749 Van Sinderen Avenue Rezoning
Environmental Assessment Statement

CEQR # 21DCP147K

Prepared for:
ENY Community Residences LLC.

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July 1, 2021

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Environmental Assessment Statement

(EAS) Form

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

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

Part I: GENERAL INFORMATION

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

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

2. *Project Name* 749 Van Sinderen Avenue Rezoning EAS

3. *Reference Numbers*

CEQR REFERENCE NUMBER (to be assigned by lead agency)	BSA REFERENCE NUMBER (if applicable)
21DCP147K	
ULURP REFERENCE NUMBER (if applicable)	**OTHER REFERENCE NUMBER(S) (if applicable)** (*e.g.*, legislative intro, CAPA)
210285ZMK N210286ZRK	

4a. *Lead Agency Information*			**4b. *Applicant Information***		
NAME OF LEAD AGENCY			NAME OF APPLICANT		
New York City Department of City Planning			ENY Community Residences LLC		
NAME OF LEAD AGENCY CONTACT PERSON			NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON		
Olga Abinader			Jamie Wiseman		
ADDRESS 120 Broadway, 31st Floor			ADDRESS 97 North 10th Street, Suite 2D		
CITY New York	STATE NY	ZIP 10271	CITY Brooklyn	STATE NY	ZIP 11249
TELEPHONE (212) 720-3423	EMAIL oabinad@planning.nyc.gov		TELEPHONE	EMAIL jwiseman@cayugacapital.com	

5. *Project Description*

The applicant, ENY Community Residences LLC, is seeking approval for two discretionary actions (the "proposed actions") to facilitate the redevelopment of the applicant-owned project site at 749 Van Sinderen Avenue (Block 3865; Lot 9; Projected Development Site 1) in the East New York neighborhood of Brooklyn Community District (CD) 5. These actions include a zoning map amendment to rezone Block 3865; Lots 6, 7, 9, 21, and portions of Lots 137, 138, 139, 140, 141, 142, 44, 45, 46, 46, 49, 150, and 151 (the "Proposed Rezoning Area") from a M1-1 district to C4-4L district, and a zoning text amendment to Appendix F of the New York City Zoning Resolution (ZR) to map the Proposed Rezoning Area as a Mandatory Inclusionary Housing (MIH) area.

The Proposed Rezoning Area is located on the block bounded by New Lots Avenue to the north, Snediker Avenue to east, Linden Boulevard to the south, and Van Sinderen Avenue to the west. Immediately west of the Proposed Rezoning Area is the elevated BMT Canarsie Line (L-Train) that connects Eighth Avenue in Chelsea to Canarsie Brooklyn.

Approval of the proposed actions would facilitate new development on the applicant-owned Projected Development Site 1 (Block 3865; Lot 9). The three existing buildings would be demolished and replaced with a nine-story 111,201 gsf mixed-use residential and commercial building containing approximately 119 permanently affordable DUs and 11,015 gsf of ground floor retail space. No parking would be provided as the Proposed Development would consist entirely of affordable DUs and is located within the Transit Zone.

For CEQR analysis purposes, it is also assumed that the proposed actions would facilitate development on two other Projected Development sites. On Projected Development Site 2 (Block 3865; Lot 21), the proposed actions are expected to result in the development of an 18,315-gsf mixed-use residential and commercial building containing 16 DUs (four of which would be affordable under the MIH Program) and 2,277 gsf of local retail space. On Projected Development Site 3 (Block 3865; Lots 6 & 7), the proposed actions are expected to result in the development of a 22,894-gsf mixed-use residential and commercial building containing 20 DUs (five affordable units under the MIH Program) and 2,846 gsf of local retail space. Per ZR Section 36-362, no parking would be provided on Projected Development Sites 2 or 3. For conservative analysis purposes it is assumed that each of developments on Projected Developments Sites 1, 2, and 3, would stand 95 feet tall (the maximum allowable height in the proposed C4-4L district).

Project Location

BOROUGH	COMMUNITY DISTRICT(S)	STREET ADDRESS
Brooklyn	05	719-753 Van Sinderen Avenue

TAX BLOCK(S) AND LOT(S)	ZIP CODE
Block 3865; Lots 6, 7, 9, 21, 137, 138, 139, 140, 141, 142, 44, 45, 46, 46, 49, 150, and 151	11207

DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS On the block bounded by New Lots Avenue to the north, Snediker Avenue to the east, Linden Boulevard to the south, and Van Sinderen Avenue to the east.

EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY M1-1 | ZONING SECTIONAL MAP NUMBER 17d

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

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

- ☐ CITY MAP AMENDMENT
- ☒ ZONING MAP AMENDMENT
- ☒ ZONING TEXT AMENDMENT
- ☐ SITE SELECTION—PUBLIC FACILITY
- ☐ HOUSING PLAN & PROJECT
- ☐ SPECIAL PERMIT (if appropriate, specify type: ☐ modification; ☐ renewal; ☐ other); EXPIRATION DATE:
- ☐ ZONING CERTIFICATION
- ☐ ZONING AUTHORIZATION
- ☐ ACQUISITION—REAL PROPERTY
- ☐ DISPOSITION—REAL PROPERTY
- ☐ OTHER, explain:
- ☐ CONCESSION
- ☐ UDAAP
- ☐ REVOCABLE CONSENT
- ☐ FRANCHISE

SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

Board of Standards and Appeals: ☐ YES ☒ NO

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

SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

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

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

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

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

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

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

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

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

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

Physical Setting (both developed and undeveloped areas)

Total directly affected area (sq. ft.): 32,300 sf
Roads, buildings, and other paved surfaces (sq. ft.): 32,300 sf
Waterbody area (sq. ft) and type: N/A
Other, describe (sq. ft.): N/A

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

SIZE OF PROJECT TO BE DEVELOPED (gross square feet):

NUMBER OF BUILDINGS: 3

GROSS FLOOR AREA OF EACH BUILDING (sq. ft.):
Projected Development Site 1: 111,201 gsf
Projected Development Site 2: 18,315 gsf
Projected Development Site 3: 22,894 gsf

HEIGHT OF EACH BUILDING (ft.): 95 ft.

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: 22,500 sf
The total square feet not owned or controlled by the applicant: 8,100 sf

Does the proposed project involve in-ground excavation or subsurface disturbance, including, but not limited to foundation work, pilings, utility lines, or grading? ☒ YES ☐ NO

If "yes," indicate the estimated area and volume dimensions of subsurface permanent and temporary disturbance (if known):

AREA OF TEMPORARY DISTURBANCE: 30,600 sf sq. ft. (width x length) VOLUME OF DISTURBANCE 306,000 cubic ft. (width x length x depth)

AREA OF PERMANENT DISTURBANCE: 30,600 sf sq. ft. (width x length)

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

	Residential	***Commercial***	***Community Facility***	***Industrial/Manufacturing***
Size (in gross sq. ft.)	136,272 gsf	16,138 gsf		
Type (*e.g.,* retail, office, school)	155 units	Retail		

Does the proposed project increase the population of residents and/or on-site workers? ☒ YES ☐ NO

If "yes," please specify: NUMBER OF ADDITIONAL RESIDENTS: 430 NUMBER OF ADDITIONAL WORKERS: 55 (increment of 29 compared to No-Action)

Provide a brief explanation of how these numbers were determined: The number of residents was calculated using the average renter-occupied household size of 2.77 in the East New York (Pennsylvania Avenue) Neighborhood Tabulation Area (NTA) (American Community Survey 2014-2018 5-Year Data). The number of employees was determined assuming one worker per 333 sf of retail space, one worker per 1,000 sf of light manufacturing space, and one worker per 25 DUs.

Does the proposed project create new open space? ☒ YES ☐ NO If "yes," specify size of project-created open space: 2,600 sq. ft. of accessory open space for residents of Projected Development Site 1

Has a No-Action scenario been defined for this project that differs from the existing condition? ☐ YES ☒ NO
If "yes," see Chapter 2, "Establishing the Analysis Framework" and describe briefly:

9. *Analysis Year* CEQR Technical Manual Chapter 2

ANTICIPATED BUILD YEAR (date the project would be completed and operational): 2027

ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: 20-24 months for the Applicant-owned development site. 18 months for Projected Development Sites 2 and 3.

WOULD THE PROJECT BE IMPLEMENTED IN A SINGLE PHASE? ☐ YES ☒ NO

IF MULTIPLE PHASES, HOW MANY?
DOB Permits have not been filed for Projected Development Sites 2 and 3. Therefore, the number of phases is unknown.

BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE:

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

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

Part II: TECHNICAL ANALYSIS

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

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

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

	YES	NO
(a) Would the proposed project result in a net height increase of any structure of 50 feet or more?	☒	☐
(b) Would the proposed project result in any increase in structure height and be located adjacent to or across the street from a sunlight-sensitive resource?	☐	☒
6. *HISTORIC AND CULTURAL RESOURCES*: CEQR Technical Manual Chapter 9		
(a) Does the proposed project site or an adjacent site contain any architectural and/or archaeological resource that is eligible for or has been designated (or is calendared for consideration) as a New York City Landmark, Interior Landmark or Scenic Landmark; that is listed or eligible for listing on the New York State or National Register of Historic Places; or that is within a designated or eligible New York City, New York State or National Register Historic District? (See the GIS System for Archaeology and National Register to confirm)	☐	☒
(b) Would the proposed project involve construction resulting in in-ground disturbance to an area not previously excavated?	☐	☒
(c) If "yes" to either of the above, list any identified architectural and/or archaeological resources and attach supporting information on whether the proposed project would potentially affect any architectural or archeological resources.		
7. *URBAN DESIGN AND VISUAL RESOURCES*: CEQR Technical Manual Chapter 10		
(a) Would the proposed project introduce a new building, a new building height, or result in any substantial physical alteration to the streetscape or public space in the vicinity of the proposed project that is not currently allowed by existing zoning?	☒	☐
(b) Would the proposed project result in obstruction of publicly accessible views to visual resources not currently allowed by existing zoning?	☐	☒
8. *NATURAL RESOURCES*: CEQR Technical Manual Chapter 11		
(a) Does the proposed project site or a site adjacent to the project contain natural resources as defined in Section 100 of Chapter 11?	☐	☒
○ If "yes," list the resources and attach supporting information on whether the proposed project would affect any of these resources.		
(b) Is any part of the directly affected area within the Jamaica Bay Watershed?	☒	☐
○ If "yes," complete the Jamaica Bay Watershed Form, and submit according to its instructions.		
9. *HAZARDOUS MATERIALS*: CEQR Technical Manual Chapter 12		
(a) Would the proposed project allow commercial or residential uses in an area that is currently, or was historically, a manufacturing area that involved hazardous materials?	☒	☐
(b) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to hazardous materials that preclude the potential for significant adverse impacts?	☐	☒
(c) Would the project require soil disturbance in a manufacturing area or any development on or near a manufacturing area or existing/historic facilities listed in Appendix 1 (including nonconforming uses)?	☒	☐
(d) Would the project result in the development of a site where there is reason to suspect the presence of hazardous materials, contamination, illegal dumping or fill, or fill material of unknown origin?	☐	☒
(e) Would the project result in development on or near a site that has or had underground and/or aboveground storage tanks (*e.g.*, gas stations, oil storage facilities, heating oil storage)?	☐	☒
(f) Would the project result in renovation of interior existing space on a site with the potential for compromised air quality; vapor intrusion from either on-site or off-site sources; or the presence of asbestos, PCBs, mercury or lead-based paint?	☐	☒
(g) Would the project result in development on or near a site with potential hazardous materials issues such as government-listed voluntary cleanup/brownfield site, current or former power generation/transmission facilities, coal gasification or gas storage sites, railroad tracks or rights-of-way, or municipal incinerators?	☒	☐
(h) Has a Phase I Environmental Site Assessment been performed for the site?	☒	☐
○ If "yes," were Recognized Environmental Conditions (RECs) identified? Briefly identify: See Attachment B	☐	☒
10. *WATER AND SEWER INFRASTRUCTURE*: CEQR Technical Manual Chapter 13		
(a) Would the project result in water demand of more than one million gallons per day?	☐	☒
(b) If the proposed project located in a combined sewer area, would it result in at least 1,000 residential units or 250,000 square feet or more of commercial space in Manhattan, or at least 400 residential units or 150,000 square feet or more of commercial space in the Bronx, Brooklyn, Staten Island, or Queens?	☐	☒
(c) If the proposed project located in a separately sewered area, would it result in the same or greater development than the amounts listed in Table 13-1 in Chapter 13?	☐	☐
(d) Would the proposed project involve development on a site that is 5 acres or larger where the amount of impervious surface would increase?	☐	☒
(e) If the project is located within the Jamaica Bay Watershed or in certain specific drainage areas, including Bronx River, Coney Island Creek, Flushing Bay and Creek, Gowanus Canal, Hutchinson River, Newtown Creek, or Westchester Creek, would it involve development on a site that is 1 acre or larger where the amount of impervious surface would increase?	☐	☒
(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 generate contaminated stormwater in a separate storm sewer system?	☐	☒
(h) Would the project involve construction of a new stormwater outfall that requires federal and/or state permits?	☐	☒
11. *SOLID WASTE AND SANITATION SERVICES*: CEQR Technical Manual Chapter 14		
(a) Using Table 14-1 in Chapter 14, the project's projected operational solid waste generation is estimated to be (pounds per week): (430 residents * 17 lb. per week per individual) + (55 employees * 79 lb. per week per employee) = **11,655 lb. per week**		
○ Would the proposed project have the potential to generate 100,000 pounds (50 tons) or more of solid waste per week?	☐	☒
(b) Would the proposed project involve a reduction in capacity at a solid waste management facility used for refuse or recyclables generated within the City?	☐	☒
12. *ENERGY*: CEQR Technical Manual Chapter 15		
(a) Using energy modeling or Table 15-1 in Chapter 15, the project's projected energy use is estimated to be (annual BTUs): (136,272 gsf residential * 126.7 MBtu/sf residential) + (16,138 gsf retail * 216.3 MBtu/sf commercial) = **20,756,312 MBtu**		
(b) Would the proposed project affect the transmission or generation of energy?	☐	☒
13. *TRANSPORTATION*: CEQR Technical Manual Chapter 16		
(a) Would the proposed project exceed any threshold identified in Table 16-1 in Chapter 16?	☒	☐
(b) If "yes," conduct the screening analyses, attach appropriate back up data as needed for each stage and answer the following questions:		
○ Would the proposed project result in 50 or more Passenger Car Equivalents (PCEs) per project peak hour?	☐	☒
If "yes," would the proposed project result in 50 or more vehicle trips per project peak hour at any given intersection? ***It should be noted that the lead agency may require further analysis of intersections of concern even when a project generates fewer than 50 vehicles in the peak hour. See Subsection 313 of Chapter 16 for more information.***	☐	☐
○ Would the proposed project result in more than 200 subway/rail or bus trips per project peak hour?	☐	☒
If "yes," would the proposed project result, per project peak hour, in 50 or more bus trips on a single line (in one direction) or 200 subway trips per station or line?	☐	☐
○ Would the proposed project result in more than 200 pedestrian trips per project peak hour?	☒	☐
If "yes," would the proposed project result in more than 200 pedestrian trips per project peak hour to any given pedestrian or transit element, crosswalk, subway stair, or bus stop?	☒	☐
14. *AIR QUALITY*: CEQR Technical Manual Chapter 17		
(a) *Mobile Sources*: Would the proposed project result in the conditions outlined in Section 210 in Chapter 17?	☒	☐
(b) *Stationary Sources*: Would the proposed project result in the conditions outlined in Section 220 in Chapter 17?	☒	☐
○ If "yes," would the proposed project exceed the thresholds in Figure 17-3, Stationary Source Screen Graph in Chapter 17? (Attach graph as needed) See Attachment B	☐	☐
(c) Does the proposed project involve multiple buildings on the project site?	☐	☒
(d) Does the proposed project require federal approvals, support, licensing, or permits subject to conformity requirements?	☐	☒
(e) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to air quality that preclude the potential for significant adverse impacts?	☐	☒
15. *GREENHOUSE GAS EMISSIONS*: CEQR Technical Manual Chapter 18		
(a) Is the proposed project a city capital project or a power generation plant?	☐	☒
(b) Would the proposed project fundamentally change the City's solid waste management system?	☐	☒
(c) If "yes" to any of the above, would the project require a GHG emissions assessment based on the guidance in Chapter 18?	☐	☐
16. *NOISE*: CEQR Technical Manual Chapter 19		
(a) Would the proposed project generate or reroute vehicular traffic?	☒	☐
(b) Would the proposed project introduce new or additional receptors (see Section 124 in Chapter 19) near heavily trafficked roadways, within one horizontal mile of an existing or proposed flight path, or within 1,500 feet of an existing or proposed rail line with a direct line of site to that rail line?	☒	☐
(c) Would the proposed project cause a stationary noise source to operate within 1,500 feet of a receptor with a direct line of sight to that receptor or introduce receptors into an area with high ambient stationary noise?	☐	☒

	YES	NO
(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?	☐	☒
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. See Attachment B		
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. See Attachment B		
19. *CONSTRUCTION*: CEQR Technical Manual Chapter 22		
(a) Would the project's construction activities involve:		
o Construction activities lasting longer than two years?	☐	☒
o Construction activities within a Central Business District or along an arterial highway or major thoroughfare?	☐	☒
o Closing, narrowing, or otherwise impeding traffic, transit, or pedestrian elements (roadways, parking spaces, bicycle routes, sidewalks, crosswalks, corners, *etc.*)?	☒	☐
o Construction of multiple buildings where there is a potential for on-site receptors on buildings completed before the final build-out?	☐	☒
o The operation of several pieces of diesel equipment in a single location at peak construction?	☒	☐
o Closure of a community facility or disruption in its services?	☐	☒
o Activities within 400 feet of a historic or cultural resource?	☐	☒
o Disturbance of a site containing or adjacent to a site containing natural resources?	☐	☒
o Construction on multiple development sites in the same geographic area, such that there is the potential for several construction timelines to overlap or last for more than two years overall?	☒	☐
(b) If any boxes are checked "yes," explain why a preliminary construction assessment is or is not warranted based on the guidance in Chapter 22, "Construction." It should be noted that the nature and extent of any commitment to use the Best Available Technology for construction equipment or Best Management Practices for construction activities should be considered when making this determination. See Attachment B		

20. *APPLICANT'S CERTIFICATION*

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

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

APPLICANT/REPRESENTATIVE NAME	DATE
	2/23/21

SIGNATURE

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

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

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

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

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

2. Are there any aspects of the project relevant to the determination of whether the project may have a significant impact on the environment, such as combined or cumulative impacts, that were not fully covered by other responses and supporting materials? ☐ ☑

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 Deputy Director, Environmental Review and Assessment Division	LEAD AGENCY Department of City Planning on behalf of the City Planning Commission 120 Broadway, 31st Fl. New York, NY 10271 | 212.720.3493
NAME Stephanie Shellooe, AICP	DATE July 9, 2021
SIGNATURE	

NEGATIVE DECLARATION

Statement of No Significant Effect

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

Reasons Supporting this Determination

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

Land Use, Zoning, and Public Policy

A detailed analysis of land use, zoning, and public policy is included in the EAS. The applicant, ENY Community Residences LLC, is seeking approval for two discretionary actions (the "proposed actions") to facilitate the redevelopment of the applicant-owned project site at 749 Van Sinderen Avenue (Block 3865; Lot 9; Projected Development Site 1) in the East New York neighborhood of Brooklyn Community District (CD) 5. The proposed actions include a zoning map amendment to rezone Block 3865; Lots 6, 7, 9, 21, and portions of Lots 137, 138, 139, 140, 141, 142, 44, 45, 46, 46, 49, 150, and 151 (the "Proposed Rezoning Area") from an M1-1 district to a C4-4L district, and a zoning text amendment to Appendix F of the New York City Zoning Resolution (ZR) to map the Proposed Rezoning Area as a Mandatory Inclusionary Housing (MIH) area. The Proposed Rezoning Area is located on the block bounded by New Lots Avenue to the north, Snediker Avenue to east, Linden Boulevard to the south, and Van Sinderen Avenue to the west. Immediately west of the Proposed Rezoning Area is the elevated BMT Canarsie Line (L-Train) that connects Eighth Avenue in Chelsea to Canarsie Brooklyn. Approval of the proposed actions would facilitate new development on the applicant-owned Projected Development Site 1 (Block 3865; Lot 9). The three existing buildings would be demolished and replaced with a nine-story 111,201 gross square foot (gsf) mixed-use residential and commercial building containing 119 DUs , 25-30% of which would be affordable pursuant to MIH, and 11,015 gsf of ground floor retail space. Given the existing character of the surrounding area,the change in land use and zoning would not constitute a significant adverse impact.

Community Facilities

A detailed analysis of community facilities for childcare is included in the EAS. The proposed actions would not result in significant adverse impacts on community facilities. The proposed actions are not expected to generate more than 50 elementary and intermediate school students or 150 high school students, which are the CEQR Technical Manual thresholds for analysis, and therefore a detailed assessment of the potential impacts of the proposed actions on public schools is not warranted. The proposed actions would not result in the introduction of a sizeable new neighborhood and would therefore not result in a more than five percent increase in the ratio of residential units to libraries in Brooklyn. The 128 residential units facilitated by the proposed actions are expected to generate demand for 23 seats at publicly funded child care centers in the surrounding area. While existing publicly funded child care centers in the area would operate over capacity in the future with the proposed actions (with a utilization rate of 101.9 percent), the proposed actions would only increase the child care facility utilization rate by 1.1 percentage points. As the proposed actions would not result in a five percent or greater increase in the child care facility utilization rate, no significant adverse impacts to child care facilities would result, in accordance with the 2020 CEQR Technical Manual impact criteria.

Hazardous Materials, Air Quality, and Noise

An (E) designation (E-632) related to hazardous materials, air quality, and noise would be established as part of the approval of the proposed actions. Refer to "Determination of Significance Appendix: (E) designation" for the applicable (E) designation requirements. The hazardous materials, air quality, and noise analyses conclude that with the (E) designation in place, the proposed actions would not result in a significant adverse impact related to hazardous materials, air quality, or noise.

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

TITLE	LEAD AGENCY
Deputy Director, Environmental Assessment and Review Division	Department of City Planning on behalf of the City Planning Commission 120 Broadway, 31st Fl. New York, NY 10271 | 212.720.3328
NAME	DATE
Stephanie Shellooe, AICP	July 9, 2021
SIGNATURE 	

Project Name: 749 Van Sinderen Avenue Rezoning
CEQR # 21DCP147K
SEQRA Classification: Unlisted

TITLE Chair, City Planning Commission	
NAME Marisa Lago	DATE July 12, 2021
SIGNATURE	

Project Name: 749 Van Sinderen Avenue Rezoning
CEQR # 21DCP147K
SEQRA Classification: Unlisted

Determination of Significance Appendix

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

	Borough	Block and Lot
Projected Development Site 1	Bk	3865/9
Projected Development Site 2	Bk	3865/21
Projected Development Site 3	Bk	3865/ 6 and 7

(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-632) would be established as part of approval of the proposed actions on **Projected Development Sites 1, 2, and 3** as described below:

	Hazardous Materials	Air Quality	Noise
Projected Development Site 1	X	X	X
Projected Development Site 2	X	X	X
Projected Development Site 3	X	X	X

Hazardous Materials

The (E) designation requirements applicable to **Projected Development Sites 1, 2, and 3** 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.

Air Quality

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

Block 3865; Lot 9 (Projected Development Site 1): Any new residential or commercial development on the above-referenced property must exclusively use natural gas as the type of fuel for heating, ventilating, air conditioning (HVAC), and hot water system(s), ensure that the stack is located at the building's highest level or at least 98 feet above grade, and that the stack is located at least 135 feet from the southern lot line facing Linden Boulevard and at least 100 feet from the northern lot line facing New Lots Avenue to avoid any potential significant adverse air quality impacts.

Block 3865; Lot 21 (Projected Development Site 2): Any new residential or commercial development on the above-referenced property must exclusively use natural gas as the type of fuel for heating, ventilating, air conditioning (HVAC), and hot water system(s), ensure that the stack is located at the building's highest level or at least 98 feet above grade, and that the stack is located at least 28 feet from the southern lot line facing Linden Boulevard to avoid any potential significant adverse air quality impacts.

Block 3865; Lots 6 and 7 (Projected Development Site 3): Any new residential or commercial development on the above-referenced property must exclusively use natural gas as the type of fuel for heating, ventilating, air conditioning (HVAC), and hot water system(s) and must be fitted with low NOx (30 ppm) burners, ensure that the stack is located at the building's highest level or at least 98 feet above grade, and that the stack is located at least 20 feet from the northern lot line facing New Lots Avenue to avoid any potential significant adverse air quality impacts.

Noise

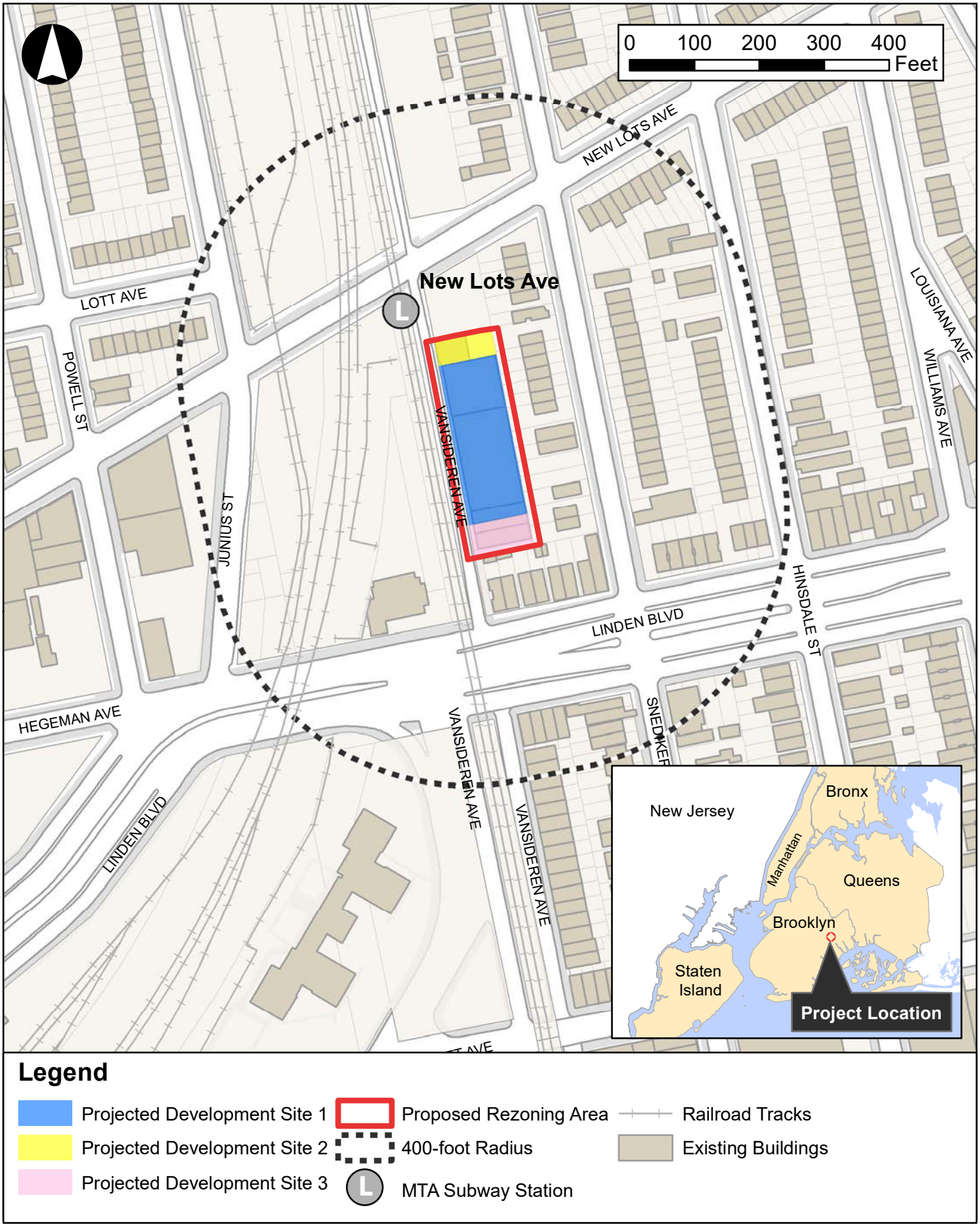
The (E) designation requirements for Noise would apply as follows:

Block 3865; Lot 9 (Projected Development Site 1): In order to ensure an acceptable interior noise environment, future residential uses must provide a closed window condition with a minimum of 31 dBA window/wall attenuation on facades facing Van Sinderen Avenue and the facades facing New Lots Avenue within 50 feet of Van Sinderen Avenue and the facades facing Linden Boulevard within 50 feet of Van Sinderen Avenue to maintain an interior noise level not greater than 45 dBA for residential uses as illustrated in the EAS. In order to maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, air conditioning

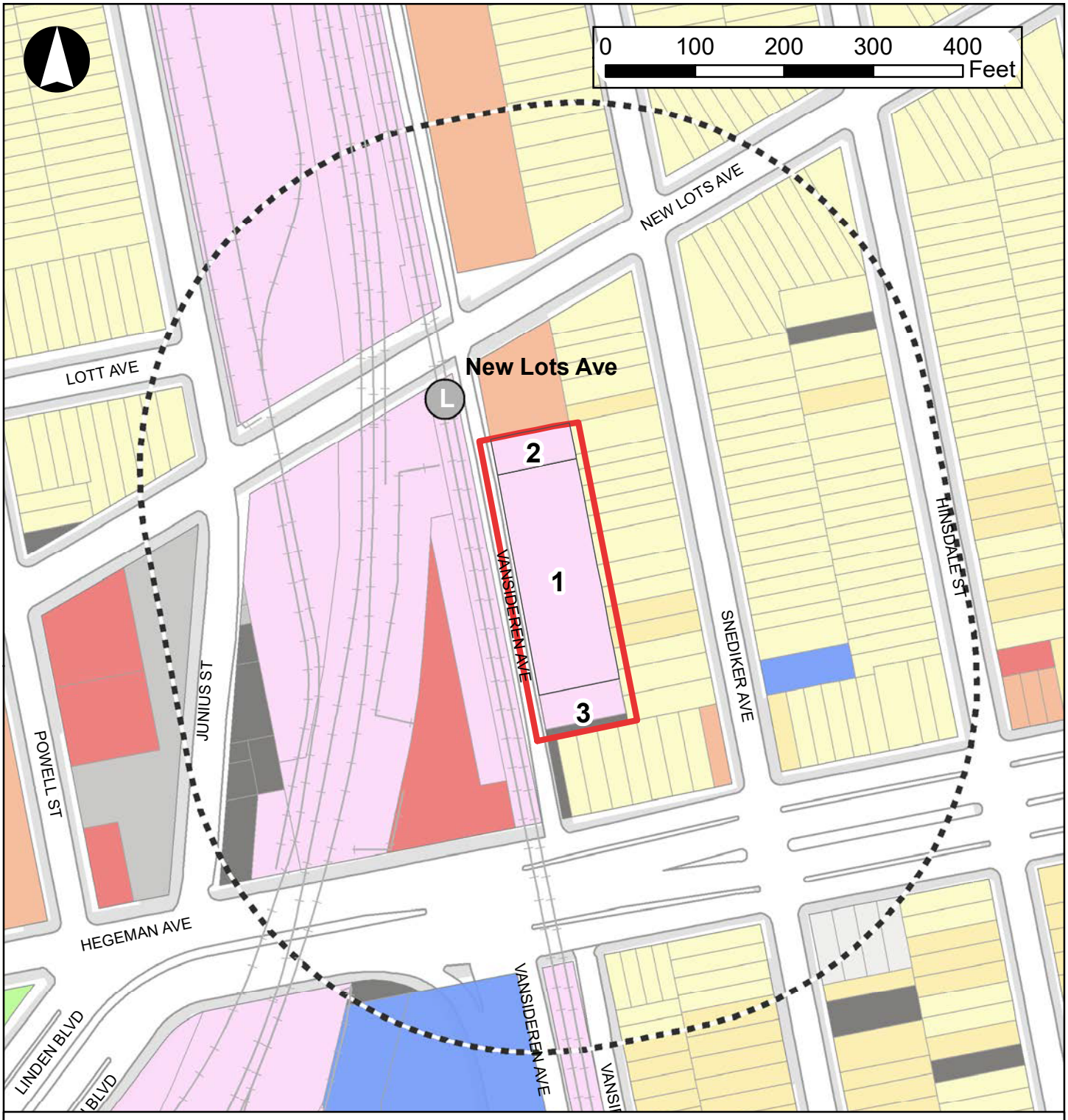
Block 3865; Lot 21 (Projected Development Site 2): In order to ensure an acceptable interior noise environment, future residential uses must provide a closed window condition with a minimum of 31 dBA window/wall attenuation on facades facing Van Sinderen Avenue and the facades facing New Lots Avenue within 50 feet of Van Sinderen Avenue and the facades facing Linden Boulevard within 50 feet of Van Sinderen Avenue to maintain an interior noise level not greater than 45 dBA for residential uses as illustrated in the EAS. In order to maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, air conditioning.

Block 3865; Lots 6 and 7 (Projected Development Site 3): In order to ensure an acceptable interior noise environment, future residential uses must provide a closed window condition with a minimum of 31 dBA window/wall attenuation on facades facing Van Sinderen Avenue and the facades facing New Lots Avenue within 50 feet of Van Sinderen Avenue and the facades facing Linden Boulevard within 50 feet of Van Sinderen Avenue to maintain an interior noise level not greater than 45 dBA for residential uses as illustrated in the EAS. In order to maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, air conditioning.

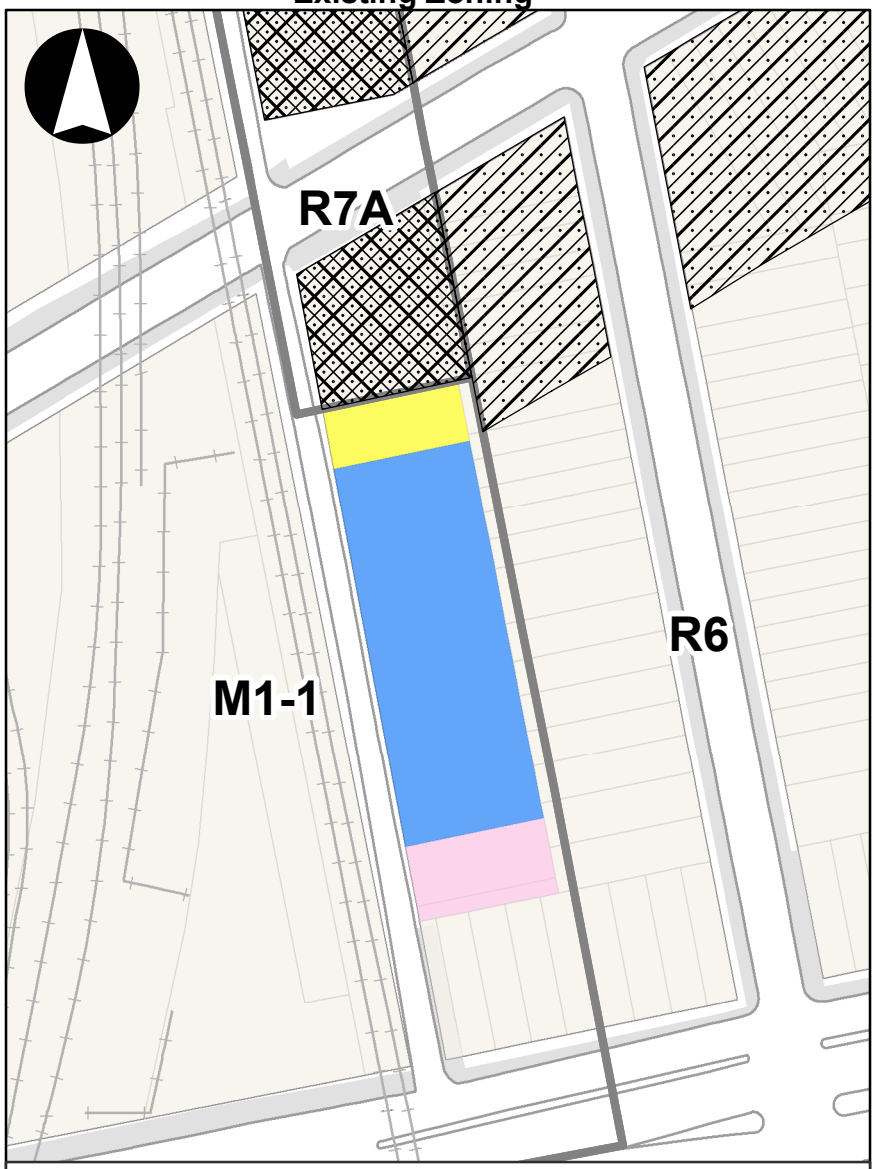
Figure 1
Project Location



Land Use Map


0
100
200
300
400
Feet
NEW LOTS AVE
LOTT AVE
New Lots Ave
L
2
1
3
VANSIDEREN AVE
SNEDIKER AVE
HINSDALE ST
JUNIUS ST
POWELL ST
HEGEMAN AVE
LINDEN BLVD
VANSIDEREN AVE
Legend
Proposed Rezoning Area
1 Projected Development Site 1
2 Projected Development Site 2
3 Projected Development Site 3
400-foot Radius
MTA Subway Station
Railroad Tracks
One & Two Family Buildings
Multi-Family Walkup Buildings
Multi-Family Elevator Buildings
Mixed Commercial/Residential Buildings
Commercial/Office Buildings
Industrial/Manufacturing
Transportation/Utility
Public Facilities & Institutions
Open Space
Parking Facilities
Vacant Land
All Others or No Data

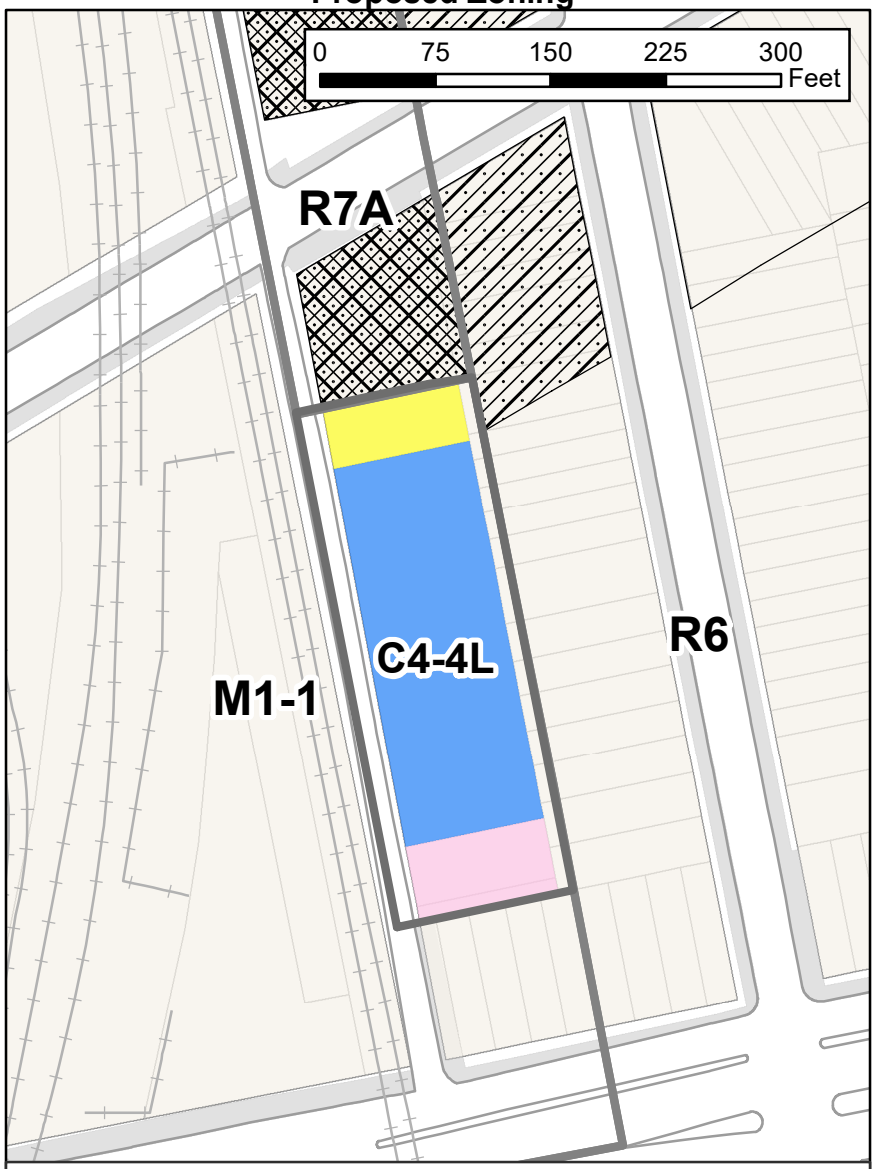
Existing Zoning



Legend

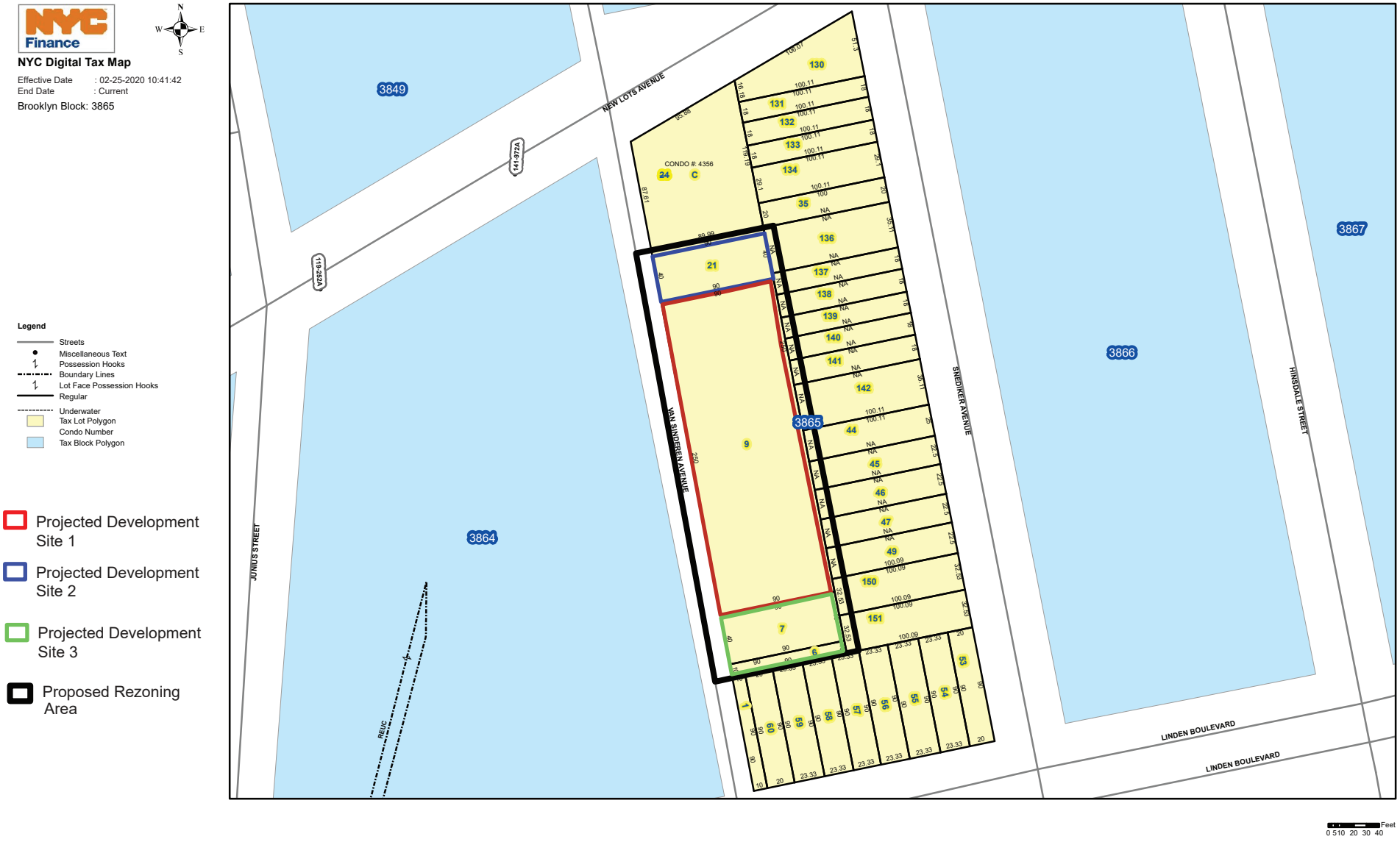
- Projected Development Site 1
- Projected Development Site 2
- Projected Development Site 3
- Zoning District
- C2-3 Overlay
- C2-4 Overlay

Proposed Zoning



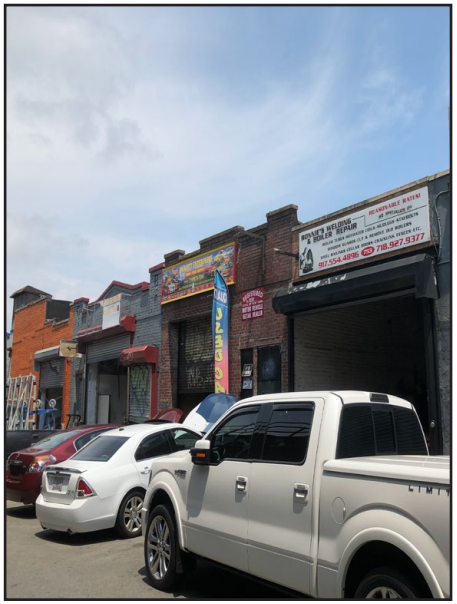
Legend

- Projected Development Site 1
- Projected Development Site 2
- Projected Development Site 3
- Zoning District
- C2-3 Overlay
- C2-4 Overlay

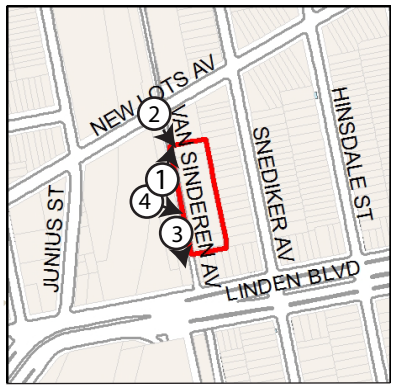


749 Van Sinderen Avenue EAS

Figure 4
Tax Map

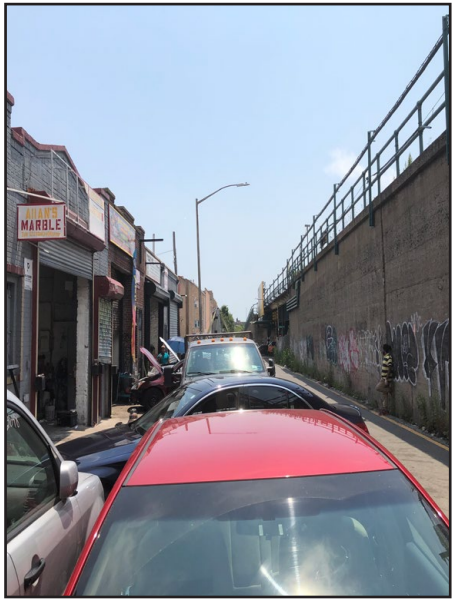


1) Looking north on Van Sinderen Avenue towards New Lots Avenue.





2) Looking southeast on Van Sinderen Avenue towards Linden Boulevard.



3) Looking south on Van Sinderen Avenue towards Linden Boulevard.



4) Looking east on Van Sinderen towards Snediker Avenue.

*Photos taken 07/8/2020

Attachment A

Project Description

I. INTRODUCTION

The Applicant, ENY Community Residences LLC, is seeking the approval of three discretionary actions (the "Proposed Actions") to facilitate the development of a nine-story mixed-use residential/commercial building in the East New York neighborhood of Brooklyn Community District (CD) 5. To facilitate this development, the Applicant requests the following: a zoning map amendment to change the existing M1-1 zoning district to the C4-4L zoning district for property bounded by a line 430 feet northerly of the intersection of Linden Avenue and Van Sinderen Avenue, a line midway between Van Sinderen Avenue and Snediker Avenue, and a line 90 feet northerly of the intersection of Linden Avenue and Van Sinderen Avenue in Brooklyn Community District 5 (collectively the "Proposed Rezoning Area" from M1-1 to C4-4L,a zoning text amendment to Appendix F of the New York City Zoning Resolution (ZR) to designate the Proposed Rezoning Area as a Mandatory Inclusionary Housing (MIH) Area, and financing from the NYC Department of Housing Preservation and Development (HPD) (refer to **Figure A-1**). Together, the approval of the Proposed Actions would facilitate the development of a nine-story, 111,201 gsf mixed-use residential/commercial building with 119 affordable DUs and 11,015 gsf of retail space at the applicant-owned site (Block 3865; Lot 9) ("Projected Development Site 1").

For CEQR analysis purposes, the Proposed Actions are also assumed to facilitate development on two other sites. At 719 Van Sinderen Avenue (Block 3865; Lot 21) ("Projected Development Site 2"), the proposed actions are assumed to result in the development of a nine-story 18,315 gsf mixed-used residential/commercial building containing 16 DUs (four affordable under the MIH Program) and 2,277 gsf of ground floor retail space. At 755 Van Sinderen Avenue (Block 3865; Lots 6 and 7) ("Projected Development Site 3"), the Proposed Actions are assumed to result in the development of a nine-story 22,894 gsf mixed-used residential/commercial building containing 20 DUs (five affordable under the MIH Program) and 2,846 gsf of ground floor retail space. Development at Projected Development Sites 2 and 3 is assumed to maximize the allowable height and bulk in the proposed C4-4L zoning district. There are no plans for Projected Development Sites 2 and 3 to be redeveloped at this time. As such, the analysis year for CEQR purposes will reflect a reasonable estimate of the time needed for developers to demolish the existing structures on the non-applicant lots, design the project, obtain design approvals, and construct the developments (approximately 6 years). Accordingly, the RWCDS assumes a 2027 build year.

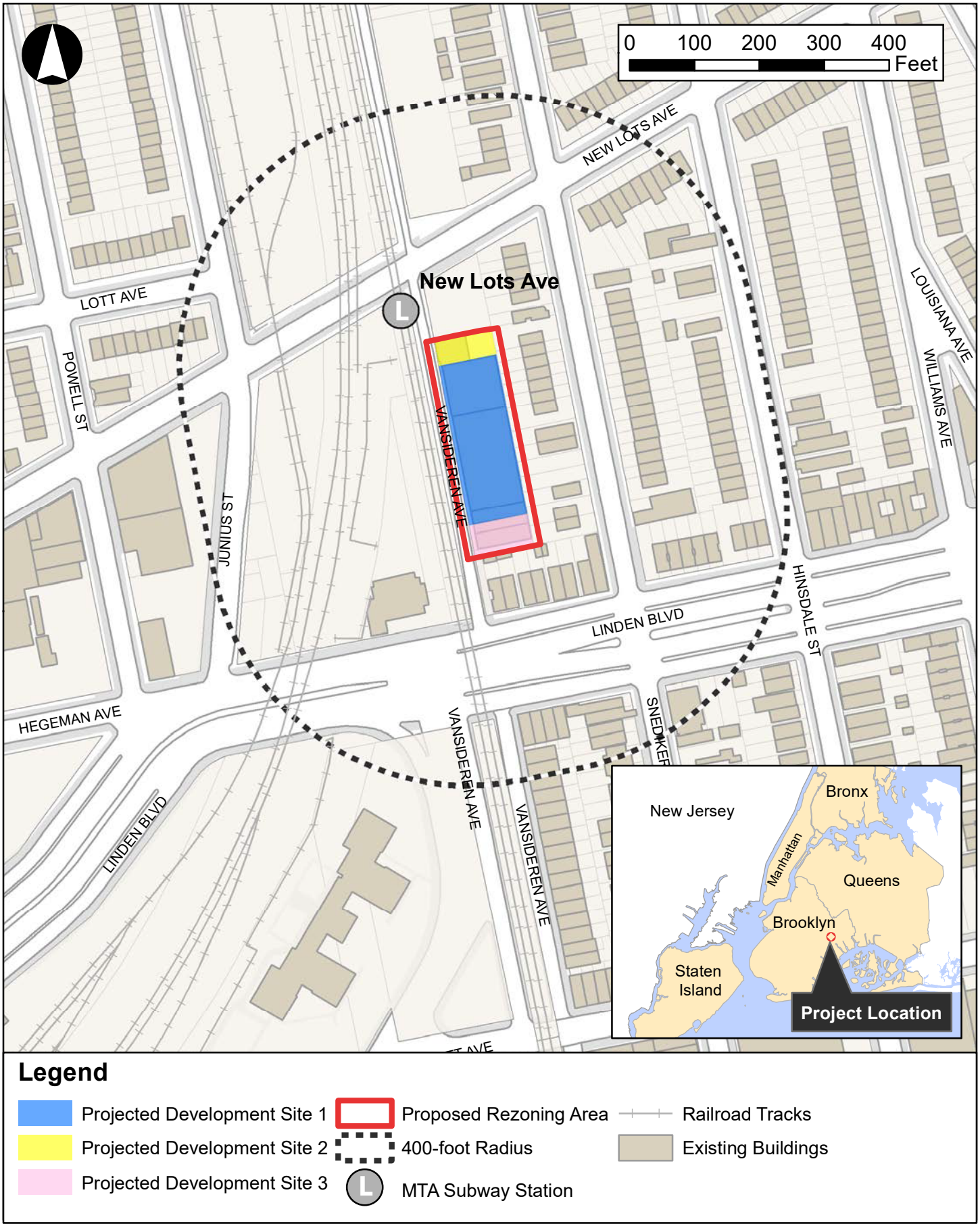
II. EXISTING CONDITIONS

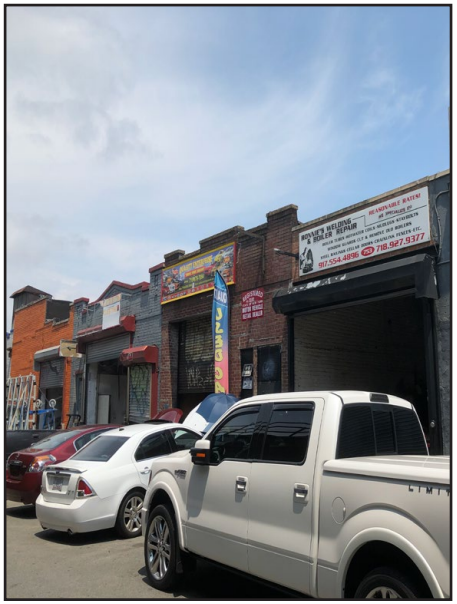
Proposed Rezoning Area

Projected Development Site 1 (Block 3865; Lot 9) occupies one interior lot with approximately 250 feet of frontage along Van Sinderen Avenue. Projected Development Site 1 has an area of approximately 22,500 sf and a built floor area of approximately 20,200 gsf/17,565 zsf (FAR 0.78). The applicant-owned site includes three one-story buildings occupied by automotive repair uses (refer to **Figure A-2**).

