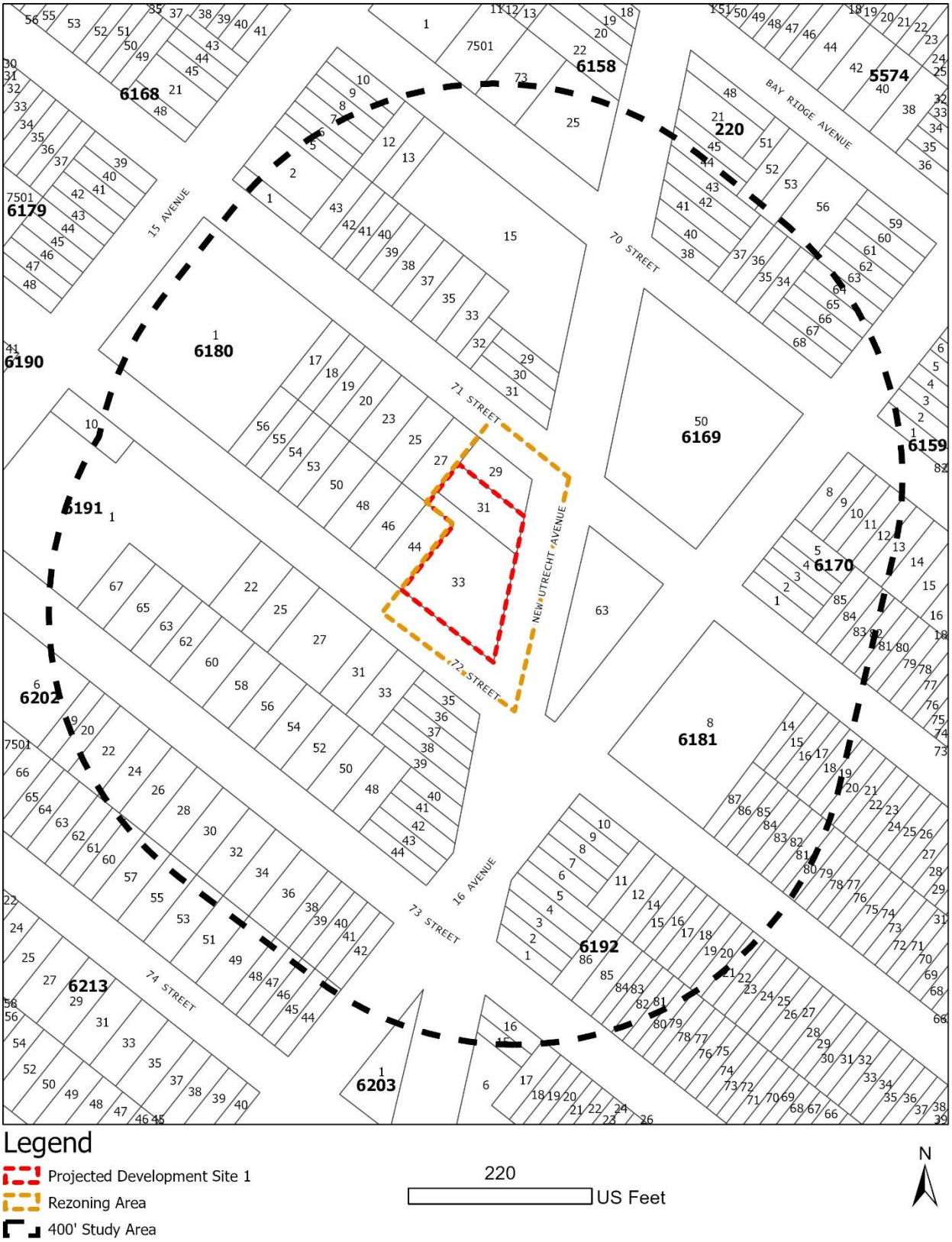


Figure 1.1-4: Site Photos (1)



1 View of Projected Development Site from the intersection of 72nd St and New Utrecht Ave facing north



Study Area Map with Photo Key

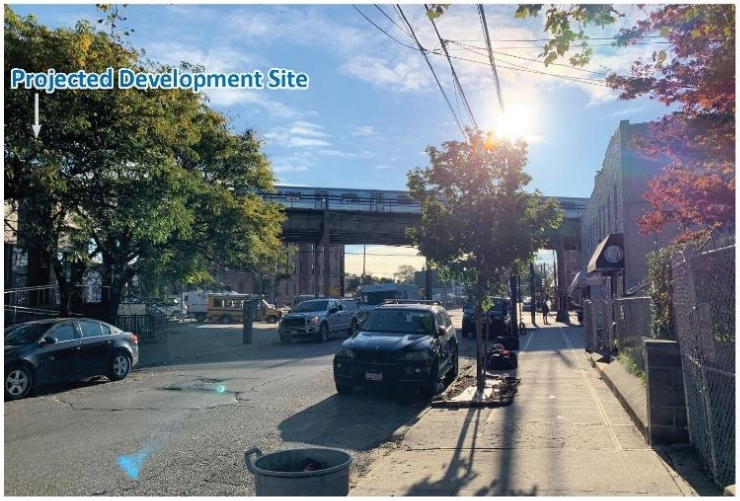


2 View of Projected Development Site from the intersection of 72nd St and New Utrecht Ave facing northwest



3 View of Projected Development Site from New Utrecht Ave facing west

Figure 1.1-5: Site Photos (2)



4 View of 72nd St towards the intersection of 72nd St and New Utrecht Ave facing southeast



Study Area Map with Photo Key

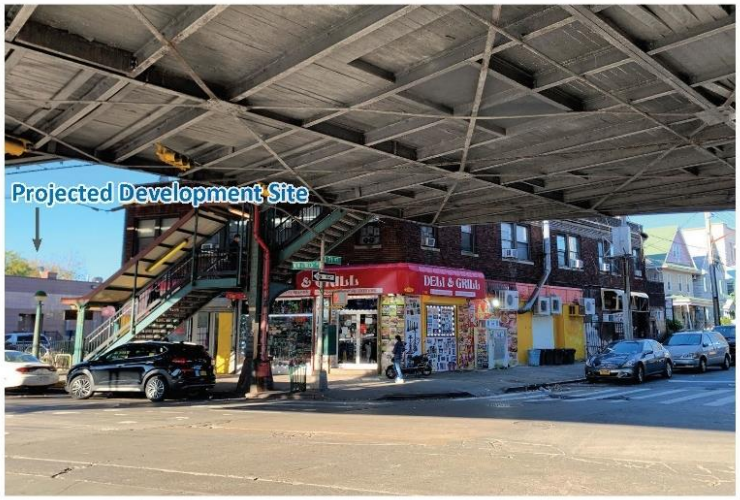


5 View of projected Development Site from 72nd St facing northeast



6 View of 72nd St facing northwest

Figure 1.1-6: Site Photos (3)



7 View of Rezoning Area from the intersection of 71st St and New Utrecht Ave facing west



Study Area Map with Photo Key



8 View of New Utrecht Ave facing south



9 View of Rezoning Area along 71st St facing southeast

1 PROJECT DESCRIPTION

1.1 Introduction

The Applicant, 7120 New Utrecht LLC, proposes a zoning map amendment and a zoning text amendment ("Proposed Actions") of approximately 22,056 square feet (sf) comprising Block 6180, Lots 29, 31, 33, p/o 27, and p/o 44 ("Affected Area") located along the west block front of New Utrecht Avenue between 71st Street and 72nd Street at Bensonhurst neighborhood of Brooklyn, Community District 11.

The zoning map amendment would rezone Block 6180, Lots 29, 31, and 33 from an R5/C2-2 zoning district to a C4-4L zoning district and eliminate the existing C2-2 commercial overlays on Block 6180, Lots 29, 31, 33, p/o 27 and p/o 44. The zoning text amendment would affect Zoning Resolution Appendix F by modifying Brooklyn CD 11 Map with MIH area coterminous with the Affected Area.

The Proposed Actions would facilitate the development of Block 6180, Lots 31 and 33 ("Projected Development Site"). The Proposed Development is the demolition of the existing massing and the construction of a new 115,101 GSF (85,034 ZSF; 4.59 FAR), 9-story, 95-foot-tall mixed-use commercial and residential building on the Projected Development Site. The Proposed Development would include 16,708 GSF of accessory parking at the cellar level, 11,828 GSF (11,651 ZSF; 0.63 FAR) of commercial uses (UG 6 local retail) on the ground floor, and 85,565 GSF (73,383 ZSF; 3.96 FAR) of residential uses from the second to the ninth floor. The building would contain approximately 100 dwelling units (850 GSF average size), 25%-30% (25-30 units) of which would be required to be permanently set aside as affordable housing units at an average of 60-80% AMI per MIH Options 1 or 2. Since the Applicant is proposing MIH Option 2, and as a result, 30 units would be set aside as permanently affordable units for households with incomes averaging 80% AMI. The dwelling units would consist of a mix of studio, 1-bedroom, 2-bedroom, and 3-bedrooms.

The Proposed Development would include 35 enclosed residential accessory parking spaces, a mechanical and storage space, and a bicycle parking area at cellar level containing 52 spaces. On the ground floor, a residential lobby, a local retail space, and an additional amenity/bicycle parking area would be provided. Residential amenities (laundry room and recreational spaces) would be located on the second floor and dwelling units would be distributed through the second to the ninth floor.

Setback 5 feet from the sidewalk line, the street wall of the Proposed Development would rise to 25 feet to the 3rd floor, where it would further set back 15 feet to provide a greater distance between the dwelling units and the elevated rail line before ultimately rising to the proposed building height of 95 feet. Beginning at the 6th floor, the Proposed Development would provide 25 feet of distance from the adjacent R5 district to respect the single-family homes located to

the west of the Projected Development Site. The Projected Development Site would be accessible to vehicles via a curb cut along its 72nd Street frontage.

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

1.2 Background and Site History

The Affected Area (Block 6180, Lots 29, 31, 33, p/o 27, and p/o 44) is located at the northwestern corner of the Bensonhurst neighborhood in Brooklyn Community District 11. It was originally zoned R5 in the 1961 zoning ordinance with a C2-2 commercial overlay mapped in 1963.

A 1928 Certificate of Occupancy (CO) exists for Lot 29 to be used as retail stores and offices and a 1965 CO for the same lot permits stores and funeral parlor (UG 7) as well as offices (UG 6). Lot 33 was improved with a one-story undertaking establishment, which included a chapel and an embalming room; a 1991 CO was issued for a one-story commercial bank with 16 accessory parking spaces. There are no certificates of occupancy or DOB records for improvements on Lot 33, and historic aerials indicate that the lot was vacant land as far back as 1924, with accessory parking uses for Lot 31 appearing in 1996 aerials.

DCP has initiated two large-scale rezonings in the past decade adjacent to the neighborhood where the Affected Area is located:

- In 2007, Dyker Heights/Ft. Hamilton Rezoning (C 070387 ZMK, effective July 25, 2007) was proposed by DCP and adopted by the City Council, which affected an approximately 160-block area located two blocks west to the Affected Area in the Dyker Heights and Ft. Hamilton neighborhoods of Brooklyn Community District 10. The rezoning area is generally bounded by the Bay Ridge Division railroad right-of-way at 62nd Street to the north, Poly Place to the south, 14th Avenue to the east and the Gowanus Expressway to the west. The 160-block area was rezoned by eliminating C1-2, C1-3, C2-2, and C2-3 districts from within existing R4 and R5 districts, and changing from R3-1, R4, R5, M1-1, and M3-2 districts to R3A, R3X, R4-1, R4A, R4B, R5B, R6B, C4-2A, and M1-1 districts, and establishing C1-3 and C2-3 districts within proposed R5B and R6B districts. The rezoning aims to preserve neighborhood scale and character, maintain opportunities for mid-rise apartment building construction along appropriate corridors, and allow for residential growth with incentives for affordable housing.
- In 2005, an approximately 120-block area located six blocks east to the Affected Area was rezoned in the Bensonhurst Rezoning (C 050296 ZMK, effective June 23, 2005). The rezoning area is generally bounded by Bay Parkway and 61st Street on the north, McDonald Avenue on the east, Avenue U on the south, and Stillwell Avenue on the west. The rezoning eliminated C1-3, C2-2, and C2-3 districts from within existing R5 and R6 districts, changed R5, R6, and C4-3 districts to R4-1, R4A, R5B, R6A, R6B, R7A, and C4-2A

districts, and established C2-3 districts within proposed R4-1, R5B, R6A, R6B, and R7A districts. The rezoning seeks to preserve the existing neighborhood scale and character with lower density and contextual zoning districts and to prevent new development inconsistent with that low-rise character.

In addition to the two large-scale rezonings proposed by DCP, there are also small-scale rezonings proposed by private owners in the adjacent area.

- In 2013, Maple Lane Views Rezoning (C 090154 ZMK, effective February 27, 2013), proposed by Fairmount Lanes LLC, rezoned Block 5516 on the north side of 61st Street between 15th and 16th Avenues from an M1-1 manufacturing classification to an R6A residential designation to facilitate the construction of a mixed-use development with 112 dwelling units and a two-story community facility. This rezoning is located approximately 10 blocks to the north of the Affected Area.
- In 2021, 1501-1555 60th Street Rezoning (C 200086 ZMK, N 200087 ZRK, effective January 6, 2021), proposed by 1529-33 60th Street LLC, requested a zoning map amendment from an M1-1 district to an R7A/C2-4 district and a zoning text amendment to establish the affected area as an MIH area on a triangular portion of two blocks (Block 5509 and Block 5516) located along the northerly boundary line of the Long Island Railroad right-of-way (Bay Ridge Division). Located approximately 11 blocks to the north of the Affected Area, the rezoning aims to facilitate the development of three mixed-use buildings containing approximately 102 dwelling units and 32,000 square feet of commercial space in the Borough Park neighborhood of Brooklyn Community District 12.

The abovementioned rezonings are indicative of the area's trend away from manufacturing uses toward mixed residential and commercial uses in context with the scale of the existing buildings.

1.3 Description of the Surrounding Area

The Affected Area consists of approximately 22,056 square feet comprising Block 6180, Lots 29, 31, 33, p/o 27, and p/o 44, which is located within the Bensonhurst neighborhood of Brooklyn Community District 11. The Affected Area is within an R5/C2-2 zoning district that generally extends along New Utrecht Avenue to the northwest and southeast, which was established in 1961.

Existing land uses within the 400-foot buffer around the Affected Area primarily consist of residential, commercial, and community facility uses. The residential buildings range from low-rise one- and two-family detached homes (2 stories), low-rise rowhouse homes (2-3 stories), to mid-rise multi-family buildings (4-5 stories). Commercial uses tend to be found in either single-story stand-alone store buildings or on the ground floor of mixed residential and commercial buildings, which are primarily along commercial corridors including New Utrecht Avenue and 18th Avenue. Commercial uses within the Surrounding Area include a laundromat, a Key Food supermarket, and a car wash, in addition to smaller local delis and convenience stores. Notable

community facility uses in the Surrounding Area include P.S. 112 Lefferts Park located one block to the west, Our Lady of Guadalupe Roman Catholic Church located one block to the southwest, and New Utrecht High School located approximately six blocks to the south.

The area is well-served by public transit. The D subway line has an entrance in front of the Affected Area on the corner of New Utrecht Avenue and 71st Street with service to Manhattan and Bronx. The B8 bus runs along 18th Avenue, two blocks to the east with service between Dyker Heights and East Flatbush and the B4 bus runs along Bay Ridge Parkway, three blocks to the south, with service between Bay Ridge and Sheepshead Bay.

1.4 Description of the Affected Area

The Affected Area consists of Block 6180, Lots 29, 31, 33, p/o 27, and p/o 44 in the Bensonhurst neighborhood of Brooklyn, Community District 11. The Affected Area is bounded by New Utrecht Avenue to the east, 71st Street to the north, 15th Avenue to the west, and 72nd Street to the south. New Utrecht Avenue and 15th Avenue are both wide north-south roads with one moving lane of traffic in each direction and curbside parking, while 71st Street (west to east) and 72nd Street (east to west) are both narrow roads with a single moving lane of traffic and curbside parking.

The Applicant-Owned Lots

Of the five separate lots included in the Affected Area on Block 6180, Lots 31 and 33 are owned and controlled by the Applicant:

- Lot 31 is an approximately 4,358 sf interior lot with frontage on New Utrecht Avenue, which is a vacant and paved lot that was formerly used as an accessory parking lot for the bank on Lot 33.
- Lot 33 is an approximately 14,160 sf irregularly shaped corner lot with frontages on 72nd Street and New Utrecht Avenue, which is improved with a vacant 8,960 GSF (0.63 FAR) commercial building that was once occupied by a drive-through bank.

Non-Applicant-Owned Lots

The other lots in the Affected Area are Block 6180, Lots 29, p/o 27, and p/o 44, which are all independently owned:

- Lot 29 is an approximately 3,538 sf corner lot with frontages on New Utrecht Avenue and 71st Street. The lot was improved with a 6,716 GSF (1.90 FAR), 2-story building in 1931, which includes 3,000 GSF (0.85 FAR) of residential floor area (4 dwelling units) and 3,716 GSF (1.05 FAR) of commercial floor area. Ground floor commercial uses include a realtor's office, a deli, and a hair and nail salon while the upper floor contains four residential dwelling units.

- Lot 27 is an approximately 4,000 sf interior lot with frontage along 71st Street, which was improved with a 2,920 GSF (0.73 FAR) 2.5-story multi-family walk-up building of three dwelling units in 1925.
- Lot 44 is an approximately 4,000 sf interior lot with frontage along 72nd Street, which was improved with a 2,403 GSF (0.60 FAR) 2.5-story single-family home in 1925.

1.5 Description of the Proposed Project

The Proposed Development is the demolition of the existing massing and the construction of a new 115,101 GSF (85,034 ZSF; 4.59 FAR), 9-story, 95-foot-tall mixed-use commercial and residential building on Projected Development Site 1 (Block 6180, Lots 31 and 33). The Proposed Development would include 16,708 GSF of accessory parking at the cellar level, 11,828 GSF (11,651 ZSF; 0.63 FAR) of commercial uses (UG 6 local retail) on the ground floor, and 85,565 GSF (73,383 ZSF; 3.96 FAR) residential uses from the second to the ninth floor. The building would contain approximately 100 dwelling units (850 GSF average size), 25%-30% (25-30 units) of which would be required to be permanently set aside as affordable housing units at an average of 60-80% AMI per MIH Options 1 or 2. Since the Applicant is proposing MIH Option 2, and as a result, 30 units would be set aside as permanently affordable units for households with incomes averaging 80% AMI. The dwelling units would consist of a mix of studio, 1-bedroom, 2-bedroom, and 3-bedroom. Illustrative Plans and zoning calculations for the Proposed Development are shown in **Appendix A.**

The Proposed Development would include 35 enclosed residential accessory parking spaces, a mechanical and storage space, and a bicycle parking area at cellar level. On the ground floor, a residential lobby, a local retail space, and an additional amenity/bicycle parking area would be provided. Residential amenities (laundry room and recreational spaces) would be located on the second floor and dwelling units would be distributed through the second to the ninth floor.

Setback 5 feet from the sidewalk line, the street wall of the Proposed Development would rise to 25 feet to the 3rd floor, where it would further set back 15 feet to provide a greater distance between the dwelling units and the elevated rail line before ultimately rising to the proposed building height of 95 feet. Beginning at the 6th floor, the Proposed Development would provide 25 feet of distance from the adjacent R5 district to respect the single-family homes located to the west of the Projected Development Site. The Projected Development Site would be accessible to vehicles via a curb cut along its 72nd Street frontage.

1.6 Action(s) Necessary to Facilitate the Project

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

(1) a Zoning Map Amendment to rezone Block 6180, Lots 29, 31, and 33 from an R5/C2-2 zoning district to a C4-4L zoning district and to eliminate the existing C2-2 commercial overlays on Block 6180, Lots p/o 27 and p/o 44;

(2) a Zoning Text Amendment to amend Brooklyn Community District 11 in Appendix F: Inclusionary Housing Designated Area to establish the Affected Area as an MIH Area.

1.7 Purpose and Need

The Applicant believes that the Proposed Actions would be appropriate given the location of the Projected Development Site along New Utrecht Avenue, a wide thoroughfare that serves as a transit corridor with the MTA D train running above the road. The increased density (2.00 maximum FAR within the existing R5/C2-2 zoning district to 4.60 FAR within the proposed C4-4L zoning district) would further the intent of New York City's goal to provide transit-oriented development, and would induce the construction of locally serving retail spaces and residential dwelling units in close proximity to open spaces and public schools along a commercial corridor.

The Proposed Development could not be developed under the existing zoning regulations because of the limited residential FAR (1.25) and commercial FAR (1.00). The proposed C4-4L zoning district would permit residential development up to 4.60 FAR and commercial development up to 4.00 FAR.

1.8 Analysis Framework

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

Reasonable Worst-Case Development Scenario

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

Build Year

The build year for the analysis is anticipated to be 2025 in consideration of an 18-month environmental approval process and ULURP process and an 18-to-20-month construction schedule for Projected Development Site 1.

Future Without the Proposed Actions (No-Action Scenario)

The No-Action Scenario for the Affected Area would see the re-tenanting of the vacant bank building on Block 6180, Lot 33 with an 8,960 GSF (8,960 ZSF, 0.63 FAR) UG 6 local retail use. No construction or redevelopment would be expected in the No-Action Scenario as the existing building on Lot 33 is in good repair and is located along a wide thoroughfare adjacent to an elevated rail line. The ability to provide accessory parking spaces on Lot 31 would also make re-tenanting the vacant building on Lot 33 more likely, as adequate parking could easily be provided.

Future With the Proposed Actions (With-Action Scenario)

Projected Development Site 1 (Block 6180, Lots 31 and 33; Applicant-Owned Lots)

The Applicant-Owned lots would be assembled to form a 18,518-sf lot within the proposed C4-4L district. The site would be developed with a new 115,101 GSF (85,034 ZSF; 4.59 FAR), 11-story, 115-foot-tall mixed-use commercial and residential building. The Proposed Development would include 16,708 GSF of accessory parking at the cellar level, 11,828 GSF (11,651 ZSF; 0.63 FAR) of commercial uses (UG 6 local retail) on the ground floor, 85,565 GSF (73,383 ZSF; 3.96 FAR) of residential uses from the second to the eleventh floor. The building would contain approximately 100 dwelling units (850 GSF average size), 25%-30% (25-30 units) of which would be required to be permanently set aside as affordable housing units at an average of 60-80% AMI per MIH Options 1 or 2. As the Applicant is proposing MIH Option 2, and as a result, 30 units would be set aside as permanently affordable units for households with incomes averaging 80% AMI.

The Proposed Development would include 35 enclosed residential accessory parking spaces, a mechanical and storage space, and a bicycle parking area at cellar level. On the ground floor, a residential lobby, a local retail space, and an additional amenity/bicycle parking area would be provided. Residential amenities (laundry room and recreational spaces) would be located on the second floor and dwelling units would be distributed through the second to the eleventh floor.

Setback 5 feet from the sidewalk line, the street wall of the Proposed Development would rise to 25 feet to the 3rd floor, where it would further set back 15 feet to provide a greater distance between the dwelling units and the elevated rail line before ultimately rising to the proposed building height of 115 feet. Beginning at the 6th floor, the Proposed Development would provide 25 feet of distance from the adjacent R5 district to respect the single-family homes located to the west of the Projected Development Site. The Projected Development Site would be accessible to vehicles via a curb cut along its 72nd Street frontage.

The Applicant's proposed building on Projected Development Site 1 is assumed to be the RWCDS under the With-Action Scenario in terms of density and uses, because it would nearly maximize the permitted FAR (3.96 residential FAR and 0.63 commercial FAR; 4.60 in total) in the proposed C4-4L zoning district and provide a conservative mix of uses (85,565 GSF of residential uses and 11,828 GSF of UG 6 commercial uses) under CEQR.

However, the Applicant's proposed building would only be built to a height of 95 feet (9 stories), while a building fronting an elevated rail in a C4-4L district could be built to 115 feet (11 stories) in height with a qualifying ground floor. For a more conservative analysis under CEQR, the RWCDS will consider the tallest building height (11 stories and 115 feet) for Projected Development Site 1 while assuming the same gross square footage as what the Applicant is proposing, which is the maximum permitted floor area under the proposed C4-4L zoning district.

The other lots within the rezoning area (Other Affected Sites) are not projected to redevelop include:

- Lot 29 is developed with a 6,716 GSF retail and residential building. Because of the small lot size, setback requirements within the proposed C4-4L district, and setback requirements from the adjacent R5 zoning district, redevelopment of this lot is not likely as a result of the Proposed Actions.
- Lots 27 and 44 are located to the west of Projected Development Site 1. Only a small 5-foot portion of the lots would be included in the Affected Area, and the existing R5 zoning regulations would apply. Additionally, the rezoning would remove the small portion of the C2-2 overlay from the properties. For these reasons, no development is expected on the two lots as a result of the Proposed Actions.

Because only Projected Development Site 1 is considered in the increment between the No-Action and With-Action, the Other Affected Sites will not be considered in the analysis of density-related aspects of the environmental review (such as open space, traffic, and socioeconomic conditions). This incremental development would consist of 100 dwelling units—70 market rate and 30 affordable. The net residential square footage would equal 85,565 GSF or 73,383 ZSF and the net commercial square footage would equal 2,868 GSF or 2,691 ZSF. Further, an increase of 35 residential accessory parking spaces and a decrease of 16 commercial accessory parking spaces would result in the With-Action Scenario compared to the No-Action Scenario to accommodate the future parking demand changes.

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

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

Site Info				No-Action Condition		With-Action Condition						Net Increment				
Site ID	Block	Lot	Lot Area	Zoning	Com. (gsf)	Zoning	Res. (gsf)	DU	Affordable Units	Com. (gsf)	Parking	Res. (gsf)	DU	Affordable Units	Com. (gsf)	Parking
Site 1	6180	31	4,358	R5/C2-2	0	C4-4L	85,565	100	30	11,828	35	85,565	100	30	2,868	35
		33	14,160		8,960											
Total			**18, 518**		**8,960**		**85,565**	**100**	**30**	**11,828**	**35**	**85,565**	**100**	**30**	**2,868**	**35**

DU = Dwelling Units

gsf = gross square feet

Res. = Residential

Com. = Commercial

Table 1.8-2: RWCDS Incremental Analysis Table

Description of Existing and Proposed Conditions

Part II - RWCDS Analysis Framework Table

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
Land Use				
Residential	☐ Yes ☑ No	☐ Yes ☑ No	☑ Yes ☐ No	
If "yes," specify the following:				
Describe type of residential structures	N/A	N/A	One 11-story mixed-use building	
No. of dwelling units	N/A	N/A	100	100
No. of low- to moderate-income units	N/A	N/A	30	30
Gross floor area (sq. ft.)	N/A	N/A	85,565	85,565
Commercial	☐ Yes ☑ No	☑ Yes ☐ No	☑ Yes ☐ No	
If "yes," specify the following:				
Describe type (retail, office, other)	Vacant Building	UG-6 Local Retail	UG-6 Local Retail	
Gross floor area (sq. ft.)	N/A	8,960	11,828	2,868
Manufacturing/Industrial	No	No	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	
If "yes," describe:	N/A	N/A	N/A	
Parking				
Garages	☐ Yes ☑ No	☐ Yes ☑ No	☑ Yes ☐ No	
If "yes," specify the following:				
No. of public spaces	N/A	N/A	0	0
No. of accessory spaces	N/A	N/A	35	35
Operating hours	N/A	N/A	24/7	
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	16	16	N/A	-16
No. of accessory spaces	N/A	N/A	N/A	
Operating hours	24/7	24/7	N/A	
Other (includes street parking)	☐ Yes ☑ No	☐ Yes ☑ No	☐ Yes ☑ No	
If "yes," describe:	N/A	N/A	N/A	
Population				

Description of Existing and Proposed Conditions

Part II - RWCDS Analysis Framework Table

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
Residents	☐ Yes ☑ No	☐ Yes ☑ No	☑ Yes ☐ No	
If "yes," specify number:	N/A	N/A	299	299
Briefly explain how the number of residents was calculated:	Dwelling units X 2.99 (per 2020 Decennial Census data for Brooklyn Census Tract 190 via NYC Population Factfinder)			
Businesses	☐ Yes ☐ No	☑ Yes ☐ No	☑ Yes ☐ No	
If "yes," specify the following:				
No. and type		2 local retail, 8,960 GSF	3 local retail, 11,828 GSF	
No. and type of workers by business		27	35	8
No. and type of non-residents who are not workers				
Briefly explain how the number of businesses was calculated:	Based on standard worker densities per EARD: 3 workers per 1,000 GSF retail space			
Other (students, visitors, concert-goers, *etc*.)	☐ Yes ☑ No	☐ Yes ☑ No	☐ Yes ☑ No	
If any, specify type and number:	N/A	N/A	N/A	
Briefly explain how the number was calculated:				
Zoning				
Zoning classification	R5/C2-2	R5/C2-2	C4-4L	
Maximum amount of floor area that can be developed	2.00 CF 1.00 Commercial 1.25 Res.	2.00 CF 1.00 Commercial 1.25 Res.	4.6 Residential 4.00 Commercial 4.00 CF	
Predominant land use and zoning classifications within land use study area(s) or a 400 ft. radius of proposed project	Residential, commercial, industrial, public facility, parking, vacant land; R4, R5, R5/C1-2, R5/C2-2	Residential, commercial, industrial, public facility, parking, vacant land; R4, R5, R5/C1-2, R5/C2-2	Residential, commercial, industrial, public facility, parking, vacant land; R4, R5, R5/C1-2, R5/C2-2	
Attach any additional information that may be needed to describe the project. If your project involves changes that affect one or more sites not associated with a specific development, it is generally appropriate to include total development projections in the above table and attach separate tables outlining the reasonable development scenarios for each site.				

2 ENVIRONMENTAL REVIEW

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

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

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

2.1 Land Use, Zoning, and Public Policy

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

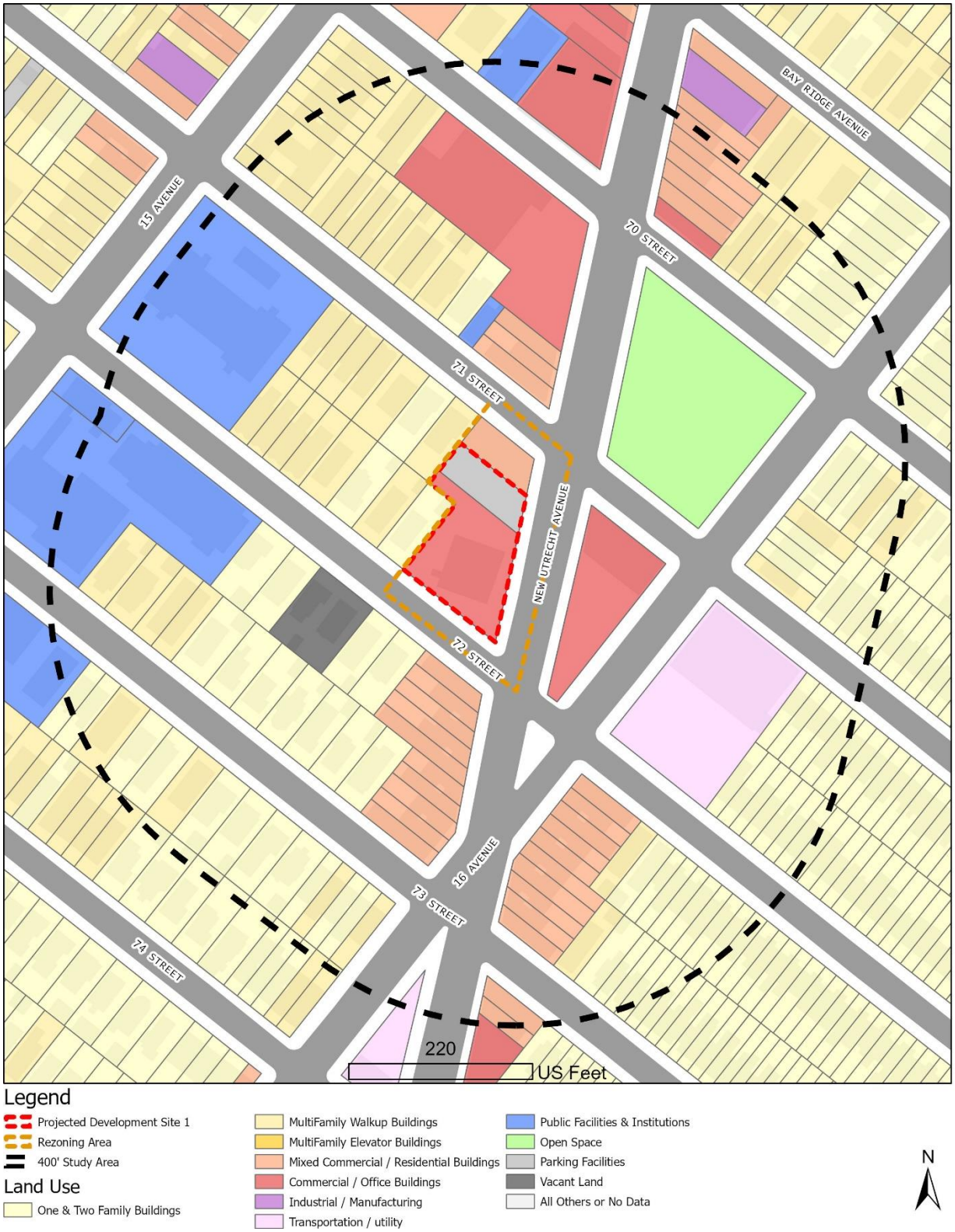
Methodology

Existing land uses were determined by reference to the New York City Zoning and Land Use (Zola) database and PLUTOTM 20v4 shapefiles. These uses were then confirmed through site visits. The evaluation of lots within the 400-foot Study Area was performed with reference to New York City Zoning Maps and the Zoning Resolution of the City of New York and served as the basis for the zoning evaluation of the Future No Action and Future With-Action Conditions. Public Policy research was performed through an evaluation of New York City Department of City Planning (NYCDCP) and other city agencies programs and documentation.

2.1.1 Land Use

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

Figure 2.1-1: Land Use Map



Existing Conditions

Land Use Study Area

As shown in **Figure 2.1-1** and stated in **Section 1.3**, the surrounding area is predominantly residential, commercial, and community facility uses. The residential buildings range from low-rise one- and two-family detached homes (2 stories), low-rise rowhouse homes (2-3 stories), to mid-rise multi-family buildings (4-5 stories). Commercial uses tend to be found in either single-story stand-alone store buildings or on the ground floor of mixed residential and commercial buildings, which are primarily along commercial corridors including New Utrecht Avenue and 18th Avenue. Commercial uses within the surrounding area include a laundromat, a Key Food supermarket, and a car wash, in addition to smaller local delis and convenience stores. Notable community facility uses in the Surrounding Area include P.S. 112 Lefferts Park located one block to the west, Our Lady of Guadalupe Roman Catholic Church located one block to the southwest, and New Utrecht High School located approximately six blocks to the south.

Affected Area

A full breakdown of each lot within the Affected Area can be found in **Section 1.4**.

The Applicant-owned Development Site consists of two separate lots (Block 6180, Lots 31 and 33) along New Utrecht Avenue. Lot 33 is an approximately 14,160 sf irregularly shaped corner lot with frontages on 72nd Street and New Utrecht Avenue, which is improved with a vacant 8,960 GSF (0.63 FAR) commercial building that was once occupied by a drive-through bank. Lot 31 is an approximately 4,358 sf interior lot with frontage on New Utrecht Avenue, which is a vacant and paved lot that was formerly used as an accessory parking lot for the bank on Lot 33.

Other lots within the Affected Area include a 2-story, 6,716 GSF mixed residential and commercial building on Lot 29 (1.90 FAR); a 2.5-story, 2,920 GSF multi-family walk-up building with 3 dwelling units on Lot 27 (0.73 FAR); and a 2.5-story single family residential building with 2,403 GSF of floor area on Lot 44 (0.60 FAR).

Future No-Action Condition

Land Use Study Area

There is one active construction permit at 7101 15th Avenue (Block 6180, Lot 1) in the surrounding area, which would facilitate a new 1-story 5,742-gsf public facility building for educational use. No other buildings are expected to be developed or altered in the 400-foot study area under the No-Action Condition.

Affected Area

The No-Action Scenario for the Affected Area would see the re-tenanting of the vacant bank building on Block 6180, Lot 33 with an 8,960 GSF (0.63 FAR) UG 6 local retail use. No construction or redevelopment would be expected in the No-Action Scenario as the existing building on Lot

33 is in good repair and is located along a wide thoroughfare adjacent to an elevated rail line. The ability to provide accessory parking spaces on Lot 31 would also make re-tenanting the vacant building on Lot 33 more likely, as adequate parking could easily be provided.

Future With-Action Condition

Land Use Study Area

Except for the changes on the Affected Area, land use and development patterns in the 400-foot study area are anticipated to remain unchanged in the future with the Proposed Actions. Any new development in the surrounding area would be consistent with the underlying zoning regulations.

Affected Area

Within the Affected Area, only the land uses on Applicant-owned Projected Development Site 1 would be changed from a bank facility and an unlicensed parking lot to a mixed residential and commercial building under the With-Action Condition. Other lots that are not owned by the Applicant would remain the same as the existing conditions.

Projected Development Site 1 (Block 6180, Lots 31 and 33)

The Applicant-Owned lots would be assembled to form a 18,518-sf lot within the proposed C4-4L district. The site would be developed with a new 115,101 GSF (85,034 ZSF; 4.59 FAR), 11-story, 115-foot-tall mixed-use commercial and residential building. The Proposed Development would include 16,708 GSF of accessory parking at the cellar level, 11,828 GSF (11,651 ZSF; 0.63 FAR) of commercial uses (UG 6 local retail) on the ground floor, 85,565 GSF (73,383 ZSF; 3.96 FAR) of residential uses from the second to the eleventh floor. The building would contain approximately 100 dwelling units (850 GSF average size), 25%-30% (25-30 units) of which would be required to be permanently set aside as affordable housing units at an average of 60-80% AMI per MIH Options 1 or 2. Since the Applicant is proposing MIH Option 2, and as a result, 30 units would be set aside as permanently affordable units for households with incomes averaging 80% AMI.

The Proposed Development would include 35 enclosed residential accessory parking spaces, a mechanical and storage space, and a bicycle parking area at cellar level. On the ground floor, a residential lobby, a local retail space, and an additional amenity/bicycle parking area would be provided. Residential amenities (laundry room and recreational spaces) would be located on the second floor and dwelling units would be distributed through the second to the eleventh floor.

Conclusion

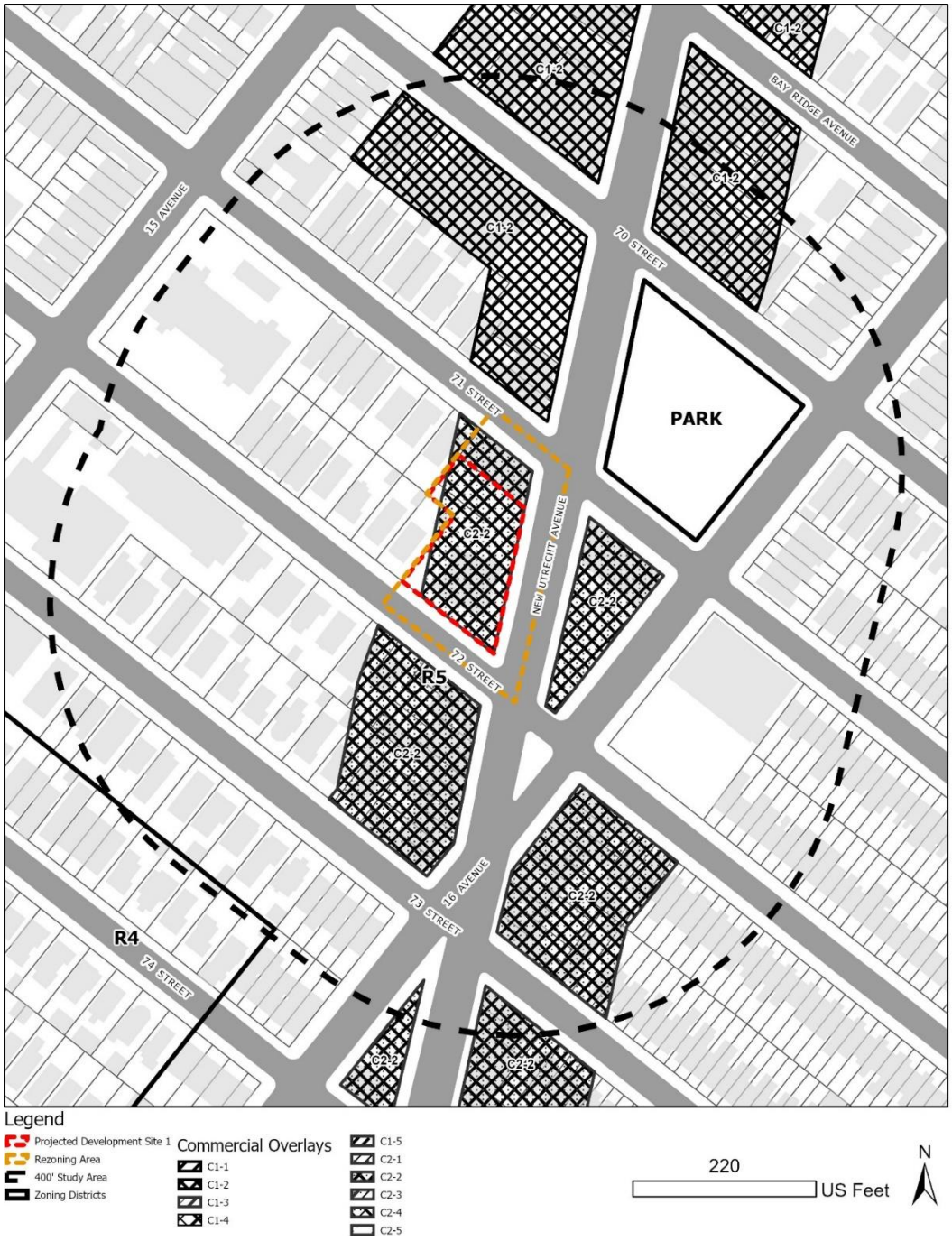
The Applicant believes that the density and uses permitted by the Proposed Actions would be consistent with adjacent medium-density mixed-use buildings mostly along New Utrecht Avenue to the east. The Proposed Actions would not be incompatible with surrounding uses, which are predominantly residential with commercial and mixed-use buildings, and would not alter or

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

2.1.2 Zoning

The *CEQR Technical Manual* suggests that a zoning study area should extend 400 feet from the Affected Area. The proposed zoning map amendment would rezone Block 6180, Lots 29, 31, and 33 from R5/C2-2 to C4-4L and would eliminate the C2-2 commercial overlays on Block 6180, Lots 29, 31, 33 and p/o 27 and p/o 44. Existing zoning districts within approximately 400 feet of the Project Site are presented in **Figure 2.1-2**.

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



Existing Conditions

Zoning Study Area

The zoning districts within 400 feet of the Affected Area are R4, R5, R5/C1-2, and R5/C2-2 as illustrated in **Table 2.1-1**.

R4

R4 districts are non-contextual residential districts that permit a residential FAR of 0.75, plus an attic allowance of up to 20% for inclusion of space under the pitched roof common to these districts, usually produces buildings with three stories instead of the two-story homes. To accommodate a potential third floor beneath a pitched roof, the perimeter wall in R4 districts may rise to 25 feet before being set back to the maximum building height of 35 feet. Front yards must be 10 feet deep or, if deeper, a minimum of 18 feet to provide sufficient space for on-site parking. The maximum street wall length for a building on a single zoning lot is 185 feet. One off-street parking space is required for each dwelling unit. However, requirements are lower for income-restricted housing units (IRHU) and are further modified within the Transit Zone.

R5

R5 districts are low-density non-contextual zoning districts intended for neighborhoods with an assortment of housing types at densities higher than those found in R3-2 or R4 districts, and are often transition districts between medium and lower density areas. The floor area ratio (FAR) of 1.25 typically produces three-and four-story attached houses and small apartment houses. With a height limit of 40 feet, R5 districts provide a transition between lower- and higher-density neighborhoods and permit Use Groups 1-4.

To ensure compatibility with the neighborhood scale, the maximum street wall height of a new building is 30 feet, and the maximum building height is 40 feet. Above a height of 30 feet, a setback of 15 feet is required from the street wall of the building; in addition, any portion of the building that exceeds a height of 33 feet must be set back from a rear or side yard line. Detached houses must have two side yards that total at least 13 feet, each with a minimum width of five feet. Semi-detached houses need one eight-foot-wide side yard. Apartment houses need two side yards, each at least eight feet wide. Front yards must be 10 feet deep or, if deeper, a minimum of 18 feet to prevent cars parked on-site from protruding onto the sidewalk. Cars may park in the side or rear yard, in the garage or in the front yard within the side lot ribbon; parking is also allowed within the front yard when the lot is wider than 35 feet. Off-street parking is required for 85% of the dwelling units in the building, 42.5% of IRHU (inclusionary residential housing) units (outside transit zone) and 10% of AIRS (affordable independent residences for seniors) units (outside transit zone). Parking is not required for IRHU/AIRS units within a transit zone.

C1-2 and C2-2 Commercial Overlay

C1-2 and C2-2 districts are commercial overlays mapped within residential districts. Mapped along streets that serve local retail needs, they are found extensively throughout the city's lower- and medium-density areas and occasionally in higher-density districts. Typical retail uses permitted within the C1-2 and C2-2 commercial overlays include neighborhood grocery stores, restaurants, and beauty parlors. Compared to C1-2 districts, C2-2 districts permit a slightly wider range of uses, such as funeral homes and repair services. In mixed buildings, commercial uses are limited to one or two floors and must always be located below the residential use. For C1-2 and C2-2 districts, 1 parking space is required for every 300 sf of commercial floor area.

When C1-2 and C2-2 commercial overlays are mapped in R1 through R5 districts, the maximum commercial floor area ratio (FAR) is 1.0; when mapped in R6 through R10 districts, the maximum commercial FAR is 2.0. Commercial buildings are subject to commercial bulk rules.

Overlay districts differ from other commercial districts in that residential bulk is governed by the residence district within which the overlay is mapped. All other commercial districts that permit residential use are assigned a specific residential district equivalent. Unless otherwise indicated on the zoning maps, the depth of C1-2 and C2-2 overlay districts is 150 feet.

