74 Bogart Street Rezoning

Environmental Assessment Statement

CEQR No. **25DCP029K**

Prepared by:
Philip Habib & Associates

October 3**, 2024**

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Environmental Assessment Statement

CEQR No. TBA

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

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

Part I: GENERAL INFORMATION

PROJECT NAME 74 Bogart Street Rezoning

1. *Reference Numbers*

CEQR REFERENCE NUMBER (to be assigned by lead agency)	BSA REFERENCE NUMBER (if applicable)
25DCP029K	
ULURP REFERENCE NUMBER (if applicable)	OTHER REFERENCE NUMBER(S) (if applicable) (*e.g.*, legislative intro, CAPA)
250064ZMK	

2a. *Lead Agency Information*			**2b. *Applicant Information***		
NAME OF LEAD AGENCY New York City Department of City Planning			NAME OF APPLICANT 74 Bogart LLC		
NAME OF LEAD AGENCY CONTACT PERSON Stephanie Shelloee, AICP, Director Environmental Assessment and Review Division			NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON Andrew Ehinger Storage Deluxe		
ADDRESS 120 Broadway, 31st Floor			ADDRESS 26 West 17th Street, Suite 801		
CITY New York	STATE NY	ZIP 10271	CITY New York	STATE NY	ZIP 10011
TELEPHONE (212) 720-3328	EMAIL sshellooe@planning.nyc.gov		TELEPHONE (646) 680-0501	EMAIL aehinger@storagedeluxe.com	

3. *Action Classification and Type*

SEQRA Classification

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

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

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

4. *Project Description*

The Applicant, 74 Bogart LLC, is seeking a zoning map amendment to rezone 74 Bogart Street, Brooklyn (Block 3084, Lot 1; the "Project Site") from an M1-2 district to an M1-4A district (the "Proposed Action"). The zoning map amendment would facilitate the development of an approximately 134-foot-tall, 247,000-gross-square-foot (gsf) building to be used for art storage (Use Group IXA) (the "Proposed Development"). The Proposed Action would allow for an increase of permitted floor area on the Project Site by approximately 240,000 zoning square feet (zsf) to allow for the development of an art storage facility. Currently, the eastern portion of the Project Site is occupied by an approximately 193,785-gsf self-storage facility (which was developed as-of-right) and its required accessory parking, while the western portion contains an open parking lot for commercial vehicle storage. The existing self-storage facility would remain on the eastern portion of the Project Site, while the Proposed Development would replace the open parking lot on the western portion of the Project Site.

Project Location

BOROUGH Brooklyn	COMMUNITY DISTRICT(S) 1	STREET ADDRESS 74 Bogart Street
TAX BLOCK(S) AND LOT(S) Block 3084, Lot 1		ZIP CODE 11206

DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS The Project Site is bounded by Bogart Street to the west, Ingraham Street to the north, Morgan Avenue to the east, and Harrison Place to the south.

EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY M1-2	ZONING SECTIONAL MAP NUMBER 13B

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

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

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

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

SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

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

☐ VARIANCE (use)

☐ VARIANCE (bulk)

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

SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

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

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

☐ LEGISLATION
☐ RULEMAKING
☐ CONSTRUCTION OF PUBLIC FACILITIES
☐ 384(b)(4) APPROVAL
☐ OTHER, explain:

☐ FUNDING OF CONSTRUCTION, specify:
☐ POLICY OR PLAN, specify:
☐ FUNDING OF PROGRAMS, specify:
☐ PERMITS, specify:

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

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

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

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

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

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

Physical Setting (both developed and undeveloped areas)

Total directly affected area (sq. ft.): 80,000 sq ft
Waterbody area (sq. ft.) and type:
Roads, buildings, and other paved surfaces (sq. ft.): 80,000 sq ft
Other, describe (sq. ft.):

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

SIZE OF PROJECT TO BE DEVELOPED (gross square feet): 247,000 gsf
NUMBER OF BUILDINGS: 1
GROSS FLOOR AREA OF EACH BUILDING (sq. ft.): 247,000 gsf
HEIGHT OF EACH BUILDING (ft.): 118' (roof)
NUMBER OF STORIES OF EACH BUILDING: 7 stories

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: 80,000 sf
The total square feet not owned or controlled by the applicant: NA

Does the proposed project involve in-ground excavation or subsurface disturbance, including, but not limited to foundation work, pilings, utility lines, or grading? ☒ YES ☐ NO
If "yes," indicate the estimated area and volume dimensions of subsurface disturbance (if known):
AREA OF TEMPORARY DISTURBANCE: 40,000 sq. ft. (width x length)
VOLUME OF DISTURBANCE: 153,600 cubic ft. (width x length x depth)
AREA OF PERMANENT DISTURBANCE: 40,000 sq. ft. (width x length)

8. *Analysis Year* CEQR Technical Manual Chapter 2

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

ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: 20

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

BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE: 20-month construction; grading of the existing parking lot, then foundation and construction of the proposed art storage facility.

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

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

DESCRIPTION OF EXISTING AND PROPOSED CONDITIONS

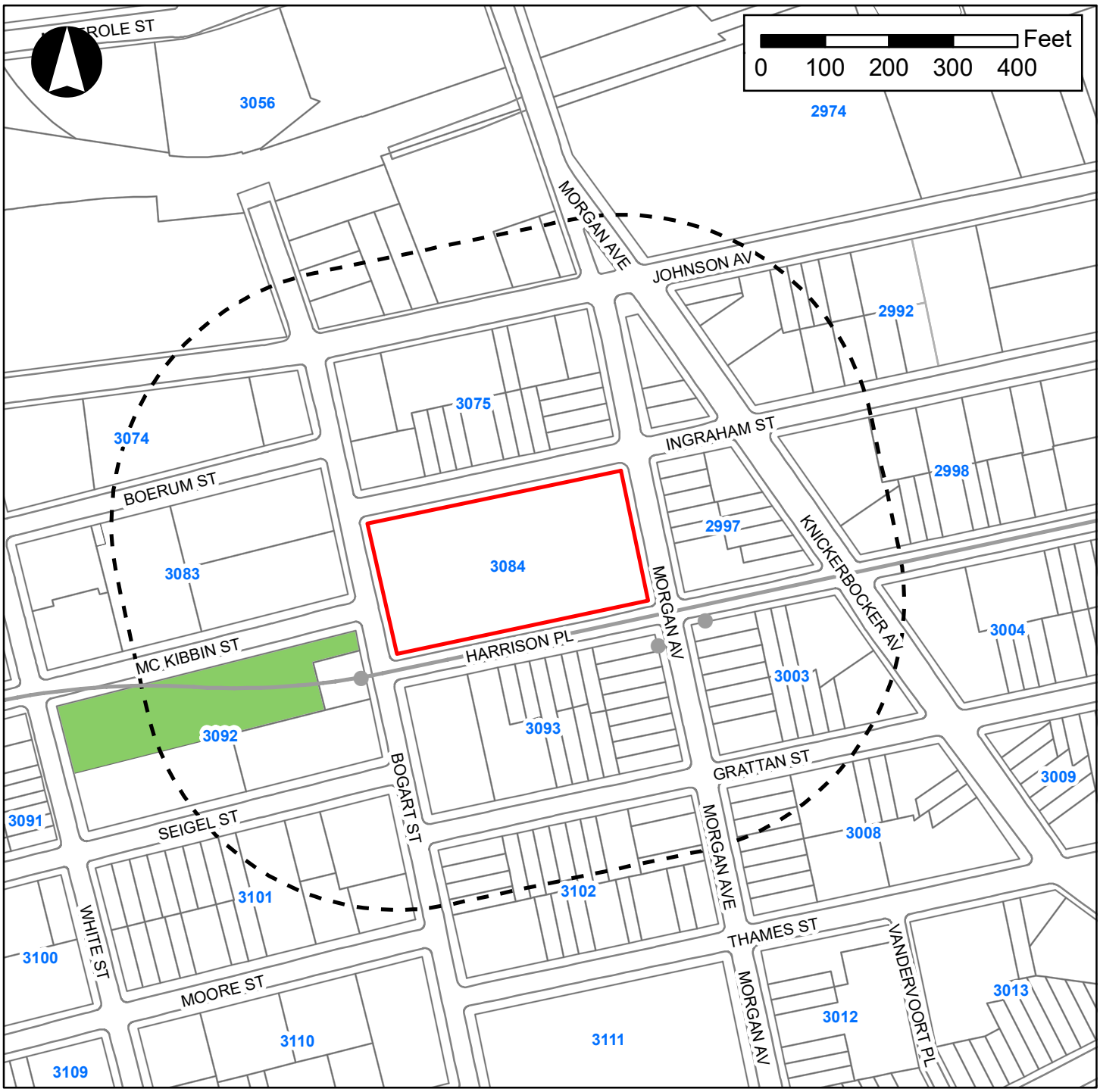
The information requested in this table applies to the directly affected area. The directly affected area consists of the project site and the area subject to any change in regulatory control. The increment is the difference between the No-Action and the With-Action conditions.

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
LAND USE				
Residential	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify the following:				
Describe type of residential structures				
No. of dwelling units				
No. of low- to moderate-income units				
Gross floor area (sq. ft.)				
Commercial	☒ YES ☐ NO	☒ YES ☐ NO	☒ YES ☐ NO	
If "yes," specify the following:				
Describe type (retail, office, other)	Self-Storage Facility, unoccupied space	Self-Storage Facility, Local Retail	Self-Storage Facility, Local Retail, Art Storage	Add Art Storage
Gross floor area (sq. ft.)	193,785	193,785	440,785	+247,000
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:				
Publicly Accessible Open Space	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify type (mapped City, State, or Federal parkland, wetland—mapped or otherwise known, other):				
Other Land Uses	☒ YES ☐ NO	☒ YES ☐ NO	☐ YES ☒ NO	
If "yes," describe:	Vehicle Storage (outdoor)	Vehicle Storage (outdoor)		Remove vehicle storage (outdoor)
PARKING				
Garages	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify the following:				
No. of public spaces				
No. of accessory spaces				
Operating hours				
Attended or non-attended				
Lots	☒ YES ☐ NO	☒ YES ☐ NO	☒ YES ☐ NO	
If "yes," specify the following:				
No. of public spaces				
No. of accessory spaces	3	3	3	
Operating hours	M-Sa 8a-8p; Su 9a-6p	M-Sa 8a-8p; Su 9a-6p	M-Sa 8a-8p; Su 9a-6p	
Other (includes street parking)	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," describe:				

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
POPULATION				
Residents	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify number:				
Briefly explain how the number of residents was calculated:				
Businesses	☒ YES ☐ NO	☒ YES ☐ NO	☒ YES ☐ NO	
If "yes," specify the following:				
No. and type	1 Self Storage	1 Self Storage, Retail	1 Self Storage, Retail, 1 Art Storage	Add Art Storage
No. and type of workers by business	5	53	83	+30
No. and type of non-residents who are not workers				
Briefly explain how the number of businesses was calculated:	The existing self-storage facility has three employees. Retail employees assumed with standard rate of 1 retail worker per 333.3 gsf.			
Other (students, visitors, concertgoers, *etc.*)	☒ YES ☐ NO	☒ YES ☐ NO	☒ YES ☐ NO	
If any, specify type and number:	Self-Storage customers	Self-Storage and retail customers	Self-Storage, retail, and art storage customers	Add art storage customers
Briefly explain how the number was calculated:	Numbers not available			
ZONING				
Zoning classification	M1-2	M1-2	M1-4A	M1-2 to M1-4A
Maximum amount of floor area that can be developed	160,000 zsf (C, M: 2.0 FAR); 384,000 zsf (CF: 4.8 FAR)	160,000 zsf (C, M: 2.0 FAR); 384,000 zsf (CF: 4.8 FAR)	400,000 zsf (C, M: 5.0 FAR); 520,000 (CF: 6.5 FAR)	+240,000 zsf (C, M: +3.0 FAR); +136,000 zsf (CF: +1.7 FAR)
Predominant land use and zoning classifications within land use study area(s) or a 400 ft. radius of proposed project	M1-1, M1-2, M1-3	M1-1, M1-2, M1-3	M1-1, M1-2, M1-3, M1-4A	Add M1-4A
Attach any additional information that may be needed to describe the project. If your project involves changes that affect one or more sites not associated with a specific development, it is generally appropriate to include total development projections in the above table and attach separate tables outlining the reasonable development scenarios for each site.				

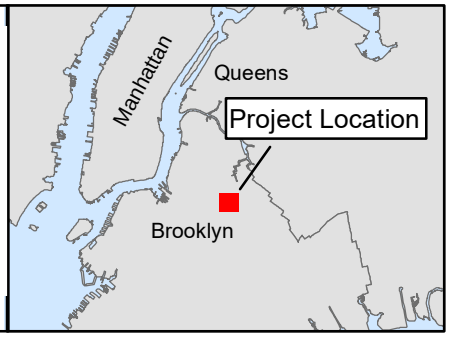
Figure 1

Project Location



Legend

- Project Site
- 400 Foot Radius
- L Train Subway Route
- Morgan Avenue L Subway Entrance
- 3084 Tax Block
- Open Space



Land Use



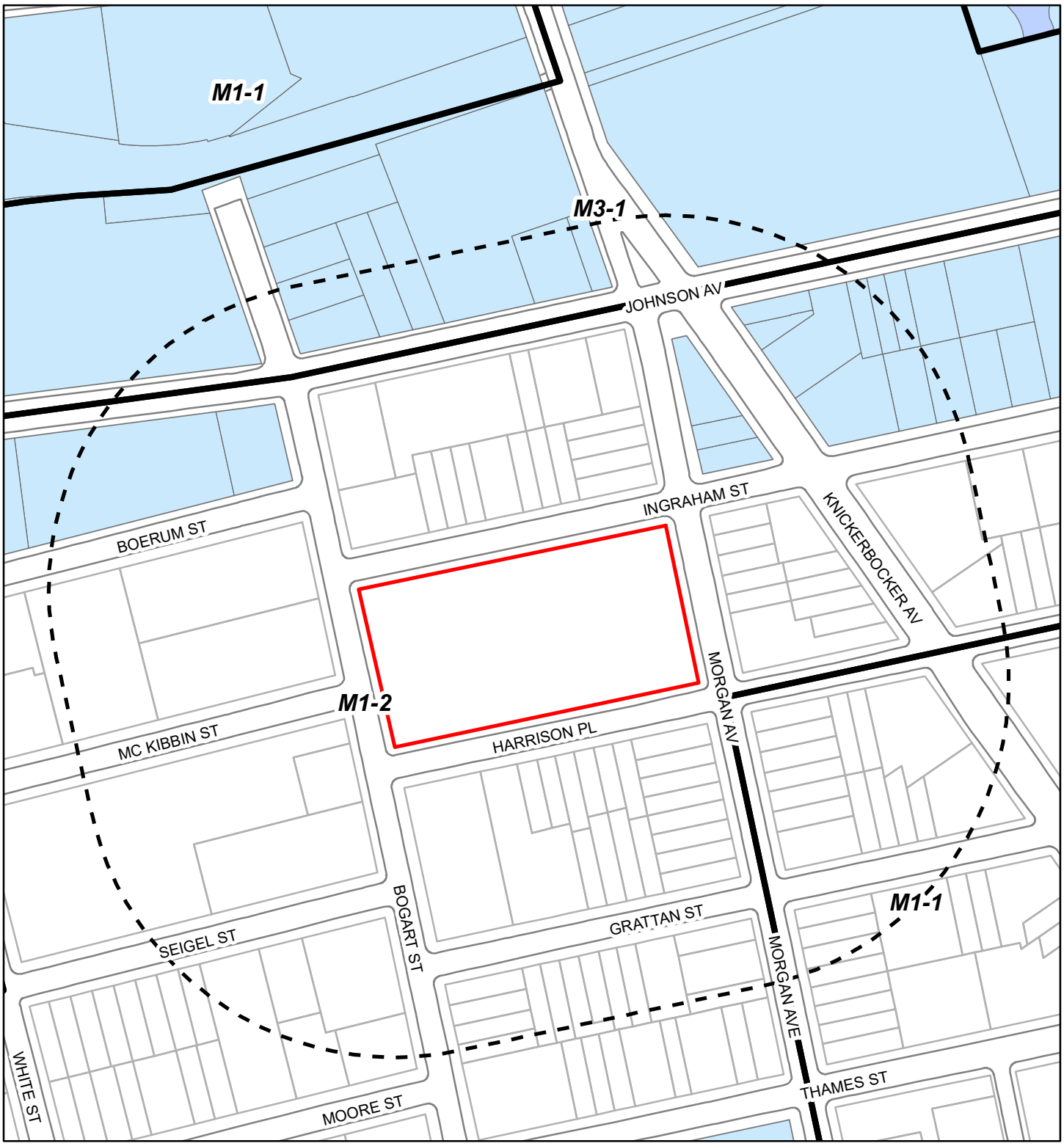
Legend

- Project Site
- 400 Foot Radius

Land Use

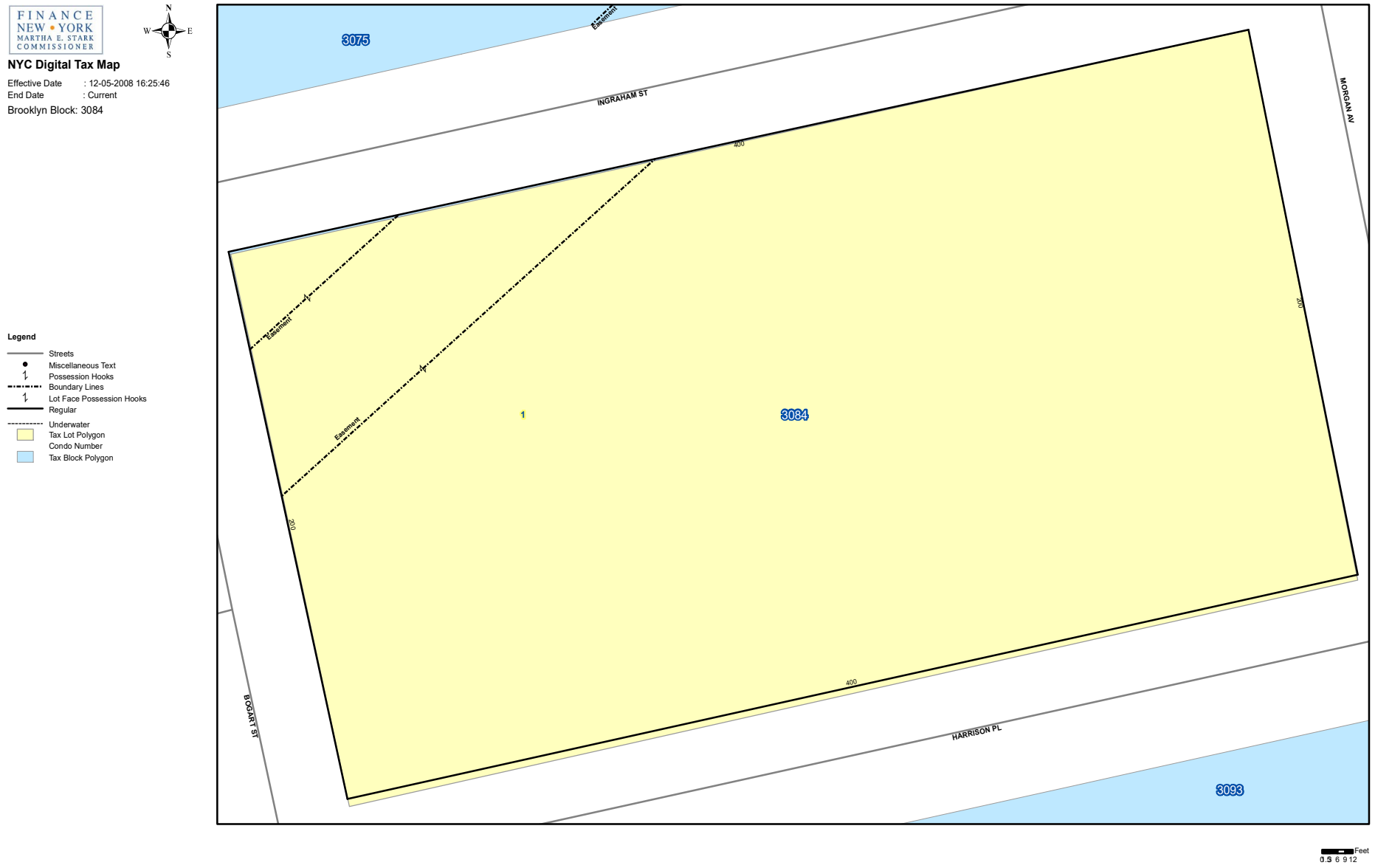
- One & Two Family Buildings
- Multi-Family Walkup Buildings
- Multi-Family Elevator Buildings
- Mixed Commerical/Residential Buildings
- Commercial/Office Buildings
- Industrial/Manufacturing
- Transportation/Utility
- Public Utilities & Institutions
- Open Space
- Parking Facilities
- Vacant Land
- All Others or No Data

Existing Zoning



Legend

- 400 Foot Radius
- Project Site
- M1-2 Zoning District
- North Brooklyn Industrial Business Zone

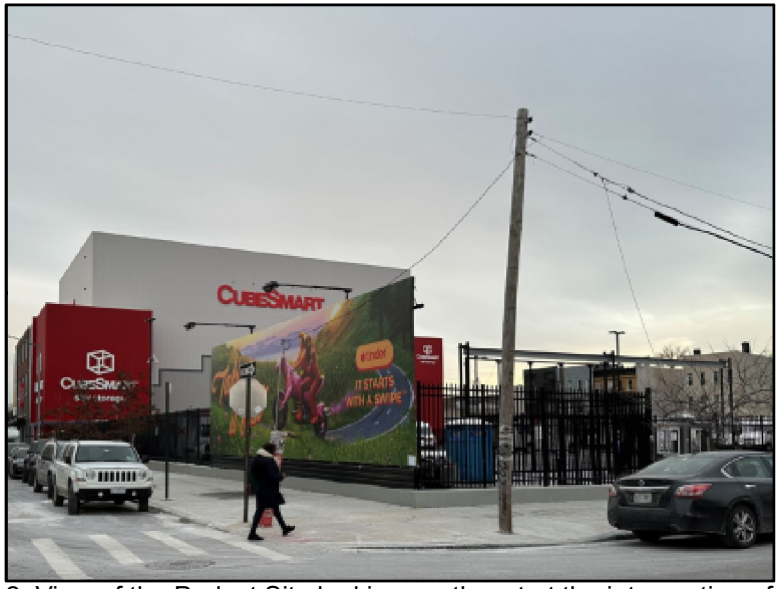


74 Bogart Street Rezoning

Figure 4
Tax Map



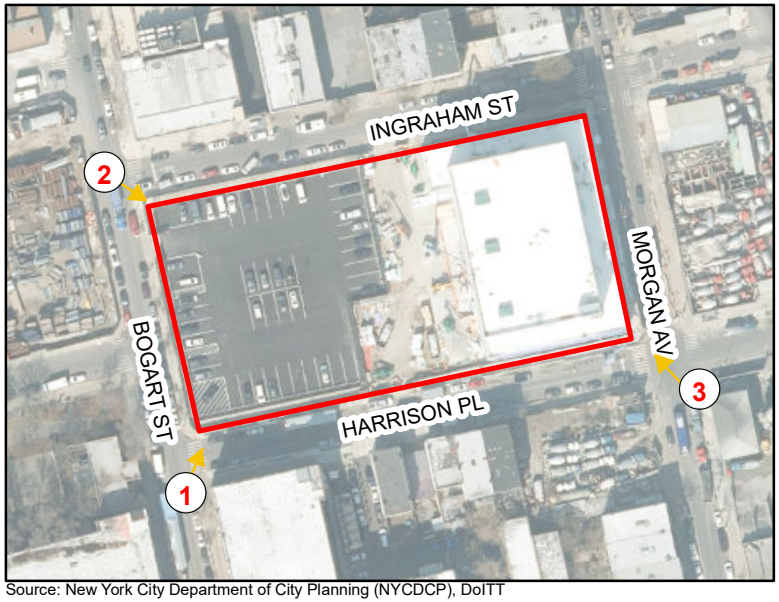
1. View of the Project Site looking northeast at the intersection of Bogart Street and Harrison Place.



2. View of the Project Site looking southeast at the intersection of Bogart Street and Ingraham Street.



3. View of Project Site looking northwest at the intersection of Morgan Avenue and Harrison Place.



Source: New York City Department of City Planning (NYCDCP), DoITT
Notes:
1. The Project Site is outlined by a solid red line.