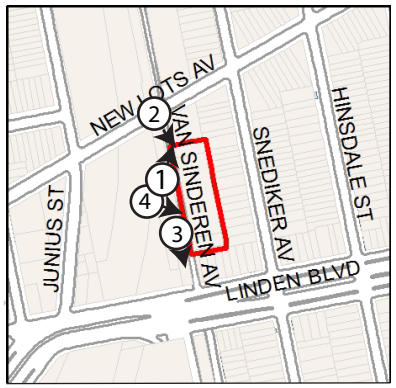
Projected Development Site 2 (Block 3865; Lot 21) occupies one interior lot with approximately 40 feet of frontage along Van Sinderen Avenue. The site has an area of approximately 3,600 sf and a built floor area of approximately 2,000 gsf/1,739 zsf (FAR 0.48). Projected Development Site 2 is currently occupied by a one-story building with a welding and auto machine shop.

Figure A-1
Project Location



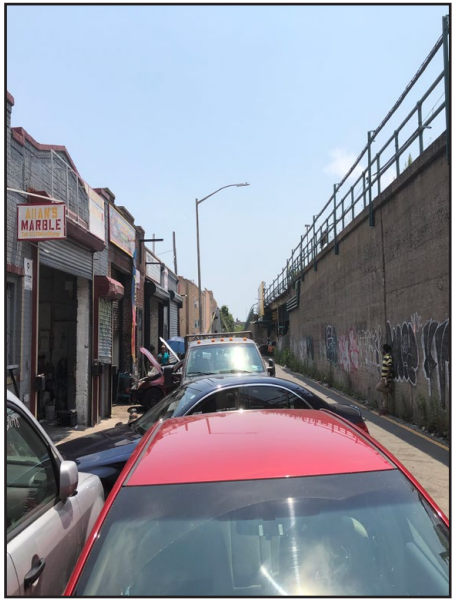


1) Looking north on Van Sinderen Avenue towards New Lots Avenue.





2) Looking southeast on Van Sinderen Avenue towards Linden Boulevard.



3) Looking south on Van Sinderen Avenue towards Linden Boulevard.



4) Looking east on Van Sinderen towards Snediker Avenue.

*Photos taken 07/8/2020

Projected Development Site 3 (Block 3865; Lots 6 and 7) consists of two interior lots. Lot 6 is a vacant 900 sf lot with approximately 10 feet of frontage along Van Sinderen Avenue. Lot 7 is an interior lot with approximately 40 feet of frontage along Van Sinderen Avenue. Lot 7 is approximately 3,600 sf and contains a one-story building with 3,400 gsf/2,957 zsf (0.82 FAR), which is occupied by a welding and boiler repair company.

The remainder of the Proposed Rezoning Area includes the rear portions of Block 3865; Lots 137, 138, 139, 140, 141, 142, 44, 45, 46, 46, 49, 150, and 151. These lots are interior lots occupied by residential uses varying in form and density. On Lot 136 is a two-story 1,332 gsf (0.38 FAR) one- or two-family residential building. Lots 137, 138, 139, 140, and 141 each contain a two-story 1,332 gsf (0.74 FAR) attached one- or two-family residential building. On Lot 142 is a two-story 1,332 gsf (0.38 FAR) semi-attached one- or two-family residential building. Lot 44 contains a two-story 2,000 gsf (0.80 FAR) semi-attached one- or two-family residential building. Lot 45 includes a two-story 2,750 gsf (1.22 FAR) semi-attached one- or two-family residential building. Lots 46 and 47 each contain a three story 2,250 gsf (1.73 FAR) multi-family walkup building. Lot 49 includes a two-story 1,750 gsf (0.76 FAR) detached one- or two-family residential building. Finally, Lots 150 and 151 each contain a two-story, semi-detached 1,332 gsf (0.41 FAR) one- or two-family residential building.

The entire Proposed Rezoning Area is currently zoned M1-1. M1 districts are light manufacturing districts that often serve as buffers between M2 or M3 districts and adjacent residential or commercial districts. Almost all industrial uses can be located in M1 districts if they meet the stringent M1 performance standards. Offices and most retail uses are also permitted. Certain community facilities, such as hospitals, are allowed in M1 districts only by special permit, but houses of worship are allowed as-of-right. M1-1 districts allow a maximum Floor Area Ratio (FAR) of 1.0. Developments including community facility uses can achieve a maximum FAR of 2.4. M1-1 districts are subject to parking requirements based on the type of use and size of an establishment. The maximum height in the M1 district is governed by the sky exposure plane. The sky exposure plane begins above 30 feet or two-stories, whichever is less.

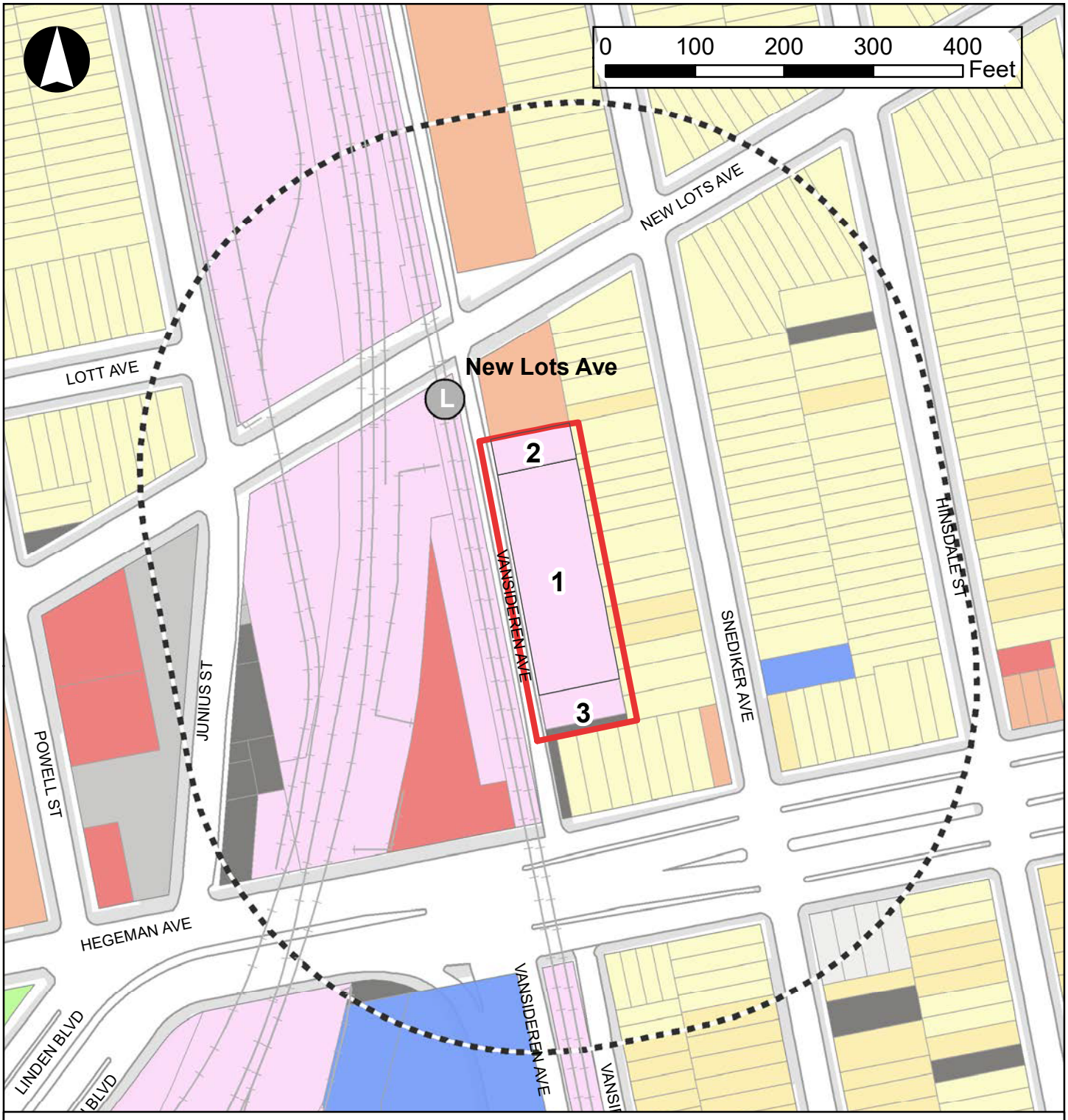
Surrounding Area (400-foot Radius)

Land Use

As shown in **Figure A-3**, the area surrounding the Projected Development Sites is predominantly residential. Residential uses are primarily one- and two-family buildings on side streets east of the Proposed Rezoning Area. At the intersection of New Lots Avenue and Van Sinderen Avenue are two mixed-use commercial and residential buildings that comprise Van Sinderen Plaza, an HPD project that features 130 affordable rental units and approximately 27,024 gsf of retail and community space. The area along Van Sinderen Avenue is primarily utilized for transportation/utility purposes. Along Van Sinderen Avenue is the elevated BMT Canarsie Line (L-Train) that connects Eighth Avenue in Chelsea Manhattan to Canarsie Brooklyn. Community facility uses in the surrounding area include Harvest Time Zion Church on Snediker Avenue and Flatlands Family Residence at the intersection of Linden Boulevard and Avenue D.

The Proposed Rezoning Area is well-served by mass transit and is located approximately 50 feet from the New Lots Avenue station of the BMT Canarsie Line (L-Train). The B15 MTA bus operates east-west through the study area on New Lots Avenue to the south of the Proposed Rezoning Area.

Land Use Map


0
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Feet
NEW LOTS AVE
LOTT AVE
New Lots Ave
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3
VANSIDEREN AVE
SNEDIKER AVE
HINSDALE ST
JUNIUS ST
POWELL ST
HEGEMAN AVE
LINDEN BLVD
VANSIDEREN AVE
Legend
Proposed Rezoning Area
1 Projected Development Site 1
2 Projected Development Site 2
3 Projected Development Site 3
400-foot Radius
L MTA Subway Station
Railroad Tracks
One & Two Family Buildings
Multi-Family Walkup Buildings
Multi-Family Elevator Buildings
Mixed Commercial/Residential Buildings
Commercial/Office Buildings
Industrial/Manufacturing
Transportation/Utility
Public Facilities & Institutions
Open Space
Parking Facilities
Vacant Land
All Others or No Data

Zoning

As shown in **Figure A-4**, the study area is primarily zoned R6 and M1-1 (refer to description on M1-1 districts provided in above discussion of Proposed Rezoning Area), though other zoning districts also exist. R6 districts allow for medium-density residential (Use Groups 1 and 2) and community facility uses (Use Groups 3 and 4). R6 districts permit a maximum FAR of 2.43 for non-contextual residential uses and 4.80 FAR for community facility uses. Commercial and industrial/manufacturing uses are not permitted. Non-contextual developments in the R6 district do not have a maximum height restriction. Instead, a development's maximum height is governed by the sky exposure plane above a maximum base height of 60 feet. Quality housing contextual regulations are optional within the R6 district.

The area to the north of the Proposed Rezoning Area is zoned R7A/C2-4. The R7A district is a medium density contextual residential district that permits a maximum residential[1] and community facility FAR of 4.0. The R7A district permits a 40-foot minimum and 75-foot maximum base height. After a 10 or 15-foot setback from the streetwall on wide or narrow streets, respectively, developments in the R7A district can reach a maximum height of 85 feet[2].

III. THE PROPOSED ACTIONS

The following discretionary approvals are requested from the CPC: (1) a zoning map amendment to rezone portions of a M1-1 district to a C4-4L district; and a (2) zoning text amendment to Appendix F of the ZR to map a MIH area. These actions are described in greater detail below.

Zoning Map Amendment

The proposed C4-4L district (Block 3865; Lots 6, 7, 9, and 21 and portions of Lots 137, 138, 139, 140, 141, 142, 44, 45, 46, 46, 49, 150, and 151) would be mapped to a depth of 95' from Van Sinderen Avenue with the northernmost point being the northern property line of Block 3865, Lot 21; the westernmost boundary would be located on the centerline of Van Sinderen Avenue, and the southernmost boundary would be along the southern property line of Block 3865, Lot 6. The rezoning of the existing M1-1 district would allow residential uses that are not permitted under the existing zoning, and commercial and community facility uses at a greater bulk and density compared to existing/No-Action conditions. Manufacturing uses would not be permitted in the proposed C4-4L district.

Zoning Text Amendment

The zoning text amendment to Appendix F of the ZR is proposed to establish the proposed C4-4L district as a MIH area. Any new development on the Projected Development Sites would adhere to the MIH regulations.

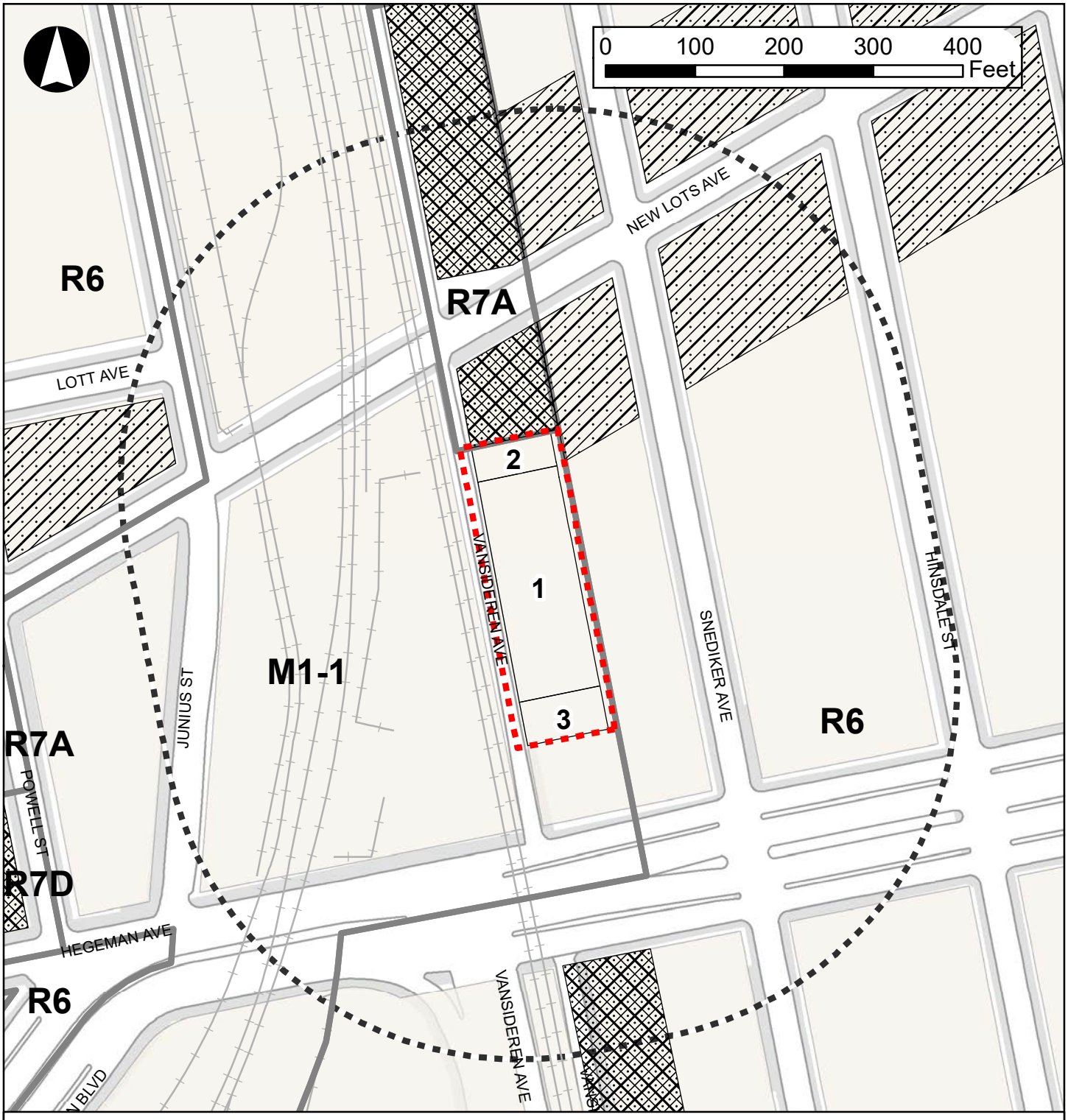
Additional Actions Not Subject to ULURP

Public Financing

It is the Applicant's intention to provide 119 affordable dwelling units within the Proposed Development. These DUs is requesting financing through the NYC Housing and Preservation and Development (HPD)'s

[1] Maximum residential FAR can increase from 4.0 to 4.6 through participation in the Inclusionary Housing Program.
[2] Maximum height can increase to 95 feet through participating in the Inclusionary Housing Program.

Figure A-4
Zoning Map



Legend

1	Projected Development Site 1	400-foot Radius	C1-1	C1-4	C2-2	C2-5		
2	Projected Development Site 2	Railroad Tracks	C1-2	C1-5	C2-3			
3	Projected Development Site 3	Zoning District	C1-3	C2-1	C2-4			
	Proposed Rezoning Area							

Extremely Low- and Low Income Affordability (ELLA) Program where the DUs will be reserved for individuals earning 60% of the Area Median Income (AMI) and below.

IV. PURPOSE AND NEED FOR THE PROPOSED ACTIONS

The proposed actions are intended to facilitate a new residential development containing income-restricted units, on a site currently occupied by automotive repair and welding/fabrication shops. The purpose and need of each of the actions are discussed below:

Zoning Map Amendment

Under the current M1-1 zoning district, sites within the Proposed Rezoning Area are restricted to light industrial uses (Use Group 17), general services (Use Group 16), commercial uses (Use Group 5 through 14) and specific community facilities (Use Group 4), and limited to a total FAR of 1.0. The proposed zoning map amendment, which would rezone the Projected Development Sites as C4-4L, would allow the applicant to develop residential uses up to a maximum FAR of 4.60, and would therefore facilitate the proposed residential and ground floor local retail uses. The proposed zoning map amendment, and subsequent development, would allow for new mixed-use residential and local retail uses on an underutilized site in a predominantly residential neighborhood with an increasingly residential character on Van Sinderen Avenue. The proposed C4-4L zoning district was developed for areas that are adjacent to elevated subway tracks, such as the Proposed Rezoning Area. The C4-4L zoning district mandates a five-foot setback along the property line in order to setback any potential buildings from these elevated tracks. The proposed project would create new affordable housing consistent with the City's Mandatory Inclusionary Housing (MIH) program. The development achieved as a result of the proposed zoning map amendment would enliven the streetscape with new ground floor local retail uses and eliminate vehicles from automotive repair shops from parking on adjacent sidewalks.

Zoning Text Amendment

As part of the city's Mandatory Inclusionary Housing (MIH) program, land use actions involving the creation of new housing in medium- and high-density districts would be required to provide a percentage of their total number of dwelling units as income-restricted. Since the Applicant is proposing to map a new zoning district that would permit new residential use, the Proposed Development is subject to the requirements of MIH. The applicant is therefore proposing a zoning text amendment to Appendix F of the *Zoning Resolution of the City of New York,* to designate the Propose Rezoning Area as an MIH Area, subject to the requirements of either Option 1 or Option 2 of the MIH program. Subsequently, the applicant would be required to build either at least 25 percent of the residential floor area for residents averaging 60 percent AMI (Option 1), or at least 30 percent of the residential floor area for residents with incomes averaging 80 percent AMI (Option 2), with no unit targeted at a level exceeding 130 percent AMI.

V. DESCRIPTION OF THE PROPOSED DEVELOPMENT

Approval of the Proposed Actions would allow for the development of a nine-story (95-foot-tall), 111,201 gsf (103,500 zsf), mixed-use residential and commercial building on the applicant-owned Projected Development Site 1 (the "Proposed Development"). The Proposed Development would include 119 permanently affordable DUs and 11,015 gsf of ground floor local retail space. In compliance with the requested C4-4L zoning district, the Proposed Development would setback approximately five feet from

the property line. The Proposed Development would reach a maximum base height of 75 feet before setting back from the streetwall. The Proposed Development would reach a maximum height of 95 feet. **Figures A-5** and **A-6** depict the Proposed Development's building section and ground floor plan, respectively.

VI. ANALYSIS FRAMEWORK

The proposed actions would change the regulatory controls governing land use and development within the Proposed Rezoning Area. The *CEQR Technical Manual* will serve as the general guide on the methodologies and impact criteria for evaluating the proposed actions' potential effects on the various environmental areas of analysis. This Environmental Assessment Statement (EAS) assesses the reasonable worst-case impacts that may occur as a result of the proposed actions.

Analysis Year

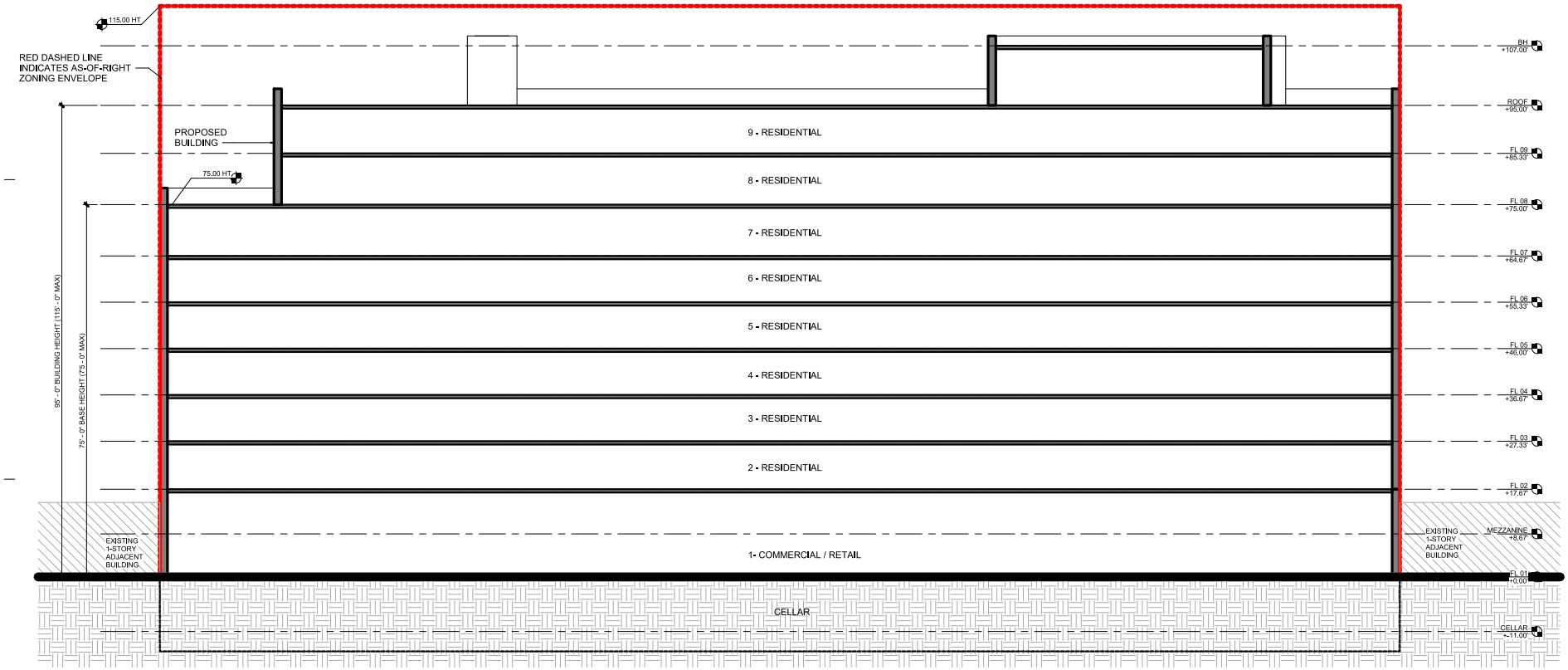
Development of the Proposed Development on the applicant-owned site (Lot 9) would occur in a single phase and would commence as soon as all necessary public approvals are granted. Construction is expected to last between 18 to 24 months and be completed by 2023. Completion of the Proposed Development accounts for the completion of the Uniform Land Use Review Procedure (ULURP) process (approximately seven months) and an 18- to 24- month construction process. As there are currently no plans for redevelopment at Projected Development Sites 2 and 3, completion of any new building on those two sites is not anticipated until 2027, which accounts for completion of the ULURP process (approximately seven months), preparation of building designs and procurement of construction financing (approximately two to three years), and an approximately 18-month construction process per building beginning in mid-2025. Therefore, the RWCDS will use a 2027 Build year for analysis purposes, which would account for completion of the applicant's proposed development as well as the projected development assumed on the two non-applicant sites. As the analysis framework assumes completion of the RWCDS by 2027, its environmental setting is not the current environment, but the future environment. The technical analyses assess current conditions and forecast these conditions to the expected 2027 Build year for the purposes of determining potential impacts. Each attachment of the EAS will provide a description of the "Existing Condition" and assessment of future conditions without the Proposed Actions (No-Action Scenario) and with the Proposed Actions (With-Action Scenario).

Reasonable Worst-Case Development Scenario (RWCDS)

In order to assess the possible effects of the proposed actions, a RWCDS for the proposed actions was established for both the future No-Action and With-Action conditions. The incremental difference between the No-Action and With-Action conditions will serve as the basis of the impact category analyses of the EAS. The EAS will assess impacts through two With-Action Scenarios, each of which are discussed in further detail below.

Development Site Criteria

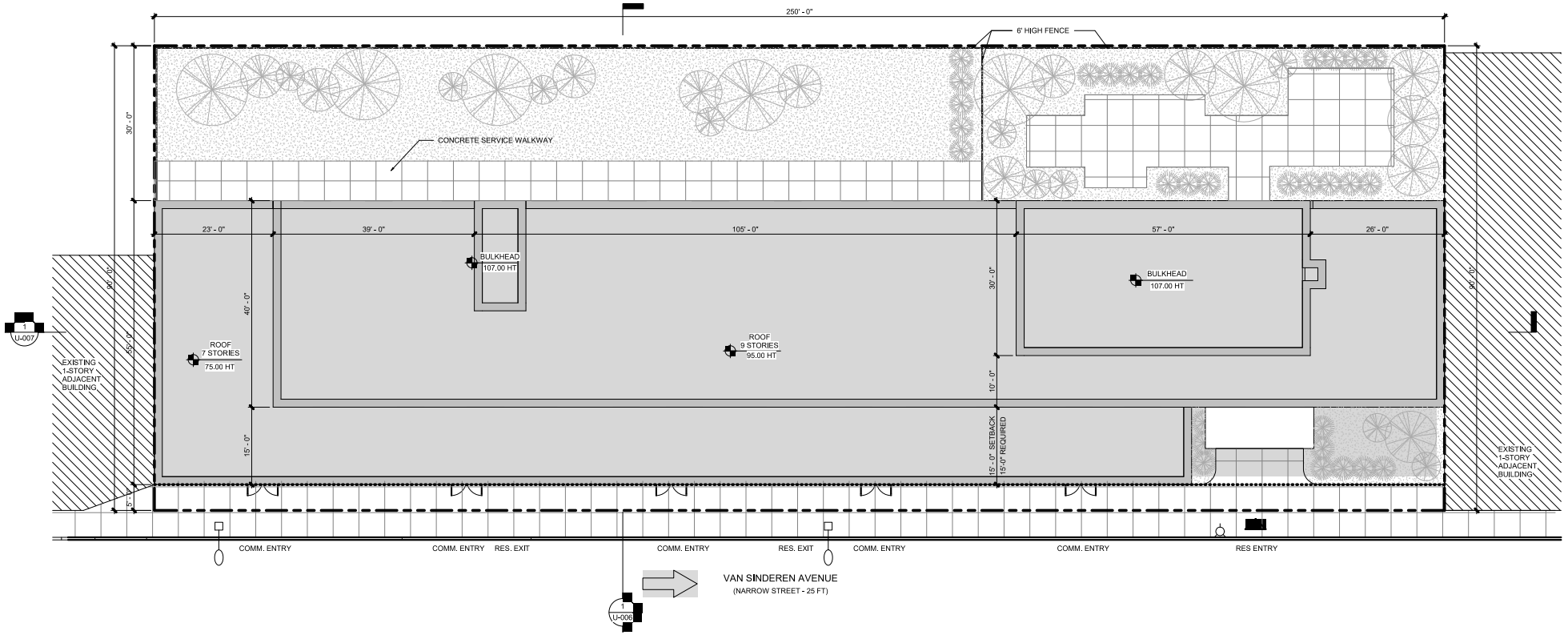
Pursuant to the *CEQR Technical Manual*, several factors were considered in projecting the amount and timing of new development on the non-applicant owned lots within the Proposed Rezoning Area. These include known development proposals, past development trends, and the development site criteria described below. The first step in establishing the RWCDS was to identify those sites where new development could reasonably occur as a result of the proposed actions.



749 Van Sinderen Avenue EAS

Figure A-5

Proposed Development - Section



749 Van Sinderen Avenue EAS **Figure A-6**

Proposed Development - Ground Floor Plan

According to the *CEQR Technical Manual* the following factors, commonly referred to as "soft site criteria," are generally considered when evaluating whether some amount of development would likely be constructed by the build year as a result of the proposed actions:

- The uses and bulk allowed: Lots located in areas where changes in use would be permitted and/or contain buildings built to substantially less than the maximum allowable FAR under the existing zoning are considered "soft" enough such that there would likely be sufficient incentive to develop in the future, depending on other factors specific to the area (e.g., the amount and type of recent as-of-right development in the area, recent real estate trends, site specific conditions that make development difficult, and issues relating to site control or site assemblage that may affect redevelopment potential); and

- Size of the development site: Lots must be large enough to be considered "soft." Generally, lots with a small lot size are not considered likely to be redeveloped, even if currently built to substantially less than the maximum allowable FAR. A small lot is often defined for this purpose as 5,000 square feet or less, but the lot size criteria is dependent on neighborhood specific trends, and common development sizes in the study area should be examined prior to establishing these criteria.

However, the following uses and types of buildings that meet the soft site criteria are typically excluded from development scenarios because they are unlikely to be redeveloped as a result of the proposed project:

- Full block and newly constructed buildings with utility uses, as these uses are often difficult to relocate;

- Lots where construction is actively occurring, or has recently been completed, as well as lots with recent alterations that would have required substantial capital investment, unless recently constructed or altered lots were built to less than or equal to half of the maximum allowable FAR under the proposed zoning;

- Lots whose location or irregular shape would preclude or greatly limit future as-of-right development. Generally, development on irregular lots does not produce marketable floor space;

- Long-standing institutional uses with no known development plans; or

- Residential buildings with six or more units constructed before 1974. These buildings are likely to be rent-stabilized and difficult to legally demolish due to tenant re-location requirements.

Three non-applicant owned sites (Lots 6, 7, and 21) are entirely located within the Proposed Rezoning Area. Each of these lots is underbuilt pursuant to the proposed C4-4L zoning district at 0.0, 0.82, and 0.48 FAR, respectively. Lots 6 and 7 are adjacent to one another and are under common ownership (753 Van Sinderen Avenue LLC) with a combined lot area of 4,500 sf. As these sites meet the criteria of "soft sites" presented above, each of these sites will be analyzed as a projected development site for environmental analysis purposes (Projected Development Sites 2 and 3, respectively).

The remaining lots in the Proposed Rezoning Area (Lots 137, 138, 139, 140, 141, 142, 44, 45, 46, 46, 49, 150, and 151) would have the proposed C4-4L district mapped to a depth of only five feet. Because the proposed C4-4L district would only cover a small portion of these lots (refer to **Figure A-7**), these lots are not expected to be redeveloped as a result of the proposed actions.

Future without the Proposed Actions (No-Action Condition)

In the future without the proposed actions, the rezoning would not take place and the Applicant would not proceed with the Proposed Development. All existing buildings within the Proposed Rezoning Area would remain in their existing form.

Future with the Proposed Actions (With-Acton Condition)

In the 2027 future with the Proposed Actions, a nine-story (95-foot-tall) mixed-use residential and commercial building would be constructed on the applicant-owned Projected Development Site 1. The building would be occupied with 119 affordable DUs and 11,015 gsf of ground floor local retail space. On Projected Development Site 2, a nine-story (95-foot-tall) mixed use residential and commercial building would be constructed. The building would include 16 DUs (four affordable DUs) and 2,277 gsf of local retail space. Finally, on Projected Development Site 3 a nine-story (95-foot-tall) building is assumed to be constructed, containing 20 DUs (five affordable DUs) and 2,846 gsf of local retail space. As shown in Table A-1, the developments on Projected Development Sites 1, 2, and 3 would introduce a total of 430 new residents and 29 additional workers to the Proposed Rezoning Area under RWCDS, compared to the No-Action scenario. As shown below in Table A-1, the RWCDS for the analysis includes an increase of 155 DUs, 16,138 gsf of local retail space, and a 25,600 gsf reduction in light manufacturing space.

Table A-1: Comparison of No-Action and With-Action Development Scenarios

Use	No-Action Scenario	With-Action Scenario	Increment
Residential	-	155 units (136,272 gsf)	**+156 units (+136,272 gsf)**
Commercial – Local Retail	-	16,138 gsf	**+16,138 gsf**
Light Manufacturing	25,600 gsf	-	**- 25,600 gsf**
Population/Employment[1]	**No-Action Scenario**	**With-Action Scenario**	**Increment**
Residents	0 residents	430 residents	**+430 residents**
Workers	26 workers	55 workers	**+29 workers**

Notes:
[c] Assumed based on the average household size of the East New York (Pennsylvania Avenue) Neighborhood Tabulation Area (NTA) of 2.77 (ACS 2014-2018 5-Year data), as well as one worker per 333 sf of retail space and one worker per 1,000 sf of automotive repair space.

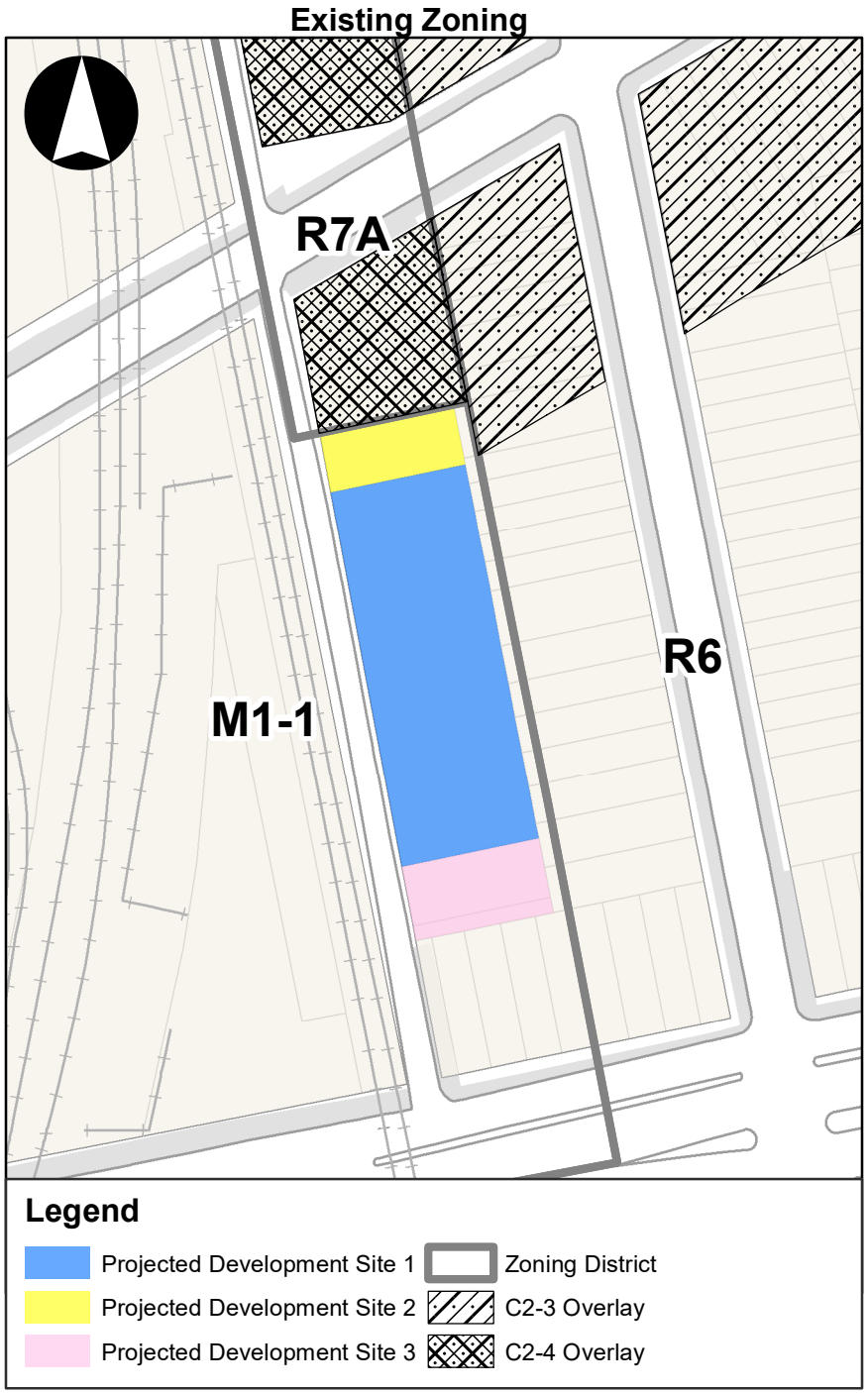
VII. REQUIRED APPROVALS

The proposed actions are subject to the City's land use and environmental review processes, described below.

Uniform Land Use Review Procedure

The City's Uniform Land Use Review Procedure (ULURP), mandated by Sections 197-c and 201 of the City Charter, is a process specifically designed to allow public review at four levels: the Community Board, the Borough President, the CPC, and the City Council. The procedure sets time limits at each review, with a maximum period of approximately seven months.

The process begins with DCP certification that the land use application is complete. The application is then referred to the Community Board in which the project takes place (for the proposed project, Brooklyn Community Board 5). The Community Board has up to 60 days to review the proposal, hold a public



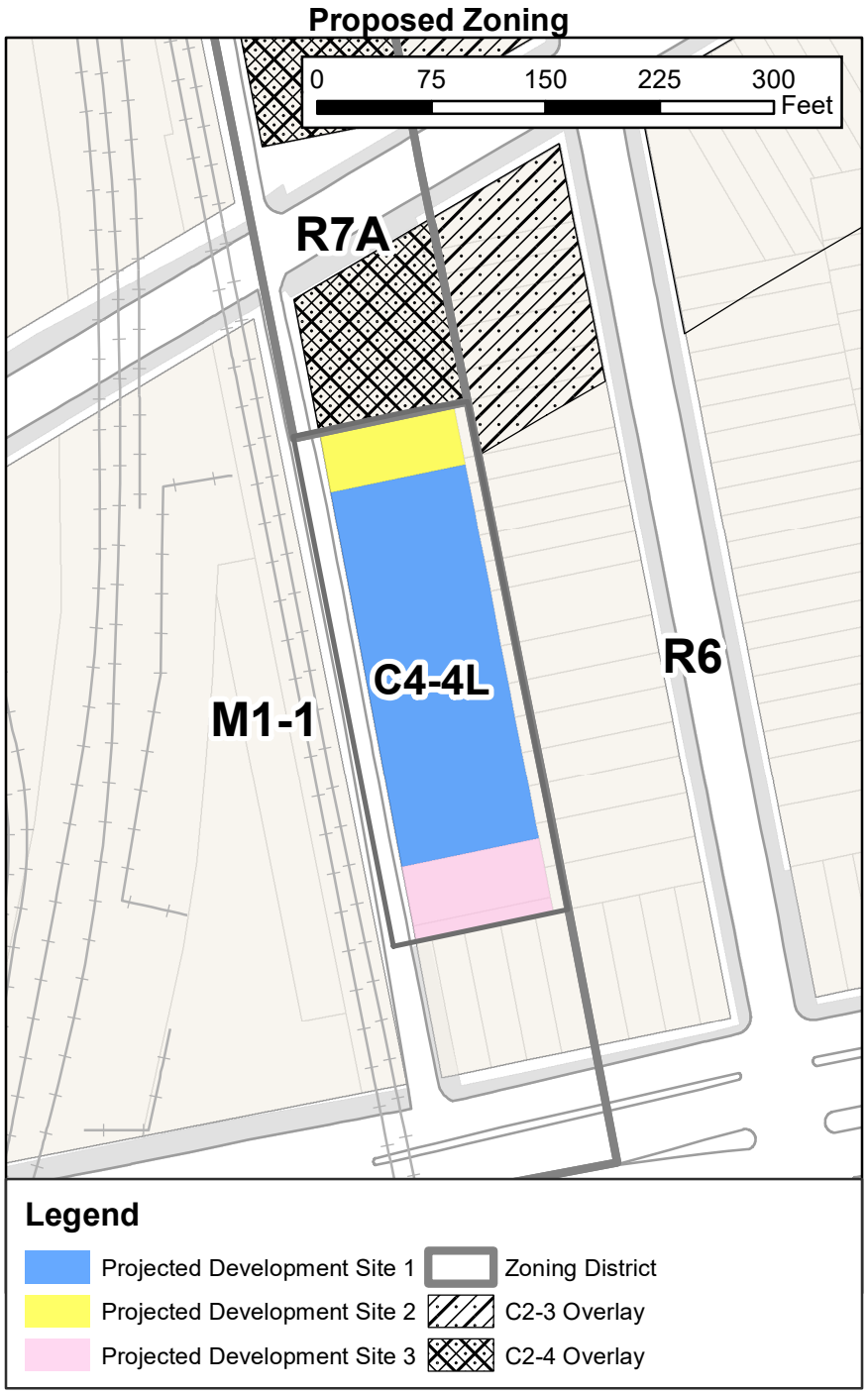


Figure A-7
Existing & Proposed Zoning

hearing, and adopt a resolution regarding the proposal. Next, the Borough President has up to 30 days to perform the same steps. The CPC then has up to 60 days, and, during that time, a ULURP public hearing is held. The CPC then forwards the application to the City Council. Following the Council's vote, the Mayor, at his discretion, may choose to veto the action. The City Council can override that veto.

Environmental Review

The proposed actions are subject to CEQR. CEQR is a process by which agencies review discretionary actions for the purpose of identifying the effects those actions may have on the environment. The CEQR process requires City agencies to assess, disclose, and mitigate to the greatest extent practicable the significant environmental consequences of their decisions to fun, directly undertake, or approve a project. DCP, acting on behalf of the CPC, is the lead agency for the proposed actions.

Attachment B

Supplemental Screening

I. INTRODUCTION

This Environmental Assessment Statement ("EAS") has been prepared in accordance with the guidance and methodologies presented in the 2020 *City Environmental Quality Review ("CEQR") Technical Manual*. For each technical area, thresholds are defined, which if met or exceeded, require that a detailed technical analysis be undertaken. Using this guidance, preliminary screening assessments were conducted for the proposed actions; to determine whether detailed analysis of any technical area may be appropriate. Part II of the EAS Form identifies those technical areas that warrant additional assessment. For those technical areas that warranted a "Yes" answer in Part II of the EAS Form (refer to Table B-1), supplemental screening assessments of these technical areas are provided in this attachment. The remaining technical areas detailed in the 2020 *CEQR Technical Manual* were not deemed to require supplemental screening because they do not trigger initial *CEQR* thresholds and/or are unlikely to result in significant adverse impacts.

The supplemental screening assessments contained herein identified that additional analyses of Land Use, Zoning, and Public Policy, Community Facilities, Open Space, Urban Design and Visual Resources, Transportation, and Noise are required. These analyses are provided in **Attachments C, D, E, F, G and H** respectively. Table B-1 presents a summary of analysis screening information for the proposed actions.

As described in detail in **Attachment A, "Project Description,"** the Applicant is requesting to rezone Block 3865; Lots 6, 7, 9, and 21 and portions of Lots 137, 138, 139, 140, 141, 142, 44, 45, 46, 46, 49, 150, and 151 from M1-1 to C4-4L as well as a zoning text amendment to Appendix F of the New York City Zoning Resolution (ZR) to designate the Proposed Rezoning Area as a Mandatory Inclusionary Housing (MIH) Area. In addition to the Applicant's Proposed Development, for CEQR analysis purposes, it is also assumed that the proposed actions would facilitate development on two other Projected Development Sites. On Projected Development Site 2 (Lot 21), the proposed actions are projected to result in the development of an 18,315-gsf mixed-use residential and commercial building containing 16 DUs (four of which would be affordable under the MIH Program) and 2,277 gsf of local retail space. On Projected Development Site 3 (Lots 6 and 7), the proposed actions are projected to result in the development of a 22,894-gsf mixed-used residential and commercial building containing 20 DUs (five affordable units under the MIH Program) and 2,846 gsf of local retail space. The projected developments are expected to be constructed, occupied, and fully operational by 2027.

Table B-1: Summary of CEQR Technical Areas Screening

CEQR TECHNICAL AREA	SCREENED OUT PER EAS FORM	SCREENED OUT PER SUPPLEMENTAL SCREENING	ANALYSIS REQUIRED
Land Use, Zoning, & Public Policy			X
Socioeconomic Conditions	X		
Community Facilities			X
Open Space			X
Shadows		X	
Historic & Cultural Resources		X	
Urban Design & Visual Resources			X
Natural Resources		X	
Hazardous Materials		X	
Water and Sewer Infrastructure	X		
Solid Waste & Sanitation Services	X		
Energy	X		
Transportation - Traffic & Parking - Transit - Pedestrians		 X X 	 X
Air Quality - Mobile Sources - Stationary Sources		 X X	
Greenhouse Gas Emissions	X		
Noise			X
Public Health		X	
Neighborhood Character		X	
Construction		X	

II. LAND USE, ZONING, AND PUBLIC POLICY

A detailed assessment of land use and zoning is appropriate if the proposed actions would result in a significant change in land use or would substantially affect regulations or policies governing land use. An assessment of zoning is typically performed in conjunction with a land use analysis when the action would change the zoning on the site or result in the loss of a particular use. As the proposed actions include zoning map and text amendments, an assessment of land use, zoning, and public policy is warranted and is provided in **Attachment C, "Land Use, Zoning, and Public Policy."**

As presented in **Attachment C "Land Use, Zoning, and Public Policy,"** no significant adverse impacts on land use, zoning, or public policy, as defined by the guidance for determining impact significance set forth in the *CEQR Technical Manual*, are anticipated in the 2027 future with the proposed actions in the primary and secondary study areas. Compared to the future without the proposed actions, RWCDS would introduce new residential and commercial uses in the Proposed Rezoning Area that would be compatible with adjacent land uses, specifically with new mixed-used development to the north. The proposed actions would not directly displace any land uses so as to adversely affect surrounding land uses, nor would the proposed actions generate land uses that would be incompatible with land use, zoning, or public policy in the secondary study area, or cause a substantial number of existing structures to become nonconforming. The proposed actions would not result in land uses that conflict with public policies applicable to the primary or secondary study areas.

III. COMMUNITY FACILITIES

Potential direct or indirect effects of a proposed action can trigger the need for analysis of community facilities. Direct effects occur if a project would "physically alter a community facility, whether by displacement or other physical change." Indirect effects occur if a project would add population to an area, which may potentially affect service delivery. While no community facilities would be directly displaced by the proposed actions and subsequent development, the proposed actions would facilitate the development of up to 155 residential units (including 128 affordable DUs). The *CEQR Technical Manual* provides density thresholds, which are used to make an initial determination of whether detailed studies are necessary to determine potential indirect impacts. These density thresholds are summarized in Table B-2.

Table B-2: Preliminary Screening Analysis Criteria

Community Facility	Threshold for Detailed Analysis	Minimum Number of Residential Units in Brooklyn that Trigger Detailed Analyses
Public Elementary/ Intermediate Schools	50 or more elementary/intermediate school students	192 (in Brooklyn CSD 19)[1]
Public High Schools	150 or more high school students	3,000 (in Brooklyn)[1]
Libraries	More than five percent increase in ratio of residential units to libraries in the borough	734
Health Care Facilities (outpatient)	Introduction of sizeable new neighborhood	N/A
Child Care Centers (publicly funded)	More than 20 eligible children under age six based on number of low- to moderate-income units	110
Fire Protection	Introduction of sizeable new neighborhood	N/A
Police Protection	Introduction of sizeable new neighborhood	N/A

Source: *CEQR Technical Manual*

[1] Based on newly released student generation rates for Brooklyn CSD 19 (0.18 elementary school students per unit; 0.08 intermediate school students per unit; and 0.05 high school students per unit).

Public Schools

The proposed actions are not expected to generate more than 50 elementary and intermediate school students or 150 high school students, which are the *CEQR Technical Manual* thresholds for analysis, and therefore a detailed assessment of the potential impacts of the proposed actions on public schools is not warranted. The New York City School Construction Authority (SCA) recently released new Projected Public School Ratios data as part of the documents used in drafting the DOE/SCA Fiscal Year (FY) 2020-2024 Capital Plan (February 2019). According to these data, multipliers for primary and intermediate schools have been refined to reflect how many pupils are generated by new housing at the community school district level based on the 2010 Decennial Census, housing completions from the Department of Buildings, and administrative enrollment data from the Department of Education (multipliers for high schools have been maintained at the borough level).

Based on the newly released student generation rates for Brooklyn Community School District (CSD) 19 (0.18 elementary school students per unit; 0.08 intermediate school students per unit; and 0.05 high school students per unit), the 155 DUs to be created as a result of the proposed actions are expected to generate 42 elementary and intermediate school students (28 elementary school students and 13 intermediate school students), and 8 high school students. As this number of students is less than the *CEQR Technical Manual* analysis thresholds, a detailed assessment of public schools is not warranted, and significant adverse impacts are not anticipated in this technical area.

Child Care Facilities

The *CEQR Technical Manual* requires a detailed analysis of publicly-funded child care centers when a proposed action would produce substantial numbers of subsidized, low- to moderate-income affordable housing units that may therefore generate a sufficient number of eligible children to affect the availability of slots at group child care facilities. Typically, a proposed action that generates 20 or more eligible children under age six requires further analysis. As shown in Table B-2, above, based on *CEQR Technical Manual* multipliers, 110 affordable housing units in Brooklyn would yield more than 20 children under age six eligible for publicly-funded child care.

As noted above, the RWCDS for the proposed actions would facilitate the construction of up to 128 affordable dwelling units, all of which are currently envisioned to be affordable to households earning up to 80 percent AMI. As the number of housing units expected to be subsidized and targeted for incomes of 80 percent AMI or below (the affordable units considered in a CEQR child care analysis) is more than the *CEQR Technical Manual* analysis threshold of 110 units in Brooklyn, the proposed actions would generate more than 20 children under age six eligible for publicly funded child care, and a detailed assessment is warranted and provided in **Attachment D, "Community Facilities"**.

As discussed in **Attachment D, "Community Facilities,"** the proposed actions would not result in any significant adverse impacts to publicly funded childcare facilities. Development as a result of the proposed actions would create demand for 23 new childcare seats. Under With-Action conditions, publicly funded childcare centers would operate at approximately 102 percent capacity. The incremental 23 seats generated by the proposed actions would constitute a 1.1 percent increase in utilization rate over No-Action conditions. As this increase would not be greater than five percent, the proposed actions would not result in a significant adverse impact on publicly funded child care facilities.

Libraries, Health Care Facilities, and Fire and Police Protection

The proposed actions would not result in the introduction of a sizeable new neighborhood and would therefore not result in a more than five percent increase in the ratio of residential units to libraries in Brooklyn (i.e., would result in the development of fewer than 734 DU), analyses of fire and police protection, health care facilities, and libraries are not warranted, and significant adverse impacts are not anticipated in these technical areas.

IV. OPEN SPACE

An assessment of impacts on open space is warranted if an action would directly affect an open space, or if it would increase the population by more than 200 residents or 500 employees in areas that are considered to be neither well-served nor under-served by open space in the *CEQR Technical Manual*. As discussed in **Attachment A, "Project Description,"** development as a result of the proposed actions is expected to add 395 residents and 36 workers to the Proposed Rezoning Area. Therefore, an analysis of open space is warranted and included in **Attachment E, "Open Space".**

As discussed in **Attachment E, "Open Space,"** no significant adverse impacts are expected on open space as a result of the proposed actions. The population introduced by new development on the Projected Development Sites would result in a 1.7 percent decrease in the area's open space ratio, less than the CEQR impact threshold of five percent. In addition, the proposed actions would not result in any direct displacement or alteration of existing public open space in the study area.

V. SHADOWS

A shadows assessment considers proposed actions that result in new shadows long enough to reach a publicly accessible open space or historic resource (except within an hour and a half of sunrise or sunset). For proposed actions resulting in structures less than 50 feet high, a shadow assessment is generally not necessary unless the site is adjacent to a park, historic resource, or important natural feature (if the features that make the structure significant depend on sunlight). According to the 2020 *CEQR Technical Manual*, some open spaces contain facilities that are not sunlight-sensitive, and do not require a shadow analysis including paved areas (such as handball or basketball courts) and areas without vegetation.

As described in the EAS Form, the Projected Developments resulting from the proposed actions would each reach a maximum height of 95 feet. Therefore, a Tier I and Tier II analysis was conducted to determine whether the developments on the Projected Development Sites could cast an incremental shadow on any sunlight-sensitive resource. As the C4-4L MIH district permits a maximum height of 95 feet with a qualifying ground floor, for conservative analysis purposes, a height of 95 feet was used for the Tier I and Tier II Screening.

