ENVIRONMENTAL ASSESSMENT STATEMENT (EAS)
AND
SUPPLEMENTAL STUDIES TO THE EAS

1620 Cortelyou Road Rezoning

1620 Cortelyou Road
Brooklyn, NY

Prepared for:
1600/20 Realty Corp
Brooklyn, NY

Prepared by:
AECOM
125 Broad Street
New York, NY 10004

AECOM Project No. 60525896

February 28th**, 2020**

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* 1620 Cortelyou Road Rezoning

3. *Reference Numbers*

CEQR REFERENCE NUMBER (to be assigned by lead agency)	BSA REFERENCE NUMBER (if applicable)
20DCP101K	
ULURP REFERENCE NUMBER (if applicable)	OTHER REFERENCE NUMBER(S) (if applicable) (*e.g.*, legislative intro, CAPA)
180496ZMK, N180497ZRK	

4a. *Lead Agency Information*			**4b. *Applicant Information***		
NAME OF LEAD AGENCY			NAME OF APPLICANT		
New York City Department of City Planning			1600/20 Realty Corp		
NAME OF LEAD AGENCY CONTACT PERSON			NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON		
Olga Abinader, Director of EARD			Richard Lobel		
ADDRESS 120 Broadway , 31st Floor			ADDRESS 18 East 41st Street		
CITY New York	STATE NY	ZIP 10271	CITY New York	STATE NY	ZIP 10017
TELEPHONE 212-720-3493	EMAIL oabinad@planning.nyc.gov		TELEPHONE 212-725-2727	EMAIL rlobel@sheldonlobelpc.com	

5. *Project Description*

The applicant, 1600/20 Realty Corp., proposes a Zoning Map Amendment to change an existing R6A/C2-4 zoning district to an R7D/C2-4 district in order to facilitate a mixed-use development with a total of 85 dwelling units and ground floor retail in the Ditmas Park neighborhood of Brooklyn, Community District 14.

The proposed development is a new nine-story mixed-use building with 85 dwelling units. The proposed building contains 82,962 sq. ft. of floor area with an FAR of 5.6. The second through eighth floors contains 73,402 sq. ft. of residential floor area with 85 apartments. The proposed building has 9,560 sq. ft. of commercial floor area on the ground floor to be used for a 6,473 sq. ft. supermarket and 3,087 sq. ft. of retail use. The proposed cellar level contains 44 accessory parking spaces accessible via a ramp from East 16th Street. The proposed building has a height of 102 feet, comparable to the maximum height of 95 feet permitted in the R7A district mapped immediately to the south (and on a portion) of the Development Site.

The Applicant is contemplating MIH Option 1 for the proposed development resulting in approximately 21 permanently affordable units at an average of 60 percent of the Area Median Income ("AMI") with 10 percent at 40 percent AMI.

Project Location

BOROUGH Brooklyn	COMMUNITY DISTRICT(S) 14	STREET ADDRESS 1620 Cortelyou Road
TAX BLOCK(S) AND LOT(S) Block 5159,p/o Lots 1, 9, 10, 13, and 61; Lot 8		ZIP CODE 11226
DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS Cortelyou Road, East 16th Street, East 17th Street, Dorchester Road		
EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY R6A/C2-4		ZONING SECTIONAL MAP NUMBER 22c

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

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

☐ CITY MAP AMENDMENT	☐ ZONING CERTIFICATION	☐ CONCESSION
☒ ZONING MAP AMENDMENT	☐ ZONING AUTHORIZATION	☐ UDAAP

☒ ZONING TEXT AMENDMENT ☐ ACQUISITION—REAL PROPERTY ☐ REVOCABLE CONSENT
☐ SITE SELECTION—PUBLIC FACILITY ☐ DISPOSITION—REAL PROPERTY ☐ FRANCHISE
☐ HOUSING PLAN & PROJECT ☐ OTHER, explain:
☐ SPECIAL PERMIT (if appropriate, specify type: ☐ modification; ☐ renewal; ☐ other); EXPIRATION DATE:
SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

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

Other City Approvals Not Subject to CEQR (check all that apply)
☐ PERMITS FROM DOT'S OFFICE OF CONSTRUCTION MITIGATION AND COORDINATION (OCMC) ☐ LANDMARKS PRESERVATION COMMISSION APPROVAL
☐ OTHER, explain:

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

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

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

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

Physical Setting (both developed and undeveloped areas)
Total directly affected area (sq. ft.): 21,623
Waterbody area (sq. ft) and type:
Roads, buildings, and other paved surfaces (sq. ft.): 21,623
Other, describe (sq. ft.):

8. *Physical Dimensions and Scale of Project* (if the project affects multiple sites, provide the total development facilitated by the action)
SIZE OF PROJECT TO BE DEVELOPED (gross square feet): 105,305
NUMBER OF BUILDINGS: 1
GROSS FLOOR AREA OF EACH BUILDING (sq. ft.): Projected Development Site 1- 105,305,
HEIGHT OF EACH BUILDING (ft.): 115
NUMBER OF STORIES OF EACH BUILDING: Approx 11

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: 14,185
The total square feet not owned or controlled by the applicant: 7,375

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: 14,815 sq. ft. (width x length)
VOLUME OF DISTURBANCE: 13,052.2*12=156,630. cubic ft. (width x length x depth)
AREA OF PERMANENT DISTURBANCE: 14,815 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.)	79,200	9,560		
Type (*e.g.,* retail, office, school)	85 units	UG 6		

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

If "yes," please specify: NUMBER OF ADDITIONAL RESIDENTS: 239 NUMBER OF ADDITIONAL WORKERS: The project would not increase population of on-site workers as there is a negative increment of retail (approx. -3,284 gsf)

Provide a brief explanation of how these numbers were determined: 2.81 persons per household in Brooklyn Community District 14, 3 workers /1000 gsf retail

Does the proposed project create new open space? ☐ YES ☒ NO If "yes," specify size of project-created open space: sq. ft.

Has a No-Action scenario been defined for this project that differs from the existing condition? ☐ YES ☒ NO

If "yes," see Chapter 2, "Establishing the Analysis Framework" and describe briefly:

9. *Analysis Year* CEQR Technical Manual Chapter 2

ANTICIPATED BUILD YEAR (date the project would be completed and operational): 2022

ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: 18-20 months

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

BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE: Assuming a 10 month environmental review period, an approximately 7 month ULURP process following certification, a design phase and financing phase last about 10 months, and a 18-20 month construction phase followed by occupancy, a build year of 2022 will be utilized for the Projected Development and analysis.

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

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

Part II: TECHNICAL ANALYSIS

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

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

	YES	NO
1. *LAND USE, ZONING, AND PUBLIC POLICY*: CEQR Technical Manual Chapter 4		
(a) Would the proposed project result in a change in land use different from surrounding land uses?	☐	☒
(b) Would the proposed project result in a change in zoning different from surrounding zoning?	☒	☐
(c) Is there the potential to affect an applicable public policy?	☐	☒
(d) If "yes," to (a), (b), and/or (c), complete a preliminary assessment and attach.		
(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?	☐	☐

	YES	NO
5. *SHADOWS*: CEQR Technical Manual Chapter 8		
(a) Would the proposed project result in a net height increase of any structure of 50 feet or more?	☒	☐
(b) Would the proposed project result in any increase in structure height and be located adjacent to or across the street from a sunlight-sensitive resource?	☐	☒
6. *HISTORIC AND CULTURAL RESOURCES*: CEQR Technical Manual Chapter 9		
(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: -The subject property was historically occupied by several dry cleaning facilities from at least 1934 through 2013. In addition, waste dry cleaning fluids are still stored in the back of the facility. The long term historic use of the property as a dry cleaning facility is considered a REC. -The presence of a dry cleaner at the subject property since 1934 suggests the possibility of a VEC and as such is considered an REC. -A former and current dry cleaning facility located west and hydrogeologically upgradient of the subject property were known to have provided onsite services. No other information was identified during this assessment pertaining to potential environmental impacts from the former operations. Based on proximity, potential upgradient position, and the lack of information regarding their regulatory status, AECOM considers these off-site dry cleaning facilities an REC.	☒	☐

	YES	NO
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?	☐	☒
(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): 3,485 pounds (85 additional units x 41 pounds per household)		
○ 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): 14, 198,719.5 MBTUs (9,560 gsf Commercial*216.3) +(95,745 sg residential * 126.7)=13,022,763.6 See CEQR Table 15-1 for "Average Annual Whole Building Energy Use in New York City"		
(b) Would the proposed project affect the transmission or generation of energy?	☐	☒
13. *TRANSPORTATION*: CEQR Technical Manual Chapter 16		
(a) Would the proposed project exceed any threshold identified in Table 16-1 in Chapter 16?	☐	☒
(b) If "yes," conduct the screening analyses, attach appropriate back up data as needed for each stage and answer the following questions:		
○ Would the proposed project result in 50 or more Passenger Car Equivalents (PCEs) per project peak hour?	☐	☒
If "yes," would the proposed project result in 50 or more vehicle trips per project peak hour at any given intersection? ***It should be noted that the lead agency may require further analysis of intersections of concern even when a project generates fewer than 50 vehicles in the peak hour. See Subsection 313 of Chapter 16 for more information.*	☐	☐
○ Would the proposed project result in more than 200 subway/rail or bus trips per project peak hour?	☐	☒
If "yes," would the proposed project result, per project peak hour, in 50 or more bus trips on a single line (in one direction) or 200 subway trips per station or line?	☐	☐
○ Would the proposed project result in more than 200 pedestrian trips per project peak hour?	☐	☒
If "yes," would the proposed project result in more than 200 pedestrian trips per project peak hour to any given pedestrian or transit element, crosswalk, subway stair, or bus stop?	☐	☐
14. *AIR QUALITY*: CEQR Technical Manual Chapter 17		
(a) *Mobile Sources*: Would the proposed project result in the conditions outlined in Section 210 in Chapter 17?	☐	☒
(b) *Stationary Sources*: Would the proposed project result in the conditions outlined in Section 220 in Chapter 17?	☒	☐
○ If "yes," would the proposed project exceed the thresholds in Figure 17-3, Stationary Source Screen Graph in Chapter 17? (Attach graph as needed)	☐	☒
(c) Does the proposed project involve multiple buildings on the project site?	☐	☒
(d) Does the proposed project require federal approvals, support, licensing, or permits subject to conformity requirements?	☐	☒
(e) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to air quality that preclude the potential for significant adverse impacts?	☐	☒

	YES	NO
15. *GREENHOUSE GAS EMISSIONS*: CEQR Technical Manual Chapter 18		
(a) Is the proposed project a city capital project or a power generation plant?	☐	☒
(b) Would the proposed project fundamentally change the City's solid waste management system?	☐	☒
(c) If "yes" to any of the above, would the project require a GHG emissions assessment based on the guidance in Chapter 18?	☐	☒
16. *NOISE*: CEQR Technical Manual Chapter 19		
(a) Would the proposed project generate or reroute vehicular traffic?	☒	☐
(b) Would the proposed project introduce new or additional receptors (see Section 124 in Chapter 19) near heavily trafficked roadways, within one horizontal mile of an existing or proposed flight path, or within 1,500 feet of an existing or proposed rail line with a direct line of site to that rail line?	☒	☐
(c) Would the proposed project cause a stationary noise source to operate within 1,500 feet of a receptor with a direct line of sight to that receptor or introduce receptors into an area with high ambient stationary noise?	☐	☒
(d) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to noise that preclude the potential for significant adverse impacts?	☐	☒
17. *PUBLIC HEALTH*: CEQR Technical Manual Chapter 20		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Air Quality; Hazardous Materials; Noise?	☐	☒
(b) If "yes," explain why an assessment of public health is or is not warranted based on the guidance in Chapter 20, "Public Health." Attach a preliminary analysis, if necessary.		
18. *NEIGHBORHOOD CHARACTER*: CEQR Technical Manual Chapter 21		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Land Use, Zoning, and Public Policy; Socioeconomic Conditions; Open Space; Historic and Cultural Resources; Urban Design and Visual Resources; Shadows; Transportation; Noise?	☐	☒
(b) If "yes," explain why an assessment of neighborhood character is or is not warranted based on the guidance in Chapter 21, "Neighborhood Character." Attach a preliminary analysis, if necessary.		
19. *CONSTRUCTION*: CEQR Technical Manual Chapter 22		
(a) Would the project's construction activities involve:		
○ Construction activities lasting longer than two years?	☐	☒
○ Construction activities within a Central Business District or along an arterial highway or major thoroughfare?	☐	☒
○ Closing, narrowing, or otherwise impeding traffic, transit, or pedestrian elements (roadways, parking spaces, bicycle routes, sidewalks, crosswalks, corners, *etc.*)?	☐	☒
○ Construction of multiple buildings where there is a potential for on-site receptors on buildings completed before the final build-out?	☐	☒
○ The operation of several pieces of diesel equipment in a single location at peak construction?	☐	☒
○ Closure of a community facility or disruption in its services?	☐	☒
○ Activities within 400 feet of a historic or cultural resource?	☐	☒
○ Disturbance of a site containing or adjacent to a site containing natural resources?	☐	☒
○ Construction on multiple development sites in the same geographic area, such that there is the potential for several construction timelines to overlap or last for more than two years overall?	☐	☒
(b) If any boxes are checked "yes," explain why a preliminary construction assessment is or is not warranted based on the guidance in Chapter 22, "Construction." It should be noted that the nature and extent of any commitment to use the Best Available Technology for construction equipment or Best Management Practices for construction activities should be considered when making this determination.		

20. *APPLICANT'S CERTIFICATION*

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

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

APPLICANT/REPRESENTATIVE NAME	DATE
Max Meltzer, AICP	February 28th, 2020

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	LEAD AGENCY
Deputy Director Environmental Assessment and Review Division	Department of City Planning on behalf of the City Planning Commission
NAME Stephanie Shellooe	DATE 02/28/2020
SIGNATURE	

Project Name: 1620 Cortelyou Road Rezoning
CEQR #: 20DCP101K
SEQRA Classification: Unlisted

NEGATIVE DECLARATION

Statement of No Significant Effect

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

Reasons Supporting this Determination

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

Land Use, Zoning, and Public Policy

A detailed analysis of land use, zoning, and public policy is included in the EAS. The proposed actions are a Zoning Map Amendment to rezone the project area (all or parts of Brooklyn Block 5159, Lots 1, 8, 9, 10, 13, and 61) from an R6A/C2-4 district to an R7D/C2-4 and a Zoning Text Amendment to establish a Mandatory Inclusionary Housing area with MIH options 1 and 2 coterminous with the rezoning area in the Flatbush neighborhood of Brooklyn Community District 14. The project area is the south blockfront along Cortelyou Road, a wide street, between East 16th Street and East 17th Street, one block east of the Cortelyou Road Station serviced by the Q train. The proposed actions would facilitate the development of a mixed use buildings on Brooklyn Block 5159, Lot 1, containing residential units and commercial retail space. Zoning controls would also be modified on Lots 8, 9, and 10, within the project area but the existing residential buildings with ground floor retail are not expected to be redeveloped as a result of the proposed actions given their size and existing use. The proposed actions are anticipated to result in a change in land use on Lot 1, however, given the existing character of Cortelyou Road, a wide commercial corridor developed with buildings between six- and eight-stories in height, the change in land use and zoning would not constitute a significant adverse impact.

Open Space

A detailed open space analysis is included in the EAS. The open space study area is an area underserved by existing open space. The existing open space ratio is 0.0305 acres per 1,000 residents, significantly below the City's target of 1.5 acres per 1,000 residents. The open space ratio in the No-Action and With-Action condition would be 0.0302 and .0301 acres per 1,000 residents, respectively, a decrease of approximately 0.33 percent. While the open space study area is underserved by open space, the population introduced by the proposed actions, approximately 239 new residents, is not substantial enough to result in a significant adverse impact to open space based on a threshold of significance of at least 1 percent in areas underserved by open space.

Hazardous Materials and Noise

An (E) designation (E-564) related to hazardous materials 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 and noise analyses conclude that with the (E) designation in place, the proposed actions would not result in a significant adverse related to hazardous materials and 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 Matthew Katz at (212) 720-3507.

TITLE Deputy Director Environmental Assessment and Review Division	LEAD AGENCY Department of City Planning on behalf of the City Planning Commission 120 Broadway, 31st Fl. New York, NY 10271 | 212.720.3328
NAME Stephanie Shellooe	DATE February 28, 2020
SIGNATURE	
TITLE Chair City Planning Commission	
NAME Marisa Lago	DATE March 2, 2020
SIGNATURE	

Project Name: 1620 Cortelyou Road Rezoning
CEQR #: 20DCP101K
SEQRA Classification: Unlisted

Determination of Significance Appendix: (E) designation

To ensure that the proposed actions would not result in significant adverse impacts related to hazardous materials and noise an (E) designation (**E-564**) would be established on **Projected Development Site 1 (Brooklyn Block 5159, Lot 1)** as described below:

Hazardous Materials

The (E) designation requirements 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.

Noise

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

Block 5159, Lot 1: *To ensure an acceptable interior noise environment, future residential/commercial office uses must provide a closed-window condition with a minimum of 31 dBA window/wall attenuation on the facades facing Cortelyou Road and the facades facing East 16th Street and 28 dBA of attenuation on the facades facing East 17th Street and the facades facing Dorchester Road to maintain an interior noise level not greater than 45 dBA for residential uses or not greater than 50 dBA for commercial office uses. 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.*

AECOM Environment

Prepared for:
1600/1620 Realty Corp.
1610 Cortelyou Road
Brooklyn, NY, 11226

Prepared by:
AECOM
125 Broad Street
New York, NY, 10004

1620 Cortelyou Road Rezoning

Supplemental Studies to the Environmental Assessment Statement

February 28th, 2020

Proposed Development Site:

1620 Cortelyou Road
Brooklyn, NY 11226

Prepared for:

Tony Doleh
1600/1620 Realty Corp.
1610 Cortelyou Road
Brooklyn NY 11226

Prepared by:

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125 Broad Street
New York, NY, 10004

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Appendix B- Flatbush Rezoning

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Appendix D – Jamaica Bay Watershed Protection Plan Project Tracking Form

Appendix E – Phase I Environmental Site Assessment

Appendix F – Noise Calculations

1.0 PROPOSED ACTIONS

1600/20 Realty Corp. (the "Applicant") proposes a zoning map amendment to change an existing R6A/C2-4 zoning district to an R7D/C2-4 zoning district in the Ditmas Park neighborhood of Brooklyn within Community District 14. The proposed Project Area consists of Block 5159, all or parts of Lots 1, 8, 9, 10, 13, and 61. In addition, the Applicant proposes a text amendment to Zoning Resolution ("ZR") Appendix F: Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing ("MIH") Areas for Community District 14, Brooklyn to establish an MIH Area with Options 1 and 2 coterminous with the Project Area. The proposed actions would facilitate the development of a new nine-story mixed-use building with 85 dwelling units and ground floor commercial use at 1620 Cortelyou Road (Block 5159, Lot 1, the "Development Site").

The proposed development is a new nine-story mixed-use building with 85 dwelling units. The proposed building contains 82,962 sq. ft. of floor area with a FAR of 5.6. The second through eighth floors contains 73,402 sq. ft. of residential floor area with 85 apartments. The proposed building has 9,560 sq. ft. of commercial floor area on the ground floor to be used for a 6,473 sq. ft. supermarket and 3,087 sq. ft. of retail use. The proposed cellar level contains 44 accessory parking spaces accessible via a ramp from East 16th Street. The proposed building has a height of 102 feet, comparable to the maximum height of 95 feet permitted in the R7A district mapped immediately to the south (and on a portion) of the Development Site. The Applicant is contemplating MIH Option 1 for the proposed development resulting in approximately 21 permanently affordable units at an average of 60 percent of the Area Median Income ("AMI") with 10 percent at 40 percent AMI.

1.1 Project Location

The rezoning area is in the Flatbush neighborhood of Brooklyn's Community District 14 and consists of portions or all of Block 5159, all or parts of Lots 1, 8, 9, 10, 13, and 61 (**Figure 1.2-1**). The applicant's proposed development site is located at 1620 Cortelyou Road on Block 5159, Lot 1. The total lot area is approximately 14,815 square feet (sf), and the site is presently improved with a one-story, approximately 12,844 gsf, commercial building presently occupied a supermarket, laundromat, deli and take-out restaurant. A key to photographs of the site and surrounding area is shown in **Figure 1.2-4** with the photographs displayed in **Figure 1.2-5**.

This EAS studies the potential for individual and cumulative environmental impacts related to the Proposed Actions occurring in a study area of approximately 400 feet around the rezoning area. This study area is generally bound by the midblock point on East 16th Street between Beverly Road and Cortelyou Road to the north, Rugby Road to the east, East 19th Street to the west, and Dorchester Road to the south. A rendering of the Proposed Development is shown in **Figure 1.1-1.**

1.2 Proposed Development

The proposed development is a new nine-story mixed-use building with 85 dwelling units. The proposed building contains 82,962 sq. ft. of floor area with a FAR of 5.6. The second through eighth floors contains 73,402 sq. ft. of residential floor area with 85 apartments. The proposed building has 9,560 sq. ft. of commercial floor area on the ground floor to be used for a 6,473 sq. ft. supermarket and 3,087 sq. ft. of retail use. The proposed cellar level contains 44 accessory parking spaces accessible via a ramp from East 16th Street. The proposed building has a height of 102 feet, comparable to the maximum height of 95 feet permitted in the R7A district mapped immediately to the south (and on a portion) of the Development Site.

The Applicant is contemplating MIH Option 1 for the proposed development resulting in approximately 21 permanently affordable units at an average of 60 percent of the Area Median Income ("AMI") with 10 percent at 40 percent AMI.

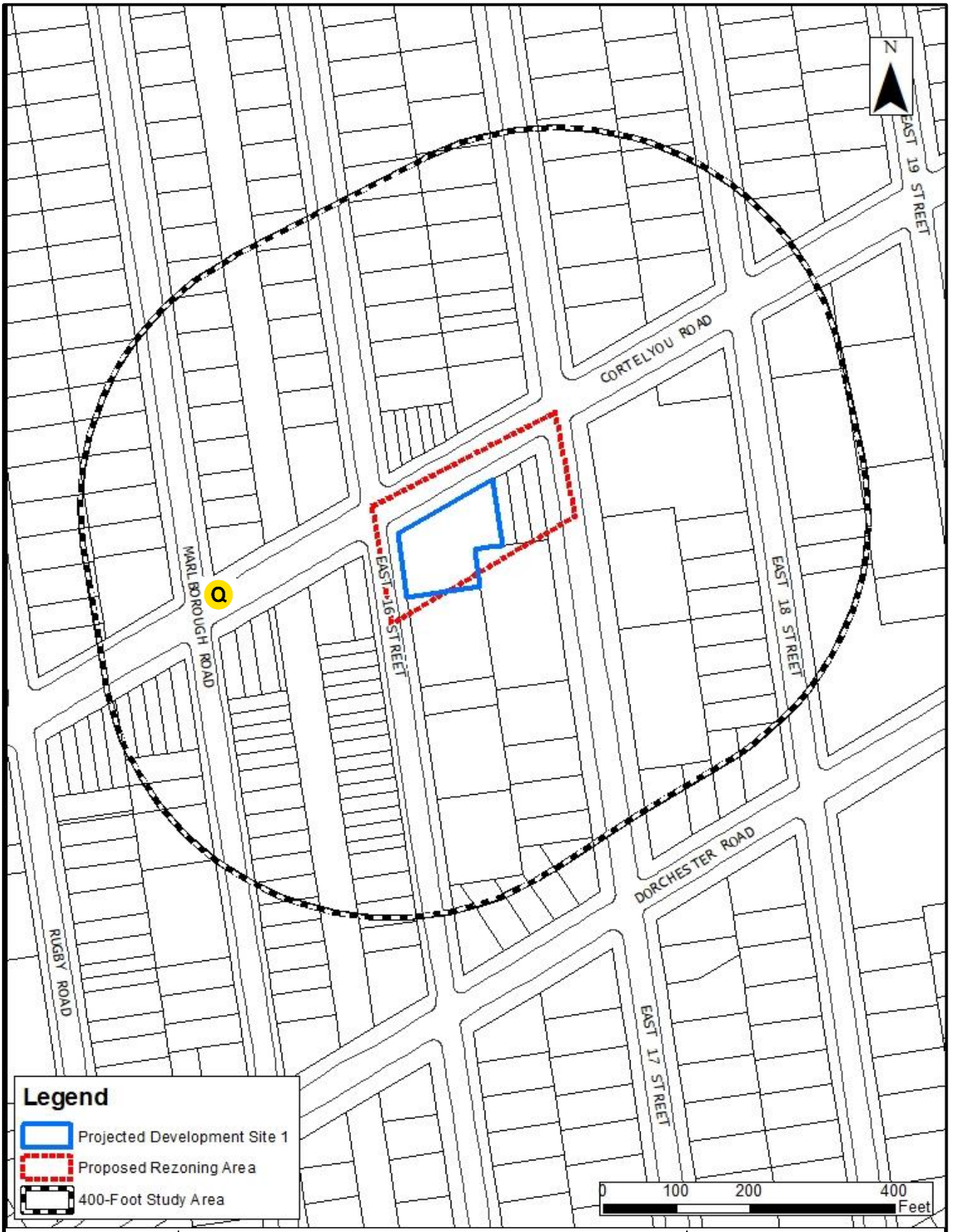


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Environmental Assessment Statement
1620 Cortelyou Road Rezoning
Brooklyn, NY

Project Rendering- Illustrative Purposes Only

Figure 1.1-1

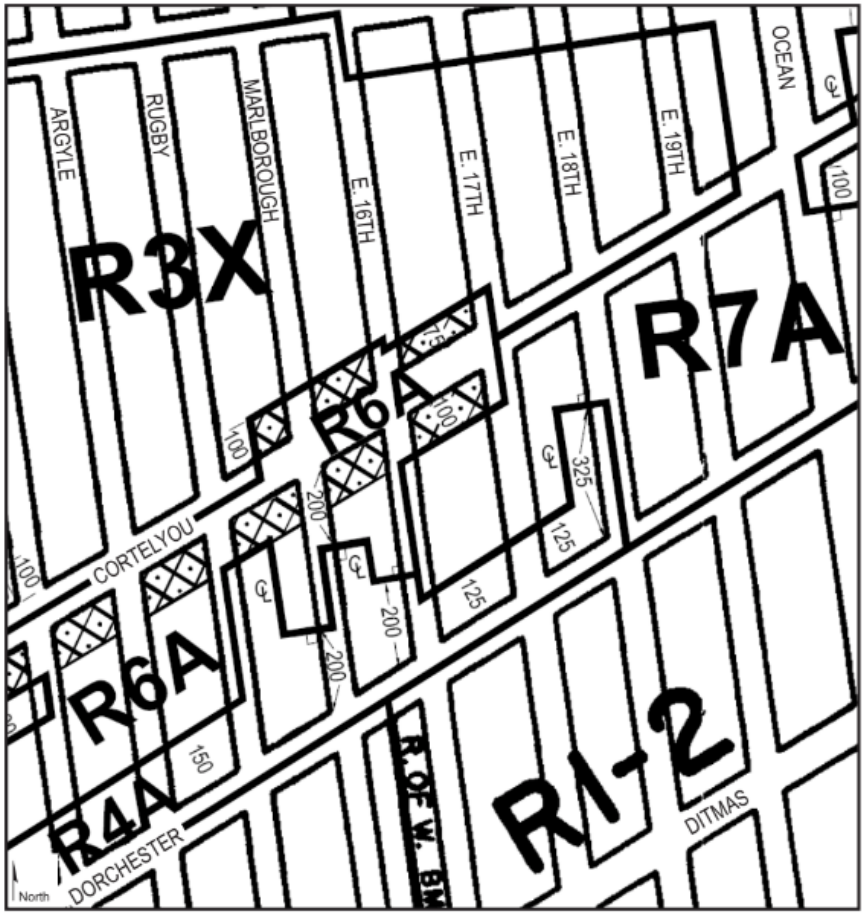


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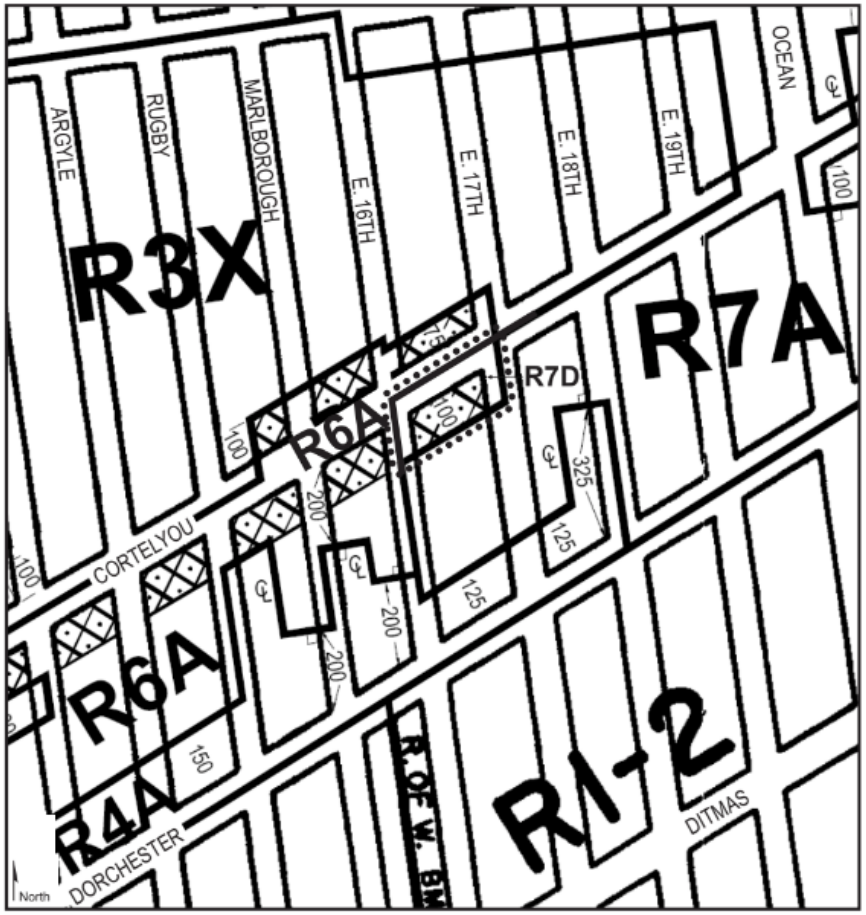
Environmental Assessment Statement
1620 Cortelyou Road Rezoning
Brooklyn, NY

Project Location
Figure 1.2-1

Zoning Change Map



Current Zoning Map (22c)



