equity environmental engineering
A Division of GZA

41 RICHARDS STREET REZONING

Environmental Assessment Statement (EAS) and Supplemental Studies to the EAS

CEQR No: 20DCP081K

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

Prepared for:
54 Richards Street LLC

Prepared by:
Equity Environmental Engineering
A Division of GZA

55 Lane Road
Fairfield NJ, 07004

Location:
Block 512, Lots 13, 20, 22, and 25 (p/o)
Brooklyn, New York 11238
Community District 6

Date Submitted:
October 25, 2023

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EAS FULL FORM

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

Please fill out and submit to the appropriate agency (see instructions)

Part I: GENERAL INFORMATION

PROJECT NAME 41 Richards Street Rezoning

1. *Reference Numbers*

CEQR REFERENCE NUMBER (to be assigned by lead agency)	BSA REFERENCE NUMBER (if applicable)
20DCP081K	
ULURP REFERENCE NUMBER (if applicable)	OTHER REFERENCE NUMBER(S) (if applicable) (*e.g.*, legislative intro, CAPA)
230051ZMK	

2a. *Lead Agency Information*			**2b. *Applicant Information***		
NAME OF LEAD AGENCY Environmental Assessment Review Division - Department of City Planning			NAME OF APPLICANT 54 Richards Street LLC		
NAME OF LEAD AGENCY CONTACT PERSON Stephanie Shellooe, Director			NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON Kevin Williams, AICP, PP		
ADDRESS 120 Broadway, 31st Fl			ADDRESS 55 Lane Road		
CITY New York	STATE NY	ZIP 10271	CITY Fairfield	STATE NJ	ZIP 07004
TELEPHONE 212-720-3328	EMAIL sshellooe@planning.nyc.gov		TELEPHONE 973-527-7451 (301)	EMAIL kevin.williams@gza.com	

3. *Action Classification and Type*

SEQRA Classification

☐ UNLISTED ☒ TYPE I: Specify Category (see 6 NYCRR 617.4 and NYC Executive Order 91 of 1977, as amended):

Action Type (refer to CEQR Technical Manual Chapter 2, "Establishing the Analysis Framework" for guidance)

☒ LOCALIZED ACTION, SITE SPECIFIC ☐ LOCALIZED ACTION, SMALL AREA ☐ GENERIC ACTION

4. *Project Description*

The "Applicant", 54 Richards Street, LLC, seeks a Zoning Map Amendment from M1-1 to M1-5 that would affect a portion of Block 512 in the Red Hook neighborhood of Brooklyn Community District 6. The "Affected Area" or "Rezoning Area" consists of four lots on the western end of Block 512, fronting Richards Street. The depth of the rezoning boundary would be 125 feet from Richards Street, with Lots 13, 20, and 22 fully within the proposed M1-5 district, and would include an approximately 2,800 sf portion of Lot 25. Lots 13 and 20 are both applicant-controlled. The Zoning Map Amendment constitutes the "Proposed Action."

The Proposed Action is sought in order to facilitate the development of one mixed-use building ("Projected Development Site 1") on Block 512, Lots 13 and 20. The building would be a 7-story plus cellar, 113,557 Gross Square Feet (GSF) (82,266 ZSF, 4.99 FAR) building with 41 parking spaces. The building would include 22,017 GSF of parking and two loading docks at cellar level and on the first floor, 2,730 GSF of cellar level local retail (Ground Floor is below the Base Flood Elevation and flood proofed commercial floor area is exempt from ZFA), 66,319 ZSF, 4.02 FAR of manufacturing space between the cellar and 7th floors, and 15,947 ZSF, 0.97 FAR of office space on floors 2 through 7.

For the purposes of a conservative environmental assessment, a reasonable worst case was developed to analyze the potential impact of the Proposed Action that assumes a 6.5 FAR building with 1.51 FAR of additional community facility use allowed under an M1-5. This scenario is as follows; Projected Development Site 1 (Block 512, Lots 13 and 20; Applicant Owned): 37 and 41 Richards Street would combine to form a 16,500 SF lot that would be developed with a 9-story, 120-foot-tall (135 feet top of bulkhead) 137,112 GSF (107,181 ZSF, 6.5 FAR) building comprised of 19,170 GSF (15,947 ZSF, 0.97 FAR) of commercial space, 70,013 GSF (66,319 ZSF, 4.02 FAR) of manufacturing space, and 25,912 GSF (24,915 ZSF, 1.51 FAR) of community facility space. There would be a 22,017 GSF parking garage between the cellar and first floors with 41 parking spaces, and two separate 4,000 GSF loading berths at the cellar level and on the first floor. Of the 19,170 GSF of commercial space, 2,730 GSF would be UG 6 locally serving retail space located at cellar level, and 16,440 GSF would be office space. The 70,013 GSF of manufacturing space would be light manufacturing, which mirrors the Applicant's proposal to provide "boutique manufacturing" (custom woodworking, ceramic products, clothing). Of

the 25,912 gsf community facility space, 12,956 sf would be general community facility, while 12,956 sf would be medical office.

Project Location

BOROUGH Brooklyn	COMMUNITY DISTRICT(S) 6	STREET ADDRESS 37 and 41 Richards Street
TAX BLOCK(S) AND LOT(S) Block 512, Lots 13, 20, 22 and p/o 25		ZIP CODE 11231

DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS The Affected Area consists of four lots on the western end of Block 512, fronting Richards Street. The depth of the rezoning boundary will be 125 feet from Richards Street, with Lots 13, 20, and 22 fully within the proposed M1-5 district, and will include an approximately 25 feet by 100 feet portion of Lot 25.

Lots 13 and 20 are both applicant-controlled. Lot 13 (41 Richards Street) is a 12,500-sf lot that is improved with a .43 FAR warehouse with an operating auto dealer, and Lot 20 (37 Richards Street) is a 4,000-sf lot with a 1.00 manufacturing building, currently operating as a wholesale bakery.

The non-applicant lots within the Affected Area are Lot 22 (29 Richards Street), which is improved with a 2-story, 1.19 FAR firehouse built in 1958 and is owned by the New York City Fire Department on a 6,000-sf lot; and an approximately 2,800 sf portion of Lot 25, which is a 22,534-sf lot that is improved with a 1.32 FAR hotel that was constructed in 2009.

EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY M1-1	ZONING SECTIONAL MAP NUMBER 33c

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

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

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

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

SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION ZR 42-00

Board of Standards and Appeals: ☐ YES ☒ NO

☐ VARIANCE (use)

☐ VARIANCE (bulk)

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

SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

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

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

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

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

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

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

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

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

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

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

Physical Setting (both developed and undeveloped areas)

Total directly affected area (sq. ft.): 25,300 Waterbody area (sq. ft.) and type:

Roads, buildings, and other paved surfaces (sq. ft.): | Other, describe (sq. ft.):

7. *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): 137,112

NUMBER OF BUILDINGS: 1 | GROSS FLOOR AREA OF EACH BUILDING (sq. ft.): 137,112

HEIGHT OF EACH BUILDING (ft.): 120 | 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: 16,500

The total square feet not owned or controlled by the applicant: 8,800

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 disturbance (if known):

AREA OF TEMPORARY DISTURBANCE: 16,500 sq. ft. (width x length) | VOLUME OF DISTURBANCE: 165,000 cubic ft. (width x length x depth)

AREA OF PERMANENT DISTURBANCE: 16,500 sq. ft. (width x length)

8. *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

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

BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE: Demolition 2 months, Foundations 3 months, Superstructure and envelope 10 months, interior finishes 3 months

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

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

DESCRIPTION OF EXISTING AND PROPOSED CONDITIONS

The information requested in this table applies to the directly affected area. The directly affected area consists of the project site and the area subject to any change in regulatory control. The increment is the difference between the No-Action and the With-Action conditions.

	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				
No. of dwelling units				
No. of low- to moderate-income units				
Gross floor area (sq. ft.)				
Commercial	☐ YES ☒ NO	☐ YES ☒ NO	☒ YES ☐ NO	
If "yes," specify the following:				
Describe type (retail, office, other)			Cellar level retail, upper floors office	
Gross floor area (sq. ft.)			19,170 (2,730 retail; 16,440 office)	19,170
Manufacturing/Industrial	☒ YES ☐ NO	☒ YES ☐ NO	☒ YES ☐ NO	
If "yes," specify the following:				
Type of use	Auto dealer; wholesale bakery	Auto dealer; wholesale bakery	Light boutique (local artisan, crafts, etc.)	
Gross floor area (sq. ft.)	9,351	9,351	70,013	60,662
Open storage area (sq. ft.)				
If any unenclosed activities, specify:				
Community Facility	☐ YES ☒ NO	☐ YES ☒ NO	☒ YES ☐ NO	
If "yes," specify the following:				
Type			50% Gen Comm Facility/ 50% Med Office	
Gross floor area (sq. ft.)			25,912	25,912
Vacant Land	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," describe:				
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):				
Other Land Uses	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," describe:				
PARKING				
Garages	☐ YES ☒ NO	☐ YES ☒ NO	☒ YES ☐ NO	
If "yes," specify the following:				
No. of public spaces			41	41
No. of accessory spaces			0	0
Operating hours			24 hours	
Attended or non-attended			non-attended	
Lots	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify the following:				
No. of public spaces				
No. of accessory spaces				
Operating hours				
Other (includes street parking)	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," describe:				
POPULATION				

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
Residents	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify number:				
Briefly explain how the number of residents was calculated:				
Businesses	☒ YES ☐ NO	☒ YES ☐ NO	☒ YES ☐ NO	
If "yes," specify the following:				
No. and type	2 total 1 automobile dealer; 1 wholesale bakery	2 total 1 automobile dealer; 1 wholesale bakery	15 total 1 local retail; 4 offices; 7 shared manufacturing spaces, 1 General Commuity Facility Space, 2 Medical Offices	
No. and type of workers by business	9	9	144 Total (8 employees for local retail, 66 employees for office, 70 employees for light manufacturing, 50 general community facility, 42 Med office)	135
No. and type of non-residents who are not workers				
Briefly explain how the number of businesses was calculated:	Employees: 3 employees per 1,000 SF for local retail; 1 employee per 250 SF for commercial office/ Gen Community Facility, 3 employees per 1,000 SF community facility med office, 1 employee per 1,000 SF manufacturing space.			
Other (students, visitors, concert-goers, *etc.*)	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If any, specify type and number:				
Briefly explain how the number was calculated:				
ZONING				
Zoning classification	M1-1	M1-1	M1-5	
Maximum amount of floor area that can be developed	1.00 - Light Manufacturing and Commercial 2.40 - Community Facility	1.00 - Light Manufacturing and Commercial 2.40 - Community Facility	5.00 - Light Manufacturing and Commercial 6.50 - Community Facility	
Predominant land use and zoning classifications within land use study area(s) or a 400 ft. radius of proposed project	R6, R5, M1-1, Park Industrial, Manufacturing, vacant, commercial, multifamily residential, open space	R6, R5, M1-1, Park Industrial, Manufacturing, vacant, commercial, multifamily residential, open space	R6, R5, M1-1, M1-5, Park Industrial, Manufacturing, vacant, commercial, multifamily residential, open space	
Attach any additional information that may be needed to describe the project. If your project involves changes that affect one or more sites not associated with a specific development, it is generally appropriate to include total development projections in the above table and attach separate tables outlining the reasonable development scenarios for each site.				

Part 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 Full 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. Attached		
(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. Attached		
2. *SOCIOECONOMIC CONDITIONS*: CEQR Technical Manual Chapter 5		
(a) Would the proposed project:		
○ Generate a net increase of more than 200 residential units *or* 200,000 square feet of commercial space?	☐	☒
▪ If "yes," answer *both* questions 2(b)(ii) and 2(b)(iv) below.		
○ Directly displace 500 or more residents?	☐	☒
▪ If "yes," answer questions 2(b)(i), 2(b)(ii), and 2(b)(iv) below.		
○ Directly displace more than 100 employees?	☐	☒
▪ If "yes," answer questions under 2(b)(iii) and 2(b)(iv) below.		
○ Affect conditions in a specific industry?	☐	☒
▪ If "yes," answer question 2(b)(v) below.		
(b) If "yes" to any of the above, attach supporting information to answer the relevant questions below. If "no" was checked for each category above, the remaining questions in this technical area do not need to be answered.		
i. Direct Residential Displacement		
○ If more than 500 residents would be displaced, would these residents represent more than 5% of the primary study area population?	☐	☐
○ If "yes," is the average income of the directly displaced population markedly lower than the average income of the rest of the study area population?	☐	☐
ii. Indirect Residential Displacement		
○ Would expected average incomes of the new population exceed the average incomes of study area populations?	☐	☐
○ If "yes:"		
▪ Would the population of the primary study area increase by more than 10 percent?	☐	☐
▪ Would the population of the primary study area increase by more than 5 percent in an area where there is the potential to accelerate trends toward increasing rents?	☐	☐
○ If "yes" to either of the preceding questions, would more than 5 percent of all housing units be renter-occupied and unprotected?	☐	☐
iii. Direct Business Displacement		
○ Do any of the displaced businesses provide goods or services that otherwise would not be found within the trade area, either under existing conditions or in the future with the proposed project?	☐	☐
○ Is any category of business to be displaced the subject of other regulations or publicly adopted plans to preserve,	☐	☐

	YES	NO
enhance, or otherwise protect it?		
iv. Indirect Business Displacement		
○ Would the project potentially introduce trends that make it difficult for businesses to remain in the area?	☐	☐
○ Would the project capture retail sales in a particular category of goods to the extent that the market for such goods would become saturated, potentially resulting in vacancies and disinvestment on neighborhood commercial streets?	☐	☐
v. Effects on Industry		
○ Would the project significantly affect business conditions in any industry or any category of businesses within or outside the study area?	☐	☐
○ Would the project indirectly substantially reduce employment or impair the economic viability in the industry or category of businesses?	☐	☐
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, health care facilities, day care centers, police stations, or fire stations?	☐	☒
(b) Indirect Effects		
i. 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)	☐	☒
○ If "yes," would the project result in a collective utilization rate of the Early Childhood Programs in the study area that is greater than 100 percent?	☐	☐
○ If "yes," would the project increase the collective utilization rate by 5 percent or more from the No-Action scenario?	☐	☐
ii. 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)	☐	☒
○ If "yes," would the project result in a utilization rate of the elementary or middle schools that is equal to or greater than 100 percent?	☐	☐
○ If "yes," would the project generate 100 or more elementary or middle school students past the 100% utilization rate?	☐	☐
○ If "yes," would the project result in a utilization rate of the high schools that is equal to or greater than 100 percent?	☐	☐
○ If "yes," would the project increase the high school utilization rate by 5 percent or more from the No-Action scenario?	☐	☐
iii. 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)	☐	☒
○ If "yes," would the project increase the study area population by 5 percent or more from the No-Action levels?	☐	☐
○ If "yes," would the additional population impair the delivery of library services in the study area?	☐	☐
iv. Health Care Facilities		
○ Would the project result in the introduction of a sizeable new neighborhood?	☐	☒
○ If "yes," would the project affect the operation of health care facilities in the area?	☐	☐
v. Fire and Police Protection		
○ Would the project result in the introduction of a sizeable new neighborhood?	☐	☒
○ If "yes," would the project affect the operation of fire or police protection in the area?	☐	☐
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?	☒	☐
(c) If "yes" to either of the above questions, attach supporting information explaining whether the project's shadow would reach any sunlight-sensitive resource at any time of the year. Attached		

	YES	NO
6. *HISTORIC AND CULTURAL RESOURCES*: CEQR Technical Manual Chapter 9		
(a) Does the proposed project site or an adjacent site contain any architectural and/or archaeological resource that is eligible for or has been designated (or is calendared for consideration) as a New York City Landmark, Interior Landmark or Scenic Landmark; that is listed or eligible for listing on the New York State or National Register of Historic Places; or that is within a designated or eligible New York City, New York State or National Register Historic District? (See the GIS System for Archaeology and National Register to confirm)	☒	☐
(b) Would the proposed project involve construction resulting in in-ground disturbance to an area not previously excavated?	☐	☒
(c) If "yes" to either of the above, list any identified architectural and/or archaeological resources and attach supporting information on whether the proposed project would potentially affect any architectural or archeological resources. Attached		
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?	☐	☒
(c) If "yes" to either of the above, please provide the information requested in Chapter 10.		
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 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: Gas tank in SE corner of lot	☒	☐
(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 that listed in Table 13-1 in Chapter 13?	☐	☒
(d) Would the project involve development on a site that is 5 acres or larger where the amount of impervious surface would increase?	☐	☒
(e) If the project is located within the Jamaica Bay Watershed or in certain specific drainage areas, including Bronx River, Coney Island Creek, Flushing Bay and Creek, Gowanus Canal, Hutchinson River, Newtown Creek, or Westchester Creek, would it involve development on a site that is 1 acre or larger where the amount of impervious surface would increase?	☐	☒
(f) Would the proposed project be located in an area that is partially sewered or currently unsewered?	☐	☒

	YES	NO
(g) Is the project proposing an industrial facility or activity that would contribute industrial discharges to a Wastewater Treatment Plant and/or contribute contaminated stormwater to a separate storm sewer system?	☐	☒
(h) Would the project involve construction of a new stormwater outfall that requires federal and/or state permits?	☐	☒
(i) If "yes" to any of the above, conduct the appropriate preliminary analyses and attach supporting documentation.		
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): 1,885		
○ 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?	☐	☒
○ If "yes," would the proposed project comply with the City's Solid Waste Management Plan?	☐	☐
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): 60,973		
(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 appropriate screening analyses, attach 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, 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) Attached	☐	☒
(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?	☐	☒
(f) If "yes" to any of the above, conduct the appropriate analyses and attach any supporting documentation.		
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) Would the proposed project result in the development of 350,000 square feet or more?	☐	☒
(d) If "yes" to any of the above, would the project require a GHG emissions assessment based on guidance in Chapter 18?	☐	☐
○ If "yes," would the project result in inconsistencies with the City's GHG reduction goal? (See Local Law 22 of 2008; § 24-803 of the Administrative Code of the City of New York). Please attach supporting documentation.	☐	☐
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?	☐	☒

	YES	NO
(c) Would the proposed project cause a stationary noise source to operate within 1,500 feet of a receptor with a direct line of sight to that receptor or introduce receptors into an area with high ambient stationary noise?	☐	☒
(d) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to noise that preclude the potential for significant adverse impacts?	☐	☒
(e) If "yes" to any of the above, conduct the appropriate analyses and attach any supporting documentation.		
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. Air Quality and Noise screen out for potential impact, Hazmat will be mitigated to avoid an impact to public health, therefore an asessment is not warranted.		
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. The cumulative affect of the above technical sections does not arise to an impact to this long standing manufacturing and industrial neighborhood creating the potential for impact to neighborhood character.		
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. Attached		

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	SIGNATURE	DATE
Kevin Williams, Equity Environmental a Division of GZA	Kevin Williams	8/16/2023

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? ☐ ☒

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

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

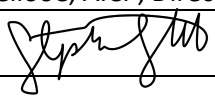
☐ **Positive Declaration**: If the lead agency has determined that the project may have a significant impact on the environment, and if a Conditional Negative Declaration is not appropriate, then the lead agency issues a *Positive Declaration* and prepares a draft Scope of Work for the Environmental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

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

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

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

TITLE	LEAD AGENCY
Director, Environmental Assessment and Review Division	Department of City Planning on behalf of the City Planning Commission
NAME	DATE
Stephanie Shellooe, AICP, Director	October 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 Proposed Action is a zoning map amendment to rezone Brooklyn Block 512, Lots 13, 20, 22, and a portion of Lot 25 (the "Project Area") from an M1-1 district to an M1-5 district. The Proposed Action would facilitate the development of a seven-story plus cellar, 113,557 gross square foot (gsf) mixed-use building with 41 parking spaces on Block 512 Lots 13 and 20 (Projected Development Site 1), located at 41 Richards Street in the Red Hook neighborhood of Brooklyn, Community District 6. For the purposes of a conservative analysis, a Reasonable Worst Case Development Scenario was developed that assumes a 137,112 gsf nine-story, 120-foot-tall building consisting of 19,170 gsf of commercial space (2,730 gsf of retail space and 16,440 gsf of office space), 70,013 gsf of light manufacturing space, and 29,915 gsf of community facility space. The proposed project includes a 22,017 gsf parking garage between the cellar and the first floor with 41 space, and two separate 4,000 gsf loading berths at the cellar level and first floor. Land uses in the surrounding 400-foot area are predominantly industrial and manufacturing north of Verona Street and primarily residential and institutional south of Verona Street. Additionally, consistency with the NYC Waterfront Revitalization Program (WRP) is included in the appendix of the EAS. The WRP Policy Assessment and Consistency Form demonstrate that the proposed project is consistent with the policies of the WRP (WRP #17-166). The proposed project would be compatible with existing surrounding land uses and development trends. The Proposed Action would be consistent with applicable public policy goals. As a result, the Proposed Action would not result in a significant adverse impact to land use, zoning, or public policy, and no further analysis is warranted.

Historic and Cultural Resources

A detailed analysis related to Historical and Cultural Resources included in this EAS identified multiple architectural resources within the study area, including the State and National Register-eligible (S/NR) Engine Company 202 building at 29-31 Richards Street (Block 512, Lot 22) within the surrounding area of the Proposed Action. S/NR-eligible properties within the study area include 26 Delavan Street, 80 Richards Street, 86 Richards Street, 19 Delavan Street/5 Delevan Street, 42-50 Richards Street, and the Brooklyn Battery Tunnel Main Services Building at Hamilton Avenue and Columbia Street. Although the project site does not contain any historic architectural resources, it is adjacent to and within 90 feet of several identified historical architectural resources. No direct impacts are anticipated, but indirect construction-related effects through ground-borne construction activities would be anticipated. As a result, the Proposed Actions incorporate a Restrictive Declaration (RD) requiring the implementation of a Landmarks Preservation Commission-approved (LPC) Construction Protection Plan as a project component related to the environment. In consultation with the LPC, it was determined that there are no cultural resources of archaeological significant within the study area. As a result, with the RD in place, the Proposed Actions would not result in significant adverse impacts to architectural or archaeological resources and no further analysis is warranted.

Urban Design and Visual Resources

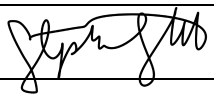
A detailed analysis related to Urban Design and Visual Resources is included in the EAS. The Proposed Action would alter the pedestrian environment by permitting a higher bulk and height in the Project Area, whereas the permitted setbacks and lot coverage would remain the same. The proposed project would be consistent with the built form in the surrounding area, albeit at a slightly greater height and scale, and the permitted street wall under the Proposed Action would be consistent with nearby manufacturing building. Pedestrian conditions would be improved in the with-action condition, as sidewalks on Richards Street and Commerce Street adjacent to the project site would be widened to 15 feet and additional street trees would be planted. Further, the Proposed Action would not result in substantial changes to the built environment of a historic district or to a historic building. Two S/NR eligible building are located adjacent to the project site, but the Proposed Action would not partially or completely block any built visual resources. As a result, the Proposed Action would not result in significant adverse impacts to urban design and visual resources and no further analysis is warranted.

Hazardous Materials and Air Quality

An (E) designation (E-737) related to hazardous materials and air quality would be established as part of the approval of the proposed actions. Refer to "Determination of Significance Appendix: (E) designation" for the applicable (E) designation requirements. The hazardous materials and air quality analyses conclude that with the (E) designation in place, the proposed actions would not result in a significant adverse impact related to hazardous materials or air quality.

No other significant effects upon the environment that would require the preparation of a Draft Environmental Impact Statement are foreseeable. This Negative Declaration has been prepared in accordance with Article 8 of the New York State Environmental Conservation Law (SEQRA). Should you have any questions pertaining to this Negative Declaration, you may contact Jameson Mitchell at +1 212-720-3422.

Project Name: 41 Richards Street Rezoning
CEQR # 20DCP081K
SEQRA Classification: Type I

TITLE Director, Environmental Assessment and Review Division	LEAD AGENCY Department of City Planning on behalf of the City Planning Commission 120 Broadway, 31st Fl. New York, NY 10271 | 212.720.3328
NAME Stephanie Shellooe, AICP	DATE 10/27/2023
SIGNATURE 	
TITLE Chair, City Planning Commission	
NAME Daniel R. Garodnick	DATE 10/30/2023
SIGNATURE	

Project Name: 41 Richards Street Rezoning
CEQR # 20DCP081K
SEQRA Classification: Type I

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 512, Lots 20 and 13

(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-737**) 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	

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: 41 Richards Street Rezoning
CEQR # 20DCP081K
SEQRA Classification: Type I

Air Quality

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

Projected Development Site 1:
To preclude any potential significant adverse air quality impacts from light industrial uses, special features that go beyond the normal construction practices must be installed at this site.

a. *A licensed architect or engineer must certify with the Department of Buildings, and provide proof of filing to OER, that the manufacturing use on the above-referenced property will adhere to the following restrictions:*
    i. *The manufacturing use in the building does not have a New York City or New York State environmental rating of "A", "B" or "C" under Section 24–153 of the New York City Administrative Code for any process equipment requiring a New York City Department of Environmental Protection Certificate to Operate or New York State Department of Environmental Conservation state facility air permit; and*
    ii. *is not required, under the City Right-to-Know Law, to file a Risk Management Plan for Extremely Hazardous Substances.*
b. *The emission stack of the proposed light industrial/manufacturing uses must be located at the building's highest tier.*
c. *Install an odor/vapor barrier and a modified mechanical ventilation system.*
    i. *The mechanical ventilation prevention system will be comprised of a mechanical ventilation system designed to operate in parallel and separate from the mechanical ventilation system of the community facility and retail/commercial office, providing fresh air to, and exhaust from, the light industrial floors, with vents running above the roof line of the highest floor.*
    ii. *An odor/vapor barrier will be installed at the structural slab and/or partition walls separating the manufacturing and community facility and retail/commercial office spaces eliminating vapor exchange across interior partitions.*

Any other processes if required to obtain NYC DEP certificate to operation, must provide an air quality analysis to OER in order to demonstrate that such process would not cause a significant adverse air quality impact.

Figure 1.1-1: Site Location Map

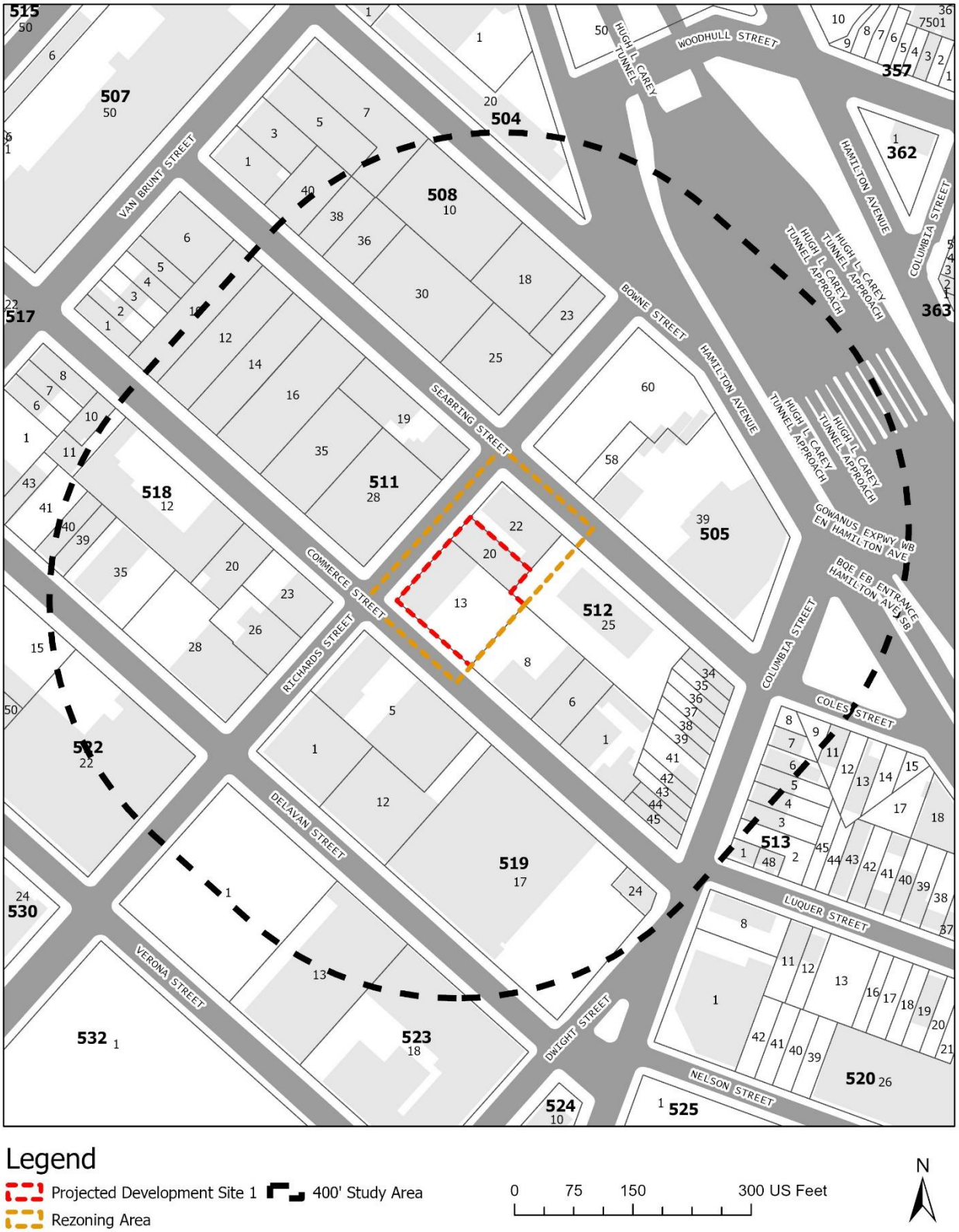


Figure 1.1-2: Existing Land Use Map

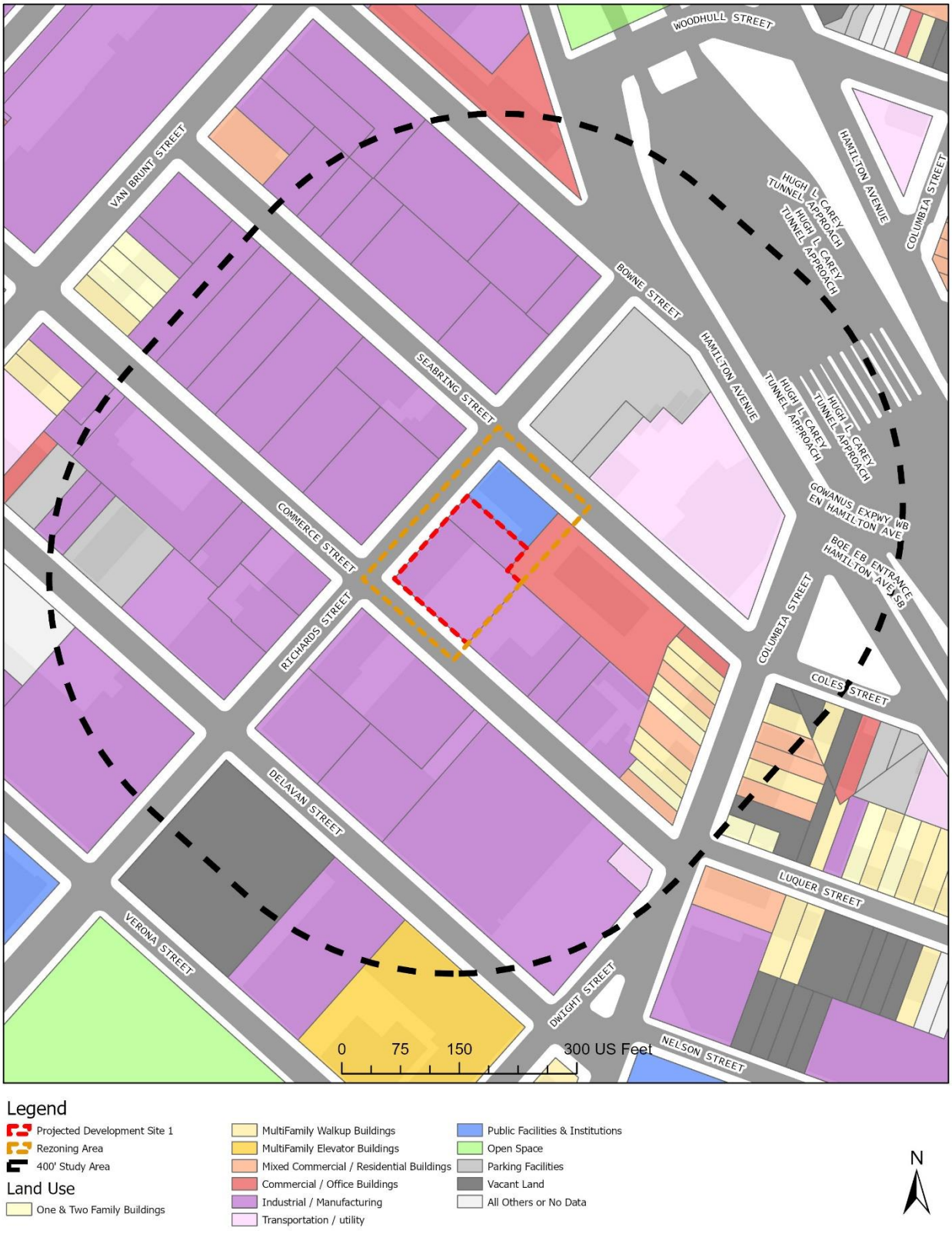


Figure 1.1-3: Zoning Map

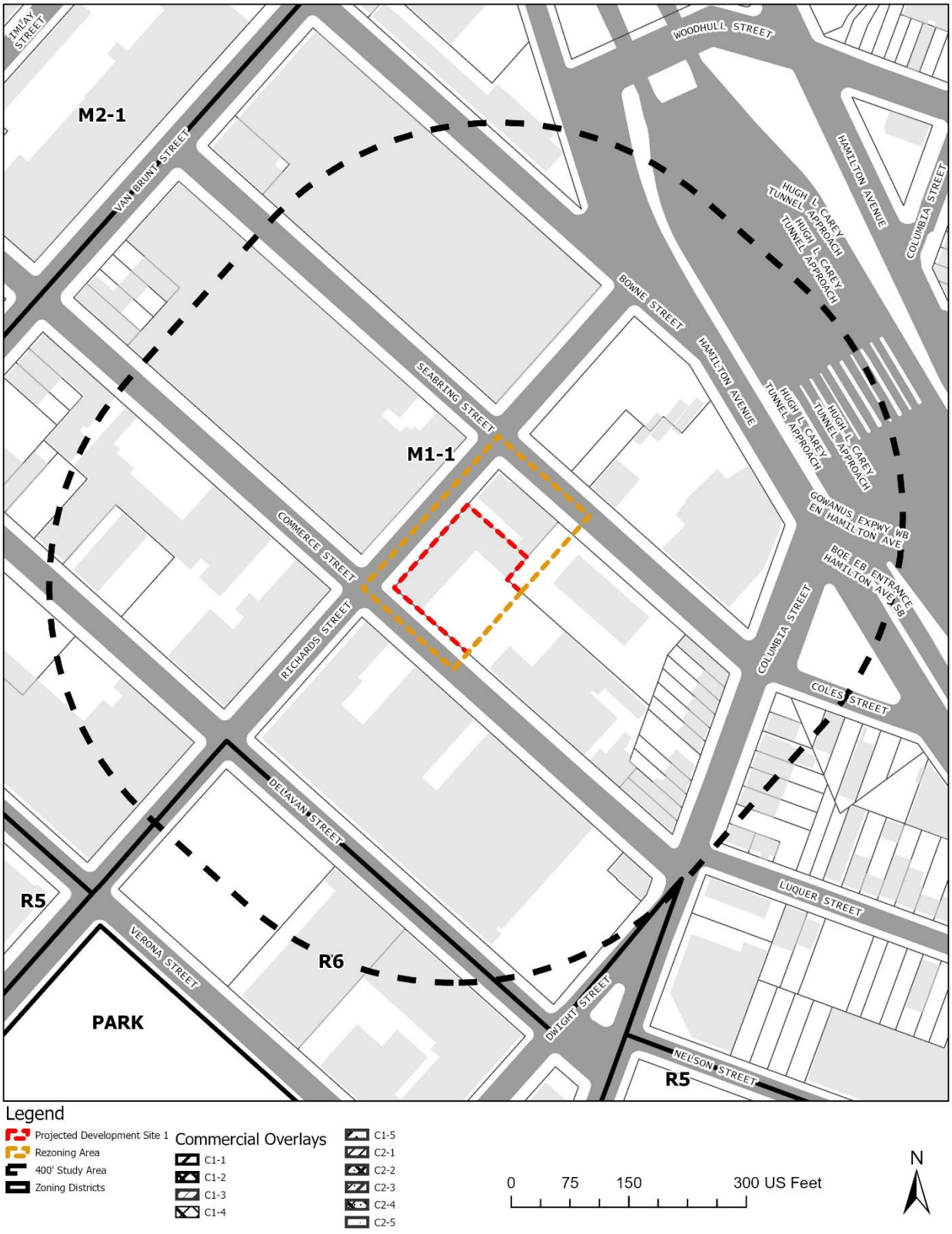


Figure 1.1-4: Zoning Change Map

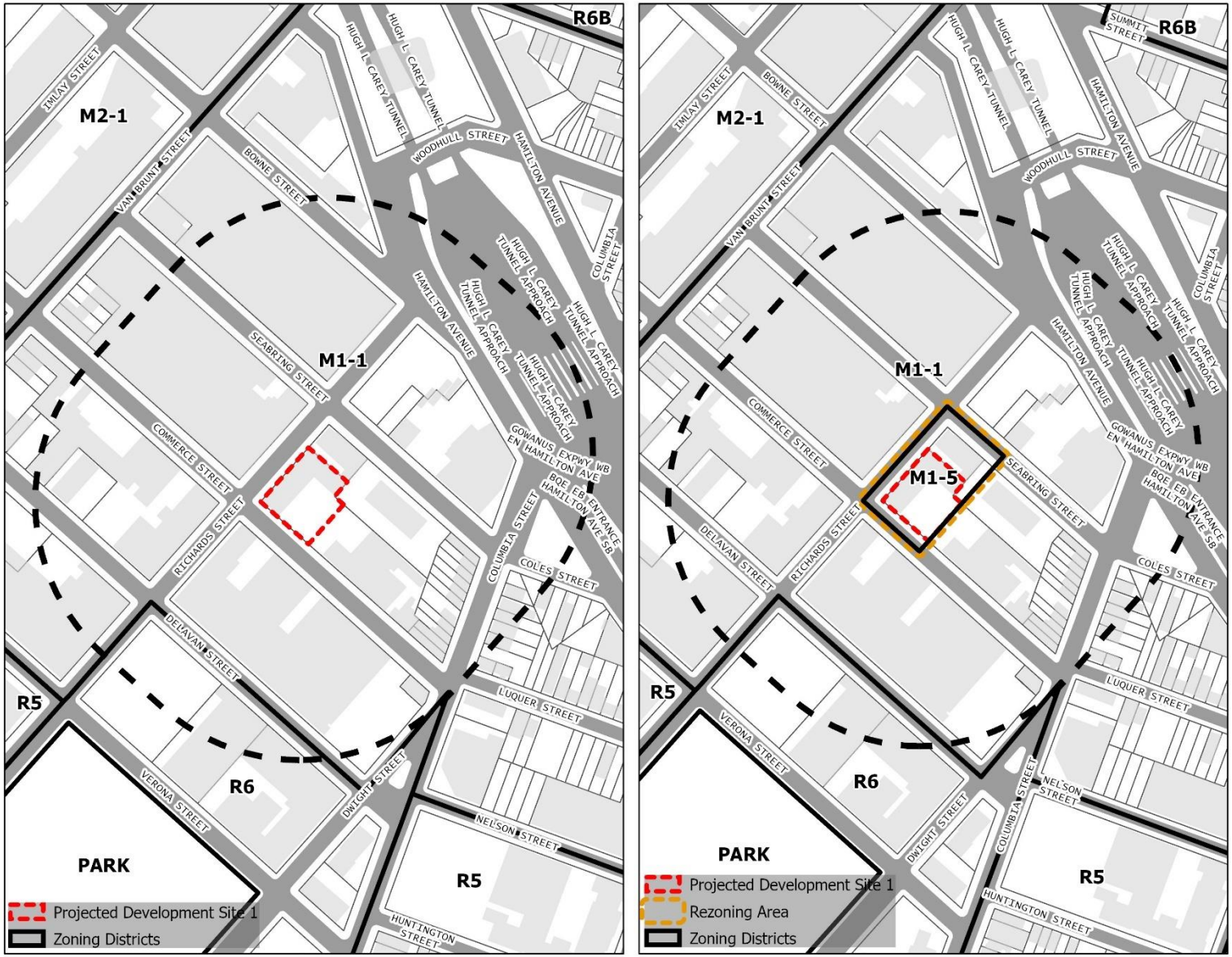


Figure 1.1-5: Tax Map

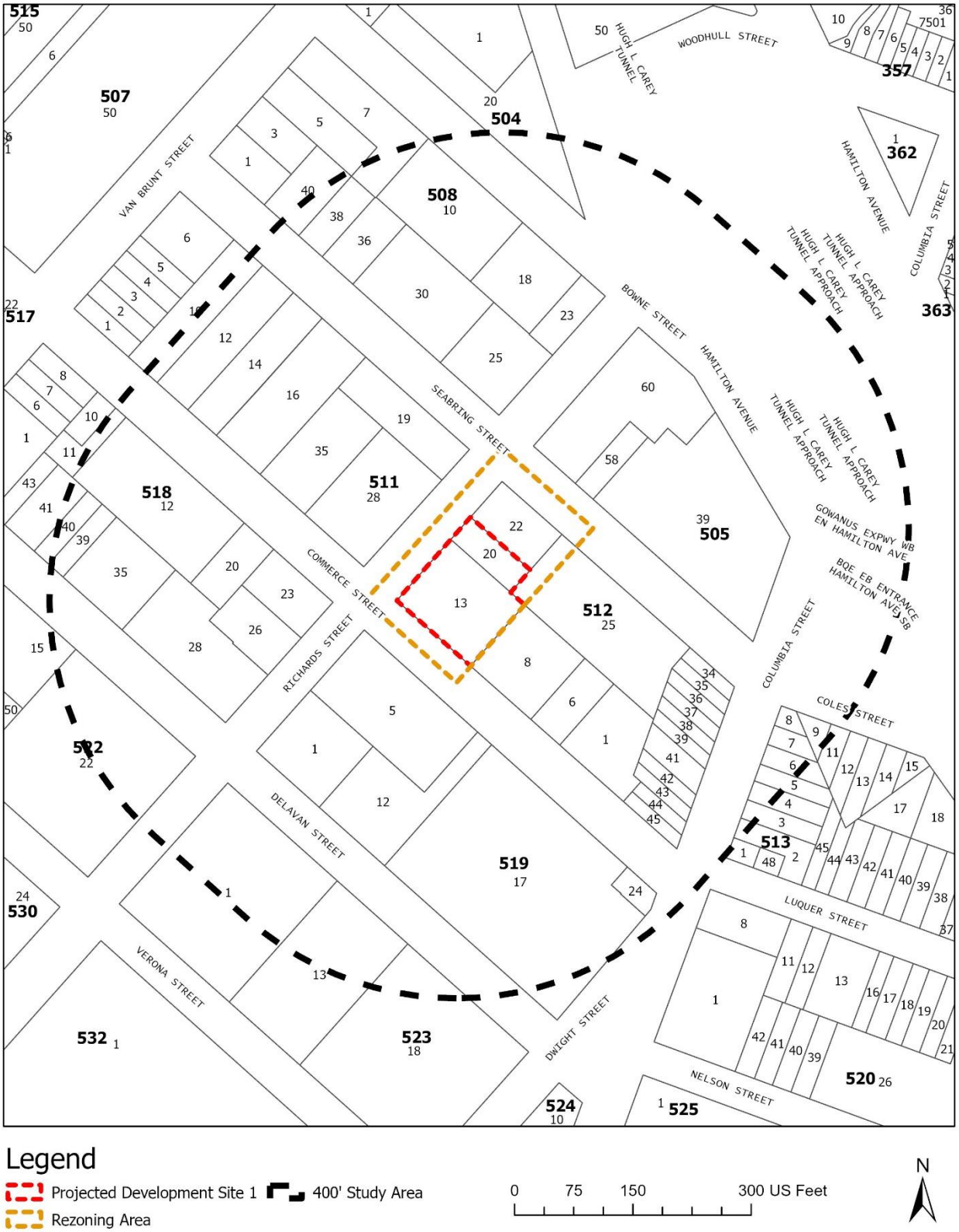


Figure 1.1-6: Site Photos (1)



1 View of Projected Development Site from Commerce St facing northwest



Study Area Map with Photo Key



2 View of Projected Development Site from Commerce St facing northeast



3 View of Commerce St facing northwest

Figure 1.1-7: Site Photos (2)



4 View of Projected Development Site from the intersection of Richards St and Commerce St facing west



Study Area Map with Photo Key



5 View of Projected Development Site from Richards St facing south



6 View of Rezoning Area from the intersection of Richards St and Seabring St facing south

Figure 1.1-8: Site Photos (3)



7 View from the intersection of Richards St and Seabring St facing southwest



Study Area Map with Photo Key



8 View of Seabring St towards the intersection of Richards St and Seabring St facing northwest



9 View of Rezoning Area from Seabring St facing west

1 Project Description

1.1 Introduction

The "Applicant", 54 Richards Street, LLC, seeks a Zoning Map Amendment from M1-1 to M1-5 that would affect a portion of Block 512 in the Red Hook neighborhood of Brooklyn Community District 6. The "Affected Area" or "Rezoning Area" consists of four lots on the western end of Block 512, fronting Richards Street. The depth of the rezoning boundary would be 125 feet from Richards Street, with Lots 13, 20, and 22 fully within the proposed M1-5 district and would include an approximately 25 feet by 100 feet portion of Lot 25. Lots 13 and 20 are both applicant controlled. Lot 13 (41 Richards Street) is a 12,500-sf lot that is improved with a .43 FAR warehouse with an operating auto dealer, and Lot 20 (37 Richards Street) is a 4,000-sf lot with a 1.00 manufacturing building, currently operating as a wholesale bakery. The non-applicant lots within the Affected Area are Lot 22 (29 Richards Street), which is improved with a 2-story, 1.19 FAR firehouse built in 1958 and is owned by the New York City Fire Department on a 6,000-sf lot; and an approximately 2,800 sf portion of Lot 25, which is a 22,534-sf lot that is improved with a 1.32 FAR hotel that was constructed in 2009. The Zoning Map Amendment constitutes the "Proposed Action."

The Proposed Action is sought in order to facilitate the development of one mixed-use building ("Projected Development Site 1") on Block 512, Lots 13 and 20. The building (as shown in **Appendix A**) would be a 7-story plus cellar, 113,557 Gross Square Feet (GSF) (82,266 ZSF, 4.99 FAR) building with 41 parking spaces. The building would include 22,017 GSF of parking and two loading docks at cellar level and on the first floor, 2,730 GSF of cellar level local retail, 66,319 ZSF, 4.02 FAR of manufacturing space between the cellar and 7th floors, and 15,947 ZSF, 0.97 FAR of office space on floors 2 through 7.

The Proposed Action is a discretionary action subject to environmental review. The New York City (NYC) Department of City Planning (DCP) is 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 has been zoned M1-1 since 1961. 41 Richards Street was constructed in 1962 and 37 Richards Street was constructed in 1918. The firehouse on Lot 22 (29 Richards Street) was constructed in 1958, and is S/NR eligible under criterion A and C. Due to its proximity to the water and pier infrastructure, the Affected Area has predominately been used for manufacturing and warehouses.

A review of historical Zoning Map 16a from 1961 to date shows only 2 rezonings within either 600 feet of the Richards Street Rezoning or in the surrounding area.

In 1971, an area located to the southeast of the Richards Street Rezoning Area, formerly an R5 zoning district, was rezoned to an R6 district. This rezoned area contains Red Hook (Coffey) Park and a portion of the New York City Housing Authority Red Hook Houses.

On February 20, 2002 at Calendar No. 14, the City Planning Commission approved application 000539 ZMK, to rezone a one block area (Block 523) bounded by Verona Street, Richards Street, Delavan Street and Dwight Street from an M1-1 zoning district to an R6 zoning district.

Block 523, Lots 1, 13 and 18 contain 100,000 square feet of floor area. The rezoning was approved to permit the residential redevelopment of the predominately vacant existing one-to-four floor loft buildings on Lots 13 and 18, with a 46-space parking lot on the northern portion of Lot 1, which was improved by a contractors' yard and a telecommunications tower. This rezoning also provided for new housing construction on the remaining portion of Lot 1, although the applicant had no plans for such new housing at the time of this approval.

There are no known active projects in the Rezoning Area. No public financing or other land use approvals are required for development of the Proposed Building. No other lots are projected to develop as a result of the Proposed Action. The remaining lots in the Rezoning Area are not expected to redevelop, as discussed briefly below.