Tier I and II Screening Assessment

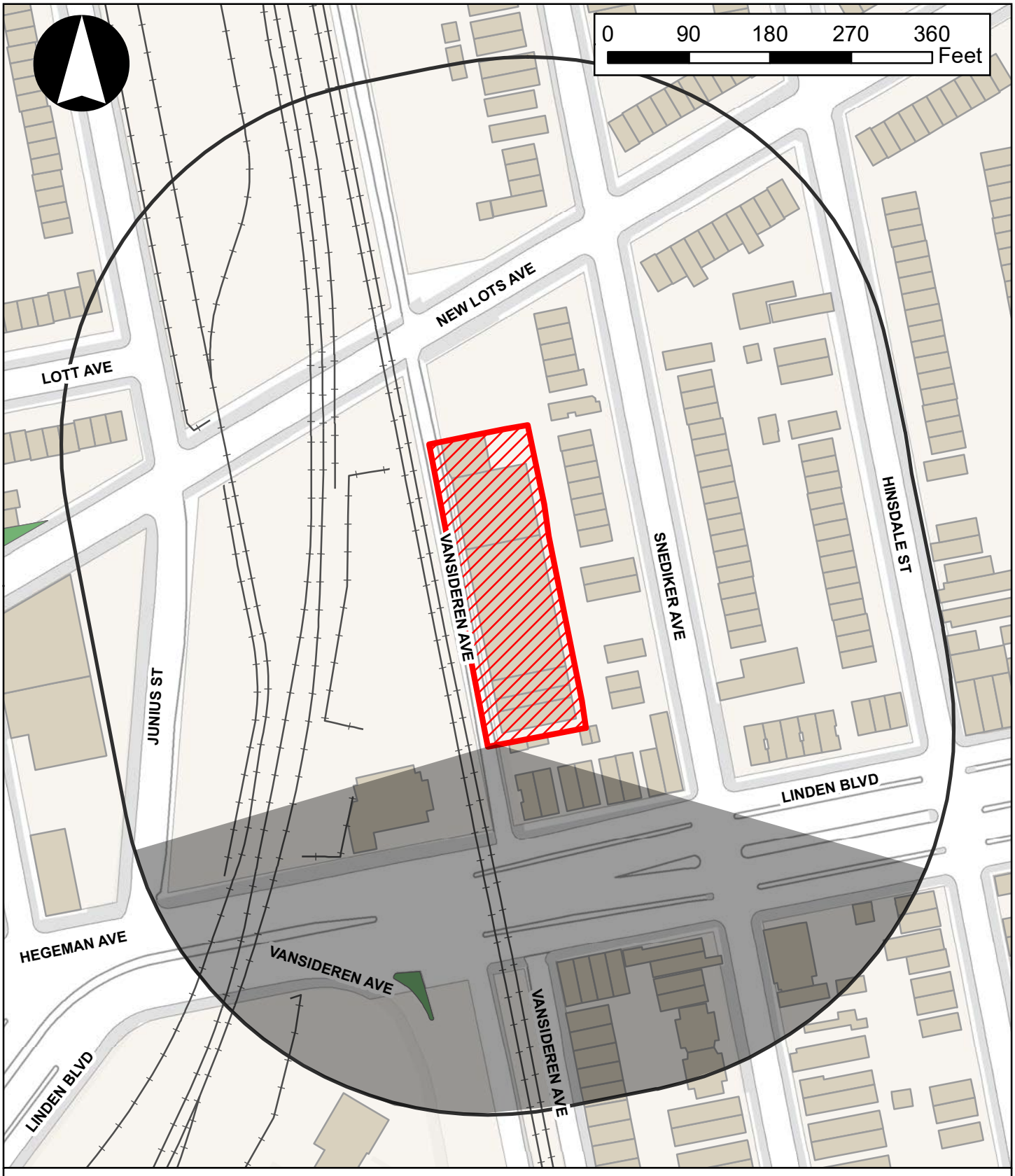
According to the *CEQR Technical Manual*, the longest shadow a structure will cast in New York City – except for periods close to dawn or dusk – is 4.3 times its height and occurs on December 21 (the winter solstice). As discussed in **Attachment A, "Project Description,"** the development on the three Projected Development Sites is assumed to reach a maximum height of 95 feet. As such, the maximum shadow that could be cast by a building in the C4-4L district, with a maximum building height of approximately 95 feet, would be approximately 408.5 feet in length, as shown in **Figure B-1**.

The *CEQR Technical Manual* defines sunlight-sensitive resources of concern as those resources that depend on sunlight, or for which direct sunlight is necessary to maintain the resource's usability or architectural integrity. Sunlight-sensitive resources of concern include:

- *Public open space.* (e.g., parks, playgrounds, plazas, schoolyards, greenways, and landscaped medians with seating). Planted areas within unused portions or roadbeds that are part of the Greenstreets program are also considered sunlight-sensitive resources. The use of vegetation in an open space establishes its sensitivity to shadows. The sensitivity is assessed for both (1) warm-weather dependent features, like wading pools and sandboxes, or vegetation that could be affected by loss of sunlight during the growing season (i.e., March through October); and (2) features, such as benches, that could be affected by a loss of winter sunlight. Uses that rely on sunlight include: passive use, such as sitting or sunning; active use, such as playfields or paved courts; and activities such as gardening, or children's wading pools and sprinklers. Where lawns are actively used, the turf requires extensive sunlight. Vegetation requiring direct sunlight includes the tree canopy, flowering plants, and plots in community gardens. Generally, four to six hours a day of sunlight, particularly in the growing season, is a minimum requirement for vegetation.

- *Features of historic architectural resources that depend on sunlight for their enjoyment by the public.* Only the sunlight-sensitive features are considered, as opposed to the entire architectural resource. Sunlight-sensitive features include the following: design elements that are part of a recognized architectural style that depends on the contrast between light and dark (e.g., deep recesses or voids, such as open galleries, arcades, recessed balconies, deep window reveals, and prominent rustication); elaborate, highly carved ornamentation; stained glass windows; exterior

Tier I & II Shadow Assessment



Legend

- Proposed Rezoning Area
- Tier I: Longest Shadow Study Area (408.5')
- Elevated Railroad Tracks
- Open Space Resources
- Tier II: Area that Cannot be Shaded
- Existing Buildings

building materials and color that depend on direct sunlight for visual character (e.g., the polychrome [multicolored] features found on Victorian Gothic Revival or Art Deco facades); historic landscapes, such as scenic landmarks, including vegetation recognized as an historic feature of a landscape; and structural features for which the effect of direct sunlight is described as playing a significant role in the structure's importance as a historic landmark.

- *Natural resources where the introduction of shadows could alter the resource's condition or microclimate.* Such resources could include surface water bodies, wetland resources, upland resources, and significant, sensitive, or designated resources, such as coastal fish and wildlife habitats.

As shown in **Figure B-1**, there are no publicly accessible open spaces, sunlight-sensitive historical landmarks, or natural resources located within the Projected Development Sites' maximum shadow radius (408.5 feet from the property line). As no sunlight-sensitive resources are located within the maximum shadow radius for the Projected Development Sites, the proposed actions would not have the potential to result in significant adverse shadow impacts and a detailed analysis is not warranted.

VI. HISTORIC AND CULTURAL RESOURCES

Historic and cultural resources are defined as districts, buildings, structures, sites, and objects of historical, aesthetic, cultural, and archaeological importance. This includes properties that have been designated or are under consideration for designation as New York City Landmarks or Scenic Landmarks, or are eligible for such designation; properties within New York City Historic Districts; properties listed on the State and/or National Register of Historic Places; and National Historic Landmarks. An assessment of architectural and/or archaeological resources is usually needed for projects that are location adjacent to historic or landmark structures or projects that require in-ground disturbance, unless such disturbance occurs in an area that has already been excavated.

According to *CEQR Technical Manual* guidance, impacts on historic resources are considered on those sites affected by proposed actions and in the area surrounding identified development sites. According to the Landmarks Preservation Commission's *Discover New York City Landmarks* online database, no architectural or archaeologically sensitive resources are located at the Projected Development Sites or within a 400-foot radius of these sites. Therefore, no further analysis is warranted.

VII. URBAN DESIGN AND VISUAL RESOURCES

An area's urban design components and visual resources together define the look and character of the neighborhood. The urban design characteristics of the neighborhood encompass the various components of buildings and streets in the area, including building bulk, use, and type; building arrangement; block form and street pattern; streetscape elements; street hierarchy; and natural features. An area's visual resources are its unique or important public view corridors, vistas, or natural or built features. For CEQR analysis purposes, this includes only views from public and publicly accessible locations and does not include private residences or places of business.

An analysis of urban design and visual resources is appropriate if a proposed action would (a) result in buildings that have substantially different height, bulk, form, setbacks, size, scale, use, or arrangement than exists in an area; (b) change block form, demap an active street or map a new street, or affect the street

hierarchy, street wall, curb cuts, pedestrian activity or streetscape elements; or (c) would result in above-ground development in an area that includes significant visual resources.

As the proposed actions include zoning map and text amendments that would change the permitted bulk allowed in the Proposed Rezoning Area, an urban design analysis is required and is provided in **Attachment F, "Urban Design and Visual Resources."** As discussed therein, the proposed actions and subsequent development, while resulting in a notable change in the urban design of the study area, would not result in a significant adverse impact on the area's urban design and visual resources, as defined by the *CEQR Technical Manual*. Under the RWCDS, the proposed actions are expected to facilitate the construction of three new nine-story, 95-foot tall mixed-use residential commercial buildings. The building's bulk would match the scale of recent development directly to the north of the Proposed Rezoning Area. The proposed developments would not alter any views of visual resources within either the Proposed Rezoning Area or surrounding study area. Therefore, the proposed actions would not result in significant adverse impacts on urban design and visual resources.

VIII. NATURAL RESOURCES

The *CEQR Technical Manual* defines natural resources as (1) the City's biodiversity (plants, wildlife, and other organisms); (2) any aquatic or terrestrial areas capable of providing suitable habitat to sustain the life processes of plants, wildlife, and other organisms; and (3) any areas capable of functioning in support of the ecological systems that maintain the City's environmental stability. In determining if a natural resources assessment is appropriate, there are two possibilities that are considered in evaluating the needs for a more detailed assessment: (a) the presence of a natural resource on or near the project site; and (b) disturbance of that resources caused by the project. Due to the Proposed Rezoning Area's location within the Jamaica Bay Watershed, a preliminary assessment of natural resources is warranted.

The Jamaica Bay Watershed is a source of freshwater and brackish water to the Hudson-Raritan Estuary and extends deep into Brooklyn, Queens, and Nassau County. Jamaica Bay is one of the largest and most productive coastal ecosystems in the northeast United States and includes the largest tidal wetland complex in New York City and the surrounding metropolitan areas. Connecting to the Atlantic Ocean via the Rockaway Inlet, Jamaica Bay's wetlands serve as flood protection and shoreline erosion control for the homes and businesses of the encircling neighborhoods.

The New York State Department of Environmental Conservation (NYSDEC) has included Jamaica Bay on its Section 303(d) impaired water list since 1998 because of violations of water quality standards related to pathogens, nitrogen, and oxygen demand. The primary causes of the impairment are combined sewage overflows (CSOs) and wastewater discharges. In June 2006, The Jamaica Bay Watershed Protection Plan Advisory Committee issued preliminary recommendations for improving the water quality and ecology of Jamaica Bay, which included best management practices to minimize and control soil erosion and stormwater and reduce point and nonpoint source pollution.

Pursuant to Local Law 71, enacted in July 2005, the New York City Department of Environmental Protection (DEP) was required to develop the Jamaica Bay Watershed Protection Plan (JBWPP) to assess the legal, technical, environmental, and economic feasibility of possible measures to protect the Bay. The final JBWPP, submitted in October 2007, outlines a set of objectives and recommended strategies to address current and future threats to the Bay and ensure that comprehensive watershed protection is coordinated, focused, and cost-effective. The plan also includes a schedule, with interim and final milestones, to implement the plan's measures and meet the specific objectives and methods for monitoring progress.

The Jamaica Bay Watershed Form was completed as per *CEQR Technical Manual* guidance and is provided in **Appendix I**. While the RWCDS for the proposed actions would result in the construction of three new mixed-use buildings, Projected Development Sites 1 and 2 are currently occupied by small one-story buildings. Approximately 3,600 sf of Projected Development Site 3 is occupied by a one-story building (Lot 7) and the remaining 900 sf of the site is vacant (Lot 6). Each of these Projected Development Sites is substantially devoid of natural resources. Additionally, the area anticipated to be redeveloped as a result of the proposed actions (30,600 sf rezoning area) represents a very small portion of the entire watershed draining to Jamaica Bay. Therefore, the proposed actions are not expected to result in significant adverse impacts to the aquatic resources and habitats of Jamaica Bay and a more detailed analysis of natural resources is not required.

IX. HAZARDOUS MATERIALS

As defined in the 2020 *CEQR Technical Manual*, a hazardous material is any substance that poses a threat to human health or the environment. Substances that can be of concern include, but are not limited to, heavy metals, volatile and semi volatile organic compounds, methane, polychlorinated biphenyls and hazardous wastes (defined as substances that are chemically reactive, ignitable, corrosive, or toxic). According to the 2020 *CEQR Technical Manual*, the potential for significant adverse impacts from hazardous materials can occur when: (a) hazardous materials exist 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.

Phase I Environmental Site Assessment

A Phase I Environmental Site Assessment (ESA) was prepared for Projected Development Site 1 by Advanced Cleanup Technologies, Inc. in May 2020. The Phase I ESA is summarized below. The conclusions and findings for the assessment are included in **Appendix II**.

The Phase I ESA was conducted in conformance with ASTM Standard E1527-13 at Projected Development Site (729 to 749 Van Sinderen Avenue, Brooklyn NY 11207). The Phase I ESA revealed two recognized environmental conditions (REC) in connection with the subject property. The Phase I identifies that Projected Development Site 1 was developed with two one-story commercial buildings used for manufacturing and a one-story lumberyard by 1928. By 1950, the lumberyard had been replaced by a one-story garage and a one-story storage building and one-story metal working building had been constructed. By 1967, the property was fully built-out and was occupied by two manufacturers, a spray booth, machine shop, and vacant building. By 1977, the vacant building was also identified as a manufacturer. By 1989, the buildings were identified as auto repair shops and a machine shop. By 1995, all three buildings were auto repair shops. The property remained substantially unchanged through 2007. These historical industrial uses at Projected Development Site 1 constitutes a REC.

A Tier I Vapor Encroachment Assessment was performed for Projected Development Site 1 in accordance with ASTM E 2600-15, *Standard Guide for Vapor Encroachment Screening on Property Involved in Real Estate Transactions*, December 2015. A Tier I Vapor Encroachment Assessment determines whether there actually is or is a potential for volatile vapors to encroach upon the subject property, producing a vapor encroachment condition. A vapor encroachment condition is the presence or likely presence of vapors in the subsurface of the subject property caused by the release of vapors from contaminated soil or groundwater either on or near the subject property. A Vapor Intrusion Study and a Supplemental Vapor Intrusion Study were performed at the subject property on October 7 and 16, 2020, respectively, to determine whether the historical industrial usage of the subject property had created a vapor encroachment

condition, as detailed in Section 5.6, above. The Vapor Intrusion Study and Supplemental Vapor Intrusion study found concentrations of chlorinated volatile organic compounds in sub-slab soil vapor that warranted mitigation in accordance with NYSDOH Guidance. This would constitute the second REC at Projected Development Site 1.

Phase II Environmental Assessments and (E) Designations

Given the continued use of the projected development sites, it is not feasible to conduct invasive drilling and sampling activities at this time. In place of conducting a Phase II ESA (and for Projected Development Sites 2 and 3, a Phase I ESA), at this time, an (E) designation (E-632) would be placed on Projected Development Site 1 (Block 3865, Lot 9), Projected Development Site 2 (Block 3865, Lot 21), and Projected Development Site 3 (Block 3865; Lots 6 and 7) which would require site investigation prior to issuance of building permits. By placing an (E) designation on these sites, the potential for an adverse impact to human health and the environment resulting from the Proposed Actions would be avoided.

The hazardous materials (E) designation is an institutional control that can be placed on a site as a result of the CEQR review of a zoning map or zoning text amendment or action pursuant to the Zoning Resolution. It provides a mechanism to ensure that testing for and mitigation and/or remediation of hazardous materials, if necessary, are completed prior to, or as part of, future development of an affected site, thereby eliminating the potential for hazardous materials impacts. The New York City Office of Environmental Remediation (OER) would provide the regulatory oversight of the environmental investigation and remediation during any development process. Building permits would not be issued for the development by the New York City Department of Buildings (DOB) without prior OER approval of the investigation and/or remediation pursuant to the provisions of Section 11-15 of the Zoning Resolution of the City of New York (Environmental Requirements). The DOB will typically issue the foundation permits when OER approves the remedial action work plan – the actual remediation is usually done concurrently with the construction. Engineering controls may also be incorporated into the development to eliminate exposure risks for future occupants.

These requirements related to hazardous materials would apply to:

Block 3865, Lots 6, 7, 9, and 21

The (E) designation text related to hazardous materials is 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.

With the requirements of the (E) designation to be assigned to these sites there would be no impact from the potential presence of contaminated materials. The implementation of the preventative and remedial measures outlined in the (E) designation would preclude the potential for significant adverse hazardous materials impacts from proposed action. Therefore, no further analysis is required at this time.

X. TRANSPORTATION

The objective of the transportation analysis is to determine whether a proposed action may have a potential significant impact on traffic operations and mobility, public transportation facilities and services, pedestrian elements and flow, safety of all roadway users (pedestrians, bicyclists, and vehicles), on- and off-street parking, or goods movement.

The *CEQR Technical Manual* identifies minimum development densities that have the potential to result in significant adverse impacts to and therefore require a detailed transportation analysis. The development densities shown in Table 16-1 of the *CEQR Technical Manual* generally result in fewer than fifty peak hour vehicle trip, 200 peak hour subway/rail or bus transit riders, and 200 peak hour pedestrian trips, where significant adverse impacts are considered unlikely to occur. According to the *CEQR Technical Manual*, if an action would result in development greater than one of the minimum development densities in Table 16-1, a Level 1 (Project Trip Generation) Screening Assessment should be prepared. Except in unusual circumstances, if a proposed action is projected to result in fewer than 50 peak hour vehicle trips, 200 peak hour subway/rail or bus transit riders, or 200 peak hour pedestrian trips, it is unlikely that further analysis would be necessary. If the trip generation screening thresholds are exceeded, a Level 2 (Project-Generated Trip Assignment) Screening Assessment should be prepared to determine if a proposed action would generate or divert 50 peak hour vehicle trips through any intersection, 200 peak hour subway trips through a single station, 50 peak hour bus trips on a single bus route in the peak direction, or 200 peak hour pedestrian trips through a single pedestrian element. If any of these Level 2 screening thresholds are met or exceeded, a detailed analysis for the respective mode is required.

A travel demand forecast is provided in **Attachment G, "Transportation"** to determine if the proposed project would exceed the Level 1 Screening Assessment thresholds. As discussed therein, the proposed project would not exceed Level 1 Screening Assessment thresholds for traffic or transit and further assessment of these conditions is not warranted. The proposed project would exceed Level 2 Screening Assessment thresholds for pedestrians at one sidewalk (Van Sinderen Avenue between New Lots Avenue and Linden Boulevard) and a detailed analysis of pedestrian conditions has been provided. As detailed in **Attachment G, "Transportation"** this location is expected to operate at level of service (LOS) B or better under the 2027 With-Action condition, and no significant adverse pedestrian impacts are anticipated. Therefore, the proposed project is not expected to result in significant adverse transportation impacts.

XI. AIR QUALITY

According to the guidance provided in the 2020 *CEQR Technical Manual*, air quality analyses are conducted in order to assess the effect of an action on ambient air quality (i.e., the quality of the surrounding air), or effects on the project because of ambient air quality. Air quality can be affected by "mobile sources," pollutants produced by motor vehicles, and by pollutants produced by fixed facilities, i.e., "stationary sources." As per the 2020 *CEQR Technical Manual*, an air quality assessment should be carried out for actions that can result in either significant adverse mobile source or stationary source air quality impacts. Per the EAS Form, further analysis of air quality mobile sources from action-generated vehicle trips has been screened out in accordance with 2020 *CEQR Technical Manual* assessment screening thresholds.

Mobile Sources

As stated in the *CEQR Technical Manual*, a project – 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, or add new users near mobile sources. According to the *CEQR Technical Manual* screening threshold criteria for the Project Area, if 170 or more project-generated vehicles pass through an intersection in any given peak period a detailed analysis of carbon monoxide (CO) is required. If a project would result in a substantial number of local or regional diesel vehicle trips, there is potential for mobile air quality impacts and a detailed analysis of $PM_{2.5}$ and PM_{10} is required.

As the Proposed Actions would generate a maximum of 34 incremental vehicle trips in any peak hour[1], and, as such, would not exceed the *CEQR Technical Manual* carbon monoxide (CO) mobile source air quality screening of 170 vehicles. It is conservatively assumed that all vehicles would travel directly to and from the Projected Development Sites as there are no off-street public parking facilities near the Proposed Rezoning Area. Vehicles would travel northbound, arrive at the sites, and then depart continuing northbound on Van Sinderen Avenue towards New Lots Avenue (refer to the Appendix). Based on thisconfiguration only 17 vehicle trips across the entire Van Sinderen Avenue frontage would occur. As shownin Table B-5, $PM_{2.5}$ calculations, at 17 trips the Proposed Actions would pass the screening**.** As shownbelow, using the Equivalent Truck Calculator provided in the *CEQR Technical Manual* the incremental vehicles generated by the proposed actions would not exceed the screening threshold for $PM_{2.5}$ and $PM_{10,}$ Therefore, a detailed analysis of mobile source air quality impacts is not warranted.

[1] 34 incremental auto vehicle trips would be generated under the With-Action Scenario during the Weekday Midday peak hour. The trip generation for the With-Action Scenario is included above.

Table B-5: $PM_{2.5}/PM_{10}$ Equivalent Truck Calculation

Road Types	Equ. truck	Screen value	PM2.5 Screen
Paved road < 5000 veh/day	8	13	Pass Screen
Collector roads	3	20	Pass Screen
Principal and minor arterials	1	23	Pass Screen
Expressways and limited access roads	1	23	Pass Screen

Source: *CEQR Technical Manual* & NYS Department of Transportation Functional Class Viewer

Parking Facilities

As stated in the *CEQR Technical Manual*, projects that would result in parking facilities, with 85 or more incremental parking spaces, may require a detailed air quality analysis. As the development on each of the Projected Development Sites would not include parking, a detailed mobile source parking garage analysis is not warranted, and the Proposed Actions would not result in a significant adverse impact.

Stationary Sources

Heating and Hot Water Systems

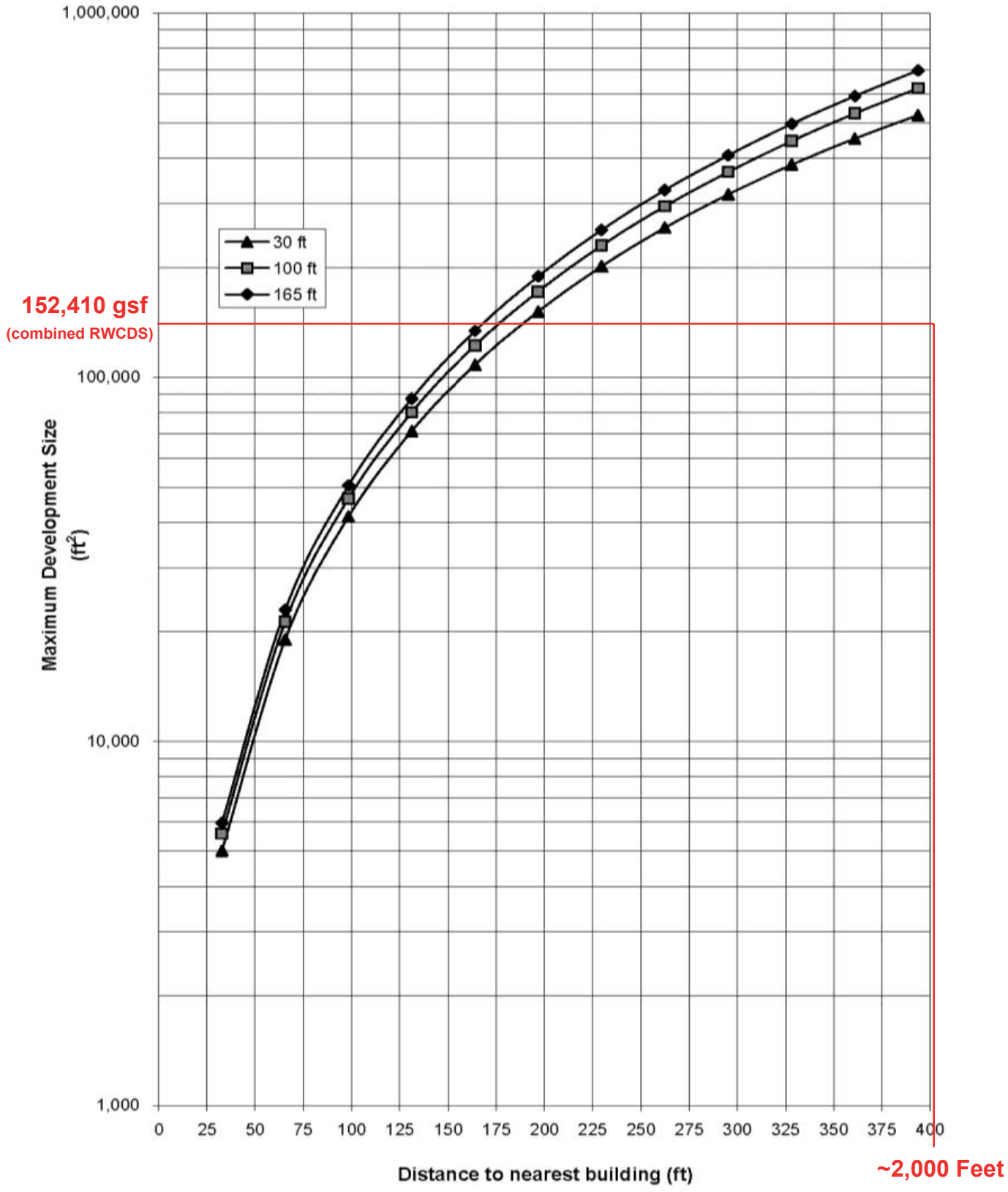
Stationary source impacts could occur with actions that create new stationary sources or pollutants, such as emission stacks for industrial plants, hospitals, or other large institutional uses, or a building's boiler stacks used for heating/hot water, ventilation, and air conditioning ("HVAC") systems, that can affect surrounding uses. Impacts from boiler emissions associated with a development are a function of fuel type, stack height, minimum distance of the stack on the source building to the closest building of similar or greater height, building use, and the square footage size of the source building. In addition, stationary source impacts can occur when new uses are added near existing or planned emissions stacks, or when new structures are added near such stacks and those structures change the dispersion of emissions from the stacks so that they affect surrounding uses.

The closest residential building of similar or greater height that could be affected by HVAC emissions generated by the proposed actions is the 9-story (96-foot-tall) mixed-used residential and commercial building at 420 Watkins Avenue, approximately 2,000 feet northeast of the Proposed Rezoning Area. As shown in **Figure B-2**, the RWCDS would pass the HVAC Stationary Source Screen (Figure 17-3 of the *CEQR Technical Manual*). However, as the Proposed Actions would result in three 95-foot tall buildings adjacent to one another, further analysis of project-on-project HVAC analysis is warranted and provided in **Attachment H, "Air Quality."**

Industrial, Large, and Major Sources

To assess air quality impacts on the RWCDS associated with emission from nearby industrial sources, an investigation of industrial sources was conducted. Initially, land use maps were reviewed to identify potential sources of emissions from manufacturing/industrial or transportation/utility operations. After identifying properties containing manufacturing or other industrial uses within 400 feet of the Proposed Development Site the New York City Department of Environmental Protection (DEP)'s CATS Online Permitting System was utilized to determine whether there are any active industrial permits within 400 feet of the Proposed Rezoning Area. According to the CATS Online Permitting System, there are no industrial permits within a 400-foot radius of the Proposed Rezoning Area. In addition, there are no NYS DEC Title V or State Facilities within 1,000 feet of the Proposed Rezoning Area. Therefore, the proposed actions would not result in a significant impact from industrial sources.

Figure 17-3:
Stationary Source Screen



XII. NOISE

As the Proposed Actions would introduce new sensitive uses within the Proposed Rezoning Area adjacent to an elevated railway, a detailed noise analysis was conducted in compliance with *CEQR Technical Manual* guidance to determine whether traffic generated by the Proposed Project would have the potential to result in significant noise impacts and determine the level of building attenuation necessary to ensure development resulting from the proposed actions would achieve interior noise levels that satisfy applicable interior noise criteria of 45 dBA or less for residential uses.

As discussed in **Attachment H, "Noise,"** the proposed actions would not result in any significant adverse noise impacts. The With-Action noise levels would fall under the "Marginally Unacceptable (II)" CEQR noise exposure category. As the maximum L_{10} noise level at noise receptor location 1 would exceed 70 dBA, attenuation near and along Van Sinderen Avenue would be required to ensure a 45 dBA noise level for residential uses. Attenuation would be enforced through the placement of an E-Designation on the Projected Development Sites.

XIII. PUBLIC HEALTH

Public Health involves the activities that society undertakes to create and maintain conditions in which people can be healthy. Many public health concerns are closely related to air quality, water quality, hazardous materials, and noise.

According to the guidance of the *CEQR Technical Manual*, a public health assessment may be warranted if a project results in (a) increased vehicular traffic or emissions from stationary sources resulting in significant adverse air quality impacts; (b) increased exposure to heavy metals and other contaminants in soil/dust resulting in significant adverse impacts, or the presence of contamination from historic spills or releases of substances that might have affected or might affect groundwater to be used as a source of drinking water; (c) solid waste management practices that could attract vermin and result in an increase in pest populations; (d) potential significant adverse impacts to sensitive receptors from noise and odors; (e) vapor infiltration from contaminants within a building or underlying soil that may result in significant adverse hazardous materials or air quality impacts; (f) exceedances of accepted federal, state, or local standards; or (g) other actions that might exceed the preceding thresholds but might, nonetheless, result in significant health concerns.

As detailed in analyses provided in this EAS, the proposed actions would not result in significant adverse impacts in the areas of air quality, water quality, hazardous materials, or noise. Therefore, the proposed actions do not have the potential to result in significant adverse public health impacts, and no further assessment is warranted.

XIV. NEIGHBORHOOD CHARACTER

A supplemental screening analysis is necessary to determine if a detailed neighborhood character analysis is warranted in accordance with *CEQR Technical Manual* methodology, because the Proposed Project required analyses of Land Use, Zoning, and Public Policy, Community Facilities, Open Space, Urban Design and Visual Resources, and Noise.

The propose actions would not adversely affect any component of the surrounding area's neighborhood character. The proposed actions would facilitate the development of three mixed-use residential and commercial buildings containing approximately 128 affordable DUs. The character of the neighborhood would not be adversely affected by the RWCDS, as the RWCDS would be consistent with existing uses found within the neighborhood. The use and bulk would match existing developments in the surrounding neighborhood. As discussed above, and in further detail in **Attachment C, "Land Use, Zoning, and Public Policy," Attachment D, "Community Facilities," Attachment E, "Open Space," Attachment F, "Urban Design & Visual Resources," and Attachment H, "Noise,"** the proposed actions are not expected to result in any significant adverse impact for the four technical areas related to neighborhood character. Therefore, the proposed actions would not result in a significant adverse impact to neighborhood character and further analysis is not warranted.

XV. CONSTRUCTION

Although temporary, construction impacts can include noticeable and disruptive effects from an action that is associated with construction or could induce construction. Determination of the significance of the construction impacts and the need for mitigation is generally based on the duration and magnitude of the impacts. Construction impacts are usually important when construction activity could affect traffic conditions, archaeological resources, the integrity of historic resources, community noise patterns, and/or air quality conditions.

As indicated on the EAS Form, construction of the Proposed Project is expected to occur over a 20-24 month period, with construction beginning in mid-2022 and completed in mid-2024. As there are currently no plans for redevelopment at Projected Development Sites 2 and 3, completion of any new building is not anticipated until early 2025, which accounts for completion of the ULURP process (approximately seven months), preparation of building designs and procurement of construction financing (approximately one to two years), and an approximately 18-month construction process beginning in mid-2025. With an anticipated construction period of 18- to 24-months total, construction of Projected Development Sites 1, 2, and 3 would be classified as short-term for CEQR purposes. Most construction activity would occur Monday through Friday, although delivery and installation of certain equipment could occur on weekend days. Hours of construction are regulated by the New York City Department of Buildings (DOB) and apply in all areas of the City. In accordance with those regulations, almost all work would occur between 7 AM and 6 PM on weekdays, although some workers would arrive and begin to prepare work areas before 7 AM. Occasionally, Saturday or overtime hours could be required to complete time-sensitive tasks. Weekend work requires a permit from the DOB and, in certain instances, approval of a noise mitigation plan from DEP under the New York City Noise Code.

Construction activities may result in short-term disruption of both traffic and pedestrian movements in the vicinity of the Project Site. This would occur primarily due to the potential temporary loss of curbside lanes from the staging of equipment and movement of materials to and from the Projected Development Sites. Most construction traffic would take place outside the AM and PM traffic peak hours in the vicinity of the sites due to typical construction hours. Additionally, construction may at times result in temporary closings of sidewalks adjacent to the Projected Development Sites in order to accommodate construction vehicles, equipment, and supplies. The construction site would be surrounded by construction fencing and barriers as required by DOB, which would limit the effects of construction on nearby land uses. While it is anticipated that some sidewalks immediately adjacent to construction sites would be closed to accommodate heavy loading areas for at least several months of the construction period for the site, detailed Maintenance and Protection of traffic (MPT) plans for the construction site must be submitted for approval to the New

York City Department of Transportation (DOT)'s Office of Construction Mitigation and Coordination (OCMC), the entity that insures critical arteries are not interrupted, especially in peak travel periods.

Noise associated with construction would be limited to typical construction activities and would be subject to compliance with the New York City Noise Code and the United States Environmental Protection Agency (EPA) noise emission standards for construction equipment. These controls and the temporary nature of construction activity would assure that there would be no significant adverse noise impacts associated with construction activity.

While construction of the Proposed Development and the assumed development at Projected Development Sites 2 and 3 would result in temporary disruption in some of the surrounding area, including noise, dust, and traffic associated with the delivery of materials and arrival of workers in the Proposed Rezoning Area, the incremental effects of construction of the Projected Development Sites, if any, would be negligible. Therefore, no impacts from construction are expected as a result of the proposed actions and further analysis is not required.

Attachment C

Land Use, Zoning, and Public Policy

I. INTRODUCTION

Under 2020 *CEQR Technical Manual* guidance, a land use analysis evaluates the uses and development trends in the area that may be affected by a proposed project and determines whether that project is compatible with those conditions or may affect them. Similarly, the analysis considers the project's compliance with, and effect on, the area's zoning and other applicable public policies.

As discussed in **Attachment A, "Project Description,"** the Reasonable Worst-Case Development Scenario (RWCDS) assumes that in the future with the proposed actions, the applicant-controlled Projected Development Site 1 (Block 3865; Lot 9), Projected Development Site 2 (Block 3865; Lot 21), and Projected Development Site 3 (Block 3865; Lots 6 and 7) would each be redeveloped. Projected Development Site 1 would be redeveloped with a nine-story (95-foot-tall) mixed-use residential and commercial building including 119 DUs (all of which would be affordable for households making at or less than 80% Area Median Income) and 11,015 gsf of ground floor local retail space. For CEQR analysis purposes, the proposed actions are also assumed to facilitate the development of a nine-story (95-foot-tall), 18,315-gsf building including 16 DUs (4 affordable under the MIH program) and 2,277 gsf of ground floor retail use at Projected Development Site 2. The proposed actions are also assumed to result in the development of a nine-story (95-foot-tall) 22,894 gsf mixed-use residential and commercial building at Projected Development Site 3, including 20 DUs (5 affordable under the MIH Program) and 2,846 gsf of ground floor local retail space. None of these three With-Action developments would include any off-street accessory parking spaces.

According to the *CEQR Technical Manual*, a land use and zoning analysis is warranted for projects involving a change in land use or zoning. As the proposed actions involve a zoning map and text amendment and would result in new uses at a scale that is not currently permitted as-of-right, further analysis is warranted. Furthermore, the *CEQR Technical Manual* recommends that if a preliminary assessment cannot succinctly describe land use conditions in the study area, or if a detailed assessment is required in the technical analyses of socioeconomic conditions, neighborhood character, transportation, air quality, noise, infrastructure, or hazardous materials, a detailed land use assessment is appropriate. As such, a detailed land use and zoning assessment is warranted.

II. PRINCIPAL CONCLUSIONS

No significant adverse impacts on land use, zoning, or public policy, as defined by the guidance for determining impact significance set forth in the *CEQR Technical Manual*, are anticipated in the future with the proposed actions within the Proposed Rezoning Area or surrounding study area. The proposed actions would result in changes to land use and zoning within the Proposed Rezoning Area by allowing residential uses, no longer permitting new manufacturing uses, and permitting commercial and community facility uses at a higher density and greater bulk than would be permitted in the future without the proposed actions.

The proposed actions would not directly displace any land uses so as to adversely affect surrounding land uses, nor would they generate land uses that would be incompatible with land uses, zoning, or public policies in the study area. The proposed C4-4L (MIH) zoning district would permit uses found within and around the Proposed Rezoning Area and would not result in development that is out of scale relative to what is currently found in the study area. The Proposed Actions would result in the replacement of an

industrial zoning district that is not compatible with the surrounding residential uses. The proposed C4-4L zoning district would permit a density and uses that are already found within the study area, north of the Proposed Rezoning Area in the recently established R7A/C2-4 district. The additional permitted density as a result of the proposed actions would result in new development along an increasingly residential street with excellent access to public transportation. The Proposed Rezoning Area is nearly adjacent to the New Lots Avenue (L) subway station and is well-suited for denser development.

In addition, the proposed actions would not result in land uses that conflict with public policies applicable to the study area.

III. METHODOLOGY

The purpose of this attachment is to examine the effects of the proposed actions and determine whether or not they would result in any significant adverse impacts on land use, zoning, or public policy. The analysis methodology is based on the guidance of the *CEQR Technical Manual* and examines the proposed actions' consistency with land use patterns and development trends, zoning regulations, and other applicable public policies.

This attachment includes a description of existing land uses within the directly affected area and the broader study area. Following the guidance of the *CEQR Technical Manual*, the analysis describes existing and anticipated future conditions to a level necessary to understand the relationship of the proposed actions to such conditions, assesses the nature of any changes on these conditions that would be created by the proposed actions, and identifies those changes, if any, that could be significant or adverse.

Existing land uses were identified through review of a combination of sources including field surveys and secondary sources, as well as the City's Primary Land Use Tax Lot Output (PLUTO™) data files for 2020 and websites, such as New York City's Zoning and Land Use Map (ZoLa,https://zola.planning.nyc.gov) and NYCityMap (http://gis.nyc.gov/doitt/nycitymap/). New York City Zoning Maps and the Zoning Resolution of the City of New York were consulted to describe existing zoning districts in the study areas and provided the basis for the zoning evaluation of the future No-Action and future With-Action conditions. Relevant public documents including documents recognized by the New York City Department of City Planning (DCP) and other City agencies, were utilized to describe existing public policies pertaining to the study areas. No-Action developments in the surrounding area were determined by consulting the New York City Department of Buildings (DOB) Building Information System (BIS) database and other publications such as The Real Deal, YIMBY, NY Curbed, etc.

Analysis Year

As outlined in the RWCDS, discussed in **Attachment A, "Project Description,"** development on Projected Development Sites 1, 2, and 3 as a result of the proposed actions is expected to be completed by 2027. Therefore, for the purposes of determining potential impacts, this analysis assesses current conditions and forecasts those conditions to 2027. Future No-Action conditions account for land use and development projects, initiatives, and proposals that are expected to be completed by 2027.

Study Area Definition

According to the *CEQR Technical Manual*, the appropriate study area for land use, zoning, and public policy is related to the type and size of an action, as well as the location and context of the area that could be affected. Study area boundaries vary according to these factors, with suggested study areas ranging from 400 feet for a small project to 0.5 miles for a very large project. Land use, zoning, and public policy are

addressed and analyzed for two geographical areas: (1) the Proposed Rezoning Area including any Projected Development Sites; and (2) a surrounding study area. The study area identified for this analysis encompasses all areas within a 400-foot radius from the boundary of the Proposed Rezoning Area. Shown in **Figure C-1**, the study area boundary extends as far north as the midblock between New Lots Avenue and Newport Street, as far east as Hinsdale Street, as far south as the midblock between Linden Boulevard and Dewitt Avenue, and as far west as Junius Street.

IV. EXISTING CONDITIONS

Land Use

Proposed Rezoning Area

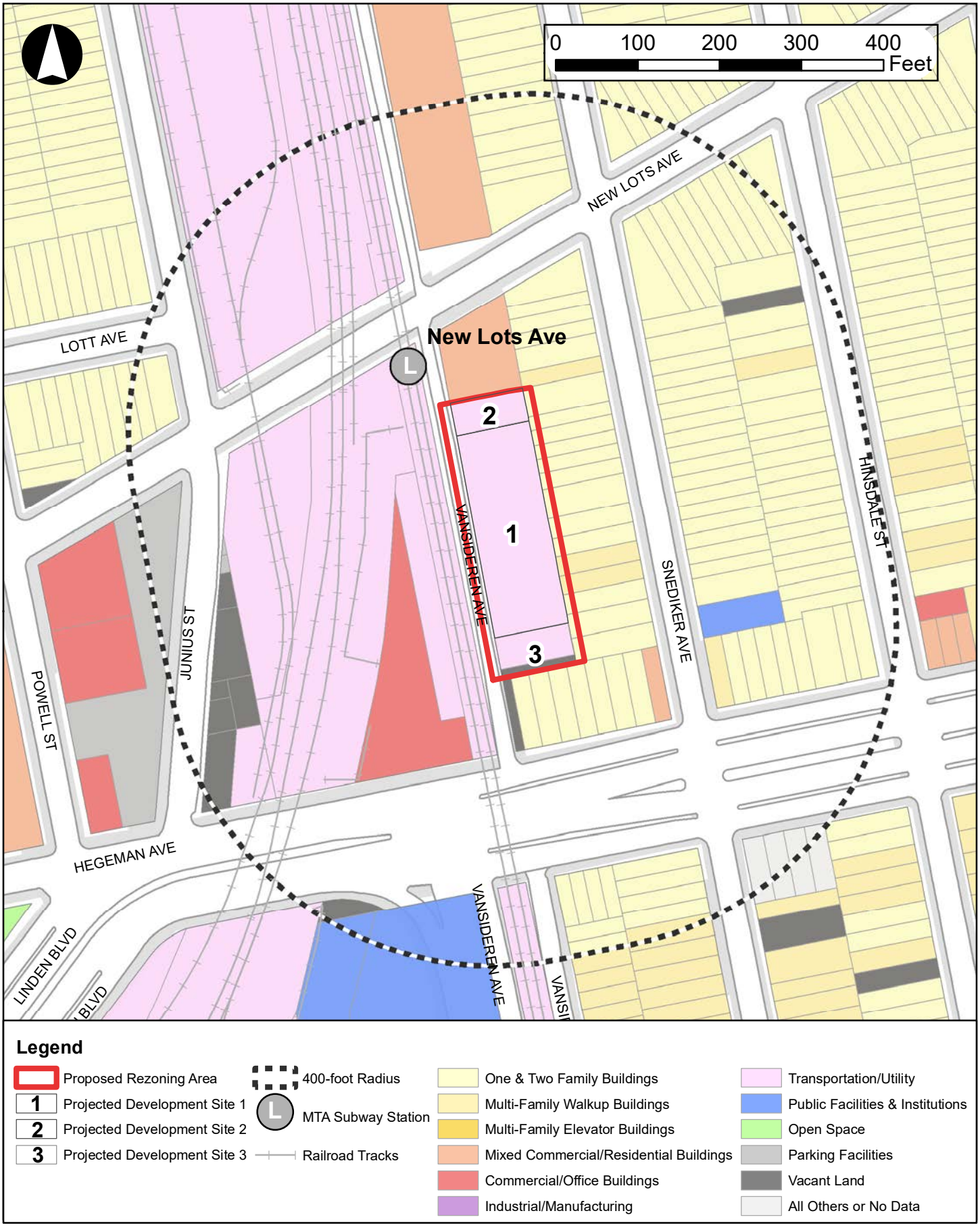
The Proposed Rezoning Area measures approximately 32,300 sf with approximately 340 feet of frontage along the eastern side of Van Sinderen Avenue. The entire rezoning area is currently zoned M1-1, which permits low-density manufacturing, commercial, and community facilities uses. All lots located within the Proposed Rezoning Area are privately owned. As discussed in detail below, a large portion of the Proposed Rezoning Area is under control of the applicant.

Projected Development Site 1 (Block 3865; Lot 9) occupies one interior lot with approximately 250 feet of frontage along Van Sinderen Avenue and a depth of approximately 90 feet. Projected Development Site 1 has an area of approximately 22,500 sf and a built floor area of approximately 20,200 gsf/17,565 zsf (FAR of 0.78). The applicant-owned site is currently occupied by three one-story buildings occupied by automotive repair uses. There is no curb separating the roadway from the sidewalk, therefore, Projected Development Site 1 has no curb cuts.

Projected Development Site 2 (Block 3865; Lot 21) occupies one interior lot with approximately 40 feet of frontage along Van Sinderen Avenue and a depth of approximately 90 feet. The site has an area of approximately 3,600 sf and a built floor area of approximately 2,000 gsf/1,739 zsf (FAR 0.48). Projected Development Site 2 is currently occupied by a one-story building occupied by a welding and auto machine shop.

Projected Development Site 3 (Block 3865; Lots 6 and 7) consists of two interior lots. Lot 6 is a vacant 900 sf lot with approximately 10 feet of frontage along Van Sinderen Avenue. Lot 7 is an interior lot with approximately 40 feet of frontage along Van Sinderen Avenue. Each of these lots has a depth of approximately 90 feet. Lot 7 is approximately 3,600 sf and contains a one-story building that is 3,400 gsf/2,957 zsf (0.82 FAR) and occupied by a welding and boiler repair company.
33.

The remainder of the Proposed Rezoning Area, Block 3865; five-foot portions of Lots 137, 138, 139, 140, 141, 142, 44, 45, 46, 46, 49, 150, and 151; consists of interior lots occupied by varying residential uses. On Lot 136 is a two-story 1,332 gsf (0.38 FAR) one- or two-family residential building. Lots 137, 138, 139, 140, and 141 each contain a two-story 1,332 gsf (0.74 FAR) attached one- or two-family residential building. On Lot 142 is a two-story 1,332 gsf (0.38 FAR) semi-attached one- or two-family residential building. Lot 44 contains a two-story 2,000 gsf (0.80 FAR) semi-attached one- or two-family residential building. Lot 45 includes a two-story 2,750 gsf (1.22 FAR) semi-attached one- or two-family residential building. Lots 46 and 47 each contain a three story 2,250 gsf (1.73 FAR) multi-family walkup building. Lot 49 includes a two-story 1,750 gsf (0.76 FAR) detached one- or two-family residential building. Finally, Lots 150 and 151 each contain a two-story, semi-detached 1,332 gsf (0.41 FAR) one- or two-family residential building.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SNEDIKER AVE
HINSDALE ST
JUNIUS ST
POWELL ST
HEGEMAN AVE
LINDEN BLVD
VANSIDEREN AVE
Legend
Proposed Rezoning Area
1 Projected Development Site 1
2 Projected Development Site 2
3 Projected Development Site 3
400-foot Radius
MTA Subway Station
Railroad Tracks
One & Two Family Buildings
Multi-Family Walkup Buildings
Multi-Family Elevator Buildings
Mixed Commercial/Residential Buildings
Commercial/Office Buildings
Industrial/Manufacturing
Transportation/Utility
Public Facilities & Institutions
Open Space
Parking Facilities
Vacant Land
All Others or No Data

Study Area

The area surrounding the Proposed Rezoning Area is predominantly residential within a 400-foot radius. Side streets in this area, east of the Proposed Rezoning Area, are almost exclusively residential and contain one- and two-family attached and semi-detached houses (Refer to Table C-1). Residential uses represent the highest percentage of both lot area and built floor area in the study area. Non-residential uses, (i.e., commercial, public facilities and institutions, and transportation and utility uses), are located predominantly to the west of the Proposed Rezoning Area. As shown in **Table C-1**, transportation and utility uses make up approximately 35 percent of all tax lot area within the study area. These uses include automotive repair uses, similar to the ones found within the Proposed Rezoning Area, and elevated sections of New York City Transit's (NYCT) L subway line and Long Island Rail Road's (LIRR) Bay Ridge branch. In addition, NYCT's Linden track shop is located on an elevated rail with frontage on Junius Street and Hegeman Avenue (refer to **Figure C-1**). To the north are two mixed-use residential and commercial developments that are seven-stories (75-feet) tall and combined, include 130 DUs (129 of which are affordable) and 27,024 gsf of ground floor local retail space. These two developments ("Van Sinderen Plaza") were part of the 2015 rezoning directly north of the Proposed Rezoning Area that is discussed in detail below.

TABLE C-1:
Existing Land Uses within the 400-Foot Study Area

Land Use	No. of Lots	Percentage of Total Lots (%)	Lot Area (sf)	Percentage of Total Lot Area (%)	Building Area (sf)	Percentage of Total Building Area (%)
Residential	109	75%	236,049	42.0%	183,878	40.3%
One- & Two-Family Buildings	*103*	*71%*	*222,449*	*39.6%*	*161,225*	*35.4%*
Multi-Family Walkup Buildings	*6*	*4%*	*13,600*	*2.4%*	*22,653*	*4.9%*
Multi-Family Elevator Buildings	*0*	*0.0%*	*0*	*0.0%*	*0*	*0.0%*
Mixed Commercial/Residential Buildings	3	2.1%	39,350	7.0%	152,070	33.3%
Commercial/Office Buildings	1	0.7%	26,316	4.7%	24,893	5.5%
Industrial/Manufacturing	0	0.0%	0	0.0%	0	0.0%
Transportation/Utility	13	8.9%	195,333	34.8%	81,135	17.8%
Public Facilities & Institutions	3	2.1%	14,076	2.5%	12,676	2.8%
Open Space	0	0.0%	0	0.0%	0	0.0%
Parking Facilities	3	2.1%	24,908	4.4%	0	0.0%
Vacant Land	14	9.6%	25,437	4.5%	1,351	0.3%
Total	**146**	**100.0%**	**561,469**	**100.0%**	**456,003**	**100.0%**

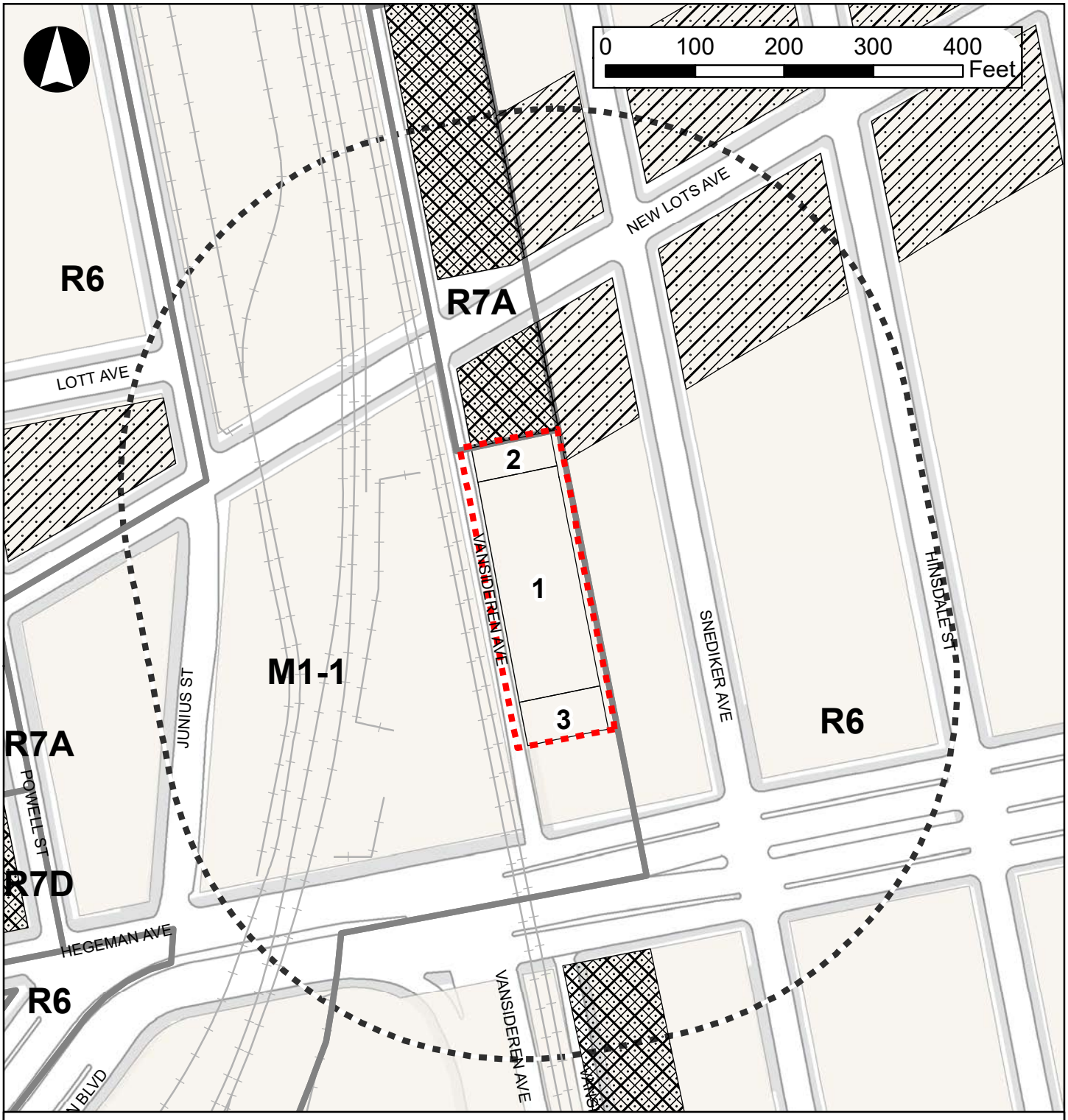
Source: NYC Department of City Planning (PLUTO 2020v6)

As shown in **Table C-1**, the study area does not include any industrial/manufacturing space or open space.