Proposed Zoning Map (22c) - Area being rezoned is outlined with dotted lines

Rezoning from R6A/C2-4 to R7D/C2-4

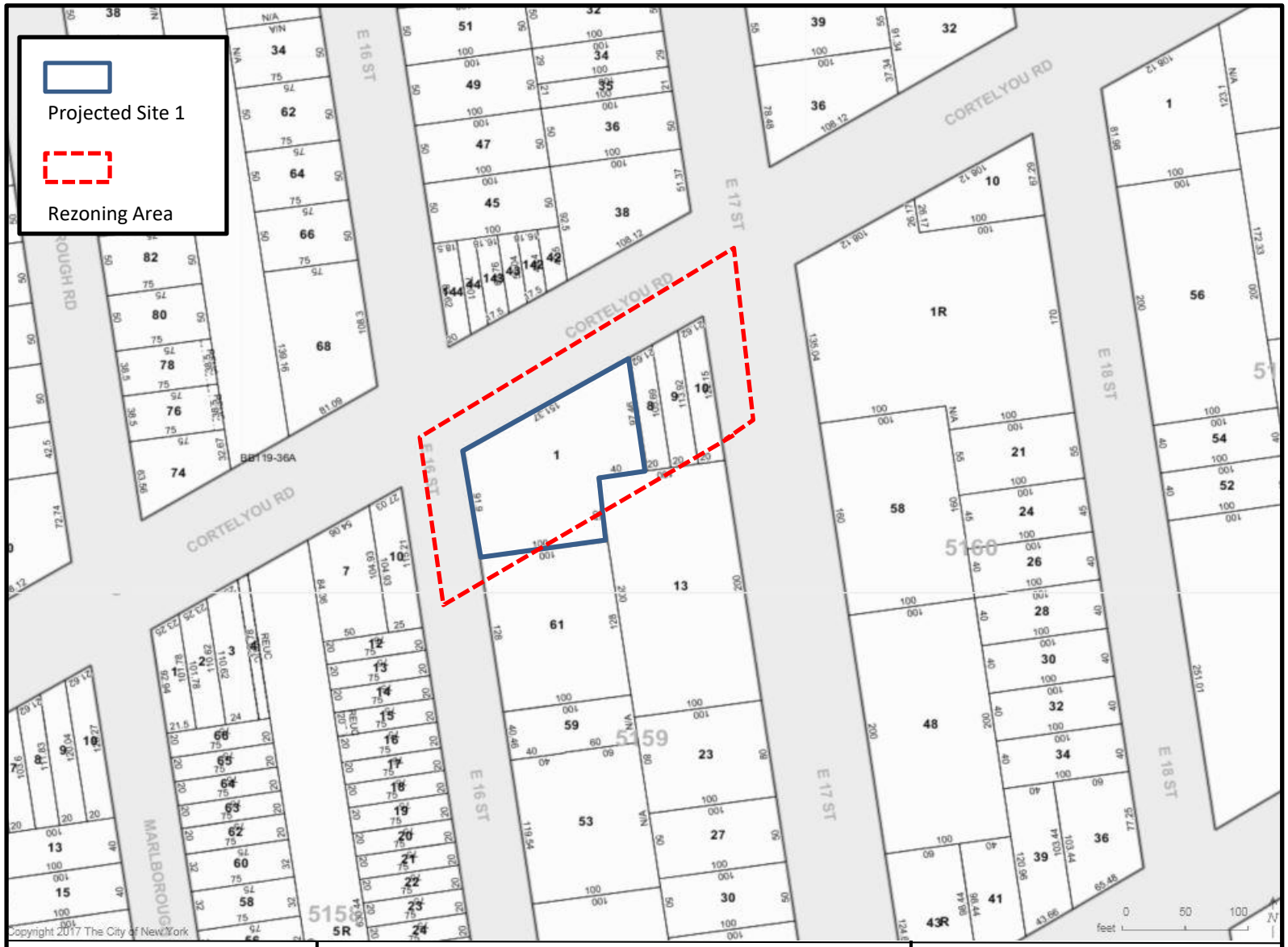
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Zoning Change Map

Figure 1.2-2

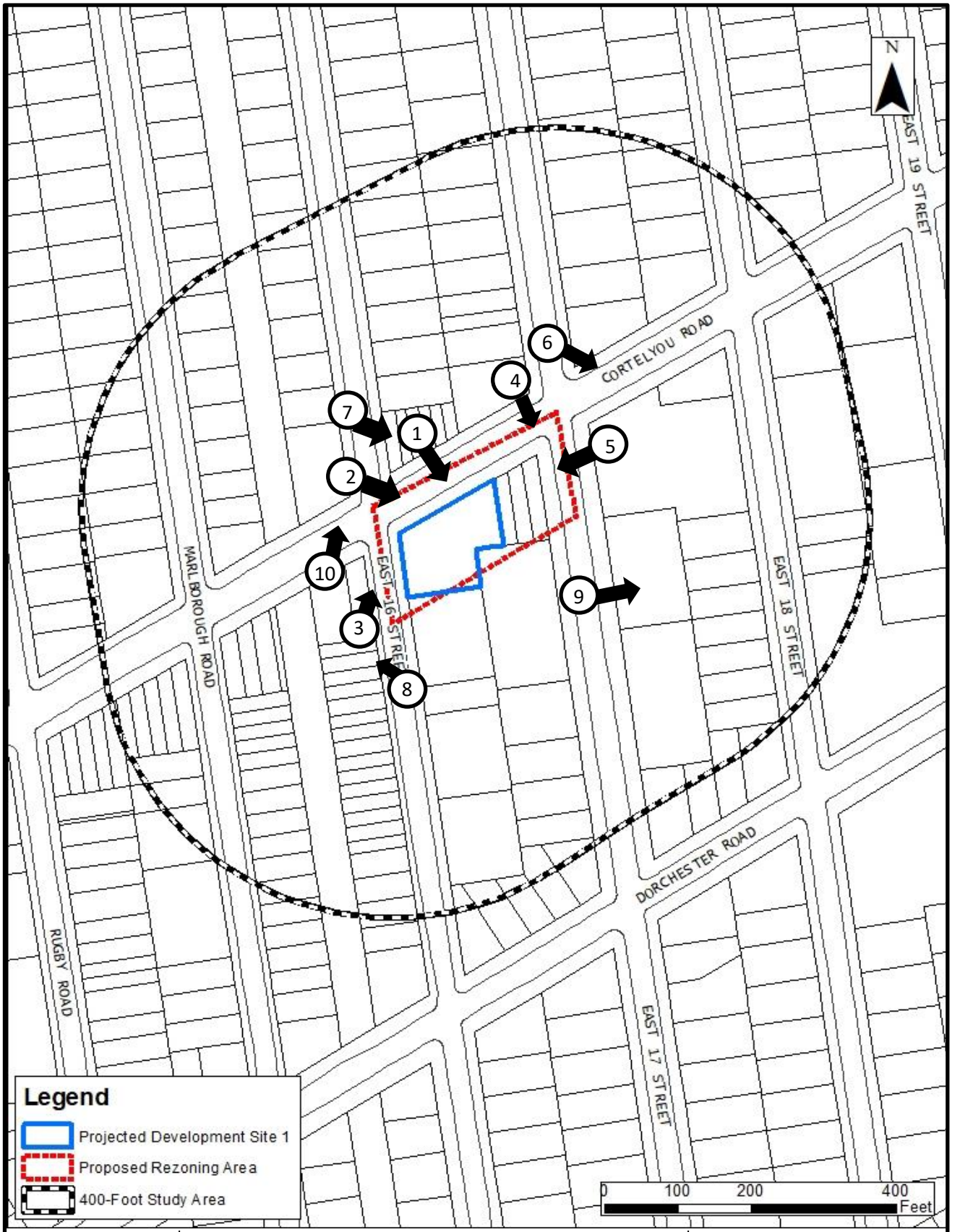


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Tax Map

Figure 1.2-3



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Photo Location Map
Figure 1.2-4

Figure 1.2-5 Photographs of the Site and Surrounding Area



Photo 1: View of Portion of Projected Site 1 from the northern side of Cortelyou Road facing south.



Photo 2: View Projected Site 1 from the northwest corner of Cortelyou Road and E 16th Street facing southeast.



Photo 3: View Projected Site 1 from the western side of E 16th Street facing northeast.



Photo 4: View of neighboring properties, to the east of Projected Site 1, from the northern side of Cortelyou Road looking south.



Photo 5: View of adjacent commercial buildings included in rezoning from the eastern side of E 17th Street facing west.



Photo 6: View of neighboring buildings from the northeast corner of Cortelyou Road and 17th Street facing southeast.



Photo 7: View of neighboring residential and commercial buildings from northwest corner of Cortelyou Road and E 16th Street facing east.



Photo 8: View of neighboring residential buildings on E 16th Street facing northwest.



Photo 9: View of neighboring residential buildings on E 17th street facing east.



Photo 10: View of nearby businesses from the southwest corner of Cortelyou Road and E 16th Street facing north.

1.3 Purpose and Need

While residential uses are permitted as a matter of right in the existing R6A/C2-4 and R7A zoning district, development is restricted to a maximum FAR of 3.0 under R6A and 4.0 under R7A. The proposed R7D/C2-4 zoning district would permit the applicant to develop the site with residential uses at a maximum FAR of 5.6 consistent with R7D district regulations. Absent the Proposed Action, the applicant would be unable to construct the proposed development under the existing restrictions of the R6A/C2-4 and R7A zoning districts.

The proposed Project Area is within the boundaries of the 2009 Flatbush Rezoning (C 090336 ZMK and N 090335 ZRK, effective July 29, 2009). The Department of City Planning initiated the area-wide rezoning of 180 blocks within the Flatbush neighborhood at the request of Community Board 14. The Flatbush Rezoning primarily served to protect the built character of low to moderate density areas within the neighborhood. In addition, it mapped Inclusionary Housing Designated Areas within R7A zoning districts along certain corridors to incentivize the development of affordable housing. The Project Area is located within the rezoning area and was rezoned from R6/C2-3 to R6A/C2-4. The depth of the commercial overlay was reduced from 150 to 100 feet.

1.4 Required Approvals

In order to facilitate this development, the applicant is requesting the following actions:

A. *Zoning Map Amendment (ZM):* to map an R7D/C2-4 on the Project Area. The mapping of an R7D/C2-4 will increase the maximum FAR to 5.6 (with MIH), up from the existing maximum FAR of 3.0. R7D regulations with MIH allow residential and community facility uses, and a maximum height of 115'. The C2-4 overlays allows for commercial development of up to a maximum FAR of 2.0.

B. *Zoning Text Amendment (ZR):* In addition, a text amendment to Zoning Resolution ("ZR") Appendix F: Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing ("MIH") Areas for Community District 14, Brooklyn to establish stablish an MIH Area with Options 1 and 2 coterminous with the Project Area. Within this MIH, all housing developments, enlargements and conversions that meet the criteria set forth in the MIH program must comply with the requirements of either option one or two.

1.5 Analysis Framework (Reasonable Worst Case Development Scenario)

Build Year

Considering the time required for the environmental review and land use approval process, and assuming a construction period of approximately 18 to 20 months, and given that, as discussed below, development is expected on projected development sites as a result of the rezoning, an analysis year of 2022 will be used to assess the potential for environmental impacts.

Existing Conditions

The proposed Project Area is located on the northern portion of Block 5159 and consists of portions of contiguous tax lots within 100-ft. of Cortelyou Road, including all or parts of Lots 1, 8, 9, 10, 13, and 61. The proposed Project Area is bounded to the north by Cortelyou Road, a wide street at 80-ft., to the west by East 16th Street and to the east by East 17th Street, both narrow streets at 60-ft. The proposed Project Area within an R6A/C2-4 zoning district that allows residential, commercial, and community facility uses. The maximum FAR is 3.0, the maximum base height is 65 feet, and the maximum height is 75 feet for Quality Housing buildings with qualifying ground floors.

The properties within the proposed Project Area are improved as follows:

Block 5159, Lot 1 is an approximately 14,815 sq. ft. corner and interior lot fronting Cortelyou Road and East 16th Street. It is improved with a one-story commercial building occupied by a

supermarket, laundromat, nail salon, restaurant, and dry-cleaners. A small portion of the southeastern corner of Lot 1 beyond 100-ft. of Cortelyou Road is not within the proposed Project Area.

Block 5159, Lot 8 is an approximately 2,281 sq. ft. interior lot fronting Cortelyou Road. It is improved with a three-story mixed residential and commercial building with four dwelling units and ground floor retail.

Block 5159, Lot 9 is an approximately 2,459 sq. ft. interior lot fronting Cortelyou Road. It is improved with a three-story mixed residential and commercial building with two dwelling units and ground floor retail. The southernmost portion of Lot 9 beyond 100-ft. of Cortelyou Road is not within the proposed Project Area.

Block 5159, Lot 10 is an approximately 2,635 sq. ft. corner lot fronting Cortelyou Road and East 17th Street. It is improved with a three-story mixed residential and commercial building with two dwelling units and ground floor retail units fronting on Cortelyou Road and East 17th Street. There is a curb cut on East 17th Street providing access to a one-story accessory garage and driveway on the southern portion of the lot. The southernmost portion of Lot 10 beyond 100-ft. of Cortelyou Road is not within the proposed Project Area.

Block 5159, Lot 13 is an approximately 20,000 sq. ft. interior lot fronting East 17th Street. It is improved with a seven-story multi-family elevator building with 81 dwelling units. Only a small portion of the northwestern corner of Lot 13 is within the proposed Project Area.

Block 5159, Lot 61 is an approximately 12,800 sq. ft. interior lot fronting East 16th Street. It is improved with a six-story multi-family elevator building with 51 dwelling units. There is a curb cut on East 16th Street providing access to the building's parking garage on the northern portion of the lot. Only a small portion of the northwestern corner of Lot 61 is within the proposed Project Area.

Factors Determining Projected/Potential Development in the No-Action and With-Action Scenarios
In general, the following factors are considered when evaluating whether some amount of development would likely be constructed by the build year on any nearby site. Known as Soft (or Projected/Potential Development) Sites, the criteria include the following:

- *The uses and bulk allowed*: 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, listed below; 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 this criteria.

If sites meet both of the criteria above, then the following factors are considered:

- The amount and type of recent as-of-right development in the area;

- Recent real estate trends in the area;

- Recent and expected future changes in residential population and employment in the study area;

- Government policies or plans, such as a building on site being identified for a landmark designation, that may affect the development potential of a site or sites;

- Site specific conditions that make development difficult; and
- Issues relating to site control or site assemblage that may affect redevelopment potential.

Once sites are considered as development sites, they are divided into two categories – projected development sites and potential development sites. Projected development sites are considered more likely to be developed within analysis period (build year 2022) because of their size (they are either large lots or contiguous small lots in common ownership that together comprise a large site). Potential development sites are less likely to be developed within the analysis period because they are not entirely under common ownership, have an irregular shape or have some combination of these features.

Future No-Action Scenario

The proposed development site is in the Ditmas Park neighborhood of Brooklyn, which is densely developed. No significant new construction was observed within 600 feet of the proposed development site and no development plans are known for the area. It is assumed that existing conditions would continue in the future no-action scenario. Additionally, no vacant lots were observed within the study area.

Future With-Action Scenario

Under the With-Action Scenario, the Proposed Action would amend the zoning map to change the existing R6A/C2-4 zoning district to an R7D/C2-4 zoning district. The boundaries of the proposed zoning map and text amendments would encompass a portion of Brooklyn Block 5159 all or parts of Lots 1, 8, 9, 10, 13, and 61. This would facilitate the Applicant's proposed development of a 9-story mixed-use building containing 85 dwelling units and commercial space on the ground floor of Block 5159, Lot 1.

Projected Development Sites

Based on these criteria, one projected development site was identified, Projected Development Site 1 (Block 5159, Lot 1, applicant-owned). To present a conservative assessment, the With-Action scenario assumes that projected development would maximize the building envelope (though for the Air Quality HVAC analysis, a building height of 102 feet is utilized, which is congruent to the proposed height). In an R7D/C2-4 district, a FAR of 5.6 is permitted, an overall building height of 115 feet (140 feet with a 25-foot bulkhead), provided inclusionary housing and a "qualifying floor area" can accommodate the permitted FAR. A commercial FAR of 2.0 is permitted due to the C2-4 overlay within the R7D district. In order to ensure a conservative environmental assessment, the most conservative assumption for MIH is used in each respective technical area. Data for the lots located in the proposed rezoning area are shown in **Table 1**.

Table 1 Projected Development under the Proposed Rezoning

Site No.	*Block*	*Lot*	*Lot Area*	*Existing Zoning*	*Existing FAR*	*Proposed Zoning*	*Projected Residential Floor Area (sf)*	*Projected Com Facility Floor Area (sf)*	*Projected Commercial Floor Area (sf)*	*Projected FAR*	*DUs*	*Parking Provided*	*Height and Floor Count*
1	*5159*	*1*	*14,815*	*R6A/C2-4*	*0.88*	*R7D/C2-4*	*79,200 gsf*	*-*	*9,560 gsf*	*5.6*	*85*	*44 Accessory Parking Spaces (Res)*	*115 feet and 11 floors*
	Total						*79,200 gsf*	*-*	*9,560 gsf*		***85***	*44 Parking Spaces*	

Block 5159, Lot 1 – Projected Development Site No. 1 (Applicant's Site) (Proposed Development Site)

Under the With-Action Scenario, it is assumed that Block 5159, Lot 1 would be developed to the full maximum FAR of 5.6. Based on the Applicant's most recent plans (See Appendix A), on a 14,815 square-foot lot, it is assumed that the Proposed Actions would result in a 105,305 gsf building with ground floor commercial space, residential space on the upper floors, and cellar level parking. There would be approximately 9,560 gsf of commercial (UG 6) floor area and 79,200 gsf of residential (UG 2) floor area and

parking floor area in the cellar (44 spaces). It is assumed that 85 residential units would be constructed on-site. It is assumed that the proposed rezoning would result in the creation of approximately 21 units affordable to residents with incomes averaging 80 percent of the AMI or below (25 percent of total units). It is assumed that the building would be built up to its maximum height of 115 feet (102 feet assumed for Air Quality HVAC analysis).

The parking requirement for the affordable units would be waived under ZR 25-251, given that the proposed development site is in the Transit Zone.

The applicant would have to provide 32 parking spaces for the approximately 64 market rate units in the building per R7D guidelines. This parking would likely be in the cellar of the building. As previously mentioned, the applicant plans on providing 44 attended parking spaces in the cellar of the building.

Lots Where Development Is Not Expected To Be Induced By The Proposed Actions

Block 5159, Lots 8, 9, and 10

Under the Proposed Actions, the above lots are not expected to see new or incremental development for the several reasons. Each of the three lots are separately owned. it is generally considered unreasonable and unlikely that a developer would assemble more than two lots under separate ownership. Additionally, each of these lots is developed with three-story buildings with ground-floor retail and residential above. The buildings are actively cash-flowing and have existing leases. Furthermore, the lots are small, irregularly-shaped, and would not be conducive to redevelopment. Recently, Lots 8 and 10 have seen recent cash investments to the buildings, making it less likely that they would be development. Lastly, the existing buildings are not substantially underbuilt under the proposed R7D district for this area of BK.

Block 5159, Lots 13 and 61

Only an extremely small portion of each of these lots, (less than ten percent) is located within the boundaries of the Rezoning Area, and thus are not expected to be impacted by the proposed Actions and would thus not see any new or incremental development in the With-Action Scenario.

Table 1-A Description of Existing and Proposed Conditions – Under ZQA/MIH*

*Only looking at conditions on Projected Development Sites

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION*	INCREMENT
LAND USE				
Residential	☐ YES ☒ NO	☐ YES ☒ NO	☒ YES ☐ NO	
If "yes," specify the following:				
Describe type of residential structures	Multi-Family Walk up	Multi Family Walkup	Multi-family walkup and elevator	Multi-family walkup and elevator
No. of dwelling units			**85** 85 (Applicant Block 5159, Lot 1)	85
No. of low- to moderate-income units	NA	NA	21 (25% MIH)	21 (25% MIH)
Gross floor area (sq. ft.)	0	0	79,200 (Applicant Block 5159, Lot 1)	79,200
Commercial	☐ YES ☒ NO	☐ YES ☒ NO	☒ YES ☐ NO	
If "yes," specify the following:				
Describe type (retail, office, other)	**12,844** 12,844 (Applicant Block 5159, Lot 1)	**12,844** 12,844 (Applicant Block 5159, Lot 1)	**9,560** 16,296 (Applicant Block 5159, Lot 1)	-3,284
Manufacturing/Industrial	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify the following:				
Type of use				
Gross floor area (sq. ft.)				
Open storage area (sq. ft.)				
If any unenclosed activities, specify:				
Community Facility	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify the following:				
Type				
Gross floor area (sq. ft.)				
Vacant Land	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," describe:				
Other Land Uses	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," describe:				
PARKING				
Garages	☐ YES ☒ NO	☐ YES ☒ NO	☒ YES ☐ NO	
If "yes," specify the following:				
No. of public spaces				
No. of accessory spaces			44	44
Lots	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify the following:				
No. of public spaces				
No. of accessory spaces				
ZONING				
Zoning classification	R7A, R6A, C2-4	R7A, R6A, C2-4	R7A, R6A, C2-4, R7D	R7D

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION*	INCREMENT
Maximum amount of floor area that can be developed	3.0 FAR Res and CommFac – R6A 4.0 FAR Res and CommFac- R7A 2.0 FAR- C2-4	3.0 FAR Res and CommFac – R6A 4.0 FAR Res and CommFac- R7A 2.0 FAR- C2-4	3.0 FAR Res and CommFac – R6A 4.0 FAR Res and CommFac- R7A 2.0 FAR- C2-4 R7D(MIH)- 5.6 Res FAR R7D- 4.2 CommFac FAR	1.6 Res. FAR 2.2 CommFac FAR
Predominant land use and zoning classifications within land use study area(s) or a 400 ft. radius of proposed project	Single-family residential, multi-family residential, commercial, mixed residential and commercial R6A, R7A, R3X, C2-4 overlay	Single-family residential, multi-family residential, commercial, mixed residential and commercial R6A, R7A, R3X, C2-4 overlay	Single-family residential, multi-family residential, commercial, mixed residential and commercial R6A, R7A, R3X, C2-4 overlay, R7D	R7D

2.0 ENVIRONMENTAL REVIEW

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

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

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

In the following technical sections, where a preliminary or more detailed assessment was necessary, the discussion is divided into Existing Conditions, the Future No-Action Conditions (the Future Without the Proposed Actions), and the Future With-Action Conditions (the Future With the Proposed Actions).

2.1 LAND USE, ZONING AND PUBLIC POLICY

The *CEQR Technical Manual* recommends procedures for analysis of land use, zoning and public policy to ascertain the impacts of a project on the surrounding area. Land use, zoning and public policy are described in detail below.

2.1.1 Land Use

The *CEQR Technical Manual* defines land use as the activity that is occurring on the land and within the structures that occupy it. Types of land use can include single- and multi-family residential, commercial (retail and office), community facility/institutional and industrial/manufacturing uses, as well as vacant land and public parks (open recreational space). The 2014 *CEQR Technical Manual* recommends that a Proposed Action be assessed in relation to land use, zoning, and public policy. For each of these areas, a determination is made of the potential for significant impact by the proposed action. If the action does have a potentially significant impact, appropriate analytical steps are taken to evaluate the nature of the impact, possible alternatives and possible mitigation.

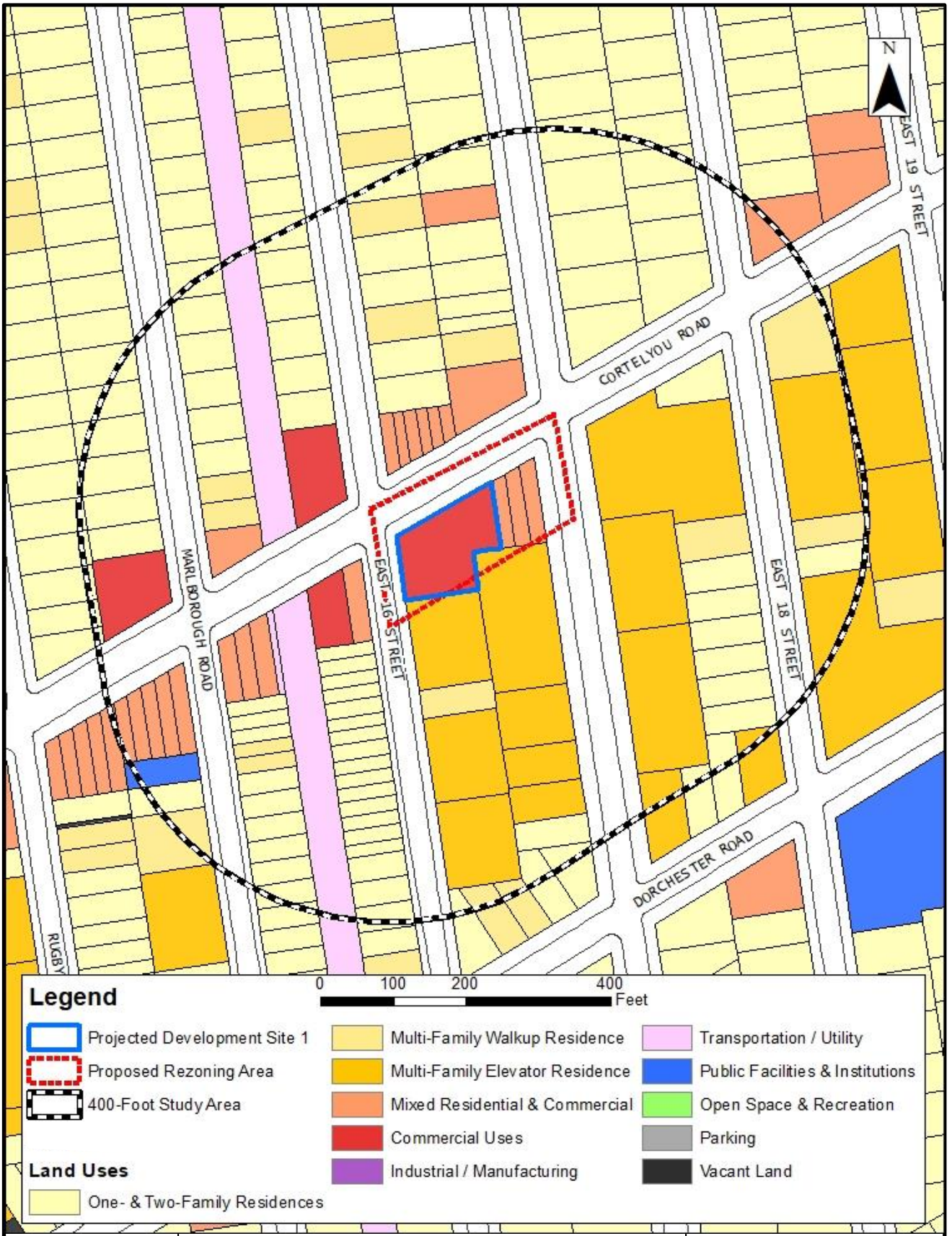
Existing Conditions

The *CEQR Technical Manual* recommends a land use; zoning and public policy study area extending 400 feet from the site of a Proposed Action. In this case, the study area is generally bound by the midblock point on East 16th Street between Beverly Road and Cortelyou Road to the north, Rugby Road to the east, East 19th Street to the west, and Dorchester Road to the south. (**Figure 1.2-1**).

A field survey was undertaken to determine the existing land use patterns and neighborhood characteristics of the study area. Land use in the area immediately surrounding the Project Area is a mix of single- and multi-family residential buildings, mixed residential and commercial buildings, commercial uses, and public facilities and institutions. The commercial uses are comprised of local retail uses including delis, cleaners, barber shops, realty offices, pharmacies, restaurants, and several grocery stores. The prevailing built form of the area is mixed. Low rise detached one and two-family homes are located in the northern portion of the study area in the southwestern portion of the study area. Low rise mixed residential and commercial buildings are located along Cortelyou Road, while mid-rise six to eight story apartment buildings are located to the south and the east of the Project Site within the study area.

The proposed rezoning area consists of Block 5159, all or parts of Lots 1, 8, 9 and 10 (see **Figure 1.2-1**). The properties within the proposed rezoning area are used as follows:, Lot 1 contains a one-story, 12844 gsf, building with 6 different UG 6 local retail businesses, including a laundromat, a deli, a supermarket, a take-out restaurant, a nail salon, and a cleaners ; Lot 8 contains a 3-story, 3,418 gsf mixed residential and commercial containing a ground floor UG6 deli and 4 residential dwelling units (UG2) on the upper floors; Lot 9 contains a three-story, 3,418 gsf building with a ground level retail two residential units on the upper floors; Lot 10 contains a three-story, 3,418 gsf mixed-use residential and commercial building containing a ground level local retail and two residential units on the upper floors.

The surrounding study area consists mainly of multi-family residential buildings and one and two-family residential buildings. Low rise detached one and two-family homes are located to the north of the Project Site in the northern portion of the study area and to the southwest of the Project Site in the southwestern portion of the study area. Mid-rise six to eight story apartment buildings are located to the south and the east of the Project Site within the study area. Along both sides of Cortelyou Road are mixed-use residential and commercial buildings. These buildings contain local retail uses including delis, beauty salons and grocery stores. No large-scale retail uses are in the Project Area or its immediate vicinity. There are no vacant lots in the study area.



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1620 Cortelyou Road Rezoning
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Land Use Map
Figure 2.1-1

The mix of land use observed in the study area generally reflects the distribution of land use observed throughout Brooklyn CD 14, which is summarized in **Table 2.** The most prominent land use within Brooklyn CD 14 is one- to two- family residential, followed by multi-family residential, and institutions.

Table 2 2014 Land Use Distribution - Brooklyn Community District 14

LAND USE	PERCENT OF TOTAL
Residential Uses	
1-2 Family	48.2
Multi-Family	24.5
Mixed Residential/Commercial	5.1
Subtotal of Residential Uses	*77.8*
Non-Residential Uses	
Commercial/Office	5.3
Industrial	0.4
Transportation/Utility	2.5
Institutions	8.6
Open Space/Recreation	3.7
Parking Facilities	1.1
Vacant Land	0.8
Miscellaneous	0.1
Subtotal of Non-Residential Uses	*22.5*
TOTAL	**100.3**

Source: *Community District Profiles, New York City Department of City Planning.*
Note: Percentages may not add up to 100.0 percent due to rounding.

Future No-Action Scenario

The Project Ares is in a densely developed neighborhood. While several vacant lots were observed within 400 feet of the proposed rezoning area, all lots located in the proposed rezoning area are improved. Therefore, as there are no known development plans on any of these parcels, it is assumed that future no-action conditions would remain consistent with existing conditions.

Future With-Action Scenario

Under the With-Action Scenario, it is assumed that Block 5159, Lot 1 would be developed to the full maximum FAR of 5.6. Based on the Applicant's most recent plans, on a 14,815 square-foot lot, it is assumed that the Proposed Actions would result in a 105,305 gsf building with ground floor commercial space, residential space on the upper floors, and cellar level parking. There would be approximately 9,560 gsf of commercial (UG 6) floor area and 79,200 gsf of residential (UG 2) floor area and parking floor area in the cellar (44 spaces). It is assumed that 85 residential units would be constructed on-site. It is assumed that the proposed rezoning would result in the creation of approximately 21 units affordable to residents with incomes averaging 80 percent of the AMI or below (25 percent of total units). It is assumed that the building would be built up to its maximum height of 115 feet. With regards to land use, the UG 2 residential uses and the UG 6 retail that are being proposed on the Projected Development Site 1 are consistent with land uses in the Study Area. No new land uses, or incompatible uses would be introduced under the Proposed Actions. As such, no significant adverse impacts are expected, and no further analysis is required.

2.1.2 Zoning

The *New York City Zoning Resolution* dictates the use, density and bulk of developments within New York City. Additionally, the Zoning Resolution provides required and permitted accessory parking regulations. The City has three basic zoning district classifications – residential (R), commercial (C), and manufacturing (M). These classifications are further divided into low-, medium-, and high-density districts.

Existing Conditions

Zoning designations within and around the study area are depicted in **Figure 2.1-2**, while **Table 3a** summarizes use, floor area and parking requirements for the zoning districts in the study area.

Projected Development Site 1 is located within an R6A/C2-4 with a sliver of the sites being located within an R7A zoning district. The R6A district is generally mapped along Cortelyou Road, from East 17th Street in the East to Coney Island Avenue to the west.

The C2-4 commercial overlay is mapped over the properties with frontage on Cortelyou Road between East 16th and East 17th Streets, at a depth of approximately 100 feet. In R6A zoning districts, C2-4 overlays allow for a maximum FAR of 2.0 for commercial uses. Typical retail uses in such overlays include those seen in the study area, such as neighborhood grocery stores, restaurants and beauty parlors. Several C2-4 commercial overlays are located within the study area along Cortelyou Road.

R6A zoning districts are contextual zoning districts that allow for residential development with a maximum FAR of 3.0 (3.6 FAR with MIH bonus). Residential uses (UGs 1 and 2) as well as community facility uses (UGs 3 and 4) are allowed as-of-right in R6A zoning districts. Building heights can reach a maximum of 85 feet. R6A districts have minimum and maximum base height requirements. The minimum base height is 40 feet and the maximum base height is 60 feet for buildings. Above the maximum base height, building must be set back at least 10' from the street wall when facing a wide street or 15' when facing a narrow street. Community facilities have a maximum FAR of 3.0 in R6A zoning districts. Parking is required for 50 percent of dwelling units but is waived if 5 or fewer spaces are required.