- 17 Seabring Street (Block 512, Lot 25): 2,800 SF portion of larger 22,534 SF lot. The lot was redeveloped in 2009 with a hotel which provides accessory parking as a result of existing transportation infrastructure. Any further development would require building reconfiguration to comply with the sky exposure plane, and would require the removal of parking, which is not economically feasible. In addition, only a small portion of this lot is included in the Rezoning Area. As per the 25-foot-rule, no changes to the site's zoning would occur, and redevelopment as a result of the Proposed Action is not anticipated.
- 29 Richards Street (Block 512, Lot 22): 6,000 SF lot improved with a 7,134 GSF firehouse. The long-standing institutional use has no known development plans and is eligible for the State and National Registers of Historic Places (S/NR), and therefore would not be induced to redevelop.

1.3 Description of the Surrounding Area

The Affected Area is located in the Red Hook neighborhood of Brooklyn, Community District 6. Within the 400-foot surrounding area land uses are predominantly industrial and manufacturing north of Verona Street and primarily residential and institutional south of Verona Street. Other uses within the surrounding area include mixed-use commercial and residential, vacant lots, a large park, and parking facilities.

Built form in the area is varied, with warehouses ranging from one to six stories, residential structures ranging from one to four stories, and institutional uses ranging from one to three

stories. Building facades are mainly brick, and the area contains wide sidewalks with scattered tree plantings.

The Affected Area is located at the southern portion of an M1-1 zoning district that transitions into an R5 and R6 zoning district south of Verona Street. Moving west, along the waterfront, is an M2-1 zoning district that runs from the western edge of Red Hook up to the Brooklyn Bridge.

The traffic grid is regular south of Bowne Street, before the Brooklyn-Queens Expressway creates irregular blockfronts and lots. Seabring Street, bounding the Affected Area to the north, is a one-way southeast-northwest road with one moving lane of traffic and curbside parking. Van Brunt Street, bounding the Affected Area to the west, is a principal arterial roadway that is a two-way southwest-northeast road with one moving lane of traffic in each direction, curbside parking, and shared bicycle lanes. Dwight Street, partially bounding the Affected Area to the east, is a northeast-southwest road with one moving lane of traffic and curbside parking. Columbia Street, partially bounding the Affected Area to the east, is a two-way, northeast-southwest road with one moving lane in each direction and curbside parking. Additionally, the Affected Area is intersected by Richards Street, which is considered a Major Collector Road.

Van Brunt Street, the western boundary running north to south of the entire surrounding area, is a 70-foot-wide two-way street. Along the western side of Van Brunt Street, the four blocks that span the north side of Bowne Street to the south side of Delavan Street are located within the M1-1 zoning district and the 3 blocks from Verona Street to Pioneer Streets are located within the R5 zoning district, with a C-3 commercial overlay along both sides of Van Brunt between Visitation and Pioneer Streets. The 3 blocks along the eastern side of Van Brunt Street from Bowne to Pioneer Streets lie in the M2-1 zoning district.

Van Brunt Street has become the main commercial hub in the area. Along Bowne to Commerce Streets, the buildings that front along both sides of Van Brunt Street are small one-story manufacturing buildings, with the exception of Extech Buildings Materials, a 71,000 square foot warehouse that spans the two blocks from Bowne to Commerce Streets in the M2-1 district along the western side of Van Brunt. Along the east side of Van Brunt between Commerce and Verona in the M1-2 zoning district and the west side of the Van Brunt Street frontage from Seabring to Pioneer Streets in both the M1-1 and M1-2 zoning districts, the buildings fronting Van Brunt Street are primarily narrow (25’ x 90’) 3-4 story single and two family and multi-family residential dwellings and 3-4 story mixed residential and commercial use buildings, interspersed with parking lots and a few remaining small 1-2 story narrow manufacturing buildings.

Richards Street, a 60-foot-wide street, lies wholly within the M1-1 zoning district to the north of Delavan Street. Both sides of the Richards Street frontages from Bowne to Delavan Street are improved by small to medium sized 1, 2 and 3 story manufacturing buildings, with a single 6 story manufacturing building occupying the entire western frontage and a large vacant parcel occupying the east side of the Richards Street frontage. From Verona to Pioneer Streets in the R5

district, the western side of Richards Street is occupied by community facility and 2-3 story single and two-family residences and Coffey Park located within the R6 zoning district.

Columbia Street, a 60-foot-wide street, lies below Hamilton Avenue to the north and Huntington Street to the south forms the easternmost border of the surrounding area. The western and eastern frontage of Columbia Street that lies within the M1-1 zoning district is primarily improved with small, narrow 3 story single- and two-family dwellings, multifamily residential buildings and mixed residential and commercial use buildings, and 1 story blockfront manufacturing use on both frontages between Commerce (Luquer) Street and Delavan (Nelson) Street. The R6 District frontage between Delavan and Verona Streets on the western frontage of Columbia Street is occupied by a single 4 story multiple dwelling. The block frontage between Nelson and Huntington Streets, located within the R5 district, is occupied by a community facility school.

Along both sides of Richards Street, the land uses between Bowne and Seabring Streets, both 60 foot wide and located within an M1-1 zoning district, are comprised of small 1 and 2 story manufacturing buildings. To the west of Richards Street between Seabring and Commerce Streets, which are also 60 feet wide and located within the M1-1 zoning district, are primarily larger 1 story manufacturing buildings, with 4 residential buildings located in the southwest corner and to the east, small 1 and 2 story manufacturing buildings, with 25-foot-wide residential dwellings along the easternmost frontage along Columbia Street. Between Commerce and Delavan Streets (60 feet wide), on both sides of Richards Street in the M1-1 zoning district there are numerous small 1, 2 and 3 story manufacturing buildings, a parking lot and several parcels of vacant land, with 3 larger 1 story through lot buildings along the eastern side of the block to the east of Richards Street.

The land uses between Commerce and Verona Streets (both 60 feet wide) in the M1-1 zoning district along the western side of Richards Street, are comprised of several 1 and 2 story manufacturing buildings of varying sizes, one very large 6 story manufacturing building that occupies the entire eastern blockfront, as well as vacant, parking and residential uses. The block to the east of Richards Street between Delavan and Verona Streets was rezoned to R6 in 2002 to permit residential use and is improved by a 43-foot-tall, 4-story multiple dwelling on its eastern blockfront, along with a large vacant parcel fronting on Richards Street. The vacant parcel is owned by NYC School Construction Authority and is planned as a new middle school (I.S. 21-31 Delavan Street) with approximately 640 seats.

Verona Street, Visitation Place and Pioneer Street (all 60’ wide) along the southern most boundary within 600 feet of the Project Area (as defined hereinbelow) are zoned R5 and R6. Coffey Park is located to the southeast of Richards Street in an R6 zoning district. To the west of Richards Street in the R5 zoning district between Verona and Visitation Place there is a mixture of 2-3 story community facility use, one and two story and multi-family residential use and mixed residential and commercial use along the Van Brunt Street frontage. Between Visitation Place and Pioneer Street (60’ wide), also in the R5 zoning district, land uses are primarily a mixture of

3-story multi-family residential and mixed residential and commercial use to the west of Richards Street and Coffey Park in the R6 zoning district to the east of Richards Street.

The area is not well-served by transit but is included in the Transit Zone. The closest subway stations are Carroll Street and Smith & 9th Streets, both approximately 0.8 mile from the Affected Area and serving the F & G lines. MTA bus service runs along Van Brunt Street, with stops for the B61. West of the Affected Area is the Red Hook ferry stop along the South Brooklyn route, providing service between South Brooklyn's residential communities and job centers in Midtown and the Financial District.

1.4 Description of the Affected Area

The Affected Area is shown in **Figure 1.1-1** and is summarized in **Table 1.4-1** below. The M1-1 zoning district promotes high performance light manufacturing, with manufacturing and commercial FAR up to 1.0 and community facility FAR up to 2.40. All the lots in the Affected Area include frontage along Richards Street. The depth of the rezoning boundary would be 125 feet from Richards Street, with Lots 13, 20, and 22 fully within the proposed M1-5 district, and would include an approximately 25 feet by 100 feet portion of Lot 25.

Applicant Controlled Sites

The Applicant owns Block 512, Lots 13 and 20, all other lots in the Rezoning Area are non-Applicant lots. Lot 13 (41 Richards Street) is a 12,500-sf lot that is improved with a .43 FAR warehouse with an operating auto dealer, and Lot 20 (37 Richards Street) is a 4,000-sf lot with a 1.00 manufacturing building, currently operating as a wholesale bakery.

Non-Applicant Controlled Sites

The non-applicant lots within the Affected Area are Lot 22 (29 Richards Street), which is improved with a 2-story, 1.19 FAR firehouse built in 1958 and is owned by the New York City Fire Department on a 6,000-sf lot; and an approximately 2,800 sf portion of Lot 25, which is a 22,534-sf lot that is improved with a 1.32 FAR hotel that was constructed in 2009.

Table 1.4-1: Affected Area Existing Conditions

Block 512					
Address	**Lot**	**Lot Area***	**Split Lot (Y/N)**	**FAR****	**Existing Use**
41 Richards St	13	12,500	N	0.43	Warehouse--Auto Dealer
37 Richards St	20	4,000	N	1.00	Manufacturing--Wholesale Bakery
29 Richards St	22	6,000	N	1.19	Firehouse--Engine Company 202
17 Seabring St	25	22,534 (2,800 sf within Rezoning Area)	Y	1.32	Hotel--The Lodge Red Hook

*Total lot size in sf, including portions outside of Rezoning Area

**Existing floor area ratio

1.5 Description of the Proposed Project

Projected Development Site 1 would be a 7-story plus cellar building, 113,557 GSF (82,266 ZSF, 4.99 FAR) building with 41 parking spaces. Uses that fall below the Design Flood Elevation are not considered Floor Area for calculation purposes, and are therefore not included in the Zoning Square Feet (ZSF) calculations. This building would include 22,017 GSF of parking (accessory parking below 23 feet of base grade elevation is excluded from zoning floor area calculations) and two loading docks at cellar level and on the first floor, 2,730 GSF of cellar level local retail, 66,319 ZSF, 4.02 FAR) of manufacturing space between the cellar and 7th floors, and 15,947 ZSF, 0.97 FAR of office space on floors 2 through 7. Projected Development Site 1 would be built with 100% lot coverage, and two loading docks.

1.6 Action(s) Necessary to Facilitate the Project

The actions necessary to facilitate construction of Projected Development Site 1 are approvals of:

(1) a Zoning Map Amendment to rezone Block 512, Lots 13, 20, 22, and p/o 25 from the existing M1-1 zoning district to an M1-5 zoning district.

1.7 Purpose and Need

In the absence of the proposed rezoning, the development type and scale that are proposed would not be feasible. New forms of light manufacturing that are emerging in NYC and globally are attracted to areas such as Red-Hook. Artisanal entrepreneurs, incubator and startup businesses, maker hub style manufacturing, shared and flex manufacturing space, and traditional small specialty businesses are seeking to locate in redeveloping neighborhoods of New York City.

The ability to provide for a new modern manufacturing facility envisioned for the proposed Development Site under existing zoning is complicated by the cost to retrofit or demolish the outdated structure(s) and provide the flood resiliency needed in the Red Hook neighborhood. In addition, without new structures, there are very few locations in the area that can accommodate emerging modern manufacturing needs with programmatic floorplate(s) that are suitable for flex use, a variety of tenants under the modern manufacturing/maker hub space, and that integrates with a supportive retail concept. Further, the lack of proper truck access and docking as well as supportive parking requires the existing buildings to be demolished as retrofit of existing structures is not feasible for these purposes.

In sum, the density afforded under an M1-5 allows for the financial viability of redevelopment of outmoded and deteriorated structures, including demolition of the existing structure, cost to remediate the site, and for the necessary flood proofing measures while providing for a modern manufacturing building that supports flexible tenancy for a variety of scalable short-term and long-term manufacturing needs.

Given the above design and economic factors, the outmoded M1-1 district buildings are not designed to accommodate trends in manufacturing. The unsuitability of the existing buildings in the M1-1 district for either traditional or emerging modes of manufacturing is creating a large centrally located district that is underutilized and no longer suited for purposes for which it was originally intended.

In the absence of the Proposed Action, the Applicant believes that a development of the type and scale that are being proposed would not be feasible. Therefore, the Proposed Action would allow for development that directly addresses two of Brooklyn Community Board 6's most pressing needs for fiscal year 2024:

- Economic recovery and development: the community board states that empty storefronts plague the community, and that a solution is needed to allow their commercial strips to be diverse in the wares they sell. The Proposed Building would introduce "boutique manufacturing," the on-site production of custom woodworking, ceramic products, clothing, and other such uses found in Use Groups 11, 16, and 17. These diverse products would be produced locally and sold within storefronts on-site, providing the exact types of products the community board is looking for in the community district.
- Infrastructure resiliency: Red Hook is within the 100-year floodplain. The Proposed Development would demolish flood prone buildings and redevelop the lots in accordance with Appendix G of the NYC Building Code that defines wet and dry flood proof measures required for buildings within 100-year flood zone and be subject to review and concurrence of flood-proofing measures under the NYC Waterfront Revitalization Program (WRP).

1.8 Analysis Framework

The analysis framework compares the incremental difference between the proposed and potential development under the Proposed Action (Future With-Action Conditions) and the development which could occur under the existing zoning (Future No-Action Conditions) by the build year specified below. This EAS studies the potential for individual and cumulative environmental impacts related to the Proposed Action occurring in a study area of approximately 400 feet around the Rezoning Area. 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, three to four months for permitting and plan development, and an 18-month construction schedule for Projected Development Site 1.

Future Without the Proposed Action (No-Action Scenario)

In the future without the Proposed Action existing conditions would remain. Most of the lots within the Rezoning Area would be developed to the maximum FAR possible under the existing M1-1 zoning district. Expansion or redevelopment would be economically infeasible because of the high parking requirements of 1 space per 300 SF of floor area. Also, development trends in the area and lack of development within the Rezoning Area indicates that in the absence of the Proposed Action future development is unlikely.

Future With the Proposed Action (With-Action Scenario)

Projected Development Site 1 (Block 512, Lots 13 and 20; Applicant Owned): 37 and 41 Richards Street would combine to form a 16,500 SF lot that would be developed with a 9-story, 120-foot-tall (135 feet top of bulkhead) 137,112 GSF (107,181 ZSF, 6.5 FAR) building comprised of 19,170 GSF (15,947 ZSF, 0.97 FAR) of commercial space, 70,013 GSF (66,319 ZSF, 4.02 FAR) of manufacturing space, and 25,912 GSF (24,915 ZSF, 1.51 FAR) of community facility space. There would be a 22,017 GSF parking garage between the cellar and first floors with 41 parking spaces, and two separate 4,000 GSF loading berths at the cellar level and on the first floor.

Of the 19,170 GSF of commercial space, 2,730 GSF would be UG 6 locally serving retail space located at cellar level, and 16,440 GSF would be office space. The 70,013 GSF of manufacturing space would be light manufacturing, which mirrors the Applicant's proposal to provide "boutique manufacturing" (custom woodworking, ceramic products, clothing). Of the 25,912 gsf community facility space, 12,956 sf would be general community facility, while 12,956 sf would be medical office.

Other Site (Block 512, Lot 22; Non-Applicant Owned): the 6,000 SF lot is improved with a 7,134 GSF firehouse. The long-standing institutional use has no known development plans, and therefore would not be induced to redevelop.

Other Site (Block 512, Lot 25; Non-Applicant Owned): the 22,534 SF lot is improved with a 29,672 GSF hotel. Only a small portion (approximately 2,800 sf) on the west boundary of the lot would fall within the Rezoning Area. In addition, the hotel building was built in 2009, which is considered

relatively new. Therefore, it is believed that Lot 25 would not be induced to redevelop with the Proposed Action.

The Projected and Other Affected Sites are shown in **Figure 1.1-1**, while the RWCDS Analysis Framework is shown below in **Table 1.8-1**.

Table 1.8-1: RWCDS Analysis Framework

Site Info				Existing/No-Action Condition		With-Action Condition					
#	Block	Lot	Lot Area (gsf)	Zoning	Manufacturing (gsf)	Zoning	Commercial (gsf)	Community Facility (gsf)	Manufacturing (gsf)	Parking (gsf)	Parking Spaces
1	512	13	12,500	M1-1	5,351	M1-5	19,170	25,912	70,013	22,017	41
		20	4,000		4,000						
Total			**16,500**		**9,351**		**19,170**	**25,912**	**70,013**	**22,017**	**41**

Table 1.8-2: RWCDS Increment Analysis Table

Site Info				Increment					
#	Block	Lot	Lot Area (gsf)	Zoning	Commercial (gsf)	Community Facility (gsf)	Manufacturing (gsf)	Parking (accessory) (gsf)	Parking Spaces
1	512	13	12,500	M1-5	19,170	25,912	60,662	22,017	41
		20	4,000						
Total			**16,500**		**19,170**	**25,912**	**60,662**	**22,017**	**41**

2 Environmental Review

The following technical sections are provided as supplemental assessments to the Environmental Assessment Statement ("EAS") Short Form. Part II: Technical Analyses of the EAS forms a series of technical thresholds for each analysis area in the respective chapter of the *2021 CEQR Technical Manual*. If the proposed 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 *2021 CEQR Technical Manual* was consulted for guidance on providing additional analyses (and supporting information, if needed) to determine whether detailed analysis was needed.

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

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

2.4 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 Action may have an effect.

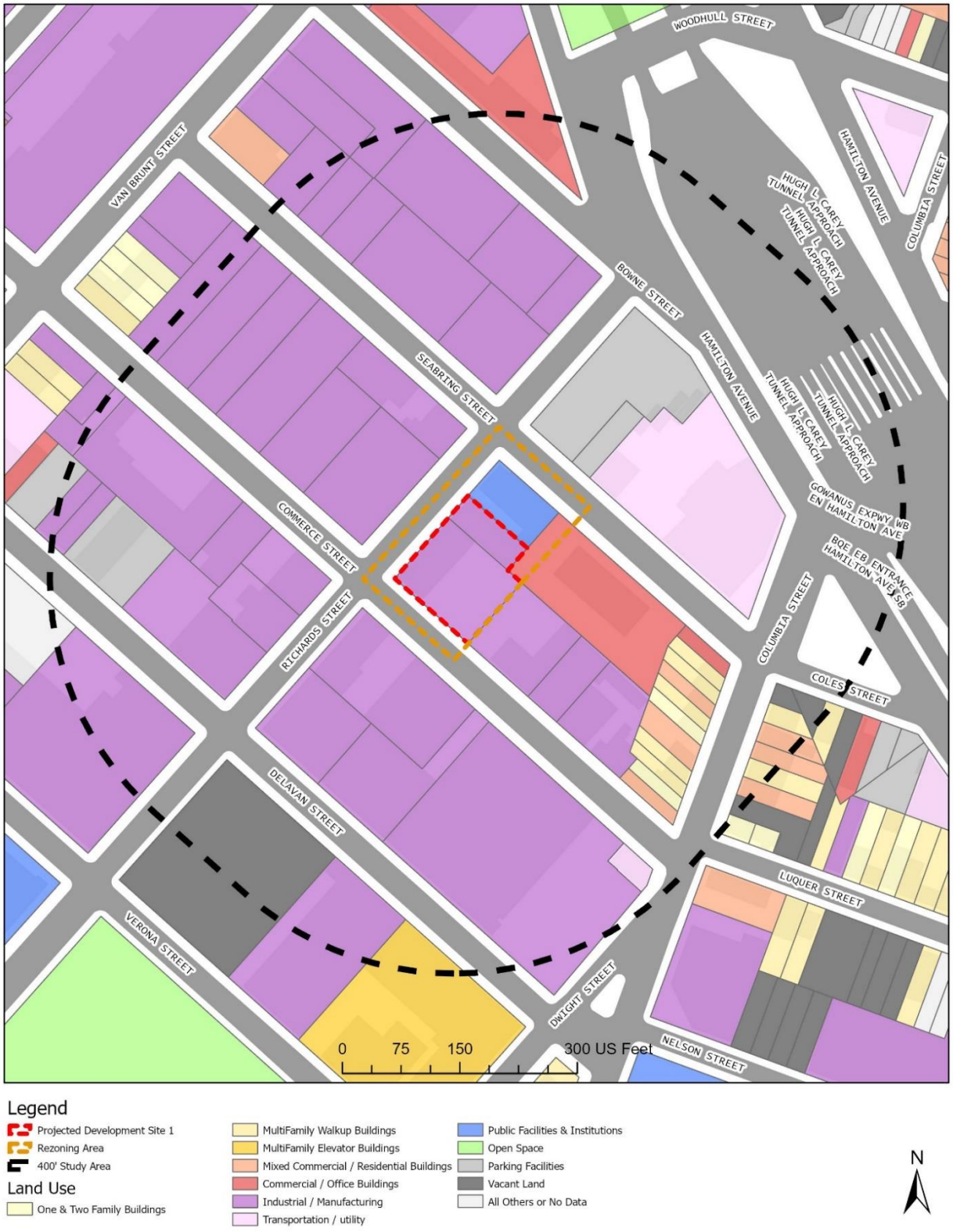
Methodology

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.

2.4.1 Land Use

The 2021 *CEQR Technical Manual* suggests that a land use, zoning, and public policy study area should generally extend 400 feet from the Affected Area. Existing land uses within approximately 400 feet of the Affected Area are presented in **Figure 2.4-1**.

Figure 2.4-1: Land Use Map



Existing Conditions

Land Use Study Area

As shown in **Figure 2.4-1** and stated in **Section 1.3**, The Affected Area is located in the Red Hook neighborhood of Brooklyn, Community District 6. Within the 400-foot Surrounding Area (Study Area) land uses are predominantly industrial and manufacturing north of Verona Street and primarily residential and institutional south of Verona Street. Other uses within the Surrounding Area include mixed-use commercial and residential, vacant lots, a large park, and parking facilities.

Built form in the area is varied, with warehouses ranging from one to six stories, residential structures ranging from one to four stories, and institutional uses ranging from one to three stories. Building facades are mainly brick, and the area contains wide sidewalks with scattered tree plantings.

The area has historically been defined by large manufacturing and industrial land uses due to its proximity to the waterfront, and a commercial corridor exists along the north-south Van Brunt Street to the west of the Affected Area.

Affected Area

The Affected Area is shown in **Figure 1.1-1** and is summarized in **Table 1.4-1** above. The M1-1 zoning district promotes high performance light manufacturing, with manufacturing and commercial FAR up to 1.0 and community facility FAR up to 2.40. All the lots in the Affected Area include frontage along Richards Street except Lot 25, which fronts on Seabring Street. The depth of the rezoning boundary would be 150 feet from Richards Street, with Lots 13, 20, and 22 fully within the proposed M1-5 district, and would include an approximately 25 feet by 100 feet portion of Lot 25.

Applicant Controlled Sites

The Applicant owns Block 512, Lots 13 and 20, all other lots in the Rezoning Area are non-Applicant lots. Lot 13 (41 Richards Street) is a 12,500-sf lot that is improved with a .43 FAR warehouse with an operating auto dealer, and Lot 20 (37 Richards Street) is a 4,000-sf lot with a 1.00 manufacturing building, currently operating as a wholesale bakery.

Non-Applicant Controlled Sites

The non-applicant lots within the Affected Area are Lot 22 (29 Richards Street), which is improved with a 2-story, 1.19 FAR firehouse built in 1958 and is owned by the New York City Fire Department on a 6,000-sf lot; and an approximately 2,800 sf portion of Lot 25, which is a 22,534-sf lot that is improved with a 1.32 FAR hotel that was constructed in 2009.

Future No-Action Condition

Land Use Study Area

Existing land use patterns are expected to generally continue in the Surrounding Area in the future without the Proposed Action. There are six new major construction projects in the Surrounding Area, as shown below in **Table 2.4-1**. Any new development in the Surrounding Area would be governed by the underlying zoning designations.

Affected Area

In the future without the Proposed Action existing conditions would remain. A majority of the lots within the Rezoning Area would be significantly developed under the existing M1-1 zoning district. Expansion or redevelopment would be economically infeasible because of the high parking requirements of 1 space per 300 SF of floor area. Also, development trends in the area and lack of development within the Rezoning Area indicates that in the absence of the Proposed Action future development is unlikely.

Table 2.4-1: Known Developments in the Study Area[1]

Address	Type	Commercial	Residential	DU
232 Van Brunt Street	Alt 1 Enlargement	802 SF	0	0
98 Visitation Place	New Building	225 SF	0	0
84 Visitation Place	New Building	0	3,690	2
336 Van Brunt Street	Alt 1 Enlargement	0	13,341	9
730 Hicks Street	New Building	0	18,826	15
22 Carroll Street	Alt 1 Enlargement	1,406	0	0

DU = Dwelling Unite
gsf = Gross Square Feet

Future With-Action Condition

Land Use Study Area

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

Affected Area

Projected Development Site 1 (Block 512, Lots 13 and 20; Applicant Owned): 37 and 41 Richards Street would combine to form a 16,500 SF lot that would be developed with a 9-story, 120-foot-tall (135 feet top of bulkhead) 137,112 GSF (107,181 ZSF, 6.5 FAR) building comprised of 19,170 GSF (15,947 ZSF, 0.97 FAR) of commercial space, 70,013 GSF (66,319 ZSF, 4.02 FAR) of

[1] NYC Construction Dashboard

manufacturing space, and 25,912 GSF (24,915 ZSF, 1.51 FAR) of community facility space. There would be a 22,017 GSF parking garage between the cellar and first floors with 41 parking spaces, and two separate 4,000 GSF loading berths at the cellar level and on the first floor.

Of the 19,170 GSF of commercial space, 2,730 GSF would be UG 6 locally serving retail space located at cellar level, and 16,440 GSF would be office space. The 70,013 GSF of manufacturing space would be light manufacturing, which mirrors the Applicant's proposal to provide "boutique manufacturing" (custom woodworking, ceramic products, clothing). Of the 25,912 gsf community facility space, 12,956 sf would be general community facility, while 12,956 sf would be medical office.

Other Site (Block 512, Lot 22; Non-Applicant Owned): the 6,000 SF lot is improved with a 7,134 GSF firehouse. The long-standing institutional use has no known development plans, and therefore would not be induced to redevelop.

Other Site (Block 512, Lot 25; Non-Applicant Owned): the 22,534 SF lot is improved with a 29,672 GSF hotel. Only a small portion (approximately 2,800 sf) on the west boundary of the lot would fall within the Rezoning Area. In addition, the hotel building was built in 2009, which is considered relatively new. Therefore, it is believed that Lot 25 would not be induced to redevelop with the Proposed Action.

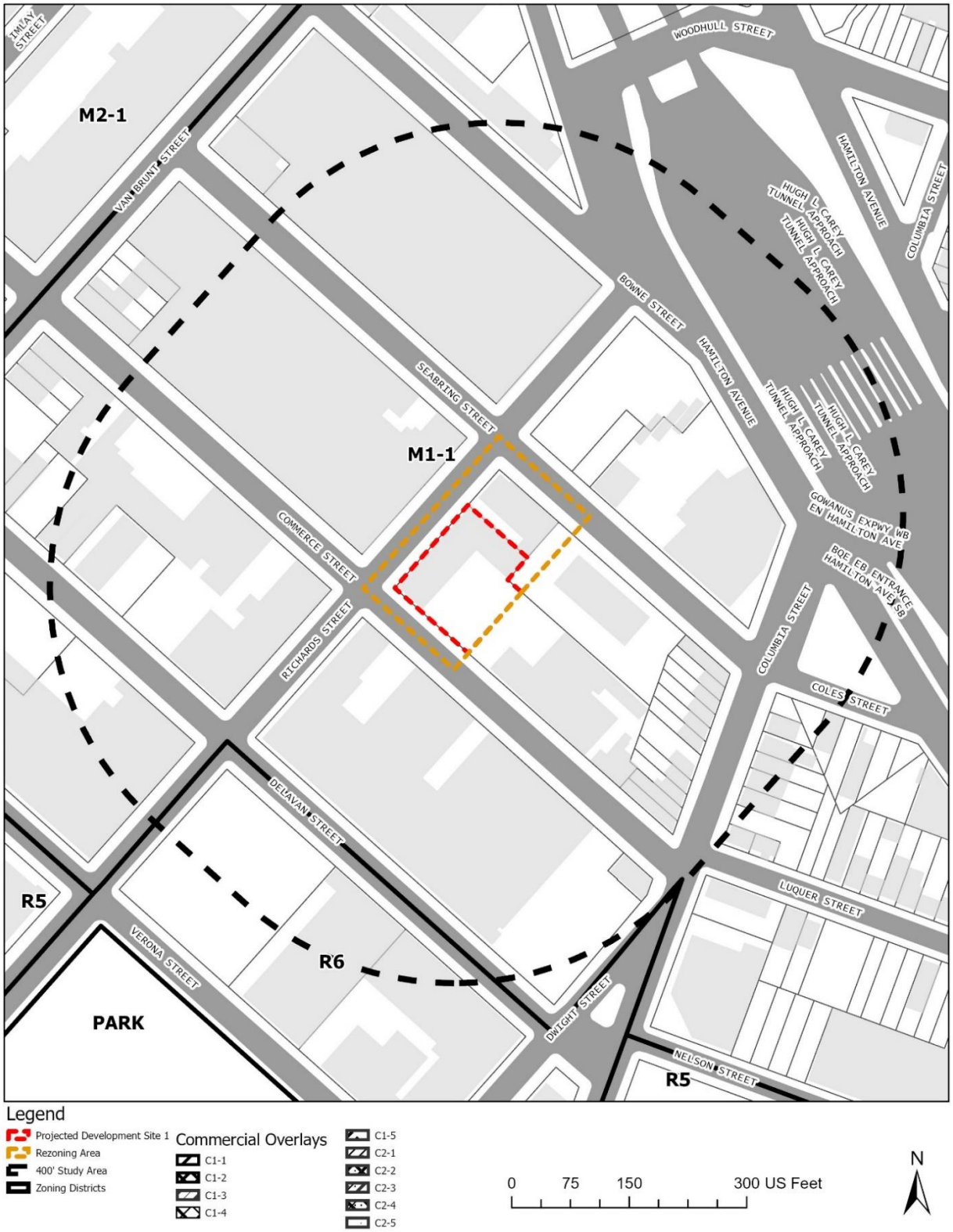
Conclusion

The Proposed Action would result in the development of the Affected Area with higher-density light manufacturing, commercial, and community facility space. Land use would remain consistent with the Surrounding Area. The development would create a substantial number of jobs with easy access to the Interstate 278 and Interstate 478 junctions and within walking distance of the South Brooklyn line of the NYC Ferry located in Red Hook. No other changes to land use within the Affected Area or within the Surrounding Study Area are foreseen as a result of the Proposed Action. Therefore, the Proposed Action would not result in any significant adverse impacts to land use.

2.4.2 Zoning

The *2021 CEQR Technical Manual* suggests that a zoning study area should extend 400 feet from the Affected Area. The proposed zoning map amendment would rezone Block 512, Lots 13, 20, 22, and p/o 25 from M1-1 to M1-5. Existing zoning districts within approximately 400 feet of Projected Development Site 1 are presented in **Figure 2.4-2.**

Figure 2.4-2: Area to be Rezoned Overlaid Existing Zoning Map



Existing Conditions

Zoning Study Area

The zoning districts within 400 feet of the Affected Area are M1-1, and R6 as illustrated in **Table 2.4-2**.

Existing zoning districts in the Surrounding Area include:

M1-1

M1 districts are often developed with multistory lofts, one- or two-story warehouses characterized by loading bays, serving as a buffer between M2 or M3 districts of intensive industrial uses and adjacent residential or commercial districts. M1 districts typically include light industrial uses, such as woodworking shops, repair shops, and wholesale service and storage facilities. Permitted uses in M1-1 districts are as follows: UG 4-14, 16 and 17. M1-1 districts permit a FAR of 1.0 for permitted commercial and manufacturing uses, and 2.40 for permitted community facility uses. M1-1 districts are subject to parking requirements based on the type of use and size of an establishment (1 per 300 sf for PRC-B). Building heights are regulated by a sky exposure plane beginning at 30 feet (or two stories) above the street line.

R6

R6 zoning districts are widely mapped in built-up, medium-density areas in Brooklyn, Queens and the Bronx. The character of R6 districts can range from neighborhoods with a diverse mix of building types and heights to large-scale “tower in the park” developments such as Ravenswood in Queens and Homecrest in Brooklyn. Developers can choose between two sets of bulk regulations. Standard height factor regulations, introduced in 1961, produce small multi-family buildings on small zoning lots and, on larger lots, tall buildings that are set back from the street. Optional Quality Housing regulations produce high lot coverage buildings within height limits that often reflect the scale of older, pre-1961 apartment buildings in the neighborhood.

Height Factor

Buildings developed pursuant to height factor regulations are often tall buildings set back from the street and surrounded by open space and on-site parking. The floor area ratio (FAR) in R6 districts ranges from 0.78 (for a single-story building) to 2.43 at a typical height of 13 stories; the open space ratio (OSR) ranges from 27.5 to 37.5. Generally, the more open space, the taller the building. In the diagram, for example, 81% of the zoning lot with the 13-story building is required to be open space (2.43 FAR × 33.5 OSR). Thus, the maximum floor area ratio is achievable only where the zoning lot is large enough to accommodate a practical building footprint as well as the required amount of open space. There are no height limits for height factor buildings although they must be set within a sky exposure plane which begins at a height of 60 feet above the street line and then slopes inward over the zoning lot.

Off-street parking is generally required for 70 percent of a building's dwelling units, but requirements are lower for income-restricted housing units (IRHU) and are further modified in certain areas, such as within the Transit Zone and the Manhattan Core, or for lots less than 10,000 square feet. Parking can be waived if five or fewer spaces are required.

Quality Housing

The optional Quality Housing regulations produce high lot coverage buildings set at or near the street line. Height limitations ensure that these buildings are often more compatible with older buildings in the neighborhood. As an incentive for developers to choose the Quality Housing option outside the Manhattan Core, greater floor area ratio, and therefore, more apartments, is permitted for buildings on or within 100 feet of a wide street than would be permitted under height factor regulations. The FAR is 3.0; the maximum base height before setback is 65 feet with a maximum building height of 75 with a qualifying ground floor (70 feet without). On a narrow street (beyond 100 feet of a wide street), the maximum FAR is 2.2; the maximum base height before setback is 45 feet with a maximum building height of 55 feet. The area between a building's street wall and the street line must be planted and the buildings must have interior amenities for the residents pursuant to the Quality Housing Program.

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

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

Table 2.4-2: Zoning Districts in the Surrounding Area[2]

Zoning District	Type and Use Group (UG)	Floor Area Ratio (FAR)	Parking (Required Spaces)
M1-1	UGs 4-14, 16-17	1.0 FAR – Commercial 1.0 FAR – Manufacturing 2.4 FAR – Community Facility	1 per 300 SF for PRC-B
R6	Non-Contextual Residential UGs 1-4	4.8 – Community Facility <u>Height Factor:</u> 0.78-2.43 – Residential <u>Quality Housing:</u> 2.2 FAR – Residential (Basic, Narrow Street) 3.0 FAR – Residential (Basic, Wide Street) 2.42 FAR – Residential (Inclusionary, Narrow Street) 3.60 FAR – Residential (Inclusionary, Wide Street)	<u>Height Factor:</u> 70% of DU 25% of DU for IRHU outside TZ <u>Quality Housing:</u> 50% of DU 25% of DU for IRHU outside TZ

*IRHU= Income Restricted Housing Units
*TZ=Transit Zone

<u>Affected Area</u>

The Affected Area is zoned M1-1 which permits light industrial uses, such as woodworking shops, repair shops and wholesale service and storage facilities. A maximum of 1.00 FAR for commercial uses is permitted, and a maximum of 2.40 FAR is permitted for community facility uses. 1 parking space per 300 SF of commercial use and 1 parking space per 1,000 SF of industrial use is required.

Future No-Action Condition

<u>Zoning Study Area and Affected Area</u>

No changes to zoning would occur in the future without the Proposed Action in the Affected Area. Existing zoning patterns would remain, and the Affected Area would continue to be subject to M1-1 zoning regulations.

Future With-Action Condition

<u>Zoning Study Area</u>

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

<u>Affected Area –M1-1 to M1-5</u>

The Proposed Action would establish an M1-5 zoning district within the Affected Area. The proposed M1-5 zoning district would permit a wide range of manufacturing and related uses which can conform to a high level of performance standards. Manufacturing establishments of this type, within completely enclosed buildings, provide a buffer between Residence (or Commercial) Districts and other industrial uses which involve more objectionable influences.

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

Industrial and commercial uses would be permitted at 5.00 FAR, and community facility uses up to 6.5 FAR would be allowed. No parking is required within M1-5 zoning districts.

Conclusion

The Proposed Action would allow for a higher density of light manufacturing and commercial uses within the Affected Area and would remove the high parking requirement of the existing M1-1 zoning district (1 space per 300 SF). The new M1-5 zoning district would be consistent with zoning in the Surrounding Area and would not result in significant adverse impacts as a result of the zoning change. Therefore, no further analysis is required.

2.4.3 Public Policy

Projected Development Site 1 is not part of, or subject to, an Urban Renewal Plan (URP), adopted community 197-a Plan, Solid Waste Management Plan, Business Improvement District (BID), Industrial Business Zone (IBZ), or the New York City Landmarks Law. The Proposed Action is also not a large publicly sponsored project, and as such, consistency with the City's PlaNYC 2050 for sustainability is not warranted.

Existing Conditions

The Affected Area is shown in **Figure 1.1-1** and is summarized in **Table 1.4-1** above. The M1-1 zoning district promotes high performance light manufacturing, with manufacturing and commercial FAR up to 1.0 and community facility FAR up to 2.40. All the lots in the Affected Area include frontage along Richards Street, except Lot 25 fronting on Seabring Street. The depth of the rezoning boundary would be 150 feet from Richards Street, with Lots 13, 20, and 22 fully within the proposed M1-5 district and would include an approximately 2,800 sf portion of Lot 25.

Future Without the Proposed Action (No-Action Scenario)

In the future without the Proposed Action existing conditions would remain. Most of the lots within the Rezoning Area are developed to the maximum FAR possible under the existing M1-1 zoning district. Expansion or redevelopment would be economically infeasible because of the high parking requirements of 1 space per 300 SF of floor area. Also, development trends in the area and lack of development within the Rezoning Area indicates that in the absence of the Proposed Action future development is unlikely.

Future With the Proposed Action (With-Action Scenario)

Projected Development Site 1 (Block 512, Lots 13 and 20; Applicant Owned): 37 and 41 Richards Street would combine to form a 16,500 SF lot that would be developed with a 9-story, 120-foot-tall (135 feet top of bulkhead) 137,112 GSF (107,181 ZSF, 6.5 FAR) building comprised of 19,170 GSF (15,947 ZSF, 0.97 FAR) of commercial space, 70,013 GSF (66,319 ZSF, 4.02 FAR) of manufacturing space, and 25,912 GSF (24,915 ZSF, 1.51 FAR) of community facility space. There would be a 22,017 GSF parking garage between the cellar and first floors with 41 parking spaces,

and two separate 4,000 GSF loading berths at the cellar level and on the first floor.

Of the 19,170 GSF of commercial space, 2,730 GSF would be UG 6 locally serving retail space located at cellar level, and 16,440 GSF would be office space. The 70,013 GSF of manufacturing space would be light manufacturing, which mirrors the Applicant's proposal to provide "boutique manufacturing" (custom woodworking, ceramic products, clothing). Of the 25,912 gsf community facility space, 12,956 sf would be general community facility, while 12,956 sf would be medical office.

Other Site (Block 512, Lot 22; Non-Applicant Owned): the 6,000 SF lot is improved with a 7,134 GSF firehouse. The long-standing institutional use has no known development plans, and therefore would not be induced to redevelop.

Other Site (Block 512, Lot 25; Non-Applicant Owned): the 22,534 SF lot is improved with a 29,672 GSF hotel that was built in 2009. Only a small portion (approximately 2,800 sf) on the west boundary of the lot would fall within the Rezoning Area. No known development plans were identified on Lot 25, and therefore the lot would not be induced to redevelop.

Comprehensive Waterfront plan (Waterfront Access Plan Area)

Projected Development Site 1 is located in the Waterfront Access Plan Boundaries mapped along the East River. The Waterfront Plan established a set of citywide strategies and goals under the Vision 2020 New York City Comprehensive Waterfront Plan as follows:

1. Expand Public Access;
2. Enliven the Waterfront;
3. Support the working waterfront;
4. Improve water quality;
5. Restore the natural waterfront;
6. Enhance the blue network;
7. Improve government oversite; and
8. Increase climate resilience.

The Affected Area is within the boundaries of a Waterfront Access Plan Affected Area. Projected Development Site 1 would develop underutilized lots with mixed-use development including ground floor commercial use. Therefore, the redevelopment of Projected Development Site 1, as proposed, would activate the street and provide supportive commercial services that are complementary to a waterfront area. Additionally, the remediation of the Affected Area required prior to action-induced development would be conducted in accordance with regulatory provisions would effectively improve the water quality by eliminating a potential onsite source of pollution.

Waterfront Revitalization Program Assessment

Projected Development Site 1 is located within the boundaries of the New York City Coastal Zone and is subject to *CEQR* discretionary review procedures; therefore, the Proposed Action must be reviewed and assessed for consistency with the policies set forth in the New York City Waterfront Revitalization Program (WRP). The WRP establishes the City's policies for waterfront planning, preservation, and development projects to ensure consistency over the long term. The WRP Consistency Assessment Form (CAF) was completed (**Appendix B**) to determine if the Proposed Action is consistent with the WRP policies.

Additionally, because the Projected Development Site falls within a designated "AE Zone" within the 1% annual chance floodplain (100-year flood zone) as per the 2015 FEMA Preliminary Flood Insurance Rate Maps (PFIRM) and the 2007 Effective Flood Insurance Rate Maps (FIRMS), the Flood Evaluation Worksheet was completed (*See* **Appendix B** and Policy 6.2 evaluation below). The Flood Evaluation Worksheet allows applicants to calculate future flood elevations and assess site-specific risks to vulnerable or critical project features.

Based on the information provided in the CAF, a Detailed Methodology and policy response is provided below, following the Definitions Section. The WRP assessment incorporates the findings of the Flood Evaluation Worksheet and the Proposed Action's consistency with the applicable WRP Policies and Sub Policies (1.1, 1.3, 1.5, 6.1, and 6.2).

Definitions

FEMA National Flood Insurance Program (NFIP) Flood Insurance Rate Maps (FIRMs)

In 1983, the City of New York joined the NFIP, managed by the Federal Emergency Management Administration (FEMA). FEMA provides flood insurance, improves floodplain management, and develops maps of flood hazard areas. Once the City joined the program and adopted the FIRMS, NFIP required the adoption and enforcement of flood resilient Building Code regulations pursuant to *Appendix G: Flood-Resistant Construction* of the NYC Building Code.

FIRMs/PFIRMs

Flood Insurance Rate Maps (FIRMs) identify buildings in the floodplain and are a tool used for assessing the applicability of Appendix G, as well as for calculating flood insurance rates. Flood Insurance Rate Maps (PFIRMs), reflect the best available information about the city's flood risks at this time. Compared to the FIRMs, the PFIRMs generally show a larger geography with higher flood elevations. Flood insurance rates in New York City are based on the 2007 effective FIRMs. Flood Insurance is required for property owners with federally backed mortgages located within the 1% annual chance floodplain, or the V or A zones as shown on the 2007 FIRM. Provisions of the Building Code and Zoning Resolution will continue to be based on the 2007 FIRMs and the 2015 PFIRMs (*whichever is more conservative*).

Flood Zone Designations

Within the FIRMs, the floodplain is divided into different areas of risk; the V-Zone, A-Zone and Shaded X Zone. The PFIRMS divide the floodplain into four different areas of risk; the V-Zone, Coastal A Zone, A Zone, and Shaded X-Zone. The V and Coastal A Zones are vulnerable to waves, while the A zone is an area that is vulnerable to flooding but not wave damage. FEMA flood maps also show the Shaded X Zone, which is also known as the 0.2% annual chance, and has a lower annual chance of flooding than the A Zone. Buildings located in an X Zone are not currently required to comply with Appendix G of the Building Code.

- *Special Flood Hazard Areas – High Risk*

  Special Flood Hazard Areas represent the area subject to inundation by 1-percent-annual chance flood. Structures located within the SFHA have a 26-percent chance of flooding during the life of a standard 30-year mortgage. Federal floodplain management regulations and mandatory flood insurance purchase requirements apply in these zones.

- *Coastal High Hazard Areas – High Risk*

  Coastal High Hazard Areas (CHHA) represent the area subject to inundation by 1-percent-annual chance flood, extending from offshore to the inland limit of a primary front al dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources. Structures located within the CHHA have a 26-percent chance of flooding during the life of a standard 30-year mortgage. Federal floodplain management regulations and mandatory purchase requirements apply in these zones.

- *Moderate and Minimal Risk Areas*

  Areas of moderate or minimal hazard are studied based upon the principal source of flood in the area. However, buildings in these zones could be flooded by severe, concentrated rainfall coupled with inadequate local drainage systems. Local stormwater drainage systems are not normally considered in a community's flood insurance study. The failure of a local drainage system can create areas of high flood risk within these zones. Flood insurance is available in participating communities but is not required by regulation in these zones. Nearly 25-percent of all flood claims filed are for structures located within these zones.

See

Table 2.4-3 below for a list of all FEMA zones:

Table 2.4-3: FEMA FIRM Risk Zone Designations

ZONE	DESCRIPTION
High Risk Zones	
A	Areas subject to inundation by the 1-percent-annual-chance flood event. Because detailed hydraulic analyses have not been performed, no Base Flood Elevations (BFEs) or flood depths are shown.
AE, A1-A30	Areas subject to inundation by the 1-percent-annual-chance flood event determined by detailed methods. BFEs are shown within these zones. (Zone AE is used on new and revised maps in place of Zones A1–A30.)
AH	Areas subject to inundation by 1-percent-annual-chance shallow flooding (usually areas of ponding) where average depths are 1–3 feet. BFEs derived from detailed hydraulic analyses are shown in this zone.
A	Areas subject to inundation by the 1-percent-annual-chance flood event. Because detailed hydraulic analyses have not been performed, no Base Flood Elevations (BFEs) or flood depths are shown.
AE, A1-A30	Areas subject to inundation by the 1-percent-annual-chance flood event determined by detailed methods. BFEs are shown within these zones. (Zone AE is used on new and revised maps in place of Zones A1–A30.)
AH	Areas subject to inundation by 1-percent-annual-chance shallow flooding (usually areas of ponding) where average depths are 1–3 feet. BFEs derived from detailed hydraulic analyses are shown in this zone.
AO	Areas subject to inundation by 1-percent-annual-chance shallow flooding (usually sheet flow on sloping terrain) where average depths are 1–3 feet. Average flood depths derived from detailed hydraulic analyses are shown within this zone.
AR	Areas that result from the decertification of a previously accredited flood protection system that is determined to be in the process of being restored to provide base flood protection.
A99	Areas subject to inundation by the 1-percent-annual-chance flood event, but which will ultimately be protected upon completion of an under-construction Federal flood protection system. These are areas of special flood hazard where enough progress has been made on the construction of a protection system, such as dikes, dams, and levees, to consider it complete for insurance rating purposes. Zone A99 may be used only when the flood protection system has reached specified statutory progress toward completion. No BFEs or flood depths are shown.
Coastal Hazard Areas	
V	Areas along coasts subject to inundation by the 1-percent-annual-chance flood event with additional hazards associated with storm-induced waves. Because detailed coastal analyses have not been performed, no BFEs or flood depths are shown.
VE, V1-V30	Areas along coasts subject to inundation by the 1-percent-annual-chance flood event with additional hazards due to storm-induced velocity wave action. BFEs derived from detailed hydraulic coastal analyses are shown within these zones. (Zone VE is used on new and revised maps in place of Zones V1–V30.)
Moderate and Minimal Risk Areas	
B, X (shaded)	Moderate risk areas within the 0.2-percent-annual-chance floodplain, areas of 1-percent-annual-chance flooding where average depths are less than 1 foot, areas of 1-percent-annual-chance flooding where the contributing drainage area is less than 1 square mile, and areas protected from the 1-percent-annual-chance flood by a levee. No BFEs or base flood depths are shown within these zones. (Zone X (shaded) is used on new and revised maps in place of Zone B.)
C, X (unshaded)	Minimal risk areas outside the 1-percent and .2-percent-annual-chance floodplains. No BFEs or base flood depths are shown within these zones. (Zone X (unshaded) is used on new and revised maps in place of Zone C.)
Undetermined Risk Areas	

D	Unstudied areas where flood hazards are undetermined, but flooding is possible. No mandatory flood insurance purchase requirements apply, but coverage is available in participating communities.

Base Flood Elevation (BFE)

Besides designating the geography and risk profile where flood events are likely to happen the FIRMs also indicate the Base Flood Elevation (BFE), the computed elevation to which floodwater is anticipated to rise during a flood that has a 1% chance of occurring in any given year, also known as the 100-year flood zone.

Appendix G:

Appendix G requires owners of severely damaged or destroyed buildings in the 1% annual chance floodplain to comply with the flood resistant construction standards of the Building Code when they rebuild. The same requirements are applicable to any new development, or substantially improved properties, whether the development is located in whole or in part within the floodplain.