Table 2.1-1: Zoning Districts in the 400-Foot Study Area[1]

Zoning District	Use Group	Floor Area Ratio (FAR)	Parking
R4	Residential UGs 1-4	0.75 FAR – Residential; 2.0 FAR - Community Facility	100% of DU; 50% of IRHU outside Transit Zone; 10% of AIRS outside Transit Zone
R5	Residential UGs 1-4	1.25 FAR – Residential; 2.0 FAR - Community Facility	85% of DU; 42.5% of IRHU outside Transit Zone; 10% of AIRS outside Transit Zone
C1-2/ C2-2 Commercial Overlay	Local Retail UGs 1-9, 14	1.0 FAR - Commercial (R1 - R5); 2.0 FAR - Commercial (R6 - R10)	1 per 300 sf

Affected Area

The Affected Area is currently zoned R5/C2-2, which permits low-density mixed-use developments of residential, commercial, or community facility uses.

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

Future No-Action Condition

Zoning Study Area and Affected Area

No changes to zoning would occur in the future without the Proposed Actions in the 400-foot study area or the Affected Area. Existing zoning patterns would remain, and the Affected Area would continue to be subject to R5/C2-2 zoning regulations.

Future With-Action Condition

Zoning Study Area

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

Affected Area – C4-4L

Block 6180, Lots 29, 31, and 33 would be rezoned from an existing R5/C2-2 zoning district to a C4-4L zoning district. Meanwhile, the existing C2-2 commercial overlays on Block 6180, Lots 29, 31, 33 and p/o 27 and p/o 44 would be eliminated.

Under the With-Action condition, the proposed C4-4L district would allow two distinct building types depending on the location in relation to the elevated train tracks on New Utrecht Avenue. For lots not fronting on the elevated train, the proposed C4-4L district would require a street wall between 40 and 65 feet high and a maximum building height of 80 feet. For lots fronting on the elevated train and within 125 feet of the street line adjacent to the elevated train, buildings would be required to set back five feet from the street line at the ground floor, and allowed to rise to a maximum height of 100 feet, with a minimum base height of 30 feet and a maximum base height of 65 feet. Above the base height, buildings would be required to set back at least 15 feet. Certain corner lots and through lots, depending on size and configuration, would also be subject to more lot coverage maximums, and some through lots would be permitted to waive the required rear yard equivalent to accommodate development on irregularly-shaped lots on Broadway.

As part of the related zoning text amendment, the Inclusionary Housing Program would be made applicable within C4-4L districts. The proposed new C4-4L district is a contextual, regional commercial district that allows mixed-use buildings at a residential zoning equivalent of R7A. Permitted Use Groups are 1-6, 8-10 and 12, which are residential, community facility, as well as local and regional commercial uses. Commercial and community facility development is allowed with a maximum FAR of 4.00. Residential development is allowed with a maximum FAR of 4.60 under the Inclusionary Housing Program and 4.00 when not using the Inclusionary Housing Program. Parking is required for 50% of the residential units. This parking requirement is waived if 15 or fewer spaces are required. Parking requirements are waived for lots smaller than 10,000 square feet. Non-residential parking requirements of one space per 1,000 square feet of commercial area are waived when fewer than 40 spaces are required.

In comparison with the existing R5/C2-2 zoning districts mapped in the Affected Area currently, the proposed C4-4L zoning district would allow for a wider range of uses, reflecting the regional commercial character of the area, and provide more flexibility in mixed-use building design appropriate for the irregularly-shaped lots lining New Utrecht Avenue.

Conclusion

The Applicant believes that the proposed C4-4L zoning district would induce development consistent with nearby low-density mixed-use buildings mostly along New Utrecht Avenue to the east. The proposed zoning district is mapped at the confluence of New Utrecht Avenue and 72nd Street, which, from the Applicant's perspective, is appropriate for a higher density of mixed residential, commercial, and community facility uses while maintaining the residential character of nearby side streets. The rezoning would not adversely affect surrounding land uses, nor would it be incompatible with those land uses. Therefore, no significant adverse impacts are anticipated to zoning, and further analysis is not required.

2.1.3 Public Policy

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

The Proposed Actions include a Zoning Text Amendment to ZR Appendix F: Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas for Community District 11, Brooklyn, to establish the Affected Area as an MIH Area under Program Option 2. As a result, analysis of the Proposed Development's alignment with Housing New York is warranted.

Housing New York

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

Existing Conditions

Under the existing condition, the Applicant-owned Projected Development Site 1 consists of two separate lots (Block 6180, Lots 31 and 33) along New Utrecht Avenue. Lot 33 is an approximately 14,160 sf irregularly shaped corner lot with frontages on 72nd Street and New Utrecht Avenue, which is improved with a vacant 8,960 GSF (0.63 FAR) commercial building that was once occupied by a drive-through bank. Lot 31 is an approximately 4,358 sf interior lot with frontage

on New Utrecht Avenue, which is a vacant and paved lot that was formerly used as an accessory parking lot for the bank on Lot 33.

Other lots within the Affected Area include a 2-story, 6,716 GSF mixed residential and commercial building on Lot 29 (1.90 FAR); a 2.5-story, 2,920 GSF multi-family walk-up building with 3 dwelling units on Lot 27 (0.73 FAR); and a 2.5-story single family residential building with 2,403 GSF of floor area on Lot 44 (0.60 FAR).

Future No-Action Condition

No changes to the residential units would occur in the future without the Proposed Actions. The existing buildings would remain.

Future With-Action Condition

In the future with the Proposed Actions, development on Projected Development Site 1 would add 100 residential units to the area, of which 30 would be set aside as permanently affordable units at an average of 80% AMI under MIH Option 2. In addition, 11,828 GSF of local retail commercial space would be provided.

The Proposed Actions are consistent with the goals of Housing New York as an MIH area would be established over the Affected Area to introduce more affordable residential units to the area. The Proposed Development on Projected Development Site 1 would set aside 30 dwelling units as permanently affordable units for households making an income at an average of 80% AMI, which makes up 30% of the total 100 project induced dwelling units. The Proposed Development would help foster diverse and livable neighborhoods with the mixed-use building consisting of residential and commercial uses in an underutilized area and ensure the housing supply increases in an equitable way, building new affordable housing units for local community.

Conclusion

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

2.2 Open Space

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

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

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

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

Methodology

According to the guidelines of the City's *CEQR Technical Manual* for analysis of residential development, census tracts with at least half of their geographic area within a one-half mile radius of the Affected Area comprise the open space study area. Using current population figures, an open space ratio is calculated for both the future no-action and future with-action conditions, expressed as the amount of open space acreage per 1,000 user population. Typically, a comparison is made to the City's planning goal of 2.50 acres per 1,000 residents.

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

Direct Effects

Direct effects to open space are addressed in the sections for those specific technical areas where warranted. Construction impacts to open space are not anticipated as there would be no physical loss of public open space, no change in existing open space so that it no longer serves the same user population, would not limit public access, and would not increase noise or air pollutant emissions, odors, or shadows on public open space that would affect its usefulness. An assessment of the effects of the Proposed Actions related to shadows on open space resources is provided in **Chapter 2.3: Shadows**.

Indirect Effects

The Proposed Development would introduce an increment of 294 residents and 8 workers, which would exceed the threshold for assessment of the potential for indirect impacts of 200 new residents or 500 additional employees. Therefore, an assessment of indirect effects on public open space resources is warranted.

2.2.1 Preliminary Open Space Assessment

The Proposed Actions would result in a net increment of 105,141 GSF of development, including 85,565 GSF of residential floor area, 2,868 GSF of commercial floor area, and 16,708 GSF of enclosed parking area. The Proposed Actions are projected to result in the incremental development of 100 dwelling units within the Affected Area. Assuming an average occupancy of 2.94 persons based on the average household size within Brooklyn Community District 11 (2020 Decennial Census Data), incremental population introduced as a result of the Proposed Actions would be approximately 294 residents. Therefore, an assessment of indirect effects on public open space resources is warranted. The Proposed Actions would introduce fewer than 500 additional employees, as such the preliminary assessment addresses the residential population introduced by the Proposed Actions.

Study Area Definition

In accordance with the guidelines established in the City's *2021 CEQR Technical Manual*, the open space study area is defined to analyze both the nearby open spaces and the population using those open space resources. It is generally defined by a reasonable walking distance that users would travel to reach local open spaces and recreational areas. Pursuant to the *2021 CEQR Technical Manual*, the open space study area includes all U.S. Census Tracts that have 50 percent or more of their area within a half-mile radius of the Affected Area for residential users. As shown in **Figure 2.2-1**: the Census Tracts with 50% or more of their area within the 1/2-mile study area are 182, 186, 188, 190, 194, 196, 198, 200, 250, 252, 260, 262, and 264.

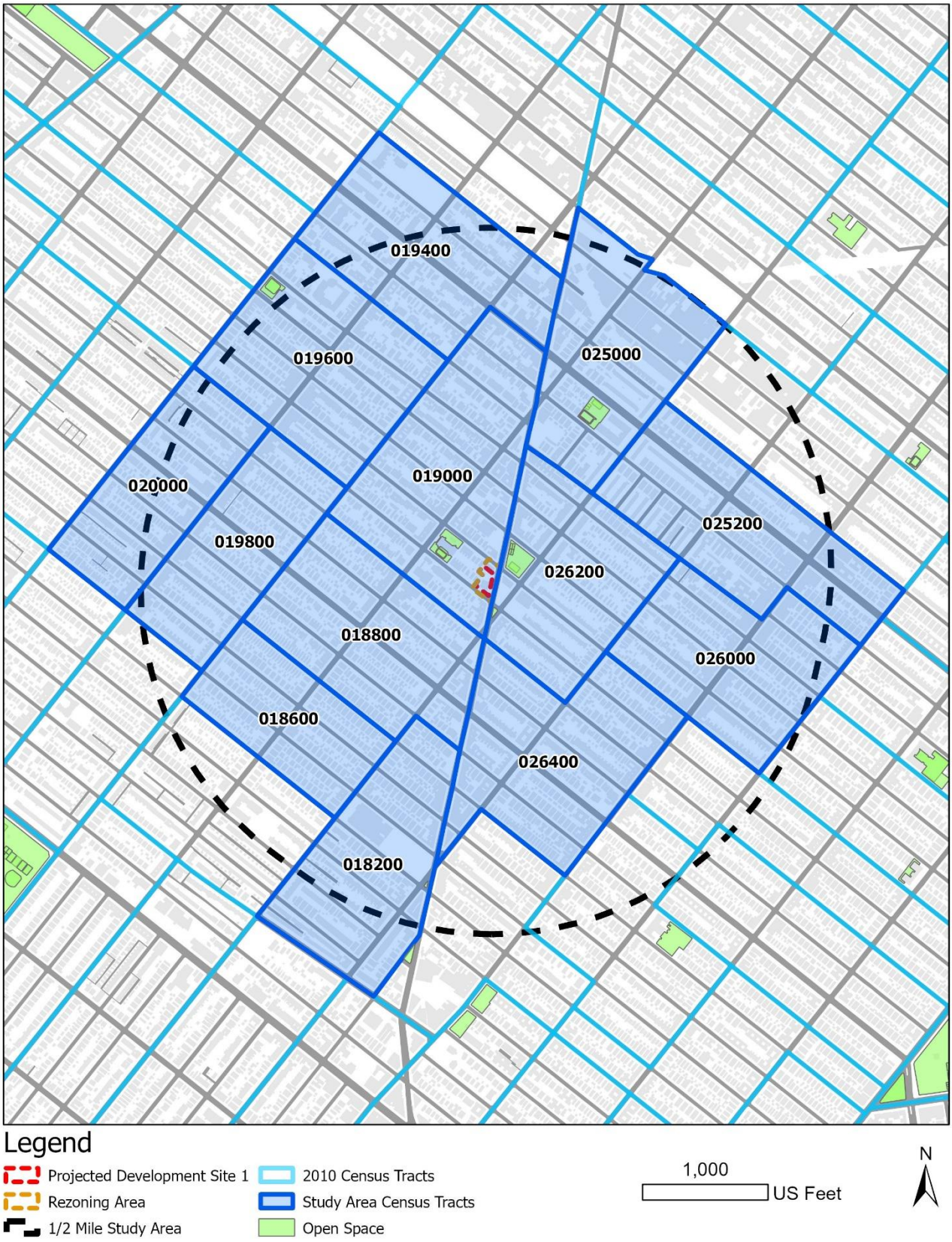
Existing Condition

Based on the 2020 Decennial Census Data, the 1/2-Mile study area shown in **Figure 2.2-1** has a population of 45,214 residents. According to the Project-Level DCP Housing Database, 5 permits were completed within the seventeen census tracts in the 1/2-mile Study Area since January 1, 2020. **Table 2.2-1** below reveals that the number of Class A dwelling units were decreased by 1 in the 1/2-Mile Study Area as a result of the completed DOB permits, which were all alteration permits. Given that an average occupancy of 2.94 persons based on the average household size within Brooklyn Community District 11 (2020 Decennial Census Data), there are 45,212 existing residents in the 1/2-Mile Study Area.

Table 2.2-1: DCP Housing Database Completed Permits within Study Area Since January, 2020

ID	Census Tract	Address	Job Type	Permit Year	Complete Year	Class A Initial Units	Class A Proposed Units	Class A Net Units
1	198	7414 14 Ave	Alteration	2010	2020	2	1	-1
2	194	6317 14 Ave	Alteration	2016	2020	1	0	-1
3	188	1565 74 St	Alteration	2017	2020	1	1	0
4	262	1660 70 St	Alteration	2016	2020	1	2	1
5	198	1370 73 St	Alteration	2018	2020	1	1	0

Figure 2.2-1: Open Space Study Area Census Tracts



Future No-Action Condition

The No-Action Condition for the Study Area, projecting to the 2025 build year, is based on the household size and known developments within the Study Area. A review of active major construction projects, approved BSA applications, and approved ULURP actions was undertaken to determine known developments in the area.

As shown in **Table 2.2-2** below, a total of 17 proposed projects were identified, resulting in 337,146 GSF of development and 215 proposed dwelling units. The proposed 215 dwelling units multiplied by the average household size (2.94) for Brooklyn CD 11 (2020 Decennial Census Data) comes out to 632 additional residents. The No-Action population for the Study Area would be the 632 additional residents plus the existing Study Area population of 45,212 for a total No-Action population of 45,844 residents.

Table 2.2-2: No-Action Developments within Study Area

Address	Land Use	Permit Type	SF	DU	Story
1436 72nd St	Residential	New Building	5,042	3	3
8207 16th Ave	Residential	Enlargement	1,270	2	3
1759 Bay Ridge Pkwy	Residential	New Building	22,625	13	4
1668 70th St	Residential	Enlargement	0	2	3
1464 74th St	Residential	Enlargement	1,828	2	2
1725 68th St	Residential	New Building	9,879	8	4
1658 69th St	Residential	Enlargement	3,043	3	4
1506 71st St	Educational	New Building	5,742	0	1
1434 72nd St	Residential	New Building	5,095	3	3
6915 15th Ave	Residential	New Building	27,719	18	4
1353 73rd St	Residential	Enlargement	1,278	2	2
6812 15th Ave	Residential	Enlargement	5,056	5	3
1345 70th St	Residential	New Building	6,960	3	3
1374 65th St	Mercantile	New Building	8,301	0	3
1332 64th St	Residential	New Building	3,700	2	3
1447 61st St	Residential	New Building	6,588	3	3
1238 63rd St	Residential	New Building	223,020	146	3
Total			**337,146**	**215**	

With-Action Condition

Compared to No-Action Conditions, the Proposed Actions would introduce 100 more dwelling units. Assuming an average household size of 2.94 persons, there would be 294 incremental residents resulting from the Proposed Actions. The Future With-Action population, then, would be 46,138 residents as shown below in **Table 2.2-3**.

Table 2.2-3: Existing, No-Action, and With-Action Populations[2]

Existing	No-Action	With-Action
45,212	45,844	46,138

2.2.2 Open Space Resources

There are four open space resources with regular open access to the public within the study area identified in **Table 2.2-4**. There are 2.28 acres of open spaces resources in the Study Area—1.17 are considered active and 0.57 are considered passive based on field visits and a review of open space site plans. The location of these resources is shown in **Figure 2.2-2**.

2.2.3 Open Space Ratio Analysis

Existing Condition

The study area has 2.28 acres of open space and an existing residential population of 45,212. The open space ratio (OSR) under existing conditions is 0.050 acres per thousand residents.

No-Action Condition

In the future without the Proposed Actions, the population for the Study Area in the 2025 build year is forecasted to be 45,844 and is projected to be served by the same 2.28 acres of open space as in the existing condition. With this population, the OSR would be 0.050. The OSR is far below the City's planning goal of 2.50 acres per thousand people and reflects the area's shortfall of open spaces.

With-Action Condition

The Proposed Actions would result in an increase in the No-Action population by 294 residents by the 2025 build year. The total 2025 build year With-Action population would be 46,138, which would be served by the same acreage of open resources (2.28 acres) as the No-Action condition. With this increase in population, the OSR would be 0.049 acres per 1,000 residents, or a 0.64 percent reduction from the No-Action OSR.

[2] Existing = 2020 Decennial Census Data plus completed DUs since January 1st 2020; No-Action = Existing plus 632 No-Action project residents; With-Action = No-Action plus 294 additional residents from the Proposed Development

Figure 2.2-2: Open Space Resources Within Study Area

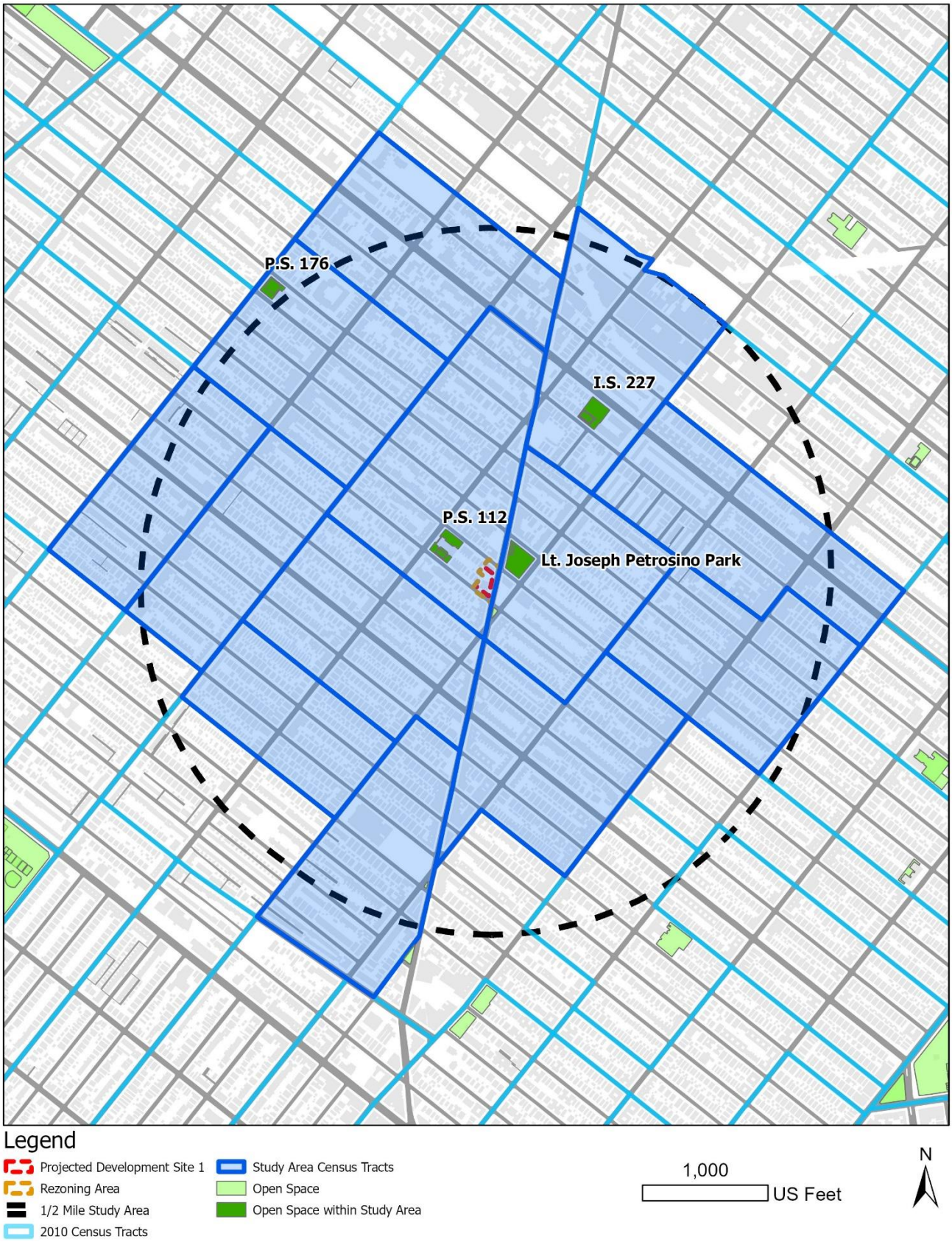


Table 2.2-4: Open Space Resources

Name	Property Type	Ownership	Acreage	% Active	% Passive	Total Active	Total Passive	Features
I.S. 227 Playground	Schoolyard to Playground	NYCDOE	0.64	75%	25%	0.48	0.16	Pg, RT, BC, BA, FF
Lt. Joseph Petrosino Park	Playground	NYCDPR	0.87	75%	25%	0.65	0.22	BC, FE, HC, Pg, SS
P.S. 112 Playground	Schoolyard to Playground	NYCDOE	0.28	75%	25%	0.21	0.07	Pg, RT
P.S. 176 Playground	Schoolyard to Playground	NYCDOE	0.49	75%	25%	0.37	0.12	Pg, RT, BC
Existing/Future No-Action Totals			**2.28**	**-**	**-**	**1.71**	**0.57**	
Future With-Action Totals			**2.28**	**-**	**-**	**1.71**	**0.57**	

BA = Badminton Courts; BC = Basketball Courts; FE = Fitness Equipment; FF = Football Fields; HC = Handball Courts; Pg = Playgrounds; RT = Running Tracks; SS = Spray Showers

2.2.4 Open Space Adequacy Assessment

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

- Projects in study areas where the open space ratio approaches or exceeds the City's planning goal of 2.5 acres per 1,000 residents, may generally tolerate up to a five percent decrease of the open space ratio before considering the need for more detailed analysis.
- For projects in study areas where the open space ratio is not near the City's planning goal of 2.5 acres per 1,000 residents, the percentage decrease in open space ratio is weighed against how the open space ratio of the study area compares to the City's planning goal for open space. Table 7-1 of the *2021 CEQR Technical Manual* (**Table 2.2-5** below) provides general guidelines for ranges of open space ratios and acceptable percentage changes.
- Projects that have an effect on a nonresidential population's use of passive open space would not follow the guidelines presented in the below table, and should consider the need for a detailed assessment based on a comparison of the open space ratio to the optimal ratio of 0.15 acres of passive space per 1,000 nonresidents. Projects that lead to the non-residential open space ratio to drop below the optimal ratio of 0.15 acres of passive open space per 1,000 non-residents may warrant a more detailed assessment.

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

Under Future With-Action conditions, the OSR would be 0.049 acres per 1,000 residents, or a 0.64 percent reduction from the No-Action OSR. Using **Table 2.2-5** below, the Proposed Actions would not warrant a detailed analysis of open space.

Table 2.2-5: Preliminary Assessment Guidance for Percentage Change in Open Space Ratio

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

Source: Table 7-1 of the *2021 CEQR Technical Manual*

Qualitative Assessment

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

While not included in the calculation of OSR in the analysis above, an open space resource, Dyker Beach Park, is located beyond the 1/2-mile study area but within 3/4-mile distance from the Projected Development Site, which is considered the reasonable walking distance for a 10-minute walk. Dyker Beach Park is a 216.66-acre community park that is bounded by 86th Street, 14th Avenue, Poly Place, and 7th Avenue. The park is located approximately 0.73 mile to the southwest of the Projected Development Site, which is featured with baseball fields, basketball courts, bathrooms, bocce courts, dog-friendly areas, eateries, football fields, golf courses, handball courts, playgrounds, soccer fields, spray showers, and tennis courts.

Given the reasonable walking distance from the Projected Development Site to the additional open space resource, Dyker Beach Park, the Applicant believes that it is reasonable to assume that the open space resource could provide the residents of the study area as well as those who would reside in the future Proposed Development with a high-quality open space for both active and passive outdoor activities. In addition, there are six public schools (P.S. 176, 180, 186, 205, 247, and 48) located between the 1/2-mile and 3/4-mile area, whose school yards are enrolled in the schoolyard to playground program and are regularly accessible to the public during the non-school hours.

It should also be noted that the proposed contextual C4-4L zoning district would require that any new development adhere to the Quality Housing Program regulations. The Quality Housing Program regulations require that the residential developments include open space amenities such as tree plantings, landscaping, and recreational spaces. These amenities would improve open space quality and condition on the Projected Development Site and help alleviate future open space shortfalls.

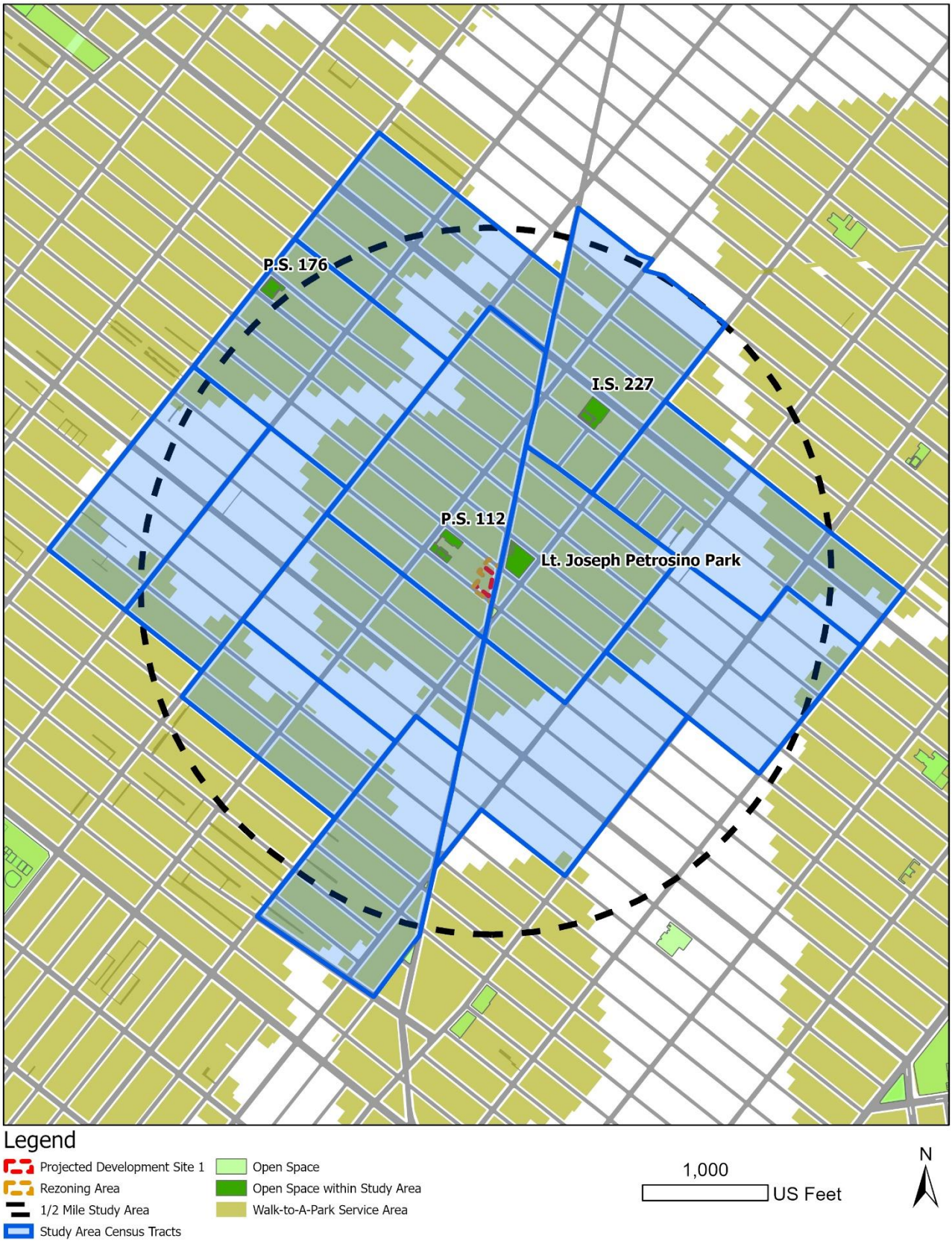
NYC Parks Walk to a Park Initiative

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

(new workers) should also be considered if the project is located within a known walk gap to determine if the project would generate a new non-residential population within areas of the city with inadequate access to open space resources.

As shown below in **Figure 2.2-3**, the Affected Area is located within the Walk-to-a-Park Service Area, and is therefore not identified as a walk gap area.

Figure 2.2-3: Walk-to-a-Park Service Area



2.2.5 Conclusion

Despite the fact that the existing OSR in the study area is far below the goals established in the *CEQR Technical Manual*, the analysis indicates that the OSR in the With-Action condition would decrease by only 0.64% compared to that in the No-Action condition. Considering that the percentage change in OSR signifying a possible adverse open space impact is one percent (see **Table 2.2-5** above), the Proposed Development is not expected to have an adverse impact on the open space resources.

In addition, a community park, Dyker Beach Park, is located beyond the 1/2-mile study area but within 3/4-mile area, which provide the residents of the study area as well as those who would reside in the Proposed Development with high-quality open space for both active and passive outdoor activities. It should also be noted that the Projected Development Site is located within the Walk-to-a-Park Service Area, which indicates the easy accessibility to a park from the site.

As analyzed above, the Proposed Actions would not result in a significant adverse impact on Open Space within the study area, and further analysis is not warranted.

2.3 Shadows

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

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

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

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

Methodology

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

Analysis Framework

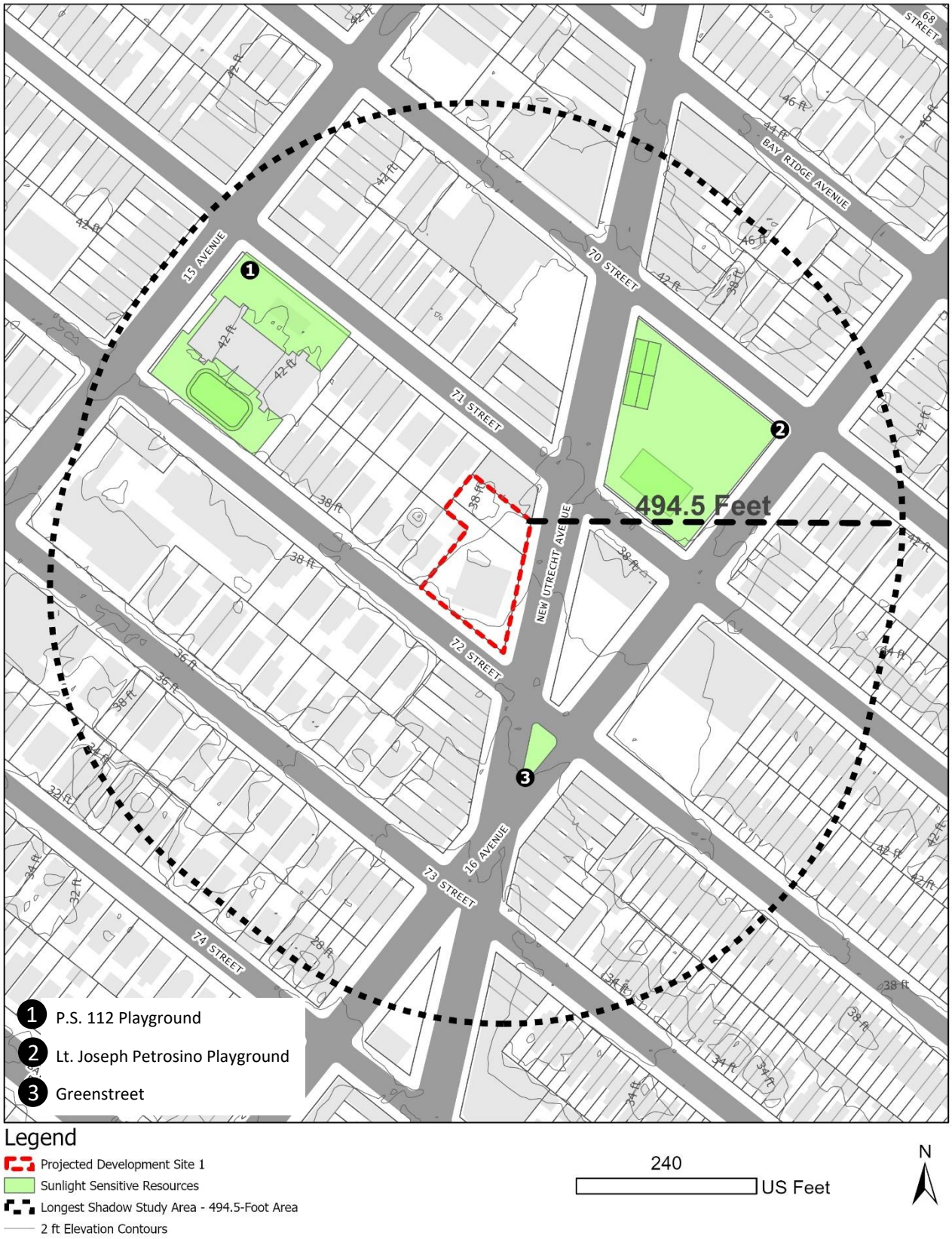
Projected Development Site 1 is located on Block 6180, Lots 31 and 33 in the Bensonhurst neighborhood of Brooklyn, Community District 11. The development proposed by the Applicant would consist of a 9-story building that would reach a height of 95 feet. However, the shadow analysis would analyze the Worst-Case Scenario with a higher building height of 115 feet, which is the maximum allowed building height within the proposed C4-4L zoning district. As Projected Development Site 1 is currently occupied by a 1-story building and would result in an incremental change in height greater than 50 feet, a preliminary assessment for shadows is warranted. No other sites within the Affected Area are anticipated to be redeveloped as a result of the Proposed Actions, thus the only site that will be assessed for potential shadow impacts will be the Applicant-owned site.

2.3.1 Tier 1 Shadow Screening Assessment

Under the Future With-Action Condition, Projected Development Site 1 (Block 6180, Lots 31 and 33) could be developed with a new building with a maximum building height of 115 feet and the longest action-induced shadow would be approximately 494.5 feet (4.3 x 115 feet) in length. The first step in a shadow analysis is to determine there are any sunlight sensitive resources located within the length of the 494.5-foot radius.

As **Figure 2.3-1** shows below, there are three sunlight sensitive resources within the longest shadow study area. These resources include the P.S. 112 Playground (Resource 1), Lt. Joseph Petrosino Park (Resource 2), and a Greenstreet (Resource 3). Accordingly, a Tier 2 screening assessment is required.

Figure 2.3-1: Tier 1 Shadow Screening Assessment



2.3.2 Tier 2 Shadow Screening Assessment

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

As shown in **Figure 2.3-2**, the Tier 2 screening assessment shows that the P.S. 112 Playground (Resource 1) and Lt. Joseph Petrosino Park (Resource 2), are within the -108/+108-degree area. Accordingly, a tier 3 shadow screening assessment is required.

2.3.3 Tier 3 Shadow Screening Assessment

The *CEQR Technical Manual* states that if any portion of a sunlight-sensitive resource is within the area that could be shaded by the Proposed Development, a Tier 3 screening assessment should be performed. Because the sun rises in the east and travels across the southern part of the sky to set in the west, a project's earliest shadows would be cast almost directly westward. Throughout the day, they would shift clockwise (moving northwest, then north, then northeast) until sunset, when they would fall east. Therefore, a project's earliest shadow on a sunlight-sensitive resource would occur in a similar pattern, depending in the location of the resource in relation to the Project Site. For a Tier 3 screening assessment, if the assessment determines that no shadows from the development would reach any of the sunlight-sensitive resources on any of the representative analysis days then no further assessment for those days is needed. If, however, in the absence of intervening buildings shadows from the proposed buildings would reach sunlight-sensitive resources on any of the representative analysis days then a detailed shadow analysis would be warranted for those days.

As shown in **Figure 2.3-3** to **Figure 2.3-6** below, shadows from the Proposed Development would reach the sunlight sensitive resource, P.S. 112 Playground (Resource 1) during the Winter Solstice and Vernal and Autumnal Equinox analysis months and Lt. Joseph Petrosino Park (Resource 2) during all analysis months. Therefore, a detailed shadow analysis is required to determine the impacts on P.S. 112 Playground (Resource 1) and Lt. Joseph Petrosino Park (Resource 2).

Figure 2.3-2: Tier 2 Shadow Screening Assessment

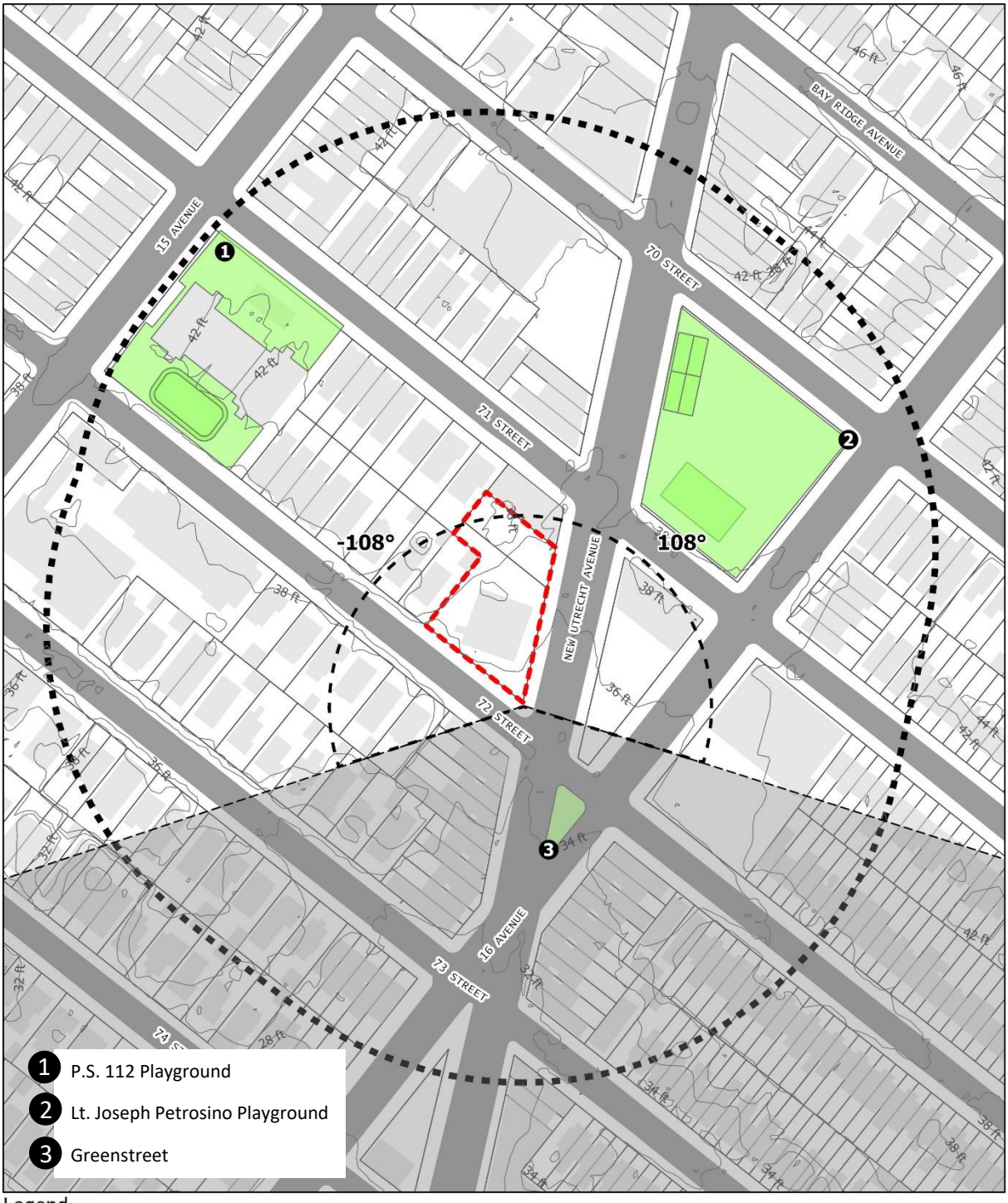


Figure 2.3-3: Tier 3 Shadow Screening December 21st (Winter Solstice)

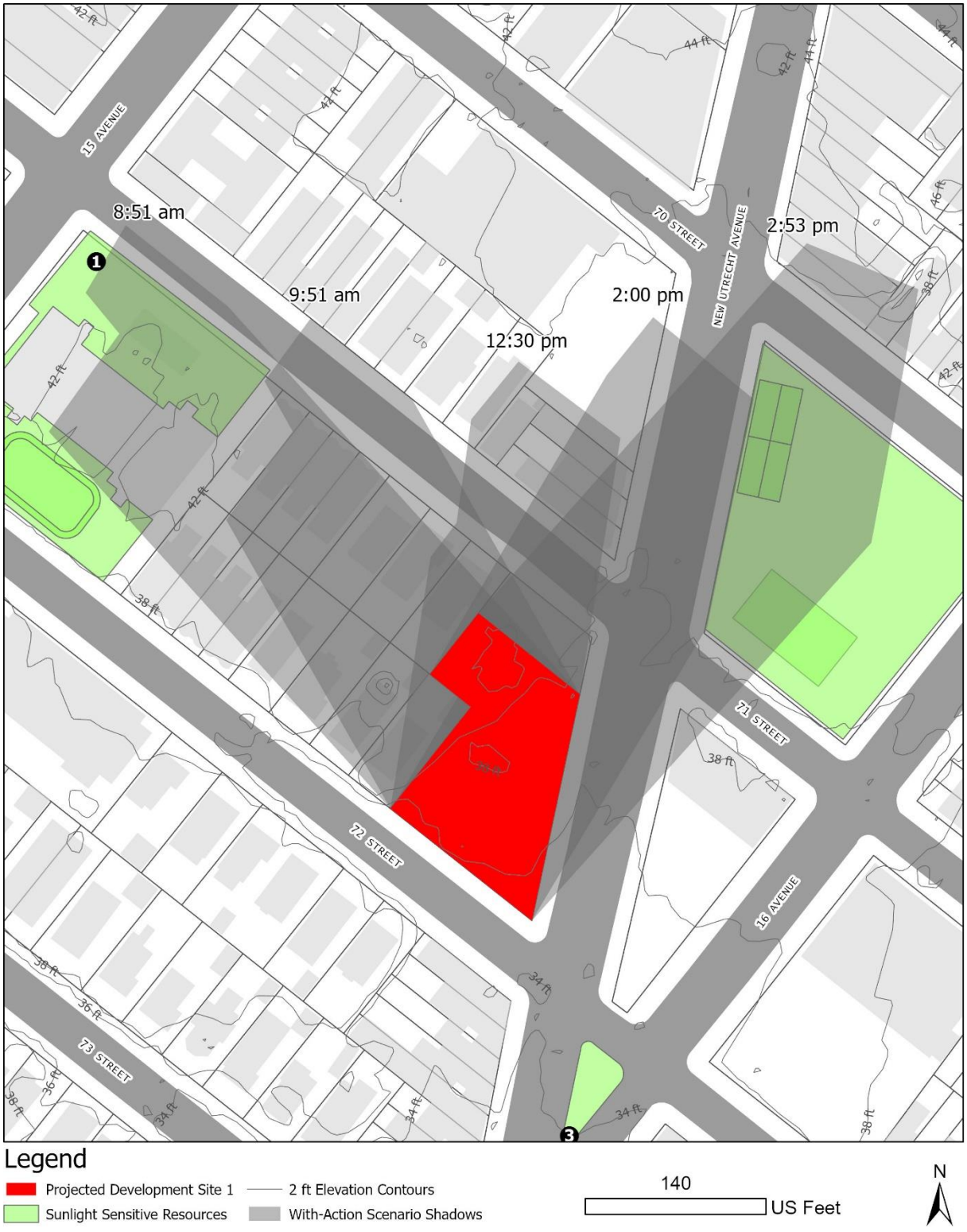


Figure 2.3-4: Tier 3 Shadow Screening March 21st/September 21st (Vernal and Autumnal Equinox)