The R7A zoning district is generally mapped along East 16th Street to the west, Dorchester Road to the south, Cortelyou Road to the north, and East 21st Street to the east. Residential uses (UGs 1 and 2) as well as community facility uses (UGs 3 and 4) are allowed as-of-right in R7A zoning districts.

The maximum FAR for R7A districts is 4.0 (4.6 with MIH bonus). R7A districts have minimum and maximum base height requirements. The minimum base height is 40 feet and the maximum base height is 65 feet for buildings (75 feet with a qualifying ground floor). Above the maximum base height, building must be set back at least 10' from the street wall when facing a wide street or 15' when facing a narrow street. Maximum building heights in R7A districts are 85 feet with a qualifying ground floor or 95 feet with a qualifying ground floor when located in an area mapped with MIH. Community facilities have a maximum FAR of 4.0 in R7A zoning districts. Parking is required for 50 percent of dwelling units but is waived if 15 or fewer spaces are required. Additionally, parking is only required for 30 percent of the dwelling units if the zoning lot is 10,000 sf or less.

Additionally, the northern portion of the study area contains portions of an R3X zoning district.

<u>2009 Flatbush Rezoning (C 090336 ZMK and N 090335 ZRK)</u>

The proposed Project Area is within the boundaries of the 2009 Flatbush Rezoning (C 090336 ZMK and N 090335 ZRK, effective July 29, 2009). The Department of City Planning initiated the area-wide rezoning of 180 blocks within the Flatbush neighborhood at the request of Community Board 14. The Flatbush Rezoning primarily served to protect the built character of low to moderate density areas within the neighborhood. In addition, it mapped Inclusionary Housing Designated Areas within R7A zoning districts along certain corridors to incentivize the development of affordable housing. The Project Area is located within the rezoning area and was rezoned from R6/C2-3 to R6A/C2-4. The depth of the commercial overlay was reduced from 150 to 100 feet

Table 3a Summary of Existing Zoning Regulations

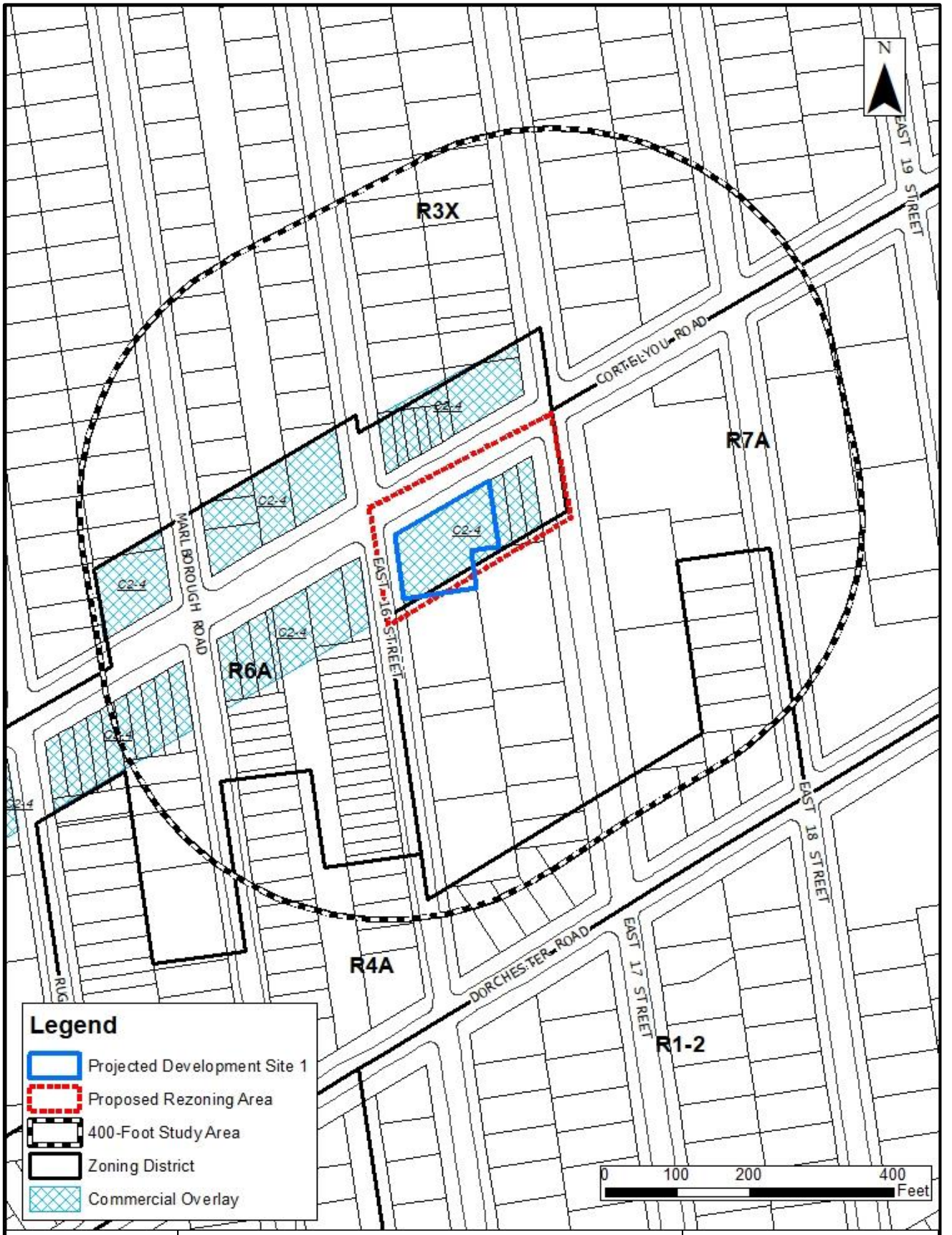
Zoning District	Type and Use Group (UG)	Floor Area Ratio (FAR)	Parking (Required Spaces)
R7A	Residential UGs	4.0 FAR for Residential (4.6 with MIH bonus)	50% of DUs (30% if zoning lot is 10,000sqft or less; waived if 15 or fewer spaces required)
R6A	Residential UGs 1 - 4	3.0 FAR for Residential (3.6 FAR MIH) 3.0 FAR for Community Facility	50 percent of dwelling units
R3X	Residential UGs 1 - 4	0.5 FAR for Residential (0.6 with attic allowance) 1.0 FAR for Community Facility	1 per dwelling unit
C2-4	Commercial Overlay UGs 1 - 9 & 14	2.0 FAR – Commercial in R6	Required- Parking Varies by Use

Source: New York City Zoning Resolution, October 2016.

The study area is also located within an area designated for the FRESH Program (discretionary tax incentives area).

Future No-Action Scenario

In the Future No-Action Scenario, zoning changes are not expected to occur on the Project Site or in the surrounding study area. The Project Site and rezoning area would remain within R6A/C2-4 and R7A zoning districts.



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Zoning Map
Figure 2.1-2

Future With-Action Scenario

The Proposed Actions would change the existing R6A/C2-4 zoning districts to an R7D/C2-4 zoning over Block 5159, all or parts of Lots 1, 8, 9 and 10. Doing so would increase the maximum allowable FAR on the proposed Project Site to 5.6 with Inclusionary Housing bonus, which would allow the applicant to proceed with the proposed development.

The proposed zoning would not be out of context as an R7A zoning district is directly to the south and east of the proposed rezoning area and several large six to eight story buildings are located within the 400-foot study area.

R7A districts have minimum and maximum base height requirements. The minimum base height is 40 feet and the maximum base height is 65 feet for buildings (75 feet with a qualifying ground floor). Above the maximum base height, building must be set back at least 10' from the street wall when facing a wide street or 15' when facing a narrow street. Maximum building heights in R7A districts are 85 feet with a qualifying ground floor or 95 feet with a qualifying ground floor when located in an area mapped with MIH.

R7D districts have minimum and maximum base height requirements as well. The minimum base height is 60 feet and the maximum base height is 85 feet for buildings (95 feet with MIH). Above the maximum base height, building must be set back at least 10' from the street wall. Maximum building heights in R7D districts are 105 feet with a qualifying ground floor or 115 feet with a qualifying ground floor when located in an area mapped with MIH.

The Proposed Actions would therefore not have a significant impact on the extent of conformity within the current surrounding area and it would not adversely affect the viability of conforming uses on nearby properties. Therefore, significant impacts to zoning are not anticipated and further zoning analysis is not warranted. **Table 3B** summarizes the Future With-Action zoning regulations.

Table 3b Summary of Future With-Action Zoning Regulations

Zoning District	Type and Use Group (UG)	Floor Area Ratio (FAR)	Parking (Required Spaces)
R7A	Residential UGs 1 - 4	4.0 FAR for Residential (4.6 with MIH bonus)	50 percent of dwelling units (30% if zoning lot is 10,000sqft or less; waived if 15 or fewer spaces required)
R6A	Residential UGs 1 - 4	3.0 FAR for Residential (3.6 FAR MIH) 3.0 FAR for Community Facility	50 percent of dwelling units
R3X	Residential UGs 1 - 4	0.5 FAR for Residential (0.6 with attic allowance) 1.0 FAR for Community Facility	1 per dwelling unit
R7D	Residential UGs 1 - 4	4.2 FAR for Residential (5.6 with MIH bonus)	50 percent of dwelling units (30% if zoning lot is 10,000sqft or less; waived if 15 or fewer spaces required)
C2-4	Commercial Overlay UGs 1 - 9 & 14	2.0 FAR – Commercial in R6 and R7D (No Change)	Required- Parking Varies by Use

Source: New York City Zoning Resolution, October 2016

2.1.3 Public Policy

The Project Site is not part of, or subject to, an Urban Renewal Plan (URP), adopted community 197-a Plan, Solid Waste Management Plan, Business Improvement District (BID), Industrial Business Zone (IBZ), or the New York City Landmarks Law. The Proposed Action is also not a large publicly sponsored project, and as such, consistency with the City's *PlaNYC 2030* for sustainability is not warranted. In addition, the rezoning area is not located in the Coastal Management Zone; therefore, a consistency review is not warranted.

Waterfront Revitalization Program

The rezoning area is not located within New York City's designated coastal zone boundary and therefore is not subject to review for its consistency with the City's Waterfront Revitalization Program.

Housing New York

The Proposed Actions include a zoning text amendment to establish a new Mandatory Inclusionary Housing (MIH) Area coterminous with the Project Area. The MIH program is designed to make affordable housing mandatory and permanent wherever new housing capacity is approved through land use actions. This program is part of the City's broader housing plan, *Housing New York,* which set a goal in 2014 to create or preserve 200,000 units of affordable apartment housing citywide by 2024. The updated version of the plan, *Housing New York 2.0*, was released in late 2017 and reset the goal to 300,000 units by 2026. These goals aim to provide affordable housing opportunities for low- and moderate-income New Yorkers and to address the housing affordability crisis facing the city today.

The applicant's proposed project would utilize MIH Option 1 for the proposed development, which requires a set-aside of 25 percent of residential floor area for units affordable to households earning 60 percent of Area Median Income (AMI) on average, with 10 percent required to serve households earning 40 percent of AMI. The creation of these units directly furthers the goals of *Housing New York* by providing additional affordable housing opportunities that increase the total number of affordable units created or preserved prior to 2026.

2.2 OPEN SPACE

According to the *CEQR Technical Manual*, an analysis of open space is conducted to determine whether a proposed project would have a direct impact resulting from the elimination or alteration of open space and/or indirect impacts resulting from overtaxing available open space. Open space is defined as publicly or privately-owned land that is publicly accessible and operates, functions, or is available for leisure, play, or sport, or set aside for the protection and/or enhancement of the natural environment. An open space analysis focuses on officially designated existing or planned public open space. An open space assessment may be necessary if a project potentially has a direct or indirect effect on open space.

For the majority of new projects in New York City located in areas that are neither "underserved" or "well-served" area for open space, an open space assessment is generally conducted if the proposed project would generate more than 200 residents or 500 employees. However, this project is located within an "underserved" area for open space (**Figure 2.2-1**). Since the project is in a neighborhood that is considered "underserved" with regards to open space, an open space assessment should be conducted if the project would generate more than 50 residents or 125 workers. The Proposed Action would potentially add up to approximately 239 residents in 85 units based on an average of 2.81 persons per unit[1]. The addition of approximately 239 residents is above the CEQR preliminary screening threshold level, and a preliminary analysis of open space impacts due to new residents is warranted.

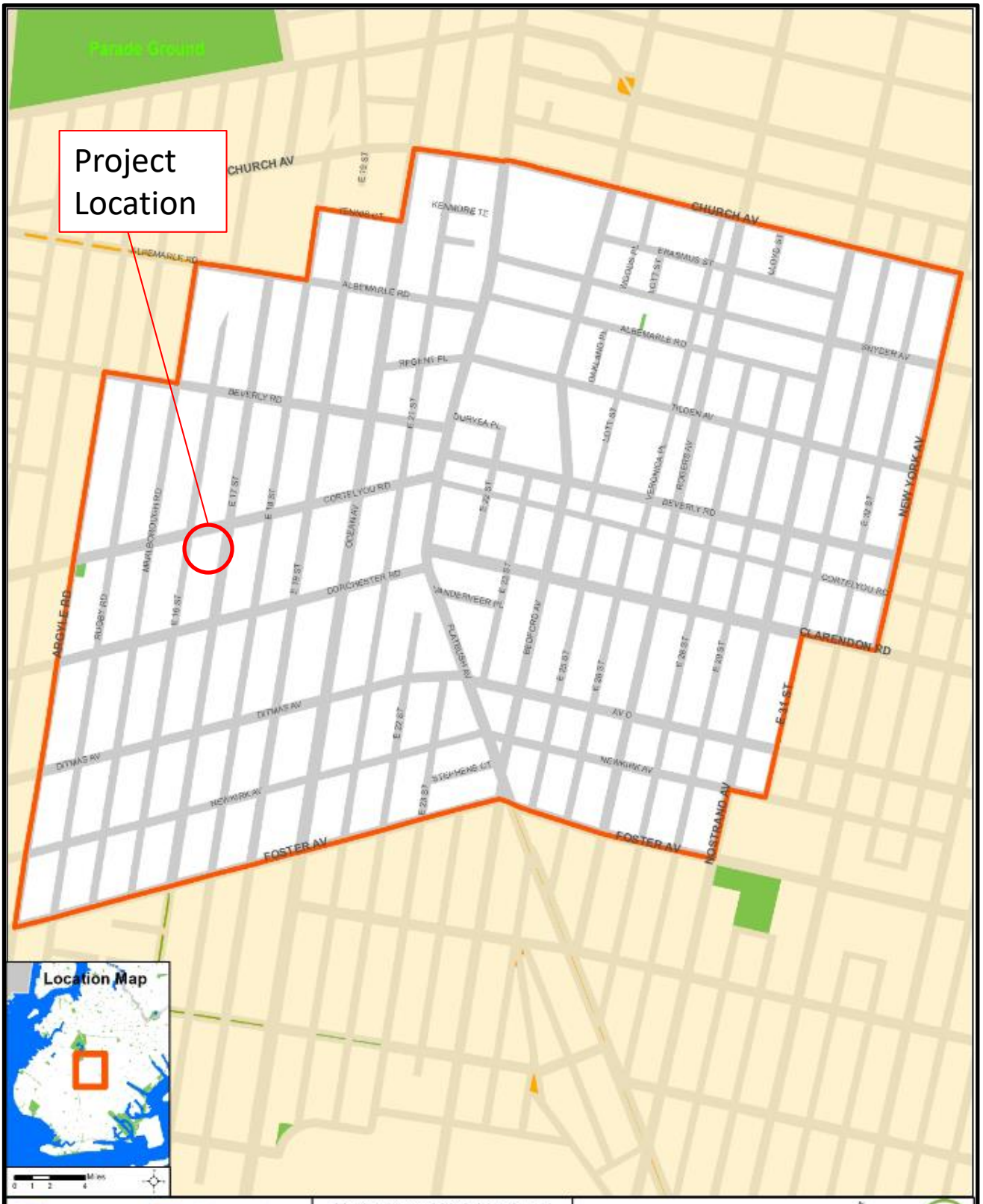
2.2.1 Preliminary Open Space Assessment

The open space study area includes all U.S. Census Tracts that have 50 percent or more of the tract within a half-mile radius of the Project Site, as exhibited in **Figure 2.2-2.** The 13 Census Tracts that comprise the study area are shown in **Table 4**. The Project Site is located within Brooklyn Census Tract 514

Existing Conditions

According to ACS data that was compiled by the New York City Department of City Planning, there are a total of approximately 61,281 residents in the study area, as shown in **Table 4a.** The study area contains a total of 5 open space resources, as depicted in **Figure 2.2-3** and listed in **Table 4b** below. Four of these resources are accessible to the public on a constant and regular basis and as such, have been factored into the quantitative open space assessment (i.e., the open space ratio calculation). These 4 resources provide a total of 1.14 acres of open space (both active and passive).

[1] Based on the average household size for Brooklyn Community District 14



AECOM	**Environmental Assessment Statement** **1620 Cortelyou Road Rezoning** **Brooklyn, NY**	Underserved Neighborhood **Figure 2.2-1**

Table 4a Census Tracts and Population in the Study Area- Existing Conditions

Census Tract Numbers	Population (2019 ACS Data Approximate)
514 ,492 ,526, 520 ,518, 516.01, 516.02, 790, 792, 510.01, 510.02, 512, 1522	61,281

Source: New York City Department of City Planning via (American Community Survey (ACS) Data.

Table 4b Open Space Resources in the Study Area

Key No.	Open Space Resource	Location	Size (acres)
1	Lt. Federico Narvaez Tot Lot	Argyle Road and Cortelyou Road	0.12
2	P.S. 139 Playground	Argyle Road between Cortelyou Road and Beverly Road	0.5
3	P.S 217 Playground	Coney Island Avenue and Newkirk Avenue	0.77
4	J.H.S. 62 Playground	Cortelyou Road and East 8th Street	0.48
		Total	**1.87**
Resources Not Included in Quantitative Assessment			
A	Knickerbocker Field Club	Albermarle Road and East 18th Street	0.88

In accordance, with CEQR methodology, the assessment of open space resources in the study area focuses on the calculated open space ratio (OSR), or the ratio of the acres of open space per 1,000 persons. The existing OSR in the study area is approximately 0.0305 acres per 1,000 residents, well below the City's target OSR of 1.50 acres per 1,000 residents. It should be noted that the Prospect Park Parade ground, and Prospect Park, which are located less than 700 feet from northern border of the Open Space Study Area, – help to alleviate the existing shortfall of open space.

Future No-Action Conditions

In the future without the Proposed Actions, the Project Site is not expected to undergo any changes or development. However, there are known developments within the Open Space Study Area that would increase the population absent the Proposed Actions.

22 East 21st Street

A private applicant has filed applications for a nine-story, 115-unit mixed-use building at 222 East 21st Street, located in Flatbush. The project would encompass 102,800 square feet and rise 80 feet in height. Community facility space will be in the cellar, followed by a 58-car parking garage on the ground floor. A total of 115 residential units will be located throughout the rest of the building.

1921 Cortelyou Road

Baptist Church of the Redeemer has joined with a private developer to demolish an existing church structure and undertake the development of a new church facility and 76 affordable residential apartments.

2107 Ditmas Avenue

This project includes a full renovation and addition of an existing six story healthcare facility that includes: six independent structures to be connected to the existing building and will have an addition, 41, 748 square feet of floor area and the space for 21 new beds for patients.

Upgrades to Lt. Federico Narvaez Tot Lot

The New York City Department of Parks and Recreation is in the midst of a reconstruction of this open space. This project will construct new play equipment for 2-5 years old, benches, fencing, drainage and water supply systems and plantings in Lt. Federico Narvaez Tot Lot. It is anticipated that the reconstruction will be completed sometime in 2021.

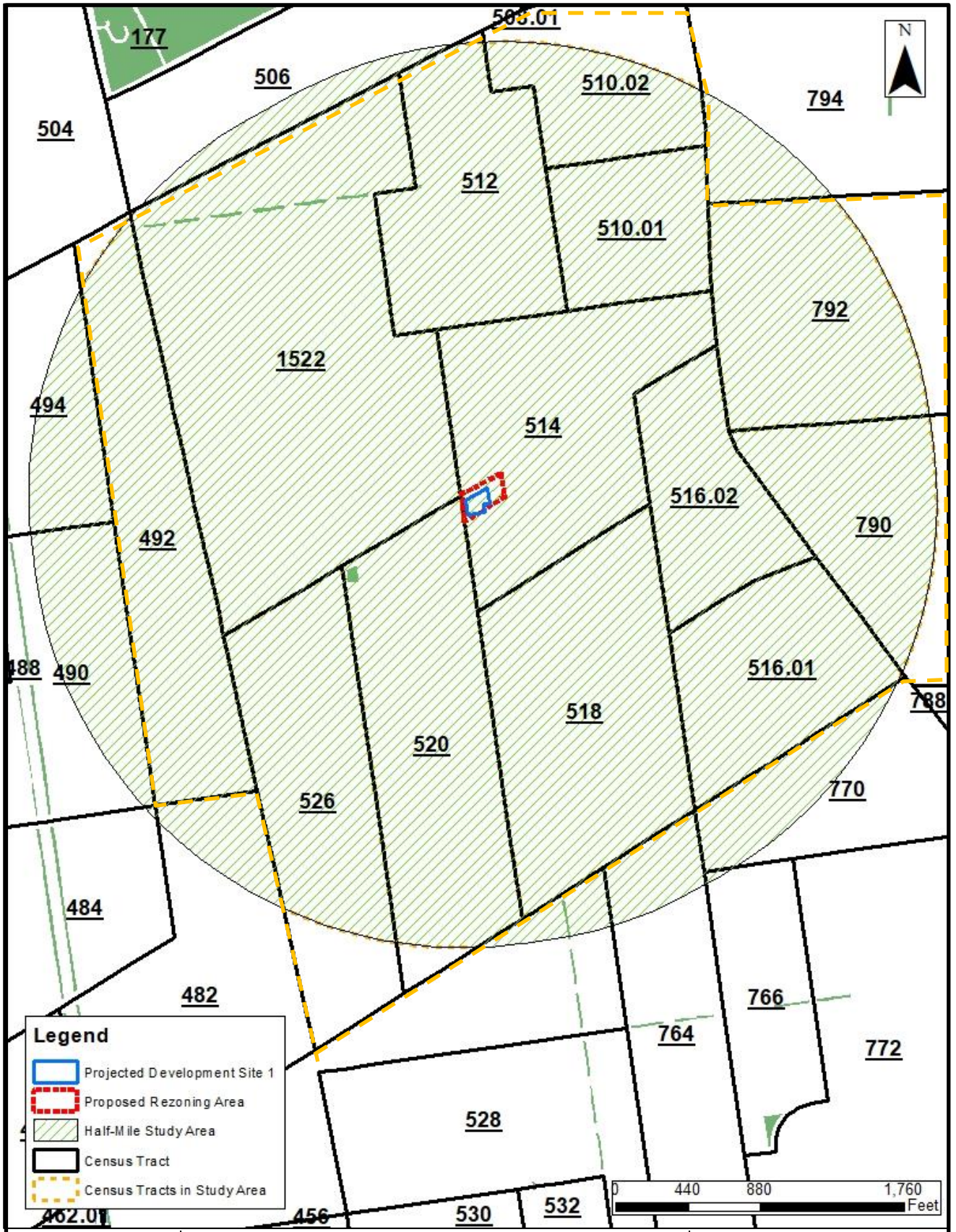
Therefore, assuming these developments occur absent the Proposed Actions, it would add approximately 536 new residents to the Study Area in the 2022 build year. The existing population of the Study Area is 61,281, and therefore, the 2022 Projected Population of the Study Area absent the Proposed Actions is approximately 61,817. Therefore, the existing OSR of 0.0305 acres of open space per 1,000 residents calculated for the open space study area is expected to be reduced to approximately 0.0302 acres of open space per 1,000 residents under the Future No-Action Condition, assuming no additional open space resources are added to the area, as expected.

Future With-Action Conditions

Preliminary screening procedures from the *CEQR Technical Manual* indicate that impacts may occur if a project reduces the OSR by more than five percent. In areas that are lacking in open space resources, a reduction as small as one percent may be considered significant. Under the Future With-Action Condition, there would be an increase of up to 239 new residents in the rezoning area, thereby increasing the study area population from approximately 61,817, residents under the Future No-Action Condition to 62,056 residents under the Future With-Action Condition as shown in **Table 4c.** The resulting OSR would decrease from 0.0302 acres per 1,000 residents under the Future No-Action Condition to 0.0301 acres of open space per 1,000 persons under the Future With-Action Condition, a decrease of approximately 0.33 percent. The reduction in OSR related to the Proposed Actions would be well less than one percent. Therefore, no significant adverse impacts to open space resources as a result of the Proposed Actions are expected, and no further analysis is warranted.

Table 4c Census Tracts and Population in the Study Area (Existing & No-Action Vs. With- Action)

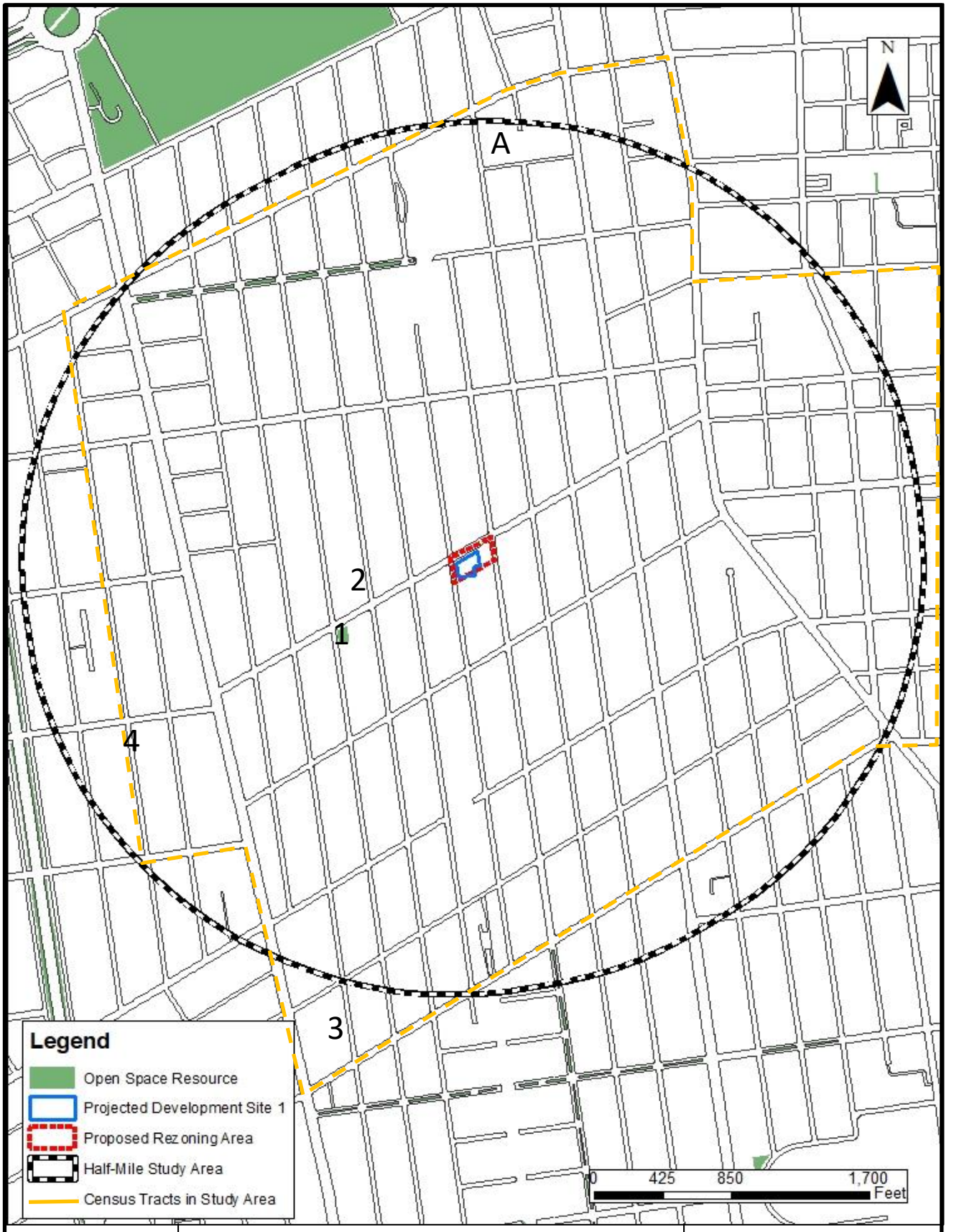
Census Tract Numbers	Population (2019 Approximate)	Population (2022 Projected)- No-Action	Population (2022 Projected)- With-Action
514 ,492 ,526, 520 ,518, 516.01, 516.02, 790, 792, 510.01, 510.02, 512, 1522	61,281	61,817	62,056



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Open Space Study Area
Figure 2.2-2



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Environmental Assessment Statement
1620 Cortelyou Road Rezoning
Brooklyn, NY

Open Space Resources
Figure 2.2-3

2.3 SHADOWS

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

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

2.3.1 Preliminary Shadow Screening Assessment

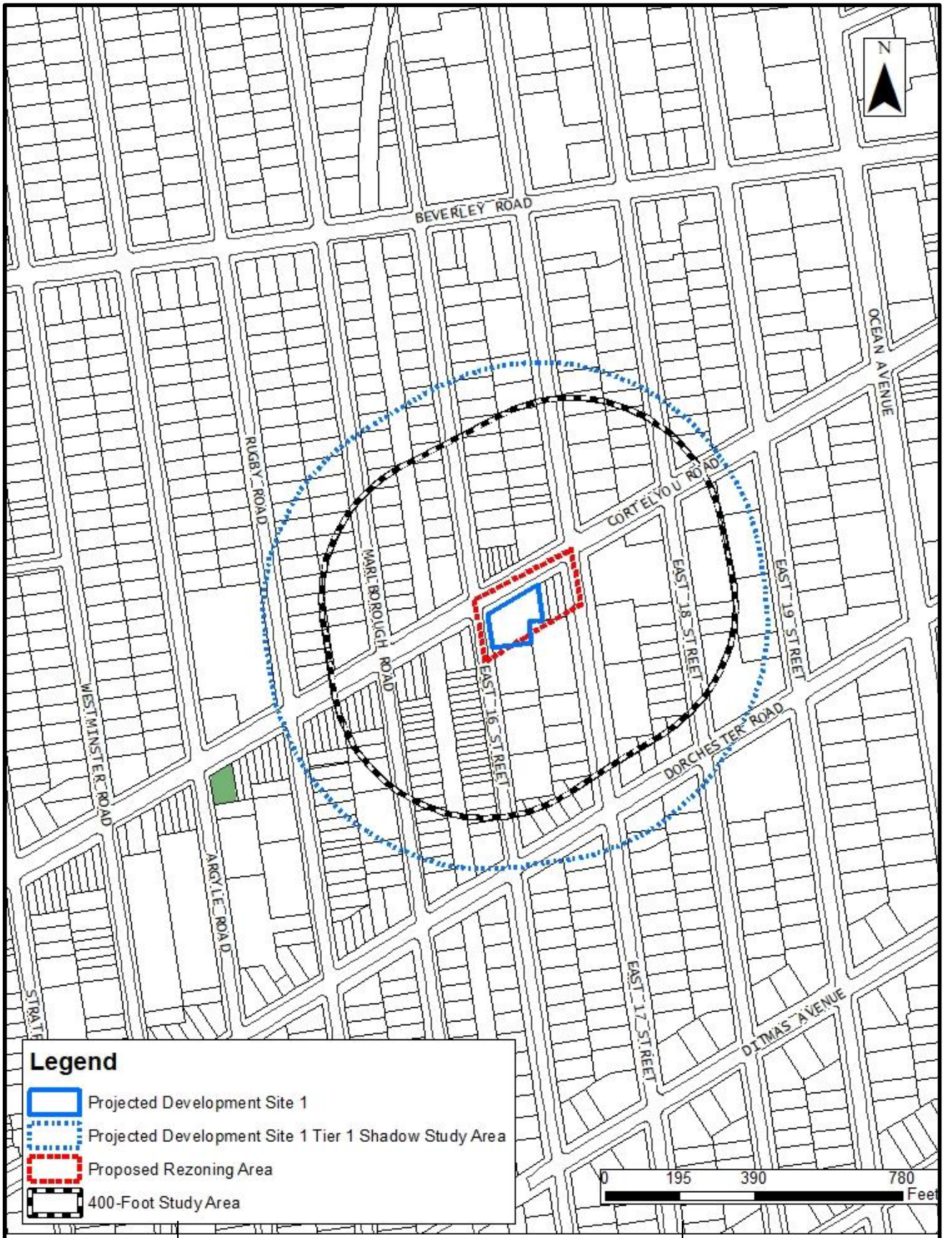
The shadow assessment begins with a preliminary screening assessment to ascertain whether a project's shadow may reach any sunlight-sensitive resources at any time of the year. If the screening assessment does not eliminate this possibility, a detailed shadow analysis is generally warranted in order to determine the extent and duration of the net incremental shadow resulting from the project.