- *Substantially Damaged: Restoring Cost ≥ 50% Market Value*
- *Substantially Improved: Improvement Cost ≥ 50% Market Value*

Design Flood Elevation (DFE)

In addition to the adoption of the PFIRMs as another standard for how to design buildings in the flood zone, the Building Code was amended to require higher elevations for certain building types: Appendix G incorporates freeboard, an extra margin of protection that requires the lowest floor to be elevated beyond the BFE. This height standard is called the Design Flood Elevation (DFE), which is the BFE plus freeboard (an additional one to two feet of elevation as a measure of safety). DFE, used by the building code, is synonymous with Flood Resistant Construction Elevation (FRCE) used by zoning. Any space below that level needs to be wet-floodproofed or dry-floodproofed depending on the building use. For example, for buildings located within the A Zones, single- and two-family homes are required to provide two feet of freeboard, and mixed-use or multi-family buildings, are required to provide one foot of freeboard.

Wet and Dry Floodproofing (*See* **Figure 2.4-3**)

There is a wide range of flood resilient construction practices that can enable buildings to withstand future flood events better. The most common of which are wet-floodproofing and dry-floodproofing, which can be utilized depending on building use category. Wet-floodproofing can be used by any building typology, while dry-floodproofing can only be deployed in non-residential uses. In general, buildings located in coastal areas subject to wave hazards (i.e., V Zone) are restricted from having any enclosed walls below the DFE and must elevate all active uses and mechanical systems. Buildings located in coastal areas that are not subject to wave hazards (i.e., A Zone) can be wet- or dry-floodproofed.

- *Wet-floodproofing: method designed to allow the passage of water within parts of the structure that are located below the flood elevation, while ensuring that the structure resists water loads. Wet-floodproofed areas can only be used as crawl space, or for parking, storage and access.*
- *Dry-floodproofing: method designed to seal a building's exterior walls to flood waters while ensuring that the building has the ability to resist water loads below the expected level of flooding.*

Flood Resilience Zoning Text

The Flood Resilience Zoning Text was established to promote rebuilding and recovery after Hurricane Sandy, and increase the city's resilience to climate-related events, including coastal flooding and storm surge. Pursuant to Chapter 4, Section 64-00 of the Zoning Resolution of the City of New York ("ZR") this text was established for the following general purposes:

(a) To facilitate the development and alteration of buildings in flood zones consistent with the latest flood-resistant construction standards of the Federal government and the New York City Building Code;

(b) To enable buildings to be constructed pursuant to flood-resistant standards with comparable amount of usable interior space to what is generally permitted within the applicable zoning district;

(c) To mitigate the effects of elevated and flood-proofed buildings on the streetscape and pedestrian activity;

(d) To expedite the recovery of neighborhoods that experienced a high concentration of damage to single- and two-family residences from Hurricane Sandy within the Neighborhood Recovery Areas Specified in Chapter 4, Appendix A; and

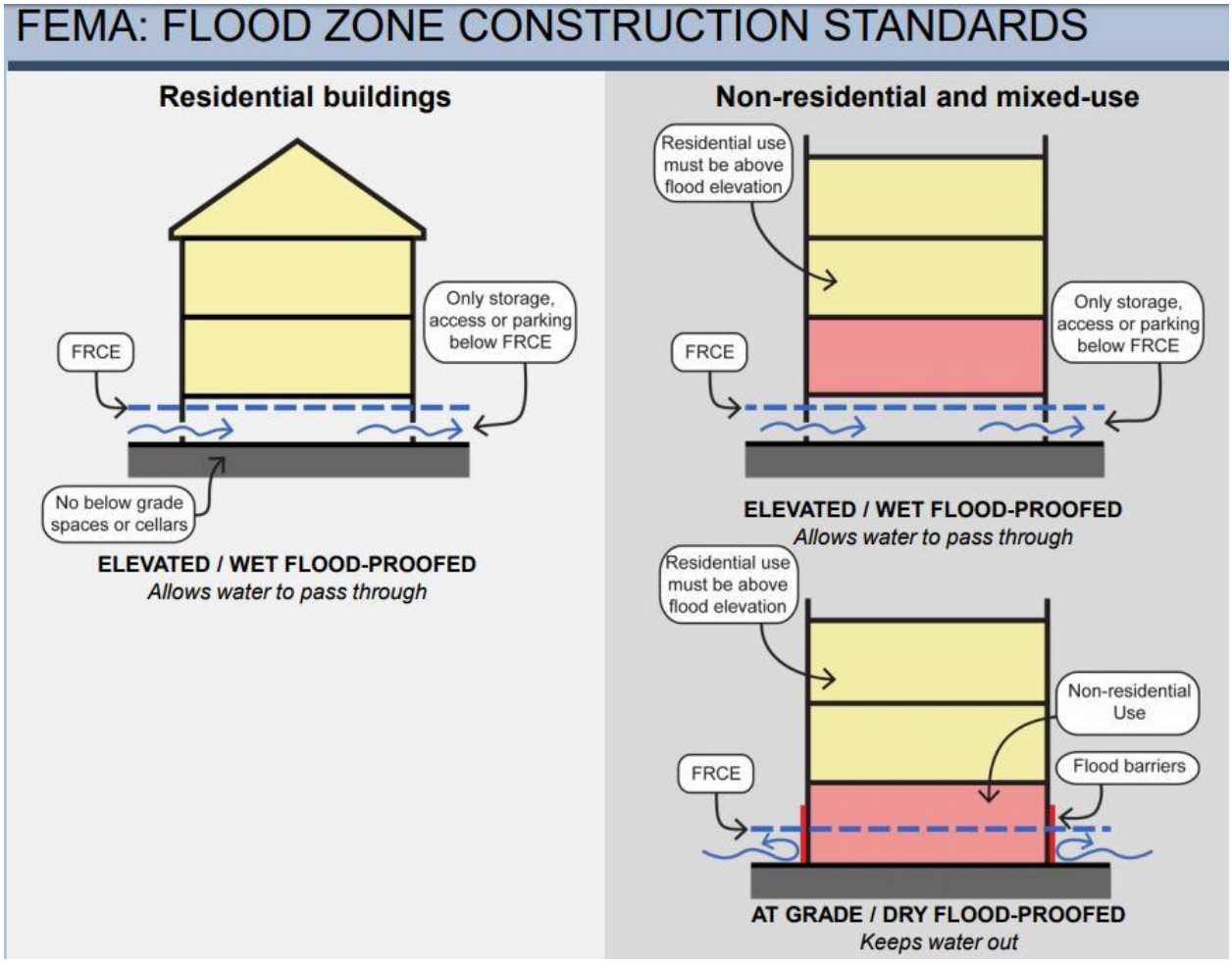
(e) To promote the most desirable use of land and thus conserve and enhance the value of land and buildings, and thereby protect the City's tax revenue.

The Flood Text encourages flood-resilient building construction throughout designated floodplains by removing regulatory barriers that hinder or prevent the reconstruction of storm-damaged properties. It also enables new and existing buildings to comply with new, higher flood elevations issued by the Federal Emergency Management Agency (FEMA), and to comply with new requirements in the New York City Building Code.

The Flood Text is available to all buildings located entirely or partially within the 1% annual chance floodplain pursuant to the more restrictive of the 2007 FIRMs or 2015 PFIRMs. The Flood Text specifies special regulations related to building height, access, ground floor use, parking, mechanical systems, and streetscape design, as further described below. These regulations, if

utilized, typically require the building to fully comply with flood- resistant construction standards. However, some provisions, such as elevation of mechanical spaces, are available to all buildings located in the Flood Zone, even if not fully compliant with Appendix G.

Figure 2.4-3: Flood Zone Construction



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

Sub-Policy 1.1: Encourage commercial and residential development in appropriate coastal zone areas.

Criteria that should be considered to determine areas appropriate for reuse through public and private actions include: compatibility with the continued functioning of the designated Special Natural Waterfront Areas, the Arthur Kill Ecologically Sensitive Maritime and Industrial Area, or Significant Maritime and Industrial Areas, where applicable; the absence of unique or significant

natural features or, if present, the potential for compatible development; the presence of substantial vacant or underused land; proximity to existing residential or commercial uses; the potential for strengthening upland residential or commercial areas and for opening up the waterfront to the public; transportation access; the maritime and industrial jobs potentially displaced or created; and the new opportunities created by redevelopment. Public actions— such as property disposition, urban renewal plans, and infrastructure provision—should facilitate redevelopment of underused property to promote housing and economic development and enhance the city's tax base, subject to consideration of Policy 2, where applicable.

The Proposed Action would allow redevelopment of an underutilized site in close proximity to established and newly emerging commercial and retail areas that is well served by public transit, local commercial services, and open space and community facilities. Accordingly, the Proposed Action is consistent with Sub-Policy 1.1.

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

The Proposed Action would effectuate the redevelop of an underutilized site for retail, office and light industrial uses in close proximity to high capacity roadways, mass transit infrastructure including the growing NYC Ferry service, and would integrate the site into the Surrounding Area. Therefore, the Proposed Action is consistent with Sub Policy 1.3.

Sub-Policy 1.5: Integrate Consideration of climate change and sea level rise into the planning and design of waterfront residential and commercial development pursuant to WRP Policy 6.2

Projects should consider potential risks related to coastal flooding to features specific to each project, including, but not limited to, critical electrical and mechanical systems, residential living areas, and public access areas.

As described further below under Policy 6.2, the proposed project would incorporate building-scale flood resiliency measures pursuant to the NYC Building Code Appendix G Flood Resistant Construction Standards to protect critical and venerable building features from future flood risks. Therefore, the Proposed Action is consistent with Policy 1.5.

Policy 6: Minimize Loss of Life, Structures, Infrastructure, And Natural Resources Caused by Flooding And Erosion, And Increase Resilience To Future Conditions Created By Climate Change.

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

Under Policy 6, the primary goal for projects within current or future flood hazard areas is to reduce the risks posed by current and future flood events, mainly major storms that are likely to increase due to climate change and sea level rise (SLR). As indicated below in **Figure 2.4-4**, the Projected Development Site is not located within the 2007 FIRMs and 2015 PFIRMS 0.2% annual chance floodplain (500-year flood zone) or 1% annual chance floodplain (100-year flood zone).

As the project site falls within the 1% annual chance floodplain, the proposed building would be subject to compliance with NYC Building Code Appendix G. Appendix G requires owners of severely damaged or destroyed buildings in the 1% annual chance floodplain to comply with the flood resistant construction standards of the Building Code when they rebuild. The same requirements are applicable to any new development, or substantially improved properties, whether the development is located in whole or in part within the 1% annual chance floodplain. However, as further discussed in Policy 6.2 below, the proposed building design incorporates dry-floodproofing building features below-grade to protect the critical features (*mechanical and utility systems*) contained within the cellar level. Dry-floodproofing is a flood resilient construction practice that is designed to seal a building's exterior walls to flood waters, while ensuring that the building has the ability to resist water loads below the expected level of flooding. Therefore, the Proposed Project would meet the requirements of building-scale resiliency measures to reduce the risks of damage from current and future coastal hazards and would be consistent with Policy 6.1.

Figure 2.4-4: 2007 FIRM vs. 2015 PFIRM

Comparison of Flood Hazard

Effective & Preliminary Flood Hazards

FEMA

Effective



Preliminary



Effective	
POI Longitude/Latitude	-74.0068, 40.6801
Effective FIRM Panel	3604970192F
Effective Date	9/5/2007
Flood Zone	AE
Static BFE*	10.0 Feet
Flood Depth	Not Available
Vertical Datum	NGVD29

Preliminary	
POI Longitude/Latitude	-74.0068, 40.6801
Preliminary FIRM Panel	3604970192G
Preliminary Issue Date	1/30/2015
Flood Zone	AE
Estimated Static BFE*	11.0 Feet
Estimated Flood Depth	Not Available
Vertical Datum	NAVD88

* A **Base Flood Elevation** is the expected elevation of flood water during the 1% annual chance storm event. Structures below the estimated water surface elevation may experience flooding during a base flood event.

Hazard Level	Flood Hazard Zone
High Flood Hazard	**AE, A, AH, AO, VE and V Zones.** Properties in these flood zones have a 1% chance of flooding each year. This represents a 26% chance of flooding over the life of a 30-year mortgage.
Moderate Flood Hazard	**Shaded Zone X.** Properties in the moderate flood risk areas also have a chance of flooding from storm events that have a less than 1% chance of occuring each year. Moderate flood risk indicates an area that may be provided flood risk reduction due to a flood control system or an area that is prone to flooding during a 0.2% annual chance storm event. These areas may have been indicated as areas of shallow flooding by your community.
	Unshaded Zone X. Properties on higher ground and away from local flooding sources have a reduced flood risk when compared to the Moderate and High Flood Risk categories. Structures in these areas may be affected by larger storm events, in excess of the 0.2% annual chance storm event.
Low Flood Hazard	**Insurance Note:** High Risk Areas are called 'Special Flood Hazard Areas' and flood insurance is mandatory for federally backed mortgage holders. Properties in Moderate and Low Flood Risk areas may purchase flood insurance at a lower-cost rate, known as Preferred Risk Policies. See your local insurance agent or visit https://www.fema.gov/national-flood-insurance-program for more information.

Disclaimer: This report is for informational purposes only and is not authorized for official use. The positional accuracy may be compromised in some areas. Please contact your local floodplain administrator for more information or go to msc.fema.gov to view an official copy of the Flood Insurance Rate Maps.

Service Layer Credits: Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

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

The following assessment was prepared in accordance with *The New York City Waterfront Revitalization Program: Climate Change Adaptation Guidance Document for Policy 6.2.*

The three basic steps to assessing an action's consistency with Policy 6.2 of the Waterfront Revitalization Program include identifying vulnerabilities and consequences, identifying adaptive strategies, and assessing policy consistency.

Sub-Policy 6.2 Detailed Methodology

1. Identify Vulnerabilities and Consequences

a) Assess the Project Area's Exposure to current and future flood risk (Flood-Evaluation Worksheet)

The information in the following subsections is based on the results of the completed flood evaluation worksheet, which is provided in **Appendix B** and the New York City Panel for Climate Change (NPCC) projections on future flood and high tides.

As discussed above, the Projected Development Site is located within the boundaries of 1% annual chance floodplain pursuant to both the 2007 Effective FIRMs and the 2015 PFIRMs. **Figure 2.4-5** and **Figure 2.4-6** show future flood and high tide projections for 2020, **Figure 2.4-7** and **Figure 2.4-8** show future flood and high tide projections for 2050, **Figure 2.4-9** and **Figure 2.4-10** show future flood and high tide projections for 2080, and **Figure 2.4-11** and **Figure 2.4-12** show Future flood and high tide projections for 2100[3]

[3] https://www1.nyc.gov/site/planning/data-maps/flood-hazard-mapper.page

Figure 2.4-5: 2020s Flood Projections



Figure 2.4-6: 2020s High Tide Projections



Figure 2.4-7: Future 2050s Flood Projections



Figure 2.4-8: Future 2050s High Tide Projections

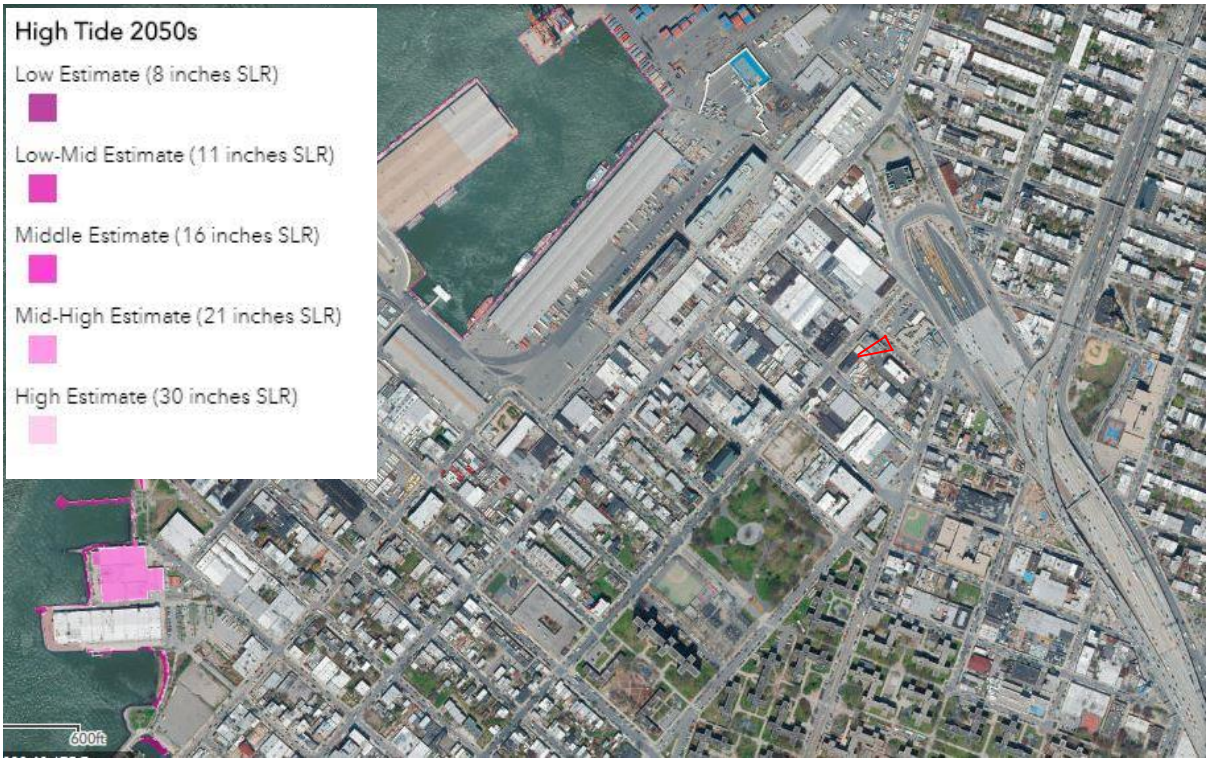


Figure 2.4-9: Future 2080s Flood Projections



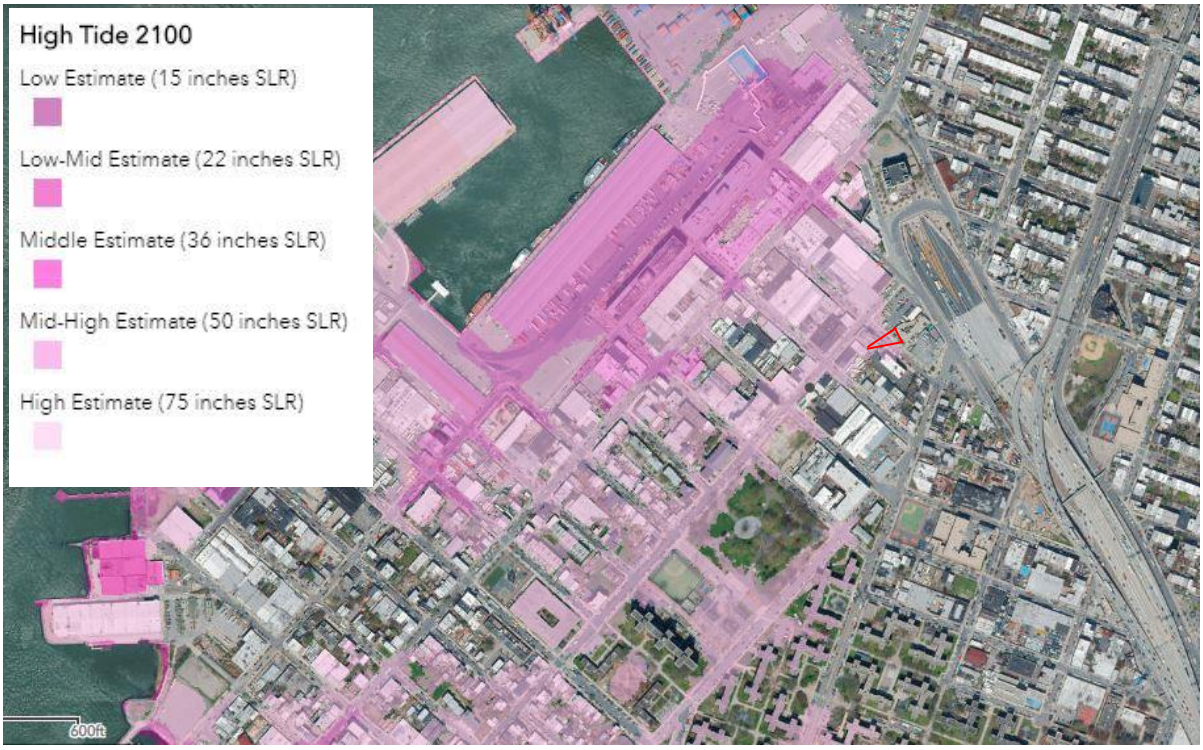
Figure 2.4-10: Future 2080s High Tide Projections



Figure 2.4-11: Future 2100s Flood Projections



Figure 2.4-12: Future 2100s High Tide Projections



As indicated in the figures above, according to the flood hazard mapper[4], the Projected Development Site is located within the 1% chance annual floodplain, and will continue to be in Zone AE under future flood projections. Based on these projections, the Projected Development Site is anticipated to be impacted by future hide tides by the 2100s under high SLR projections.

*The Flood Evaluation Worksheet, provided in **Appendix B**, was completed using the site-specific data as follows:*

The Proposed Action are sought to effectuate the development of one mixed-use building on Block 512, Lots 13 and 20. The 113,557 Gross Square Feet (GSF) (82,266 ZSF, 4.99 FAR) building would be 7 stories. The building would include 22,017 GSF of parking with 41 parking spaces and two loading docks at cellar level and on the first floor, 2,730 GSF of cellar level local retail, 66,319 ZSF, 4.02 FAR of manufacturing space between the cellar and 7th floors, and 15,947 ZSF, 0.97 FAR of office space on floors 2 through 7.

Regulatory floodplains are defined by the elevation of the base flood (BFE) in relation to the elevation of the ground. According to datum (NAVD88) obtained from the National Oceanic and Atmospheric Administration (NOAA)[5] website for the nearest NOAA station – The Battery, NY Station (Station ID 8518750) - the mean of the higher high-water height (MHHW) is 2.61 feet adjusted. Additionally, pursuant to the 2015 PFIRMs, the 1% flood height for the AE zone in which the project is located is 12 feet.

The cellar level would be located 7 feet in elevation above grade (NAVD88 Datum). The first floor level would be located 20 feet in elevation above grade (NAVD88 Datum).

Based on the results of the calculations completed in the flood evaluation worksheet using site-specific data, **Figure 2.4-13** shows the results of the 1% Flood Elevation and SLR projections, and **Figure 2.4-14** shows the results of the MHHW and SLR projections.

[4] Not intended for site-specific analysis, but serves as an estimate of future flood risk.
[5] https://tidesandcurrents.noaa.gov/datums.html?id=8518699

Figure 2.4-13: 1% Flood Elevation and SLR Projections

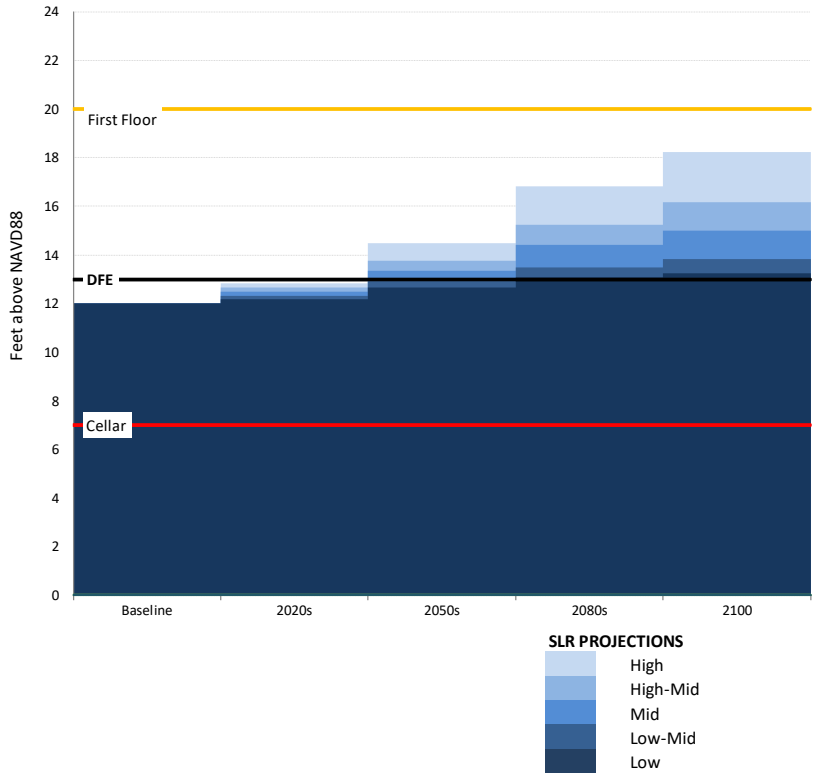
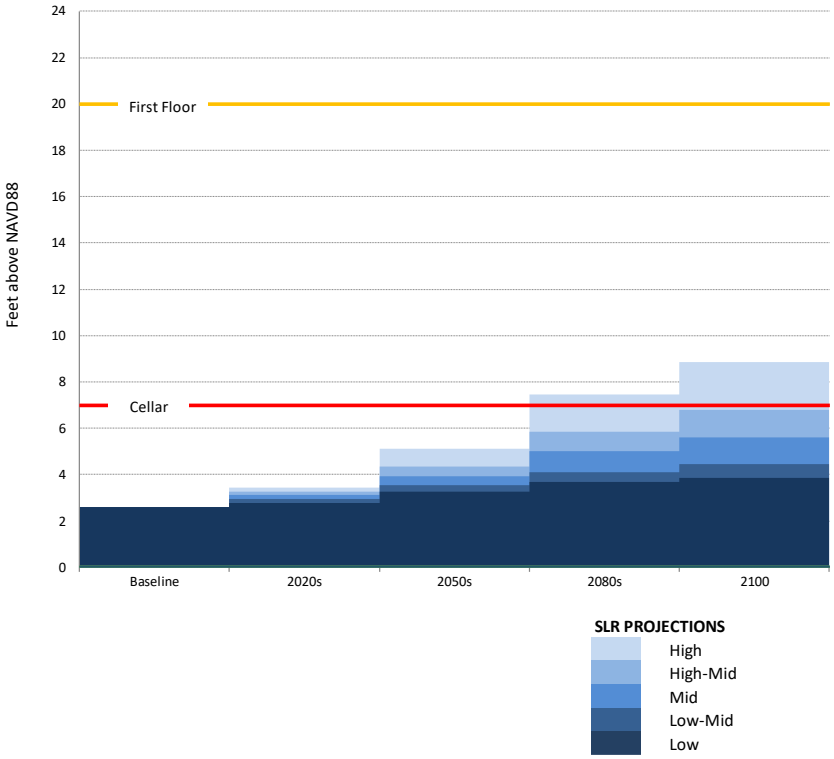


Figure 2.4-14: MHHW and SLR Projections



As indicated in **Figure 2.4-13** above, the Proposed Development's first-floor level does not fall within the 1% annual chance floodplain under any SLR projections. Currently, and in the future, the cellar level falls within the 1% annual chance floodplain under low SLR projections.

As indicated in **Figure 2.4-14** above, the Proposed Development's first-floor level would not be impacted by the MHHW under any SLR projections. However, the Proposed Development's cellar level has the potential to be impacted by MHHW by the 2080s and 2100s under high SLR projections.

b) Identify any Project Features that may be located below the elevation of the 1% floodplain over the lifespan of the project under any SLR scenario:

Currently, and in the future, the Proposed Development's cellar level will remain below the 1% annual chance flood elevation under low SLR projections. The 16,500-sf cellar includes 20 enclosed parking stalls, a lobby, a passenger elevator and a freight elevator, an electrical room, and approximately 2,730 sf of retail use.

c) Identify any vulnerable, critical, or potentially hazardous features that may be located below the elevation of Mean Higher High Water over the lifespan of the project under any sea level rise scenario.

As indicated in **Figure 2.4-14**, the Proposed Development's first-floor level would not be impacted by the MHHW under any SLR projections. However, the Proposed Development's cellar level has the potential to be impacted by MHHW by the 2080s and 2100s under high SLR projections.

The cellar level would contain vulnerable building features (walls, electrical, enclosed building space, and parking) and critical building features (elevator pits, and electric room).

d) Identify if the project or action would facilitate the development of any vulnerable, critical, or potentially hazardous features, as defined under "Key Terms" below, within areas exposed to flooding from Mean Higher High Water or 1% Annual Chance Flood by the 2050s under the 90th percentile of sea level rise projections:

Based on the above projections, currently, and in the future, the cellar level has the potential to be exposed to flooding from a 1% annual chance flood event under low SLR projections and MHHW by the 2080s under 90th percentile SLR projections.

Vulnerable, Critical or Potentially Hazardous Features pursuant to Policy 6.2 guidance:

- *Vulnerable Features, if damaged, have the potential to incur significant damage if flooded.*

  These include any form of enclosed space within a building, including residential, commercial, industrial, or community facility land uses; enclosed parking structures; storage areas; enclosed recreational facilities; and bulkheads, revetments, piers, platforms, and other in-water infrastructure elements.

- *Critical Features, if damaged, would have severe impacts on the project and its ability to function*

  The project features that, if damaged, would have severe impacts on the project and its ability to function as designed. Examples include electrical utilities, building heating and cooling systems, telephone and data connection and distribution rooms, and other supporting and related building technology and utility spaces.

- *Potentially Hazardous Features, if damaged or made insecure by flooding, could potentially adversely affect the health and safety of the public and the environment.*

  Examples include hazardous materials, including highly volatile, flammable, explosive, toxic, or water-reactive materials; and materials that have the potential to become waterborne in the event of a flood and would be dangerous to the health and safety of the public and the environment, such as the storage of construction materials, demolition debris, and aggregate materials.

As discussed above, the cellar level would contain vulnerable building features (walls, electrical, enclosed building space, and parking) and critical building features (elevators and elevator pits, and electrical room). The project would not contain any hazardous materials or substances that if made insecure, would result in a threat to public health or the environment.

2. Identify Adaptive Strategies

The goal of Step 2 under WRP Policy 6.2 is to assess how the vulnerabilities and consequences identified in Step 1 are addressed through the project's design and planning. Assess how applicable codes and regulations, planned flood damage reduction elements and adaptive measures, or likely future infrastructure investments (beyond the scope of the proposed project), would or would not reduce potential flood damage for any proposed vulnerable, critical, or potentially hazardous features.

Because the Projected Development Site is susceptible to the impacts of sea level rise and future flood events, it is recommended that building scale resiliency measures and flood mitigation strategies be considered at the cellar level. Pursuant to Policy 6.2: Climate Change Adaptation Guidance, consideration of climate change projections for coastal flooding and sea level rise should be incorporated into the design and planning of projects. The proposed project should identify potential vulnerabilities to and consequences of sea level rise and coastal flooding over its lifespan and identify and incorporate design techniques to address these risks.

a) Flood Damage Reduction Elements/Controls

The Project Site is located within the current 1% annual chance floodplain and is therefore required to comply with Appendix G of the NYC Building Code for Flood Resistant Construction. Based on the completed flood evaluation above, the cellar level is considered most vulnerable to future flood events. To protect these features from damage related to future flood events the

project design includes the employment of dry-floodproofing by means of a waterproofing membrane at the full height of the foundation wall around the perimeter of the building. With these provisions in place, the features within this space would not be considered critical or vulnerable.

b) Flood Protection of Adjacent Sites:

The Proposed Development would not significantly increase stormwater runoff. Therefore, the Proposed Action would not affect the flood protection of adjacent sites.

3. Assess Policy Consistency

A project or action would advance the policy when:

- No new vulnerable, critical, or potentially hazardous features would be located within area flooded by current or future high tide, or current or future 1% annual chance flood, over the project's lifespan; or
- All new vulnerable, critical, or potentially hazardous features would be protected through flood damage reduction elements or future adaptive measures within the timeframe that they would be needed.

A project or action would hinder the policy when:

- Vulnerable, critical, or potentially hazardous features would be introduced in areas that will be flooded by high tide during the project's lifespan and adaptive measures are not feasible.
- Industrial development would not be protected from 2050s high tides or the current 1% annual chance flood.
- Critical infrastructure would not be protected to the elevation of the 1% annual chance storm over its lifespan.
- Shoreline structures would not function as intended with increases in sea levels projected over their lifespan.

Conclusion

The development that is projected as a result of the Proposed Action would not create a land use conflict, nor would itself conflict with public policies and plans for the site or Surrounding Area. The Development Site is within a current 1% annual chance floodplain, and the Proposed Development is therefore subject to flood resilient construction requirements outlined in Appendix G of the NYC Building Code. Under Appendix G, the cellar level, and any space below the DFE of 13' would be protected through dry-floodproofing, which would minimize the potential damage to site-specific vulnerable or critical features within the cellar. Accordingly, the Proposed Action is consistent with Policy 6.2 of the Waterfront Revitalization Program and would not jeopardize the intent of the WRP.

2.8 Shadows

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

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

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

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

resources. Furthermore, shadows occurring within one and one-half hour of sunrise or sunset generally are not considered significant in accordance with *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 Action in order to determine whether a more detailed assessment would be appropriate.

Analysis Framework

The Projected Development Site is located on Block 512, Lots 13 and 20 in the Red Hook neighborhood of Brooklyn, Community District 6. The development proposed by the Applicant would consist of a 133-foot-tall building (113-foot-tall building plus a 20-foot-tall mechanical bulkhead). As this is an incremental change in height of greater than 50 feet, a preliminary assessment for shadows in warranted. No other sites within the Affected Area are anticipated to be redeveloped as a result of the Proposed Action, thus the only site that would be assessed for potential shadow impacts would be the Applicant-owned site.

2.8.1 Tier 1 Shadow Screening Assessment

Projected Development Site 1 (Block 512, Lots 13 and 20; Applicant Owned): 37 and 41 Richards Street would combine to form a 16,500 SF lot that would be developed with a 9-story, 120-foot-tall (135 feet top of bulkhead) building which would cast a maximum shadow of 135’ x 4.3 = 580.5’. As **Figure 2.8-1** shows below, there are sunlight sensitive resources within the longest shadow study area. As a result, a Tier 2 screening assessment is warranted.

2.8.2 Tier 2 Shadow Screening Assessment

The *2021 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 that 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.

Figure 2.8-1: Tier 1 Shadow Screening Assessment

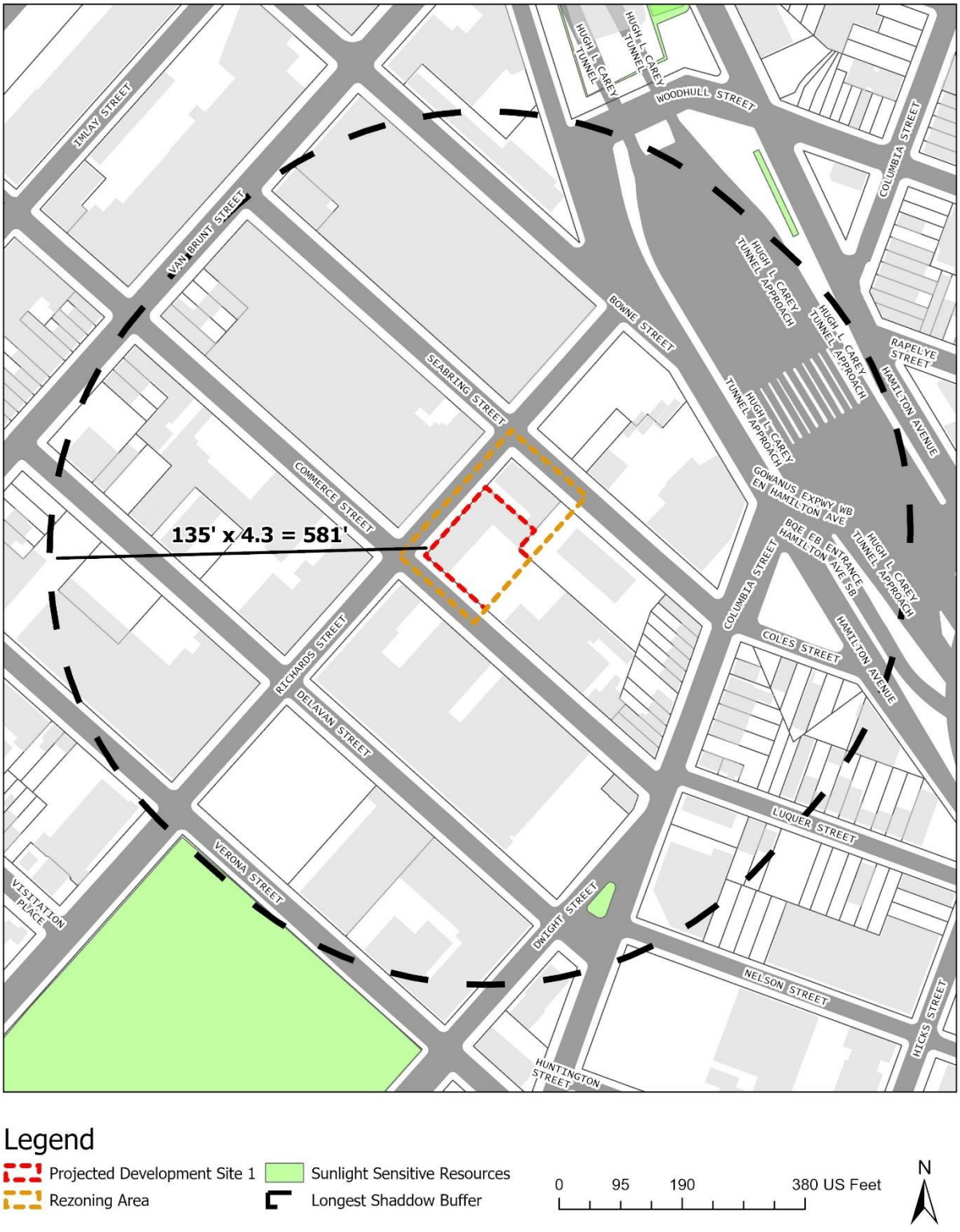
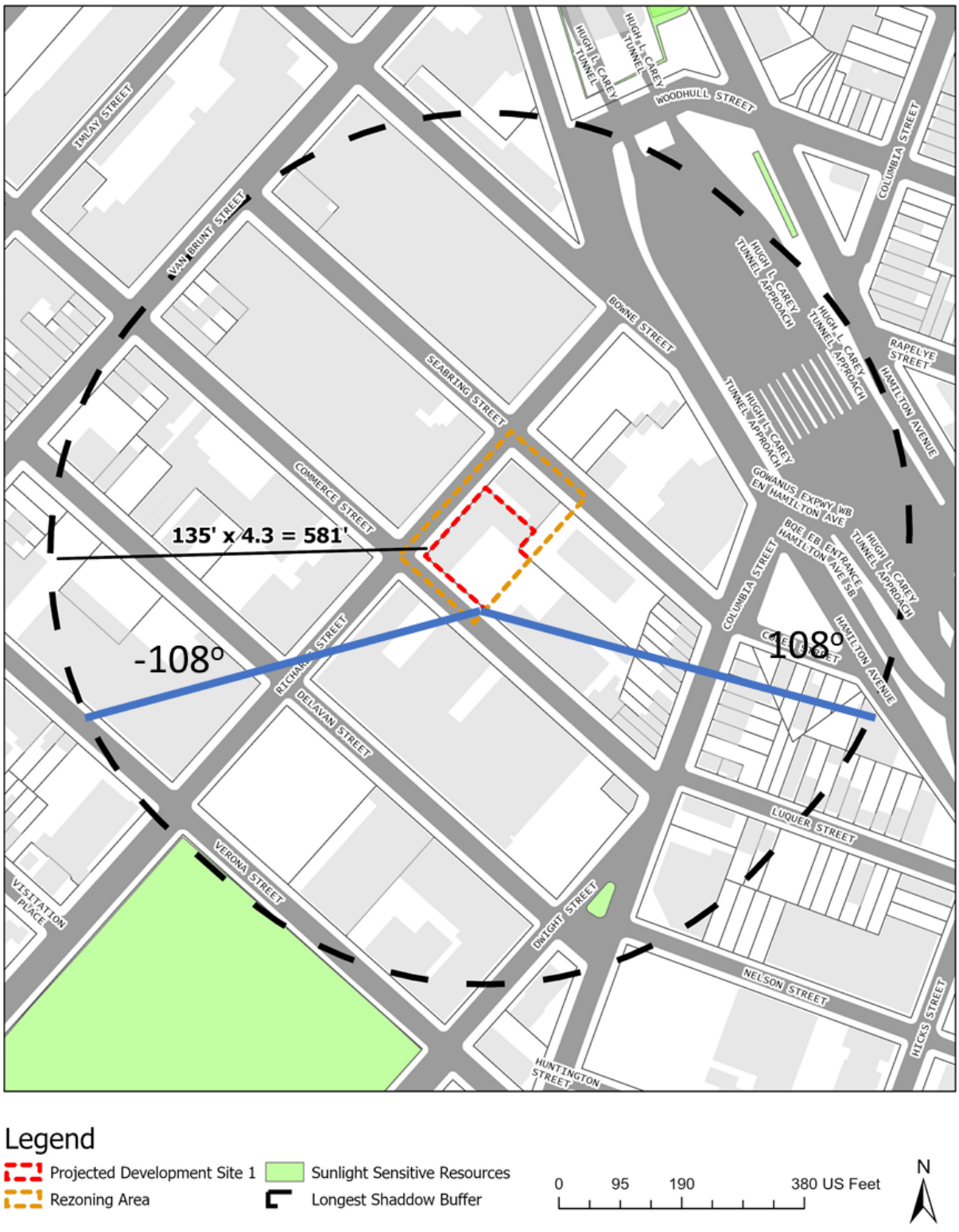


Figure 2.8-2: Tier 2 Shadow Screening Assessment



For a Tier 2 screening assessment, sunlight sensitive resources within the triangular area that cannot be shaded by a proposed project site, starting from the southernmost portion of the site covering the area between -108° degrees from true north and +108 degrees from true north, are screened out. The complementing portion to the north within the longest shadow study area is the area that can be shaded by a proposed project.

As shown in **Figure 2.8-2** above, the results of the Tier 2 screening assessment indicate that no sunlight sensitive resources are in the path of the longest possible shadow extent. As such, a Tier 3 assessment is not warranted.

2.8.3 Conclusion

As there are no sunlight sensitive resources within the longest shadow study area, it can be concluded that Projected Development Site 1 is not anticipated to have an impact as a result of Shadows, and no further analysis is required.

2.9 Historic and Cultural Resources

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

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

Methodology

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

For projects that may affect historic or cultural resources, the first step in evaluating a project's potential effects on historic resources is to consider what area the project might affect and then identify historic resources—whether officially recognized or eligible for such recognition—within that area. The area of subsurface work for the proposed 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 Projected Development Site 1 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 Action.

2.9.1 Architectural Resources

Per *CEQR Technical Manual* guidelines, impacts on historic resources are considered on those sites affected by the Proposed Action and in the area surrounding identified development sites. The historic resources study area is therefore defined as Projected Development Site 1 plus an approximately 400-foot radius around the Proposed Action area.

To determine whether the projected development has the potential to affect nearby off-site historic or architectural resources, the study area was screened for historic and architectural resources. No architectural resources were found in the project 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 April 11, 2019 that the Affected Area and Study Area contains buildings of known architectural or archeological significance (see **Appendix C**). Therefore, an analysis on the potential impacts of the Proposed Action on the architectural resource is warranted.

Existing Conditions

The Affected Area is shown in **Figure 2.9-1** below. The M1-1 zoning district promotes high performance light manufacturing, with manufacturing and commercial FAR up to 1.0 and community facility FAR up to 2.40. All the lots in the Affected Area include frontage along Richards Street. The depth of the rezoning boundary would be 150 feet from Richards Street, with Lots 13, 20, and 22 fully within the proposed M1-5 district, and would include an approximately 25 feet by 100 feet portion of Lot 25.

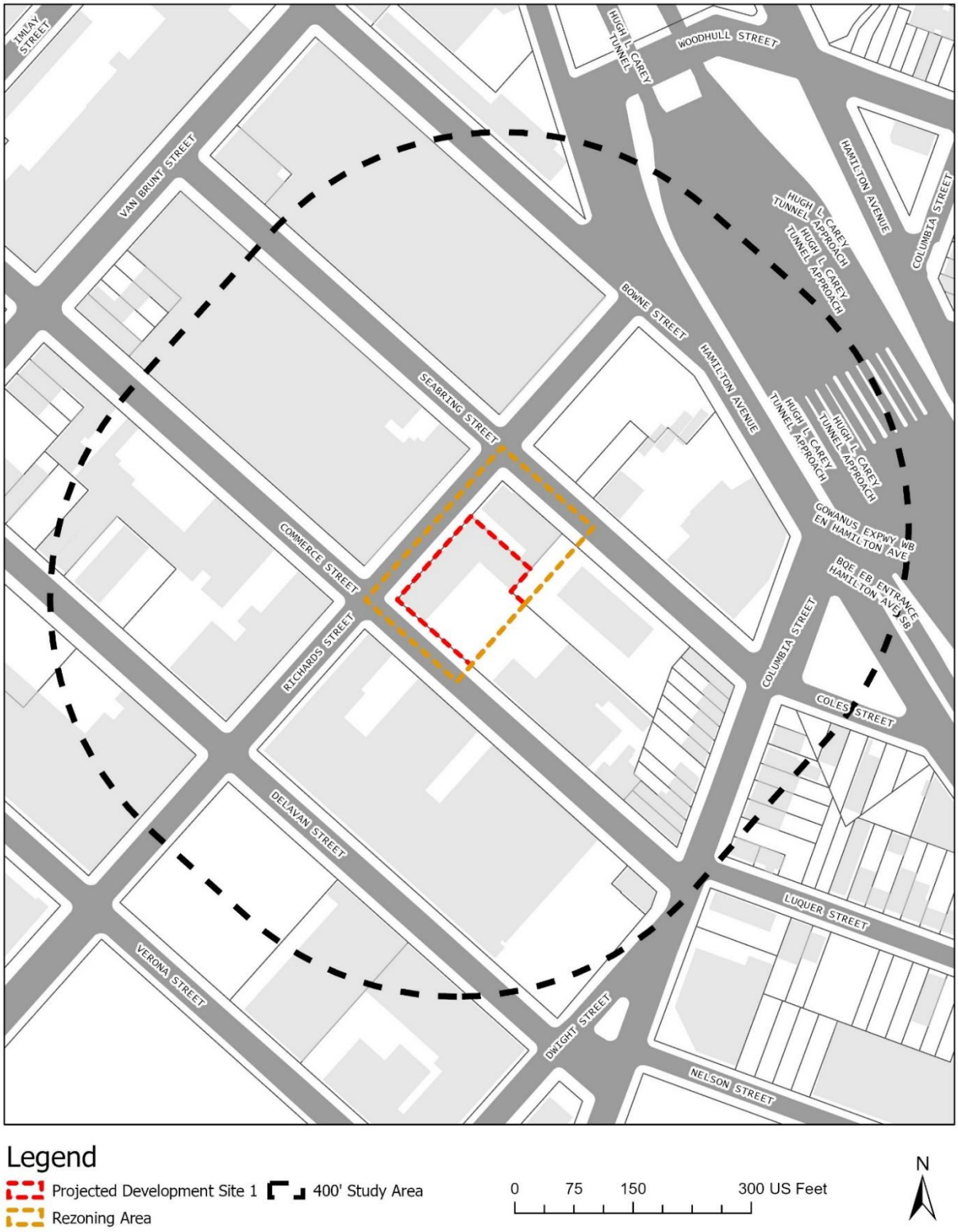
Applicant Controlled Sites

The Applicant owns Block 512, Lots 13 and 20, all other lots in the Rezoning Area are non-Applicant lots. Lot 13 (41 Richards Street) is a 12,500-sf lot that is improved with a .43 FAR warehouse with an operating auto dealer, and Lot 20 (37 Richards Street) is a 4,000-sf lot with a 1.00 manufacturing building, currently operating as a wholesale bakery.

Non-Applicant Controlled Sites

The non-applicant lots within the Affected Area are Lot 22 (29 Richards Street), which is improved with a 2-story, 1.19 FAR firehouse built in 1958 and is owned by the New York City Fire Department on a 6,000-sf lot; and an approximately 2,800 sf portion of Lot 25, which is a 22,534-sf lot that is improved with a 1.32 FAR hotel that was constructed in 2009.

Figure 2.9-1: Site Location



S/NR Eligible Properties within Affected Area

- *Site 1, 29-31 Richards Street (Block 512, Lot 22):* Constructed in 1958, the 7,134 GSF building houses Engine Company 202. This lot is within the Affected Area but is not projected to develop as a result of the Proposed Action.

S/NR Eligible Properties within the Study Area

- *Site 3, 26 Delavan Street (Block 519, Lot 12):* This 16,720 GSF industrial building was constructed circa 1900 and is currently in operation as a wholesaler.
- *Site 4, 80 Richards Street (Block 522, Lot 22):* Constructed circa 1917, the 134,150 GSF industrial building is in use as industrial and office space.
- *Site 9, 86 Richards Street (Block 530, Lot 24):* Constructed around 1911, the 10,400 GSF building is an operating catholic church, Visitation of the Blessed Virgin Mary.
- *Site 5, 19 Delavan Street/5 Delavan Street:* A 113,628 GSF, 4-story residential building with 102 dwelling units, this building was constructed around 1900.
- *Site 7, 42-50 Richards Street:* Originally constructed around 1920, this 27,000 GSF industrial building was renovated in 1996.
- *Site 8, Brooklyn Battery Tunnel Main Services Building, Hamilton Avenue and Columbia Street:* Located at the corner of Hamilton Avenue and Columbia Street, this building was constructed around 1949, is 60,000 GSF, and operates as a service building for the Brooklyn Battery Tunnel.