Part II: TECHNICAL ANALYSIS

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

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

	YES	NO
1. *LAND USE, ZONING, AND PUBLIC POLICY*: CEQR Technical Manual Chapter 4		
(a) Would the proposed project result in a change in land use different from surrounding land uses?	☐	☒
(b) Would the proposed project result in a change in zoning different from surrounding zoning?	☒	☐
(c) Is there the potential to affect an applicable public policy?	☒	☐
(d) If "yes," to (a), (b), and/or (c), complete a preliminary assessment and attach. **See Attachment C, "Land Use, Zoning, and Public Policy"**		
Is the project a large, pub icly sponsored project?	☐	☒
○ If "yes," complete a PlaNYC assessment and attach.		
(e) 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 more than 200 residential units *or* 200,000 square feet of commercial space?	☒	☐
▪ If "yes," answer *both* questions 2(b)(ii) and 2(b)(iv) below.		
○ Directly displace 500 or more residents?	☐	☒
▪ If "yes," answer questions 2(b)(i), 2(b)(ii), and 2(b)(iv) below.		
○ Directly displace more than 100 employees?	☐	☒
▪ If "yes," answer questions under 2(b)(iii) and 2(b)(iv) below.		
○ Affect conditions in a specific industry?	☐	☒
▪ If "yes," answer question 2(b)(v) below.		
(b) If "yes" to any of the above, attach supporting information to answer the relevant questions below. **See Attachment B, "Supplemental Screening"** If "no" was checked for each category above, the remaining questions in this technical area do not need to be answered.		
i. Direct Residential Displacement		
○ If more than 500 residents would be displaced, would these residents represent more than 5% of the primary study area population?	☐	☒
○ If "yes," is the average income of the directly displaced population markedly lower than the average income of the rest of the study area population?	☐	☐
ii. Indirect Residential Displacement		
○ Would expected average incomes of the new population exceed the average incomes of study area populations?	☐	☒
○ If "yes:"		
▪ Would the population of the primary study area increase by more than 10 percent?	☐	☐
▪ Would the population of the primary study area increase by more than 5 percent in an area where there is the potential to accelerate trends toward increasing rents?	☐	☐
○ If "yes" to either of the preceding questions, would more than 5 percent of all housing units be renter-occupied and unprotected?	☐	☐
iii. Direct Business Displacement		
○ Do any of the displaced businesses provide goods or services that otherwise would not be found within the trade area, either under existing conditions or in the future with the proposed project?	☐	☒

	YES	NO
○ Is any category of business to be displaced the subject of other regulations or publicly adopted plans to preserve, enhance, or otherwise protect it?	☐	☒
iv. Indirect Business Displacement		
○ Would the project potentially introduce trends that make it difficult for businesses to remain in the area?	☐	☒
○ Would the project capture retail sales in a particular category of goods to the extent that the market for such goods would become saturated, potentially resulting in vacancies and disinvestment on neighborhood commercial streets?	☐	☒
v. Effects on Industry		
○ Would the project significantly affect business conditions in any industry or any category of businesses within or outside the study area?	☐	☒
○ Would the project indirectly substantially reduce employment or impair the economic viability in the industry or category of businesses?	☐	☒
3. *COMMUNITY FACILITIES*: CEQR Technical Manual Chapter 6		
(a) Direct Effects		
○ Would the project directly eliminate, displace, or alter public or publicly funded community facilities such as educational facilities, libraries, health care facilities, day care centers, police stations, or fire stations?	☐	☒
(b) Indirect Effects		
i. Early Childhood Programs		
○ Would the project result in 20 or more eligible children under age 6, based on the number of low or low/moderate income residential units? (See Table 6-1 in Chapter 6)	☐	☒
○ If "yes," would the project result in a collective utilization rate of the Early Childhood Programs in the study area that is greater than 100 percent?	☐	☐
○ If "yes," would the project increase the collective utilization rate by 5 percent or more from the No-Action scenario?	☐	☐
ii. Public Schools		
○ Would the project result in 50 or more elementary or middle school students, or 150 or more high school students based on number of residential units? (See Table 6-1 in Chapter 6)	☐	☒
○ If "yes," would the project result in a utilization rate of the elementary or middle schools that is equal to or greater than 100 percent?	☐	☐
○ If "yes," would the project generate 100 or more elementary or middle school students past the 100% utilization rate?	☐	☐
○ If "yes," would the project result in a utilization rate of the high schools that is equal to or greater than 100 percent?	☐	☐
○ If "yes," would the project increase the high school utilization rate by 5 percent or more from the No-Action scenario?	☐	☐
iii. Libraries		
○ Would the project result in a 5 percent or more increase in the ratio of residential units to library branches? (See Table 6-1 in Chapter 6)	☐	☒
○ If "yes," would the project increase the study area population by 5 percent or more from the No-Action levels?	☐	☐
○ If "yes," would the additional population impair the delivery of library services in the study area?	☐	☐
iv. Health Care Facilities		
○ Would the project result in the introduction of a sizeable new neighborhood?	☐	☒
○ If "yes," would the project affect the operation of health care facilities in the area?	☐	☐
v. Fire and Police Protection		
○ Would the project result in the introduction of a sizeable new neighborhood?	☐	☒
○ If "yes," would the project affect the operation of fire or police protection in the area?	☐	☐
4. *OPEN SPACE*: CEQR Technical Manual Chapter 7		
(a) Would the project change or eliminate existing open space?	☐	☒
(b) Would the project generate more than 200 additional residents or 500 additional employees?	☐	☒
5. *SHADOWS*: CEQR Technical Manual Chapter 8		
(a) Would the proposed project result in a net height increase of any structure of 50 feet or more?	☒	☐
(b) Would the proposed project result in any increase in structure height and be located adjacent to or across the street from a sunlight-sensitive resource?	☒	☐
(c) If "yes" to either of the above questions, attach supporting information explaining whether the project's shadow would reach any sunlight-sensitive resource at any time of the year. **See Attachment D, "Shadows"**		

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

	YES	NO
(f) Would the proposed project be located in an area that is partially sewered or currently unsewered?	☐	☒
(g) Is the project proposing an industrial facility or activity that would contribute industrial discharges to a Wastewater Treatment Plant and/or contribute contaminated stormwater to a separate storm sewer system?	☐	☒
(h) Would the project involve construction of a new stormwater outfall that requires federal and/or state permits?	☐	☒
(i) If "yes" to any of the above, conduct the appropriate preliminary analyses and attach supporting documentation. **See Attachment B, "Supplemental Screening"**		
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): 15,148 lbs/week		
○ Would the proposed project have the potential to generate 100,000 pounds (50 tons) or more of solid waste per week?	☐	☒
(b) Would the proposed project involve a reduction in capacity at a solid waste management facility used for refuse or recyclables generated within the City?	☐	☒
○ If "yes," would the proposed project comply with the City's Solid Waste Management Plan?	☐	☐
12. *ENERGY*: CEQR Technical Manual Chapter 15		
(a) Using energy modeling or Table 15-1 in Chapter 15, the project's projected energy use is estimated to be (annual BTUs): 53,426,100 MBtu		
(b) Would the proposed project affect the transmission or generation of energy?	☐	☒
13. *TRANSPORTATION*: CEQR Technical Manual Chapter 16		
(a) Would the proposed project exceed any threshold identified in Table 16-1 in Chapter 16?	☒	☐
(b) If "yes," conduct the appropriate screening analyses, attach back up data as needed for each stage, and answer the following questions:		
○ Would the proposed project result in 50 or more Passenger Car Equivalents (PCEs) per project peak hour?	☐	☒
If "yes," would the proposed project result in 50 or more vehicle trips per project peak hour at any given intersection? ***It should be noted that the lead agency may require further analysis of intersections of concern even when a project generates fewer than 50 vehicles in the peak hour. See Subsection 313 of Chapter 16 for more information.*	☐	☐
○ Would the proposed project result in more than 200 subway/rail, bus trips, or 50 Citywide Ferry Service ferry trips per project peak hour?	☐	☒
If "yes," would the proposed project result, per project peak hour, in 50 or more bus trips on a single line (in one direction), 200 subway/rail trips per station or line, or 25 or more Citywide Ferry Service ferry trips on a single route (in one direction), or 50 or more passengers at a Citywide Ferry Service landing?	☐	☐
○ Would the proposed project result in more than 200 pedestrian trips per project peak hour?	☐	☒
If "yes," would the proposed project result in more than 200 pedestrian trips per project peak hour to any given pedestrian or transit element, crosswalk, subway stair, bus stop, or Citywide Ferry Service landing?	☐	☐
14. *AIR QUALITY*: CEQR Technical Manual Chapter 17		
(a) *Mobile Sources*: Would the proposed project result in the conditions outlined in Section 210 in Chapter 17?	☐	☒
(b) *Stationary Sources*: Would the proposed project result in the conditions outlined in Section 220 in Chapter 17?	☒	☐
○ If "yes," would the proposed project exceed the thresholds in Figure 17-3, Stationary Source Screen Graph in Chapter 17? (Attach graph as needed) **See Attachment B, "Supplemental Screening"**	☒	☐
(c) Does the proposed project involve multiple buildings on the project site?	☐	☒
(d) Does the proposed project require federal approvals, support, licensing, or permits subject to conformity requirements?	☐	☒
(e) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to air quality that preclude the potential for significant adverse impacts?	☐	☒
(f) If "yes" to any of the above, conduct the appropriate analyses and attach any supporting documentation. **See Attachment B, "Supplemental Screening"**		
15. *GREENHOUSE GAS EMISSIONS*: CEQR Technical Manual Chapter 18		
(a) Is the proposed project a city capital project or a power generation plant?	☐	☒
(b) Would the proposed project fundamentally change the City's solid waste management system?	☐	☒
(c) Would the proposed project result in the development of 350,000 square feet or more?	☐	☒
(d) If "yes" to any of the above, would the project require a GHG emissions assessment based on guidance in Chapter 18?	☐	☒
○ If "yes," would the project result in inconsistencies with the City's GHG reduction goal? (See Local Law 22 of 2008; § 24-803 of the Administrative Code of the City of New York). Please attach supporting documentation.	☐	☐
16. *NOISE*: CEQR Technical Manual Chapter 19		
(a) Would the proposed project generate or reroute vehicular traffic?	☒	☐

	YES	NO
(b) Would the proposed project introduce new or additional receptors (see Section 114 in Chapter 19) near heavily trafficked roadways, within one horizontal mile of an existing or proposed flight path, or within 1,500 feet of an existing or proposed rail line with a direct line of site to that rail line?	☐	☒
(c) Would the proposed project cause a stationary noise source to operate within 1,500 feet of a receptor with a direct line of sight to that receptor or introduce receptors into an area with high ambient stationary noise?	☐	☒
(d) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to noise that preclude the potential for significant adverse impacts?	☐	☒
(e) If "yes" to any of the above, conduct the appropriate analyses and attach any supporting documentation**. See Attachment B, "Supplemental Screening"**		
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. **See Attachment B, "Supplemental Screening."**		
19. *CONSTRUCTION*: CEQR Technical Manual Chapter 22		
(a) Would the project's construction activities involve:		
○ Construction activities lasting longer than two years?	☐	☒
○ Construction activities within a Central Business District or along an arterial highway or major thoroughfare?	☐	☒
○ Closing, narrowing, or otherwise impeding traffic, transit, or pedestrian elements (roadways, parking spaces, bicycle routes, sidewalks, crosswalks, corners, *etc.*)?	☐	☒
○ Construction of multiple buildings where there is a potential for on-site receptors on buildings completed before the final build-out?	☐	☒
○ The operation of several pieces of diesel equipment in a single location at peak construction?	☐	☒
○ Closure of a community facility or disruption in its services?	☐	☒
○ Activities within 400 feet of a historic or cultural resource?	☒	☐
○ Disturbance of a site containing or adjacent to a site containing natural resources?	☐	☒
○ Construction on multiple development sites in the same geographic area, such that there is the potential for several construction timelines to overlap or last for more than two years overall?	☐	☒
(b) If any boxes are checked "yes," explain why a preliminary construction assessment is or is not warranted based on the guidance in Chapter 22, "Construction." It should be noted that the nature and extent of any commitment to use the Best Available Technology for construction equipment or Best Management Practices for construction activities should be considered when making this determination. **See Attachment B, "Supplemental Screening."**		

20. *APPLICANT'S CERTIFICATION*

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

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

APPLICANT/REPRESENTATIVE NAME	SIGNATURE	DATE
Philip A. Habib, P.E.		

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

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

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

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

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

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

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

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

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

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

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

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

TITLE	LEAD AGENCY
NAME	DATE
SIGNATURE	

NEGATIVE DECLARATION (Use of this form is optional)

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, assumed the role of lead agency for the environmental review of the proposed project. Based on a review of information about the project contained in this environmental assessment statement and any attachments hereto, which are incorporated by reference herein, the lead agency has determined that the proposed project 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 that finds the proposed project:

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).

TITLE	LEAD AGENCY
NAME	DATE
SIGNATURE	

Attachment A

Project Description

I. INTRODUCTION

The Applicant, 74 Bogart LLC, is seeking a zoning map amendment to rezone 74 Bogart Street in Brooklyn (Block 3084, Lot 1; the "Project Site") from an M1-2 district to an M1-4A district (the "Proposed Action"). The zoning map amendment would facilitate the development of an approximately 247,000-gross-square-foot (gsf) building to be used for art storage (the "Proposed Development"). The Proposed Action would allow for an increase of permitted floor area on the Project Site by approximately 240,000 zoning square feet (zsf) to allow for the development of an art storage facility. Currently, the eastern portion of the Project Site is occupied by an approximately 193,785-gsf self-storage facility (which was developed as-of-right) and its required accessory parking, while the western portion contains an open parking lot for commercial vehicle storage.

This attachment provides a description of the Proposed Action, including information about the Project Site, the existing conditions, project purpose and need, the analysis framework and Reasonable Worst Case Development Scenario ("RWCDS"). The attached supplemental studies examine the potential for the Proposed Action to result in significant adverse impacts in any City Environmental Quality Review ("CEQR") technical areas, including separate attachments with a detailed analysis of land use, zoning, and public policy in **Attachment C,** a detailed analysis of shadows in **Attachment D**, and a detailed analysis of Urban Design and Visual Resources in **Attachment E.** All other preliminary screening analyses are summarized in **Attachment B, "Supplemental Screening."**

II. EXISTING CONDITIONS

Project Site

The Project Site is an approximately 80,000 square foot block comprising a single tax and zoning lot, bounded by Bogart Street to the west, Ingraham Street to the north, Morgan Avenue to the east, and Harrison Place to the south (see **Figure A-1**). It is a rectangular block, 400 feet long by 200 feet wide. The eastern portion of the Project Site is occupied by an approximately 193,785-gsf (160,000-zsf) self-storage facility, while the western portion contains an open surface vehicle storage lot. Under the current M1-2 zoning, the existing self-storage facility building utilizes all permitted floor area on the Project Site. The "L" subway line runs alongside the southern boundary of the Project Site below Harrison Place. The Morgan Avenue Station is located immediately adjacent to the Project Site and has entrances at the intersection of Bogart Street and Harrison Place, and at Morgan Avenue and Harrison Place.

The Project Site was originally zoned M1-1 with the 1961 Zoning Resolution (ZR). It was rezoned to M1-2 in 1965 (CP-19100). Within a 400-foot radius of the Project Site, the areas north and south were zoned M1-1 in the 1961 ZR. East of the Project Site was originally zoned M1-2, and west of the Project Site was originally zoned R6 in the 1961 ZR. In 1965 (CP-19100), the areas north, east, south, and west within a 400-foot radius of the Project Site also were all rezoned to M1-2 and have remained zoned as M1-2 since.

Figure A-1

Aerial View of Project Site



Legend

Project Site

Surrounding Area

Land Use

The area surrounding the Project Site is a mixed-use neighborhood primarily occupied by concrete plants, lofts and mid-rise buildings used for industrial and manufacturing uses, as well as several open lots for vehicle and contractor material storage. Other uses surrounding the Project Site include retail space, commercial offices, residential buildings, maker spaces, art galleries, bars, and restaurants. The New York City Department of City Planning's North Brooklyn Industrial and Innovation Plan, issued in 2018, describes the area as the "Growth District' which is generally a mixed-use manufacturing and commercial area that is characterized by street art, art galleries, restaurants and bars, music venues, office-based businesses, legacy large-scale industrial uses, and small manufacturers.

The area surrounding the Project Site is accessible through multiple forms of transportation. The area is highly accessible by bike and by public transit. There is a Citi Bike station located across from the Project Site at the intersection of Bogart and McKibbin Streets. There are also two dedicated bike lanes on the eastern side of the Project Site, southbound on Morgan Avenue and northbound along Knickerbocker Avenue. In terms of rail transit, the Morgan Avenue L Subway Station is located adjacent to the Project Site. Additionally, the B60 bus route, which connects Williamsburg to Canarsie, has four stops within 400 feet of the Project Site.

Zoning

As discussed above, the Project Site was originally zoned M1-1, was later rezoned to an M1-2 district in the mid-1960s and has been zoned M1-2 ever since. Additionally, as discussed above, M1 districts have been the predominate zoning in the surrounding area. M1 districts are characterized by one- or two-story warehouses with one or more loading bays and also typically include light industrial uses such as woodworking shops, repair shops and storage facilities. Floor area ratios (FAR) in M1 districts range from 1.0 to 10.0 depending on location. Parking and loading requirements vary as well, depending on location and land use. M1 districts do not allow new residential developments or enlargements. M1-2 zoning districts are a sub district of the broader M1 light manufacturing district. M1-2 districts allow for a FAR of 2.0 when the property is utilized for commercial or manufacturing uses. This is increased to a FAR of 4.8 for community facility uses in M1-2 districts. Other requirements of M1-2 districts include a 20-foot rear yard requirement for interior lots (but no rear yard requirement for zoning lots occupying entire blocks); and an initial front wall height of 60' or 4 stories (whichever is less) a 20-foot initial front wall setback on narrow streets (15-foot setback on wide streets), and buildings are thereafter subject to sky exposure plan regulations.

III. THE PROPOSED ACTION

The Applicant seeks a zoning map amendment of the Project Site from an M1-2 district to an M1-4A district to facilitate the development, of an approximately 247,000-gsf (240,000-zsf) building to be used for art storage.[1] The M1-4A zoning designation would allow for a commercial floor area ratio (FAR) of 5.0 to be developed as-of-right and would eliminate the requirement for accessory parking.

[1] The Metropolitan Transportation Authority (MTA) was consulted and have confirmed that an easement volume is not needed at the Proposed Development. See **Appendix 2** for the MTA No Easement Determination Letter.

IV. PURPOSE AND NEED FOR THE PROPOSED ACTION

The Proposed Action would allow for an increase of permitted floor area on the Project Site by approximately 240,000 zsf to allow for the development of the proposed art storage facility. Currently, the eastern portion of the Project Site is occupied by an approximately 193,785-gsf self-storage facility (which was developed as-of-right) and its required accessory parking, while the western portion contains an open parking lot for commercial vehicle storage. The Applicant, who operates several other art-storage facilities in Brooklyn and Queens, believes there is a strong demand for this unique art storage-type facility in North Brooklyn, and intends to replace the portion of the lot currently containing commercial vehicle storage with the Proposed Development. The Applicant also believes that this is an appropriate location for an increase in permitted density due to the site's immediate adjacency to transit (a subway station), and for this type of use given the mixed land use pattern of this area, including light industrial and arts related uses.

V. DESCRIPTION OF THE PROPOSED DEVELOPMENT

The Proposed Action would allow for an increase of permitted floor area on the Project Site by approximately 240,000 zsf to allow for the development, on the western portion of the block at 74 Bogart Street of an approximately 247,000-gsf (240,000-zsf) building to be used for art storage. The proposed rezoning would only affect the Project Site (i.e., Block 3084).

The Proposed Development would be seven-stories, 118-foot tall, and would be purpose-built to house the fine art, antiques and sculptures of private collectors, NYC museums, galleries, fashion designers, artists, and other institutions. The Applicant would employ a team of technical art experts to handle and care for the art in a climate-controlled facility; building security to ensure protection of the art collections; and client-experience managers at the front desk. The ground floor of the proposed building would feature a lobby, a client greeting area, staff offices, a security office, a staging room, and loading areas. Floors 2-7 would exclusively be used as storage space. The proposed building would include four loading berths: two accessed from Ingraham Street, and two accessed from Harrison Place. Ingraham Street is a one-way street heading west. Along this street, designated larger trucks would back up into the loading berths at a 45-degree angle. Harrison Place is also a one-way street but heading east. Along this street, smaller trucks would back into the loading berths at a 90-degree angle. There would be no curbside loading. All loading-related activities would be modeled after operations at the Applicant's two existing NYC facilities, with all loading scheduled to ensure it would not interfere with through traffic. Given the site's close proximity to transit, no accessory parking would be provided.

VI. ANALYSIS FRAMEWORK

Analysis Year

For analysis purposes, it is anticipated that the Proposed Action would be approved in 2025. Construction of the Proposed Development is expected to last approximately 20 months. Therefore, the Proposed Development would be completed in 2027. Accordingly, the environmental documents will use 2027 as the Analysis Year for assessing future conditions pursuant to 2021 *City Environmental Quality Review (CEQR) Technical Manual* guidance.

Reasonable Worst Case Development Scenario (RWCDS)

A Reasonable Worst Case Development Scenario (RWCDS) is broadly defined as the potential development under both the future No-Action and With-Action conditions that is used to determine the change in permitted development created by an action. In order to assess the possible effects of the Proposed Action, RWCDS was established for both the future without the Proposed Action (No-Action condition) and the future with the Proposed Action (With-Action condition) for an analysis year, or Build Year, of 2027. The incremental difference between the No-Action and With-Action conditions will serve as the basis of the impact category analysis. The Proposed Action described above would maximize the M1-4A permitted commercial FAR, and the Proposed Development would be considered the RWCDS with the Proposed Action.

Future without the Proposed Actions (No-Action Condition)

Under the No-Action Scenario, the Project Site would remain zoned as M1-2. The eastern portion of the Project Site currently is occupied by an approximately 193,785-gsf commercial building, with approximately 177,000 gsf of self-storage space and 16,000 gsf of empty space on the ground floor. The Applicant plans to rent the 16,000 gsf of unused ground floor space within the facility to a tenant for local retail space. The remainder of the site will be used for commercial vehicle storage.

Future with the Proposed Actions (With-Action Condition)

In the With-Action Scenario, the Project Site would be rezoned from an M1-2 district to an M1-4A district. The allowable commercial and manufacturing FAR for commercial and manufacturing uses would increase from 2.0 to 5.0 and for community facility uses from 4.8 to 6.5. The Applicant would develop, on the western portion of the block, a 7-story, approximately 247,000-gsf building as-of-right in accordance with M1-4A district regulations to be used for art storage on the western portion of the Project Site, replacing the current area used for commercial vehicle storage. The existing self-storage facility on the eastern portion of the Project Site would continue to operate with or without the adoption of the Proposed Action.

Possible Effects on the Proposed Actions

The Proposed Development would be considered the most reasonable and conservative With-Action scenario for CEQR analysis purposes. Other uses that would be permitted as-of-right under the Proposed Project are unlikely to occur given the location and conditions of the site and its surroundings. The Project Site is located within a light manufacturing district, surrounded by concrete plants, lofts, open lots, and a variety of other industrial and manufacturing uses. While an office building would be permitted-as-of-right under the Proposed Project, it would be unlikely to be developed given current and foreseeable market conditions, where demand for new offices is relatively low and focused on locations in or close to established concentrations of other offices and commercial uses, or sites with special characteristics such as a waterfront location or an area served by multiple subway lines. Similarly, a “last mile” warehouse would be unlikely to be developed at this site. This is due to several considerations, including that the site is approximately 1.5 miles from the nearest highway access ramps, the size of the developable portion of the Project Site is only approximately 200 feet by 192 feet, which would not provide efficient floorplates for such a facility where cargo loading, unloading and transfer between vehicles occur at high frequencies, and the three bounding streets all operate generally with one moving lane and two parking lanes, which is not optimal for inbound trucks which can include 18-wheel semi-trucks. Lastly, a Use Group III community facility use, such as a house of worship or outpatient health facility, that would fully utilize the permitted community facility floor area alone or in combination with a commercial or manufacturing use

is unlikely given the surrounding primarily industrial and manufacturing existing land uses, limited range of permitted community facility use in M1 districts, and the fact that the Proposed Action would not appreciably increase the site's existing maximum FAR for community facility uses.

With respect to the size and shape of the building, the With-Action scenario assumes a building massing that matches the Proposed Development, as such a massing is the optimal design for the Applicant's proposed use. Given the need for upper-floor floorplates of maximal size for the efficient storage operations—combined with the need to maximize the ground floor plan to achieve minimal storage operations considering the ground-floor's required offices, security, loading, staging, receiving and back-of-house—the With-Action scenario assumes the facility is built full to the existing street lines and the proposed tax lot line. This allows for the development of a first floor with approximately 17,920 sf of storage, floors 2-5 with 35,800 sf of storage, and floors 6 and 7 with 24,900 sf of storage. While the proposed M1-4A district would allow a taller building with setbacks at greater heights, utilizing these extra density allowances would not be feasible given the available zoning floor area and the proposed use.

Table A-1 below provides a comparison of the No-Action and With-Action conditions identified for CEQR analysis purposes.

Table A-1: 2027 RWCDS Comparison of No-Action and With-Action Development Scenarios

Use (gsf)	**No-Action**	**With-Action**	**Increment**
Self-Storage	177,785	177,785	+0
Retail	16,000	16,000	+0
Outdoor Vehicle Storage	40,000	0	-40,000
Art Storage	0	247,000	+247,000
Population/Employment	**No-Action[1]**	**With-Action[2]**	**Increment**
Workers	53	83	+30

Notes:

[1] The self-storage facility has 5 employees. 3 employees per 1,000-sf of retail space assumed for the local retail space.

[2] 30 employees assumed for the art storage facility based on employee counts from existing facilities.

VII. REQUIRED APPROVALS

The Applicant is seeking a zoning map amendment to rezone 74 Bogart Street from an M1-2 district to an M1-4A district. The proposed zoning map amendment is a discretionary action that is subject to both the Uniform Land Use Review Procedure (ULURP) and CEQR.

The city's ULURP process, mandated by Sections 197-c and 197-d of the New York City Charter, is designed to allow public review of land use applications at four levels: Community Board, Borough President, the CPC, and the City Council. The procedure has mandated time limits for review at each stage to ensure a maximum review period of approximately seven months. The process begins with certification by DCP that the ULURP application is complete. The application is then referred to the relevant Community Board (in this case Brooklyn Community Board 1). The Community Board has up to 60 days to review and discuss the proposal, hold a public hearing, and adopt an advisory resolution on the ULURP application. The Borough President then has up to 30 days to review the application. The CPC then has up to 60 days, during which time a public hearing is held on the ULURP application. Should the CPC approve the application, it is then forwarded to the City Council, which has 50 days to review it. A decision by the City

Council to approve or disapprove a land use application is considered to be final unless the Mayor elects to veto a Council action within five days of the vote. The City Council can override a Mayor's veto of its decision within 10 days of the veto, by a supermajority vote.

CEQR is a process by which agencies review discretionary actions for the purpose of identifying the effects those actions may have on the environment. The City of New York established CEQR regulations in accordance with the New York State Environmental Quality Review Act ("SEQRA"). In addition, the city has published a guidance manual for environmental review, the aforementioned *CEQR Technical Manual*. CEQR rules guide environmental review through the following steps:

- *Establish a Lead Agency*. Under CEQR, the "lead agency" is the public entity responsible for conducting the environmental review. The environmental review for the Proposed Action will be reviewed by DCP, which is serving as the lead agency for this project.

- *Environmental Review and Determination of Significance*. The lead agency will determine whether the Proposed Actions may have a significant impact on the environment. To do so, an Environmental Assessment Statement ("EAS") must be prepared. This EAS will be reviewed by the lead agency, which will determine if the Proposed Action and subsequent development will result in any significant adverse impacts on the environment.

Attachment B

Supplemental Screening

I. INTRODUCTION

This Environmental Assessment Statement ("EAS") has been prepared in accordance with the guidance and methodologies presented in the 2021 *City Environmental Quality Review* ("CEQR") *Technical Manual*. For each technical area, thresholds are defined, which, if met or exceeded, require that a detailed technical analysis be undertaken. Part II of the EAS Full Form identifies those technical areas that warrant additional assessment. The technical areas that warranted a "Yes" answer in Part II of the EAS Full Form were Land Use, Zoning, and Public Policy; Socioeconomic Conditions; Shadows; Urban Design and Visual Resources; Hazardous Materials; Water and Sewer Infrastructure; Transportation; Air Quality; Noise, Neighborhood Character; and Construction. It was determined that certain of these technical areas require detailed analysis, including Land Use, Zoning, and Public Policy; Shadows; and Urban Design and Visual Resources. Those analyses are provided in Attachments C, D, and E, respectively. A supplemental screening assessment for each of the remaining technical areas is provided in this attachment. All remaining technical areas described in the *CEQR Technical Manual* were not deemed to require supplemental screening because they do not trigger initial CEQR thresholds and/or are not expected to result in significant adverse impacts.

Table B-1: Summary of CEQR Technical Areas Screening

TECHNICAL AREA	SCREENED OUT PER EAS FORM	SCREENED OUT PER SUPPLEMENTAL SCREENING	DETAILED ANALYSIS REQUIRED
Land Use, Zoning, and Public Policy			X
Socioeconomic Conditions		X	
Community Facilities and Services	X		
Open Space	X		
Shadows			X
Historic and Cultural Resources	X[1]		
Urban Design and Visual Resources			X
Natural Resources	X		
Hazardous Materials		X	
Water and Sewer Infrastructure		X	
Solid Waste and Sanitation Services	X		
Energy	X		
Transportation	X		
Air Quality - Mobile Sources - Stationary Sources	X[2]	X	
Greenhouse Gas Emissions	X		
Noise		X	
Public Health	X		
Neighborhood Character		X	
Construction[1]		X	

[1] Historic and cultural resources effects related to construction are addressed under Construction.

[2] Detailed analysis of Air Quality: Mobile Sources can be screened out per the EAS Form. Information supporting this screening determination is provided in **Appendix 5.**

II. SUPPLEMENTAL SCREENING

LAND USE, ZONING, AND PUBLIC POLICY

See Attachment C, "Land Use, Zoning, and Public Policy."

SOCIOECONOMIC CONDITIONS

According to the *CEQR Technical Manual*, the five principal issues of concern with respect to socioeconomic conditions are whether a proposed action would result in significant adverse impacts due to: (1) direct residential displacement; (2) direct business and institutional displacement; (3) indirect residential displacement; (4) indirect business and institutional displacement; and (5) adverse effects on specific industries. According to the *CEQR Technical Manual*, a socioeconomic assessment should be conducted if an action may reasonably be expected to create substantial socioeconomic changes in an area. This can occur if an action would directly displace a residential population, substantial numbers of businesses or employees, or eliminate a business or institution that is unusually important to the community. It can also occur if an action would bring substantial new development that is markedly different from existing uses and activities in the neighborhood, and therefore would have the potential to lead to indirect displacement of businesses or residents from the area.