Zoning

Proposed Rezoning Area

The Proposed Rezoning Area is zoned M1-1 (refer to **Figure C-2**). M1 districts are light manufacturing districts that often serve as buffers between M2 or M3 districts and adjacent residential or commercial districts. Almost all industrial uses can be located in M1 districts if they meet the stringent M1 performance standards. Offices and most retail uses are also permitted. Certain community facilities, such as hospital,



Legend

1	Projected Development Site 1	400-foot Radius	C1-1	C1-4	C2-2	C2-5
2	Projected Development Site 2	Railroad Tracks	C1-2	C1-5	C2-3	
3	Projected Development Site 3	Zoning District	C1-3	C2-1	C2-4	
	Proposed Rezoning Area					

are allowed in M1 districts only by special permit, but houses of worship are allowed as-of-right. M1-1 districts allow a maximum floor area ratio (FAR) of 1.0. Developments including community facility uses can achieve a maximum FAR of 2.4. M1-1 districts are subject to parking requirements based on the type of use and size of an establishment. The maximum height in the M1 district is governed by the sky exposure plane. The sky exposure plane begins above 30 feet of two-stories, whichever is less. The westernmost portion of the proposed rezoning area (portions of Lots 137, 138, 139, 140, 141, 142, 44, 45, 46, 46, 49, 150, and 151) are occupied by low-density residential uses, several of which pre-date the 1961 amendment to the Zoning Resolution.

Study Area

As shown in **Figure C-2**, the study area is largely zoned for residential uses and manufacturing uses. The western portion of the study area is zoned M1-1. The details of this zoning district are discussed above. To the east of the Proposed Rezoning Area a significant portion of the study area is zoned R6. R6 districts are medium-density non-contextual residential districts that allow residential and community facility uses (Use Groups 1-4) up to 2.43 and 4.80 FAR, respectively. Maximum building height in R6 districts is governed by the sky exposure plane above 60 feet. Adherence to the Quality Housing regulations is optional in R6 districts. Off-street accessory parking is required for 70 percent of DU.

The portion of the study area directly north of the Proposed Rezoning Area, as shown in **Figure C-2**, is zoned R7A/C2-4. This area was rezoned as part of the 2015 *Van Sinderen Plaza EAS* (CEQR No. 15HPD054K) which rezoned several lots from M1-1 to R7A/C2-4. The R7A district is a medium density contextual residential district that permits a maximum residential[1] and community facility FAR of 4.0. The R7A district includes a 40-foot minimum and 75-foot maximum base height. After a 10 or 15-foot setback from the streetwall on wide or narrow streets, respectively, developments in the R7A district can reach a maximum height of 85 feet[2].

A C2-4 commercial overlay is mapped to a depth of 95 feet from Van Sinderen Avenue, north of the Proposed Rezoning Area and on the block south of the Proposed Rezoning Area to a depth of 100 feet from Van Sinderen Avenue (refer to **Figure C-2**). The C2-4 overlay permits a variety of retail, office, and other commercial uses to a maximum FAR of 2.0 when mapped within R6-R10 districts. Commercial uses are allowed on the first two floors.

East of this newly rezoned area to the north of the Proposed Rezoning Area, a C2-3 commercial overlay district is mapped along New Lots Avenue to a depth of 150 feet from the street (refer to **Figure C-2**). Similar to the C2-4 overlay, the C2-3 overlay permits a variety of commercial uses to a maximum FAR of 2.0 when mapped within R6-10 districts, and commercial uses are only allowed on the first two floors.

Public Policy

According to the *CEQR Technical Manual*, a project that would be located within areas governed by public policies controlling land use, or that has the potential to substantially affect land use regulation or policy controlling land use, requires an analysis of public policy. A preliminary assessment of public policy should identify and describe any public policies, including formal plans or published reports, which pertain to the study area. If a proposed project could potentially alter or conflict with identified policies, a detailed assessment should be conducted; otherwise, no further analysis of public policy is necessary.

[1] Maximum residential FAR can increase from 4.0 to 4.6 through participation in the Inclusionary Housing Program.
[2] Maximum height can increase to 95 feet through participating in the Inclusionary Housing Program.

The Proposed Rezoning Area and study area are not part of, or subject to, an Urban Renewal Plan, adopted community 197-a Plan, Business Improvement District (BID), Industrial Business Zone (IBZ), or the New York City Landmarks Law. The proposed actions also do not include a largely publicly sponsored project, and as such, consistency with the City's *PLANYC 2030* and OneNYC for sustainability is not warranted. In addition, as the Proposed Rezoning Area and study area are not located within the New York City's designated Coastal Zone, the proposed actions are not subject to review of consistency with the City's Waterfront Revitalization Program (WRP). Besides zoning, other public policies and guidelines applicable to portions of the Proposed Rezoning Area and study area include Housing New York 2.0. While there are not specific initiatives and goals in the plan that relate to the Proposed Rezoning Area and study area, it is a citywide initiative that would be applicable to the study area and is, therefore, included in this assessment.

Housing New York 2.0

In 2014, the de Blasio administration released *Housing New York: A Five-Borough, Ten-Year Plan* (*Housing New York*), a plan to build or preserve 200,000 affordable residential units. Building on the foundation laid by *Housing New York*, in 2017 the de Blasio administration released *Housing New York 2.0*, a new plan intending to complete the initial goal of 200,000 affordable homes two years ahead of schedule by 2022, and generate an additional 100,000 homes over the following four years. To achieve this goal, the plan aims to prioritize construction of residences for seniors, create new programs and modernize existing ones to encourage homeownership, develop neighborhood-based anti-displacement strategies, promote innovation in new construction methods, activate underutilized sites for new housing, create new partnerships and draw on resources from the State, and protect and expand federal resources for affordable housing. The plan details the key policies and programs for implementation.

V. THE FUTURE WITHOUT THE PROPOSED ACTIONS (NO-ACTION CONDITION)

Land Use

In the 2027 future without the proposed actions, all existing buildings and uses within the Proposed Rezoning Area would remain in their existing form. There is one known development expected to be completed in the study area by the 2027 build year. At 305 Hinsdale Street, a three-story residential apartment building is being constructed that would create 3 new DUs.

Zoning

No other zoning map or text amendments are currently pending that would affect properties located within the study area under 2027 No-Action conditions.

Public Policy

There are no changes related to public policies, and their effects on the Proposed Rezoning Area and study area are anticipated to remain the same as under existing conditions.

VII. THE FUTURE WITH THE PROPOSED ACTIONS (WITH-ACTION CONDITION)

As discussed in **Attachment A, "Project Description,"** the RWCDS would result in the demolition of the existing buildings in the Proposed Rezoning Area and the development of three new mixed-use residential and commercial buildings totaling 152,410 gsf. The applicant-owned Projected Development Site 1 would

be redeveloped with a nine-story (95-foot-tall) mixed-use residential and commercial building including 119 DUs (all of which would be affordable for households making at or less than 80% Area Median Income) and 11,015 gsf of ground floor local retail space. For CEQR analysis purposes, the proposed actions are also assumed to facilitate the development of a nine-story (95-foot-tall), 18,315 gsf building including 16 DUs (4 affordable under the MIH program) and 2,277 gsf of ground floor retail use at Projected Development Site 2. The proposed actions are also assumed to result in the development of a nine-story (95-foot-tall) 22,894 gsf mixed-use residential and commercial building at Projected Development Site 3 including 20 DUs (5 affordable under the MIH Program) and 2,846 gsf of ground floor local retail space. For analysis purposes, it is assumed that the RWCDS developments would maximize the available height and bulk of the proposed C4-4L zoning district.

Land Use

In the future with the proposed actions, the rezoning of the M1-1 district to C4-4L would allow residential uses that are not permitted under the existing M1-1 district. The proposed C4-4L zoning district would also permit non-residential uses (commercial and community facility) to be developed at a bulk and density greater than under the existing M1-1 regulations in the Proposed Rezoning Area. Additionally, under the proposed actions, new manufacturing uses would no longer be permitted within the Proposed Rezoning Area. As described above, the Proposed Rezoning Area is located along a developing corridor with multi-family residential buildings and ground floor commercial uses directly to the north.

Assessment

The proposed actions would not result in significant adverse impacts to land use within the Proposed Rezoning Area and surrounding study area. The new land uses introduced by the proposed actions would not directly displace any land uses so as to adversely affect surrounding land uses. The proposed actions would allow these land uses to exist at a greater density in the Proposed Rezoning Area, matching the scale of development found to the north along Van Sinderen Avenue. The Proposed Rezoning Area is in close proximity to public transportation and, therefore, well situated to handle new development of this scale. Approval of the proposed actions would result in new development on underutilized sites, allowing for active ground floor commercial uses and new residential units, with a significant number of affordable residential units. Development as a result of the proposed actions would activate the streetfront with new ground floor retail uses along an improved sidewalk which is currently inaccessible for pedestrians in the area.

The Proposed Project would have no direct effect on land uses in the study area and would not result in significant adverse land use impacts. As noted above, the study area is primarily residential and supports some commercial uses along Van Sinderen Avenue, and public facilities and institutions along Linden Boulevard. The proposed zoning changes would not introduce new land uses that would be incompatible with these existing uses and future conditions. Therefore, the Proposed Actions are not expected to result in significant adverse land use impacts in the study area and further analysis is not warranted.

Zoning

As discussed in **Attachment A, "Project Description,"** the proposed actions involve zoning map and text amendments.

Zoning Map Amendment

The proposed C4-4L district would be mapped to a depth of 95 feet from Van Sinderen Avenue (the easternmost boundary), the northernmost boundary would be located along the northern property line of

Block 3865; Lot 21, the westernmost boundary would be located on the centerline of Van Sinderen Avenue, and the southernmost boundary would along the southern property line of Block 3865; Lot 6. As described above, the rezoning of the M1-1 district to C4-4L would allow for residential uses, and allow increases in the overall permitted density and changes to bulk regulations for commercial, and community facility uses along Van Sinderen Avenue; manufacturing uses would no longer be permitted. As discussed above the C4-4L zoning district was created for areas adjacent to elevated subway tracks. The C4-4L district requires a five-foot setback from the property line, improving pedestrian conditions for developments adjacent to elevated subway tracks. The proposed C4-4L district is a contextual residential district where Quality Housing bulk regulations would be mandatory and have maximum building base heights and overall building heights with required setbacks. **Figure C-3** depicts the proposed zoning map amendment compared to existing/No-Action conditions.

Table C-2 provides a comparison of the existing M1-1 and proposed C4-4L zoning regulations. Overall permitted densities would increase under the proposed C4-4L (MIH) zoning to 4.6, 4.0, 4.0, and 0.0 FAR for residential, commercial, community facility uses, and manufacturing uses respectively, compared to FARs of 0.0, 1.0, 2.4, and 1.0 under the existing M1-1 district. The C4-4L (MIH) district is a contextual zoning district that would permit a maximum base height of 75 feet (compared to 30 feet under existing M1-1 zoning) before requiring a 15-foot setback from any narrow street (Van Sinderen Avenue). For developments that incorporate a qualifying ground floor, the maximum building height could increase from 90 feet to 95 feet, whereas the existing M1-1 zoning district does not set a maximum allowable height.

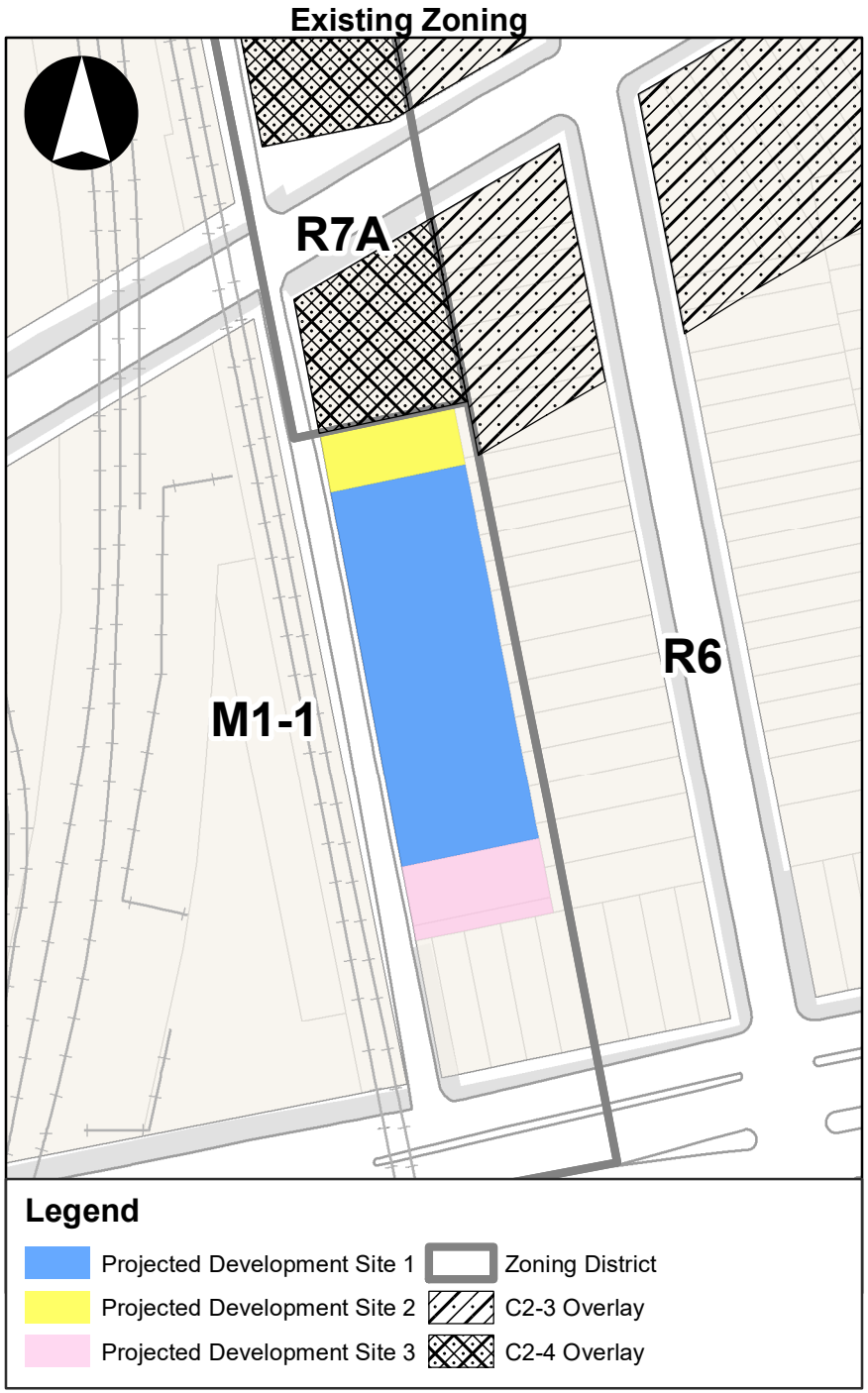
TABLE C-2:
Comparison of Existing and Proposed Zoning Districts

	EXISTING	PROPOSED
	M1-1	**C4-4L: MIH**
Use Groups:	4-14, 16, 17	1-6, 8-10, 12
Max. Floor Area Ratio (FAR):		
- Residential	N/A (not permitted)	4.6
- Community Facility	2.4	4.0
- Commercial	1.0	4.0
- Manufacturing	1.0	N/A (not permitted)
Building Height:		
- Streetwall max. height	30’ or 2 stories, whichever is less	75’
- Initial setback distance	20’ narrow street, 15’ wide street	15’ narrow street, 10’ wide street
- Max. building height	Governed by the sky exposure plane	90’ (95’ with qualifying ground floor)
Required Accessory Parking:		
- Residential	N/A	50% of DUs
- General Comm. Facility	Varies by use	Varies by use
- General Retail or Service	1 per 300 sf	None required
- Manufacturing	Varies by use	N/A

Source: *New York City Zoning Resolution*

Zoning Text Amendment

A zoning text amendment to Appendix F of the *Zoning Resolution of the City of New York* (ZR) is proposed in order to establish the Proposed Rezoning Area as an MIH area. Under MIH, a share of new housing is required to be permanently affordable when land use actions create significant new housing potential, either as part of a City land use proposal or a private land use application. Nine permanently affordable DUs created through the MIH Program Option 1 would be located on Projected Development Sites 2 and 3. 120 affordable units would be located on the applicant-owned Projected Development site 1.



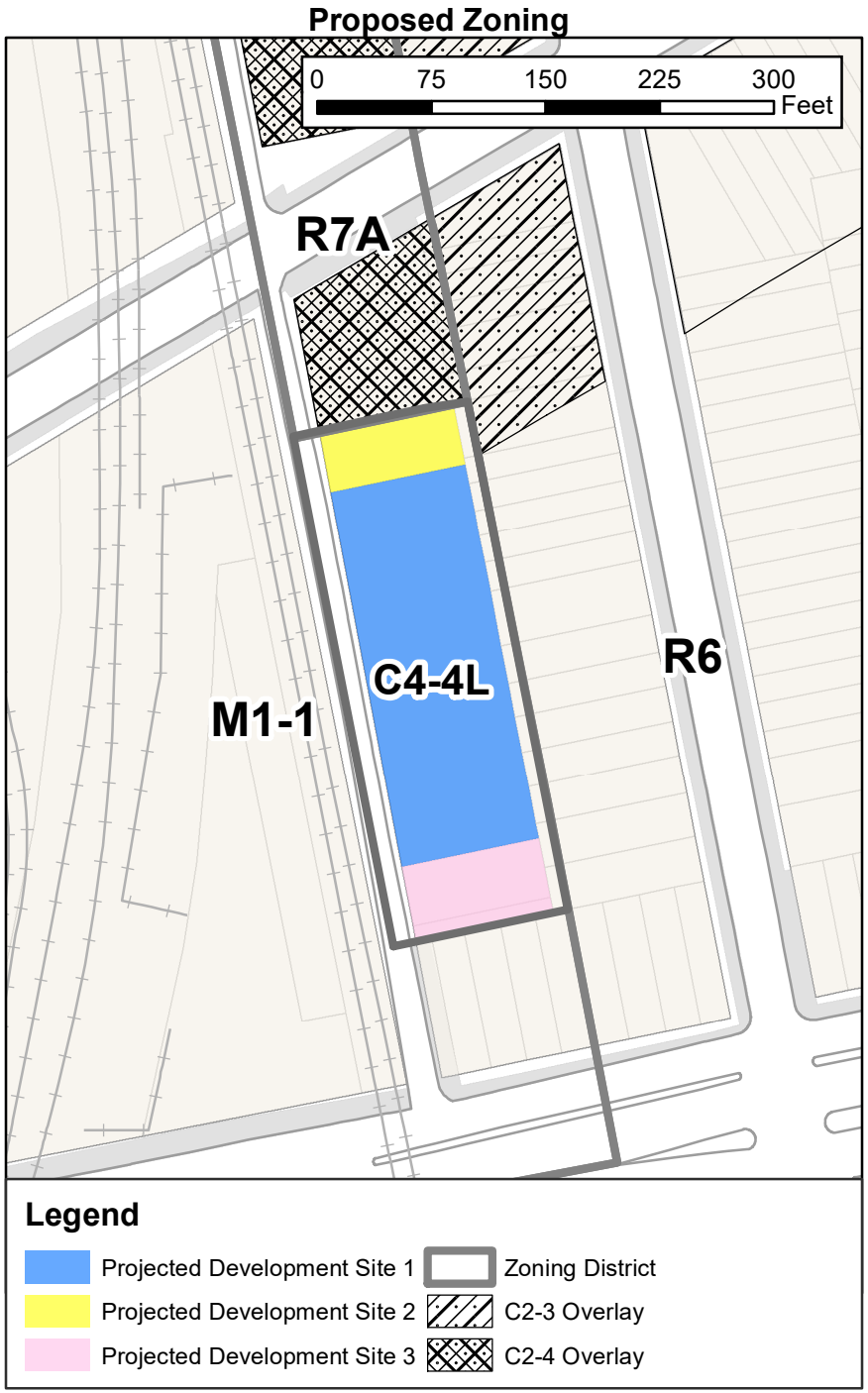


Figure C-3
Existing & Proposed Zoning

Assessment

The proposed actions would not result in significant adverse zoning impacts in the Proposed Rezoning Area. The proposed actions would not create structures that would be incompatible with the proposed zoning, nor would they cause a substantial number of existing structures to become non-complying. The density permitted by the proposed C4-4L zoning district and the scale of development as a result of the proposed actions would match what is found along Van Sinderen Avenue in the study area. The required five-foot setback from the property line for developments in the C4-4L district would improve pedestrian conditions along Van Sinderen Avenue in the Proposed Rezoning Area to and from the New Lots Avenue (L) Station. In addition, the proposed rezoning would allow for the zoning of the back portions of Lots 137, 138, 139, 140, 141, 142, 44, 45, 46, 46, 49, 150, and 151 to be consistent for their residential uses.

Public Policy

The Proposed Actions would not result in any significant adverse public policy impacts to the Proposed Rezoning Area or study area.

Housing New York 2.0

The Proposed Project is consistent with the *Housing New York 2.0* plan and would result in approximately 128 new affordable housing units. Depending on which MIH option is selected, approximately 25 to 30 percent of the residential units would be permanently affordable to specified income bands. Therefore, the proposed project would be supportive of this key public policy goal and further analysis is not warranted.

Attachment D

Community Facilities

I. INTRODUCTION

The 2020 *CEQR Technical Manual* defines community facilities as public or publicly funded facilities including schools, libraries, child care centers, health care facilities, and fire and police protection services. This attachment examines the potential effects of the proposed actions on the capacity and provision of services by those community facilities. Direct effects may occur when a particular action physically alters or displaces a community facility. Indirect effects result from increases in population, which create additional demand on service delivery. As described in **Attachment A, "Project Description,"** the Projected Development Sites are currently occupied by industrial uses. As such, the proposed actions would not result in any direct effects to existing community facilities and this analysis therefore concentrates on the potential for indirect effects.

The analysis of community facilities has been conducted in accordance with the guidance established in the *CEQR Technical Manual*. The demand for community services generally stems from the introduction of new residents to an area. In general, size, income characteristics, and the age distribution of a new population are factors that could affect the delivery of services. The *CEQR Technical Manual* provides guidance or thresholds that can be used to make an initial determination of whether a detailed study is necessary to determine potential impacts.

As discussed in **Attachment A, "Project Description,"** the proposed actions would result in an incremental development of 155 total DUs, including approximately 128 affordable dwelling units (DUs) in the Proposed Rezoning Area, all of which would be at or below 80 percent Area Medium Income (AMI). As such, the proposed actions would exceed *CEQR Technical Manual* thresholds in the area of child care facilities; detailed analysis of this service is provided below. As discussed In **Attachment B, "Supplemental Screening**," the population anticipated to be introduced as a result of the proposed actions would not exceed the CEQR thresholds requiring detailed analysis of other community facilities, including schools, libraries, health care facilities, and fire and police protection services.

II. PRINCIPAL CONCLUSIONS

The proposed actions would not result in significant adverse impacts on community facilities. The 128 affordable residential units facilitated by the proposed actions' RWCDS are expected to generate demand for 23 seats at publicly funded child care centers in the surrounding area. While existing publicly funded child care centers in the area would operate over capacity in the future with the proposed actions (with a utilization rate of 101.9 percent), the proposed actions would only increase the child care facility utilization rate by 1.1 percentage points. As the proposed actions would not result in a five percent or greater increase in the child care facility utilization rate, no significant adverse impacts to child care facilities would result, in accordance with *CEQR Technical Manual* impact criteria.

III. PUBLICLY FUNDED CHILD CARE CENTERS

Methodology

ACS provides subsidized child care in center-based group child care, family-based child care, informal child care, and Head Start programs. Publicly financed child care services are available for income-eligible children up through the age of 12. The CEQR analysis focuses on services for children under age six, as eligible children aged six through 12 are expected to be in school for most of the day.

Families eligible for subsidized child care must meet financial and social eligibility criteria established by ACS. In general, children in families that have incomes at or below 200 percent of the federal poverty level, depending on family size, are financially eligible, although in some cases eligibility can go up to 275 percent. The family must also have an approved "reason for care," such as involvement in a child welfare case or participation in a "welfare-to-work" program. Head Start is a federally funded child care program that provides children with half-day and full-day early childhood education; program eligibility is limited to families with incomes at 130 percent or less than the federal poverty level.

The City's affordable housing market is pegged to the Area Median Income (AMI), rather than the federal poverty level. Since family incomes at or below 200 percent of the federal poverty level fall under 80 percent of AMI, for the purposes of CEQR analysis, the number of housing units expected to be subsidized and targeted for incomes of 80 percent AMI or below is used as a proxy for eligibility. This provides a conservative assessment of demand, since eligibility for subsidized child care is not defined strictly by income, but also takes into account family size and other reasons for care (e.g., low-income parent(s) in school; low-income parent(s) training for work; or low-income parent(s) who is/are ill or disabled).

Since there are no locational requirements for enrollment in child care centers, and some parents or guardians choose a child care center close to their place of employment rather than their residence, the service areas of these facilities can be quite large and are not subject to strict delineation on a map. However, in accordance with *CEQR Technical Manual* guidance, for the purposes of this child care center analysis, publicly funded group child care centers within approximately 1.5 miles of the Proposed Rezoning Area in the borough of Brooklyn were identified, reflecting the fact that the centers closest to a given site are more likely to be subject to increased demand. ACS provided the most recent information regarding publicly funded group child care facilities within the study area, including their current capacity, enrollment, and number of available slots. Family child care and voucher slots were not included in the analysis, in accordance with the *CEQR Technical Manual.*

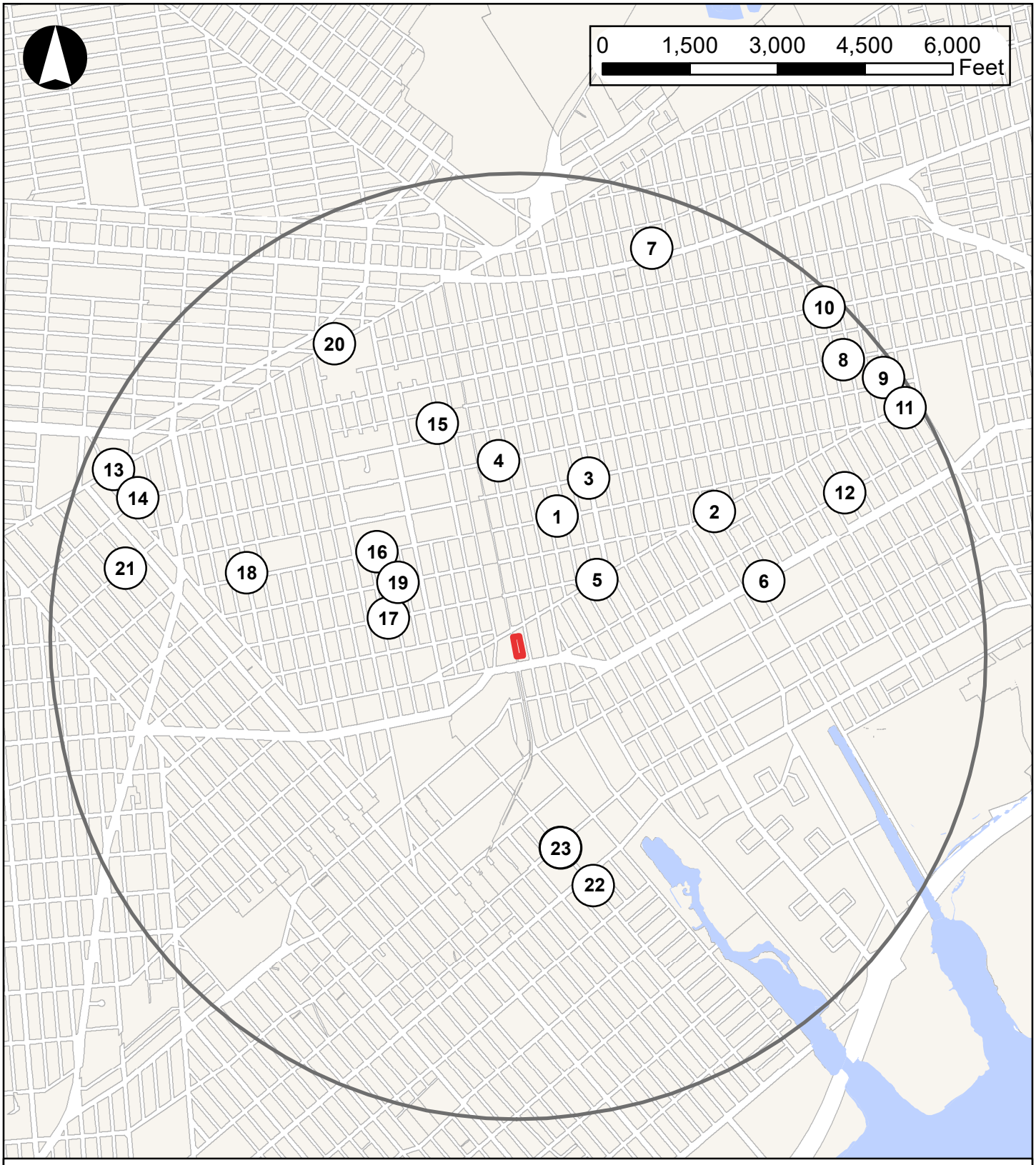
The child care center enrollment in the future without the proposed actions was estimated by multiplying the number of new low-income and low- and moderate-income housing units expected in the 1.5-mile child care study area by the appropriate multiplier from Table 6-1b of the *CEQR Technical Manual*. The estimate of new publicly funded child care-eligible children was added to the existing child care enrollment to estimate enrollment in the future without the proposed actions. The child care-eligible population introduced by the proposed actions was also estimated using the *CEQR Technical Manual* child care multipliers. The action-generated publicly funded child-care eligible population was then added to the No-Action child care enrollment to determine future With-Action enrollment. According to the *CEQR Technical Manual*, if a project would result in demand for slots greater than the remaining slots for child care centers and if that demand would constitute an increase of five percentage points or more in the collective capacity of child care centers serving the study area, a significant adverse impact may result.

Existing Conditions

As indicated in **Table D-1** and **Figure D-1**, there are 23 publicly funded child care centers within the study

Figure D-1

Child Care Facilities



Legend

Proposed Rezoning Area

1.5-mile Radius

1 Child Care Facilities
(refer to Table D-1)

area with a combined capacity of 2,144 slots and 279 available slots (87.0 percent utilization). Table D-1 shows the current capacity and enrollment for each of these facilities. As noted above, while family-based or privately-funded child care facilities and informal care arrangements provide additional slots in the study area, these slots are not included in the quantitative analysis.

TABLE D-1
Publicly Funded Child Care Centers Serving the Study Area

Map No.[1]	Name	Address	Capacity	Enrollment	Available Slots	Utilization
1	Children's Corner DCC	565 Livonia Avenue	174	140	34	80.5%
2	United Community DCC	613 New Lots Avenue	94	78	16	83.0%
3	Pal Arnold & Marie Schwartz	452 Pennsylvania Avenue	103	89	14	86.4%
4	Help 1	515 Blake Avenue	84	81	3	96.4%
5	Friends Of Crown Heights 19	370 New Lots Avenue	100	88	12	88.0%
6	Boulevard Nursery School	2150 Linden Boulevard	40	32	8	80.0%
7	St. Malachy ECDC	220 Hendrix Street	28	25	3	89.3%
8	Urban Strategies DCC 1	1091 Sutter Avene	139	137	2	98.6%
9	Blake-Milford DCC	334 Milford Street	44	45	-1	102.3%
10	Friends Of Crown Heights 15	2505 Pitkin Avenue	100	89	11	89.0%
11	Friends Of Crown Heights 16	668 Logan Street	83	78	5	94.0%
12	Friends Of Crown Heights 17	921 Hegeman Avenue	80	63	17	78.8%
13	Inner Force Tots Inc.	1181 East New York Avenue	311	231	80	74.3%
14	Friends Of Crown Heights 26	20 Sutter Avenue	74	58	16	78.4%
15	Nat Azarow Children's Center	232 Powell Street	88	86	2	97.7%
16	Pal World Of Creative Exp	280 Livonia Avenue	185	166	19	89.7%
17	First Step NYC @ PS/IS 41	225 Newport Street	65	65	0	100.0%
18	SCO Services - Saratoga	774 Saratoga Avenue	96	83	13	86.5%
19	Salvation Army Brownsville	280 Riverdale Avenue	63	55	8	87.3%
20	YWCA - Brownsville Elc.	1592 East New York Avenue	30	25	5	83.3%
21	Traditional Child Care Center	1112 Winthrop Street	59	54	5	91.5%
22	Breukelen Head St	715 East 105th Street	34	34	0	100.0%
23	Breukelen Day Care Center	717 East 105th Street	70	63	7	90.0%
		Totals:	**2,144**	**1,865**	**279**	**87.0%**

Notes:
[1]Refer to **Figure D-1**.
Source: ACS, June 2018 (via DCP).

The Future without the Proposed Actions (No-Action Condition)

Although no affordable residential development is anticipated on the Development Site in the No-Action condition, there are several residential development projects planned or under construction in the surrounding area expected to be completed by 2027. These planned and proposed development projects – i.e., No-Build projects – in the child care study area (1.5 miles from the Proposed Rezoning Area in Brooklyn) will introduce approximately 1,662 new affordable DUs to the study area by the 2027 build year.[1] Based on the *CEQR Technical Manual* generation rates for developments in Brooklyn, these approximately 1,662 new affordable DUs are expected to generate 296 additional publicly funded child care-eligible children under the age of six in the study area, increasing the total child care enrollment to 2,161.

No changes to child care center capacity are anticipated in the 2027 No-Action condition. As presented in

1 Source: DOB's 'New Buildings' permits list published in May 2020. Some of the planned or proposed developments are known to contain affordable DUs; in such cases, the specific number of anticipated affordable DUs has been accounted for. Supplemental sources include The Real Deal, Brownstoner, YIMBY

Table D-2, the future No-Action child care utilization rate is expected to increase by 13.8 percentage points in the future without the proposed actions to 100.8 percent. Therefore, the study area's child care centers are expected to operate over capacity in the No-Action condition, with a shortage of approximately 17 slots.

TABLE D-2
Comparison of Budget Capacity, Enrollment, Available Slots, & Utilization: 2027 No-Action Condition

	Budget Capacity	Enrollment	Available Slots	Utilization
Existing Conditions	2,144	1,865	279	87.0%
No-Action Increment	0	+296	-296	+13.8%
2027 No-Action Condition	2,144	2,161	-17	100.8%

Sources: *CEQR Technical Manual*, Table 6-1b

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

As discussed previously, a detailed analysis of child care centers is necessary when a project would produce a substantial number of low- to moderate-income family housing units that may therefore generate a sufficient number of children eligible to affect the availability of slots at publicly funded child care centers. For conservative analysis purposes, it is expected that under With-Action conditions, 129 affordable housing units for families with incomes at or below 80 percent AMI would be constructed in the Proposed Rezoning Area. Using Table 6-1b of the *CEQR Technical Manual*, these additional 129 affordable housing units would generate 23 children under the age of six eligible for publicly funded child care services (refer to **Table D-3**).

Based on these assumptions, the collective utilization rate of study area child care centers would increase to 101.9 percent in the 2027 With-Action condition (with a shortage of approximately 40 slots), an approximate 1.1 percent increase over the No-Action utilization rate (refer to **Table D-3**).

TABLE D-3
Comparison of Budget Capacity, Enrollment, Available Slots, & Utilization: 2025 With-Action Condition

	Budget Capacity	Enrollment	Available Slots	Utilization
2027 No-Action Condition	2,144	2,161	-17	100.8%
With-Action Increment	0	+23	-23	+1.1%
2027 With-Action Condition	2,144	2,184	-40	101.9%

Sources: *CEQR Technical Manual*, Table 6-1b.

According to the *CEQR Technical Manual*, a significant adverse child care center impact could result if a proposed action results in: (1) a collective utilization rate greater than 100 percent in the With-Action condition; and (2) the demand constitutes an increase of five percent or more in the collective capacity of child care centers serving the study area over the No-Action condition. As shown in **Table D-3**, in the future with the proposed actions, the child care study area would experience a utilization rate of 101.9 percent, an increase of 1.1 percentage points over No-Action conditions. As such, the proposed actions would not result in significant adverse impacts on publicly funded child care facilities.

Attachment E

Open Space

I. INTRODUCTION

An open space assessment may be necessary if a proposed action could potentially have a direct or indirect effect on open space resources in the project area. A direct effect would "physically change, diminish, or eliminate an open space or reduce its utilization or aesthetic value." An indirect effect may occur when the population generated by a proposed development would be sufficient to noticeably diminish the ability of an area's open space to serve the existing or future population. According to the guidance established in the *City Environmental Quality Review* (CEQR) *Technical Manual,* a project that would add fewer than 200 residents or 500 employees, or a similar number of other users, is typically not considered to have indirect effects on open space.

Although the proposed actions would not have a direct effect on existing open space resources in the Proposed Rezoning Area, development facilitated by the proposed actions (the reasonable worst-case development scenario (RWCDS) is expected to result in an incremental increase of up to 155 dwelling units over the 2027 No-Action condition. This would result in an increase of approximately 430 residents[1], which exceeds the *CEQR Technical Manual* threshold for a detailed open space analysis in areas that are defined as neither well-served nor underserved by open space in the *CEQR Technical Manual*. A quantitative assessment was conducted to determine whether the proposed actions would significantly reduce the amount of open space available for the area's residential population. While, the RWCDS is also expected to introduce a net increment of 29 employees to the Proposed Rezoning Area, this falls below the *CEQR Technical Manual* screening threshold for analysis of nonresidential users. Therefore, the analysis of indirect open space impacts focuses exclusively on the open space needs of the area residential population.

II. PRINCIPAL CONCLUSIONS

The proposed actions would not result in significant adverse open space impacts. While the residential open space study area would continue to have a shortfall of open space in the future with the proposed actions, the demand for open space generated by the RWCDS would not significantly exacerbate the No-Action deficiency, and the population added as a result of the proposed actions is not expected to noticeably affect utilization of the area's open spaces. The total, active, and passive open space ratios are expected to decrease 1.85 percent. Most of the study area open space resources are lightly utilized and could therefore readily accommodate additional demand. Residents of the study area would also continue to use additional open space resources not included in the quantitative assessment, including the approximately 2.77 acres found across ten different community gardens. Therefore, while the proposed actions would result in an incremental decrease in open space ratios in the future, given the level of decrease anticipated, the existing low utilization of many of the study area's open spaces, and the availability of additional open spaces conservatively not included in the quantitative analysis, the proposed actions would not result in a significant adverse impact on open space. In addition, the proposed actions would not have a direct effect on any study area open spaces due to construction.

[1] Based on the average household size of 2.77 for the East New York (Pennsylvania Avenue) Neighborhood Tabulation Area (2014-2018 ACS 5-Year).

III. METHODOLOGY

The analysis of open space resources has been conducted in accordance with the guidance established in the *CEQR Technical Manual*. Using CEQR methodology, the adequacy of open space in the study area is assessed quantitatively using a ratio of usable open space acreage to the study area population, referred to as the open space ratio. This quantitative measure is then used to assess the changes in the adequacy of open space resources in the future, both without and with the proposed actions. In addition, qualitative factors are considered in making an assessment of the proposed actions' effects on open space resources.

In accordance with the guidance established in the *CEQR Technical Manual,* the open space study area is generally defined by a reasonable walking distance that users would travel to reach local open space and recreational resources. That distance is typically a half-mile radius for residential projects and a quarter-mile radius for commercial projects with a worker population. Because the worker population generated by the proposed actions falls well below the threshold of 500 additional employees and because the proposed actions will primarily result in residential development, a half-mile radius is the appropriate study area boundary.

Open Space Study Area

Pursuant to *CEQR Technical Manual* guidance, the residential open space study area includes all census tracts that have at least 50 percent of their area located within a half mile of the Proposed Rezoning Area and all open spaces within it that are publicly accessible. As described above, residents typically walk up to a half-mile for recreational spaces.

As shown in **Figure E-1**, the ½-mile open space study area includes the following census tracts in their entirety: census tracts 918, 920, 922, 1098, 1128, 1130, and 1132. The open space study area extends approximately to Livonia, Dumont, and Riverdale Avenues to the north; to Georgia Avenue, Bradford Street, and Louisiana Avenue to the east; to Stanley Avenue, Farragut Road, and Rockaway Parkway to the south; and to Thomas Boyland Street, Thatford Street, and Rockaway Avenue to the west. As shown in **Figure E-1**, the Proposed Rezoning Area is located within Census Tract 1132.

Analysis Framework

Direct Effects Analysis

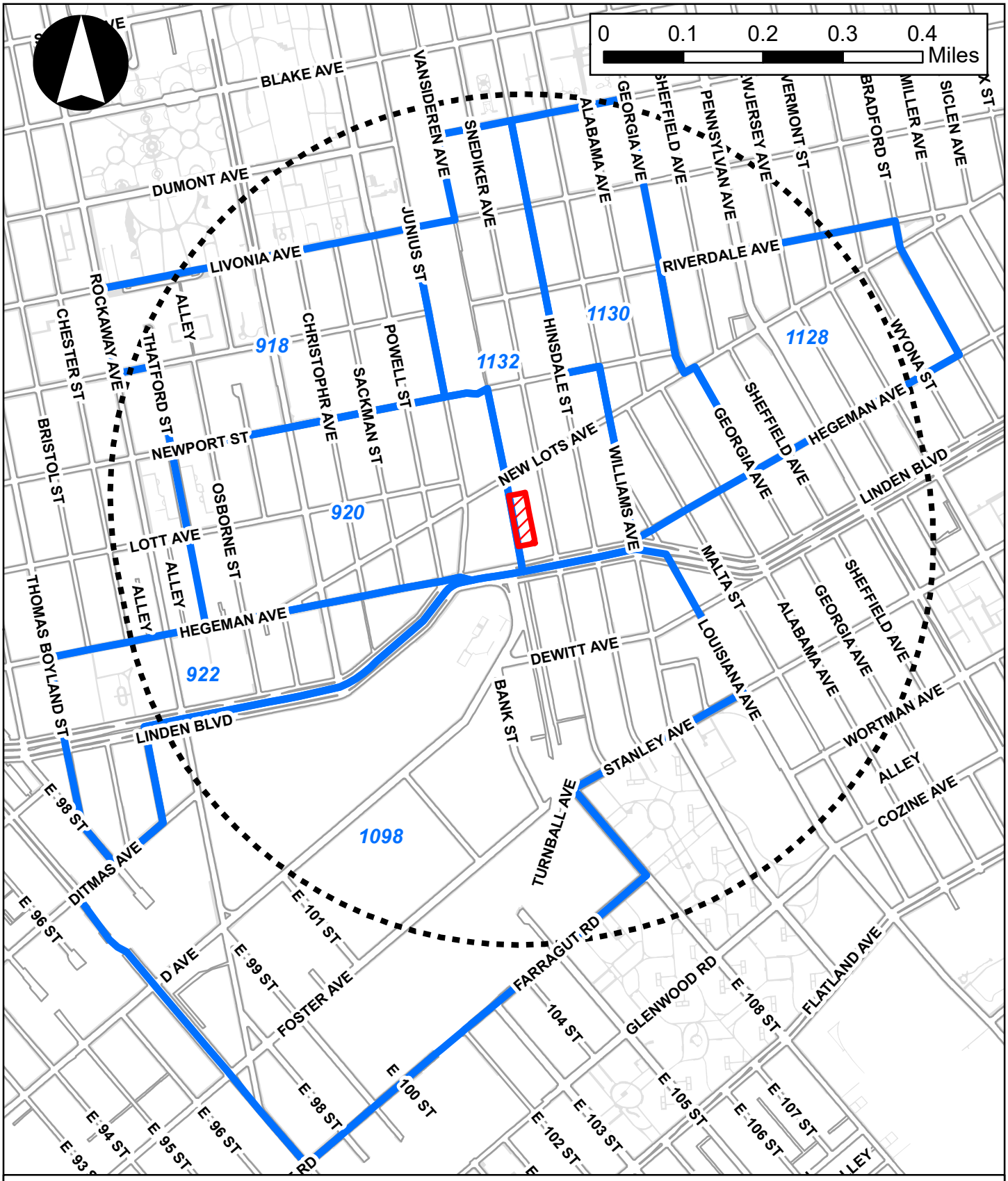
According to the *CEQR Technical Manual*, a proposed action would have a direct effect on an open space if it causes the physical loss of public open space because of encroachment onto the space or displacement of the space; changes the use of an open space so that it no longer serves the same user population; limits public access to an open space; or causes increased noise or air pollutant emissions, odors, or shadows that would affect its usefulness, whether on a permanent or temporary basis.

This attachment uses information from other attachments of this EAS to determine whether the proposed actions would directly affect any open spaces near the proposed developments. The direct effects analysis is included in the "The Future with the Proposed Actions (With-Action Condition)" section of this attachment.

Indirect Effects Analysis

Indirect effects occur to an area's open spaces when a proposed action would add enough population, either workers or residents, to noticeably diminish the ability of an area's open space to serve the existing or future population. The *CEQR Technical Manual* methodology suggests conducting an initial

Open Space Study Area



Legend

Proposed Rezoning Area | Half Mile Radius | Half Mile Study Area

quantitative assessment to determine whether more detailed analyses are appropriate, but also recognizes that for projects that introduce a large population in an area that is underserved by open space, it may be clear that a full detailed analysis should be conducted. The study area is not located within an underserved or well-served area as determined by the *CEQR Technical Manual*.

With an inventory of available open space resources and potential users, the adequacy of open space in the study area can be assessed both quantitatively and qualitatively. The quantitative approach computes the ratio of open space acreage to the population in the study area and compares this ratio with certain guidelines. The qualitative assessment examines other factors that can affect conclusions about adequacy, including proximity to additional resources beyond the study area, the availability of private recreational facilities, and the demographic characteristics of the area's population. Specifically, the analysis in this chapter includes:

- Characteristics of the residential users. To determine the number of residents in the study area, 2014-2018 ACS Census data have been compiled for census tracts comprising the open space study area.
- An inventory of all publicly accessible passive and active recreational facilities in the open space study area.
- An assessment of the quantitative ratio of open space in the study area by computing the ratio of open space acreage to the population in the study area and comparing this open space ratio with certain guidelines.
    - As a planning goal, a ratio of 2.5 acres per 1,000 residents represents an area well-served by open spaces and is consequently used by the City as an optimal benchmark for residential populations in large-scale plans and proposals. Ideally, this would be comprised of a balance of 80 percent active open space (2.0 acres per 1,000 residents) and 20 percent passive open space (0.5 acres per 1,000 residents).
    - Local open space ratios vary widely, and the median ratio at the citywide community district level is 1.5 acres of open space per 1,000 residents.
- An evaluation of qualitative factors affecting open space use.
- A final determination of the adequacy of open space in the residential open space study area.

Impact Assessment

As described in the *CEQR Technical Manual,* the significance of a project's effects on an area's open spaces is determined using both quantitative and qualitative factors, as compared to the No-Action condition. The determination of significance is based upon the context of a project, including its location, the quality and quantity of the open space in the future With-Action condition, the types of open space provided, and any new open space provided by the project.

The quantitative assessment considers how a project would change the open space ratios in the study area. The *CEQR Technical Manual* indicates that a significant adverse impact may result if a project would reduce the open space ratio by more than five percent in areas that are currently below the City's median community district open space ratio of 1.5 acres per 1,000 residents, or where there would be a direct displacement or alteration of existing open space within the study area that has a significant adverse effect on existing users. In areas that are underserved by open space (as identified in the *CEQR Technical Manual*), a reduction as small as one percent may be considered significant, depending on the area of the City. Furthermore, in areas that are well-served by open space, a greater change in the open space ratio may be tolerated. As noted above, the Proposed Rezoning Area is not located in an area that is either underserved or well-served by open space, as identified in the *CEQR Technical Manual*.

The qualitative assessment supplements the quantitative assessment and considers nearby destination resources, the connectivity of open space, the effects of new open space provided by the project, a comparison of projected open space ratios with established City guidance, and open spaces created by the proposed project not available to the general public. It is recognized that the City's planning goals are not feasible for many areas of the City, and they are not considered impact thresholds on their own. Rather, these are benchmarks indicating how well an area is served by open space.

D. PRELIMINARY ASSESSMENT

According to the *CEQR Technical Manual*, an initial quantitative open space assessment may be useful to determine if a detailed open space analysis is necessary, or whether the open space assessment can be targeted to a particular user group. This initial assessment calculates an open space ratio by relating the existing residential and nonresidential populations to the total open space in the study area. It then compares that ratio with the open space ratio in the future with the proposed actions. If there is a decrease in the open space ratio that would approach or exceed five percent, or if the study area exhibits a low open space ratio from the onset (indicating a shortfall of open spaces), a detailed analysis is warranted. The detailed analysis examines passive and active open space resources available to both residents and nonresidents (e.g., daily workers and visitors) within study areas delineated in accordance with the *CEQR Technical Manual*.

Pursuant to the guidance of the *CEQR Technical Manual*, a preliminary open space assessment was conducted. As the study area exhibits a low open space ratio (i.e., below the Citywide Community District median of 1.5 acres per 1,000 residents and the City's optimal planning goal of 2.5 acres per 1,000 residents) under existing and future conditions, a detailed open space analysis is warranted and is provided below.

E. DETAILED ANALYSIS

Existing Conditions

Demographic Characteristics of the Study Area

To determine the residential population served by existing open space resources, 2014-2018 American Community Survey (ACS) Census data were compiled for the census tracts comprising the ½-mile study area. With an inventory of available open space resources and the number of potential users, open space ratios were calculated and compared with the existing citywide median ratio and the City's planning goals. As mentioned above and shown in **Figure E-1**, the open space study area is comprised of seven census tracts. As shown in Table E-1 below, 2014-2018 Census data from the American Community Survey (ACS) indicate that the open space study area has a total residential population of approximately 19,678.

Within a given area, the age distribution of a population affects the way open spaces are used and the need for various types of recreational facilities. Typically, children four years old or younger use traditional playgrounds that have play equipment for toddlers and preschool children. Children ages five through nine typically use traditional playgrounds, as well as grassy and hard-surfaced open spaces, which are important for activities such as ball playing, running, and skipping rope. Children ages ten through 14 use playground equipment, court spaces, little league fields, and ball fields. Teenagers' and young adults' needs tend toward court game facilities such as basketball and field sports. Adults between the ages of 20 and 64 continue to use court game facilities and fields for sports, as well as more individualized recreation such as rollerblading, biking, and jogging, requiring bike paths, promenades, and vehicle-free roadways. Adults also gather with families for picnicking, ad hoc active sports such as

Frisbee®, and recreational activities in which all ages can participate. Senior citizens engage in active recreation such as tennis, gardening, and swimming, as well as recreational activities that require passive facilities.

TABLE E-1
Residential Population and Age Distribution in the ½-Mile Study Area

Census Tracts	Residential Population													
	Total Population	Age Distribution												Median Age
		Under 5		5 - 9		10 - 14		15 - 19		20 - 64		65+		
		#	%	#	%	#	%	#	%	#	%	#	%	
918	2,201	163	7.41%	108	4.91%	126	5.72%	93	4.23%	1,381	62.74%	330	14.99%	**36.1**
920	2,677	105	3.92%	134	5.01%	323	12.07%	113	4.22%	1,708	63.80%	294	10.98%	**39.7**
922	2,515	74	2.94%	146	5.81%	118	4.69%	165	6.56%	1,459	58.01%	553	21.99%	**50.1**
1098	2,331	262	11.24%	116	4.98%	146	6.26%	119	5.11%	1,529	65.59%	159	6.82%	**29.3**
1128	4,012	191	4.76%	369	9.20%	246	6.13%	155	3.86%	2,577	64.23%	474	11.81%	**32.2**
1130	3,970	250	6.30%	391	9.85%	213	5.37%	254	6.40%	2,489	62.70%	373	9.40%	**35.9**
1132	1,972	72	3.65%	133	6.74%	181	9.18%	103	5.22%	1,269	64.35%	214	10.85%	**34**
Total	**19,678**	**1,117**	**5.68%**	**1,397**	**7.10%**	**1,353**	**6.88%**	**1,002**	**5.09%**	**12,412**	**63.08%**	**2,397**	**12.18%**	**36.5**

Source: 2014-2018 American Community Survey (ACS) 5-Year Sample

Therefore, the residential population of the study area was also broken down by age group. As shown in Table E-1, people between the ages of 20 and 64 make up the majority (approximately 63 percent) of the residential population. Children and teenagers (0 to 19 years old) account for approximately 25 percent of the entire residential population, and persons 65 years and over account for approximately 12 percent of the residential study area population. Compared to Brooklyn and New York City as a whole, the study area residential population includes a larger percentage of people between the ages of 20 and 64, and a smaller percentage of children/teenagers and persons 65 years and over.

The median population age for individual census tracts within the residential study area ranges from a high of 50.1 years (census tract 922) to a low of 29.3 years (census tract 1098).

Based on this data, the peak hours of open space demand would be expected to be concentrated during weekends and the early morning and late afternoon to evening hours during the week, as it could be assumed that most residents aged 20 to 64 would work or attend school on weekdays.

Inventory of Publicly Accessible Open Space

According to the *CEQR Technical Manual*, open space may be public or private and may be used for active or passive recreational purposes. Pursuant to the *CEQR Technical Manual*, public open space is defined as facilities open to the public at designated hours on a regular basis and is assessed for impacts under CEQR guidance, whereas private open space is not accessible to the general public on a regular basis, and is therefore only considered qualitatively. Field surveys and secondary sources were used to determine the number, availability, and condition of publicly accessible open space resources in the study area.

An open space is determined to be active or passive by the uses that the design of the space allows. Active open space is the part of a facility used for active play such as sports or exercise and may include playground equipment, playing fields and courts, swimming pools, skating rinks, golf courses, and multi-purpose play areas (open lawns and paved areas for active recreation such as running games,

informal ball-playing, skipping rope, etc.). Passive open space is used for sitting, strolling, and relaxation, and typically contains benches, walkways, and picnicking areas.

Within the defined study area, all publicly accessible open spaces were inventoried and identified by their location, size, owner, type, utilization, equipment, hours, and condition. The information used for this analysis was gathered through field inventories conducted in July 2020, NYC Parks' website, and other secondary sources of information.

The condition of each open space facility was categorized as "Excellent," "Good," "Fair," or "Poor." A facility was considered in excellent condition if the area was clean and attractive and if all equipment was present and in good repair. A good facility had minor problems such as litter or older but operative equipment. A fair or poor facility was one that was poorly maintained, had broken or missing equipment or lack of security, or other factors that would diminish the facility's attractiveness. Determinations were made subjectively, based on a visual assessment of the facilities.

Likewise, judgments as to the intensity of use of the facilities were qualitative, based on an observed degree of activity or utilization on a weekday afternoon, which is considered the weekday peak utilization period according to the *CEQR Technical Manual*. If a facility seemed to be at or near capacity (i.e. the majority of benches or equipment was in use), then utilization was considered heavy. If the facility or equipment was in use but could accommodate additional users, utilization was considered moderate. If a playground or sitting area had few people, usage was considered light. Table E-2, "Inventory of Existing Open Space and Recreational Facilities in Study Area," identifies the address, ownership, hours, and acreage of active and passive open spaces in the study area, as well as their condition and utilization. **Figure E-2** maps their location in the study area.