Future No-Action Condition

In the future without the Proposed Action existing conditions would remain. A majority of the lots within the Rezoning Area are significantly developed under the existing M1-1 zoning district. Expansion or redevelopment would be economically infeasible because of the high parking requirements of 1 space per 300 SF of floor area. Also, development trends in the area and lack of development within the Rezoning Area indicates that in the absence of the Proposed Action future development is unlikely.

Future With-Action Condition

As a result of Projected Development Site 1, it is expected that the existing buildings on Block 512, Lots 13 and 20, would be demolished and redeveloped, while Block 512, Lot 22, would not be expected to develop, as described below

Projected Development Site 1 (Block 512, Lots 13 and 20; Applicant Owned): 37 and 41 Richards Street would combine to form a 16,500 SF lot that would be developed with a 9-story, 120-foot-tall (135 feet top of bulkhead) 137,112 GSF (107,181 ZSF, 6.5 FAR) building comprised of 19,170 GSF (15,947 ZSF, 0.97 FAR) of commercial space, 70,013 GSF (66,319 ZSF, 4.02 FAR) of

manufacturing space, and 25,912 GSF (24,915 ZSF, 1.51 FAR) of community facility space. There would be a 22,017 GSF parking garage between the cellar and first floors with 41 parking spaces, and two separate 4,000 GSF loading berths at the cellar level and on the first floor.

Other Site (Block 512, Lot 22; Non-Applicant Owned): the 6,000 SF lot is improved with a 7,134 GSF firehouse. The long-standing institutional use has no known development plans, and therefore would not be induced to redevelop.

Other Site (Block 512, Lot 25; Non-Applicant Owned): the 22,534 SF lot is improved with a 29,672 GSF hotel. Only a small portion (approximately 2,800 sf) on the west boundary of the lot would fall within the Rezoning Area. In addition, the hotel building was built in 2009, which is considered relatively new. Therefore, it is believed that Lot 25 would not be induced to redevelop with the Proposed Action.

Assessment of Impact

According to the *2021 CEQR Technical Manual*, significant adverse impacts to historic and cultural resources could potentially result if a Proposed Action affects those characteristics that make a resource eligible for LPC designation or S/NR listing. The Future With-Action Scenario's potential for significant adverse impacts on historic resources were assessed in accordance with Error! Reference source not found. 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).

Table 2.9-1: Possible Impacts to Historic and Cultural Resources[6]

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

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

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 Action 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 Proposed Action would be commercial or community facility of heights and bulk consistent with those urban design features of the area. The Proposed Action 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 2.10, Urban Design and Visual Resources**), the proposed building would be designed to be visually compatible and consistent with existing developments, but would not be replicated so as to create a false historical appearance. Additionally, the significant views of the historic architectural resource identified above would not be adversely affected by the Proposed Action.

The architectural resources in the project study area include Neo-Greco style walk-up residential row houses and the Proposed Action aims to encourage the design of new development that is in character with the area, which is predominately residential, commercial, and mixed-use. Publicly accessible views of the resources would not be blocked, because the new development would occur on existing block and lot, and maximum building height would be limited and capped according to the sky exposure plane. In addition, as more fully described in the Shadows section (See **Section 2.8, Shadows**), there would be no significant adverse impacts to historic resources with sunlight dependent features. Most resources would not be affected by incremental shadow and where resources would be subject to varying amounts of incremental shadow as a result of the Proposed Action, the increments would not be significant due to their limited extent and other site-specific factors.

The Projected Development Site does not contain historic architectural resources; however, it is adjacent to and within 90 feet of several of the identified historic architectural resources. No direct impacts are anticipated, but indirect construction-related effects via ground-borne construction activities would be anticipated. As a result, the Proposed Actions incorporate a Restrictive Declaration (“RD”) requiring the implementation of a LPC-approved Construction Protection Plan (“CPP”) as a project component related to the environment, which is discussed further in **Section 2.22, Construction**.

2.9.2 Archaeological Resources

Unlike the architectural evaluation of a study area that extends beyond the footprint of a project’s block and lot lines, the analysis of potential and/or projected impacts to archaeological

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

The Proposed Action would result in new in-ground construction on the Projected Development Site and the Potential Development Sites. As noted, the LPC was contacted for their initial review of the project's potential to impact nearby historic and cultural resources, and a response was received on November 28, 2018 (see **Appendix C**). 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 Action, and further analysis is not warranted.

2.9.3 Conclusion

Significant adverse impacts to Historic and Cultural resources are not expected because of the Proposed Action, and further analysis is not warranted.

2.10 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 M1-1 to M1-5 would alter permitted 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 2.10-1**.

Table 2.10-1: No-Action and With-Action Zoning

	No-Action	With-Action
Zoning	M1-1	M1-5
Permitted Uses	UGs 4-14, 16-17	UGs 4-14, 16-17
Maximum FAR	1.0 manufacturing and commercial 2.4 community facility	5.0 manufacturing and commercial 6.5 community facility
Maximum Height	30' perimeter height, max. height controlled by sky exposure plane	85' perimeter height, max. height controlled by sky exposure plane

2.10.1 Existing Conditions

The Affected Area is located in the Red Hook neighborhood of Brooklyn, Community District 6 and consists of two lots in Block 512 along Richards Street which is described in detail in **Sections 1.4** and **Section 2.4**. Within the 400-foot Surrounding Area land uses are predominantly industrial and manufacturing. Other uses within the Surrounding Area include mixed-use commercial and residential, vacant lots, and parking facilities. Built form in the area is varied, with warehouses ranging from one to six stories, residential structures ranging from one to four stories, and institutional uses ranging from one to three stories. Building facades are mainly brick and buildings are arranged regularly in relation to their lot line. Within the Surrounding Area, residential use is most concentrated along Columbia Street, with the eastern portion of the subject block primarily developed with a mix of multi-family walk-up buildings, one-and two-family residential buildings, and mixed use residential and commercial buildings.

The Affected Area is located at the southern portion of an M1-1 zoning district that transitions into an R5 and R6 zoning district south of Verona Street. Moving west, along the waterfront, is an M2-1 zoning district that runs from the western edge of Red Hook up to the Brooklyn Bridge.

The traffic grid is regular south of Bowne Street, before the Brooklyn-Queens Expressway creates irregular blockfronts and lots. Seabring Street, bounding the Affected Area to the north, is a one-way southeast-northwest road with one moving lane of traffic and curbside parking. Van Brunt Street, bounding the Affected Area to the west, is a principal arterial roadway that is a two-way southwest-northeast road with one moving lane of traffic in each direction, curbside parking, and bicycle lanes. Dwight Street, partially bounding the Affected Area to the east, is a northeast-southwest road with one moving lane of traffic and curbside parking. Columbia Street, partially bounding the Affected Area to the east, is a two-way, northeast-southwest road with one moving lane in each direction and curbside parking. Additionally, the Affected Area is intersected by Richards Street, which is considered a Major Collector Road.

The area is defined by its current and past historic uses and proximity to Red Hook piers. Van Brunt Street, to the southwest of the Affected Area. Another defining feature of the area is the Gowanus Expressway (Interstate 478) to the north of the Affected Area which leads into the Brooklyn Battery Tunnel connecting Brooklyn to lower Manhattan. The tunnel is also the northern and eastern border of Red Hook which divides it from Carroll Gardens to the east and Columbia Street Waterfront District to the north.

Van Brunt Street, the western boundary running north to south of the Surrounding Area, is a 70-foot-wide two-way street and a major commercial corridor in the area featuring various local retail establishments and restaurants. Along the western side of Van Brunt Street, the four blocks that span the north side of Bowne Street to the south side of Delavan Street are located within the M1-1 zoning district and the 3 blocks from Verona Street to Pioneer Streets are located within the R5 zoning district, with a C-3 commercial overlay along both sides of Van Brunt between Visitation and Pioneer Streets. The 3 blocks along the eastern side of Van Brunt Street from Bowne to Pioneer Streets lie in the M2-1 zoning district.

Along Bowne to Commerce Streets, the buildings that front along both sides of Van Brunt Street are small one-story manufacturing buildings, with the exception of Extech Buildings Materials, a 71,000 square foot warehouse that spans the two blocks from Bowne to Commerce Streets in the M2-1 district along the western side of Van Brunt. Along the east side of Van Brunt Street between Commerce and Verona in the M1-2 zoning district and the west side of the Van Brunt Street frontage from Seabring to Pioneer Streets in both the M1-1 and M1-2 zoning districts, the buildings fronting Van Brunt Street are primarily narrow (25’ x 90’) 3-4 story single and two family and multi-family residential dwellings and 3-4 story mixed residential and commercial use buildings, interspersed with parking lots and a few remaining small 1-2 story narrow manufacturing buildings.

Richards Street, a 60-foot-wide street, lies wholly within the M1-1 zoning district. Both sides of the Richards Street frontages from Bowne to Delavan Street are improved by small to medium sized 1, 2 and 3 story manufacturing buildings, with a single 6 story manufacturing building occupying the entire western frontage and a large vacant parcel occupying the east side of the Richards Street frontage. From Verona to Pioneer Streets in the R5 district, the western side of Richards Street is occupied by community facility and 2-3 story single and two-family residences and Coffey Park located within the R6 zoning district.

Columbia Street, a 60-foot-wide street, lies below Hamilton Avenue to the north and Huntington Street to the south forms the easternmost border of the Surrounding Area. The western and eastern frontage of Columbia Street that lies within the M1-1 zoning district is primarily improved with small, narrow 3 story single- and two-family dwellings, multifamily residential buildings and mixed residential and commercial use buildings, and 1 story blockfront manufacturing use on both frontages between Commerce (Luquer) Street and Delavan (Nelson) Street. The R6 District frontage between Delavan and Verona Streets on the western frontage of Columbia Street is occupied by a single 4 story multiple dwelling. The block frontage between Nelson and Huntington Streets, located within the R5 district, is occupied by a community facility school.

Along both sides of Richards Street, the land uses between Bowne and Seabring Streets, both 60 foot wide and located within an M1-1 zoning district, are comprised of small 1 and 2 story manufacturing buildings. To the west of Richards Street between Seabring and Commerce Streets, which are also 60 feet wide and located within the M1-1 zoning district, are primarily larger 1 story manufacturing buildings, with 4 residential buildings located in the southwest corner and to the east, small 1 and 2 story manufacturing buildings, with 25-foot-wide residential dwellings along the easternmost frontage along Columbia Street. Between Commerce and Delavan Streets (60 feet wide), on both sides of Richards Street in the M1-1 zoning district there are numerous small 1, 2 and 3 story manufacturing buildings, a parking lot and several parcels of vacant land, with 3 larger 1 story through lot buildings along the eastern side of the block to the east of Richards Street.

The land uses between Commerce and Verona Streets (both 60 feet wide) in the M1-1 zoning district along the western side of Richards Street are comprised of several 1 and 2 story manufacturing buildings of varying sizes, one very large 6 story manufacturing building that occupies the entire eastern blockfront, as well as vacant, parking and residential uses. The block to the east of Richards Street between Delavan and Verona Streets was rezoned to R6 in 2002 to permit residential use and is improved by a 43’ foot, 4 story multiple dwelling on its eastern blockfront, along with a large vacant parcel fronting on Richards Street. The vacant parcel is owned by NYC School Construction Authority and is planned as a new middle school (I.S. 21-31 Delavan Street) with approximately 640 seats.

Within the Affected Area sidewalks are broken and uneven and occasionally overgrown with weeds and sporadic tree plantings. Along Richards Street, sidewalks are around 15’ in width from lot line to curb edge, with the exception of the Projected Site frontage, where the sidewalk does

not extend to the curb edge; along this portion of the sidewalk, there is a 5’ wide sidewalk situated between a vegetated strip on either side. There are approximately 11 street trees on Richards Street between Bowne Street and Sebring Street, approximately 3 street trees (all concentrated on the eastern sidewalk) on Richards Street between Seabring Street and Commerce Street, and approximately 8 street trees between Commerce Street and Delavan Street.

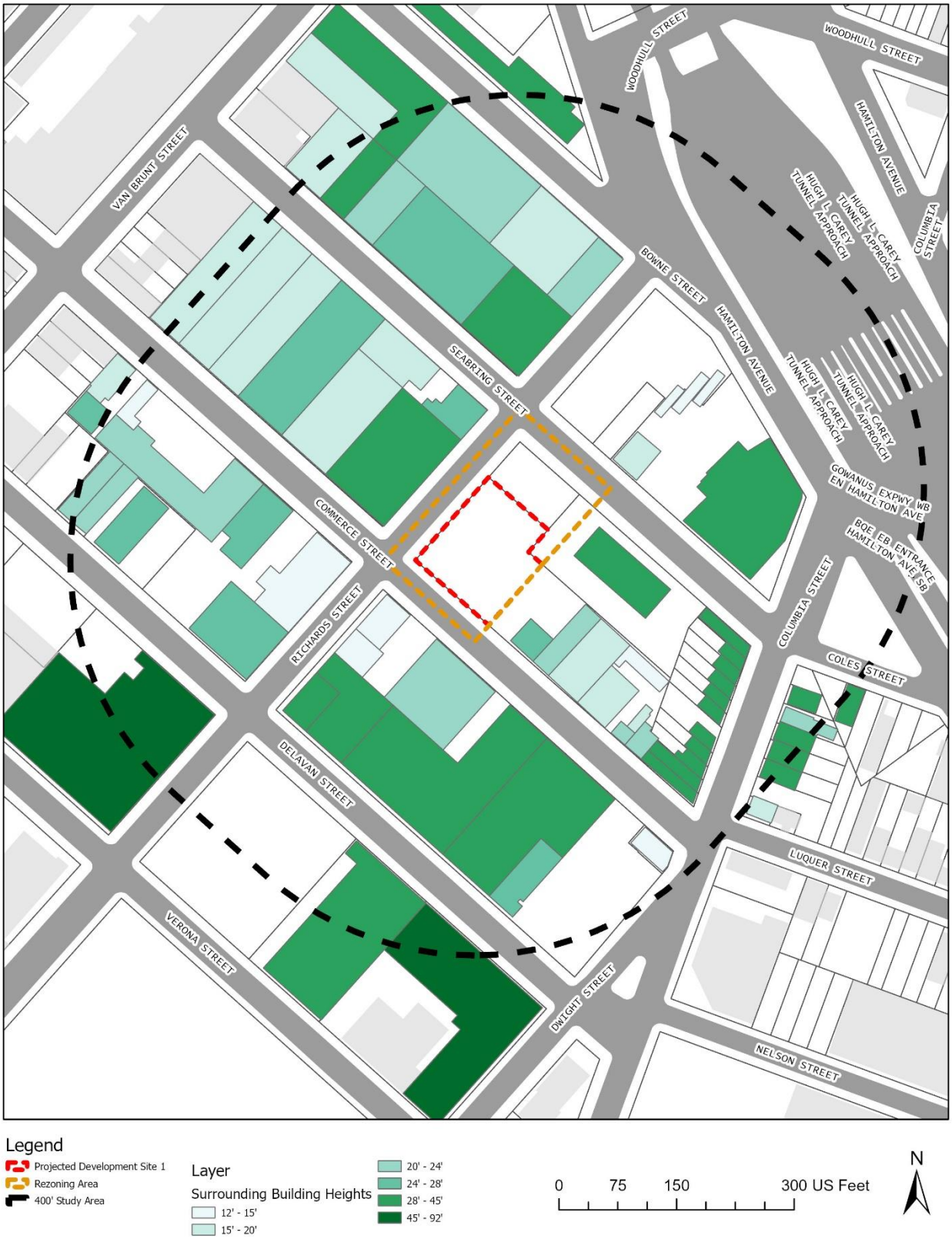
A Citi Bike station is located on the west side of Richards Street between Delavan Street and Verona Street. The sidewalks within the Surrounding Area are predominantly furnished with street lights and utility poles. Curb cuts serving neighboring businesses are interspersed throughout Richards Street and the surrounding cross streets, and are most concentrated on Commerce Street and Seabring Street between Richards Street and Van Brunt Street.

A study area map is provided below in **Figure 2.10-1** and a gradient map of existing building heights is provided below in **Figure 2.10-2**.

Figure 2.10-1: Urban Design Study Area



Figure 2.10-2: Existing Building Height Gradient Map



2.10.2 Future No-Action Condition

Under no-action conditions it is presumed that no additional floor area or changes in use would occur at any site within the Affected Area and existing conditions would prevail. As discussed in Section 2.1, there are six active construction projects within the Surrounding Area that would add approximately 1,406 GSF of commercial floor area and 26 dwelling units.

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

A photo key for all images is shown below in **Figure 2.10-3**. These ground-level photographs of the site area under the Existing and Future No-Action Conditions are shown in **Figure 2.10-4** to **Figure 2.10-5** below.

Figure 2.10-3: Urban Design Study Area – Photomontage Locations



1 View of Rezoning Area from Richards St facing Southwest

2 View of Projected Development Site 1 from the intersection of Commerce Street and Richards Street



Study Area Map with Photo Key

Figure 2.10-4: Existing and Future No-Action Conditions at Richards St and Seabring St



Figure 2.10-5: Existing and Future No-Action Conditions at Richards St and Commerce St



2.10.3 Future With-Action Condition

As a result of Projected Development Site 1, it is expected that the existing buildings on Block 512, Lots 13 and 20, would be demolished and redeveloped, while Block 512, Lot 22, would not be expected to develop, as described below.

Projected Development Site 1 (Block 512, Lots 13 and 20; Applicant Owned): 37 and 41 Richards Street would combine to form a 16,500 SF lot that would be developed with a 9-story, 120-foot-tall (135 feet top of bulkhead) 137,112 GSF (107,181 ZSF, 6.5 FAR) building comprised of 19,170 GSF (15,947 ZSF, 0.97 FAR) of commercial space, 70,013 GSF (66,319 ZSF, 4.02 FAR) of manufacturing space, and 25,912 GSF (24,915 ZSF, 1.51 FAR) of community facility space. There would be a 22,017 GSF parking garage between the cellar and first floors with 41 parking spaces, and two separate 4,000 GSF loading berths at the cellar level and on the first floor.

The sidewalks along the Projected Development Site frontage would be reconstructed pursuant to the Proposed Action. Approximately 15-foot-wide sidewalks would be provided along the Projected Development Site frontage of Commerce Street and Richards Street, respectively. 6 street trees would be provided along Richards Street, and 1 street tree would be provided along Commerce Street. Curb cuts to the loading dock and cellar and first level parking would be provided along Commerce Street. Commerce Street is a local road, whereas Richards Street is a major collector. Accordingly, the placement of the curb cuts on Commerce Street would cause less interference with the existing traffic flow.

Other Site (Block 512, Lot 22; Non-Applicant Owned): the 6,000 SF lot improved with a 7,134 GSF firehouse. The long-standing institutional use has no known development plans, and therefore would not be induced to redevelop.

Other Site (Block 512, Lot 25; Non-Applicant Owned): the 22,534 SF lot is improved with a 29,672 GSF hotel. Only a small portion (approximately 2,800 sf) on the west boundary of the lot would fall within the Rezoning Area. In addition, the hotel building was built in 2009, which is considered relatively new. Therefore, it is believed that Lot 25 would not be induced to redevelop with the Proposed Action.

The urban design figures under the With-Action condition are shown in **Figure 2.10-6** to **Figure 2.10-7** below.

2.10.4 Conclusion

The Proposed Action would alter the pedestrian environment by permitting a higher bulk and height at the Projected Development Site, whereas the permitted setbacks and lot coverage would remain the same. The new development would be consistent with the built form in the Surrounding Area, although at a slightly greater height and scale. The permitted 6 stories or 85'-0" maximum front wall height under the Proposed Action would result in a street wall that is

consistent with the 6-story manufacturing building located at 80 Richards Street one block south of the Projected Development Site, which rises to a height of approximately 83’ with no setback.

In addition, the Proposed Action would improve pedestrian conditions along Richards Street and Commerce Street. As part of the Builders Pavement Plan for the Proposed Development, the sidewalk segments of Richards Street and Commerce Street along the Projected Development Site frontage would be reconstructed and widened to 15’ wide sidewalks, and a total of 7 street trees would be provided. Currently, there is 5’ wide sidewalks and 4 total street trees along these sidewalk segments.

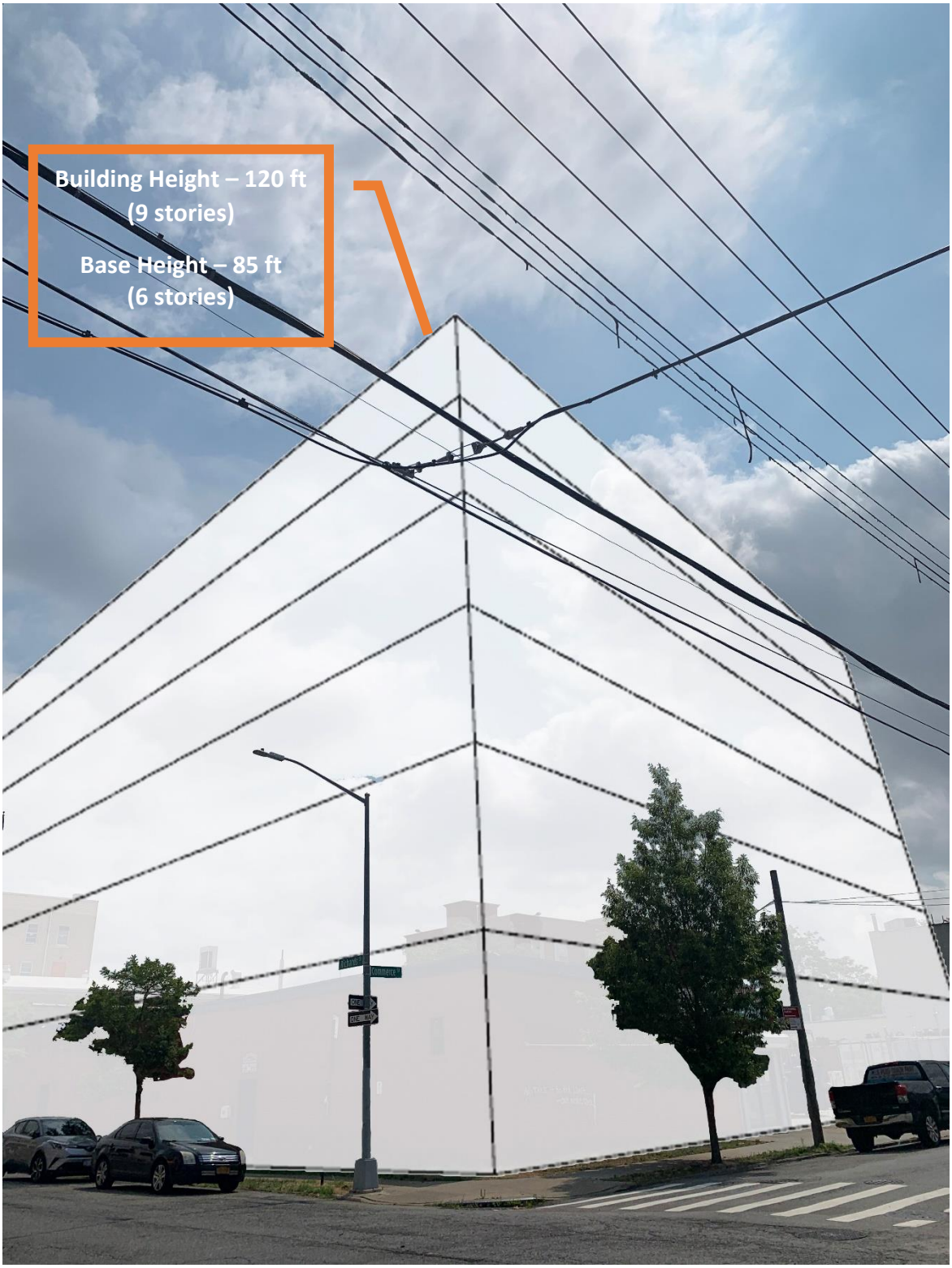
The Proposed Action would not result in substantial changes to the built environment of a historic district or components of an historic building. Two S/NR eligible buildings are located immediately adjacent to the Projected Development Site. However, the Proposed Action would not partially or totally block any built visual resources.

The development which would occur under the Proposed Action would not result in a significant adverse impact on the area’s urban design elements. The change of the street wall with the development of a building that would house a variety of tenants under the modern manufacturing/maker hub space along with supportive retail use at the ground floor would activate the areas sense of place and attract pedestrians, while also providing for improved sidewalks to support the increased project-generated pedestrian traffic along the Richards Street and Commerce Street sidewalk segments.

Figure 2.10-6: With-Action Conditions at Richards St and Seabring St



Figure 2.10-7: With-Action Conditions at Richards St and Commerce St



2.12 Hazardous Materials

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

Methodology

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

2.12.1 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 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 (Equity) performed a Phase I Environmental Site Assessment dated July 5th, 2018 in conformance with the scope and limitations of ASTM Practice E 1527-13[7]. While the Phase I ESA is more than three years old, conditions have not changed in the area or on the Development Site since the Phase I ESA was performed. Further, as discussed

[7]The previously proposed rezoning boundary covered a larger Affected Area. Accordingly, the July 2018 Phase I ESA included the Projected Development Site lots (Block 512, Lots 20 and 13) as well as Block 519, Lot 5, and Block 518, Lots 23 and 28, which are no longer included in the Affected Area.

below, based on the findings of the Phase I ESA, an E-Designation would be mapped on the Projected Development Site to ensure that Phase II Investigation, and remediation (if warranted) is performed at the Development Site prior to any future on-site development or soil disturbance.

The following conditions were observed as part of the Phase I ESA:

Recognized Environmental Condition (RECs)

There are two RECs associated with the Projected Development Site. It was observed that Block 512, Lots 13 and 20 both had staining on the concrete floor, in the front half of the building at Lot 20, and in the yard at Lot 13, that requires further investigation.

Therefore, the development of Projected Development Site 1 under the Proposed Action may have the potential for adverse impacts related to hazardous materials. Accordingly, a Phase 2 ESA is warranted to further investigate the RECs identified in Phase 1 ESA.

Vapor Encroachment condition (VECs)

Equity conducted an analysis of the various properties listed in the Phase I database search with respect to the Vapor Encroachment Screening (VES) in accordance with the requirements of the American Society for Testing and Materials (ASTM) 2600-10. A Tier I screen was done within the required database search distances from the subject property boundary for the items listed in Section 8 of the standard.

Based on the evidence provided by the database report, observations made during the site reconnaissance, and professional judgement, it is Equity's conclusion that a Vapor Encroachment Condition (VEC) cannot be ruled out for the Projected Development Site due to past and current uses of the subject properties and the properties in close proximity.

Phase I ESA Recommendations

Prior to any future development of the property that involves subsurface disturbance a subsurface (Phase II) investigation is recommended to determine if vapor mitigation and/or additional remediation is warranted for the future use of the property.

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

The development of Projected Development Site 1 under the Proposed Action may have the potential for adverse impacts related to hazardous materials. At this time, a Phase II Environmental Site Investigation is not feasible. Block 512, Lot 13 and 20 which constitute Projected Development Site 1, each currently have leased commercial tenants.

Lot 13 is tenanted by A Plus Coach Parts, a bus repair, sales and auto parts business. Tenant arrangements with this business will not allow access for work that may disturb business operations and Phase II work is not feasible until the site is vacated.

Lot 20 is a tenanted by yubakery, a wholesale bakery which operates from 7AM to 7PM, seven days a week. The execution of Phase II investigation is not supported by this tenant, due to concerns regarding impact on operations including personnel, baking processes, materials, and food product. A Phase II investigation is not feasible until the site is vacated.

Given the above access limitations, an E-Designation will be mapped on the Projected Development Site. The E-Designation language related to Hazardous Materials is as follows:

E-Designation (E-737)

Projected Development Site 1 (Block 512, Lots 20 and 13)

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

Task 1-Sampling Protocol

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

Task 2-Remediation Determination and Protocol

A written report with findings and a summary of the data must 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.

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

2.16 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 *2021 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 Projected Development Site 1 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 *2021 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, as well as an assessment of transportation safety in the study area.

Analysis Framework

Future No-Action Condition

Existing conditions are expected to remain in the Future No-Action Condition.

Future With-Action Condition

Projected Development Site 1 (Block 512, Lots 13 and 20; Applicant Owned): 37 and 41 Richards Street would combine to form a 16,500 SF lot that would be developed with a 9-story, 120-foot-tall (135 feet top of bulkhead) 137,112 GSF (107,181 ZSF, 6.5 FAR) building comprised of 19,170 GSF (15,947 ZSF, 0.97 FAR) of commercial space, 70,013 GSF (66,319 ZSF, 4.02 FAR) of manufacturing space, and 25,912 GSF (24,915 ZSF, 1.51 FAR) of community facility space. There would be a 22,017 GSF parking garage between the cellar and first floors with 41 parking spaces, and two separate 4,000 GSF loading berths at the cellar level and on the first floor.

Of the 19,170 GSF of commercial space, 2,730 GSF would be UG 6 locally serving retail space located at cellar level, and 16,440 GSF would be office space. The 70,013 GSF of manufacturing space would be light manufacturing, which mirrors the Applicant's proposal to provide "boutique manufacturing" (custom woodworking, ceramic products, clothing). Of the 25,912 gsf community facility space, 12,956 sf would be general community facility, while 12,956 sf would be medical office.

The incremental change in land use for Site 1 from the Future No-Action Condition to the future With-Action Condition are detailed below in **Table 2.16-1**Error! Reference source not found..

Table 2.16-1: Increment Summary Table

Use	No-Action Condition	With-Action Condition	Increment
Manufacturing (GSF)	9,351	70,013	60,662
Comm. Facility (GSF)	0	25,912	25,912
Commercial Local Retail (GSF)	0	2,730	2,730
Commercial Office (GSF)	0	16,440	16,440

2.16.1 Preliminary Assessment

According to Table 16-1 of the *2021 CEQR Technical Manual*, the Affected Area is located within Traffic Zone 4. In this zone, a residential development of fewer than 200 residential units, 15,000 square feet of local retail, or 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 Action, compared to No-Action conditions, would consist of an increase of 60,662 GSF of manufacturing (no development type is identified in CEQR Technical Manual for this use), 2,730 GSF of local retail space (.182 weighted average) and 25,912 GSF of community facility space (1.03 weighted average), which results in a weighted average of 1.185 plus manufacturing use for the Proposed Action. Therefore, a Tier 1 Trip Generation is required.

Transportation Planning Assumptions

The *2021 CEQR Technical Manual*, East New York FEIS, 2012 – 2016 CTPP RJTW, DOT provided data, 25 Kent Avenue EAS, and Industry City Rezoning were integrated for the traffic generation model. As **Table 2.16-2** shows, the assumption of the travel factors is determined based on the listed data sources. **Table 2.16-3** shows the person trips, vehicular trips, and pedestrian trips generated from the trip factors in **Table 2.16-2**.

Table 2.16-2: Transportation Demand Factors

	Local Retail		Office		General Community Facility		Light Industrial	
Trip Generation	(1)		(1)		(2)		(2)	
Weekday	329		18		44.7		14.7	
Saturday	358		3.9		26.1		2.2	
	per 1,000 sf		per 1,000 sf		per 1,000 sf		per 1,000 sf	
Linked-trip	25%							
Temporal Distribution	(1)		(1)		(2)		(2)	
AM	4.80%		12.40%		4.00%		13.20%	
MD	8.00%		11.00%		9.00%		11.00%	
PM	10.90%		10.50%		5.00%		14.20%	
Sat MD	11.70%		14.10%		9.00%		10.70%	
Modal Splits	(1)		AM/PM/Sat (3)	MD (6)	AM/PM/Sat (2)	MD (2)	AM/PM/Sat (3)	MD (6)
Auto	11.00%		55.40%	2.00%	5.00%	5.00%	55.40%	2.00%
Taxi	0.00%		0.38%	1.00%	1.00%	1.00%	0.38%	1.00%
Bus	2.00%		7.12%	7.00%	6.00%	6.00%	7.12%	7.00%
Subway	3.00%		21.51%	7.00%	3.00%	3.00%	21.51%	7.00%
Walk/Other	84.00%		15.60%	83.00%	85.00%	85.00%	15.60%	83.00%
In/Out Splits	In (1)	Out (1)	In (1)	Out (1)	In (2)	Out (2)	In (2)	Out (2)
AM	52%	48%	86%	14%	61%	39%	88.00%	12.00%
MD	50%	50%	52%	48%	55%	45%	50.00%	50.00%
PM	50%	50%	16%	84%	29%	71%	12.00%	88.00%
Sat MD	50%	50%	48%	52%	49%	51%	47.00%	53.00%
Vehicle Occupancy	(5)		AM/PM (3)(6)	MD/Sat (3)(6)	AM/PM (2)	MD/Sat (2)	(2)	
Auto	1.20		1.13	1.13	1.65	1.65	1.20	
Taxi	1.20		1.26	1.26	1.30	1.30	1.20	
Truck Trip Generation	(1)		(1)		(2)		(2)	
Weekday	0.35		0.32		0.29		0.67	
Saturday	0.04		0.01		0.29		0.67	
Temporal Distribution	(1)		(1)		(2)		(2)	
AM	8.00%		10.00%		9.60%		14.00%	
MD	11.00%		11.00%		11.00%		9.00%	
PM	2.00%		2.00%		1.00%		1.00%	
Saturday	11.00%		11.00%		0.00%		0.00%	
In/Out Splits	In (1)	Out (1)	In (1)	Out (1)	In (2)	Out (2)	In (1)	Out (1)
AM/MD/PM/Sat	50.00%	50.00%	50.00%	50.00%	50.00%	50.00%	50.00%	50.00%

1 = 2021 CEQR Technical Manual; 2 = East New York FEIS; 3 = 5-year ACS Reverse Journey To Work (2012-2016), Census Tracts 51, 53, 59, 63, 65, and 85; 4 = DOT Provided Data for Medical Office Use; 5 = DOT provided data on Local Retail use; 6 = 25 Kent Avenue EAS; 7 = Industry City Rezoning; 8 = DOT Provided Data for Office

Table 2.16-3: Total Project Generated Trips

	Local Retail		Office		General Community Facility		Light Industrial		Total		
Size (gsf)	2,730		16,440		25,912		60,662		105,744		
Peak Hour Trips											
AM	32		37		46		118		233		
MD	54		33		104		98		289		
PM	73		31		58		127		289		
Sat MD	86		9		61		14		170		
Person Trips											
AM	In	Out	In	Out	In	Out	In	Out	In	Out	Total In/Out
Auto	2	2	17	3	1	1	57	8	78	13	91
Taxi	0	0	0	0	0	0	0	0	1	0	1
Bus	0	0	2	0	2	1	7	1	12	3	14
Subway	1	0	7	1	1	1	22	3	30	5	36
Walk/Other	14	13	5	1	24	15	16	2	59	31	91
Total	17	16	32	5	28	18	104	14	180	53	233
MD	In	Out	In	Out	In	Out	In	Out	In	Out	Total In/Out
Auto	3	3	0	0	3	2	1	1	7	7	14
Taxi	0	0	0	0	1	0	0	0	1	1	2
Bus	1	1	1	1	3	3	3	3	9	8	16
Subway	1	1	1	1	2	1	3	3	7	7	14
Walk/Other	23	23	14	13	49	40	41	41	126	116	242
Total	27	27	17	16	57	47	49	49	150	139	289
PM	In	Out	In	Out	In	Out	In	Out	In	Out	Total In/Out
Auto	4	4	3	14	1	2	8	62	16	82	98
Taxi	0	0	0	0	0	0	0	0	0	1	1
Bus	1	1	0	2	1	2	1	8	3	13	16
Subway	1	1	1	6	1	1	3	24	6	32	38
Walk/Other	31	31	1	4	14	35	2	17	48	87	136
Total	37	37	5	26	17	41	15	111	74	215	289
Saturday	In	Out	In	Out	In	Out	In	Out	In	Out	Total In/Out
Auto	5	5	2	3	1	2	4	4	12	13	25
Taxi	0	0	0	0	0	0	0	0	0	0	1
Bus	1	1	0	0	2	2	0	1	3	4	7
Subway	1	1	1	1	1	1	1	2	5	5	9
Walk/Other	36	36	1	1	25	26	1	1	63	64	127
Total	43	43	4	5	30	31	7	8	84	86	170
Vehicle Trips											
AM	In	Out	In	Out	In	Out	In	Out	In	Out	Total In/Out
Auto	2	1	15	3	1	1	48	7	66	11	77
Taxi	0	0	0	0	0	0	0	0	1	0	1
Taxi Balanced	0	0	0	0	0	0	1	0	1	0	2
Truck	0	0	0	0	0	0	3	3	4	4	7
Total	2	1	16	3	2	1	51	9	70	15	85
MD	In	Out	In	Out	In	Out	In	Out	In	Out	Total In/Out
Auto	2	2	0	0	2	1	1	1	5	5	10
Taxi	0	0	0	0	0	0	0	0	1	1	2
Taxi Balanced	0	0	0	0	1	1	1	1	2	2	4
Truck	0	0	0	0	0	0	2	2	3	3	5
Total	3	3	1	1	3	3	3	3	10	9	19
PM	In	Out	In	Out	In	Out	In	Out	In	Out	Total In/Out
Auto	3	3	2	13	1	1	7	51	13	69	82
Taxi	0	0	0	0	0	0	0	0	0	1	1
Taxi Balanced	0	0	0	0	0	1	0	1	0	1	2
Truck	0	0	0	0	0	0	0	0	0	0	1
Total	3	3	3	13	1	2	7	52	14	71	85
Saturday	In	Out	In	Out	In	Out	In	Out	In	Out	Total In/Out
Auto	4	4	2	2	1	1	3	3	10	11	21
Taxi	0	0	0	0	0	0	0	0	0	0	1
Taxi Balanced	0	0	0	0	0	0	0	0	1	1	1
Truck	0	0	0	0	0	0	0	0	0	0	0
Total	4	4	2	2	1	1	3	4	11	11	22

2.16.2 CEQR Transportation Analysis Screening

The *2021 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 2.16-3 shows the Total Trip Generation projected for Projected Development Site 1.

The project would generate approximately 141 total pedestrian trips during the weekday AM peak hour, 273 during the weekday midday peak hour, 190 during the weekday PM peak hour, and 144 during the Saturday midday peak hour as shown in **Table 2.16-3**.

The project would generate approximately 85 total vehicle trips during the weekday AM peak hour, 19 during the weekday midday peak hour, 85 during the weekday PM peak hour, and 22 during the Saturday midday peak hour as shown in **Table 2.16-3**.

Level 1 Screening Assessment

The Level 1 Screening evaluates the number of vehicle and person trip-ends by mode to determine if further analysis is warranted. Incremental project-generated trip ends are detailed below in **Table 2.16-4**.

Table 2.16-4: Project Generated Trip Ends

Peak Hour	AM Peak Hour	Midday Peak Hour	PM Peak Hour	Saturday Peak Hour
Total Walk Only Trip-Ends	91	242	136	127
Walk Only Threshold	200	200	200	200
Total Subway Trip-Ends	36	14	38	9
Subway Threshold	200	200	200	200
Total MTA Bus Trip-Ends	14	16	16	7
MTA Bus Threshold	200	200	200	200
Total Pedestrian Trip-Ends	141	273	190	144
Pedestrian Threshold	200	200	200	200
Total Vehicular Trip-Ends	85	19	85	22
Vehicular Threshold	50	50	50	50

*Highlighted cells indicate *CEQR* exceedances

Traffic

As shown in **Table 2.16-4**, the proposed projects would generate greater than 50 vehicle trips during the Weekday AM, and Weekday PM peak hours. Based on field observations, the

intersections in the vicinity of the project site are operating well under capacity during peak hours. The proposed project includes a parking facility for 41 vehicles. Any vehicles over the 41 vehicle capacity of the parking garage would need to park in other facilities, or find on-street parking in the vicinity of the project site. Therefore it is unlikely that more than 50 vehicles per hour would be added to either of the critical intersections adjacent to the site and no further analyses are required.

Subway

As shown in **Table 2.16-4**, the proposed project would not generate greater than 200 subway trips during any of the peak hours.

Bus

As shown in **Table 2.16-4**, the proposed project would generate fewer than 200 MTA bus trips during all peak hours.

Pedestrian

In addition to walk-only trips, all bus and subway trips generated by the proposed project would begin or end as pedestrian trips. The proposed project would exceed the Level 1 threshold of 200 trips during the Weekday Midday peak hour, at approximately 273 total pedestrian trip ends, as shown in **Table 2.16-4**. Therefore, a Level 2 screening assessment would be warranted for this peak hour.

Level 2 Screening Assessment

As part of the Level 2 screening assessment, project-generated trips were assigned to specific pedestrian elements near Projected Development Site 1. Further quantified analyses to assess the potential impacts of the proposed project on the transportation system would be warranted if the trip assignments were to identify key intersections incurring 50 or more peak hour vehicle-trips, pedestrian elements incurring 200 or more peak hour pedestrian-trips, or Subway Stations or lines incurring 200 or more peak hour trips.

Site Access and Egress

Pedestrian

Pedestrians were distributed to the two entrances of the Proposed Development, one on the East side of Richards Street between Commerce Street and Seabring Street, and one on the north side of Commerce Street between Richards Street and Dwight Street.

Pedestrians

As shown previously in **Table 2.16-4**, incremental pedestrian trips resulting from the proposed project would exceed the *2021 CEQR* Level-1 screening threshold during the Weekday Midday

peak hour. Level 2 pedestrian trip assignments were individually developed for all the proposed uses, as summarized in **Figure 2.16-1** and discussed below.

MTA Bus Trips

The location of bus stops, the bus lines that serve each stop, the route each line covers, and the connections these lines allow for, were considered and applied to bus riders traveling to and from Projected Development Site 1. Specifically, the B61 and B57 were considered as major lines.

Subway Trips

The nearest subway stations are the Carol Street and Smith-9th Street FG stations. The locations of these stations, the lines each station serves, the route each line covers, and the connections these lines allow for, were considered and applied to the subway riders traveling to and from Projected Development Site 1.

Walk-Only Trips

Pedestrian walk-only trips were developed by distributing project-generated trips throughout the network based on the relative population weight of all census tracts within a ¼ mile radius using the 2015 – 2019 ACS 5-Year Table B1003. The specific entrance / exit pedestrians used based on their trip purpose and the specifics of the street network surrounding the site were taken into account as well as the land use characteristics of the surrounding neighborhood.

Summary

Based on the detailed assignment of pedestrian trips, no pedestrian elements have been identified for detailed LOS analysis. Sidewalk, corner reservoir, and crosswalk volumes are summarized in **Figure 2.16-1**.

2.16.3 Conclusion

Based on the completed Level 2 Trip Assignment, the project would not exceed transit, pedestrian or vehicular thresholds warranting further analysis. Accordingly, the Proposed Action would not result in significant adverse impact related to transportation.

Figure 2.16-1: Weekday Midday Pedestrian Trip Assignment (1 of 2)

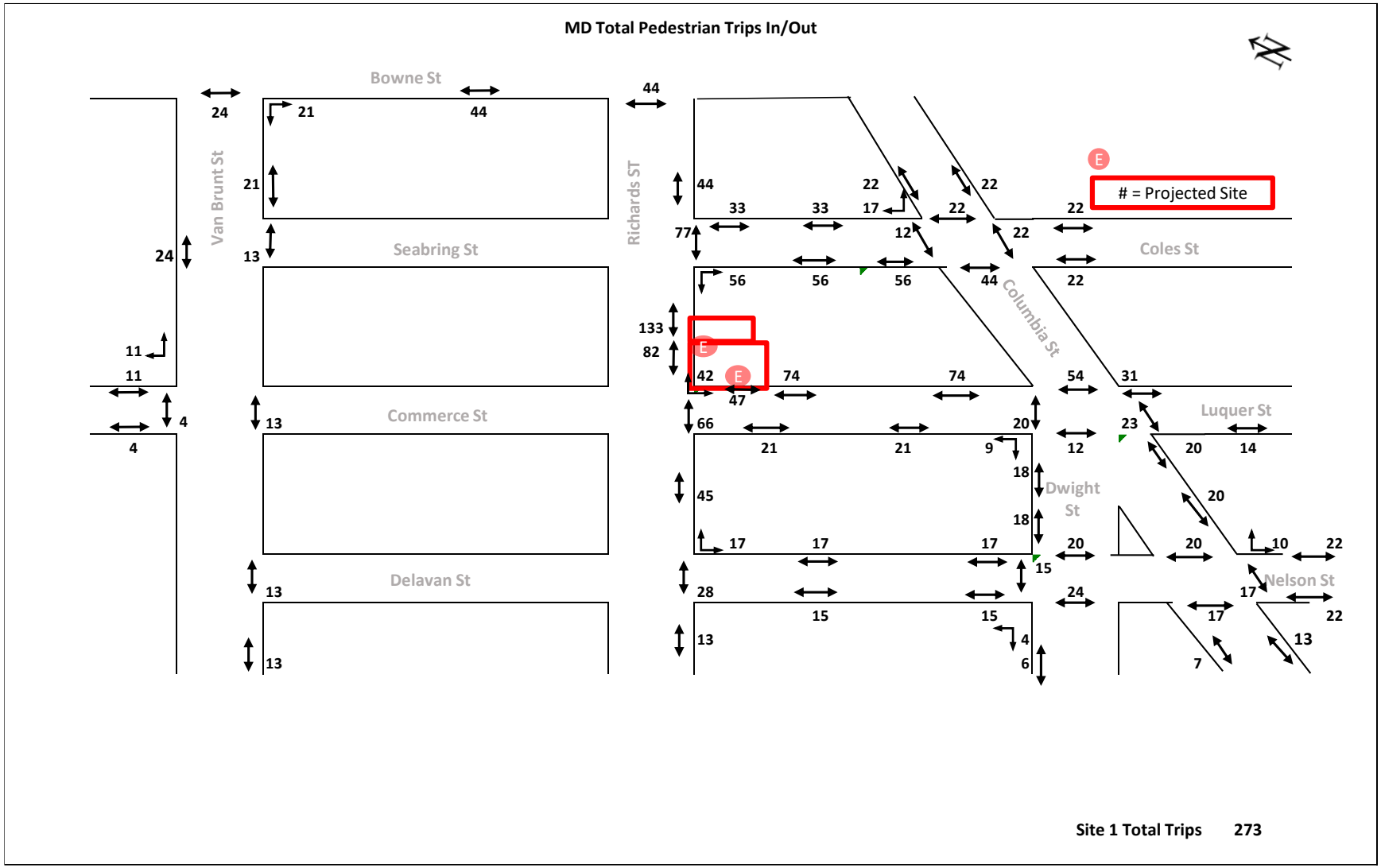
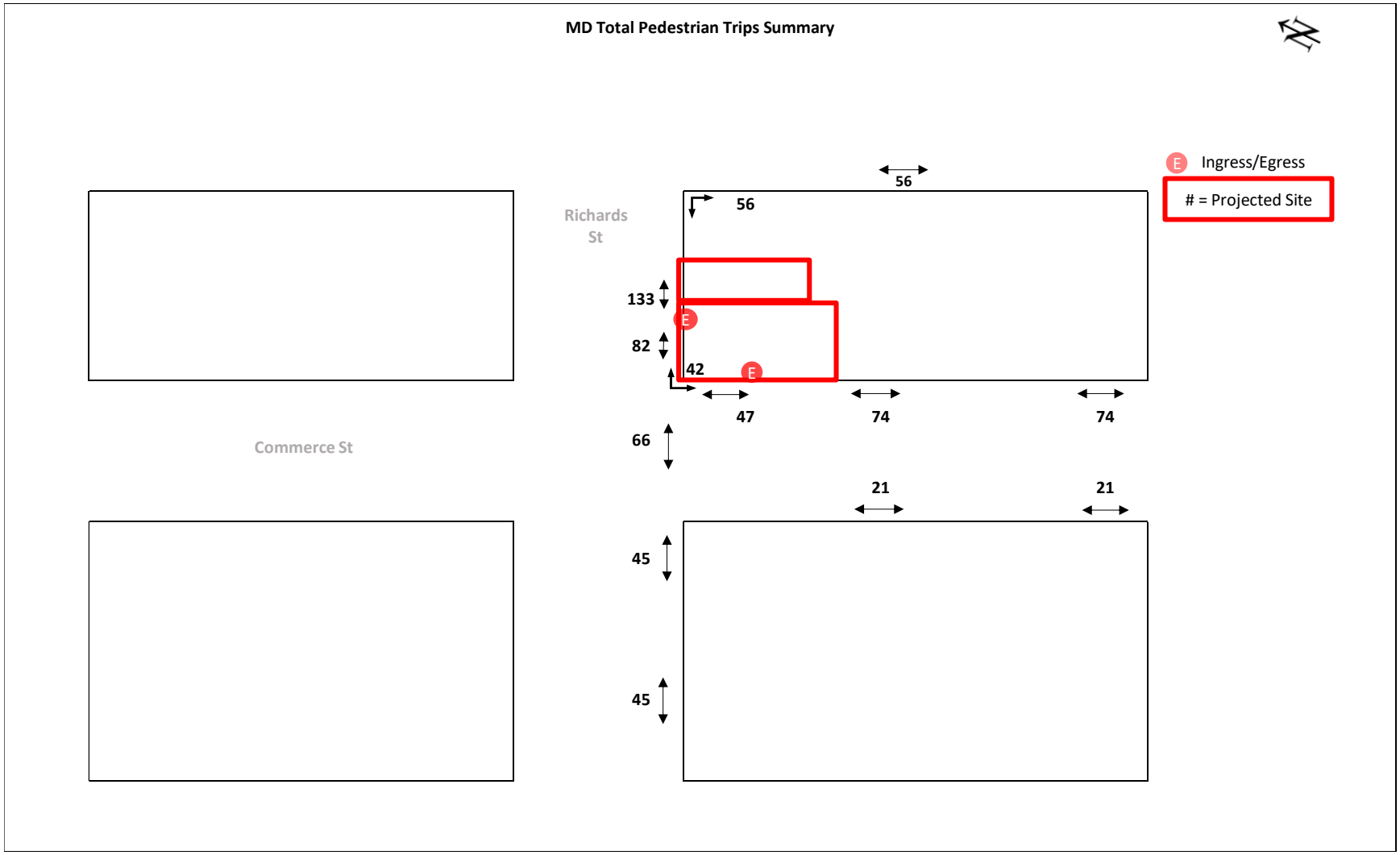


Figure 2.16-3: Weekday Midday Pedestrian Trip Assignment (2 of 2)



2.17 Air Quality

Ambient air quality describes pollutant levels in the surrounding environment to which the public has access. When assessing the potential for air quality significant impacts, the *2021 CEQR Technical Manual* seeks to determine a Proposed Action's effect on ambient air quality, or possible impact on the project site by 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 *2021 CEQR Technical Manual* generally recommends an assessment of the potential impact of mobile sources on air quality when an action increases traffic or causes a redistribution of traffic flows, creates any other mobile sources of pollutants (such as diesel train usage), or adds new uses near mobile sources (e.g., atypical roadways, large scale parking lots, garages). The *2021 CEQR Technical Manual* generally recommends assessments when new stationary sources of pollutants are created, or when a new use might be affected by existing stationary sources.