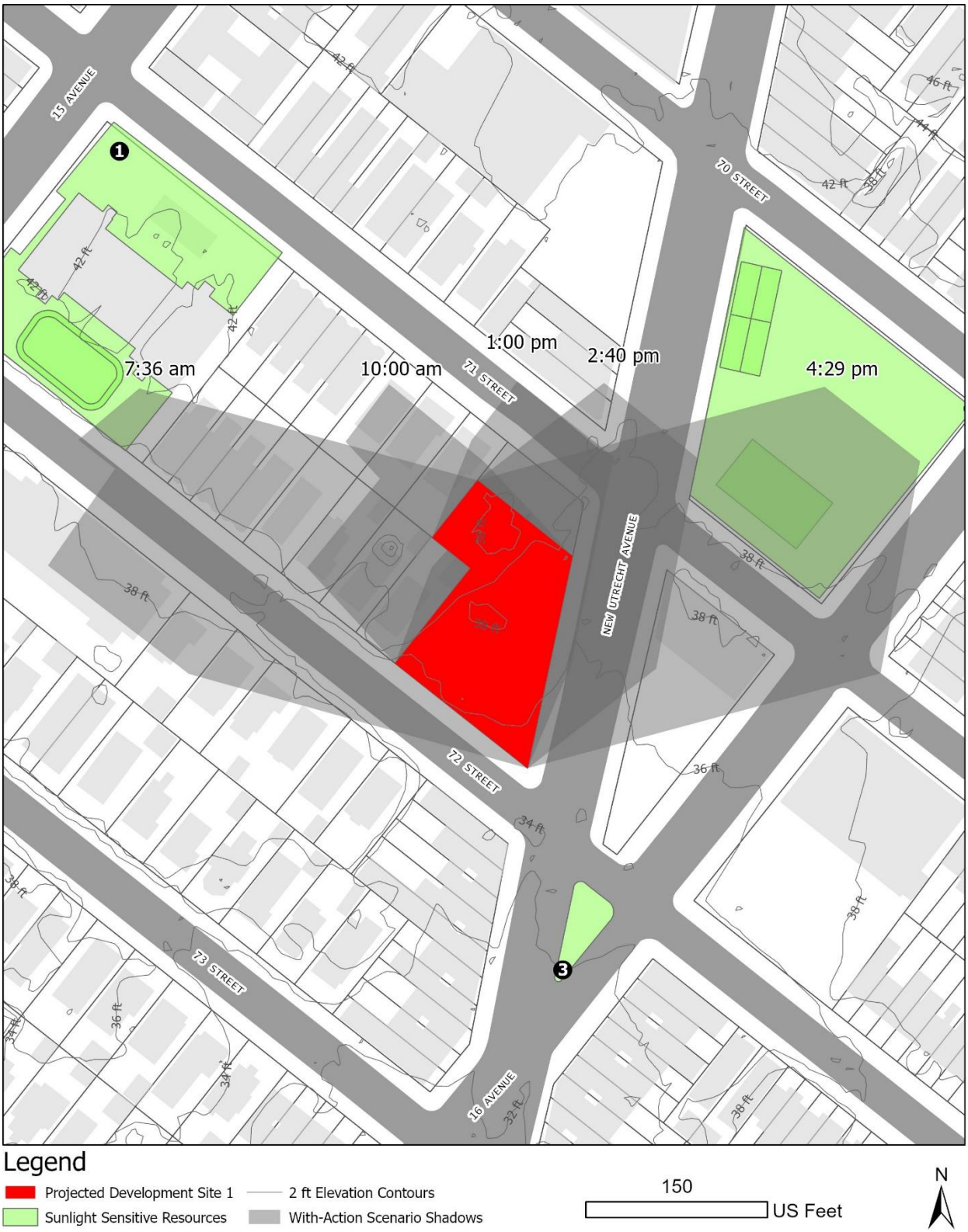


Figure 2.3-5: Tier 3 Shadow Screening May 6th/August 6th

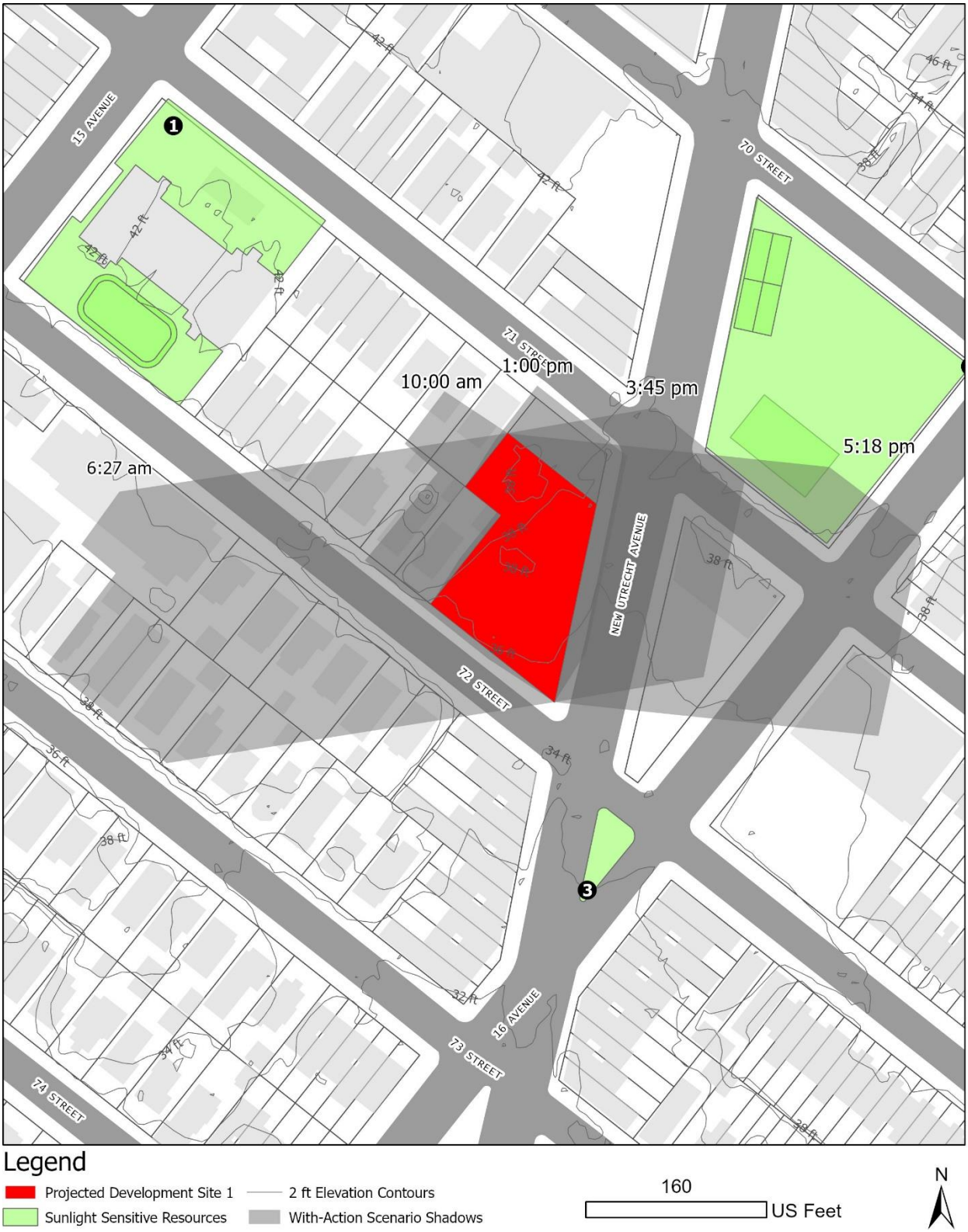
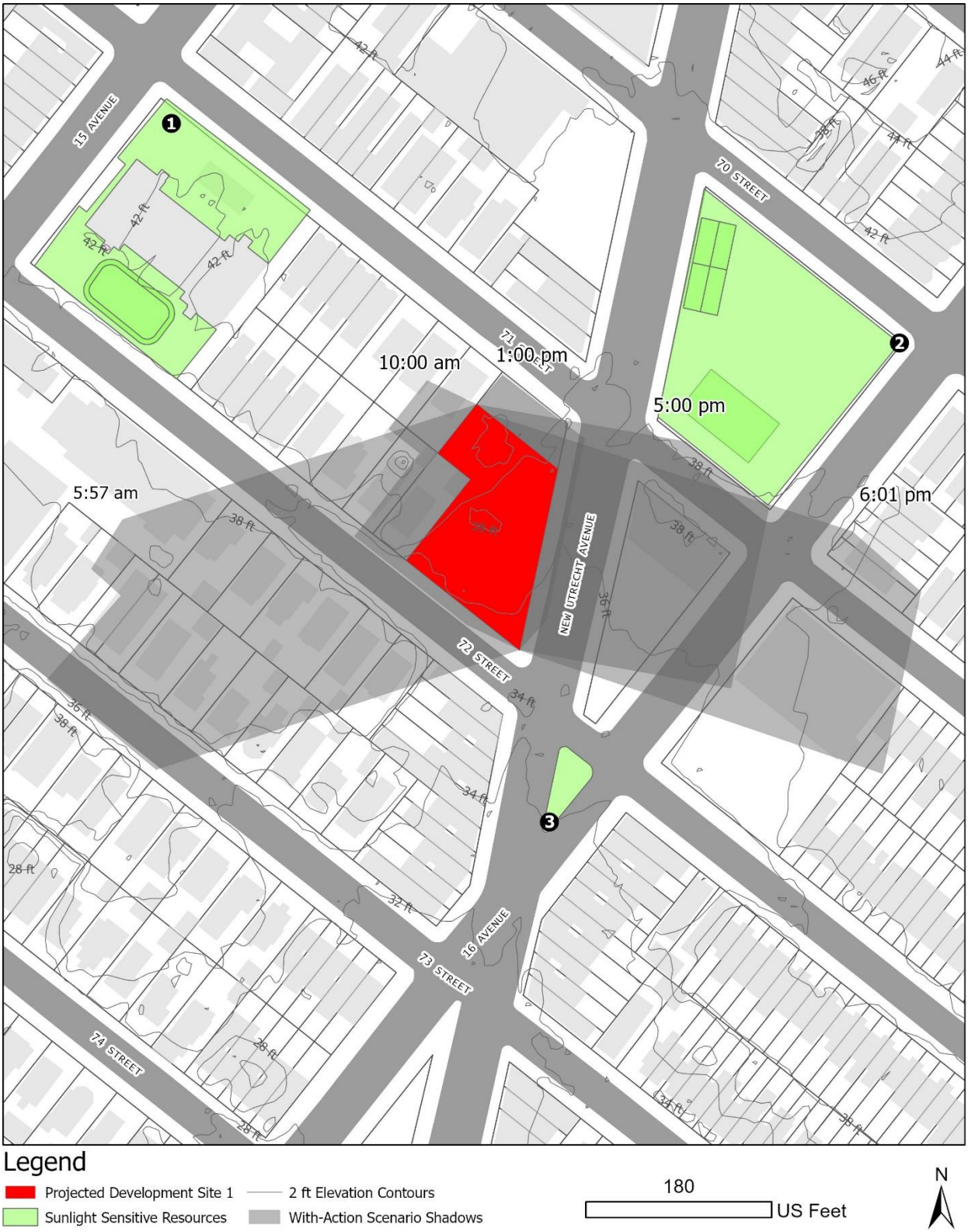


Figure 2.3-6: Tier 3 Shadow Screening June 21st (Summer Solstice)



2.3.4 Detailed Shadow Analysis

The *CEQR Technical Manual* states that a detailed shadow analysis is warranted when the screening analyses do not rule out the possibility that project-generated shadows would reach any sunlight-sensitive resources. The purpose of the detailed analysis is to determine the extent and duration of shadows that fall on a sunlight-sensitive resource as a result of the Proposed Development.

The results of the detailed shadow analyses on the identified resources of concern are summarized in **Table 2.3-1**, and the incremental shadows cast by the Proposed Development are shown below in detail in **Figure 2.3-7** to **Figure 2.3-12**. Based on the findings of the Detailed Shadow Analysis, the Proposed Actions would cast shadows on the P.S. 112 Playground (Block 6180, Lot 1; Resource 1) on two analysis days, December 21st from 8:51 am to 9:51 am and March/September 21st from 7:36 am to 7:50 am, and on Lt. Petrosino Park (Block 6169, Lot 50; Resource 2) on four analysis days, December 21st from 2:00 pm to 2:52 pm, March/September 21st from 2:40 pm to 4:29 pm, May/August 6th from 3:45 pm to 5:18 pm, and June 21st from 5:00 pm to 6:01 pm.

The affected sunlight sensitive resources are listed as below:

- P.S. 112 Playground (Resource 1): As part of the PlaNYC Schoolyards to Playgrounds Program, the schoolyard for P.S. 112 is publicly accessible during non-school hours (school close to dusk on weekdays and 8:00 am to dusk on weekends and holidays). The schoolyard features a playground and a running track as shown in **Figure 2.3-13**.
- Lt. Petrosino Park (Resource 2): Owned and managed by NYCDPR, Lt. Petrosino Park is a publicly accessible outdoor space located to the northeast of the Proposed Development. The 0.87-acre park is open from 6 am to 9 pm all year round, featured with a basketball court, fitness equipment, handball courts, playground, and spray showers as shown in **Figure 2.3-14**.

Table 2.3-1: Detailed Shadow Analysis Results

Analysis Day	21-Dec	March 21 / September 21	May 6 / August 6	21-Jun
Timeframe Window	**8:51 a.m. - 2:53 p.m.**	**7:36 a.m. - 4:29 p.m.**	**6:27 a.m. - 5:18 p.m.**	**5:57 a.m. - 6:01 p.m.**
Sunlight Sensitive Resource 1	**P.S. 112 School Yard and Playground**			
Shadow Enter - Exit Time	8:51 a.m. – 9:51 a.m.	7:36 a.m. – 7:50 a.m.	-	-
Incremental Shadow Duration	1 Hour	14 Minutes	-	-
Sunlight Sensitive Resource 2	**Lt. Joseph Petrosino Park**			
Shadow Enter - Exit Time	2:00 p.m. – 2:52 p.m.	2:40 p.m. – 4:29 p.m.	3:45 p.m. – 5:18 p.m.	5:00 p.m. – 6:01 p.m.
Incremental Shadow Duration	52 Minutes	1 Hour 49 Minutes	1 Hour 33 Minutes	1 Hour 1 Minute
Note: Daylight savings time not used				

Figure 2.3-7: Detailed Shadow Analysis at 8:51 am on December 21

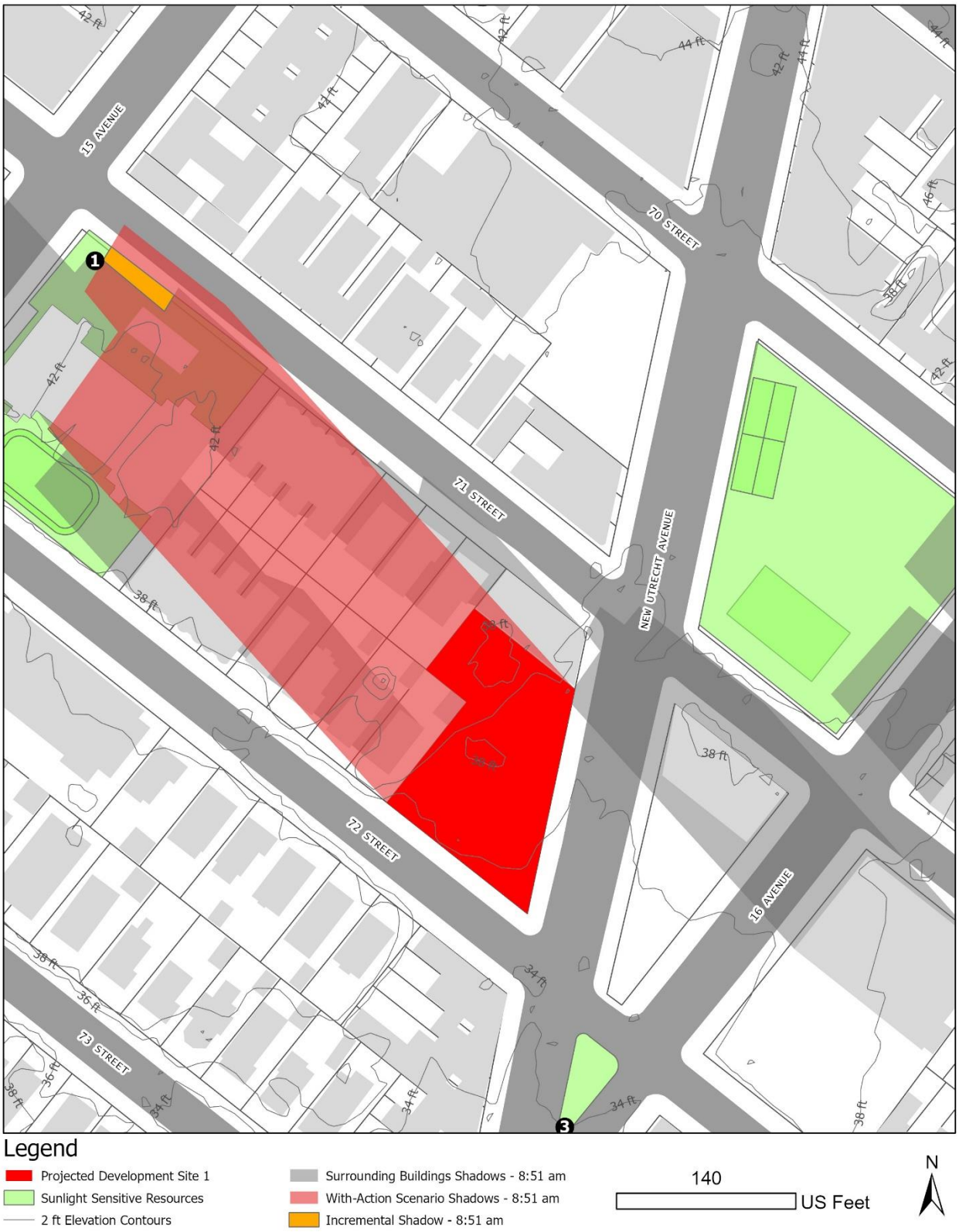


Figure 2.3-8: Detailed Shadow Analysis at 2:53 pm on December 21

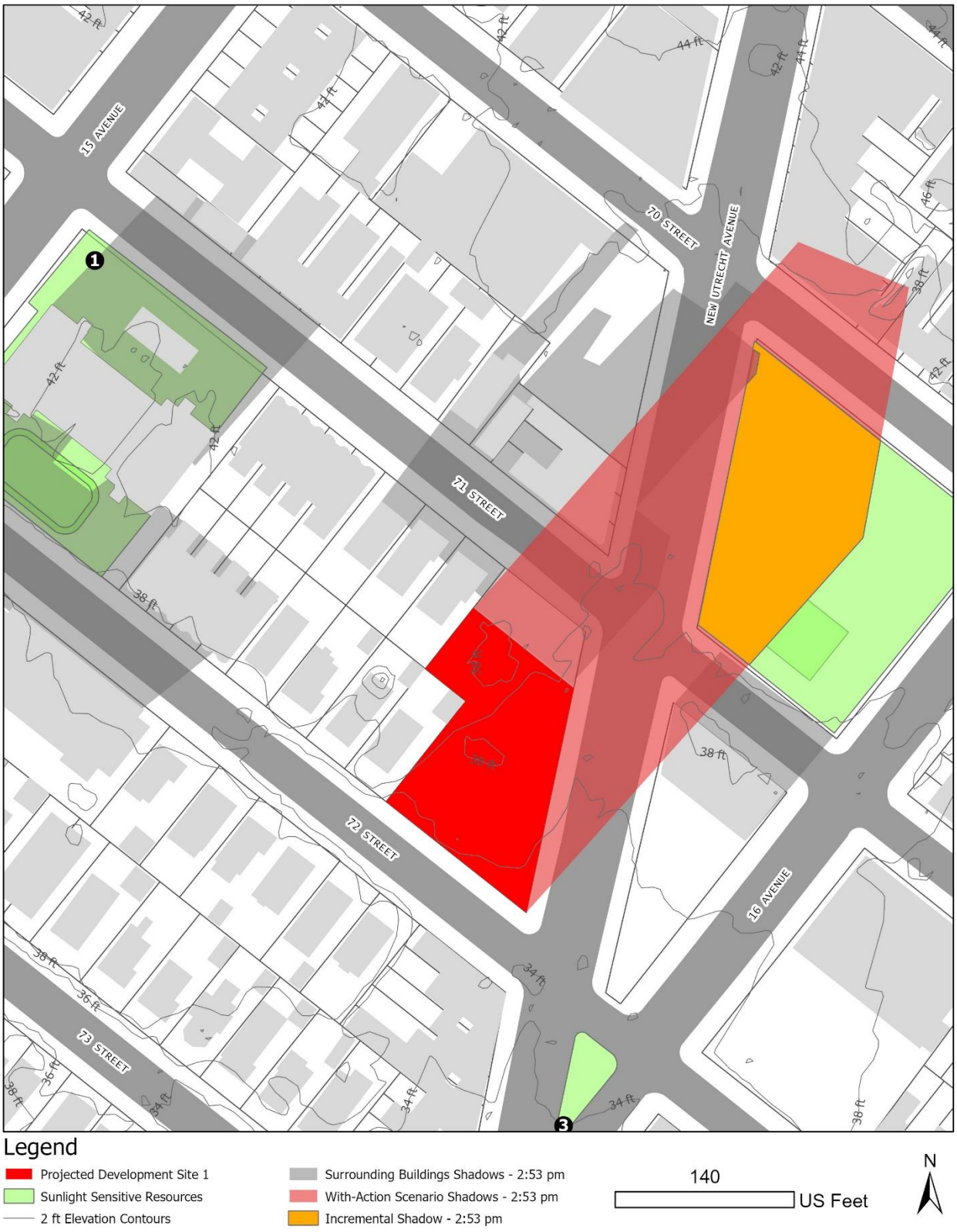


Figure 2.3-9: Detailed Shadow Analysis at 7:36 am on March 21/September 21

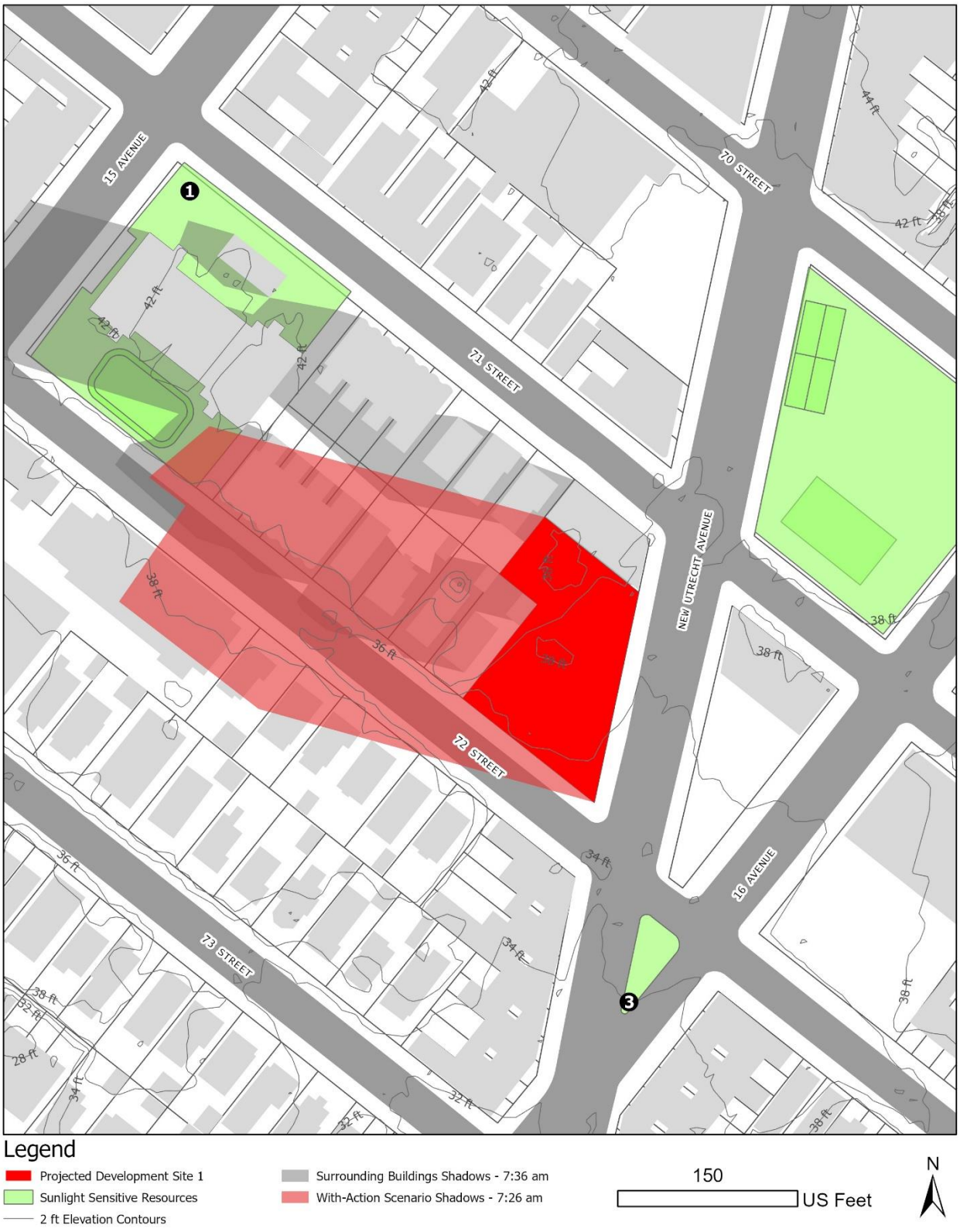


Figure 2.3-10: Detailed Shadow Analysis at 4:29 pm on March 21/September 21

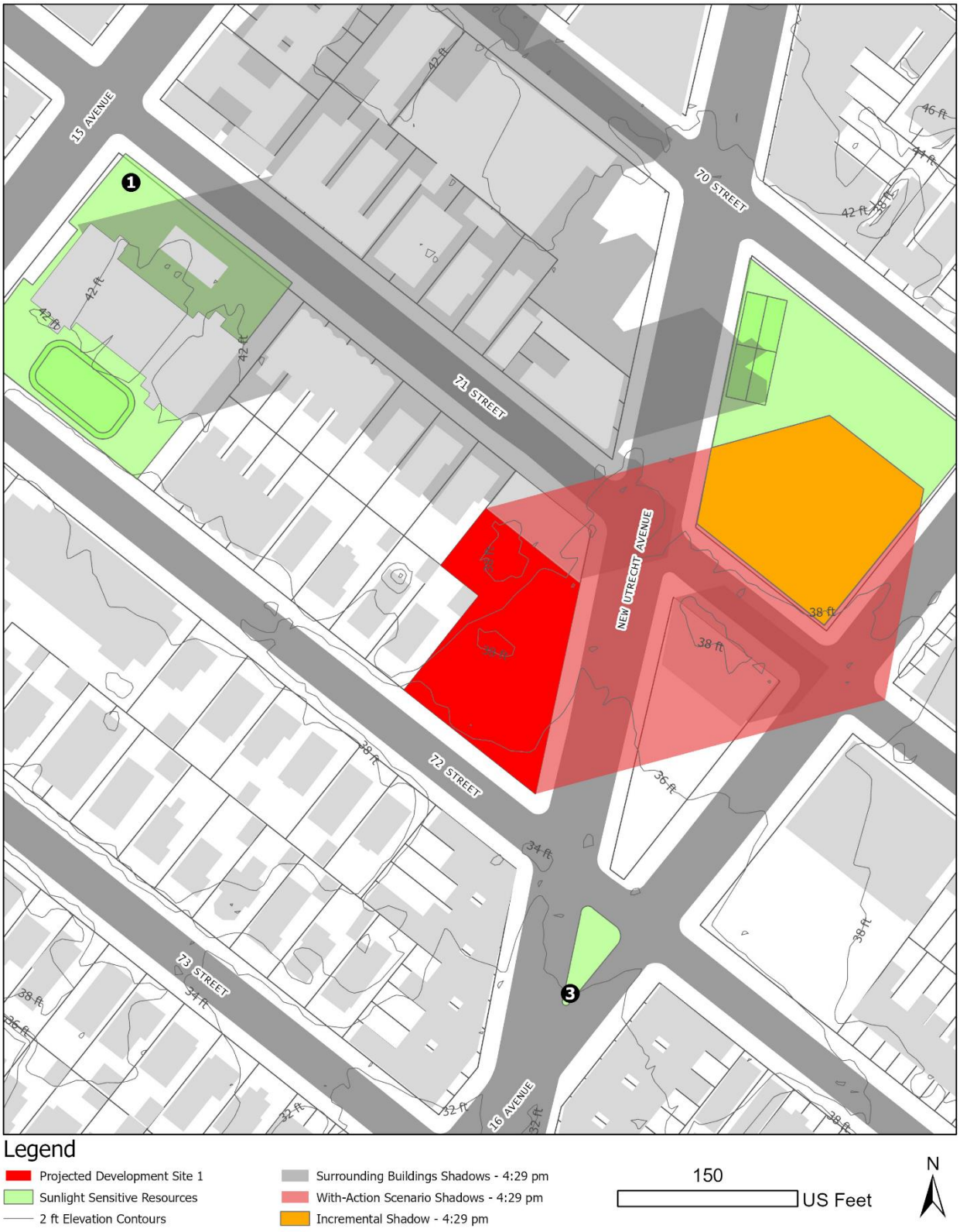


Figure 2.3-11: Detailed Shadow Analysis at 5:18 pm on May 6/August 6

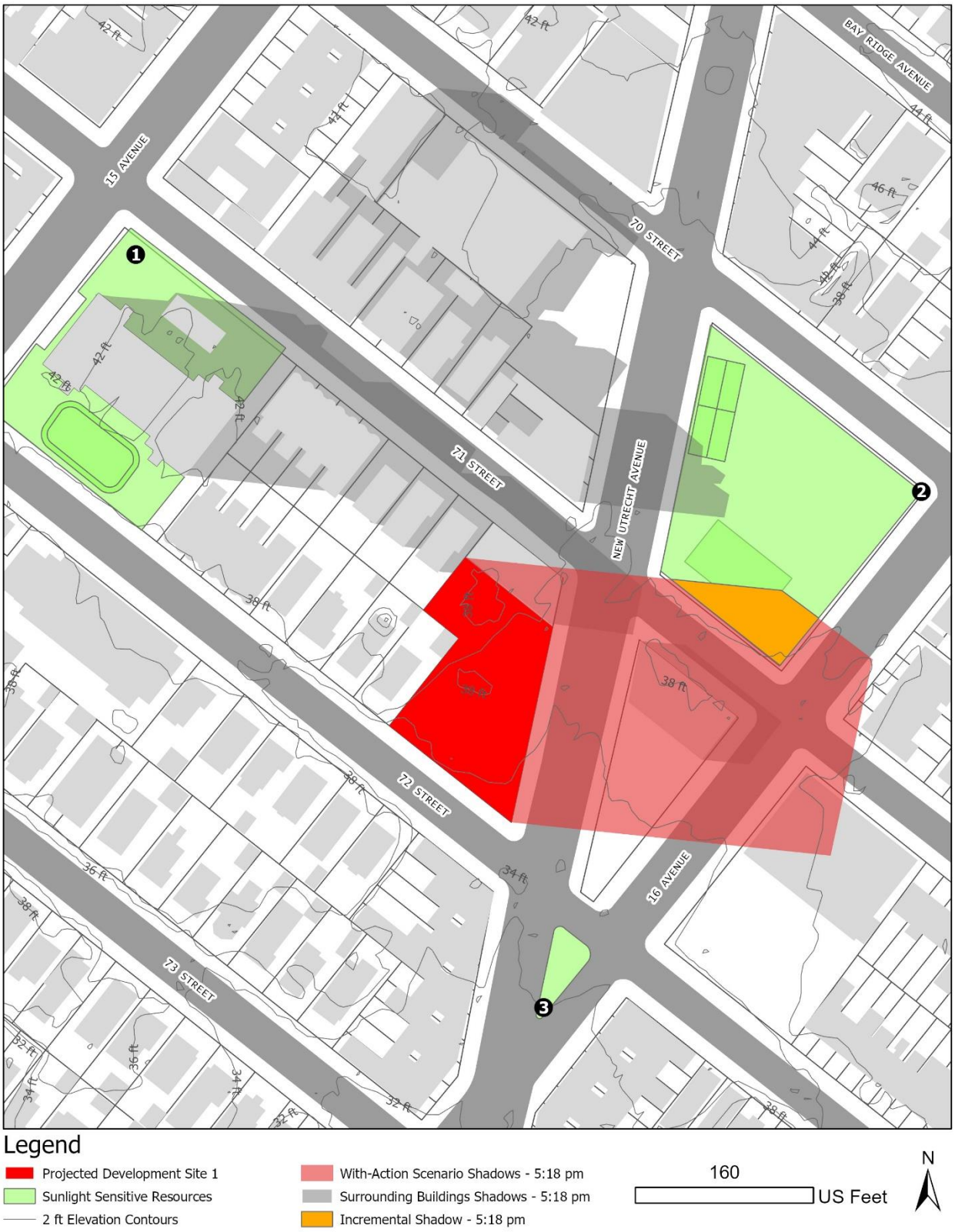


Figure 2.3-12: Detailed Shadow Analysis at 5:30 pm on June 21

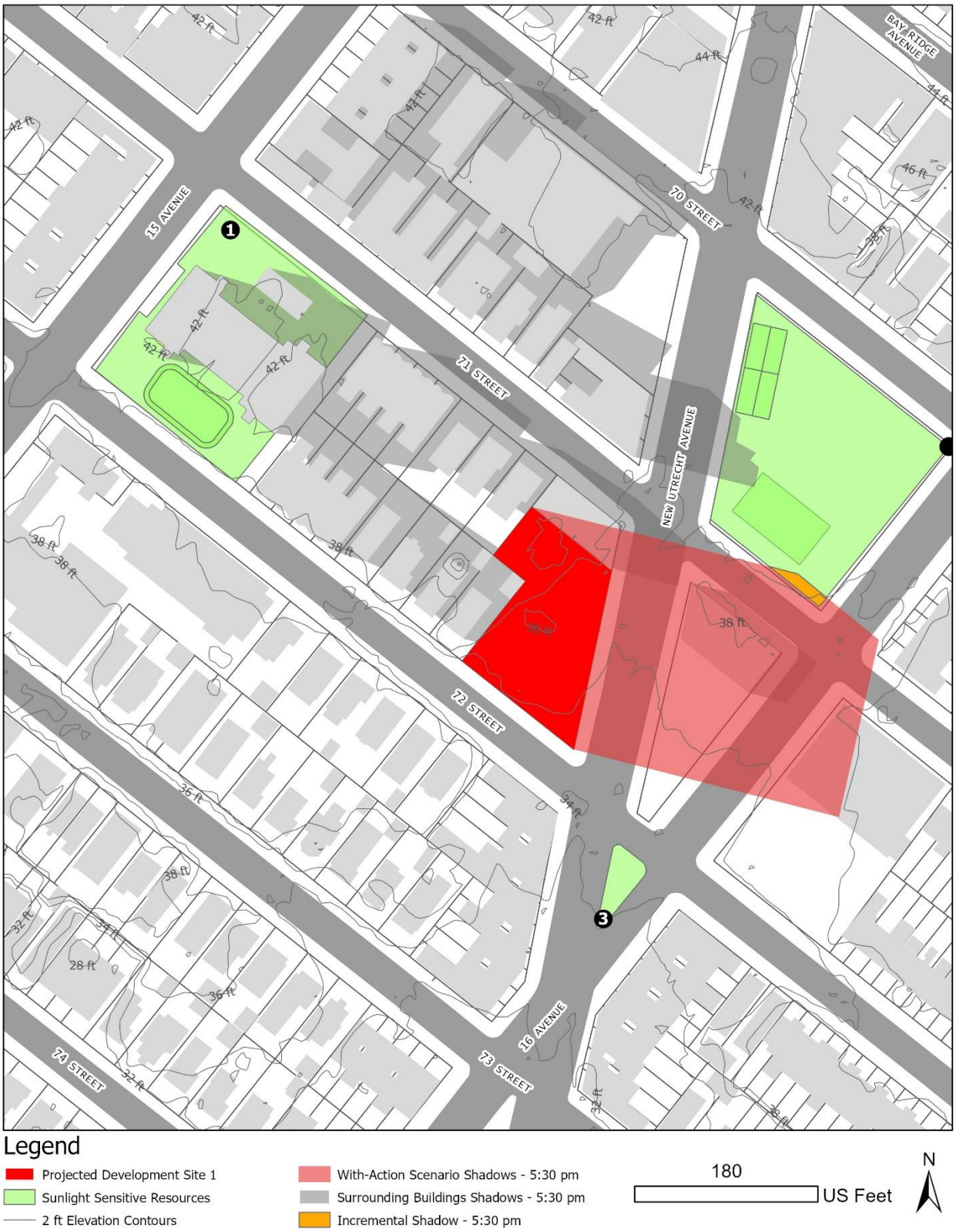


Figure 2.3-13: P.S 112 Schoolyard and Playground (Sunlight Sensitive Resource 1)



Figure 2.3-14: Lt. Petrosino Park (Sunlight Sensitive Resource 2)



Determination of Shadow Impact Significance

The *CEQR Technical Manual* states that the determination of significance of shadow on a sunlight-sensitive resource is based on: (1) the information resulting from the detailed shadow analysis describing the extent and duration of incremental shadows; and (2) an analysis of the resource's sensitivity to reduced sunlight. Determining whether this impact is significant or not, under CEQR, depends on the extent and duration of the incremental shadow and the specific context in which the impact occurs.

For open space and natural resources, the uses and features of a resource is an indicator of its sensitivity to shadows. Shadows occurring during the cold-weather months, for example, generally do not affect the growing season of outdoor vegetation. This sensitivity is assessed for warm-weather-dependent features such as vegetation that could be affected by a loss of sunlight during the growing season, and for features (such as benches) that could be affected by a loss of winter sunlight. Generally, six to eight hours a day of sunlight, particularly in the growing season, is often a minimum requirement. Where the incremental shadows from the project fall on sunlight-sensitive features or uses, the analysis assesses the loss of sunlight relative to sunlight that would be available without the project.

As stated in the *CEQR Technical Manual*, to determine impact significance, an incremental shadow is generally not considered significant when its duration is no longer than 10 minutes at any time of year and the resource continues to receive substantial direct sunlight. A significant shadow impact generally occurs when an incremental shadow of 10 minutes or longer falls on a sunlight-sensitive resource and results in one of the following:

- Vegetation - A substantial reduction in sunlight available to a sunlight-sensitive feature of the resource to less than the minimum time necessary for its survival (when there was sufficient sunlight in the future without the project). Or, a reduction in direct sunlight exposure where the sunlight-sensitive feature of the resource is already subject to substandard sunlight (i.e., less than minimum time necessary for its survival).

- Open Space Utilization - A substantial reduction in the usability of open space as a result of increased shadow.

- For Any Sunlight-Sensitive Feature of a Resource - Complete elimination of all direct sunlight on the sunlight-sensitive feature of the resource, when the complete elimination results in substantial effects on the survival, enjoyment, or, in the case of open space or natural resources, the use of the resource.

2.3.5 Conclusion

Sunlight Sensitive Resource 1 (P.S. 112 Schoolyard and Playground)

Sunlight Sensitive Resource 1, P.S. 112 Playground is publicly accessible during the non-school hours, which features a playground and a running track.

For the December 21st analysis period of Sunlight Sensitive Resource 1, there would be 1-hour of incremental shadows cast, leaving 6 hours and 2 minutes of direct sunlight. For the March 21st/ September 21st analysis period of Sunlight Sensitive Resource 1, there would be 14 minutes of incremental shadows cast, leaving 8 hours and 39 minutes of direct sunlight on the playground. On both analysis days, there would be sufficient direct sunlight for vegetation growth and outdoor enjoyment.

On the December 21st and March 21st/ September 21st analysis periods the shadows cast from the Projected Building would affect the sunlight sensitive resource, P.S. 112 Playground, for limited extent and duration. No shadows will reach the sunlight sensitive resource in the May 6th/ August 6th and June 21st analysis periods. No adverse impact is expected on the Vegetation or Open Space Utilization of the resource and therefore no further analysis is warranted.

Sunlight Sensitive Resource 2 (Lt. Petrosino Park)

Sunlight Sensitive Resource 2, Lt. Petrosino Park is a 0.87-acre park featured benches, playground equipment, fitness equipment, basketball court, handball court, and spray showers.

For the December 21st analysis period of Sunlight Sensitive Resource 2, there would be 52-minutes of incremental shadows cast, leaving 6 hours of direct sunlight. No adverse impacts would be expected for the December 21st analysis period on the Vegetation or Open Space Utilization.

For the March 21st/ September 21st analysis period of Sunlight Sensitive Resource 2, there would be 1 hour and 49 minutes of incremental shadows cast, leaving 7 hours and 4 minutes of direct sunlight. Though the shadows cast from the Proposed Development would intersect a large portion of the playground, the movement of the shadows leaves a large part of the playground with direct sunlight of approximately 7 hours in relatively warm weathers. Additionally, the shadow occurs at the end of the day. Therefore, no adverse impacts would be expected for the March 21st/ September 21st analysis period on the Vegetation or Open Space Utilization.

For the May 6th/ August 6th analysis period of Sunlight Sensitive Resource 2, there would be 1 hour and 33 minutes of incremental shadows cast, leaving 9 hours and 18 minutes of direct sunlight. The shadows cast from the Proposed Development would only impact a small area on the southern portion of the park. Additionally, the shadow occurs at the end of the day. Therefore, no adverse impacts would be expected for the May 6th/ August 6th analysis period on the Vegetation or Open Space Utilization.

As for the June 21st analysis day, the shadows would affect the playground for 1 hour and 1 minute, leaving it with direct sunlight for 11 hours and 3 minutes, which would not cause adverse impacts on the Vegetation or Open Space Utilization of the playground.

On all four analysis days, the shadows cast from the Proposed Development would affect the sunlight sensitive resource, Lt. Petrosino Park, for limited extent and duration. No adverse impact is expected on the Vegetation or Open Space Utilization of the park and therefore no further analysis is warranted.

2.4 Historic and Cultural Resources

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

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

Methodology

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

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

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

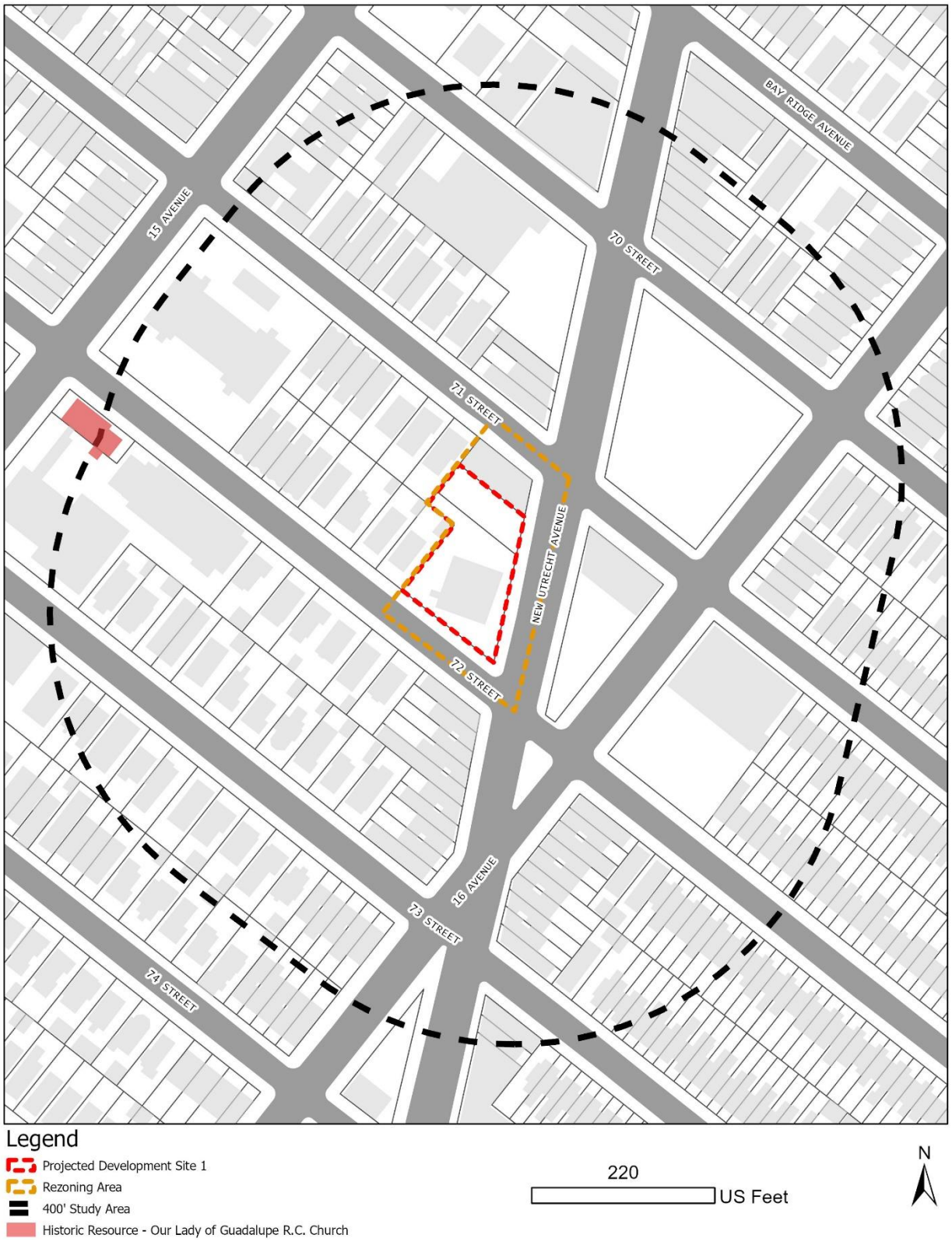
2.4.1 Architectural Resources

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

To determine whether the projected development has the potential to affect nearby off-site architectural resources, the study area was screened for architectural resources. No architectural resources were found in the 400-foot study area that were considered historic or significant.

The LPC was contacted for their initial review of the project's potential to impact nearby historic or architectural resources, and by letter dated August 10, 2021 indicated that a S/NR eligible property, Our Lady of Guadalupe R.C Church Complex at 7201 15th Avenue, is located within the study radius (see **Appendix B**). **Figure 2.4-1** shows the location of the identified architectural resource that intersects with the 400-foot study area.

Figure 2.4-1: Historic Resources Within 400-Foot Study Area



According to the *CEQR Technical Manual*, significant adverse impacts to historic and cultural resources could potentially result if a proposed action affects those characteristics that make a resource eligible for LPC designation or S/NR listing. The Future With-Action Scenario's potential for significant adverse impacts on historic resources were assessed in accordance with **Table 2.4-1** to determine (a) whether there would be a physical change to any designated resource or its setting, and (b) if so, is the change likely to diminish the qualities of the resource that make it important (including non-physical changes such as context or visual prominence). The assessment of the potential for impacts on significant resources are described below.

Table 2.4-1: Possible Impacts to Historic and Cultural Resources[3]

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

The Proposed Actions would not result in any types of visual and contextual impacts to the known historic resources within the study area, as the new building that could be developed under the

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

Proposed Actions would be commercial or residential structures of heights and bulk consistent with those urban design features of the area. The Proposed Actions would not introduce any incompatible visual, audible, or atmospheric elements to the settings of historic resources. As discussed in the Urban Design section below (See **Section 2.5, Urban Design and Visual Resources**), the Proposed Development would be designed to be visually compatible and consistent with existing developments, but would not be replicated so as to create a false historical appearance. Additionally, the significant views of the historic architectural resource identified above would not be adversely affected by the Proposed Actions.

The Projected Development Site does not contain architectural resources and is not adjacent to or within 90 feet of any identified architectural resources. Therefore, no direct impacts or indirect construction-related effects via ground-borne construction activities are anticipated. Only temporary changes resulting from the construction activities would be noticeable in the area, but would be relatively minor due to the limited time span, which would be 18 months to 20 months.

Therefore, significant adverse impacts to architectural resources are not expected because of the Proposed Actions, and further analysis is not warranted.

2.4.2 Archaeological Resources

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

The Proposed Actions would result in in-ground construction on Projected Development Site 1. As noted, the LPC was contacted for their initial review of the project's potential to impact nearby cultural or archaeological resources, and a response was received on August 10, 2021 (see **Appendix B**). The LPC has indicated that no cultural resource of archaeological significance is associated with the study area. Therefore, significant adverse impacts to archaeological resources are not expected because of the Proposed Actions, and further analysis is not warranted.