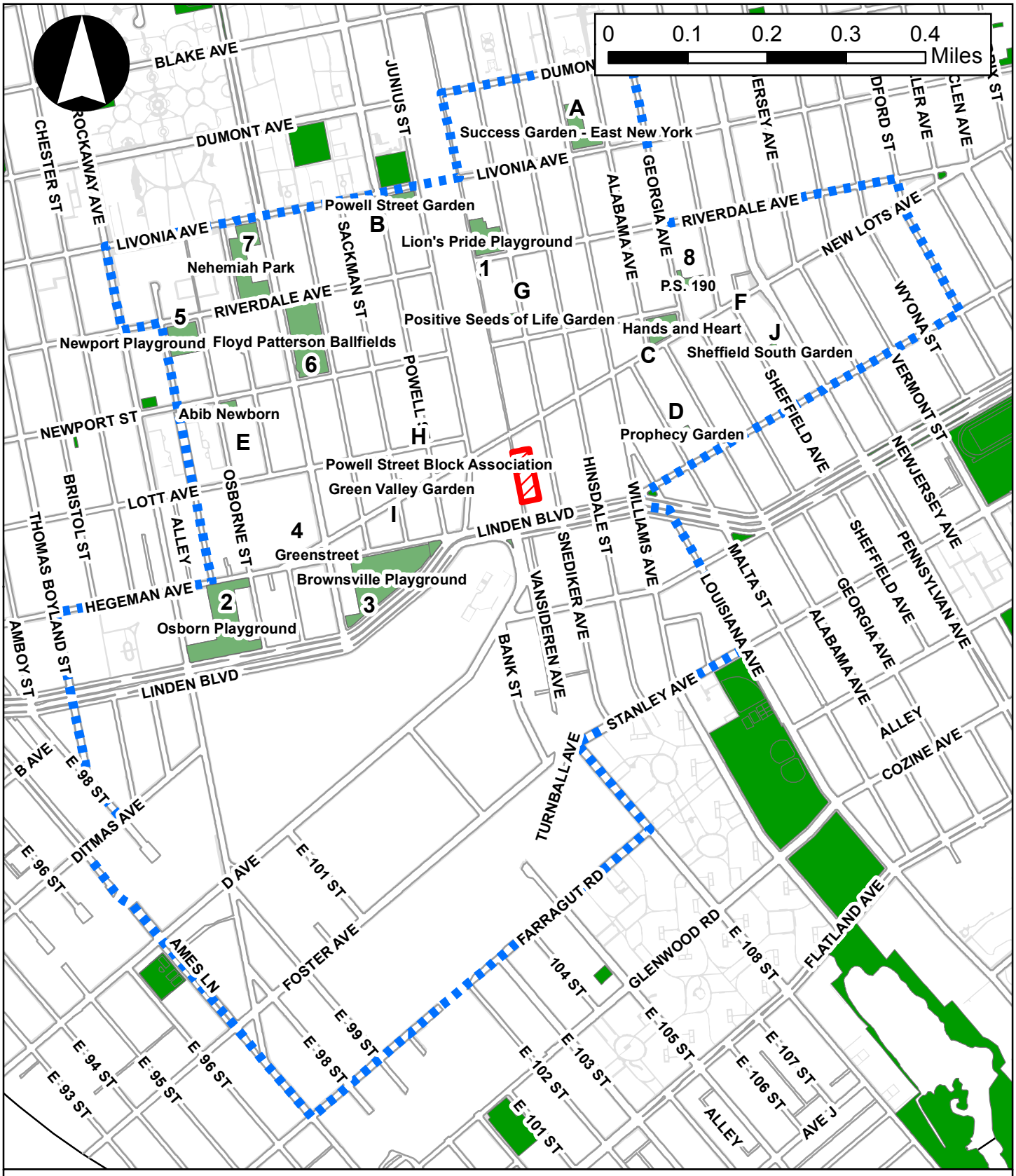
In addition to the open space resources included in the quantitative analysis pursuant to *CEQR Technical Manual* methodology, ten resources (denoted by the letters A, B, C, D, E, F, G, H, I, J, and K in Table E-2 and **Figure E-2**) fall within the study area but are excluded from the quantitative analysis due to limited hours and/or accessibility.

Open Space Resources

As shown in Table E-2, 10.68 acres of open space are included in the quantitative analysis, of which approximately 9.69 acres (91 percent) is active open space and 0.99 acres (9 percent) is passive open space. Most of the open spaces in the study area are neighborhood playgrounds or seating areas that occupy less than one acre. The playgrounds generally feature play equipment, benches, and drinking fountains, and the seating areas typically offer green spaces and benches. There are six primarily active recreational playgrounds within the open space study area: Brownsville Playground, Floyd Patterson Ballfields, Osborn Playground, Nehemiah Park, Newport Playground, and Lion's Pride Playground, which, combined, constitute the majority of the open space available for recreation in the study area.

The Brownsville Playground encompasses 3.02 acres of active recreational use and is generally bounded by Hegeman Avenue to the north, Mother Gaston Boulevard to the west, and Linden Boulevard to the south and southeast. It is the closest open space to the Proposed Rezoning area at 0.2 miles walking distance. This playground honors the neighborhood for which it is named after. This open space resource also contains a recreation center. Brownsville Recreation Center first opened in 1953 as the Brownsville Boys' Club. In 1954, the recreation center was bestowed upon the City as an official gift from the Boys and Girls Club of America. It has an indoor swimming pool, basketball court, fitness room, and recreation rooms for children, teenagers, and seniors. Brownsville Playground has a playground, athletic field, basketball courts, and handball courts. In 2008, Brownsville Playground received $1.5 million in improvements to renovate its playground and replace the asphalt playing field to synthetic turf. Currently, all recreation centers across the City are closed to the public until further notice due to the

Open Space Resources



Legend

Open Space Resources | Half-Mile Study Area | Proposed Rezoning Area

COVID-19 pandemic. The Brownsville Playground recreation center is in use as a supply distribution center.

TABLE E-2
Inventory of Existing Open Space and Recreational Facilities in the Study Area

Map No.	Name	Location	Owner/ Agency	Features	User Groups	Hours of Access	Total Acres	Passive Acres	Passive %	Active Acres	Active %	Condition	Utilization
Open Space Resources included in Quantitative Analysis													
1	Lion's Pride Playground	Riverdale Avenue bet. Can Sinderen Avenue and Snediker Avenue	DPR	Playgrounds, Spray Showers, Seating Areas	Children, Adults, Seniors	6am – 9pm	0.86	0	0%	0.86	100%	Good	Low
2	Osborn Playground	Hegeman Avenue bet. Osborn Street, Rockaway Avenue, and Linden Boulevard	DPR	Basketball Courts, Bathrooms, Handball Courts, Playgrounds, Spray Showers, Seating Areas	Children, Adults, Seniors	6am – 9pm	1.9	0.285	15%	1.615	85%	Good	Moderate
3	Brownsville Playground	Hegeman Avenue bet. Linden Boulevard and Mother Gaston Boulevard	DPR	Basketball Courts, Handball Courts, Recreation Center, Playground, Turf Fields, Seating Areas	Children, Adults, Seniors	6am – 9pm	3.02	0	0%	3.02	100%	Excellent	Low
4	Veterans Triangle	Hegeman Avenue and New Lots Avenue bet. Watkins Street and Mother Gaston Boulevard	DPR	Seating Areas	Adult, Seniors	6am – 1am	0.03	0.03	100%	0	0%	Good	Moderate
5	Newport Playground	Riverdale Avenue bet. Thatford Avenue and Osborn Street	DPR	Basketball Courts, Bathrooms, Handball Courts, Playgrounds, Spray Showers, Chess Tables, Turf Field, Seating Areas	Children, Adults, Seniors	6am – 9pm	0.92	0.276	30%	0.644	70%	Excellent	High
6	Floyd Patterson Ballfields	Christopher Avenue, Riverdale Avenue, Newport Avenue, Mother Gaston Boulevard	DPR	Baseball Fields, Amphitheater	Children, Adults	6am – 9pm	2.3	0.23	10%	2.07	90%	Fair	Low
7	Nehemiah Park	Watkins Street, Mother Gaston Boulevard, Livonia Avenue, Riverdale Avenue	DPR	Handball Courts, Playground, Spray Showers, Basketball Courts	Children, Adults, Seniors	6am – 9pm	1.65	0.165	10%	1.485	90%	Fair	Low
8	PS 190 Community Playground	590 Sheffield Avenue	DOE	Playground	Children, Adults	8am – Dusk	0	0	0	0	0	Under Construction	-
Total Included in Quantitative Analysis							10.68	0.99	9%	9.69	91%		
Open Space Resources not included in Quantitative Analysis													
A	Success Garden – East New York	537 Livonia Avenue	DPR	Community Garden	Adults, Seniors	20 hours a week April – October	0.91	0.91	100%	0	0%		
B	Powell Street Garden	434 Livonia Avenue	DPR	Community Garden	Adults, Seniors	20 hours a week	0.45	0.45	100%	0	0%		
C	Hands and Heart	290 New Lots Avenue	DPR	Community Garden	Adults, Seniors	20 hours a week	0.63	0.63	100%	0	0%		
D	Prophecy Garden	69 Malta Street	DPR	Community Garden	Adults, Seniors	20 hours a week	0.045	0.045	100%	0	0%		

E	Abib Newborn	495 Osborn Street	DPR	Community Garden	Adults, Seniors	20 hours a week	0.27	0.27	100%	0	0%	
F	Georgia Avenue Community Garden	328 New Lots Avenue	DPR	Community Garden	Adults, Seniors	20 hours a week	0.045	0.045	100%	0	0%	
G	Positive Seeds of Life Garden	554 Snediker Avenue	DPR	Community Garden	Adults, Seniors	20 hours a week	0.11	0.11	100%	0	0%	
H	Powell Street Block Association	631 Powell Street	DPR	Community Garden	Adults, Seniors	N/A	0.02	0.02	100%	0	0%	
I	Green Valley Garden	93 New Lots Avenue	DPR	Community Garden	Adults, Seniors	20 hours a week	0.2	0.2	100%	0	0%	
J	Sheffield Garden	673 Sheffield Avenue	BQLT	Community Garden	Adults, Seniors	N/A	0.09	0.09	100%	0	0%	
Total Excluded from Quantitative Analysis							2.77	2.77	100%	0	0%	

Source: NYC Zola, DPR, July 2020 field visits.
DPR = New York City Department of Parks and Recreation; DOE = New York City Department of Education; BQLT = Brooklyn Queens Land Trust

Floyd Patterson Ballfields encompasses 2.3 acres of active recreational uses, and is generally bounded by Riverdale Avenue to the north, Christopher Avenue to the east, Newport Street to the south, and Mother Gaston Boulevard to the west. The park honors Floyd Patterson, a boxing legend and world heavyweight champion in the 1950s and 1960s, who grew up in Brownsville. The park features a large field used for soccer, baseball and football. On the Newport Street frontage, there is a 150-seat amphitheater which can host live performances.

Osborn Playground encompasses 1.9 acres of active and passive recreational uses, and is generally bounded by Hegeman Avenue to the north, Rockaway Avenue to the west, Linden Boulevard to the south, and Osborn Street to the east from which the playground receives it name. It is roughly 0.5 miles away from the Proposed Rezoning Area and is three blocks west of Brownsville Playground and two blocks west of Veterans Triangle. The playground was originally acquired by the City in 1968 and was opened as part of Public School 275 in 1971. It remained under joint operation of DPR and New York City Board of Education until 1988 when it was reassigned to DPR exclusively. The park features basketball courts, bathrooms, handball courts, spray showers, seating areas, and a playground.

Nehemiah Park encompasses 1.65 acres of active and passive recreational uses, and is generally bounded by Livonia Avenue to the north, Watkins Street to the west, Riverdale Avenue to the south, and Mother Gaston Boulevard to the east. It is directly northwest of Floyd Patterson Ballfields on Mother Gaston Boulevard and one block away from Newport Playground to the west. Nehemiah Park is roughly 0.6 miles away from the Proposed Rezoning Area. The park is named after the nearby Nehemiah Houses, a housing development built by a local non-profit East Brooklyn Congregations. The DPR acquired the park in 1997. The park features a playground, handball courts, spray showers, basketball courts, and seating areas.

Newport Playground encompasses 0.92 acres of active and passive recreational uses, and is generally bounded by Riverdale Avenue to the north, Thatford Street to the west, Newport Street to the south, and Osborn Street to the east. The park is roughly 0.7 miles away from the Proposed Rezoning Area and is one block away from Nehemiah Park to the east. Newport Playground is one of 67 parks citywide included in the Community Parks Initiative (CPI), a $285 million investment in capital projects to improve neighborhoods' quality of life by revitalizing community park that have not undergone significant improvements in decades by 2019. In 2016, Newport Playground was identified as a site eligible for CPI expansion. The park features basketball courts, playgrounds, spray showers, handball courts, chess tables, seating areas, and a turf field. The bathroom is currently undergoing renovations, but all other amenities are fully functioning and construction is expected to end July, 2020.

In addition to these six predominantly active open space resources, there are six public parks, plazas, squares, or triangles located within the open space study area, that contain a combined 5.36 acres of open space. In addition, between Georgia Avenue and Sheffield Avenue is a small 0.25-acre playground, part of Public School 190 that is publicly accessible. The playground is part of the Schoolyards to Playground program, a collaborative effort by the New York City Department of Parks and Recreation and the New York City Department of Education to renovate schoolyards and convert them for public recreational use. It is currently under construction with an estimated completion date of December 2020, and is therefore not included in the quantitative analysis for existing conditions.

Of the eight open space resources included in the quantitative analysis, six are concentrated west of the Proposed Rezoning Area, one is immediately north along Van Sinderen Avenue, and only is located to the east of the Proposed Rezoning Area. These spaces constitute important open space resources for neighborhood residents, as they provide passive and active recreational opportunities for residents as well as the local employee population.

As noted in Table E-2, two of the eight open space resources included in the quantitative indirect open space impact assessment are in fair condition. In terms of utilization, ,most of the study area open space

resources exhibit low to moderate utilization levels, with only one facility (Newport Playground) experiencing high utilization.

The study area also includes ten community gardens, which have been excluded from the quantitative analysis due to limited accessibility to the general public. Success Garden-East New York is the largest community garden with 0.91 acres of seating, open space, and plantings. The Powell Street Block Association is the smallest community garden with 0.02 acres of plantings. Sheffield Garden is the only community garden not owned by DPR. Founded in 1990, Sheffield Garden is a 0.09-acre garden owned and operated by the Brooklyn-Queens Land Trust (BQLT), which own 35 gardens across Brooklyn and Queens. BQLT-owned gardens cannot be sold or developed; they are permanently preserved as open space. In total, the ten community gardens comprise approximately 2.77 acres of passive open space. There is also one unnamed green street located on De Witt Avenue between Avenue D and Van Sinderen Avenue within the study area that is excluded from the quantitative analysis due to its lack of seating.

Existing Open Space Adequacy

The following analysis of the adequacy of existing open space resources within the study area takes into consideration the ratios of active, passive, and total open space resources per 1,000 residents. As an optimal planning goal, the City tries to achieve an overall residential open space ratio of 2.5 acres per 1,000 residents (80 percent [2 acres] active and 20 percent [0.5 acres] passive) for large-scale plans and proposals. Although a typical population mix may call for such a goal, it is often not feasible for many areas of the City (especially higher density areas). Therefore, the City does not consider these ratios as open space policy for every neighborhood. Rather, the ratios serve as benchmarks that represent how well an area is served by open space.

In calculating the open space ratio per 1,000 user population for the study area, all of the resources listed in the "Open Space Resources Included in the Quantitative Analysis" section of Table E-2 were included; Resources A through Jwere not included in the calculations pursuant to *CEQR Technical Manual* guidance as they have limited accessibility/hours or do not offer seating. Table E-3 shows that, with an existing study area residential population of approximately 19,678 people, the existing total open space ratio in the study area is approximately 0.543 acres per 1,000 residents; the study area has 0.493 acres of active open space per 1,000 residents and 0.05 acres of passive open space per 1,000 residents. As indicated in Table E-3, the existing total, active, and passive residential open space ratios are below the City's open space planning goals of 2.5 acres per 1,000 residents, and the total open space ration also falls below the 1.5 acres per 1,000 residents Citywide Community District Median.

TABLE E-3
Adequacy of Open Space Resource in the Study Area – Existing Conditions

Existing Population	Open Space Acreage			Open Space per 1,000 Residents			City Open Space Planning Goals		
	Total	Passive	Active	Total	Passive	Active	Total	Passive	Active
19,678	10.68	0.99	9.69	0.543	0.050	0.493	2.50	0.50	2.0

Qualitative Assessment

As discussed above, there are 10 open space resources within the open space study area that are not included in the quantitative analysis. These open spaces provide an extra 2.77 acres of passive open space for residents of the study area. As shown in **Figure E-2**, there are several open space resources within a half-mile from the Proposed Rezoning Area, but not located within the open space study area. These open spaces include Van Dyke Playground (1.40 acres), Livonia Park (0.92 acres), Breukelen Ballfields (16.16 acres). These resources, along with resources A through J in Table E-2, provide an

additional 21.25 acres of open space that is not analyzed in the quantitative analysis. Additionally, a majority of the open spaces included in the quantitative analysis have low to moderate usage and can therefore accommodate additional demand.

The Future without the Proposed Actions (No-Action Condition)

Proposed Rezoning Area

In the absence of the proposed actions in 2027, the rezoning would not take place and the Applicant would not proceed with the Proposed Development on Projected Development Site 1, nor would the other two Projected Development Sites be developed. All existing buildings within the Proposed Rezoning Area would remain in their existing form.

Study Area Population

As presented below in Table E-4, several new residential developments are currently planned and expected to be completed within the ½-mile open space study area in the future without the proposed actions by 2027, which would increase the residential population within the study area. It should be noted that these No-Action developments are located outside of the land use study area discussed in **Attachment C, "Land Use, Zoning, and Public Policy,"** and were, therefore, not included in the land use assessment. The residential components of these No-Action developments have been added to the existing conditions residential population to establish the No-Action residential population in the study area. Table E-4 shows that these No-Action developments are expected to increase the ½-mile study area population by approximately 3,524 residents by 2027, to a total of 23,202 residents.

Open Space Resources

Under the No-Action condition, the only anticipated change to the study area would be the completion of construction of the playground at Public School 190 by the 2027 build year. As such, open space in the ½-mile open space study area would total 10.93 acres, comprised of 0.99 acres of passive open space and 9.94 acres of active open space.

Open Space Adequacy

Table D-5, below, presents the No-Action open space ratios for the ½-mile study area, based on the anticipated population increases outlined above. As indicated in Table D-5, as under existing conditions, the total, passive, and active open space ratios would be less than the City' open space planning goals of 2.5 acres of open space per 1,000 residents (including 0.5 acres of passive open space and two acres of active open space). The total open space ratio is expected to decrease to 0.471 acres per 1,000 residents in the No-Action condition, with No-Action passive and active open space ratios of 0.042 and 0.429 acres per 1,000 residents, respectively. As under existing conditions, residents of the study area are expected to continue to utilize other study area open space resources conservatively not included in the quantitative assessment, such as the community gardens, as well as other open space resources located just outside the study area boundary.

TABLE E-4
2027 No-Action Study Area Residential Development

No-Action Development	Total Square Feet (sf)	Residents[1]
47 New Lots Avenue	21,076	43
589 Christopher Avenue	245,810	526
379 Dewitt Avenue	18,616	66
262 Hinsdale Street	5,900	15
96 New Lots Avenue	282,000	1,295
214 Hegeman Avenue	36,173	180
402 Snediker Ave	72,424	182
647 Sheffield Avenue	6,293	20
677 Van Sinderen Avenue	95,037	258
170 New Lots Avenue	36,676	71
717 Sackman Street	4,027	5
722 Hinsdale Street	5,980	20
650 Alabama Avenue	4,025	8
21 Malta Street	3,284	5
590 Sheffield Avenue	5,902	0
453 Hinsdale Avenue	64,995	157
463 Livonia Avenue	58,547	144
399 Dumont Avenue	186,214	455
666 Snediker Avenue	3,885	8
668 Snediker Avenue	3,885	8
1745 Linden Boulevard	4,199	8
624 Hinsdale Street	4,116	8
653 Hinsadale Street	3,885	8
655 Hinsdale Street	3,885	8
643 Sheffield Avenue	6,293	20
668 Vermont Street	3,893	8
Total No-Action Study Area Population Increment		*3,524*
Existing Study Area Residential Population		*19,678*
Total No-Action Study Area Residential Population		***23,202***

Notes:
[1] Residential population for projects within the open space study area based on average household size of census tracts included in the open space study area of 2.53 (2010 U.S. Census).
Sources: New York City Department of Buildings (DOB) Buildings Information System (BIS), YIMBY, The Real Deal (TRD)

TABLE E-5
Adequacy of Open Space Resource in the Study Area – No-Action Conditions

No-Action Population	Open Space Acreage			Open Space per 1,000 Residents			City Open Space Planning Goals		
	Total	Passive	Active	Total	Passive	Active	Total	Passive	Active
23,202	10.93	0.99	9.94	0.471	0.042	0.429	2.5	0.5	2

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

This section describes the open space conditions that would result from the reasonable worst-case development scenario (RWCDS) associated with the proposed actions by 2027. It evaluates the potential for the proposed actions to result in significant adverse impacts to open space resources directly and indirectly based on a comparison of the No-Action condition (described above) to the With-Action condition.

Proposed Rezoning Area Population

As described in **Attachment A, "Project Description,"** in the future with the proposed actions it is estimated that there would be a total of up to 155 DU added to the Proposed Rezoning Area. Using the average household size of households in East New York (Pennsylvania Avenue) Neighborhood Tabulation Area (2014-2018 ACS 5-Year) of 2.77 residents per DU, the proposed actions are expected to introduce a net increase of approximately 430 residents and would therefore increase the open space study area's population to a total of 23,594 residents in the 2027 With-Action condition. The Proposed Development is expected to add 2,600 sf of private landscaped rear yard area for residents (refer to **Figure A-6**).

Direct Effects Analysis

The proposed actions would not have a direct effect on any study area open spaces. Construction and operation of the Projected Development sites would not cause the physical loss of public open space because of encroachment or displacement of the space; would not change the use of an open space so that it no longer serves the same user population; and would not limit public access to an open space. In addition, as discussed in other sections of this EAS, the proposed actions would not significantly affect the usefulness or utilization of any study area open spaces due to increased noise or air pollutant emissions, odors, or shadows.

Indirect Effects Analysis

Quantitative Assessment

Table E-6 compares the No-Action and With-Action open space ratios per 1,000 residents. As presented in Table E-6, in the With-Action condition, as under existing and No-Action conditions, the open space ratios in the ½-mile study area would be less than the City's open space planning goals of 2.5 acres of open space per 1,0000 residents, including 0.5 acres of passive open space and 2.0 acres of active open space, and would also fall below the Citywide median of 1.5 acres per 1,000. However, the proposed actions would not result in an appreciable decrease in the study area open space ratios. In the future with the proposed actions, the total open space ratio is expected to decrease by 0.01 acres (1.85 percent) from 0.471 to 0.463 acres of open space per 1,000 residents (as compared to the No-Action condition). The passive open space ratio is expected to decrease by 0.001 acres (approximately 1.85 percent) from

0.0425 acres to 0.0421 acres per 1,000 residents, and the active open space ratio is expected to decrease by 0.01 acres (approximately 1.85 percent) from 0.425 acres to 0.417 acres per 1,000 residents, as compared to the No-Action condition.

TABLE E-6
Adequacy of Open Space Resource in the Study Area – No-Action vs. With-Action Conditions

	Population	Open Space Acreage			Open Space per 1,000 Residents (acres)			City Open Space Planning Goals		
		Total	Passive	Active	Total	Passive	Active	Total	Passive	Active
No-Action Condition	23,202	10.93	0.99	9.94	0.471	0.0425	0.429	2.5	0.5	2.0
With-Action Condition	23,632				0.463	0.0417	0.421			
Incremental Change	+433				-1.85%	-1.85%	-1.85%			

Qualitative Assessment

While the study area would continue to have a shortfall of open space, the demand for open space generated by the RWCDS would not significantly exacerbate the No-Action deficiency, with a decrease of less than two percent in the study area's total open space ratio, the equivalent of 0.01 fewer acres of open space per 1,000 residents. As such, the population added as a result of the proposed actions is not expected to noticeably affect utilization of the area's open spaces. In addition, the decrease in the open space ratio is partially ameliorated by several factors. First, most of the study area open space resources are only lightly utilized and could therefore handle additional demand. The population generated by the RWCDS is not expected to have any special characteristics, such as a disproportionately older or younger population, that would place heavy demands on facilities that cater to specific user groups; the residents in the future with the proposed actions are expected to exhibit similar characteristics to the current residents of the study area and the breakdown of the population is expected to remain the same. Finally, the open space study area includes several open space resources that were not discussed quantitatively (refer to Table E-2). The open space study area contains an additional 2.77 acres of open spaces that are partially accessible for residents of the study area. In addition, there is 18.48 acres of open space across three separate open space resources within a half-mile of the Proposed Rezoning Area that is not included in the quantitative analysis In addition the Proposed Development is expected to create 2,600 sf of open space in the rear yard for residents of the Proposed Development, which will partially offset demand for open space from new residents.

While the proposed actions would result in an incremental decrease in open space ratios in the future, given the level of decrease anticipated, the existing low utilization of many of the study area's open spaces, and the availability of additional open spaces conservatively not included in the quantitative analysis, the proposed actions would not result in a significant adverse impact on open space.

Attachment F

Urban Design & Visual Resources

I. INTRODUCTION

This attachment considers the potential effects of the proposed actions and subsequent development on urban design and visual resources. According to the 2020 *CEQR Technical Manual*, urban design is defined as the totality of components that may affect a pedestrian's experience of public space. These components include streets, buildings, visual resources, open spaces, natural resources, and wind. An urban design assessment considers whether and how a project may change the experience of a pedestrian in a given area.

CEQR Technical Manual guidance recommends the preparation of a preliminary assessment of urban design and visual resources, followed by a detailed analysis, as warranted, based on the conclusions of the preliminary assessment. The proposed actions would facilitate the development of three new nine-story (95-foot-tall) mixed-use residential and commercial buildings along Van Sinderen Avenue between New Lots Avenue and Linden Boulevard in the East New York neighborhood of Brooklyn Community District (CD) 5.

In accordance with *CEQR Technical Manual* guidance, the analysis provided below addresses urban design characteristics and visual resources for existing conditions, the future without the proposed actions (the No-Action condition), and the future with the proposed actions (the With-Action condition). As described in **Attachment A, "Project Description,"** approval of the proposed actions would result in the development of a nine-story, 111,201 gsf mixed-use residential/commercial building with 119 affordable DUs and 11,015 gsf of retail space at the applicant-owned site (Block 3865; Lot 9) ("Projected Development Site 1").

For CEQR analysis purposes, the proposed actions, as a reasonable worst-case development scenario (RWCDS), are also assumed to facilitate development on two other sites. At 719 Van Sinderen Avenue (Block 3865; Lot 21) ("Projected Development Site 2"), the proposed actions are assumed to result in the development of a nine-story (95-foot-tall) 18,315 gsf mixed-use residential/commercial building containing 16 DUs (four affordable under the MIH Program) and 2,277 gsf of ground floor retail space. At 755 Van Sinderen Avenue (Block 3865; Lots 6 and 7) ("Projected Development Site 3"), the proposed actions are assumed to result in the development of a nine-story (95-foot-tall) 22,894 gsf mixed-use residential/commercial building containing 20 DUs (five affordable under the MIH Program) and 2,846 gsf of ground floor retail space. These developments are expected to be completed in 2027. In absence of the proposed actions, it is anticipated that the Proposed Rezoning Area would continue to be occupied by the existing 22,500 sf of automotive repair and welding uses on Lots 7, 9 and 21. Under No-Action conditions, Lot 6 would remain vacant. The effect of the proposed actions represents the incremental effect on conditions resulting from the net change in development within the Proposed Rezoning Area between No-Action and With-Action Conditions.

II. PRINCIPAL CONCLUSIONS

As described below, the proposed actions would not result in significant adverse impacts to urban design or visual resources within the Proposed Rezoning Area, or in the 400-foot study area. The proposed actions

would facilitate new development at the applicant-owned projected development site and two other projected development sites, which would contain residential and commercial uses. The RWCDS would replace several one-story industrial/auto-shop buildings with three new nine-story mixed-use buildings containing local retail uses occupying portions of the ground floor. Consistent with the proposed C4-4L contextual zoning district, the With-Action development would be constructed five-feet back from the property line along the site's Van Sinderen Avenue frontage, creating a strong streetwallalong Van Sinderen Avenue as well as improve pedestrian conditions in the area by widening the usable sidewalk by five feet.

Development to be facilitated by approval of the proposed actions would be constructed within an existing block, and would not entail any changes to topography, street patterns, street hierarchy, block shapes, or natural features. The RWCDS buildings would be built in accordance with bulk requirements allowed by the proposed C4-4L zoning district. Though the three With-Action buildings would be taller than any immediately surrounding development, they would be consistent with surrounding neighborhood context in terms of use and building orientation, forming consistent streetwalls with buildings in the vicinity. Additionally, the RWCDS is expected to complement the context of existing buildings in the surrounding area, which includes a variety of building typologies.

In addition, development resulting from the proposed actions would not negatively alter views in the study area from adjacent publicly-accessible locations and would not obstruct any view corridors of significant visual resources. As such, the proposed actions would not result in significant adverse impacts to urban design and visual resources and further analysis is not warranted.

III. METHODOLOGY

Pursuant to the *CEQR Technical Manual*, an assessment of urban design is appropriate when a proposed action(s) may have effects on one or more of the elements that contribute to the pedestrian experience of public space. The assessment focuses on the components of a proposed action(s) that may have the potential to alter the arrangement, appearance, and functionality of the built environment.

As described in the *CEQR Technical Manual*, a preliminary urban design analysis is appropriate when there is potential for a pedestrian to observe from the street level a physical alteration beyond that allowed by existing zoning. A preliminary analysis provides a "snapshot" of the project, comparing existing and future conditions with and without the Proposed Actions. The following analysis examines each of the elements that play an important role in the pedestrian experience, including street hierarchy and streetscape (including the arrangement and orientation of streets); building scale, form and arrangement; and natural features, open space, and topography.

An area's visual resources are its unique or important public view corridors, vistas, or natural or built features. For CEQR analysis purposes, this includes only views from public and publicly accessible locations and does not include views from private residences or places of business. An assessment of visual resources is provided below.

Per criteria of Section 230 of the *CEQR Technical Manual,* a wind condition analysis is not warranted for the proposed actions. The Proposed Rezoning Area and Projected Development Sites are not located in a high wind location (such as along west and northwest-facing waterfronts), and the RWCDS would not result in the construction of multiple tall buildings that would have the potential to alter wind conditions.

Study Area

According to the *CEQR Technical Manual*, the study area for urban design is the area where the project may influence land use patterns and the built environment and is generally consistent with the land use analysis study area. For visual resources, the view corridors within the study area from which such resources are publicly viewable should be identified. The land use study area may serve as the initial basis for analysis. However, in many cases where significant visual resources exist, it may be appropriate to look beyond the land use study area to encompass views outside of this area, as is often the case with waterfront sites or sites within or near historic districts.

Consistent with the analysis of land use, zoning, and public policy, the study area for urban design analysis has been identified as the area within a 400-foot radius of the Proposed Rezoning Area. As shown in **Figure F-1**, the study area extends as far north as the midblock between New Lots Avenue and Newport Street, as far east as Hinsdale Street, as far south as the midblock between Linden Boulevard and Dewitt Avenue, and as far west as Junius Street. As stated in the *CEQR Technical Manual*, for visual resources, the view corridors within the study area from which such resources are publicly viewable should be identified. While the land use study area may serve as the initial basis for analysis, in many cases where significant visual resources exist, it may be appropriate to look beyond the land use study area to encompass views outside of the area, as is often the case with waterfront sites or sites within or near historic districts. The primary view sheds of these visual resources that would be affected by construction of the Projected Development Sites were the focus of the visual resources analysis.

The following analysis is based on field visits, photographs, aerial views, and other graphic images of the Projected Development Sites and surrounding study area. Zoning calculations, including building heights, and lot coverage information are also provided for the Proposed Rezoning Area and, where applicable, the study area.

IV. PRELIMINARY ASSESSMENT

Existing Conditions

Urban Design

Proposed Rezoning Area

The Proposed Rezoning Area (Block 3865; Lots 6, 7, 9, 21 and portions of Lots 137, 138, 139, 140, 141, 142, 44, 45, 46, 46, 49, 150, and 151) comprises the entirety of four tax lots with approximately 340 feet of frontage along Van Sinderen Avenue. The applicant-owned Projected Development Site 1 (Block 3865; Lot 9) is a 22,500 sf interior lot with approximately 250 feet of frontage on Van Sinderen Avenue. The site is occupied by a one-story 20,200 gsf/17,565 zsf (FAR 0.78) building containing automotive repair uses. Projected Development Site 2 (Block 3865; Lot 21) occupies one interior lot with approximately 40 feet of frontage along Van Sinderen Avenue. The site has an area of approximately 3,600 sf and a built floor area of approximately 2,000 gsf/1,739 zsf (FAR 0.48). Projected Development Site 2 is currently occupied by a one-story building with a welding company. Projected Development Site 3 (Block 3865; Lots 6 and 7) consists of two interior lots. Lot 6 is a vacant 900 sf lot with approximately 10 feet of frontage along Van Sinderen Avenue. Lot 7 is an interior lot with approximately 40 feet of frontage along Van Sinderen Avenue. Lot 7 is approximately 3,600 sf and contains a one-story building with 3,400 gsf/2,957 zsf (0.82

Figure F-1
Urban Design Study Area



Legend

Proposed Rezoning Area

400-foot Radius (Secondary Study Area)

FAR), which is occupied by a welding company. Each of these sites is currently zoned M1-1 and considered underbuilt pursuant to the requested C4-4L zoning, which permits a maximum FAR of 4.6 for residential and 4.0 for commercial and community facility uses[1].

As discussed in **Attachment A, "Project Description,"** the Proposed Rezoning Area also includes small portions of Lots 137, 138, 139, 140, 141, 142, 44, 45, 46, 46, 49, 150, and 151. The Proposed Rezoning Area covers the last five feet of these lots' rear yards (refer to **Figure F-1**).

Street Pattern and Streetscape

As described above, the Proposed Rezoning Area has approximately 340 feet of frontage along Van Sinderen Avenue, which is a one-way street that carries local traffic south through the study area. The street does include a sidewalk, however, as shown in **Figure F-2**, the sidewalk is in poor condition and fairly inaccessible as vehicles from automotive repair shops park perpendicularly making it difficult to utilize the sidewalk. To the west of Van Sinderen Avenue is the elevated Canarsie Line (refer to **Figure F-2)**. Along Van Sinderen Avenue, streetscape elements are limited to standard street signs and utility poles.

Buildings

As shown in **Figure F-3**, the Proposed Rezoning Area is occupied by several one-story buildings occupied by automotive repair and industrial uses. These buildings are built to the lot line and reach a maximum height ranging between 12 and 22 feet without any setback from the street. Combined, these buildings measure 25,600 gsf and feature brick façades. Along Van Sinderen Avenue, the buildings' frontages feature garage doors into and out of the repair bays.

Natural Features and Open Space

There are no notable natural features within the Proposed Rezoning Area and the topography of the area is generally flat. Elevation above sea level varies between 21 and 23 feet (NAVD88) with elevation decreasing slightly moving south towards Jamaica Bay. There are no publicly accessible open space resources within the Proposed Rezoning Area. Existing buildings cover the majority of the Proposed Rezoning Area. Lot 6, with approximately 900 sf in total area is currently vacant. The portion of the Proposed Rezoning Area covering Lots 137, 138, 139, 140, 141, 142, 44, 45, 46, 46, 49, 150, and 151 encompasses the rear yards of several residential buildings.

Study Area

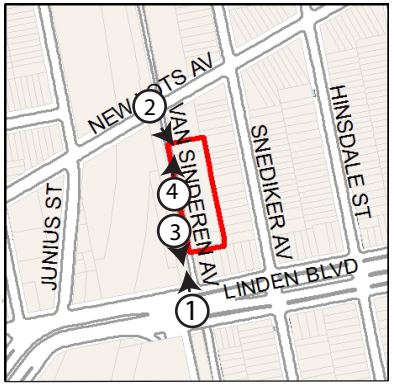
Street Pattern and Streetscape

The street plan in the study area is characterized by an uninterrupted grid pattern. As shown in **Figure F-1**, the area has the NYCT Canarsie Line (L) running elevated and parallel to the Proposed Rezoning Area, which necessitates a handful of underpasses for vehicles and pedestrians trying to travel east or west across Van Sinderen Avenue in the area. The elevated rail creates a visual barrier for pedestrians in the area, separating the western part of the study area from the eastern part.

[1] In the C4-4L district, a FAR of 4.60 for residential uses can be achieved through participation in the Inclusionary Housing Program.

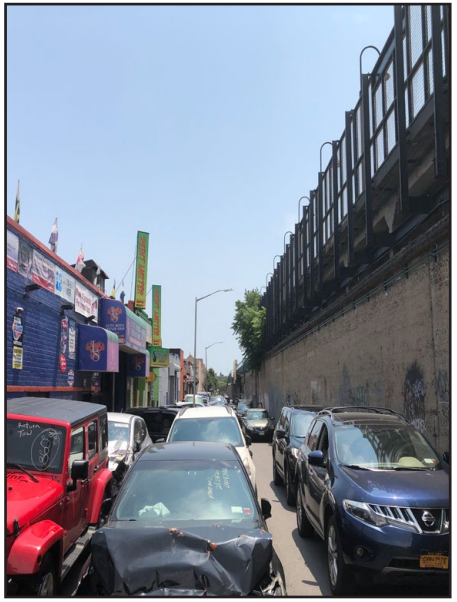


1) Looking north on Van Sinderen Avenue towards New Lots Avenue.





2) Looking southeast on Van Sinderen Avenue towards Linden Boulevard.

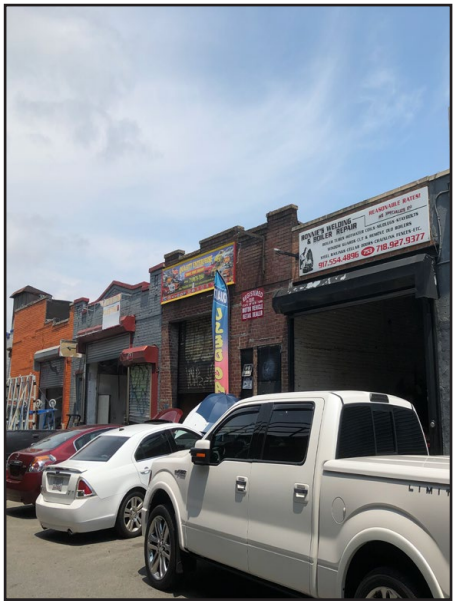


3) Looking south on Van Sinderen Avenue towards Linden Boulevard.

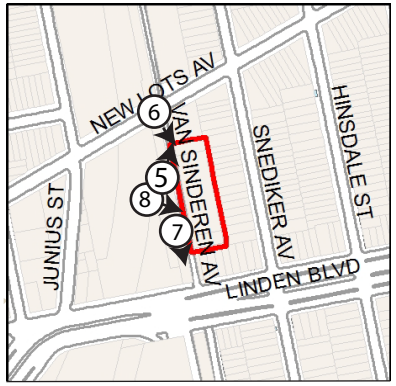


4) Looking northeast on Van Sinderen towards New Lots Avenue.

*Photos taken 07/8/2020

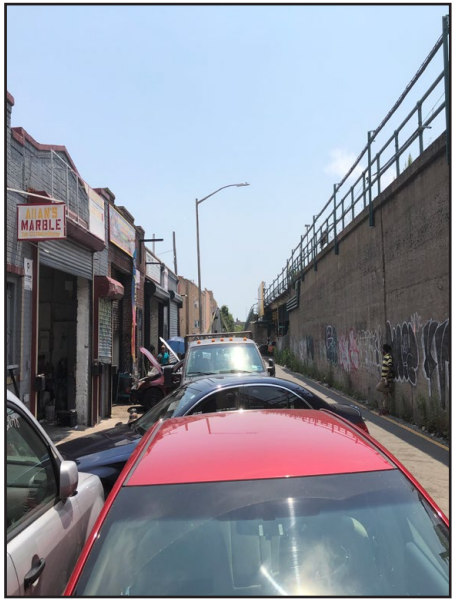


5) Looking north on Van Sinderen Avenue towards New Lots Avenue.





6) Looking southeast on Van Sinderen Avenue towards Linden Boulevard.



7) Looking south on Van Sinderen Avenue towards Linden Boulevard.



8) Looking east on Van Sinderen towards Snediker Avenue.

*Photos taken 07/8/2020

Junius Street is the street furthest west in the study area and is a 60-foot (narrow), one-way street that carries local southbound traffic. The street includes parking lanes on both sides of the street and the west side of the street includes a sidewalk. New Lots Avenue is the northernmost thoroughfare in the study area and is a 70-foot (narrow), two-way street that carries traffic east-west through the area. New Lots Avenue is a commercial corridor, which includes parallel parking lanes on both sides of the street and a shared bike lane on both sides of the street. The easternmost street in the study area is Hinsdale Street, which is a 60-foot (narrow) one-way street that carries local traffic southbound. The southernmost street in the study area is Linden Boulevard, which is 160-feet wide. Linden Boulevard is part of Route 27, which runs east-west within the study area. Linden Boulevard has three travel lanes and a service road in both directions. A median is found in the middle of the boulevard. Linden Boulevard is also a designated local truck route. In the eastern portion of the study area Snediker Avenue is a one-way 60-foot (narrow) street that carries local traffic northbound, and includes a parallel parking lane on either side.

As shown in **Figure F-4**, streetscape elements in the study area include street trees along residential side streets, utility poles, mailboxes, street lights, etc. Curb cuts in the study area are generally limited to small residential side streets and residential buildings.

Buildings

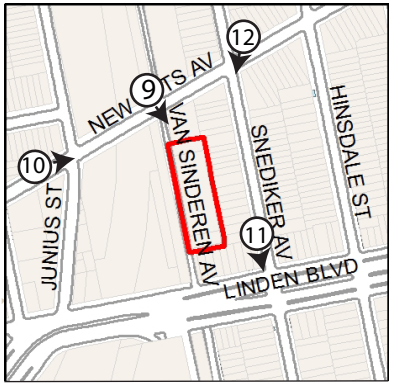
As shown in **Figure F-5,** the study area includes a variety of building types with few vacant properties. The most densely built building within the study area has an FAR of 4.0, and is located at 180 New Lots Avenue and 679 Van Sinderen Avenue which are two seven-story buildings directly north of the Proposed Rezoning Area (refer to **Figure F-5**). This is also the tallest building in the study area, with each building standing seven-stories tall (75-feet). As discussed in **Attachment C, "Land Use, Zoning, & Public Policy,"** land uses in the study area are primarily residential, which constitute nearly 40.3% of all built floor area in the study area. Additionally, 33.3 percent of built floor area in the study area is utilized as mixed-use residential and commercial buildings. Residential uses are typically found on smaller side streets and in the area east of Van Sinderen Avenue. Residential buildings in the area vary between small, low-rise apartment buildings and attached and semi-detached residences. These buildings are typically set back from the property line to include either small areas for parking or a front yard. The area along New Lots Avenue contains residential and mixed-use residential buildings with ground floor retail. These buildings are typically built to the property line along these corridors. As shown in **Figures F-6** and **F-7**, the tallest buildings in the area are generally clustered around these commercial corridors. The tallest buildings in the urban design study area are approximately seven stories (to the north at 180 New Lots Avenue and 679 Van Sinderen Avenue).

Natural Features and Open Space

There are no notable natural features within the study area. The topography of the study area is generally flat. Elevation in the study area varies between 26 and 20 feet (NAVD88), with elevation sloping downward moving south towards Jamaica Bay. The only open space in the study area is a Greenstreet located at the intersection of Van Sinderen Avenue and Linden Boulevard.



9) Looking north on Van Sinderen Avenue towards New Lots Avenue.





10) Looking southeast at the intersection of New Lots Avenue and Junius Street.



11) Looking south on Snediker Avenue towards Linden Boulevard.

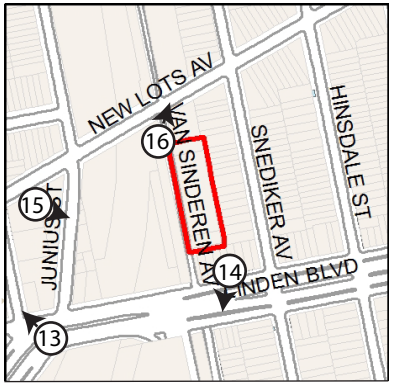


12) Looking southwest on Snediker Avenue towards New Lots Avenue.

*Photos taken 07/8/2020



13) Looking west on Linden Boulevard towards Hegeman Avenue and Powell Street.

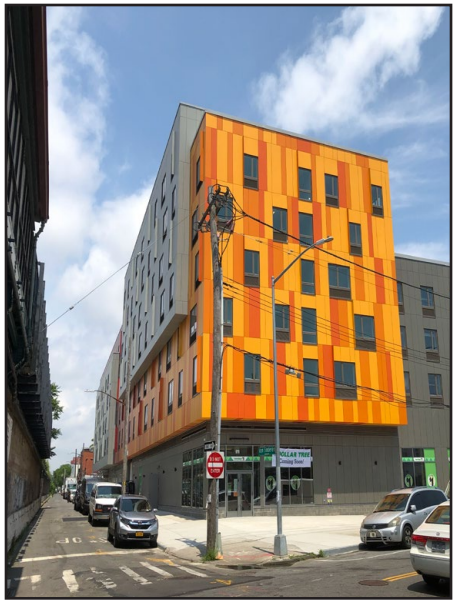




14) Looking south on Linden Boulevard.



15) Looking east on Junius Street.



16) Looking north on Van Sinderen Avenue towards New Lots Avenue.

*Photos taken 07/8/2020

Figure F-6
Building Height

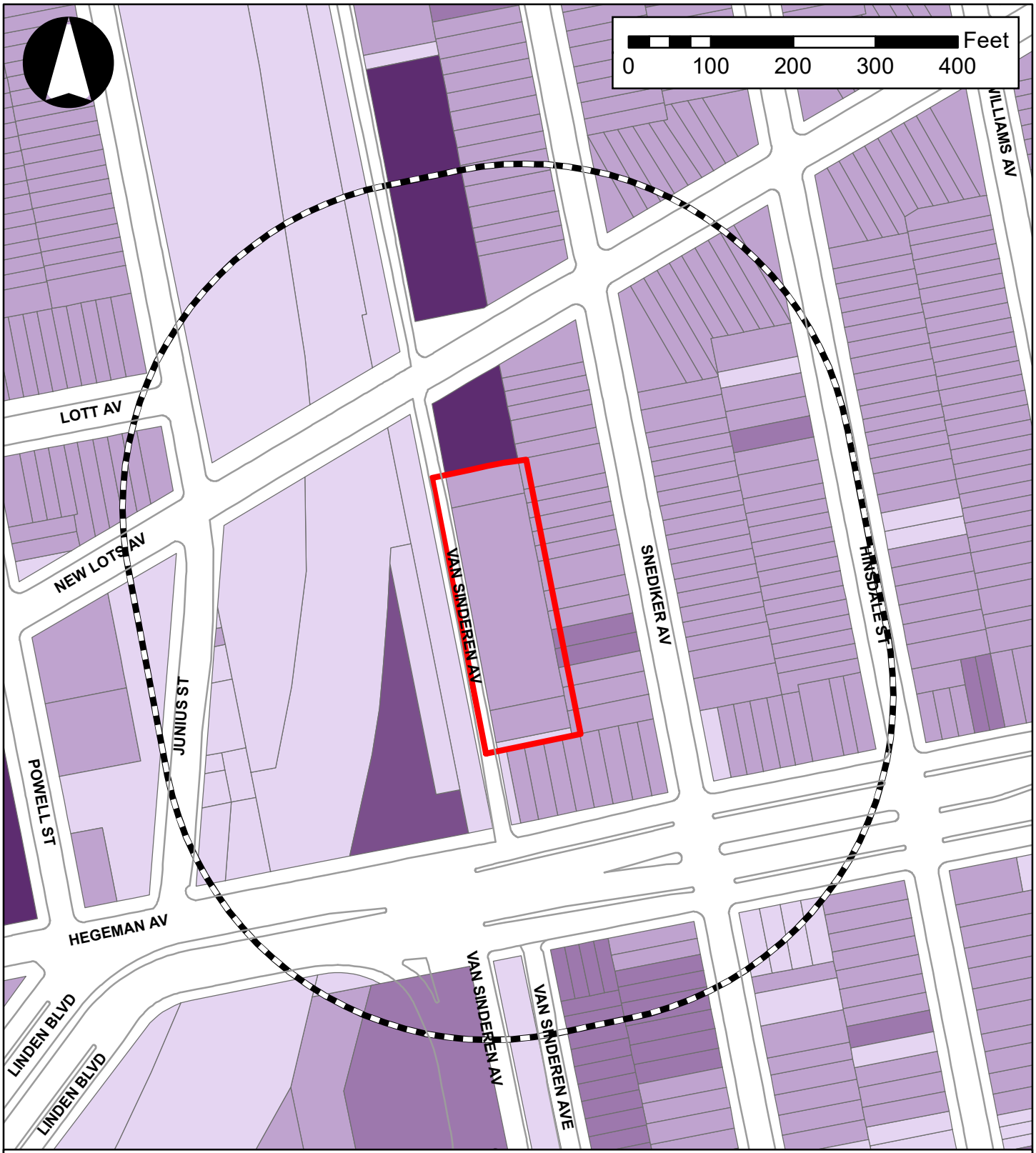
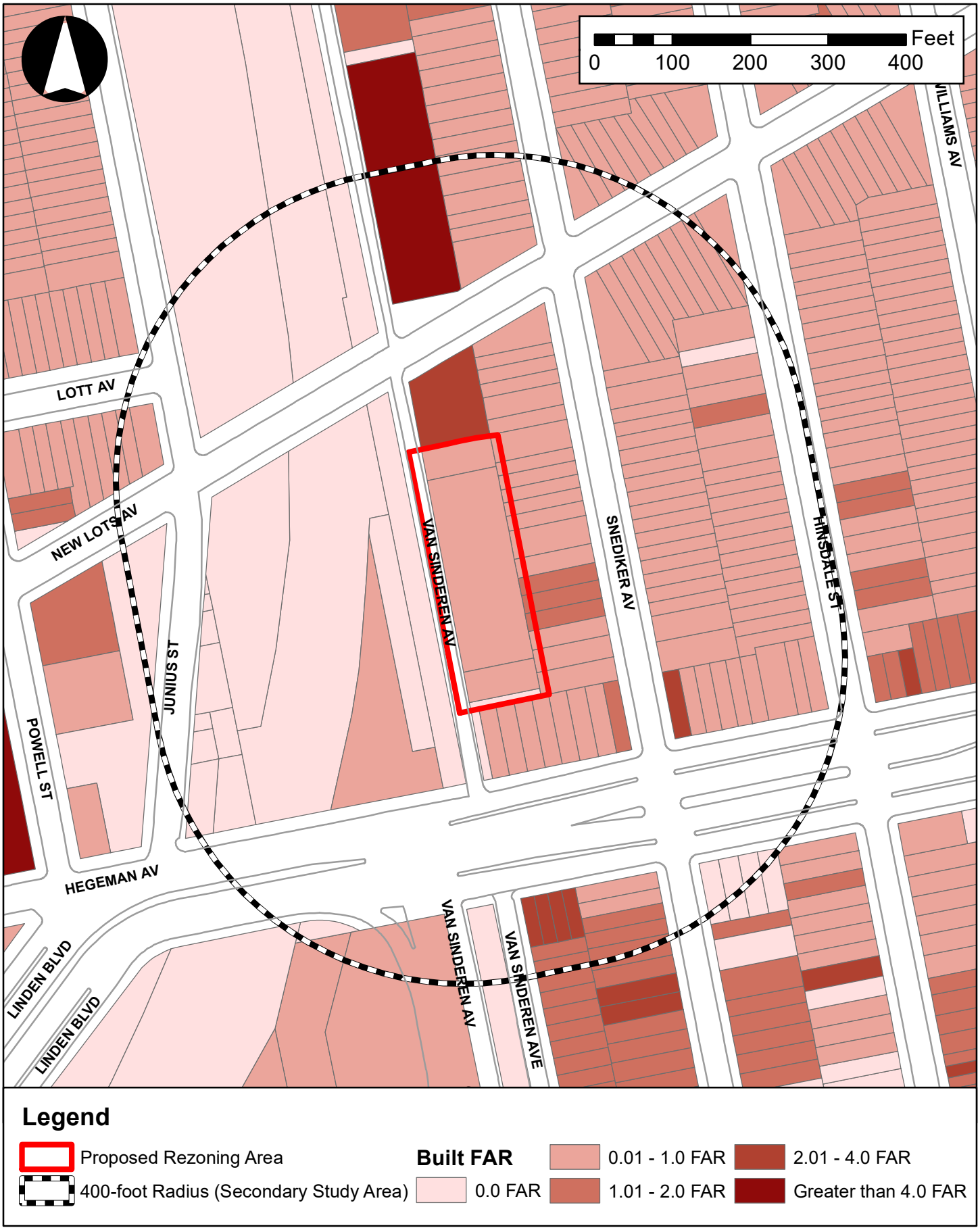


Figure F-7
Built FAR



Visual Resources

Rezoning Area

There are no visual resources or historic resources located within, or visible from, the Proposed Rezoning Area.

Study Area

There are no visual resources or historic resources located within, or visible from, the study area.

Future Without the Proposed Actions (No-Action)

Urban Design

Proposed Rezoning Area

It is anticipated that in the future without the proposed actions, there would be no changes to the Proposed Rezoning Area and all existing buildings would remain. The Projected Development Sites would remain underutilized. Therefore, in the future without the proposed actions, the existing buildings' footprints, heights, and total floor areas within the Proposed Rezoning Area would remain unchanged, compared to existing conditions.

Study Area

Street Pattern and Streetscape

In the No-Action condition, street patterns in the study area would not change. The existing uninterrupted grid pattern and street directions would remain the same. There are no known streetscape improvement plans in the study area.