Methodology

Mobile Sources

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

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

- Projects that would result in new sensitive uses (e.g., schools or hospitals) adjacent to large existing parking facilities or parking garage exhaust vents.
- Projects that would result in parking facilities or applications requesting the grant of a special permit or authorization for parking facilities; or projects that would result in a sizable number of other mobile sources of pollution (e.g., a heliport or a new railroad terminal).
- Projects that would substantially increase the vehicle miles traveled in a large area.

Stationary Sources

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

- Projects that would use fossil fuels (i.e., fuel oil or natural gas) for heating/hot water, ventilation, and air conditioning systems (note that single-building projects may be able to perform a screening analysis rather than detailed stationary source analyses;
- Projects that would create major or large emission sources including, but not limited to, the following:
    - solid waste or medical waste incinerators, cogeneration facilities, asphalt and concrete plants, or power generating plants. Major sources are identified as those sources located at Title V facilities that require Prevention of Significant Deterioration permits. Large sources are identified as sources located at facilities which require a State facility permit.
- Projects that would result in new uses (particularly schools, hospitals, parks, and residences) located near a major or large emission source.
- Projects that would include medical, chemical, or research labs.
- Projects that would result in new uses being located near medical, chemical, or research labs.
- Projects that would include operation of manufacturing or processing facilities.
- Projects that would result in new uses (particularly schools, hospitals, parks, and residences) within 400 feet of manufacturing or processing facilities.
- Projects that would result in potentially significant odors. This includes, but is not limited to, solid waste management facilities, water pollution control plants (i.e., sewage treatment plants), and incinerators.
- Projects that would result in new uses near an odor-producing facility.

- Projects that would create "non-point" sources, such as unpaved surfaces and storage piles that could result in fugitive dust.
- Projects that would result in new uses near non-point sources

Analysis Framework

Future No-Action Conditions

In the future without the Proposed Action existing conditions are expected to continue.

Future With-Action Conditions

Projected Development Site 1 (Block 512, Lots 13 and 20; Applicant Owned): 37 and 41 Richards Street would combine to form a 16,500 SF lot that would be developed with a 9-story, 120-foot-tall (135 feet top of bulkhead) 137,112 GSF (107,181 ZSF, 6.5 FAR) building comprised of 19,170 GSF (15,947 ZSF, 0.97 FAR) of commercial space, 70,013 GSF (66,319 ZSF, 4.02 FAR) of manufacturing space, and 25,912 GSF (24,915 ZSF, 1.51 FAR) of community facility space. There would be a 22,017 GSF parking garage between the cellar and first floors with 41 parking spaces, and two separate 4,000 GSF loading berths at the cellar level and on the first floor.

Air Quality Standards, Regulations, and Benchmarks

Criteria Pollutants

The EPA has established national ambient air quality standards (NAAQS) for seven of the most common air pollutants—known as “criteria” pollutants. The presence of these pollutants in ambient air is generally due to diverse and widespread sources of emissions. The NAAQS primary standards are designed to protect public health with an adequate margin of safety. The NAAQS secondary standards are designed to protect the public welfare from adverse effects, including those related to effects on soils, water, vegetation, visibility, and other aspects. As required by the Clean Air Act, EPA periodically conducts comprehensive reviews of the scientific literature on health and welfare effects associated with exposure to the criteria air pollutants. The NAAQS have been adopted as the ambient air quality standards for the State of New York.

The New York State Department of Environmental Conservation (NYSDEC) measures air pollutants at more than 50 sites across the state. These sites are a mix of federally mandated and supplemental monitoring networks. The primary NAAQS and background concentrations from the nearest federally mandated monitoring station(s) are presented in **Table 2.17-1**.

Table 2.17-1: NAAQS and Background Concentrations at the Nearest NYSDEC Monitoring Stations

Pollutant	Averaging Period	National and State Standards	Background Concentration	Monitoring Station
NO_2	1-Hour	188 µg/m^3	99.8 µg/m^3 (53.1 ppb)	Queens College
	Annual	100 µg/m^3	23.5 µg/m^3 (12.46 ppb)	
SO_2	1-Hour	196 µg/m^3	15.08 µg/m^3 (5.77 ppb)	Queens College
	Annual	80 µg/m^3	0.93 µg/m^3 (0.35 ppb)	
$PM_{2.5}$	24-Hour	35 µg/m^3	19.2 µg/m^3	Division Street
	Annual	12 µg/m^3	9.1 µg/m^3	
PM_{10}	24-hour	150 µg/m^3	24 µg/m^3	Division Street
CO	1-hour	35 ppm (40,000 µg/m^3)	1.99 ppm	CCNY
	8-hour	9 ppm (10,000 µg/m^3)	1.50 ppm	
Lead	3-Month	0.15 µg/m^3	0.0027 µg/m^3	IS 52

In addition to the NAAQS, the *CEQR Technical Manual* requires that projects subject to CEQR apply a $PM_{2.5}$ and 8-hour CO averaging time significant impact criteria (based on concentration increments). These criteria, named *de minimis*, 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 predicted impact concentration(s) associated with a proposed action are less than the *de minimis* criteria, the impact(s) is not considered to be significant. The $PM_{2.5}$ significant impact concentrations are evaluated as follows:

- 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 0.1 µg/m^3 at ground level on a neighborhood scale (i.e., the annual increase in concentration representing the average over an area of approximately 1 square kilometer, centered on the location where the maximum ground-level impact is predicted for stationary sources; or for mobile sources, at a distance from a roadway corridor similar to the minimum distance defined for locating neighborhood scale monitoring stations).
- Predicted annual average $PM_{2.5}$ concentration increments greater than 0.3 µg/m^3 at any receptor location for stationary sources.

The $PM_{2.5}$ concentrations' increments, *de minimis*, are 24-hour concentration increment of 7.90 µg/m^3, and annual $PM_{2.5}$ concentration increments of 0.3 µg/m^3 for stationary source and 0.1 µg/m^3 or mobile source on a neighborhood scale. As the mobile source screened out for CO, the CO *de minimis* are not shown.

Non-Criteria Pollutants

The NYSDEC Department of Air Resources established short-term (one-hour) and annual concentrations standards for certain noncriteria pollutants. The standards are acceptable ambient levels for these pollutants, which are based on human exposure. The New York State standards for noncriteria pollutants are published in the DAR-1 guidance document (version dated February 12, 2021). DAR-1 presents Annual and Short-Term Guideline Concentrations (AGCs and SGCs, respectively) for contaminants that range in toxicity from high to low. The AGCs and SGCs are annual and 1-hour guideline concentrations, respectively, for potentially toxic or carcinogenic air contaminants. In addition, NYSDEC also regulates pollutants that produce discomfort due to odors, where significant discomfort is evaluated on quantity, characteristic, or duration.

2.17.1 Mobile Sources

The Proposed Action would not result in operable windows or air intakes within 200 feet of an atypical roadway. The project would not create a new sensitive receptor adjacent to large parking facilities. The project would not result in creation of a large new parking facility that would warrant an assessment of emissions. The project would not result in any other mobile sources of pollution, and would not significantly increase vehicle miles traveled in a large area. It would not result in creation of a covered roadway or affect any covered roadway. Peak hour trip generation is below the 170-car threshold identified in Section 17-210 of the *2021 CEQR Technical Manual* as potentially warranting further assessment as described above in **Section 2.16**. As shown in Section 2.16, the proposed projects would generate greater than 50 vehicle trips during the Weekday AM, and Weekday PM peak hours. However, based on field observations, the intersections in the vicinity of the project site are operating well under capacity during peak hours. The proposed project includes a parking facility for 41 vehicles. Any vehicles over the 41 vehicle capacity of the parking garage would need to park in other facilities, or find on-street parking in the vicinity of the project site. Therefore it is unlikely that more than 50 vehicles per hour would be added to either of the critical intersections adjacent to the site and no further analyses are required.

2.17.2 Stationary Sources

The potential stationary source air quality impacts are estimated following the procedures and methodologies prescribed in the *2021 CEQR Technical Manual*. This section evaluates the following:

- The potential for emissions from the heating, ventilation and air conditioning (HVAC) systems of Projected Development Site 1 to significantly impact nearby existing land uses.
- The potential for air toxic emissions released from existing industrial facilities to significantly impact Projected Development Site 1 within 400 feet of Projected Development Site 1.

- The potential for significant air quality impacts from the emissions of facilities that require Prevention of Significant Deterioration permits (Title V), and facilities which require a state facility permit to significantly impact Projected Development Site 1 within 1,000 feet of Projected Development Site 1.

Heating and Hot Water Systems

As outlined in The *2021 CEQR Technical Manual*, the potential for stationary source emissions from heat and hot water (HVAC) systems to have a significant adverse impact on nearby receptors depends on the fuel type, stack height, minimum distance from the source to the nearest receptor (building), and floor area (square footage) of development resulting from the project. The *2021 CEQR Technical Manual* Figure 17-3 provides a generic screening analysis based on these factors, which was utilized to determine the potential for significant impacts from the projected building's HVAC system(s).

If the actual distance between a stack and the affected building is greater than the threshold distance for a building size, then that building passes the screening analysis (and no significant impact is predicted). However, if the actual distance is less than the threshold distance for a building, then there is a potential for a significant impact and a detailed analysis would be required.

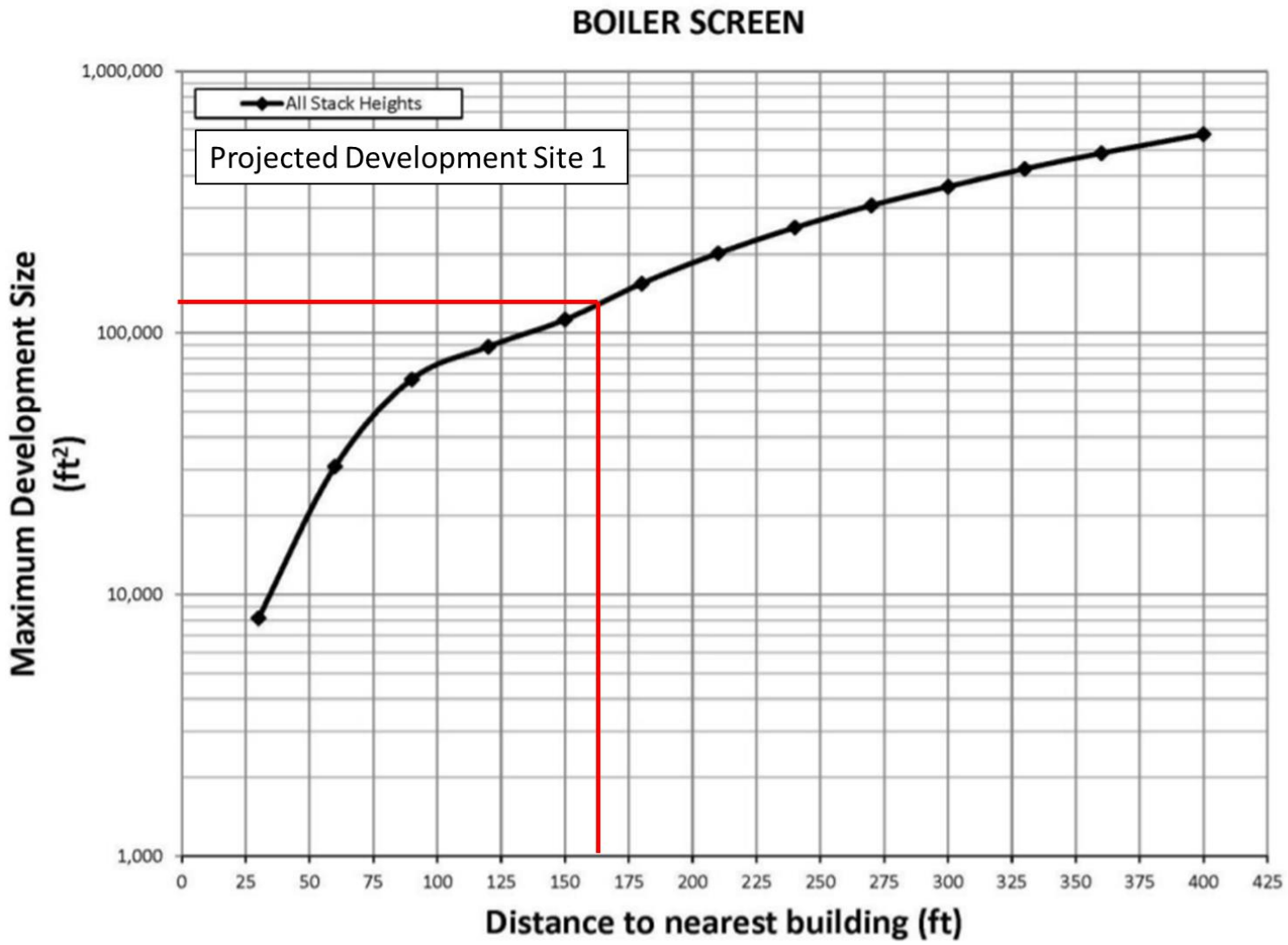
Per the *2021 CEQR Technical Manual*, the nomograph depicted on Figure 17-3 was used. This nomograph depicts the size of the development versus distance below which the potential impact can occur and provides a conservative estimate of the threshold distance. In addition, the distance to nearest building of similar or greater height was assumed to be 400 feet if the actual distance is greater. **Figure 2.17-1** shows the screening analysis nomograph and Error! Reference source not found. shows the building heights and the screening analyses results, where "Use AERMOD" indicates that a detailed analysis using AERMOD dispersion analysis is required.

Figure 2.17-1 and **Table 2.17-2** screening analysis shows that a detailed analysis would be required for any existing or planned land uses that are 130 feet or higher within 165 feet from the Projected Development Site. There are no buildings within 165 feet that meet the above criteria. Additionally, the Projected Development Site would not introduce receptors where people are likely to have continuous access, and therefore building-on-building analysis is not required.

Table 2.17-2: Screening Analysis Results

Building Height (ft.)	Heated Area (sq. ft.)	Screen Distance (ft.)	Receiving Building Distance (ft.)	Pass/ Fail
135 with bulkhead	137,112	165	No Result Within 400 ft.	Screens Out

Figure 2.17-1: HVAC Nomograph



Industrial Emissions

The Proposed Action would introduce new uses within 400 feet of manufacturing or processing facilities. Accordingly, a preliminary screening was conducted to determine if there are any potential sources of industrial process emissions that could affect project occupants.

400-Foot Study Area

A search of potential industrial sites was performed to identify any NYC DEP, and USEPA1 Air Quality Permits issued within 400 feet of the Affected Area. This Study Area and uses, preliminarily identified as manufacturing, commercial or industrial based on NYCDCP MAPPLUTO database, are identified in **Figure 2.17-2**. This search was performed to determine if hazardous air toxics would have the potential to impact the proposed development.

As shown below in **Table 2.17-3**, there are two sites (Site ID 4 and Site ID 34) with expired industrial permits. A field investigation was conducted to affirm the findings of the industrial search, and to identify any uses with potential unpermitted industrial process emissions. Based on the field investigation Murlynn Air Compressor Corporation and CK Window Factory on Seabring St, and J&D Iron Works on Commerce Street were investigated to confirm if there are any industrial air pollutant emissions associated with these facilities that may require DEP permits.

Site ID 4 – 58 Seabring Street: 58 Seabring Street, located at Block 508, Lot 36 was identified as having one industrial permit (PB001711) that expired in March of 2014. This permit was registered to Kammetal Inc. for metal processing. Based a review of their website, this operation is still active, but has moved to Long Island City, NY. Accordingly, no further analysis of this facility is warranted.

Site ID 13 – 35 Seabring Street: This building, located at Block 511, Lot 19, does not have an industrial permit. The site is occupied by Murlynn Air Crompressor Corporation, which provides installation and repair of compressors. Accordingly, this facility is not believed to perform operations that result in industrial process emissions.

Site ID 26 – 52 Richards Street: This building, located at Block 518, Lot 23, does not have an industrial permit. However, the site is occupied by J&D Iron Works. Iron work facilities have the potential for air toxics emissions; Accordingly, further analysis is provided below.

Site ID 33 – 67 Seabring Street: This facility, located at Block 511, Lot 10, does not an industrial permit. The site is occupied by CK Window Factory, which is a window installation and sales facility. Accordingly, this facility is not believed to perform operations that result in industrial process emissions.

Site ID 34 – 63 Seabring Street: 63 Seabring Street, located at Block 511, Lot 12 was identified as having two expired industrial permits (PA068694, PB033009). PA068694 expired in March of 1999, and was registered to Technikote. PB033009 expired in January of 2013 and was registered

to Elegance Restaurant Furniture Manufacturing for woodworking. This building is now occupied by Vivid Kid, a photo and video equipment rental house. Accordingly, no further analysis of this facility is warranted.

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.

As shown in **Figure 2.17-3** below, 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.

Table 2.17-3: 400 Foot Industrial Permit Search Results

Site ID	Block	Lot	Address	Owner Name	Land Use	Active Industrial Permits	Expired Industrial Permits
1	508	7	187 VAN BRUNT STREET	FELDMAN FAMILY PARTNERS L.P.	Industrial/Manufacturing	NA	NA
2	508	10	45 BOWNE STREET	BLOOMING PROPERTY INC	Industrial/Manufacturing	NA	NA
3	508	30	46 SEABRING STREET	BLOOMING PROPERTY INC	Industrial/Manufacturing	NA	NA
4	508	36	58 SEABRING STREET	STAKIS REALTY CORP.	Industrial/Manufacturing	NA	PB001711
5	511	35	54 COMMERCE STREET	54 COMMERCE ST CORP	Industrial/Manufacturing	NA	NA
6	518	12	65 COMMERCE STREET	GIVINCI REALTY CORP	Industrial/Manufacturing	NA	NA
7	518	28	64 RICHARDS STREET	54 RICHARDS STREET	Industrial/Manufacturing	NA	NA
8	518	39	70 DELAVAN STREET	JMP GROUP REALTY LLC	Industrial/Manufacturing	NA	NA
9	518	40	72 DELAVAN STREET	JMP GROUP REALTY LLC	Industrial/Manufacturing	NA	NA
10	519	17	7 COMMERCE STREET	21 COMMERCE STREET	Industrial/Manufacturing	NA	NA
11	508	18	35 BOWNE STREET	35 BOWNE LLC	Industrial/Manufacturing	NA	NA
12	508	38	62 SEABRING STREET	STAKIS REALTY CORP.	Industrial/Manufacturing	NA	NA
13	511	19	35 SEABRING STREET	WALSUM PROPERTIES INC	Industrial/Manufacturing	NA	NA
14	512	1	12 COMMERCE STREET	SPOTTY-TITO LLC	Industrial/Manufacturing	NA	NA
15	512	13	41 RICHARDS STREET	41 RICHARD STREET LLC	Industrial/Manufacturing	NA	NA
16	508	5	191 VAN BRUNT STREET	FELDMAN FAMILY PARTNERS L.P.	Industrial/Manufacturing	NA	NA
17	511	28	42 RICHARDS STREET	50 RICHARDS STREET LLC	Industrial/Manufacturing	NA	NA
18	518	26	54 RICHARDS STREET	MAG SEVEN REALTY LLC	Industrial/Manufacturing	NA	NA
19	508	23	33 BOWNE STREET	RELYEA FRENCH LTD	Industrial/Manufacturing	NA	NA
20	508	25	30 RICHARDS STREET	36 SEABRING STREET, LLC	Industrial/Manufacturing	NA	NA
21	511	14	59 SEABRING STREET	FELDMAN FAMILY PARTNERS L.P.	Industrial/Manufacturing	NA	NA
22	512	6	20 COMMERCE STREET	20-22 COMMERCE STREET LLC	Industrial/Manufacturing	NA	NA
23	512	8	28 COMMERCE STREET	SOLEXIS REALTY CORP	Industrial/Manufacturing	NA	NA
24	512	20	37 RICHARDS STREET	37 RICHARDS STREET	Industrial/Manufacturing	NA	NA
25	518	20	57 COMMERCE STREET	COMMERCE MANOR LLC	Industrial/Manufacturing	NA	NA
26	518	23	52 RICHARDS STREET	MAG SEVEN REALTY LLC	Industrial/Manufacturing	NA	NA
27	519	1	57 RICHARDS STREET	F&N DEVELOPING LTD	Industrial/Manufacturing	NA	NA
28	519	5	37 COMMERCE STREET	53 RICHARDS ST REALTY CP	Industrial/Manufacturing	NA	NA
29	519	12	26 DELAVAN STREET	HELLENIC EQUITIES LLC	Industrial/Manufacturing	NA	NA
30	522	22	80 RICHARDS STREET	80 RICHARDS STREET	Industrial/Manufacturing	NA	NA
31	523	13	21 DELAVAN STREET	HARBOR TECH LLC	Industrial/Manufacturing	NA	NA
32	508	40	66 SEABRING STREET	SEABRING REALTY LLC	Industrial/Manufacturing	NA	NA
33	511	10	67 SEABRING STREET	FELDMAN FAMILY PARTNERS L.P.	Industrial/Manufacturing	NA	NA
34	511	12	63 SEABRING STREET	SEABRING LLC	Industrial/Manufacturing	NA	PA068694; PB033009
35	511	16	53 SEABRING STREET	TOPCATCH 60 COMMERCE REALTY INC	Industrial/Manufacturing	NA	NA
36	518	10	79 COMMERCE STREET	SOFIKO REALTY LTD	Industrial/Manufacturing	NA	NA
37	518	11	77 COMMERCE STREET	77 COMMERCE ST CORP	Industrial/Manufacturing	NA	NA
38	512	34	358 COLUMBIA STREET	358 COLUMBIA REALTY CORP	Commercial & Office	NA	NA
39	504	20	140 HAMILTON AVENUE	RAMESHWAR LLC DBA BROOKLYN MOTOR INN	Commercial & Office	NA	NA
40	512	25	17 SEABRING STREET	358 COLUMBIA REALTY CORP	Commercial & Office	NA	NA

Projected Development Site

Figure 2.17-2: Industrial Emissions Screening 400-Foot Study Area

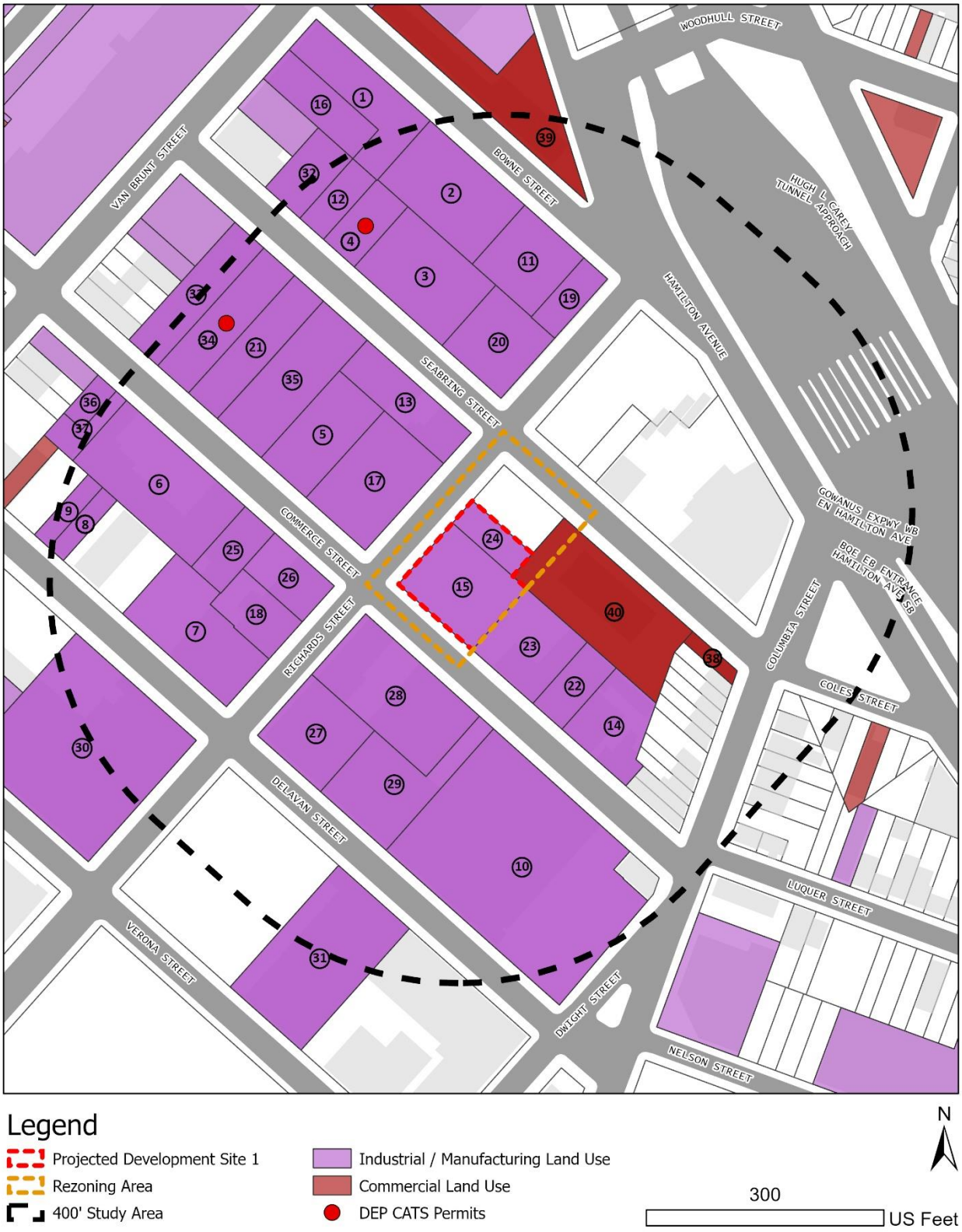
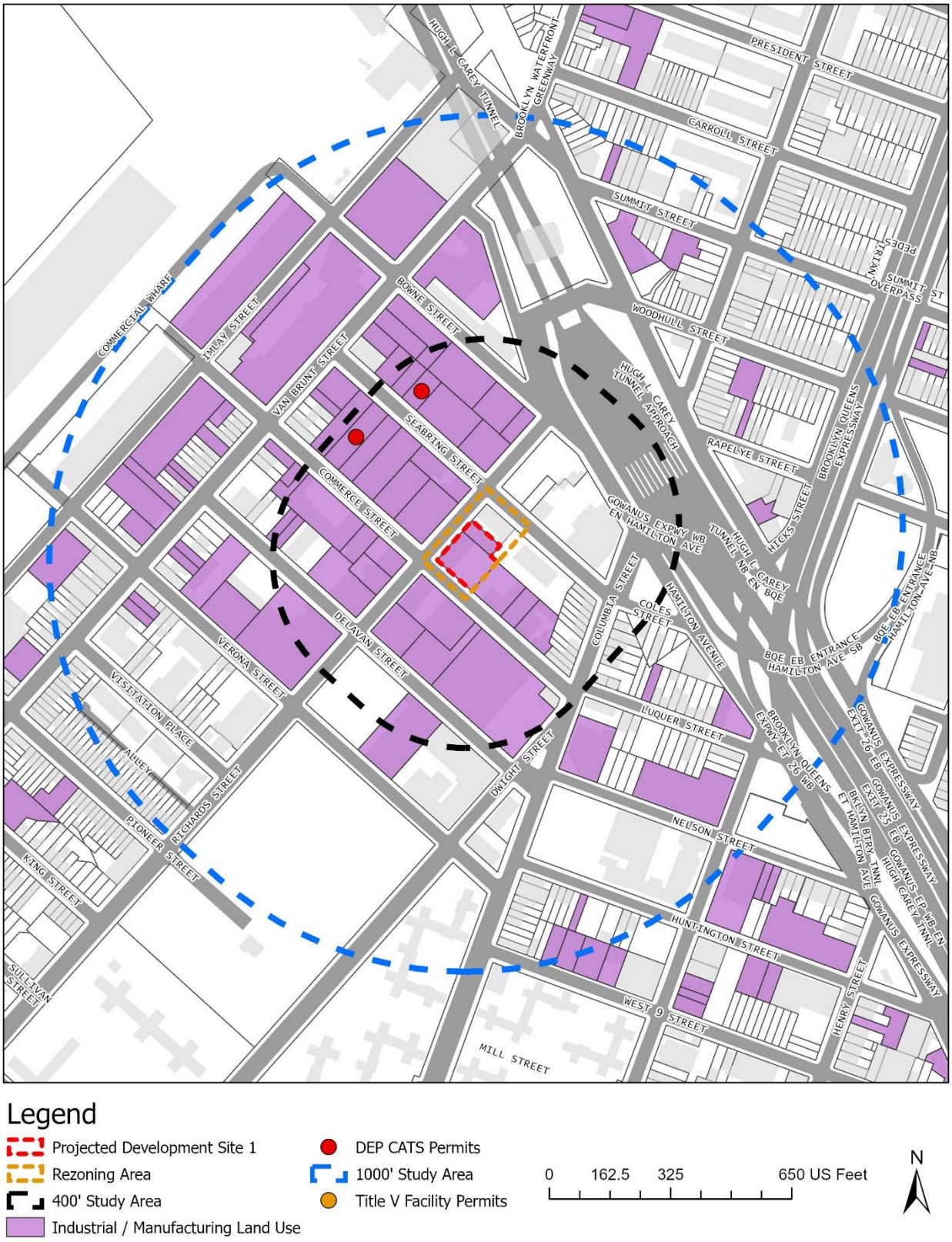


Figure 2.17-3: Industrial Emissions Screening 1,000-Foot Study Area



Air Toxics Dispersion Analysis – J&D Iron Works

As previously mentioned, the J&D Iron Works (Site ID 26), located at 52 Richards Street (Block 518, Lot 23) was identified as an air toxics emission source. The J&D Iron Works is an ironworks facility. As the facility does not have a DEP processing permit, emission profile from the DEP permit PB39705, registered to Kendi Iron Works located at 236 Johnson Avenue, Brooklyn, for the fabrication and welding of metal was used as a representative emission for the J&D Iron Works. The emission associated with the DEP permit PB39705 are produced at 4 welding and metal fabrication stations, during 8-hour workday, 250 day per year. The contaminant associated with the operation is total particulate, with a New York State identification number NY149-00-0, which is particulate matter. According to the EPA AP-42 manual, most of the particulate matter produced by welding is submicron in size and, as such, is considered to be all PM_{10} (i.e., particles # 10 micrometers in aerodynamic diameter) or total particulates. Accordingly, all PM emission was assumed to be $PM_{2.5}$. The emission rates are:

- 0.002 pounds per hour, 4 pounds per year.
- The daily (24-hour average) emission is 0.016 pounds per day, based on 8-hour workday.

The *CEQR Technical Manual* Industrial Source Screen methodology was used to predict maximum short-term(s) and annual average concentrations. The *CEQR Technical Manual* Industrial Source Screen procedure can be used to predict pollutant concentration emitted from a single source at various distances (from 30 to 400 feet). The distance between the J&D Iron Works facility and Projected Development Site 1 is 80 feet (minimum lot-to-lot distance). A distance of 60 feet, a distance less than or equal to the actual distance between the facility and Project Development Site 1, was used in the analysis (using the *CEQR Technical Manual* Industrial Source Screen methodology.) **Table 2.17-4** shows the particulate dispersion analysis results using the *CEQR Technical Manual* Industrial Source Screen procedure.

Table 2.17-4: **Air Toxics Dispersion Analysis Results - *CEQR Technical Manual* Industrial Source**

Criteria Pollutant	Threshold Standard	Increment (Modeled) Concentration (µg/m^3)	Threshold Criteria (µg/m^3)	Threshold Standard
$PM_{2.5}$ 24-Hour	*de minimis*	0.87	7.90	*de minimis*
$PM_{2.5}$ Annual	*de minimis*	0.08	0.3	*de minimis*

As seen in **Table 2.17-4**, PM2.5 concentration increments do not exceed the *de minimis*. Therefore, no adverse air quality impact associated with existing industrial emissions sources is predicted at Projected Development Site 1.

2.17.3 Conclusion

The Projected Development Site would contain a mix of retail, commercial office, medical office, and light manufacturing. As some light manufacturing uses of Use Groups 11, 16, and 17 may produce air toxic emissions and require DEP permits. In order to ensure that the retail, commercial office and medical office co-exist in the same building, the following (E) Designation would be placed on the site.

E Designation (E-737)

Block 512, Lots 13 and 20 (Projected Development Site 1):

To preclude any potential significant adverse air quality impacts from light industrial uses, special features that go beyond the normal construction practices must be installed at this site.

a. A licensed architect or engineer must certify with the Department of Buildings, and provide proof of filing to OER, that the manufacturing use on the above-referenced property will adhere to the following restrictions:

    i. The manufacturing use in the building does not have a New York City or New York State environmental rating of "A", "B" or "C" under Section 24–153 of the New York City Administrative Code for any process equipment requiring a New York City Department of Environmental Protection Certificate to Operate or New York State Department of Environmental Conservation state facility air permit; and

    ii. is not required, under the City Right-to-Know Law, to file a Risk Management Plan for Extremely Hazardous Substances.

b. The emission stack of the proposed light industrial/manufacturing uses must be located at the building's highest tier.

c. Install an odor/vapor barrier and a modified mechanical ventilation system.

    i. The mechanical ventilation prevention system will be comprised of a mechanical ventilation system designed to operate in parallel and separate from the mechanical ventilation system of the community facility and retail/commercial office, providing fresh air to, and exhaust from, the light industrial floors, with vents running above the roof line of the highest floor.

    ii. An odor/vapor barrier will be installed at the structural slab and/or partition walls separating the manufacturing and community facility and retail/commercial office spaces eliminating vapor exchange across interior partitions.

Any other processes if required to obtain NYC DEP certificate to operation, must provide an air quality analysis to OER in order to demonstrate that such process would not cause a significant adverse air quality impact.

2.18 Noise

Introduction

Equity Environmental Engineering, LLC (Equity) conducted Noise Monitoring in support of the Proposed Action. Vehicular traffic is the predominant source of noise in the area, and Van Brunt Street and the Gowanus Expressway are located within 1,500 feet of the Affected Area with an unobstructed line of sight. Therefore, the Proposed Action warrants an assessment of the potential for adverse effects on project occupants from ambient noise.

This noise analysis includes an assessment of ambient noise that could adversely affect occupants of the development. The Proposed Action would not create a significant noise generator.

The purpose of the noise assessment under *CEQR* is to determine: (1) if new noise receptors that would be introduced by the Proposed Action would be in an acceptable ambient sound level environment; and (2) if the Proposed Action would significantly increase sound levels from mobile and stationary sources at existing noise receptors adjacent to Projected Development Site 1 including residential, commercial, and institutional land uses.

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

Framework of Noise Analysis

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

Because the human ear can detect such a wide range of sound pressures, sound pressure is converted to sound pressure level (SPL), which is measured in units called decibels (dB). The decibel is a relative measure of the sound pressure with respect to a standardized reference quantity. Because the dB scale is logarithmic, a relative increase of 10 dB represents 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 2.18-1** notes the decibel levels of common noises.

Table 2.18-1: Noise Levels of Common Sources[8]

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 (i.e., the sound intensity changes in inverse proportion to the square of the distance from the sound source). In a large open area with no obstructive or reflective

[8] Source: *2021 CEQR Technical Manual*

surfaces, it is a general rule that the SPL from a point source of noise drops off at a rate of 6 dB with each doubling of distance away from the source. For “line” sources, such as 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.
- $L_{eq(24)}$ is the continuous equivalent sound level over a 24-hour time period.
- 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 2.18-2** below, noise standards classify noise exposure into four categories based on noise level limits and land use, for vehicular traffic, rail, and aircraft noise sources: Acceptable, Marginally Acceptable, Marginally Unacceptable and Clearly Unacceptable. Table 19-3 of *The 2021 CEQR Technical Manual* (**Table 2.18-3** below) defines attenuation requirements for buildings based on exterior noise exposure levels. Recommended noise attenuation values for buildings are designed to maintain interior noise levels (L_{10} or Ldn, depending on the source) of 45 dBA or below.

Table 2.18-2: 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	

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).

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

Table 2.18-3: Attenuation Values to Achieve Acceptable Interior Noise Levels

	Marginally Unacceptable				Clearly Unacceptable
Vehicular Traffic	70 < L10 ≤ 73	73 < L10 ≤ 76	76 < L10 ≤ 78	78 < L10 ≤ 80	80 < L10
Aircraft[A]	65 < DNL ≤ 68	68 < DNL ≤ 71	71 < DNL ≤ 73	73 < DNL ≤ 75	75 < DNL
Train	65 < Ldn ≤ 68	68 < Ldn ≤ 71	71 < Ldn ≤ 73	73 < Ldn ≤ 75	75 < Ldn
Attenuation[B]	(i) 28 dB(A)	(ii) 31 dB(A)	(iii) 33 dB(A)	(iv) 35 dB(A)	See Note c

Note:

A. DNL descriptor based on average values of Ldn 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 Lbuild and Linterior, using the appropriate noise descriptor Where:
Lbuild is the projected noise level under the build condition rounded up to the whole number
Linterior is the designed interior noise level (45 dB(A) for vehicular noise, 40 dB(A) for aircraft and train noise)

2.18.1 Initial Impact Screening

Methodology

The *2021 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.

A detailed analysis of stationary noise may be appropriate if the proposed project would introduce a stationary noise source, such as a playground, to be operating within 1,500 feet of a receptor, or within direct line of sight to that receptor or if the project would be subject to high ambient noise levels from any nearby stationary source. It is assumed that the building mechanical systems (i.e., HVAC systems) would be designed to meet all applicable noise regulations (i.e., Subchapter 5, §24-227 of the New York City Noise Control Code, the New York City Department of Buildings Code) and to avoid producing levels that would result in any significant increase in ambient noise levels. Therefore, the Proposed Action would not result in any significant adverse noise impacts related to building mechanical equipment or stationary source noise.

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

Analysis Framework

Future Without the Proposed Action (No-Action Scenario)

In the future without the Proposed Action existing conditions would remain. Most of the lots within the Rezoning Area would be developed to the maximum FAR possible under the existing M1-1 zoning district. Expansion or redevelopment would be economically infeasible because of the high parking requirements of 1 space per 300 SF of floor area. Also, development trends in the area and lack of development within the Rezoning Area indicates that in the absence of the Proposed Action future development is unlikely.

Future With the Proposed Action (With-Action Scenario)

Projected Development Site 1 (Block 512, Lots 13 and 20; Applicant Owned): 37 and 41 Richards Street would combine to form a 16,500 SF lot that would be developed with a 9-story, 120-foot-tall (135 feet top of bulkhead) 137,112 GSF (107,181 ZSF, 6.5 FAR) building comprised of 19,170 GSF (15,947 ZSF, 0.97 FAR) of commercial space, 70,013 GSF (66,319 ZSF, 4.02 FAR) of manufacturing space, and 25,912 GSF (24,915 ZSF, 1.51 FAR) of community facility space. There would be a 22,017 GSF parking garage between the cellar and first floors with 41 parking spaces, and two separate 4,000 GSF loading berths at the cellar level and on the first floor.

Of the 19,170 GSF of commercial space, 2,730 GSF would be UG 6 locally serving retail space located at cellar level, and 16,440 GSF would be office space. The 70,013 GSF of manufacturing space would be light manufacturing, which mirrors the Applicant's proposal to provide "boutique manufacturing" (custom woodworking, ceramic products, clothing). Of the 25,912 gsf community facility space, 12,956 sf would be general community facility, while 12,956 sf would be medical office.

Other Site (Block 512, Lot 22; Non-Applicant Owned): the 6,000 SF lot is improved with a 7,134 GSF firehouse. The long-standing institutional use has no known development plans, and therefore would not be induced to redevelop.

Other Site (Block 512, Lot 25; Non-Applicant Owned): the 22,534 SF lot is improved with a 29,672 GSF hotel. Only a small portion (approximately 2,800 sf) on the west boundary of the lot would fall within the Rezoning Area. In addition, the hotel building was built in 2009, which is considered relatively new. Therefore, it is believed that Lot 25 would not be induced to redevelop with the Proposed Action.

2.18.2 Existing Conditions

Noise Monitoring Locations and Equipment

Because the predominant noise sources in the area of the proposed project consist of vehicular traffic, noise monitoring was conducted during peak weekday vehicular travel periods (AM, Midday, PM) on a typical midweek day for 20-minute periods. Noise Monitoring Location One (1) was located at the street level southwest corner of Richards Street and Seabring Street. The noise monitoring location is shown in **Figure 2.18-1**. Noise monitoring was conducted using a Type 1 Casella CEL-633 sound level meters with wind screens. The monitors were placed on a tripod at a height of approximately three feet above the ground, away from any other noise-reflective surfaces. The monitors were calibrated prior to and following each monitoring session Periods of peak vehicular around the subject site constitute a worst-case condition for noise at Projected Development Site 1. Noise meter back up data is provided in **Appendix D**.

Figure 2.18-1: Noise Monitoring Locations



Figure 2.18-2: Location 1 – Noise Monitor Location Photo



Noise Monitoring Results

Monitoring was conducted during typical midweek conditions, on Wednesday, June 19, 2019. The weather was approximately 68 degrees Fahrenheit and wind speeds were mild during monitoring. Traffic volumes and vehicle classification were documented during the noise monitoring. **Table 2.18-4** below contains the results for the measurements taken at Location 1.

Table 2.18-4: Noise Levels in dBA at Location 1

Wednesday, June 19, 2019			
Time	7:33 am – 7:53 am	12:05 pm– 12:25 pm	4:30 pm – 4:52 pm
L_{max}	89.4	88.6	88.8
L_{10}	65.0	65.5	68.5
L_{eq}	64.5	65.6	65.8
L_{50}	59.0	59.5	58.5
L_{90}	56.0	56.0	55.5
L_{min}	54.2	53.7	51.2

The traffic volumes (vehicle counts) and vehicle classifications taken at Projected Development Site 1 during peak vehicular travel periods [morning (AM), noon (MD), and evening (PM)] concurrent with noise monitoring at Location 1 are shown below in **Table 2.18-5**.

Table 2.18-5: Traffic Volumes and Vehicle Classifications Noise Location 1

	Weekday AM	Weekday Midday	Weekday PM
Car/ Taxi	19	25	10
Van/Light Truck/SUV	31	28	8
Medium Truck	3	2	2
Heavy Truck	9	3	6
Bus	2	0	1

The *2021 CEQR Technical Manual* Table 19-2 contains noise exposure guidelines. For community facility and commercial office uses such as would occur under the Proposed Action, an L_{10} of between 65 and 70 dB(A) is identified as marginally acceptable general external exposure. The highest recorded L_{10} at Location 1 was 68.5 dB(A) during the evening period.

2.18.3 Conclusion

Based on the results of the noise monitoring as summarized above, no window-wall noise attenuation would be required for any building facades. No adverse noise impacts are anticipated as a result of the Proposed Action.

2.22 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 Projected Development Site 1 would result in the following:

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

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

Analysis

Future No-Action Scenario

In the Future No-Action Scenario existing conditions would be expected to remain.

Future With-Action Scenario

Projected Development Site 1 (Block 512, Lots 13 and 20)

37 and 41 Richards Street would combine to form a 16,500 SF lot that would be developed with a 9-story, 120-foot-tall (135 feet top of bulkhead) 137,112 GSF (107,181 ZSF, 6.5 FAR) building comprised of 19,170 GSF (15,947 ZSF, 0.97 FAR) of commercial space, 70,013 GSF (66,319 ZSF, 4.02 FAR) of manufacturing space, and 25,912 GSF (24,915 ZSF, 1.51 FAR) of community facility space. There would be a 22,017 GSF parking garage between the cellar and first floors with 41 parking spaces, and two separate 4,000 GSF loading berths at the cellar level and on the first floor.

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, three to four months for permitting and plan development, and an 18-month construction schedule for Projected Development Site 1.

Analysis

Historic and Cultural Resources

As discussed in Section 2.9, the Landmarks Preservation Commission has determined that the Affected Area contains two architectural resources and is within the 400-foot radius of six other architectural resources. Therefore, construction measures appropriate to this context should be identified.

New York City has two procedures for avoidance of damage to historic structures from adjacent construction. All buildings are provided some protection from accidental damage through New York City Department of Buildings (DOB) controls that govern the protection of any adjacent properties from construction activities, under Building Code Section 27-166 (C26-112.4). For all construction work, Building Code section 27-166 (C26-112.4) serves to protect buildings by

requiring that all lots, buildings, and service facilities adjacent to foundation and earthwork areas be protected and supported in accordance with the code requirements.

The second protective measure applies only to designated NYCL and S/NR listed historic buildings that are located within 90 linear feet of a proposed construction site. For these structures, the Proposed Actions incorporate a Restrictive Declaration ("RD") (See **Appendix E**) requiring the implementation of a LPC-approved Construction Protection Plan ("CPP") as a project component related to the environment to protect known architectural resources identified by LPC with a lateral distance of 90 feet from construction activities at the property. The CPP will be developed in coordination with and approved by LPC. The 90-foot distance is recognized as being close enough to potentially experience adverse construction-related impacts from ground-borne construction-period vibrations, falling debris, and/or collapse.

The historic sites listed above would, therefore, be protected with the aforementioned project component related to the environment, including the RD and the LPC-approved CPP. Provided these measures are followed, the Proposed Action would not result in significant adverse construction-related impacts at these resources.

By following the protection measures under DOB Code Section 27-166 (C26-112.4) and the LPC approved CPP for those applicable resources, demolition and/or construction work on the Projected Development Site would not cause any significant adverse construction-related impacts to nearby historic and cultural resources.

2.22.1 Conclusion

Construction activities would be completed in one phase in an 18-month period. Construction would be performed subject to relevant DOT and DOB regulations to ensure minimal construction impacts. With the construction protective measures identified above, no impacts to historic buildings would occur. Therefore, no significant adverse impacts associated with construction activities are anticipated.

APPENDIX A

Concept Plans and Zoning Calculations

41 RICHARDS STREET ZONING STUDY

41 RICHARDS STREET, BROOKLYN, NY. 11231



N

SITE PLAN

N.T.S.



N

FEMA PLAN

N.T.S.