2.5 Urban Design and Visual Resources

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

The proposed rezoning of the Affected Area from R5/C2-2 to C4-4L would alter permitted use, bulk, and height within the Affected Area. Therefore, further analysis is warranted. The differences between existing and proposed zoning, with regards to those aspects of zoning affecting urban design, are presented in the following **Table 2.5-1**.

Table 2.5-1: No-Action and With-Action Zoning Comparison

	No-Action	With-Action
Zoning	R5/C2-2	C4-4L
Permitted Uses	Res., Com., CF	Res., Com., CF
Maximum FAR	Res.: 1.25 Com.: 1.00 CF: 2.00	Res.: 4.60 Com.: 4.00 CF: 4.00
Maximum Height	Base Height: 30 feet Building Height: 40 feet	Base Height: 65 feet Building Height: 115 feet (w/MIH units)
Lot Coverage (corner lot)	55%	100%

Com. = Commercial; CF = Community Facility; Res. = Residential; QGF = Qualifying Ground Floor

2.5.1 Existing Conditions

The Affected Area consists of approximately 22,056 square feet comprising Block 6180, Lots 29, 31, 33, p/o 27, and p/o 44, which is located within the Bensonhurst neighborhood of Brooklyn Community District 11 as described in detail in **Sections 1.4** and **Chapter 2.4**. The Affected Area is within an R5/C2-2 zoning district that generally extends along New Utrecht Avenue to the northwest and southeast, which was established in 1961.

Existing land uses within the 400-foot buffer around the Affected Area primarily consist of residential, commercial, and community facility uses. The residential buildings range from low-rise one- and two-family detached homes (2 stories), low-rise rowhouse homes (2-3 stories), to mid-rise multi-family buildings (4-5 stories). Commercial uses tend to be found in either single-story stand-alone store buildings or on the ground floor of mixed residential and commercial buildings, which are primarily along commercial corridors including New Utrecht Avenue and 18th

Avenue. Commercial uses within the Surrounding Area include a laundromat, a Key Food supermarket, and a car wash, in addition to smaller local delis and convenience stores. Notable community facility uses in the Surrounding Area include P.S. 112 Lefferts Park located one block to the west, Our Lady of Guadalupe Roman Catholic Church located one block to the southwest, and New Utrecht High School located approximately six blocks to the south. The built form in the area varies by use, and generally consist of low-rise residential, commercial, public facility, and mixed-use buildings of one to three stories.

The Applicant-owned Projected Development Site 1 consists of two separate lots (Block 6180, Lots 31 and 33) along New Utrecht Avenue. Lot 33 is an approximately 14,160 sf irregularly shaped corner lot with frontages on 72nd Street and New Utrecht Avenue, which is improved with a vacant 8,960 GSF (0.63 FAR) commercial building that was once occupied by a drive-through bank. Lot 31 is an approximately 4,358 sf interior lot with frontage on New Utrecht Avenue, which is a vacant and paved lot that was formerly used as an accessory parking lot for the bank on Lot 33.

Other lots within the Affected Area include a 2-story, 6,716 GSF mixed residential and commercial building on Lot 29 (1.90 FAR); a 2.5-story, 2,920 GSF multi-family walk-up building with 3 dwelling units on Lot 27 (0.73 FAR); and a 2.5-story single family residential building with 2,403 GSF of floor area on Lot 44 (0.60 FAR).

The traffic grid is irregular to the east of Projected Development Site 1 as a result of the angle of New Utrecht Avenue, which runs from southeast to northwest. The surrounding area has only one major commercial thoroughfare that is New Utrecht Avenue. The area is well-served by public transit. The D subway line has an entrance in front of the Affected Area on the corner of New Utrecht Avenue and 71st Street with service to Manhattan and Bronx. The B8 bus runs along 18th Avenue, two blocks to the east with service between Dyker Heights and East Flatbush and the B4 bus runs along Bay Ridge Parkway, three blocks to the south, with service between Bay Ridge and Sheepshead Bay.

Sidewalks, ranging from 8 feet to 12 feet wide, are in fair condition with paved surface, sufficient street trees, and regular street lights throughout the study area. All the intersections are under good control with properly functioning traffic lights and clear crossing markings, securing the safety of the pedestrians when crossing the streets.

A photo key for all images is shown below in

Figure 2.5-1. These ground-level photographs of the site area under the existing condition are shown in **Figure 2.5-2** to **Figure 2.5-4** below.

Figure 2.5-1: Urban Design Study Area – Photomontage Locations

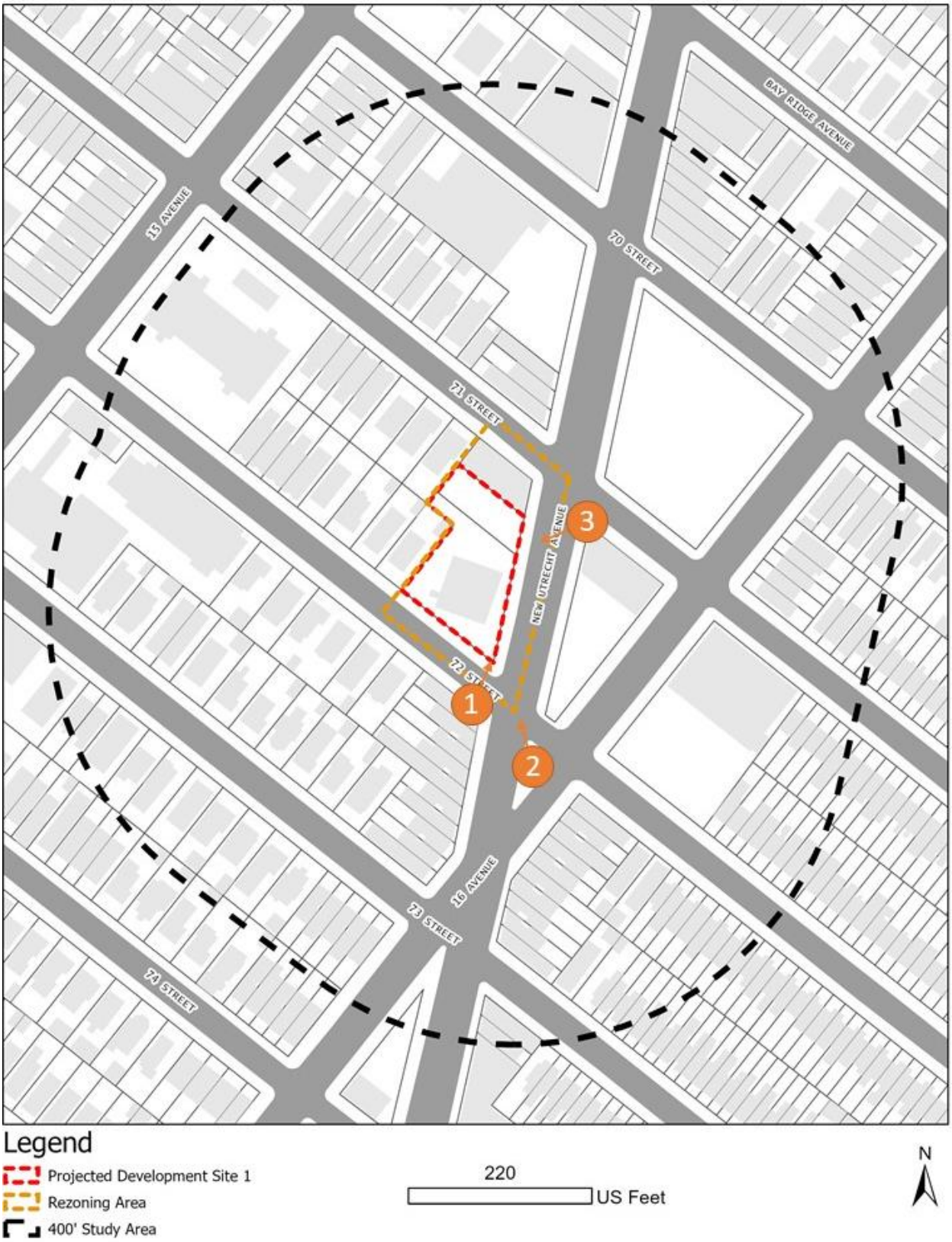


Figure 2.5-2: Existing Condition 1 - Looking North at New Utrecht Avenue and 72nd Street



Figure 2.5-3: Existing Condition 2 - Looking Northwest at 16th Avenue and 72nd Street



Figure 2.5-4: Existing Condition 3 - Looking Southwest at New Utrecht Avenue and 71st Street



2.5.2 Future No-Action Condition

In the future without the Proposed Actions, it is expected that the Affected Area would see the re-tenanting of the vacant bank building on Block 6180, Lot 33 with an 8,960 GSF (8,960 ZSF, 0.63 FAR) UG 6 local retail use. No construction or redevelopment would be expected in the No-Action Scenario as the existing building on Lot 33 is in good repair and is located along a wide thoroughfare adjacent to an elevated rail line. The ability to provide accessory parking spaces on Lot 31 would also make re-tenanting the vacant building on Lot 33 more likely, as adequate parking could easily be provided.

Any physical changes to buildings in the study area would comply with the designated R5/C2-2 zoning regulations and other surrounding districts. The maximum allowable building envelope within the R5/C2-2 zoning district under the No-Action condition would have a maximum street wall height of 30 feet and a maximum building height of 40 feet. Above a height of 30 feet, a setback of 15 feet is required from the street wall of the building; in addition, any portion of the building that exceeds a height of 33 feet must be set back from a rear or side yard line.

Pedestrian activity within the study area under Future No-Action Condition would not experience dramatic changes compared to that in the existing conditions. The re-tenanted bank building would help improve the pedestrian experience compared to a vacant building under the existing conditions. The sidewalks would be expected to remain in existing fair condition with street trees and lights. The surrounding area would primarily consist of multi-family residences, mixed commercial and residential buildings, commercial store buildings, and public facilities and institutions. All the buildings would range from 1 to 3 stories in height.

No significant changes to the area's urban character are anticipated. No changes to the area's views to the adjacent parks and open spaces are also expected.

2.5.3 Future With-Action Condition

Projected Development Site 1 (Block 6180, Lots 31 and 33; Applicant-Owned Lots)

The Applicant-Owned lots would be assembled to form a 18,518-sf lot within the proposed C4-4L district. The site would be developed with a new 115,101 GSF (85,034 ZSF; 4.59 FAR), 11-story, 115-foot-tall mixed-use commercial and residential building. The Proposed Development would include 16,708 GSF of accessory parking at the cellar level, 11,828 GSF (11,651 ZSF; 0.63 FAR) of commercial uses (UG 6 local retail) on the ground floor, and 85,565 GSF (73,383 ZSF; 3.96 FAR) of residential uses from the second to the eleventh floor. The building would contain approximately 100 dwelling units (850 GSF average size), 25%-30% (25-30 units) of which would be required to be permanently set aside as affordable housing units at an average of 60-80% AMI per MIH Options 1 or 2. Since the Applicant is proposing MIH Option 2, and as a result, 30 units would be set aside as permanently affordable units for households with incomes averaging 80% AMI.

The Proposed Development would include 35 enclosed residential accessory parking spaces, a mechanical and storage space, and a bicycle parking area at cellar level. On the ground floor, a residential lobby, a local retail space, and an additional amenity/bicycle parking area would be provided. Residential amenities (laundry room and recreational spaces) would be located on the second floor and dwelling units would be distributed through the second to the eleventh floor.

Setback 5 feet from the sidewalk line, the street wall of the Proposed Development would rise to 25 feet to the 3rd floor, where it would further set back 15 feet to provide a greater distance between the dwelling units and the elevated rail line before ultimately rising to the proposed building height of 115 feet. Beginning at the 6th floor, the Proposed Development would provide 25 feet of distance from the adjacent R5 district to respect the single-family homes located to the west of the Projected Development Site. The Projected Development Site would be accessible to vehicles via a curb cut along its 72nd Street frontage.

The Proposed Development would have three entrances for commercial space along New Utrecht Avenue. Meanwhile, there would be two entrances for residential space along New Utrecht Avenue and 72nd Street respectively and there would be an entrance for bike parking space on 72nd Street. The sidewalk along New Utrecht Avenue would be widened to 18 feet and the sidewalk along 72nd Street would remain its existing condition.

Under the Future With-Action Condition, the street condition would be improved: the existing street lights and trees would remain while the sidewalk width along New Utrecht Avenue would be widened to 18 feet. The Proposed Actions would introduce development that is larger in scale than surrounding buildings but with similar uses with surrounding area. The new mid-rise development with ground floor commercial uses, currently improved with a low-rise vacant drive-through bank building, would improve the pedestrian experience and provide locally serving retail uses.

The urban design figures under the With-Action condition are shown in **Figure 2.5-5** to **Figure 2.5-7** below.

2.5.4 Conclusion

The development facilitated by the Proposed Actions would not adversely impact any of the constituent urban design elements or impact the overall character of the neighborhood. It would not significantly change the pedestrian experience, nor would it disturb the vitality, walkability, or the visual character of the area. Instead, with sidewalk widened and the local retail service provided on-site, the Proposed Development would improve the pedestrian experience in the area. The development with ground floor commercial uses would improve walkability and the visual character of the area, and would also provide locally serving retail uses. Therefore, the Proposed Actions would not result in any significant adverse impact to the constituent elements of Urban Design, and a detailed analysis is not warranted.

Figure 2.5-5: With-Action Condition 1- Looking North at New Utrecht Avenue and 72nd Street



Figure 2.5-6: With-Action Condition 2 - Looking Northwest at 16th Avenue and 72nd Street



Figure 2.5-7: With-Action Condition 3 - Looking Southwest at New Utrecht Avenue and 71st Street



2.6 Hazardous Materials

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

Methodology

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

Analysis

Projected Development Site 1, consisting of Block 6180, Lots 31 and 33, is owned by the Applicant. Lot 33 is an approximately 14,160 sf irregularly shaped corner lot with frontages on 72nd Street and New Utrecht Avenue, which is improved with a vacant 8,960 GSF (0.63 FAR) commercial building that was once occupied by a drive-through bank. Lot 31 is an approximately 4,358 sf interior lot with frontage on New Utrecht Avenue, which is a vacant and paved lot that was formerly used as an accessory parking lot for the bank on Lot 33.

The proposed rezoning would allow for residential, commercial, and community facility uses to be built with a higher FAR in the proposed C4-4L zoning district, compared to the existing R5/C2-2 zoning district. Accordingly, a Phase I Environmental Site Assessment (ESA) was conducted for the Applicant-owned Projected Development Site 1 by Equity Environmental Engineering (Equity) on November 19, 2021. A copy of the report is included as an Attachment. The Phase I ESA will be reviewed by the Department of Environmental Protection (DEP).

2.6.1 Phase I Environmental Site Assessment

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

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

Equity Environmental Engineering, LLC has performed a Phase I Environmental Site Assessment on November 19, 2021 in conformance with the scope and limitations of ASTM Practice E 1527-13. The following conditions were observed:

- Recognized Environmental Condition (RECs): A large oil stain was observed in the parking lot on the Subject Property and is presumably from a vehicle that was previously parked at the stain location. The pavement is in poor condition with uneven areas and cracking. The large oil stain is a REC.
- Historical Recognized Environmental Condition (HRECs): There are no HRECs associated with the Subject Property.
- Controlled Recognized Environmental Condition (CRECs): There are no CRECs associated with the Subject Property.
- Vapor Encroachment Conditions (VECs): The EDR Vapor Encroachment database identified numerous VECs within 1/10 of a mile of the Subject Property that are related to one historic dry cleaner, two historic auto facilities, three USTs (underground storage tanks) with evidence of previous leaks, and two ASTs (above ground storage tanks) with evidence of previous leaks. Based on these findings, a possible VEC could not be ruled out.

Based on the findings of the Phase 1 ESA, RECs and VECs were identified related to the Subject Property. Therefore, the development of Projected Development Site 1 under the Proposed Actions may have the potential for adverse impacts related to hazardous materials. Therefore, a Phase 2 ESA is warranted to further investigate the VECs identified in Phase 1 ESA.

2.6.1 Conclusion

Prior to any future development of the property that involves subsurface disturbance, a subsurface (Phase 2) investigation is recommended prior to such activities to determine if vapor mitigation and/or additional remediation is warranted for the future use of the property. Based on the findings and conclusions of Phase 1 ESA, further subsurface investigations are warranted. However, Projected Development Site 1 is currently occupied by Emunas Bais Yaakov, a Jewish Girls High School, and will be temporarily tenanted by the school until the rezoning is approved. Additionally, an accessibility inspection was performed and it was determined that a small

handcart style drill rig could potentially be used although the access is very constrained and sample points would be equally constrained due to access limitations. These drill rigs are limited in the depth of sample required in these types of investigations. Additionally, the parking area is occupied by cars and busses associated with the school use. The issues with the accessibility of the drill rig, and the occupancy on the school onsite highly limit the feasibility of a Phase 2 Investigation. The Phase 2 ESA cannot take place before the existing building is demolished. For this reason, the Applicant has elected to place an E-Designation on the site.

The E-Designation language related to Hazardous Materials is as follows:

E-Designation (E-704)

Projected Development Site 1: Block 6180, Lots 31 and 33 (Site under the control or ownership of the Applicant)

Based on prior on-site and/or surrounding area land uses which could result in environmental contamination and testing is not physically possible during the CEQR process, DEP concurs with the EAS recommendation that an (E) (E-704) Designation for hazardous materials should be placed on the zoning map pursuant to Section 11-15 of the New York City Zoning Resolution for the subject property. The (E) (E-704) Designation will ensure that testing and mitigation will be provided as necessary before any future development and/or soil disturbance. Further hazardous materials assessments should be coordinated through the Mayor's Office of Environmental Remediation.

The details related to (E) Designation (E-704) for hazardous materials for Projected Development Site 1 (Block 6180, Lots 31 and 33) are as follows.

E-704 Requirements

Task 1-Sampling Protocol

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

Task 2-Remediation Determination and Protocol

A written report with findings and a summary of the data must be submitted to OER after completion of the testing phase and laboratory analysis for review and approval. After receiving

such results, a determination is made by OER if the results indicate that remediation is necessary. If OER determines that no remediation is necessary, written notice shall be given by OER.

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

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

With this (E) designation (E-704) in place, no significant adverse impacts related to hazardous materials are expected, and no further analysis is warranted

2.7 Transportation

Pursuant to *CEQR Technical Manual* methodology, a transportation assessment may be necessary when a proposed action would alter the transportation network by closing, opening, or realigning an element of the transportation system such as a roadway, pedestrian way, or transit route, or if it would generate new trips on the transportation network. The objective of the transportation analyses is to determine whether a proposed project may have a potential significant impact on traffic operations and mobility, public transportation facilities and services, pedestrian elements and flow, safety of all roadway users (pedestrians, bicyclists and vehicles), on- and off-street parking, or goods movement.

Methodology

The *CEQR Technical Manual* states that a preliminary trip generation assessment should be prepared to determine whether a quantified analysis of any technical areas of the transportation system is necessary. Except in unusual circumstances, a further quantified analysis would typically not be needed for a technical area if the proposed development would result in fewer than the following increments:

- 50 peak hour vehicle trips;
- 200 peak hour subway/rail or bus transit riders (or 50 bus trips in a single direction on a single route during a peak hour); or
- 200 peak hour pedestrian trips.

The *CEQR Technical Manual* also states that if the threshold for traffic is surpassed, a parking assessment may also be warranted. This chapter assesses the potential for project-generated vehicle, transit, and pedestrian trips to affect the local transportation network.

Analysis

Future No-Action Condition

In the future without the Proposed Actions, it is expected that the Affected Area would see the re-tenanting of the vacant bank building on Block 6180, Lot 33 with an 8,960 GSF (8,960 ZSF, 0.63 FAR) UG 6 local retail use. No construction or redevelopment would be expected in the No-Action Scenario as the existing building on Lot 33 is in good repair and is located along a wide thoroughfare adjacent to an elevated rail line. The ability to provide accessory parking spaces on Lot 31 would also make re-tenanting the vacant building on Lot 33 more likely, as 16 parking spaces could be provided.

Future With-Action Condition

In the future with the Proposed Actions, the Applicant-Owned lots (Block 6180, Lots 31 and 33) would be assembled to form a 18,518-sf lot within the proposed C4-4L district. The site would be

developed with a new 115,101 GSF (85,034 ZSF; 4.59 FAR), 11-story, 115-foot-tall mixed-use commercial and residential building. The Proposed Development would include 16,708 GSF of accessory parking at the cellar level, 11,828 GSF (11,651 ZSF; 0.63 FAR) of commercial uses (UG 6 local retail) on the ground floor, and 85,565 GSF (73,383 ZSF; 3.96 FAR) of residential uses from the second to the eleventh floor. The building would contain approximately 100 dwelling units (850 GSF average size), 25%-30% (25-30 units) of which would be required to be permanently set aside as affordable housing units at an average of 60-80% AMI per MIH Options 1 or 2. Since the Applicant is proposing MIH Option 2, and as a result, 30 units would be set aside as permanently affordable units for households with incomes averaging 80% AMI.

The Proposed Development would include 35 enclosed residential accessory parking spaces, a mechanical and storage space, and a bicycle parking area at cellar level. On the ground floor, a residential lobby, a local retail space, and an additional amenity/bicycle parking area would be provided. Residential amenities (laundry room and recreational spaces) would be located on the second floor and dwelling units would be distributed through the second to the eleventh floor.

The incremental change in land use for Projected Development Site 1 from the future No-Action Condition to the future With-Action Condition are detailed below in **Table 2.7-1**.

Table 2.7-1: Increment Summary Table

Site	Land Use	Existing	No-Action	With-Action	Increment
Site 1	Residential (UG 2)	0 gsf	0 gsf	85,565 gsf	85,565 gsf
	Local Retail (UG 6)	8,960 gsf	8,960 gsf	11,828 gsf	2,868 gsf
	Off-street Parking	16 spaces	16 spaces	40 spaces	24 spaces

* GSF = Gross Square Footage

2.7.1 Preliminary Assessment

The Affected Area is located within Traffic Zone 2. According to Table 16-1 of the *2021 CEQR Technical Manual*, a development of fewer than 200 residential units, 15,000 square feet of local retail, 25,000 square feet of community facility space, or a weighted average below 1.00 of any of the above, typically does not warrant further assessment of the potential for adverse effects on transportation. Incremental development under the Proposed Actions, compared to the No-Action condition, would introduce an increase of 100 residential units (0.50 weighted average), 2,868 GSF of local retail space (0.19 weighted average), and 24 off-street parking spaces (0.28 weighted average), which results in a weighted average of 0.97 for the Proposed Actions. Therefore, traffic analysis is not required. However, to provide the preliminary traffic data for air quality and noise analyses, a tier 1 trip generation was conducted and provided.

Transportation Planning Assumptions

CEQR Technical Manual, East New York FEIS, 1501-1555 60th Street Rezoning EAS, 2012 - 2016 CTPP Journey to Work (JTW) data, and the local retail data provided by NYCDOT were integrated for the traffic generation model. As **Table 2.7-2** shows, the assumption of the travel factors is

determined based on the listed data sources. **Table 2.7-3** shows the person trips and vehicular trips while **Table 2.7-4** shows the pedestrian trips, all generated from the trip factors in **Table 2.7-2**.

Table 2.7-2: Transportation Demand Factors

	Local Retail		Residential	
Trip Generation	(1)		(1)	
Weekday	329		8.18	
Saturday	358		9.08	
	per 1,000 sf		per unit	
Linked-trip	25%			
Temporal Distribution	(1)		(1)	
AM	4.80%		9.30%	
MD	8.00%		5.60%	
PM	10.90%		8.50%	
Sat MD	11.70%		8.40%	
Modal Splits	(3)		(4)	
Auto	11.00%		31.40%	
Taxi	0.00%		0.10%	
Bus	2.00%		5.30%	
Subway	3.00%		52.10%	
Walk/Other	84.00%		11.10%	
In/Out Splits	In (5)	Out (5)	In (5)	Out (5)
AM	50%	50%	15%	85%
MD	50%	50%	50%	50%
PM	50%	50%	70%	30%
Sat MD	55%	45%	50%	50%
Vehicle Occupancy	(2)		(2)(4)	
Auto	2.00		1.17	
Taxi	2.00		1.30	
Truck Trip Generation	(1)		(1)	
Weekday	0.35		0.06	
Saturday	0.04		0.02	
Temporal Distribution	(1)		(1)	
AM	8.00%		12.00%	
MD	11.00%		9.00%	
PM	2.00%		2.00%	
Saturday	11.00%		9.00%	
In/Out Splits	In (1)	Out (1)	In (1)	Out (1)
AM/MD/PM/Sat	50.00%	50.00%	50.00%	50.00%

1 = 2021 CEQR Technical Manual; 2 = East New York FEIS; 3 = DOT provided data on Local Retail use; 4 = 5-year ACS Journey To Work (2012-2016), Census Tracts 188, 190, 194, 196, 198, 250, 262, and 264; 5 = 1501-1555 60th Street Rezoning EAS, 2020

Table 2.7-3: Total Project Generated Person Trips and Vehicular Trips

	Local Retail		Residential	
Size/Units	2,868 gsf		100 DU	
Peak Hour Trips				
AM	34		76	
MD	57		46	
PM	77		70	
Sat MD	90		76	
Person Trips				
AM	In	Out	In	Out
Auto	2	2	4	20
Taxi	0	0	0	0
Bus	0	0	1	3
Subway	1	1	6	34
Walk/Other	14	14	1	7
Total	17	17	11	65
MD	In	Out	In	Out
Auto	3	3	0	0
Taxi	0	0	0	0
Bus	1	1	0	0
Subway	1	1	0	0
Walk/Other	24	24	0	0
Total	28	28	0	0
PM	In	Out	In	Out
Auto	4	4	15	7
Taxi	0	0	0	0
Bus	1	1	3	1
Subway	1	1	25	11
Walk/Other	32	32	5	2
Total	39	39	49	21
Saturday	In	Out	In	Out
Auto	5	4	12	12
Taxi	0	0	0	0
Bus	1	1	2	2
Subway	1	1	20	20
Walk/Other	42	34	4	4
Total	50	41	38	38
Vehicle Trips				
AM	In	Out	In	Out
Auto	1	1	3	17
Taxi	0	0	0	0
Taxi Balanced	0	0	0	0

Truck	0	0	0	0
Total	1	1	3	17
MD	In	Out	In	Out
Auto	2	2	0	0
Taxi	0	0	0	0
Taxi Balanced	0	0	0	0
Truck	0	0	0	0
Total	2	2	0	0
PM	In	Out	In	Out
Auto	2	2	13	6
Taxi	0	0	0	0
Taxi Balanced	0	0	0	0
Truck	0	0	0	0
Total	2	2	13	6
Saturday	In	Out	In	Out
Auto	3	2	10	10
Taxi	0	0	0	0
Taxi Balanced	0	0	0	0
Truck	0	0	0	0
Total	3	2	10	10

Table 2.7-4: Total Project Generated Pedestrian Trips

	Local Retail		Residential		Total		
Pedestrian Trips							
AM	In	Out	In	Out	Total In	Total Out	Total In/Out
Bus	0	0	1	3	1	4	5
Subway	1	1	6	34	6	34	41
Walk/Other	14	14	1	7	16	21	37
Total	15	15	8	44	23	59	82
MD	In	Out	In	Out	Total In	Total Out	Total In/Out
Bus	1	1	0	0	1	1	1
Subway	1	1	0	0	1	1	2
Walk/Other	24	24	0	0	24	24	48
Total	25	25	0	0	25	25	50
PM	In	Out	In	Out	Total In	Total Out	Total In/Out
Bus	1	1	3	1	3	2	5
Subway	1	1	25	11	27	12	39
Walk/Other	32	32	5	2	38	35	73
Total	34	34	33	14	68	49	116
Saturday	In	Out	In	Out	Total In	Total Out	Total In/Out
Bus	1	1	2	2	3	3	6
Subway	1	1	20	20	21	21	42
Walk/Other	42	34	4	4	46	38	84
Total	44	36	26	26	70	62	132

Proposed Project Land Use Trip Generation Factors

Local Retail

The daily trip generation, temporal distribution, truck trip generation, truck temporal distribution, and truck directional splits were taken from the CEQR Technical Manual. The modal splits were taken from data provided by NYC DOT for local retail in Brooklyn. The auto/taxi occupancy were taken from the East New York FEIS. The in/out splits were taken from the 1501-1555 60th Street Rezoning EAS.

Residential

The daily trip generation, temporal distribution, truck trip generation, truck temporal distribution, and truck directional splits were taken from the CEQR Technical Manual. The modal splits during the AM, PM, and Saturday MD peak hours were taken from 5-year ACS Journey to Work (2012-2016) data for Census Tracts 188, 190, 194, 196, 198, 250, 262, and 264. The auto/taxi occupancy were taken from 5-year ACS Journey to Work (2012-2016) data and East New York FEIS. The in/out splits were taken from the 1501-1555 60th Street Rezoning EAS.

2.7.2 CEQR Transportation Analysis Screening

The *CEQR Technical Manual* provides a methodology for evaluating the potential impacts of a proposed project on the transportation system. In accordance with the *2021 CEQR Technical Manual*, a Level 1 screening assessment includes a trip generation analysis to determine whether the project would result in more than 50 vehicle trip-ends, 200 subway/rail or bus transit riders, or 200 pedestrian trips in a peak hour. The Level 2 screening is a trip assignment review that assigns the project-generated trips to specific intersections, transit lines, and pedestrian elements and identifies intersections with 50 or more vehicle trips, pedestrian elements with 200 or more pedestrian trips, 50 bus trips in a single direction on a single route, or 200 passengers at a subway station or line during any analysis peak hour which would require detailed analyses.

Trip Generation Summary

Table 2.7-3 and **Table 2.7-4** show the total person, vehicular, and pedestrian trip generation projected for the Proposed Development.

The Proposed Development would generate 22 total vehicular trips during the weekday AM peak hour, 3 during the weekday midday peak hour, 23 during the weekday PM peak hour, and 26 during the Saturday midday peak hour as shown in **Table 2.7-3**.

The Proposed Development would generate 82 total pedestrian trips (subway, MTA bus, and walk only trips) during the weekday AM peak hour, 50 during the weekday midday peak hour, 116 during the weekday PM peak hour, and 132 during the Saturday midday peak hour as shown in **Table 2.7-4**.

Level 1 Screening Assessment

The Level 1 Screening evaluates the number of vehicular and pedestrian trip-ends by mode to determine if further analysis is warranted. For the purposes of the Level 1 Screening, all trucks were converted to Passenger Car Equivalents (PCE) as per the *2021 CEQR Technical Manual*. Incremental project-generated trip ends are detailed below in **Table 2.7-5**.

Table 2.7-5: Project Generated Trip Ends

Peak Hour	AM Peak Hour	Midday Peak Hour	PM Peak Hour	Saturday Peak Hour
Total Walk Only Trip-Ends	37	48	73	84
Total Subway Trip-Ends	41	2	39	42
Subway Threshold	**200**	**200**	**200**	**200**
Total MTA Bus Trip-Ends	5	1	5	6
MTA Bus Threshold	**200**	**200**	**200**	**200**
Total Pedestrian Trip-Ends	82	50	116	132
Pedestrian Threshold	**200**	**200**	**200**	**200**
Vehicular Trip-Ends	22	3	23	26
Vehicular Threshold	**50**	**50**	**50**	**50**

As shown in **Table 2.7-5**, the Proposed Development would generate fewer than 50 vehicular trips, 200 subway trips, 200 MTA bus trips, and 200 pedestrian trips during all of the peak hours. Therefore, a Level 2 screening assessment would not be warranted during any peak hours. As such, the Proposed Development would not have any significant adverse impacts on transportation.

2.8 Air Quality

When assessing the potential for air quality significant impacts, the *CEQR Technical Manual* seeks to determine a Proposed Action's effect on ambient air quality, or the quality of the surrounding air. Ambient air can be affected by motor vehicles, referred to as "mobile sources," or by fixed facilities, referred to as "stationary sources." This can occur during operation and/or construction of a project being proposed. The pollutants of most concern are carbon monoxide, lead, nitrogen dioxide, ozone, relatively coarse inhalable particulates (PM_{10}), fine particulate matter ($PM_{2.5}$), and sulfur dioxide. The *CEQR Technical Manual* generally recommends an assessment of the potential impact of mobile sources on air quality when an action increases traffic or causes a redistribution of traffic flows, creates any other mobile sources of pollutants (such as diesel train usage), or adds new uses near mobile sources (e.g., roadways, parking lots, garages). The *CEQR Technical Manual* generally recommends assessments when new stationary sources of pollutants are created, when a new use might be affected by existing stationary sources, or when stationary sources are added near existing sources and the combined dispersion of emissions would impact surrounding areas.

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

2.8.1 Mobile Sources

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

- Projects that would result in placement of operable windows, balconies, air intakes or intake vents generally within 200 feet of an atypical source of vehicular pollutants.
- Projects that would result in the creation of a fully or partially covered roadway, would exacerbate traffic conditions on such a roadway, or would add new uses near such a roadway.
- Projects that would generate peak hour auto traffic or divert existing peak hour traffic of 170 or more auto trips in this area of the City.

- Projects that would generate peak hour heavy- duty diesel vehicle traffic or its equivalent in vehicular emissions resulting from 12 or more heavy-duty diesel vehicles (HDDVs) for paved roads with average daily traffic of fewer than 5,000 vehicles, 19 or more HDDVs for collector roads, 23 or more HDDVs for principal and minor arterials, or 23 or more HDDVs for expressways and limited-access roads.
- Projects that would result in new sensitive uses (e.g., schools or hospitals) adjacent to large existing parking facilities or parking garage exhaust vents.
- Projects that would result in parking facilities or applications requesting the grant of a special permit or authorization for parking facilities; or projects that would result in a sizable number of other mobile sources of pollution (e.g., a heliport or a new railroad terminal).
- Projects that would substantially increase the vehicle miles traveled in a large area.

The Proposed Actions would not result in operable windows or air intakes within 200 feet of an atypical roadway. It would not result in creation of a covered roadway or affect any covered roadway. Peak hour trip generation would be far below the 170-car threshold, as per ***Chapter 2.7: Transportation***, as potentially warranting further assessment. The project would not create a new sensitive receptor adjacent to large parking facilities. The project would not result in creation of a new parking facility.

The $PM_{2.5}$ equivalent truck calculation in vehicular emission screen ranges from 12 to 23 HDDVs depending on the type of road. Per NYS DOT Functional Classification, the Affected Area is bounded by 71st Street (local road) to the north, 15th Avenue (Major Collector) to the west, 72nd Street (local road) to the south, and New Utrecht Avenue (Minor Arterial) to the east.

Using the worksheet provided in Section 210 of the *CEQR Technical Manual*, project-generated auto trips were screened during the AM, Midday, PM, and Saturday Midday peak hours. All autos were assumed to be LDGT1 class vehicles, based on guidance from the Department of City Planning (DCP) on similar projects. The Proposed Development would result in the incremental generation of 13 HDDVs during the Saturday Midday peak hour, which fails the $PM_{2.5}$ screening for local roads (71st Street and 72nd Street). However, since all the HDDV trips are expected to be distributed throughout the local road network and the incremental HDDV trips from the Proposed Development are only 1 HDDV more than the local road threshold of 12, it is reasonable to assume that the distributed HDDVs would not exceed any of the screening threshold. Therefore, no significant adverse air quality impacts are expected from the project-generated vehicular traffic.

2.8.2 Stationary Sources

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

- New stationary sources of pollutants are created (e.g., emission stacks for industrial plants, hospitals, and other large institutional uses).
- Certain new uses near existing (or planned future) emissions stacks are introduced that may affect the use.
- Structures near such stacks are introduced so that the structures may change the dispersion of emissions from the stacks so that surrounding uses are affected.
- Fossil fuels (fuel oil or natural gas) for heating/hot water, ventilation, and air conditioning systems are used.
- Large emission sources are created (e.g., solid waste or medical-waste incinerators, cogeneration facilities, asphalt/concrete plants, or power-generating plants, etc.).
- New sensitive uses are located near a large emission source.
- Medical, chemical, or research labs are created or result in new uses being located near them.
- Operation of manufacturing or processing facilities is created.
- New sensitive uses created within 400 feet of manufacturing or processing facilities.
- New uses created within 400 feet of a stack associated with commercial, institutional, or residential developments (and the height of the new structures would be similar to or greater than the height of the emission stack).
- Potentially significant odors are created.
- New uses near an odor-producing facility are created.
- “Non-point” sources that could result in fugitive dust are created.
- New uses near nonpoint sources are created.
- A generic or programmatic action is introduced that would change or create a stationary source or that would expose new populations to such a station

Analysis Framework

The stationary source analysis will study the potential impacts of the Projected Development Site 1 (Block 6180, Lots 31 and 33) on nearby receptors. The Reasonable Worst Case Development Scenario for Projected Development Site 1 would assemble the two Applicant-owned lots to form a 18,518-sf lot within the proposed C4-4L district. The site would be developed with a new 115,101 GSF (85,034 ZSF; 4.59 FAR), 11-story, 115-foot-tall mixed-use commercial and residential building. The Proposed Development would include 16,708 GSF of accessory parking at the cellar level, 11,828 GSF (11,651 ZSF; 0.63 FAR) of commercial uses (UG 6 local retail) on the ground

floor, and 85,565 GSF (73,383 ZSF; 3.96 FAR) of residential uses from the second to the eleventh floor. Setback 5 feet from the sidewalk line, the street wall of the Proposed Development would rise to 25 feet to the 3rd floor, where it would further set back 15 feet to provide a greater distance between the dwelling units and the elevated rail line before ultimately rising to the proposed building height of 115 feet. Beginning at the 6th floor, the Proposed Development would provide 25 feet of distance from the adjacent R5 district to respect the single-family homes located to the west of the Projected Development Site.

Air Pollutants and Applicable Standards/Guidelines

Criteria Pollutants

The U.S. Environmental Protection Agency (EPA) has identified six pollutants, known as criteria pollutants which are being of concern nationwide, and established threshold concentration based upon adverse effect on human health. The six pollutants and their characteristics are:

- Carbon Monoxide (CO) is mainly produced by motor vehicles from the incomplete combustion of gasoline. The impact of CO on the ambient air is analyzed next to roadways, intersections, parking lots, and parking garages vents as these locations are the most affected.
- Nitrogen Dioxide (NO_2) is a main concern related to the burning of natural gas. Emitted NOx from the burning of fossil fuel gradually convert to NO2 in a chemical reaction that is affected by ozone concentration and the presence of sunlight. In a micro scale analysis, buildings HVAC systems are analyzed for NO2 impact.
- Ozone (O_3) is formed by chemical reaction between hydrocarbons and nitrogen oxides and its impact is analyzed on a regional scale by monitoring stations.
- Lead (Pb) in the ambient air is monitored on a regional level. In a project scale analysis, impact due to Lead concentration levels are analyzed if a new source, such as lead smelters, is introduced into the environment or if a project is located next to a lead emitter.
- Particulate Matter emissions are associated with both stationary sources and mobile sources. Two sizes of particulate matters are analyzed: Inhalable Particles (PM_{10}) and Fine Particulate Matter ($PM_{2.5}$), where the subscript number refers to the diameter of the particulate matter in micrometers.
- Sulfur Dioxide (SO_2) emission is principally associated with stationary sources that burn oil or coal. These fuels contain sulfur that bond to oxygen atoms in the burning process.

As required by the Clean Air Act, National Ambient Air Quality Standards (NAAQS) have been established for the criteria pollutants by EPA, and New York State has adopted the NAAQS as the

State ambient air quality standards. The NO_2, SO_2 and $PM_{2.5}$ standards together with their health-related averaging periods are presented in Table 2.8-1.

Table 2.8-1: National and New York State Ambient Air Quality

Pollutant	Averaging Period	National and State Standards
NO_2	Maximum 1-Hour Concentration	0.10 ppm (188 μg/m^3)
	Annual Arithmetic Average	0.053 ppm (100 μg/m^3)
$PM_{2.5}$	24-Hour Concentration	35 μg/m^3
	Average of 3 Consecutive Annual Means	12 μg/m^3
SO_2	Maximum 1-Hour Concentration	75 ppb (196 μg/m^3)
	Annual Arithmetic Mean	30 ppb (80 μg/m^3)

New York State Standards

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

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

NYC Interim Guidelines

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

- Predicted 24-hour maximum $PM_{2.5}$ concentration increase of more than half the difference between the 24-hour background concentration and the 24-hour standard; or
- Predicted annual average $PM_{2.5}$ concentration increments greater than 0.3 μg/m^3 at any receptor location for stationary sources.

Background Concentrations

Determination of significant impact criteria is evaluated by adding the background concentrations at the nearest NYSDEC monitoring stations to the concentrations of criteria pollutants in the ambient air of the project area. Background concentrations of NO_2, SO_2, and $PM_{2.5}$—the criteria pollutants relevant for HVAC system fueled by natural gas or fuel oil #2 analysis—were obtained from the NYSDEC's annual report for 2020 at the nearest monitoring stations. **Table 2.8-2** shows the background concentrations.

Table 2.8-2: Background Concentrations (NYSDEC 2020 Report)

Pollutant	Averaging Period	National and State Standards	Background Concentration	Monitoring Station
NO_2	98th Percentile of Daily Maximum 1-hour averaged over last 3 years	188 µg/m^3	53.1 ppb (99.85 µg/m^3)	Queens College
	Annual Arithmetic Mean	100 µg/m^3	12.46 ppb (23.43 µg/m^3)	
$PM_{2.5}$	24-Hour average of 98th percentile for last 3 years	35 µg/m^3	15.1 µg/m^3	PS 314
	Average of last 3 years annual means	12 µg/m^3	5.9 µg/m^3	
SO_2	99th Percentile of Daily Maximum 1-hour averaged over last 3 years	196 µg/m^3	5.77 ppb (15.10 µg/m^3)	Queens College 2
	Annual Arithmetic Mean	80 µg/m^3	0.35 ppb (0.92 µg/m^3)	

The de minimis criteria for $PM_{2.5}$ was evaluated as described in the NYC Interim Guidelines. The concentration increments are presented below:

- 24-hour $PM_{2.5}$ 9.95 µg/m^3
- Annual $PM_{2.5}$ 0.3 µg/m^3

Heating and Hot Water Systems

The Affected Area consists of Block 6180, Lots 29, 31, 33, p/o 27, and p/o 44 in the Bensonhurst neighborhood of Brooklyn, Community District 11. Projected Development Site 1 (Block 6180, Lots 31 and 33), the Applicant's owned property, would be assemble and develop with the Applicant's Proposed Development. Projected Development Site 1 Reasonable Worst Case Development Scenario (RWCDS) would facilitate the development of a mixed-use commercial and residential building, which would rise to a height of 11 stories at 115 feet tall, and contain 115,101 gsf. There would be 16,708 GSF of accessory parking (40 spaces) at the cellar level, 11,828 GSF (11,651 ZSF; 0.63 FAR) of commercial uses (UG 6 local retail) on the ground floor, and 85,565 GSF (73,383 ZSF; 3.96 FAR) of residential uses (100 dwelling units) from the second to the eleventh floor.

Per the *CEQR Technical Manual*, the HVAC analysis considers the potential for emissions from the HVAC system of the proposed project to significantly impact existing land uses (project-on-existing), and the potential of the proposed project to significantly impact each other (project-on-project). Based on CEQR guidelines, a preliminary screening analysis is to be conducted as a first step to predict whether the potential impacts of the heat and hot water system(s) boiler emissions can be significant. The screening analysis determines the threshold of development size below which the action would not have a significant impact. This CEQR screening procedure is applicable to buildings that are not less than 30 feet from the nearest building of similar or greater height. Otherwise, a detailed dispersion analysis is required.

There is only one proposed building induced by the Proposed Actions. Therefore, no project-on-project analysis is warranted. The following screening will focus on the project-on-existing analysis.

Screening Assessment

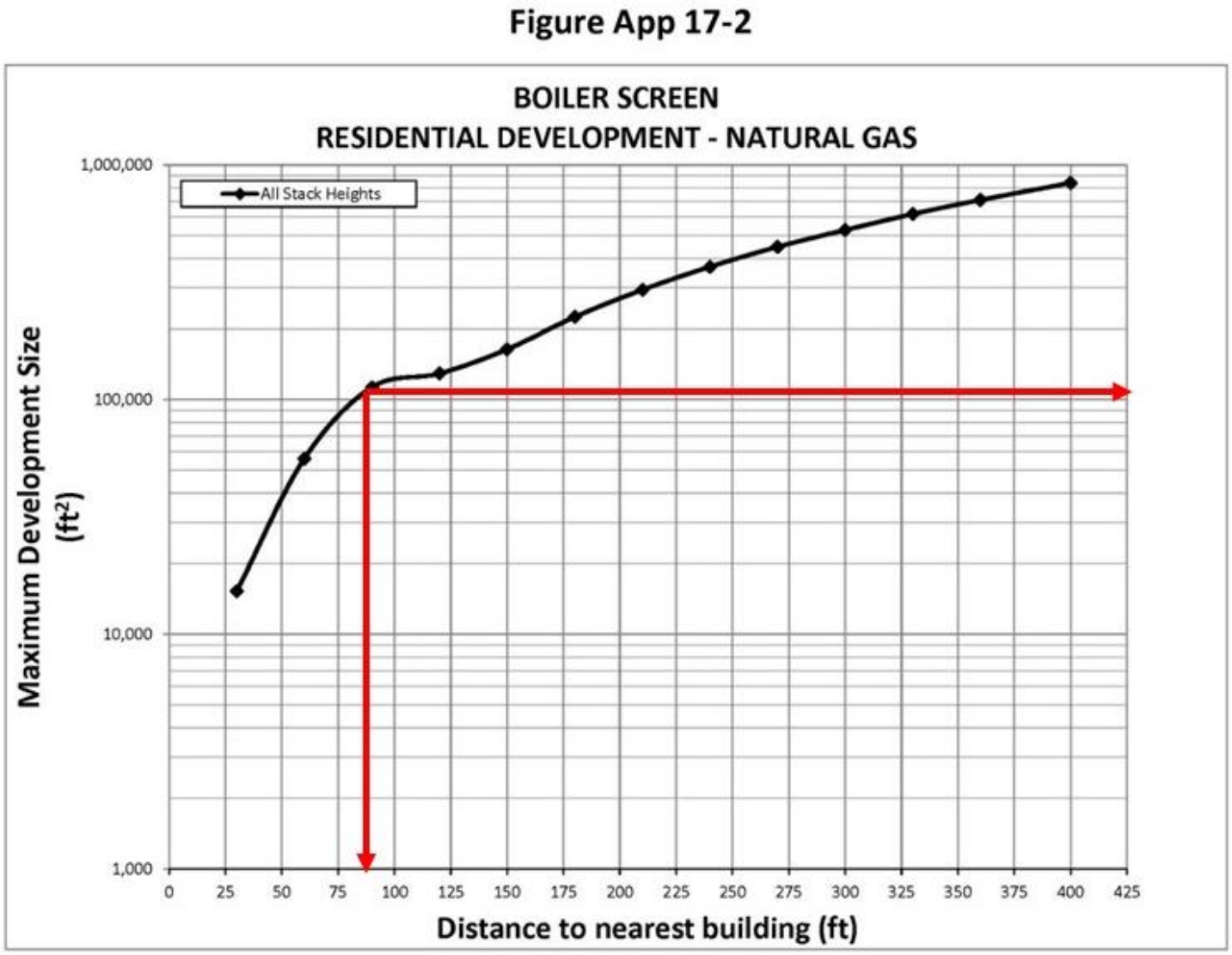
The potential for the heat and hot water system(s) to have a significant adverse impact on nearby receptors depends on the type of fuel that would be used by the HVAC system, the height of the stack venting the emissions, the distance to the nearest building of similar or greater height, the building's use which effects the emissions, and the square footage of the development that would be served by the system. The *CEQR Technical Manual* screening analysis is based on these factors. A detailed analysis is required if the screening analysis failed.