Buildings

As discussed in **Attachment C, "Land Use, Zoning, and Public Policy,"** there is one No-Action development within the study area that is expected to be completed by 2027. At 305 Hinsdale Street, a three-story residential apartment building is being constructed that would create 3 new DUs.

Natural Features and Open Space

In the No-Action condition, there would be no changes to natural features or open space within the study area.

Visual Resources

In the No-Action condition, no new visual resources would be introduced to the Proposed Rezoning Area or study area and views of existing visual resources from both areas would not be altered. Therefore, in the future without the proposed actions, view corridors and visual resources would remain similar to existing conditions.

Future With the Proposed Actions (With-Action)

This section describes the effects of the proposed actions and resultant RWCDS on the urban design and visual resource conditions in the Proposed Rezoning Area and study area by 2027 and evaluates the potential for the proposed actions to result in significant adverse impacts.

In the future with the proposed actions, the proposed zoning map and zoning text amendments would be implemented in the Proposed Rezoning Area, which would be mapped with a C4-4L zoning district. The proposed C4-4L zoning district would be designated as an MIH Area. Under With-Action conditions, the maximum allowable residential FAR in the Proposed Rezoning Area would increase from 0.0 to 4.6 with MIH, the maximum commercial FAR would increase from 1.0 to 4.0, the maximum community facility FAR would be increased from 2.4 to 4.8, and the maximum manufacturing FAR would decrease from 1.0 to 0.0.

Urban Design

Proposed Rezoning Area

The proposed actions would change the development potential of sites within the Proposed Rezoning Area, and the proposed rezoning of the existing M1-1 district to C4-4L would allow for residential, commercial, and community facility uses to be developed at a greater density and bulk than what would be allowed under existing zoning. The proposed actions would also eliminate the ability to develop new manufacturing uses in the Proposed Rezoning Area. The Proposed Rezoning Area is located along one narrow street (Van Sinderen Avenue) and is adjacent to the elevated Canarsie subway line in a transit accessible area, and is less than 100 feet from the New Lots Avenue (L) Train Station.

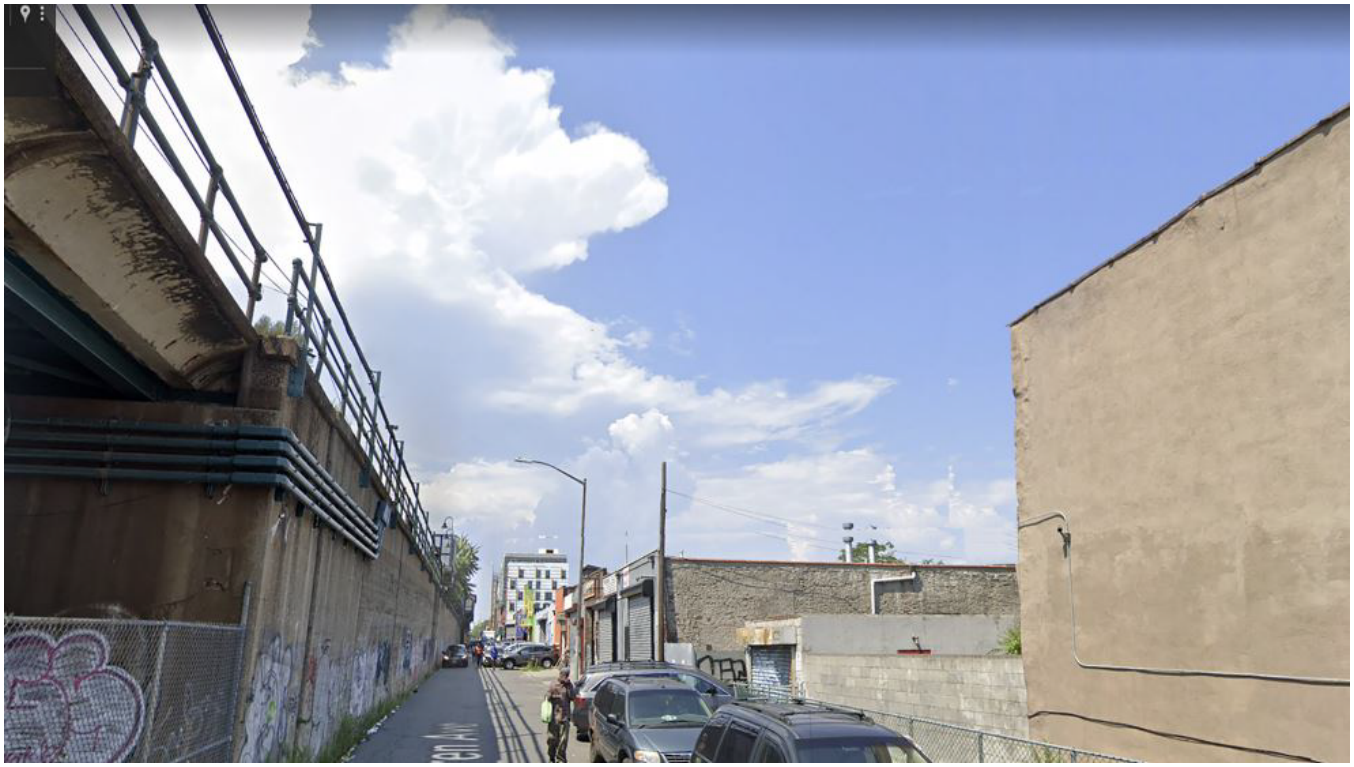
Street Pattern and Streetscape

Sidewalk conditions within the Proposed Rezoning Area are expected to improve as a result of development facilitated by the proposed actions. The RWCDS would introduce new street trees along Van Sinderen Avenue, in compliance with all zoning regulations. The RWCDS would eliminate the existing curb cuts on Van Sinderen Avenue in front of the Projected Development Sites.

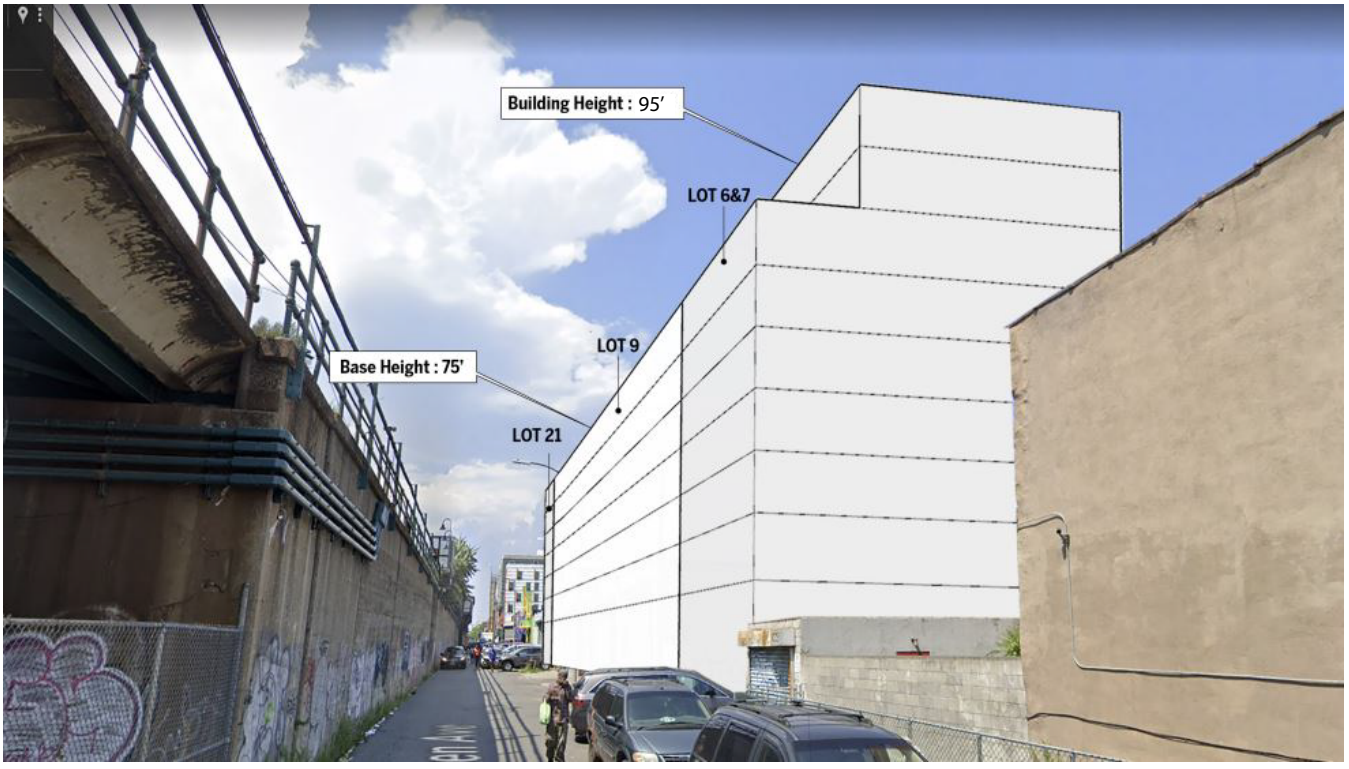
Buildings

Approval of the proposed actions would result in the development of three nine-story (95-foot tall) mixed-use residential and commercial building. The existing buildings on Lots 6, 7, 9, and 21 would be demolished to construct the three new nine-story mixed-use buildings. The RWCDS mixed-use buildings would rise to a maximum base height of 75 feet before setting back from the street wall, in compliance with the proposed C4-4L zoning district. After a 15-foot setback from Van Sinderen Avenue, the RWCDS buildings would rise to a maximum height of 95 feet (refer to **Figure F-8 and F-9**).

RWCDS Facing North



No-Action



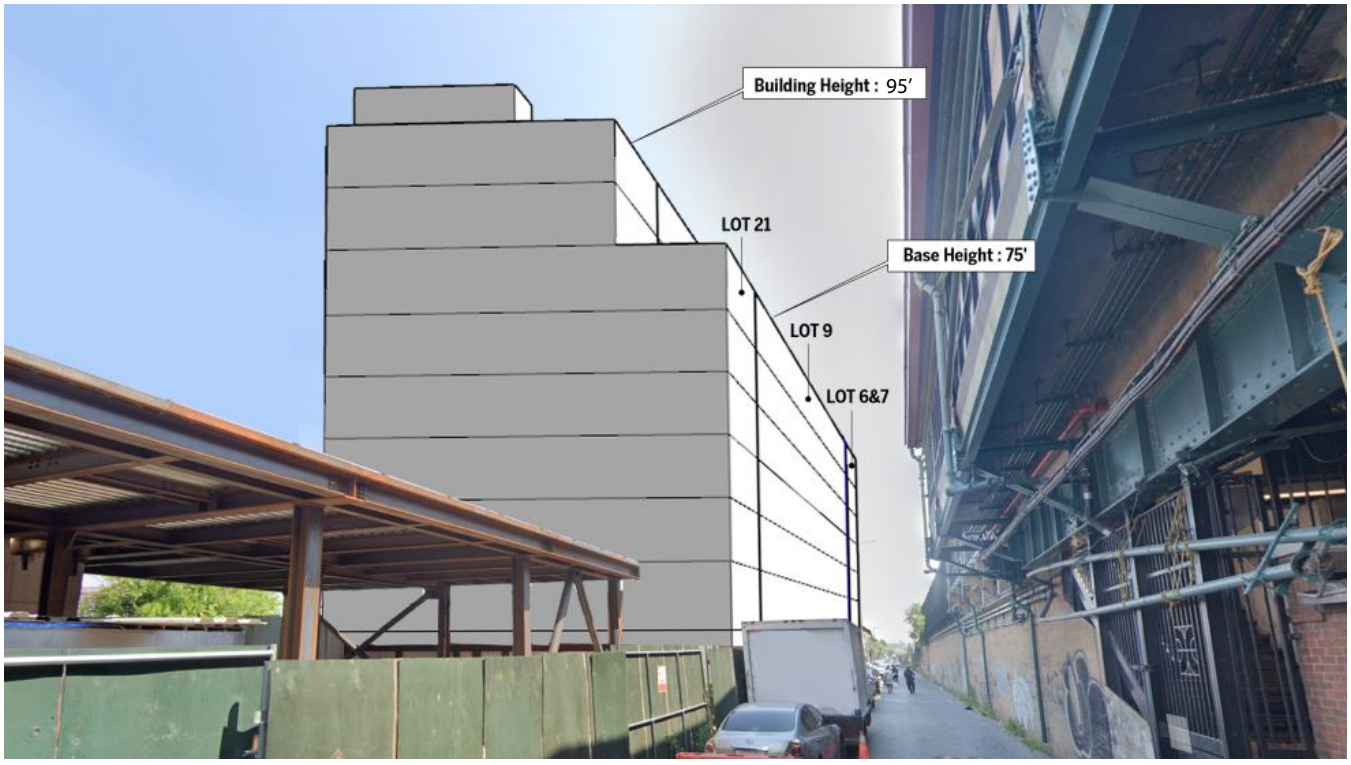
With-Action

FOR ILLUSTRATIVE PURPOSES ONLY

RWCDS Facing South



No-Action



With-Action

FOR ILLUSTRATIVE PURPOSES ONLY

Natural Resources and Open Space

No notable changes to the natural features or topography of the Proposed Rezoning Area would occur in the future with the proposed actions. As described above, there are no natural resources or open space in the Proposed Rezoning Area.

Study Area

As the proposed actions are limited to three projected development sites, they would not result in any substantial changes in the urban design character of the study area. New development facilitated by the proposed actions would be similar in use and scale to development found north of the Proposed Rezoning Area (Van Sinderen Avenue).

Street Pattern and Streetscape

The proposed actions would not result in changes to street patterns in the study area. New development constructed as a result of the proposed actions would be constructed on an existing block, and the existing uninterrupted grid pattern and street directions would remain the same. The proposed streetscape improvements on sidewalks and streets immediately adjacent to the Proposed Rezoning Area would be consistent with the streetscapes throughout the study area, specifically the Van Sinderen Plaza development directly north of the Proposed Rezoning Area.

Buildings

The proposed C4-4L zoning district is a contextual district governed by Quality Housing bulk regulations, which encourages high lot coverage buildings set at or near the street line with building height limits. The ground-floor level of the RWCDS developments would be built at the street line on Van Sinderen Avenue, thereby maintaining a consistent streetwall from the perspective of a pedestrian, which would be compatible with other buildings north of the Proposed Rezoning Area. The proposed rezoning and subsequent increase in allowable FAR would be appropriate for a transit accessible area. The RWCDS would be consistent with the study area buildings' land use, including active ground floor uses, building placement and orientation along the property line.

Natural Features and Open Space

In the With-Action condition, there would be no changes to natural features or open space within the study area.

Visual Resources

As described above, there are no visual resources within, or visible from, the Proposed Rezoning Area or within the study area. As such, the proposed actions would not result in significant adverse impacts on visual resources.

Assessment

Proposed Rezoning Area

The proposed actions would facilitate the development of new residential and ground floor retail space, adding to the existing corridor of commercial uses and new residential development in the study area. As described above, the proposed ground floor local retail space would increase pedestrian activity near the Proposed Rezoning Area relative to the Proposed Rezoning Area's No-Action auto-related uses. Development resulting from the proposed actions would improve pedestrian conditions in the Proposed Rezoning Area by introducing a pedestrian friendly sidewalk on the eastern side of Van Sinderen Avenue near the New Lots Avenue (L) Station, and activating the street frontage. As discussed above, under existing/No-Action conditions, this sidewalk would continue to be occupied by vehicles being serviced by automotive repair shops found in the Proposed Rezoning Area, and would be uninviting to pedestrians. The RWCDS buildings would be built to the lot line of Van Sinderen Avenue and would be similar in density and height to other developments located to the north along Van Sinderen Avenue.

Overall, the proposed actions would improve the urban design characteristics of the Proposed Rezoning Area, and therefore would result in no significant adverse urban design and visual resources impacts within the Proposed Rezoning Area.

Study Area

Overall, the proposed actions would facilitate the redevelopment of the Proposed Rezoning Area with new, more active land uses that would be consistent with uses in the surrounding area. The surrounding area supports a variety of building types, scales, and heights. The RWCDS is expected to complement the existing range of building heights and would be consistent with the other tall buildings located adjacent to the elevated subway line running along Van Sinderen Avenue. In addition, development as a result of the proposed actions would not block any significant visual resources from pedestrian vantage points. As such, these changes are not anticipated to be significantly adverse as no view of important visual resources would be obstructed. Therefore, the proposed actions would not have any significant adverse impacts on urban design or visual resources in the surrounding study area.

Attachment G

Transportation

I. INTRODUCTION

This attachment presents the findings from the analysis of traffic, transit, and pedestrian conditions for the proposed actions and resultant reasonable worst case development scenario (RWCDS). The RWCDS assumes construction of three Projected Development Sites containing a total of approximately 155 DUs and 16,138 gsf of ground floor retail. The RWCDS assumes a 2027 build year. Absent the proposed actions (the "No-Action condition"), it is anticipated that the Proposed Rezoning Area would remain in its existing form as five one-story light industrial/automotive buildings. These buildings include various automotive repair shops, an auto-machine and welding shop, and a welding and boiler repair company. The incremental development within the Proposed Rezoning Area forms the basis of the transportation impact analysis.

II. PRINCIPAL CONCLUSIONS

The proposed actions would generate additional vehicular, transit and pedestrian trips in the surrounding area. As incremental project-generated vehicle and transit trips would not exceed *City Environmental Quality Review (CEQR) Technical Manual* analysis thresholds, detailed analyses of traffic and transit conditions are not warranted. As the incremental increase in pedestrian trips would exceed the *CEQR Technical Manual* Level 2 screening assessment threshold of 200 pedestrian trips per hour, a detailed analysis of operating conditions is provided for one sidewalk located immediately adjacent to the Projected Development Sites on Van Sinderen Avenue between New Lots Avenue and Linden Boulevard. As this sidewalk is expected to operate at level of service (LOS) B or better under the 2027 With-Action condition, the proposed actions are not expected to result in significant adverse pedestrian impacts. Therefore, no signficiant adverse transportation impacts are anticipated.

III. PRELIMINARY ANALYSIS METHODOLOGY

The *CEQR Technical Manual* describes a two-level screening procedure for the preparation of a "preliminary analysis" to determine if a more detailed analysis of transportation conditions is warranted. The preliminary analysis first analyzes trip generations (Level 1) to estimate the number of person and vehicle trips attributable to the proposed actions and RWCDS. According to the *CEQR Technical Manual*, if the proposed actions and RWCDS are expected to result in fewer than 50 peak hour vehicle trips and fewer than 200 peak hour transit or pedestrian trips, further analysis is not warranted. If the proposed actions and RWCDS exceed these trip thresholds, detailed trip assignments (Level 2) are performed to estimate the incremental trips that may occur at specific transportation elements and to identify potential locations for further analysis. If the trip assignments show that the proposed actions and RWCDS would generate 50 or more peak hour vehicle trips at an intersection, 200 or more peak hour subway trips at a station, 50 or more peak hour bus trips in one direction along a bus route, or 200 or more peak hour pedestrian trips traversing a sidewalk, corner area, or crosswalk, then further analysis may be warranted, depending on which threshold is tripped, to assess the potential for significant adverse impacts on traffic, transit, pedestrians, and vehicular and pedestrian safety.

IV. LEVEL 1 SCREENING ASSESSMENT

A Level 1 trip generation screening assessment was conducted to estimate the number of peak hour person and vehicle trips by mode expected to be generated by the RWCDS. The peak hour person and vehicle trip estimates were then compared to the 2020 *City Environmental Quality Review* (*CEQR) Technical Manual*

analysis thresholds to determine if a Level 2 screening is warranted. The travel demand assumptions used for the Level 1 assessment, including a detailed travel demand forecast, are discussed below.

Transportation Planning Factors

The transportation planning factors used to forecast the travel demand that would be generated by the No-Action and With-Action land uses on projected development sites are summarized in **Table G-1** and discussed below. The trip generation rates, temporal distributions, modal splits, vehicle occupancies, and truck trip factors for each of the land uses were primarily based on those cited in the 2020 *CEQR Technical Manual* and factors cited in the 2016 East New York Rezoning FEIS. Factors are shown for the weekday AM and PM peak hours (typical peak periods for commuter travel demand) and the weekday midday and Saturday peak hours (typical peak periods for retail demand and for office pedestrian demand).

Local Retail

The trip generation rates, temporal distributions, directional splits, and truck trip generation rates for the local retail use were based on data from the *CEQR Technical Manual*. The directional split is based on data from the *East New York Rezoning FEIS* (2016). The modal split and vehicle occupancies are based on data from the New York City Department of Transportation (NYCDOT).

Residential

The trip generation rates, temporal distributions, and truck trip generation rates for the residential use were based on data from the *CEQR Technical Manual*. The residential modal split and auto vehicle occupancy were based on American Community Survey (ACS) Journey to Work 5-Year (2014-2018) data for Brooklyn census tracts 910, 918, 920, 1098, 1130, 1132, and 1134. The directional split and taxi vehicle occupancy are based on the data from the *East New York Rezoning FEIS* (2016).

Light Industrial & Auto Repair Uses

The trip generation rates, temporal distributions, directional splits, taxi vehicle occupancy, and truck trip generation rates were based on the *East New York Rezoning FEIS* (2016). The modal split for auto repair is also based on the *East New York Rezoning FEIS* (2016). The weekday AM, PM, and Saturday midday peak hours' modal spit and auto vehicle occupancy for light industrial is also based on data from American Association of State Highway and Transportation Officials (AASHTO) 2012-2016 reverse journey-to-work for Brooklyn census tracts 910, 918 920, 1098, 1130, 1132, and 1134. While the weekday midday peak hour modal spit for light industrial is also based on data from the *East New York Rezoning FEIS* (2016).

Table G-1: Transportation Planning Assumptions

Land Use:	Local Retail		Residential		Light Industrial		Auto Repair	
Size/Units:	16,138 gsf		155 DU		-5,400 gsf		-20,200 gsf	
Trip Generation:	(1)		(1)		(2)		(2)	
Weekday	205		8.075		14.7		19.42	
Saturday	240		9.600		2.2		19.42	
	per 1,000 sf		per DU		per 1,000 sf		per 1,000 sf	
Temporal Distribution:	(1)		(1)		(2)		(2)	
AM	3.0%		10.0%		13.2%		13.2%	
MD	19.0%		5.0%		11.0%		11.0%	
PM	10.0%		11.0%		14.2%		14.2%	
SatMD	10.0%		8.0%		10.7%		10.7%	
Modal Splits:	(5) All Periods		(3) All Periods		(4) AM/PM/SAT	(2) MD	(2) All Periods	
Auto	11.0%		23.4%		61.3%	2.0%	85.0%	
Taxi	0.0%		0.5%		1.4%	3.0%	5.0%	
Subway/Railroad	3.0%		62.8%		18.9%	6.0%	1.0%	
Bus	2.0%		10.7%		10.8%	6.0%	1.0%	
Walk/Other	84.0%		2.7%		7.7%	83.0%	8.0%	
	100.0%		100.0%		100.0%	100%	100.0%	
In/Out Splits:	(2) In	Out	(2) In	Out	(2) In	Out	(2) In	Out
AM	50%	50%	15.0%	85.0%	88%	12%	65%	35%
MD	50%	50%	50.0%	50.0%	50%	50%	50%	50%
PM	50%	50%	70.0%	30.0%	12%	88%	50%	50%
Sat MD	55%	45%	50.0%	50.0%	47%	53%	50%	50%
Vehicle Occupancy:	(5)		(2,3) AM/PM	MD/SMD	(2,4)		(2)	
Auto	1.20		1.08	1.08	1.07		1.30	
Taxi	1.20		1.30	1.30	1.20		1.30	
School Bus								
Truck Trip Generation:	(1)		(1)		(2)		(2)	
Weekday	0.35		0.06		0.67		0.89	
Saturday	0.04		0.02		0.67		0.89	
	per 1,000 sf		per DU		per 1,000 sf		per 1,000 sf	
	(1)		(1)		(2)		(2)	
AM	8.0%		12.0%		14.0%		14.0%	
MD	11.0%		9.0%		9.0%		9.0%	
PM	2.0%		2.0%		1.0%		1.0%	
Sat MD	11.0%		9.0%		0.0%		0.0%	
	In	Out	In	Out	In	Out	In	Out
AM/MD/PM/Sat	50.0%	50.0%	50.0%	50.0%	50.0%	50.0%	50.0%	50.0%

Notes:
(1) Based on data from *City Environmental Quality Review (CEQR) Technical Manual*, 2014.
(2) Based on data from *East New York Rezoning FEIS* 2016.
(3) Based on ACS Journey to Work (JTW) 5-Year data for tracts 910, 918, 920, 1098, 1130, 1132, & 1134.
(4) Based on AASHTO CTPP Reverse JTW 5-Year data for tracts 910, 918, 920, 1098, 1130, 1132, & 1134.
(5) Based on NYCDOT mode split and vehicle occupancy survey data

Travel Demand Forecast

The net incremental change in person and vehicle trips expected to result from the proposed actions by the 2027 analysis year was calculated based on the net change in land uses shown in Table G-1 and the transportation planning factors shown in Table G-2. Table G-2 shows an estimate for the total net incremental change in peak hour person trips and vehicle trips (versus the No-Action condition) that would occur in 2027 with implementation of the proposed actions.

As shown in Table G-2, under the RWCDS, the proposed actions would generate a net change of approximately 142 person trips in the weekday AM peak hour, 640 in the weekday midday, 336 in the weekday PM peak hour and 386 in the Saturday peak hour. Also shown in Table G-2, peak hour vehicle trips (including auto, truck, and balanced taxi trips) would increase by a net total of approximately -12, +34, +9, and +21 (in and out combined) in the weekday AM, midday and PM peak hours, and the Saturday peak hour, respectively. Peak hour subway trips would increase by a net total of approximately +79, +60, +93, and +85 during these periods, respectively, while bus trips would increase by approximately +14, +18, +19, and +18, respectively. Lastly, walk-only trips would change by +65, +518, +218, and +261 trips during the weekday AM, midday and PM peak hours, and Saturday peak hour, respectively. The total pedestrian trips (subway, bus, and walk-only trips and auto person trips combined) would increase by 158, 596, 330, and 364 trips during the weekday AM, midday and PM peak hours, and Saturday peak hour, respectively.

Traffic

Based on *CEQR Technical Manual* guidance, a quantified traffic analysis is typically required if a proposed action would result in 50 or more vehicle trip ends in a peak hour at one or more intersections. As shown in Table G-2, under the proposed actions' RWCDS, the net number of incremental vehicle trips — -12, +34, +9, and +21 in the weekday AM, midday and PM peak hours, and Saturday peak hour, respectively — would not exceed the 50-trip threshold in any peak hour, and a Level 2 screening analysis is therefore not warranted for these periods. Therefore, based on *CEQR Technical Manual* guidance, significant adverse impacts to traffic are not anticipated.

Transit

According to the general thresholds used by the Metropolitan Transportation Authority (MTA) and cited in the *CEQR Technical Manual*, detailed transit analyses are generally not required if the proposed actions are projected to result in fewer than 200 peak hour rail or bus transit riders. If the proposed actions would result in 50 or more bus passengers being assigned to a single bus route in one direction, or if it would result in an increase of 200 or more passengers at a single subway station or on a single subway line, a detailed bus and/or subway analysis would be warranted. Transit analyses typically focus on the weekday AM and PM commuter peak hours, as it is during these periods that overall demand on the subway and bus systems is usually highest.

Table G-2: Travel Demand Forecast

Land Use:		Local Retail		Residential		Light Industrial		AutoRepair		Total	
Size/Units:		16,138	gsf	155	DUs	-5,400	gsf	-20,200	gsf		
Peak Hour Trips:											
	AM	80		126		-12		-52		142	
	MD	630		64		-10		-44		640	
	PM	266		138		-12		-56		336	
	Sat MD	310		120		-2		-42		386	
Person Trips:											
AM		In	Out	In	Out	In	Out	In	Out	In	Out
	Auto	4	4	4	25	-6	-1	-29	-15	-27	13
	Taxi	0	0	0	1	0	0	-2	-1	-2	0
	Subway/Railroad	1	1	12	67	-2	0	0	0	11	68
	Bus	1	1	2	11	-1	0	0	0	2	12
	Walk/Other	34	34	1	3	-2	0	-4	-1	29	36
	Total	40	40	19	107	-11	-1	-35	-17	13	129
MD		In	Out	In	Out	In	Out	In	Out	In	Out
	Auto	35	35	7	7	0	0	-19	-19	23	23
	Taxi	0	0	0	0	0	0	-1	-1	-1	-1
	Subway/Railroad	9	9	21	21	0	0	0	0	30	30
	Bus	6	6	3	3	0	0	0	0	9	9
	Walk/Other	265	265	1	1	-5	-5	-2	-2	259	259
	Total	315	315	32	32	-5	-5	-22	-22	320	320
PM		In	Out	In	Out	In	Out	In	Out	In	Out
	Auto	15	15	23	10	-1	-6	-24	-24	13	-5
	Taxi	0	0	0	0	0	0	-1	-1	-1	-1
	Subway/Railroad	4	4	61	26	0	-2	0	0	65	28
	Bus	3	3	10	4	0	-1	0	0	13	6
	Walk/Other	111	111	3	1	0	-2	-3	-3	111	107
	Total	133	133	97	41	-1	-11	-28	-28	201	135
Sat MD		In	Out	In	Out	In	Out	In	Out	In	Out
	Auto	19	15	14	14	-1	-1	-18	-18	14	10
	Taxi	0	0	0	0	0	0	-1	-1	-1	-1
	Subway/Railroad	5	4	38	38	0	0	0	0	43	42
	Bus	3	3	6	6	0	0	0	0	9	9
	Walk/Other	143	118	2	2	0	0	-2	-2	143	118
	Total	170	140	60	60	-1	-1	-21	-21	208	178
Vehicle Trips :											
AM		In	Out	In	Out	In	Out	In	Out	In	Out
	Auto (Total)	3	3	4	23	-6	-1	-22	-12	-21	13
	Taxi	0	0	0	1	0	0	-2	-1	-2	0
	Taxi Balanced	0	0	1	1	0	0	-3	-3	-2	-2
	Truck	0	0	1	1	0	0	-1	-1	0	0
	Total	3	3	6	25	-6	-1	-26	-16	-23	11
MD		In	Out	In	Out	In	Out	In	Out	In	Out
	Auto (Total)	29	29	6	6	0	0	-15	-15	20	20
	Taxi	0	0	0	0	0	0	-1	-1	-1	-1
	Taxi Balanced	0	0	0	0	0	0	-2	-2	-2	-2
	Truck	0	0	0	0	0	0	-1	-1	-1	-1
	Total	29	29	6	6	0	0	-18	-18	17	17
PM		In	Out	In	Out	In	Out	In	Out	In	Out
	Auto (Total)	13	13	21	9	-1	-6	-18	-18	15	-2
	Taxi	0	0	0	0	0	0	-1	-1	-1	-1
	Taxi Balanced	0	0	0	0	0	0	-2	-2	-2	-2
	Truck	0	0	0	0	0	0	0	0	0	0
	Total	13	13	21	9	-1	-6	-20	-20	13	-4
Sat MD		In	Out	In	Out	In	Out	In	Out	In	Out
	Auto (Total)	16	13	13	13	-1	-1	-14	-14	14	11
	Taxi	0	0	0	0	0	0	-1	-1	-1	-1
	Taxi Balanced	0	0	0	0	0	0	-2	-2	-2	-2
	Truck	0	0	0	0	0	0	0	0	0	0
	Total	16	13	13	13	-1	-1	-16	-16	12	9

Notes:

20% linked-trip credit applied to local retail use in the AM, PM, & Saturday peak hours.

As shown in Table G-2, the proposed actions are expected to generate a net increase of approximately +79 and +93 incremental subway trips in the weekday AM and PM peak hours, respectively. As these numbers of trips would not exceed the 200-trip *CEQR Technical Manual* analysis threshold, a Level 2 screening analysis is not warranted. As also shown in Table G-2, the proposed actions are expected to generate +14 and +19 incremental bus trips in the weekday AM and PM peak hours, respectively. As these numbers of trips do not exceed the 50-trips per direction *CEQR Technical Manual* analysis threshold on one or more routes, a Level 2 screening analysis is not warranted for the bus mode. Therefore, based on *CEQR Technical Manual* guidance, significant adverse impacts to subway and local bus services are not anticipated.

Pedestrians

According to *CEQR Technical Manual* guidance, a quantified or detailed analysis of pedestrian conditions is typically required if the proposed actions would result in 200 or more peak hour pedestrian trips at any pedestrian element (sidewalk, corner area or crosswalk).

As shown in Table G-2, the proposed actions' RWCDS would generate an incremental demand of approximately +158, +596, +330, and +364 total pedestrian trips (including walk-only trips and pedestrians en route to and from nearby subway stations, and bus stops) in the weekday AM, midday and PM peak hours, and Saturday peak hour, respectively. As the numbers of trips in the weekday midday, PM, and Saturday midday periods would exceed the 200-trip threshold, a Level 2 screening analysis is warranted to determine which if any pedestrian elements would require quantified analysis during the weekday midday and PM peak hours, and Saturday peak hour.

Parking

Under *CEQR Technical Manual* guidance, on- and off-street parking analyses may be warranted if a quantified traffic analysis is necessary based on the Levels 1 and 2 screening analyses. Based on the screening analyses detailed above, a quantified traffic analysis was not found to be warranted for the proposed actions. Therefore, based on *CEQR Technical Manual* guidance, quantified parking analyses are also not warranted.

V. LEVEL 2 SCREENING ASSESSMENT

A Level 2 screening assessment involves the assignment of project-generated trips to the study area's transportation networks and the identification of specific locations where the incremental increase in demand may potentially exceed *CEQR Technical Manual* analysis thresholds and, therefore, require a quantitative analysis.

Pedestrians

Under *CEQR Technical Manual* guidance, detailed pedestrian analyses are generally warranted if a proposed action is projected to result in 200 or more new peak hour pedestrians at any sidewalk, corner reservoir area or crosswalk. As shown in Table 4, the proposed actions are expected to generate approximately +65, +518, +218, and +261 walk-only trips in the weekday AM, midday, PM, and Saturday midday peak hours, respectively. Persons en route to and from subway station entrances and bus stops, would add approximately 93, 78, 112 and 103 pedestrian trips to sidewalks and crosswalks in proximity to the Project Area during the same periods. As a result, a total of +158, +596, +330, and +364 net incremental pedestrian trips are generated during the same periods. Overall, in these peak hours, new pedestrian trips would be most concentrated on sidewalks and crosswalks adjacent to the Projected Development Sites.

The assignment of net incremental peak hour pedestrian trips the weekday AM, midday, PM, and Saturday midday peak hours near the Project Area is shown in Figure G-1. As shown in Figure G-1, one pedestrian element (the east sidewalk between New Lots Avenue and Linden Boulevard) is expected to experience a net increase of 200 or more trips during the weekday midday and PM peak hours, and Saturday peak hour.

VI. TRANSPORTATION ANALYSES METHODOLOGIES FOR PEDESTRIANS

Methodology

Data on peak period pedestrian flow volumes were collected along the analyzed sidewalk in the vicinity of the Projected Development Sites in October 2020. Peak hours were determined by comparing rolling hourly averages, and the highest 15-minute volumes within the selected peak hours were used for analysis. Based on existing peak pedestrian volumes along major corridors in the study area, the peak hours selected for analysis include the weekday midday (12:30PM- 1:30PM), and PM (5:00PM-6:00PM), and Saturday midday (12:00PM- 1:00PM) periods.

Peak 15-minute pedestrian flow conditions during the weekday midday peak hour is analyzed using the *Highway Capacity Manual* 2010 methodology and procedures outlined in the *CEQR Technical Manual*. Using this methodology, the congestion level of pedestrian facilities is determined by considering pedestrian volume, measuring the sidewalk or crosswalk width, determining the available pedestrian capacity, and developing a ratio of volume flows to capacity conditions. The resulting ratio is then compared with LOS standards for pedestrian flow, which define a qualitative relationship at a certain pedestrian traffic concentration level.

LOS standards are based on the average area available per pedestrian during the analysis period, typically expressed as a 15-minute peak period. LOS grades from A to F are assigned, with LOS A representative of free flow conditions without pedestrian conflicts and LOS F depicting significant capacity limitations and inconvenience. Table G-3 below defines the LOS criteria for pedestrian crosswalk/corner area and sidewalk conditions, as based on the *Highway Capacity Manual* methodology.

The analysis of sidewalk conditions includes a "platoon" factor in the calculation of pedestrian flow to more accurately estimate the dynamics of walking. "Platooning" is the tendency of pedestrians to move in bunched groups or "platoons" once they cross a street where cross traffic required them to wait. Platooning generally results in an LOS one level poorer than that determined for average flow rates.

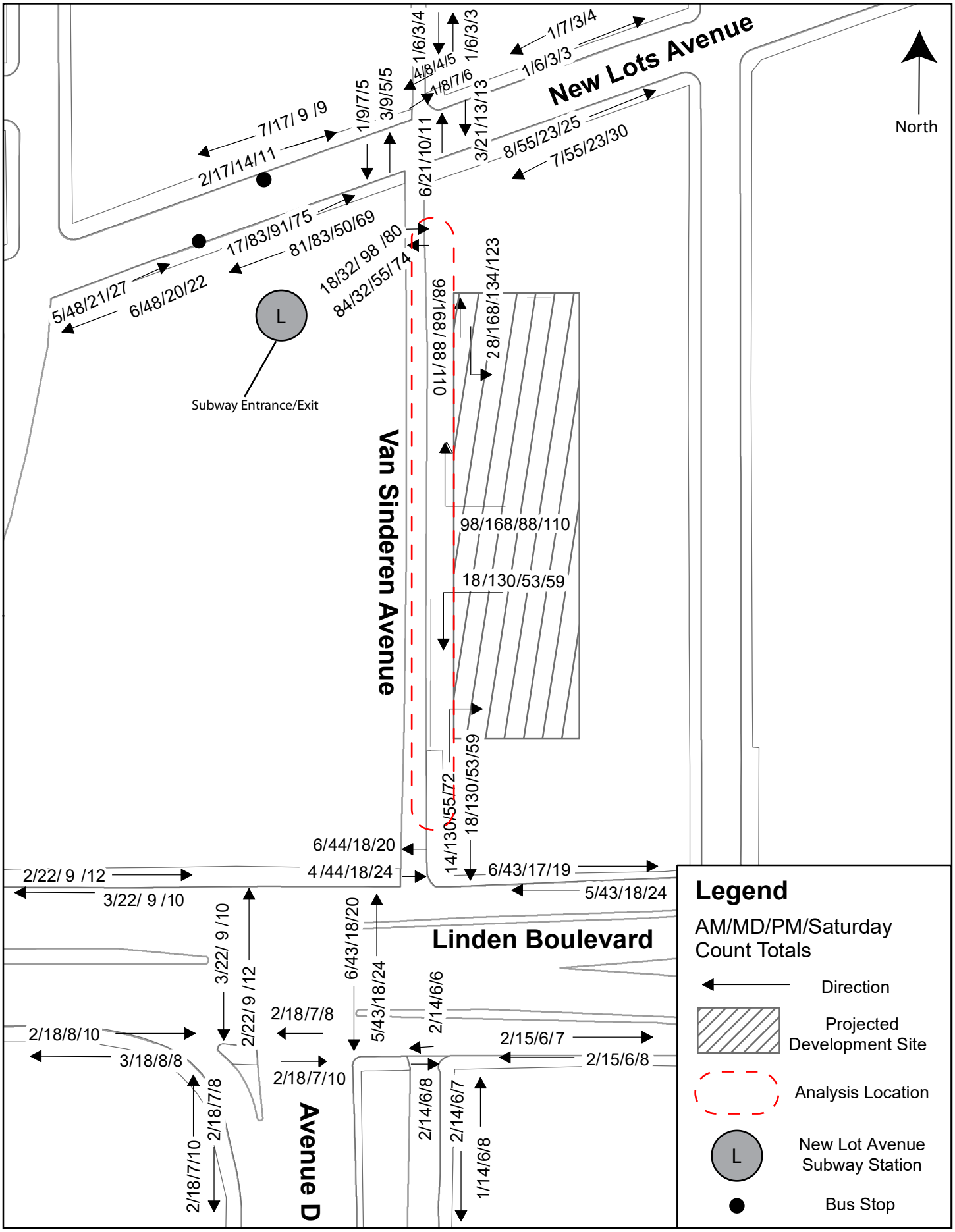
Table G-3: Pedestrian Sidewalk Levels of Service Descriptions

LOS	Description	Non-Platoon Sidewalk Criteria (sf/ped)	Platoon Sidewalk Criteria (sf/ped)
A	(Unrestricted)	> 60	> 530
B	(Slightly Restricted)	> 40 to 60	> 90 to 530
C	(Restricted but fluid)	> 24 to 40	> 40 to 90
D	(Restricted, necessary to continuously alter walking stride and direction)	> 15 to 24	> 23 to 40
E	(Severely restricted)	> 8 to 15	> 11 to 23
F	(Forward progress only by shuffling; no reverse movement possible)	$\leq$ 8	$\leq$ 11

Notes:
Based on average conditions for 15 minutes
sf/ped – square feet of area per pedestrian
Source: 2020 *CEQR Technical Manual*

Figure 1

Pedestrian Assignments and Analysis Locations



Significant Impact Criteria - Sidewalks

The *CEQR Technical Manual* impact criteria for a central business district (CBD) location are used to identify significant adverse impacts due to the Proposed Actions. These criteria define a significant adverse sidewalk impact to have occurred under platoon conditions if the average pedestrian space under the No-Action condition is greater than 39.2 square feet/pedestrian (sf/ped), and the average pedestrian space under the With-Action condition is 31.5 sf/ped or less (LOS D or worse). If the average pedestrian space under the With-Action condition is greater than 31.5 sf/ped (LOS C or better), the impact should not be considered significant. If the No-Action pedestrian space is between 6.4 and 39.2 sf/ped, a reduction in pedestrian space under the With-Action condition should be considered significant based on Table G-4, which shows a sliding-scale that identifies what decrease in pedestrian space is considered a significant impact for a given pedestrian space value in the No-Action condition. If the reduction in pedestrian space is less than the value in Table G-4, the impact is not considered significant. If the average pedestrian space under the No-Action condition is less than 6.4 sf/ped, then a reduction in pedestrian space greater than or equal to 0.3 sf/ped, under the With-Action condition, should be considered significant.

TABLE G-4: Significant Impact Criteria for Sidewalks with Platooned Flow (CBD)

No-Action Condition Pedestrian Flow (sf/ped)			With-Action Condition Pedestrian Flow Increment to be Considered a Significant Impact (sf/ped)
> 39.2			With-Action Condition < 31.5
38.7	to	39.2	Reduction ≥ 3.8
37.8	to	38.6	Reduction ≥ 3.7
36.8	to	37.7	Reduction ≥ 3.6
35.9	to	36.7	Reduction ≥ 3.5
34.9	to	35.8	Reduction ≥ 3.4
34.0	to	34.8	Reduction ≥ 3.3
33.0	to	33.9	Reduction ≥ 3.2
32.1	to	32.9	Reduction ≥ 3.1
31.1	to	32.0	Reduction ≥ 3.0
30.2	to	31.0	Reduction ≥ 2.9
29.2	to	30.1	Reduction ≥ 2.8
28.3	to	29.1	Reduction ≥ 2.7
27.3	to	28.2	Reduction ≥ 2.6
26.4	to	27.2	Reduction ≥ 2.5
25.4	to	26.3	Reduction ≥ 2.4
24.5	to	25.3	Reduction ≥ 2.3
23.5	to	24.4	Reduction ≥ 2.2
22.6	to	23.4	Reduction ≥ 2.1
21.6	to	22.5	Reduction ≥ 2.0
20.7	to	21.5	Reduction ≥ 1.9
19.7	to	20.6	Reduction ≥ 1.8
18.8	to	19.6	Reduction ≥ 1.7
17.8	to	18.7	Reduction ≥ 1.6
16.9	to	17.7	Reduction ≥ 1.5
15.9	to	16.8	Reduction ≥ 1.4
15.0	to	15.8	Reduction ≥ 1.3
14.0	to	14.9	Reduction ≥ 1.2
13.1	to	13.9	Reduction ≥ 1.1
12.1	to	13.0	Reduction ≥ 1.0
11.2	to	12.0	Reduction ≥ 0.9
10.2	to	11.1	Reduction ≥ 0.8
9.3	to	10.1	Reduction ≥ 0.7
8.3	to	9.2	Reduction ≥ 0.6
7.4	to	8.2	Reduction ≥ 0.5
6.4	to	7.3	Reduction ≥ 0.4
<6.4			Reduction ≥ 0.3

Source: 2020 *CEQR Technical Manual*

VII. DETAILED PEDESTRIAN ANALYSIS

Existing Conditions

As discussed previously in Section V, "Level 2 Screening Assessment," the analysis of pedestrian conditions focuses on one pedestrian element (one sidewalk) where new trips generated by the Proposed Development are expected to exceed 200 trips in one or more peak hours. As shown in Figure G-1, this element is located immediately in front of the Development Site, on the east side of Van Sinderen Avenue between New Lots Avenue and Linden Boulevard (S1). Based on observations in the field, the analysis location is a partially built sidewalk measuring approximately five feet in width. The sidewalk curb line is undiscernible as much of the curbless sidewalk is indistinguishable from the paved roadway, especially directly in front of the Projected Development Sites. Portions of the sidewalk are paved with asphalt and some street furniture (such as light poles and hydrants) are located in the roadway. Also, based on observations in the field, approximately 25 cars are typically parked on the sidewalk, particularly in front of the Projected Development Sites where auto-repair businesses are currently located. As such, pedestrians are often forced to walk in the middle of the street. It should be noted that this sidewalk is the only sidewalk on this segment of Van Sinderen Avenue, there is no west sidewalk along the L train line. The analysis location is generally characterized by moderate pedestrian flows. Higher levels of demand can be found along corridors providing access to area subway stations and bus routes, particularly on New Lots Avenue.

Sidewalk

Based on data collected in October 2020, moderate existing pedestrian volumes are found along Van Sinderen Avenue (fewer than 130 persons/hour). As there is no discernable continuous sidewalk, the existing analysis conservatively assumes that the analyzed sidewalk is approximately five feet in width with no obstructions (although the sidewalk is obstructed by parked vehicles). Features typically present along study area sidewalks that can reduce the effective width available for pedestrian flow include street furniture such as tree pits, fire hydrants, curbside signage, traffic signal and lamp posts. However, given hydrants and lamp posts are the only present street furniture and are currently located in the street roadway, the effective width available is simply assumed to be reduced by the distance pedestrians would shy away from curbs and building walls. As such, a 2-foot effective width is used for existing conditions.

Table G-5 shows the existing weekday midday and PM, and Saturday midday peak hour pedestrian volumes, average pedestrian space (in sf/ped), and platoon-adjusted LOS at the analyzed sidewalk. As shown in Table G-5, the analyzed sidewalk currently operates at an acceptable LOS B in all analyzed peak hours.

Table G-5 – Existing Sidewalk Levels of Service

No.	Location		Effective Width (ft.)	Peak Hour Volumes			Average Pedestrian Space (ft^2/ped)			Level of Service		
				MD	PM	SAT	MD	PM	SAT	MD	PM	SAT
S1	Van Sinderen Ave betw. New Lots Ave and Linden Blvd	East	2	43	104	59	464.0	182.5	327.4	B	B	B

FUTURE WITHOUT THE PROPOSED ACTIONS (NO-ACTION CONDITION)

The 2027 No-Action scenario incorporates changes to the study area as it relates to general background growth and increased travel demand from new developments. As per *CEQR Technical Manual* guidelines, an annual background growth rate of 0.5 percent was assumed for the first five years and 0.25 percent was assumed for remaining years until 2027. This background growth rate is applied to account for general increases in travel demand not attributable to specific development projects in proximity to the study area.

As such, pedestrian volumes along the analyzed sidewalk are expected to generally increase through 2027 as a result of background growth. In addition, a development located immediately north and adjacent to the Proposed Development Site, which is partially completed and anticipated to be occupied by 2027, would generate pedestrian trips through the analyzed element. As such, all pedestrian flows disclosed in the adjacent development's *Van Sinderen Plaza EAS* (15HPD054K) were conservatively included in the No-Action Condition. Additionally, it should be noted that all existing buildings on the Projected Development Sites would remain in their existing form.

Sidewalk

Table G-6 shows the No-Action peak hour pedestrian volumes, average pedestrian space, and platoon-adjusted LOS at the analyzed sidewalk. It should be noted that although the adjacent development site is anticipated to provide newly constructed pavement on the north end of the analyzed sidewalk, the No-Action condition conservatively assumes that the five-foot sidewalk (analyzed in Existing Conditions) fronting the Projected Development Sites would remain as it exists today. As shown in Table G-6, in the future without the Proposed Actions, although pedestrian flows would increase, the analyzed element is expected to continue to operate at an uncongested LOS B during all analyzed peak hours in the future without the Proposed Actions.

Table G-6 – No Action Sidewalk Levels of Service

No.	Location		Effective Width (ft.)	Peak Hour Volumes			Average Pedestrian Space (ft^2/ped)			Level of Service		
				MD	PM	SAT	MD	PM	SAT	MD	PM	SAT
S1	Van Sinderen Ave betw. New Lots Ave and Linden Blvd	East	2	117	145	133	170.3	130.7	144.9	B	B	B

FUTURE WITH THE PROPOSED ACTIONS (WITH-ACTION CONDITION)

The Proposed Actions would generate new pedestrian demand on the analyzed sidewalk by 2027. This new demand would include trips made solely by walking, as well as pedestrian trips en route to and from transit. Pedestrian trips generated by the Proposed Actions are expected to be most concentrated in proximity to the Development Site. As discussed in Section V ("Level 2 Screening Assessment") and shown in Table G-2, the Proposed Actions are expected to generate a net total of approximately 596, 330, and 364 pedestrian trips in the weekday midday and PM, and Saturday midday peak hours. During these peak hours, approximately 336, 222, and 233 pedestrian trips are expected to traverse the analyzed sidewalk segment. These pedestrian volumes were added to the projected No-Action volumes to generate the With-Action pedestrian volumes for analysis.

Sidewalk

Table G-7 shows the project-generated incremental pedestrian volumes, total With-Action pedestrian volumes, average pedestrian space, and platoon-adjusted LOS at the analyzed sidewalk. It should be noted that that under the future with the Proposed Actions, the sidewalk fronting the Projected Development Sites would be wider as a result of the building line being setback approximately five feet from the property line, creating a larger walkable area measuring approximately ten feet. The proposed sidewalk would also include street furniture such as lamp posts and hydrants. As shown in Table G-7, in the future with the Proposed Actions, although pedestrian flows would increase, the future built sidewalk is expected to continue to operate at an uncongested LOS B in all analyzed peak hours. Based on the *CEQR Technical Manual* impact criteria cited in Section VI, "Transportation Analyses Methodologies for Pedestrians," the Proposed Actions would not result in any significant adverse sidewalk impacts.

Table G-7 – With Action Sidewalk Levels of Service

No.	Location		Effective Width (ft.)	Project Increment			Peak Hour Volumes			Average Pedestrian Space			Level of Service		
				MD	PM	SAT	MD	PM	SAT	MD	PM	SAT	MD	PM	SAT
S1	Van Sinderen Ave betw. New Lots Ave and Linden Blvd	East	5	336	222	233	453	367	366	109.7	129.1	131.6	B	B	B

Attachment H

Air Quality

I. INTRODUCTION

The potential for air quality impacts from the proposed actions is examined in this attachment. Air quality impacts can be either direct or indirect. Direct impacts result from emissions generated by stationary sources at a development site, such as emissions from on-site fuel combustion for heat and hot water systems, or emissions from parking garage ventilation systems. Indirect impacts are caused by off-site emissions associated with a project, such as emissions from nearby existing stationary sources (impacts on the proposed project) or by emissions from on-road vehicle trips generated by the proposed project or other changes to future traffic conditions due to a project. As the project site is located adjacent to areas zoned for manufacturing uses, potential effects of stationary source emissions from existing nearby industrial facilities on the proposed project were assessed. This analysis was conducted in accordance with *CEQR Technical Manual* methodology.

II. PRINCIPAL CONCLUSIONS

The analysis concludes that the proposed project would not result in significant adverse air quality impacts and would not be adversely affected by existing sources of air emissions in the surrounding area. Based on the analysis, conditions associated with the HVAC systems on each of the Projected Development Sites would not result in any violations of the ambient air quality standards. Therefore, there is no reason to believe that the Proposed Actions would potentially cause any significant adverse air quality impacts, and further assessment is not warranted.

III. STATIONARY SOURCE AIR QUALITY ANALYSIS

Heating and Hot Water Systems – Detailed Analysis

The Proposed Actions would facilitate the development of three 95-foot-tall buildings along the east side of Van Sinderen Avenue on a single block. Each building would potentially have its own heating and hot water, ventilation, and air conditioning (HVAC) system(s). Because each Development Site abuts at least one other Development Site, a detailed stationary source analysis is required for the project-on-project scenario.

Applicable Air Pollutants – Descriptions, Standards and Guidelines

Natural gas would be the type of fuel used in each of the Projected Development Sites' heating and hot water systems. Per the *CEQR Technical Manual*, nitrogen dioxide (NO_2) is the primary pollutant of concern of natural gas fueled boilers. However, particulate matter with aerodynamic diameter of less than or equal to 2.5 micrometer ($PM_{2.5}$) was also evaluated because one of the Projected Development Site would use low-NOx burner (low-NOx burner reduces nitrogen oxides emissions, but not particulate matter emissions). The US Environmental Protection Agency (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 numerous diverse and widespread sources of emissions.

The NAAQS primary standards are designed to protect the 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 criteria air pollutants. In addition, 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 using continuous and/or manual instrumentation. 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), of the pollutants that a detailed analysis was conducted for are presented in **Table H-1**.

Table H-1: The NAAQS and 2019 Background Concentrations

Pollutant	Averaging Period	National and State Standards	Background Concentration	Concentration Unit	Monitoring Station
NO_2	1-Hour	188	103.6	$\mu g/m^3$	Queens College
	Annual	100	26.8		
$PM_{2.5}$	24-Hour	35	17.6		
	Annual	12	7.0		

NO_2 NAAQS

The 1-hour NO_2 NAAQS was promulgated in the United States in February 2010. The 1-hour standard is based on a percentile rank from the annual distribution of daily maximum 1-hour values, averaged across the number of years processed. The 1-hour NO_2 modeled design value is based on the 98th percentile, or 8th highest, of the daily maximum 1-hour values across the year. For typical multi-year modeling analysis based on 5 years of National Weather Service (NWS) meteorological data, the modeled design value is the 5-year average of the 8th highest values for NO_2.