Direct Residential Displacement

According to the *CEQR Technical Manual*, if a project would directly displace more than 500 residents, it may have the potential to alter the socioeconomic character of a neighborhood and a preliminary assessment of direct residential displacement is appropriate. As described in **Attachment A, "Project Description,"** the eastern portion of the Project Site is occupied by an approximately 193,785-gross-square-foot (gsf) self-storage facility, while the western portion contains an open surface vehicle storage lot. The Proposed Action would facilitate the development of an approximately 247,000-gsf commercial building to be used for art storage. As the Project Site does not include any residential uses, the Proposed Action would not result in the displacement of any residents. As such, there would be no direct residential displacement impacts related to the Proposed Action, and no further assessment is warranted.

Direct Business Displacement

According to the *CEQR Technical Manual*, if a project would directly displace more than 100 employees, or directly displace a business whose products or services are uniquely dependent on its location, a preliminary assessment of direct business displacement is appropriate. The Proposed Action would result in an incremental increase of approximately 247,000 gsf of commercial space and introduce 30 employees to the Project Site. As mentioned above, the eastern portion of the Project Site is occupied by an approximately 193,785-gsf self-storage facility, while the western portion contains an open surface commercial vehicle storage lot. The self-storage facility located on the eastern portion of the Project Site currently employees approximately 5 workers. As the Proposed Development would be built on the western portion of the Project Site, replacing the open surface commercial vehicle storage lot which does not have any dedicated employees, the Proposed Action would not directly displace the existing self-storage facility or its employees. As such, there would be no direct business displacement impacts related to the Proposed Action, and no further assessment is warranted.

Indirect Residential Displacement

According to the *CEQR Technical Manual*, if a project would result in a net increment of 200 new residential units, a preliminary assessment of indirect residential displacement is appropriate. The Proposed Action would facilitate the development of an approximately 247,000-gsf commercial building to be used for art storage. As the Project Site does not include any residential uses, the Proposed Action would not result in the indirect displacement of any residents. As such, there would be no indirect residential displacement impacts related to the Proposed Action, and no further assessment is warranted.

Indirect Business Displacement

According to the *CEQR Technical Manual*, if a project would result in a net increment of 200,000 gsf or more of commercial space, a preliminary assessment of indirect business displacement is appropriate. The Proposed Action would result in the development of an approximately 247,000-gsf commercial building to be used for art storage. However, the Proposed Development would not be utilized for retail space, and therefore would not capture retail sales from other nearby commercial uses. Therefore, the Proposed Development would not have the potential to draw a substantial number of sales from existing businesses near the Project Site, resulting in indirect business displacement due to market saturation. As such, the Proposed Action does not have the potential to result in indirect business displacement and therefore no further assessment is warranted.

Adverse Effects on Specific Industries

Based on *CEQR Technical Manual* guidance, a preliminary assessment of effects on specific industries should be conducted to determine whether the Proposed Action would significantly affect business conditions in any industry or category of businesses within or outside the study area, or whether the Proposed Action would substantially reduce employment or impair viability in a specific industry or category of businesses. The Proposed Action would not result in development warranting an assessment of direct or indirect business displacement, nor would it include any citywide regulatory changes that would adversely affect the economic and operational conditions of certain types of businesses or processes; therefore, an assessment for adverse effects on specific industries is not warranted.

SHADOWS

See Attachment D, “Shadows.”

HISTORIC AND CULTURAL RESOURCES

See “Construction” below for assessment of historic and cultural resources effects related to construction.

URBAN DESIGN AND VISUAL RESOURCES

See Attachment E, “Urban Design and Visual Resources.”

HAZARDOUS MATERIALS

As defined in the *CEQR Technical Manual*, a hazardous material is any substance that poses a threat to human health or the environment. Substances that can be of concern include, but are not limited to, heavy metals, volatile and semi volatile organic compounds ("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 adverse impacts from hazardous materials can occur when: (a) hazardous materials exist on a site, and (b) a project would increase pathways to their exposure; or (c) a project would introduce new activities or processes using hazardous materials.

The *CEQR Technical Manual* indicates that any development on or near a brownfield site (e.g., solid waste landfill site, inactive hazardous waste site, brownfield cleanup program site) is subject to further analysis for hazardous materials. The Project Site is recognized as a brownfield by the New York State Department of Environmental Conservation ("NYSDEC") and is part of NYSDEC's Brownfield Cleanup Program, which encourages cleanups of brownfields and promotes their redevelopment. However, the Applicant has completed remediation, undergone coordination with NYSDEC to develop a Site Management Plan ("SMP") and has received documentation confirming completion of cleanup action at the Project Site. Based on an assessment of the documentation described below, the Proposed Action would not result in significant adverse impacts related to hazardous materials. These documents are summarized below and included as **Appendix 3** to the EAS.

- Environmental Easement, issued by the New York State Department of Environmental Conservation, filed December 2022
- Site Management Plan, prepared by Langan Engineering, published January 2023
- Brownfield Cleanup Program- Cleanup Action Completion Documentation, issued by NYS Department of Environmental Conservation, filed January 2023

Pursuant to Article 71, Title 36 of the New York State Environmental Conservation Law, the New York State Department of Environmental Conservation granted an Environmental Easement on December 1, 2022, to the Applicant. This document confirms that given that the NYSDEC SMP controls and requirements are followed, the Project Site can be developed as a commercial use as described in 6 NYCRR Part 375-1.8(g)(2)(iii).

The Site Management Plan, a required element of the remedial program, was issued in January 2023. The SMP confirms that remediation was completed in June 2022 and establishes institutional and engineering controls that the Applicant must follow at the Project Site to control exposure to remaining contamination and to provide protection of public health and the environment.

The established institutional controls (IC) are as follows:

1. The property may be used for Restricted-Residential use as defined in 6 NYCRR Part 375-1.8(g)(2)(ii), Commercial use as defined in 6 NYCRR Part 375-18(g)(2)(iii), and Industrial use as defined in 6 NYCRR Part 375-1.8(g)(2)(iv)[1]

[1] The uses permitted under the SMP and Environmental Easement also remain subject to NYC zoning regulations and in the case of the Project Site, with its existing and proposed manufacturing zoning, residential use is not permitted as-of-right pursuant to zoning notwithstanding the IC.

2. All ECs must be operated and maintained as specified in this SMP
3. All ECs must be inspected at a frequency and in a manner defined in the SMP
4. The use of groundwater underlying the property is prohibited without necessary water quality treatment as determined by the New York State Department of Health (NYSDOH) or the New York City Department of Health and Mental Hygiene to render it safe to use as drinking water or for industrial purposes, and the user must first notify and obtain written approval to do so from the NYSDEC
5. Groundwater and other environmental or public health monitoring must be performed as defined in this SMP
6. Data and information pertinent to site management must be reported at the frequency and in a manner as defined in this SMP
7. On-site environmental monitoring devices, including but not limited to groundwater monitoring wells, must be protected and replaced as necessary to ensure proper functioning in the manner specified in the SMP
8. All future activities that will disturb remaining contaminated material must be conducted in accordance with this SMP
9. Monitoring to assess the performance and effectiveness of the remedy must be performed as defined in this SMP
10. Operation, maintenance, monitoring, inspection, and reporting of any mechanical or physical component of the remedy shall be performed as defined in this SMP
11. Access to the site must be provided to agents, employees or other representatives of the State of New York with reasonable prior notice to the property owner to assure compliance with the restrictions identified by the Environmental Easement.
12. The potential for vapor intrusion must be evaluated for any potential future buildings developed in the area within the IC boundaries, and any potential impacts that are identified must be monitored or mitigated
13. Vegetable gardens and farming on the site are prohibited
14. The Volunteer must provide all persons who acquire any interest in the site a complete copy of the SMP that the NYSDEC approves for the site and all NYSDEC-approved amendments to the SMP

The established engineering controls (EC) are as follows:

1. Composite cover system
2. In-situ stabilization/solidification monolith and capillary break

NYSDEC issued confirmation that cleanup action was completed at the brownfield site (Site No. C224036 in NYSDEC Region 2) in January 2023. This document confirms that all cleanup activities were performed by the Applicant with oversight provided by NYSDEC. Site cleanup included: demolition and off-site disposal of the former building, excavation and disposal of 2,789 tons of concrete, 519 tons of hazardous soils, and 32,768 tons of contamination soil, solidification of metal-impacted soils, the placement of a site cover system, the development and issuance of the aforementioned SMP, and the issuance of the aforementioned Environmental Easement.

As such, to avoid the potential for any significant adverse impacts associated with new construction resulting from the Proposed Action, the Applicant or its successors in title must remain in compliance with the SMP, as outlined above. In following these guidelines, the Proposed Action and resultant Proposed

Development would not result in any significant adverse impacts related to hazardous material and no further analysis is warranted.

WATER AND SEWER INFRASTRUCTURE

A preliminary analysis of a project's effects on the water supply system is warranted if a project would result in an exceptionally large demand for water (e.g., those that would use more than one million gallons per day) or would be located in an area that experiences low water pressure (e.g., Rockaway Peninsula or Coney Island). A preliminary analysis of a project's effects on wastewater or stormwater infrastructure is warranted depending on a project's proposed density, its location, and its potential to increase impervious surfaces.

Water Supply

Given the size of New York City's water supply system and the City's commitment to maintaining adequate water supply and pressures, few actions have the potential to cause significant impacts on this system. Therefore, only very large developments or actions having exceptionally large water demands (e.g., more than one million gallons per day) would warrant a detailed water supply assessment. Based on the average daily water use rates provided in Table 13-2 of the *CEQR Technical Manual*, it is estimated that the Proposed Development's water demand would be approximately 66,609 gallons per day. Therefore, an assessment of water supply is not warranted, and no significant adverse impacts on water supply are anticipated.

Wastewater and Stormwater Conveyance and Treatment

With regards to wastewater and stormwater conveyance and treatment, the *CEQR Technical Manual* indicates that a preliminary assessment would be needed if a project is located in a combined sewer area and would exceed the following incremental development of residential units or commercial space: (a) 1,000 residential units or 250,000 sf of commercial space or more in Manhattan; or, (b) 400 residential units or 150,000 sf of commercial space or more in the Bronx, Brooklyn, Staten Island or Queens. The Project Site is located in a combined sewer area in Brooklyn and the Proposed Development would yield 247,000 gsf of incremental commercial space.

Because the City's sewers are sized and designed based on designated zoning for an area, related population density, and surface coverage characteristics, projects that greatly increase density, would be located in an area of concern, or would substantially increase impervious surfaces, merit further analysis for potential impacts to the City's wastewater and stormwater infrastructure.

While the Proposed Action would facilitate the development of 247,000 gsf of incremental commercial space, the Proposed Development would be utilized as a storage facility, which would not yield comparable impacts to water usage and sewage generation as other commercial uses, such as retail, office, or hotel land uses that generate higher gallons per day (gpd) rates. The Proposed Development would yield an approximate increment of 30 employees to the Project Site. Whereas retail land uses of equal size would warrant an approximate increase of 720 employees. Additionally, the Proposed Action would not facilitate any residential units to be introduced to the Project Site.

The Project Site is located in Brooklyn Community District 1 and is located in a combined sewer area that does not experience low water pressure. Based on Figure 13-1 in the *CEQR Technical Manual*, the Project

Site is served by the Newtown Creek Wastewater Treatment Plant. The Newtown Creek Wastewater Treatment Plant is the largest sewage treatment facility operated by the New York City Department of Environmental Protection (DEP) and has a capacity of approximately 310 million gallons of water a day (mgd). As mentioned above, based on the average daily water use rates provided in Table 13-2 of the *CEQR Technical Manual*, it is estimated that the Proposed Development's water demand would be approximately 66,609 gallons per day. This incremental increase in sewage generation is approximately 0.02 percent of the average daily flow at Newtown Creek Wastewater Treatment Plant and would not result in an exceedance of the plant's permitted capacity of 310 mgd.

Additionally, as mentioned previously, the eastern portion of the Project Site is currently occupied by a self-storage facility, while the western portion (where the Proposed Development would be built) contains an open surface commercial vehicle storage lot. As the Proposed Development would be built on the open surface commercial vehicle storage lot, there would not be an increase in impervious surfaces and the Proposed Action would not warrant an increase in the total volumes to combined sewers.

As the Proposed Action would not warrant a detailed assessment of water supply or wastewater or stormwater infrastructure, no significant adverse impacts related to water and sewer infrastructure are anticipated to occur as a result of the Proposed Action.

TRANSPORTATION

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

The *CEQR Technical Manual* identifies minimum development densities potentially requiring transportation analysis. Development at less than the development densities presented in Table 16-1 of the *CEQR Technical Manual* generally result in fewer than 50 peak hour vehicle trips (with "trips" referring to trip-ends), 200 peak hour subway/rail or bus transit riders, and 200 peak hour pedestrian trips, where significant adverse impacts are generally considered unlikely. According to the *CEQR Technical Manual*, if a proposed project would result in development densities greater than the minimum development densities presented in Table 16-1, a Level 1 (Project Trip Generation) Screening Assessment should be prepared. In most areas of New York City, if a proposed project is projected to result in fewer than 50 peak hour vehicle trip-ends, 200 peak hour subway/rail or bus transit riders, or 200 peak hour pedestrian trips, it is unlikely that further analysis would be necessary. If these Level 1 Screening Assessment thresholds are exceeded, a Level 2 (Project Generated Trip Assignment) Screening Assessment should be prepared to determine if a proposed project would generally result in intersections with 50 or more vehicle trips, pedestrian elements with 200 or more pedestrian trips, 50 or more bus trips in a single direction on a single route, 25 or more passenger ferry trips in a single direction on a single route, 50 or more passengers at a ferry landing, or 200 or more passengers at a subway station or on a subway line during any analysis peak hour. If these Level 2 Screening Assessment thresholds are met or exceeded, further detailed analysis may be needed for a particular travel mode.

As detailed in **Attachment A, "Project Description,"** the Proposed Action would result in the incremental development of approximately 247,000 gsf of commercial space. A Level 1 Screening Assessment was prepared for the net incremental development program to determine if the Proposed Action would result

in 50 or more peak hour vehicle trips, 200 or more peak hour subway/rail or bus transit riders, and 200 or more peak pedestrian trips. The Level 1 Screening Assessment is provided in **Appendix 4, "Transportation Planning Factors and Travel Demand Forecast Technical Memorandum." Table B-2** below presents a summary of incremental trips, by mode, generated by the Proposed Development.

Table B-2: Summary of Incremental Peak Hour Travel Demand

	Weekday AM	Weekday Midday	Weekday PM	Saturday Midday
Vehicle Trips	39	33	33	10
Subway Trips	14	13	15	3
Bus Trips	4	4	4	1
Walk Trips	38	35	42	10

Traffic and Parking

As shown in **Table B-2,** the Proposed Development would generate less than 50 vehicle trips in the weekday AM, midday, and PM peak hours, and the Saturday peak hour. As the Proposed Development would generate net incremental trips below the Level 1 Screening Assessment threshold, significant adverse traffic and parking impacts would not occur, and no further assessment of traffic and parking is warranted pursuant to *CEQR Technical Manual* guidance.

Transit

As shown in **Table B-2,** the Proposed Development would generate less than 200 subway trips and less than 50 bus trips in the weekday AM, midday, and PM peak hours, and the Saturday peak hour. As the Proposed Development would generate incremental subway and bus trips below the applicable Level 1 Screening Assessment thresholds, significant adverse transit impacts would not occur, and no further assessment of transit is warranted pursuant to *CEQR Technical Manual* guidance.

Pedestrians

For the Proposed Development, pedestrian trips include not only walk trips, but also trips by public transit modes that include a walking segment of travel between the Project Site and transit facilities such as subway station entries/exits and bus stops and off-site parking facilities. As shown in **Table B-2**, the Proposed Development would generate less than 200 pedestrian trips in the weekday AM, midday, and PM peak hours, and the Saturday peak hour. As the Proposed Development would generate incremental pedestrian trips below the applicable Level 1 Screening Assessment Threshold, significant adverse pedestrian impacts would not occur, and no further assessment of pedestrian trips is warranted pursuant to *CEQR Technical Manual* guidance.

AIR QUALITY

According to guidance provided in the *CEQR Technical Manual*, air quality analyses are conducted in order to assess the effect of an action on ambient air quality (i.e., the quality of the surrounding air), or effects on the project because of ambient air quality. Air quality can be affected by "mobile sources," pollutants produced by motor vehicles, and by pollutants produced by fixed facilities, i.e., "stationary sources". As per the *CEQR Technical Manual*, an air quality assessment should be carried out for actions that can result in either significant adverse mobile source or stationary source air quality impacts.

Mobile Sources

Refer to **Appendix 5, "Air Quality: Mobile Source Screening"**, for technical documentation supporting the determination that detailed mobile source air quality analyses can be screened out for the Proposed Action.

Stationary Sources

To be updated.

NOISE

The purpose of a noise analysis is to determine both a proposed action's potential effects on sensitive noise receptors and the effects of ambient noise levels on new sensitive uses introduced by the proposed action(s). The principal types of noise sources affecting the New York City environment are mobile sources (primarily motor vehicles), stationary sources (typically machinery or mechanical equipment associated with manufacturing operations or building HVAC systems) and construction noise (e.g. trucks, bulldozers, power tools, etc.).

The Proposed Action would facilitate the development of a 247,000-gsf art storage facility and would only include a small portion of the building for staff offices and a security office, therefore, no significant new or additional sensitive receptors would be introduced to the Project Area given the nature of the facilities operations Typically, art storage facilities do not generate noise that would warrant analysis, a stationary source noise analysis is not warranted. Building mechanical systems (i.e., HVAC systems) would be required to meet all applicable noise regulations (i.e., Subchapter 5, §24-227 of the New York City Noise Control Code and the New York City Department of Buildings Code) and to avoid producing levels that would result in any significant increase in ambient noise levels. Therefore, the Proposed Action would not result in any significant adverse noise impacts related to building mechanical equipment.

In terms of mobile sources, although the Proposed Action would generate vehicular traffic, the number of project-generated vehicles would be minimal. As mentioned previously, the Proposed Action would result in an increment of 39 vehicle trips in the weekday AM peak hour, 33 vehicle trips in the weekday midday peak hour, 33 vehicle trips in the weekday PM peak hour, and 10 vehicle trips in the Saturday peak hour. Therefore, the Proposed Action would not result in sufficient traffic to have the potential to cause a significant adverse noise impact (i.e., it would not result in the doubling of noise passenger car equivalents [Noise PCEs], which would be necessary to cause a 3 dBA increase in noise levels). Furthermore, the facades of the Proposed Building will be facing local paved roads with average daily traffic fewer than 5,000 vehicles, where noise levels are expected to be insignificant.

In summary, as the Proposed Action would be required to meet certain noise performance standards and all applicable noise regulations related to the building's HVAC system, the Proposed Action would not result in significant adverse noise impact and no further analysis is required.

NEIGHBORHOOD CHARACTER

According to the *CEQR Technical Manual*, an assessment of neighborhood character may be appropriate if a proposed action(s) has the potential to result in significant adverse impacts on land use, zoning, public

policy, socioeconomic conditions, open space, historic and cultural resources, urban design and visual resources, shadows, transportation, or noise, or when an action may have moderate effects on several of the elements that define a neighborhood's character. As the EAS provides assessments of land use, zoning, and public policy (**Attachment C**), shadows (**Attachment D**), and urban design and visual resources (**Attachment E**), a preliminary screening analysis is necessary to determine if a detailed neighborhood character analysis is warranted.

Neighborhood character is a blend of various elements that give neighborhoods their distinct "personality." According to the *CEQR Technical Manual*, a preliminary assessment may be appropriate if a project has the potential to result in any significant adverse impacts on any of the technical areas mentioned. Per the analyses provided in this EAS, although the Proposed Action required supplemental screening or assessment of some of these technical areas, there would be no action-generated significant adverse impacts.

The *CEQR Technical Manual* also states that for projects not resulting in significant adverse impacts to any technical areas related to neighborhood character, additional analyses may be required to determine if the Proposed Actions would result in a combination of moderate effects to several elements that cumulatively may affect neighborhood character. However, the *CEQR Technical Manual* indicates that neighborhood character impacts are rare, and it would be unusual that, in the absence of a significant adverse impact in any of the relevant technical areas, a combination of moderate effects in the neighborhood would result in any significant adverse impact to neighborhood character.

The Proposed Action would not adversely affect any component of the surrounding area's neighborhood character, conflict with the surrounding activities, or significantly affect land use patterns. As discussed in **Attachment A, "Project Description,"** the Proposed Action would rezone the Project Site from an M1-2 district to an M1-4A district to facilitate the development of an approximately 247,000-gsf building to be used for art storage. The Project Site and the surrounding area are currently zoned M1-2 and are primarily occupied by concrete plants, lofts and mid-rise buildings used for industrial and manufacturing uses, as well as several open lots for vehicle and contractor material storage. Other uses surrounding the Project Site include retail space, commercial offices, residential buildings, maker spaces, art galleries, bars, and restaurants. City Planning's North Brooklyn Industrial and Innovation Plan, issued in 2018, describes the area as the "Growth District" which is generally a mixed-use manufacturing and commercial area that is characterized by street art, art galleries, restaurants and bars, music venues, office-based businesses, legacy large-scale industrial uses, and small manufacturers. The Proposed Development would be consistent with existing land use trends as it would contain a large commercial storage use that would support the art industry.

Although there are currently no M1-4A zoning districts in the primary or secondary study areas, the proposed zoning would allow uses and densities that are already present in the area. With the Proposed Action, the permitted use groups would remain the same.[2] The only changes with the proposed rezoning as compared to the existing zoning would be greater commercial and community facilities density, elimination of parking requirements, and changes to height and setback requirements. The permitted FAR would increase from 2.0 under the existing M1-2 zoning to 5.0 under the proposed M1-4A zoning, while

[2] While prior to the COYEO-M Districts text amendment, such uses were designated as Use Groups 4-14, 16 and 17, they are now designated as Use Groups I, III(B), IV to X (subject to limitations and restrictions on size, location and other conditions as set forth in the Zoning Resolution).

the permitted community facility and maximum permitted FAR would increase from 4.8 to 6.5 under the proposed M1-4A zoning.

The Proposed M1-4A district is consistent with the existing land use and zoning character of the study areas. As the Proposed Action would result in zoning that is compatible with the range of existing uses and densities found in the secondary study area and surrounding neighborhood and given that the area has characteristics supportive of increased density, it would not result in any significant adverse zoning impacts on the rezoning area or in the secondary study area. As the Proposed Action would not be considered to have any significant adverse impacts on any of the technical areas relating to neighborhood character and, furthermore, the effects on these technical areas would be minimal, a neighborhood character assessment can be screened out, and no significant adverse neighborhood character impacts would occur. Therefore, no additional analysis is warranted for neighborhood character.

CONSTRUCTION

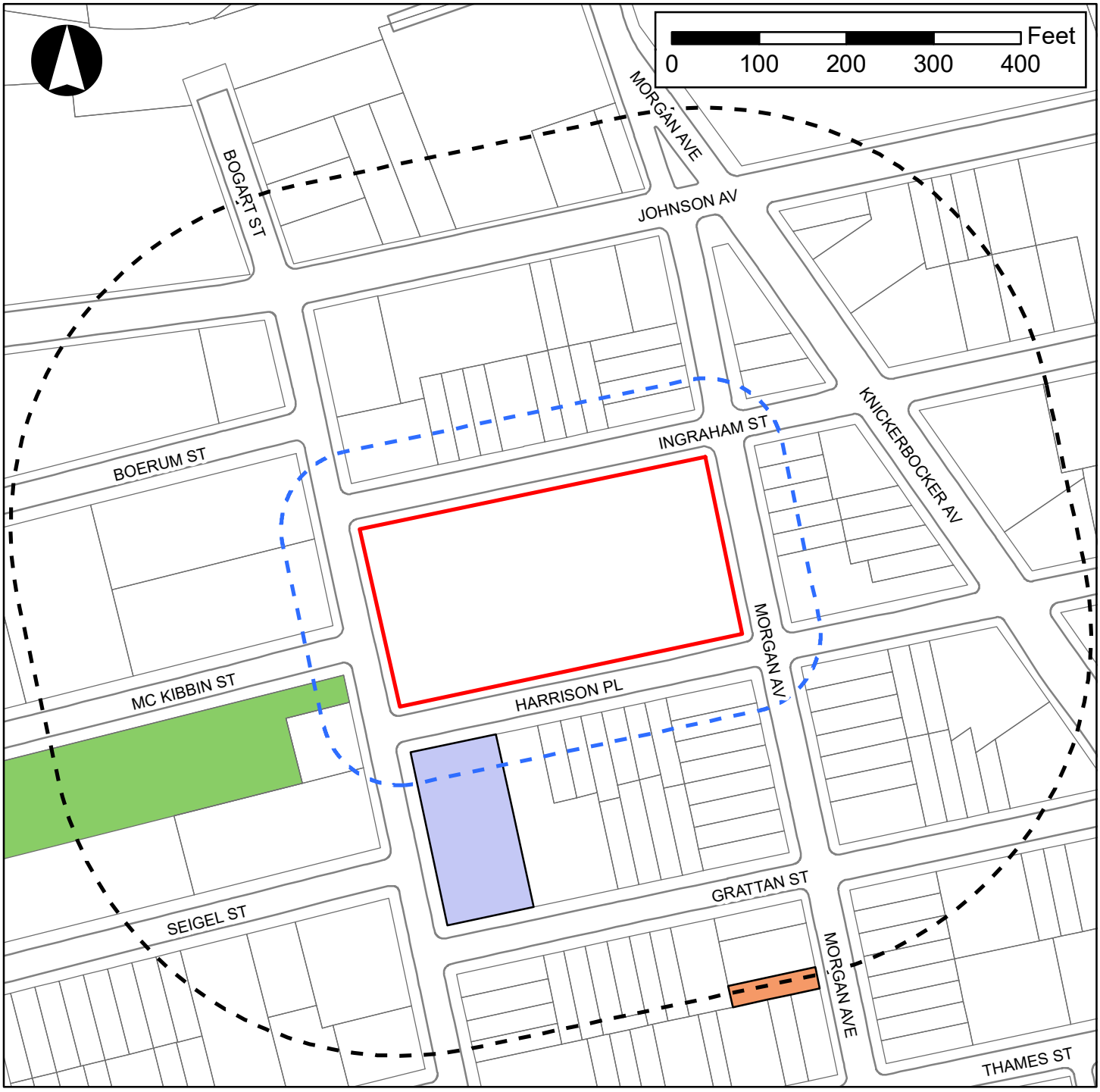
Construction activities, although temporary in nature, can sometimes result in significant adverse impacts. A proposed project's construction activities may affect a number of technical areas analyzed for the operational period, such as air quality, noise, and traffic; therefore, a construction assessment relies, to a significant extent, on the methodologies and resulting information gathered in the analyses of these technical areas.

The Proposed Action would facilitate the development of an approximately 247,000-gsf art storage facility. It is anticipated that the Proposed Action would be approved in 2025 and construction of the Proposed Development is expected to last approximately 20 months, with construction completion in 2027. The anticipated construction duration of 20 months is based on the Applicant's expertise and direct experience constructing similar storage facilities in New York City.