Tier 1 Screening Assessment

The first step in the preliminary shadow screening is a Tier 1 Screening Assessment. A base map is developed that illustrates the proposed site location in relationship to any sunlight-sensitive resources (**Figure 2.3-1**).

The longest shadow study area is then determined, which encompasses the site of the proposed project and a perimeter around the site's boundary with a radius equal to the longest shadow that could be cast by the proposed structure, which is 4.3 times the height of the structure that occurs on December 21st, the winter solstice. To find the longest shadow length, the maximum height of the structure (including any rooftop mechanical equipment) was multiplied by the factor of 4.3.

A shadow radius of 4.3 times the maximum allowable height on Projected Development Site 1 (115 feet + 25 feet of bulkhead (for conservative purposes) for a total height of 140 feet) was calculated, resulting in a shadow radius of approximately 602 feet. No open space resources or playgrounds existing within the Tier 1 Shadow Study Area. No other resources are located within the 602-foot radius; therefore, additional shadow analyses are not necessary.



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Tier 1 Shadow Screening
Figure 2.3-1

2.4 HISTORIC AND CULTURAL RESOURCES

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

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

Architectural Resources

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

The projected development site is not a designated local or S/NR historic resource or property, nor is the site part of any designated historic district. The LPC was contacted for their initial review of the project's potential to impact nearby historic and cultural resources, and a response was received on August 21st, 2017, indicating that the projected development site has no architectural significance (see **Appendix C**).

In order to determine whether the projected development has the potential to affect nearby off-site historic or architectural resources, the study area was screened for historic and architectural resources. No historic or architectural resources were identified within the 400-foot study area. Therefore, no significant adverse impacts on historic or architectural resources are expected as a result of the Proposed Actions, and further assessment is not warranted.

Cultural and Archaeological Resources

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

The existing rezoning area has not been recently disturbed and no recent or distant cultural or archaeological significance have been attached to this area. Further, utilizing the NYS Office of Parks, Recreation and Historic Preservation's "Cultural Resource Information System" (CRIS) mapper, the rezoning area does not fall within an archaeologically sensitive area. Based on both current and historic photoreconnaissance of the rezoning area, there is little potential for impact to any known or unknown resource due to development. The LPC was contacted for their initial review of the project's potential to impact nearby historic and cultural resources, and a response was received on August 21st, 2017, indicating that the projected development site has no archaeological significance (see **Appendix C**). Therefore, significant adverse impacts to archaeological resources are not expected as a result of the Proposed Actions, and further analysis is not warranted.

2.5 URBAN DESIGN AND VISUAL RESOURCES

The *CEQR Technical Manual* notes an urban design assessment considers whether and how a project may change the experience of a pedestrian in the Project Area. The assessment focuses on the components of a proposed project that may have the potential to alter the arrangement, appearance, and functionality of the built environment. In general, an assessment of urban design is needed when the project may have effects on one or more of the elements that contribute to the pedestrian experience (e.g., streets, buildings, visual resources, open space, natural features, wind, etc.). An urban design analysis is not warranted if a proposed project would be constructed within existing zoning envelopes and would not result in physical changes beyond the bulk and form permitted "as-of-right" with the zoning district.

Furthermore, according to the *CEQR Technical Manual*, if a preliminary assessment determines that changes to the pedestrian environment are sufficiently significant to require greater explanation and further study, then a detailed urban design and visual resources analysis is appropriate. Detailed analyses are generally appropriate for all area-wide rezoning applications that include an increase in permitted floor area or changes in height and setback requirements, general large-scale developments, or projects that would result in substantial changes to the built environment of a historic district, or components of an historic building that contribute to the resource's historic significance. Conditions that merit consideration for further analysis of visual resources include when the project partially or totally blocks a view corridor or a natural or built rare or defining visual resource. Further conditions that merit consideration are when the project changes urban design features so that the context of a natural or built visual resource is altered, such as if a project alters the street grid so that the approach to the resource changes, or if a project changes the scale of surrounding buildings so that the context changes.

According to the *CEQR Technical Manual*, urban design is the totality of components that may affect a pedestrian's experience of public space. Elements that play an important role in the pedestrian's experience include streets, buildings, visual resources, open space, and natural features, as well as wind as it relates to channelization and downwash pressure from tall buildings.

As the Proposed Actions would result in the construction of a new building that is not allowed "as-of-right" under the existing zoning, a preliminary analysis was conducted.

2.5.1 Preliminary Analysis

As stated in 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 study area used for the land use analysis (i.e., 400 feet around the Project Site). The purpose of the preliminary assessment is to determine whether any physical changes proposed by a project may raise the potential to significantly and adversely affect elements of urban design, which would warrant the need for a detailed urban design and visual resources assessment.

Existing Conditions

A photographic key map is provided in the previously presented **Figure 1.2-4**; with ground-level photographs of the projected development site and the immediate surrounding area provided in the previously presented **Figure 1.2-5.**

Projected Development Site 1 is presently improved with a one-story, 12,844 gsf, building with 6 different UG 6 local retail businesses, including a laundromat, a deli, a supermarket, a take-out restaurant, a nail salon, and a dry-cleaners built to a FAR of 0.88. Under the Future With-Action scenario, the Proposed Actions would amend the zoning map to change the existing R6A/C2-4 district to an R7D/C2-4 district. It is assumed that Projected Development Site 1 would be developed to the maximum FAR of 5.6 and a maximum height of 115 feet.

The building and its uses in its existing condition conform to the design character of the neighborhood with regards to height and bulk for buildings that only contain retail uses. Although, along Cortelyou Road, many of the buildings include ground floor commercial uses with UG2 residential dwelling units on the upper

floors. Buildings along Cortelyou Road are generally built to their lot line, low- to mid-rise, and approximately 15- to 40-feet in height rising without setback.

The built form of the Study Area is varied. The area is characterized by a mix of one- and two-family residential uses, multi-family residential (both walk-up and elevator) uses, commercial uses, and mixed residential and commercial uses. The area is well developed and very dense, and no vacant lots are located within the 400-foot study area. The commercial uses are comprised of UG 6 local retail uses including bodegas, delis, nail salons, barber shops, restaurants, pharmacies, and grocery stores. The prevailing built form in the area is a mix of low- to mid-rise residential and small apartment buildings. Nearly all the buildings within the study area are arranged regular (parallel) with respect to their lot placement.

Along Cortelyou Road, many of the buildings west of East 17th Street are commercial uses or mixed residential and commercial uses. The buildings are generally between 15 and 35 feet in height. North of Cortelyou Road, the primary land uses are UG1 and UG2 residential buildings, many of which are detached one and two- family homes, especially along East 17th Street and East 16th Street.

South of the Projected Development Site, along East 16th Street and East 17th Street are multi-family elevator residential buildings. These buildings are approximately 70-75 feet or so in height and 6-8 stories. These building are grouped together within the study area to the south and east of the Project Area, south of Cortelyou Road.

Most of the streets contain street trees, which are generally located at irregular intervals. No other notable streetscape elements (e.g. benches, plazas) are located within the study area.

The study area does not contain any parks or open space or contain any notable natural features. Similarly, the study area does not contain historic resources and is generally void of visual resources. There are not any buildings of note within the study area and there are no landmarks within the study area or any buildings with interesting architectural features such as churches

One notable feature is the MTA “Q” train right of way, which runs between Marlborough Road and East 16th Street to the west of the Project Site. However, while not enclosed, this segment of the “Q” train runs below street grade and does not have any real impact on how the neighborhood is viewed from the street or the urban design character of the neighborhood. (See **Figure 2.5-1**)

Cortelyou Road as an east-west street with one lane of traffic in each direction and one parking lane on each side of the street. East 16th Street is one-way southbound while East 17th Street is one-way northbound. Both streets have parking on each side of the street.

Future No-Action Scenario

Under the Future No-Action Condition, significant changes to the study area are not expected by the analysis year of 2022. It is anticipated that while tenants within area buildings may change, the overall use of these buildings would remain the same, and any physical changes would comply with applicable zoning regulations. No significant changes to the area’s urban character are anticipated.

Future With-Action Scenario

While the With-Action scenario would bring a density (up to 11 stories and 115 feet) to the study area that does not currently exist, the Proposed Action would not negatively affect urban design in the area. Adjacent to the Project Area, as previously discussed, there are multifamily residential buildings which are 6-8 stories tall and 70-75 feet in height, similar to the proposed project in the With-Action scenario. The new density would not alter the way the pedestrian experiences the street or the urban design character of the area. There are no architecturally significant buildings in the area and the building would not significantly affect any views of the area. The uses would fit in well with the existing commercial retail along Cortelyou Road and the new density would blend in with the existing medium density buildings just to the east of the Project Area.

Because the proposed development would be built within the existing building footprint on the Project Site, the development in the With-Action Scenario would not alter or disrupt the existing street grid or change the arrangement and orientation of streets in the area. Additionally, the Proposed Action would not permanently alter the exiting sidewalks that bound the Project Site to the north and to the west. Furthermore, there would not be any changes to the existing sidewalk layout. Overall, the development in the Future With-Action would not alter the existing streets, street grid, streetscape, and sidewalks.

The projected development under the With-Action Scenario would include retail uses on the ground floors. These uses would further activate the street level and improve the visual quality of the streetscape with a new modern building. As such, the Proposed Action would enhance the commercial corridor and view corridor along Cortelyou Road. Furthermore, Cortelyou Road is a wide street and greater bulk is generally more appropriate on wide as compared to narrow streets. As such, the bulk proposed for the Projected Development Site is appropriate for Cortelyou Road.

While the proposed building would change views of the site as witnessed by pedestrians on Cortelyou Road East 17th Street and East 16th Street, significant adverse impacts to urban design and visual resources, as previously discussed, would not occur. The Proposed Actions would not result in any conditions that would merit further detailed assessment of urban design and visual resources. While no other 11-story buildings are located within the study area, several other 6-8 story buildings, are found across the street and adjacent to Projected Development Site 1. The Proposed Actions would also not block any view corridors or views to/from any natural areas with rare or defining features, as the proposed building is contained to the subject site. Therefore, the Proposed Actions are not expected to result in any significant adverse urban design or visual resource related impacts. **Figures 2.5-2 and 2.5-3** highlight the future With-Action Scenario of both the Applicant-owned.



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MTA "Q" Train Entrance

Figure 2.5-1

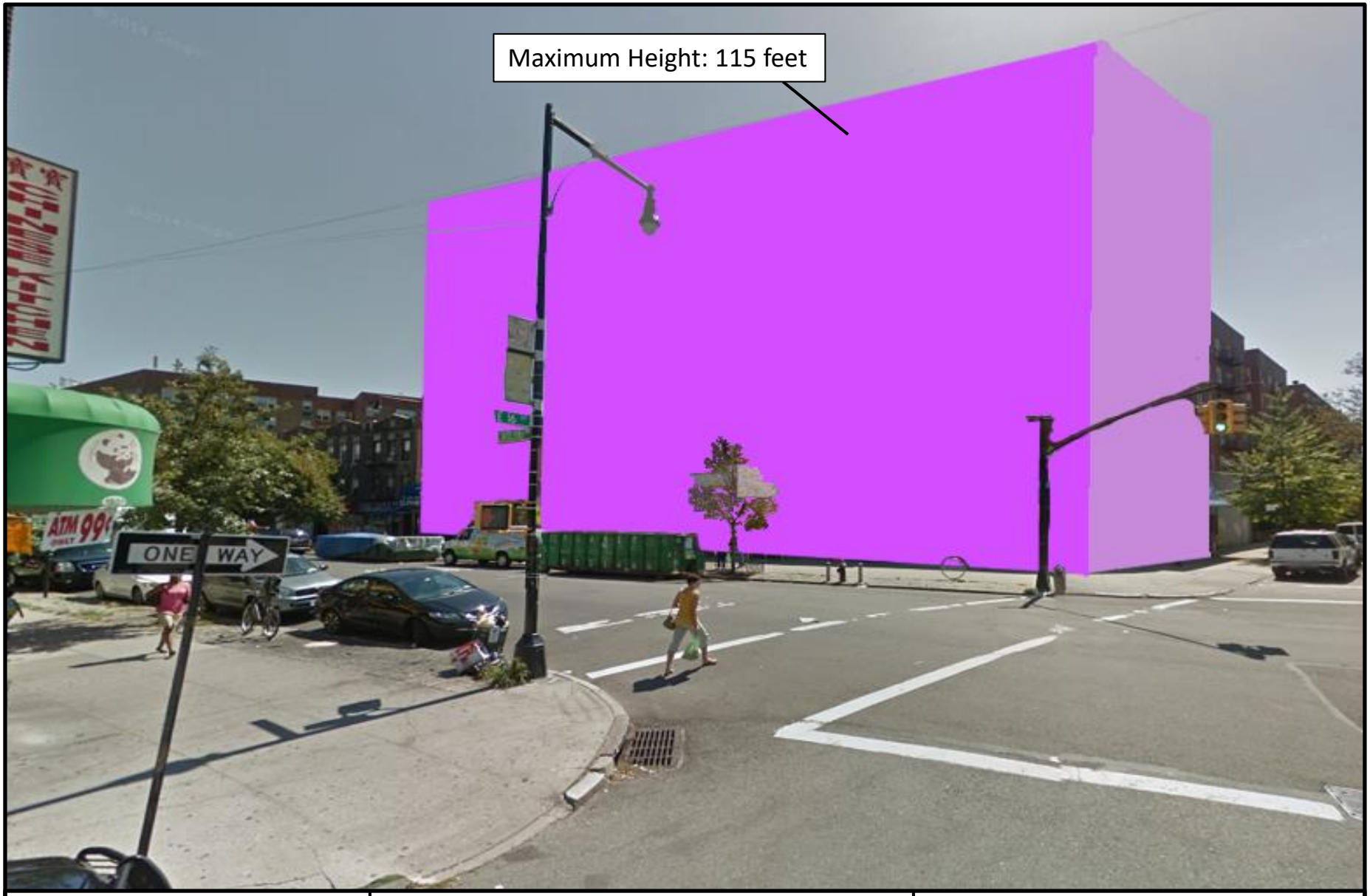


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No-Action Scenario
Cortelyou Rd & East 16th Street
facing south

Figure 2.5-2



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With-Action Scenario
Cortelyou Rd & East 16th Street
facing south

Figure 2.5-3

2.6 NATURAL RESOURCES

The proposed project will not adversely affect natural resources. An assessment of a project's impact on natural resources is typically performed for actions that would either occur on or near natural resources (e.g., wetlands, woodlands, meadows, etc.) or for actions that would result in the direct or indirect disturbance of such resources.

The Project Site is in a disturbed urban environment. The habitat value of the Project Site for native species is low as a result of the extensive development of the site, which no longer contains natural resources of any significance. Therefore, further analysis related to the impacts of the proposed project on natural resource is not warranted.

Considering the above, the proposed project would not result in a significant adverse impact to natural resources, and no further evaluation is required. The Project Site is located within the Jamaica Bay Watershed Protection Area. Consequently, the *Jamaica Bay Watershed Protection Plan Project Tracking Form* has been completed and is contained in **Appendix D.**

2.7 HAZARDOUS MATERIALS

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 (VOCs and SVOCs), methane, polychlorinated biphenyls (PCBs), and hazardous wastes (defined as substances that are chemically reactive, ignitable, corrosive, or toxic). According to the *CEQR Technical Manual*, the potential for significant impacts from hazardous materials can occur when: a) hazardous materials exist on a site; and b) action would increase pathways to their exposure; or c) an action would introduce new activities or processes using hazardous materials.

2.7.1 Phase I ESA Summary

The applicant, 1600/1620 Realty Corp. (1600/1620) contracted with AECOM to perform a Phase I Environmental Site Assessment (ESA) of a commercial property located at 1600-1620 Cortelyou Road, Brooklyn, Kings County, New York (subject property). This assessment was conducted as part of the potential rezoning of the subject property. This Phase I ESA was performed in general conformance with the scope and limitations of the American Society for Testing and Materials (ASTM) Standard Practice Designation E 1527-13 for ESAs. Exceptions to, or deletions from, this practice are described in this report.

The subject property is defined herein as a 12,800-square foot, one-story, multi-tenant retail building with a basement that is occupied by tenants including a dry cleaner, a nail salon, a restaurant, a grocery store and a laundromat located at 1600-1620 Cortelyou Road, Brooklyn, Kings County, New York. Based on the information provided, the dry-cleaning facility ceased onsite dry-cleaning operations in 2013 and has been a drop-off only facility since that time. According to the City of New York Department of Finance, the subject property is designated as Block 5159, Lot 1. During the site visit, no visual evidence of underground storage tanks (e.g., vent pipes, fill ports), potable water wells, monitoring wells, dry wells, clarifiers, septic tanks, or leach fields was observed on the subject property. A 275-gallon fuel oil aboveground storage tank (AST) which was reportedly removed from service in 2015 is located within the basement of the dry-cleaning facility tenant space. Vent and fill pipes associated with this AST are visible to the north of the dry cleaners along Cortelyou Road. Five drums, each containing approximately 20 gallons of waste dry cleaning fluids are stored outdoors to the south of the dry-cleaning tenant space. Floor drains and sumps were present in the laundromat and the grocery store and reportedly discharge into the municipal sewer system. No visual evidence of discolored soil, water, or unusual vegetative conditions or odors was observed during the site visit.

The subject property is in a mixed use commercial and residential area of Brooklyn. The properties located to the north across Cortelyou Road consist of buildings of mixed use including Chinese restaurant, organic food store, real estate agent, hair salon, dance studio, eye care center, barber shop, nail salon, a car service, a delicatessen-grocery store, and residential apartments. Properties to the east consist of a smoke shop, a butcher, a delicatessen, and residential apartments. Properties to the south consist of residential

apartments while properties to the west across East 16th Street consist of pharmacies, a liquor store, a dry cleaner, and residential apartments. Based on AECOM's site reconnaissance of the surrounding neighborhood, off-site sources of concern were identified based on observations and information obtained from environmental databases.

Historical research indicates the subject property was vacant in 1893. By 1905 the western portion of the subject property was developed with a building containing three residential dwellings and one office space and the remainder of the property was vacant land. By 1929, the subject property had been developed with a building containing ground level stores and the Sir Henry Hotel above. The 1950 Sanborn Map depicts the subject property to have been redeveloped with a multi-tenant retail building with storefronts facing Cortelyou Road. Historical documents suggest that the configuration of the subject property has changed very little since 1950. A review of historical documents indicates onsite tenants have included a various restaurants and grocery stores, a butcher, a stationer, a sportswear store, a hardware store, a furniture store, a fur shop, a drug store, a real estate office, a liquor store, a hardware store, a pharmacy, a nail salon, a beauty/hair salon, a bank and various laundry/dry cleaning facilities.

The Cortelyou Cleaners located at the subject property is identified on the Resource Conservation and Recovery Act (RCRA) Conditionally Exempt Small Quantity Generator (CESQG), United States Aerometric Information Retrieval System (USAIRS), Facility Index System/Facility Registry System (FINDS), Enforcement and Compliance History Information (ECHO), New York Facility and Manifest Data (NY Manifest), Registered Drycleaners (NY Drycleaners), and EDR Historical Dry Cleaner (EDR Hist Cleaner) environmental databases reviewed for this assessment. The dry cleaner was known as Best Choice / Lee White Cleaners at the time the facility was listed on several of the databases. These databases are associated with the use, disposal, and air emissions related to the use of volatile organic compounds in dry cleaning operations. Several surrounding sites were identified in the environmental database search report. However, the majority of these sites were listed on non-contamination-related databases. Based on AECOM's review and analysis of the database listings, none of the surrounding sites are expected to present a recognized environmental condition (REC) to the subject property, based on their distance (generally greater than 500 feet), regulatory status (i.e. regulatory closure, no violations found), media impacted (soil only), and/or topographical position relative to the subject property (i.e. down-gradient or cross-gradient) with the exception of two off-site dry cleaning facilities located hydrogeologically upgradient of the subject property.

The following RECs were identified during this assessment:

- The subject property was historically occupied by several dry-cleaning facilities from at least 1934 through 2013. In addition, waste dry cleaning fluids are still stored in the back of the facility. The long-term historic use of the property as a dry-cleaning facility is considered a REC.
- The presence of a dry cleaner at the subject property since 1934 suggests the possibility of a VEC and as such is considered an REC.
- A former dry cleaner and current dry-cleaning facility located west and hydrogeologically upgradient of the subject property were known to have provided onsite cleaning services. No additional information was identified during this assessment pertaining to potential environmental impacts from the former operations. Based on proximity, potential upgradient position, and the lack of information regarding their regulatory status, AECOM considers these off-site dry-cleaning facilities an REC.

Based on the above-described activities, no controlled RECs (CRECs), historical RECs (HRECs) or de minimis conditions (DMCs) were identified in connection with the subject property.

2.7.2 (E) Designations

To preclude the potential for significant adverse impacts, an (E) Designation- (E-564) would be established as part of the approval of the proposed actions on the applicant site (Projected Development Site 1). The text of the (E- 564) designation for would be 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 this (E) designation in place, no significant adverse impacts related to hazardous materials are expected, and no further analysis is warranted.

2.8 AIR QUALITY

When assessing the potential for air quality significant impacts, the *CEQR Technical Manual* seeks to determine a Proposed Action's effect on ambient air quality, or the quality of the surrounding air. Ambient air can be affected by motor vehicles, referred to as "mobile sources," or by fixed facilities, referred to as "stationary sources." This can occur during operation and/or construction of a project being proposed. The pollutants of most concern are carbon monoxide, lead, nitrogen dioxide, ozone, relatively coarse inhalable particulates (PM_{10}), fine particulate matter ($PM_{2.5}$), and sulfur dioxide.

The *CEQR Technical Manual* generally recommends an assessment of the potential impact of mobile sources on air quality when an action increases traffic or causes a redistribution of traffic flows, creates any other mobile sources of pollutants (such as diesel train usage), or adds new uses near mobile sources (e.g., roadways, parking lots, garages). The *CEQR Technical Manual* generally recommends assessments when new stationary sources of pollutants are created, when a new use might be affected by existing stationary sources, or when stationary sources are added near existing sources and the combined dispersion of emissions would impact surrounding areas.

2.8.1 Mobile Sources

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

- Projects that would result in placement of operable windows, balconies, air intakes or intake vents generally within 200 feet of an atypical source of vehicular pollutants.

- Projects that would result in the creation of a fully or partially covered roadway, would exacerbate traffic conditions on that roadway, or would add new uses near such a roadway.

- Projects that would generate peak hour auto traffic or divert existing peak hour traffic of 170 or more auto trips in this area of the City.

- Projects that would generate peak hour heavy-duty diesel vehicle traffic or its equivalent in vehicular emissions resulting from 12 or more heavy-duty diesel vehicles (HDDVs) for paved roads with average daily traffic of fewer than 5,000 vehicles, 19 or more HDDVs for collector roads, 23 or more HDDVs for principal and minor arterials, or 23 or more HDDVs for expressways and limited-access roads.

- Projects that would result in new sensitive uses (e.g., schools or hospitals) adjacent to large existing parking facilities or parking garage exhaust vents.

- Projects that would result in parking facilities or applications requesting the grant of a special permit or authorization for parking facilities; or projects that would result in a sizable number of other mobile sources of pollution (e.g., a heliport or a new railroad terminal).

- Projects that would substantially increase the vehicle miles traveled in a large area.

The Transportation section demonstrated that the 50-vehicle trip threshold would not be triggered during any one hour. Therefore, the Proposed Actions would not generate enough peak hour auto traffic to warrant a mobile source analysis.

HDDV Screen

According to NYSDOT Cortelyou Road is considered a Major Collector Road, while East 16th and East 17th Street are considered local roads. The RWCDS did not warrant a traffic analysis as fewer than 50 incremental vehicle trips would be generated by the proposed actions based on incremental density.

Therefore, conservatively assuming that the RWCDS development would generate an increment of 50 vehicle trips primarily along the main road in the area, Cortelyou Road, the proposed actions would generate 10 truck equivalents along a collector road, less than the PM2.5 screen value of 20 truck equivalents on a collector roads and no further analysis is warranted.

The Proposed Actions would not result in any of the above-mentioned thresholds being crossed and therefore would not require further mobile source assessment.

2.8.2 Stationary Sources

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

- New stationary sources of pollutants are created (e.g., emission stacks for industrial plants, hospitals, other large institutional uses).

- Certain new uses near existing (or planned future) emissions stacks are introduced that may affect the use.

- Structures near such stacks are introduced so that the structures may change the dispersion of emissions from the stacks so that surrounding uses are affected.

- Fossil fuels (fuel oil or natural gas) for heating/hot water, ventilation, and air conditioning systems are used.
- Large emission sources are created (e.g., solid waste or medical-waste incinerators, cogeneration facilities, asphalt/concrete plants, or power-generating plants, etc.).
- New sensitive uses are located near a large emission source.
- Medical, chemical, or research labs are created or result in new uses being located near them.
- Operation of manufacturing or processing facilities is created.
- New sensitive uses created within 400 feet of manufacturing or processing facilities.
- New uses created within 400 feet of a stack associated with commercial, institutional, or residential developments (and the height of the new structures would be similar to or greater than the height of the emission stack).
- Potentially significant odors are created.
- New uses near an odor-producing facility are created.
- "Non-point" sources that could result in fugitive dust are created.
- New uses near non-point sources are created.

  A generic or programmatic action is introduced that would change or create a stationary source or that would expose new populations to such a stationary source.

The air quality assessment was conducted to evaluate potential impacts:

a. From the Proposed HVAC system of Projected Site 1 on existing site;

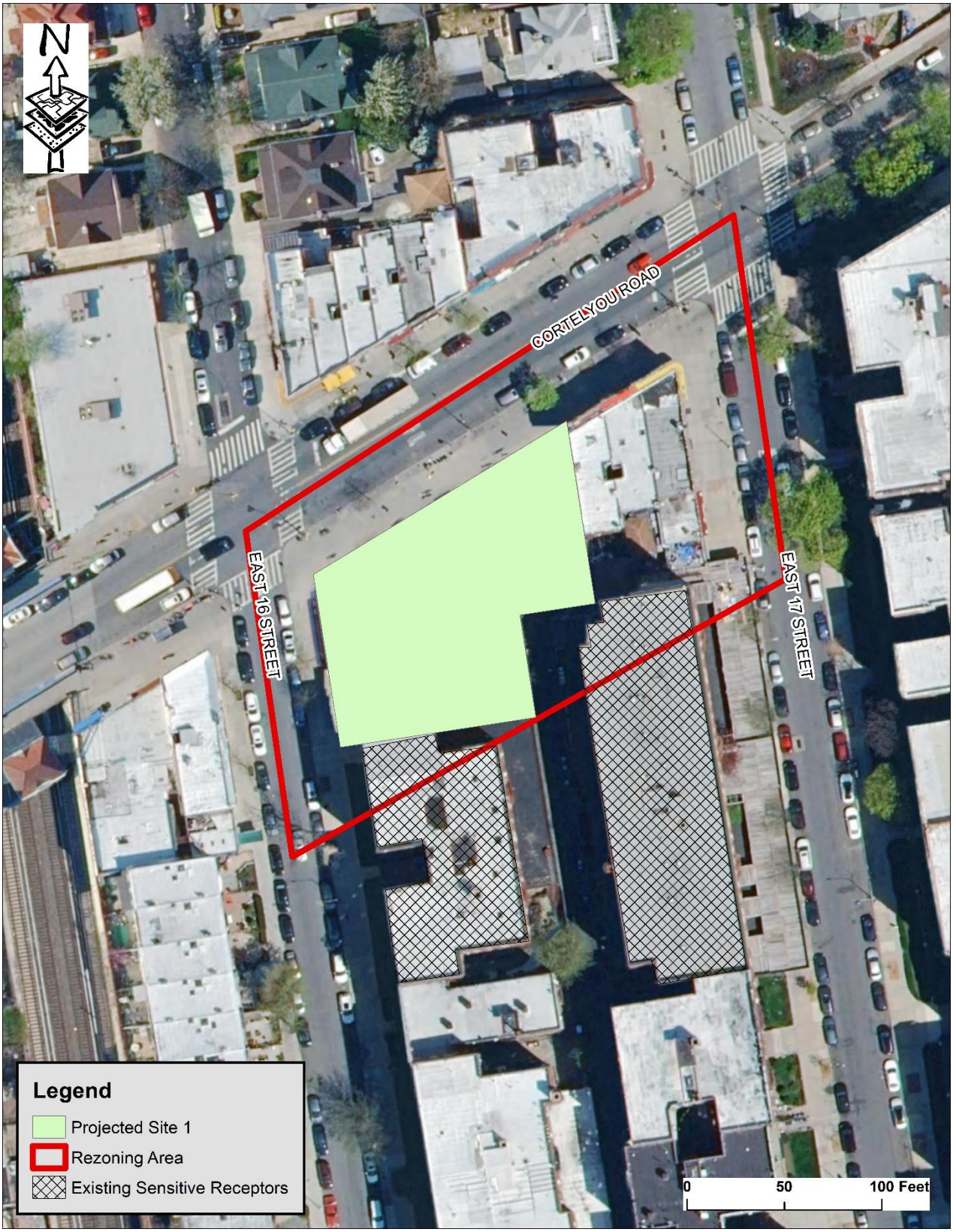
2.8.3 Methodologies and Assumptions

Potential impacts from HVAC boiler emissions are a function of fuel type, stack height, distance from the source to the nearest receptor (building), and size of floor area in square feet (sq ft) of a proposed development. Floor area is considered an indicator of boiler fuel usage rate. The preliminary screening analysis for heat and hot water systems has been established based on *New York City Environmental Quality Review (CEQR) Technical Manuel* Figure 17-3, which defines the screening size of proposed development that is correlated to the distance to the nearest building of a height similar to or greater than the stack height of the proposed building(s). Figure 17-3 predicts the threshold of development size below which a project is unlikely to have a significant impact. This methodology is only appropriate for single building or source. It should also be noted that Figure 17-3 in *CEQR Technical Manuel* is only appropriate for sources at least 30 feet from the nearest building of similar or greater height.

As shown **in Figure 2.8-2**, Projected Development Site 1 would not cause any potential adverse air quality impact to any building with the similar height or above located more than 99 feet from the Projected Development Site/. Based on the site visit, there are no existing buildings with the height of 105 feet or above located within the 99-feet radius of Projected Development Site 1. The nearest building of equal or greater height is P.S. 139 located at 330 Rugby Road, approximately 615 feet away from the Projected Development Site. Therefore, there would be no potential adverse air quality impact from the Projected Site 1 on existing residential and sensitive receptor buildings with similar height and no further analysis is required.

2.8.4 Major Emissions Sources for Air Toxics

A screen for major emissions sources for air toxics and industrial source emissions, using both 400' and 1,000' search areas respectively from the Rezoning Area, was conducted. The screen found that there were no air toxic or industrial source permits within the search areas using the same databases as mentioned in the previous section. Therefore, no impacts regarding air toxics or industrial source emissions are expected in the With-Action Scenario and no further analysis is required.