Nitrogen oxide (NOx) emissions from combustion consist predominantly of nitric oxide (NO) at the source. The NOx in these emissions is then gradually converted to NO_2. For determining compliance with the 1-hour standard, the EPA has developed a three-tiered modeling approach: a) Tier 1, the most conservative approach, assumes a full (100%) conversion of NOx to NO_2. b) Tier 2 is the Ambient Ratio Method 2 (ARM2) which assumes ambient equilibrium between NO and NO_2. AERMOD multiplies Tier 1 concentrations with default ambient ratios, or source-specific NO_2/NO_x in-stack ratio (ISR) data. The national default minimum and maximum ambient ratios for the primary facility are 0.5 and 0.9, respectively. c) Tier 3, which is the most precise approach, accounts for the chemical transformation of NO emitted from the stack to NO_2 within the source plume using hourly ozone background concentrations.

$PM_{2.5}$ NYC Guidelines

In addition to the NAAQS, the *CEQR Technical Manual* requires that projects subject to CEQR apply a $PM_{2.5}$ and/or 8-hour CO averaging time significant impact criteria (based on concentration increments). These criteria, *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 concentrations associated with the Proposed Actions are less than the *de minimis* criteria, the concentrations are not considered to be significant. Stationary source detailed analysis was required only for $PM_{2.5}$ (CO is

not a pollutant of concern for HVAC systems, based on the *CEQR Technical Manual*). $PM_{2.5}$ 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 $\mu g/m^3$ 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 $\mu g/m^3$ at any receptor location for stationary sources.
-

The $PM_{2.5}$ *de minimis* (concentrations' increments) threshold criterions for stationary sources (HVAC systems are stationary sources) are 24-hour $PM_{2.5}$ concentration increment of 8.7 $\mu g/m^3$ and annual $PM_{2.5}$ concentration increments of 0.3 $\mu g/m^3$ (applicable to stationary sources).

Air Dispersion Analysis

A stationary source modeling was conducted to evaluate the potential impacts associated with the boilers stacks emissions. Lakes Environmental MPI executable was used in the analysis. The MPI executable take advantage of computers with multiple processors, reducing run-time significantly. Lakes Environmental has adjusted the US EPA AERMOD source code and recompiled the model to parallelize the processing of receptors. The MPI executable used in the analysis modified the EPA's AERMOD executable model version 19191. The AERMOD model incorporates air dispersion based on planetary boundary layer turbulence structure and scaling concepts, including treatment of both surface and elevated sources, and both simple and complex terrain. The model was run with the regulatory default option and for both with and without downwash effect options, where the Building Profile Input Program (BPIP) was run with the downwash effect enabled. All analyses were conducted using five consecutive years of meteorological data (2015-2019), obtained from the NYSDEC. Surface data used in the analysis is from JFK Airport, upper air data is from Brookhaven station, New York. According to NYSDEC, the meteorological data was processed using the latest versions of AERMINUTE, AERSURFACE and AERMET. The meteorological data provided hour-by-hour wind speeds and directions, stability states, and temperature inversion elevations over the 5-year period. The population in the Borough of Brooklyn, obtained from the U.S. Census Bureau 2019, was specified to account for the effects of increased surface heating from an urban area on pollutant dispersion under stable atmospheric conditions.

The primary pollutant of concern for natural gas fueled boilers is NO_2; however, $PM_{2.5}$ was also analyzed. The boilers' energy intensities were calculated based on the developments Reasonable Worst Case Development Scenarios (RWCDSs) and energy consumption rate, obtained from the *CEQR Technical Manual Appendices*, corresponding to residential use in the buildings. Emissions were calculated based on emission factors obtained from the EPA's AP-42 manual for external combustion sources.[1] All fuel was assumed to be consumed during the 100-day (or 2,400 hour) heating season, based on the *CEQR Technical Manual*. **Table H-2** shows the boilers' energy intensities and pollutants emission rates.

[1] EPA. *Compilation of Air Pollutant Emission Factors AP-42 Fifth Edition, Vol. 1:* Chapter 1: External Combustion Sources, https://www3.epa.gov/ttn/chief/ap42/ch01/final/c01s04.pdf. July 1998.

Table H-2: RWCDS HVAC Systems Short-term and Annual Emission Rates

Site ID	Development Site RWCDS Floor Area (gsf)	Boiler's Energy Intensity (MMBtu); Type of Fuel	Pollutant	Short-term Emission Rate (g/s)	Annual Emission Rate (g/s)
Projected Development Site 1	111,201	2.79; Natural gas	NO_2	3.45E-02	9.46E-03
			$PM_{2.5}$	2.62E-03	7.19E-04
Projected Development Site 2	18,135	0.46; Natural gas	NO_2	5.68E-03	1.56E-03
			$PM_{2.5}$	4.32E-04	1.18E-04
Projected Development Site 3	22,894	0.58; Natural gas low-NOx	NO_2	3.55E-03	9.73E-04
			$PM_{2.5}$	5.40E-04	1.48E-04

The *CEQR Technical Manual* default stack's diameter and exhausts exit velocity were applied to Projected Development Sites 2 and 3 stacks (as Projected Development Sites 2 and 3 predicted boiler energy intensities are less than 1 million Btu). Projected Development Site 1's boiler stack's diameter was estimated based on values obtained from the New York City Department of Environmental Protection (DEP) "CA Permit" database for corresponding boiler sizes (i.e., rated heat input or million Btu per hour)[2], and the stack's exit velocity was calculated based on the fuel dry volume of combustion components per unit of heat content. The stacks' exit temperatures were assumed to be 426°K, which is appropriate for boilers, based on DEP "CA Permit" database. The boilers stacks were placed 3 feet above the roofline and as close as possible to the receiving building, and a stack(s) set back distance(s) was specified if impact was predicted.

The developments were modeled as buildings that cover their entire lot(s) area(s) (the wall façade located on the outer lot lines) and rise to their RWCDSs heights. Buildings in the surrounding area were accounted for in the downwash effect on plums dispersions (BPIP). These included two 3-story developments on 666 and 668 Sendiker Avenue (Block 3865, Lots 46 and 47) and the proposed project at 679 Van Sinderen Avenue (CEQR Number 15HPD054K), which includes two 75-foot-tall buildings north of the Proposed Project. Receptors on the receiving building(s) were placed on all wall façade from the ground floor to the roof-top height in spaced intervals.

The USGS National Elevation Dataset (NED) 1/3 arc-second resolution (GeoTIFF dataset), the terrain data set recommended by the EPA for use in the United States for regulatory purposes, was used to process buildings base elevations. The base elevations of receptors and stacks were set to their buildings base elevations. Roof heights of buildings in the area were obtained from the NYC Building Footprint database[3] and the New York City Department of Building (DOB) zoning diagrams (for buildings that are under construction).

$PM_{2.5}$ concentrations were modeled with the 1st highest concentration (the *de minimis* design value). The 1-hour NO_2 concentrations were modeled with the 8th highest concentration (the NAAQS design value), and a Tier 2 (ARM 2) approach, applying the national default in-stack and ambient ratios of 0.5 and 0.9, respectively.

Each pollutant averaging time was modeled twice; with building wake effect enabled/disabled. The predicted concentrations are the highest concentration of these. NO_2 modeled (increment) concentrations were added to the background concentrations. $PM_{2.5}$ modeled concentrations were evaluated with the *de minimis* design values for stationary sources. The HVAC dispersions analysis results are shown in **Table H-3**.

[2] DEP "CA Permit" database obtained from the New York City Department of City Planning, February 2020.
[3] City of New York, nyc-geo-metadata (May 03, 2016); https://data.cityofnewyork.us/Housing-Development/Building-Footprints/nqwf-w8eh

Table H-3: HVAC Dispersion Analysis Results

Pollutant and Averaging Time	Modeled (Increment) Concentration ($\mu g/m^3$)	Background Concentration ($\mu g/m^3$)	Evaluated Concentration ($\mu g/m^3$)	Threshold Concentration ($\mu g/m^3$)	Threshold Standard
Concentration at Projected Development Site 1					
1-hour NO_2	82.08	103.59	186	188	NAAQS
Annual NO_2	1.11	26.8	28	100	NAAQS
24-hour $PM_{2.5}$	3.56	N.A.	3.6	8.7	*de minimis*
Annual $PM_{2.5}$	0.16	N.A.	0.2	0.3	*de minimis*
Concentration at Projected Development Site 2					
1-hour NO_2	78.78	103.59	182	188	NAAQS
Annual NO_2	1.73	26.8	29	100	NAAQS
24-hour $PM_{2.5}$	3.68	N.A.	3.7	8.7	*de minimis*
Annual $PM_{2.5}$	0.14	N.A.	0.1	0.3	*de minimis*
Concentration at Projected Development Site 3					
1-hour NO_2	78.23	103.59	182	188	NAAQS
Annual NO_2	0.78	26.8	28	100	NAAQS
24-hour $PM_{2.5}$	2.40	N.A.	2.4	8.7	*de minimis*
Annual $PM_{2.5}$	0.06	N.A.	0.1	0.3	*de minimis*

The concentrations shown in **Table H-3** were predicted with certain restrictions to ensure that no significant adverse air quality impact(s) would occur. The restrictions for the Proposed Actions are specified in the Air Quality E-Designations that would be placed on the Development Site(s). The E-Designation language related to the heating and hot water systems is as follows:

(E) Designation (E-632):

Block 3865; Lot 9 (Projected Development Site 1): Any new residential or commercial development on the above-referenced property must exclusively use natural gas as the type of fuel for heating, ventilating, air conditioning (HVAC), and hot water system(s), ensure that the stack is located at the building's highest level or at least 98 feet above grade, and that the stack is located at least 135 feet from the southern lot line facing Linden Boulevard and at least 100 feet from the northern lot line facing New Lots Avenue to avoid any potential significant adverse air quality impacts.

Block 3865; Lot 21 (Projected Development Site 2): Any new residential or commercial development on the above-referenced property must exclusively use natural gas as the type of fuel for heating, ventilating, air conditioning (HVAC), and hot water system(s), ensure that the stack is located at the building's highest level or at least 98 feet above grade, and that the stack is located at least 28 feet from the southern lot line facing Linden Boulevard to avoid any potential significant adverse air quality impacts.

Block 3865; Lots 6 and 7 (Projected Development Site 3): Any new residential or commercial development on the above-referenced property must exclusively use natural gas as the type of fuel for heating, ventilating, air conditioning (HVAC), and hot water system(s) and must be fitted with low NOx (30 ppm) burners, ensure that the stack is located at the building's highest level or at least

98 feet above grade, and that the stack is located at least 20 feet from the northern lot line facing New Lots Avenue to avoid any potential significant adverse air quality impacts.

IV. CONCLUSION

Based on the analysis, conditions associated with the HVAC systems on each of the Projected Development Sites would not result in any violations of the ambient air quality standards. Therefore, there is no reason to believe that the Proposed Actions would potentially cause any significant adverse air quality impacts, and further assessment is not warranted.

Attachment I

Noise

I. INTRODUCTION

This attachment assesses the potential for the proposed actions to result in significant adverse noise impacts. As described in Attachment A, "Project Description," the proposed actions include a zoning map and text amendment to rezone the Proposed Rezoning Area (Block 3865; Lots 6, 7, 9, and 21 and portions of Lots 137, 138, 139, 140, 141, 142, 44, 45, 46, 46, 49, 150, and 151) from M1-1 to C4-4L and to designate the Proposed Rezoning Area as a Mandatory Inclusionary Housing Area. Together, the approval of the proposed actions would facilitate the development of a nine-story, 111,201 gsf mixed-use residential/commercial building with 119 affordable DUs and 11,015 gsf of retail space at the applicant-owned site (Block 3865; Lot 9) ("Projected Development Site 1").

For CEQR analysis purposes, the proposed actions are also assumed to facilitate development on two other sites. At 719 Van Sinderen Avenue (Block 3865; Lot 21) ("Projected Development Site 2"), the proposed actions are assumed to result in the development of a nine-story 18,315 gsf mixed-used residential/commercial building containing 16 DUs (four affordable under the MIH Program) and 2,277 gsf of ground floor retail space. At 755 Van Sinderen Avenue (Block 3865; Lots 6 and 7) ("Projected Development Site 3"), the proposed actions are assumed to result in the development of a nine-story 22,894 gsf mixed-used residential/commercial building containing 20 DUs (five affordable under the MIH Program) and 2,846 gsf of ground floor retail space. There are no plans for Projected Development Sites 2 and 3 to be redeveloped at this time. Therefore, it is assumed for analysis purposes that these developments are expected to be constructed, occupied, and operational by 2027.

Approval of the proposed actions would change traffic volumes in the general vicinity of the Proposed Rezoning Area. As the proposed actions would create new noise-sensitive uses within the Proposed Rezoning Area, a detailed noise analysis was conducted in order to determine the level of building attenuation required to ensure that future interior noise levels would satisfy applicable noise criteria.

II. PRINCIPAL CONCLUSIONS

Noise from increased traffic generated by the With-Action condition would not cause noise level impacts at sensitive receptors along the adjacent roadways as the relative increases in noise levels would fall well below the impact criterion of 3.0 dBA between No-Action and With-Action conditions.

Based on the noise analysis presented herein, the maximum predicted L_{10} noise level adjacent to the Proposed Rezoning Area is expected to be 75.0 dBA along the Van Sinderen Avenue frontage. Based on these maximum predicted With-Action noise levels, attenuation of 31.0 dBA on the Van Sinderen Avenue frontage and on any façade within 50 feet of Van Sinderen Avenue is needed to maintain interior noise levels of 45 dBA or lower for the Proposed Development's residential uses. To ensure acceptable noise levels for the Proposed Development, noise attenuation specifications would be mandated through the assignment of an (E) designation (E-632) assigned to the Projected Development Sites that is expected to be developed as a result of the proposed actions. The requirements of the (E) designation resulting from the noise analysis, outlined in Section VIII of this attachment, state that the buildings facades of future residential uses must provide attenuation along the site's frontages. With implementation of the attenuation

levels required pursuant to the (E) designation, the Proposed Development would provide sufficient attenuation to achieve the 2020 *CEQR Technical Manual* interior noise level guidance of 45 dBA or lower for residential uses. Therefore, the proposed actions would not result in any significant adverse noise impacts related to building attenuation requirements.

III. NOISE FUNDAMENTALS

Quantitative information on the effects of airborne noise on people is well documented. If sufficiently loud, noise may adversely affect people in several ways. For example, noise may interfere with human activities such as sleep, speech communication, and tasks requiring concentration or coordination. It may also cause annoyance, hearing damage, and other physiological problems. Although it is possible to study these effects on people on an average or statistical basis, it must be remembered that all the stated effects of noise on people vary greatly with the individual. Several noise scales and rating methods are used to quantify the effects of noise on people. These scales and methods consider factors such as loudness, duration, time of occurrence, and changes in noise level with time.

"A"-Weighted Sound Level (dBA)

Noise is typically measured in units called decibels (dB), which are ten times the logarithm of the ratio of the sound pressure squared to a standard reference pressure squared. Because loudness is important in the assessment of the effects of noise on people, the dependence of loudness on frequency must be taken into account in the noise scale used in environmental assessments. Frequency is the rate at which sound pressures fluctuate in a cycle over a given quantity of time, and is measured in Hertz (Hz), where 1 Hz equals 1 cycle per second. Frequency defines sound in terms of pitch components. In the measurement system, one of the simplified scales that accounts for the dependence of perceived loudness on frequency is the use of a weighting network - known as A-weighting - that simulates the response of the human ear. For most noise assessments, the A-weighted sound pressure level in units of dBA is used due to its widespread recognition and its close correlation to perception. In this analysis, all measured noise levels are reported in dBA or A-weighted decibels. Common noise levels in dBA are shown in Table I-1.

Table I-1, Common Noise Levels

Sound Source	(dBA)
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
Soft Whisper at 5 meters	30
Isolated Broadcast Studio	20
Audiometric (Hearing Testing) Booth	10
Threshold of Hearing	0

Source: *2020 CEQR Technical Manual* / Cowan, James P. Handbook of Environmental Acoustics. Van Nostrand Reinhold, New York, 1994. Egan, M. David, Architectural Acoustics. McGraw-Hill Book Company, 1988.
Note: A 10 dBA increase appears to double the loudness, and a 10 dBA decrease appears to halve the apparent loudness.

Community Response to Changes in Noise Levels

Table I-2 shows the average ability of an individual to perceive changes in noise. Generally, changes in noise levels less than 3 dBA are barely perceptible to most listeners. However, as illustrated in Table I-2, 5 dBA changes are readily noticeable. 10 dBA changes are normally perceived as doublings (or halvings) of noise levels. These guidelines permit direct estimation of an individual's probable perception of changes in noise levels.

Table I-2, Average Ability to Perceive Changes in Noise Levels

Change (dBA)	Human Perception of Sound
2-3	Barely perceptible
5	Readily noticeable
10	A doubling or halving of the loudness of sound
20	A dramatic change
40	Difference between a faintly audible sound and a very loud sound

Source: Bolt Beranek and Neuman, Inc., Fundamentals and Abatement of Highway Traffic Noise, Report No. PB-222-703. Prepared for Federal Highway Administration, June 1973.

Noise Descriptors Used in Impact Assessment

Because the sound pressure level unit, dBA, describes a noise level at just one moment, and very few noises are constant, other ways of describing noise over extended periods have been developed. One way of describing fluctuating sound is to describe the fluctuating noise heard over a specific time period as if it had been a steady, unchanging sound. For this condition, a descriptor called the "equivalent sound level", L_{eq}, can be computed. L_{eq} is the constant sound level that, in a given situation and time period (e.g., 1 hour, denoted by $L_{eq(1)}$, or 24 hours, denoted as $L_{eq(24)}$), conveys the same sound-energy as the actual time-varying sound. Statistical sound level descriptors such as L_1, L_{10}, L_{50}, L_{90}, and L_x, are sometimes used to indicate noise levels that are exceeded 1, 10, 50, 90 and x percent of the time, respectively. Discrete event peak levels are given as L_1 levels. L_{eq} is used in the prediction of future noise levels, by adding the contributions

from new sources of noise (i.e., increases in traffic volumes) to the existing levels and in relating annoyance to increases in noise levels.

The one-hour equivalent continuous noise level ($L_{eq\ (1h)}$ in dBA), the tenth percentile level L_{10} and the day-night average sound level L_{dn} were selected as the noise descriptors for the purposes of this analysis. Hourly statistical noise levels (particularly L_{10} and L_{eq} levels) were used to characterize the relevant noise sources and their relative importance at each receptor location.

Applicable Noise Codes and Impact Criteria

New York City Noise Code

The New York City Noise Control Code, amended in December 2005, contains prohibitions regarding unreasonable noise and specific noise standards, including plainly audible criteria for specific noise sources. In addition, the amended code specifies that no sound source operating in connection with any commercial or business enterprise may exceed the decibel levels in the designated octave bands at specified receiving properties. The New York City Department of Environmental Protection (DEP) has set external noise exposure standards. These standards are shown on the following page in Table I-3.

Noise Exposure is classified into four categories: acceptable, marginally acceptable, marginally unacceptable, and clearly unacceptable. The standards shown are based on maintaining an interior noise level for the worst-case hour L_{10} of less than or equal to 45 dBA. Attenuation requirements are shown in Table I-4.

Table I-3, Noise Exposure Guidance 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	---- Ldn ≤ 60 dBA ----		---- 60 < Ldn ≤ 65 dBA ----		(1) 65 < Ldn ≤ 70 dBA, (II) 70 ≤ Ldn		---- Ldn ≤ 75 dBA ----
2. Hospital, Nursing Home		$L_{10} \leq 55$ dBA		55 < L_{10} ≤ 65 dBA		65 < L_{10} ≤ 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} ≤ 70 dBA		70 < L_{10} ≤ 80 dBA		L_{10} > 80 dBA	
	10 PM to 7 AM	$L_{10} \leq 55$ dBA		55 < L_{10} ≤ 70 dBA		70 < L_{10} ≤ 80 dBA		L_{10} > 80 dBA	
4. School, museum, library, court, house of worship, transient hotel or motel, public meeting room, auditorium, out-patient public health facility		Same as Residential Day (7 AM-10 PM)		Same as Residential Day (7 AM-10 PM)		Same as Residential Day (7 AM-10 PM)		Same as Residential Day (7 AM-10 PM)	
5. Commercial or office		Same as Residential Day (7 AM-10 PM)		Same as Residential Day (7 AM-10 PM)		Same as Residential Day (7 AM-10 PM)		Same as Residential Day (7 AM-10 PM)	
6. Industrial, public areas only[4]	Note 4	Note 4		Note 4		Note 4		Note 4	

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

Notes: (i) In addition, any new activity shall not increase the ambient noise level by 3 dBA or more;

[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 an 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 old-age homes.

[3] One may use the FAA-approved L_{dn} contours supplied by the Port Authority, or the noise contours may be computed from the federally approved INM Computer Model using flight data supplied by the Port Authority of New York and New Jersey.

[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 octave band standards).

Table I-4:
Required Attenuation Values to Achieve Acceptable Interior Noise Levels

	Marginally Unacceptable				Clearly Unacceptable
Noise level with proposed development	70<L_{10}≤73	73<L_{10}≤76	76<L_{10}≤78	78<L_{10}≤80	80<L_{10}
Attenuation	(I) 28 dB(A)	(II) 31 dB(A)	(III) 33 dB(A)	(IV) 35 dB(A)	36 + (L_{10} - 80)[B] dB(A)

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

[B] Required attenuation values increase by 1 dB(A) increments for L_{10} values greater than 80 dBA.

Source: New York City Department of Environmental Protection / 2020 *CEQR Technical Manual*

IV. NOISE PREDICTION METHODOLOGY

Proportional Modeling

Proportional modeling was used to determine No-Action and With-Action noise levels at the receptor locations adjacent to the Proposed Rezoning Area, as discussed in more detail below. Proportional modeling is one of the techniques recommended in the *CEQR Technical Manual* for mobile source analysis.

Using this technique, the prediction of future noise levels (where traffic is the dominant noise source) is based on a calculation using measured existing noise levels and predicted changes in traffic volumes to determine No-Action and With-Action noise levels. Vehicular traffic volumes (counted during the noise recording), are converted into PCE values, for which one medium-duty truck (having a gross weight between 9,900 and 26,400 pounds) is assumed to generate the noise equivalent of thirteen cars, one heavy-duty truck (having a gross weight of more than 26,400 pounds) is assumed to generate the noise equivalent of 47 cars, and one bus (vehicles designed to carry more than nine passengers) is assumed to generate the noise equivalent of eighteen cars. Future noise levels are calculated using the following equation:

FNA NL =10 log (NA PCE/E PCE) + E NL

where:

FNA NL = Future No-Action Noise Level
NA PCE = No-Action PCEs
E PCE = Existing PCEs
E NL = Existing Noise Level

Sound levels are measured in decibels and therefore increase logarithmically with sound source strength. In this case, the sound source is traffic volumes measured in PCEs. For example, assume that traffic is the dominant noise source at a particular location. If the existing traffic volume on a street is 100 PCEs and if the future traffic volumes were increased by 50 PCEs to a total of 150 PCEs, the noise level would increase by 1.8 dBA. Similarly, if the future traffic were increased by 100 PCEs, or doubled to a total of 200 PCEs, the noise level would increase by 3.0 dBA.

To calculate the No-Action noise levels, an annual background growth rate of 0.50 percent for years 1-5 and 0.25 percent for beyond year 5 for the 2027 Build year was applied to the PCE noise values based on counted vehicles.[1] In order to obtain the necessary With-Action PCE values to calculate the With-Action noise levels, a trip generation was prepared based on the projected amount of incremental floor area generated by the 2027 With-Action development, utilizing existing modal split data for the census tract within which the Proposed Rezoning Area is located.[2] This trip generation with the 2027 With-Action traffic increment assignments was converted into PCE values and added to the calculated No-Action PCE values for the weekday AM, MD, and PM peak hours.[3]

[1] The background growth rate is based on information provided in Table 16-4 of the 2014 *CEQR Technical Manual.*
[2] Based on American Community Survey (ACS) Means of Transportation 5-Year data for Kings county census tracts 920, 1098, 1130, and 1132.
[3] The prepared trip generation only includes the total increment of vehicles around the Proposed Rezoning Area at the noise monitoring location.

V. EXISTING CONDITIONS

Selection of Noise Receptor Locations

The Proposed Rezoning Area fronts Van Sinderen Avenue (to the west) and is located on the block bound by New Lots Avenue to the north, Snediker Avenue to the east, and Linden Boulevard to the south. The elevated BMT Canarsie Line (L-Train) runs along Van Sinderen Avenue, less than 50 feet from the Proposed Rezoning Area.

As discussed, train noise from the elevated BMT Canarsie Line (L-Train) and local traffic are the dominant sources of noise in the vicinity of the Proposed Rezoning Area. The noise sensitive receptor locations are presented in **Figure I-1**. Receptor location 1 is located adjacent to the Proposed Rezoning Area at ground level along Van Sinderen Avenue. In order to account for elevated noise from the BMT Canarsie Line (L-Train, receptor location 2 is located on the northbound platform of the New Lots Avenue Station.

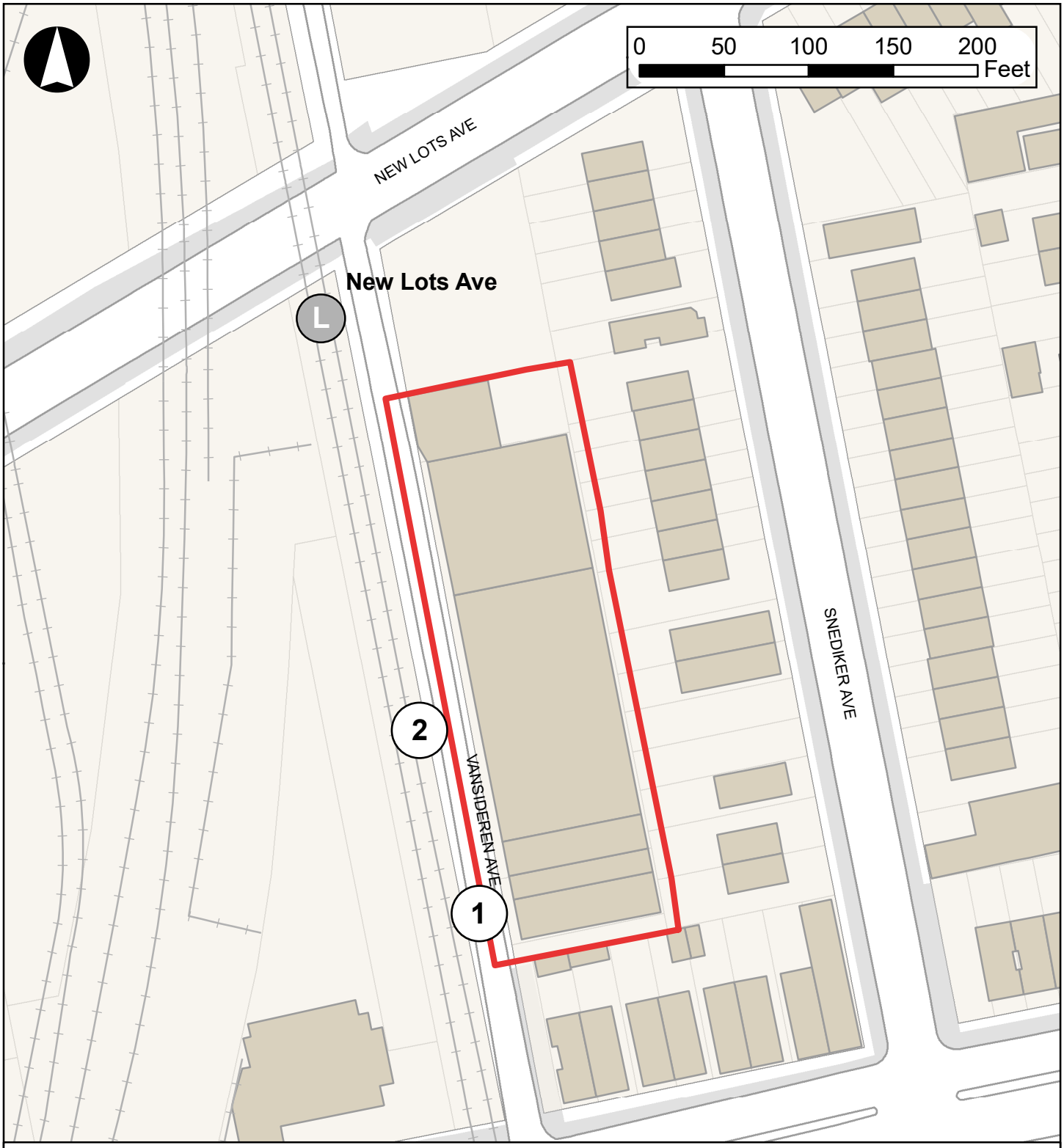
Noise Monitoring

At receptor locations 1 and 2, 1-hour spot measurements of existing noise levels were conducted for each of the three noise analysis time periods - weekday AM peak hour (8:00AM to 9:00AM), weekday midday (MD) peak hour (12:00PM to 1:00PM), and weekday PM peak hour (5:00PM to 6:00PM). Noise monitoring was performed on Tuesday, October 27th, 2020 at receptor location 1 and on June 17th, 2021 at receptor location 2. On October 27th, the weather was partly cloudy with a high temperature of 59 ºF. One June 17th, 2021, the weather was sunny with a high temperature in the low 70s ºF. Photos of the noise monitoring equipment at each receptor location are included in **Figure I-2**. Due to the placement of vehicles parked in front of the existing auto body shops in the Proposed Rezoning Area, the monitoring equipment could not be placed at the midpoint of the Van Sinderen Avenue frontage for receptor location 1. Instead, monitoring equipment was placed in front of 755 Van Sinderen Avenue (Projected Development Site #3) (refer to **Figure I-2**).

Equipment Used During Noise Monitoring

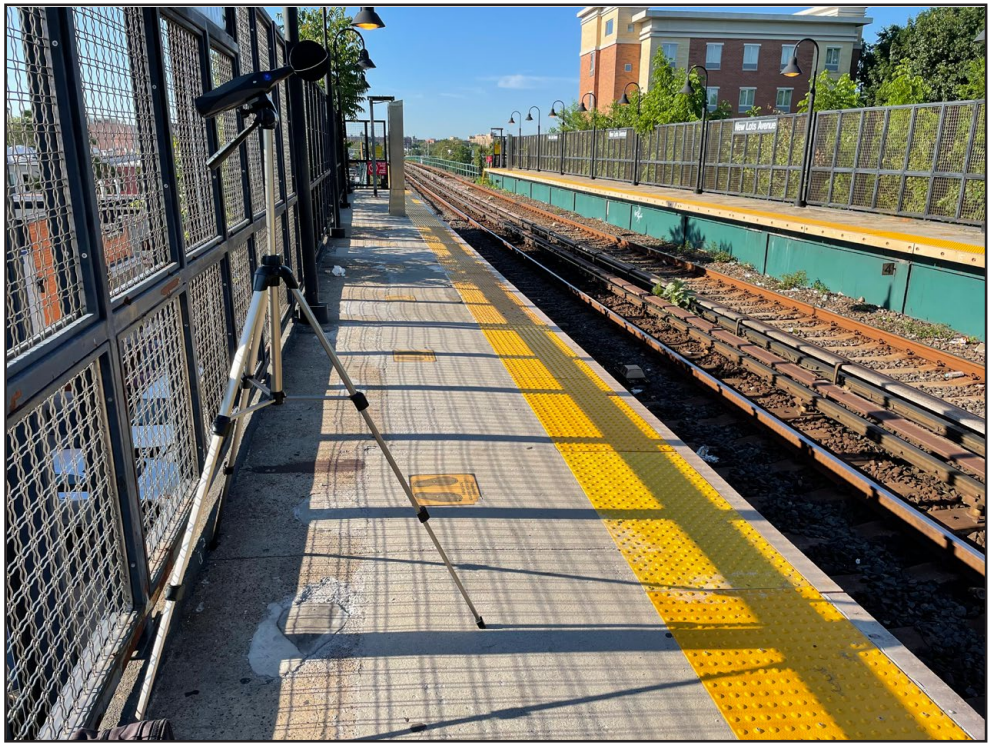
The instrumentation used for the measurements was a Brüel & Kjær Type 4189 ½-inch microphone connected to a Brüel & Kjær Model 2250 Type 1 (as defined by the American National Standards Institute) sound level meter. This assembly was mounted at a height of 5 feet above the ground surface on a tripod and at least 6 feet away from any sound-reflecting surfaces to avoid major interference with source sound level that is being measured. The meter was calibrated before and after readings with a Brüel & Kjær Type 4231 sound-level calibrator using the appropriate adaptor. Measurements at the receptor location were made on the A-scale (dBA). The data were digitally recorded by the sound level meter and displayed at the end of the measurement period in units of dBA. Measured quantities included L_{eq}, L_1, L_{10}, L_{50}, and L_{90}. A windscreen was used during all sound measurements except for calibration. Only traffic-related noise was measured; noise from other sources (e.g., emergency sirens, irregular aircraft flyovers, etc.) was excluded from the measured noise levels. Weather conditions were noted to ensure a true reading as follows: wind speed under 12 mph; relative humidity under 90 percent; and temperature above 14ºF and below 122ºF (pursuant to ANSI Standard S1.13-2005).

Figure I-1
Noise Sensitive Receptors





1) Looking north on Van Sinderen Avenue towards New Lots Avenue.



2) Looking south on the northbound platform of the New Lots Avenue (L) Station.

*Photos taken 10/27/2020 and 06/16/2021

749 Van Sinderen Avenue EAS

Figure I-2

Noise Monitoring Receptor Locations

Existing Noise Levels at the Noise Receptor Locations

Measured Noise Levels

The noise monitoring results are shown in Table I-6. Noise from the elevated rail was the dominant source of noise at each of the receptor locations. The highest existing noise levels observed at receptor locations occurred during the PM monitoring period for both receptor locations.

As shown in Table I-6, the highest L_{10} value was recorded in the PM peak hour (74.7 dBA), placing this receptor location in the "Marginally Unacceptable (II)" CEQR Noise Exposure category pursuant to the guidance of the *CEQR Technical Manual*. The highest L_{10} value at receptor location 1 (72.8 dBA), was also monitored during the PM peak hour, placing this receptor location in the "Marginally Unacceptable (I)" CEQR Noise Exposure category.

Table I-6, Existing Noise Levels (in dBA) at the Monitoring Locations

Receptor Location	Time	L_{eq}	L_{max}	L_{min}	L_1	L_{10}[2]	L_{50}	L_{90}	CEQR Noise Exposure Category
1	AM	68.6	85.9	48.2	81.7	70.8	59.5	53.8	Marginally Unacceptable (I)
	MD	68.1	85.9	48.1	80.4	70.3	59.5	54.4	
	PM	70.3	88.4	49.5	82.5	**72.8**	60.1	55.0	
2	AM	68.9	87.9	49.7	79.6	74.0	58.5	53.7	Marginally Unacceptable (II)
	MD	68.3	82.0	49.3	77.7	73.0	60.3	53.3	
	PM	69.8	86.9	51.1	78.2	**74.7**	63.1	56.0	

Notes: Field measurements were performed by Philip Habib & Associates on October 27th, 2020 and June 17th, 2021.
[1] Refer to **Figure I-1** for noise monitoring receptor locations and **Figure I-2** for photos of the monitoring locations.
[2] The highest L_{10} noise levels at each monitoring location are shown in **bold**.

VI. FUTURE WITHOUT THE PROPOSED ACTION (NO-ACTION CONDITION)

Using the methodology described in Section IV, "Noise Prediction Methodology," future noise levels in the No-Action condition were calculated for the three analysis periods for the 2027 Build year. Table I-7 shows the measured existing noise levels, as well as the projected No-Action PCE values and the No-Action noise levels at the receptor locations.

Table I-7, Future No-Action Noise Levels and Total PCE Values at Receptor Locations (in dBA)

Noise Receptor Location	Time	Existing PCEs	No-Action PCEs	Existing L_{eq}	No-Action L_{eq}	Change[1]	No-Action L_{10}[2]	CEQR Noise Exposure Category
1	AM	6	6	68.6	68.7	0.13	70.9	Marginally Unacceptable (II)
	MD	26	27	68.1	68.2	0.13	70.4	
	PM	15	15	70.3	70.4	0.13	**73.0**	
2	AM	N/A	N/A	68.9	68.9	N/A	74.0	Marginally Unacceptable (II)
	MD	N/A	N/A	68.3	68.3	N/A	73.0	
	PM	N/A	N/A	69.8	69.8	N/A	**74.7**	

Notes: All PCE and noise value are shown for a weekday.
[1] No-Action Leq - Existing Leq
[2] The highest L_{10} noise levels at each monitoring location are shown in **bold**.

Comparing future No-Action noise levels with existing noise levels, the increases in L_{eq} noise level at receptor location 1 would equal approximately 0.13 dBA during each analysis period. Increases of this magnitude would be barely perceptible, and based upon the *CEQR Technical Manual* impact criteria, would not be significant. The projected No-Action L_{10} noise levels would remain in the same respective CEQR Noise Exposure categories as under existing conditions. As no significant changes in train operations are anticipated in the 2027 No-Action condition, the maximum predicted L_{10} noise level would be 74.7 dBA at receptor location 2, the same as under existing conditions.

VII. FUTURE WITH THE PROPOSED ACTION (WITH-ACTION)

Using the methodology described in Section IV, "Noise Prediction Methodology" future noise levels in the With-Action condition were calculated for the three analysis periods at the receptor location for the 2027 Build year. No significant changes in train operations at the elevated L-line are expected as a result of the proposed actions. Therefore, noise conditions at receptor location 2 are expected to remain the same as under the existing and No-Action conditions.

As shown in Table I-8, after accounting for incremental traffic (refer to the Travel Demand Forecast attached below) introduced by the proposed actions at receptor location 1, the maximum projected L_{10} noise level in the With-Action condition would be 75.0 dBA during the PM peak hour at the receptor location. Therefore, the receptor locations would each be categorized under the "Marginally Unacceptable (II)" CEQR Noise Exposure Category. As the noise levels at receptor location 1 would not experience increases of more than 3.0 dBA in any analyzed peak hour, the overall changes to noise levels as a result of the proposed actions would not result in any significant adverse impacts.

Table I-8, Future With Action Noise Levels and Total PCE Values at Receptor Locations (in dBA)

Receptor Location	Time	With-Action PCEs	No-Action L_{eq}	With-Action L_{eq}	Change[1]	With-Action L_{10}[2]	CEQR Noise Exposure Category
1	AM	6	68.7	68.7	0.00	70.9	Marginally Unacceptable (II)
	MD	39	68.2	69.3	1.13	71.6	
	PM	18	70.4	72.4	1.99	**75.0**	
2	AM	N/A	68.9	68.9	0.00	74.0	Marginally Unacceptable (II)
	MD	N/A	68.3	68.3	0.00	73.0	
	PM	N/A	69.8	69.8	0.00	**74.7**	

Notes: All PCE and noise value are shown for a weekday.
[1] With-Action Leq – No-Action Leq
[2] The highest L_{10} noise levels at each monitoring location are shown in bold.

VIII. ATTENUATION REQUIREMENTS

As shown above in Table I-4, the *CEQR Technical Manual* has set noise attenuation requirements for buildings based on exterior noise levels. Recommended noise attenuation values for buildings are designed to maintain a maximum interior noise level of 45 dBA or lower for residential and community facility uses and 50 dBA or lower for commercial office uses, and are determined based on exterior L_{10} noise levels. As noted in Table I-4, additional attenuation measures would be required at the site wherever exterior noise levels exceed 70 dBA. As the maximum exterior L_{10} noise level in the With-Action condition at each receptor location would exceed 70 dBA, attenuation would be required at the Projected Development Sites for sensitive uses in the future with the proposed actions.

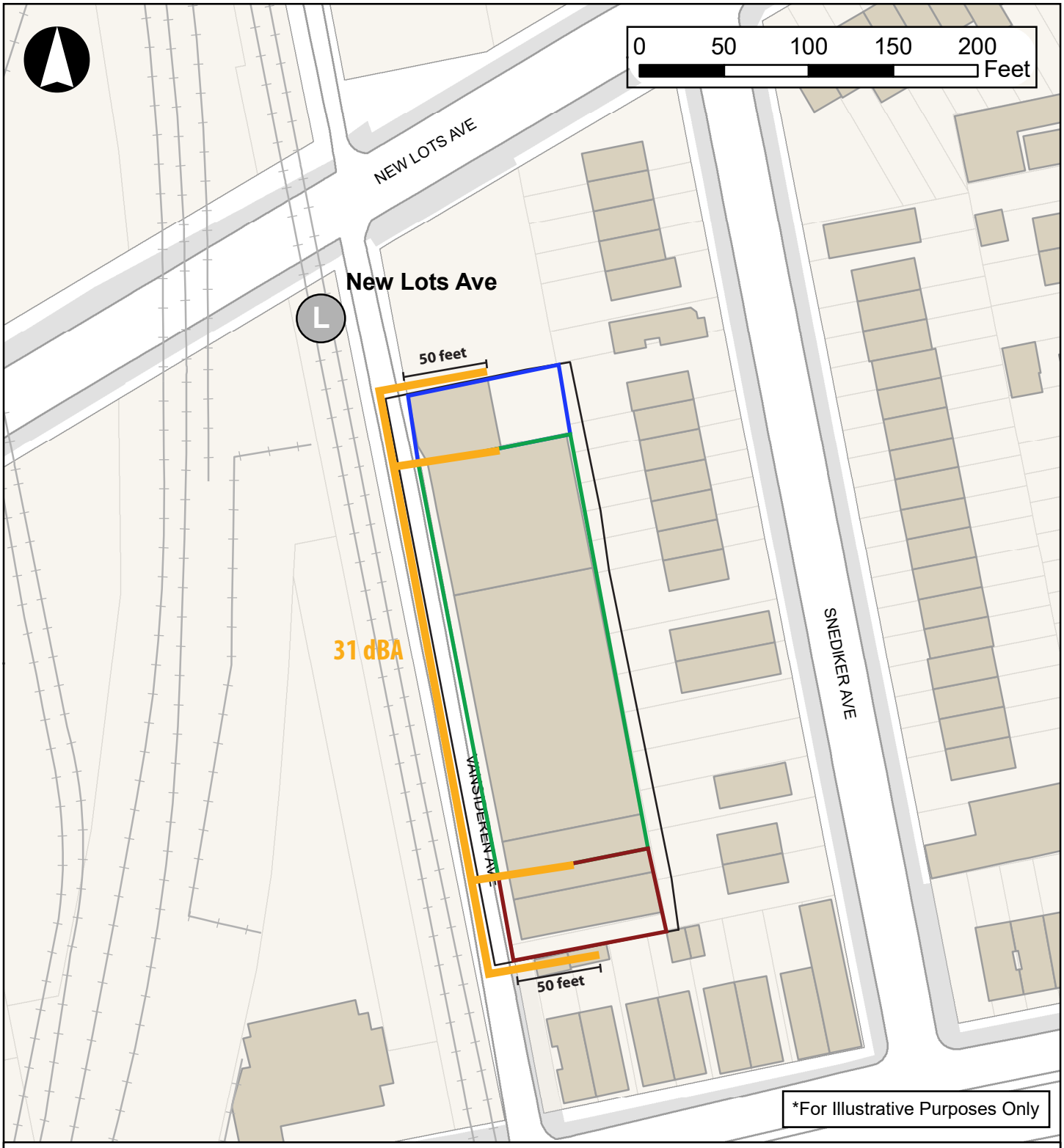
(E) Designation

A (E) designation for noise provides a notice of the presence of an environmental requirement pertaining to high ambient noise levels on a particular tax lot. If an area is proposed to be rezoned, and the accompanying environmental analysis indicates that development on a property may be adversely affected by noise, then an (E) designation for window/wall attenuation and alternate means of ventilation may be placed on the property by the lead agency in order to address such issues in conjunction with any new development or new use of the property. For new developments, enlargements of existing buildings, or changes in use, the NYC Department of Buildings will not issue a building permit until the environmental requirements of the (E) designation are satisfied. The Office of Environmental Remediation (OER) administers the (E) Designation Environmental Review Program.

To avoid any potential impacts associated with noise on the Projected Development Sites (Block 3865, Lots 6, 7, 9, and 21), as part of the proposed actions, an (E) designation for noise would be recorded against the properties. The text for the (E) designation E-632 will be as follows:

> **Block 3865; Lots 6 and 7 (Projected Development Site 3) (BBLs 3038650006 & 3038650007):**
>
> **In order to ensure an acceptable interior noise environment, future residential uses must provide a closed window condition with a minimum of 31 dBA window/wall attenuation on facades facing Van Sinderen Avenue and the facades facing New Lots Avenue within 50 feet of Van Sinderen Avenue and the facades facing Linden Boulevard within 50 feet of Van Sinderen Avenue to maintain an interior noise level not greater than 45 dBA for residential uses as illustrated in the EAS. In order to maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, air conditioning.**
>
> **Block 3865; Lot 9 (Projected Development Site 1) (BBL 3038650009):**
>
> **In order to ensure an acceptable interior noise environment, future residential uses must provide a closed window condition with a minimum of 31 dBA window/wall attenuation on facades facing Van Sinderen Avenue and the facades facing New Lots Avenue within 50 feet of Van Sinderen Avenue and the facades facing Linden Boulevard within 50 feet of Van Sinderen Avenue to maintain an interior noise level not greater than 45 dBA for residential uses as illustrated in the EAS. In order to maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, air conditioning**
>
> **Block 3865; Lot 21 (Projected Development Site 2) (BBL 3038650021):**
>
> **In order to ensure an acceptable interior noise environment, future residential uses must provide a closed window condition with a minimum of 31 dBA window/wall attenuation on facades facing Van Sinderen Avenue and the facades facing New Lots Avenue within 50 feet of Van Sinderen Avenue and the facades facing Linden Boulevard within 50 feet of Van Sinderen Avenue to maintain an interior noise level not greater than 45 dBA for residential uses as illustrated in the EAS. In order to**

Figure I-3
Noise Attenuation Requirements



Legend

- Proposed Rezoning Area
- Attenuation Requirements
  - 31 dBA
- Projected Development Site 1
- Projected Development Site 2
- Projected Development Site 3

maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, air conditioning.

Per the (E) designation requirements, in order to receive a Certificate of Occupancy from the NYC Department of Buildings (DOB) the proposed actions must comply with these required composite window/wall attenuation values in order to maintain proper interior noise levels. With this institutional control in place, the proposed actions and associated development would not result in any significant adverse noise impacts related to building attenuation and no further analysis is necessary.

IX. OTHER NOISE CONCERNS

Mechanical Equipment

No detailed designs of the building's mechanical systems (i.e., heating, ventilation, and air conditioning systems) are available at this time. However, those systems will be designed to meet all applicable noise regulations and requirements and would be designed to produce noise levels that would not result in any significant increase in ambient noise levels. In addition, the building mechanical systems would be designed with enclosures where necessary to meet all applicable noise regulations (i.e., Subchapter 5 §24-227 of the New York City Noise Control Code and the NYC DOB Building Code) and to avoid producing levels that would result in any significant increase in ambient noise levels.

Aircraft Noise

An initial aircraft noise impact screening analysis would be warranted if the new receptor would be located within one mile of an existing flight path, or cause aircraft to fly through existing or new flight paths over or within one mile of a receptor. Since the Proposed Rezoning Area is not within one mile of an existing flight path, no initial aircraft noise impact screening analysis is warranted.

Appendix I

Jamaica Bay Watershed Protection Plan Form

Jamaica Bay Watershed Protection Plan
Project Tracking Form

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

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

A. GENERAL PROJECT INFORMATION

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

_____

4. Project Sponsor: _____
5. Required approvals: _____
6. Project schedule (build year and construction schedule): _____

B. PROJECT LOCATION:

1. Street address: _____
2. Tax block(s): _____ Tax Lot(s): _____
3. Identify existing land use and zoning on the project site: _____
4. Identify proposed land use and zoning on the project site: _____
5. Identify land use of adjacent sites (include any open space): _____
6. Describe existing density on the project site and the proposed density:

Existing Condition	Proposed Condition

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

C. GROUND AND GROUNDWATER

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

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

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

D. HABITAT

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

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

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

   If YES, estimate quantity, area and duration of application.
5. Will additional lighting be installed? ☐ **Yes** ☐ **No**

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

E. SURFACE COVERAGE AND CHARACTERISTICS

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

	Existing Condition	Proposed Condition
1. ***Surface area:***		
Roof:		
Pavement/walkway:		
Grass/softscape:		
Other (describe):		
2. ***Wetland*** (regulated or non-regulated) area and classification:		
3. ***Water surface area:***		

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

Existing – how is the site drained?

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

Appendix II

Phase I Executive Summary

Advanced Cleanup Technologies, Inc.
ENVIRONMENTAL CONSULTANTS

PHASE I ENVIRONMENTAL SITE ASSESSMENT

723 to 749 Van Sinderen Avenue
Brooklyn, NY 11207
Tax Map #: Block 3865, Lot 9

ACT Project #: A018-BKNY

May 15, 2020

Prepared for:

Anna Justice
ENY Community Residences LLC
217 Havemeyer Street, 4th Floor
Brooklyn, NY 11211

Prepared by:

Advanced Cleanup Technologies, Inc.
110 Main Street, Suite 103
Port Washington, NY 11050

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1.0 EXECUTIVE SUMMARY

Property Address: 723 to 749 Van Sinderen Avenue, Brooklyn, NY 11207.

Property Usage: Three commercial warehouses.

Property Description: The subject property consists of the one-story commercial warehouses with no basements. The buildings contain no residential apartments and six commercial units, which are occupied by auto body and repair shops and a tile and granite business. The property is approximately 22,500 square feet in area and is built out.

Subject	Acceptable	Routine Solution	Additional Study
Site History	No		Yes
Database Review	No		Yes
Local Records Review	No		Yes
Visual Observations	X		
Adjacent Properties	X		
USTs and ASTs	X		
PCBs	X		
Asbestos	X		
Radon	X		
Lead-Based Paint	X		

Advanced Cleanup Technologies, Inc. (ACT) has performed the Phase I Environmental Site Assessment in conformance with the scope of limitations of ASTM Practice E 1527-13 of 723 to 749 Van Sinderen Avenue, Brooklyn, NY 11207, the "subject property." Any exceptions to or deletions from this practice are described in Section 2.2 of this report. This assessment has revealed the following recognized environmental conditions in connection with the subject property:

- Historical industrial operations at the subject property (Sections 5.1, 5.2, 5.4, 5.5)
- A vapor encroachment condition at the subject property (Section 6.12)

No controlled recognized environmental conditions were identified at the subject property. A

controlled recognized environmental condition is a recognized environmental condition resulting from a past release of hazardous substances or petroleum products that has been addressed to the satisfaction of the applicable regulatory authority, with hazardous substances or petroleum products allowed to remain in place subject to the implementation of required controls.

No historical recognized environmental conditions were identified at the subject property. An historical recognized environmental condition is a past release of any hazardous substances or petroleum products that has occurred in connection with the property and has been addressed to the satisfaction of the applicable regulatory authority or meeting unrestricted use criteria established by a regulatory authority, without subjecting the property to required controls.

No *de minimis* conditions were identified at the subject property. A *de minimis* condition is one that generally does not present a material risk of harm to public health or the environment and that generally would not be subject to an enforcement action if brought to the attention of appropriate governmental agencies (excluding local asbestos and lead situations).

2.0 INTRODUCTION

Pursuant to the request of ENY Community Residences LLC, as our client, ACT has conducted a Phase I Environmental Site Assessment (ESA) of 723 to 749 Van Sinderen Avenue, Brooklyn, NY 11207. The Assessment was performed to meet or surpass the industry standard established by ASTM's Standard Practice for Environmental Site Assessments (E 1527-13). This ESA was conducted in accordance with and subject to the proposal dated May 1, 2020.

2.1 Purpose

The purpose of this report is to assess the subject property for evidence of Recognized Environmental Conditions (RECs) in accordance with the provisions of ASTM Standard E 1527-13. As defined by the ASTM, the term recognized environmental condition means “the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: (1) due to any release to the environment; (2) under conditions indicative of a release to the environment; or (3) under conditions that pose a material threat of a future release to the environment.”

A material threat is “a physically observable or obvious threat which is reasonably likely to lead to a release that, in the opinion of the environmental professional, is threatening and might result in impact to public health or the environment.”

2.2 Detailed Scope of Services

The Phase I ESA includes a visual inspection of the subject property, improvements, and surrounding properties to identify potential recognized environmental conditions. The adjacent properties were viewed from the subject property and roadways to determine potential sources of contamination or environmental impacts that could migrate to the subject property.

As a result of the NYS PAUSE executive order response to the COVID-19 Pandemic, ACT staff was not able to perform an in-person site inspection of the subject property. Through the use of video conference technology, ACT staff supervised and directed onsite personnel to perform a remote site inspection. Observations and photographs of the subject property and neighboring properties made during the remote inspection are detailed in this report.

Research into historical uses of the property and surrounding land and a review of regulatory agency files and databases pertaining to the property and surrounding properties were performed.

Interviews with property representatives regarding past and present conditions and interviews with local government officials were performed to determine if environmental issues exist at the subject property.

The Phase I ESA also contains non-ASTM items: a limited visual screening for suspect asbestos-containing materials, a limited screening for lead based paint, and a review of regulatory agency documents regarding lead in drinking water and radon in the vicinity of the subject property.

2.3 Significant Assumptions

Information and records provided by the user, outside vendors, and regulatory agencies consulted by ACT are assumed to be correct and complete.

2.4 Limitations and Exceptions

This practice constitutes “All Appropriate Inquiry” (AAI) into the previous ownership and uses of the property consistent with good commercial or customary practice in accordance with the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA, 42 U.S.C. 9601). Data gaps may occur in the event that a portion of the AAI practice cannot be fully performed as per ASTM E 1527-13, despite the good faith effort of the environmental professional. This practice does not address local or state environmental assessment obligations that may be applicable to the property.

The purpose of this ESA is to assess the subject property with respect to the presence of hazardous substances or petroleum products in accordance with provisions of ASTM Standard E 1527-13. This

practice is intended to permit the user, which may be a perspective purchaser or tenant, an owner, a lender or a property manager, to satisfy requirements to qualify as an innocent land owner, contiguous property owner, or bona fide prospective purchaser, hereinafter known as the Landowner Liability Protections (LLPs).

The innocent landowner defense applies to individuals who were not aware of contamination at a property despite completion of AAI at the time of purchase; government entities that acquired a property via escheat, eminent domain; involuntary transfer or acquisition, and individuals who inherited a property.