As determined in the detailed analysis, natural gas would be the type of fuel used in the Projected Development Site 1 HVAC systems. As such, screening analyses were conducted for natural gas fueled boilers serving the Proposed Development.

Project-on-Existing

Projected Development Site 1 on existing land uses: A hypothetical HVAC system serving a 115,101 gsf building (the RWCDS floor area of Projected Development Site 1). As mentioned in the RWCDS, the proposed building would only be built to a height of 95 feet (9 stories). For a more conservative HVAC source impact analysis under CEQR, natural gas would be the type of fuel used in the system and the stack would be located above the Applicant proposed building height of 95 feet. The screening analysis shows that a detailed analysis is required if a building of similar or greater height is 85 feet or closer from the Proposed Development. A review of existing land uses shows that the highest building within 400 feet of the Projected Development Site is a 75-foot-tall Transportation/Utility building at 7101 16th Avenue (Block 6181 / Lot 8) owned by New York Telephone Company. Therefore, there is no existing building located within the 400-foot study area of similar or greater height to the 110 feet building height of the Proposed Development. As such, the Proposed Development would not result in significant adverse impact associated with stationary HVAC emissions and no further assessment is warranted.

Figure 2.8-1: Projected Development Site 1 Screening Analysis on Existing Land Uses



Though the project-on-existing stationary source HVAC analysis indicated that the Proposed Development is too far to cause an impact to the nearest building with a similar or greater building height, an Air Quality E-designation would be required to restrict the minimum required height of the emission stacks for the HVAC system of the Proposed Development.

The E-Designation (E-704) language related to the heating and hot water systems is as follows:

Block 6180, Lots 31 and 33 (Projected Development Site 1): Any new residential and/or commercial development on the above-referenced property must ensure the heating, ventilating and air conditioning (HVAC) system and hot water equipment stack is located at the highest tier and at least 95 feet above grade to avoid any potential significant adverse air quality impacts.

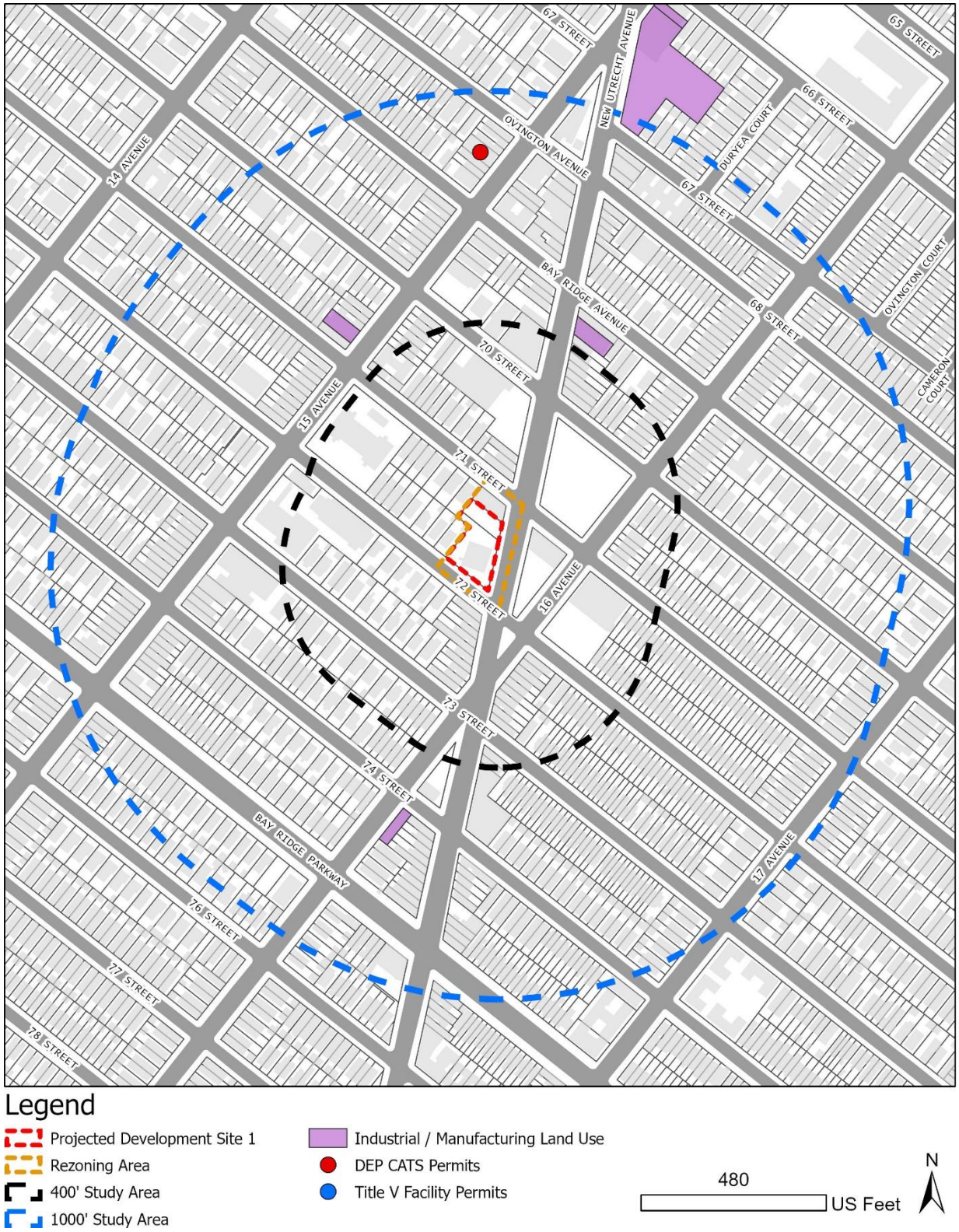
2.8.3 Industrial Emissions

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

400-Foot Study Area

The Affected Area is located within a R5-2/C2-2 zoning district, and the surrounding area is a mixture of residential and commercial properties. The 400-foot radius was screened for potential sources of industrial emissions and is shown below in **Figure 2.8-2**. Based on field observations and reviews of DCP land use maps, no industrial/manufacturing sites were located within the 400-foot study area. Based on review of the DEP CATS database, there were no permits identified within the 400-foot study area The results of the search were verified by DEP via the Air Permits email, and the appropriate DEP Air Permit Request form was submitted.

Figure 2.8-2: Industrial Emissions Screening



1,000-Foot Study Area

A search of the EPA Envirofacts ICIS-AIR database and the Toxics Release Inventory (TRI) was conducted for all parcels within the 400 and 1000-foot Study Area. The Envirofacts ICIS Air Database contains compliance and permit data for stationary sources of air pollution (such as electric power plants, steel mills, factories, and universities) regulated by EPA, state and local air pollution agencies. The Toxics Release Inventory (TRI) is a publicly available database containing information on toxic chemical releases and other waste management activities in the United States.

The search did not identify any large sources of industrial emissions or odor-producing facilities within 1,000 feet of the Affected Area. As such, no further analysis of large emissions sources is warranted.

2.8.4 Conclusion

As indicated above in **Figure 2.8-2**, there are no active industrial emissions permits within 400-foot study area and there are no large industrial emission sources were identified within the 1,000-foot study area. Additionally, there is no evidence present to conclude that there are illegal unpermitted air emissions present in the study area. Therefore, there does not appear to be any potentially significant impact in terms of air toxics to project occupants.

2.9 Noise

Introduction

This Noise Analysis was conducted to assess the potential for adverse noise impacts related to the Proposed Actions. Equity Environmental Engineering, LLC (Equity) conducted Noise Monitoring in support of the Proposed Actions. Vehicular traffic and rail movements are the predominant source of noise in the area. Therefore, the Proposed Actions warrant an assessment of the potential for adverse effects on project occupants from ambient noise.

The Proposed Actions would not create a significant noise generator. The project-generated traffic would not double vehicular traffic on nearby roadways, and therefore would not result in a perceptible increase in vehicular noise.

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

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

Framework of Noise Analysis

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

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

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

perception and sensitivities. The most common frequency weightings used are the A- and C-weightings. These weight scales were developed to allow sound level meters, which use filter networks to approximate the characteristic of the human hearing mechanism, to simulate the frequency sensitivity of human hearing. The A-weighting is the most commonly used for environmental measurements, and sound levels measured using this weighting are denoted as dBA. The letter "A" indicates that the sound has been filtered to reduce the strength of very low and very high-frequency sounds, much as the human ear does. C-weighting gives nearly equal emphasis to sounds of most frequencies. Mid-range frequencies approximate the actual (unweighted) sound level, while the very low and very high-frequency bands are significantly affected by C-weighting. **Table 2.9-1** notes the decibel levels of common noises.

Table 2.9-1: Noise Levels of Common Sources[4]

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

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

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

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

[4] Source: *2021 CEQR Technical Manual*

at a rate of 6 dB with each doubling of distance away from the source. For "line" sources, such as vehicles on a street, the SPL drops off at a rate of 3 dBA with each doubling of the distance from the source. Sound energy is absorbed in the air as a function of temperature, humidity, and the frequency of the sound. This attenuation can be up to 2 dB over 1,000 feet. The drop-off rate also varies with both terrain conditions and the presence of obstructions in the sound propagation path.

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

- L_{eq} is the continuous equivalent sound level. The sound energy from the fluctuating SPLs is averaged over time to create a single number to describe the mean energy, or intensity level. High noise levels during a measurement period would have a greater effect on the L_{eq} than low noise levels. L_{eq} has an advantage over other descriptors because L_{eq} values from various noise sources can be added and subtracted to determine cumulative noise levels.
- L_{dn} is the day-night equivalent sound level, defined as a 24-hour continuous L_{eq} with a 10 dB adjustment added to all hourly noise levels recorded between the hours of 10 PM and 7 AM. This 10 dB addition accounts for the extra sensitivity people have to noise during typical sleeping hours.
- Lmax is the highest SPL measured during a given period of time. It is useful in evaluating Leqs for time periods that have an especially wide range of noise levels.

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

Noise Standards and Guidelines

In 1983, the New York City Department of Environmental Protection (NYCDEP) adopted the City Environmental Quality Review (*CEQR*) noise exposure guidelines for exterior noise levels. As shown in **Table 2.9-2** below, noise standards classify noise exposure into four categories based on noise level limits and land use, for differing types of noise sources: Acceptable, Marginally Acceptable, Marginally Unacceptable, and Clearly Unacceptable. Table 19-3 of the *2021 CEQR Technical Manual* defines attenuation requirements for buildings based on exterior noise exposure levels. Recommended noise attenuation values for residential and community facility buildings are designed to maintain interior noise levels of 45 dBA (L_{10} *or Ldn, depending on the source*) or below in **Table 2.9-3**.

Table 2.9-2: Noise Exposure Guidelines for Use in City Environmental Impact Review

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

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

Notes:

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

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

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

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

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

Table 2.9-3: CEQR TM Attenuation Values to Achieve Acceptable Interior Noise Levels

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

Source: New York City of Environmental Protection

Notes:

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

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

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

Where:

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

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

2.9.1 Initial Impact Screening

The *CEQR Technical Manual* recommends an analysis of two principal types of noise sources: mobile sources; and stationary sources. Both types of noise sources are examined in the following sections. The initial impact screening considers whether the project would:

(1) generate any mobile or stationary sources of noise; and/or

(2) be located in an area with existing high ambient noise levels.

As discussed above, the noise analysis presented in this chapter focuses on the operational noise effects of the Proposed Action and consists of an analysis to determine the level of attenuation necessary to ensure that interior and exterior noise levels satisfy City Environmental Quality Review (*CEQR*) requirements.

Analysis Framework

<u>No-Action Condition</u>

The No-Action Condition for the Affected Area would see the re-tenanting of the vacant bank building on Block 6180, Lot 33 with an 8,960 GSF (8,960 ZSF, 0.63 FAR) UG 6 local retail use. No construction or redevelopment would be expected in the No-Action Scenario as the existing building on Lot 33 is in good repair and is located along a wide thoroughfare adjacent to an elevated rail line. The ability to provide accessory parking spaces on Lot 31 would also make re-tenanting the vacant building on Lot 33 more likely, as adequate parking could easily be provided.

With-Action Condition

Projected Development Site 1 (Block 6180, Lots 31 and 33; Applicant-Owned Lots)

The Applicant-Owned lots would be assembled to form a 18,518-sf lot within the proposed C4-4L district. The site would be developed with a new 115,101 GSF (85,034 ZSF; 4.59 FAR), 11-story, 115-foot-tall mixed-use commercial and residential building. The Proposed Development would include 16,708 GSF of accessory parking at the cellar level, 11,828 GSF (11,651 ZSF; 0.63 FAR) of commercial uses (UG 6 local retail) on the ground floor, and 85,565 GSF (73,383 ZSF; 3.96 FAR) of residential uses from the second to the eleventh floor. The building would contain approximately 100 dwelling units (850 GSF average size), 25%-30% (25-30 units) of which would be required to be permanently set aside as affordable housing units at an average of 60-80% AMI per MIH Options 1 or 2. Since the Applicant is proposing MIH Option 2, and as a result, 30 units would be set aside as permanently affordable units for households with incomes averaging 80% AMI.

The Proposed Development would include 35 enclosed residential accessory parking spaces, a mechanical and storage space, and a bicycle parking area at cellar level. On the ground floor, a residential lobby, a local retail space, and an additional amenity/bicycle parking area would be provided. Residential amenities (laundry room and recreational spaces) would be located on the second floor and dwelling units would be distributed through the second to the eleventh floor.

2.9.2 Stationary Source Analysis

A detailed analysis of stationary noise may be appropriate if the Proposed Development would introduce a stationary noise source, such as a playground, to be operating within 1,500 feet of a receptor, or within direct line of sight to that receptor or if the Proposed Development would be subject to high ambient noise levels from any nearby stationary source. 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 (i.e., 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. A review of the existing ambient noise levels is discussed below.

Noise Monitoring Locations and Equipment

Because the predominant noise sources in the area of the proposed project consist of vehicular traffic and rail movements, noise monitoring was conducted during peak weekday vehicular travel periods (AM, Midday, PM) on a typical midweek day for 1-hour periods. Noise Monitoring Location One (1) was located at the street level on the 72nd Street frontage of Projected Development Site 1; Noise Monitoring Location Two (2) was located at the street level on the New Utrecht Avenue frontage of Projected Development Site 1; Location Three (3) was located at the street level on the 71st Street frontage; and Noise Monitoring Location Four (4) was located on the roof of the existing 1-story bank building at an approximate height of the elevated rail line

on the New Utrecht frontage of Projected Development Site 1. The noise monitoring locations are shown in **Figure 2.9-1** through **Figure 2.9-5**. Noise monitoring was conducted using Type 1 Casella CEL-633 sound level meters with wind screens. The monitors were placed on a tripod at a height of approximately four feet above the ground, away from any other noise-reflective surfaces. The monitors were calibrated prior to and following each monitoring session. Periods of peak vehicular and rail activities around the subject site constitute a worst-case condition for noise at the project site. Noise meter calibration certification and back up data as well as the field data sheet are provided in **Appendix D**.

Figure 2.9-1: Noise Monitoring Locations

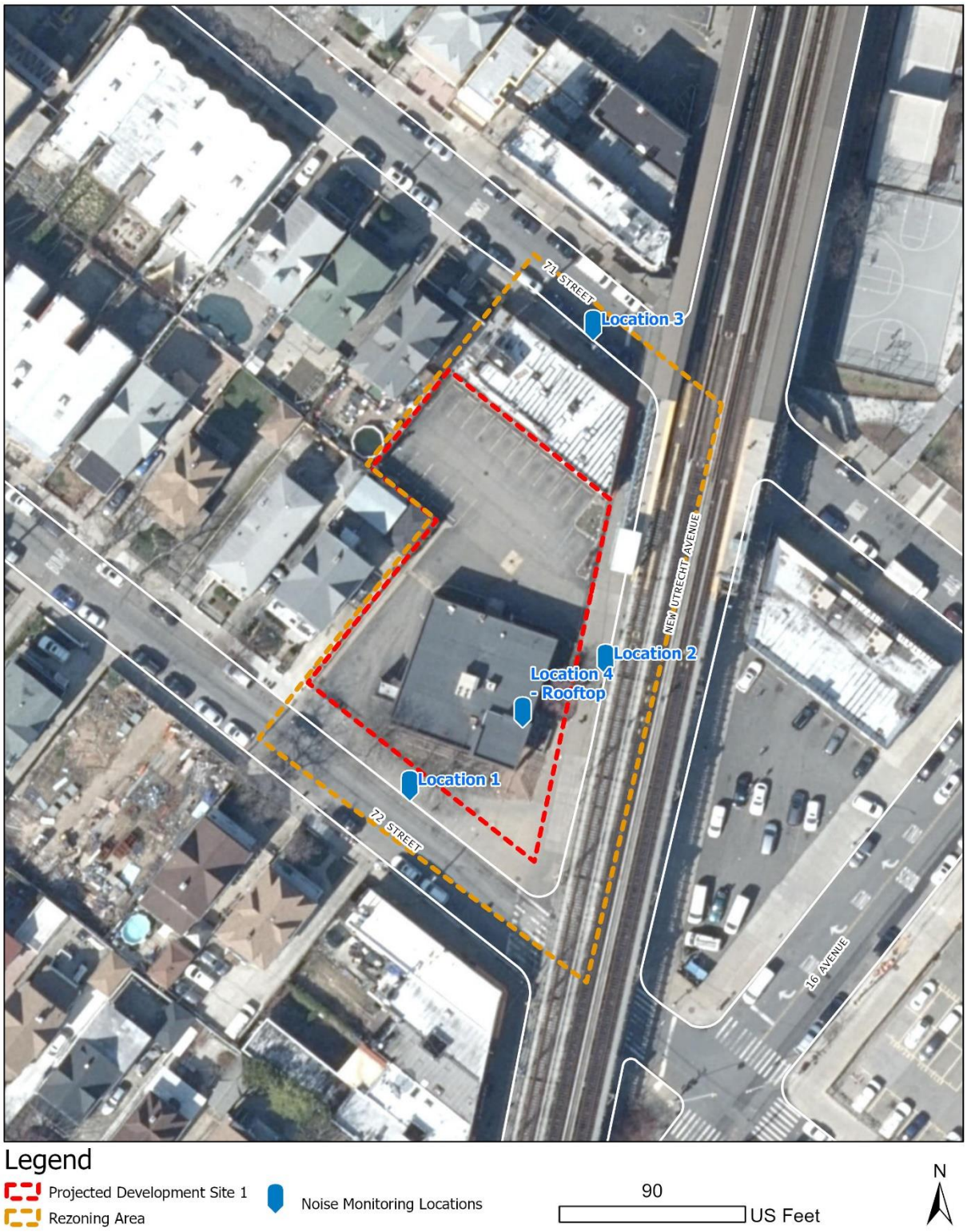


Figure 2.9-2: Location 1 – Street Level on 72nd Street



Figure 2.9-3: Location 2 – Street Level on New Utrecht Avenue



Figure 2.9-4: Location 3 – Street Level on 71st Street



Figure 2.9-5: Location 4 – Rooftop on New Utrecht Avenue



Noise Monitoring Results

Monitoring was conducted during typical midweek conditions, on Thursday, October 28, 2021 and Wednesday, November 10, 2021. The weather was clear and wind speeds were mild during monitoring. Traffic volumes and vehicle classification were documented during the noise monitoring. **Table 2.9-4** to **Table 2.9-7** below contains the results for the measurements taken at Location 1 to Location 4, respectively. The dominant noise sources at Monitoring Locations 1 to 4 include vehicular traffic and rail movements.

Table 2.9-4: Noise Levels in dBA at Location 1

Thursday, October 28, 2021			
Time	7:28 am – 8:28 am	12:00 pm – 1:00 pm	4:29 pm – 5:32 pm
L_{max}	83.4	96.4	85.4
L_{10}	68.0	68.5	67.5
L_{eq}	67.0	68.8	67.9
L_{50}	59.0	59.0	59.0
L_{90}	54.5	55.0	56.0
L_{min}	52.8	53.3	53.9
L_{dn}	65	66.8	65.9

Note: Bold denotes L_{10} or L_{eq} noise level exceedances, according to Table 19-2 of the CEQR Technical Manual. L_{dn} values were calculated based on Option 4 from Appendix E of the FTA Manual.

Table 2.9-5: Noise Levels in dBA at Location 2

Thursday, October 28, 2021 & Wednesday, November 10, 2021			
Time	7:45 am – 8:45 am	12:00 pm – 1:00 pm	4:30 pm – 5:30 pm
L_{max}	93.6	94.8	94.3
L_{10}	**76.5**	**73.0**	**71.5**
L_{eq}	**76.7**	**76.4**	**75.8**
L_{50}	63.0	62.5	63.0
L_{90}	56.0	55.5	58.0
L_{min}	53.0	51.7	55.4
L_{dn}	74.7	74.4	73.8

Note: Bold denotes L_{10} or L_{eq} noise level exceedances, according to Table 19-2 of the CEQR Technical Manual. L_{dn} values were calculated based on Option 4 from Appendix E of the FTA Manual.

Table 2.9-6: Noise Levels in dBA at Location 3

Thursday, October 28, 2021			
Time	7:41 am – 8:42 am	12:05 pm – 1:05 pm	4:36 pm – 5:36 pm
L_{max}	88.5	85.3	107.0
L_{10}	**74.0**	**72.5**	68.0
L_{eq}	**71.6**	69.8	**74.7**
L_{50}	65.0	63.5	62.0
L_{90}	61.0	59.0	59.0
L_{min}	57.9	57.0	56.5
L_{dn}	69.6	67.8	72.7

Note: Bold denotes L_{10} or L_{eq} noise level exceedances, according to Table 19-2 of the CEQR Technical Manual. L_{dn} values were calculated based on Option 4 from Appendix E of the FTA Manual.

Table 2.9-7: Noise Levels in dBA at Location 4

Thursday, October 2021			
Time	7:32 am – 8:32 am	12:00 pm – 1:00 pm	4:31 pm – 5:31 pm
L_{max}	84.5	91.0	88.1
L_{10}	67.0	68.5	68.0
L_{eq}	68.3	69.5	**70.2**
L_{50}	58.0	59.5	60.0
L_{90}	54.0	54.0	56.5
L_{min}	51.7	51.2	54.1
L_{dn}	66.3	67.5	68.2

Note: Bold denotes L_{10} or L_{eq} noise level exceedances, according to Table 19-2 of the CEQR Technical Manual. L_{dn} values were calculated based on Option 4 from Appendix E of the FTA Manual.

The traffic and rail volumes (vehicle counts) and vehicle classifications taken at the Project Site during peak vehicular and rail travel periods [morning (AM), noon (MD), and evening (PM)] concurrent with noise monitoring are shown below in **Table 2.9-8** and **Table 2.9-10**.

Table 2.9-8: Traffic Volumes and Vehicle Classifications Noise Location 1

	7:28 am – 8:28 am	12:00 pm – 1:00 pm	4:29 pm – 5:32 pm
Car/ Taxi	38	27	52
Van/Light Truck/SUV	88	54	51
Medium Truck	8	4	5
Heavy Truck	1	1	0
Bus	1	0	0
Train	17	14	14
Motorcycle	0	0	0

Table 2.9-9: Traffic Volumes and Vehicle Classifications Noise Location 2

	7:45 am – 8:45 am	12:00 pm – 1:00 pm	4:30 pm – 5:30 pm
Car/ Taxi	99	182	40
Van/Light Truck/SUV	385	220	45
Medium Truck	11	11	1
Heavy Truck	4	11	0
Bus	6	0	0
Train	19	14	14
Motorcycle	0	0	0

Table 2.9-10: Traffic Volumes and Vehicle Classifications Noise Location 3

	7:41 am – 8:42 am	12:05 pm – 1:05 pm	4:36 pm – 5:36 pm
Car/ Taxi	35	22	188
Van/Light Truck/SUV	67	43	226
Medium Truck	0	2	5
Heavy Truck	1	0	6
Bus	1	0	2
Train	17	14	14
Motorcycle	2	0	0

The *2021 CEQR Technical Manual* Table 19-2 contains noise exposure guidelines. For a residential use such as would occur under the Proposed Actions, an L_{10} of between 65 and 70 dB(A) is identified as marginally acceptable general external exposure. An L_{10} of between 70 and 80 dB(A) or an L_{dn} of between 65 and 75 dB(A) is identified as marginally unacceptable general external exposure. The highest recorded L_{eq} at Noise Monitoring Location One (1) was 68.8 dB(A) during the midday monitoring period; The highest recorded L_{dn} at Noise Monitoring Location One (1) was 66.8 dB(A) during the midday monitoring period; The highest recorded L_{eq} at Noise Monitoring Location Two (2) was 76.7 dB(A) during the morning monitoring period; The highest recorded L_{dn} at Noise Monitoring Location Two (2) was 74.7 dB(A) during the morning monitoring period; The highest representative L_{dn} at Monitoring Location Three (3) was 69.6 dB(A) during the morning monitoring period (the highest recorded L_{eq} of 74.7 dB(A)/L_{dn} of 72.7 dBA during the evening monitoring period was due to kids yelling into the meter and would not be considered representative noise level); The highest recorded L_{eq} at Noise Monitoring Location Four (4) was 70.2 dB(A) during the evening monitoring period; The highest recorded L_{dn} at Noise Monitoring Location Four (4) was 68.2 dB(A) during the evening monitoring period.

2.9.3 Conclusion

Though residential units are not projected to occupy the ground floor, the commercial spaces on the ground floor would not be tall enough to take all space below the elevated train. There would be residential units on the second floor that is located at or below the elevated train. Given that the projected residential space would be considered sensitive during nighttime, attenuation based on L_{dn} would be used for floors below the elevated train.

Based on the results of the noise monitoring location 2 as summarized above, 35 dB(A) window/wall attenuation would be required for facades facing 72nd Street within 50' of New Utrecht Avenue, 71st Street within 50' of New Utrecht Avenue, and the New Utrecht Avenue for floors below the height of the elevated D subway. Based on the results of noise monitoring location 4 as summarized above, a 31 dB(A) of attenuation would be required for facades facing 72nd Street within 50' of New Utrecht Avenue, 71st Street within 50' of New Utrecht Avenue, and the New Utrecht Avenue for floors at or above the height of the elevated D subway. Based on the results of noise monitoring location 1 as summarized above, 28 dB(A) of attenuation would

be required for facades facing 72nd Street beyond 50' of New Utrecht Avenue and the facades facing 71st Street beyond 50' of New Utrecht Avenue for all floors. In consideration of monitored noise levels and site contexts, attenuation requirements for northern facades facing 71st Street beyond 50' of New Utrecht Avenue was determined using results of noise monitoring location 1 rather than location 3. Also, no attenuation would be required for western facades facing 15th Avenue and southern facade located along the northern lot line of Block 6180, Lot 44. requirements are shown in **Figure 2.9-6** and **Table 2.9-11** below. Based on these attenuation requirements, no adverse noise impacts are anticipated as a result of the Proposed Actions.

To ensure no significant adverse impacts related to noise occur pursuant to the Proposed Actions, an E-Designation would be placed on the Projected Development Sites. The E-Designation is as follows:

E-704

Block 6180, Lots 31 and 33 (Projected Development Site 1 – Applicant Owned)

Block 6180, Lots 31 and 33: In order to ensure an acceptable interior noise environment, future residential uses must provide a closed-window condition with a minimum attenuation as shown in Table 2.9-11 in order to maintain an interior L10 noise level not greater than 45 dBA and an interior Ldn noise level not greater than 40 dBA for residential uses as illustrated in the EAS. To maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, air conditioning.

Table 2.9-11: Required Attenuation at Project Development Site (in dB(A))

Development Site 1	Affected Floors	Facades	Minimum Required Attenuation[1, 2]
Block 6180 Lots 31 and 33	Floors below the elevated train	East (facing New Utrecht Avenue)	35
		North (facing 71st Street within 50 ft of New Utrecht Avenue)	
		South (facing 72nd Street within 50 ft of New Utrecht Avenue)	
		North (facing 71st Street beyond 50 ft of New Utrecht Avenue)	28
		South (facing 72nd Street beyond 50 ft of New Utrecht Avenue)	
	Floors at or above the elevated train	East (facing New Utrecht Avenue)	31
		North (facing 71st Street within 50 feet of New Utrecht Avenue)	
		South (facing 72nd Street within 50 ft of New Utrecht Avenue)	
		North (facing 71st Street beyond 50 ft of New Utrecht Avenue)	28
		South (facing 72nd Street beyond 50 ft of New Utrecht Avenue)	
	Facades with no attenuation requirement	West (facing 15th Avenue)	N/A
		South on the northern lot line of Lot 44	

Notes:

1 Above attenuation values are shown for residential and community facility uses; commercial office uses would require attenuation 5 dBA less.

2 Required attenuation levels are shown in Figure 2.9-6

Figure 2.9-6: Attenuation Requirements[5]



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

2.10 Neighborhood Character

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

2.10.1 Preliminary Analysis

Existing Conditions

The Affected Area consists of approximately 22,056 square feet comprising Block 6180, Lots 29, 31, 33, p/o 27, and p/o 44, which is located within the Bensonhurst neighborhood of Brooklyn Community District 11. The Affected Area is within an R5/C2-2 zoning district that generally extends along New Utrecht Avenue to the northwest and southeast, which was established in 1961.

Existing land uses within the 400-foot buffer around the Affected Area primarily consist of residential, commercial, and community facility uses. The residential buildings range from low-rise one- and two-family detached homes (2 stories), low-rise rowhouse homes (2-3 stories), to mid-rise multi-family buildings (4-5 stories). Commercial uses tend to be found in either single-story stand-alone store buildings or on the ground floor of mixed residential and commercial buildings, which are primarily along commercial corridors including New Utrecht Avenue and 18th Avenue. Commercial uses within the Surrounding Area include a laundromat, a Key Food supermarket, and a car wash, in addition to smaller local delis and convenience stores. Notable community facility uses in the Surrounding Area include P.S. 112 Lefferts Park located one block to the west, Our Lady of Guadalupe Roman Catholic Church located one block to the southwest, and New Utrecht High School located approximately six blocks to the south.

The area is well-served by public transit. The D subway line has an entrance in front of the Affected Area on the corner of New Utrecht Avenue and 71st Street with service to Manhattan and Bronx. The B8 bus runs along 18th Avenue, two blocks to the east with service between Dyker Heights and East Flatbush and the B4 bus runs along Bay Ridge Parkway, three blocks to the south, with service between Bay Ridge and Sheepshead Bay.

The Applicant-owned Development Site consists of two separate lots (Block 6180, Lots 31 and 33) along New Utrecht Avenue. Lot 33 is an approximately 14,160 sf irregularly shaped corner lot with frontages on 72nd Street and New Utrecht Avenue, which is improved with a vacant 8,960

GSF (0.63 FAR) commercial building that was once occupied by a drive-through bank. Lot 31 is an approximately 4,358 sf interior lot with frontage on New Utrecht Avenue, which is a vacant and paved lot that was formerly used as an accessory parking lot for the bank on Lot 33.

Other lots within the Affected Area include a 2-story, 6,716 GSF mixed residential and commercial building on Lot 29 (1.90 FAR); a 2.5-story, 2,920 GSF multi-family walk-up building with 3 dwelling units on Lot 27 (0.73 FAR); and a 2.5-story single family residential building with 2,403 GSF of floor area on Lot 44 (0.60 FAR).

Future No-Action Condition

The No-Action Condition for the Affected Area would see the re-tenanting of the vacant bank building on Block 6180, Lot 33 with an 8,960 GSF (8,960 ZSF, 0.63 FAR) UG 6 local retail use. No construction or redevelopment would be expected in the No-Action Scenario as the existing building on Lot 33 is in good repair and is located along a wide thoroughfare adjacent to an elevated rail line. The ability to provide accessory parking spaces on Lot 31 would also make re-tenanting the vacant building on Lot 33 more likely, as adequate parking could easily be provided.

Future With-Action Condition

Block 6180, Lots 29, 31, and 33 would be rezoned from an existing R5/C2-2 zoning district to a C4-4L zoning district. Meanwhile, the existing C2-2 commercial overlays on Block 6180, Lots p/o 27 and p/o 44 would be eliminated.

Under the With-Action condition, the proposed C4-4L district would allow two distinct building types depending on the location in relation to the elevated train tracks on New Utrecht Avenue. For lots not fronting on the elevated train, the proposed C4-4L district would require a street wall between 40 and 65 feet high and a maximum building height of 80 feet. For lots fronting on the elevated train and within 125 feet of the street line adjacent to the elevated train, buildings would be required to set back five feet from the street line at the ground floor, and allowed to rise to a maximum height of 100 feet, with a minimum base height of 30 feet and a maximum base height of 65 feet. Above the base height, buildings would be required to set back at least 15 feet. Certain corner lots and through lots, depending on size and configuration, would also be subject to more lot coverage maximums, and some through lots would be permitted to waive the required rear yard equivalent to accommodate development on irregularly-shaped lots on Broadway.

As part of the related zoning text amendment, the Inclusionary Housing Program would be made applicable within C4-4L districts. The proposed new C4-4L district is a contextual, regional commercial district that allows mixed-use buildings at a residential zoning equivalent of R7A. Permitted Use Groups are 1-6, 8-10 and 12, which are residential, community facility, as well as local and regional commercial uses. Commercial and community facility development is allowed with a maximum FAR of 4.00. Residential development is allowed with a maximum FAR of 4.60 under the Inclusionary Housing Program and 4.00 when not using the Inclusionary Housing

Program. Parking is required for 50% of the residential units. This parking requirement is waived if 15 or fewer spaces are required. Parking requirements are waived for lots smaller than 10,000 square feet. Non-residential parking requirements of one space per 1,000 square feet of commercial area are waived when fewer than 40 spaces are required.

In comparison with the existing R5/C2-2 zoning districts mapped in the Affected Area currently, the proposed C4-4L zoning district would allow for a wider range of uses, reflecting the regional commercial character of the area, and provide more flexibility in mixed-use building design appropriate for the irregularly-shaped lots lining New Utrecht Avenue.

With the Proposed Actions, a new mixed-use building is expected to be built on Proposed Development Site 1 (Block 6180, Lots 31 and 33). The Applicant-Owned lots would be assembled to form a 18,518-sf lot within the proposed C4-4L district. The site would be developed with a new 115,101 GSF (85,034 ZSF; 4.59 FAR), 11-story, 115-foot-tall mixed-use commercial and residential building. The Proposed Development would include 16,708 GSF of accessory parking at the cellar level, 11,828 GSF (11,651 ZSF; 0.63 FAR) of commercial uses (UG 6 local retail) on the ground floor, and 85,565 GSF (73,383 ZSF; 3.96 FAR) of residential uses from the second to the eleventh floor. The building would contain approximately 100 dwelling units (850 GSF average size), 25%-30% (25-30 units) of which would be required to be permanently set aside as affordable housing units at an average of 60-80% AMI per MIH Options 1 or 2. Since the Applicant is proposing MIH Option 2, and as a result, 30 units would be set aside as permanently affordable units for households with incomes averaging 80% AMI.

The Proposed Development would include 35 enclosed residential accessory parking spaces, a mechanical and storage space, and a bicycle parking area at cellar level. On the ground floor, a residential lobby, a local retail space, and an additional amenity/bicycle parking area would be provided. Residential amenities (laundry room and recreational spaces) would be located on the second floor and dwelling units would be distributed through the second to the eleventh floor.

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

- **Land Use, Zoning, and Public Policy (See Section 2.1):** The Proposed Actions would not adversely impact the neighborhood in terms of land use, zoning, or public policy. Though the proposed rezoning would effectuate developments of residential, commercial, and community facility uses at a higher density than that is currently allowed within the study area, the permitted uses would be in character with the existing mixed residential, commercial, and institutional uses and the density would be consistent with the existing R5/C2-2 zoning districts in the area. Accordingly, the Proposed Actions would not alter the overall land use patterns in the area or jeopardize the intent of the zoning resolution.

- **Open Space (See Section 2.2):** The Proposed Actions would reduce the OSR by 0.64% from 0.050 acres per 1,000 residents under No-Action condition to 0.049 acres per 1,000 residents under With-Action condition. Though the area has a relatively low OSR, the 0.64% OSR decrease induced by the Proposed Development would be less than the percentage change in OSR of 1%, signifying a possible adverse open space impact. Therefore, the Proposed Actions would not result in a significant adverse impact on open space within the study area.

- **Shadows (See Section 2.3):** The shadows derived from the Projected Development Site associated with the Proposed Actions would reach the sunlight sensitive resources, P.S. 112 Playground and Lt. Petrosino Park. The Proposed Actions would cast shadows on the P.S. 112 Playground (Block 6180, Lot 1) on December 21st and March/September 21st, and on Lt. Petrosino Park (Block 6169, Lot 50) on four analysis days. However, the shadows cast from the Proposed Development would affect the two sunlight sensitive resources for limited extent and duration. No adverse impact is expected on the Vegetation or Open Space Utilization of the sunlight sensitive resources.

- **Historic and Cultural Resources (See Section 2.4):** Though the LPC review identified that one known Architectural resource, Our Lady of Guadalupe R.C Church Complex (S/NR eligible property), intersects with the 400-foot study area, no potential impacts associated with the Proposed Development on the identified historic resources would occur. The Proposed Actions would not result in any types of visual and contextual impacts to the known historic resources within the 400-foot radius or introduce any incompatible visual, audible, or atmospheric elements to the settings of historic resources. The Projected Development Site doesn't contain historic architectural resources and is not adjacent to or within 90 feet of any identified historic architectural resources. As a result, no direct impacts or indirect construction-related effects via ground-borne construction activities are anticipated. Only temporary changes related to the construction activity to the existing environment surrounding the architectural resources is expected for a limited construction period of 18 to 20 months. After the completion of the construction, the environment of the architectural resources would be the same as the existing condition. Therefore, significant adverse impacts to architectural resources are not expected because of the Proposed Actions, and further analysis is not warranted.

- **Urban Design and Visual Resources (See Section 2.5):** The development facilitated by the Proposed Actions would not adversely impact any of the constituent urban design elements or impact the overall character of the neighborhood as it would not significantly change the pedestrian experience, nor would it disturb the vitality, walkability, or the visual character of the area. The development with ground floor commercial uses would improve walkability and the visual character of the area, and would also provide needed local serving retail uses.

- **Hazardous Materials (See Section 2.6):** A Phase I ESA was prepared for the Projected Development Site, where RECs and VECs were identified related to the Subject Property. Thus, a Phase II ESA is required to evaluate the potential impact to the Projected Development Site from the RECs and VECs identified in the Phase I ESA. However, Projected Development Site 1 is currently improved with an existing bank building that is in good repair and would be re-tenanted with new businesses under the No-Action Condition. The Phase 2 ESA cannot take place before the existing building is demolished. For this reason, the Applicant has elected to place an E-Designation on the site. With the (E) designation in place, no significant adverse impacts related to hazardous materials are expected.

- **Transportation (See Section 2.7):** The Proposed Actions would result in a development that would induce an incremental of 22, 3, 23, and 26 vehicular trips as well as 82, 50, 116, and 132 pedestrian trips during the AM, Midday, PM, and Saturday Midday peak hours respectively. Both incremental vehicular trips and pedestrian trips would not exceed the thresholds of 50 vehicular trips and 200 pedestrian trips during any peak hours. Therefore, the Proposed Actions would not have significant adverse impacts on transportation within the study area.

- **Air Quality (See Section 2.8):** The Proposed Actions would not result in a development that would have significant adverse impact on the air quality within the study area or would receive industrial emissions that would have significant adverse impact on the project occupants. Though the project-on-existing stationary source HVAC analysis indicated that the Proposed Development is too far to cause an impact to the nearest building with a similar or greater building height, an Air Quality E-designation would be required to restrict the minimum required height of the emission stacks for the HVAC system of the Proposed Development. Therefore there would be no significant impact on the air quality of the area from the Proposed Development. Meanwhile, there are no active industrial emissions permits or large industrial emission sources within the 400- or 1,000-foot study areas. Additionally, there is no evidence present to conclude that there are illegal unpermitted air emissions present in the study area. Therefore, there does not appear to be any potentially significant impact in terms of air toxics to project occupants.

- **Noise (See Section 2.9):** Though the Proposed Actions would result in a mixed-use development composed of residential and commercial uses that may be impacted by the ambient noise, window/wall attenuations would be required to protect the residents from ambient noise. An E-Designation would be placed on Projected Development Site 1, with attenuation requirements, as referenced in **Table 2.9-11**, to maintain an interior L10 noise level not greater than 45 dBA and an interior Ldn noise level not greater than 40 dBA for residential uses as illustrated in the EAS. To maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation

includes, but is not limited to, air conditioning. With this level of attenuation, there would be no potential for adverse impacts related to ambient noise.

Combination of Moderate Effects:

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

2.10.2 Conclusion

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

2.11 Construction

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

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

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

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

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

2.11.1 Preliminary Analysis

Future No-Action Scenario

The No-Action Scenario for the Affected Area would see the re-tenanting of the vacant bank building on Block 6180, Lot 33 with an 8,960 GSF (8,960 ZSF, 0.63 FAR) UG 6 local retail use. No construction or redevelopment would be expected in the No-Action Scenario as the existing building on Lot 33 is in good repair and is located along a wide thoroughfare adjacent to an elevated rail line. The ability to provide accessory parking spaces on Lot 31 would also make re-tenanting the vacant building on Lot 33 more likely, as adequate parking could easily be provided.

Future With-Action Scenario

Projected Development Site 1 would assemble the Applicant-Owned lots (Block 6180, Lots 31 and 33) to form a 18,518-sf lot within the proposed C4-4L district. The site would be developed with a new 115,501 GSF (85,034 ZSF; 4.59 FAR), 11-story, 115-foot-tall mixed-use commercial and residential building. The Proposed Development would include 16,708 GSF of accessory parking at the cellar level, 11,828 GSF (11,651 ZSF; 0.63 FAR) of commercial uses (UG 6 local retail) on the ground floor, and 85,565 GSF (73,383 ZSF; 3.96 FAR) of residential uses from the second to the eleventh floor. The building would contain approximately 100 dwelling units (850 GSF average size), 25%-30% (25-30 units) of which would be required to be permanently set aside as affordable housing units at an average of 60-80% AMI per MIH Options 1 or 2. Since the Applicant is proposing MIH Option 2, and as a result, 30 units would be set aside as permanently affordable units for households with incomes averaging 80% AMI.

The Proposed Development would include 35 enclosed residential accessory parking spaces, a mechanical and storage space, and a bicycle parking area at cellar level. On the ground floor, a residential lobby, a local retail space, and an additional amenity/bicycle parking area would be provided. Residential amenities (laundry room and recreational spaces) would be located on the second floor and dwelling units would be distributed through the second to the eleventh floor.

Set back 5 feet from the sidewalk line, the street wall of the Proposed Development would rise to 25 feet to the 3rd floor, where it would further set back 15 feet to provide a greater distance between the dwelling units and the elevated rail line before ultimately rising to the proposed building height of 115 feet. Beginning at the 6th floor, the Proposed Development would provide 25 feet of distance from the adjacent R5 district to respect the single-family homes located to

the west of the Projected Development Site. The Projected Development Site would be accessible to vehicles via a curb cut along its 72nd Street frontage.

Build Year

The build year for the analysis is anticipated to be 2025 in consideration of an 18-month environmental approval process and ULURP process and an 18-to-20-month construction schedule for Projected Development Site 1.

The Applicant development of Projected Development Site 1 is anticipated to commence in August 2023 with exterior work being completed by May 2024 and TCO/punch list completion in April 2025. All exterior construction activities would last from August 2023 until May 2024, for a duration of 9 months; all interior finishes, inspections, and punch list items would be completed by April 2025, but are not considered construction-related activities for the purposes of this analysis. Because the construction activities would last for fewer than 24 months, the Proposed Actions are not expected to result in significant impacts to the adjacent community.

Transportation

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

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

Projected Development Site 1 has frontages along New Utrecht Avenue (major thoroughfare) and 72nd Street (local road). The construction of the development site may require the temporary closing of the sidewalks adjacent to Projected Development Site 1. As part of the Proposed Actions, the sidewalks would be reconstructed, which may temporarily impact pedestrian flow and the availability of parking spaces along these streets. However, changes to moving traffic lanes are not expected.

Notable community facility uses within the 400-foot radius of Projected Development Site 1 include P.S. 112 Lefferts Park located one block to the west, Our Lady of Guadalupe Roman Catholic Church located one block to the southwest, and New Utrecht High School located

approximately six blocks to the south. Therefore, sidewalk closures on the frontages of Projected Development Site 1 would have effects on the pedestrian flows during the construction period. However, it is expected that nearby residential, commercial, and community facility uses would not be particularly sensitive to such sidewalk closures as they are not in an area with high pedestrian activity, and the sidewalks and roadways affected by the proposed construction would not be considered to be near capacity. Any potential closure of the sidewalks adjacent to construction activities would be considered a routine closure that would be addressed by a permit and pedestrian access plan issued by NYC DOT Office of Construction Mitigation and Coordination at the time of closure. In addition, the overall construction of Projected Development Site 1 would be considered short term (less than two years), which would not have significant adverse impacts on the pedestrian trip flows given its limited time span.

Considering the above, construction of Projected Development Site 1 would not be expected to result in significant adverse impacts on transportation.