Construction impacts may occur on historic and cultural resources if in-ground disturbance or vibrations associated with construction activities could undermine the foundation or structural integrity of nearby historic and cultural resources. As shown in **Figure B-2**, the Project Site is located within 400 feet of two historic and cultural resources. 56 Bogart Street, known as 'the Bogart' (Block 3093, Lot 1) and Engine Company No. 237 (Block 3102, Lot 23) are both historic buildings that are eligible for listing on the State/National Registers of Historic Places ("S/NR"). S/NR-eligible 56 Bogart Street is located approximately 60 feet south of the Project Site, directly across Harrison Place. S/NR-eligible Engine Company No. 237 is at 43 Morgan Avenue, approximately 350 feet south of the Project Site.

The New York City Building Code provides some measure of protection for all properties against accidental damage from adjacent construction by requiring that all buildings, lots, and service facilities adjacent to foundation and earthwork areas be protected and supported. Additional protective measures apply to historic resources located within 90 linear feet of a proposed construction site. For these structures, the New York City Department of Building's *Technical Policy and Procedure Notice ("TPPN") #10/88* applies. *TPPN #10/88* supplements the standard building protections afforded by the New York City Building Code by requiring, among other things, a monitoring program to reduce the likelihood of construction damage to adjacent historic resources (within 90 feet) and to detect at an early stage the beginnings of damage so that construction procedures can be changed.

Historic and Cultural Resources



Legend

- Project Site
- 90-Foot Radius
- 400-Foot Radius
- Open Space
- S/NR-Eligible Engine Company No. 237
- S/NR-Eligible 56 Bogart Street



As the S/NR-eligible building located at 56 Bogart Street (Block 3093, Lot 1) is within 90 linear feet of the Project Site, in order to avoid the potential for significant adverse construction impacts, the Applicant would be responsible for voluntarily abiding by the requirements outlined in the *TPPN #10/88*, regarding procedures for the avoidance of damage to historic structures resulting from adjacent construction. To achieve this, the Applicant would be required to develop a Construction Protection Plan ("CPP") with established construction protection measures to avoid adverse physical impacts to historic resources near the Project Site. A Restrictive Declaration (RD) would be issued as part of the environmental review process and would include details of the CPP and its applicable construction protection measures.

As construction is anticipated to be completed in under 24 months and in a single phase, it is considered short-term. Construction activities would also be contained within the Project Site; therefore, construction is not expected to adversely affect any surrounding land uses and there would be no closing of all street lanes and no disruptions to any local transportation networks. Additionally, as the western portion of the Project Site where the Proposed Development would be constructed is currently an open surface vehicle storage lot, construction would not involve the demolition of any existing buildings. As such, construction activities associated with the Proposed Development are not expected to adversely affect the surrounding area. As the Proposed Action would require the development and implementation of a CPP to ensure historic structures are protected during construction of the Proposed Development, the Proposed Action would not result in significant adverse construction impacts, and no further analysis is required.

Attachment C

Land Use, Zoning, and Public Policy

I. INTRODUCTION

Under 2021 *City Environmental Quality Review (CEQR) Technical Manual* guidance, a land use analysis evaluates the uses and development trends in the area that may be affected by a proposed action and determines whether the action would be compatible with those uses or potentially affect them. Similarly, the analysis considers a proposed action's compliance with, and effect on, the area's zoning and other applicable public policies.

As discussed in **Attachment A, "Project Description,"** the Proposed Action includes a zoning map amendment to rezone the block containing 74 Bogart Street (Block 3084, Lot 1; the "Project Site") from an M1-2 district to an M1-4A district (the "Proposed Action"). The zoning map amendment would facilitate the development of an approximately 247,000-gross-square-foot (gsf) building to be used for art storage (the "Proposed Development"). The Proposed Action would allow for an increase of permitted floor area on the Project Site by approximately 240,000 zoning square feet (zsf) to allow for the development of an art storage facility. Currently, the eastern portion of the Project Site is occupied by an approximately 193,785-gsf self-storage facility (which was developed as-of-right) and its required accessory parking, while the western portion contains an open lot for commercial vehicle storage.

According to the *CEQR Technical Manual*, a land use and zoning analysis is warranted for actions facilitating a change in land use or zoning. As the Proposed Action involves a zoning map amendment, an analysis of land use and zoning is warranted and consistent with CEQR practices a public policy assessment is also provided.

II. METHODOLOGY

The purpose of this attachment is to examine the effects of the Proposed Action and determine whether it would result in any significant adverse impacts on land use, zoning, or public policy. The analysis methodology is based on the guidance of the *CEQR Technical Manual* and examines the Proposed Action's consistency with land use patterns and development trends, zoning regulations, and other applicable public policies. Following the guidance of the *CEQR Technical Manual*, the analysis describes existing and anticipated future conditions to a level necessary to understand the relationship of the Proposed Action to such conditions, assesses the nature of any changes on these conditions that would be created by the Proposed Action, and identifies those changes, if any, that could be significant or adverse.

Analysis Year

As discussed in **Attachment A, "Project Description,"** for analysis purposes it is anticipated that the Proposed Action would be approved in 2025. Construction of the Proposed Development is expected to last approximately 20 months. Therefore, the Proposed Development would be completed in 2027. Accordingly, the environmental documents will use 2027 as the Analysis Year for assessing future conditions pursuant to *CEQR Technical Manual* guidance.

The analysis of land use, zoning, and public policy first provides a description of the existing land use, zoning, and public policy conditions in each of the study areas. The analysis then projects land use, zoning, and public policy conditions in the 2027 build year without the Proposed Action. This is the "No-Action" or "Future without the Proposed Action" scenario, which is developed by identifying known and proposed developments and other relevant changes anticipated to occur within the primary and secondary study areas within this time frame. The No-Action scenario describes the baseline conditions in each of the study areas against which the Proposed Action incremental changes are measured. Finally, the analysis projects land use, zoning, and public policy conditions in 2027 with the approval of the Proposed Action. This is the "With-Action" or "Future with the Proposed Action" scenario.

Study Area Definition

As shown in **Figure C-1**, land use, zoning, and public policy are addressed and analyzed for two geographical areas for the Proposed Action. The study areas include: (1) the primary study area, which is the Project Site (Block 3084, Lot 1); and (2) a secondary study area that has the potential to experience indirect impacts as a result of the Proposed Action. The secondary study area extends an approximate 400-foot radius from the boundary of the primary study area. The secondary study area is generally bounded by the midblock between Johnson Avenue and Meserole Street to the north, Knickerbocker Avenue to the east, midblock between Grattan and Thames Streets to the south, and midblock between Bogart Street and White Street to the west. The primary and secondary study areas described above have been established in accordance with *CEQR Technical Manual* guidance.

Data Sources

Existing land uses within the primary and secondary study areas were determined based on the New York City Primary Land Use Tax Lot Output ("PLUTO") data files for 2024 and June 2024 field visits; no discrepancies between PLUTO data files and existing field conditions were observed. New York City Zoning and Land Use ("ZoLa"), New York City Zoning maps, and the *Zoning Resolution of the City of New York* ("ZR") were consulted to describe existing zoning districts in each of the study areas. Relevant public policy documents, recognized by the New York City Department of City Planning ("DCP") and other city agencies were utilized to describe existing public policies pertaining to the primary and secondary study areas.

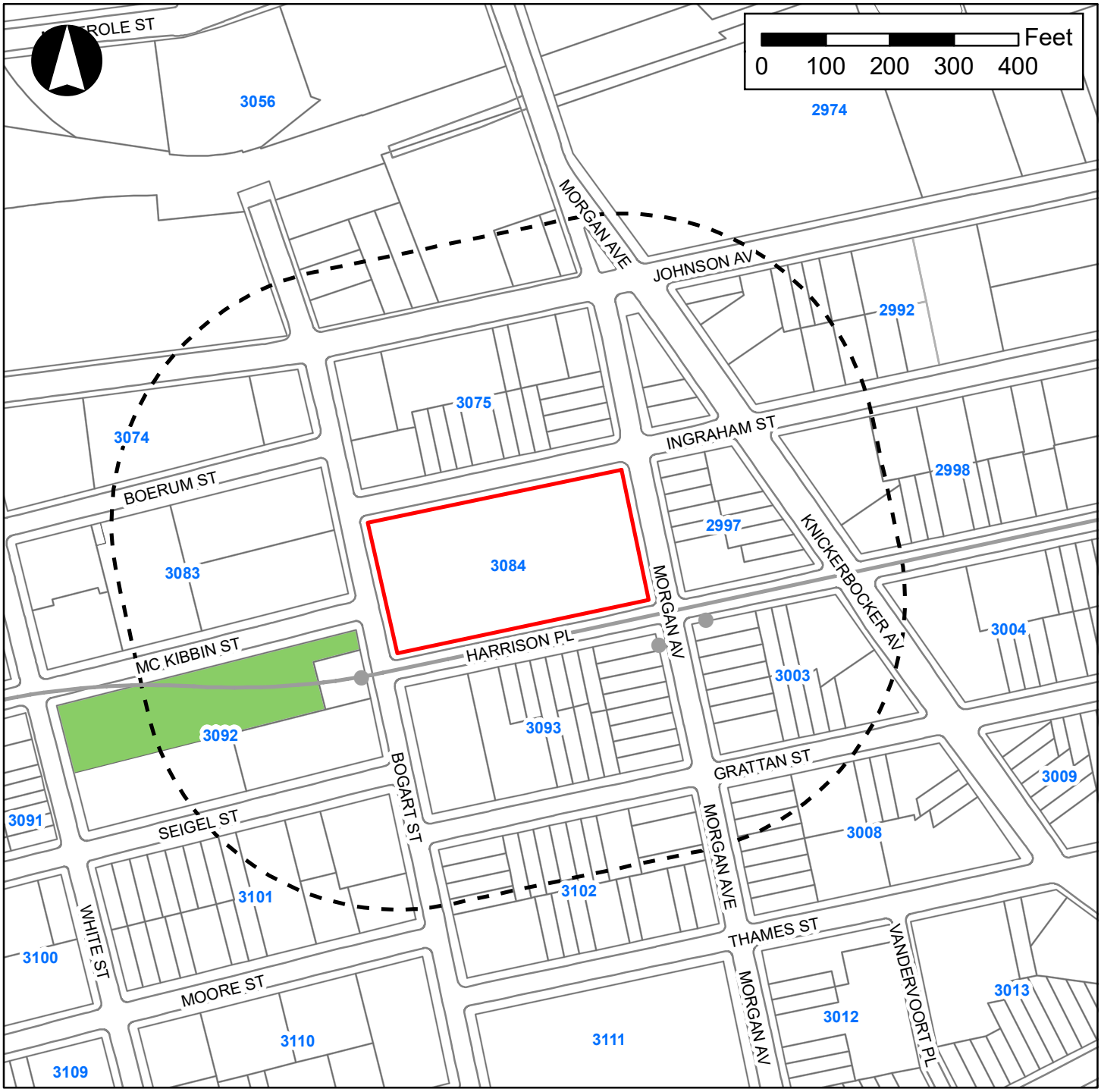
III. EXISTING CONDITIONS

Land Use

Primary Study Area (Project Site)

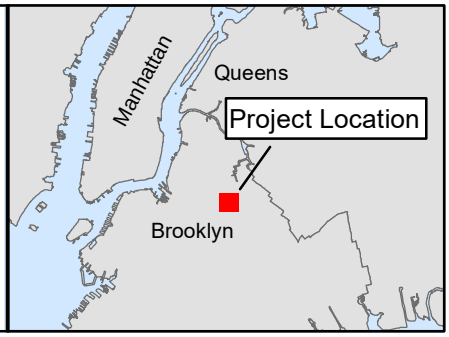
The primary study area is the Project Site, which in its entirety is approximately 80,000 square feet (sf) and is one street block, tax lot and zoning lot bounded by Bogart Street to the west, Ingraham Street to the north, Morgan Avenue to the east, and Harrison Place to the south (see **Figure C-1**). The eastern portion of the Project Site is occupied by an approximately 193,785-gsf (160,000-zsf) self-storage facility, while the western portion contains an open surface commercial vehicle storage lot. Under the current M1-2 zoning, the existing self-storage facility building utilizes all permitted floor area on the Project Site. The "L" subway line runs alongside the south side of the Project Site below Harrison Place, with the

Figure C-1
Study Areas



Legend

- Project Site (Primary Study Area)
- 400 Foot Radius (Secondary Study Area)
- L Train Subway Route
- Morgan Avenue L Subway Entrance
- Open Space
- 3084 Tax Block



Morgan Avenue Station located immediately adjacent to the Project Site, which has entrances at the intersection of Bogart Street and Harrison Place, and at Morgan Avenue and Harrison Place.

Secondary Study Area (400-foot Radius)

The secondary study area (400-foot radius surrounding the Project Site) is a mixed-use neighborhood primarily occupied by concrete plants, lofts and mid-rise buildings used for industrial and manufacturing uses, as well as several open lots for vehicle and contractor material storage. Other uses surrounding the Project Site include retail space, commercial offices, residential buildings, maker spaces, art galleries, bars, and restaurants. Within the Secondary Study Area there are two historic resources, as shown in **Figure C-2**. 56 Bogart Street (Block 3093, Lot 1) and Engine Company No. 237 (Block 3102, Lot 23) are both historic buildings that are eligible for listing on the State/National Registers of Historic Places ("S/NR"). S/NR-eligible 56 Bogart Street is located approximately 50 feet south of the Project Site, directly across Harrison Place. S/NR-eligible Engine Company No. 237 is at 43 Morgan Avenue, approximately 350 feet south of the Project Site.

Lot size and building footprint in the secondary study area are mixed with large, predominately industrial lots mixed in with smaller residential and commercial buildings. The secondary study area also includes multiple vacant lots and parking facilities. Additionally, Justice Gilbert Ramirez Park is the only open space located in the secondary study area. The area surrounding the Project Site is served by multiple public transit options. In terms of rail transit, the Morgan Avenue L Subway Station is located adjacent to the Project Site. Additionally, the B60 bus route, which connects Williamsburg to Canarsie, has 4 stops within 400 feet of the Project Site.

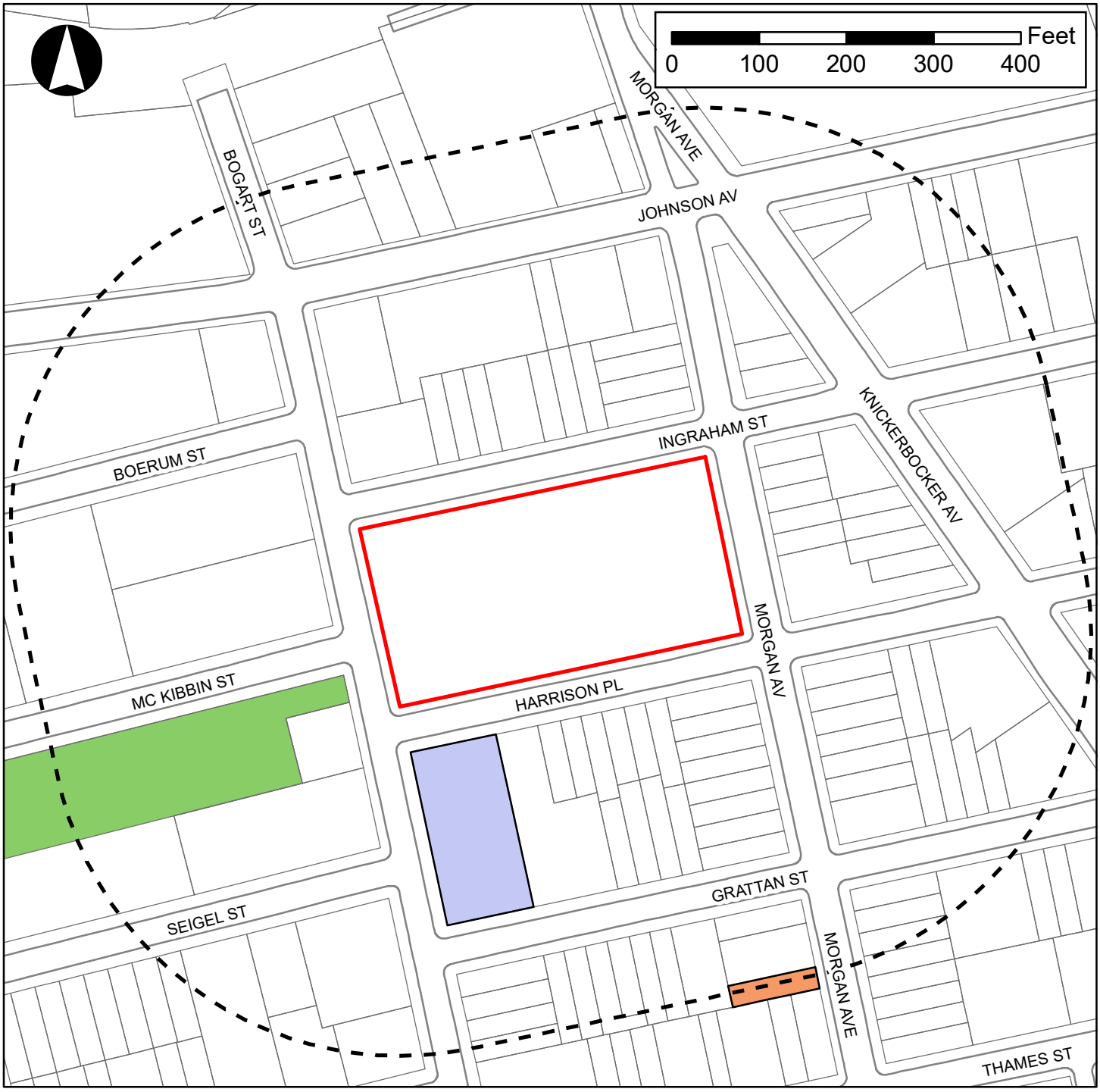
Table C-1 provides an overview of all land uses within the secondary study area, which corresponds with **Figure C-3**. As shown in the table, the built floor area within the secondary study area is predominantly comprised of industrial and manufacturing land uses.

Table C-1: Existing Land Uses within the Secondary Study Area

Land Use	Number of Lots	Percentage of Total Lots	Lot Area (sf)	Percentage of Total Lot Area (%)	Building Area (sf)	Percentage of Total Building Area (%)
Residential	17	16%	67,170	9.70%	155,960	17.38%
Mixed Commercial/ Residential	10	10%	46,762	6.75%	95,601	10.65%
Commercial/Office	8	8%	41,828	6.04%	63,951	7.13%
Industrial/Manufacturing	32	30%	315,794	45.61%	566,353	63.11%
Transportation/ Utility	1	3%	12,241	1.77%	10,330	1.15%
Public Facilities & Institutions	1	1%	2,500	0.36%	4,500	0.50%
Open Space	1	1%	68,504	9.89%	--	--
Parking Facilities	6	6%	16,630	2.40%	700	0.08%
Vacant Land	4	4%	11,975	1.73	--	--
Other/No Data	24	23%	109,022	15.74%	--	--
Total	***106***	***100%***	***680,451***	***100%***	***897,395***	***100%***

Source: NYCDCP (PLUTO 2024v1)
Notes: Includes all lots fully or mostly within the 400-foot radius.

Historic and Cultural Resources



Legend

- Project Site
- 400-Foot Radius
- Open Space
- S/NR-Eligible Engine Company No. 237
- S/NR-Eligible 56 Bogart Street



Figure C-3
Land Use



Legend

Primary Study Area (Project Site)

Secondary Study Area (400 Foot Radius)

Land Use

- One & Two Family Buildings
- Multi-Family Walkup Buildings
- Multi-Family Elevator Building
- Mixed Commerical/Residential Buildings
- Commercial/Office Buildings
- Industrial/Manufacturing
- Transportation/Utility
- Public Utilities & Institutions
- Open Space
- Parking Facilities
- Vacant Land
- All Others or No Data

Zoning

Primary Study Area (Project Site)

As shown in **Figure C-4**, the Project Site is currently zoned M1-2. M1 districts typically include light industrial uses, such as woodworking shops, repair shops, and wholesale service and storage facilities. Most industrial uses are allowed in M1 district, so long as they meet M1 performance standards. A performance standard is a minimum requirement or maximum allowable limit on noise, vibration, smoke, odor and other effects of industrial uses. Offices, hotels, and a majority of retail uses are permitted within M1 districts. Certain community facilities, such as hospitals, are allowed in M1 districts through a special permit, and others, such as houses of worship, are allowed as-of-right. Depending on the location, floor area ratios in M1 districts can range from 1.0 to 10.0. Parking requirements in an M1-2 district are based on the type of use and size of establishment.

Secondary Study Area (400-foot Radius)

Within a 400-foot radius of the Project Site, the areas north and south were zoned M1-1 in the 1961 ZR. East of the Project Site was originally zoned M1-2, and west of the Project Site was originally zoned R6 in the 1961 ZR. In 1965, the areas north, east, south, and west within a 400-foot radius of the Project Site also were all rezoned to M1-2 (CP-19100). In addition to the Project Site, M1-2 zoning covers most of the secondary study area, except for small portions which are located in M3-1 and M1-1 districts. As shown in **Figure C-4**, the M3-1 district is located in the northwest portion of the secondary study area, and the M1-1 district is found in a small section on the southeastern portion of the secondary study area. Zoning classifications within the secondary study area are described below in **Table C-2**.

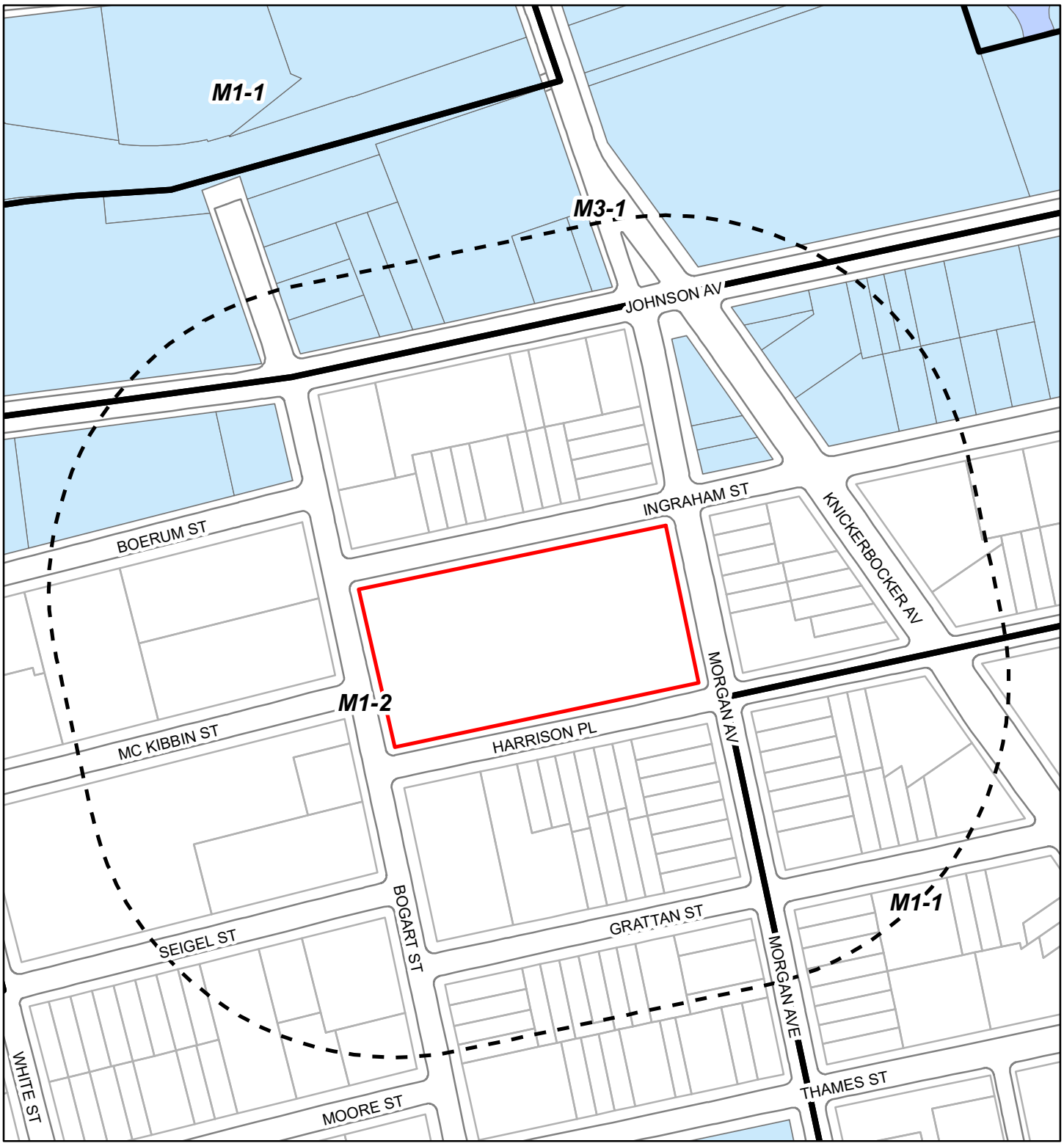
Table C-2: Study Area Zoning Districts

District	Definition/General Use	Commercial FAR	Total FAR
M1-1	M1-1 districts are Light Manufacturing Zoning districts and are found in every borough in NYC. M1-1 districts allow for multiple uses including manufacturing, commercial, and community facility uses. 1 parking space is required per 300 sf of built area.	1.0	2.4
M1-2	M1-2 districts are Light Manufacturing Zoning districts which allow for multiple uses including manufacturing, commercial, and community facility districts. M1-2 districts are found in Manhattan, Queens, Brooklyn and the Bronx. 1 parking space is required per 300 sf of built area.	2.0	4.8
M3-1	M3-1 districts are Heavy Manufacturing Zoning districts. There are many restrictions as to what manufacturing uses are allowed in these districts. 1 parking space is required per 300 sf of built area.	2.0	2.0

Source: Zoning Resolution of the City of New York

As shown in **Figure C-5**, built FAR in the secondary study area varies from 0.0 to greater than 4.0. The Project Site currently has a FAR of 2.0. A majority of the buildings in the secondary study area have an FAR of 0.0-2.0, however, there are multiple buildings in the secondary study area with FARs greater than the

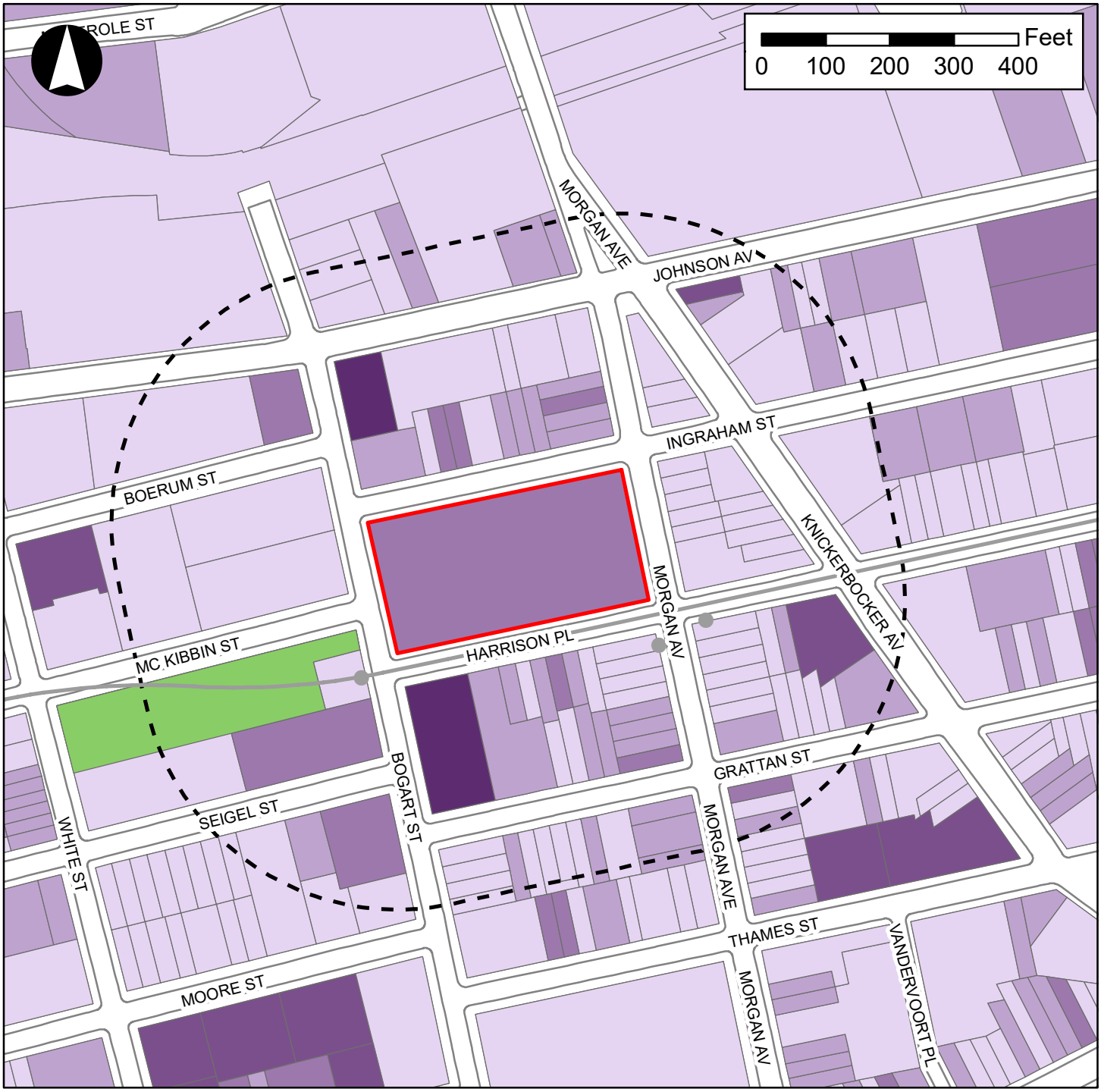
Figure C-4
Existing Zoning



Legend

- 400 Foot Radius
- Project Site
- Zoning District
- North Brooklyn Industrial Business Zone

Figure C-5
Built FAR



Legend

- Project Site
- 400 Foot Radius
- Morgan Avenue L Subway Entrance
- L Train Subway Route
- Open Space

Built FAR

- 0 - 1
- 1 - 2
- 2 - 3
- 3 - 4
- Greater than 4

Project Site, including 100 Bogart Street, (Block 3075, Lot 2) an industrial building north of the Project Site with an FAR of 6.8. Additionally, the S/NR-eligible historic building at 56 Bogart Street (Block 3093, Lot 1) has an FAR of 4.5.