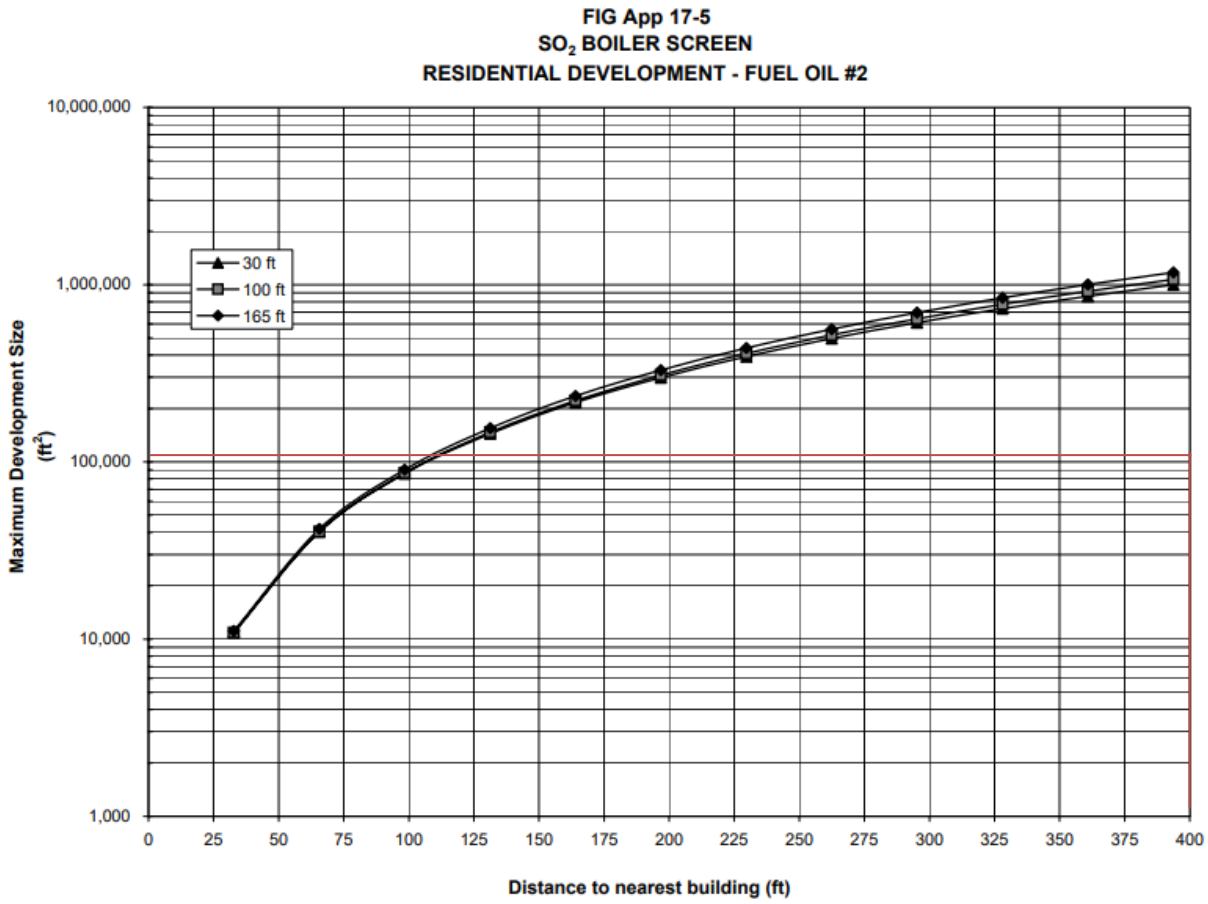


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Environmental Assessment Statement
1620 Cortelyou Road Rezoning
Brooklyn, NY

Projected Site Location
Figure 2.8-1

Figure 2.8-2 HVAC Screening



Stack Height- 105 Feet
Proposed GSF-105,305
Distance to nearest building of similar or greater height- 615 Feet

2.9 NOISE

As a change in land use may result in a change in type and intensity of noise perceived by residents, patrons and employees of a neighborhood, the *CEQR Technical Manual* recommends an analysis of the two principal types of noise sources: mobile sources and stationary sources. Both types of noise sources are examined in the following sections.

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

In terms of hearing, humans are less sensitive to low frequencies (<250 Hz) than mid-frequencies (500-1,000 Hz). Humans are most sensitive to frequencies in the 1,000 to 5,000 Hz range. Since ambient noise contains many different frequencies all mixed together, measures of human response to noise assign more weight to frequencies in this range. This is known as the A-weighted sound level.

Noise is measured in sound pressure level (SPL), which is converted to a decibel scale. The decibel is a relative measure of the sound level pressure with respect to a standardized reference quantity. Decibels on the A-weighted scale are termed “dB(A).” The A-weighted scale is used for evaluating the effects of noise in the environment because it most closely approximates the response of the human ear. On this scale, the threshold of discomfort is 120 dB(A), and the threshold of pain is about 140 dB(A). **Table 5** shows the range of noise levels for a variety of indoor and outdoor noise levels.

Because the scale is logarithmic, a relative increase of 10 decibels represents a sound pressure level that is 10 times higher. However, humans do not perceive a 10 dB(A) increase as 10 times louder; they perceive it as twice as loud. The following are typical human perceptions of dB(A) relative to changes in noise level:

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

2.9.1 Mobile Sources

Mobile noise sources are those which move in relation to receptors. The mobile source screening analysis addresses potential noise impacts associated with vehicular traffic generated by the Proposed Actions.

According to the *CEQR Technical Manual*, if existing passenger car equivalent (PCE) values are increased by 100 percent or more due to a Proposed Action, a detailed analysis is generally performed. Based on the transportation screening assessment, traffic volumes expected to be generated in the future With-Action scenario would not constitute a significant number of new trips. Therefore, a significant increase in the number of Noise PCEs are not expected. As such, the proposed project would not be expected to cause a significant adverse vehicular noise impact, and therefore, no further vehicular noise analysis is needed.

As discussed in the *CEQR Technical Manual*, if the proposed project is in an area with high ambient noise levels, which typically include those near heavily-traveled thoroughfares or other loud activities, further noise analysis may be warranted to determine the attenuation measures for the project. The proposed development sites are located at the corner of Eastern Parkway and Atlantic Avenue, in an area with high ambient noise levels. Although the project is unlikely to generate sufficient traffic volumes to warrant a mobile source analysis, the ambient noise levels were measured to provide an assessment of the potential for traffic noise to have a significant adverse effect on future residents.

Table 5 Sound Pressure Level & Loudness of Typical Noises in Indoor & Outdoor Environments

Noise Level dB(A)	Subjective Impression	Typical Sources		Relative Loudness (Human Response)
		Outdoor	Indoor	
120-130	Uncomfortably Loud	Air raid siren at 50 feet (threshold of pain)	Oxygen torch	32 times as loud
110-120	Uncomfortably Loud	Turbo-fan aircraft at take-off power at 200 feet	Riveting machine Rock band	16 times as loud
100-110	Uncomfortably Loud	Jackhammer at 3 feet		8 times as loud
90-100	Very Loud	Gas lawn mower at 3 feet Subway train at 30 feet Train whistle at crossing Wood chipper shredding trees Chain saw cutting trees at 10 feet	Newspaper press	4 times as loud
80-90	Very Loud	Passing freight train at 30 feet Steamroller at 30 feet Leaf blower at 5 feet Power lawn mower at 5 feet	Food blender Milling machine Garbage disposal Crowd noise at sports event	2 times as loud
70-80	Moderately Loud	NJ Turnpike at 50 feet Truck idling at 30 feet Traffic in downtown urban area	Loud stereo Vacuum cleaner Food blender	Reference loudness (70 dB(A))
60-70	Moderately Loud	Residential air conditioner at 100 feet Gas lawn mower at 100 feet Waves breaking on beach at 65 feet	Cash register Dishwasher Theater lobby Normal speech at 3 feet	2 times as loud
50-60	Quiet	Large transformers at 100 feet Traffic in suburban area	Living room with TV on Classroom Business office Dehumidifier Normal speech at 10 feet	1/4 as loud
40-50	Quiet	Bird calls Trees rustling Crickets Water flowing in brook	Folding clothes Using computer	1/8 as loud
30-40	Very quiet		Walking on carpet Clock ticking in adjacent room	1/16 as loud
20-30	Very quiet		Bedroom at night	1/32 as loud
10-20	Extremely quiet		Broadcast and recording studio	
0-10	Threshold of Hearing			

Sources: Noise Assessment Guidelines Technical Background, by Theodore J. Schultz, Bolt Beranek and Newman, Inc., prepared for the US Department of Housing and Urban Development, Office of Research and Technology, Washington, D.C., undated; Sandstone Environmental Associates, Inc.; Highway Noise Fundamentals, prepared by the Federal Highway Administration, US Department of Transportation, September 1980; Handbook of Environmental Acoustics, by James P. Cowan, Van Nostrand Reinhold, 1994.

The *CEQR Technical Manual* provides noise exposure guidelines in terms of L_{eq} and L_{10} for the maximum amount of allowable noise under existing regulations. L_{eq} is the continuous equivalent sound level. The sound energy from the fluctuating sound pressure levels (SPLs) is averaged over time to create a single

number to describe the mean energy or intensity level. High noise levels during a measurement period will have greater effect on the L_{eq} than low noise levels. The L_{eq} has an advantage over other descriptors because L_{eq} values from different noise sources can be added and subtracted to determine cumulative noise levels. In comparison, L_{10} is the SPL exceeded 10 percent of the time. Similar descriptors include the L_{50}, L_{01}, and L_{90} values.

This analysis describes the noise measurement results collected on Sep 27, 2017 at two locations in front of the 1620 Cortelyou Road Rezoning area consisting of one projected site, as shown in **Figure 2.9-1.** Additionally, a noise measurement was conducted at the third location to assess the noise level directly from the subway tracks as shown in **Figure 2.9-2**. This noise measurement was collected on September 26th, 2019. Subway counts were documented simultaneously. These measurements were then compared with New York City Department of Environmental Protection (NYCDEP)-established exterior noise exposure guidelines, Table 19-2 in the *City Environmental Quality Review (CEQR) Technical Manuel*, to determine the appropriate building noise attenuation values with potential to be required for any of proposed buildings to achieve acceptable interior noise levels per Table 19-3 in the *CEQR Technical Manual*.

Noise Measurement

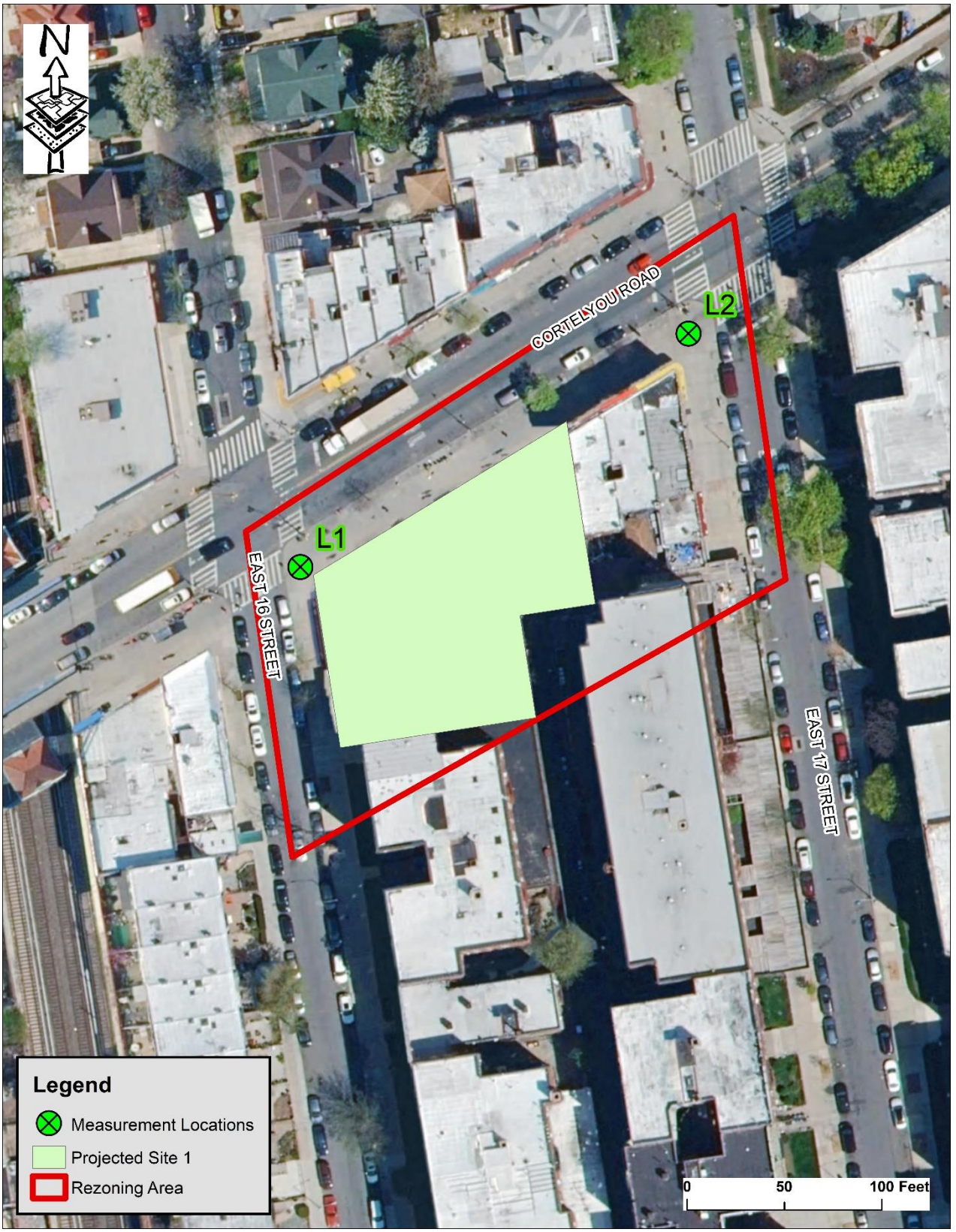
Noise measurements were conducted at two locations (**Figure 2.9-1 and Figure 2.9-2**) during peak vehicular travel periods, 7:00-9:00 am, 12:00-1:30 pm, and 4:30-6:30 pm. The weather conditions were normal with calm wind and was considered suitable for an ambient noise measurement.

A Type 1 Larson Davis LxT sound level meter with wind shield was used to conduct noise monitoring. The meter was placed on a tripod at a height of approximately five feet above the ground, away from any reflective surfaces. The meter was calibrated prior to and following each monitoring session.

Noise measurements were conducted in front of each projected site on the sidewalk at:

- Location 1: intersection of Cortelyou Road and East 16th Street
- Location 2: intersection of Cortelyou Road and East 17th Street
- Location 3: to the west of intersection of Albemarle Road and East 17th Street

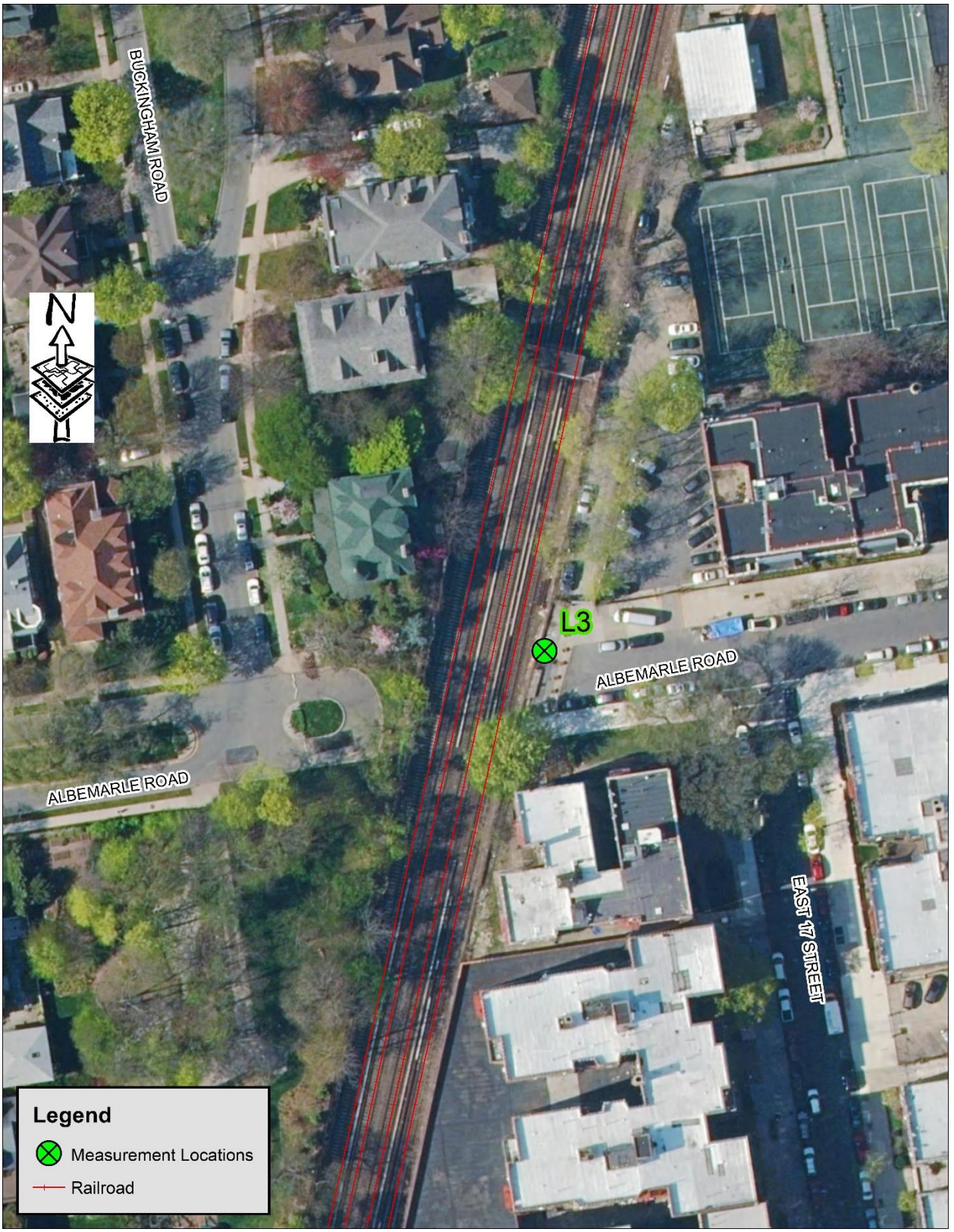
Traffic volumes and vehicle classification along the adjacent roads at each location were counted concurrently during the noise measurement duration.



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Noise Measurement Locations 1 & 2
Figure 2.9-1



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Noise Measurement Location 3
Figure 2.9-2



Meter Setup at Location 1



Meter Setup at Location 2


Meter Setup at Location 3

Measurement Summary

Tables 6, 7, and 8 present the ambient noise levels in terms of various noise metrics measured at three locations mentioned above during three daytime periods. L_{10} is the metric used by NYCDEP in establishing the exterior noise exposure guidelines.

Since the Metropolitan Transportation Authority (MTA) subway B and Q train tracks are located at the cut approximately 150 feet west of the Projected Site 1, 1-hour measurements, as recommended in the *CEQR Technical Manuel,* were taken at Location 3.

Table 6: Noise Levels in dBA at Location 1

Noise Metric	Time Period		
	8:07-9:07 AM	12:57-1:57 PM	5:38-6:38PM
L_{eq}	71.0	69.7	70.0
L_{max}	89.5	89.0	90.5
L_{10}	**73.8**	**72.4**	**73.7**
L_{50}	67.3	64.7	65.6
L_{90}	60.4	57.4	61.3
L_{min}	52.1	52.7	57.1

Table 7: Noise Levels in dBA at Location 2

Noise Metric	Time Period		
	7:37-7:57 AM	12:24-12:44 PM	5:09-5:29 PM
L_{eq}	69.4	68.8	69.2
L_{max}	91.7	83.9	81.4
L_{10}	**72.4**	**72.1**	**72.6**
L_{50}	64.6	64.2	66.2
L_{90}	59.6	58.5	60.9
L_{min}	54.5	54.6	57.7

Table 8: Noise Levels in dBA at Location 3

Noise Metric	Time Period		
	7:26-8:26 AM	11:58-12:58 PM	4:31-5:31 PM
L_{eq}	79.0	**75.5**	76.7
L_{max}	97.5	95.6	98.0
L_{10}	**80.8**	**73.0**	**78.9**
L_{50}	52.7	51.7	55.9
L_{90}	49.6	47.5	51.1
L_{min}	47.3	44.6	47.7

Calculation and Assessment

Based on field observation and recorded data during noise measurement, the dominant noise source at ground level is vehicular noise from the trucks moving and stop along Cortelyou Road.

However, the projected development site is near the existing train activity and could potentially experience increased noise levels at floors with a direct line of sight to the existing below-grade train. Therefore, an assessment of train noise is needed as per CEQR Technical Manual 2014.

Per The 2014 *CEQR Technical Manual, Chapter 19, Section 332.1* measured data from a site in the area may sometimes be adjusted assuming a 3 dB(A) attenuation per doubling of distance to estimate existing noise levels at the receptor location. Therefore, following equation was used to calculate the noise level at different distances: $Lp1 = Lp2 - 10 * \log\left(\frac{d1}{d2}\right)$

Where: Lp1 is sound pressure level at the receptor;
Lp2 is sound pressure level at the reference location;
d1 is the distance from the source to the receptor;
d2 is the distance at which the source sound level data is known

Location 1 was used as the reference location for vehicular noise. And Location 3 was used as the reference location for subway noise.

Table 9 presents the noise levels (Leq and L10) with street level vehicle and below-grade subway combined.

Table 9: Calculated Noise Levels at Different Levels

Floor #	Height (ft)	Noise Level (Leq) from ground vehicles	Noise Level (Leq) from below-grade subway	Combined Noise Level (Leq)	Combined Noise Level (L10)
6	56	67.7	72.4	73.7	75.5
7	66	67.2	72.3	73.5	75.3
8	76	66.6	72.2	73.3	75.1
9	86	66.2	72.1	73.1	74.9
10	96	65.7	72.0	72.9	74.7

There would be no direct sight-of-line from the fifth floor and below of the proposed building since they would be blocked by the existing buildings.
As the highest noise level (L_{10}) calculated is 75.5 dBA. It would be used to determine the window-wall attenuation at all façades facing East 16th Street and all façades facing Cortelyou Road of the proposed development.

Conclusion

Comparing to *CEQR Technical Manual* guidelines, existing noise levels measured at both two locations are in the "marginally unacceptable" category. Therefore, a 31-dBA window-wall attenuation is required for the residential use along Cortelyou Road and E 16th Street, and a 28-dBA window-wall attenuation is required at all façade facing East 17th Street and all façade facing Dorchester Road. (see **Figure 2.9-3**).

As (E)- Designation number has been assigned to this project (E- 564). The text of the E-Designation would be as follows:

Block 5159, Lot 1: To ensure an acceptable interior noise environment, future residential/commercial office uses must provide a closed-window condition with a minimum of 31 dBA window/wall attenuation on the facades facing Cortelyou Road and the facades facing East 16th Street and 28 dBA of attenuation on the facades facing East 17th Street and the facades facing Dorchester Road to maintain an interior noise level not greater than 45 dBA for residential uses or not greater than 50 dBA for commercial office uses. To maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, air conditioning.



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Require Attenuation
Figure 2.9-3

2.9.2 Stationary Sources

The *CEQR Technical Manual* states that based upon previous studies, unless existing ambient noise levels are very low and/or stationary source levels are very high (and there are no structures that provide shielding), it is unusual for stationary sources to have significant impacts at distances beyond 1,500 feet. A detailed analysis may be appropriate if the proposed project would: cause a substantial stationary source (i.e., unenclosed mechanical equipment for manufacturing or building ventilation purposes, playground, etc.) to be operating within 1,500 feet of a receptor, with a direct line of sight to that receptor; or introduce a receptor in an area with high ambient noise levels resulting from stationary sources, such as unenclosed manufacturing activities or other loud uses. Machinery, mechanical equipment, heating, ventilating and air-conditioning units, loudspeakers, new loading docks, and other noise associated with building structures may also be considered in a stationary source noise analysis. Impacts may occur when a stationary noise source is near a sensitive receptor and is unenclosed.

No unenclosed stationary noise sources of concern were observed during field inspections. As the proposed development sites are not subject to high ambient noise levels from any nearby stationary source, no stationary source noise impacts from surrounding uses are anticipated. Additionally, as the proposed project would not introduce a new stationary noise source, no significant adverse stationary source impacts are anticipated as a result of the Proposed Actions, and no further analysis is warranted.

Appendices

Appendix A- Applicant Plans

1620 CORTELYOU ROAD

PROJECT NUMBER: 1595NJ
DOB JOB NUMBER:

CLIENT

TONY DOLEH
1610 CORTELYOU ROAD
BROOKLYN, NY 11226

DRAWING LIST

A-001.00	TITLE SHEET
A-002.00	SITE SURVEY, TAX & ZONING MAP
A-003.00	ZONING ANALYSIS
A-004.00	SITE PLAN
A-005.00	1ST FLOOR PLAN
A-006.00	TYP. 2ND – 8TH FLOOR PLANS
A-007.00	9TH FLOOR PLAN
A-008.00	BUILDING SECTIONS/HEIGHT DIAGRAMS
A-009.00	BUILDING ELEVATIONS



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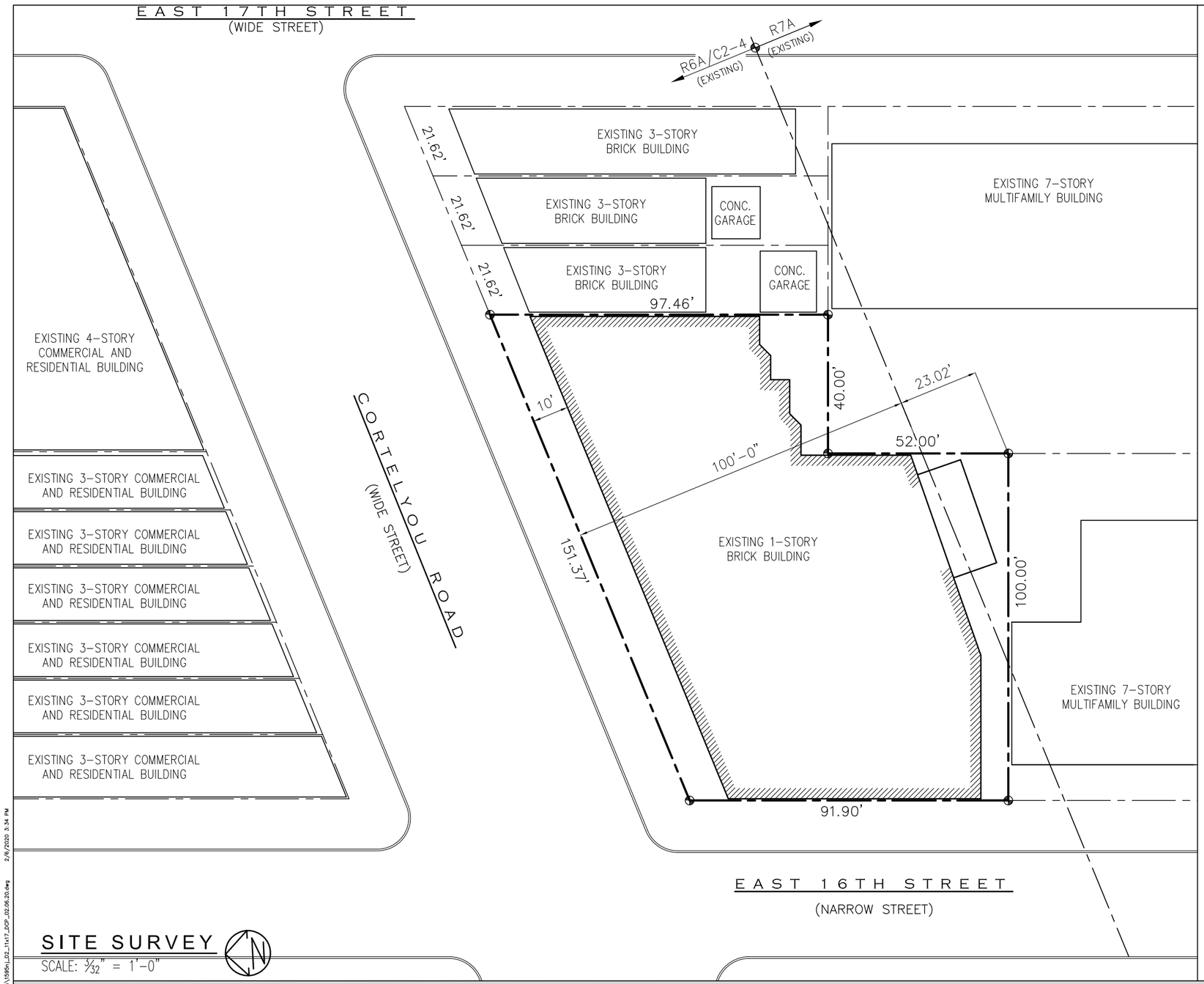
JOB NO. 1595NJ
DATE: 01.10.18
DRAWN BY: N.P.
CHECKED BY: V.F.

TITLE SHEET

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SITE SURVEY

SCALE: 3/32" = 1'-0"



ZONING MAP

SUBJECT PROPERTY

N.T.S.



TAX MAP

N.T.S.

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JOB NO. 1595NJ
DATE: 01.10.18
DRAWN BY: N.P.
CHECKED BY: V.F.

SITE SURVEY, TAX MAP & ZONING MAP

A-2.0

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PREMISE:			
	1620 CORTELYOU ROAD BROOKLYN, NY	BLOCK: 5159 LOT: 1	MAP: 22C
		EXISTING	PROPOSED
ZONING DISTRICT:			
		R6A/C2-4 & R7A	R7D/C2-4 W/ INCL. HOUSING
USE REGULATIONS:			
Z.R. 22-00	PERMITTED USE GROUPS	1-4, 5-9, 14	(2) RESIDENTIAL, (6) RETAIL

LOT AREA:		R6A	R7A	ALLOWED	PROPOSED
	SF PER ZONE	14,061.75 SF	753 SF	14,814.75 SF	
	COMBINED	14,814.75 SF			

F.A.R. REGULATIONS:					
Z.R. 23-154	RESIDENTIAL W/ INCL HOUSING	2.7(BASE) 37,966.73 3.6(MAX) 50,622.3	3.45(BASE) 2,597.85 4.6 (MAX) 3,463.8	4.2(BASE)62,221.9 SF 5.6(MAX)82,962.8 SF	4.95/ 73,402.0 SF
Z.R. 35-311	COMMERCIAL	2.0 (28,123.5 SF)	2.0 (1,506 SF)	2.0 (29629.5 SF)	0.65/9,560.0 SF
	MAX. BUILDING F.A.R.	3.6 (50,622.3 SF)	4.6/ 3,463.8 SF	5.6/ 82,962.82 SF	5.6/ 82,962.82 SF

FLOOR AREA BREAKDOWN

	ACT. AREA	DEDUCTIONS	COMMERCIAL	COM. FAC.	RESIDENTIAL	TOTAL Z.F.A.	UNITS PER FLOOR
CELLAR	13052.50	13052.50	0.0	0.0	0.00	0.00	
1ST FLOOR	13,052.50	2,570.50	9,560.0	0.0	922.00	10,482.00	0
2ND FLOOR	10,075.00	840.00	0.0	0.0	9,235.00	9,235.00	11
3RD FLOOR	10,075.00	840.00	0.0	0.0	9,235.00	9,235.00	11
4TH FLOOR	10,075.00	840.00	0.0	0.0	9,235.00	9,235.00	11
5TH FLOOR	10,075.00	840.00	0.0	0.0	9,235.00	9,235.00	11
6TH FLOOR	10,075.00	840.00	0.0	0.0	9,235.00	9,235.00	11
7TH FLOOR	10,075.00	840.00	0.0	0.0	9,235.00	9,235.00	11
8TH FLOOR	10,075.00	840.00	0.0	0.0	9,235.00	9,235.00	11
9TH FLOOR	8,675.00	840.00	0.0	0.0	7,835.00	7,835.00	8
	105,305.00	22,343.00	9,560.00	0.00	73,402.00	82,962.00	85
TOTAL ZONING FLOOR AREA		82,962.00	82,962.82		0.8		
			MAX ALLOWABLE		AVAILABLE		

LOT COVERAGE:			
Z.R. 23-153	RESIDENTIAL		
	PORTION WITHIN 100' OF CORNER	100%/ 14,416.22 SF	67%/ 9,691 SF
	PORTION BEYOND 100' OF CORNER	70%/287.90 SF	69%/ 201 SF

DENSITY REGULATIONS:			
Z.R. 23-22	GROSS AREA PER DWELLING UNIT	680 SF	
	MAX. # OF DWELLING UNIT (73,402/ 680 = 107.9)	108	85

YARD REGULATIONS:			
Z.R. 23-47	REAR YARD	0'	30' WHERE LIGHT & VENT ARE REQ.
Z.R. 23-462	SIDE YARD	0' OR 8'	0'
Z.R. 35-651	STREET WALL LOCATION THE STREET WALL SHALL BE LOCATED ON THE STREET LINE AND EXTEND ALONG THE ENTIRE STREET FRONTAGE OF THE ZONING LOT UP TO AT LEAST THE MINIMUM BASE HEIGHT SPECIFIED IN SECTION 35-652 AND 23-662,OR THE HEIGHT OF THE BUILDING, WHICHEVER IS LESS.	0'	0' ALONG CONRTELYOU RD. 0' ALONG EAST 16TH STREET

HEIGHT AND SETBACK REGULATIONS:			
Z.R. 23-664	MIN. BASE HEIGHT (FT)	60'	
Z.R. 23-664	MAX. BASE HEIGHT (FT) *(WITH QUALIFYING GROUND FLOOR)*	95'	90'
Z.R. 23-664	MAX. BUILDING HEIGHT (FT./ STORIES)	115'/ 12 STORIES	102'/ 9 STORIES
Z.R. 23-663	SETBACK REGULATIONS AT A HEIGHT NOT LOWER THAN THE MINIMUM BASE HEIGHT OR HIGHER THAN THE MAX. BASE HEIGHT, A SETBACK WITH A DEPTH OF AT LEAST 15'-0" SHALL BE PROVIDED FROM ANY STREET WALL FRONTING A NARROW STREET. 10'-0" FROM A WIDE STREET.	15' ALONG E. 16TH STREET 10' ALONG CORTELYOU RD.	15' ALONG E. 16TH STREET 10' ALONG CORTELYOU RD.
Z.R. 23-621	DORMERS AS PERMITTED OBSTRUCTIONS MAX. OF 60% OF THE LENGTH OF THE STREET WALL AT THE FLOOR ENTIRELY BELOW THE MAXIMUM BASE HEIGHT	55'-2" ALONG E. 16TH STREET 90'-10" ALONG CORTELYOU RD.	31'-9" ALONG E. 16TH STREET 70'-3" ALONG CORTELYOU RD.