Air Quality and Noise

According to the *CEQR Technical Manual*, an assessment of air quality and noise for construction activities is likely not warranted if the project's construction activities:

- Are considered short-term (less than two years);
- Are not located near sensitive receptors; and
- Do not involve construction of multiple buildings where there is a potential for on-site receptors on buildings to be completed before the final build-out.

Projected Development Site 1 is located near sensitive receptors as it adjoins or is very close to existing residential buildings. The Proposed Development would include only one mixed-use building, which would not result in the situation where there is a potential for on-site receptors on buildings to be completed before the final build-out. Furthermore, the overall construction period of Projected Development Site 1 would be 18 to 20 months, which would be considered short term as it is less than two years (24 months).

The *CEQR Technical Manual* states that if a project meets one or more of the criteria above, a preliminary air quality or noise assessment is not automatically required. Instead, various factors should be considered, such as the types of construction equipment (e.g., gas, diesel, electric), the nature and extent of any commitment to use the Best Available Technology (BAT) for construction equipment, the physical relationship of the project site to nearby sensitive receptors, the type of construction activity, and the duration of any heavy construction activity. These measures are discussed below.

Demolition, excavation, and foundation activities, which often generate the highest levels of air emissions, would be temporary and limited in duration and would take approximately 9 months.

In addition, any heavy equipment associated with the construction of the buildings (such as a crane) would operate from at least three different locations during construction.

Air Quality

The project would make use of the Best Available Technology to minimize impacts to the residential buildings, public high school, and the museum in the vicinity of the Projected Development Sites as further discussed below.

As with most construction projects in the City, the Proposed Development would require the operation of several pieces of diesel equipment at one time during the heavier periods of construction, such as demolition and excavation. The Applicant would implement the following measures that would minimize air quality and noise impacts on the surrounding community.

- *Diesel Equipment Reduction:* Construction of the proposed project would minimize the use of diesel engines and use electric engines, to the extent practicable. This would reduce the need for on-site generators, and require the use of electric engines in lieu of diesel where practicable.
- *Clean Fuel:* To the extent practicable, ultra-low sulfur diesel (ULSD) would be used for diesel engines on the development sites.
- *Best Available Tailpipe Reduction Technologies:* To the extent practicable, non-road diesel engines with a power rating of 50 horsepower (hp) or greater would utilize the best available tailpipe (BAT) technology for reducing diesel particulate matter (DPM) emissions. Diesel particle filters (DPF) have been identified as being the tailpipe technology currently proven to have the highest PM reduction capability.
- To the extent practicable, construction contracts would specify that all diesel non-road engines rated at 50 hp or greater would utilize DPFs, either installed on the engine by the original equipment manufacturer (OEM) or retrofit with a DPF verified by EPA or the California Air Resources Board, and may include active DPFs if necessary; or other technology proven to reduce DPM by at least 90 percent.
- *Utilization of Newer Equipment:* To the extent practicable, all non-road construction equipment in the project would meet at least the Tier 2 emissions standard, and construction equipment meeting Tier 3 and/or Tier 4 emissions standards would be used where conforming equipment is widely available, and the use of such equipment is practicable.
- *Dust Control:* Fugitive dust control plans will be implemented as part of the construction process. For example, stabilized truck exit areas would be established for washing off the wheels of all trucks that exit the construction sites. Truck routes within the sites would be watered as needed to avoid the re-suspension of dust. All trucks hauling loose material will be equipped with tight fitting tailgates and their loads securely covered prior to

leaving the sites. In addition to regular cleaning by the City, streets adjacent to the site would be cleaned as frequently as needed by the construction contractor. Water sprays will be used for all transfer of spoils to ensure that materials are dampened as necessary to avoid the suspension of dust into the air.

- *Restrictions on Vehicle Idling:* In addition to adhering to local laws restricting unnecessary idling on roadways, on-site vehicle idle time will also be restricted to three minutes, to the extent practicable, for all equipment and vehicles that are not using their engines to operate a loading, unloading, or a processing device (e.g., concrete mixing trucks) or otherwise required for the proper operation of the engine.

Overall, these air emission controls would significantly reduce DPM emissions to a level otherwise achieved by applying the currently defined best available control technologies under NYC Local Law 77. In addition, as stated in the *CEQR Technical Manual*, all the necessary measures would be implemented to ensure compliance with the NYC Air Pollution Control Code regulating construction-related dust emissions. Based on the project size and the construction work involved, construction activities for the Proposed Actions would not be considered out of the ordinary or exceptional in terms of intensity and would be of a relatively short duration (less than 2 years). Therefore, based on the above and with the implementation of emissions control measures that are required by local law, the construction of the development site would not result in any significant adverse impacts on air quality.

Noise

While increases in ambient noise levels due to construction exceeding the CEQR impact criteria for two years or less may be noisy and intrusive, they are not considered to be significant adverse noise impacts. As described above, construction of the development site would occur over a relatively short time period of approximately 20 months. In addition, demolition, excavation, and foundation activities, and superstructure activities, which are the noisiest construction activities, would be temporary and limited in duration and would take approximately 9 months to complete.

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

Historic and Cultural Resources

As discussed in ***Section 2.4: Historic and Cultural Resources***, the Landmarks Preservation Commission has determined that one S/NR listed property, Our Lady of Guadalupe R.C Church Complex, is located within the 400-foot radius of the Affected Area. However, the architectural resource is located more than 90 feet to the southwest of the development site. Therefore, construction protection measures related to avoidance of damage to historic structures from adjacent construction are not applicable, and no significant adverse construction-related impacts to nearby historic and cultural resources are expected.

2.11.2 Conclusion

Construction activities at the Projected Development Site 1 would be completed in 20 months from August 2023 until April 2025, with exterior construction activities from August 2023 to May 2024 and interior fit-outs and inspection activities from June 2024 to April 2025. Construction would be performed subject to relevant EPA, DEP, DOT and DOB codes and regulations to ensure minimal construction impacts. With the construction control and protective measures identified above, no impacts to transportation, air quality, noise, or historic buildings would occur.

On the basis of the above analysis, the Proposed Actions would not have any significant adverse construction impacts, and further analysis is not required.

APPENDIX A

ILLUSTRATIVE PLANS

9-STORY COMMERICIAL & RESIDENTIAL BUILDING

7120 NEW UTRECHT AVE.

BROOKLYN, NY 11228



C4-4L PRELIMINARY DESIGN DEVELOPMENT PACKAGE

7120 New Utrecht Avenue (C4-4L)

Floor	Program	Gross Floor Area		Deductions	Zoning Floor Area
Cellar	Parking, Ramp, etc.		*16,708*	-	-
First	Retail	11,828		177	11,651
	Resident Recreation		1,375	1,375	
	Res. Lobby, Egress, etc.		1,729	1,037	692
Second	Res. Apartments		9,665	967	8,698
	Resident Laundry		479	479	-
	Resident Recreation		1,051	1,051	
Third	Residential Apartments		10,958	1,315	9,643
Fourth*	Residential Apartments		10,958	1,315	9,643
Fifth*	Residential Apartments		10,958	1,315	9,643
Sixth**	Residential Apartments		9,748	1,072	8,676
Seventh**	Residential Apartments		9,748	1,072	8,676
Eighth**	Residential Apartments		9,748	1,072	8,676
Ninth**	Residential Apartments		9,748	1,072	8,676
Roof			400	40	360

*15' SETBACK FROM STREET LINE ON NEW UTRECHT AVE.
**25' SETBACK FROM R5 + 15' SETBACK FROM STREET LINE ON NEW UTRECHT AVE.

Gross Subtotals	11,828	86,565	13,359	
Gross NB		115,101		
ZFA Lot Total **(85,183 SF permitted)**				**85,034**
Total Proposed FAR **(4.6 FAR permitted)**				**4.59**
Remaining FAR				*0.01*
Permitted DUs (Density Factor: 680 SF/DU)				108
Proposed DUs				**100**
Required Vehicle Parking				35
Required Bicycle Parking				50

ZONING ANALYSIS

SITE DATA						
Block	6180					
Lots	31 & 33					
Street Address	7120 New Utrecht Avenue Brooklyn, NY 11228					
Community District	11					
Zoning Map No.	22D					
Zoning Lot Area	18,518 SF					
Zoning District	C4-4L (R5/C2-2 EXISTING)					
		EXISTING CONDITIONS		PROPOSED CONDITIONS		
		ZR	R5/C2-2	ZR	PERMITTED C4-4L	PROPOSED
USE GROUPS						
Permitted As-of-Right		ZR 32-10	1, 2, 3, 4, 5, 6, 7, 8, 9, 14	ZR 32-10	1, 2, 3, 4, 5, 6, 8, 9, 10, 12	UG 2, 6
FLOOR AREAS						
Commercial	Permitted FAR	33-121	1.0	23-154(b)	4.6	4.6
	Existing FAR					
	Permitted Floor Area		COMM. 1.0 FAR x 18,518SF = 18,518 SF RES. 1.25 FAR X 18,518SF = 23,148 SF		4.6 FAR x 18518 SF = 85,182.8 SF	85,034 SF
	Existing Floor Area					
YARDS						
Front Yard			N/A	ZR 35-51	N/A	NONE
Side Yard			N/A			NONE
Rear Yard			20'		N/A	NONE
HEIGHTS AND SETBACKS						
Base Height	Minimum		N/A	ZR 35-652(C)(2)	25'	SETBACK 25'
	Maximum		N/A	ZR 35-652(C)(2)	65'	
Setback				ZR 35-652(D)(2)	15'	15' DEEP
Building Height		ZR 23-631	45'	ZR 35-652(C)(2)	105'	95'
PARKING AND LOADING REQUIREMENTS						
Maximum Size of Group Parking		ZR 36-12	150 Spaces or Less	ZR 36-12	150 Spaces or Less	NONE
Parking		ZR 36-62; 25-23	None for first 8,000 SF ; 50% of dwelling units	ZR 36-232; 25-23	Commercial parking waived if <40 spaces; 50% of dwelling units	35 SPACES
Loading		ZR 36-62	None for first 8,000 SF	ZR 36-62	None for first 25,000 SF	NONE
Bicycles		ZR 36-71	1 per 2 dwelling units; 1 per 10,000 SF commercial Floor area	ZR 36-71	1 per 2 dwelling units; 1 per 10,000 SF commercial Floor area	52 SPACES

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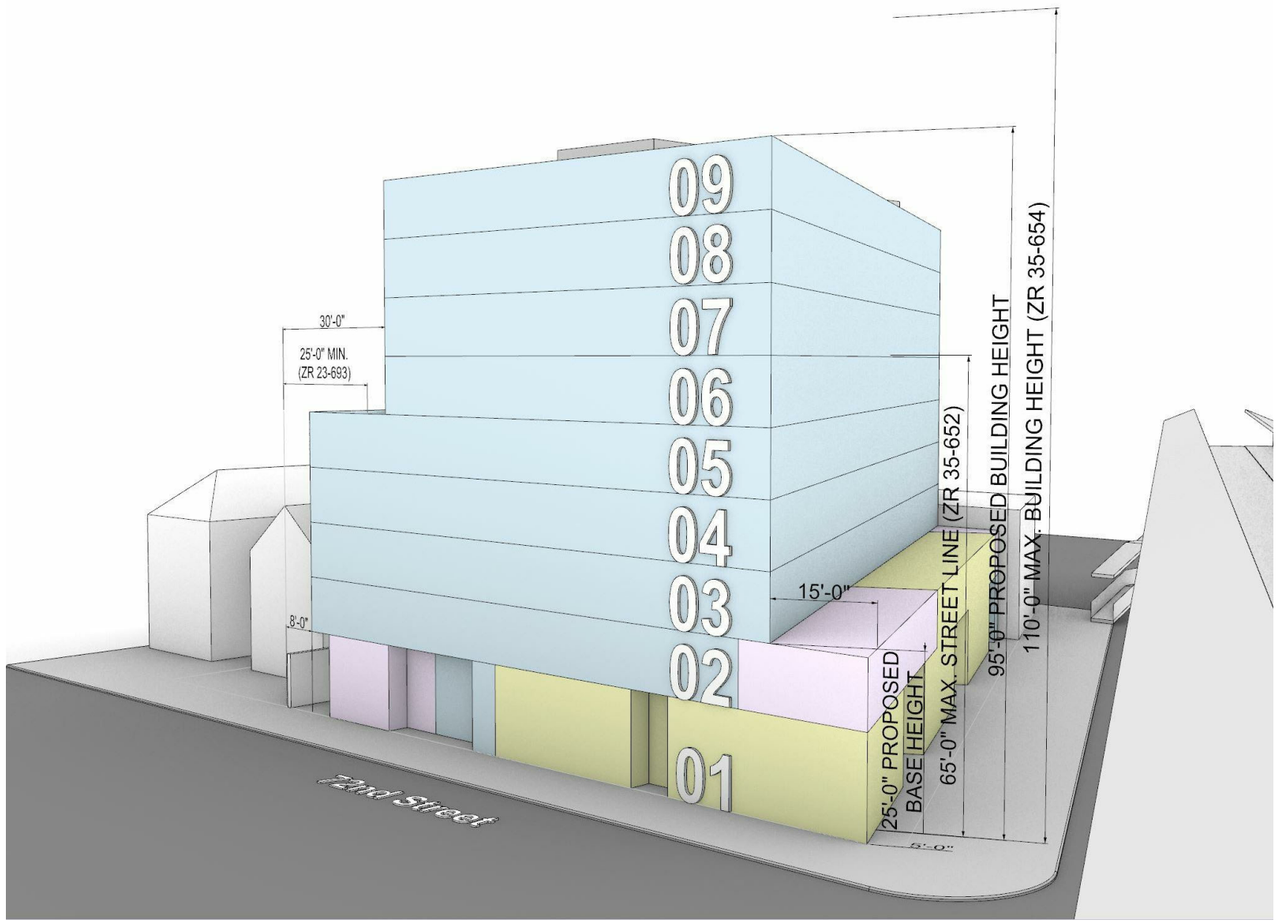
PROJECT:
7120 NEW UTRECHT AVENUE
BROOKLYN, NY 11228

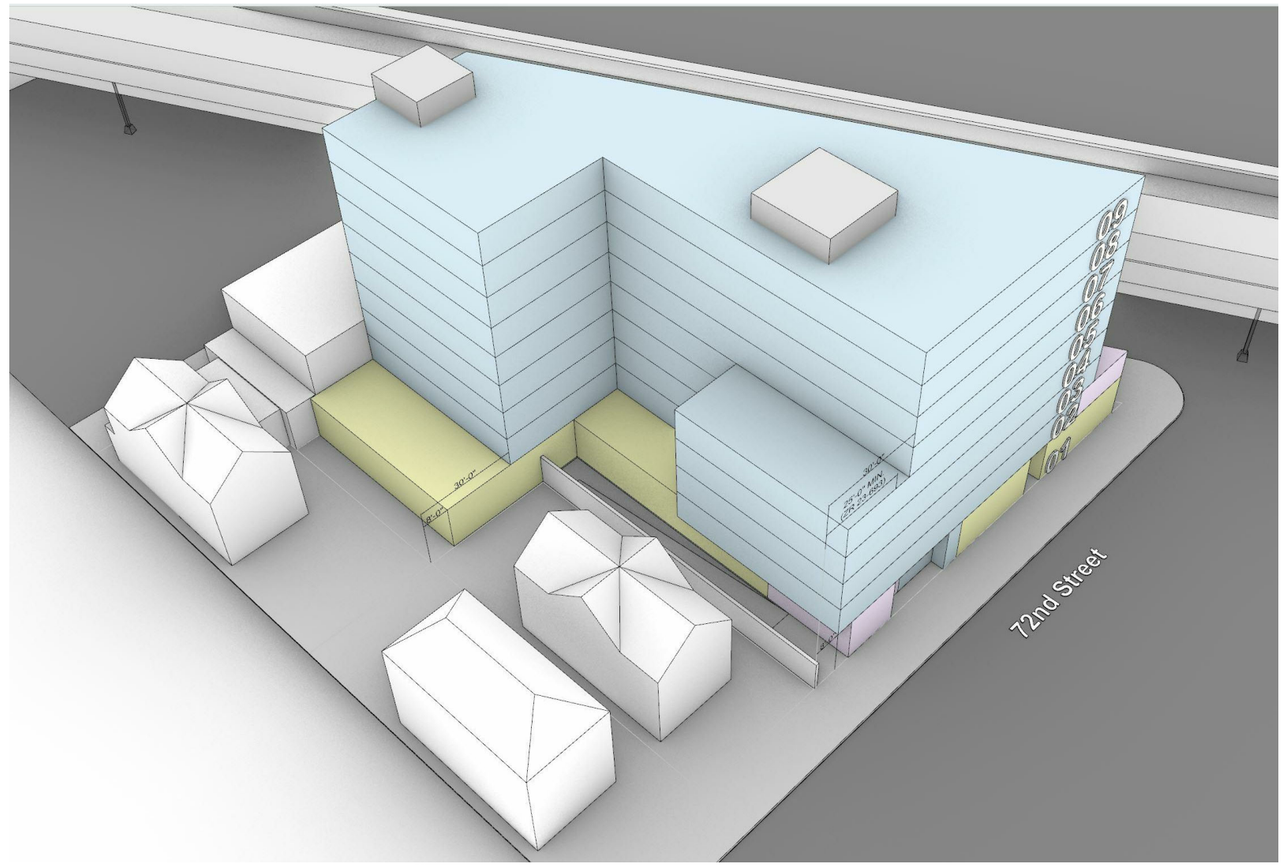
DRAWING:
ZONING ANALYSIS

PROJECT INFORMATION:

BLOCK:	6180	LOT: 31 & 33	
ZONING MAP:	22d	COMMUNITY BOARD: 311	
ZONING:	R5/C2-2 EXISTING	C4/4L (R7A EQUIV.) PROPOSED	
FAR:	4.6 PERMITTED	4.6 PROPOSED	
LOT AREAS:	4,358 SF (LOT 31) +14,160 SF (LOT 33)	18,518 SF TOTAL LOT AREA	
BASE BLDG. HT.:	25' MIN. / 65' MAX. ZR 35-652(c)(2)(i)	25' PROPOSED	
BUILDING HT.:	110' / 115' (QGF) OR 11 STORIES	95' PROPOSED	

SCALE:





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PROJECT:

7120 NEW UTRECHT AVENUE
BROOKLYN, NY 11228

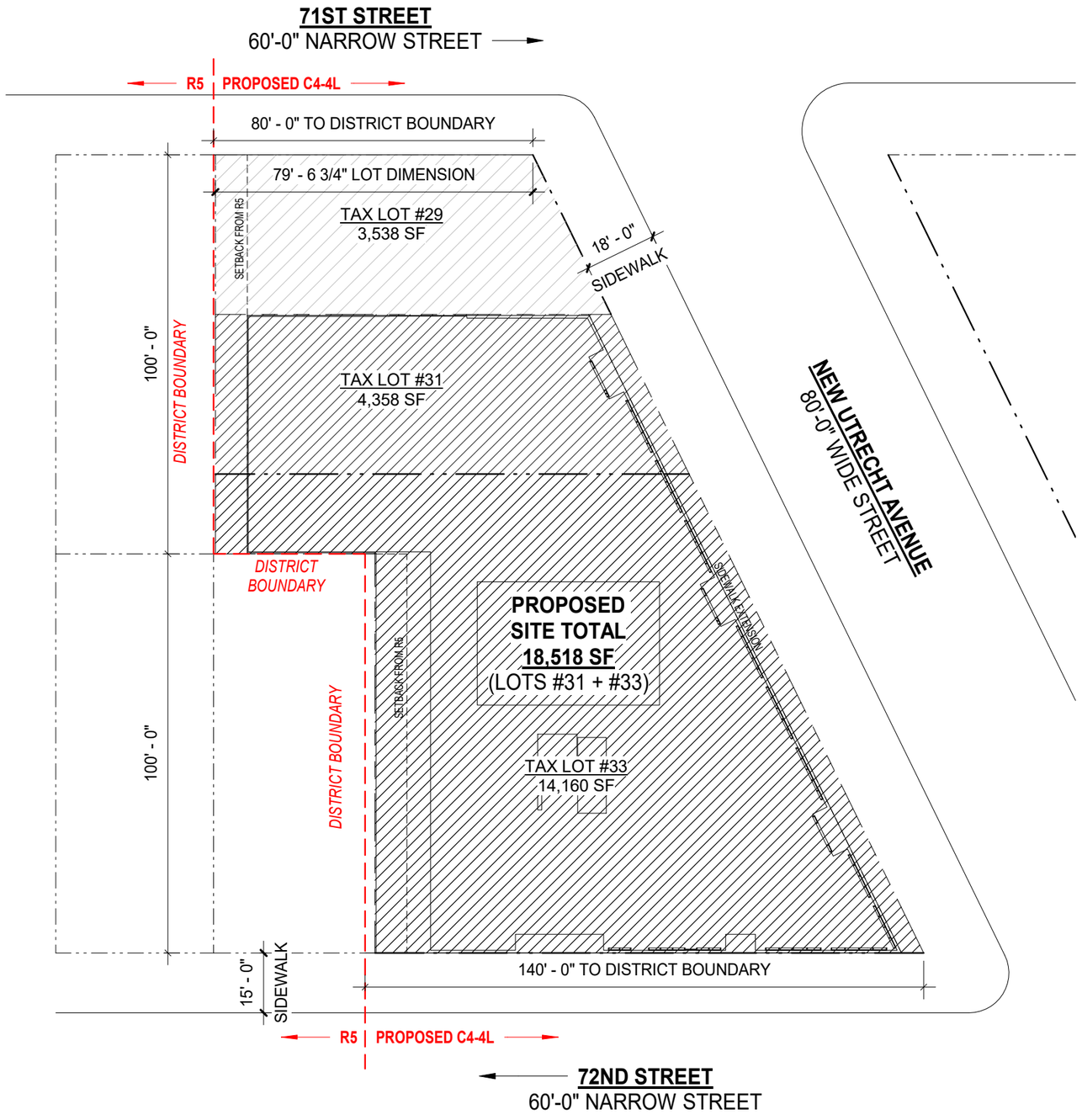
DRAWING:

MASSING DIAGRAMS

PROJECT INFORMATION:

BLOCK:	6180	LOT: 31 & 33
ZONING MAP:	22d	COMMUNITY BOARD: 311
ZONING:	R5/C2-2 EXISTING	C4/4L (R7A EQUIV.) PROPOSED
FAR:	4.6 PERMITTED	4.6 PROPOSED
LOT AREAS:	4,358 SF (LOT 31) +14,160 SF (LOT 33)	18,518 SF TOTAL LOT AREA
BASE BLDG. HT.:	25' MIN. / 65' MAX. ZR 35-652(c)(2)(i)	25' PROPOSED
BUILDING HT.:	110' / 115' (QGF) OR 11 STORIES	95' PROPOSED

SCALE:



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PROJECT:

7120 NEW UTRECHT AVENUE
BROOKLYN, NY 11228

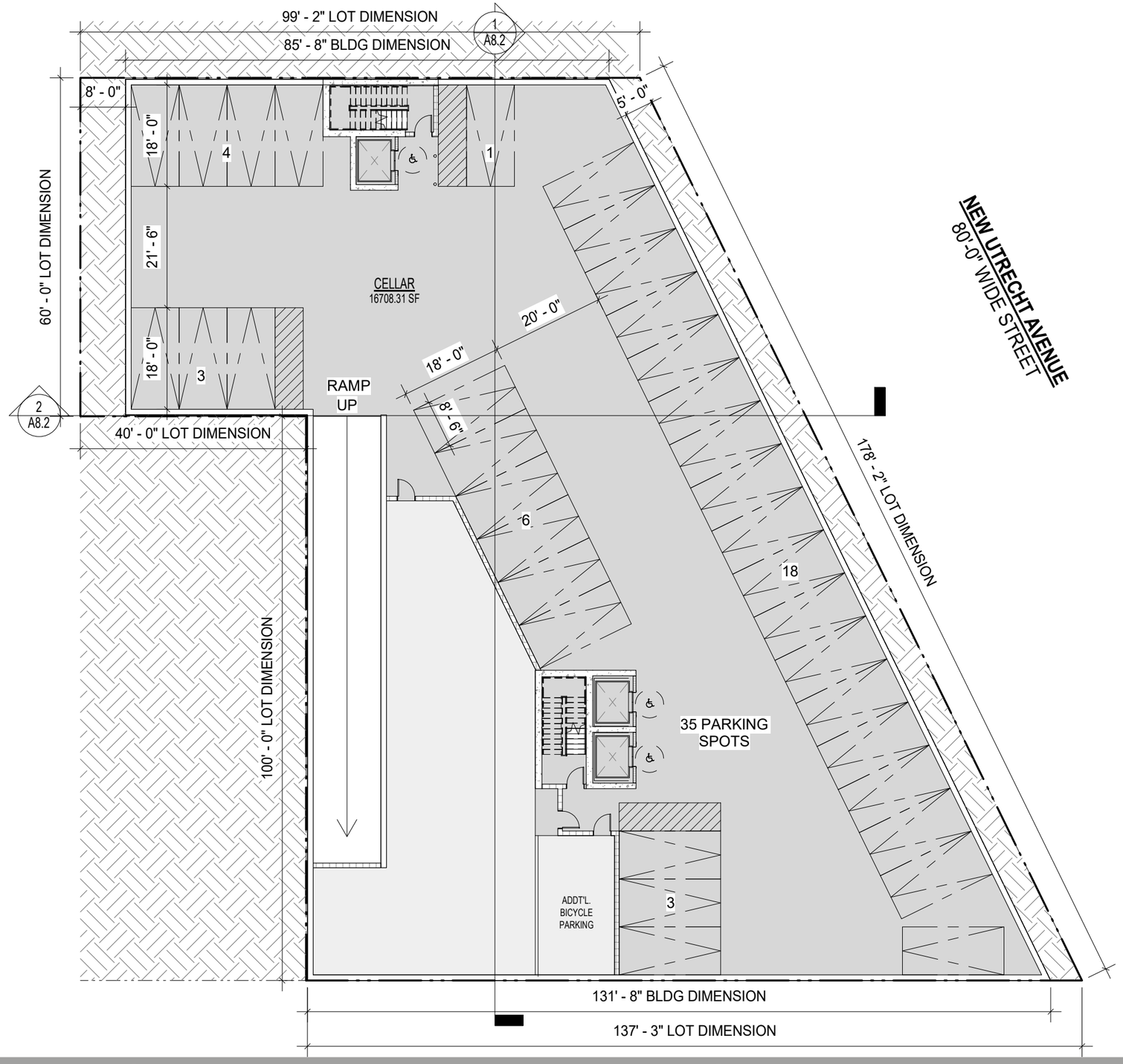
DRAWING:

REZONING SITE PLAN

PROJECT INFORMATION:

BLOCK:	6180	LOT: 31 & 33
ZONING MAP:	22d	COMMUNITY BOARD: 311
ZONING:	R5/C2-2 EXISTING	C4/4L (R7A EQUIV.) PROPOSED
FAR:	4.6 PERMITTED	4.6 PROPOSED
LOT AREAS:	4,358 SF (LOT 31) +14,160 SF (LOT 33)	18,518 SF TOTAL LOT AREA
BASE BLDG. HT.:	25' MIN. / 65' MAX. ZR 35-652(c)(2)(i)	25' PROPOSED
BUILDING HT.:	110' / 115' (QGF) OR 11 STORIES	95' PROPOSED

SCALE: 1/32" = 1'-0"



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PROJECT:

7120 NEW UTRECHT AVENUE
BROOKLYN, NY 11228

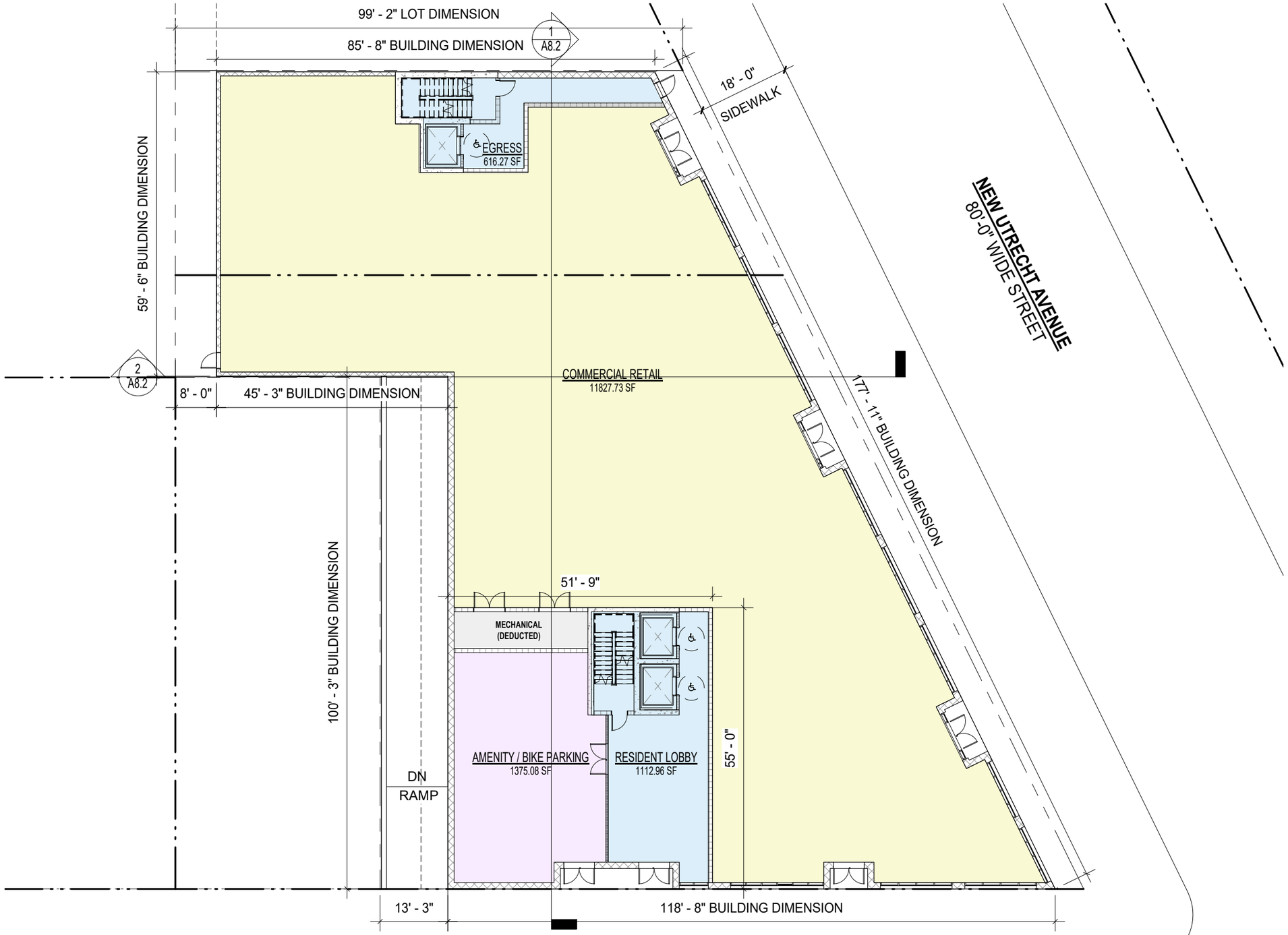
DRAWING:

PROPOSED CELLAR PLAN

PROJECT INFORMATION:

BLOCK:	6180	LOT: 31 & 33
ZONING MAP:	22d	COMMUNITY BOARD: 311
ZONING:	R5/C2-2 EXISTING	C4/4L (R7A EQUIV.) PROPOSED
FAR:	4.6 PERMITTED	4.6 PROPOSED
LOT AREAS:	4,358 SF (LOT 31) +14,160 SF (LOT 33)	18,518 SF TOTAL LOT AREA
BASE BLDG. HT.:	25' MIN. / 65' MAX. ZR 35-652(c)(2)(i)	25' PROPOSED
BUILDING HT.:	110' / 115' (QGF) OR 11 STORIES	95' PROPOSED

SCALE: 1" = 20'-0"



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PROJECT:

7120 NEW UTRECHT AVENUE
BROOKLYN, NY 11228

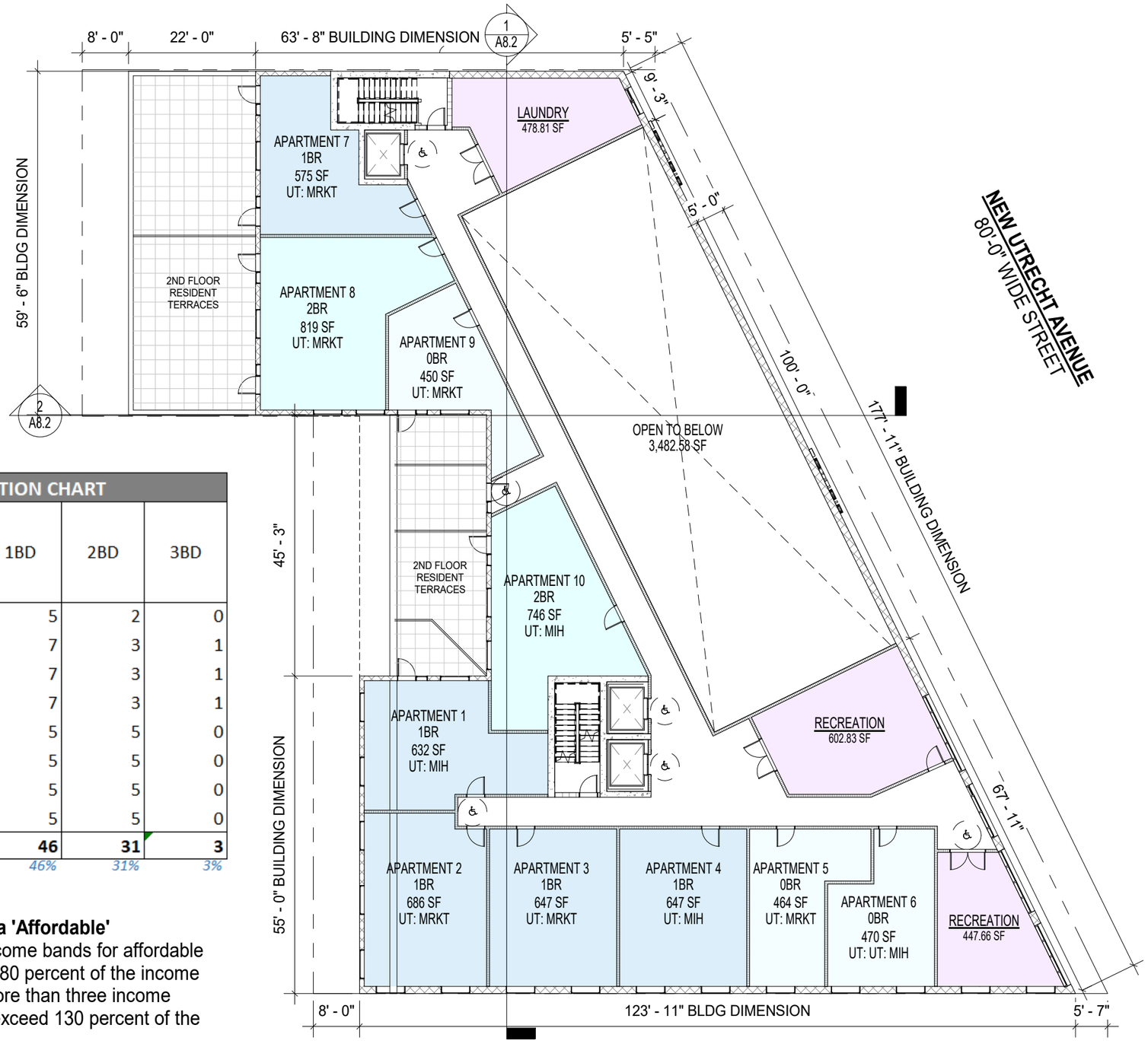
DRAWING:

PROPOSED FIRST FLOOR PLAN

PROJECT INFORMATION:

BLOCK:	6180	LOT: 31 & 33
ZONING MAP:	22d	COMMUNITY BOARD: 311
ZONING:	R5/C2-2 EXISTING	C4/4L (R7A EQUIV.) PROPOSED
FAR:	4.6 PERMITTED	4.6 PROPOSED
LOT AREAS:	4,358 SF (LOT 31) +14,160 SF (LOT 33)	18,518 SF TOTAL LOT AREA
BASE BLDG. HT.:	25' MIN. / 65' MAX. ZR 35-652(c)(2)(i)	25' PROPOSED
BUILDING HT.:	110' / 115' (QGF) OR 11 STORIES	95' PROPOSED

SCALE: 1" = 20'-0"



UNIT DISTRIBUTION CHART					
Floor	Units per Floor	0BD	1BD	2BD	3BD
Second	*10*	3	5	2	0
Third	*14*	3	7	3	1
Fourth	*14*	3	7	3	1
Fifth	*14*	3	7	3	1
Sixth	*12*	2	5	5	0
Seventh	*12*	2	5	5	0
Eighth	*12*	2	5	5	0
Ninth	*12*	2	5	5	0
TOTAL	**100**	**20**	**46**	**31**	**3**
		20%	*46%*	*31%*	*3%*

Option II (MIH):

30% of Residential Floor Area 'Affordable'

The weighted average of all income bands for affordable housing units shall not exceed 80 percent of the income index, and there shall be no more than three income bands. No income band shall exceed 130 percent of the income index.

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PROJECT:

7120 NEW UTRECHT AVENUE
BROOKLYN, NY 11228

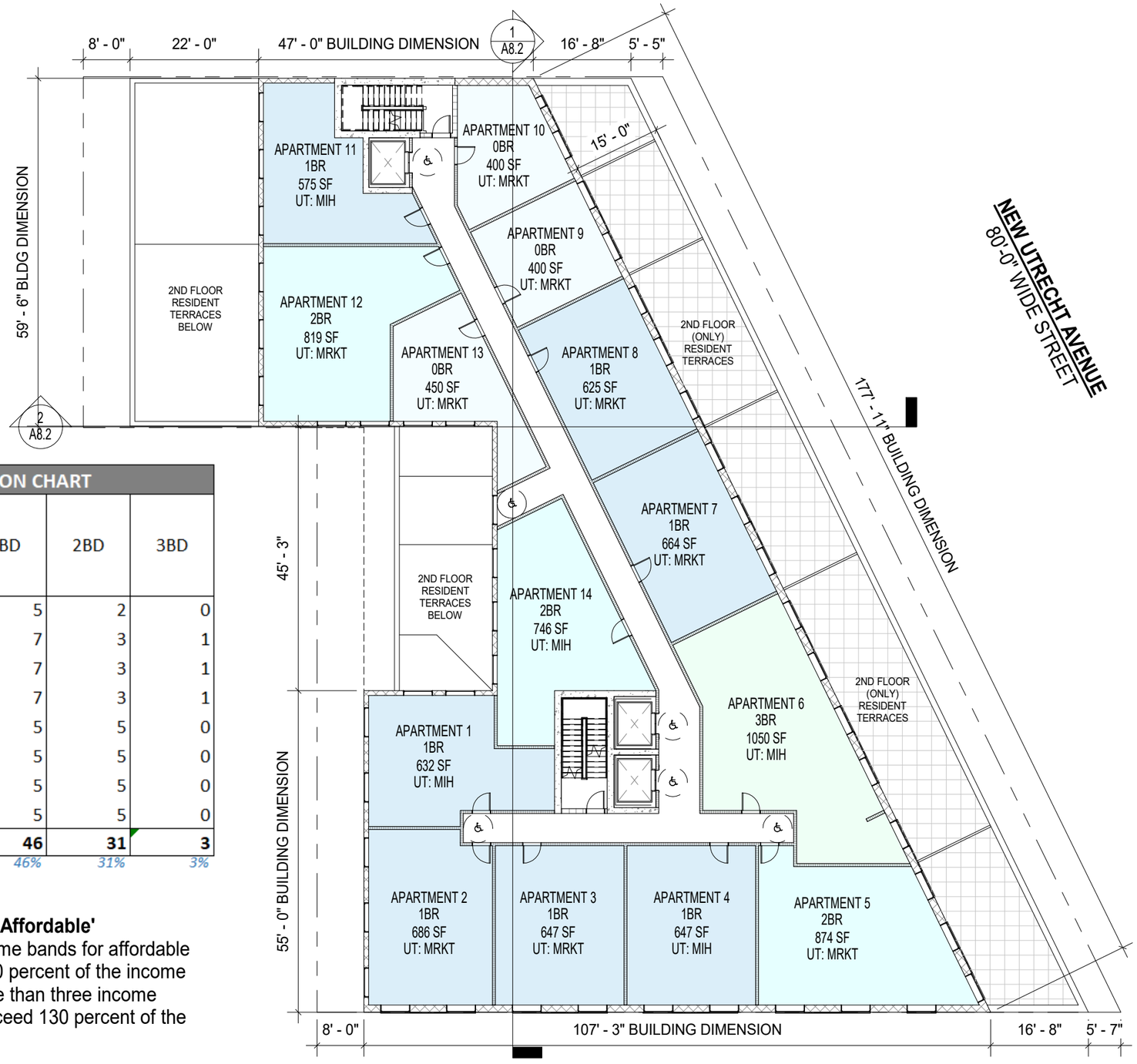
DRAWING:

PROPOSED SECOND FLOOR PLAN

PROJECT INFORMATION:

BLOCK:	6180	LOT: 31 & 33
ZONING MAP:	22d	COMMUNITY BOARD: 311
ZONING:	R5/C2-2 EXISTING	C4/4L (R7A EQUIV.) PROPOSED
FAR:	4.6 PERMITTED	4.6 PROPOSED
LOT AREAS:	4,358 SF (LOT 31) +14,160 SF (LOT 33)	18,518 SF TOTAL LOT AREA
BASE BLDG. HT.:	25' MIN. / 65' MAX. ZR 35-652(c)(2)(i)	25' PROPOSED
BUILDING HT.:	110' / 115' (QGF) OR 11 STORIES	95' PROPOSED

SCALE: As indicated



UNIT DISTRIBUTION CHART					
Floor	Units per Floor	0BD	1BD	2BD	3BD
Second	*10*	3	5	2	0
Third	*14*	3	7	3	1
Fourth	*14*	3	7	3	1
Fifth	*14*	3	7	3	1
Sixth	*12*	2	5	5	0
Seventh	*12*	2	5	5	0
Eighth	*12*	2	5	5	0
Ninth	*12*	2	5	5	0
TOTAL	**100**	**20**	**46**	**31**	**3**
		20%	*46%*	*31%*	*3%*

Option II (MIH):

30% of Residential Floor Area 'Affordable'

The weighted average of all income bands for affordable housing units shall not exceed 80 percent of the income index, and there shall be no more than three income bands. No income band shall exceed 130 percent of the income index.

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PROJECT:

7120 NEW UTRECHT AVENUE
BROOKLYN, NY 11228

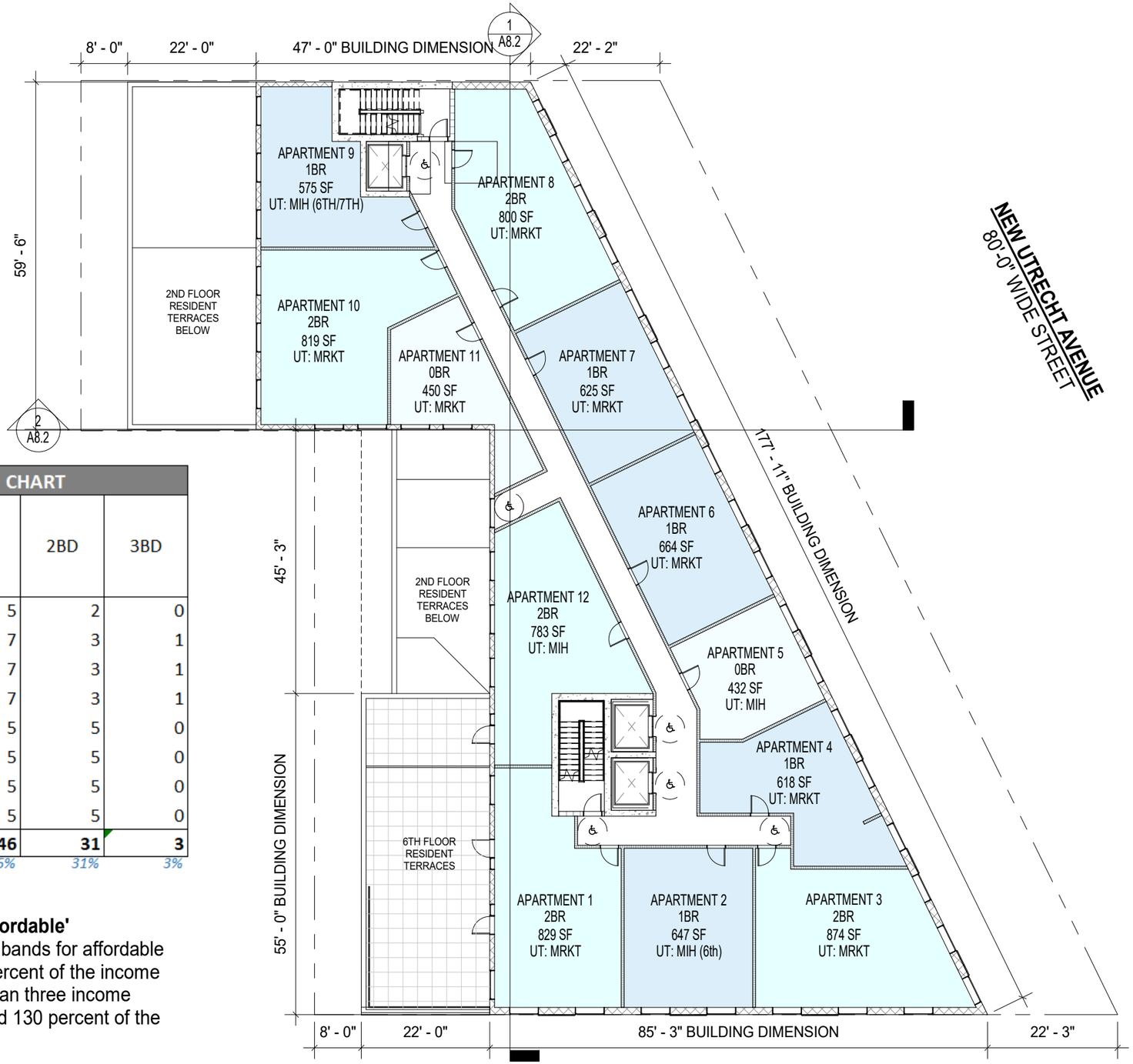
DRAWING:

PROPOSED THIRD-FIFTH FLOOR PLAN

PROJECT INFORMATION:

BLOCK:	6180	LOT: 31 & 33
ZONING MAP:	22d	COMMUNITY BOARD: 311
ZONING:	R5/C2-2 EXISTING	C4/4L (R7A EQUIV.) PROPOSED
FAR:	4.6 PERMITTED	4.6 PROPOSED
LOT AREAS:	4,358 SF (LOT 31) +14,160 SF (LOT 33)	18,518 SF TOTAL LOT AREA
BASE BLDG. HT.:	25' MIN. / 65' MAX. ZR 35-652(c)(2)(i)	25' PROPOSED
BUILDING HT.:	110' / 115' (QGF) OR 11 STORIES	95' PROPOSED

SCALE: As indicated



UNIT DISTRIBUTION CHART					
Floor	Units per Floor	0BD	1BD	2BD	3BD
Second	*10*	3	5	2	0
Third	*14*	3	7	3	1
Fourth	*14*	3	7	3	1
Fifth	*14*	3	7	3	1
Sixth	*12*	2	5	5	0
Seventh	*12*	2	5	5	0
Eighth	*12*	2	5	5	0
Ninth	*12*	2	5	5	0
TOTAL	**100**	**20**	**46**	**31**	**3**
		20%	*46%*	*31%*	*3%*

Option II (MIH):

30% of Residential Floor Area 'Affordable'

The weighted average of all income bands for affordable housing units shall not exceed 80 percent of the income index, and there shall be no more than three income bands. No income band shall exceed 130 percent of the income index.