The contiguous property owner liability protection applies to owners who have completed AAI prior to purchase and were not aware of a contiguous property not owned by them that has or may have impacted their property. Knowledge of impact from a contiguous property exempts the owner from the contiguous property owner liability.

The bona fide prospective purchaser liability protection signifies that the purchaser made all appropriate inquiries into the subject property prior to its purchase.

This Phase I ESA has been prepared to assess the potential environmental liabilities at the subject site with respect to data that Advanced Cleanup Technologies, Inc. has accumulated during the Phase I ESA. The conclusions presented in this report are based solely on the observations of the site at the time of the assessment. Data provided, including information provided by others, were utilized in assessing the site conditions. The accuracy of this Phase I ESA is subject to the accuracy of the information provided. Advanced Cleanup Technologies, Inc. is not responsible for areas not seen or information not collected.

This Phase I ESA was performed at the request of ENY Community Residences LLC in accordance with ASTM E 1527-13. The report has been prepared for the sole use of ENY Community Residences LLC; no other party may use the report without written consent from ACT and ENY Community Residences LLC.

2.5 Special Terms and Conditions

No special terms or condition are in addition to the scope outlined in Section 2.2 of this Phase I ESA.

2.6 User Responsibilities

This practice does not address the continuing obligations of the user, including protection of activity and use limitations (AULs), which are legal or physical restrictions or limitations on the use of,

or access to, a site or facility; (1) to reduce or eliminate potential exposure to hazardous substances or petroleum products in the soil, soil vapor, groundwater, and/or surface water on the property, or (2) to prevent activities that could interfere with the effectiveness of a response action, in order to ensure maintenance of a condition of no significant risk to public health or the environment.

This practice also does not address the duty to take reasonable steps to prevent future releases or the duty to comply with legally required release reporting obligations.

3.0 SITE DESCRIPTION

3.1 Location and Legal Description

The address of the subject property is 723 to 749 Van Sinderen Avenue, Brooklyn, NY 11207. The New York City tax map identification number is Block 3865, Lot 9.

3.2 Site and Vicinity Characteristics

The subject property is located in a residential, commercial, and industrial area in the eastern portion of the borough of Brooklyn in New York City. The immediate vicinity of the subject property contains residential and industrial buildings. The subject property is located 0.75 miles northwest of Fresh Creek and 3.4 miles east of Prospect Park Lake.

3.3 Current Use of the Property

The subject property currently contains three one-story commercial warehouse buildings, which are occupied by auto body and repair shops and a tile and granite business.

3.4 Description of Structures, Roads and Other Improvements

The subject property is located along the eastern side of Van Sinderen Avenue between New Lots Avenue to the north and Linden Boulevard to the south. Electric, water, and natural gas services enter the property underground from the west. Utility meters are located throughout the interiors of the buildings.

Heat is supplied to the buildings by natural gas ceiling heaters located throughout the interiors of the buildings. Hot water is supplied to the buildings by electric heating tanks also located in the throughout. The buildings are connected to the municipal sewer system.

3.5 Current Use of Adjoining Properties

The exterior conditions of adjacent properties were viewed from the subject property and adjacent roadways.

North:	A one-story industrial building occupied by Eastern Welding.
South:	A one-story industrial building occupied by Ronnie's Welding and Boiler Repair.
East:	Several two-story residential buildings.
West:	Railroad tracks.

The adjacent properties do not appear to be impacting the environmental quality of the subject property.

4.0 USER PROVIDED INFORMATION

A User Questionnaire was provided to the real estate representatives of the subject property. The completed User Questionnaire has not been provided to ACT at the time of this report.

4.1 Environmental Liens

An environmental lien search is an inquiry into the existence of environmental cleanup liens against the subject property that are filed or recorded under federal, tribal, state, or local laws.

An environmental lien search was not included in the scope of work of this assessment and therefore was not performed. However, if the findings of a lien search performed by any other party reveal the presence of an environmental related lien on the subject property, this information should be forwarded to ACT for review, and any significant findings will be added to this assessment as an addendum.

5.0 RECORDS REVIEW

5.1 Standard Environmental Records Sources

In an effort to determine the potential impact from hazardous waste activities or petroleum products at the subject property, adjacent properties and surrounding area, a review of database information on waste sites within one mile of the subject property was conducted. The database report information was provided to ACT by Environmental Data Resources, Inc. on May 5, 2020.

The review included a search of the following Federal, United States Environmental Protection

Agency (USEPA), and New York State Department of Environmental Conservation (NYSDEC) databases:

- USEPA National Priorities List (NPL) and Delisted NPL Sites.
- USEPA Comprehensive Environmental Response, Compensation, and Liability Act Information System (CERCLIS Non-NFRAP) and CERCLIS No Further Remedial Action Planned (CERCLIS NFRAP) Sites.
- NYSDEC listing of Inactive Hazardous Waste Disposal and Registry Qualifying Sites or State equivalent NPL and CERCLIS Sites.
- USEPA and NYSDEC Resource Conservation and Recovery Act (RCRA) Hazardous Waste Treatment Storage and Disposal (TSD) facilities, RCRA corrective action activity (CORRACTS) sites, and Hazardous Waste generator/transporter facilities.
- USEPA and NYSDEC Brownfield and Voluntary Cleanup Sites.
- NYSDEC Solid Waste Management Facilities Database.
- NYSDEC listing of Leaking Underground Storage Tanks (LUSTs) and Spills List.
- NYSDEC listing of Petroleum Bulk Storage Facilities, Major Oil Storage and Chemical Bulk Storage Facilities.
- USEPA Emergency Response and Notification System (ERNS).
- USEPA and NYSDEC Institutional Controls/Engineering Controls (IC/EC).

The NPL and CERCLIS databases are maintained by the USEPA and contain records for each of the hazardous waste facilities nominated or chosen for cleanup under Superfund. The NPL database was searched for sites within a radius of 1 mile from the subject property. The subject property is not listed in the NPL database. No NPL sites are located within 1 mile of the subject property.

The Delisted NPL database was searched for sites within a radius of ½ mile from the subject property. The subject property is not identified on the Delisted NPL database. No Delisted NPL sites are located within ½ mile of the subject property.

The CERCLIS database was searched for sites within a radius of ½ mile from the subject property. The subject property is not listed in the CERCLIS Non-NFRAP database. No CERCLIS Non-NFRAP sites are located within ½ mile of the subject property.

The CERCLIS-NFRAP database was searched for sites within a radius of ½ mile from the subject property. The subject property is listed in the CERCLIS-NFRAP database. No CERCLIS-NFRAP sites are identified in the database within ½ mile of the subject property.

The RCRA database includes listings of properties that are undergoing Corrective Action. The subject property is not listed in the Corrective Action database. No RCRA Corrective Action sites are located within 1 mile of the subject property.

RCRA database includes listings of properties that are considered Hazardous Waste Treatment, Storage or Disposal (TSD) facilities. The subject property is not listed in the RCRA TSD database. No RCRA TSD sites are located within ½ mile of the subject property.

The RCRA database includes listings of properties that are considered Hazardous Waste Generators or Transporters. The subject property is listed in the RCRA Hazardous Waste Generator/Transporter database as Wayne B L Furniture MFG. The site is listed with EPA ID NYD001647577. In 1980, the site was classified as a "Large Quantity Generator," having generated 1,000 kg or more of hazardous waste per calendar month. In 1999, 2006, and 2007 the site was classified as a non-generator. The wastes were identified as acetone, benzene, and toluene. The site is also listed in the US FINDS database under Registry ID 110004335791.

The subject property is also listed in the US FINDS database as Paint Masters Auto Body Repair Inc. and Ready for Action Towing 1 Inc. The sites are listed under Registry IDs 110019334567 and 110043818107, respectively.

Forty RCRA Hazardous Waste Generator/Transporter sites are located within ¼ mile of the subject property. The closest site, MTA NYCT – L Line at New Lots Avenue and Van Sinderen Avenue, is located 0.030 miles north-northwest of the subject property. The site is listed with EPA ID NYR000129502. In 2004, 2006, 2007, the site was classified as a "Small Quantity Generator," having generated more than 100 kg and less than 1,000 kg of hazardous waste per calendar month. The wastes were identified as lead. Due to the non-proximate location of the site, it is unlikely to affect the environmental quality of the subject property.

The NYSDEC publication of Inactive Hazardous Waste Disposal and Registry Qualifying Sites in New York State contains a listing of all properties and facilities in New York State that have been identified as containing toxic or hazardous wastes and/or contamination in various forms. The subject property is not listed in the database. Two Inactive Hazardous Waste Disposal Site or Registry Qualifying Sites are located within 1 mile of the subject property. The closer site, at 350 Dewitt Avenue, is located 0.170 miles south-southeast of the subject property. The site is a former plumbing and lighting manufacturer. Due to the non-proximate location and lower elevation of the site, it is unlikely to affect the environmental quality of the subject property.

The NYSDEC Solid Waste Landfill Facility database (SWLF) includes properties that are active solid waste disposal sites. The SWLF database was searched for sites within a radius of ½ mile of the subject property. The subject property is not listed in the SWLF database. Three SWLF sites are located within ½ mile of the subject property. The closest site, DJR Transfer Station, Inc. at 685 Junius Street, is located 0.065 miles southwest of the subject property. The site is an inactive transfer station. Due to the non-proximate location and lower elevation of the site, it is unlikely to affect the environmental quality of the subject property.

The NYSDEC publication of Brownfield/Voluntary Cleanup Sites in New York State contains a listing of all properties and facilities where expansion or redevelopment is complicated by real or

perceived environmental contamination. The subject property is not listed in the database. Nine Brownfield/VCP site is located within ½ mile of the subject property. The closest site, Ebenezer Plaza 1 at 672 Powell Street, is located 0.130 miles west-southwest of the subject property. Due to the non-proximate location and lower elevation of the site, it is unlikely to affect the environmental quality of the subject property.

The NYSDEC Spills and Leaking Underground Storage Tank (LUST) lists were searched for all reported spills within ½ mile of the subject property. The subject property is not listed in the Spill/LUST database. A total of 49 Spills or LUSTs have occurred within ½ mile of the subject property. The closest site with an open spill number, Linden Plaza Development LLC at 650 Powell Street, is located 0.115 miles west of the subject property. Spill number 09-06674 was opened on September 11, 2009. The petroleum spill was opened when contaminated soil was found in the vicinity of tanks at the site. The site is an auto repair shop and former dry cleaning facility. Cleanup at the site is pending. Due to the non-proximate location and lower elevation of the site, it is unlikely to affect the environmental quality of the subject property.

The NYSDEC listing of Petroleum Bulk Storage (PBS), Major Oil Storage (MOSF) and Chemical Bulk Storage (CBS) facilities was searched for any listings within ¼ mile of the subject property. The subject property is not listed in the databases. Sixteen PBS or CBS facilities are located within ¼ mile of the property. The closest site, at 679 Van Sinderen Avenue, is located 0.018 miles north-northwest of the subject property. The site is registered in the PBS database with facility ID 2-612665. The site contains a 1,500-gallon aboveground storage tank that held waste oil and was closed in 2016.

The ERNS database is a Federal listing of properties which emergency responses were made to in reference to hazardous waste. The subject property is not listed in the ERNS database.

The USEPA and NYSDEC Institutional Controls/Engineering Controls (IC/EC) database was searched for the subject property. The subject property is not listed in the IC/EC database.

5.2 Local Regulatory Agencies

The New York City Department of Buildings (DOB) file contains a property file for Block 3865, Lot 9. The property address is listed as 723 to 751 Van Sinderen Avenue, Brooklyn, NY 11207. The owner is listed as Calmer Than You Are LLC. The building is classified as a G9-garage/gas station building, and the property is zoned in an M1-1 district. The property is approximately 22,500 square feet in area. The construction date is estimated to be 1930.

The property is listed as having no open DOB violations. Four open Environmental Control Board violations are listed for the property. These violations are related to construction infractions. Eight Certificates of Occupancy (C of Os) are listed for the subject property on the DOB website. The C of O dated December 20, 1927, indicates that a one-story factory building was located at the property. The C of O dated March 5, 1928 indicates that a one-story lumber shed was located at the property. The C of O

dated December 22, 1942 indicates that a one-story factory building was located at the property. The two C of Os dated 1950 indicates that a one-story chair factory and a one-story garage was located at the property. The C of O dated 1958 indicates that a one-story building occupied by a manufacturer of bed springs and auto body shop was located at the property. The C of O dated 1961 indicates that a one-story building occupied by an auto body shop was located at the property. The C of O dated April 6, 1967 indicates that a one-story building occupied by a canvas manufacturer was located at the property.

The New York City Department of Health, Department of Environmental Protection, and Bureau of Fire Prevention have not responded to our information requests at the time of this report. Pertinent information received from these agencies will be provided in an addendum to this report.

5.3 Physical Setting Source

The topography of the area is generally level. The vicinity of the site is approximately 28 feet above mean sea level. The ground surface in the vicinity of the property is covered with asphalt and concrete pavement and buildings.

The subsurface beneath the site consists of unconsolidated sand and gravel layers from the ground surface to approximately 50 feet below ground surface where the Raritan confining unit is encountered. The major aquifer systems beneath the subject property are the Upper glacial and Lloyd aquifers. Bedrock beneath the subject property is located approximately 200 feet below ground surface. Regional groundwater in the vicinity of the subject property is expected to flow southeast towards Fresh Creek.

5.4 Historical Use Information of the Subject Property and Adjacent Properties

Historical fire insurance maps for the years 1908 through 2007 were obtained from Environmental Data Resources Inc. and reviewed by ACT.

Summary	**Subject Property**	As of 1908, the subject property consisted of undeveloped land. By 1928, the property contained two one-story commercial buildings used for manufacturing and a one-story lumberyard. By 1950, the lumberyard had been replaced by a one-story garage and a one-story storage building and one-story metal working building had been constructed. Also by 1950, the buildings had been identified as a manufacturer and spray booth. By 1967, the property was fully built-out and was occupied by two manufacturers, a spray booth, machine shop, and vacant building. By 1977, the vacant building was also identified as a manufacturer. By 1989, the buildings were identified as auto repair shops and a machine shop. By 1995, all three buildings were auto repair shops. The property remained substantially unchanged through 2007.
	North	As of 1908, the property consisted of undeveloped land. By 1928, a one-

		story commercial building identified as iron works had been constructed. By 1967, the building had been identified as a wood working. By 1977, the building had been identified as an auto body shop. The property remained substantially unchanged through 2007.
	South	As of 1908, the property consisted of undeveloped land. By 1928, a one-story commercial building identified as iron works had been constructed. By 1950, the building was identified as plastic works. By 1967, the building was identified as manufacturing. By 1991, the building was identified as an auto repair shop. The property remained substantially unchanged through 2007.
	East	As of 1908, the property consisted of undeveloped land. By 1928, 11 two-story residential buildings and a two-story commercial building had been constructed. By 1967, the commercial building had been converted to a residential building. By 1977, three of the buildings had been demolished. By 1980, one building had been demolished. By 1986, three buildings had been demolished. By 2001, two buildings had been demolished. By 2002, eight two-story residential buildings had been constructed. The property remained substantially unchanged through 2007.
	West	As of 1908, the property contained railway tracks. The property remained substantially unchanged through 2007.
	General Vicinity	As of 1908, the vicinity was a sparsely developed residential area. By 1928, the vicinity had become a well developed residential, commercial, and industrial area. The vicinity remained substantially unchanged through 2007.

5.5 Historical City Directories

Historical city directories for the years 1928 through 2017 were obtained from Environmental Data Resources, Inc. and reviewed by ACT.

Year	Occupants
1928	Unlisted
1934	Kusel & Eisen Ironworkers Inc.
1940	Kings County Millwork Corp.
1945	Willoughby Bed & Spring Co., Union Chair Co. Inc.
1949	Imperial Metal Products Co.

1960	B&I Body and Fender Repairs Inc., Willoughby Bed & Spring Co., Union Chair Co. Inc.
1965	East New York Canvas Corp., Kayline Manufacturing Co., B&I Body Fender Repairs Inc., Union Chair Co. Inc., Katz Tools & Dyes
1970	East New York Canvas Corp., Kayline Manufacturing Co., Union Chair Co. Inc.
1973	Kayline Manufacturing Co., BL Wayne Furniture Manufacturing Corp.
1976	Kayline Manufacturing Co., BL Wayne Furniture Manufacturing Corp.
1980	Unlisted
1985	Action Auto Collision, Amazing Plastic Products Inc.
1992	Downtown Auto Collison, Uptown Auto Collision, Davis Auto Repair, V&M Auto Parts Inc.
1994	Residential tenant, Downton Auto Collision, Uptown Auto Collision, CMR Auto Sales Artel Properties Inc., Wayne's Auto Repair, Arawak Auto Sales
1997	Residential tenant, Downtown Auto Collision, Uptown Auto Collision, Artel Properties Inc., Harvey's Auto Repair, Jay's Auto Repair, Wayne's Auto Repair
1999	Downtown Auto Collision, Uptown Auto Collision, Eastern Welding and Auto Machine Shop, Artel Properties Inc., LGT Auto Service, JAH Works, Vintage Body Works, Jay's Auto Repair, Wayne's Auto Repair, Tyrone's Auto
2000	Downtown Auto Collison, Uptown Auto Collision, Eastern Welding and Auto Machine Shop, Artel Properties Inc., LGT Auto Service, M&M Auto Repair, Jay's Auto Repair, Travels Auto Collision
2004	Uptown Auto Collision, Eastern Welding and Auto Machine Shop, LGT Auto Service, Jay's Auto Repair, Wayne BL Furniture Manufacturing Corp., J&S Auto Repair and Service
2005	Residential tenant, Frank's Complete Auto Repair, LGT Auto Service, Jay's Auto Repair, Top Class Auto Repair
2009	Unlisted
2014	LS Autobody Repair, Ready for Action Towing
2017	LS Auto Body Repair, Paint Masters Auto Body, Ready for Action Towing, T&R Transmissions, LS Autobody Repair

5.6 Previous Environmental Reports

On September 24, 2014, ACT issues a Phase I Environmental Site Assessment ("ACT Phase I Report") for the subject property. At the time of the ACT Phase I Report, the subject property contained three one-story commercial warehouse buildings, which were occupied by auto repair shops. The ACT Phase I Report also indicated that the property historically was used for manufacturing and auto repair.

The ACT Phase I Report included the review of a Phase I Environmental Site by Merritt Engineering Consultants PC ("Merritt Phase I Report") dated December 6, 2006 and a Phase II Limited Subsurface Investigation by Hydro Tech Environmental Corp. ("Hydro Tech Phase II Report") dated January 31, 2007. The Merritt Phase I Report identified a suspect underground storage tank at the property as a recognized environmental investigation and recommended a Phase II investigation be conducted. The Hydro Tech Phase II Report indicates a Ground Penetrating Radar survey was conducted and soil samples were collected near the location of the suspect UST. No anomalies indicative of USTs and no soil exceedances were found at the property. The ACT Phase I Report concluded that the historical industrial usage of the subject property was a recognized environmental condition.

On October 9th, 2014, ACT issued a Vapor Intrusion Study for the subject property. The Vapor Intrusion Study included the collection and analysis of four sub-slab soil vapor samples in accessible portions of the property. Tetrachloroethylene, Trichloroethylene, Ethylbenzene, and Benzene were found to be above the current NYSDOH Guidelines. ACT recommended additional sub-slab soil vapor sampling at the subject property to determine the extent of contamination on the southern portion of the property, where was no access was provided during the fieldwork.

On October 21, 2014, ACT issued a Supplemental Vapor Intrusion Study for the subject property. The Supplemental Vapor Intrusion Study included the collection and analysis of two sub-slab soil vapor samples on the southern portion of the property. Tetrachloroethylene was detected at a maximum concentration of 2,600 $\mu g/m^3$, Trichloroethylene at 110 $\mu g/m^3$, and cis-1,2-Dichloroethene at 3,400 $\mu g/m^3$, which exceeded their respective NYSDOH Guidelines.

6.0 SITE RECONNAISSANCE

6.1 Methodology and Limiting Conditions

Joseph Sgueglia of ACT supervised and directed a remote site inspection on May 13, 2020. Noah Fernando, the property manager, was directed by Mr. Sgueglia throughout the property, where a video stream and photographs were recorded.

6.2 General Site Setting

The subject property is located in a residential, commercial, and industrial area in the southeastern portion of Brooklyn. The topography of the area is generally level. The immediate vicinity of the subject property contains development.

6.3 Exterior Observations

The subject property contains three one-story commercial warehouses. The exteriors of the buildings are constructed of brick. The buildings have flat roofs, to which no access was available during the inspection The property is built out. No exterior storm drains were observed at the property. No stains, odors, or evidence of spills were observed throughout the exterior of property.

6.4 Interior Observations

The buildings contain six commercial units, which are occupied by LS Auto Body & Repair Shop, Paint Masters, Reliance Auto Works, Doh Stic Autobody & Repair, Crystal Tile and Granite, and Quality Enterprise. The interiors of the buildings consist of concrete floors, concrete block walls, and metal ceilings. The main entrances of the buildings are located on the western property boundary along Van Sinderen Avenue.

The buildings do not have a basement. Aboveground hydraulic and electric lifts are located in the commercial units at 725 and 735 Van Sinderen Avenue. Solid waste is stored in dumpsters throughout the interiors of the buildings. There was no evidence of hazardous waste within the solid waste. One floor drain was observed in the commercial unit at 725 Van Sinderen Avenue. Minor oil staining and absorbent was observed on the floor in the rear of the 725 Van Sinderen Avenue commercial unit.

6.5 Asbestos

A visual inspection of the property for suspect asbestos-containing materials (ACM) such as pipe and boiler insulation, ceiling tiles, and floor tiles was conducted. No suspect asbestos-containing materials were observed at the property.

These findings comprise only a preliminary inspection of the subject property for ACM and should not be interpreted as a formal asbestos survey. All federal, state, and local regulations should be followed with respect to SACM if renovations or demolition are to be performed at the property.

6.6 Hazardous Materials

A visual inspection of the property was conducted for evidence of potential hazardous material contamination. A 55-gallon drum of car wash liquid is stored in the 737 Van Sinderen Avenue commercial unit. Multiple unlabeled 55-gallon drums are stored along the western property boundary. Paints, lubricants, solvents, gasoline, and other auto repair materials are stored throughout the interiors of the buildings. The containers were observed in fair condition with no associated spills. An auto parts washer

is stored in the 725 Van Sinderen Avenue commercial unit. The parts washer was observed in good condition with no associated stains.

No areas of stressed vegetation or excavated areas were observed anywhere on the property. No indication of previous environmental investigations, such as groundwater monitoring wells, was observed at the property or any adjoining properties. No pits, ponds, or lagoons indicative of hazardous waste disposal were observed at the property.

6.7 Storage Tanks

An aboveground storage tank is located in the 725 Van Sinderen Avenue commercial unit. The 275-gallon tank contains waste oil with fill and vent pipes located directly on the tank. The aboveground storage tank was observed in good condition with no associated stains or spills.

No evidence of underground storage tanks, such as fill pipes or vent pipes, was observed at the property. No evidence of former underground storage tanks, such as asphalt or concrete patches, was observed at the property.

6.8 Radon

The New York State Department of Health maintains records of average radon levels by county. The average level for Kings is 1.94 picoCuries per Liter (pCi/L). This level is considered to be within the normal background range. The United States Environmental Protection Agency standard for radon is 4.0 pCi/L.

6.9 Potable Water

The subject property is supplied water by the local municipality. The municipality monitors the quality of this water for organic and inorganic constituents, including lead, in accordance with federal law. The municipality must maintain lead concentrations at less than 15 micrograms per liter.

6.10 Lead Based Paint

A visual inspection of the property for chipped, peeling, or cracking paint was performed. No areas of chipped, peeling, or deteriorating paint were observed at the property. Painted surfaces were in good condition.

These findings comprise only a preliminary inspection for lead-based paint at the subject property

and should not be interpreted as a formal lead-based paint inspection. All federal, state, and local regulations should be followed with respect to lead-based paint if renovations or demolition activities affecting painted surfaces are to be performed.

6.11 PCBs

Four hydraulic lifts are located in the 725 Van Sinderen Avenue commercial unit. The lifts were observed in fair condition.

No electrical transformers were observed at the property. The building does not contain an elevator. The building does not contain any other equipment that could contain substantial amounts of PCB-contaminated oil.

6.12 Tier I Vapor Encroachment Assessment

A Tier I Vapor Encroachment Assessment was performed on the subject property in accordance with ASTM E 2600-15, *Standard Guide for Vapor Encroachment Screening on Property Involved in Real Estate Transactions,* December 2015. A Tier I Vapor Encroachment Assessment determines whether there actually is or is a potential for volatile vapors to encroach upon the subject property, producing a vapor encroachment condition. A vapor encroachment condition is the presence or likely presence of vapors in the subsurface of the subject property caused by the release of vapors from contaminated soil or groundwater either on or near the subject property.

A Vapor Intrusion Study and a Supplemental Vapor Intrusion Study were performed at the subject property on October 7 and 16, 2014, respectively, to determine whether the historical industrial usage of the subject property had created a vapor encroachment condition, as detailed in Section 5.6, above. The Vapor Intrusion Study and Supplemental Vapor Intrusion study found concentrations of chlorinated volatile organic compounds in sub-slab soil vapor that warranted mitigation in accordance with NYSDOH Guidance.

7.0 INTERVIEWS

7.1 Interview with Owner

A Property Owner/Representative Questionnaire was completed by Anna Justice, a representative of ENY Community Residences LLC, which has owned the property for 5 years. According to Ms. Justice, the property has been used for auto body shops and restaurant supply business.

7.2 Interview with Site Manager

The property manager provided remote access to the subject property during the site inspection.

7.3 Interview with Occupants

No site occupants were available during the site inspection for interview.

7.4 Interviews with Local Government Officials

ACT attempted to contact officials at the New York City Department of Buildings and Department of Environmental Protection to obtain information indicating recognized environmental conditions in connection with the subject property. No officials were available for interview regarding the subject property.

7.5 Interviews with Others

No additional interviews were conducted as part of this assessment.

8.0 FINDINGS

During the course of this Phase I ESA, ACT has identified historical industrial usage and a vapor encroachment condition at the subject property as known or suspected recognized environmental conditions.

No controlled recognized environmental conditions, no historical recognized environmental conditions, and no *de minimis* conditions were identified at the subject property. No significant data gaps were identified during this assessment.

9.0 OPINION

Based on the scope of work performed, it is ACT's professional opinion that the historical industrial usage and a vapor encroachment condition at the subject property are recognized environmental conditions that could adversely affect the property's environmental quality and that warrant further environmental study at this time.

10.0 CONCLUSIONS

Advanced Cleanup Technologies, Inc. (ACT) has performed the Phase I Environmental Site Assessment in conformance with the scope of limitations of ASTM Practice E 1527-13 of 723 to 749 Van Sinderen Avenue, Brooklyn, NY 11207, the "subject property." Any exceptions to or deletions from this practice are described in Section 2.2 of this report. This assessment has revealed the following recognized environmental conditions in connection with the subject property:

- Historical industrial usage of the subject property (Sections 5.1, 5.2, 5.4, 5.5)
- A vapor encroachment condition at the subject property (Section 6.12)

11.0 RECOMMENDATIONS

To determine the extent to which the environmental quality has been affected, a Phase II subsurface investigation should be performed. The Phase II subsurface investigation including soil, soil vapor, and groundwater sampling should be prepared in accordance with the New York City Department of Environmental Protection protocols and submitted to New York City Housing Preservation & Development for its review and approval.

12.0 DEVIATIONS

No deviations from the detailed scope of services outlined in Section 2.2 were performed as part of this Phase I ESA.

13.0 ADDITIONAL SERVICES

No additional services beyond the detailed scope of services outlined in Section 2.2 were performed as part of this Phase I ESA.

14.0 REFERENCES

American Society for Testing and Materials Practice E 1527-13, November 2013.

American Society for Testing and Materials Practice E 2600-15, December 2015.

USEPA Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA) (42 U.S.C. 9601 et. seq.).

City Directories obtained by ACT from Environmental Data Resources.

Databases obtained by ACT from Environmental Data Resources.

New York City Department of Buildings.

New York City Department of Health.

New York City Department of Environmental Protection.

New York City Bureau of Fire Prevention.

U.S.G.S. 7.5 Minute Series Topographic Map, Brooklyn, NY Quadrangle.

Hydrogeologic Framework of Long Island, New York by Smolensky, D.A., Buxton, H.T., and Shernoff, P. K., 1989.

Fire Insurance Maps obtained by ACT from Environmental Data Resources.

USEPA Safe Drinking Water Act, 42 USC 300, et. Seq. 1982.

15.0 SIGNATURE OF ENVIRONMENTAL PROFESSIONALS

This practice must be conducted by an Environmental Professional (EP) or under the supervision of an EP, "a person meeting the education, training, and experience requirements as set forth in 40 CFR Part 312.10(b)." Individuals who do not qualify as EPs may assist in the performance of the AAI if appropriately trained and supervised by an EP. At a minimum, the EP must be involved in the planning of the site reconnaissance and interviews. The EP is also responsible for the review of the Phase I Environmental Site Assessment and interpretation of the information obtained via the Phase I Investigation.

ACT declares that to the best of our professional knowledge and belief we meet the definition of EP defined in 312.10 of 40 CFR Part 312. ACT has the specific qualifications based on education, training and experience to assess a property of the nature, history, and setting of the subject property. ACT has developed and performed the All Appropriate Inquiry in conformance with the standards and practices set forth in 40 CFR Part 312.

Dated: May 15, 2020



By: Paul Stewart, JD, MS
President

16.0 QUALIFICATIONS

The qualifications of the environmental professionals associated with the completion of this Phase I ESA are provided as an Appendix to this report.

Appendix III

Transportation Planning Factors (TPF) Memorandum

Philip Habib & Associates
Engineers and Planners • 102 Madison Avenue • New York, NY 10016 • 212 929 5656 • 212 929 5605 (fax)

TECHNICAL MEMORANDUM

TO: **Department of City Planning**

FROM: **Philip Habib & Associates**

DATE: **December 15th, 2020**

PROJECT: **749 Van Sinderen Avenue Rezoning EAS (PHA No. 19-102)**

RE: **Transportation Planning Factors and Travel Demand Forecast**

This memorandum summarizes the transportation planning factors to be used for the analyses of traffic, transit, pedestrian, and parking conditions for the *749 Van Sinderen Avenue Rezoning EAS*. Estimates of the peak travel demand for the proposed actions' reasonable worst-case development scenario (RWCDS) are provided, along with a discussion of trip assignment methodologies and study area definitions.

THE PROPOSED ACTIONS

The applicant, ENY Community Residences LLC., is requesting approval of two discretionary actions (the "proposed actions") to facilitate the development of a nine-story mixed-use residential/commercial building in the East New York neighborhood of Brooklyn Community District (CD) 5. These discretionary actions include: (1) a zoning map amendment to rezone Block 3865; Lots 6, 7, 9, and 21 and portions of Lots 137, 138, 139, 140, 141, 142, 44, 45, 46, 46, 49, 150, and 151 (the "Proposed Rezoning Area") from M1-1 to C4-4L, and (2) a zoning text amendment to Appendix F of the New York City Zoning Resolution (ZR) to designate the Proposed Rezoning Area as a Mandatory Inclusionary Housing (MIH) Area. Together, the approval of the proposed actions would facilitate the development of a nine-story, 111,201 gsf mixed-use residential/commercial building with 119 affordable DUs and 11,015 gsf of local retail space at the applicant-owned site (Block 3865; Lot 9).

For CEQR analysis purposes, the proposed actions are also assumed to facilitate development on two other sites. At 719 Van Sinderen Avenue (Block 3865; Lot 21), the proposed actions are assumed to result in the development of a nine-story 18,315 gsf mixed-used residential/commercial building containing 16 DUs (four affordable under the MIH Program) and 2,277 gsf of ground floor retail space. At 755 Van Sinderen Avenue (Block 3865; Lots 6 and 7), the proposed actions are assumed to result in the development of a nine-story 22,894 gsf mixed-used residential/commercial building containing 20 DUs

(five affordable under the MIH Program) and 2,846 gsf of ground floor retail space. Development at the Projected Development Sites are analyzed to maximize the allowable height and bulk in the proposed C4-4L zoning district. There are no immediate plans for Projected Development Sites 2 and 3 to be redeveloped at this time. Therefore, it is assumed for analysis purposes that these developments are expected to be constructed, occupied, and operational by 2027.

THE REASONABLE WORST CASE DEVELOPMENT SCENARIO (RWCDS)

In order to assess the potential effects of the proposed actions, a RWCDS for both "future without the proposed actions" (No-Action) and "future with the proposed actions" (With-Action) conditions is analyzed for an analysis year of 2027. The incremental difference between the No-Action and With-Action conditions will serve as the basis of the impact category analyses of the EAS. In the future without the proposed actions, the rezoning would not take place and the Applicant would not proceed with the Proposed Development. All existing buildings within the Proposed Rezoning Area would remain in their existing form.

In the future (2027) with the proposed actions, a nine-story (95-foot-tall) mixed-used residential and commercial building would be constructed on the applicant-owned Projected Development Site 1. The building would be occupied with 119 affordable DUs and 11,015 gsf of ground floor local retail space. On Projected Development Site 2, a nine-story (95-foot-tall) mixed use residential and commercial building would be constructed. The building would include 16 DUs (four affordable DUs) and 2,277 gsf of local retail space. Finally, on Projected Development Site 3 would be a nine-story (95-foot-tall) building containing 20 DUs (five affordable DUs) and 2,846 gsf of local retail space. As shown in **Table 1** the developments on Projected Development Sites 1, 2, and 3 would introduce 155 new dwelling units, 16,138 gsf of local retail spaces, and remove 25,600 gsf of light manufacturing space (including auto repair and light industrial uses) to the Proposed Rezoning Area under RWCDS, compared to the No-Action scenario.

Table 1
Comparison of No-Action and With-Action Development Scenarios

Use	No-Action Condition	With-Action Condition	Net Increment
Residential	-	155 units (136,272 gsf)	+155 units (+136,272 gsf)
Local Retail	-	16,138 gsf	+16,138 gsf
Auto Repair	5,400 gsf	-	-5,400 gsf
Light Manufacturing	20,200 gsf	-	-20,200 gsf

TRANSPORTATION PLANNING FACTORS

The transportation planning factors used to forecast the travel demand that would be generated by the No-Action and With-Action land uses on projected development sites are summarized in **Table 2** and discussed below. The trip generation rates, temporal distributions, modal splits, vehicle occupancies,

and truck trip factors for each of the land uses were primarily based on those cited in the 2014 *City Environmental Quality Review (CEQR) Technical Manual* and factors cited in the 2016 *East New York Rezoning FEIS*. Factors are shown for the weekday AM and PM peak hours (typical peak periods for commuter travel demand) and the weekday midday and Saturday peak hours (typical peak periods for retail demand and for office pedestrian demand).

Local Retail

The trip generation rates, temporal distributions, directional splits, and truck trip generation rates for the local retail use were based on data from the *CEQR Technical Manual*. The directional split is based on data from the *East New York Rezoning FEIS* (2016). The modal split and vehicle occupancies are based on data from the New York City Department of Transportation (*NYCDOT).*

Residential

The trip generation rates, temporal distributions, and truck trip generation rates for the residential use were based on data from the *CEQR Technical Manual*. The residential modal split and auto vehicle occupancy were based on American Community Survey (ACS) Journey to Work 5-Year (2014-2018) data for Brooklyn census tracts 910, 918, 920, 1098, 1130, 1132, and 1134. The directional split and taxi vehicle occupancy are based on the data from the *East New York Rezoning FEIS* (2016).

Light Industrial & Auto Repair Uses

The trip generation rates, temporal distributions, directional splits, taxi vehicle occupancy, and truck trip generation rates were based on the *East New York Rezoning FEIS* (2016). The modal spit for auto repair is also based on the East *New York Rezoning FEIS* (2016). The weekday AM, PM, and Saturday midday peak hours' modal spit and auto vehicle occupancy for light industrial is also based on data from American Association of State Highway and Transportation Officials (AASHTO) 2012-2016 reverse journey-to-work for Brooklyn census tracts 910, 918 920, 1098, 1130, 1132, and 1134. While the weekday midday peak hour modal spit for light industrial is also based on data from the *East New York Rezoning FEIS* (2016).

Table 2
Transportation Planning Factors

Land Use:	Local Retail		Residential		Light Industrial		Auto Repair	
Size/Units:	16,138 gsf		155 DU		-5,400 gsf		-20,200 gsf	
Trip Generation:	(1)		(1)		(2)		(2)	
Weekday	205		8.075		14.7		19.42	
Saturday	240		9.600		2.2		19.42	
	per 1,000 sf		per DU		per 1,000 sf		per 1,000 sf	
Temporal Distribution:	(1)		(1)		(2)		(2)	
AM	3.0%		10.0%		13.2%		13.2%	
MD	19.0%		5.0%		11.0%		11.0%	
PM	10.0%		11.0%		14.2%		14.2%	
SatMD	10.0%		8.0%		10.7%		10.7%	
	(5)		(3)		(4)	(2)	(2)	
Modal Splits:	All Periods		All Periods		AM/PM/SAT	MD	All Periods	
Auto	11.0%		23.4%		61.3%	2.0%	85.0%	
Taxi	0.0%		0.5%		1.4%	3.0%	5.0%	
Subway/Railroad	3.0%		62.8%		18.9%	6.0%	1.0%	
Bus	2.0%		10.7%		10.8%	6.0%	1.0%	
Walk/Other	84.0%		2.7%		7.7%	83.0%	8.0%	
	100.0%		100.0%		100.0%	100%	100.0%	
	(2)		(2)		(2)		(2)	
In/Out Splits:	In	Out	In	Out	In	Out	In	Out
AM	50%	50%	15.0%	85.0%	88%	12%	65%	35%
MD	50%	50%	50.0%	50.0%	50%	50%	50%	50%
PM	50%	50%	70.0%	30.0%	12%	88%	50%	50%
Sat MD	55%	45%	50.0%	50.0%	47%	53%	50%	50%
			(2,3)					
Vehicle Occupancy:	(5)		AM/PM	MD/SMD	(2,4)		(2)	
Auto	1.20		1.08	1.08	1.07		1.30	
Taxi	1.20		1.30	1.30	1.20		1.30	
School Bus								
Truck Trip Generation:	(1)		(1)		(2)		(2)	
Weekday	0.35		0.06		0.67		0.89	
Saturday	0.04		0.02		0.67		0.89	
	per 1,000 sf		per DU		per 1,000 sf		per 1,000 sf	
	(1)		(1)		(2)		(2)	
AM	8.0%		12.0%		14.0%		14.0%	
MD	11.0%		9.0%		9.0%		9.0%	
PM	2.0%		2.0%		1.0%		1.0%	
Sat MD	11.0%		9.0%		0.0%		0.0%	
	In	Out	In	Out	In	Out	In	Out
AM/MD/PM/Sat	50.0%	50.0%	50.0%	50.0%	50.0%	50.0%	50.0%	50.0%

Notes:

(1) Based on data from *City Environmental Quality Review (CEQR) Technical Manual*, 2014.
(2) Based on data from *East New York Rezoning FEIS* 2016.
(3) Based on ACS Journey to Work (JTW) 5-Year data for tracts 910, 918, 920, 1098, 1130, 1132, & 1134.
(4) Based on AASHTO CTPP Reverse JTW 5-Year data for tracts 910, 918, 920, 1098, 1130, 1132, & 1134.
(5) Based on NYCDOT mode split and vehicle occupancy survey data

TRIP GENERATION

The net incremental change in person and vehicle trips expected to result from the proposed actions by the 2027 analysis year was calculated based on the net change in land uses shown in **Table 1** and the transportation planning factors shown in **Table 2**.

Table 3 shows an estimate for the total net incremental change in peak hour person trips and vehicle trips (versus the No-Action condition) that would occur in 2027 with implementation of the proposed actions. As shown in **Table 3**, under the RWCDS, the proposed actions would generate a net change of approximately 142 person trips in the weekday AM peak hour, 640 in the weekday midday, 336 in the weekday PM peak hour and 386 in the Saturday peak hour.

As shown in **Table 4**, peak hour vehicle trips (including auto, truck, and balanced taxi trips) would increase by a net total of approximately -12, +34, +9, and +21 (in and out combined) in the weekday AM, midday and PM peak hours, and the Saturday peak hour, respectively. Peak hour subway trips would increase by a net total of approximately +79, +60, +93, and +85 during these periods, respectively, while bus trips would increase by approximately +14, +18, +19, and +18, respectively. Lastly, walk-only trips would change by +65, +518, +218, and +261 trips during the weekday AM, midday and PM peak hours, and Saturday peak hour, respectively. The total pedestrian trips (subway, bus, and walk-only trips and auto person trips combined) would increase by 158, 596, 330, and 364 trips during the weekday AM, midday and PM peak hours, and Saturday peak hour, respectively.

Table 3
RWCDS Travel Demand Forecast

Land Use:	Local Retail		Residential		Light Industrial		Auto Repair		Total	
Size/Units:	16,138 gsf		155 DUs		-5,400 gsf		-20,200 gsf			
Peak Hour Trips:										
AM	80		126		-12		-52		142	
MD	630		64		-10		-44		640	
PM	266		138		-12		-56		336	
Sat MD	310		120		-2		-42		386	
Person Trips:										
AM	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	4	4	4	25	-6	-1	-29	-15	-27	13
Taxi	0	0	0	1	0	0	-2	-1	-2	0
Subway/Railroad	1	1	12	67	-2	0	0	0	11	68
Bus	1	1	2	11	-1	0	0	0	2	12
Walk/Other	34	34	1	3	-2	0	-4	-1	29	36
Total	40	40	19	107	-11	-1	-35	-17	13	129
MD	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	35	35	7	7	0	0	-19	-19	23	23
Taxi	0	0	0	0	0	0	-1	-1	-1	-1
Subway/Railroad	9	9	21	21	0	0	0	0	30	30
Bus	6	6	3	3	0	0	0	0	9	9
Walk/Other	265	265	1	1	-5	-5	-2	-2	259	259
Total	315	315	32	32	-5	-5	-22	-22	320	320
PM	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	15	15	23	10	-1	-6	-24	-24	13	-5
Taxi	0	0	0	0	0	0	-1	-1	-1	-1
Subway/Railroad	4	4	61	26	0	-2	0	0	65	28
Bus	3	3	10	4	0	-1	0	0	13	6
Walk/Other	111	111	3	1	0	-2	-3	-3	111	107
Total	133	133	97	41	-1	-11	-28	-28	201	135
Sat MD	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	19	15	14	14	-1	-1	-18	-18	14	10
Taxi	0	0	0	0	0	0	-1	-1	-1	-1
Subway/Railroad	5	4	38	38	0	0	0	0	43	42
Bus	3	3	6	6	0	0	0	0	9	9
Walk/Other	143	118	2	2	0	0	-2	-2	143	118
Total	170	140	60	60	-1	-1	-21	-21	208	178
Vehicle Trips :										
AM	In	Out	In	Out	In	Out	In	Out	In	Out
Auto (Total)	3	3	4	23	-6	-1	-22	-12	-21	13
Taxi	0	0	0	1	0	0	-2	-1	-2	0
Taxi Balanced	0	0	1	1	0	0	-3	-3	-2	-2
Truck	0	0	1	1	0	0	-1	-1	0	0
Total	3	3	6	25	-6	-1	-26	-16	-23	11
MD	In	Out	In	Out	In	Out	In	Out	In	Out
Auto (Total)	29	29	6	6	0	0	-15	-15	20	20
Taxi	0	0	0	0	0	0	-1	-1	-1	-1
Taxi Balanced	0	0	0	0	0	0	-2	-2	-2	-2
Truck	0	0	0	0	0	0	-1	-1	-1	-1
Total	29	29	6	6	0	0	-18	-18	17	17
PM	In	Out	In	Out	In	Out	In	Out	In	Out
Auto (Total)	13	13	21	9	-1	-6	-18	-18	15	-2
Taxi	0	0	0	0	0	0	-1	-1	-1	-1
Taxi Balanced	0	0	0	0	0	0	-2	-2	-2	-2
Truck	0	0	0	0	0	0	0	0	0	0
Total	13	13	21	9	-1	-6	-20	-20	13	-4
Sat MD	In	Out	In	Out	In	Out	In	Out	In	Out
Auto (Total)	16	13	13	13	-1	-1	-14	-14	14	11
Taxi	0	0	0	0	0	0	-1	-1	-1	-1
Taxi Balanced	0	0	0	0	0	0	-2	-2	-2	-2
Truck	0	0	0	0	0	0	0	0	0	0
Total	16	13	13	13	-1	-1	-16	-16	12	9

Notes:

20% linked-trip credit applied to local retail use in the AM, PM, & Saturday peak hours.

Table 4
Travel Demand Forecast Summary

Period	Vehicle Trips			Subway Person Trips			Bus Person Trips			Walk-Only Person Trips			Total Pedestrian Trips		
	In	Out	Total	In	Out	Total	In	Out	Total	In	Out	Total	In	Out	Total
AM	-23	11	-12	11	68	79	2	12	14	29	36	65	42	116	158
MD	17	17	34	30	30	60	9	9	18	259	259	518	298	298	596
PM	13	-4	9	65	28	93	13	6	19	111	107	218	189	141	330
Sat MD	12	9	21	43	42	85	9	9	18	143	118	261	195	169	364

LEVEL 1 SCREENING ASSESSMENT

The *CEQR Technical Manual* describes a two-level screening procedure for the preparation of a "preliminary analysis" to determine if quantified operational analyses of transportation conditions are warranted. As discussed in the following sections, the preliminary analysis begins with a trip generation (Level 1) analysis to estimate the numbers of person and vehicle trips attributable to the proposed actions. According to the *CEQR Technical Manual*, if a proposed action is expected to result in fewer than 50 peak hour vehicle trips and fewer than 200 peak hour transit or pedestrian trips, further quantified analyses are not warranted. When these thresholds are exceeded, detailed trip assignments (a Level 2 assessment) are to be performed to estimate the incremental trips that could occur at specific transportation elements and to identify potential locations for further analysis. If the trip assignments show that the proposed actions would generate 50 or more peak hour vehicle trips at an intersection, 200 or more peak hour subway trips at a station, 50 or more peak hour bus trips in one direction along a bus route, or 200 or more peak hour pedestrian trips traversing a sidewalk, corner area or crosswalk, then further quantified operational analyses may be warranted to assess the potential for significant adverse impacts on traffic, transit, pedestrians, vehicular and pedestrian safety, and parking.

Traffic

Based on *CEQR Technical Manual* guidance, a quantified traffic analysis is typically required if a proposed action would result in 50 or more vehicle trip ends in a peak hour at one or more intersections. As shown in **Table 4**, under the proposed actions' RWCDS, the net number of incremental vehicle trips — -12, +34, +9, and +21 in the weekday AM, midday and PM peak hours, and Saturday peak hour, respectively — would not exceed the 50-trip threshold in all four peak hours, and a Level 2 screening analysis is therefore not warranted for these periods. Therefore, based on *CEQR Technical Manual* guidance, significant adverse impacts to traffic are not anticipated.

Transit

According to the general thresholds used by the Metropolitan Transportation Authority (MTA) and cited in the *CEQR Technical Manual*, detailed transit analyses are generally not required if the proposed actions are projected to result in fewer than 200 peak hour rail or bus transit riders. If the proposed

actions would result in 50 or more bus passengers being assigned to a single bus route in one direction, or if it would result in an increase of 200 or more passengers at a single subway station or on a single subway line, a detailed bus and/or subway analysis would be warranted. Transit analyses typically focus on the weekday AM and PM commuter peak hours, as it is during these periods that overall demand on the subway and bus systems is usually highest.

As shown in **Table 4**, the proposed actions are expected to generate a net increase of approximately +79 and +93 incremental subway trips in the weekday AM and PM peak hours, respectively. As these numbers of trips would not exceed the 200-trip *CEQR Technical Manual* analysis threshold, a Level 2 screening analysis is not warranted. As also shown in **Table 4,** the proposed actions are expected to generate +14 and +19 incremental bus trips in the weekday AM and PM peak hours, respectively. As these numbers of trips do not exceed the 50-trips per direction *CEQR Technical Manual* analysis threshold on one or more routes, a Level 2 screening analysis is not warranted for the bus mode. Therefore, based on *CEQR Technical Manual* guidance, significant adverse impacts to subway and local bus services are not anticipated.

Pedestrians

According to *CEQR Technical Manual* guidance, a quantified or detailed analysis of pedestrian conditions is typically required if the proposed actions would result in 200 or more peak hour pedestrian trips at any pedestrian element (sidewalk, corner area or crosswalk).

As shown in **Table 4**, the proposed actions' RWCDS would generate an incremental demand of approximately +158, +596, +330, and +364 total pedestrian trips (including walk-only trips and pedestrians en route to and from nearby subway stations, and bus stops) in the weekday AM, midday and PM peak hours, and Saturday peak hour, respectively. As the numbers of trips in the weekday midday, PM, and Saturday midday periods would exceed the 200-trip threshold, a Level 2 screening analysis is warranted to determine which if any pedestrian elements would require quantified analysis during the weekday midday and PM peak hours, and Saturday peak hour.

LEVEL 2 SCREENING ASSESSMENT

PEDESTRIANS

Under *CEQR Technical Manual* guidance, detailed pedestrian analyses are generally warranted if a proposed action is projected to result in 200 or more new peak hour pedestrians at any sidewalk, corner reservoir area or crosswalk. As shown in **Table 4**, the proposed actions are expected to generate approximately +65, +518, +218, and +261 walk-only trips in the weekday AM, midday, PM, and Saturday midday peak hours, respectively. Persons en route to and from subway station entrances and bus stops, would add approximately 93, 78, 112 and 103 pedestrian trips to sidewalks and crosswalks in proximity to the Project Area during the same periods. As a result, a total of +158, +596, +330, and +364 net incremental pedestrian trips are generated during the same periods. Overall, in these peak hours, new

pedestrian trips would be most concentrated on sidewalks and crosswalks adjacent to the Projected Development Sites and nearby subway station entrances and bus stops.

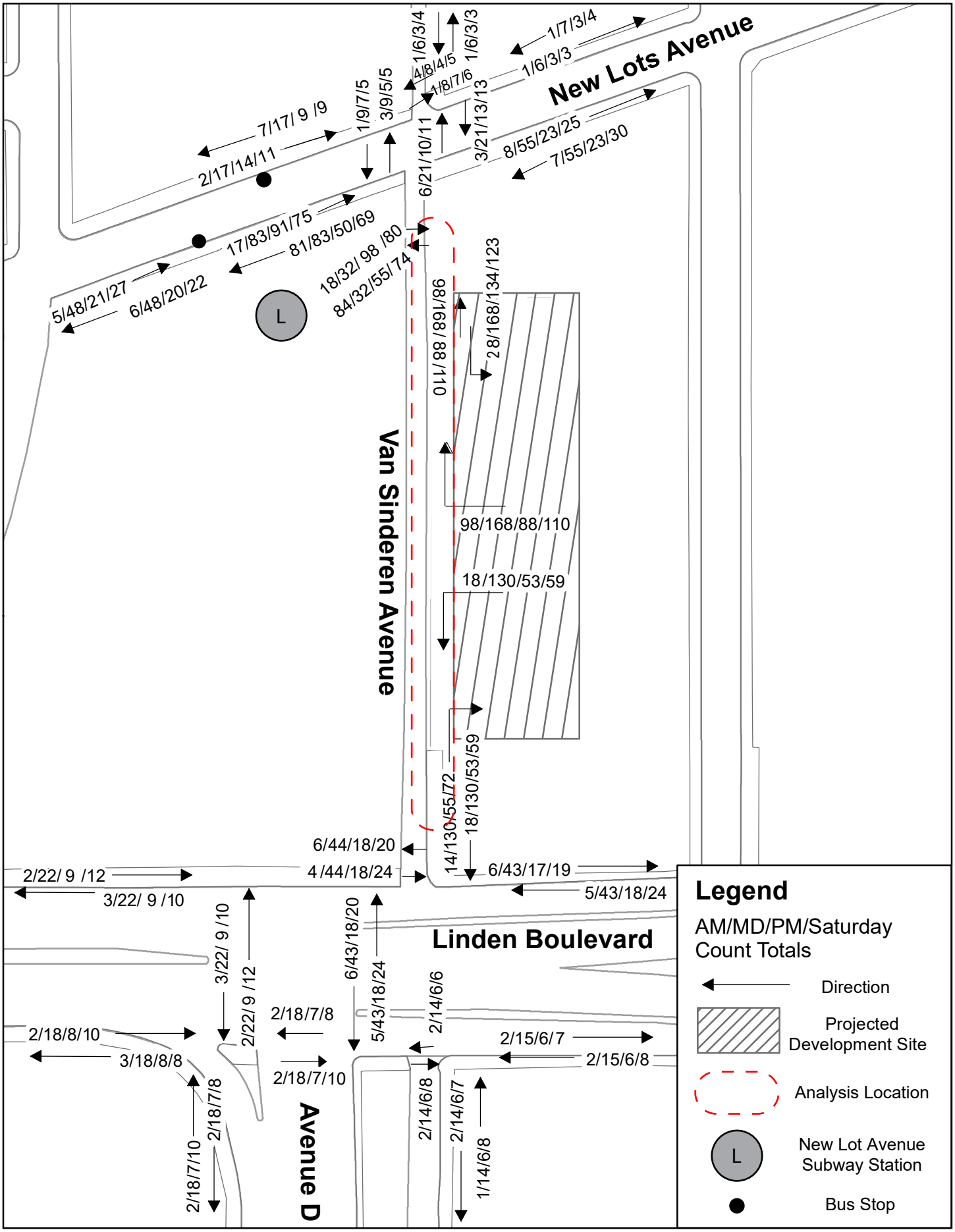
The assignment of net incremental peak hour pedestrian trips the weekday AM, midday, PM, and Saturday midday peak hours in proximity to the Project Area is shown in **Figure 1**. As shown in **Figure 1**, one pedestrian element (the east sidewalk between New Lots Avenue and Linden Boulevard) is expected to experience a net increase of 200 or more trips during the weekday midday and PM peak hours, and Saturday peak hour.

Parking

Under *CEQR Technical Manual* guidance, on- and off-street parking analyses may be warranted if a quantified traffic analysis is necessary based on the Levels 1 and 2 screening analyses. Based on the screening analyses detailed above, a quantified traffic analysis was not found to be warranted for the proposed actions. Therefore, based on *CEQR Technical Manual* guidance, quantified parking analyses are also not warranted.

Figure 1

Pedestrian Assignments and Analysis Locations



Appendix IV
Mobile Source Air Quality Vehicle Assignments

Figure 1
Vehicle Assignments