Public Policy

In addition to zoning, officially adopted and promulgated public policies also describe the intended use applicable to an area or particular site(s) in New York City. These include Urban Renewal Plans, 197-a Plans, Industrial Business Zones (IBZs), the New York City Comprehensive Waterfront Plan, the Criteria for the Location of City Facilities ("Fair Share" criteria), Solid Waste Management Plan, the New York City Landmarks Law, and the Waterfront Revitalization Program ("WRP"). Some of these policies have regulatory status, while others describe general goals. They can help define the existing and future context of the land use and zoning of an area.

Public Policies Applicable to the Primary and Secondary Study Area

In 2022, the New York City Mayor released the economic recovery plan, Rebuild, Renew, Reinvent: A Blueprint for New York City's Economic Recovery ("the Economic Recovery Plan"). The Economic Recovery Plan was released with long-term strategies to make New York City's economy more equitable and accessible, particularly in response to the COVID-19 pandemic. To accelerate New York City's economic recovery, and build a more resilient economy, the five overarching strategies discussed in the Economic Recovery Plan are:

- Restart our city's economic engines and reactivate the public realm.
- Support small businesses, entrepreneurship, and a more equitable economy.
- Drive inclusive sector growth and build a future-focused economy.
- Connect New Yorkers to quality jobs and in-demand skills.
- Plan and build for inclusive growth now and in the future.

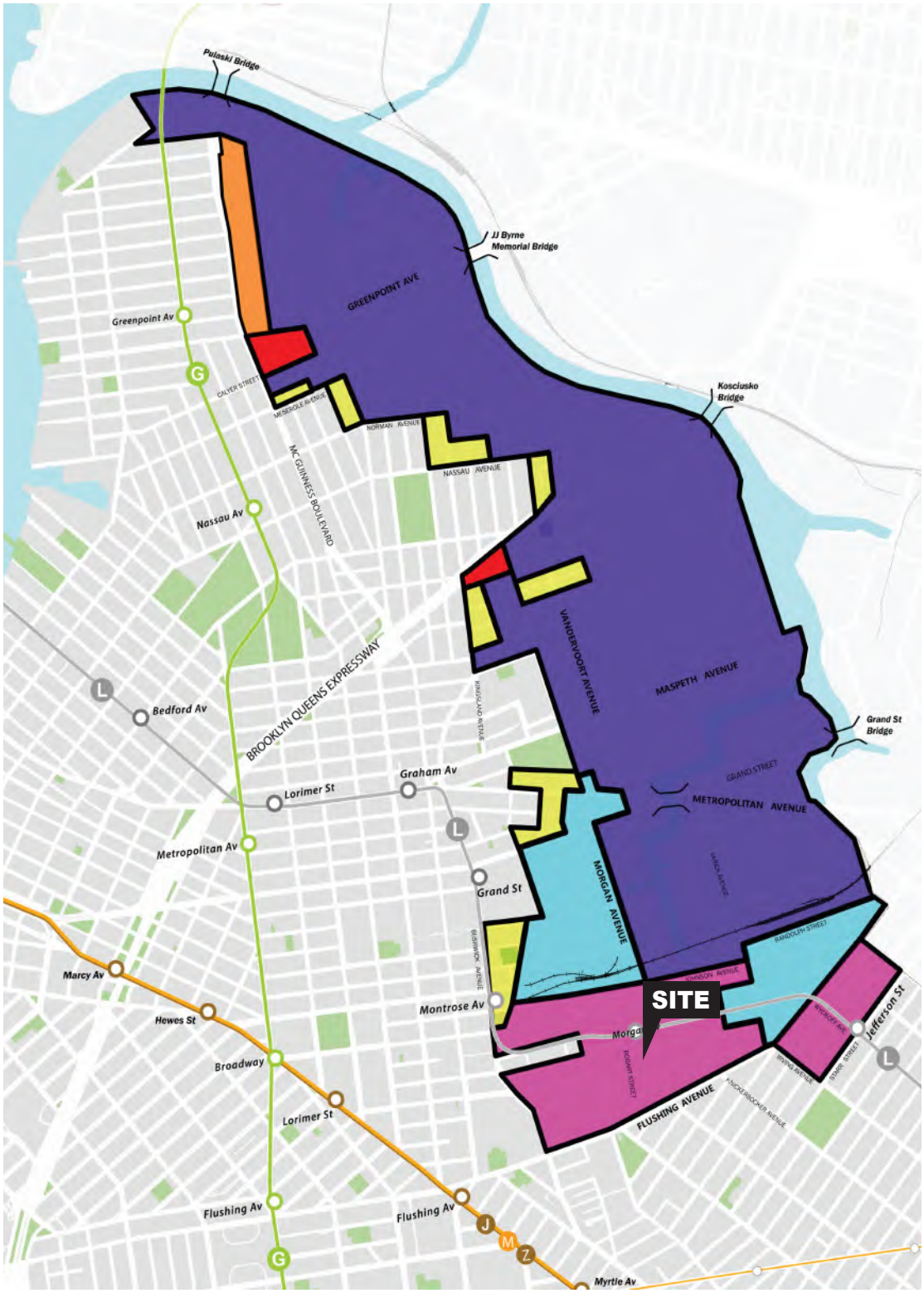
As shown in **Figure C-6**, the primary and secondary study areas are located within the boundaries of the DCP's North Brooklyn Industry and Innovation Plan ("the Plan")[1]. The Plan, issued in 2018, describes the area as a "Growth District" which is generally a mixed-use manufacturing and commercial area that is characterized by street art, art galleries, restaurants and bars, music venues, office-based businesses, legacy large-scale industrial uses, and small manufacturers. The goals of the Plan are to:

- Retain areas that can support and grow industrial/manufacturing jobs that provide essential services to the city and offer significant jobs.
- In targeted areas near transit, increase job density in growing office sectors such as TAMI (tech, advertising, media, information).
- Create a balanced strategy that channels businesses into different subareas where they can thrive and reduces competition for space and potential for conflicts between industrial/manufacturing and non-industrial businesses.
- Support an improved quality of life for workers and residents within the Study Area and nearby and connect workers with a variety of skill levels to quality jobs.

[1] The North Brooklyn Industry and Innovation Plan was substantially incorporated into DCP's City of Yes for Economic Opportunity (COYEO) program upon its City Council approval in June 2024.

Figure C-6

North Brooklyn Industry and Innovation Plan



Core Industrial Area:

A central hub for essential industrial businesses that create jobs and keep New York City running.

Transition Area:

A mix of industrial and non-industrial uses serving as a buffer between subareas.

Growth District:

A dynamic, transit-accessible district for creative and tech-driven jobs of the future.

Mixed Edge:

A longstanding mix of residential and industrial uses with no predominant use. No zoning change recommended.

Commercial Edge:

Selected active commercial properties adjacent to residential neighborhoods outside the Study Area. No zoning change recommended.

Established Residential:

Peripheral, predominantly residential areas that are currently zoned for industrial uses but are similar in character to adjacent residential neighborhoods. New residential zoning is appropriate to match existing conditions in these small areas.

- Identify potential improvements to transportation and infrastructure that would support growth in economic activity.

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

Under the No-Action Scenario, the Project Site would remain zoned as M1-2. The eastern portion of the Project Site currently would remain occupied by an approximately 193,785-gsf commercial building. The Applicant plans to rent the 16,000 gsf of unused ground floor space within the building to a tenant for local retail space. The remainder of the site would remain as at-grade commercial vehicle storage.

Land Use

Primary Study Area (Project Site)

As discussed in **Attachment A**, in the future without the Proposed Action, the Project Site would remain zoned as M1-2. The eastern portion of the Project Site would remain occupied by an approximately 193,785-gsf commercial building, with approximately 177,785 gsf of self-storage space and 16,000 gsf of empty space on the ground floor. The Applicant plans to rent the 16,000 gsf of unused ground floor space within the facility to a tenant for local retail space. The remainder of the site will be used for at-grade commercial vehicle storage.

Secondary Study Area (400-foot Radius)

There are no known or anticipated development projects that are intended to be completed within the secondary study area by the build year of 2027.

Zoning

Primary Study Area (Project Site)

In the future No-Action condition, no zoning changes are anticipated within the primary study area. As such, it is anticipated that the existing M1-2 zoning district would be retained.

Secondary Study Area (400-foot Radius)

There are currently no planned zoning changes in the 400-foot study area in the future without the Proposed Action.

Public Policy

There are no anticipated changes to public policy in the primary or secondary study areas in the 2027 future without the Proposed Action.

V. THE FUTURE WITH THE PROPOSED ACTION (WITH-ACTION CONDITION)

In the With-Action Scenario, the Project Site would be rezoned from an M1-2 district to M1-4A district. The allowable FAR for commercial and manufacturing uses would increase from 2.0 to 5.0 and for community facility uses from 4.8 to 6.5. The Applicant would develop an approximately 247,000-gsf building as-of-right under M1-4A district regulations to be used for art storage on the western portion of the Project Site, replacing the current open surface parking lot. The existing self-storage facility on the eastern portion of the Project Site would continue to operate with or without the adoption of the Proposed Action. Additionally, as mentioned previously, under the No-Action scenario, the Applicant plans to rent 16,000 gsf of vacant space within the self-storage facility to a tenant to be used for local retail space and this would also occur under the With-Action scenario. In other words, the retail space would operate with or without the adoption of the Proposed Action.

Land Use

The Proposed Action would result in the development of an art storage facility to be built on the Project Site, where there is currently an open surface parking lot. Within the Project Site, there is an existing self-storage facility. Given that the Proposed Development is also a storage facility, the Proposed Development would be consistent with and compatible with the existing land uses within the Project Site.

The Proposed Development is also consistent and compatible with surrounding land uses and is not expected to alter development trends or patterns in the study area. As described previously and shown in **Table C-1**, the predominate land uses within the secondary study area are industrial and manufacturing land uses. The Proposed Development would be consistent with the land uses within the surrounding area and would be complimentary to the character of the uses within East Williamsburg.

Therefore, the Proposed Action would not introduce any new land uses that would be incompatible with their surroundings, and the Proposed Action would not represent a significant adverse impact on land use in the primary and secondary study areas in accordance with the criteria set forth in the *CEQR Technical Manual*.

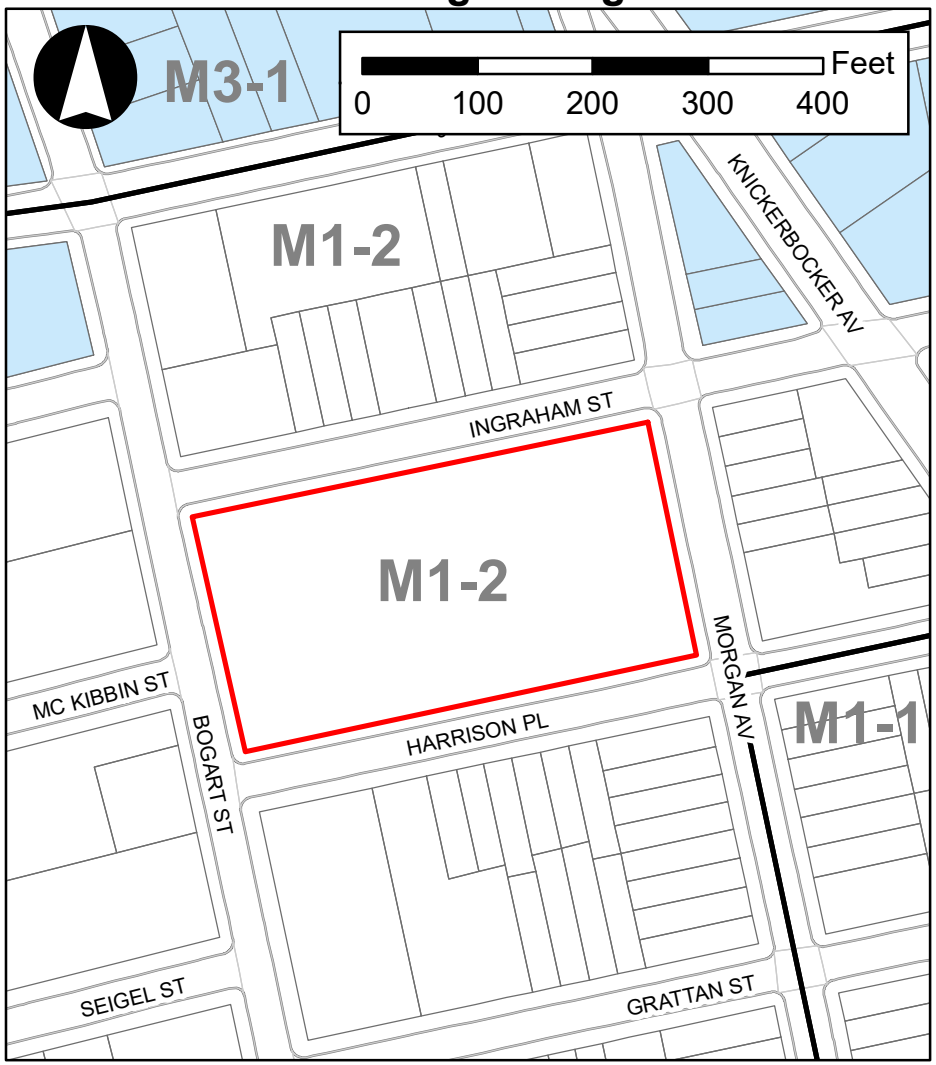
Zoning

In the future With-Action condition, a zoning map amendment would be implemented to rezone the Project Site from an M1-2 district to an M1-4A district (see **Figure C-7**). As shown in **Table C-3**, the Proposed Action would modify the maximum allowable density to 6.5 FAR for community facility uses and 5.0 FAR for commercial or manufacturing uses. The Proposed Action would also negate the need for new accessory parking at the Project Site in connection with the Proposed Development.

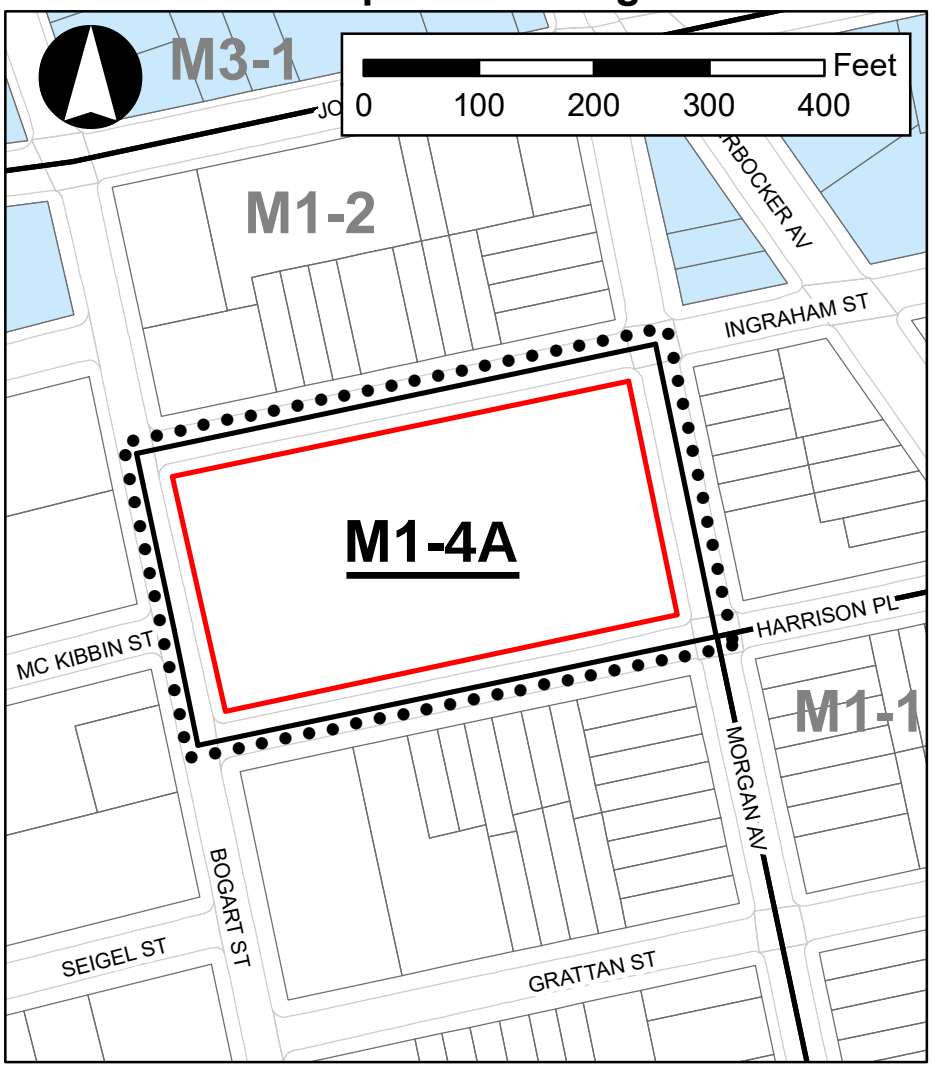
Table C-3: Comparison of Existing and Proposed Zoning

	Existing: M1-2	**Proposed: M1-4A**
Use Groups	4-14, 16, 17	4-14, 16, 17
Maximum Permitted FAR		
Residential	0	0
Community Facility	4.8	6.5

Existing Zoning



Proposed Zoning



Legend

- Project Site
- North Brooklyn Industrial Business Zone
- M1-2 Existing Zoning
- Zoning District Boundaries

Legend

- Project Site
- North Brooklyn Industrial Business Zone
- M1-4A Proposed Zoning
- Rezoning Area

Figure C-7
Existing and Proposed Zoning

Commercial	2	5
Manufacturing	2	5
Parking		
Manufacturing Uses	1 per 1,000 sf of floor area	None Required
Retail Uses	1 per 300 sf of floor area	None Required

Source: Zoning Resolution of the City of New York

The newly created M1-4A district was formally established as a companion action to DCP's City of Yes for Economic Opportunity initiative, which was passed by the City Council on June 6, 2024. City of Yes for Economic Opportunity was developed to support businesses and job growth by ensuring a wider range of businesses can use existing commercial space. M1-4A districts are—with respect to use—light manufacturing districts (similar to M1-2 districts) which permit most commercial uses as well as industrial uses (such as Use Group IX self-storage and general storage/warehouse uses), but do not permit residential use However, with respect to density, M1-4A district bulk regulations promote more contextual loft-like envelopes with wider floor plates, higher base heights and maximum buildings heights (as opposed to non-contextual M districts subject to front wall height limits and sky exposure planes). With respect to floor area, M1-4A districts permit a greater maximum FAR of 5.0 for commercial/manufacturing use and 6.5 for community facility use. Front yards and side yards are not required; and for zoning lots occupying entire blocks (such as the Project Area) no rear yards or rear yard equivalents are required. Height and setback regulations allow a maximum base height of 125' at the street line, an initial minimum setback of 15' along narrow streets, and a maximum building height of 155'. Additionally, for buildings on zoning lots greater than 20,000 sf in area (such as the Project Site), the maximum base and maximum buildings heights may be increased by up to 25%. No accessory parking is required; and for a 240,000 zsf Use Group IX art storage use building, four accessory loading berths would be required.

Although there are currently no M1-4A zoning districts in the primary or secondary study areas, the proposed zoning would allow uses and FARs that are already present in the area. With the Proposed Action, the permitted use groups would remain the same.[2]. The only changes with the proposed rezoning as compared to the existing zoning would be greater commercial and community facilities density, elimination of parking requirements, and changes to height and setback requirements. The permitted FAR would increase from 2.0 under the existing M1-2 zoning to 5.0 under the proposed M1-4A zoning, while the permitted community facility and maximum permitted FAR would increase from 4.8 to 6.5 under the proposed M1-4A zoning.

The Proposed M1-4A district is consistent with the existing land use and zoning character of the study areas. As such, the Proposed Action would result in zoning that is compatible with the range of existing uses and FARs found in the secondary study area and surrounding neighborhood. As described below, the area has characteristics supportive of increased density. The Proposed Development would not result in any significant adverse zoning impacts on the rezoning area or in the secondary study area. For these reasons, the Proposed Action would not represent a significant adverse impact on zoning within the primary or secondary study areas, in accordance with criteria set forth in the *CEQR Technical Manual*.

[2] While prior to the COYEO-M Districts text amendment, such uses were designated as Use Groups 4-14, 16 and 17, they are now designated as Use Groups I, III(B), IV to X (subject to limitations and restrictions on size, location and other conditions as set forth in the Zoning Resolution).

Public Policy

The Proposed Action would not hinder the advance of, or conflict with, any applicable public policy, includng the Rebuild, Renew, Reinvent: A Blueprint for New York City's Economic Recovery Plan. Rather, the Proposed Action would advance the overarching goals of the Economic Recovery Plan through the creation of new jobs, promoting the 'creative economy', and increasing employment access in a mixed-use neighborhood.

The Project Site is located within the boundaries of the area recognized by the North Brooklyn Industry and Innovation Plan, and specifically within the Growth District. This area is considered as a dynamic, transit-accessible district for creative and tech-driven jobs of the future. The Proposed Action would not hinder the advancement of the North Brooklyn Industry and Innovation Plan (which has largely been incorporated via the COYEO and M-Districts text amendments), but rather it would increase density for a commercial use that would promote creative jobs in the area. This would not occur on the Project Site under No-Action conditions. As such, the Proposed Action would not result in any significant adverse public policy impacts to either the primary or secondary study areas.

VI. CONCLUSION

The Proposed Action would not directly displace any land uses so as to adversely affect surrounding land uses, nor generate land uses that would be incompatible with land uses, zoning, or public policy in the secondary study area. The Proposed M1-4A district is consistent with the existing land use and zoning character of the study areas. As such, the Proposed Action would result in zoning that is compatible with the range of existing uses and FARs found in the secondary study area and surrounding neighborhood. The Proposed Action would also not hinder the advance of, or conflict with, any applicable public policies. Instead, the Proposed Action would advance and enforce the strategic public policy goals associated with both the North Brooklyn Industry and Innovation and the Rebuild, Renew, Reinvent: A Blueprint for New York City's Economic Recovery Plans. Therefore, no significant adverse impacts on lane use, zoning, or public policy are anticipated in the future with the Proposed Action in the primary or secondary study area in the 2027 analysis year.

Attachment D

Shadows

I. INTRODUCTION

This attachment assesses the potential for the Proposed Action to result in incremental shadows long enough to reach any nearby publicly accessible open spaces or other sunlight-sensitive resources. According to the 2021 *City Environmental Quality Review* (CEQR) *Technical Manual*, a shadows assessment is required if a proposed action would result in structures (or additions to existing structures) of 50 feet in height or greater, or those that would be located adjacent to, or across the street from, a sunlight sensitive resource. As discussed in **Attachment A, "Project Description,"** the Proposed Action would facilitate the development of a building that would be taller than 50 feet and is located adjacent to sunlight-sensitive resources. As such, a detailed shadows analysis was prepared in accordance with *CEQR Technical Manual* guidance to determine the potential for the Proposed Action to result in significant adverse impacts on sunlight-sensitive resources.

II. METHODOLOGY

According to the *CEQR Technical Manual*, the longest shadow a structure will cast in New York City, except for periods close to dawn or dusk, is 4.3 times its height. For projects or actions resulting in structures less than 50 feet tall, a shadow assessment is generally not necessary, unless the site is adjacent to a park, historic resource, or important natural feature (if the feature that makes the structure significant depends on sunlight). First, a preliminary screening assessment must be conducted to ascertain whether shadows resulting from a project could reach any sunlight-sensitive resource at any time of year. The *CEQR Technical Manual* defines sunlight-sensitive resources as those resources that depend on sunlight or for which direct sunlight is necessary to maintain the resource's usability or architectural integrity. The following are considered to be sunlight-sensitive resources:

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

- *Features of historic architectural resources that depend on sunlight for their enjoyment by the public.* Only the sunlight-sensitive features are considered, as opposed to the entire architectural resource. Sunlight-sensitive features include the following: design elements that are part of a recognized architectural style that depends on the contrast between light and dark (e.g., deep recesses or voids,

such as open galleries, arcades, recessed balconies, deep window reveals, and prominent rustication); elaborate, highly carved ornamentation; stained glass windows; exterior building materials and color that depend on direct sunlight for visual character (e.g., the multicolored features found on Victorian Gothic Revival or Art Deco façades); historic landscapes, such as scenic landmarks, including vegetation recognized as an historic feature of the landscape; and structural features for which the effect of direct sunlight is described as playing a significant role in the structure's importance as an historic landmark.

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

The preliminary screening assessment consists of three tiers of analysis. The first tier determines a simple radius around the proposed building(s) representing the longest shadow that could be cast. If there are sunlight-sensitive resources within the radius, the analysis proceeds to the second tier, which reduces the area that could be affected by project-generated shadows by accounting for a specific range of angles that can never receive shade in New York City due to the path of the sun in the Northern Hemisphere. If the second tier of analysis does not eliminate the possibility of new shadows on sunlight-sensitive resources, a third tier of screening analysis further refines the area that could be reached by new shadows by looking at specific representative days of the year and determining the maximum extent of shadow over the course of each representative day. If the third tier of analysis does not eliminate the possibility of new shadows on sunlight-sensitive resources, a detailed shadow analysis is required to determine the extent and duration of the incremental shadow resulting from the project.