ARCHITECT

CCA
CHARLES CALCAGNI
ARCHITECT

CONSULTANT

DRAWING LIST

ARCHITECTURAL DRAWINGS

DWG. NO.	DRAWING TITLE
T-001.00	TITLE SHEET
A-100.00	EXISTING SITE PLAN
A-101.00	STREET FLOOR PLANS (1 of 2)
A-102.00	STREET FLOOR PLANS (2 of 2)
A-103.00	EXTERIOR ELEVATIONS
A-104.00	SECTIONS
A-105.00	ELEVATIONS - FLOOD PROJECTIONS & PROTECTION (1 of 4)
A-106.00	ELEVATIONS - FLOOD PROJECTIONS & PROTECTION (2 of 4)
A-107.00	ELEVATIONS - FLOOD PROJECTIONS & PROTECTION (3 of 4)
A-108.00	ELEVATIONS - FLOOD PROJECTIONS & PROTECTION (4 of 4)
A-200.00	AERIAL VIEWS
A-201.00	RENDERINGS
A-202.00	RENDERINGS
A-300.00	ZONING CALCULATIONS

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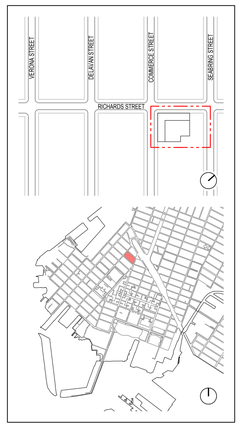

PROJECT

41 RICHARDS ST ZONING STUDY
41 RICHARDS STREET
BROOKLYN, NY 11231

DRAWING

TITLE SHEET

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20008

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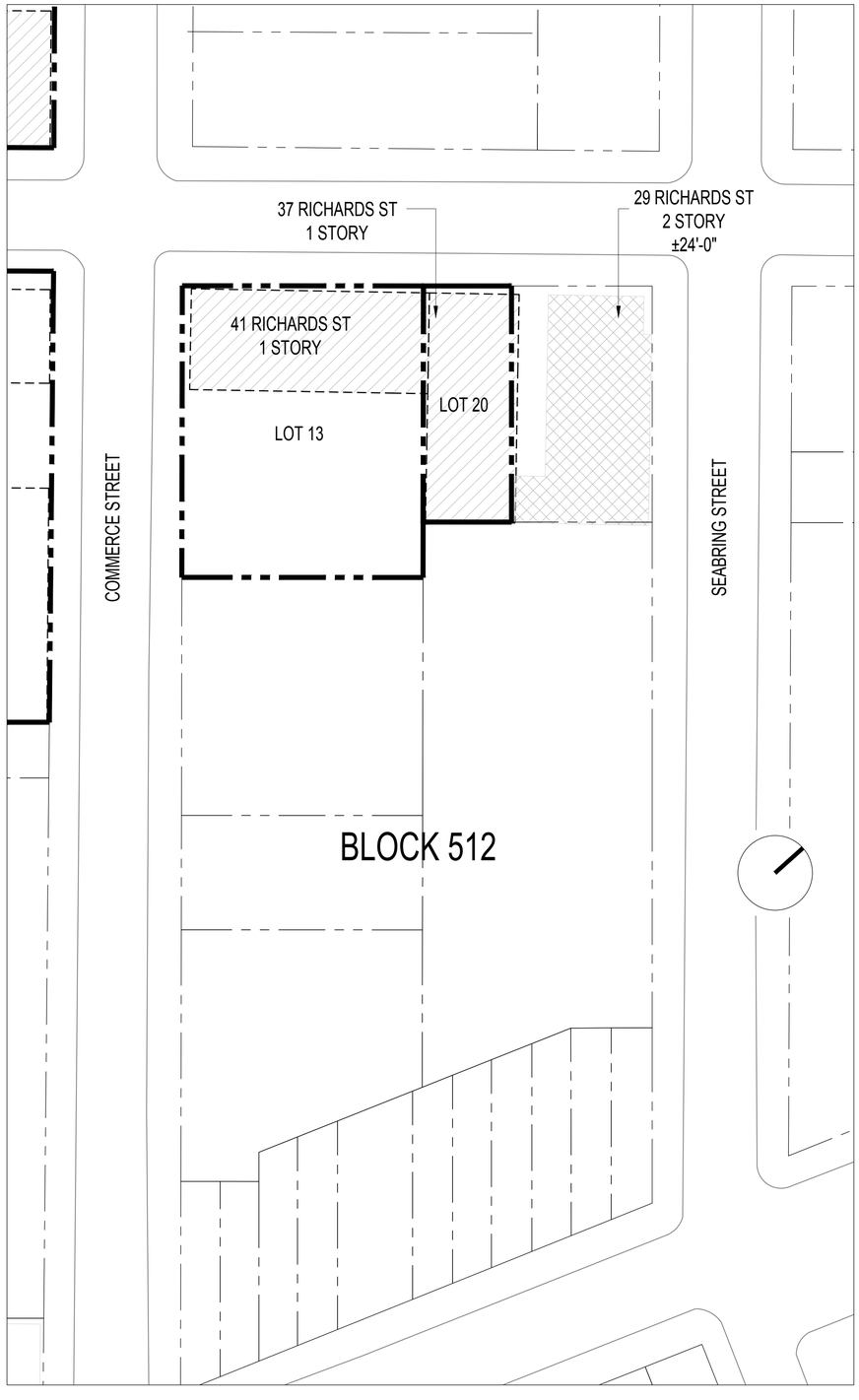

1 EXISTING SITE PLAN
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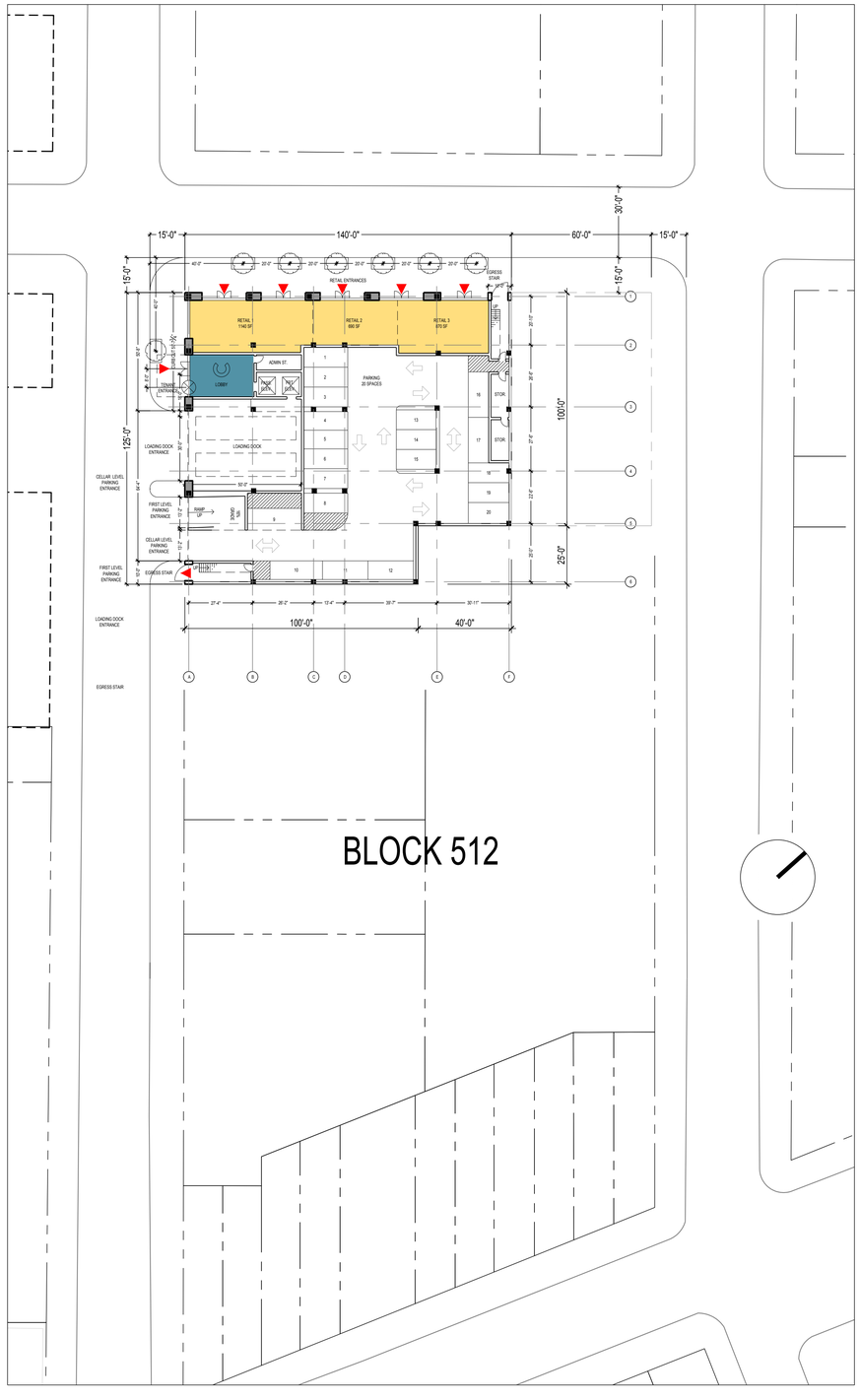

1 SITE WIDE CELLAR FLOOR PLAN - FOR ILLUSTRARTIVE PURPOSES ONLY
SCALE: 1/32" = 1'-0"

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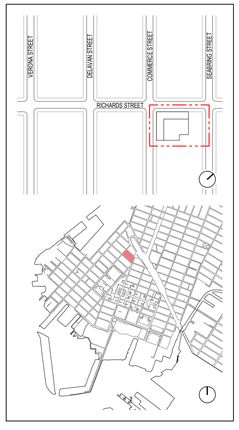

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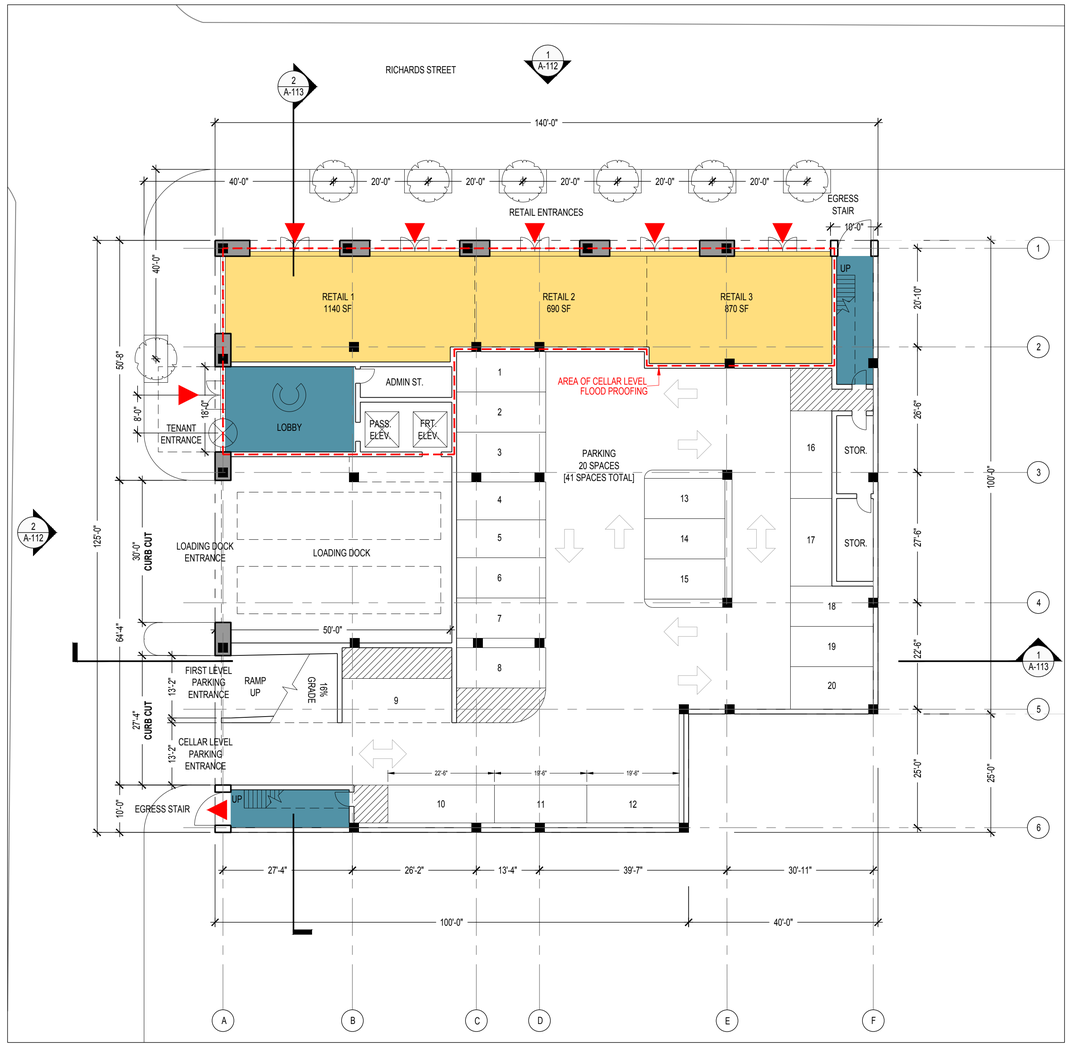

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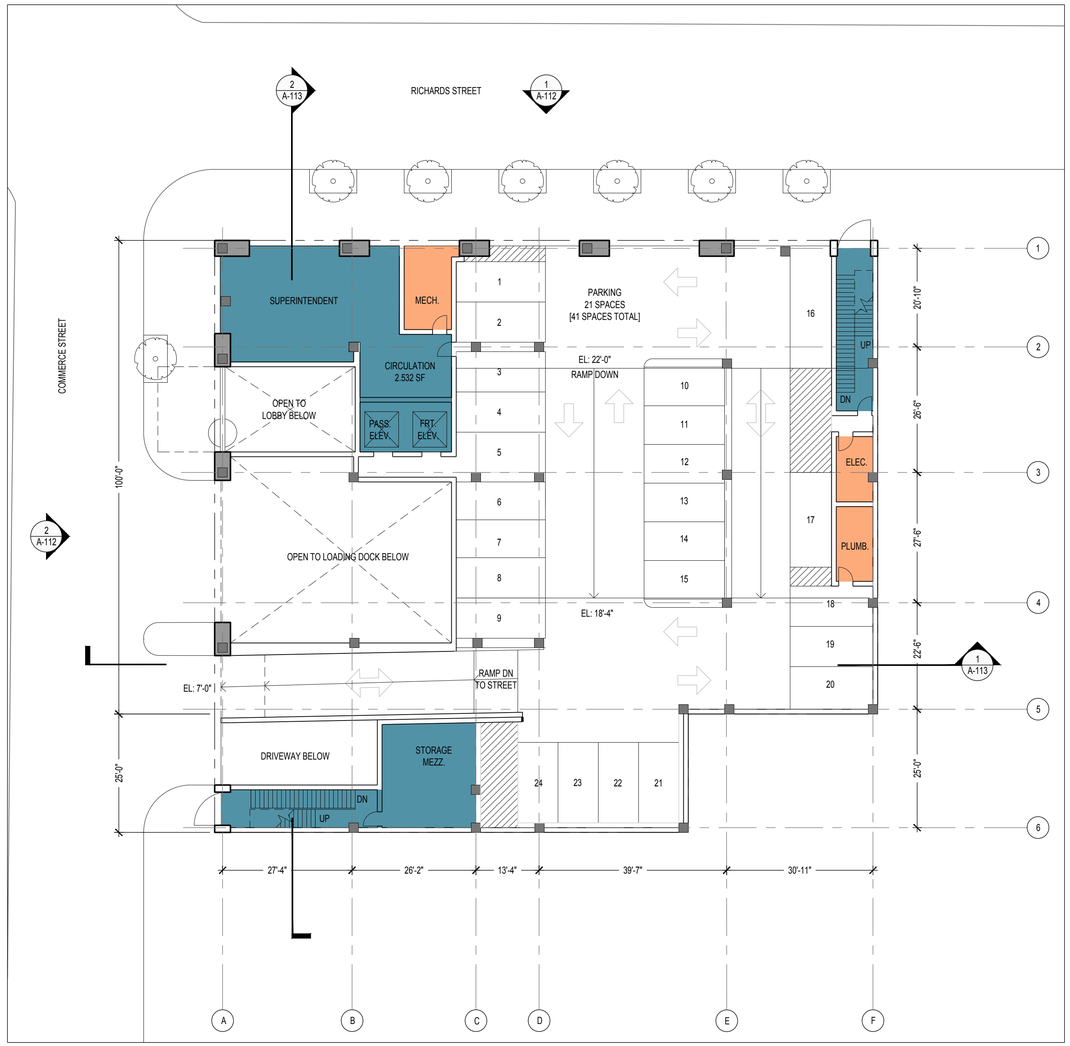
SCALE: 1/16" = 1'-0"



2 FIRST FLOOR PLAN-FOR ILLUSTRATIVE PURPOSES ONLY
SCALE: 1/16" = 1'-0"

LEGEND

- EXISTING WALL OR PARTITION TO REMAIN
- NEW WALL OR PARTIRION
- NEW DOOR AND FRAME
- ELEVATION NUMBER/ PAGE NUMBER
- DETAIL NUMBER PAGE NUMBER
- KEYNOTE NUMBER
- OFFICE TENANTS
- MANUFACTURING TENANTS
- MECHANICAL SPACE

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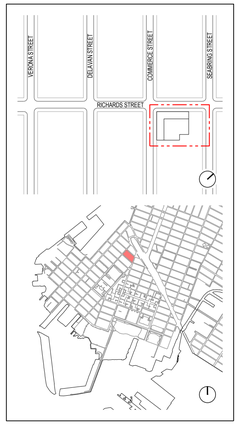

PROJECT
41 RICHARDS ST ZONING STUDY
41 RICHARDS STREET
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FLOOR PLANS

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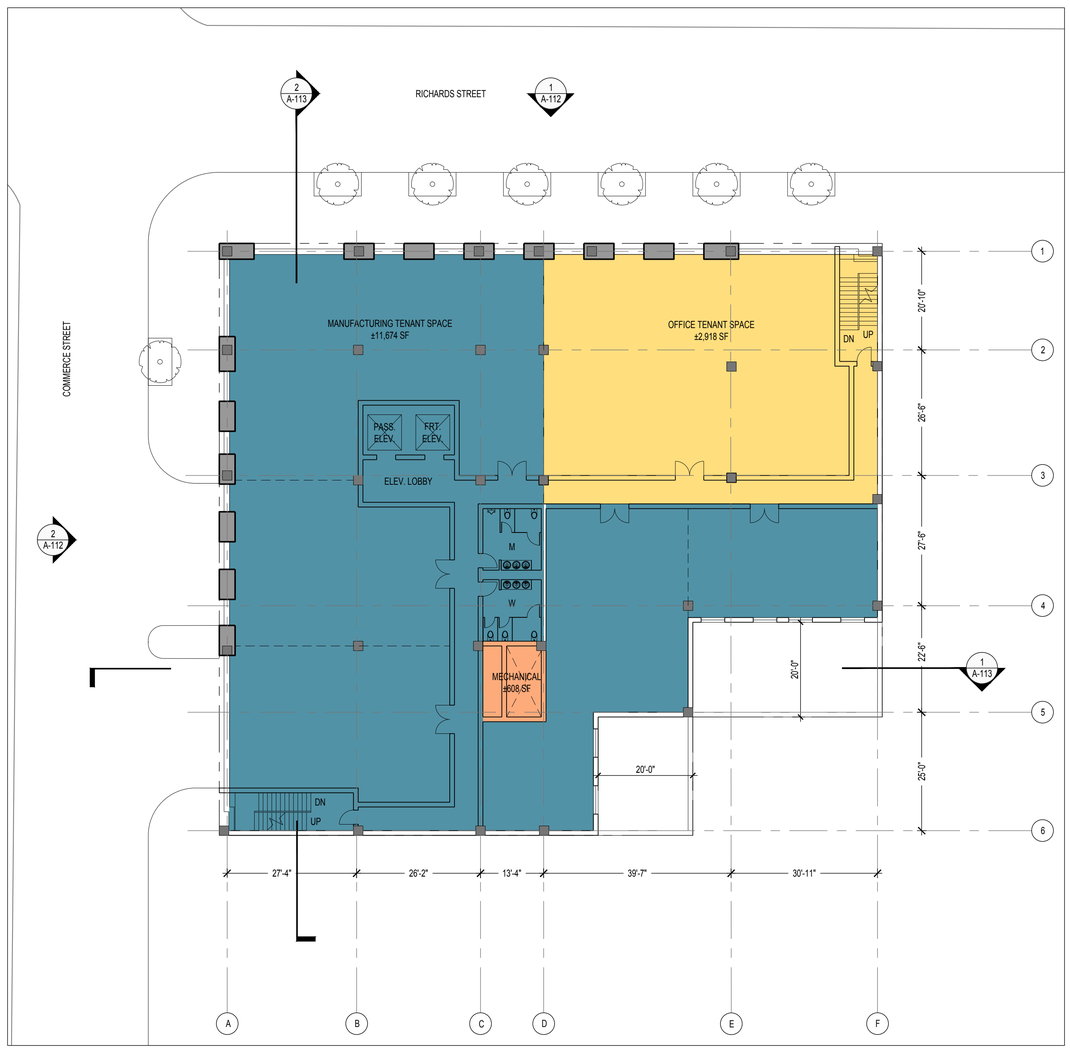

1 SECOND-FIFTH FLOOR PLAN - FOR ILLUSTRATIVE PURPOSES ONLY
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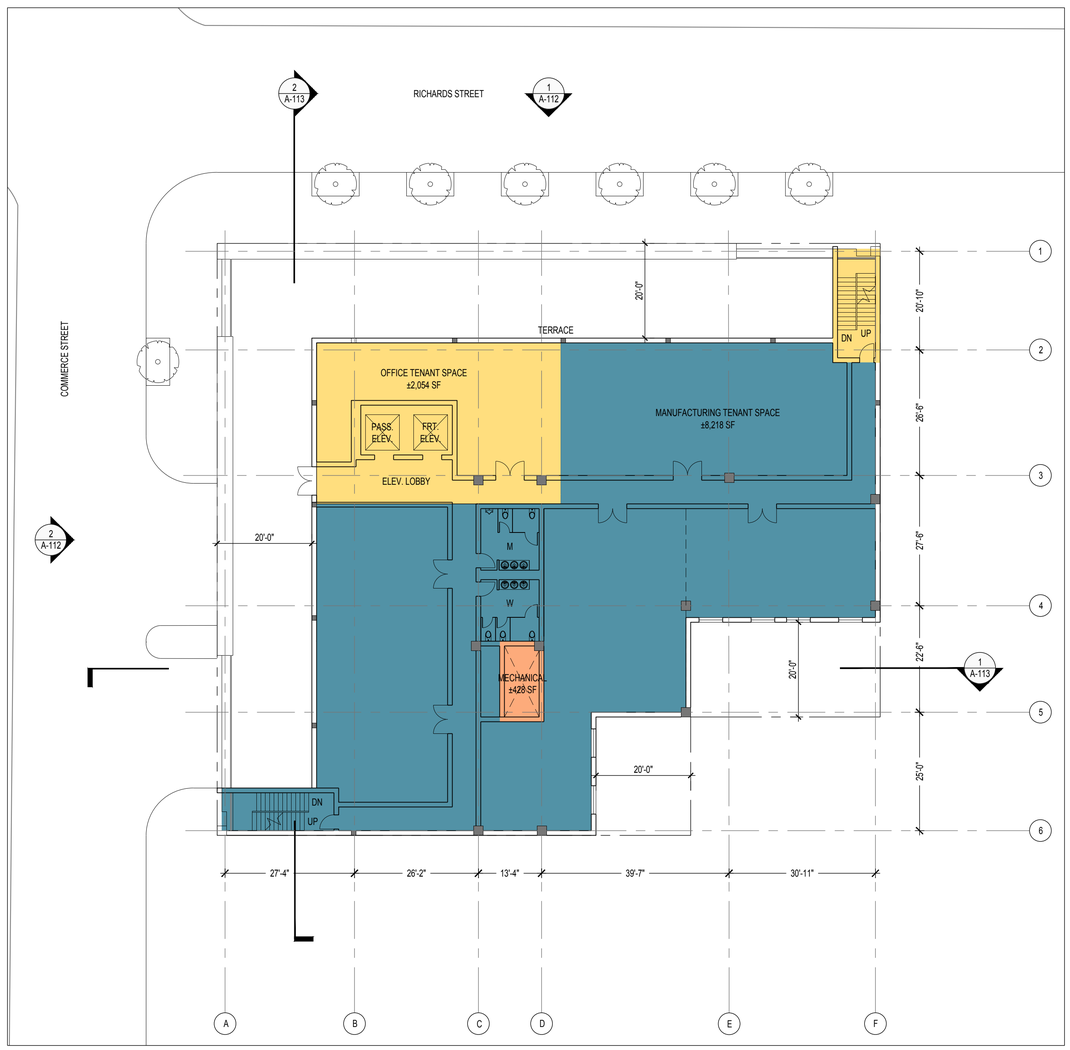

2 SIXTH-SEVENTH FLOOR PLAN - FOR ILLUSTRATIVE PURPOSES ONLY
SCALE: 1/16" = 1'-0"

LEGEND

- EXISTING WALL OR PARTITION TO REMAIN
- NEW WALL OR PARTIRION
- NEW DOOR AND FRAME
- ELEVATION NUMBER/ PAGE NUMBER
- DETAIL NUMBER PAGE NUMBER
- KEYNOTE NUMBER
- OFFICE TENANTS
- MANUFACTURING TENANTS
- MECHANICAL SPACE

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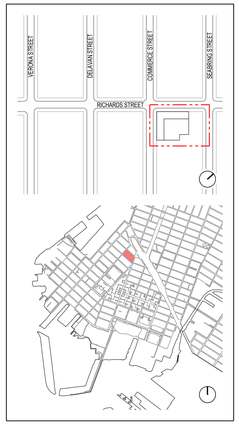

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41 RICHARDS STREET
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DRAWING
FLOOR PLANS

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1 RICHARDS STREET ELEVATION - FOR ILLUSTRATIVE PURPOSES ONLY
SCALE: 1/16" = 1'-0"



2 COMMERCE STREET ELEVATION - FOR ILLUSTRATIVE PURPOSES ONLY
SCALE: 1/16" = 1'-0"



3 NORTHWEST ELEVATION - FOR ILLUSTRATIVE PURPOSES ONLY
SCALE: 1/16" = 1'-0"



4 SEABRING STEET ELEVATION - FOR ILLUSTRATIVE PURPOSES ONLY
SCALE: 1/16" = 1'-0"

Base Flood Elevation = 11'-0" (NAV88)
Design Flood Elevation = 13'-0"
Site Above Sea Level = 7'-0"
Calculation:
Static BFE at Site = 5'-0"
Static DFE at Site = 6'-0"

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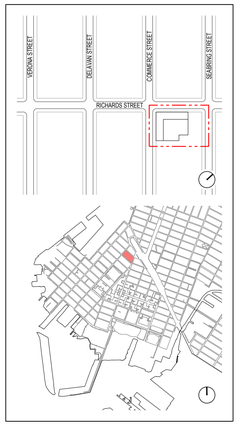

PROJECT
41 RICHARDS ST ZONING STUDY
41 RICHARDS STREET
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DRAWING
EXTERIOR ELEVATIONS

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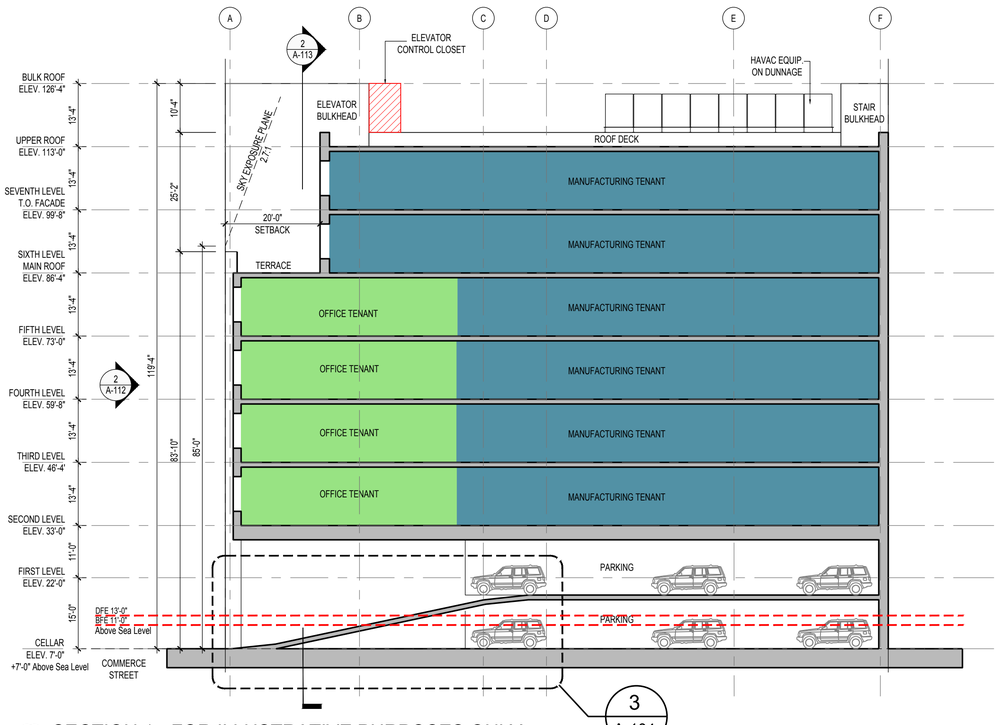

1 SECTION 1 - FOR ILLUSTRATIVE PURPOSES ONLY
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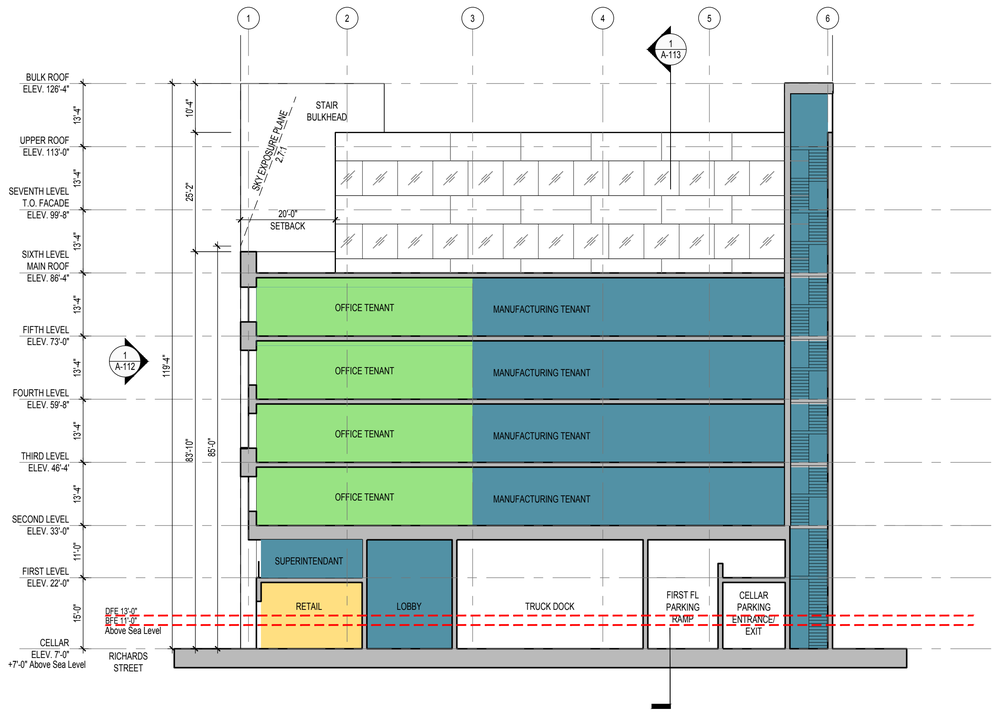
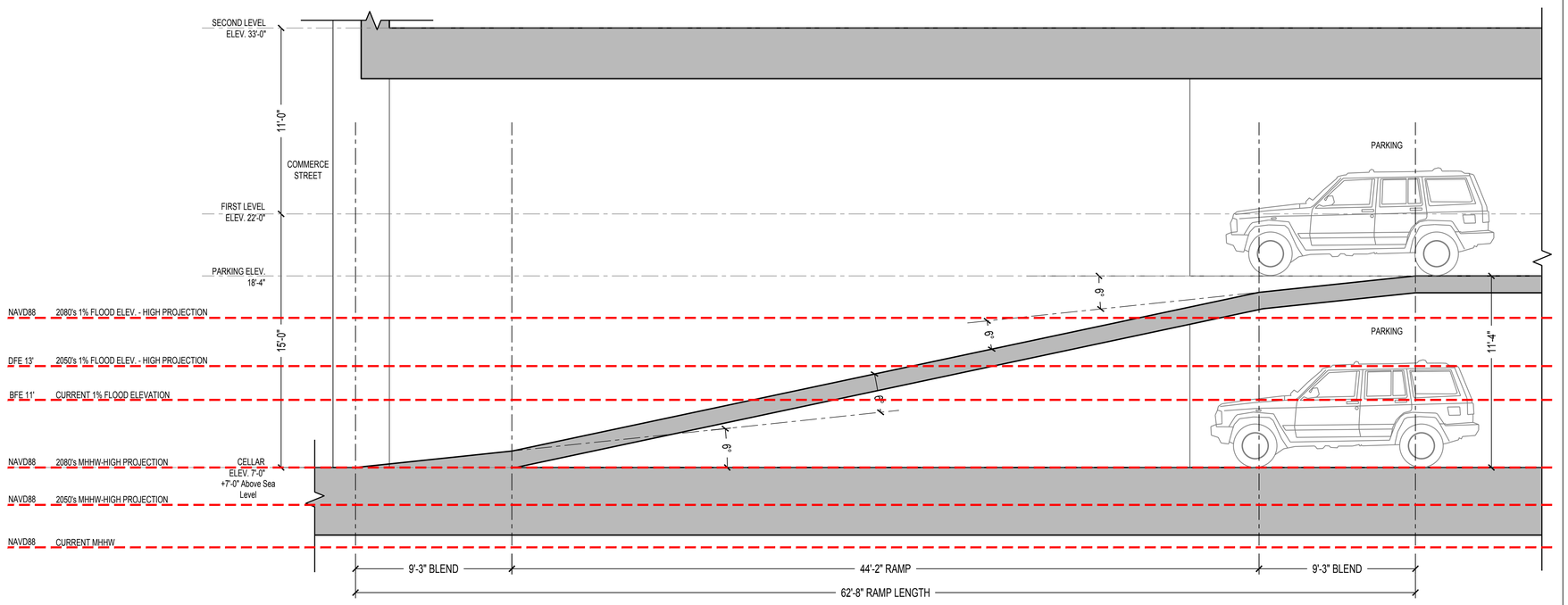


2 SECTION 2 - FOR ILLUSTRATIVE PURPOSES ONLY
SCALE: 1/16" = 1'-0"

Base Flood Elevation = 11'-0" (NAV88)
Design Flood Elevation = 13'-0"
Site Above Sea Level = 7'-0"
Calculation:
Static BFE at Site = 5'-0"
Static DFE at Site = 6'-0"

LEGEND

- EXISTING WALL OR PARTITION TO REMAIN
- NEW WALL OR PARTIRION
- NEW DOOR AND FRAME
- ELEVATION NUMBER/ PAGE NUMBER
- DETAIL NUMBER PAGE NUMBER
- KEYNOTE NUMBER
- BLOW-UP DRAWING
- OFFICE TENANTS
- MANUFACTURING TENANTS
- RETAIL SPACE



3 RAMP SCOPE - SECTION
SCALE: 1/4" = 1'-0"

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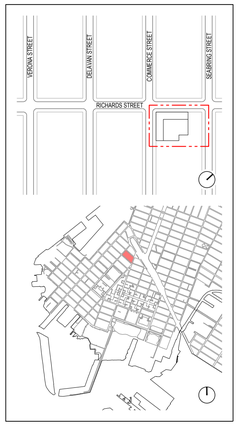

PROJECT
41 RICHARDS ST ZONING STUDY
41 RICHARDS STREET
BROOKLYN, NY 11231

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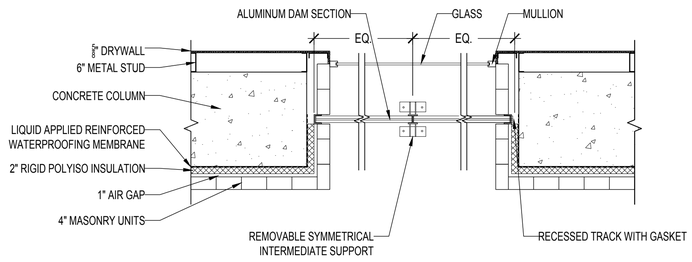
Base Flood Elevation = 11'-0" (NAV88)
Design Flood Elevation = 13'-0"
Site Above Sea Level = 7'-0"
Calculation:
Static BFE at Site = 5'-0"
Static DFE at Site = 6'-0"

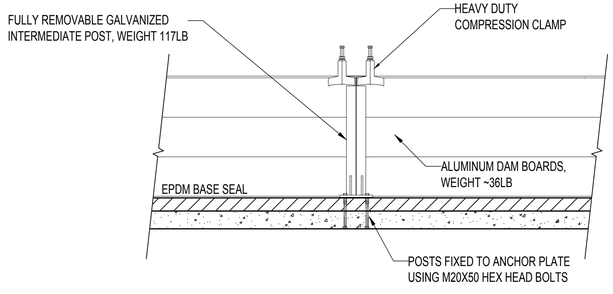
Current MHHW (2.28')
2050's MHHW High Projection (4.78')
2080's MHHW High Projection (7.11')
Current 1% Flood Elevation (11')
2050's 1% Flood Elevation - High Projection (13.5')
2080's 1% Flood Elevation - High Projection (15.83')

NOTE:
FLOODGATE HEIGHT IS ADJUSTABLE IN 1'-0" SEGMENTS FROM 1'-0" TO 10'-0" ABOVE GRADE.

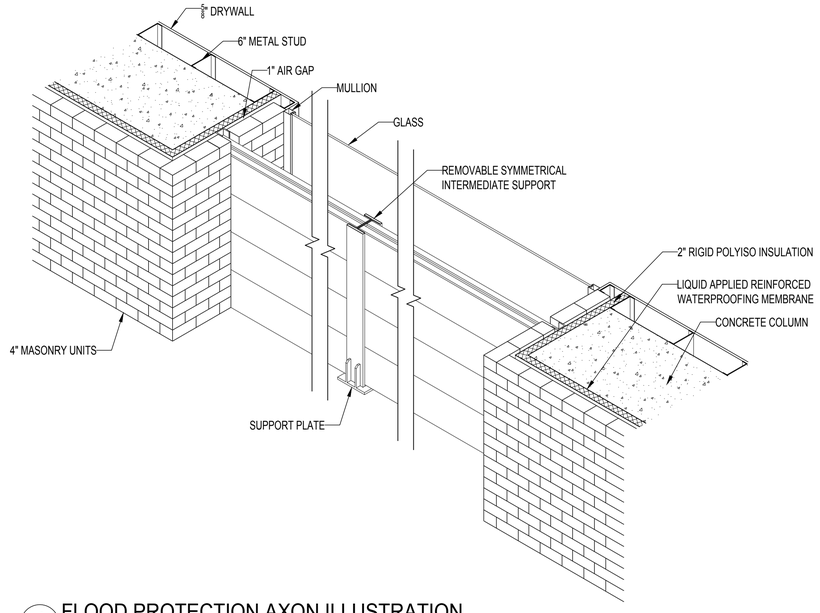
1 RICHARDS STREET ELEVATION - FLOOD PROJECTION
SCALE: 1/16" = 1'-0"



2 DEMOUNTABLE FLOOD PROTECTION PLAN-SECTION
SCALE: N.T.S.



3 DEMOUNTABLE FLOOD PROTECTION ELEVATION-SECTION
SCALE: N.T.S.



4 FLOOD PROTECTION AXON ILLUSTRATION
SCALE: N.T.S.

FLOOD RESISTANT CONSTRUCTION NOTES:

1. THE ENTIRE CELLAR FLOOR STRUCTURAL ELEMENTS WILL BE TREATED WITH A FABRIC MESH AND LIQUID APPLIED MEMBRANE FROM THE TOP OF FOOTINGS TO A HEIGHT OF 20' ABOVE CURRENT MEAN SEA LEVEL (13 FEET ABOVE GRADE). THIS IS INTENDED TO STABILIZE AND RUSTPROOF STRUCTURAL MEMBERS SHOULD THEY BE EXPOSED TO SALT WATER FLOODING. THIS MATERIAL IS AN EPOXY- BASED ROOFING-TYPE MEMBRANE FABRICATED BY AMERICAN HYDROTECH. THIS SYSTEM WILL BE FLASHED INTO A CONTINUOUS SUB-SLAB WATERPROOFING MEMBRANE CREATING A FLOOD BARRIER ON FIVE SURFACES (FLOOR, WALLS AND DEMOUNTABLE BARRIER) TO A HEIGHT OF 13 FEET ABOVE GRADE. THERE WILL BE NO PENETRATIONS PERMITTED THROUGH THIS SYSTEM AND ALL BUILDING SYSTEMS WILL BE DELIVERED ABOVE OR PUMPED TO THE FIRST FLOOR LEVEL AND THEN SENT TO THE SEWER SYSTEM.

2. ALL CELLAR FLOOR WALLS WILL RECEIVE A SIMILAR COVERING AS PROPOSED AROUND THE OUTSIDE OF THE WALLS ALONG UNDER THE FINISH SURFACES TO A HEIGHT OF 20' ABOVE CURRENT MEAN SEA LEVEL (13 FEET ABOVE GRADE). ALL FIRST FLOOR UNGLAZED WALLS FOR SPACES TO REMAIN DRY WILL BE DESIGNED WITH THE STRUCTURAL CAPACITY TO RESIST OF 20' OF SEAWATER.

3. GLAZED CURTAINWALLS ALONG RICHARDS AND COMMERCE STREETS WILL UTILIZE A FLOODPROOFING SYSTEM AS MANUFACTURED BY FLOOD CONTROL AMERICA EMPLOYING A SERIES OF DEMOUNTABLE DAMS AS ILLUSTRATED BELOW. EACH SECTION COMES IN 1' HIGH INCREMENTS AND USES PRESSURE-APPLIED GASKETS AND A DEMOUNTABLE GASKETED STRUCTURAL COLUMN THAT CAN BE BUILT TO A HEIGHT OF 13' ABOVE GRADE. THIS SYSTEM WILL BE FULLY FLASHED INTO THE WATERPROOFING SYSTEM AS OUTLINED IN DESCRIPTION 1 ABOVE, TO CREATE A CONTINUOUS DAM THROUGHOUT THE HABITABLE CELLAR FLOOR SPACES.

4. ALL BUILDING SERVICES, (PLUMBING, ELECTRICAL, EMERGENCY POWER AND HVAC) WILL BE DELIVERED FROM THE FIRST FLOOR. ALL DRAINS TOILETS AND SUMPS WILL BE PUMPED TO THIS LEVEL TO MITIGATE ANY INTERNAL FLOODING CREATED BY SEWERS BACKING UP UNDER FLOODING CONDITIONS.

5. WE FULLY ANTICIPATE THE BUILDING WILL BE EVACUATED AT THE TIME OF A FLOOD. AS AN ADDITIONAL PRECAUTION, EXIT STAIRS ARE DESIGNED TO FLOOD AND ARE SAFED OFF WITH A LARGE GRILLE AND MAN DOOR IN THE STREET FACADE. THESE CAN BE OPENED PRIOR TO A FLOOD AND ACTUALLY CAN BE OPERATED AFTER THE COMMENCEMENT OF A FLOOD ALLOWING ACCESS AS THE GRATING WILL PERMIT THE PASSAGE OF WATER. THERE WILL BE SECURITY DOORS AT THE FIRST FLOOR LEVEL TO KEEP THE BUILDING SECURE. THESE GATES WILL PERMIT THE ENTRY OF A ZODIAC OR OTHER SMALL BOATS TO EVACUATE TRAPPED OCCUPANTS, SHOULD IT BE REQUIRED AT WHATEVER THE WATER LEVEL IS AT THE TIME OF EVACUATION.

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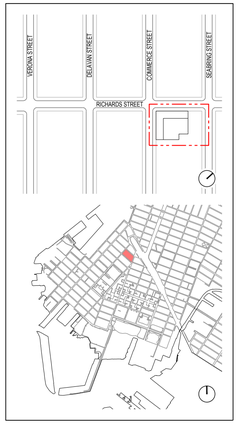

PROJECT
41 RICHARDS ST ZONING STUDY
41 RICHARDS STREET
BROOKLYN, NY 11231

DRAWING
ELEVATIONS
FLOOD PROJECTIONS & PROTECTION

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DEF ELEVATION BY STRUCTURE OCCUPANCY CATEGORY

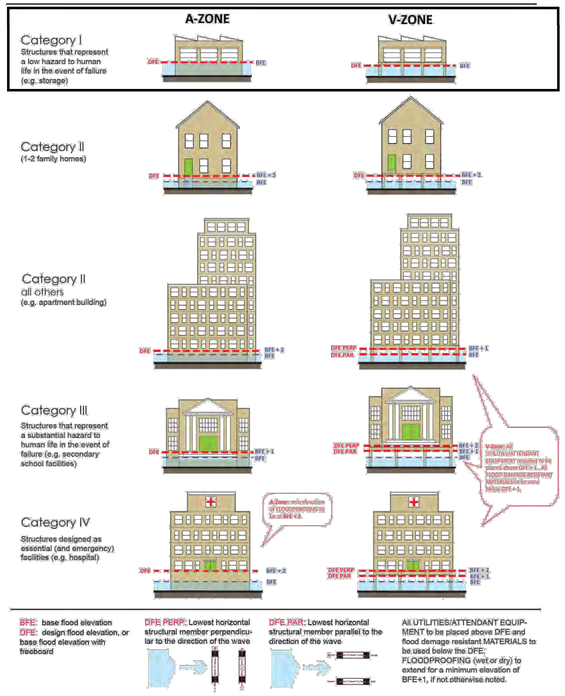
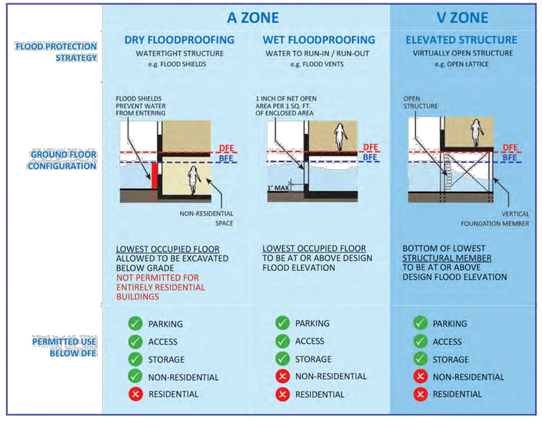


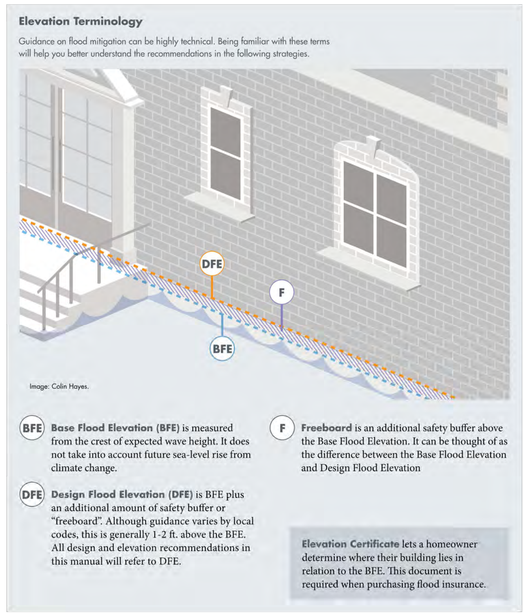
Figure 02. Minimum elevation requirements for buildings in flood zones by structure occupancy category - NYC Building Code 2008

FLOOD PROTECTION SYSTEMS



ELEVATION TERMINOLOGY

Getting Started



HYDROSTATIC PRESSURE WITH DRY FLOOD PROOFING

As shown in Figure FP-2b, water that has saturated the soil poses a special hazard for basement walls. Because hydrostatic pressure increases with the depth of the water, the pressure on basement walls is greater than the pressure on the walls of the upper floor, as indicated by the arrows in the figure. This pressure is made even greater by the weight of the saturated soil that surrounds the basement. The walls of buildings built according to standard construction practice are not designed to resist this pressure. Once the pressure exceeds the strength of the walls (including basement walls), it can push them in, cause extensive structural damage, and possibly cause the building to collapse.

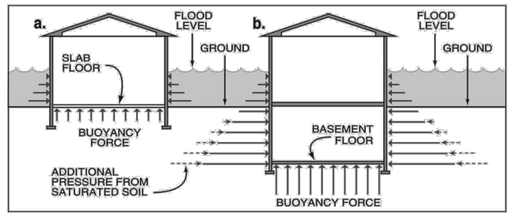


Figure FP-2 (a and b)—Hydrostatic Pressure Diagram With Dry Flood Proofing

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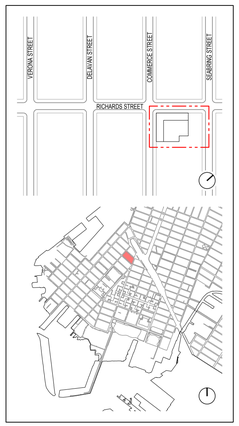

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DRY FLOOD PROOFING SYSTEM

2 Dry Floodproofing

Sealing buildings to keep water out – dry floodproofing – can prevent damage to critical systems and mechanical equipment, reduce recovery time and deter mold growth.

Description + function

Dry floodproofing may be less disruptive and have less impact on the building because equipment doesn't need to be relocated above the DFE.

There are two types of dry floodproofing: active and permanent.

Active measures require removable elements to be put into place before an anticipated flood. Permanent measures are fixtures and systems integrated into the structure itself, which do not need to be manually deployed in the event of an emergency.

Effective dry floodproofing requires a design by a qualified engineer and an operations and maintenance plan, and should include:

» Sealing cracks or openings on exterior walls or the foundation.

» Covering entry points below the DFE.

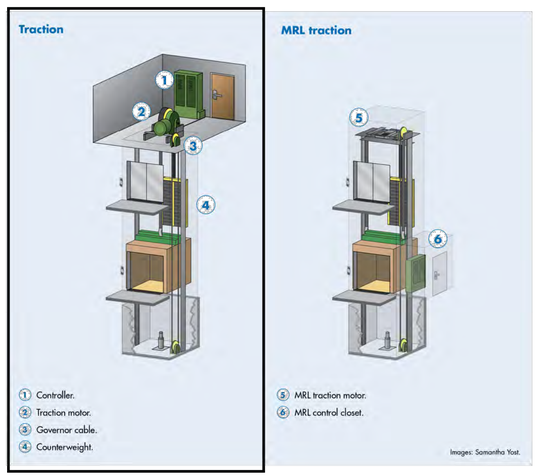
» Protecting against and remove seepage inside the building.