BALCONY REGULATIONS:			
Z.R. 23-132	BALCONIES 1. PROJECT NO MORE THAN 7' FROM THE WALL ITS PROJECTING FROM 2. BE UNENCLOSED IF PROJECTING OUTWARD. EXCEPT FOR PARAPET WALL NOT EXCEEDING 3'-8" IF RECESSED BE AT LEAST 33% OPEN 3. LOCATED @ THE 3RD STORY OR 20' ABOVE CURB LEVEL 4. HAVE AN AGGREGATE WIDTH OF NO MORE THAN 50% OF THE WIDTH OF THE BUILDING AT THE LEVEL IT PROJECTS FROM	7'-0" MAX PROJECTION 75' MAX. WIDTH (CORTELYOU RD.) 32' MAX. WIDTH (E. 16TH ST.)	30" MAX PROJECTION 75' MAX. WIDTH (CORTELYOU RD.) 32' MAX. WIDTH (E. 16TH ST.)
		REQUIRED/ MAX.	PROPOSED

ACCESORY OFF STREET PARKING CALCULATIONS:			
Z.R. 25-23	RESIDENTIAL PARKING REQUIREMENT	50% OF STANDARD D.U. (32)	44 ATTENDED SPACES
Z.R. 25-251	INCOME RESTRICTED HOUSING UNITS	0 WITHIN A TRANSIT ZONE	0
Z.R. 36-21	COMMERCIAL (FOOD STORE W/ MORE THAN 2,000 SF (PRC-A)	1 PER 1,000 SF (7 SPACES)	
Z.R. 36-21	COMMERCIAL SERVICE USE (PRC-A OR B)	1 PER 1,000 SF (3 SPACES)	
Z.R. 36-232	PARKING IN DISTRICTS WITH LOW PARKING REQ. PARKING REQUIREMENTS OF SEC. 36-21 SHALL NOT APPLY TO COMMERCIAL USES IN PRC-A OR B IF THE TOTAL # OF REQ. SPACES IS LESS THAN 40	10 REQ. < 40 = 0	0

BICYCLE PARKING CALCULATIONS:			
Z.R. 25-811	RESIDENTIAL	1 PER 2 DWELLING UNITS (42 SPACES)	42 SPACES
Z.R. 36-711	COMMERCIAL (GEN RETAIL)	1 PER 10,000 (1 SPACES)	1 SPACE

QUALITY HOUSING PROGRAM:			
Z.R. 28-21	MINIMUM SIZE OF DWELLING UNIT	400 SF	492 (SMALLEST UNIT)
Z.R. 28-25	DENSITY AND DAYLIGHT IN CORRIDORS 100% OF CORRIDOR CAN BE DEDUCTED IF WE PROVIDE BOTH: • WINDOWS WITH 20% GLAZING. • NO MORE THEN 11 UNITS SERVED PER CORRIDOR. (R7 ZONE)		
Z.R. 28-25	STANDARDS FOR RECREATION SPACE MIN DIMENSION OF 15'-0" (225 S.F. OUTDOOR) (300 S.F. INDOOR)	3.3% OF TOTAL RES. F.A. (2,422.23)	8,675 SF (ROOFTOP)

INCLUSIONARY HOUSING:			
	DWELLING UNITS		
	25% OF STANDARD D.U. TO BE SET ASIDE FOR AS I.H. UNITS 85 x 25% = 21.25 OR 21	25% (21 UNITS)	25% (21 UNITS)
	PARKING REQUIREMENTS		
	25% OF THE REQUIRED PARKING FOR STANDARD D.U. TO BE SET ASIDE FOR AS I.H. UNITS 85 x 50% = 42.5 OR 42 42 x 25% = 10.5 OR 10	10 TOTAL ALLOTTED FOR I.H. BUT NONE REQ. IN A TRANSIT ZONE	0

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1620 CORTELYOU ROAD
BROOKLYN NY 11226

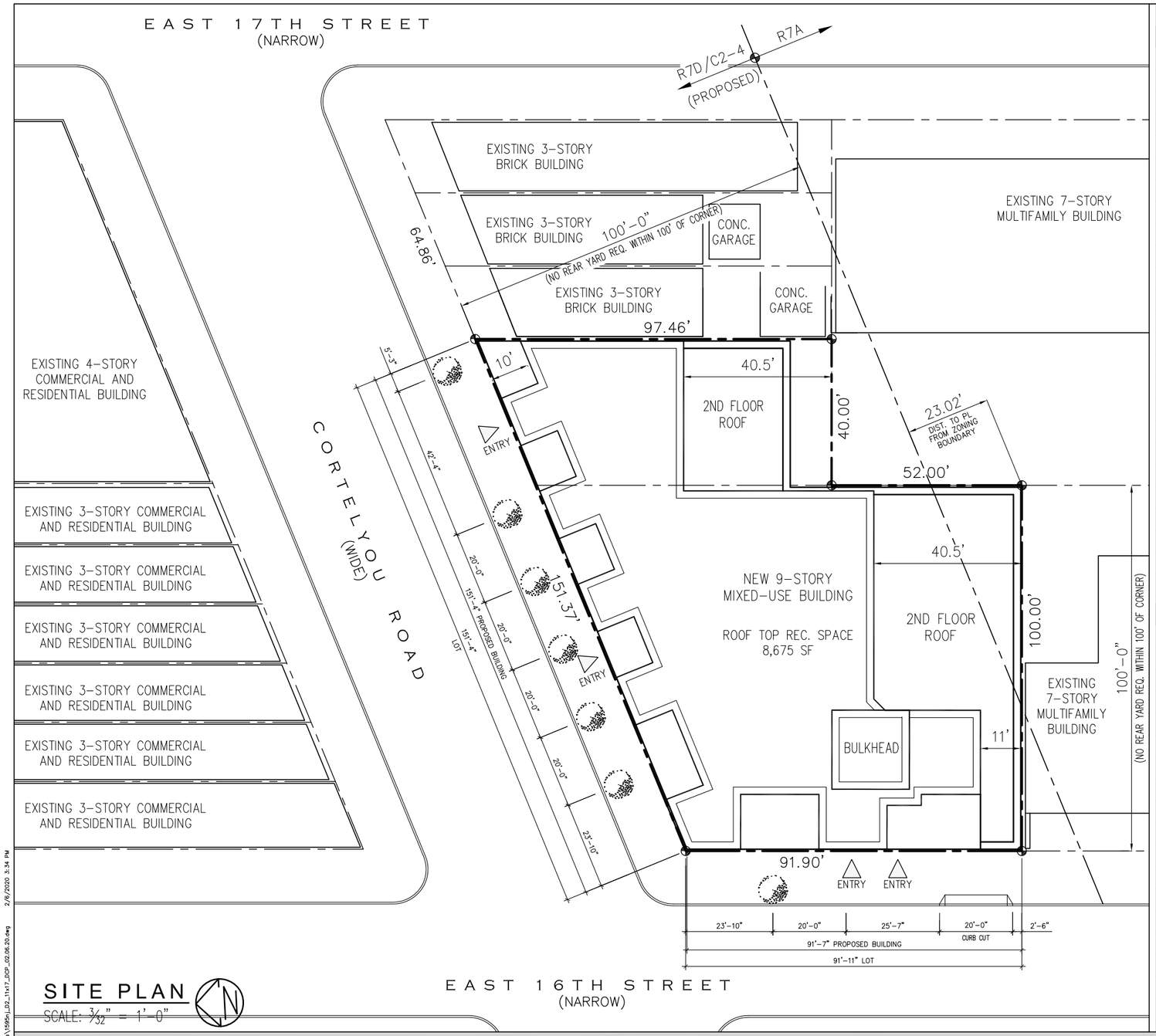
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ZONING ANALYSIS

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SITE PLAN

SCALE: 3/32" = 1'-0"

UNIT MATRIX

COMMERCIAL AND OR COMMUNITY FACILITY:

FLOOR	SPACE	SQ. FT.		USE GROUP
1st	COMMERCIAL SPACE	3,087		6C
1st	SUPERMARKET	6,473		6A

RESIDENTIAL:

FLOOR	SPACE	SQ. FT.	# OF BDRM'S	USE GROUP
2nd – 8th	APARTMENT 1	873	2	2
2nd – 8th	APARTMENT 2	795	1	2
2nd – 8th	APARTMENT 3	1,026	2	2
2nd – 8th	APARTMENT 4	781	1	2
2nd – 8th	APARTMENT 5	959	1	2
2nd – 8th	APARTMENT 6	773	1	2
2nd – 8th	APARTMENT 7	776	1	2
2nd – 8th	APARTMENT 8	587	1	2
2nd – 8th	APARTMENT 9	492	STUDIO	2
2nd – 8th	APARTMENT 10	600	STUDIO	2
2nd – 8th	APARTMENT 11	1,120	2	2
9th	APARTMENT 1	873	2	2
9th	APARTMENT 2	795	1	2
9th	APARTMENT 3	1,026	2	2
9th	APARTMENT 4	781	1	2
9th	APARTMENT 5	959	1	2
9th	APARTMENT 6	773	1	2
9th	APARTMENT 7	776	1	2
9th	APARTMENT 8	587	1	2

TOTALS:

FLOOR	# OF UNITS	STUDIOS	1 BDRM'S	2 BDRM'S
2ND	11 TOTAL	1	7	3
3RD	11 TOTAL	1	7	3
4TH	11 TOTAL	1	7	3
5TH	11 TOTAL	1	7	3
6TH	11 TOTAL	1	7	3
7TH	11 TOTAL	1	7	3
8TH	11 TOTAL	1	7	3
9TH	8 TOTAL	0	3	5
	85	7	52	26

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N.Y. R.A. LIC # 029297

PROPOSED :

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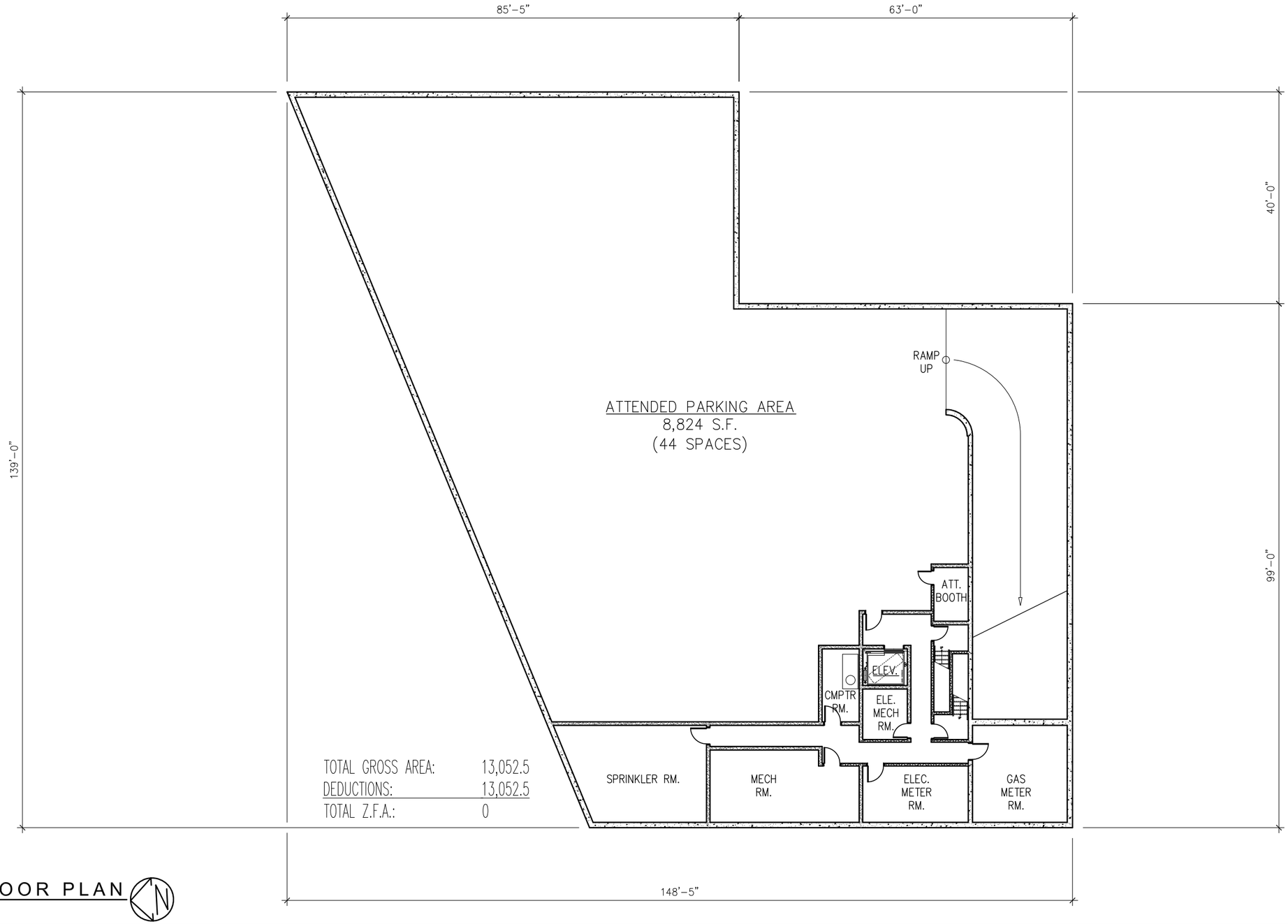
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SITE PLAN, UNIT MATRIX

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FIRST FLOOR PLAN

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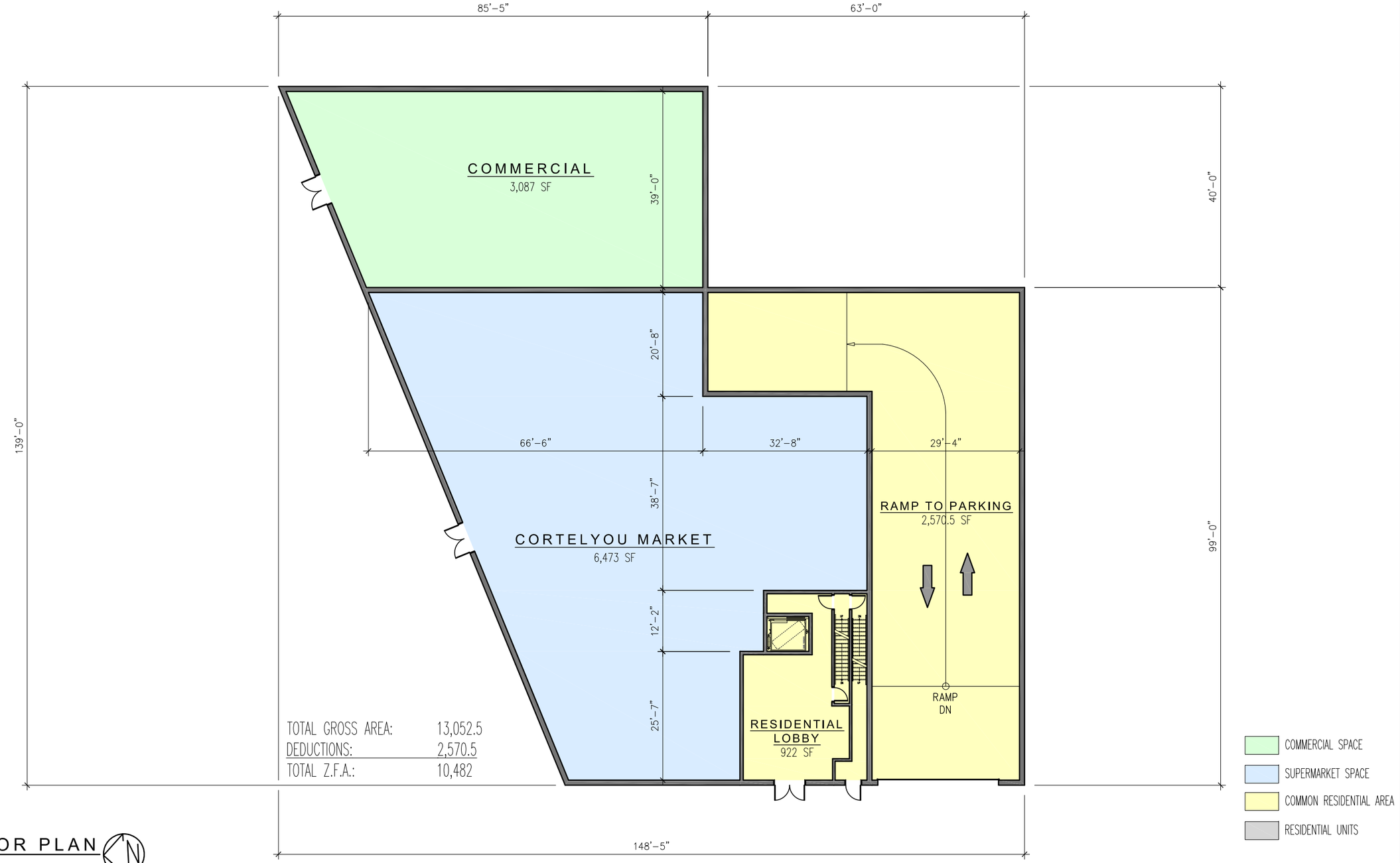
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CELLAR PLAN

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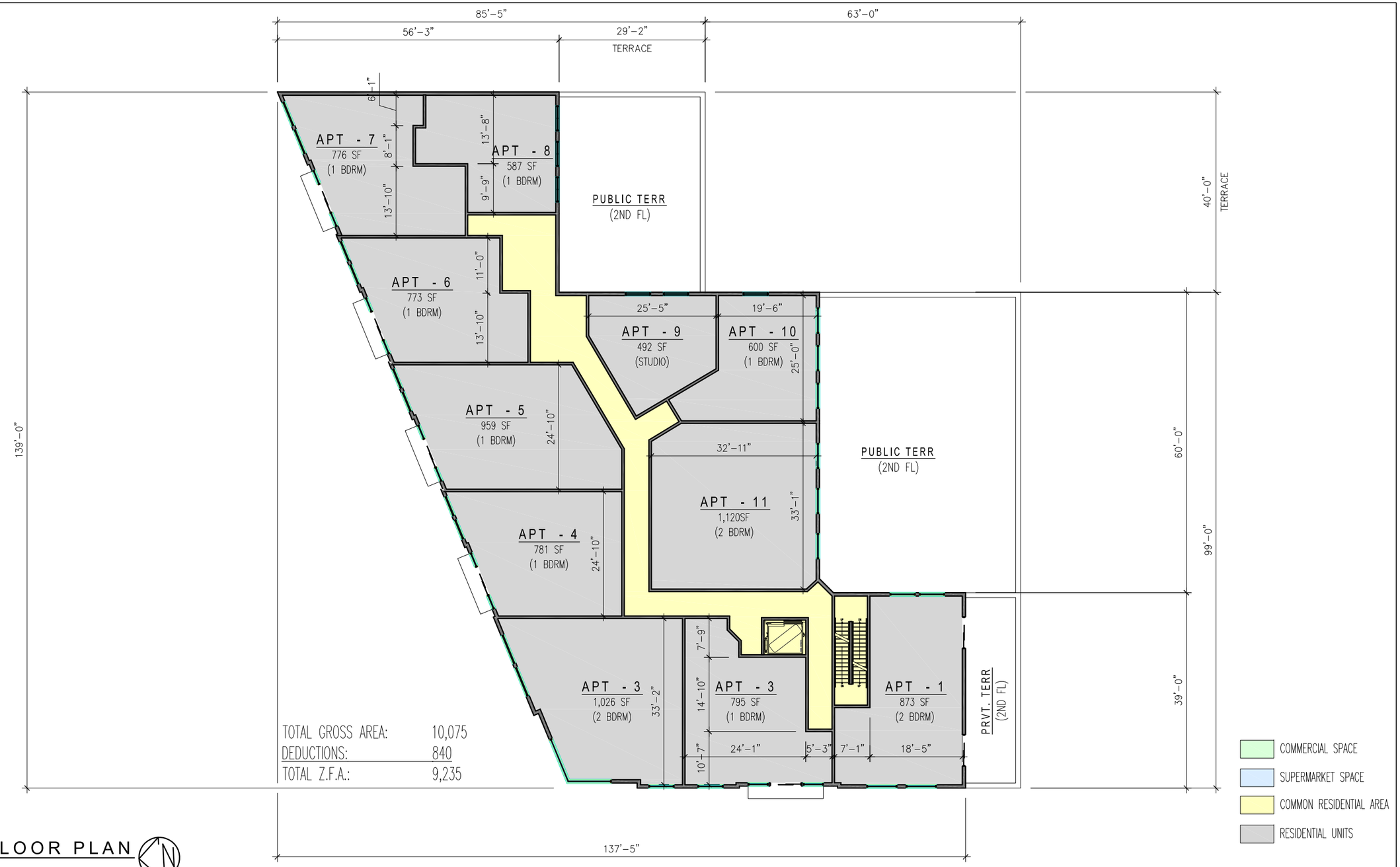
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FIRST FLOOR PLAN

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TOTAL GROSS AREA: 10,075
DEDUCTIONS: 840
TOTAL Z.F.A.: 9,235

2nd - 8th FLOOR PLAN

SCALE: 1" = 20'-0"

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TYPICAL 2nd - 8th FLOOR PLAN

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TOTAL GROSS AREA:	8,675
DEDUCTIONS:	840
TOTAL Z.F.A.:	7,835

COMMERCIAL SPACE
SUPERMARKET SPACE
COMMON RESIDENTIAL AREA
RESIDENTIAL UNITS

9th FLOOR PLAN

SCALE: 1" = 20'-0"

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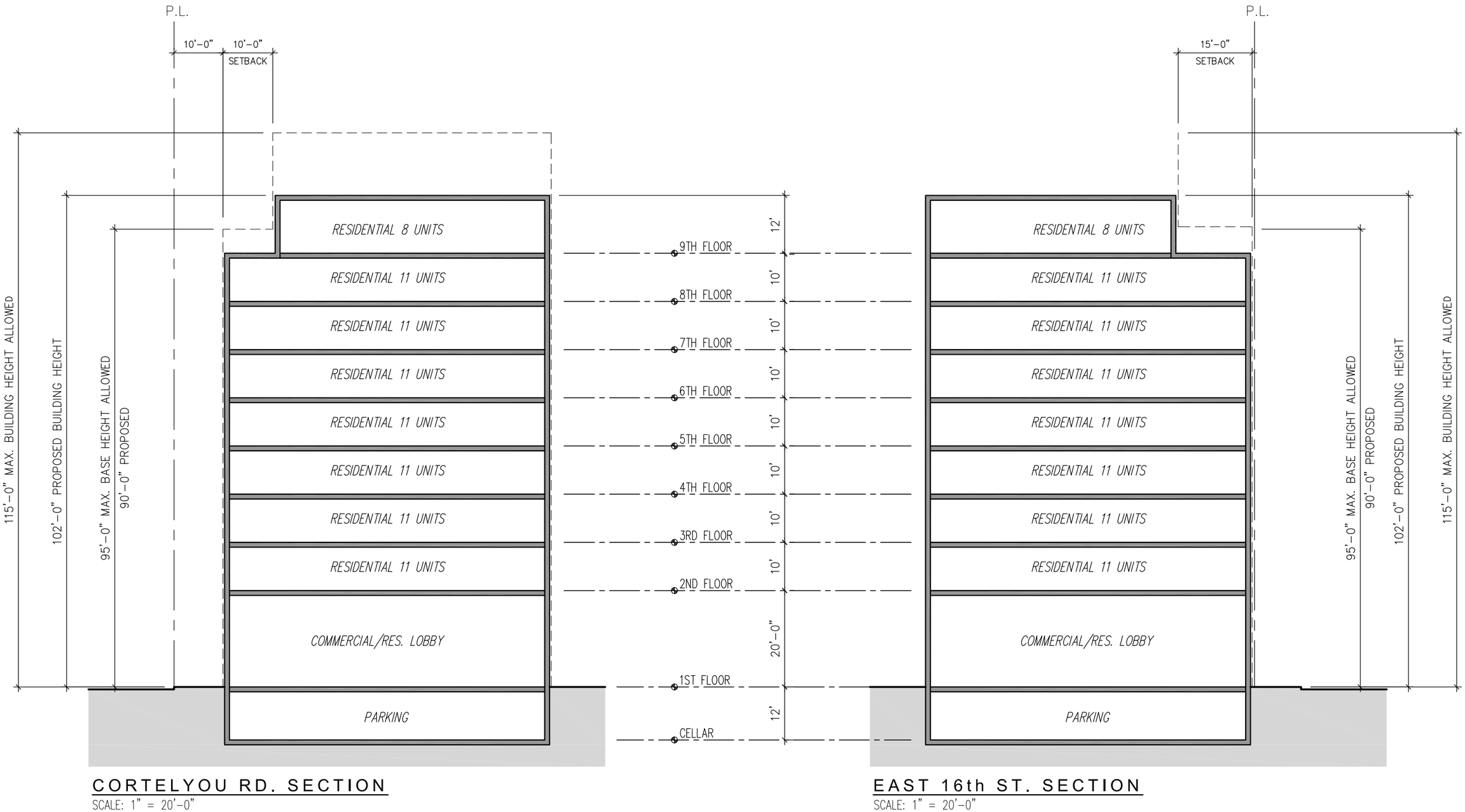
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9H FLOOR PLAN

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CORTELYOU RD. SECTION

SCALE: 1" = 20'-0"

EAST 16th ST. SECTION

SCALE: 1" = 20'-0"

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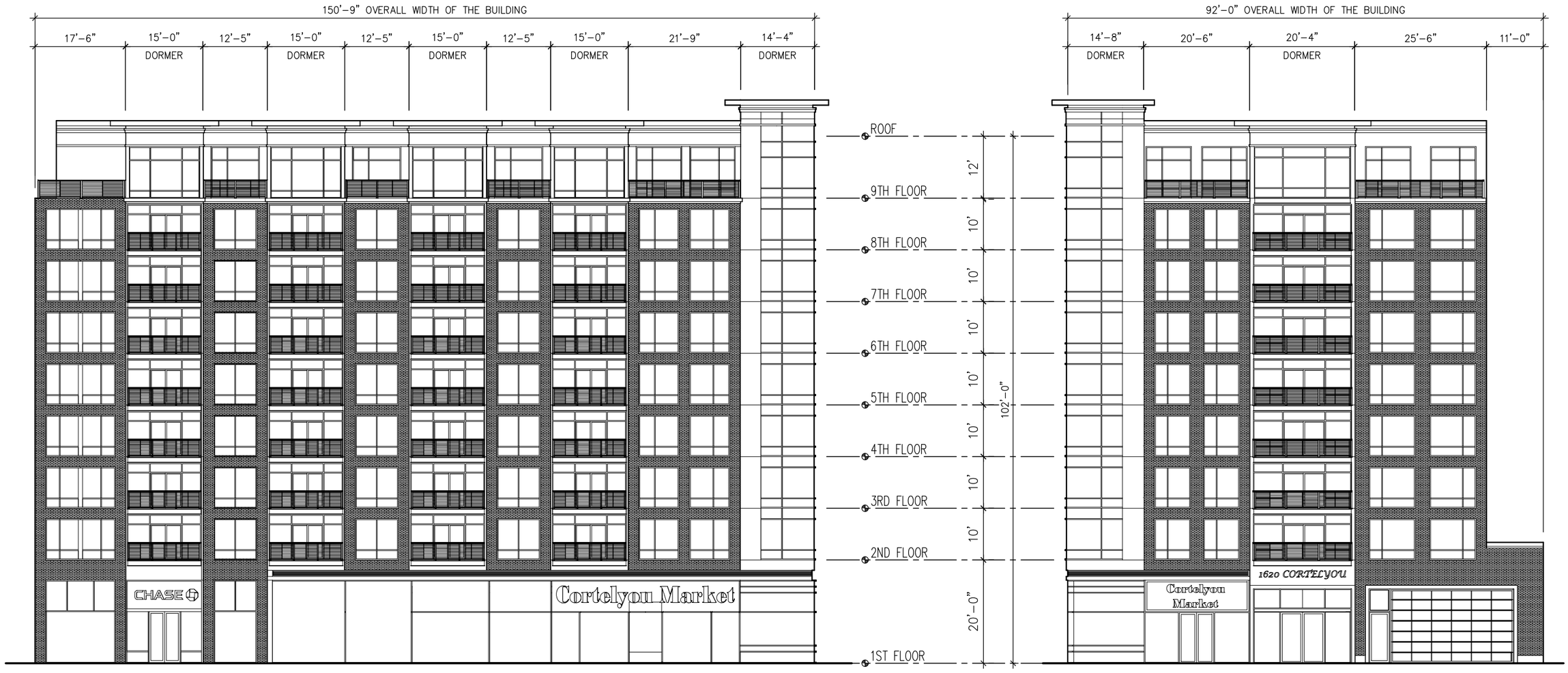
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BUILDING SECTIONS/HEIGHT DIAGRAMS

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CORTELYOU RD. ELEVATION

SCALE: 1" = 20'-0"

E. 16th STREET ELEVATION

SCALE: 1" = 20'-0"

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EXTERIOR ELEVATIONS

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Appendix B- Flatbush Rezoning

DEPARTMENT OF CITY PLANNING
CITY OF NEW YORK

OFFICE OF THE CHAIR

NEGATIVE DECLARATION

Project Identification
CEQR No. 09DCP058K
ULURP No. 090335ZRK, 090336ZMK
SEQRA Classification: Type I

Lead Agency
City Planning Commission
22 Reade Street
New York, NY 10007
Contact: Robert Dobruskin
(212) 720-3423

Name, Description, and Location of Proposal:

Flatbush Rezoning
The Department of City Planning (DCP) is proposing an amendment to the zoning map, as well as amendments to the zoning text, affecting 180 blocks in two areas in the Brooklyn neighborhood of Flatbush, in Community District 14. The proposed Zoning Map amendments will replace all or portions of existing R1-2, R3-1, R3-2, R5, R6, and R7-1 zoning districts with R1-2, R3X, R4A, R5B, R5D, R6A, R6B, and R7A zoning districts. In addition, areas currently mapped with C4-2 and C4-3 districts would be rezoned with C4-4A districts, and C1-3 and C2-3 commercial overlays would be rezoned to C2-4, reducing the distance for most overlays from 150 feet to 100 feet.