In accordance with the *CEQR Technical Manual*, shadows on sunlight-sensitive resources of concern are modeled for four representative days of the year. For the New York City area, the months of interest for an open space resource encompass the growing season (i.e., March through October) and one month between November and February representing a cold-weather month (usually December). Representative days for the growing season are generally the March 21st vernal equinox (or the September 21st autumnal equinox, which is approximately the same), the June 21st summer solstice, and a spring or summer day halfway between the summer solstice and equinoxes, such as May 6th or August 6th (which are approximately the same). For the cold-weather months, the December 21st winter solstice is included to demonstrate conditions when open space users rely most heavily on available sunlight warmth. As these months and days are representative of the full range of possible shadows, they are also used for assessing shadows on sunlight-sensitive historic and natural resources. The *CEQR Technical Manual* defines the temporal limits of a shadow analysis period to fall from an hour and a half after sunrise to an hour and a half before sunset.

The detailed analysis provides the data needed to assess the shadow impacts. The effects of the new shadows on the sunlight-sensitive resources are described, and their degree of significance is considered. The results of the analysis and assessment are documented with graphics, a table of incremental shadow durations, and narrative text. As described in the *CEQR Technical Manual*, an incremental shadow is generally not considered significant when its duration is no longer than ten minutes at any time of year and the resource continues to receive substantial direct sunlight. A significant shadow impact generally occurs when an incremental shadow of ten minutes or longer falls on a sunlight-sensitive resource and results in one of the following:

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

- *Historic and cultural resources:* a substantial reduction in sunlight available for the enjoyment or appreciation of the sunlight-sensitive features of an historic or cultural resource.

- *Open space utilization:* a substantial reduction in the usability of open space as a result of increased shadow, including information regarding anticipated new users and the open space's utilization rates throughout the affected time periods.

- *For any sunlight-sensitive feature of a resource:* complete elimination of all direct sunlight on the sunlight-sensitive feature of the resource, when the complete elimination results in substantial effects on the survival, enjoyment, or, in the case of open space or natural resources, the use of the resource.

In general, a significant adverse shadow impact occurs when the incremental shadow added by a proposed action falls on a sunlight-sensitive resource and substantially reduces or completely eliminates direct sunlight exposure, thereby significantly altering the public's use of the resource or threatening the viability of vegetation or other resources.

III. PRELIMINARY ASSESSMENT

Tier I Screening Assessment

According to the *CEQR Technical Manual*, the longest shadow that a structure will cast in New York City, except for periods close to dawn or dusk, is 4.3 times its height. The Proposed Development's maximum shadow radius (593.4 feet) was determined using the Proposed Development's maximum height of approximately 138 feet, which includes a 20-foot-tall rooftop bulkhead (Tier I Assessment).[1] Within this longest shadow study area, there is one sunlight-sensitive open space resource and two historic resources. Therefore, further screening was warranted to determine whether any resources could be affected by project-generated shadows. A list of these resources is provided below in **Table D-1**.

TABLE D-1:
Possible Sunlight-Sensitive Resources

No.[2]	Open Space and Historic Resources
1	Justice Gilbert Ramirez Park (Open Space Resource)
2	56 Bogart Street (Historic Resource)
3	Firehouse Engine Co. 237 (Historic Resource)

[1] In accordance with *CEQR Technical Manual* guidance, the maximum shadow radius was calculated by combining the maximum building height of the Proposed Development (inclusive of the rooftop bulkhead) (totaling approximately 138 feet) and multiplying that number by 4.3. Although the Proposed Development is intended to only include mechanical bulkheads reaching a height of approximately 16 feet, for conservative analysis purposes, the rooftop obstructions (bulkheads) were assumed to reach a height of 20 feet.

[2] Numbers Keyed to **Figure D-1**

Tier II Screening Assessment

Due to the path of the sun across the sky in the Northern Hemisphere, no shadow can be cast in a triangular area south of any given project site. In New York City, this area lies between -108 and +108 degrees from true north. The purpose of the Tier II screening is to determine whether the sunlight-sensitive resources identified in the Tier I Screening are located within portions of the longest shadow study area that can receive shade from the Proposed Development.

Figure D-1 illustrates the results of the Tier I and Tier II screening assessments (i.e., the portion of the longest shadow study area lying within -108 degrees from the true north and +108 degrees from true north as measured from southernmost portion of the Project Site). Based on the Tier I and II analysis, Site 1, Justice Gilbert Ramirez Park, was identified as the only sunlight-sensitive resource warranting further assessment.

Tier III Screening Assessment

According to the *CEQR Technical Manual*, a Tier III screening assessment should be performed to determine if, in the absence of intervening buildings, shadows resulting from a proposed action can reach a sunlight-sensitive resource, thereby warranting a detailed shadow analysis. The Tier III screening assessment is used to determine if shadows resulting from a proposed action can reach a sunlight-sensitive resource at any time between 1.5 hours after sunrise and 1.5 hours before sunset on representative analysis dates.

As project-generated shadows could reach a sunlight-sensitive resource, a Tier III assessment (see **Figure D-2a and D-2b**) was performed using three-dimensional (3D) computer mapping software. The 3D model was used to calculate and display project-generated shadows on individual representative analysis dates. The model contained 3D representations of the elements in the base map used in the preceding assessments and a 3D model of the Proposed Development. Per *CEQR Technical Manual* guidance, at this stage of the assessment, surrounding buildings within the study area were not included in the model so that it may be determined whether project-generated shadows would reach any sunlight sensitive resources.

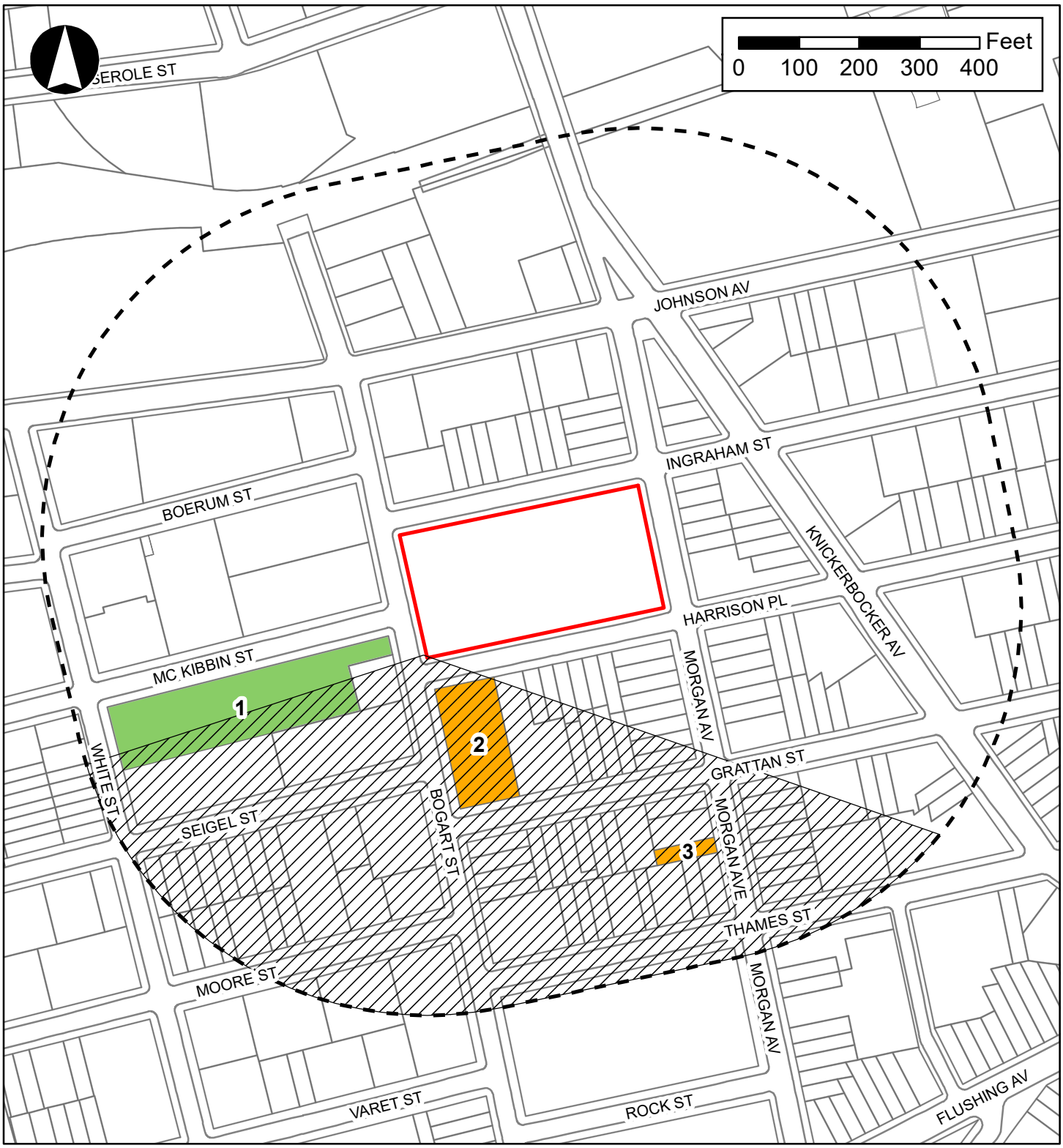
Table D-3 presents a summary of the Tier III assessment, showing the three days on which the open space resource would, in the absence of intervening buildings, receive project-generated shadows. The Tier III analysis was completed for four representative days of the year: March 21st/September 21st, the equinoxes; May 6th, the midpoint between the summer solstice and the equinox (and equivalent to August 6th); June 21st, the summer solstice and the longest day of the year; and December 21st, the winter solstice and shortest day of the year. As there were no incremental shadows on the December 21st analysis day, the detailed analyses only examined incremental shadows on the other three analysis days.

TABLE D-3: Tier III Assessment Results

No.[3]	Resource Name	Mar. 21st / Sep. 21st 7:36 AM – 4:29 PM	May 6th / Aug. 6th 6:27 AM – 5:18 PM	June 21st 5:57 AM – 6:01 PM	Dec. 21st 8:51 AM – 2:53 PM	Analysis Days
1	Justice Gilbert Ramirez Park	YES	YES	YES	NO	3

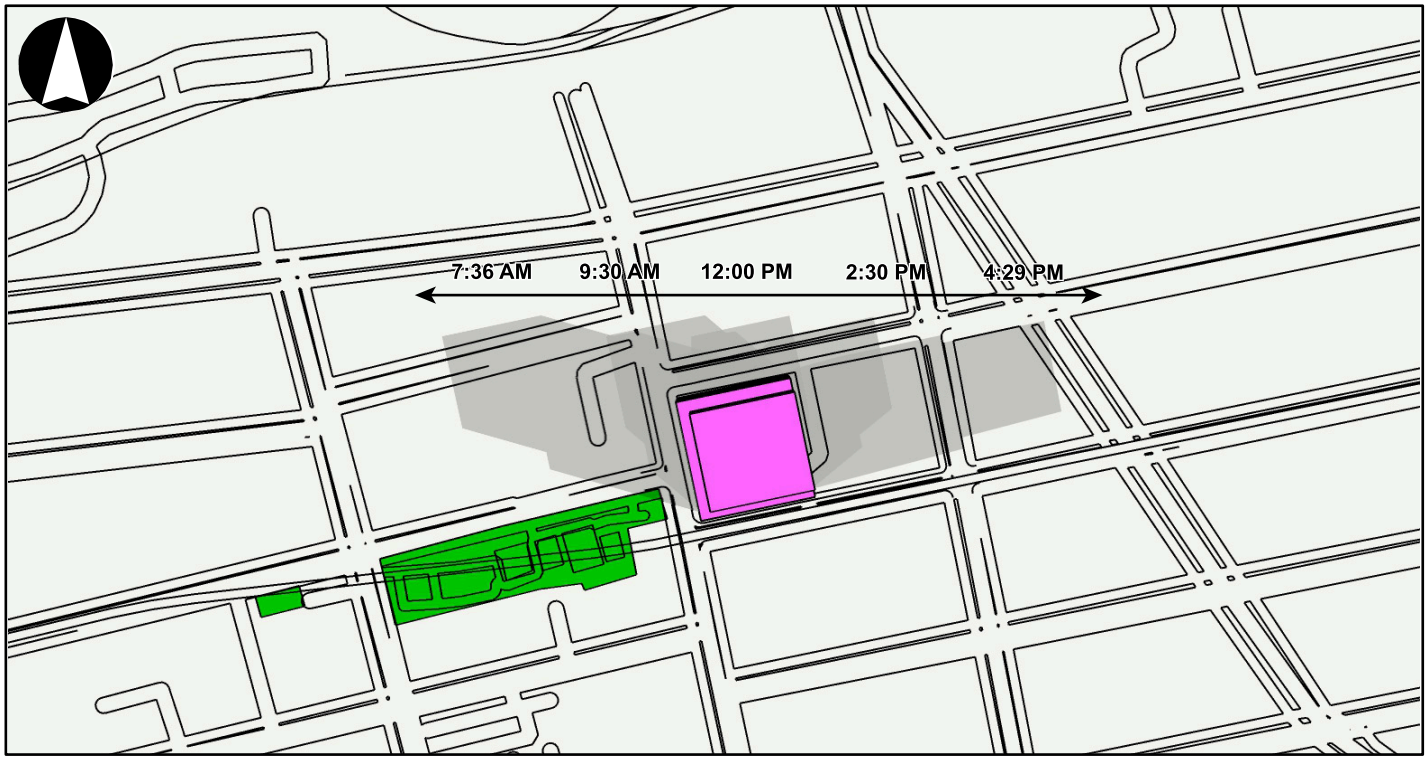
[3] Numbers keyed to **Figure D-1**.

Tier I & II Shadow Assessment

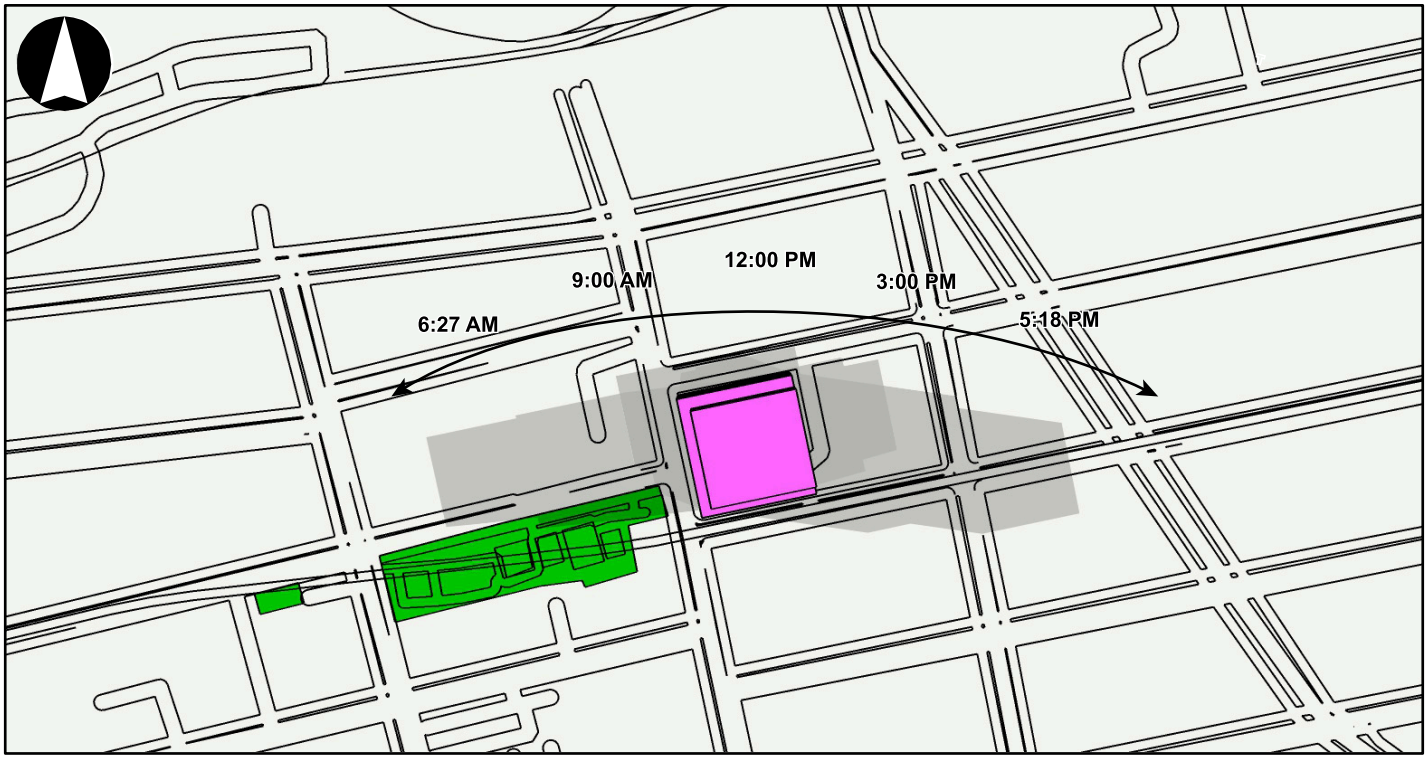


Legend

- Primary Study Area (Project Site)
- Open Space
- Historic Resources
- Shadows Tier I: Longest Shadow Study Area Boundary
- Shadows Tier II: Area that could never be shaded by the Proposed Development

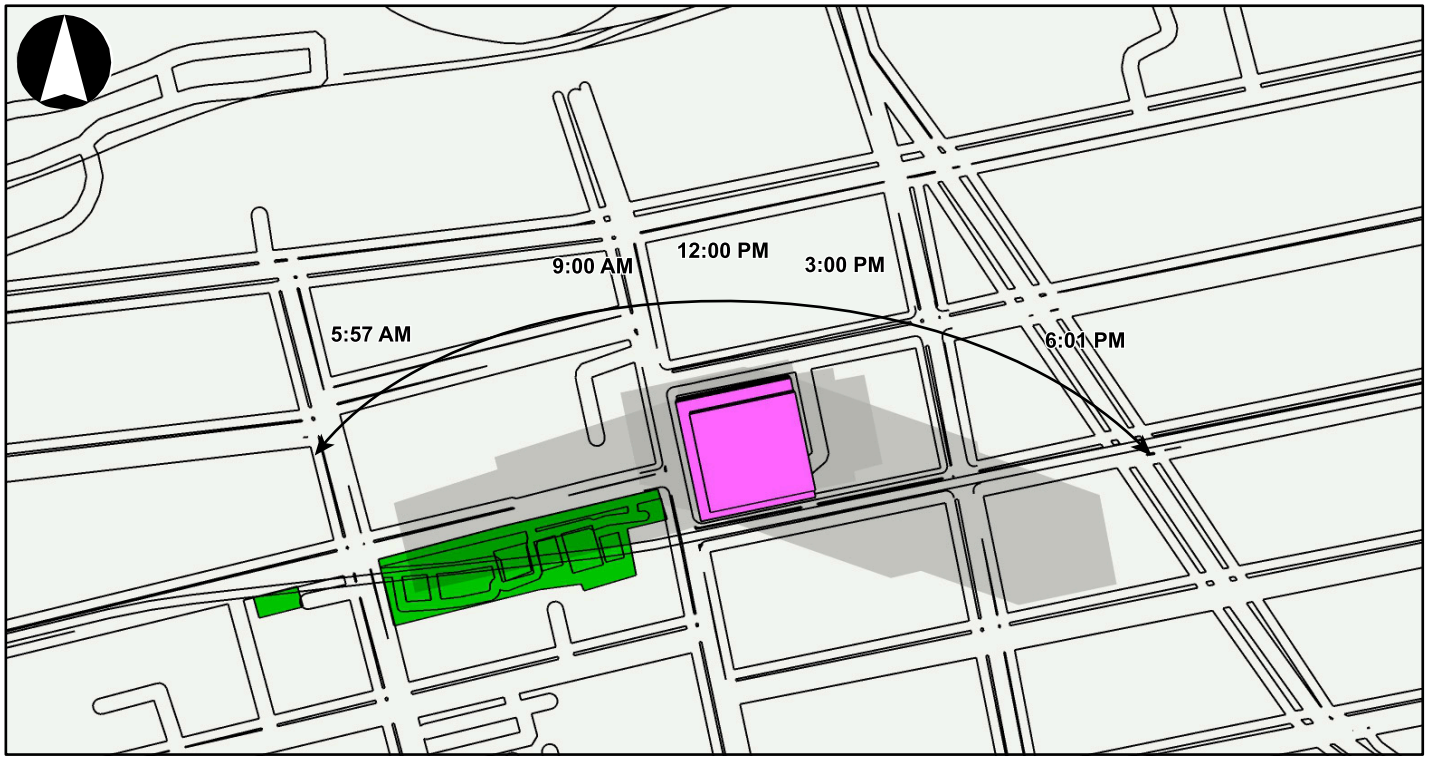


March 21/September 21

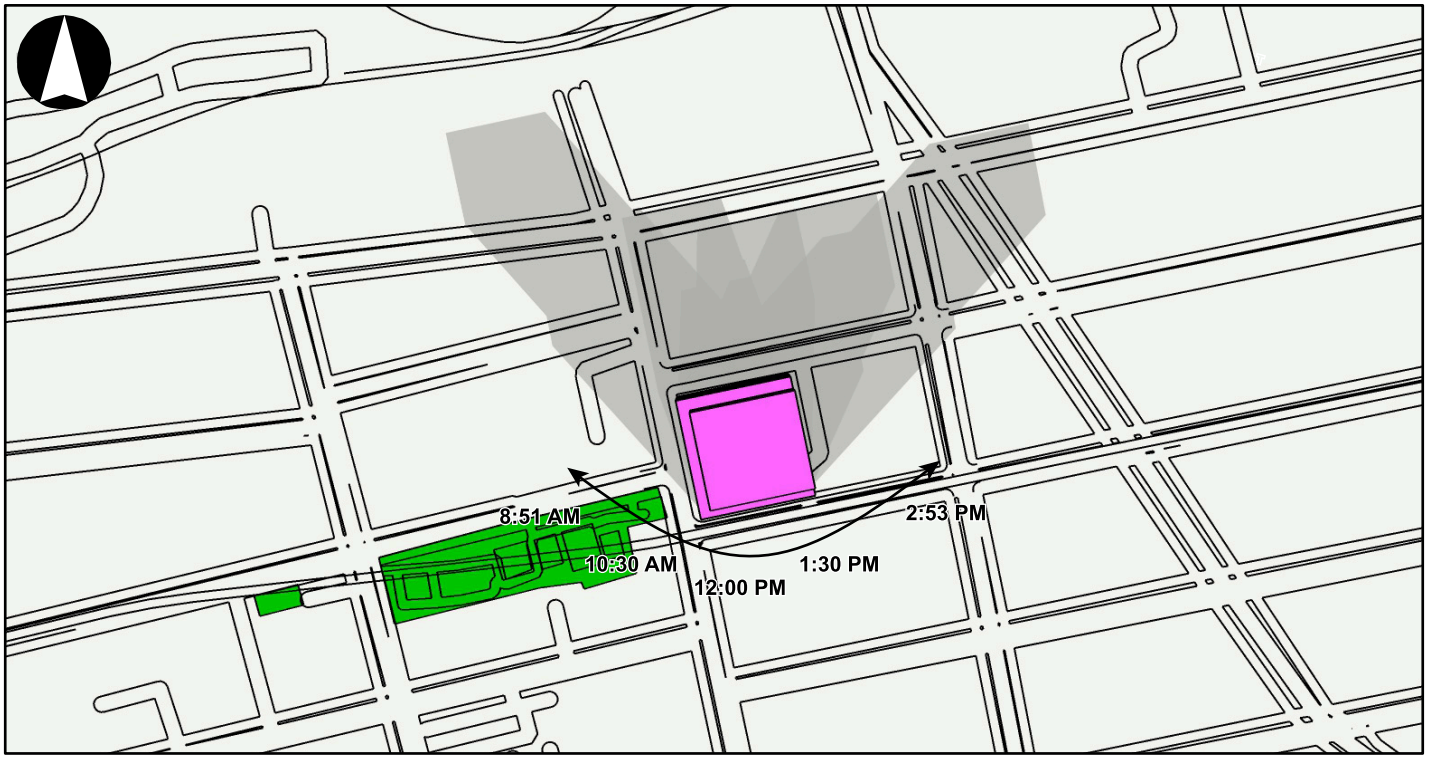


May 6/August 6

Legend: Proposed Project; Open Space



June 21



December 21

Legend: Proposed Project; Open Space

IV. DETAILED ANALYSIS

Sunlight-Sensitive Resources

Justice Gilbert Ramirez Park

Justice Gilbert Ramirez Park is an approximately 1.03-acre park. The park, located southwest of the Project Site, is bound by McKibbin Street to the north, Seigel Street to the south, White Street to the west, and Bogart Street to the east. Justice Gilbert Ramirez Park features a playground, basketball and handball courts, benches, landscaping, and trees. Justice Gilbert Ramirez Park is open to the public daily from 6:00 AM to 9:00 PM.

Shadows Analysis

Per *CEQR Technical Manual* guidance, shadow analyses were performed for the one sunlight-sensitive resource identified above on three representative days of the year: March 21st/September 21st, the equinoxes; May 6th, the midpoint between the summer solstice and the equinox (and equivalent to August 6th); and June 21st, the summer solstice and the longest day of the year. CEQR guidance defines the temporal limits of a shadow analysis period to fall from 1.5 hours after sunrise to 1.5 hours before sunset. As discussed above, the results of the shadows analysis show the incremental difference in shadow coverage between the No-Action and With-Action conditions (refer to **Table D-3**, located on the subsequent page). Per the *CEQR Technical Manual*, all times reported herein are Eastern Standard Time and do not reflect adjustments for daylight savings time that is in effect from mid-March to early November.

As shown in **Table D-3**, incremental project-generated shadows would reach the sunlight-sensitive resource on three of the four analysis days. Increases in shadow coverage would occur at Justice Gilbert Ramirez Park on the analysis days of March 21st/September 21st, May 6th/August 6th, and June 21st. **Figures D-3** through **D-5b** show representative shadow views of the three representative analysis days mentioned above.

TABLE D-3: Duration of Shadows on Sunlight Sensitive Resources (Increment Compared to the No-Action Condition)

Resource	Analysis Day	Mar. 21st/Sep. 21st	May 6th/Aug. 6th	June 21st	Dec. 21st
		7:36 AM – 4:29 PM	**6:27 AM – 5:18 PM**	**5:57 AM – 6:01 PM**	**8:51 AM – 2:53 PM**
Justice Gilbert Ramirez Park	Shadow enter-exit time	7:36 AM –8:40 AM	6:27 AM – 9:12 AM	5:57 AM –9:09 AM	N/A
	Incremental shadow duration	1 hour 4 minutes	2 hours 45 minutes	3 hours 12 minutes	N/A

Notes:
All times are Eastern Standard Time (EST).
Daylight Savings Time (EDT) was not used.
Table indicates the entry and exit times and total duration of incremental shadow for each sunlight-sensitive resource.

March 21st/September 21st

On the March 21st/September 21st analysis days, the Proposed Development would cast incremental shadows on portions of Justice Gilbert Ramirez Park beginning at 7:36 AM EST (8:36 AM EDT) and continuing until 8:40 AM EST (9:40 AM EDT), for a duration of approximately one hour and 4 minutes. As indicated in **Figure D-3**, incremental shadows would cover the northeast corner of the park. Incremental shadow coverage would be minimal and would only affect passive park uses on the eastern side of the park briefly. Active park uses would not be affected by incremental shadows. After 8:40 AM EST (9:40 AM EDT), the open space would not experience any incremental shadow coverage.