» Protecting mechanical and electrical systems.

RESILIENT ELEVATOR

4 Resilient Elevators

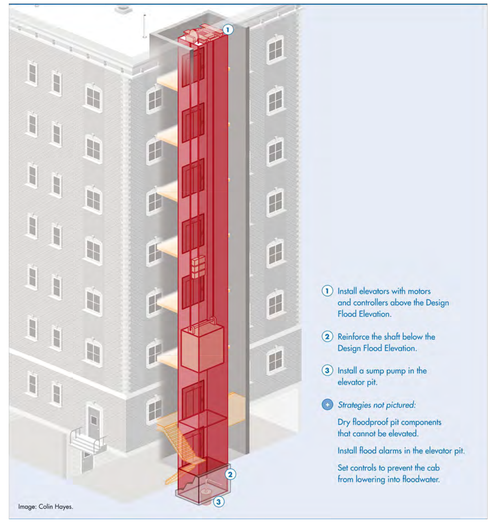
» **Traction elevators** hoist the elevator up with a traction motor and are more common in multifamily buildings. In many older traction elevators, a machine room on the roof houses the elevator controls and mechanical elements. Newer machine room-less (MRL) traction elevators require a control closet, which can be located at any level near the elevator shaft. The elevator pit usually extends 6 to 8 ft. below the lowest access level of a traction elevator.



RESILIENT ELEVATOR

Aligns with Enterprise Green Communities Criteria: **5.8a Resilient Energy Systems: Floodproofing.**

4 Resilient Elevators



ELEVATOR CONTROLS

4 Resilient Elevators

Strategy into action

» Sizing of elevator motors are an important consideration when determining backup power requirements.

» Elevator shafts that extend below the DFE should be designed and built to resist the hydrostatic pressure of floodwater. Appropriate shaft construction materials include reinforced masonry block and reinforced poured concrete.

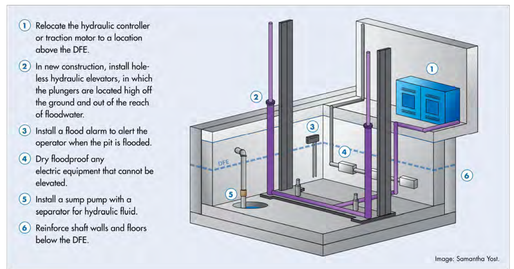
» During power outages in buildings of four stories or more, advanced elevator controls should automatically shut down all but one elevator at a flood-safe floor, while allowing the functioning elevator to operate on backup power. (See Strategy: Maintaining Power to Critical Systems).

Elevator controls.

» Keep electronic elevator controls above the DFE in the rooftop machine room (for conventional traction elevators) or in a mechanical closet adjacent to the elevator shaft on an upper floor (for MRL traction elevators).

» Set elevator controls to prevent cabs from being lowered to a flood-prone lower floor during a power outage or flood. Install one or more float switches in the elevator pit with controls to prevent the elevator cab from descending into a flooded pit. Designate fire recall floors above the DFE.

» Install flood alarms in pits. Install controls to keep the elevator cab out of a flooded shaft.



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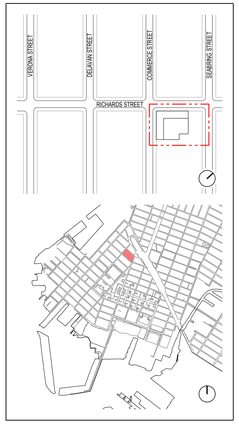


PROJECT
41 RICHARDS ST ZONING STUDY
41 RICHARDS STREET
BROOKLYN, NY 11231

DRAWING
ELEVATIONS
FLOOD PROJECTIONS & PROTECTION

SEAL & SIGNATURE

DATE 25.08.2022
JOB NUMBER 20008
DRAWING NO. A-107.00
SHEET NO. OF --

BLACK WATER VALVES-INSTALLATION

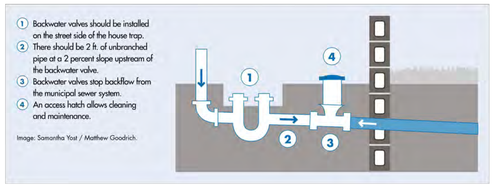
5 Backwater Valves

Strategy into action

Installation.

Municipal codes often require the installation of backwater valves in new construction sited in flood zones. Property owners outside flood zones should also consider backwater valves because sewers can back up any time, not just during extreme weather events. Building codes may also prohibit backwater valves. A plumbing professional will be able install a code-compliant system.

Backwater valves should be installed on the street side of the house trap. Improper installation could cause the trap to fail. To ensure smooth flow, there should be at least 2 ft. of un-branched pipe upstream of the backwater valve.



1. Backwater valves should be installed on the street side of the house trap.
2. There should be 2 ft. of unbranched pipe at a 2 percent slope upstream of the backwater valve.
3. Backwater valves stop backflow from the municipal sewer system.
4. An access hatch allows cleaning and maintenance.

Image: Samantha Yost / Matthew Goodrich.

Depending on its size and the configuration of drain piping in the basement, a building may have just one backwater valve connected to the main sewer line, or separate valves may be installed on different lines and drains. Backwater valves should be enclosed in a masonry pit with a waterproof cover giving access for cleaning and maintenance.

DECENTRALIZED HEATING AND COOLING SYSTEMS (SPLIT SYSTEMS)

12 Distributed Heating and Cooling

Strategy into action

Installing equipment.

Outside condenser units can be mounted on raised platforms outside the building, on special brackets on exterior walls, or on the roof, depending on the building. All exterior units must be sufficiently anchored against high winds.

Connecting the inside and outside components of the mini-split system will require drilling through interior and sometimes, exterior walls.

Operations + maintenance

Tenants who do not have air conditioning may have increased electricity costs with the installation of a sub-metered mini-split system. Tenants should be informed about how to operate their units cost-efficiently.

Mini-split maintenance includes cleaning filters and condenser coils, and regular refrigerant charge, and inspection of drain pan, blower wheel, fan, condensate tubing and electrical connection.

Mini-splits on a roof above the risk of flooding.
Image: The Bluestone Organization.

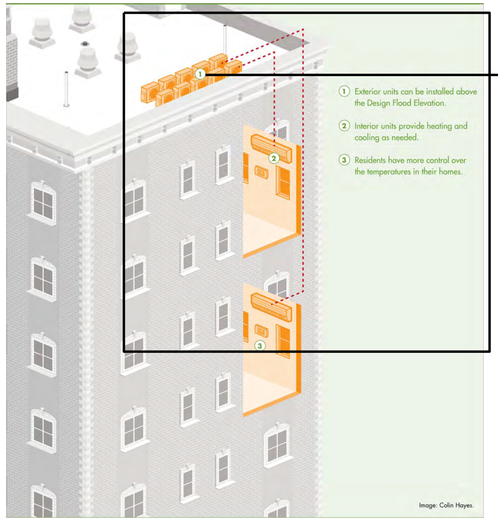


All main building central air conditioning systems will be mounted on dunage on the roof.
Lower level commercial tenants condensers will be mounted high on upper parking level.

MECHANICAL UNITS INSTALLED ABOVE DFE

12 Distributed Heating and Cooling

Aligns with Enterprise Green Communities Criteria: **5.8a Resilient Energy Systems: Floodproofing.**



CONDENSERS LOCATED AT ROOF

1. Exterior units can be installed above the Design Flood Elevation.
2. Interior units provide heating and cooling as needed.
3. Residents have more control over the temperatures in their homes.

Image: Colin Hayes.

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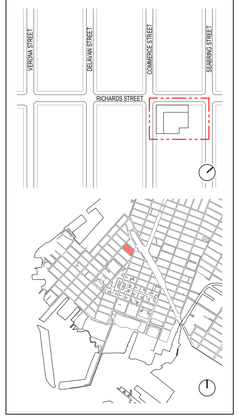

PROJECT
41 RICHARDS ST ZONING STUDY
41 RICHARDS STREET
BROOKLYN, NY 11231

DRAWING
ELEVATIONS
FLOOD PROJECTIONS & PROTECTION

SEAL & SIGNATURE

DATE 25.08.2022
JOB NUMBER 20008
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SHEET NO. OF --



1 AERIAL VIEW LOOKING NORTH
SCALE: N.T.S.



2 AERIAL VIEW LOOKING EAST
SCALE: N.T.S.



3 AERIAL VIEW LOOKING WEST
SCALE: N.T.S.



4 AERIAL VIEW LOOKING SOUTH
SCALE: N.T.S.

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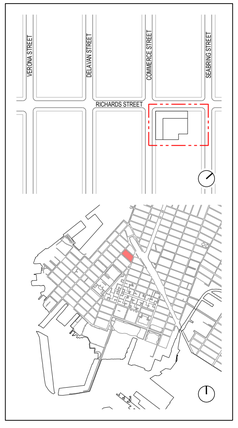

PROJECT
41 RICHARDS ST ZONING STUDY
41 RICHARDS STREET
BROOKLYN, NY 11231

DRAWING
AERIAL VIEWS

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DRAWING NO. A-200.00
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1 RENDERING - RICHARDS ST LOOKING NORTH-WEST
SCALE: N.T.S.

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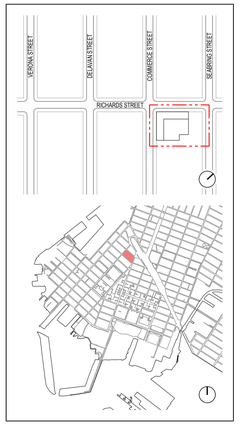

PROJECT
41 RICHARDS ST ZONING STUDY
41 RICHARDS STREET
BROOKLYN, NY 11231

DRAWING
RENDERING

SEAL & SIGNATURE

DATE
25.08.2022

JOB NUMBER
20008

DRAWING NO.
A-201.00

SHEET NO.
OF --



1 RENDERING - RICHARDS ST LOOKING SOUTH
SCALE: N.T.S.

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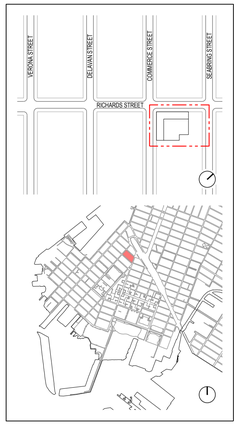

PROJECT
41 RICHARDS ST ZONING STUDY
41 RICHARDS STREET
BROOKLYN, NY 11231

DRAWING
RENDERING

SEAL & SIGNATURE	DATE
	25.08.2022
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Zoning Floor Area Distribution - 37 Richards Street (Lots 13 & 20)

FLOOR	TOTAL	PARKING	LOADING	RETAIL	MECH	MANUFAC	OFFICE
7TH	10,379	-	-	-	-	8,303	2,076
6TH	10,379	-	-	-	-	8,303	2,076
5TH	14,744	-	-	-	-	11,795	2,949
4TH	14,744	-	-	-	-	11,795	2,949
3RD	14,744	-	-	-	-	11,795	2,949
2ND	14,744	-	-	-	-	11,795	2,949
1ST*	2,532					2,532	
Ground**					-		
Total ZFA	**82,266**					**66,318**	**15,948**

* First Floor as measured from floor to ceiling is 23 feet from base grade and parking/loading is exempt from ZFA per ZR 12-10

** Ground Floor is below the Base Flood Elevation, therfore all floor area is exempt from ZFA as per ZR 64-322 (c) (2)

Gross Floor Area Distribution - 37 Richards Street (Lots 13 & 20)

FLOOR	TOTAL	PARKING	LOADING	RETAIL	MECH	MANUFAC	OFFICE
7TH	10,700	-	-	-	321	8,303	2,076
6TH	10,700	-	-	-	321	8,303	2,076
5TH	15,200	-	-	-	456	11,795	2,949
4TH	15,200	-	-	-	456	11,795	2,949
3RD	15,200	-	-	-	456	11,795	2,949
2ND	15,200	-	-	-	456	11,795	2,949
1ST	16,500	11,890	2,000		78	2,532	0
Ground	16,500	10,127	2,000	2,730	0		0
Total GFA	**113,557**	**22,017**	**4,000**	**2,730**	**2,544**	**66,318**	**15,948**

ZONING COMPARISON TABLE

ZONING COMPARISON TABLE					
	Existing Zoning		Proposed Zoning		
				Required	Provided
	ZR Section #	M1-1	ZR Section #	M1-5	
USE GROUPS					
Commercial	42-11, 42-12	UG 4 - 14, 16	42-11, 42-12	UG 4 - 14, 16	UG 6, 11, 16
Manufacturing	42-10	UG 17	42-10	UG 17, 18	UG 17
Residential	22-10	Not applicable	22-10	Not applicable	Not applicable
Community Facility	43-122	UG 4	43-122	UG 4	None
YARDS					
Front Yard	43-20	None required	43-20	None required	None
Side Yard	43-25	None required	43-25	None required	None
Rear Yard	43-26	20'-0"	43-26	20'-0"	20'-0" (above BFE)
HEIGHT AND SETBACKS					
Maximum Height of Front Wall	43-43	30'-0" or 2 stories	43-43	85'-0" or 6 stories	Varies (all under 85'-0")
Maximum Building Height	43-43	No limit	43-43	No limit	100'-0" (cap)
Sky Exposure Plane	43-43	1 to 1	43-43	2.7 to 1	2.7 to 1
Setbacks	43-43	20'-0"	43-43	20'-0"	20'-0" (above BFE)
PARKING AND LOADING					
Parking	44-20	None required	44-20	None required	1 per 2,000 SF
Loading	44-52	None required	44-52	15K SF = 1 > 40K SF = +1, > 80K SF =	2 as required

FLOOR AREA CALCULATIONS BY BUILDING

FAR - 37 - 41 Richards Street

Lot Area	16,500 SF
FAR (5.0)	82,500 SF
Building Area	82,266 SF
Parking Spaces	41
Loading Docks	2
Rear Yard	20′

Floor Area by Use - 37-41 Richards Street

Retail Use	2,730 SF (ZFA)
Manufacturing Use	66,319 (ZFA)
Office Use	15,947 SF (GFA)

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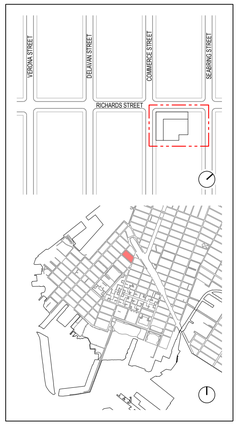


PROJECT

41 RICHARDS ST ZONING STUDY
41 RICHARDS STREET
BROOKLYN, NY 11231

DRAWING

ZONING
CALCULATIONS

SEAL & SIGNATURE

DATE
25.08.2022

JOB NUMBER
20008

DRAWING NO.
A-300.00

SHEET NO.
OF --

APPENDIX B

WRP CAF Form and Flood Evaluation Worksheet

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

NEW YORK CITY WATERFRONT REVITALIZATION PROGRAM
Consistency Assessment Form

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

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

A. APPLICANT INFORMATION

Name of Applicant: 54 Richards Street LLC

Name of Applicant Representative: Kevin Williams, AICP, PP Equity Environmetnal Engineering

Address: 500 International Drive, Suite 150, Mt Olive Nj 07828

Telephone: 973-527-7451 Email: kevin.williams@equityenvironmental.com

Project site owner (if different than above):

B. PROPOSED ACTIVITY

If more space is needed, include as an attachment.

1. Brief description of activity

The "Applicant", 54 Richards Street, LLC, seeks a Zoning Map Amendment from M1-1 to M1-5 that would affect a portion of Block 512 in the Red Hook neighborhood of Brooklyn Community District 6. The "Affected Area" or "Rezoning Area" consists of three lots on the western end of Block 512, fronting Richards Street. The depth of the rezoning boundary would be 125 feet from Richards Street, with Lots 13, 20, and 22 fully within the proposed M1-5 district, and would include an approximately 2,800 sf portion of Lot 25. Lots 13 and 20 are both applicant-controlled. The Zoning Map Amendment constitutes the "Proposed Action."

2. Purpose of activity

The Proposed Action is sought in order to facilitate the development of one mixed-use building ("Projected Development Site 1") on Block 512, Lots 13 and 20. The building would be a 7-story plus cellar, 113,557 Gross Square Feet (GSF) (82,266 ZSF, 4.99 FAR) building with 41 parking spaces. The building would include 22,017 GSF of parking and two loading docks at cellar level and on the first floor, 2,730 GSF of cellar level local retail (Ground Floor is below the Base Flood Elevation and flood proofed commercial floor area is exempt from ZFA), 66,319 ZSF, 4.02 FAR of manufacturing space between the cellar and 7th floors, and 15,947 ZSF, 0.97 FAR of office space on floors 2 through 7.

C. PROJECT LOCATION

Borough: Brooklyn Tax Block/Lot(s): Block 512; Lots 13, 20, 22 and P/O 25

Street Address: 37-41 Richards Street, Brooklyn NY

Name of water body (if located on the waterfront): _____

D. REQUIRED ACTIONS OR APPROVALS

Check all that apply.

City Actions/Approvals/Funding

City Planning Commission ☑ Yes ☐ No

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

Board of Standards and Appeals ☐ Yes ☑ No

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

Other City Approvals

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

State Actions/Approvals/Funding

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

Federal Actions/Approvals/Funding

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

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

E. LOCATION QUESTIONS

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

- ☐ Significant Maritime and Industrial Area (SMIA) *(2.1)*
- ☐ Special Natural Waterfront Area (SNWA) *(4.1)*
- ☐ Priority Maritime Activity Zone (PMAZ) *(3.5)*
- ☐ Recognized Ecological Complex (REC) *(4.4)*
- ☐ West Shore Ecologically Sensitive Maritime and Industrial Area (ESMIA) *(2.2, 4.2)*

F. WRP POLICY ASSESSMENT

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

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

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

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

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

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

G. CERTIFICATION

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

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

Applicant/Agent's Name: Kevin Williams

Address: 500 International Drive, Mount Olive NJ

Telephone: 917-664-8667 Email: kevin.williams@equityenvironmental.com

Applicant/Agent's Signature: Kevin Williams, AICP Digitally signed by Kevin Williams, AICP Date: 2022.01.19 13:43:26 -05'00'

Date: 6/8/22

Submission Requirements

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

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

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

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

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

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

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

Applicant Checklist

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

NYC Waterfront Revitalization Program - Policy 6.2 Flood Elevation Workhsheet

COMPLETE INSTRUCTIONS ON HOW TO USE THIS WORKSHEET ARE PROVIDED IN THE "CLIMATE CHANGE ADAPTATION GUIDANCE" DOCUMENT AVAILABLE AT www.nyc.gov/wrp

Enter information about the project and site in highlighted cells in Tabs 1-3. Tab 4, "Summary Charts" contains primary results. Tab 5, "0.2%+SLR" produces charts to be used for critical infrastructure or facilities. Tab 6, "Calculations" contains background computations. Appendix A contains tide elevations for station across the city to be used for the elevation of MHHW if a site survey is not available. Non-highlighted cells have been locked.

Background Information	
Project Name	Richards Street Rezoning
Location	41 and 37 Richards Street, Brooklyn NY
Type(s)	☑ Residential, Commercial, Community Facility ☐ Parkland, Open Space, and Natural Areas ☐ Tidal Wetland Restoration ☐ Critical Infrastructure or Facility ☐ Industrial Uses ☐ Over-water Structures ☐ Shoreline Structures ☐ Transportation ☐ Wastewater Treatment/Drainage ☐ Coastal Protection
Description	The Proposed Action is sought in order to facilitate the development of one mixed-use building ("Projected Development Site 1") on Block 512, Lots 13 and 20. The building would be a 7-story plus cellar, 113,557 Gross Square Feet (GSF) (82,266 ZSF, 4.99 FAR) building with 41 parking spaces. The building would include 22,017 GSF of parking and two loading docks at cellar level and on the first floor, 2,730 GSF of cellar level local retail (Ground Floor is below the Base Flood Elevation and flood proofed commercial floor area is exempt from ZFA), 66,319 ZSF, 4.02 FAR of manufacturing space between the cellar and 7th floors, and 15,947 ZSF, 0.97 FAR of office space on floors 2 through 7.
Planned Completion Date	2025
Expected Project Lifespan	100 Years

The New York City Waterfront Revitalization Program Climate Change Adaptation Guidance document was developed by the NYC Department of City Planning. It is a guidance document only and is not intended to serve as a substitute for actual regulations. The City disclaims any liability for errors that may be contained herein and shall not be responsible for any damages, consequential or actual, arising out of or in connection with the use of this information. The City reserves the right to update or correct information in this guidance document at any time and without notice.

For technical assistance on using this worksheet, email wrp@planning.nyc.gov, using the message subject "Policy 6.2 Worksheet."

Last update: Sept. 7, 2018

Establish current tidal and flood heights.

	FT (NAVD88)	Feet	Datum	Source
MHHW	2.61	**2.61**	**NAVD88**	*Adjusted - The Battery Station*
1% flood height	12.00	**12.00**	**NAVD88**	*2015 PFIRMs*
Design flood elevation	13.00	**13.00**	**NAVD88**	*1% flood height + 1'*
As relevant:				
0.2% flood height	-->			

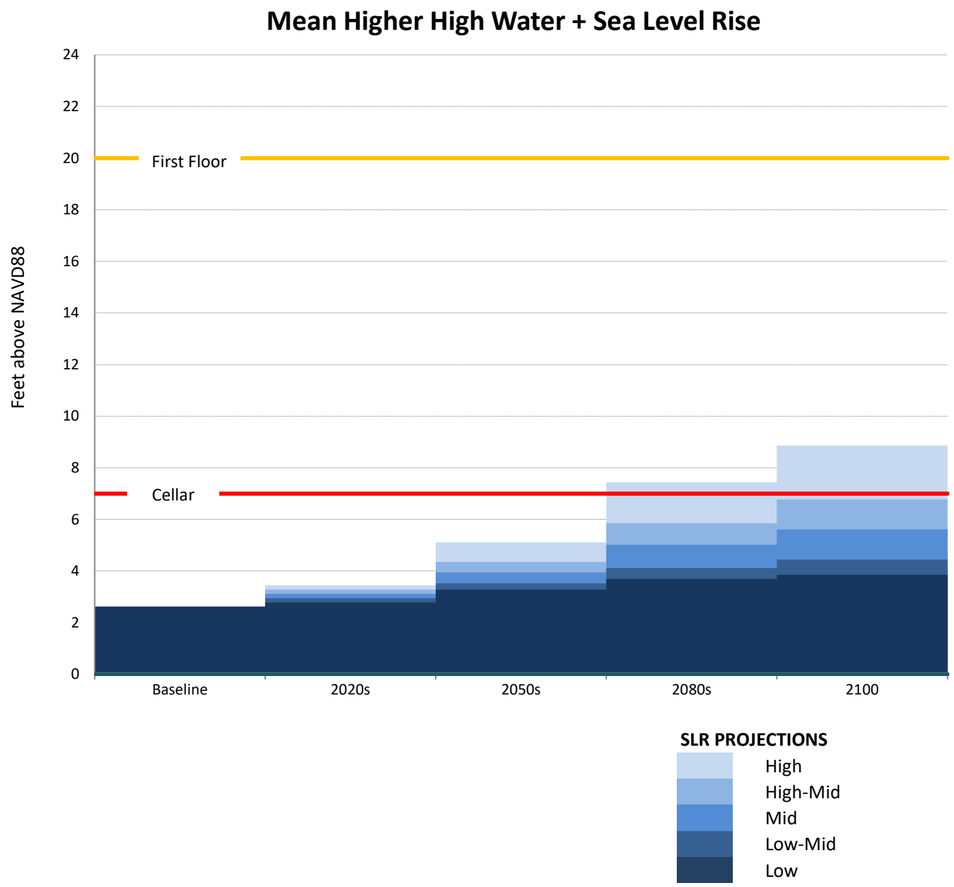
Data will be converted based on the following datums:

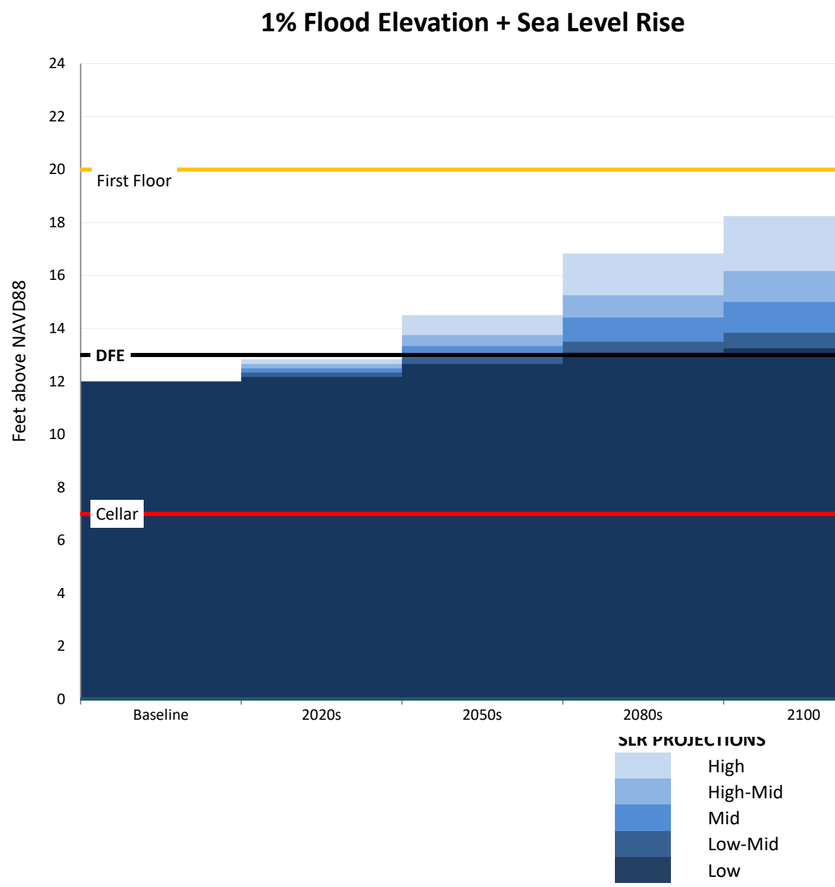
Datum	FT (NAVD88)
NAVD88	*0.00*
NGVD29	*-1.10*
Manhattan Datum	*1.65*
Bronx Datum	*1.51*
Brooklyn Datum (Sewer)	*0.61*
Brooklyn Datum (Highway)	*1.45*
Queens Datum	*1.63*
Richmond Datum	*2.09*

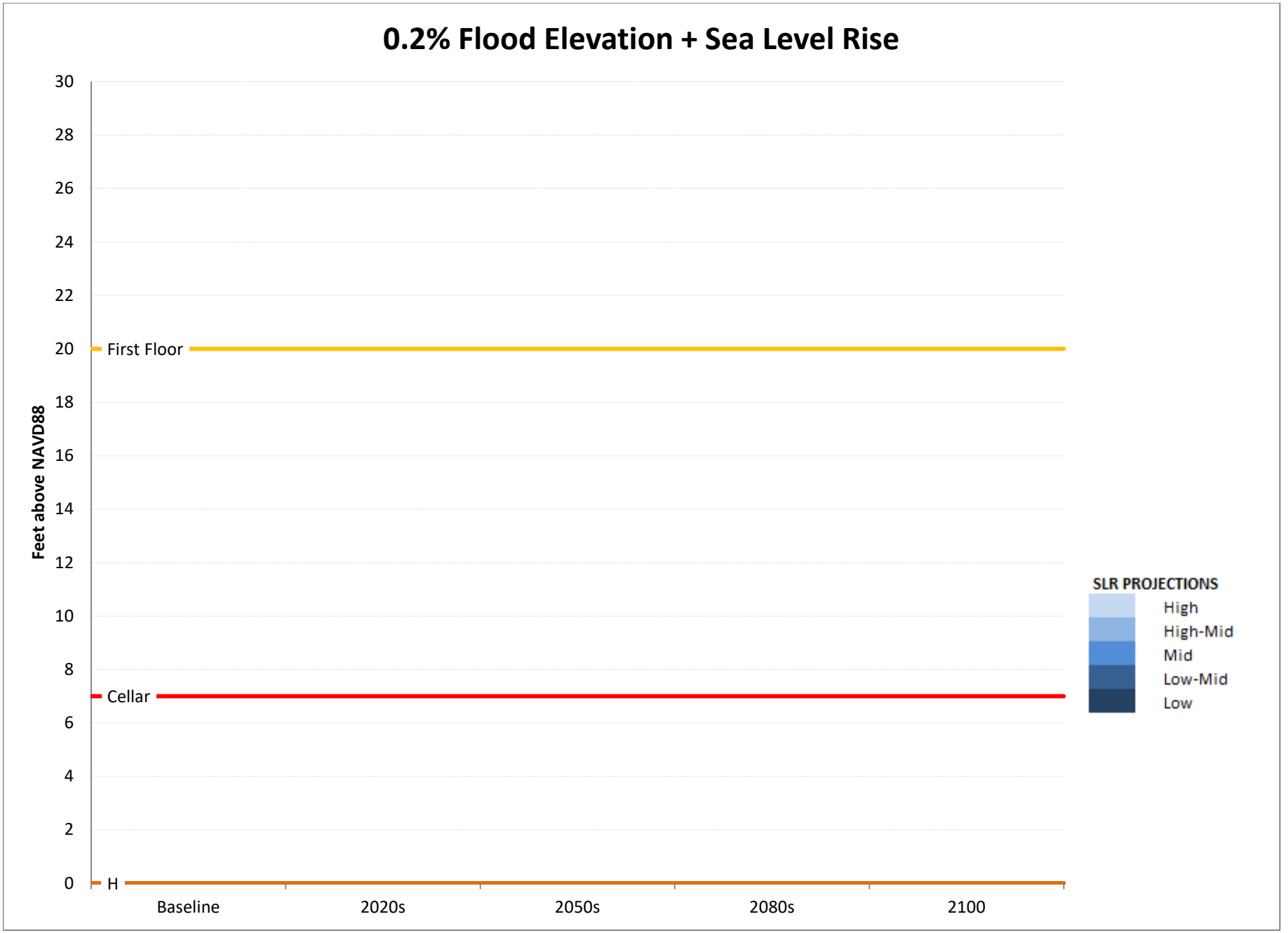
Describe key physical features of the project.

Feature *(enter name)*	Feature Category	Lifespan	Elevation	Units	Datum	Ft	Ft Above NAVD88	Ft Above MHHW	Ft Above 0.2% flood height
Cellar	☑ Vulnerable ☐ Critical ☐ Potentially Hazardous ☐ Other	100 Years	7.0	Feet	NAVD88	*7.0*	*7.0*	*4.4*	*#VALUE!*
Parking, Loading dock, retail, lobby, electrical room									
First Floor	☐ Vulnerable ☐ Critical ☐ Potentially Hazardous ☐ Other	100 Years	20.0	Feet	NAVD88	*20.0*	*20.0*	*17.4*	*#VALUE!*
Parking, passenger and freight elevator, superintendant office, mechanical room, and storage mezzanine									
C	☐ Vulnerable ☐ Critical ☐ Potentially Hazardous ☐ Other			Feet	NAVD88				
Description of Planned Uses and Materials									
D	☐ Vulnerable ☐ Critical ☐ Potentially Hazardous ☐ Other			Feet	NAVD88				
Description of Planned Uses and Materials									
E	☐ Vulnerable ☐ Critical ☐ Potentially Hazardous ☐ Other			Feet	NAVD88				
Description of Planned Uses and Materials									
F	☐ Vulnerable ☐ Critical ☐ Potentially Hazardous ☐ Other			Feet	NAVD88				
Description of Planned Uses and Materials									
G	☐ Vulnerable ☐ Critical ☐ Potentially Hazardous ☐ Other			Feet	NAVD88				
Description of Planned Uses and Materials									
H	☐ Vulnerable ☐ Critical ☑ Potentially Hazardous ☐ Other			Feet	NAVD88				
Description of Planned Uses and Materials									

Assess project vulnerability over a range of sea level rise projections.






0.2% Flood Elevation + Sea Level Rise
Feet above NAVD88
30
28
26
24
22
20
18
16
14
12
10
8
6
4
2
0
First Floor
Cellar
H
Baseline
2020s
2050s
2080s
2100
SLR PROJECTIONS
High
High-Mid
Mid
Low-Mid
Low

	SLR (ft)					
	Low	**Low-Mid**	**Mid**	**High-Mid**	**High**	
Baseline	0.00	0.00	0.00	0.00	0.00	**2014**
2020s	0.17	0.33	0.50	0.67	0.83	**2020s**
2050s	0.67	0.92	1.33	1.75	2.50	**2050s**
2080s	1.08	1.50	2.42	3.25	4.83	**2080s**
2100	1.25	1.83	3.00	4.17	6.25	**2100**

	MHHW+SLR (ft above NAVD88)				
	Low	**Low-Mid**	**Mid**	**High-Mid**	**High**
Baseline	2.61	2.61	2.61	2.61	2.61
2020s	2.78	2.94	3.11	3.28	3.44
2050s	3.28	3.53	3.94	4.36	5.11
2080s	3.69	4.11	5.03	5.86	7.44
2100	3.86	4.44	5.61	6.78	8.86

	1%+SLR (ft above NAVD88)				
	Low	**Low-Mid**	**Mid**	**High-Mid**	**High**
Baseline	12.00	12.00	12.00	12.00	12.00
2020s	12.17	12.33	12.50	12.67	12.83
2050s	12.67	12.92	13.33	13.75	14.50
2080s	13.08	13.50	14.42	15.25	16.83
2100	13.25	13.83	15.00	16.17	18.25

	0.2%+SLR (ft above NAVD88)				
	Low	**Low-Mid**	**Mid**	**High-Mid**	**High**
Baseline	#VALUE!	#VALUE!	#VALUE!	#VALUE!	#VALUE!
2020s	#VALUE!	#VALUE!	#VALUE!	#VALUE!	#VALUE!
2050s	#VALUE!	#VALUE!	#VALUE!	#VALUE!	#VALUE!
2080s	#VALUE!	#VALUE!	#VALUE!	#VALUE!	#VALUE!
2100	#VALUE!	#VALUE!	#VALUE!	#VALUE!	#VALUE!

	0	1
Cellar	7	7
First Floor	20	20
C	0	0
D	0	0
E	0	0
F	0	0
G	0	0
H	0	0
DFE	13.00	13.00

SLR (in)				
Low	**Low-Mid**	**Mid**	**High-Mid**	**High**
0	0	0	0	0
2	4	6	8	10
8	11	16	21	30
13	18	29	39	58
15	22	36	50	75

NOAA Tide Station Data

(to be used only when a site survey is unavailable)

Station ID	*Station Name*	*Source MHHW (Feet, NAVD88)**	*Adjusted MHHW (Feet, NAVD88)**
8518687	Queensboro Bridge	2.27	2.60
8530095	Alpine	2.11	2.44
8516614	Glen Cove	3.72	4.05
8516990	Willets Point	3.72	4.05
8518639	Port Morris	3.33	3.66
8518699	Williamsburg Bridge	2.14	2.47
8518750	The Battery	2.28	2.61
8531680	Sandy Hook	2.41	2.74
8518490	New Rochelle	3.71	4.04
8531545	Keyport	2.66	2.99
8516891	Norton Point	2.08	2.41
8517201	North Channel	2.72	3.05
8517137	Beach Channel	2.10	2.43
8517756	Kingsborough	2.13	2.46
8519436	Great Kills	2.22	2.55
8531142	Port Reading	2.82	3.15
8519483	Bergen Point	2.56	2.89
8519050	USCG	2.28	2.61
8518902	Dyckman St	2.01	2.34
8517251	Worlds Fair Marina	3.59	3.92
8518668	Horns Hook	2.54	2.87
8518643	Randalls Island	2.60	2.93
8518526	Throggs Neck	3.68	4.01

* MHHW values include an addition 0.33 feet to account for changes in sea level since the 1983-200

Source
NOAA Tides and Currents
NOAA Tides and Currents
NOAA Tides and Currents
NOAA Tides and Currents
NOAA Tides and Currents
NOAA Tides and Currents
NOAA Tides and Currents
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NOAA Tides and Currents

)1 tidal epoch.




Alpine
8530095
New
Rochelle
8518490
Dyckman St
8518902
Glen Cove
8516614
Randalls
Island
8518643
Port
Morris
8518639
Throggs
Neck
8518526
Willets
Point
8516990
Worlds Fair
Marina
8517251
Queensboro
Bridge
8518687
Horns Hook
8518668
Williamsburg
Bridge
8518699
The Battery
8518750
North
Channel
8507201
Norton
Point
8516891
CG
9050
Beach
Channel
8517137
Kingsborough
8517756
Sandy Hook
8531680

APPENDIX C

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: RICHARDS STREET REZONING
Date received: 4/11/2019

Comments: as indicated below. Properties that are individually LPC designated or in LPC historic districts require permits from the LPC Preservation department. Properties that are S/NR listed or S/NR eligible require consultation with SHPO if there are State or Federal permits or funding required as part of the action.

Properties with no Architectural or Archaeological significance:

1) ADDRESS: 41 RICHARDS STREET, BBL: 3005120013
2) ADDRESS: 37 RICHARDS STREET, BBL: 3005120020
3) ADDRESS: 37 COMMERCE STREET, BBL: 3005190005
4) ADDRESS: 54 RICHARDS STREET, BBL: 3005180023
5) ADDRESS: 64 RICHARDS STREET, BBL: 3005180028

S/NR eligible adjacent to project sites:

Engine Company 202, 29-31 Richards St., adjacent to 37 Richards St.
57 Richards St., adjacent to 37 Commerce St.

S/NR eligible properties that are directly adjacent to project sites require Construction Protection Plans (CPP) as per the CEQR Technical Manual: 2014. The CPPs shall be submitted to LPC for review and comment prior to construction.

S/NR eligible within the radius:

26 Delevan St.
80 Richards St.
Visitation of the Blessed Virgin Mary Roman Catholic Church, 86 Richards St.
19 Delevan St.
5 Delevan St.
42-50 Richards St.
Brooklyn Battery Tunnel Main Services Building, Hamilton Ave. and Columbia St.

Gina Santucci

4/23/2019

SIGNATURE DATE
Gina Santucci, Environmental Review Coordinator

File Name: 34124_FSO_DNP_04172019.doc

APPENDIX D

Noise Back Up

6/19/19 Richards Street Noise

Personnel: NZ

Scope: Noise Monitor

Weather: Cloudy, dry, 68°

Location 1: Richards & Seabring St.

7:32-7:52 Run #008 Casella

Casella s/n: Ø165975

Calibrator #: 4478708

Cars	SUVs	M. Truck	H. Truck	Bus
19	31	3	9	2

Location 2: Richards & Verona St

Casella s/n: Ø165975 8:04-8:24

Calibrator #: 4478708 Run 09

Cars	SUVs	M. Truck	H. Truck	Bus
18	23	3	1	4

NOTES: Location 2: @ 17 minutes a drill was being used on the top floor of the warehouse bldg @ the NW portion of the intersection.

pg 1

6/19/19 Richards St. Noise

Mid-day session

Location 1: Richards & Dealing St

Casella #: Ø165975 Run 010

12:04 - 12:24

Cars	SUVs	M. Trucks	H. Trucks	Bus
25	28	2	3	Ø

Location 2: Richards & Verona St. RUN 011

Cars	SUVs	M. Trucks	H. Trucks	Buses
14	16	2	5	1

NOTE: @ 12:37 Car parked in front of meter

Evening Session Run 12

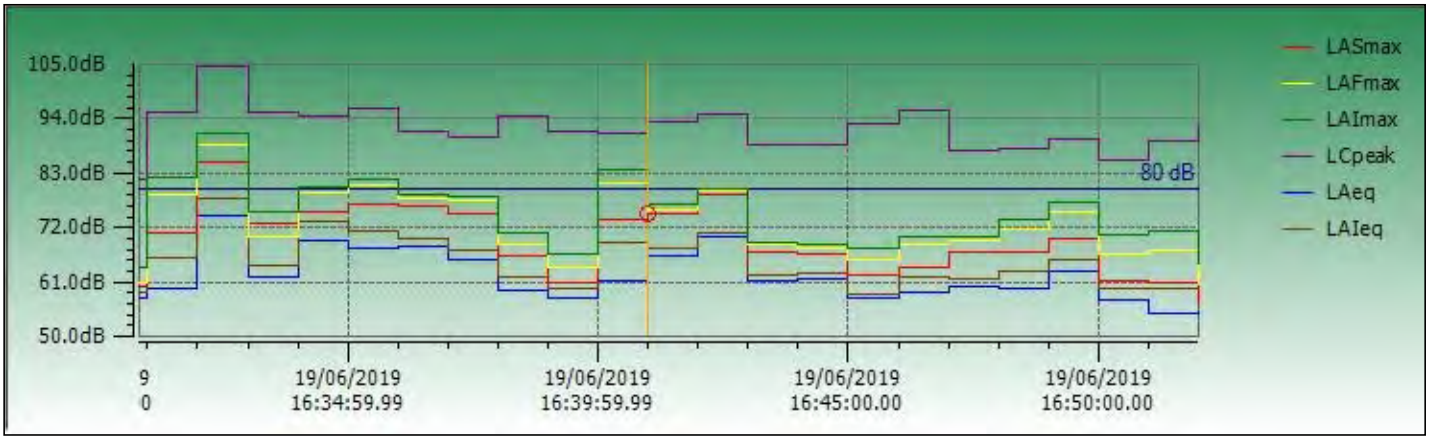
Location 1: Casella # Ø165975

Cars	SUVs	M. Trucks	H. Trucks	Buses
10	8	2	6	1

Location 2: Run 13

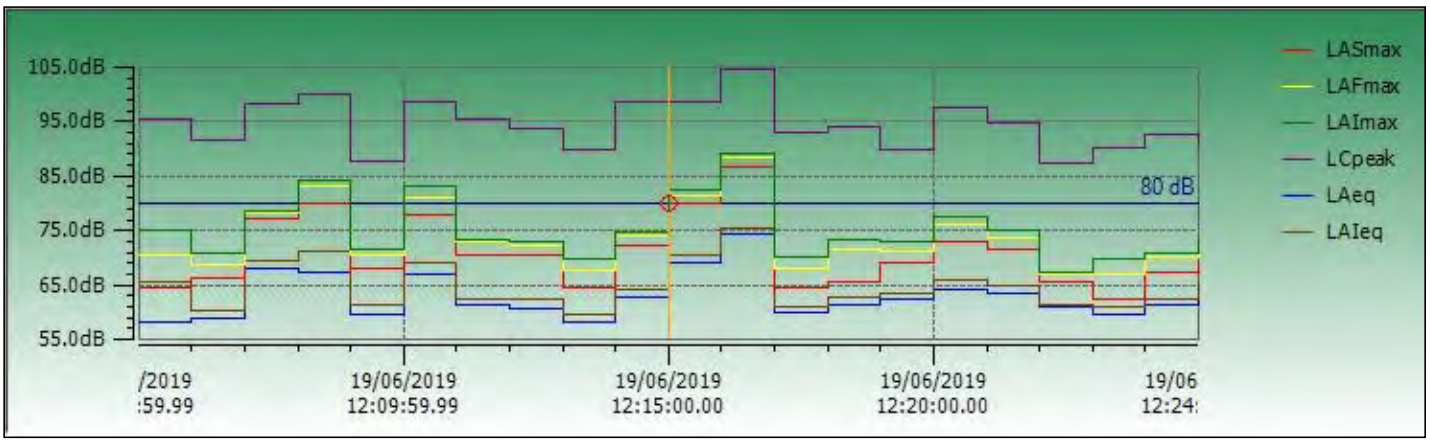
Cars	SUVs	M. Trucks	H. Trucks	Bus
10	8	0	2	1

Instrument Model	CEL-633A		
LAeq	65.8 dB	Battery Low	No
LCpeak with Time	104.8 dB (6/19/2019 4:32:24 PM)	Duration	00:21:21 HH:MM:SS
Lepd(Projected)	65.8 dB	End Date & Time	6/19/2019 4:52:11 PM
Lex8h(Projected)	65.8 dB	Overload	No
LAFmax with Time	88.8 dB (6/19/2019 4:32:22 PM)	Pause Duration	00:00:00 HH:MM:SS
LAImax with Time	90.9 dB (6/19/2019 4:32:22 PM)	Response	Random
LAFmin with Time	51.2 dB (6/19/2019 4:51:19 PM)	Run Number	12
LAImin with Time	51.9 dB (6/19/2019 4:51:31 PM)	Serial Number	0165975
LZeq	78.3 dB	Start Date & Time	6/19/2019 4:30:50 PM
LCeq	75.8 dB	Site	Unallocated
LCeq-LAeq	10 dB	Location	Unallocated
LAIeq	68.8 dB	Person	Unallocated
LAE	96.9 dB	Process	Unallocated
Calibration (Before) Date	6/18/2019 6:40:59 PM	Result	Cumulative
Calibration (Before) SPL	114 dB	LAF 50%	58.5 dB
Calibration (After) Date		LAF 90%	55.5 dB
Calibration Drift	-4.2 dB	LAF 95%	55 dB
LAF 10%	68.5 dB		
Notes			



Instrument Model	CEL-633A		
LAeq	65.6 dB	Battery Low	No
LCpeak with Time	104.7 dB (6/19/2019 12:16:45 PM)	Duration	00:20:34 HH:MM:SS
Lepd(Projected)	65.6 dB	End Date & Time	6/19/2019 12:25:34 PM
Lex8h(Projected)	65.6 dB	Overload	No
LAFmax with Time	88.6 dB (6/19/2019 12:16:45 PM)	Pause Duration	00:00:00 HH:MM:SS
LAImax with Time	89.1 dB (6/19/2019 12:16:45 PM)	Response	Random
LAFmin with Time	53.7 dB (6/19/2019 12:05:44 PM)	Run Number	10

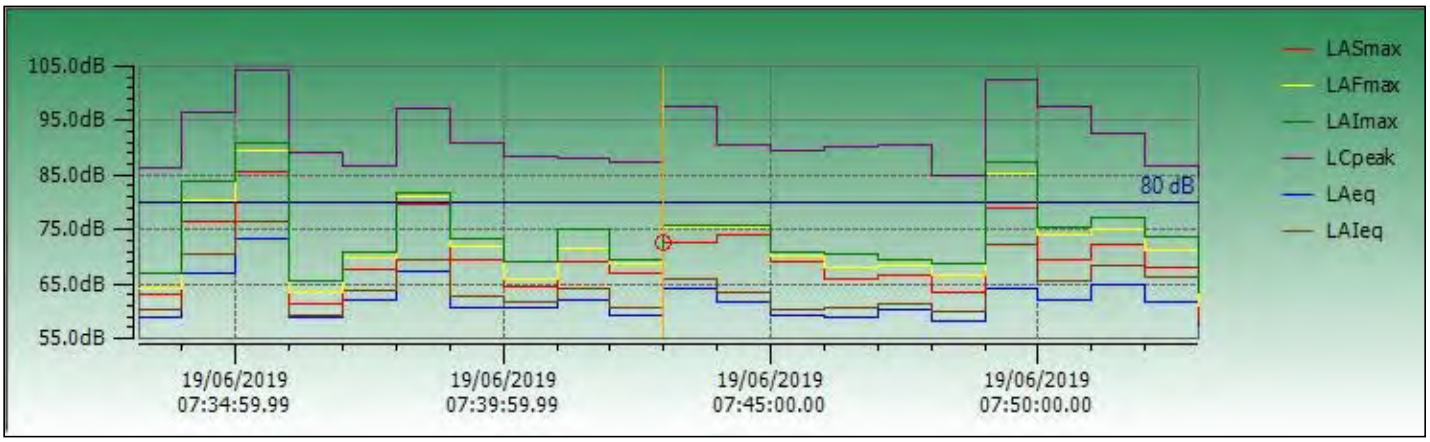
LAImin with Time	53.9 dB (6/19/2019 12:05:45 PM)	Serial Number	0165975
LZeq	78.5 dB	Start Date & Time	6/19/2019 12:05:00 PM
LCeq	75.6 dB	Site	Unallocated
LCeq-LAeq	10 dB	Location	Unallocated
LAleq	67.2 dB	Person	Unallocated
LAE	96.5 dB	Process	Unallocated
Calibration (Before) Date	6/18/2019 6:40:59 PM	Result	Cumulative
Calibration (Before) SPL	114 dB	LAF 50%	59.5 dB
Calibration (After) Date		LAF 90%	56 dB
Calibration Drift	-4.2 dB	LAF 95%	55.5 dB
LAF 10%	65.5 dB		
Notes			



Instrument Model	**CEL-633A**		
LAeq	64.5 dB	Battery Low	No
LCpeak with Time	104.2 dB (6/19/2019 7:35:35 AM)	Duration	00:20:06 HH:MM:SS
Lepd(Projected)	64.5 dB	End Date & Time	6/19/2019 7:53:17 AM
Lex8h(Projected)	64.5 dB	Overload	No
LAFmax with Time	89.4 dB (6/19/2019 7:35:36 AM)	Pause Duration	00:00:00 HH:MM:SS
LAImax with Time	90.9 dB (6/19/2019 7:35:35 AM)	Response	Random
LAFmin with Time	54.2 dB (6/19/2019 7:49:01 AM)	Run Number	8
LAImin with Time	54.3 dB (6/19/2019 7:49:03 AM)	Serial Number	0165975
LZeq	75.2 dB	Start Date & Time	6/19/2019 7:33:11 AM
LCeq	74.3 dB	Site	Unallocated
LCeq-LAeq	9.8 dB	Location	Unallocated
LAleq	67.7 dB	Person	Unallocated
LAE	95.3 dB	Process	Unallocated
Calibration (Before) Date	6/18/2019 6:40:59 PM	Result	Cumulative
Calibration (Before) SPL	114 dB	LAF 50%	59 dB
Calibration (After) Date		LAF 90%	56 dB

Calibration Drift	-4.2 dB	LAF 95%	56 dB
LAF 10%	65 dB		

Notes



APPENDIX E

LPC Restrictive Declaration Letter

AMENDED AND RESTATED RESTRICTIVE DECLARATION

This Declaration, made as of the 10th day of October, 2023 (the "Declaration"), by 54 Richards Street LLC (the "Declarant") having an address at 54 Richards Street, Brooklyn, NY 11231

W I T N E S S E T H:

WHEREAS, Declarant is the fee owner of certain real property located in the County of **Kings**, in the City and State of New York, designated for real property tax purposes as **Block 512, Lots 13 and 20** commonly known by the street address as **41 Richards Street** (the "Subject Property") and is more particularly described in **Exhibit A**, annexed hereto and made part hereof; and

WHEREAS, **Ridge Abstract Corp, Representing First American Title Insurance Company,** has issued a Certification of Parties in Interest, annexed hereto as **Exhibit B** and made a part hereof, that as of the 10th day of **October, 2023**, Declarant are the only Parties-in-Interest (as defined in subdivision (c) of the definition of "zoning lot" set forth in Section 12-10 of the Zoning Resolution of the City of New York (the "ZR")) in the Subject Property; and

WHEREAS, all Parties-in-Interest to the Subject Property have either executed this Declaration or waived their rights to execute and subordinated their interest in the Subject Property to this Declaration by written instrument annexed hereto as **Exhibit B** and made a part hereof, which instrument is intended to be recorded simultaneously with this Declaration; and

WHEREAS, Declarant has applied to the City Planning Commission (the "Commission") for a Zoning Map Amendment from M1-1 to M1-5 to facilitate the construction of a seven-story mixed-use building on the Subject Property and has submitted to the Commission an application numbered **230051ZMK** (the "Application") for review pursuant to the New York City Charter Section 197-c (if and as approved, the "Rezoning"); and

WHEREAS, an environmental assessment statement ("EAS") concerning the Subject Property was prepared pursuant to the City Environmental Quality Review (the "CEQR") in connection with the Application (CEQR #**20DCP081K**) with the New York City Department of City Planning ("DCP") acting as lead agency on behalf of the Commission, and, pursuant to CEQR, the Landmarks Preservation Committee (the "LPC") has reviewed the environmental assessment, including the historic land use of the Subject Property; and

WHEREAS, Declarant represents and warrants that there are no restrictions of record on the use or enjoyment of the Subject Property, nor any present or presently existing future estates of interest in the Subject Property nor any lien, obligation, covenant, easement, limitation or encumbrance of any kind, the requirements of which have not been waived or subordinated, which would prevent or preclude, presently or potentially, the imposition of the restrictions, covenants, obligations, easements and agreements of this Declaration; and

WHEREAS, the LPC, in a determination dated April 23, 2019 annexed hereto as **Exhibit C**, identified the Adjacent Property, Engine Company 202, 29-31 Richards Street, Block 512, Lot

22, as an architectural resource due to its listing as eligible for the State and National Registers of Historic Places ("S/NR"); and

WHEREAS, the CEQR determination requires the applicant to mitigate the impacts on the adjacent S/NR eligible historical resource by preparing a Construction Protection Plan ("CPP") pursuant to Section 522 of Chapter 9 of the *CEQR Technical Manual*.