The Flatbush rezoning area is generally bounded by Caton Avenue, Parkside Avenue and Clarkson Avenue on the north, Bedford Avenue and the Community District 14 boundary to the east, the Community District 14 boundary on the south, and Coney Island Avenue on the west. A second, smaller rezoning area is generally bounded by Caton Avenue, Parkside Avenue and Clarkson Avenue on the north, Bedford Avenue and the Community District 14 boundary to the east, Avenue H, Campus Drive and the Long Island Railroad's Bay Ridge freight line on the south, and Coney Island Avenue on the west. Portions of the rezoning area have been designated as New York City Historic Districts. These include: Prospect Park South (1979), Albemarle and Kenmore Terraces (1978), Ditmas Park (1981) and Fiske Terrace-Midwood Park (2008) Historic Districts.

In conjunction with proposed zoning map amendment, a zoning text amendment is proposed to permit an Inclusionary Housing bonus for development providing affordable housing in the proposed R7A and C4-4A zoning districts along Flatbush Avenue, Church Avenue, Nostrand Avenue, Coney Island Avenue, and Cortelyou Road. Additionally, Quality Housing Study Areas within Community Board 14 would be removed from the zoning text. The inclusionary housing provisions of the proposed zoning text change are duplicative of the Quality Housing Study Areas, therefore, the study areas would no longer be necessary.

The proposed action is projected to result in development on 17 sites with a net increase of 180 residential units and 60,317 square feet of commercial space, a net decrease of 97,482 square feet

Amanda M. Burden, FAICP, *Chair*
22 Reade Street, New York, N.Y. 10007-1216
(212) 720-3200 FAX (212) 720-3219
http://www.nyc.gov/planning

of community facility space, and a net increase of 95 parking spaces. A total of 17 projected development sites and 72 potential development sites have been identified in the area. These projected development sites can be expected to generate 564 dwelling units under the Future No-Action condition and 744 dwelling units under the Future With-Action condition, producing a project increment of 180 units. Of the dwelling units produced in the Future With-Action condition, 144 would be affordable through the Inclusionary Housing Program. The analysis year for the proposed action is 2019.

As a part of the proposed action, (E) designations would be mapped on selected development sites which would preclude future hazardous materials and air quality impacts of the proposed action.

To avoid any potential impacts associated with hazardous materials, as part of the proposed rezoning, an (E) designation for hazardous materials would be placed on the following properties:

Block 5070, Lot 19
Block 5082, Lots 47, 55
Block 5089, Lots 1, 48, 65, 105
Block 5102, Lots 20, 28, 33, 35, 36, 39, 41, 46, 47, 48, 51, 52, 53
Block 5103, Lots 1, 8, 23, 26, 32, 36, 42
Block 5109, Lots 4, 8, 15, 20
Block 5112, Lot 1
Block 5113, Lot 24
Block 5125, Lots 11, 20, 51, 56, 58, 60
Block 5126, Lots 7, 9
Block 5152, Lot 12
Block 5164, Lot 13, 15
Block 5165, Lots 58, 59, 6167, 69
Block 5186, Lots 4, 10, 16, 24
Block 5188, Lots 6, 13, 14
Block 5224, Lot 135
Block 5225, Lots49, 56
Block 5227, Lots 1, 3, 5, 13, 15, 16
Block 5229, Lots 11, 15, 17
Block 5231, Lot 78
Block 5232, Lots 27, 28, 35, 37
Block 5249, Lots 51, 52, 53, 59
Block 5251, Lots 5, 7, 8, 11, 14, 15, 59
Block 6886, Lot 48
Block 6696, Lots 1, 5, 16, 78, 79, 81, 82
Block 6698, Lots 6, 9, 14, 15
Block 7756, Lots 1, 71
Block 7557, Lots 1, 47, 52, 56, 58, 60, 62, 68, 101, 124, 128, 142, 143
Block 7558, Lots 11, 32, 35, 43, 50, 51, 52

The (E) designation would require that the fee owner of the sites conduct a testing and sampling protocol and remediation where appropriate, to the satisfaction of the NYCDEP before the issuance of a building permit by the Department of Buildings pursuant to the provisions of Section 11-15 of the Zoning Resolution (Environmental Requirements). The (E) designation will also include a mandatory construction-related health and safety plan which must be approved by NYCDEP. The text for the (E) designation is as follows:

Task 1-Sampling Protocol

A. Petroleum
A soil, soil gas, and groundwater testing protocol (including a description of methods), and a site map with all sampling location represented clearly and precisely, must be submitted to the NYCDEP by the fee owner(s) of the lot which is restricted by this (E) designation, for review and approval.

A site map with the sampling locations clearly identified and a testing protocol with a description of methods, for soil, soil gas, and groundwater, must be submitted by the fee owner(s), of the lot which is restricted by the (E) designation, to the NYCDEP for review and approval.

B. Non-Petroleum
The fee owner(s) of the lot restricted by this (E) designation will be required to prepare a scope of work for any sampling and testing needed to determine if contamination exists and to what extent remediation may be required. The scope of work will include all relevant supporting documentation, including site plans and sampling locations. This scope of work will be submitted to NYCDEP for review and approval prior to implementation. It will be reviewed to ensure that an adequate number of samples will be collected and that appropriate parameters are selected for laboratory analysis. For all non-petroleum (E) designated sites, the three generic NYCDEP soil and groundwater sampling protocols should be followed.
A scope of work for any sampling and testing to be completed, which will determine the extent of on-site contamination and the required remediation, must be prepared by the fee owner(s) of the lot restricted by this (E) designation. The scope of work will include the following: site plans, sampling locations, and all other relevant supporting documentation. The scope of work must be submitted to the NYCDEP for review and confirmation that an adequate testing protocol (i.e., number of samples collected, appropriate parameters for laboratory analysis) has been prepared. The NYCDEP must approve the scope of work before it can be implemented.

For non-petroleum (E) designated sites, one of the three generic soil and groundwater sampling protocols prepared by the NYCDEP should be followed.

The protocols are based on three types of releases to soil and groundwater sampling protocols prepared by the NYCDEP should be followed.

The protocols are based on three types of releases to soil and groundwater, including: the release of a solid hazardous material to ground surface; the release of a liquid hazardous material to the ground surface; and the release of a hazardous material to the subsurface (i.e., storage tank or piping). The type of release defines the areas of soil to be sampled from surface, near-surface, to subsurface. Additionally, it determines the need for groundwater sampling.

A written approval of the sampling protocol must be received from the NYCDEP before commencement of sampling activities. Sample site quantity and location should be determined so as to adequately characterize the site, the source of contamination, and the condition of the remainder of the site. After review of the sampling data, the characterization should have been complete enough to adequately determine what

remediation strategy (if any) is necessary. Upon request, NYCDEP will provide guidelines and criteria for choosing sampling sites and performing sampling.

Finally, a Health and Safety Plan must be devised and approved by the NYCDEP before the commencement on any on-site activities.

Task 2-Remediation Determination and Protocol

After sample collection and laboratory analysis have been completed on the soil and/or groundwater samples collected in Task 1, a summary of the data and findings in the form of a written report must be presented to the NYCDEP for review and approval. The NYCDEP will provide a determination as to whether remediation is necessary.

If it is determined that no remediation activities are necessary, a written notice will be released to that effect. However, if it is the NYCDEP's determination that remediation is necessary the fee owner(s) of the lot restricted by the (E) designation must submit a proposed remediation plan to the NYCDEP for review and approval. Once approval has been obtain, and the work completed, the fee owner(s) of the lot restricted by the (E) designation must provide proof to the NYCDEP that the work has been completed satisfactorily.

With the placement of the (E) designations on the above block and lots, no significant adverse impacts related to hazardous materials are anticipated.

To preclude the potential for significant adverse air quality impacts related to HVAC emissions, an (E) designation is incorporated into the rezoning proposal for each of the following properties:

Block 5082, Lots 47, 55
Block 5089, Lots 1, 105
Block 5102, Lots 28, 33, 35, 36
Block 5103, Lots 23, 26, 32, 36
Block 5109, Lots 4, 8, 15
Block 5112, Lot 1
Block 5125, Lots 51, 56, 58, 60
Block 5186, Lots 4, 10, 16, 24
Block 5229, Lots 11, 15, 17
Block 5232, Lots 27, 28, 35, 37
Block 5251, Lots 5, 7, 8, 11, 14, 15, 59
Block 6696, Lots 16, 78, 79, 81, 82
Block 6698, Lots 6, 9
Block 7557, Lots 1, 47, 52, 56, 58, 60, 62, 68, 101, 124, 128, 142, 143
Block 7558, Lots 1, 11, 32, 35, 43

The text for the (E) designations is as follows:

Block 5102, Lot 28 (Projected Development Site 2)
Any new residential development on the above-referenced properties must ensure that the HVAC stacks are located at least 60 feet for Oil No. 2 from the lot line facing Albemarle Road or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 5112, Lot 1 (Projected Development Site 5)
Any new residential development on the above-referenced properties must ensure that the HVAC stacks are located at least 50 feet for Oil No. 2 from the lot line facing Westminster Road or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 5125, Lot 51 (Projected Development Site 7)
Any new residential development on the above-referenced properties must ensure that the HVAC stacks are located at least 60 feet for Oil No. 2 from the lot line facing Beverley Road or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 5186, Lot 10 (Projected Development Site 8)
Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least at least 60 feet for Oil No. 2 from the lot lines facing Dorchester Road and Ditmas Avenue, or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 5229, Lot 11 (Projected Development Site 12)
Any new residential development on the above-referenced properties must ensure that the HVAC stacks are located at least 60 feet for Oil No. 2 from the lot line facing Farragut Road or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 5232, Lot 37 (Projected Development Site 13)
Any new residential development on the above-referenced properties must ensure that the HVAC stacks are located at least 80 feet for Oil No. 2 from the lot line facing Coney Island Avenue or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 7557, Lot 47 (Projected Development Site 15)
Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 70 feet for Oil No. 2 from the lot line facing Hillel Place or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 7557, Lot 124 (Projected Development Site 16)
Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least at least 70 for Oil No. 2 from the lot lines facing Flatbush Avenue and Hillel Place, or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 7558, Lot 1 (Projected Development Site 17)
Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 60 feet for Oil No. 2 from the lot line facing Hillel Place or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 5082, Lot 55 (Potential Development Site 19)
Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 90 feet for Oil No. 2 from the lot line facing 21st Street or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 5082, Lot 47 (Potential Development Site 20)
Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 70 feet for Oil No. 2 from the lot line facing Flatbush Avenue or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 5089, Lot 105 (Potential Development Site 21)
Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 50 feet for Oil No. 2 from the lot line facing Church Avenue or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 5089, Lot 1 (Potential Development Site 22)
Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 50 feet for Oil No. 2 from the lot line facing Martense Street or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 5102, Lots 33, 35, 36 (Potential Development Site 25)
Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 60 feet for Oil No. 2 from the lot line facing Church Avenue or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 5103, Lots 23, 26 (Potential Development Site 29)
Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 50 feet for Oil No. 2 from the lot line facing Bedford Avenue or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 5103, Lot 32 (Potential Development Site 30)
Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 50 feet for Oil No. 2 from the lot line facing Flatbush Avenue or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 5103, Lot 36 (Potential Development Site 31)
Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 60 feet for Oil No. 2 from the lot line facing Bedford Avenue or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 5109, Lot 8 (Potential Development Site 34)
Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 60 feet for Oil No. 2 from the lot line facing Bedford Avenue or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 5109, Lot 15 (Potential Development Site 35)
Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 50 feet for Oil No. 2 from the lot line facing Flatbush Avenue or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 5109, Lot 4 (Potential Development Site 36)
Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 50 feet for Oil No. 2 from the lot line facing Snyder Avenue or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 5125, Lots 56, 58 (Potential Development Site 40)
Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 60 feet for Oil No. 2 from the lot line facing Beverley Road or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 5125, Lot 60 (Potential Development Site 41)
Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 50 feet for Oil No. 2 from the lot line facing Regent Place or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 5186, Lot 4 (Potential Development Site 50)
Any new residential and/or commercial development on the above-referenced

properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 60 feet for Oil No. 2 from the lot line facing Ditmas Avenue or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 5186, Lot 16 (Potential Development Site 51)
Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 60 feet for Oil No. 2 from the lot line facing Dorchester Road or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 5186, Lot 24 (Potential Development Site 52)
Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 50 feet for Oil No. 2 from the lot line facing Dorchester Road or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 5229, Lot 17 (Potential Development Site 60)
Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 50 feet for Oil No. 2 from the lot line facing Farragut Road or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 5229, Lot 15 (Potential Development Site 61)
Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 50 feet for Oil No. 2 from the lot line facing Foster Avenue and Farragut Road or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 5232, Lot 35 (Potential Development Site 63)
Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 50 feet for Oil No. 2 from the lot line facing Coney Island Avenue or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 5232, Lots 27, 28 (Potential Development Site 64)
Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 50 feet for Oil No. 2 from the lot line facing Coney Island Avenue or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 5251, Lots 14, 15 (Potential Development Site 67)
Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are

located at least 50 feet for Oil No. 2 from the lot line facing Farragut Road or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 5251, Lot 11 (Potential Development Site 68)
Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 50 feet for Oil No. 2 from the lot line facing Farragut Road and 29th Street or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 5251, Lots 7, 8 (Potential Development Site 69)
Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 50 feet for Oil No. 2 from the lot line facing 28th and 29th Streets or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 5251, Lots 5, 59 (Potential Development Site 70)
Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 50 feet for Oil No. 2 from the lot line facing 28th Street or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 6696, Lots 81, 82 (Potential Development Site 72)
Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 32 feet for Oil No. 2 from the lot line facing Avenue H and I or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 6696, Lots 78, 79 (Potential Development Site 73)
Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 32 feet for Oil No. 2 from the lot line facing Avenue H or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 6696, Lot 16 (Potential Development Site 74)
Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 42 feet for Oil No. 2 from the lot line facing 12th Street or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 6698, Lot 6 (Potential Development Site 75)
Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 32 feet for Oil No. 2 from the lot line facing 14th and 15th Streets or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems,

to avoid any potential significant adverse air quality impacts.

Block 6698, Lot 9 (Potential Development Site 76)
Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 32 feet for Oil No. 2 from the lot line facing 14th Street or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 7557, Lot 52 (Potential Development Site 79)
Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 60 feet for Oil No. 2 from the lot line facing Glenwood Road and Hillel Place or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 7557, Lots 56, 58 (Potential Development Site 80)
Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 50 feet for Oil No. 2 from the lot line facing Glenwood Road or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 7557, Lot 60, 62 (Potential Development Site 81)
Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 50 feet for Oil No. 2 from the lot line facing Glenwood Road or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 7557, Lot 68 (Potential Development Site 82)
Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 50 feet for Oil No. 2 from the lot line facing Kenilworth Place or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 7557, Lot 1 (Potential Development Site 83)
Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 50 feet for Oil No. 2 from the lot line facing Flatbush Avenue or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 7557, Lot 128 (Potential Development Site 84)
Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 50 feet for Oil No. 2 from the lot line facing Flatbush Avenue or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 7557, Lots 101, 142, 143 (Potential Development Site 85)
Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 60 feet for Oil No. 2 from the lot line facing Avenue H or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.
Block 7558, Lot 43 (Potential Development Site 87)
Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 60 feet for Oil No. 2 from the lot line facing 31st Street or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 7558, Lot 35 (Potential Development Site 88)
Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 70 feet for Oil No. 2 from the lot line facing Nostrand Avenue and 31st Street or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 7558, Lot 32 (Potential Development Site 89)
Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 50 feet for Oil No. 2 from the lot line facing Nostrand Avenue or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 7558, Lot 11 (Potential Development Site 90)
Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 50 feet for Oil No. 2 from the lot line facing Avenue H or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

With the placement of the (E) designations on the above blocks and lots, no significant adverse impacts related to stationary source air quality are expected.

Statement of No Significant Effect:

The Environmental Assessment and Review Division of the Department of City Planning, on behalf of the City Planning Commission, has completed its technical review of the Environmental Assessment Statement, dated February 27, 2009, prepared in connection with the ULURP Application (ULURP number 090335ZRK, 090336ZMK). The City Planning Commission has determined that the proposed action will have no significant effect on the quality of the environment.

Supporting Statement:

The above determination is based on an environmental assessment which finds that:

1. The (E) designation for hazardous materials would ensure that the proposed action would not result in significant adverse impacts due to hazardous materials.

2. The (E) designations for air quality would ensure that the proposed action would not result in significant adverse impacts due to air quality.

3. No other significant adverse effects on the environment which would require an Environmental Impact Statement are foreseeable.

This Negative Declaration has been prepared in accordance with Article 8 of the Environmental Conservation Law 6NYCRR part 617.

Should you have any questions pertaining to this Negative Declaration, you may contact Devesh Doobay at (212) 720-3419.

James P. Merani, R.A., Deputy Director
Environmental Assessment & Review Division
Department of City Planning

Date: February 27, 2009

Amanda M. Burden, FAICP, Chair
City Planning Commission

Date: March 2, 2009

Appendix C- Correspondence with NYC Landmarks Preservation Commission

Landmarks Preservation Commission

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

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

ENVIRONMENTAL REVIEW

Project number: DEPARTMENT OF CITY PLANNING / LA-CEQR-K
Project: CORTELYOU REZONING
Date received: 8/14/2017

Properties with no Architectural or Archaeological significance:

1) ADDRESS: 1620 Cortelyou Rd, BBL: 3051590001
2) ADDRESS: 1624 Cortelyou Rd, BBL: 3051590009
3) ADDRESS: 1626 Cortelyou Rd, BBL: 3051590010
4) ADDRESS: 1622 Cortelyou Rd, BBL: 3051590008



8/21/2017

SIGNATURE DATE
Gina Santucci, Environmental Review Coordinator

File Name: 32673_FSO_DNP_08182017.doc

Appendix D- Jamaica Bay Watershed Protection Plan Project Form

Print Form

Jamaica Bay Watershed Protection Plan
Project Tracking Form

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

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

A. GENERAL PROJECT INFORMATION

1. CEQR Number: 20DCP101K 1a. Modification ☐
2. Project Name: 1620 Cortelyou Road Rezoning
3. Project Description:

85

The applicant seeks a zoning map amendment to rezone portions of Brooklyn Block 5159 from R6A/C2-4 to R7D/C2-4 zoning districts in order to facilitate a mixed-use development, nine stories in height with a total of 85 dwelling units and ground floor retail in the Ditmas Park neighrborhood.

4. Project Sponsor: 1600/1620 Realty Corp
5. Required approvals: ULURP
6. Project schedule (build year and construction schedule): 2022

B. PROJECT LOCATION:

1. Street address: 1620 Cortelyou Road, Brooklyn, NY,
2. Tax block(s): 5159 Tax Lot(s): Lots 1, 8, 9, 10, 13, and 61
3. Identify existing land use and zoning on the project site: Res. and Comm. R6A/C2-4
4. Identify proposed land use and zoning on the project site: Res and Comm. R7D/C2-4
5. Identify land use of adjacent sites (include any open space): residential and commercial
6. Describe existing density on the project site and the proposed density:

Existing Condition	Proposed Condition
0.88	5.6

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): 156,630, cubic feet
2. Will soil be removed (if so, what is the volume in cubic yards)? Yes (TBD)
3. Subsurface soil classification:
   (per the New York City Soil and Water Conservation Board): N/A Urban
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: NA Rates: NA
6. Will project involve dewatering (list volumes/rates)? ☐ **Yes** ☒ **No**

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

   NA

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:	Approx 17,000	Approx 17,000
Pavement/walkway:	NA	NA
Grass/softscape:	NA	NA
Other (describe):	NA	NA
2. ***Wetland*** (regulated or non-regulated) area and classification:	NA	NA
3. ***Water surface area:***	NA	NA

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

Existing – how is the site drained?

Site drains into adjacent sewer system

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

No related infrastructure changes are proposed.

Appendix E- Phase I ESA

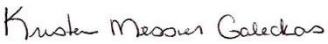
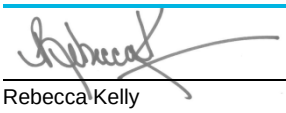
Phase I Environmental Site Assessment
1600-1620 Cortelyou Road
Brooklyn, Kings County, New York

1600/1620 Realty Corporation

60525896

May 2018

Quality information

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Revision History

Revision	Revision date	Details	Authorized	Name	Position

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Executive Summary

1600/1620 Realty Corporation (1600/1620) contracted with AECOM Technical Services, Inc. (AECOM) to perform a Phase I Environmental Site Assessment (ESA) of a commercial property located at 1600-1620 Cortelyou Road, Brooklyn, Kings County, New York (subject property). This assessment was conducted as part of the potential rezoning of the subject property. This Phase I ESA was performed in general conformance with the scope and limitations of the American Society for Testing and Materials (ASTM) Standard Practice Designation E 1527-13 for ESAs. Exceptions to, or deletions from, this practice are described in this report.

The subject property is defined herein as a 12,800-square foot, one-story, multi-tenant retail building with a basement that is occupied by tenants including a dry cleaner, a nail salon, a restaurant, a grocery store and a laundromat located at 1600-1620 Cortelyou Road, Brooklyn, Kings County, New York. Based on the information provided, the dry cleaning facility ceased onsite dry cleaning operations in 2013 and has been a drop-off only facility since that time. According to the City of New York Department of Finance, the subject property is designated as Block 5159, Lot 1. During the site visit, no visual evidence of underground storage tanks (e.g., vent pipes, fill ports), potable water wells, monitoring wells, dry wells, clarifiers, septic tanks, or leach fields was observed on the subject property. A 275-gallon fuel oil aboveground storage tank (AST) which was reportedly removed from service in 2015 is located within the basement of the dry cleaning facility tenant space. Vent and fill pipes associated with this AST are visible to the north of the dry cleaners along Cortelyou Road. Five drums, each containing approximately 20 gallons of waste dry cleaning fluids are stored outdoors to the south of the dry cleaning tenant space. Floor drains and sumps were present in the laundromat and the grocery store and reportedly discharge into the municipal sewer system. No visual evidence of discolored soil, water, or unusual vegetative conditions or odors was observed during the site visit.

The subject property is located in a mixed use commercial and residential area of Brooklyn. The properties located to the north across Cortelyou Road consist of buildings of mixed use including Chinese restaurant, organic food store, real estate agent, hair salon, dance studio, eye care center, barber shop, nail salon, a car service, a delicatessen-grocery store, and residential apartments. Properties to the east consist of a smoke shop, a butcher, a delicatessen, and residential apartments. Properties to the south consist of residential apartments while properties to the west across East 16th Street consist of pharmacies, a liquor store, a dry cleaners, and residential apartments. Based on AECOM's site reconnaissance of the surrounding neighborhood, off-site sources of concern were identified based on observations and information obtained from environmental databases.

Historical research indicates the subject property was vacant in 1893. By 1905 the western portion of the subject property was developed with a building containing three residential dwellings and one office space and the remainder of the property was vacant land. By 1929, the subject property had been developed with a building containing ground level stores and the Sir Henry Hotel above. The 1950 Sanborn Map depicts the subject property to have been redeveloped with a multi-tenant retail building with storefronts facing Cortelyou Road. Historical documents suggest that the configuration of the subject property has changed very little since 1950. A review of historical documents indicates onsite tenants have included a various restaurants and grocery stores, a butcher, a stationer, a sportswear store, a hardware store, a furniture store, a fur shop, a drug store, a real estate office, a liquor store, a hardware store, a pharmacy, a nail salon, a beauty/hair salon, a bank and various laundry/dry cleaning facilities.

The Cortelyou Cleaners located at the subject property is identified on the Resource Conservation and Recovery Act (RCRA) Conditionally Exempt Small Quantity Generator (CESQG), United States Aerometric Information Retrieval System (USAIRS), Facility Index System/Facility Registry System (FINDS), Enforcement and Compliance History Information (ECHO), New York Facility and Manifest Data (NY Manifest), Registered Drycleaners (NY Drycleaners), and EDR Historical Dry Cleaner (EDR Hist Cleaner) environmental databases reviewed for this assessment. The dry cleaner was known as Best

Choice / Lee White Cleaners at the time the facility was listed on several of the databases. These databases are associated with the use, disposal, and air emissions related to the use of volatile organic compounds in dry cleaning operations. A number of surrounding sites were identified in the environmental database search report. However, the majority of these sites were listed on non-contamination-related databases. Based on AECOM's review and analysis of the database listings, none of the surrounding sites are expected to present a recognized environmental condition (REC) to the subject property, based on their distance (generally greater than 500 feet), regulatory status (i.e. regulatory closure, no violations found), media impacted (soil only), and/or topographical position relative to the subject property (i.e. down-gradient or cross-gradient) with the exception of two off-site dry cleaning facilities located hydrogeologically upgradient of the subject property.

The following RECs were identified during this assessment:

- The subject property was historically occupied by several dry cleaning facilities from at least 1934 through 2013. In addition, waste dry cleaning fluids are still stored in the back of the facility. The long term historic use of the property as a dry cleaning facility is considered a REC.
- The presence of a dry cleaners at the subject property since 1934 suggests the possibility of a VEC and as such is considered an REC.
- A former dry cleaners and current dry cleaning facility located west and hydrogeologically upgradient of the subject property were known to have provided onsite cleaning services. No additional information was identified during the course of this assessment pertaining to potential environmental impacts from the former operations. Based on proximity, potential upgradient position, and the lack of information regarding their regulatory status, AECOM considers these off-site dry cleaning facilities an REC.

Based on the above-described activities, no controlled RECs (CRECs), historical RECs (HRECs) or de minimis conditions (DMCs) were identified in connection with the subject property.

1. Introduction

1.1 Purpose

This Phase I Environmental Site Assessment (ESA) was performed pursuant to AECOM's written proposal, dated February 8, 2018. This assessment was conducted as part of the proposed rezoning of the area in order to facilitate a mixed-use development with a total of 88 dwelling units and ground floor retail. The purpose of this Phase I ESA is to provide the client with information for use in evaluating recognized environmental conditions (RECs) associated with the subject property.

Per the ASTM standard, potential findings can include RECs, including historical RECs (HRECs), controlled RECs (CRECs), and de minimis conditions (DMCs). A REC is defined by the ASTM standard as “the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: (1) due to any release to the environment; (2) under conditions indicative of a release to the environment; or (3) under conditions that pose a material threat of a future release to the environment.” The term includes hazardous substances or petroleum products even under conditions in compliance with laws. HRECs are 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 any required controls. CRECs are 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. DMCs are those situations that do not present a material risk of harm to public health or the environment and generally would not be subject to enforcement action if brought to the attention of the regulating authority.

This assessment is based on a review of existing conditions, reported pre-existing conditions, and observed operations at the subject property and adjacent properties.

1.2 Scope of Work

The Phase I ESA included a site visit, regulatory research, historical review, and a review and an environmental database analysis of the subject property. In conducting the Phase I ESA, AECOM assessed the subject property for visible signs of possible contamination, researched public records for the subject property and adjacent properties (as applicable), and conducted interviews with persons knowledgeable about the subject property.

This project was performed in general accordance with ASTM Standard Practice Designation E 1527-13 and AECOM’s proposal, dated February 8, 2018. Conclusions reached in this report are based upon the assessment performed and are subject to limitations set forth in Sections 1.3, 1.4, and 1.5 below.

1.3 Study Limitations

This report describes the results of AECOM's Phase I ESA to identify the presence of conditions materially affecting the subject facility and/or property within the limits of the established scope of work as described in our proposal.

As with any due diligence assessment, there is a certain degree of dependence upon oral information provided by facility or site representatives, which is not readily verifiable through visual

observations or supported by any available written documentation. AECOM shall not be held responsible for conditions or consequences arising from relevant facts concealed, withheld, or not fully disclosed by facility or site representatives at the time this assessment was performed. In addition, the findings and opinions expressed in this report are subject to certain conditions and assumptions, which are noted in the report. Any party reviewing the findings of the report must carefully review and consider all such conditions and assumptions.

This report and all field data and notes were gathered and/or prepared by AECOM in accordance with the agreed upon scope of work and generally accepted engineering and scientific practice in effect at the time of AECOM's assessment of the subject property. The statements, findings and opinions contained in this report are only intended to give approximations of the environmental conditions at the subject property.

As specified in the ASTM standard (referred to below as "this practice"), it is incumbent the client and any other parties who review and rely upon this report understand the following inherent conditions surrounding any Phase I ESA:

- Uncertainty Not Eliminated - No ESA can wholly eliminate uncertainty regarding the potential for REC in connection with a property. Performance of this practice is intended to reduce, but not eliminate, uncertainty regarding the potential for REC in connection with a property, and this practice recognizes reasonable limits of time and costs. (Section 4.5.1 of the ASTM standard)
- Not Exhaustive - "All appropriate inquiry" does not mean an exhaustive assessment of a clean property. There is a point at which the cost of information obtained outweighs the usefulness of the information and, in fact, may be a material detriment to the orderly completion of transactions. One of the purposes of this practice is to identify a balance between the competing goals of limiting the costs and time demands inherent in performing an ESA and the reduction of uncertainty about unknown conditions resulting from additional information. (Section 4.5.2 of the ASTM Standard)
- Comparison with Subsequent Inquiry - ESAs must be evaluated based on the reasonableness of judgments made at the time and under the circumstances in which they were made. Subsequent ESAs should not be considered valid standards to judge the appropriateness of any prior assessment based on hindsight, new information, use of developing technology or analytical techniques, or other factors. (Section 4.5.4 of the ASTM Standard)

A similar set of inherent limitations exist in cases where the Phase I ESA included a screening-level assessment of vapor migration or vapor encroachment; such an assessment is a required part of a Phase I ESA when the ASTM E1527-13 standard is employed. According to the ASTM E2600-15 Standard Guide for Vapor Encroachment Screening on Property Involved in Real Estate Transactions, the following limitations apply:

- Uncertainty Not Eliminated in Screening - No vapor encroachment screen (VES) can wholly eliminate uncertainty regarding the identifications of vapor encroachment conditions (VECs) in connection with the target property. (Section 4.5.1)
- Not Exhaustive - The guide is not meant to be an exhaustive screening. There is a point at which the cost of information obtained outweighs the usefulness of the information and, in fact, may be a material detriment to the orderly completion of real estate transactions. One of the purposes of this guide is to identify a balance between the competing goals of limiting the costs and time demands inherent in performing a VES and the reduction of uncertainty about unknown conditions resulting from additional information. (Section 4.5.2)

- Comparison with Subsequent Investigations - It should not be concluded or assumed that an investigation was not adequate because the investigation did not identify any VECs in connection with a property. The VES must be evaluated based on the reasonableness of judgments made at the time and under the circumstances in which they were made. Subsequent VESs should not be considered valid bases to judge the appropriateness of any prior screening if based on hindsight, new information, use of developing technology or analytical techniques, or similar factors. (Section 4.5.4)

This report was prepared pursuant to an agreement between 1600/1620 Realty Corporation (Client) and AECOM and is for the exclusive use of the Client. No other party is entitled to rely on the conclusions, observations, specifications, or data contained herein without first obtaining AECOM's written consent and provided any such party signs an AECOM-generated Reliance Letter. A third party's signing of the AECOM Reliance Letter and AECOM's written consent are conditions precedent to any additional use or reliance on this report.

The passage of time may result in changes in technology, economic conditions, site variations, or regulatory provisions, which would render the report inaccurate. Reliance on this report after the date of issuance as an accurate representation of current site conditions shall be at the user's sole risk.

1.4 Site-Related Limiting Conditions

The following site-specific limitations were encountered during the course of this assessment:

- During the site visit, AECOM did not access the roof of the subject property building. AECOM's evaluation of the subject property focused on areas where hazardous substances are handled. The site contact did not report any hazardous materials associated with the roof. Based on this information, this particular site-related limiting condition is not expected to have a significant limitation to this assessment.