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PROJECT:

7120 NEW UTRECHT AVENUE
BROOKLYN, NY 11228

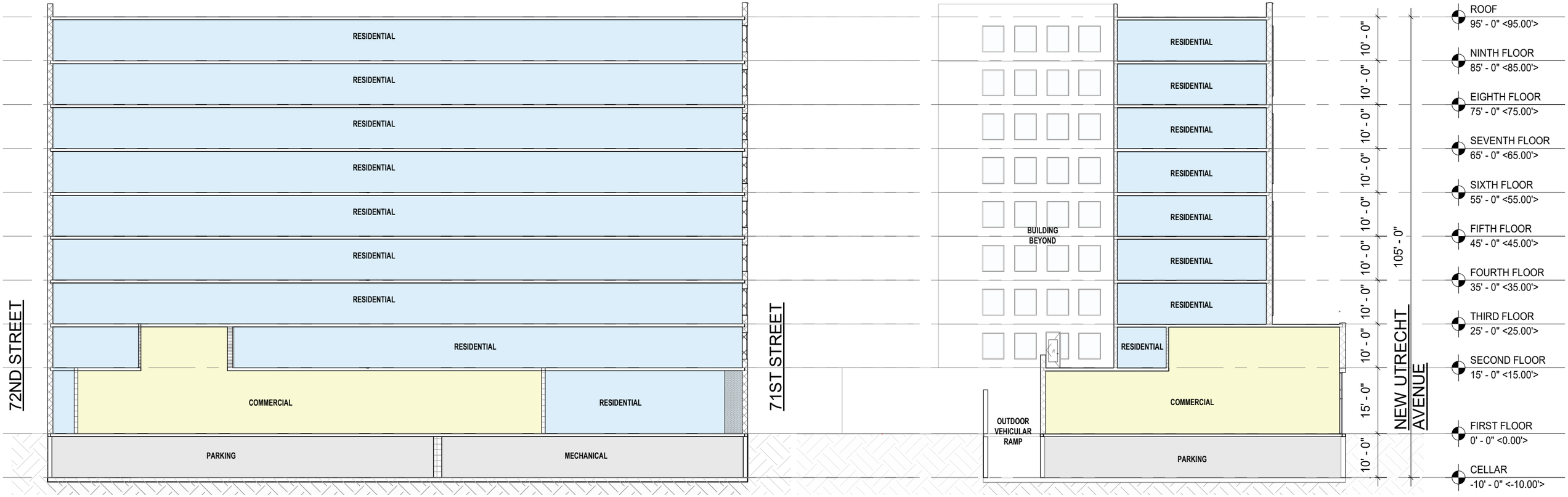
DRAWING:

PROPOSED SIXTH-NINTH FLOOR PLAN

PROJECT INFORMATION:

BLOCK:	6180	LOT: 31 & 33
ZONING MAP:	22d	COMMUNITY BOARD: 311
ZONING:	R5/C2-2 EXISTING	C4/4L (R7A EQUIV.) PROPOSED
FAR:	4.6 PERMITTED	4.6 PROPOSED
LOT AREAS:	4,358 SF (LOT 31) +14,160 SF (LOT 33)	18,518 SF TOTAL LOT AREA
BASE BLDG. HT.:	25' MIN. / 65' MAX. ZR 35-652(c)(2)(i)	25' PROPOSED
BUILDING HT.:	110' / 115' (QGF) OR 11 STORIES	95' PROPOSED

SCALE: As indicated



jfa
J Frankl C Mallea Associates
16 Court St, 36th Floor
Brooklyn NY 11241
718.569.2200

PROJECT:

7120 NEW UTRECHT AVENUE
BROOKLYN, NY 11228

DRAWING:

SECTIONS

PROJECT INFORMATION:

BLOCK:	6180	LOT: 31 & 33
ZONING MAP:	22d	COMMUNITY BOARD: 311
ZONING:	R5/C2-2 EXISTING	C4/4L (R7A EQUIV.) PROPOSED
FAR:	4.6 PERMITTED	4.6 PROPOSED
LOT AREAS:	4,358 SF (LOT 31) +14,160 SF (LOT 33)	18,518 SF TOTAL LOT AREA
BASE BLDG. HT.:	25' MIN. / 65' MAX. ZR 35-652(c)(2)(i)	25' PROPOSED
BUILDING HT.:	110' / 115' (QGF) OR 11 STORIES	95' PROPOSED

SCALE: 3/64" = 1'-0"



jfa

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16 Court St, 36th Floor
Brooklyn NY 11241
718.569.2200

PROJECT:

7120 NEW UTRECHT AVENUE
BROOKLYN, NY 11228

DRAWING:

ELEVATION (ALONG NEW UTRECHT AVENUE)

PROJECT INFORMATION:

BLOCK:	6180	LOT: 31 & 33
ZONING MAP:	22d	COMMUNITY BOARD: 311
ZONING:	R5/C2-2 EXISTING	C4/4L (R7A EQUIV.) PROPOSED
FAR:	4.6 PERMITTED	4.6 PROPOSED
LOT AREAS:	4,358 SF (LOT 31) +14,160 SF (LOT 33)	18,518 SF TOTAL LOT AREA
BASE BLDG. HT.:	25' MIN. / 65' MAX. ZR 35-652(c)(2)(i)	25' PROPOSED
BUILDING HT.:	110' / 115' (QGF) OR 11 STORIES	95' PROPOSED

SCALE:



J Frankl C Mallea Associates
16 Court St, 36th Floor
Brooklyn NY 11241
718.569.2200

PROJECT:

7120 NEW UTRECHT AVENUE
BROOKLYN, NY 11228

DRAWING:

ELEVATION (ALONG 72ND STREET)

PROJECT INFORMATION:

BLOCK:	6180	LOT: 31 & 33
ZONING MAP:	22d	COMMUNITY BOARD: 311
ZONING:	R5/C2-2 EXISTING	C4/4L (R7A EQUIV.) PROPOSED
FAR:	4.6 PERMITTED	4.6 PROPOSED
LOT AREAS:	4,358 SF (LOT 31) +14,160 SF (LOT 33)	18,518 SF TOTAL LOT AREA
BASE BLDG. HT.:	25' MIN. / 65' MAX. ZR 35-652(c)(2)(i)	25' PROPOSED
BUILDING HT.:	110' / 115' (QGF) OR 11 STORIES	95' PROPOSED

SCALE:



VIEW ALONG NEW UTRECHT AVENUE



VIEW ALONG 72ND STREET



VIEW ALONG NEW UTRECHT AVENUE (WITH RAIL ABOVE)



VIEW FROM CORNER OF 72ND STREET AND NEW UTRECHT AVENUE (WITH RAIL ABOVE)

jfa

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Brooklyn NY 11241
718.569.2200

PROJECT:

7120 NEW UTRECHT AVENUE
BROOKLYN, NY 11228

DRAWING:

ADDITIONAL RENDERINGS

PROJECT INFORMATION:

BLOCK:	6180	LOT: 31 & 33
ZONING MAP:	22d	COMMUNITY BOARD: 311
ZONING:	R5/C2-2 EXISTING	C4/4L (R7A EQUIV.) PROPOSED
FAR:	4.6 PERMITTED	4.6 PROPOSED
LOT AREAS:	4,358 SF (LOT 31) +14,160 SF (LOT 33)	18,518 SF TOTAL LOT AREA
BASE BLDG. HT.:	25' MIN. / 65' MAX. ZR 35-652(c)(2)(i)	25' PROPOSED
BUILDING HT.:	110' / 115' (QGF) OR 11 STORIES	95' PROPOSED

SCALE:

APPENDIX B

AGENCY CORRESPONDENCE

Landmarks Preservation Commission

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

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

ENVIRONMENTAL REVIEW

Project number: DEPARTMENT OF CITY PLANNING / LA-CEQR-K
Project: 7120 NEW UTRECHT AVENUE
Date Received: 8/3/2021

Properties with no Architectural or Archaeological significance:

1) 7108 NEW UTRECHT AVENUE, BBL: 3061800031
2) 7120 NEW UTRECHT AVENUE, BBL: 3061800033

Within the radius:

S/NR ELIGIBLE OUR LADY OF GUADALUPE R.C. CHURCH COMPLEX, 7201 15 AVENUE WITHIN RADIUS

Gina Santucci 8/10/2021

SIGNATURE DATE
Gina Santucci, Environmental Review Coordinator

File Name: 35789_FSO_DNP_08102021.docx

APPENDIX C

PHASE I ENVIRONMENTAL SITE ASSESSMENT

PHASE I ENVIRONMENTAL SITE ASSESSMENT



7120 New Utrecht Avenue
Brooklyn, NY 11228

11/19/2021

Prepared for:

Eli Gewirtz
Northern Development Group, LLC
390 Berry St # 201, Brooklyn, NY 11249

Prepared by:

EQUITY ENVIRONMENTAL ENGINEERING, LLC

500 International Drive, Suite 150
Mount Olive, New Jersey 07828
(973) 527-7451

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PHASE I ENVIRONMENTAL SITE ASSESSMENT

EXECUTIVE SUMMARY

Equity Environmental Engineering, LLC (Equity) was retained by Northern Development Group, LLC to conduct a Phase I Environmental Site Assessment (Phase I) to identify Recognized Environmental Conditions (RECs) associated with current and prior site use at the property identified as 7120 New Utrecht Avenue in Brooklyn, NY 11228. Equity conducted the assessment in accordance with the requirements of the American Society for Testing and Materials (ASTM) Standard E1527-13, "Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process" and good professional practices.

Site Overview

The subject property is as follows:

Property Designation	7120 New Utrecht Avenue
Property Address	7120 New Utrecht Avenue Brooklyn, NY 11228
Parcel ID	Block 6180 / Lots 31, 33
Parcel Size	18,518 Square Feet
Number of Buildings	One (1)
Number of Stories	One (1)
Finished Area (SF)	8,960 Square Feet
Date Constructed	1957
Construction Type	Masonry
Property Usage	Vacant
Inspection Date	October 28th, 2021
Weather Conditions	65°F, Sunny
Site Contact/Title	Dave Marom / Managing Member
Site Contact Phone	(718)813-4840

Definitions

The ASTM Phase I Standard defines environmental conditions as follows:

- ***Recognized Environmental Conditions (RECs)***

  The term "Recognized Environmental Condition" means the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: (1) due to any release to the environment; (2) under conditions indicative of a release to the environment; or (3) under conditions that pose a material threat of a future release to the environment.

- ***Controlled Recognized Environmental Conditions (CRECs)***

  The term "Controlled Recognized Environmental Condition" is a recognized environmental condition resulting from a past release of hazardous substances or petroleum products that has been addressed to the satisfaction of the applicable regulatory authority (for example, as evidenced by the issuance of a no further action letter or equivalent, or meeting risk-based criteria established by regulatory authority), with hazardous substances or petroleum products allowed to remain in place subject to the implementation of required controls (for example, property use restrictions, activity and use limitations, institutional controls, or engineering controls).

- ***Historical Recognized Environmental Conditions (HRECs)***

  The term "Historical Recognized Environmental Condition" is a past release of any hazardous substances or petroleum products that has occurred in connection with the property and has been addressed to the satisfaction of the applicable regulatory authority or meeting unrestricted residential use criteria established by a regulatory authority, without subjecting the property to any required controls, such as property use restrictions or activity and use limitations (AULs, which include both institutional controls and engineering controls).

- ***Vapor Encroachment Conditions (VECs)***

  The term "Vapor Encroachment Condition" is a condition where the presence or likely presence of chemical of concern vapors in the subsurface of the target property caused by the release of vapors from contaminated soil and/or groundwater either on or near the target property.

- ***De Minimis Conditions***

  The term "De Minimis Condition" is a condition that generally does not present a threat to human health or the environment and that generally would not be the subject of an enforcement action if brought to the attention of appropriate governmental agencies.

- ***Data Gaps***

  The term "Data Gap" is a lack of or inability to obtain information required by this practice despite good faith efforts by the environmental professional to gather such information. Data gaps may result from incompleteness in any of the activities required by this practice, including, but not limited to site reconnaissance (for example, an inability to conduct the site visit), and interviews (for example, an inability to interview the key site manager, regulatory officials, etc.).

- ***Non-Scope Considerations***

  Consideration of business environmental risk issues some of which are identified in Section 13 and Appendix XI of ASTM E1527-14 (e.g., asbestos, ecological resources, mold, wetlands, regulatory compliance et. Al.).

Findings

The following environmental conditions were identified:

A. Recognized Environmental Conditions (RECs)

A large oil stain was observed in the parking lot on the Subject Property and is presumably from a vehicle that was previously parked at the stain location. The pavement is in poor condition with uneven areas and cracking. The large oil stain is a REC.

B. Controlled Recognized Environmental Conditions (CRECs)

No Controlled RECs were identified as a result of this assessment.

C. Historical Recognized Environmental Conditions (HRECs)

No Historic RECs were identified as a result of this assessment.

D. Vapor Encroachment Conditions (VECs)

The EDR Vapor Encroachment database identified numerous VECs (Vapor Encroachment Conditions) within 1/10 of a mile of the Subject Property that are related to one historic dry cleaner, two historic auto facilities, three USTs (underground storage tanks) with evidence of previous leaks, and two ASTs (above ground storage tanks) with evidence of previous leaks. Based on these findings, a possible VEC could not be ruled out. Details on the VECs can be found in **Appendix C**.

E. De Minimis Conditions

No De Minimis Conditions were identified as a result of this assessment.

F. Data Gaps

Equity did not identify any significant data gaps that would affect its ability to identify RECs associated with the Subject Property.

Conclusions

Equity's review of available information and observations of the Subject Property and surrounding properties indicates that no CRECs, HRECs, De Minimis conditions, or Data Gaps were identified as a result of this assessment. However, one REC was observed and VECs could not be ruled out.

PHASE I ENVIRONMENTAL SITE ASSESSMENT

I. INTRODUCTION

A. Purpose

Equity Environmental Engineering, LLC (Equity) was contracted by Northern Development Group, LLC to perform a Phase I Environmental Site Assessment of the referenced property in accordance with the American Society for Testing and Materials (ASTM) Standard E1527-13, "Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process. The ASTM Standard satisfies the requirements of the United States Environmental Protection Agency's (USEPA) All Appropriate Inquiry Standard, 40 CFR Part 312, which is required to qualify for certain landowner liability protections under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA). The ASTM Standard constitutes "all appropriate inquiry into previous ownership and uses of the property consistent with good commercial or customary practice". The investigation was conducted to identify Recognized Environmental Conditions (RECs), which are identified as the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: (1) due to any release to the environment; (2) under conditions indicative of a release to the environment; or (3) under conditions that pose a material threat of a future release to the environment. This report was also prepared using the policies and procedures contained in the Goldman Sachs Statement of Work (SOW) entitled, "Phase I Environmental Site Assessment Guidelines, updated September 10, 2015".

It is Equity's understanding that the proposed Project is part of a zoning map amendment to rezone the existing R5 and C2-2 zoning to a C4-4L zoning district with the rezoning area being mapped as a Mandatory Inclusionary Housing Area (MIH). In addition to the project sites, Lot 29 will also be included in the rezoning. The development that is proposed would be the demolition of the existing building and the construction of an 8-story, commercial retail and residential building totaling 110,778 gross square feet (GSF) and 85,100 zoning square feet (ZSF). The building would contain 100 dwelling units, 11,828 GSF of local retail uses, and 16,708 GSF of cellar level parking with 35 spaces.

B. Scope-of-Services

The Phase I consisted of the following components:

1. Review of environmental and historical records
2. Site reconnaissance
3. Interviews
4. Report preparation

The environmental assessment is non-invasive, and does not include any testing or sampling of materials, such as soil, water, air or building materials. The environmental assessment included a non-invasive (no sampling) evaluation of the potential for asbestos-containing materials, lead-based paint, and lead in drinking water.

C. Significant Assumptions, Limitations and Exceptions

Unless noted, Equity assumes that the information obtained through the records review, site inspection, and interviews is correct. Equity does not warrant the accuracy of this information, or warrant that any RECs that were not identified through the Phase I process do not exist on the property. RECs do not include De Minimis conditions that do not present a threat to human health or the environment, and that would not be subject to an enforcement action by government agencies.

D. Special Terms and Conditions

No Special Terms or Conditions apply to this project.

E. Reliance

This report is for the use and benefit of Northern Development Group, LLC and any of their respective affiliates, agents, and advisors.

II. SITE DESCRIPTION

A. Location and Description

The subject parcel is identified as 7120 New Utrecht Avenue Brooklyn, NY 11228. Title to the property is vested in 7120 New Utrecht LLC. The Subject Property is identified as Block 6180 / Lots 31, 33 on the New York City Tax Map. The Subject Property is located in the Community District 11 of Brooklyn, NY. A USGS Site Location Map and Site Boundary Map are included as **Figures 1** and **2**.

B. Site and Vicinity Characteristics

The Subject Property is located in a C2-2 and R-5 zoning district surrounded by mostly residential and commercial uses. A C2-2 zoning district is primarily residential with commercial uses on the street level. An R-5 zoning district allows single-family, two-family, and multi-family residential buildings. The Subject Property is located adjacent to the elevated D subway line.

C. Current Use of the Property

The Subject Property at the time of the site reconnaissance consists of a vacant building and lot paved for parking. The building, which was previously used as a bank, is one story with a basement and is approximately 64 years old.

D. Description of Structures, Improvements and Utilities

The existing building is masonry construction. Utilities at the property include the following:

1. Electricity

Electricity is provided by Consolidated Edison of New York (Con Edison). There are no emergency generators located on the subject property.

2. Water

Potable water is supplied by the City of New York. No groundwater drinking wells were reported or identified as a result of this assessment.

3. Sewers

Sanitary wastewater is discharged to the City of New York sewer system.

4. Heat

The building is heated by natural gas (boiler). The natural gas is provided by National Grid.

E. Current Uses of Adjoining Properties

The following land uses are present at properties adjoining the Subject Property:

- North – Mixed Residential/Commercial
- East – Residential
- South – Mixed Residential/Commercial
- West – Mixed Residential/Commercial

III. USER PROVIDED INFORMATION

The ASTM Standard defines the "User" as the person on whose behalf the Phase I is being conducted. The ASTM Standard requires the User to provide site information for the Phase I. Equity was not provided with the following information:

- Environmental liens (i.e., legal, deed notice) or Activity and Use Limitations (i.e., engineering controls, etc.) were identified.

- Specialized knowledge or commonly known information regarding current or historical hazardous material use on the subject property or adjoining properties, which would be considered a REC, were identified.

- Indications that the fair market value of the property was reduced due to environmental concerns.

IV. RECORDS REVIEW

A. Standard Environmental Record Sources

EDR of Shelton, Connecticut, was contracted by Equity to prepare an environmental database survey for the subject site and surrounding areas. A copy of the EDR report, which summarizes the environmental concerns presented by nearby sites, is attached as **Appendix C**. The listing of a site on any of these databases is, in itself, not indicative of an existing environmental concern. Distance, geology, and groundwater flow gradient are the factors that determine the importance of a listed site to the soil and groundwater quality on the subject property. Equity has relied on distance from the listed site and topographical gradient to judge whether that site has the potential to affect the subject property.

The Subject Property consists of two (2) Lots: 31 and 33. According to the EDR environmental database search, Lot 33 was listed under the EDR Hist Cleaner database, as there has historically been a dry cleaner located on this section of the Subject Property (listed in the EDR Radius Report from 1989 – 1996). The surrounding properties were identified in the federal and state databases within a one-mile wide search radius of the Subject Property and are identified as follows:

Database	Subject Property	0-1/8 Mile	1/8 – 1/4 Mile	1/4 – 1/2 Mile	1/2 – 1 Mile
RCRA-LQG	NR	3	NR	NR	NR
RCRA-SQG	NR	3	NR	NR	NR
NY LTANKS	NR	4	2	15	NR
NY UST	NR	4	1	NR	NR
NY AST	NR	7	15	NR	NR
NY TANKS	NR	1	NR	NR	NR
NY Spills	NR	5	NR	NR	NR
RCRA NonGen/NLR	NR	11	33	NR	NR
NY DRYCLEANERS	NR	NR	1	NR	NR
NY MANIFEST	NR	15	39	NR	NR
PA MANIFEST	NR	1	1	NR	NR
NJ MANIFEST	NR	3	8	NR	NR
EDR Hist Auto	NR	2	NR	NR	NR
EDR Hist Cleaner	1	NR	NR	NR	NR

Additional information regarding each of the individual properties identified in the databases listed above is provided in **Appendix C**.

B. Orphans Summary

The EDR Orphan Summary lists seven properties that were included in certain federal or state environmental databases but were reported by EDR to be unmapped due to insufficient address information. The listing of orphan sites within the database search was reviewed, cross referencing available address information with facility names. Upon review, it was determined that no orphan sites appear to be associated with the Subject Property or

adjoining properties. The orphan sites are not located on the Subject Property and are listed as follows:

1) Bay Ridge Station A
2) Bay Ridge Station B
3) South Shore Incinerator
4) Ralph Ave
5) Shore Parkway – Avenue Y and 71st St.
6) NYCT - New Utrecht & 65th St. Subway Station
7) Flatbush Station A

Additional information regarding the EDR Orphan Summary Report can be found in **Appendix C.**

C. City Environmental Quality Review "E" Designation

The "E" designations shown on the zoning maps function as indicators of the environmental review that must be conducted when the lots are developed in accordance with the regulations of the rezoned district. The City Planning Commission's rezoning actions, including environmental designations, were made effective upon the City Council's approval of the Zoning Map Amendment. Based upon a review of the NYCDEP "E" Designation database on October 27, 2021, the Subject Property was not identified with an "E" designation.

D. Physical Setting Source

The Subject Property is located in Brooklyn and surrounded by primarily mixed residential and commercial use. The ground surface at the site is predominantly level. Ground cover consists primarily of concrete sidewalk, the paved parking area, and the building. The Subject Property is accessed from the east via New Utrecht Street. Based on a review of the 2020 Brooklyn Topographical Bureau Borough Map for the area, groundwater is inferred to flow to the southwest.

Based on the soil survey maps published by the Soil Survey Geographic Database and information provided in the EDR Report, the soil component at the Subject Property includes Urban Land, which is variable in texture and does not qualify as hydric soil. Urban Land soils are those which have lost original characteristics due to human activity (construction, development, demolition, debris, etc.). Based on Soil Conservation Service STATSGO data, the following additional subordinate soil types may appear within the general area of the Subject Property: silt loam, loamy sand, sandy loam, and fine sandy loam. Due to the predominant soil component being Urban Land, the soil at the Subject Property is not well-drained.

The bedrock underlying the Subject Property is the Magothy Formation, Monmouth Group, and Matawan Group. The lithology of this stratigraphic unit majorly consists of clay, sand, and gravel, and minorly consists of silt. The geologic age identification of the bedrock at the Subject Property is of the Mesozoic Era, Late Cretaceous Period.

E. Historical Use Information on the Property

The historical sources reviewed indicate that the Subject Property was initially undeveloped prior to the construction of the buildings in the northern portion in 1929.

1. Sanborn Fire Insurance Maps

Equity reviewed twenty-seven (27) digital Sanborn Fire Insurance Maps from 1893 to 2007 provided by EDR, Inc. Copies are provided as **Appendix D**.

Year	Subject Property	Surrounding Area
1906	Undeveloped.	Primarily developed with residential units. A public school to the northwest.
1929	Northern portion of Subject Property is developed with commercial stores.	Elevated railroad and station platform constructed to the west. Additional residential and commercial development.
1950	Unchanged.	Paint and upholstery stores to the north, south, and southwest of the Subject Property. Clothing manufacturing to the northeast.
1968	A dry cleaner is housed in the northern portion of the Subject Property. Southern portion of Subject Property is developed with a building marked "Undertaker".	A filling station is constructed to the east of the Subject Property. A manufacturing building is located to the south of the Subject Property.
1969	Unchanged.	To the south of the Subject Property at the bottom of the provided Sanborn Map appears to be a filling station. This is about 500 feet from the Subject Property.
1977, 1980, 1981	Unchanged.	Parking lot constructed to the north of the Subject Property.
1983, 1986, 1987, 1989, 1990	The dry cleaner is removed from the Subject Property. This area is now a paved lot.	Unchanged.
1992, 1993, 1994, 1995, 1996	Building in the southern portion of the Subject Property is listed as a bank.	Unchanged.
2001, 2002, 2003, 2004, 2005, 2006, 2007	Unchanged.	Filling station to the east of the Subject Property is gone. A Verizon building constructed further east. Clothing manufacturing to the northeast is gone.

2. USGS Topographic Maps

Equity reviewed a total of twelve (12) historical Topographic Maps provided by EDR, Inc. from 1891 to 2014. Information derived from these maps is as follows:

Year	Subject Property
1891, 1897	Subject Property was not on map.
1898, 1900	The Subject Property is east of a railroad track which runs north to south. The Subject Property is located on a lot near several roads creating a grid pattern in the surrounding area.
1905, 1925	Subject Property was not on map.
1947	New buildings have been constructed to the north of the Subject Property. This map shows Washington Cemetery to the far east of the Subject Property and 16th Avenue to the southeast.
1955-1956	Multiple schools and two (2) places of worship are mapped in the surrounding area of the Subject Property. There are two (2) schools nearby to the west of the Subject Property and two (2) places of worship, with one being to the west and one to the north. Many of the main roads in the area have now been marked as secondary highways.
1966-1967, 1979-1981, 1995-1998	All previously marked secondary highways surrounding the Subject Property are now marked as primary highways.
2013-2014	The two (2) places of worship which were near the Subject Property are now removed from the map. A hospital is shown to the northeast of the Subject Property between 60th and 61st Street.

Hyphenated map years are indicative of combined topographic maps.

Copies of the Historical Topographic Maps are provided in **Appendix E**.

3. Historic Aerial Photographs

Equity reviewed a total of fifteen (15) historic Aerial Photographs spanning from 1924 to 2017. Any discernable information derived from these photographs is as follows:

Year	Subject Property
1924	The Subject Property is shown directly west of a railway running north to south. The northern area of the Subject Property is shown to be occupied by small buildings. This is consistent with the Sanborn and Topographic Maps. The area to the northeast of the Subject Property looks to be undeveloped, while the surrounding area is occupied by buildings and grid-formation streets.

Year	Subject Property
1940, 1951, 1954	The previously undeveloped area to the northeast of the Subject Property is now occupied by buildings and new streets joining the existing grid of roadways. A clearing which is assumed to be a park is shown in proximity of the Subject Property to the northeast.
1961, 1966, 1974, 1976, 1980, 1984, 1994	The southern section of the Subject Property includes a building. The lot across the street to the east of the Subject Property has several large structures and is assumed to be the filling station that was marked on the 1968 Sanborn Map.
1984, 1994	The buildings that were previously seen on northern portion of the Subject Property are now gone and replaced by a paved lot with parked cars.
2006, 2009, 2013, 2017	The structures to the east of the Subject Property that were part of the previous filling station have now been removed.

Copies of the historical Aerial Photographs are provided in **Appendix F**.

4. City Directory

Equity reviewed local city directory listings provided by EDR, Inc. for the Subject Property and adjacent properties from 1928 through 2017. The area is characterized by commercial and residential listings. The City Directory identified the following at the Subject Property:

7120 New Utrecht Avenue (Block 6180/Lot33)	7108 New Utrecht Avenue (Block 6180/Lot13)
• Capital One Bank • North Fork Bank • Amato & Marasco • Green Point Bank • Inconiglios Funeral Home	• Sabrett Factory Outlet • Ain't Just Franks Inc. • Pa Von Cleaners • Empire State Heating • GDB Plumbing & Heating Corp. • A & A Coffee Shop • La Marie Pastry Shop • Christ Jerry Restaurant • Angilous, Nicholas R. • John's Restaurant & Coffee Pot • Patti Salvatore Shoes • Diliberti Vincenza Mlnr Opr

City Directory listings for adjoining properties consisted mostly of names for residential buildings, as well as some commercial listings including a tailor shop, electric corporation, shoe repair, dry cleaner, trucking service and a deli.

The City Directory report is included as **Appendix G**.

5. Regulatory File Review

Equity reviewed title information for the Subject Property contained in New York City Zola database. Title to the property is vested in 7120 New Utrecht LLC. The Subject Property is identified as Block 6180/Lots 31, 33.

According to the New York City Department of Buildings (DOB) website, one complaint, twenty-three violations, eighteen jobs, and eleven actions have been identified at 7120 New Utrecht Avenue. The complaint is in relation to two illegal driveways. The violations are in relation to low boiler pressure and failure to file annual boiler reports. All violations have been dismissed. The jobs are in relation to boiler replacement, installation of business signs, erecting scaffolding during facade repair, combining lots, implementing a storm detention system, creating new parking spaces, installing new HVAC units, removal of walk-up teller window, plumbing repair, and sprinkler installation. The actions are in relation to construction of a new building, building notice, public assembly, building alterations, certification of occupancy, and electric sign installations.

Equity submitted a Freedom of Information Law (FOIL) request to the New York City Department of Environmental Protection (DEP) on October 28, 2021 and to New York State Department of Environmental Conservation (DEC) on October 29, 2021. Responses were unavailable prior to the completion of this report. In the event records of environmental concern are identified, this report will be amended and stakeholders will be notified.

Regulatory records are included in **Appendix H**.

6. Prior Environmental Assessments and Reports

Equity was not provided with any prior environmental assessments or reports.

F. Historical Use Information on Adjoining Properties

The following information summarizes the historical use of properties adjoining the Subject Property based on a review of the Sanborn Fire Insurance Maps and Historic Aerial Photographs.

- North – Mixed Residential/Commercial
- East – Mixed Residential/Commercial
- South – Mixed Residential/Commercial
- West – Residential

V. SITE RECONNAISSANCE

A. Methodology and Limiting Conditions

Mr. John Vrabel, Project Scientist, of Equity Environmental conducted the Phase I site inspection on October 28th, 2021. No limiting conditions such as weather or inaccessible areas were encountered during the completion of this assessment.

B. On-Site Operations/Manufacturing

There are currently no on-site operations or manufacturing at the Subject Property. The first floor of the building contains open space, a vault, and a storage room. A small water leak was identified in the ceiling. The basement contains a boiler room, sprinkler control room, janitor closet, bathrooms, and storage rooms. There is a handicap ramp to the entrance of the building. The pavement in the adjoining parking lot is in poor condition and shows cracking. In the lot, there are two jet skis, an RV, and multiple other vehicles that appear to have not moved for some time. Some of these vehicles are in severe disrepair. Photographs of the building's interior, exterior, and adjoining parking lot are provided in **Appendix B**.

C. Chemical and Petroleum Use and Storage (USTs, ASTs, and Containers)

Not USTs, ASTs, or Drums/Containers were observed on-site. Typical chemicals for general cleaning supplies were identified in the janitorial closet in the basement of the building on the Subject Property. No other chemicals were observed to be stored on-site.

D. Solid and Hazardous Waste

Solid waste generated on-site is disposed of via the New York City Department of Sanitation trash removal services.

E. Releases or Spills

A large oil stain was observed in the parking lot. This is presumably from a vehicle that was previously parked at the stain location. No other staining or spills were observed during the site reconnaissance.

F. Groundwater Wells

No potable, production, irrigation or monitoring wells were observed or determined through the assessment.

G. Surface Water, Stormwater Drainage and Wastewater Discharge

Two drains were observed on the roof of the building on the Subject Property. The parking lot on the Subject Property also has two large storm water drains. All drains are assumed to drain into the municipal sewer system.

H. Wetlands

Equity reviewed National Wetland Inventory maps included as a layer within the EDR Radius Map Report. No wetlands were identified within the subject property. The report is provided in **Appendix C**.

I. Polychlorinated Biphenyls (PCBs)

No equipment likely to contain PCBs were observed during the site reconnaissance.

J. Drains and Sumps

One floor drain was observed in the boiler room in the basement of the building. The handicap ramp to the entrance of the building also contains a drain. The final drain observed on the Subject Property was at the front of the basement door entrance to the building. All drains are assumed to discharge into the municipal sewer system.

K. Vapor Migration/Encroachment

The EDR Vapor Encroachment database identified numerous VECs (Vapor Encroachment Conditions) within 1/10 of a mile of the Subject Property that are related to one historic dry cleaner, two historic auto facilities, three USTs (underground storage tanks) with evidence of previous leaks, and two ASTs (above ground storage tanks) with evidence of previous leaks. Based on these findings, a possible VEC could not be ruled out. Details on the VECs can be found in **Appendix C**.

L. Other Environmental Considerations

Asbestos Containing Materials

The EPA banned several types of asbestos in the late 1970s, but its use continued in some building applications through the 1980s. No asbestos was observed to be present at the Subject Property.

Drinking Water

Potable water is supplied by the City of New York. A drinking water assessment was not performed as part of this study.

Lead-Based Paint

In 1978, EPA banned the manufacture and use of lead-based paint and lead-based paint products. A lead-based paint study was not performed as part of this study.

Mold

Minor mold was observed on a few of the walls in the basement of the building on the Subject Property. Mold was surrounding multiple ceiling vents throughout the basement.

M. Off-Site Concerns

There were no offsite concerns, other than the VECs identified in Section K.

VI. INTERVIEWS

No interviews were conducted as part of the Phase I of the Subject Property. Equity was not provided a site representative with knowledge of the Subject Property.

VII. RECOGNIZED ENVIRONMENTAL CONDITIONS (RECs)

Equity completed the Phase I of the subject property in accordance with the scope and limitations of ASTM Practice 1527-13. Any exceptions to, or deletions from, this practice are noted in appropriate sections of this report. RECs are defined as the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: (1) due to any release to the environment; (2) under conditions indicative of a release to the environment; or (3) under conditions that pose a material threat of a future release to the environment. Controlled Recognized Environmental Condition is a recognized environmental condition resulting from a past release of hazardous substances or petroleum products that has been addressed to the satisfaction of the applicable regulatory authority (for example, as evidenced by the issuance of a no further action letter or equivalent, or meeting risk-based criteria established by regulatory authority), with hazardous substances or petroleum products allowed to remain in place subject to the implementation of required controls (for example, property use restrictions, activity and use limitations, institutional controls, or engineering controls). Historical RECs are RECs previously remediated to current unrestricted residential use applicable regulatory standards. De Minimis conditions are those that do not present a threat to human health or the environment, and would not be the subject of an enforcement action by a government agency. Data Gaps are a lack of, or inability to obtain information required by the practice that affects the ability of the environmental professional to identify RECs despite good faith efforts to gather the information.

A. Recognized Environmental Conditions (RECs)

A large oil stain was observed in the parking lot on the Subject Property and is presumably from a vehicle that was previously parked at the stain location. The pavement is in poor condition with uneven areas and cracking. The large oil stain is a REC.

B. Controlled Recognized Environmental Conditions (CRECs)

No Controlled RECs were identified as a result of this assessment.

C. Historical Recognized Environmental Conditions (HRECs)

No Historic RECs were identified as a result of this assessment.

D. Vapor Encroachment Concerns (VECs)

The EDR Vapor Encroachment database identified numerous VECs (Vapor Encroachment Conditions) within 1/10 of a mile of the Subject Property that are related to one historic dry cleaner, two historic auto facilities, three USTs (underground storage tanks) with evidence of previous leaks, and two ASTs (above ground storage tanks) with evidence of previous leaks. Based on these findings, a possible VEC could not be ruled out. Details on the VECs can be found in **Appendix C**.

E. De Minimis Conditions

No De Minimis Conditions were identified as a result of this assessment.

F. Data Gaps

Equity did not identify any significant data gaps that would affect its ability to identify Recognized Environmental Concerns (RECs) associated with the Subject Property.

Conclusions

Equity's review of available information and observations of the Subject Property and surrounding properties indicates that no CRECs, HRECs, De Minimis conditions, or Data Gaps were identified as a result of this assessment. However, one REC was observed and VECs could not be ruled out.

VIII. DEVIATIONS

Equity did not deviate from the scope of service outlined in Section I of this report.

IX. REFERENCES

The following references were used in the preparation of this report:

1. EDR Environmental Databases
2. Sanborn Fire Insurance Maps
3. Historic Aerial Photographs
4. City Directory
5. Historical Topographic Maps
6. Rockd Geologic Database
7. New York City Department of Buildings Website
8. New York City Zola Database
9. 2020 Brooklyn Topographical Bureau Borough Map

X. SIGNATURE(S) OF ENVIRONMENTAL PROFESSIONALS

We declare that, to the best of our professional knowledge and belief, we meet the definition of Environmental Professional, as defined in the USEPA All Appropriate Inquiry Standard, 40 CFR, Part 312.10. We have the specific qualifications based on education, training, and experiences to assess a property of the nature, history, and setting of the subject property. We have developed and performed all appropriate inquiries in conformance with the standards and practices set forth in 40 CFR, Part 312.

Assessor :

John Vrabel
Project Scientist

Assessor :

Victoria Moore
Junior Environmental Scientist

Environmental Professional:

Robert Jackson
Managing Director

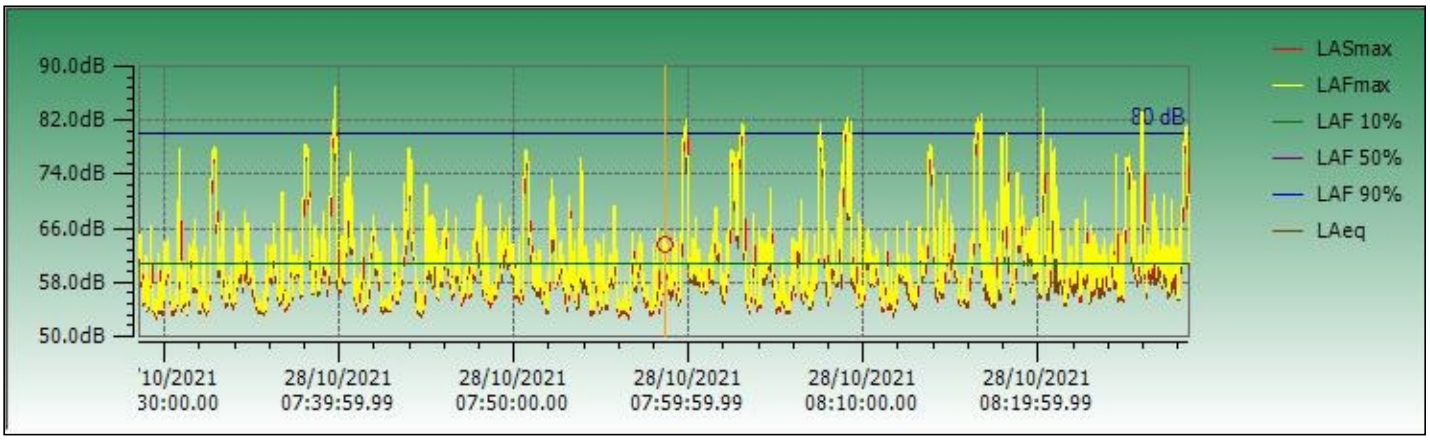
XI. QUALIFICATIONS OF ENVIRONMENTAL PROFESSIONALS

Qualifications of the Environmental Professionals are provided in **Appendix I**.

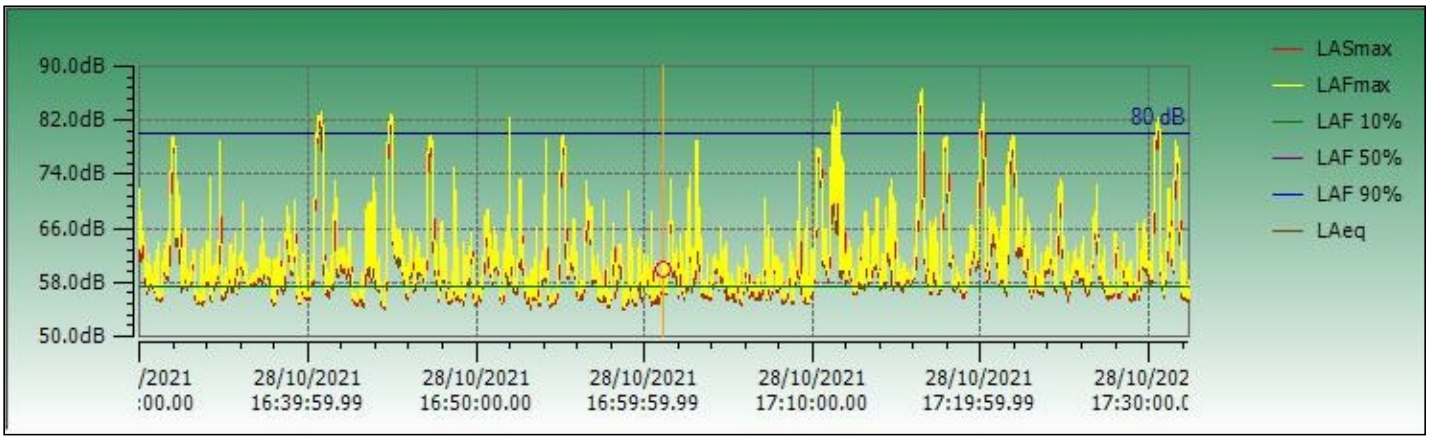
APPENDIX D

NOISE BACKUP

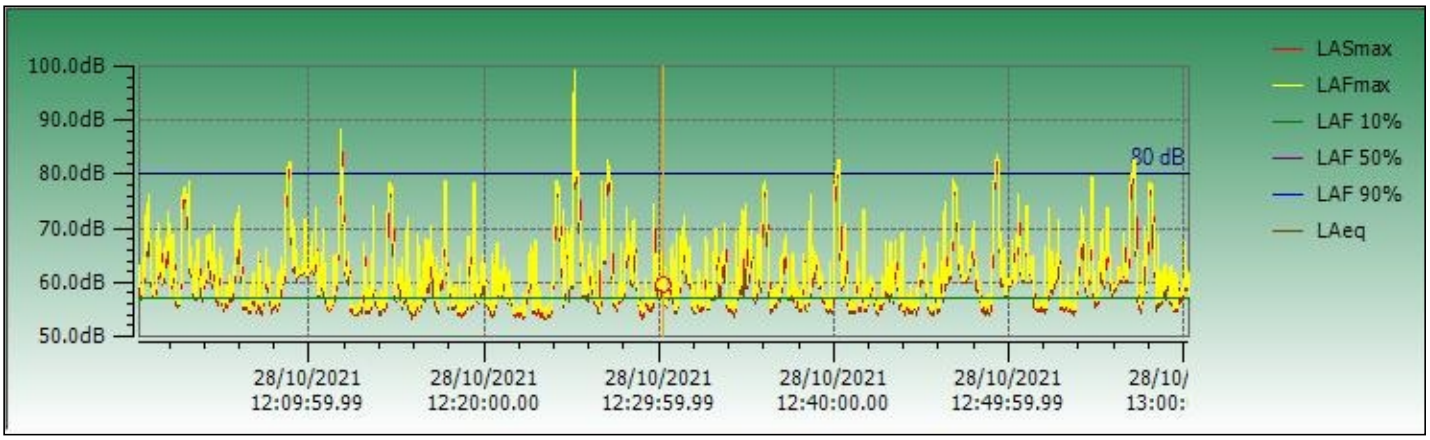
Instrument Model	**CEL-633C**			
Serial Number	2670911	LAS 10%	68 dB	Result
LASmax	83.4 dB	LAS 50%	59 dB	
LASmin	52.8 dB	LAS 90%	54.5 dB	
Start Date & Time	10/28/2021 7:28:33 AM	Calibration (Before) Date	10/28/2021 7:15:38 AM	
Duration	01:00:05 HH:MM:SS	Calibration (After) Date	10/28/2021 8:31:30 AM	
LAeq	67 dB	Calibration Drift	0.2 dB	
End Date & Time	10/28/2021 8:28:38 AM	Battery Low	No	
Notes				



Instrument Model	**CEL-633C**			
Serial Number	2670911	LAS 10%	67.5 dB	Result
LASmax	85.4 dB	LAS 50%	59 dB	
LASmin	53.9 dB	LAS 90%	56 dB	
Start Date & Time	10/28/2021 4:29:58 PM	Calibration (Before) Date	10/28/2021 4:25:29 PM	
Duration	01:02:25 HH:MM:SS	Calibration (After) Date	10/28/2021 5:34:34 PM	
LAeq	67.9 dB	Calibration Drift	0.0 dB	
End Date & Time	10/28/2021 5:32:23 PM	Battery Low	No	
Notes				



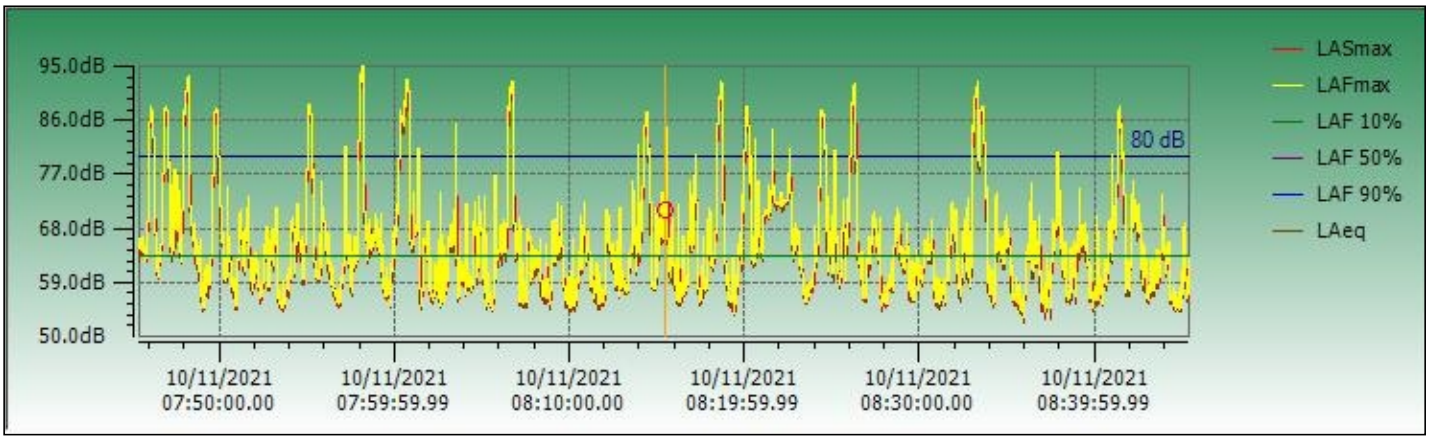
Instrument Model	**CEL-633C**			
Serial Number	2670911	LAS 10%	68.5 dB	Result
LASmax	96.4 dB	LAS 50%	59 dB	
LASmin	53.3 dB	LAS 90%	55 dB	
Start Date & Time	10/28/2021 12:00:17 PM	Calibration (Before) Date	10/28/2021 11:45:59 AM	
Duration	01:00:02 HH:MM:SS	Calibration (After) Date	10/28/2021 1:01:40 PM	
LAeq	68.8 dB	Calibration Drift	0.2 dB	
End Date & Time	10/28/2021 1:00:19 PM	Battery Low	No	
Notes				



Casella CEL Ltd.