NOW THEREFORE, Declarant does hereby declare and agree that the Subject Property shall be held, sold, transferred, conveyed and occupied subject to the following restrictions, covenants, obligations, easements, and agreements, which are for the purpose of protecting the value and desirability of the Subject Property and which shall run with the land and be binding upon and inure to the benefit of the successors, heirs and assigns of Declarant so long as they have the right, title or interest in the Subject Property or any part thereof:

1. Prior to accepting a Department of Buildings ("DOB") permit for construction on the Property, Declarant shall develop and implement a CPP to protect known architectural resources identified by the LPC within a lateral distance of 90 feet from construction activities at the Property.

2. The CPP shall be developed in coordination with and approved by LPC and the DOB as a condition to Declarant's acceptance of a building permit for any development of the Subject Property pursuant to the Rezoning and shall comply with the (A) guidelines set forth in Section 522 of Chapter 9 of the *CEQR Technical Manual*; (B) guidelines set forth in LPC's *New York City Landmarks Preservation Commission Guidelines for Construction Adjacent to a Historic Landmark*; and (C) procedures set forth in the New York City Department of Building's Technical Policy and Procedure Notice (TPPN) #10/88, "Procedures for the Avoidance of Damage to Historic Structures Resulting from Adjacent Construction."

3. The CPP shall be implemented and monitored by structural and foundation engineers experienced in working with historic structures.

4. Elements of the CPP may include:

   (a) Installation of monitoring equipment during construction by, for example, using tell-tales, seismographic equipment, and horizontal and lateral scales;
   (b) Borings and soil reports of the water table establishing composition, stability, and condition;
   (c) Existing foundation and structural condition information and documentation for the historic property;
   (d) Formulation of maximum vibration tolerances based on impact and duration, and considerations using accepted engineering standards for old buildings;
   (e) Dewatering procedures, including systematic monitoring and recharging systems;
   (f) Protection from falling objects and party wall exposure; and
   (g) Procedures for stopping work pursuant to standards set forth in the CPP, notifying DOB and LPC, analyzing the situation and provisions for changing

substantive elements of the CPP based on existing conditions, in consultation with LPC and DOB.

5. Declarant shall include enforceable contractual requirements with its contractors (and require the contractors to include enforceable contractual requirements with their subcontractors) to implement the provisions of the CPP.

6. Upon receipt of the CPP, the LPC shall review and comment on the CPP, and if acceptable, shall issue a Letter of No Objection, indicating that the LPC has no objection to the DOB issuing a permit for construction. The Letter of No Objection shall be separate and independent from any approval by DOB of the CPP pursuant to TPPN 10/88 and any other relevant standards.

7. This Declaration and the provisions hereof shall become effective as of the date of this Declaration. Within ten (10) business days of such approval, Declarant shall file and record this Declaration in the Office of the Register of the City of New York, County of Kings, indexing it against the Property. Declarant shall, following the recording of this Declaration, promptly deliver to the Commission and the LPC a true copy thereof, as recorded, certified by the Register. If Declarant fails to so record and/or deliver this Declaration, the Commission may, in addition to any other rights it has pursuant to this Declaration, cause this Declaration to be recorded and/or request certified copies of the recorded Declaration, all at the sole cost and expense of Declarant, and Declarant shall immediately upon request pay to the Commission the cost of having this Declaration recorded and/or purchasing a reasonable number of certified copies of the recorded Declaration, as applicable.

8. The provisions of this Declaration shall be considered covenants running with the land, and shall inure to the benefit and be binding upon all heirs, successors, assigns, legal representatives and mortgagees, each to the extent of their respective interests in the Subject Property. Reference to "Declarant" in this Declaration shall be deemed to refer to the named Declarant, its heirs, successors, assigns, legal representatives and mortgages, each to the extent of their respective interest in the Subject Property. References in this Declaration to agencies or instrumentalities succeeding to the jurisdiction thereof, pursuant to the laws of the State of New York and City of New York.

9. The obligations, restrictions and agreements herein shall be binding on the Declarant or other parties in interest only for the period during which the Declarant and any such Party-in-Interest holds an interest in the Subject Property; provided, however, that the obligations, restrictions and agreements contained in this Declaration may not be enforced against the holder of any mortgage unless and until such holder succeeds to the fee interest of the Declarant by way of foreclosure or deed in lieu of foreclosure.

10. Subject to paragraph 21 hereof, this Declaration, including, but not limited to, all exhibits and/or any plans attached hereto, may be amended, modified or canceled only by application by Declarant and with the written consent and approval of DCP,

in coordination with LPC, and no other approval or consent shall be required from any other public body, private person or legal entity of any kind.

11. Declarant shall indemnify the City, its respective officers, employees and agents from all claims, actions, or judgments for loss, damage or injury, including death or property damage of whatsoever kind or nature, arising from Declarant's performance of its obligations under this Declaration, including without limitation, the negligence or carelessness of the Declarant, its agents, servants or employees in undertaking such performance; provided, however, that should a claim be made or action brought, Declarant shall have the right to defend such claim or action with attorneys reasonably acceptable to the City and no such claim or action shall be settled without the written consent of the City.

12. If Declarant is found by a court of competent jurisdiction to have violated any of the provisions of this Declaration and the finding is upheld on final appeal or the time to file any and all appeals has lapsed, Declarant shall indemnify and hold the City harmless from and against all of its reasonable legal and administrative expenses, including legal fees, arising out of or in connection with the City's enforcement of Declarant's obligations under this Declaration as well as any reasonable legal and administrative expenses arising out of or in connection with the enforcement of any judgment obtained against the Declarant, including but not limited to the cost of undertaking the CPP, if any.

13. Declarant shall cause every individual or entity that between the date hereof and the date of recordation of this Declaration, becomes a Party-in-Interest (as defined in subdivision (c) of the definition of "zoning lot" set forth in Section 12-10 of the Zoning Resolution of the City of New York) to all or a portion of the Subject Property to waive its right to execute this Declaration and subordinate its interest in the Subject Property to this Declaration. Any mortgage or other lien encumbering the Subject Property in effect after the recording date of this Declaration shall be subject and subordinate hereto as provided herein. Such waivers and subordination shall be attached to this Declaration as Exhibits and recorded in the Office of the County or City Register.

14. All notices, demands, requests, consents, approvals and other communications which may be or are permitted, desirable or required to be given, served or sent hereunder shall be in writing and shall be sent (a) if intended for Declarant, by mailing or delivery to Declarant at its address given at the commencement of this Declaration to the attention of James Tampakis, (b) if intended for the LPC, by mailing or delivery to the LPC at 1 Centre Street, 9th Floor North, New York, NY 10007 Attention: Gina Santucci, or (c) if intended for the Commission, by mailing or delivery to the Commission at 120 Broadway, 31st Floor, New York, New York 10271, Attention: General Counsel. Declarant and the Commission, by notice given as provided in this Section, may change any address for the purposes of this Declaration. Each notice, demand, request, consent, approval or other communication shall be either (i) sent by registered or certified mail, postage prepaid, or (ii) delivered by hand, and shall be deemed sufficiently given, served or

sent for all purposes hereunder five (5) days after it shall be mailed, or if delivered by hand, when actually received.

15. Declarant acknowledges that the City is an interested party to this Declaration and consents to the enforcement of this Declaration solely by the City, administratively or at law or at equity, of the obligations, restrictions and agreements pursuant to this Declaration.

16. Declarant expressly acknowledges that this Declaration is an essential element of the environmental review conducted in connection with the Application and as such the filing and recordation of this Declaration may be a precondition to the determination of significance pursuant to CEQR, which implements the State Environmental Quality Review Act ("SEQRA") and the SEQRA Regulations, Title 6 New York Code of Rules and Regulations ("NYCRR") Part 617.7 within the City of New York.

17. The provisions of this Declaration shall be deemed independent and severable, and the invalidity or partial invalidity or unenforceability of any one provision or portion hereof shall not affect the validity or enforceability of any other provision or provisions hereof. Any provision of this Declaration that is prohibited or unenforceable shall be ineffective to the extent of such prohibition or unenforceability without invalidating or rendering unenforceable the remaining provisions hereof.

18. Declarant acknowledges that the satisfaction of the obligations set forth in this Declaration does not relieve Declarant of any additional requirements imposed by Federal, State or Local laws.

19. This Declaration shall be governed by and construed in accordance with the laws of the State of New York.

20. Wherever in this Declaration, the certification, consent, approval, notice or other action of Declarants, LPC or the City is required or permitted, such certification, consent, approval, notice or other action shall not be unreasonably withheld or delayed.

21. In the event that any provision of this Declaration is deemed, decreed, adjudged or determined to be invalid or unlawful by a court of competent jurisdiction, such provision shall be severable and the remainder of this Declaration shall continue to be in full force and effect.

22. This Declaration and its obligations and agreement are in contemplation of Declarant receiving approval or modified approval of the Application. In the event that the Declarant withdraws the Application before a final determination or the Application is not approved, the obligations and agreements pursuant to this Declaration shall have no force and effect and Declarant may request that DCP approve a Notice of Cancellation upon the concurrence of the following events: (i) Declarant has withdrawn the Application in writing before a final determination on

the Application; or (ii) the Application was not approved by the City Council. Upon such request, DCP shall approve a Notice of Cancellation after it has determined that one of the above has occurred. Upon receipt of DCP's approval of a Notice of Cancellation, Declarant shall cause such Notice to be recorded in the same manner as the Declaration herein, thus rendering this Restrictive Declaration null and void. Declarant shall promptly deliver to DCP a certified copy of such Notice of Cancellation as recorded.

23. Declarant shall cause a copy of this Declaration to be attached and submitted with any applications relating to the Subject Property which are filed with any governmental agency, including but not limited to the New York City Department of Buildings, the New York City Department of City Planning and the New York City Department of Transportation.

24. Declarant hereby acknowledges and agrees that any failure to comply with the terms of this Declaration shall be grounds for the Commission to disapprove any modification, amendment or cancellation of this Declaration. Failure to comply with the terms of this Declaration may result in the revocation of a building permit or Certificate of Occupancy.

IN WITNESS WHEREOF, Declarant has executed this Declaration as of the day and year first above written.

54 Richards Street LLC
By: Jim Tampakis
Managing Member

STATE OF NEW YORK)
)ss.:
COUNTY OF Kings)

On the 20th day of OCT in the year 2023 before me, the undersigned, personally appeared JIM TAMPAKIS, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

NOTARY PUBLIC

EFFIE GIANNIOTIS
NOTARY PUBLIC-STATE OF NEW YORK
No. 01GI6049703
Qualified in Kings County
My Commission Expires 10-23-2026

Exhibit A

Metes & Bounds
Block 512, Lots 13 & 20
Brooklyn, NY

SCHEDULE A

ALL that certain plot, piece or parcel of land situate, lying and being in the Borough of Brooklyn, County of Kings, City and State of New York, bounded and described as follows:

BEGINNING at a point on the southeasterly side of Richards Street, distant 100 feet northeasterly from the comer formed by the intersection of the southeasterly side of Richards Street with the northeasterly side of Commerce Street;

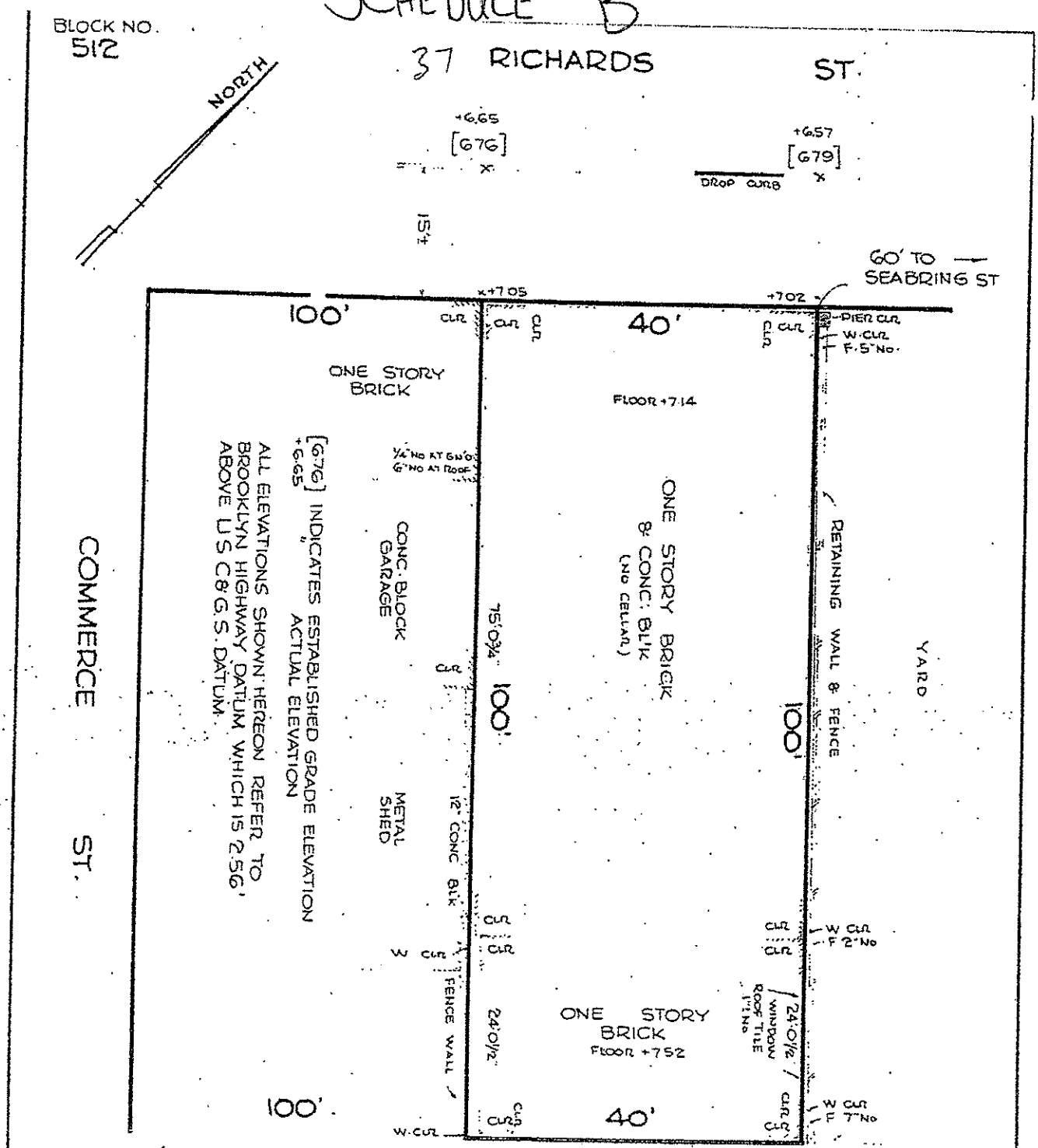
RUNNING THENCE southeasterly and parallel with Commerce Street, 100 feet;

THENCE northeasterly and parallel with Richards Street, 40 feet;

THENCE northwesterly and parallel with Commerce Street 100 feet to the southeasterly side of Richards Street;

THENCE southwesterly along said southeasterly side of Richards Street, 40 feet to the point or place of BEGINNING.

SCHEDULE "B"



ORDER NO. 85653-A	DATE SEPT 9, 1963	BARTLETT, LUDLAM & DILL ASSOCIATES
DR BY	CHK BY	CITY SURVEYORS SINCE 1809
		186 JORALEMON ST., BROOKLYN 1, N.Y.

41 Richards Street

Schedule A Description

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Borough of Brooklyn, County of Kings, City and State of New York, bounded and described as follows:

BEGINNING at the corner formed by the intersection of the northerly side of Commerce Street with the easterly side of Richards Street;

Running Thence northerly along the easterly side of Richards Street, 100 feet;

Thence easterly parallel with Commerce Street, 125 feet;

Thence southerly parallel with Richards Street, 100 feet to the northerly side of Commerce Street;

Thence westerly along the northerly side of Commerce Street, 125 feet to the point or place of BEGINNING.

SCHEDULE "B"

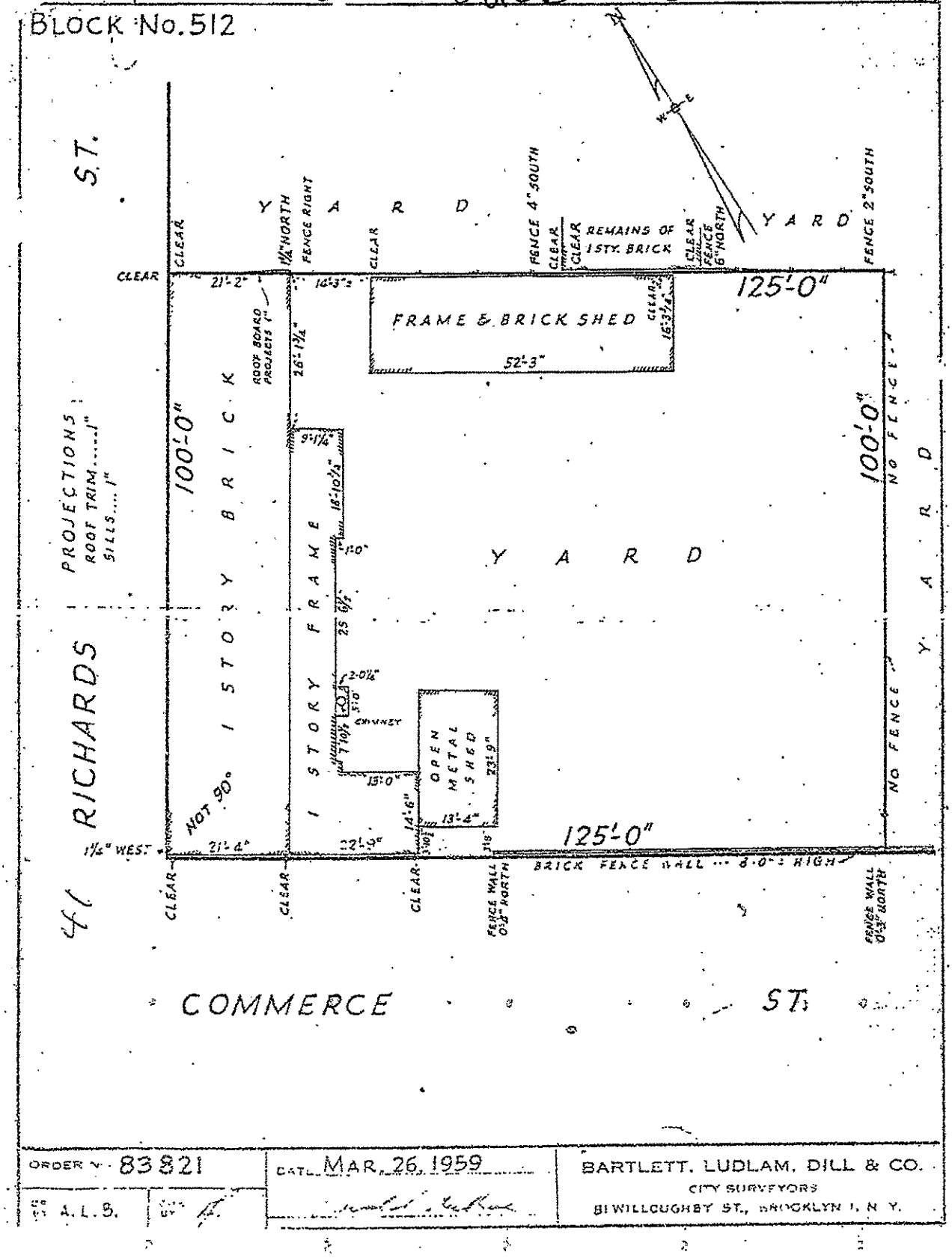

BLOCK No. 512
S.T.
COMMERCE
ST.
41 RICHARDS
Y A R D
CLEAR
11/4" NORTH
FENCE RIGHT
FENCE 4" SOUTH
REMAINS OF 1 STY. BRICK
FENCE 6" NORTH
FENCE 2" SOUTH
125'-0"
100'-0"
FRAME & BRICK SHED
52'-3"
ROOF BOARD PROJECTS 1"
PROJECTIONS
ROOF TRIM..... 1"
SILLS..... 1"
1 STORY BRICK
1 STORY FRAME
OPEN METAL SHED
CHIMNEY
NO FENCE
NOT 90°
1 1/4" WEST
BRICK FENCE WALL ... 8'-0" HIGH
FENCE WALL 0'-3" NORTH
ORDER No. 83821
DATE MAR. 26, 1959
BARTLETT, LUDLAM, DILL & CO.
CITY SURVEYORS
81 WILLOUGHBY ST., BROOKLYN 1, N. Y.

Exhibit B

Party in Interest Certification

NYC DEPARTMENT OF FINANCE
OFFICE OF THE CITY REGISTER

This page is part of the instrument. The City Register will rely on the information provided by you on this page for purposes of indexing this instrument. The information on this page will control for indexing purposes in the event of any conflict with the rest of the document.

2023101200223001001EC729

RECORDING AND ENDORSEMENT COVER PAGE **PAGE 1 OF 5**

Document ID: 2023101200223001 Document Date: 10-11-2023 Preparation Date: 10-12-2023
Document Type: CERTIFICATE
Document Page Count: 4

PRESENTER:
RIDGE ABSTRACT CORP. (WR) PICK UP
440 89TH STREET, 5TH FLOOR
RC4035
BROOKLYN, NY 11209
718-338-0065
RA11223@AOL.COM

RETURN TO:
JIM TAMPAKIS
54 RICHARDS ST
BROOKLYN, NY 11231

PROPERTY DATA

Borough	Block	Lot	Unit	Address
BROOKLYN	512	20	Entire Lot	37 RICHARDS STREET

Property Type: COMMERCIAL REAL ESTATE

CROSS REFERENCE DATA

CRFN_____ *or* DocumentID_____ *or* _____ Year____ Reel____ Page_____ *or* File Number_____

PARTIES

PARTY 1:
RIDGE ABSTRACT CORP
440 89TH ST, 5TH FLOOR
BROOKLYN, NY 11209

FEES AND TAXES

Mortgage :		
Mortgage Amount:	$	0.00
Taxable Mortgage Amount:	$	0.00
Exemption:		
TAXES: County (Basic):	$	0.00
City (Additional):	$	0.00
Spec (Additional):	$	0.00
TASF:	$	0.00
MTA:	$	0.00
NYCTA:	$	0.00
Additional MRT:	$	0.00
TOTAL:	$	0.00
Recording Fee:	$	57.00
Affidavit Fee:	$	0.00

Filing Fee:	$	0.00
NYC Real Property Transfer Tax:	$	0.00
NYS Real Estate Transfer Tax:	$	0.00

RECORDED OR FILED IN THE OFFICE OF THE CITY REGISTER OF THE CITY OF NEW YORK
Recorded/Filed 10-13-2023 16:27
City Register File No.(CRFN): **2023000264835**

City Register Official Signature

EXHIBIT "I"

CERTIFICATION PURSUANT TO ZONING LOT SUBDIVISION C OF SECTION 12-10 OF THE ZONING RESOLUTION OF DECEMBER 15, 1961 OF THE CITY OF NEW YORK – AS AMENDED EFFECTIVE AUGUST 18, 1977

RIDGE ABSTRACT CORP., AS AUTHORIZED TITLE AGENT FOR FIRST AMERICAN TITLE INSURANCE COMPANY, LICENSED TO DO BUSINESS IN THE STATE OF NEW YORK, HAVING ITS PRINCIPAL OFFICE AT 440 89TH STREET, BROOKLYN, NY 11209 HEREBY CERTIFIES THAT AS TO THE LAND HEREAFTER DESCRIBED BEING A TRACT OF LAND, EITHER UNSUBDIVIDED OR CONSISTING OF TWO OR MORE LOTS OF RECORD, CONTIGUOUS FOR A MINIMUM TEN LINEAR FEET, LOCATED WITHIN A SINGLE BLOCK IN THE SINGLE OWNERSHIP OF 37 RICHARDS STREET LLC. THAT ALL PARTIES IN INTEREST CONSISTING OF A "PARTY IN INTEREST" AS DEFINED IN SECTION 12-10, SUBDIVISION (c) OF THE ZONING RESOLUTION OF THE CITY OF NEW YORK, EFFECTIVE DECEMBER 15, 1961 AS AMENDED, ARE THE FOLLOWING:

NAME	ADDRESS	NATURE OF INTEREST
37 RICHARDS STREET LLC	37 RICHARDS STREET BROOKLYN, NEW YORK	FEE OWNER
VINCENT MALERBA	241 FRONT STREET BROOKLYN, NEW YORK	MORTGAGEE

THE SUBJECT TRACT OF LAND WITH RESPECT TO WHICH THE FOREGOING PARTIES ARE THE PARTIES IN INTEREST AS AFORESAID, IS KNOWN AS LOT 20 IN BLOCK 512 ON THE TAX MAP OF THE CITY OF NEW YORK, KINGS COUNTY AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

SEE SCHEDULE "A" ATTACHED HERETO FOR DESCRIPTION

THAT THE SAID PREMISES ARE KNOWN AS AND BY STREET 37 RICHARDS STREET, BROOKLYN, NEW YORK (LOT 20 IN BLOCK 512) AS SHOWN ON THE FOLLOWING DIAGRAM:

SEE SCHEDULE "B" ATTACHED HERETO FOR DIAGRAM

THAT THE ZONING LOT DESCRIPTION AND OWNERSHIP STATEMENT CONTAINING THE ABOVE DESCRIPTION IS BEING RECORDED SIMULTANEOUSLY HEREWITH.

Ridge Abstract Corp.

CERTIFIED THIS 11TH DAY OF OCTOBER 2023 TO 37 RICHARDS STREET LLC THE APPLICANTS FOR THIS CERTIFICATION.

NOTE: A ZONING LOT MAY OR MAY NOT COINCIDE WITH A LOT AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF NEW YORK, OR ON ANY RECORDED SUBDIVISION PLOT OR DEED. A ZONING LOT MAY BE SUBDIVIDED INTO TWO OR MORE ZONING LOTS PROVIDED ALL THE RESULTING ZONING LOTS AND ALL THE BUILDINGS THEREON SHALL COMPLY WITH THE APPLICABLE PROVISION OF THE ZONING LOT RESOLUTION.

THIS CERTIFICATE IS MADE FOR AND ACCEPTED BY THE APPLICANT UPON EXPRESS UNDERSTANDING THAT LIABILITY HEREUNDER IS LIMITED TO ONE THOUSAND ($1,000.00) DOLLARS.

RIDGE ABSTRACT CORP. REPRESENTING
FIRST AMERICAN TITLE INSURANCE COMPANY

BY:_____

CHRISTOPHER M. BECK, V.P.

STATE OF NEW YORK)

COUNTY OF KINGS) SS.:

ON THE 11TH DAY OF OCTOBER IN THE YEAR 2023 BEFORE ME, THE UNDERSIGNED, PERSONALLY APPEARED CHRISTOPHER M. BECK PERSONALLY KNOWN TO ME OR PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE INDIVIDUAL(S) WHOSE NAME(S) IS (ARE) SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR CAPACITY(IES), AND THAT BY HIS/HER THEIR SIGNATURE(S) ON THE INSTRUMENT, THE INDIVIDUAL(S), OR THE PERSON UPON BEHALF OF WHICH THE INDIVIDUAL(S) ACTED, EXECUTED THE INSTRUMENT.

AUSTIN J STANTON
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01ST6437219
Qualified in Richmond County
Commission Expires 08/01/2026

Ridge Abstract Corp.

SCHEDULE A

ALL that certain plot, piece or parcel of land situate, lying and being in the Borough of Brooklyn, County of Kings, City and State of New York, bounded and described as follows:

BEGINNING at a point on the southeasterly side of Richards Street, distant 100 feet northeasterly from the comer formed by the intersection of the southeasterly side of Richards Street with the northeasterly side of Commerce Street;

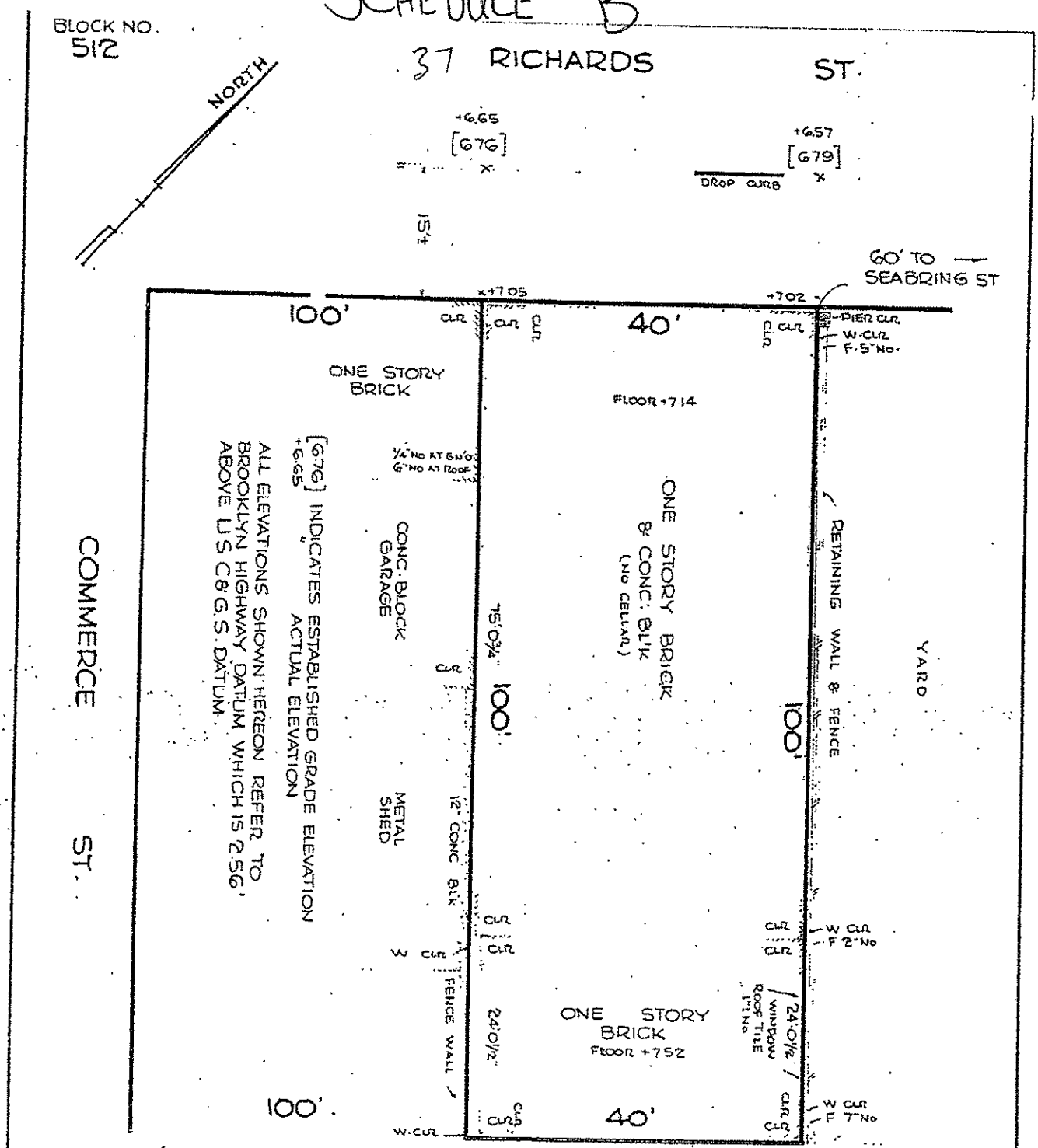
RUNNING THENCE southeasterly and parallel with Commerce Street, 100 feet;

THENCE northeasterly and parallel with Richards Street, 40 feet;

THENCE northwesterly and parallel with Commerce Street 100 feet to the southeasterly side of Richards Street;

THENCE southwesterly along said southeasterly side of Richards Street, 40 feet to the point or place of BEGINNING.

SCHEDULE "B"



ORDER NO. 85653-A	DATE SEPT 9, 1963	BARTLETT, LUDLAM & DILL ASSOCIATES
DR BY	CHK BY	CITY SURVEYORS SINCE 1809
		186 JORALEMON ST., BROOKLYN 1, N.Y.

NYC DEPARTMENT OF FINANCE
OFFICE OF THE CITY REGISTER

This page is part of the instrument. The City Register will rely on the information provided by you on this page for purposes of indexing this instrument. The information on this page will control for indexing purposes in the event of any conflict with the rest of the document.

2023101200226001001EF8E9

RECORDING AND ENDORSEMENT COVER PAGE **PAGE 1 OF 5**

Document ID: 2023101200226001 Document Date: 10-11-2023 Preparation Date: 10-12-2023
Document Type: CERTIFICATE
Document Page Count: 4

PRESENTER:
RIDGE ABSTRACT CORP. (WR) PICK UP
440 89TH STREET, 5TH FLOOR
RC4034
BROOKLYN, NY 11209
718-338-0065
RA11223@AOL.COM

RETURN TO:
JIM TAMPAKIS
54 RICHARDS ST
BROOKLYN, NY 11231

PROPERTY DATA

Borough	Block	Lot	Unit	Address
BROOKLYN	512	13	Entire Lot	41 RICHARDS STREET

Property Type: COMMERCIAL REAL ESTATE

CROSS REFERENCE DATA

CRFN_____ *or* DocumentID_____ *or* _____Year____ Reel____ Page_____ *or* File Number_____

PARTIES

PARTY 1:
RIDGE ABSTRACT CORP
440 89TH ST, 5TH FLOOR
BROOKLYN, NY 11209

FEES AND TAXES

Mortgage :		
Mortgage Amount:	$	0.00
Taxable Mortgage Amount:	$	0.00
Exemption:		
TAXES: County (Basic):	$	0.00
City (Additional):	$	0.00
Spec (Additional):	$	0.00
TASF:	$	0.00
MTA:	$	0.00
NYCTA:	$	0.00
Additional MRT:	$	0.00
TOTAL:	$	0.00
Recording Fee:	$	57.00
Affidavit Fee:	$	0.00

Filing Fee:	$	0.00
NYC Real Property Transfer Tax:	$	0.00
NYS Real Estate Transfer Tax:	$	0.00

RECORDED OR FILED IN THE OFFICE OF THE CITY REGISTER OF THE CITY OF NEW YORK
Recorded/Filed 10-13-2023 16:27
City Register File No.(CRFN): **2023000264836**

City Register Official Signature

EXHIBIT "I"

CERTIFICATION PURSUANT TO ZONING LOT SUBDIVISION C OF SECTION 12-10 OF THE ZONING RESOLUTION OF DECEMBER 15, 1961 OF THE CITY OF NEW YORK – AS AMENDED EFFECTIVE AUGUST 18, 1977

RIDGE ABSTRACT CORP., AS AUTHORIZED TITLE AGENT FOR FIRST AMERICAN TITLE INSURANCE COMPANY, LICENSED TO DO BUSINESS IN THE STATE OF NEW YORK, HAVING ITS PRINCIPAL OFFICE AT 440 89TH STREET, BROOKLYN, NY 11209 HEREBY CERTIFIES THAT AS TO THE LAND HEREAFTER DESCRIBED BEING A TRACT OF LAND, EITHER UNSUBDIVIDED OR CONSISTING OF TWO OR MORE LOTS OF RECORD, CONTIGUOUS FOR A MINIMUM TEN LINEAR FEET, LOCATED WITHIN A SINGLE BLOCK IN THE SINGLE OWNERSHIP OF 41 RICHARDS STREET LLC. THAT ALL PARTIES IN INTEREST CONSISTING OF A "PARTY IN INTEREST" AS DEFINED IN SECTION 12-10, SUBDIVISION (C) OF THE ZONING RESOLUTION OF THE CITY OF NEW YORK, EFFECTIVE DECEMBER 15, 1961 AS AMENDED, ARE THE FOLLOWING:

NAME	ADDRESS	NATURE OF INTEREST
41 RICHARDS STREET LLC	54 RICHARDS STREET BROOKLYN, NEW YORK 11231	FEE OWNER
NORTHFIELD BANK	1731 VICTORY BOULEVARD STATEN ISLAND, NEW YORK	MORTGAGEE

THE SUBJECT TRACT OF LAND WITH RESPECT TO WHICH THE FOREGOING PARTIES ARE THE PARTIES IN INTEREST AS AFORESAID, IS KNOWN AS LOT 13 IN BLOCK 512 ON THE TAX MAP OF THE CITY OF NEW YORK, KINGS COUNTY AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

SEE SCHEDULE "A" ATTACHED HERETO FOR DESCRIPTION

THAT THE SAID PREMISES ARE KNOWN AS AND BY STREET 41 RICHARDS STREET, BROOKLYN, NEW YORK (LOT 13 IN BLOCK 512) AS SHOWN ON THE FOLLOWING DIAGRAM:

SEE SCHEDULE "B" ATTACHED HERETO FOR DIAGRAM

THAT THE ZONING LOT DESCRIPTION AND OWNERSHIP STATEMENT CONTAINING THE ABOVE DESCRIPTION IS BEING RECORDED SIMULTANEOUSLY HEREWITH.

Ridge Abstract Corp.

CERTIFIED THIS 11TH DAY OF OCTOBER 2023 TO 41 RICHARDS STREET LLC THE APPLICANTS FOR THIS CERTIFICATION.

NOTE: A ZONING LOT MAY OR MAY NOT COINCIDE WITH A LOT AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF NEW YORK, OR ON ANY RECORDED SUBDIVISION PLOT OR DEED. A ZONING LOT MAY BE SUBDIVIDED INTO TWO OR MORE ZONING LOTS PROVIDED ALL THE RESULTING ZONING LOTS AND ALL THE BUILDINGS THEREON SHALL COMPLY WITH THE APPLICABLE PROVISION OF THE ZONING LOT RESOLUTION.

THIS CERTIFICATE IS MADE FOR AND ACCEPTED BY THE APPLICANT UPON EXPRESS UNDERSTANDING THAT LIABILITY HEREUNDER IS LIMITED TO ONE THOUSAND ($1,000.00) DOLLARS.

RIDGE ABSTRACT CORP. REPRESENTING
FIRST AMERICAN TITLE INSURANCE COMPANY

BY:_____

CHRISTOPHER M. BECK, V.P.

STATE OF NEW YORK)

COUNTY OF KINGS) SS.:

ON THE 11TH DAY OF OCTOBER IN THE YEAR 2023 BEFORE ME, THE UNDERSIGNED, PERSONALLY APPEARED CHRISTOPHER M. BECK PERSONALLY KNOWN TO ME OR PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE INDIVIDUAL(S) WHOSE NAME(S) IS (ARE) SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR CAPACITY(IES), AND THAT BY HIS/HER THEIR SIGNATURE(S) ON THE INSTRUMENT, THE INDIVIDUAL(S), OR THE PERSON UPON BEHALF OF WHICH THE INDIVIDUAL(S) ACTED, EXECUTED THE INSTRUMENT.

AUSTIN J STANTON
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01ST6437219
Qualified in Richmond County
Commission Expires 08/01/202

Ridge Abstract Corp.

Schedule A Description

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Borough of Brooklyn, County of Kings, City and State of New York, bounded and described as follows:

BEGINNING at the corner formed by the intersection of the northerly side of Commerce Street with the easterly side of Richards Street;

Running Thence northerly along the easterly side of Richards Street, 100 feet;

Thence easterly parallel with Commerce Street, 125 feet;

Thence southerly parallel with Richards Street, 100 feet to the northerly side of Commerce Street;

Thence westerly along the northerly side of Commerce Street, 125 feet to the point or place of BEGINNING.

SCHEDULE "B"

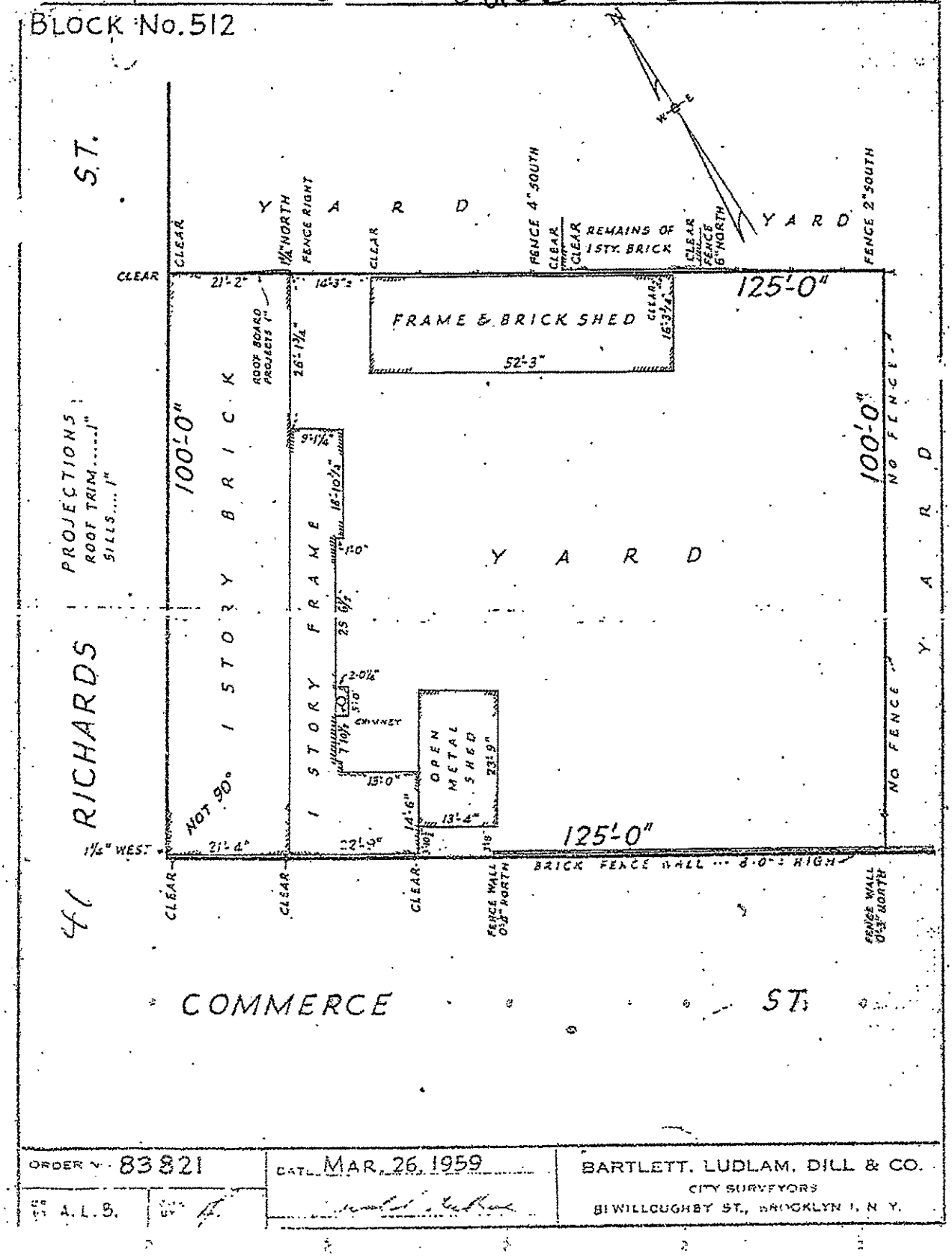

BLOCK No. 512
S.T.
COMMERCE
ST.
41 RICHARDS
Y A R D
CLEAR
11/4" NORTH
FENCE RIGHT
FENCE 4" SOUTH
REMAINS OF 1 STY. BRICK
FENCE 6" NORTH
FENCE 2" SOUTH
125'-0"
100'-0"
FRAME & BRICK SHED
52'-3"
ROOF BOARD PROJECTS 1"
PROJECTIONS
ROOF TRIM..... 1"
SILLS..... 1"
1 STORY BRICK
1 STORY FRAME
OPEN METAL SHED
CHIMNEY
NO FENCE
NOT 90°
1 1/4" WEST
BRICK FENCE WALL ... 8'-0" HIGH
FENCE WALL 0'-3" NORTH
ORDER No. 83821
DATE MAR. 26, 1959
BARTLETT, LUDLAM, DILL & CO.
CITY SURVEYORS
81 WILLOUGHBY ST., BROOKLYN 1, N. Y.

Exhibit C

(LPC Letter)

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: RICHARDS STREET REZONING
Date received: 4/11/2019

Comments: as indicated below. Properties that are individually LPC designated or in LPC historic districts require permits from the LPC Preservation department. Properties that are S/NR listed or S/NR eligible require consultation with SHPO if there are State or Federal permits or funding required as part of the action.

Properties with no Architectural or Archaeological significance:

1) ADDRESS: 41 RICHARDS STREET, BBL: 3005120013
2) ADDRESS: 37 RICHARDS STREET, BBL: 3005120020
3) ADDRESS: 37 COMMERCE STREET, BBL: 3005190005
4) ADDRESS: 54 RICHARDS STREET, BBL: 3005180023
5) ADDRESS: 64 RICHARDS STREET, BBL: 3005180028

S/NR eligible adjacent to project sites:

Engine Company 202, 29-31 Richards St., adjacent to 37 Richards St.
57 Richards St., adjacent to 37 Commerce St.

S/NR eligible properties that are directly adjacent to project sites require Construction Protection Plans (CPP) as per the CEQR Technical Manual: 2014. The CPPs shall be submitted to LPC for review and comment prior to construction.

S/NR eligible within the radius:

26 Delevan St.
80 Richards St.
Visitation of the Blessed Virgin Mary Roman Catholic Church, 86 Richards St.
19 Delevan St.
5 Delevan St.
42-50 Richards St.
Brooklyn Battery Tunnel Main Services Building, Hamilton Ave. and Columbia St.

Gina Santucci

4/23/2019

SIGNATURE DATE
Gina Santucci, Environmental Review Coordinator

File Name: 34124_FSO_DNP_04172019.doc