1.5 Data Gaps/Data Failure

The following data failure/data gaps were encountered during the course of this assessment:

- As specified in the agreed upon scope of work, a title search and environmental lien search were not conducted as part of this ESA. However, based upon historical data collected from other sources, this data gap is not expected to impact the results of this assessment.
- Per ASTM, past owners, operators, and occupants of the subject property who are likely to have material information regarding the potential for contamination at the subject property shall be contacted to the extent that they can be identified and that the information likely to be obtained is not duplicative of information already obtained from other sources. AECOM was unable to interview past owners and/or operators at the subject property. However, based upon historical data collected from other sources, this data gap is not expected to impact the results of this assessment.
- Per the agreed scope-of-work and the ASTM Standard, information related to certain site-specific items should be provided by the ESA report user to AECOM. To assist the user in gathering information that may be material to identifying RECs, AECOM provided the Client (the users) with the User Questionnaire from the ASTM Standard; at this time the completed form has not been returned for inclusion in this report. However, this data gap is not expected to represent a significant limitation to this investigation given the historical use of the subject property.

- As of the date of this report, AECOM has not received any responses to Freedom of Information Act (FOIA) requests made to the Fire Department of the City of New York (FDNY), New York State Department of Health (NYSDOH), or the New York State Department of Environmental Conservation (NYSDEC). However, based upon historical data collected from other sources, this data gap is not expected to impact the results of this assessment.

2. Site Description

2.1 Site Location and Parcel Description

The subject property is defined herein as a 12,800-square foot one-story multi-tenant retail building with a basement that is occupied by tenants including a dry cleaner, a nail salon, a restaurant, a grocery store and a laundromat located at 1600-1620 Cortelyou Road, Brooklyn, Kings County, New York. The subject property is located to the southeast of the intersection of Cortelyou Road and East 16th Street. The subject property tenant spaces are accessed from Cortelyou Road (northern property boundary).

According to the City of New York Department of Finance, the subject property is designated as Block 5159, Lot 1. The location of the subject property is illustrated on Figure 1 - Site Location Map.

2.2 Site Ownership

According to the City of New York Department of Finance, the subject property is owned by 1600/1620 Realty Corporation (1600/1620).

2.3 Site Visit

Mr. Stephen Wright with AECOM's 100 Red Schoolhouse Road, Chestnut Ridge, New York office visited the subject property on March 27, 2018. During the site visit, Mr. Wright interviewed Mr. Abed Asad, Market Assistance Manager for the Cortelyou Market who accompanied Mr. Wright during his inspection of the subject property. Site-related limiting conditions encountered during this assessment were previously summarized in Section 1.4.

The site visit methodology consisted of walking over accessible areas of the subject property, including the tenant space interiors and building exterior, the perimeter, and the portions of the surrounding area. The following sections summarize the results of the site visit.

2.3.1 Site and Facility Description

The subject property is defined herein as a as a 12,800-square foot one-story multi-tenant retail building with a basement that is occupied by retail tenants including a dry cleaner, a nail salon, a restaurant, a grocery store and a laundromat located at 1600-1620 Cortelyou Road, Brooklyn, Kings County, New York. Based on the information provided, the dry cleaning facility ceased onsite dry cleaning operations in 2013 and has been a drop-off only facility since that time. According to the City of New York Department of Finance, the subject property parcel is listed as being approximately 14,800 square-feet (0.42 acres). The building is constructed of a steel frame with brick walls, a flat ethylene propylene diene monomer (EPDM) rubber roof and a poured concrete foundation.

During the site visit, no visual evidence of underground storage tanks (e.g., vent pipes, fill ports), potable water wells, monitoring wells, dry wells, clarifiers, septic tanks, or leach fields was observed on the subject property. A 275-gallon fuel oil aboveground storage tank (AST) which was reportedly removed from service in 2015 is located within the basement of the dry cleaning facility tenant space. Vent and fill pipes associated with this AST are visible to the north of the dry cleaners along Cortelyou Road. Five drums, each containing approximately 20 gallons of waste dry cleaning fluids are stored outdoors to the south of the of the dry cleaning tenant space. Floor drains and sumps were present in the laundromat and the grocery store and reportedly discharge into the municipal

sewer system. No visual evidence of discolored soil, water, or unusual vegetative conditions or odors was observed during the site visit. The general layout of the subject property is illustrated on Figure 2 - Site Plan and Representative Site Photographs are provided in Appendix A.

2.3.2 Surrounding Properties

The subject property is located in a mixed use commercial and residential area of Brooklyn. The properties located to the north across Cortelyou Road consist of buildings of mixed use including Chinese restaurant, organic food store, real estate agent, hair salon, dance studio, eye care center, barber shop, nail salon, a car service, a delicatessen-grocery store, and residential apartments. Properties to the east consist of a smoke shop, a butcher, a delicatessen, and residential apartments. Properties to the south consist of residential apartments while properties to the west across East 16th Street consist of pharmacies, a liquor store, a dry cleaners, and residential apartments.

AECOM did not observe any gasoline service stations in the immediate vicinity (500 feet) of the subject property. A dry cleaner is located within 500 feet west of the subject property along Cortelyou Road. In addition, no sensitive receptors (i.e. day care centers, schools, hospitals, water bodies) are located adjacent to the subject property. Based on AECOM's site reconnaissance of the surrounding neighborhood, the dry cleaners is an off-site sources of concern.

2.3.3 Petroleum Products and Hazardous Materials

According to the site contact and AECOM's site reconnaissance, no petroleum products are currently used at the subject property. Hazardous materials in the form of retail cleaning products and pesticides are sold in the supermarket at the subject property and small amounts of solvents are used in the nail salon for the removal of nail polish.

2.3.4 Polychlorinated Biphenyls

Polychlorinated biphenyls (PCB)-containing dielectric fluids have been widely used as coolants and lubricants in transformers, capacitors, and other electric equipment due to their insulating and nonflammable properties. Based on the age of the subject property (pre-1979), the potential exists for PCBs to be present on site.

During the site visit, no pad or pole-mounted transformers were observed on the subject property. A vertical hydraulic bailing machine manufactured by PTR Baler and Compactor (sold by Nanoia Recycling Equipment) is located in the basement of the supermarket and is used for consolidating waste cardboard. Specifications for the bailer indicate that the type of hydraulic fluid it uses does not contain PCBs. No staining was observed in the vicinity of the hydraulic bailer.

No other hydraulic equipment (transformers, trash compactors, lifts) were observed on the subject property during the site visit.

2.3.5 Aboveground Storage Tanks

One abandoned 275-gallon aboveground storage tanks (AST) was observed in the basement of the dry cleaner facility tenant space. The AST was formerly used to store heating oil before the dry cleaning facility converted to natural gas. No other ASTs were listed in the site-specific environmental database report reviewed by AECOM, or otherwise identified during AECOM's review of historical aerial photographs.

2.3.6 Underground Storage Tanks

Visual evidence of underground storage tanks (USTs) (e.g., vent pipes, fill ports) was not observed during the site visit. In addition, no USTs were listed in the site-specific environmental database report, or otherwise identified during AECOM's review of historical documents.

2.3.7 Solid Waste

Solid waste consisting of general office trash, spoiled produce, and miscellaneous debris generated from the various retail operations is placed in trash cans or loose bags in the paved area located to the south of the building. The New York City Department of Sanitation removes all of the solid waste that is generated at the subject property. It is unknown how often trash is removed from the subject property. No staining was observed in the vicinity of the trash cans. No solid waste dumpsters were observed on the subject property.

2.3.8 Hazardous Waste

The dry cleaning facility at the subject property ceased all onsite cleaning services in 2013 and has been a drop-off only facility since that time. Five drums, each containing approximately 20 gallons of waste dry cleaning fluids are stored outdoors to the south of the dry cleaning facility tenant space. It was unclear from the individual providing access to the subject property why the waste dry cleaning fluids were still present at the subject property. Visual observations suggested that these waste fluids have been stored at this location for some time. No staining was observed in the vicinity of the drums. No evidence of hazardous waste generation was observed elsewhere at the subject property, and the site contact reported no such activities.

2.3.9 Water

The subject properties receive its potable water supply from the New York City Department of Environmental Protection (NYCDEP). No potable water wells were observed at the subject property or reported by the site contact to be present on site.

2.3.10 Wastewater

Wastewater discharges at the subject property include effluent from human consumptive use and floor drains located in the supermarket and laundromat. Sanitary wastewater generated from the subject property discharge into the NYCDEP combined sewer system. Staining or visual evidence of a hazardous materials release was not observed in the vicinity of the floor drains.

2.3.11 Stormwater

No stormwater drains were observed on the subject property at the time of AECOM's site reconnaissance. Stormwater is expected to flow toward storm drains located in the adjacent roadways.

2.3.12 Heating and Cooling

Heating is supplied to the subject property tenant spaces by natural gas-fired furnaces. The natural gas is supplied by National Grid. Central air conditioning units are located in the paved area located to the south of the building.

3. Environmental Setting

3.1 Topography

According to the United States Geological Survey (USGS) topographic map of the subject property area (Brooklyn, NY / Coney Island, NY quadrangle maps) and a review of the Google Earth application, the elevation of the subject property is approximately 33 feet above mean sea level (msl). Based on a review of these technical resources and AECOM's site visit, the subject property appears to have a downward slope toward the southeast.

3.2 Soil/Geology

Site-specific geologic information was not identified during the course of this assessment. The environmental database report indicates that the subject property is underlain with Urban Land, which is considered to be historic fill of unknown origin and is typically covered by streets, parking lots, buildings, and other structures of urban areas.

The Borough of Brooklyn lies within the glaciated portion of western Long Island. The local geologic stratum in the area surrounding the subject property likely consists of some historic fill. Below this fill, the strata consist of a surficial unit of unconsolidated glacial till overlying the metamorphic, mica-rich gneissic bedrock of the Cambro-Ordovician Hartland Formation. Holocene deposits of alluvium and marine tidal marsh deposits occur along streams and shoreline areas, and many low-lying areas have been filled to accommodate development. The bedrock surface inclination is toward the south-southeast, and is approximately 100 feet below grade near the subject property.

3.3 Groundwater/Hydrology

Site-specific hydrologic information was not identified during the course of this assessment. Based on the topographic gradient in the area of the subject property, the groundwater flow beneath the subject property and in the surrounding area is anticipated to flow in a southerly or southeasterly direction. Based on a review of area review of the topographic map, groundwater is anticipated to be present at a depth between 20 to 30 feet below ground surface (bgs). However, the actual groundwater flow direction and depth in the vicinity of the subject property cannot be determined without site-specific groundwater monitoring well data.

4. Site and Area History

Historical information for the subject property and surrounding properties is based on AECOM's review and analysis of the following historical sources:

- Aerial photographs dated 1924, 1951, 1954, 1961, 1966, 1974, 1976, 1980, 1984, 1994, 2006, 2011, and 2015;
- Sanborn® Fire Insurance Maps dated 1893, 1905, , 1929, 1950, 1969, 1977, 1979, 1981, 1983, 1986, 1988, 1989, 1992 – 1995, and 2001 – 2007;
- Topographic maps dated 1897, 1898, 1900, 1947, 1955/1956, 1966/1967, 1979, 1995, and 2013;
- City directories for the years 1928 - 2014 in approximate 5 year intervals; and
- Online Property Information reviewed via the City of New York Department of Finance (NYCDOF) and the City of New York City Department of Buildings (NYCDOB) websites.

In addition, an interview was conducted Mr. Abed Asad, Market Assistance Manager for the Cortelyou Market.

4.1 Subject Property

Historical research indicates the subject property was vacant in 1893. By 1905 the western portion of the subject property was developed with a building containing three residential dwellings and one office space and the remainder of the property was vacant land. By 1929, the subject property had been developed with a building containing ground level stores and the Sir Henry Hotel above. The 1950 Sanborn Map depicts the subject property to have been redeveloped with a multi-tenant retail building with storefronts facing Cortelyou Road. Historical documents suggest that the configuration of the subject property has changed very little since 1950. A review of historical documents indicates onsite tenants have included a various restaurants and grocery stores, a butcher, a stationer, a sportswear store, a hardware store, a furniture store, a fur shop, a drug store, a real estate office, a liquor store, a hardware store, a pharmacy, a nail salon, a beauty/hair salon, a bank and various laundry/dry cleaning facilities. According to the city directories reviewed, Tom Chas Laundry was listed as 1608 Cortelyou Road in 1934, a dry cleaner was listed at 1610 Cortelyou Road in 1934 and 1940 and a laundry was listed at 1618 Cortelyou Road in 1992. The long term historic use of the property as a dry cleaning facility is considered a REC.

4.2 Off-site Properties

NORTH

The adjacent properties to the north beyond Avenue C (present-day Cortelyou Road) were vacant or undeveloped land in 1893. Sometime prior to 1905 the northerly adjacent property was developed with two dwellings to the north and northeast and a vacant lot to the northwest. By 1929, the northerly adjacent properties had been redeveloped with stores to the north and northeast and a gasoline station to the northwest the majority of the area was residential dwellings. There have been relatively little, if any, changes to these properties since 1929. According to a review of the city directories, tenants located adjacent to the west have included a grocery/market, hair salon, variety store, restaurants, window cleaning company, dance studio, driving school, curtain cleaners and a laundry.

The gasoline station was present to the northwest at 1525 Cortelyou Road until 1987 and by 2001 the present-day Walgreen's pharmacy building had been constructed.

EAST

The adjacent properties to the east were depicted as vacant land in 1893. By 1905, few residential dwellings had been constructed to the southeast. By 1929, retail buildings and a residence were depicted adjacent to the east. The easterly adjacent properties remained in the same general configuration through 1950. Between 1950 and 1969 most of the southeasterly adjacent residential dwellings were redeveloped as residential apartment buildings. There have been relatively little, if any, changes to these properties since 1969.

SOUTH

The adjacent properties to the south were depicted as vacant land in 1893. By 1905 residential development was depicted with additional residential development occurring by 1929. Between 1951 and 1969 most of the dwellings were replaced by residential apartment buildings and associated parking garages. There have been relatively little, if any, changes to these properties since 1969.

WEST

The adjacent properties to the west beyond East 16th Street were depicted as vacant land in 1893. By 1905, several retail stores and small office buildings were present. By 1929 the number of retail stores increased. Since 1929 no significant changes in this area has occurred as the buildings in this area continue to be utilized for retail and small commercial operations. According to a review of the city directories, tenants located adjacent to the west have included a pharmacy, Greenfield Chemical and Surgical, a liquor store and a dry cleaning facility.

4.3 Previously Prepared Environmental Reports

AECOM inquired about existing environmental reports associated with the subject property. Previously prepared environmental reports were not identified during this assessment. The client indicated that no previous environmental assessments or reports associated with the subject property.

5. Database and Records Review

5.1 User Provided Information

Section 6 of the ASTM Standard states that certain tasks, which will help to determine the possibility of RECs associated with the subject property, are generally conducted by the ESA report user. This includes the following: reviewing title records for environmental liens or activity and land use limitations and considering awareness of any specialized knowledge (e.g., information about previous ownership or environmental litigation), experience related to RECs at the subject property, or significant reduction in the purchase price of the subject property. Per the agreed scope-of-work, information related to these items should be provided by the ESA report user to AECOM. The User Questionnaire from the ASTM Standard was not provided to the client at the time of this report was prepared. This data gap is not expected to represent a significant limitation to this investigation based on other documentation reviewed as part of the Phase I ESA.

5.2 Title Records/Environmental Liens

Per the agreed upon scope of work, a chain-of-title and an environmental lien search were not performed as part of this assessment.

5.3 Database Information

In accordance with the scope of work and ASTM Standard E-1527-13, a search of various governmental databases was conducted by EDR. The site-specific environmental database report was reviewed to evaluate if soil and or groundwater from an onsite and/or off-site sources of concern has the potential to impact the subject property. The database abbreviations are provided in the site-specific environmental database report.

The database report includes various reports detailing database information for each of the sites identified/geocoded within the specified radius. Additional sites were identified within the database report; however EDR was not able to map them to specific locations due to insufficient/contradicting address information. These sites were included in the database report as "orphan" sites. Based upon AECOM's review, there does not appear to be any significant concerns associated with any of the orphan sites. A summary of AECOM's review and analysis of the site-specific environmental database report is presented below. A copy of the database report is provided in Appendix B.

Based on AECOM's research, the subject properties are not located on or within a 1-mile radius of tribal lands.

5.3.1 Subject Properties

The subject property located at the address of 1620 Cortelyou Road is listed on the Resource Conservation and Recovery Act (RCRA) Conditionally Exempt Small Quantity Generator (CESQG), United States Aerometric Information Retrieval System (USAIRS), Facility Index System/Facility Registry System (FINDS), Enforcement and Compliance History Information (ECHO), New York Facility and Manifest Data (NY Manifest), Registered Drycleaners (NY Drycleaners), and EDR Historical Dry Cleaner (EDR Hist Cleaner) environmental databases reviewed for this assessment in association with onsite dry cleaning facilities. The dry cleaner was known as Best Choice / Lee White Cleaners at the time the facility was listed on the databases. These databases are associated with the use, disposal, and air emissions related to the use of volatile organic compounds in dry cleaning operations. The listings were identified as follows:

- **Best Choice / Lee White Cleaners** (EDR ID A1) – This facility was identified as a dry cleaner on the NY Drycleaners database, but is listed as a drop shop indicating no cleaning is done on the premises.
- **Best Choice Cleaners** (EDR ID A2) This facility is identified on multiple databases:
    - Listed in 1993 as a RCRA – Large Quantity Generator (LQG), in 1995 as a RCRA-CESQG and as a non-generator in 2006. Waste codes generated included D001 (ignitable wastes) and F002 (spent halogenated solvents). No violations are reported associated with these listings.
    - Listed in 2000 has having an air discharge permit under USAIRS and FINDS.
    - Listed as generating a manifest for the disposal of waste dry cleaning fluids in 2006 - NY Manifest
    - Listed as a dry cleaners - ECHO
- **White Lee Cleaners** (EDR ID A3) – The operation was identified as a dry cleaners on the EDR Hist Cleaner database between 1991 and 2014.
- **Narcisi Gene Cleaners** (EDR ID A4), at 1622 Cortelyou Road, was identified as a dry cleaner on the EDR Hist Cleaner database between 1975 and 1983 and would have been located immediately adjacent to the east of the current dry cleaner. It is likely that this is the current same dry cleaner as previously identified, but the street address changed over the years.

5.3.2 Surrounding Sites

According to the environmental database report, numerous (over 300) sites were identified within their respective ASTM and/or EDR search distances from the subject property. Based on AECOM's review of the remaining database listings, none of these sites are expected to present a REC to the subject property based on their distance from the subject property, regulatory status (i.e. closed, no violations found), media impacted (i.e. soil only), and/or topographical position from the subject property (i.e. down-gradient or cross-gradient) with the exception of the following:

- **Sylvia French Cleaners / Denises Cleaners** (EDR ID B18 / B19), at 1524 Cortelyou Road was located less than 150 feet to the west of the subject property (across East 16th Street). The property was identified on the following databases:
    - EDR Hist Cleaner and NY Drycleaners – This property has been identified as a dry cleaners since 1986.
    - RCRA Non Generators / No Longer Regulated (NonGen / NLR) – This property was identified as a non-generator in 2007, but was listed as a SQG in 1990.
    - Integrated Compliance Information System (ICIS) – This property was identified as being issued a notice of violation. The type of violation was not identified in the database.
    - US AIRS – This property was identified under air compliance monitoring.
    - NY Manifest – This property disposed of 100 pounds of halogenated solvents in 1997.

    Since the possibility exists of a VEC, the site is considered an REC.

- **J&R / Cope's French Cleaners** (EDR ID B37 / B39) at 1501 Cortelyou Road is located approximately 300 feet west-northwest of the subject property. The property was identified on the following databases:

  - EDR Hist Cleaner and NY Drycleaners – This property was identified as a dry cleaners from 1986 to 2008.
  - RCRA-CESQG- – This property was identified as a CESQG in 1998 and 2006, but was listed as a SQG in 2005. No violations were noted.NY Manifest – This property disposed of 1,750 pounds of halogenated solvents in 2005.

  This business appears to have closed between 2005 and 2012. It is currently occupied by Father & Son Deli-Grocery. Since the possibility exists of a VEC from the former dry cleaning operations, the site is considered an REC.

5.4 Vapor Encroachment Screening

AECOM conducted a Tier 1 vapor encroachment screening (VES) as part of this assessment. This screening was conducted in general accordance with the ASTM E2600 *Standard Guide for Vapor Encroachment Screening on Property Involved in Real Estate Transactions* dated October 2015. The objective of the VES was to determine if a VEC exists or if a VEC does not exist.

5.4.1 Subject Property

As previously identified, dry cleaning facilities have occupied the subject property from as early as 1934 until as recently as 2013. No subsurface data was provided for review. As a result of the long term historic use of the property as a dry cleaning facility, a VEC may exist and is considered a REC.

5.4.2 Off-site

To conduct the VES of the nearby area, AECOM conducted a detailed review and analysis of the site-specific environmental database report with particular focus on the follow two types of sites:

1. Off-site properties that are impacted by chlorinated volatile organic compounds (VOCs) and/or semi-volatile-organic compounds (SVOCs) and are located within approximately 1,750 feet of the subject property, and
2. Off-site properties that are impacted by petroleum hydrocarbons and are located within approximately 525 feet of the subject property.

The following paragraph summarizes the results of AECOM's VES of the nearby area.

A review of the site-specific environmental database indicates that no chlorinated VOC/SVOC and 20 petroleum hydrocarbon impacted sites are located with the above-described radii of the subject property. However, all of the petroleum hydrocarbon-impacted sites can be ruled out due to their regulatory status (i.e. regulatory closure has been issued), media impacted (i.e. soil only), and/or topographical position from the subject property (i.e. down-gradient or cross-gradient). Although not listed on a contamination-related database, the following bullets discuss off-site dry cleaning facilities of concern:

- **Sylvia French Cleaners / Denises Cleaners** (EDR ID B18 / B19), at 1524 Cortelyou Road was located less than 150 feet to the west of the subject property (across East 16th Street). As stated in Section 5.3.2 the property was identified on the EDR Hist Cleaner, NY

Drycleaners, RCRA NonGen / NLR, ICIS, US AIRS, and NY Manifest databases. Due to the lack of available information, it is AECOM's opinion that a VEC has the potential to exist. Therefore, AECOM considers this facility to be a REC.

- **J&R / Cope's French Cleaners (EDR ID B37)** at 1501 Cortelyou Road is located approximately 300 feet west-northwest of the subject property. It is currently a deli-grocery store. As stated in Section 5.3.2 the property was identified on the EDR Hist Cleaner, NY Drycleaners, RCRA-CESQG, and NY Manifest databases. Due to the lack of available information, it is AECOM's opinion that a VEC has the potential to exist. Therefore, AECOM considers this facility to be a REC.

5.5 Agency File Review

5.5.1 Local

AECOM submitted Freedom of Information Act (FOIA) requests to the NYCDEP and Fire Department of the City of New York. Information received from the NYCDEP indicated that they had no records pertaining to the subject properties.

As of the date of this report, a response to AECOM's FOIA request to the FDNY has not been received. Based on AECOM's research to date, AECOM does not anticipate the response (if any) from this agency to our FOIA request will significantly alter the conclusions or recommendations of this report. However, if information is received from this FOIA request that significantly impacts the conclusions of this report, this information will be forwarded upon receipt.

5.5.2 State

In addition, AECOM submitted a FOIA request to the NYSDEC and the NYSDOH. As of the date of this report, a response to AECOM's FOIA request to the NYSDEC and the NYSDOH has not been received. Based on AECOM's research to date, AECOM does not anticipate the response (if any) from this agency to our FOIA request will significantly alter the conclusions or recommendations of this report. However, if information is received from this FOIA request that significantly impacts the conclusions of this report, this information will be forwarded upon receipt.

AECOM also reviewed the following databases, in addition to those identified in Section 5.3.2:

- New York State Department of Environmental Conservation, Bulk Storage Database Search. The subject property was not identified in the database.
- New York State Department of Environmental Conservation, Spill Incident Database Search. The subject property was not identified in the database.

5.5.3 Federal

AECOM searched the U.S. EPA's Envirofacts and Superfund Enterprise Management System (SEMS) online databases. The SEMS database replaced the Comprehensive Environmental Response, Compensation and Liability Information System (CERCLIS) which has since been retired. SEMS includes the same data fields and content as CERCLIS. The Envirofacts database retrieves information obtained from 17 national systems, including the CERCLIS, Superfund program (NPL sites), hazardous waste sites, and potential hazardous waste sites. The subject property was not listed on either the Envirofacts or the SEMS databases.

6. Findings and Opinions

AECOM performed a Phase I ESA of the subject property in conformance with the scope and limitations of ASTM Practice E 1527-13, which meets the requirements of Title 40, Code of Federal Regulations Part 312 and is intended to constitute *all appropriate inquiry* for purposes of the landowner liability protections. Any exceptions to, or deletions from, this practice are described in Section 1.3 through 1.5 of this report.

The following sections summarize the findings and opinions of this Phase I ESA of the subject property.

6.1 Recognized Environmental Conditions

The following RECs were identified during this assessment:

- The subject property was historically occupied by several dry cleaning facilities from at least 1934 through 2013. In addition, waste dry cleaning fluids are still stored in the back of the facility. The long term historic use of the property as a dry cleaning facility is considered a REC.
- The presence of a dry cleaners at the subject property since 1934 suggests the possibility of a VEC and as such is considered an REC.
- A former dry cleaners and current dry cleaning facility located west and hydrogeologically upgradient of the subject property were known to have provided onsite cleaning services. No additional information was identified during the course of this assessment pertaining to potential environmental impacts from the former operations. Based on proximity, potential upgradient position, and the lack of information regarding their regulatory status, AECOM considers these off-site dry cleaning facilities an REC.

6.2 Controlled Recognized Environmental Conditions

Based on the above-described activities, no CRECs were identified in connection with the subject property.

6.3 Historical Recognized Environmental Conditions

Based on the above-described activities, no HRECs were identified in connection with the subject property.

6.4 De Minimis Conditions

No de minimis conditions were observed at the subject property.

7. Conclusions

We have performed a Phase I ESA in conformance with the scope and limitations of ASTM Practice E 1527-13 of the property located at 1600 to 1620 Cortelyou Road, Brooklyn, Kings County, New York, the subject property. Any exception to, or deletions from, this practice are described in Sections 1.3 through 1.5 of this report. This assessment has revealed no evidence of RECs or CRECs in connection with the subject property except the following:

- The subject property was historically occupied by several dry cleaning facilities from at least 1934 through 2013. In addition, waste dry cleaning fluids are still stored in the back of the facility. The long term historic use of the property as a dry cleaning facility is considered a REC.
- The presence of a dry cleaners at the subject property since 1934 suggests the possibility of a VEC and as such is considered an REC.
- A former dry cleaners and current dry cleaning facility located west and hydrogeologically upgradient of the subject property were known to have provided onsite cleaning services. No additional information was identified during the course of this assessment pertaining to potential environmental impacts from the former operations. Based on proximity, potential upgradient position, and the lack of information regarding their regulatory status, AECOM considers these off-site dry cleaning facilities an REC.

8. Environmental Professional Statement

Mr. Abrams was the Environmental Professional (EP) for this project. Mr. Abrams' EP statement is below and his resume is provided in Appendix C:

I declare that, to the best of our professional knowledge and belief, I meet the definition of an EP as defined in §312.10 of 40 Code of Federal Regulations (CFR) and that I have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the subject property. I have developed and performed all the appropriate inquiries in conformance with the standards and practices set forth in 40 CFR Part 312.

Signature:  Date: May 8, 2018

9. References

9.1 Persons Interviewed

Asad, Abed, Market Assistance Manager for Key Food Cortelyou Market, 1610 Cortelyou Road, Brooklyn, New York 11226. 718-469-8479. Provided limited site history of the subject properties during site visit on March 27, 2018.

9.2 Agencies Contacted

Environmental Protection Agency Envirofacts database - http://www.epa.gov/enviro/

Environmental Protection Agency Superfund Enterprise Management System (SEMS) database, https://cumulis.epa.gov/supercpad/cursites/srchsites.cfm.

Fire Department of the City of New York, Public Records Unit / Tanks Section, 9 MetroTech Center, Brooklyn, New York 11201-3857. (718) 999-2441 or 2442.

New York City Department of Buildings. Building permits accessed online at: http://www.nyc.gov/html/dob/html/home/home.html

New York City Department of Finance. Review of Digital Tax Maps. System accessed online at: http://www1.nyc.gov/subject property/finance/taxes/property-digital-tax-map.page

New York State Department of Environmental Conservation, Bulk Storage Database Search, bulk storage information pertaining to the subject property, retrieved online at http://www.dec.ny.gov/cfmx/extapps/derexternal/index.cfm?pageid=4

New York State Department of Environmental Conservation, Spill Incidents Database Search, spill information pertaining to the subject property, retrieved online at http://www.dec.ny.gov/cfmx/extapps/derexternal/index.cfm?pageid=2

New York State Department of Environmental Conservation, Office of General Counsel, 625 Broadway, Albany, New York 12233-1500.

New York State Department of Health, 59-17 Junction Boulevard, Corona, New York 11368.

9.3 Documents Reviewed

ASTM E1527-13, Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process, dated November 2013. www.astm.org.

ASTM E2600-15, Standard Guide for Vapor Encroachment Screening on Property Involved in Real Estate Transactions, dated October 2015. www.astm.org.

Brock, Pamela Chase, and Brock, Patrick W.G. Geologic Map of New York City, dated October 2001. State University of New York at Stony Brook, www.geo.sunusb/reports/ny-city/full-map.png.

EDR 7.5 Minute Topographic Maps, prepared for 1600 – 1620 Cortelyou Road, 1606 Cortelyou Road, Brooklyn, NY 11226, dated March 21, 2018. Inquiry number 5229811.4. Topographic Maps

1897, 1898, 1900, 1947, 1956, 1957, 1966, 1967, 1979, 1995, and 2013. Report prepared by Environmental Data Resources Inc., 6 Armstrong Road, Shelton, Connecticut 06484, (800) 352-0050, www.edrnet.com.

EDR Aerial Photos Decade Package prepared for 1600 – 1620 Cortelyou Road, 1606 Cortelyou Road, Brooklyn, NY 11226, dated March 22, 2018. Inquiry number 5229811.9. Aerial photographs dated 1924, 1951, 1954, 1961, 1966, 1974, 1976, 1980, 1984, 1994, 2006, 2011, and 2015. Report prepared by Environmental Data Resources Inc., 6 Armstrong Road, Shelton, Connecticut 06484, (800) 352-0050, www.edrnet.com.

EDR City Directory Abstract prepared for 1600 – 1620 Cortelyou Road, 1606 Cortelyou Road, Brooklyn, NY 11226, dated March 22, 2018. Inquiry number 5229811.5. City directories reviewed included 1928, 1934, 1940, 1945, 1949, 1960, 1965, 1970, 1973, 1976, 1980, 1985, 1992, 1997, 2000, 2005, 2010 and 2014. Report prepared by Environmental Data Resources Inc., 6 Armstrong Road, Shelton, Connecticut 06484, (800) 352-0050, www.edrnet.com.

EDR Radius Map with GeoCheck®, prepared for 1600 – 1620 Cortelyou Road, 1606 Cortelyou Road, Brooklyn, NY 11226, dated March 21, 2018. Inquiry number 5229811.2s. Report prepared by Environmental Data Resources Inc., 6 Armstrong Road, Shelton, Connecticut 06484, (800) 352-0050, www.edrnet.com.

EDR Sanborn Map Report, prepared for 1600 – 1620 Cortelyou Road, 1606 Cortelyou Road, Brooklyn, NY 11226, dated March 21, 2018. Inquiry number 5229811.3. Sanborn Maps dated 1893, 1905, 1929, 1950, 1969, 1977, 1979, 1981, 1983, 1986 - 1989, 1992 – 1995, 2001- 2007. Report prepared by Environmental Data Resources Inc., 6 Armstrong Road, Shelton, Connecticut 06484, (800) 352-0050, www.edrnet.com.

Google Earth website, www.google.earth.com. This information was reviewed online by Mr. Nelson Abrams with AECOM on May 3, 2018.