Report On CEL-63X

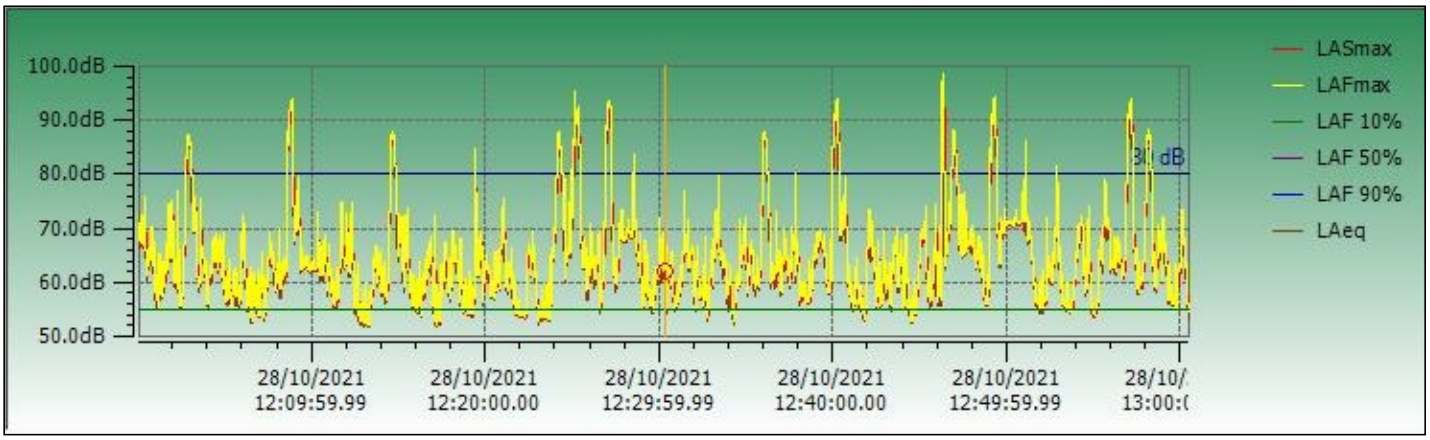
Instrument Model	**CEL-633C**			
Serial Number	1488256	LAS 10%	76.5 dB	Result
LASmax	93.6 dB	LAS 50%	63 dB	
LASmin	53 dB	LAS 90%	56 dB	
Start Date & Time	11/10/2021 7:45:26 AM	Calibration (Before) Date	11/10/2021 7:44:18 AM	
Duration	01:00:00 HH:MM:SS	Calibration (After) Date	11/10/2021 8:46:09 AM	
LAeq	76.7 dB	Calibration Drift	0.1 dB	
End Date & Time	11/10/2021 8:45:26 AM	Battery Low	No	
Notes				



Casella CEL Ltd.

Report On CEL-63X

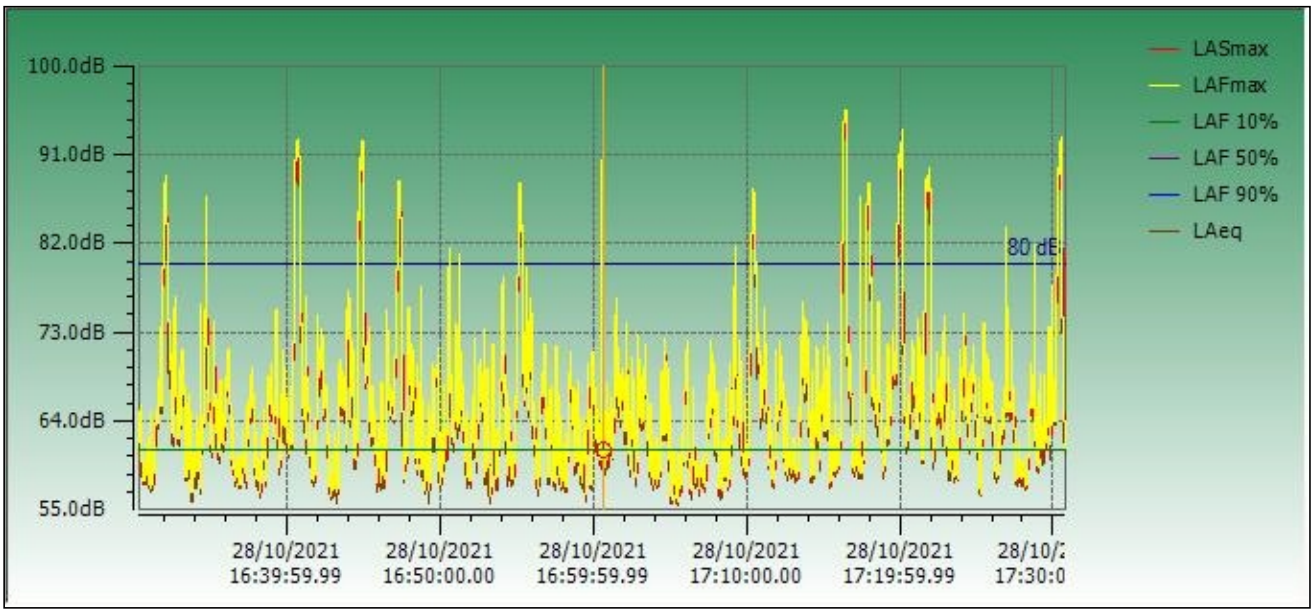
Instrument Model	**CEL-633C**				
Serial Number	4278006	LAS	10%	73 dB	Result
LASmax	94.8 dB	LAS	50%	62.5 dB	
LASmin	51.7 dB	LAS	90%	55.5 dB	
Start Date & Time	10/28/2021 12:00:06 PM	Calibration (Before) Date		10/28/2021 11:45:23 AM	
Duration	01:00:24 HH:MM:SS	Calibration (After) Date		10/28/2021 1:03:08 PM	
LAeq	76.4 dB	Calibration Drift		-0.2 dB	
End Date & Time	10/28/2021 1:00:30 PM	Battery Low		No	
Notes					



Casella CEL Ltd.

Report On CEL-63X

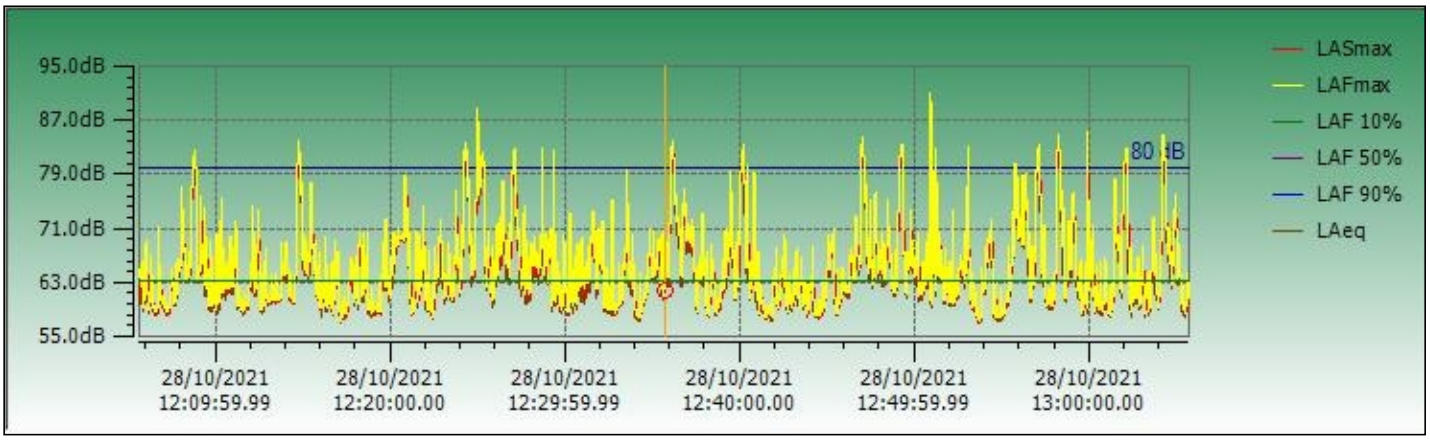
Instrument Model	**CEL-633C**		
Serial Number	4278006	LAS 10%	71.5 dB
LDN	0	LAS 50%	63 dB
LASmax	94.3 dB	LAS 90%	58 dB
LASmin	55.4 dB	Calibration (Before) Date	10/28/2021 4:25:57 PM
Start Date & Time	10/28/2021 4:30:20 PM	Calibration (After) Date	10/28/2021 5:33:09 PM
Duration	01:00:29 HH:MM:SS	Calibration Drift	0.2 dB
LAeq	75.8 dB	Battery Low	No
End Date & Time	10/28/2021 5:30:49 PM	Result	Cumulative
Notes			



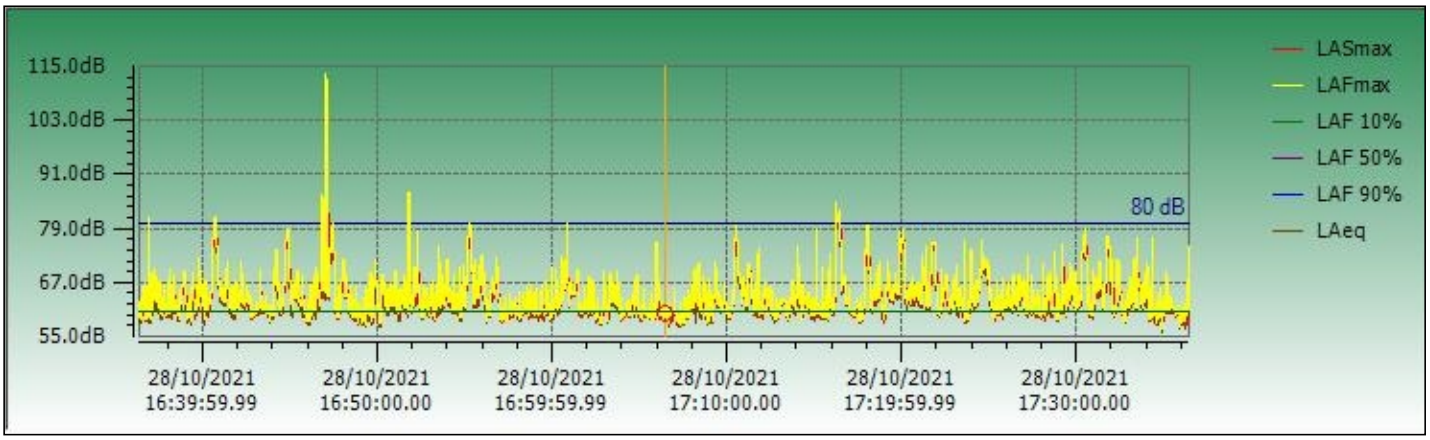
Casella CEL Ltd.

Report On CEL-63X

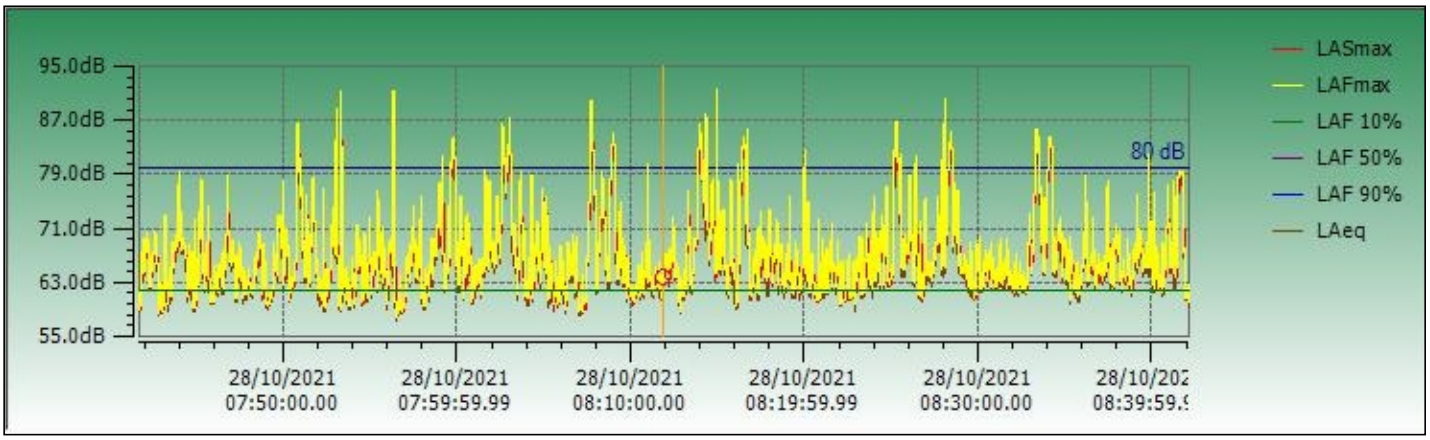
Instrument Model	**CEL-633C**			
Serial Number	1488256	LAS 10%	72.5 dB	Result
LASmax	85.3 dB	LAS 50%	63.5 dB	
LASmin	57 dB	LAS 90%	59 dB	
Start Date & Time	10/28/2021 12:05:39 PM	Calibration (Before) Date	10/28/2021 11:45:17 AM	
Duration	01:00:05 HH:MM:SS	Calibration (After) Date	10/28/2021 1:05:57 PM	
LAeq	69.8 dB	Calibration Drift	0.3 dB	
End Date & Time	10/28/2021 1:05:44 PM	Battery Low	No	
Notes				



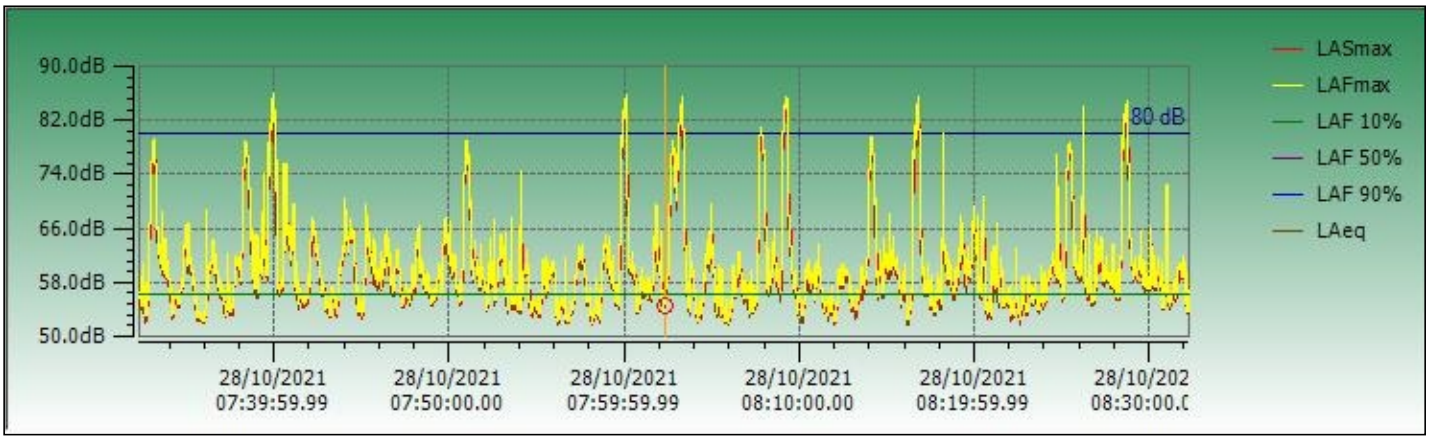
Instrument Model	**CEL-633C**			
Serial Number	1488256	LAS 10%	68 dB	Result
LASmax	107 dB	LAS 50%	62 dB	
LASmin	56.5 dB	LAS 90%	59 dB	
Start Date & Time	10/28/2021 4:36:22 PM	Calibration (Before) Date	10/28/2021 4:25:31 PM	
Duration	01:00:05 HH:MM:SS	Calibration (After) Date	10/28/2021 5:36:46 PM	
LAeq	74.7 dB	Calibration Drift	0.2 dB	
End Date & Time	10/28/2021 5:36:27 PM	Battery Low	No	
Notes				



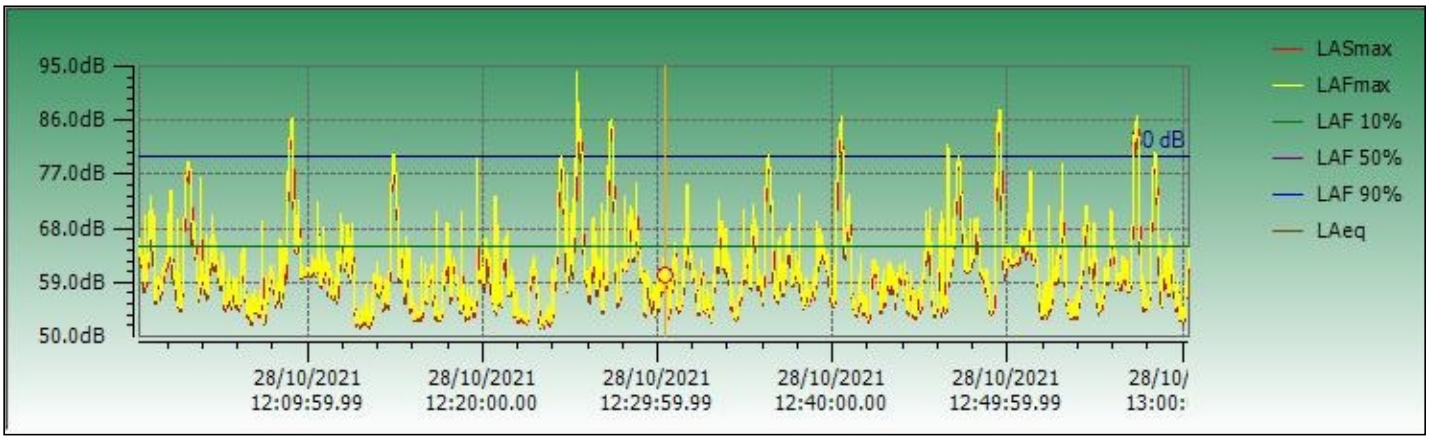
Instrument Model	CEL-633C			
Serial Number	1488256	LAS 10%	74 dB	Result
LASmax	88.5 dB	LAS 50%	65 dB	
LASmin	57.9 dB	LAS 90%	61 dB	
Start Date & Time	10/28/2021 7:41:42 AM	Calibration (Before) Date	10/28/2021 7:37:48 AM	
Duration	01:00:27 HH:MM:SS	Calibration (After) Date	10/28/2021 8:45:14 AM	
LAeq	71.6 dB	Calibration Drift	0.1 dB	
End Date & Time	10/28/2021 8:42:09 AM	Battery Low	No	
Notes				



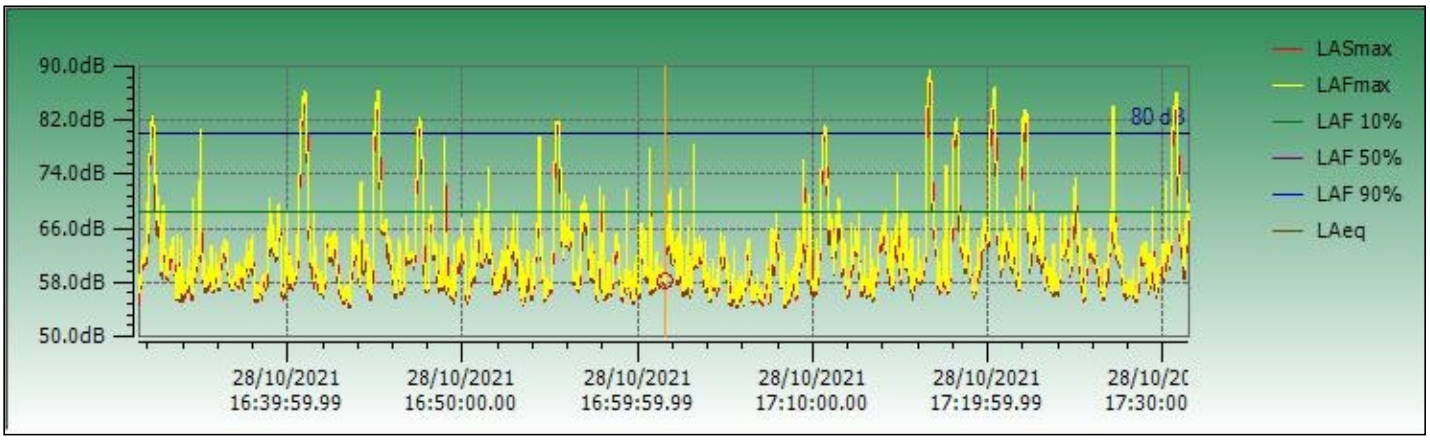
Instrument Model	**CEL-633C**			
Serial Number	1274486	LAS 10%	67 dB	Result
LASmax	84.5 dB	LAS 50%	58 dB	
LASmin	51.7 dB	LAS 90%	54 dB	
Start Date & Time	10/28/2021 7:32:18 AM	Calibration (Before) Date	10/28/2021 7:28:12 AM	
Duration	01:00:00 HH:MM:SS	Calibration (After) Date	10/28/2021 11:59:08 AM	
LAeq	68.3 dB	Calibration Drift	-0.0 dB	
End Date & Time	10/28/2021 8:32:18 AM	Battery Low	No	
Notes				



Instrument Model	**CEL-633C**			
Serial Number	1274486	LAS 10%	68.5 dB	Result
LASmax	91 dB	LAS 50%	59.5 dB	
LASmin	51.2 dB	LAS 90%	54 dB	
Start Date & Time	10/28/2021 12:00:23 PM	Calibration (Before) Date	10/28/2021 11:59:15 AM	
Duration	01:00:00 HH:MM:SS	Calibration (After) Date	10/28/2021 1:14:12 PM	
LAeq	69.5 dB	Calibration Drift	0.1 dB	
End Date & Time	10/28/2021 1:00:23 PM	Battery Low	No	
Notes				



Instrument Model	**CEL-633C**			
Serial Number	1274486	LAS 10%	68 dB	Result
LASmax	88.1 dB	LAS 50%	60 dB	
LASmin	54.1 dB	LAS 90%	56.5 dB	
Start Date & Time	10/28/2021 4:31:31 PM	Calibration (Before) Date	10/28/2021 4:31:27 PM	
Duration	01:00:00 HH:MM:SS	Calibration (After) Date	10/28/2021 5:41:25 PM	
LAeq	70.2 dB	Calibration Drift	0.0 dB	
End Date & Time	10/28/2021 5:31:31 PM	Battery Low	No	
Notes				



Certificate of Conformity and Calibration



Instrument Model:- CEL-633C

Serial Number	1274486
Firmware revision	V006-05
Microphone Type:-	CEL-251
Serial Number	4467
Preamplifier Type:-	CEL-495
Serial Number	003987
Instrument Class/Type:-	1

Applicable standards:-

IEC 61672: 2002 / EN 60651 (Electroacoustics - Sound Level Meters)
IEC 60651 1979 (Sound Level Meters), ANSI S1.4: 1983 (Specifications For Sound Level Meters)

Note:- The test sequences performed in this report are in accordance with the current Sound level meter *Standard - IEC61672. The combination of tests performed are considered to confirm the products electro-acoustic performance to all applicable standards including superceeded Sound Level Meter Standards - IEC60651 and IEC60804.*

Test Conditions:- 21 °C, 41 %RH, 1002 mBar

Test Engineer:- Paul Blackwell
Date of Issue:- July 28, 2021

Declaration of conformity:-

This test certificate confirms that the instrument specified above has been successfully tested to comply with the manufacturer's published specifications. Tests are performed using equipment traceable to national standards in accordance with Casella's ISO 9001:2015 quality procedures. This product is certified as being compliant to the requirements of the CE Directive.

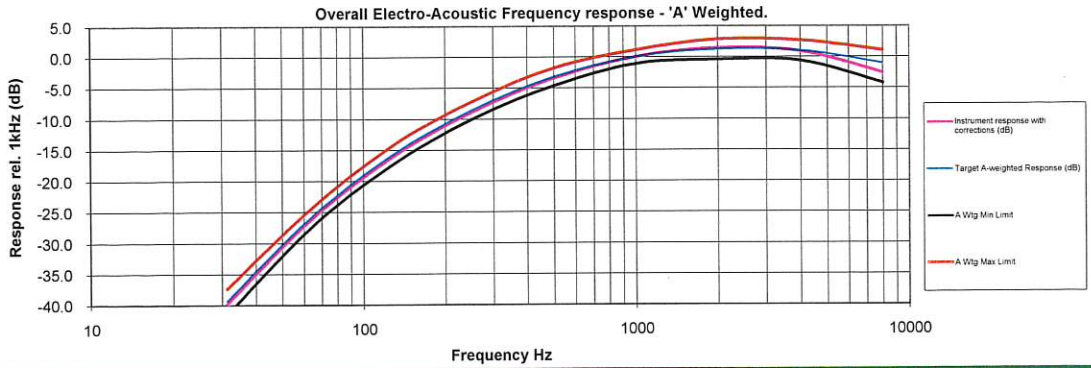
Test Summary:-

Self Generated Noise Test	**All Tests Pass**
Electrical Signal Test Of Frequency Weightings	**All Tests Pass**
Frequency & Time Weightings At 1 kHz	**All Tests Pass**
Level Linearity On The Reference Level Range	**All Tests Pass**
Toneburst Response Test	**All Tests Pass**
C-peak Sound Levels	**All Tests Pass**
Overload Indication	**All Tests Pass**
Acoustic Tests	**All Tests Pass**

Combined Electro-Acoustic Frequency Response - A Weighted

Combined Electro-Acoustic Frequency Response - A Weighted (IEC 61672-3:2006)

The following A-Weighted frequency response graph shows this instruments overall frequency response based upon the application of multi-frequency pressure field calibrations. The microphones Pressure to Free field correction coefficients are applied to pressure response. Reference level taken at 1kHz.



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Certificate of Conformity and Calibration



Instrument Model:-	**CEL-633C**		
Serial Number	1488256		
Firmware revision	V006-05		
Microphone Type:-	**CEL-251**	**Preamplifier Type:-**	**CEL-495**
Serial Number	3796	Serial Number	004208
Instrument Class/Type:-	1		

Applicable standards:-

IEC 61672: 2002 / EN 60651 (Electroacoustics - Sound Level Meters)
IEC 60651 1979 (Sound Level Meters), ANSI S1.4: 1983 (Specifications For Sound Level Meters)

Note:- The test sequences performed in this report are in accordance with the current Sound level meter *Standard - IEC61672. The combination of tests performed are considered to confirm the products electro-acoustic performance to all applicable standards including superceeded Sound Level Meter Standards - IEC60651 and IEC60804.*

Test Conditions:-	21 °C	**Test Engineer:-**	Paul Blackwell
	41 %RH	**Date of Issue:-**	July 28, 2021
	1002 mBar		

Declaration of conformity:-

This test certificate confirms that the instrument specified above has been successfully tested to comply with the manufacturer's published specifications. Tests are performed using equipment traceable to national standards in accordance with Casella's ISO 9001:2015 quality procedures. This product is certified as being compliant to the requirements of the CE Directive.

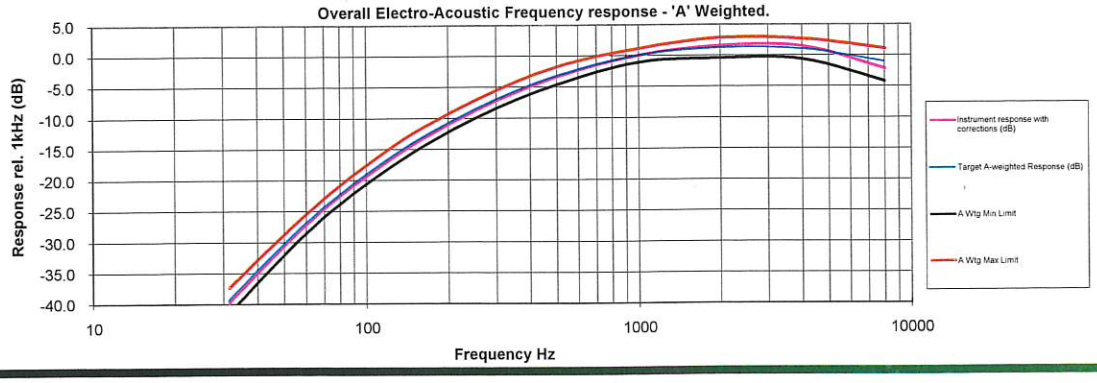
Test Summary:-

Self Generated Noise Test	**All Tests Pass**
Electrical Signal Test Of Frequency Weightings	**All Tests Pass**
Frequency & Time Weightings At 1 kHz	**All Tests Pass**
Level Linearity On The Reference Level Range	**All Tests Pass**
Toneburst Response Test	**All Tests Pass**
C-peak Sound Levels	**All Tests Pass**
Overload Indication	**All Tests Pass**
Acoustic Tests	**All Tests Pass**

Combined Electro-Acoustic Frequency Response - A Weighted

Combined Electro-Acoustic Frequency Response - A Weighted (IEC 61672-3:2006)

The following A-Weighted frequency response graph shows this instruments overall frequency response based upon the application of multi-frequency pressure field calibrations. The microphones Pressure to Free field correction coefficients are applied to pressure response. Reference level taken at 1kHz.



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Telephone: +86-21-31263188
Email: info@casellasolutions.cn

Certificate of Conformity and Calibration



Instrument Model:-	**CEL-633C**		
Serial Number	2670911		
Firmware revision	V006-05		
Microphone Type:-	CEL-251	Preamplifier Type:-	CEL-495
Serial Number	3679	Serial Number	004744
Instrument Class/Type:-	1		

Applicable standards:-

IEC 61672: 2002 / EN 60651 (Electroacoustics - Sound Level Meters)
IEC 60651 1979 (Sound Level Meters), ANSI S1.4: 1983 (Specifications For Sound Level Meters)

Note:- The test sequences performed in this report are in accordance with the current Sound level meter *Standard - IEC61672. The combination of tests performed are considered to confirm the products electro-acoustic performance to all applicable standards including superceeded Sound Level Meter Standards - IEC60651 and IEC60804.*

Test Conditions:-	21 °C	Test Engineer:-	Paul Blackwell
	41 %RH	Date of Issue:-	July 28, 2021
	1002 mBar		

Declaration of conformity:-

This test certificate confirms that the instrument specified above has been successfully tested to comply with the manufacturer's published specifications. Tests are performed using equipment traceable to national standards in accordance with Casella's ISO 9001:2015 quality procedures. This product is certified as being compliant to the requirements of the CE Directive.

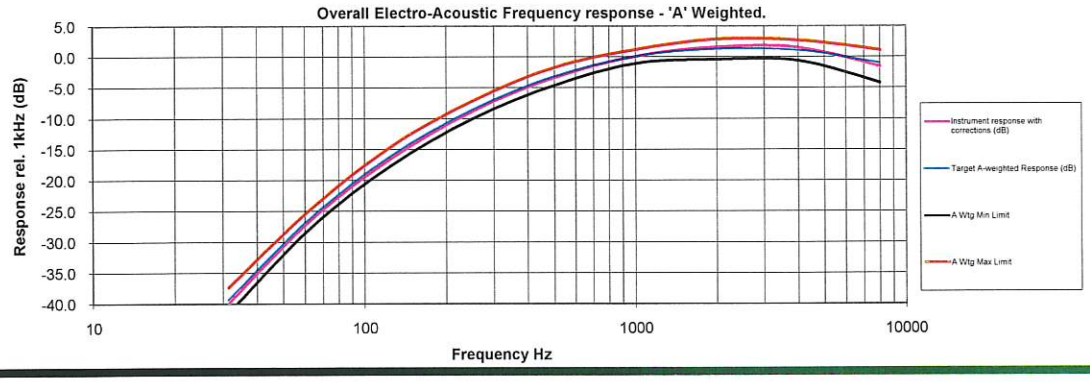
Test Summary:-

Self Generated Noise Test	**All Tests Pass**
Electrical Signal Test Of Frequency Weightings	**All Tests Pass**
Frequency & Time Weightings At 1 kHz	**All Tests Pass**
Level Linearity On The Reference Level Range	**All Tests Pass**
Toneburst Response Test	**All Tests Pass**
C-peak Sound Levels	**All Tests Pass**
Overload Indication	**All Tests Pass**
Acoustic Tests	**All Tests Pass**

Combined Electro-Acoustic Frequency Response - A Weighted

Combined Electro-Acoustic Frequency Response - A Weighted (IEC 61672-3:2006)

The following A-Weighted frequency response graph shows this instruments overall frequency response based upon the application of multi-frequency pressure field calibrations. The microphones Pressure to Free field correction coefficients are applied to pressure response. Reference level taken at 1kHz.



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Tested to CEL-63X test sheet TP444 revision 04-00

CASELLA

Certificate of Conformity and Calibration



Instrument Model:- CEL-633C

Serial Number	4278006
Firmware revision	V006-05
Microphone Type:-	CEL-251
Serial Number	4372
Preamplifier Type:-	CEL-495
Serial Number	005389
Instrument Class/Type:-	1

Applicable standards:-

IEC 61672: 2002 / EN 60651 (Electroacoustics - Sound Level Meters)
IEC 60651 1979 (Sound Level Meters), ANSI S1.4: 1983 (Specifications For Sound Level Meters)

Note:- The test sequences performed in this report are in accordance with the current Sound level meter *Standard - IEC61672. The combination of tests performed are considered to confirm the products electro-acoustic performance to all applicable standards including superceeded Sound Level Meter Standards - IEC60651 and IEC60804.*

Test Conditions:- 21 °C, 41 %RH, 1002 mBar

Test Engineer:- Paul Blackwell
Date of Issue:- July 28, 2021

Declaration of conformity:-

This test certificate confirms that the instrument specified above has been successfully tested to comply with the manufacturer's published specifications. Tests are performed using equipment traceable to national standards in accordance with Casella's ISO 9001:2015 quality procedures. This product is certified as being compliant to the requirements of the CE Directive.

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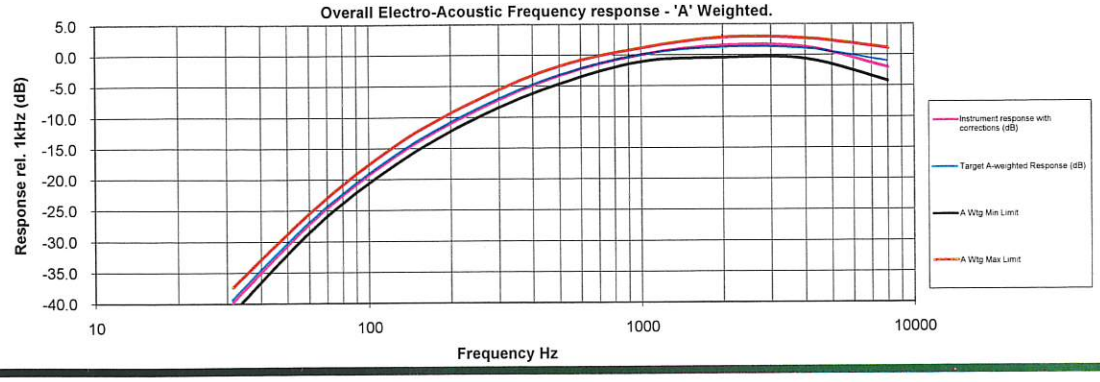

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Noise Job Field Sheet

Name of Project: 7120 New Utrecht 2021053

Project Address: 7120 New Utrecht Avenue Brooklyn, New York

Date(s) of Field Work: 11/10/21

Personnel: Christian DiGennaro

Project Specific Scope of Work:

1 x 1 Hour Locations AM Only LOCATION 2

Maximum Billable Hours for the Day: 15

I. Start of Noise Monitoring Day

Departure Time: 5:20 Arrival Time: 7:00

Weather Conditions (temp, wind speed, precipitation): 50s, Sunny

Meter Type: CASELLA Meter Serial #: 1438256 Meter Location: 2
Meter Type: _____ Meter Serial #: _____ Meter Location: _____
Meter Type: _____ Meter Serial #: _____ Meter Location: _____
*If more locations are needed for a project use a second Field Sheet

Calibrator Serial #: 2045304 Meters used on: 1438256
Calibrator Serial #: _____ Meters used on: _____
Calibrator Serial #: _____ Meters used on: _____
Were Photos Taken of Each Location? Y / N *Discuss specific photo instructions w/ Project Manager

**On a separate sheet of paper (field book) make a sketch of the noise meter locations and the distances to nearest wall, fence, building, or other solid surfaces.*

II. Morning Session 7:30 AM – 9:00 AM

Before Measurement:

Meter Serial #: 1488256 Time: 7:44 Calibration Passed at 114 dB? Y / N
Meter Serial #: _____ Time: _____ Calibration Passed at 114 dB? Y / N
Meter Serial #: _____ Time: _____ Calibration Passed at 114 dB? Y / N
Meter Serial #: _____ Time: _____ Calibration Passed at 114 dB? Y / N

After Measurement:

Meter Serial #: 1488256 Time: 8:46 Calibration Passed at 114 dB? Y / N
Meter Serial #: _____ Time: _____ Calibration Passed at 114 dB? Y / N
Meter Serial #: _____ Time: _____ Calibration Passed at 114 dB? Y / N
Meter Serial #: _____ Time: _____ Calibration Passed at 114 dB? Y / N

*If more locations are needed for a project use a second Field Sheet

Location #	Start Time	End Time
2	7:45	8:45

*If more locations are needed for a project use a second Field Sheet

Location #	Car	SUV	Medium Truck	Heavy Truck	Bus	Train
2	99	385	11	4	6	19

*If more locations are needed for a project use a second Field Sheet

Noise Source: please note any loud noises here and time (sirens, garbage truck, etc):
Car honks at 8:14 ; medium truck stops in front of meter at 8:22

Please place noise meters in their respective cases between sessions to avoid damage.

500 International Drive, Suite 150, Mount Olive, NJ 07828
973-527-7451(v) 973-858-0280(f)
www.equityenvironmental.com

V. End of Noise Monitoring Day

- Please return all noise meters to their cases.
- Do not return dead batteries to the cases, throw them out.
- Did you take photos? Y / N
- Did you complete the site sketch? Y / N
- If a meter(s) was rented, please scan in calibration documents.

Anything of note/concern for the day: _____

_____

_____

Departure Time: 9:55 Arrival Time: 10:10

Total Time to Be Billed: 5.5

Noise Job Field Sheet

Name of Project: 7120 New Utrecht 2021053

Project Address: 7120 New Utrecht Avenue Brooklyn, New York

Date(s) of Field Work: 10-28/2021

Personnel: John Vrabel, Joshua Koh, Maxim Gladkiy

Project Specific Scope of Work:

3 x 1 Hour Locations AM, Midday, PM
1 x 1-Hour Rooftop Location AM, Midday, PM
Phase I
Site Contact – Manny Reiner 718-813-4840 1823 62nd. st. (key pickup)
Air Toxics
Site Photos

I. Start of Noise Monitoring Day

Departure Time: 5:15 Arrival Time: 7:00

Weather Conditions (temp, wind speed, precipitation): 50's - 60's, Sunny, low wind

Meter Type: Casella Meter Serial #: 127436 Meter Location: 2A
Meter Type: Casella Meter Serial #: 267911 Meter Location: 1
Meter Type: Casella Meter Serial #: 4278006 Meter Location: 2
Meter Type: Casella Meter Serial #: 1488256 Meter Location: 3
*If more locations are needed for a project use a second Field Sheet

Calibrator Serial #: 2338385 Meters used on: 267911
Calibrator Serial #: 3574248 Meters used on: 4278006
Calibrator Serial #: 1049141 Meters used on: 127436 +
Were Photos Taken of Each Location? Y / N *Discuss specific photo instructions w/ Project Manager

**On a separate sheet of paper (field book) make a sketch of the noise meter locations and the distances to nearest wall, fence, building, or other solid surfaces.*

II. Morning Session 7:30 AM – 9:00 AM

Before Measurement:

Meter Serial #: 4278096 Time: 7:16 Calibration Passed at 114 dB? Y / N
Meter Serial #: 2678011 Time: 7:16 Calibration Passed at 114 dB? Y / N
Meter Serial #: 1274486 Time: 7:27 Calibration Passed at 114 dB? Y / N
Meter Serial #: 1488256 Time: 7:37 Calibration Passed at 114 dB? Y / N

After Measurement:

Meter Serial #: 4278096 Time: 8:35 Calibration Passed at 114 dB? Y / N
Meter Serial #: 2678011 Time: 8:35 Calibration Passed at 114 dB? Y / N
Meter Serial #: 1274486 Time: 11:58 Calibration Passed at 114 dB? Y / N
Meter Serial #: 1488256 Time: 8:45 Calibration Passed at 114 dB? Y / N

*If more locations are needed for a project use a second Field Sheet

Location #	Start Time	End Time
1	7:30	8:30
2	7:30	8:30
3	7:42	8:42
2A	7:32	8:32

*If more locations are needed for a project use a second Field Sheet

Location #	Car	SUV	Medium Truck	Heavy Truck	Bus	Train	motorcycle
1	38	38	8	1	1	17	0
#3	35	67	0	1	1	17	2
#2	355	140	12	5	7	17	1

*If more locations are needed for a project use a second Field Sheet

Noise Source: please note any loud noises here and time (sirens, garbage truck, etc):
7:56 siri talks into meter at location #3
8:28

Please place noise meters in their respective cases between sessions to avoid damage.

III. Midday Session 12:00 PM – 1:30 PM

Before Measurement:

Meter Serial #: 4278006 Time: 11:45 Calibration Passed at 114 dB? Y / N
Meter Serial #: 2678011 Time: 11:45 Calibration Passed at 114 dB? Y / N
Meter Serial #: 1274486 Time: 11:58 Calibration Passed at 114 dB? Y / N
Meter Serial #: 1438256 Time: 11:44 Calibration Passed at 114 dB? Y / N

After Measurement:

Meter Serial #: 4278006 Time: 13:03 Calibration Passed at 114 dB? Y / N
Meter Serial #: 2678011 Time: 13:09 Calibration Passed at 114 dB? Y / N
Meter Serial #: 1274486 Time: Calibration Passed at 114 dB? Y / N
Meter Serial #: 1438256 Time: 13:05 Calibration Passed at 114 dB? Y / N

*If more locations are needed for a project use a second Field Sheet

Location #	Start Time	End Time
1	12:00	12:00
2	12:00	13:00
3	12:05	13:05
2A	12:00	13:00

*If more locations are needed for a project use a second Field Sheet

Location #	Car	SUV	Medium Truck	Heavy Truck	Bus	Train
1	27	54	4	1	0	14
3	22	43	2	0	0	14
2	182	226	11	11	0	14

*If more locations are needed for a project use a second Field Sheet

Noise Source: please note any loud noises here and time (sirens, garbage truck, etc):

12:25 - train horn

12:37 - car blowing music @ Loc. 3

Please place noise meters in their respective cases between sessions to avoid damage.

IV. Evening Session 4:30 PM – 6:00 PM

Before Measurement:

Meter Serial #: 4278006 Time: 16:25 Calibration Passed at 114 dB? (Y) / N
Meter Serial #: 267804 Time: 16:25 Calibration Passed at 114 dB? (Y) / N
Meter Serial #: 1274486 Time: 16:30 Calibration Passed at 114 dB? (Y) / N
Meter Serial #: 1488256 Time: 16:25 Calibration Passed at 114 dB? (Y) / N

After Measurement:

Meter Serial #: 4278006 Time: 17:30 Calibration Passed at 114 dB? (Y) / N
Meter Serial #: 2678011 Time: 17:30 Calibration Passed at 114 dB? (Y) / N
Meter Serial #: 1274486 Time: 17:36 Calibration Passed at 114 dB? (Y) / N
Meter Serial #: 1488256 Time: 17:30 Calibration Passed at 114 dB? (Y) / N

*If more locations are needed for a project use a second Field Sheet

Location #	Start Time	End Time
1	16:30	17:30
2	16:30	17:30
3	16:36	17:36
QA	16:30	17:30

*If more locations are needed for a project use a second Field Sheet

Location #	Car	SUV	Medium Truck	Heavy Truck	Bus	Train
1	52	51	5	0	0	1
2	188	276	5	6	2	1
3	40	45	1	0	0	1

*If more locations are needed for a project use a second Field Sheet

Noise Source: please note any loud noises here and time (sirens, garbage truck, etc):
@ 16:42 kids yell into mete @ loc. 3

Please place noise meters in their respective cases between sessions to avoid damage.

V. End of Noise Monitoring Day

- Please return all noise meters to their cases.
- Do not return dead batteries to the cases, throw them out.
- Did you take photos? (Y) / N
- Did you complete the site sketch? Y / N
- If a meter(s) was rented, please scan in calibration documents.

Anything of note/concern for the day: _____

_____

_____

Departure Time: 18:00 Arrival Time: 20:00

Total Time to Be Billed: 15