May 6th/August 6th

On the May 6th/August 6th analysis days, the Proposed Development would cast incremental shadows on portions of Justice Gilbert Ramirez Park beginning at 6:27 AM EST (7:27 AM EDT) and continuing until 9:12 AM EST (10:12 AM EST), for a duration of approximately two hours and 45 minutes. After 9:12 AM EST (10:12 AM EDT), the open space would not experience any incremental shadow coverage as a result of the Proposed Development. As indicated in **Figures D-4a** and **D-4b**, incremental shadows would cover the northeastern corner of the park, and the incremental shadows would only affect the eastern passive park uses. Active park uses would not be affected by incremental shadows.

June 21st

June 21st is the summer solstice, which is the day of the year with the longest period of daylight. The sun is most directly overhead and generally shadows are shortest and move across the widest angular range from west to east. On this date, the Proposed Development would cast incremental shadows on portions of Justice Gilbert Ramirez Park beginning at 5:57 AM EST (6:57 AM EDT) and continuing until 9:09 AM EST (10:09 AM EDT), for a duration of approximately three hours and 12 minutes. After 9:09 AM EST (10:09 AM ESD), the open space would not experience any incremental shadow coverage as a result of the Proposed Development. As indicated in **Figures D-5a** and **D-5b**, incremental shadows would cover a majority of the park at 5:57 AM EST (6:57 AM EDT), but by 6:30 AM EST (7:30 AM EDT)—just over a half hour later--the incremental shadows would only cover the northeastern corner of the park. This is the only analysis day in which both passive and active park uses would be affected by incremental shadows.

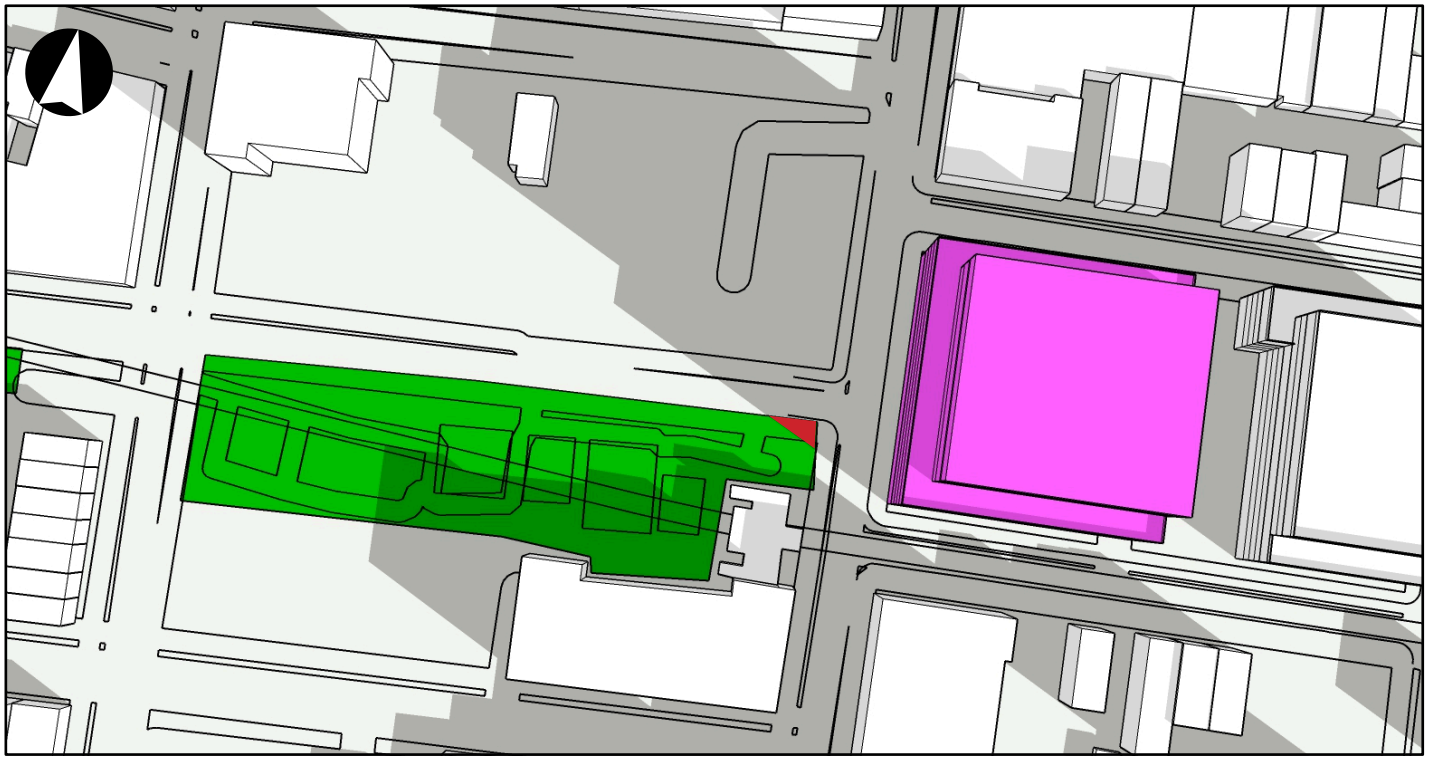
Assessment

A shadow impact occurs when the incremental shadow from a proposed project falls on a sunlight sensitive resource or feature and reduces its direct sunlight exposure. Determining whether this impact is significant or not depends on the extent and duration of the incremental shadow and the specific context in which the impact occurs.

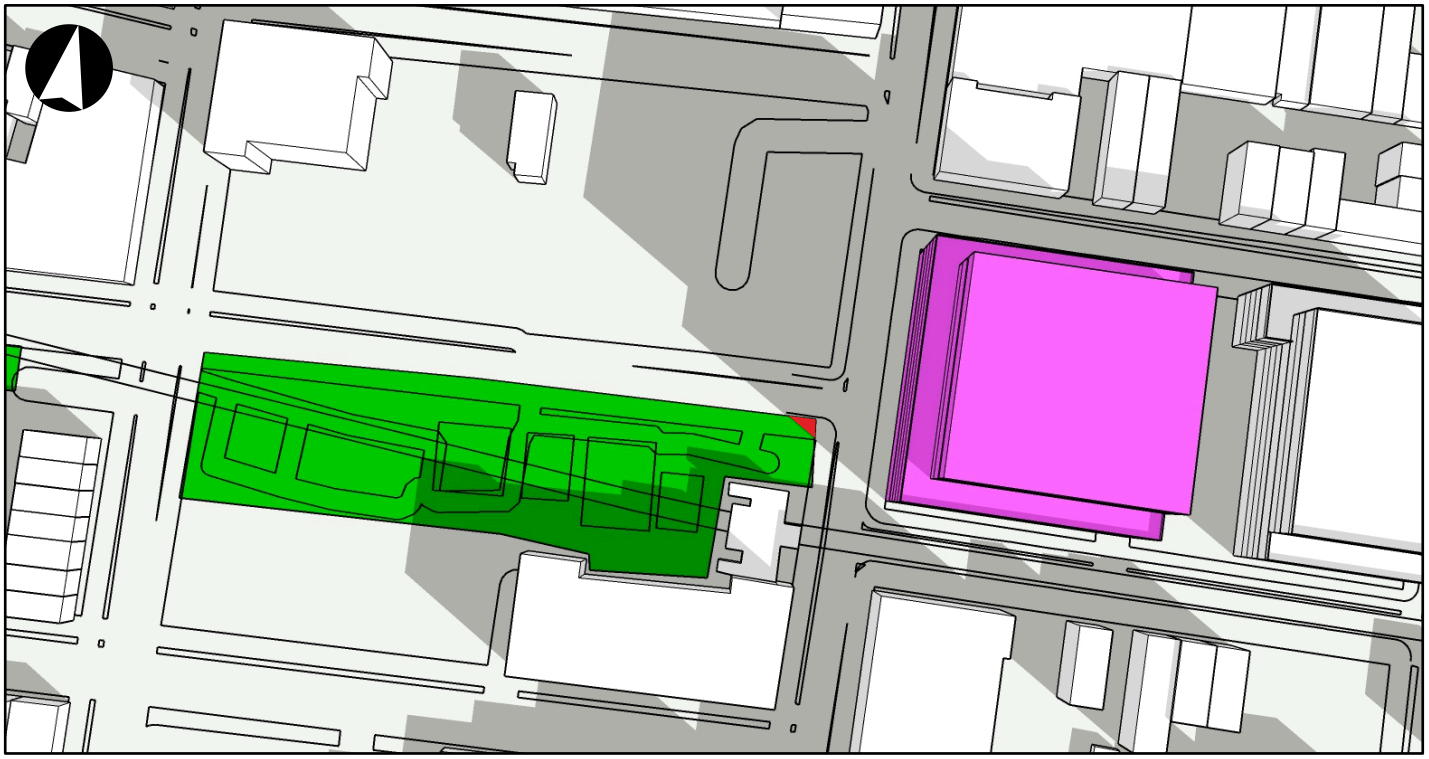
For sunlight-sensitive open space resources, the uses and features of the space indicate its sensitivity to shadows. Shadows occurring during the cold-weather months of interest generally do not affect the growing season of outdoor vegetation; therefore, this sensitivity is assessed for both (1) warm-weather-dependent features or vegetation that could be affected by a loss of sunlight during the growing season; and (2) features, such as benches, that could be affected by a loss of winter sunlight. Uses that rely on sunlight include passive use, such as sitting or sunning; active use, such as playfields or paved courts; and activities such as gardening, or children's wading pools and sprinklers. Generally, six to eight hours a day of sunlight, particularly in the growing season, is often a minimum requirement. Consequently, the

Figure D-3

Justice Gilbert Ramirez Park
Incremental Shadows on March 21/September 21



7:36 AM



8:00 AM

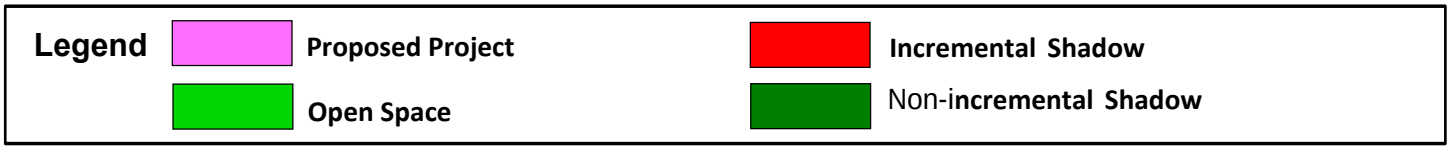
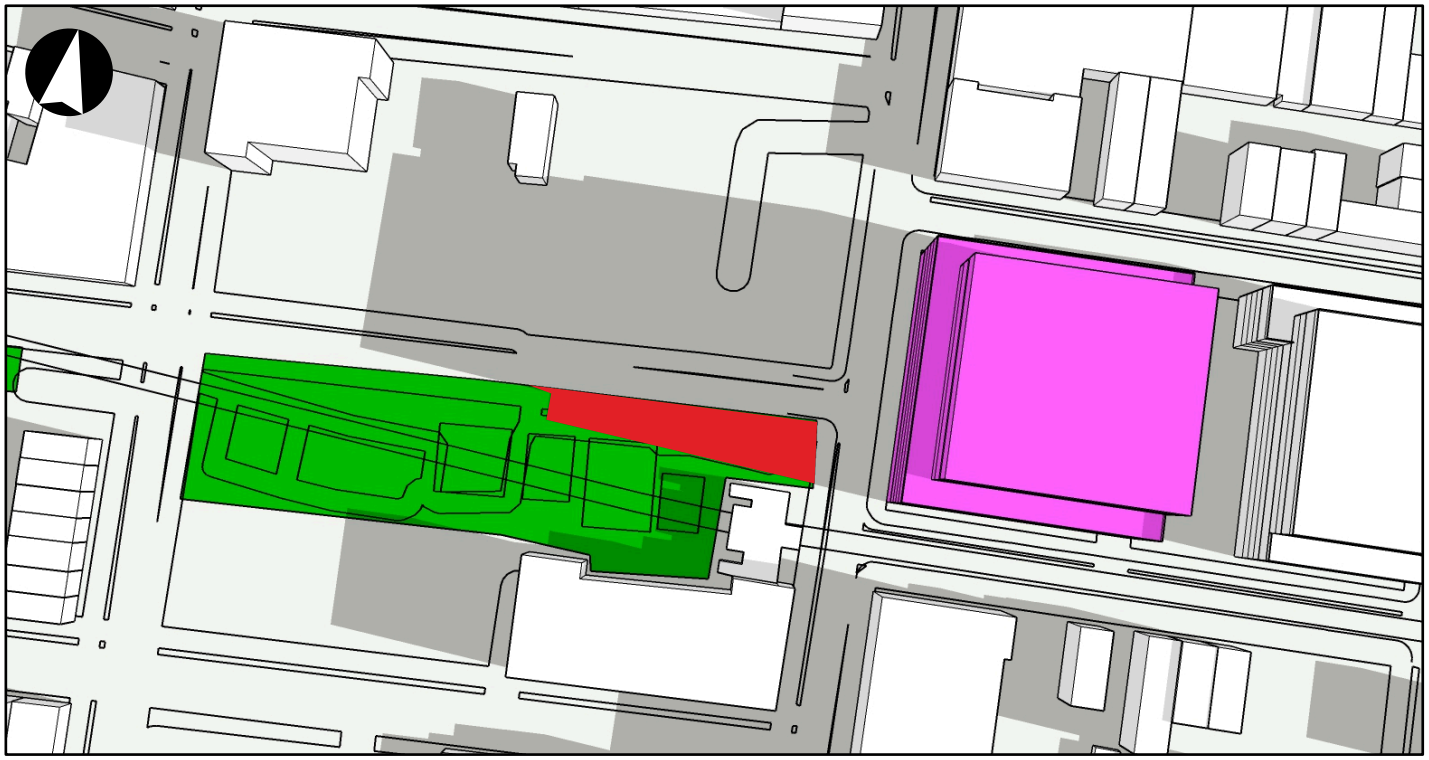
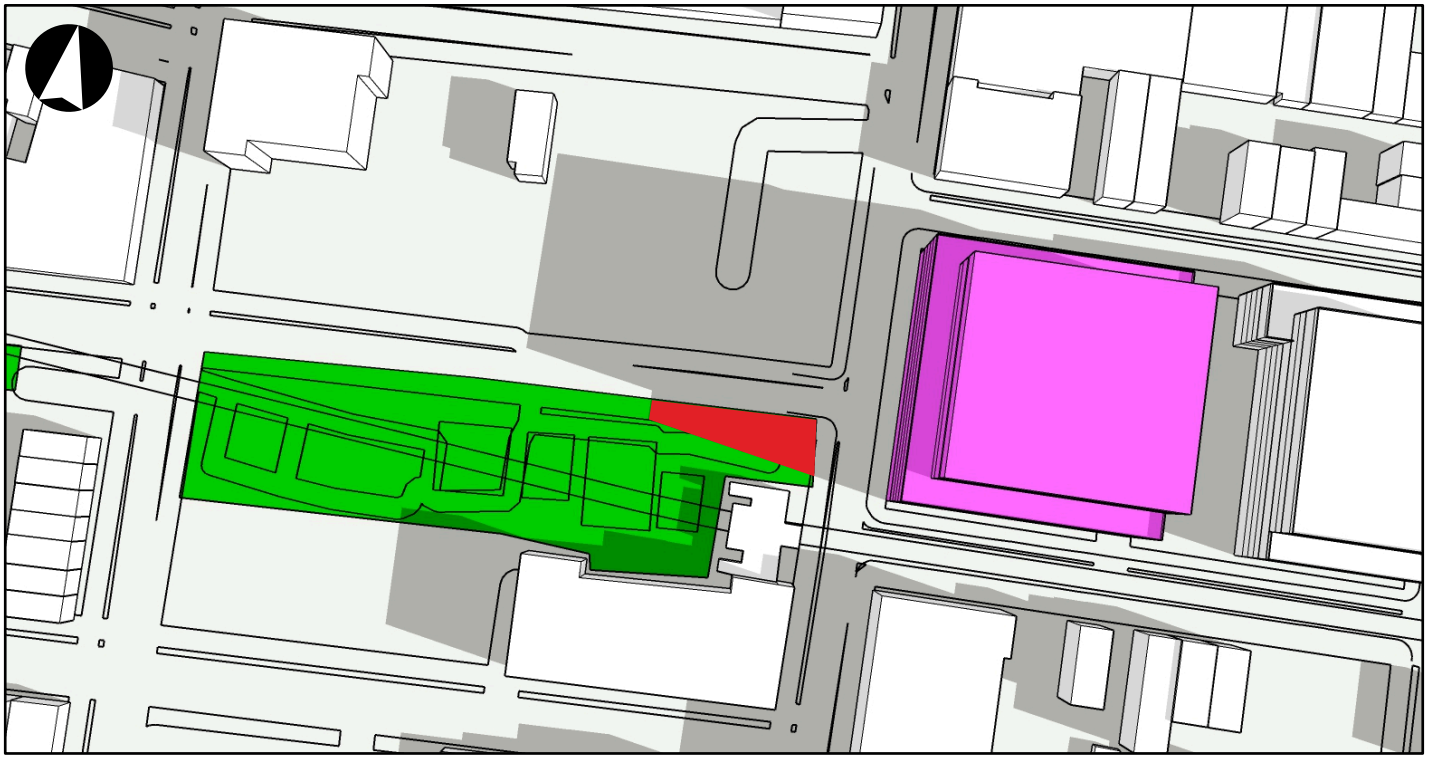


Figure D-4a

Justice Gilbert Ramirez Park
Incremental Shadows on May 6/August 6



6:27 AM



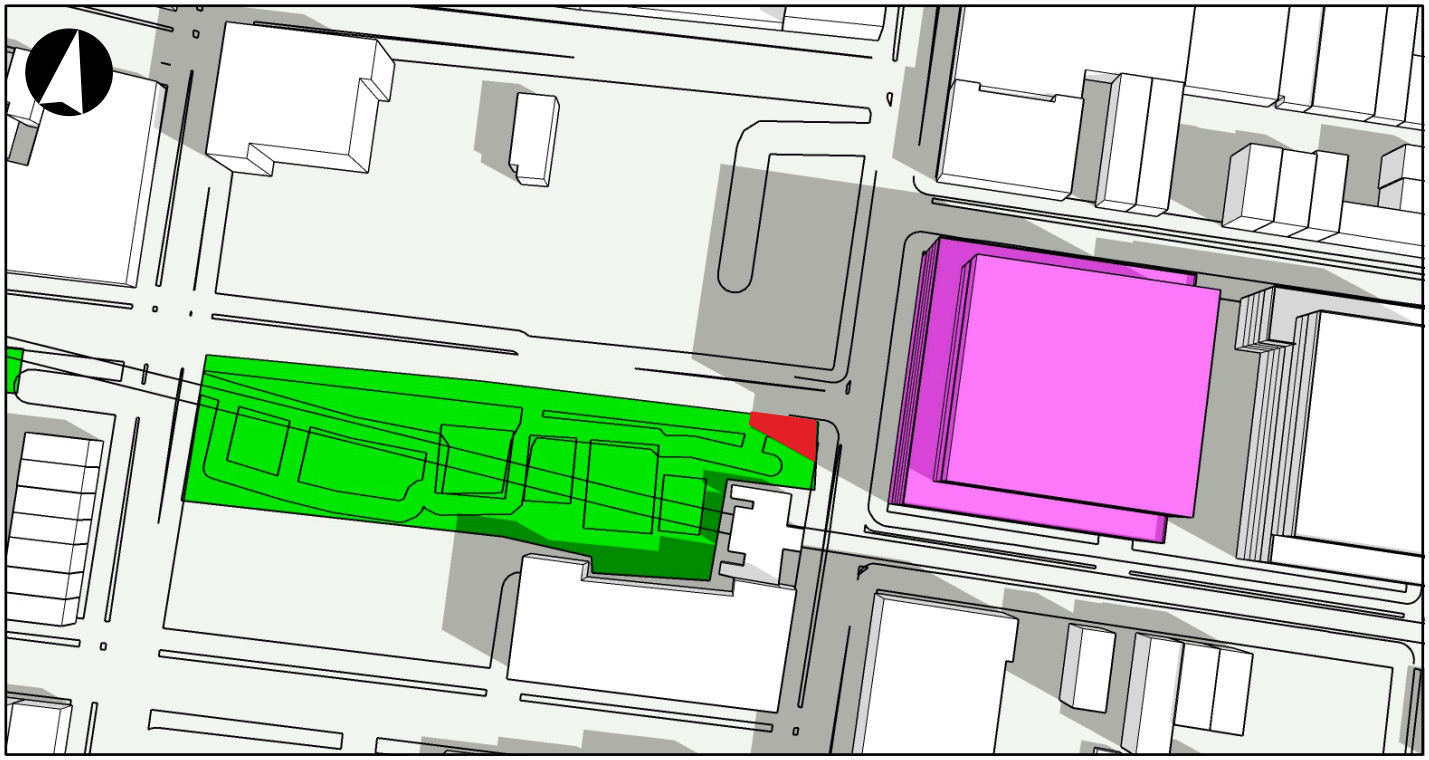
7:00 AM

Legend

- Proposed Project
- Incremental Shadow
- Open Space
- Non-incremental Shadow

Figure D-4b

Justice Gilbert Ramirez Park
Incremental Shadows on May 6/August 6



8:00 AM



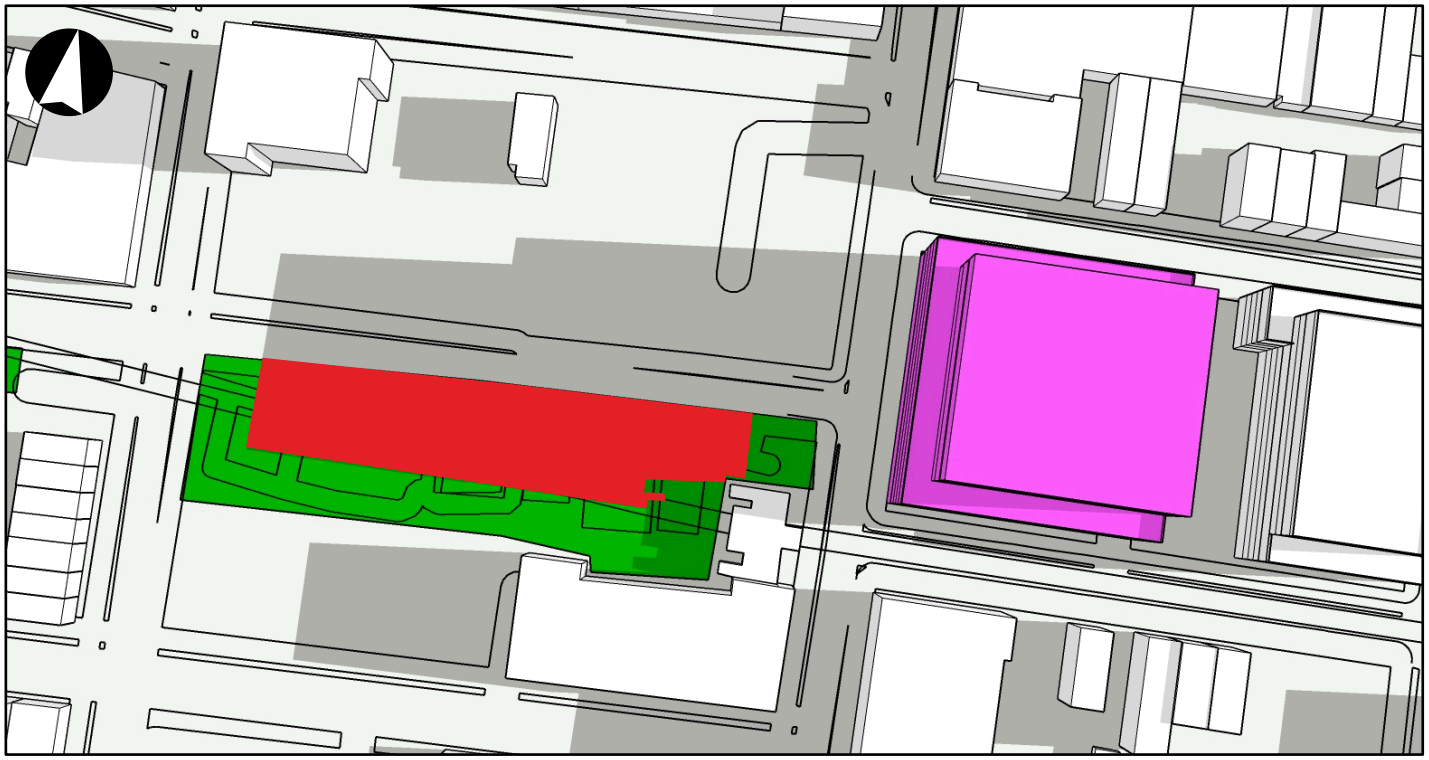
9:00 AM

Legend

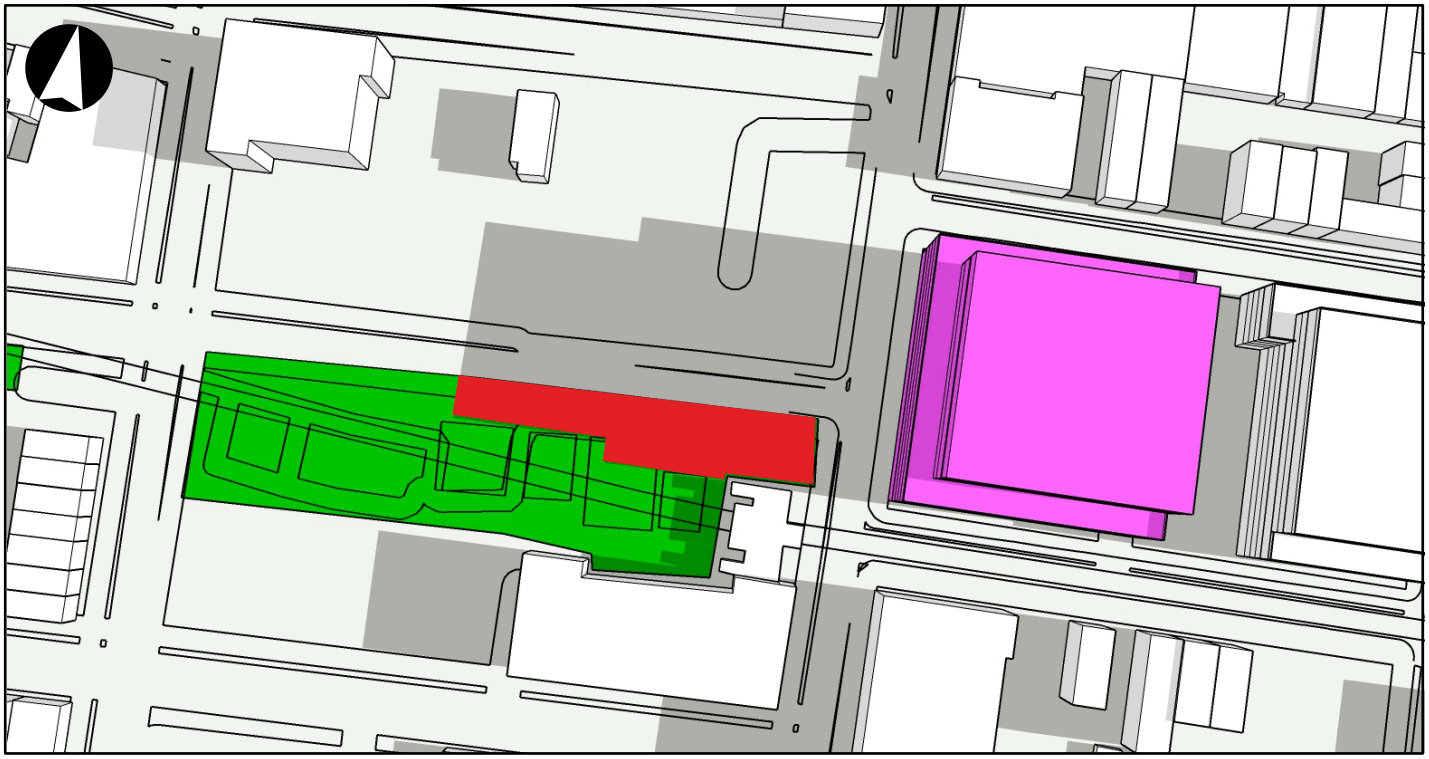
- Proposed Project
- Incremental Shadow
- Open Space
- Non-incremental Shadow

Figure D-5a

Justice Gilbert Ramirez Park
Incremental Shadows on June 21



5:57 AM



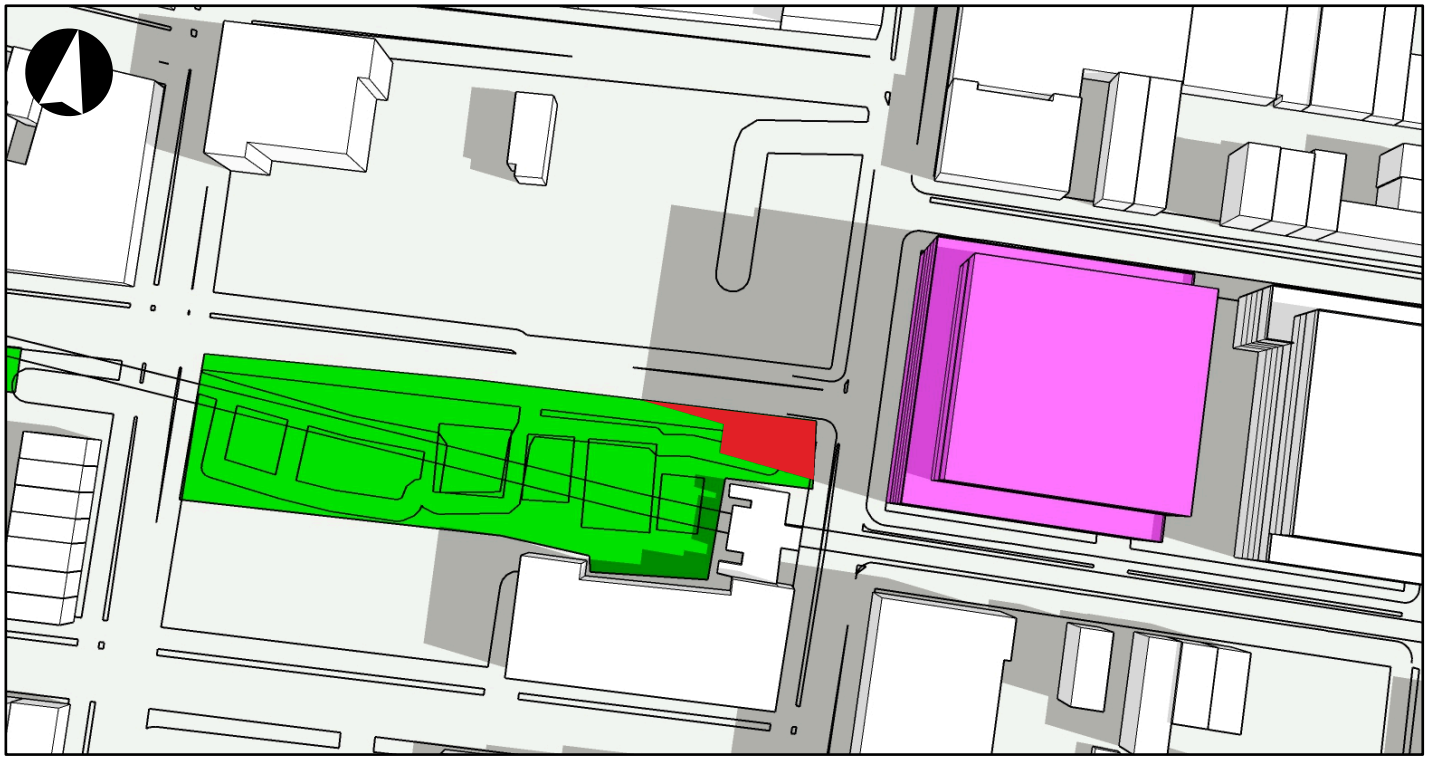
6:30 AM

Legend

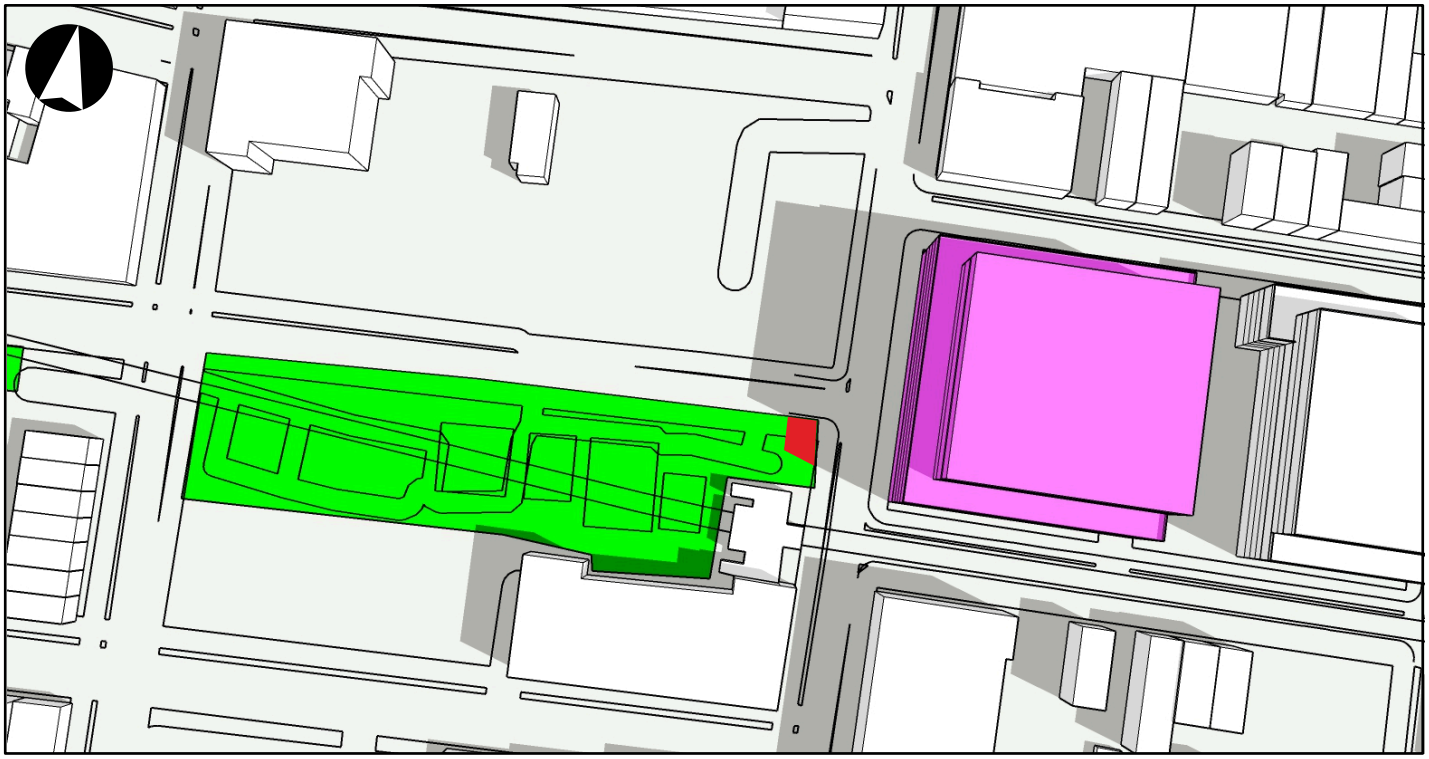
- Proposed Project
- Incremental Shadow
- Open Space
- Non-incremental Shadow

Figure D-5b

Justice Gilbert Ramirez Park
Incremental Shadows on June 21



7:30 AM



8:30 AM

Legend

- Proposed Project
- Incremental Shadow
- Open Space
- Non-incremental Shadow

assessment of an open space resource's sensitivity to increased shadow focuses on identifying the existing conditions of its facilities, plantings, and uses, and the sunlight requirements for each.

Justice Gilbert Ramirez Park

As described above and shown in **Table D-3**, all incremental shadows on all analysis days would be limited to the morning hours before 9:12 AM EST (10:12 AM EDT). As the park is open daily from 6:00 AM to 9:00 PM, the park would not experience any incremental shadows for almost 12 hours of its total operating hours. Additionally, incremental shadow coverage would not be cast on any single area of the open space for an extended period of time, as shadows move from west to east throughout the day, allowing the park's sunlight-sensitive features to receive adequate direct sunlight (at least eight hours) throughout the analysis day.

Figure D-6 shows the boundaries of Justice Gilbert Ramirez Park (in red) and separates the active (shaded blue) from the passive park uses. Active park uses include the handball and basketball courts, playgrounds and the swing set, while the passive park uses are the eastern garden, the western lawn, and the trees and benches throughout the park.

Active park uses would only be affected by incremental shadows for approximately one hour on the June 21st analysis day. As shown in **Figure D-5a**, incremental shadows begin exiting active park uses by 6:30 AM EST (7:30 AM EDT), and as shown in **Figure D-5b**, incremental shadows no longer affect active park uses an hour later by 7:30 AM EST (8:30 AM EDT). The park is open to the public from 6:00 AM – 9:00 PM, which means that active park uses would not be affected by incremental shadows for a majority of the operating hours (from the operating hours of 8:30 AM to 9:00 PM).

As mentioned above, passive park uses include the garden, lawn, trees and benches throughout the park. The garden on the eastern side of the park would receive the most incremental shadows as a result of the Proposed Development. The garden includes vegetation, namely trees, shrubs, and flowers that could potentially be affected by loss of sunlight during the growing season. On the March 21/September 21, May 6/August 6, and June 21st analysis days, incremental shadows would exit the eastern garden by 8:40 AM EST (9:40 EDT), 9:12 AM EST (10:12 AM EDT), and 9:09 AM EST (10:09 AM EDT), respectively. As such, on all three analysis days, the garden, and all other passive park uses, would receive direct sunlight for over eight hours. Therefore, vegetation within the park would not be affected by the loss of sunlight.

Justice Gilbert Ramirez Park is open daily from 6:00 AM to 9:00 PM. For all three analysis days, the early morning hours that would experience incremental shadows are hours in which the park would be least utilized by the public, and the park would still receive direct sunlight for a majority of its operating hours. Incremental shadow coverage is not expected to have a significant effect on the utilization or enjoyment of Justice Gilbert Ramirez Park or on the sunlight needs of vegetation for any of the analysis days.

V. CONCLUSION

The Proposed Action would result in incremental shadow coverage on one open space resource, Justice Gilbert Ramirez Park, located southwest of the Project Site during the March 21/September 21, May 6/August 6, and June 21 analysis days from 7:36 AM – 8:40 AM EST, 6:27 AM – 9:12 AM EST, and 5:57 AM to 9:09 AM EST, respectively. For all three analysis days, incremental shadow coverage would not be cast

Aerial View of Justice Gilbert Ramirez Park



Legend

- Park Boundary
- Park Active Uses

on any single area of the open space for an extended period of time, as shadows move from west to east throughout the day, allowing the open space's sunlight-sensitive features to receive adequate direct sunlight (over eight hours) throughout the analysis days.

The extent and duration of the incremental shadows would: (1) not significantly reduce or completely eliminate direct sunlight exposure on any of the sunlight-sensitive features found within the open space; and (2) would not significantly alter the public's use of the open space resource or threaten the viability of vegetation or other sunlight-sensitive features. As such, incremental shadows from the Proposed Development on Justice Gilbert Ramirez Park would not be considered a significant adverse impact, in accordance with *CEQR Technical Manual* guidance.

Attachment E

Urban Design and Visual Resources

I. INTRODUCTION

This attachment assesses the Proposed Action's potential effects on urban design and visual resources. As discussed in **Attachment A, "Project Description"**, the Proposed Action is a zoning map amendment to rezone the Project Site (Block 3084, Lot 1) from an M1-2 district to an M1-4A district. The zoning map amendment would facilitate the development of an approximately 247,000-gross-square-foot (gsf) building to be used for art storage (the "Proposed Development"). The Proposed Action would allow for an increase of permitted floor area on the Project Site by 240,000 zoning square feet (zsf) to allow for the development of an art storage facility. Currently, the eastern portion of the Project Site is occupied by an approximately 193,785-gsf self-storage facility (which was developed as-of-right) and its required accessory parking, while the western portion contains an open lot for commercial vehicle storage.

The 2021 *City Environmental Quality Review ("CEQR") Technical Manual* defines urban design as the totality of elements – including streets, buildings, visual resources, open space, natural features, and wind – that shape and affect a pedestrian's experience of public space. A visual resource is defined as the connection from the public realm to significant natural or built features, including, but not limited to, views of the waterfront, public parks, public art, statues or sculptures, landmark structures or districts, otherwise distinct buildings or groups of buildings that may be iconic or historic, or natural resources. In an urban design assessment pursuant to CEQR, one 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 and natural environment in the context of the project. An assessment of the potential impacts of the Proposed Action on urban design and visual resources was prepared in conformance with the *CEQR Technical Manual*.

II. METHODOLOGY

In general, an assessment of urban design is warranted when a project may have effects on one or more of the elements that contribute to a pedestrian's experience of public space. As mentioned above, the Proposed Action would facilitate the development of an approximately 247,000-gsf art storage facility. As the Proposed Development has the potential to change pedestrians' experience of public space surrounding the Project Site in comparison to conditions in the No-Action scenario, it is necessary to assess the Proposed Action's potential impacts on urban design and visual resources.

A pedestrian wind condition analysis is not warranted for the Proposed Action pursuant to *CEQR Technical Manual* methodology. The Project Site is not located in a high wind location (such as along the waterfront) and the Proposed Action would not result in the construction of multiple tall buildings that would have the potential to alter wind conditions. Therefore, a pedestrian wind condition analysis is not warranted for the Proposed Action.

Following *CEQR Technical Manual* guidance, the analysis is based on field visits, aerial views, photographs, and other graphic images of the zoning lot and surrounding area. The following preliminary analysis also considers the effects of the Proposed Development on the surrounding area's visual resources, which are

generally considered important public view corridors, vistas, or natural or built features. Visual resources can include waterfront views, public parks, landmarked structures or districts, or natural features, such as rivers or geologic formations.

Study Areas

The study areas for the assessment of urban design and visual resources corresponds to the areas where the proposed project may influence land use patterns, the built environment, and pedestrian's experiences in the public realm surrounding the project area. The study area is consistent with the study area used for the land use analysis. For visual resources, the view corridors within the study area from which such resources are publicly viewable should be identified.

The urban design analysis considers both a primary study area, which is the Project Site (Block 3084, Lot 1), and a secondary study area that has the potential to experience indirect impacts as a result of the Proposed Action. The secondary study area extends an approximate 400-foot radius from the boundary of the primary study area. Consistent with the Secondary Study Area presented in **Attachment C, "Land Use, Zoning, and Public Policy,"** the Secondary Study Area is generally bounded by the midblock between Johnson Avenue and Meserole Street to the north, Knickerbocker Avenue to the east, midblock between Grattan and Thames Streets to the south, and midblock between Bogart Street and White Street to the west. The Primary and Secondary Study Areas described above have been established in accordance with *CEQR Technical Manual* guidance and are presented in **Figure E-1**.

III. EXISTING CONDITIONS

Urban Design

Project Site (Primary Study Area)

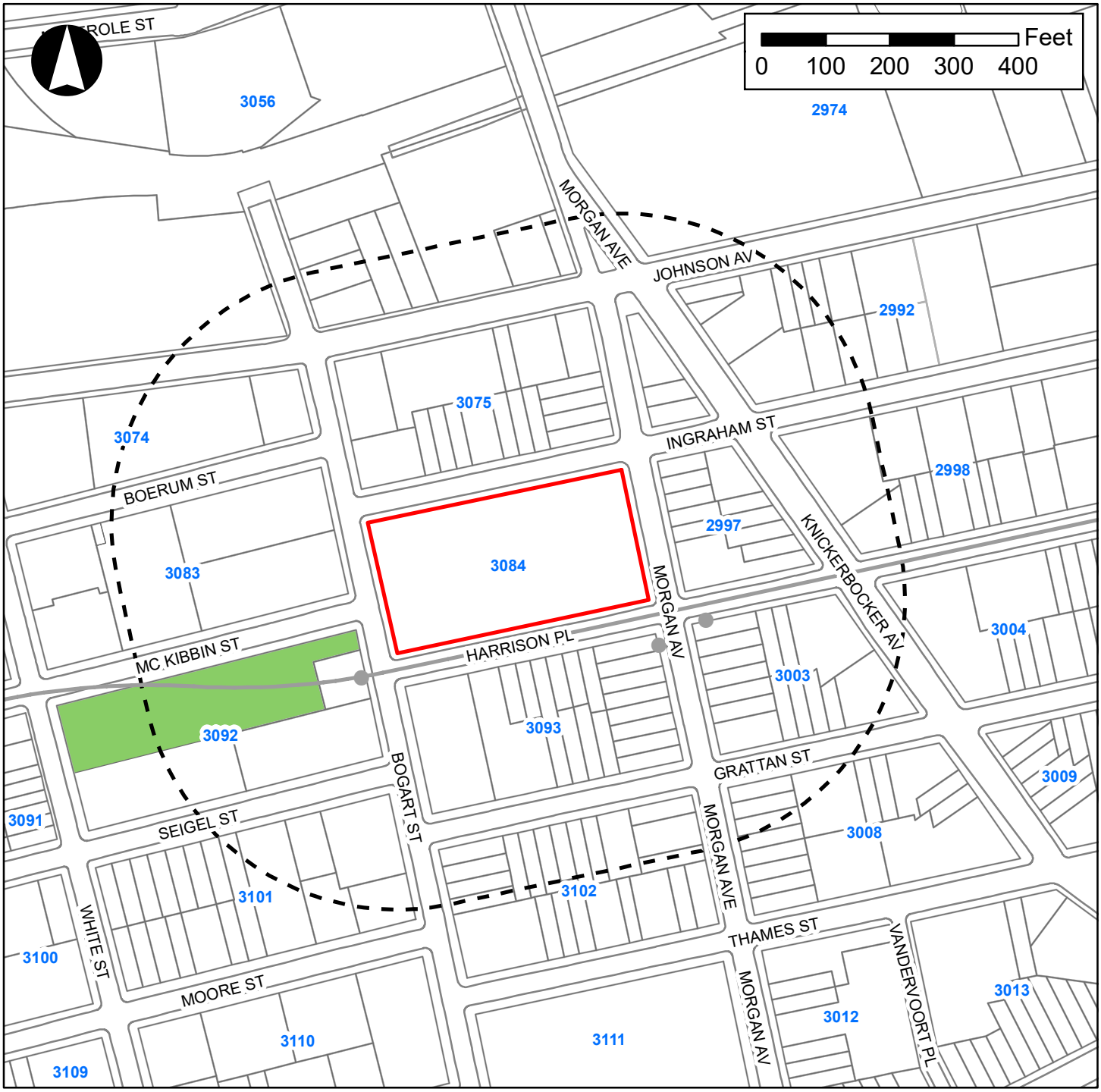
The approximately 80,000-gsf Project Site, which is coterminous with the Primary Study Area, comprises a single block, tax lot, and zoning lot bounded by Bogart Street to the west, Ingraham Street to the north, Morgan Avenue to the east, and Harrison Place to the south. The lot is located in the East Williamsburg neighborhood of Brooklyn (Block 3084, Lot 1). The Project Site contains approximately 200 feet of frontage on the east side of Bogart facing towards McKibbin Street, and approximately 400 feet of frontage on the south side of Ingraham Street. The eastern portion of the lot is a self-storage facility with an adjoining accessory parking lot, while the western portion of the lot is a lot for vehicle storage.

Buildings

As shown in **Figure E-2**, the eastern portion of the Project Site is currently occupied by an approximately 193,785-gsf (160,000-zsf) commercial building (approximately 2.0 FAR) built in 2021. Currently, approximately 177,785 gsf is being used for self-storage space, while approximately 16,000 gsf of ground floor space is not currently being utilized. Under the current M1-2 zoning, the existing facility utilizes all permitted floor area on the Project Site. The 7-story self-storage facility has approximately 200 feet of frontage along Morgan Avenue to the east, approximately 150 feet of frontage along the south side of Ingraham Street and 150 feet of frontage along the north side of Harrison Place. The main building entrance is located on its western frontage, facing the accessory parking lot.

Figure E-1

Urban Design and Visual Resources Study Areas



Legend

- Project Site (Primary Study Area)
- 400 Foot Radius (Secondary Study Area)
- L Train Subway Route
- Morgan Avenue L Subway Station Entrance
- Open Space
- 3084 Tax Block





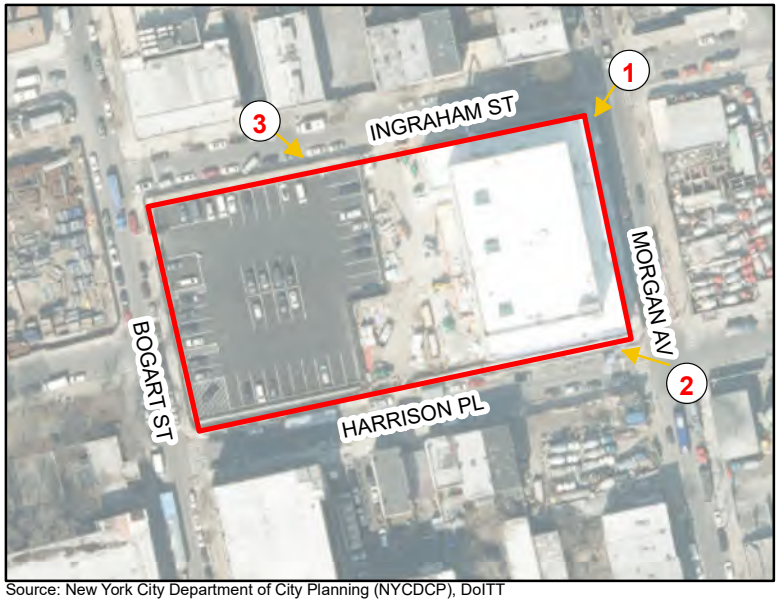
1. View of the Primary Study Area looking southwest at the intersecton of Morgan Avenue and Ingraham Street.



2. View of the Primary Study Area looking northwest at the intersection of Morgan Avenue and Harrison Place.



3. View of Primary Study Area looking southeast on the northern side of Ingraham Street between Bogart Street and Morgan Avenue.



Source: New York City Department of City Planning (NYCDCP), DoITT
Notes:
1. The Project Site is outlined by a solid red line.

Figure E-2
Primary Study Area - Self Storage Facility

As shown in **Figure E-3**, the western portion of the Project Site contains an open surface lot, which has approximately 200 feet of frontage along Bogart Street, and approximately 350 feet of frontage on the south side of Ingraham Street and north side of Harrison Place. It is currently used for commercial vehicle storage and is gated with the main entrance on Bogart Street just south of Ingraham Street (see **Figure E-3, Photo 3**). There is existing signage used for advertising along the northern gate on Ingraham Street, as shown in **Figure E-3, Photo 2**.

Streets and Streetscape

Bogart Street, Ingraham Street, Morgan Avenue and Harrison Place are all 60-foot-wide one-way streets bounding the Project Site. Bogart Street is a southbound street with one moving lane that connects Ingraham Street, McKibbin Street and Harrison Place adjacent to the Project Site. There is street parking available on both sides of Bogart Street, and a bicycle parking rack is available on the west side of Bogart Street just south of its intersection with McKibbin Street. Ingraham Street is a westbound street with one moving lane with street parking on both sides and connects Morgan Avenue to the east to Bogart Street to the west. Morgan Avenue is a southbound street with one moving lane that connects Ingraham Street to Harrison Place. Morgan Avenue has street parking on both sides and a designated bike lane on the eastern side of the street. There are three entrances to the Morgan Avenue L Subway Station located at the northeast, southeast, and southwest corners at the intersection of Morgan Avenue and Harrison Place. Lastly, Harrison Place is an eastbound street with one moving lane and parking on both sides that connects Bogart Street to Morgan Avenue. The northern sidewalks along Harrison Place have subway grates to allow for ventilation to the Morgan Avenue L Subway Station located underneath the sidewalk. Sidewalks surrounding the Project Site vary in width from approximately 6 feet to 14 feet. To access the Project Site, vehicles can enter through gates on either Bogart Street on the west side of the parking lot, Ingraham Street on the north side, or Harrison Place on the south side.

Streetscape elements along the Project Site's street frontages include trees along the Ingraham Street's northern sidewalk, Morgan Avenue's western sidewalk and Bogart Street's eastern sidewalk. Other streetscape elements include standard parking signage, standard cobra head street lights, fire hydrants, stop signs, and street signs.

Natural Features and Open Space

The topography of the area surrounding the Project Site is generally flat. Additionally, there are no natural features or open space located at the Project Site.

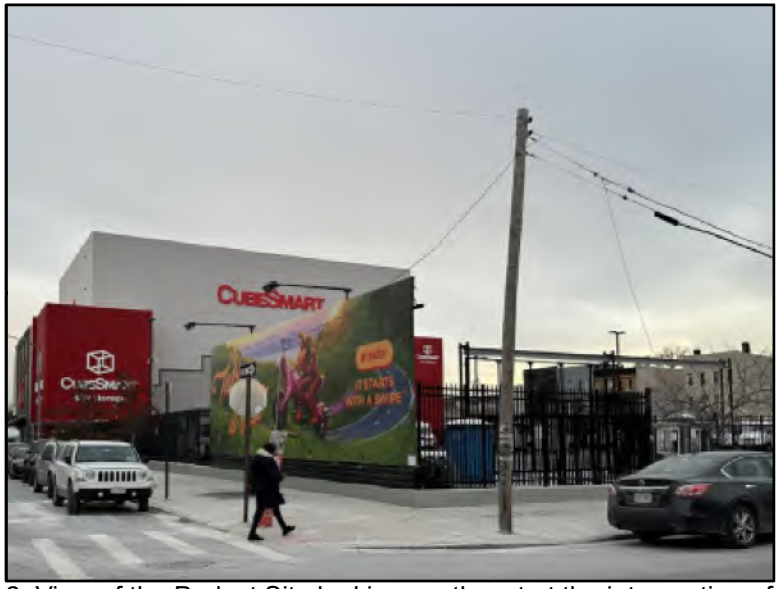
Secondary Study Area (400-foot Radius)

Buildings

As described in **Attachment C, "Land Use, Zoning, and Public Policy,"** the Secondary Study Area (400-foot radius surrounding the Project Site) is a mixed-use neighborhood primarily occupied by concrete plants, lofts and mid-rise buildings used for industrial and manufacturing uses, as well as several open lots for vehicle and contractor material storage. Other uses surrounding the Project Site include retail space, commercial offices, residential buildings, maker spaces, art galleries, bars, and restaurants. As described in **Table C-1**, in the Secondary Study Area, 30% of lots in are industrial/manufacturing land uses, 16% of lots are residential land uses, 10% are mixed-use commercial and residential land uses, and 8% are commercial/office land uses. **Figure E-4** showcases the wide variety of building types, designs, and heights.



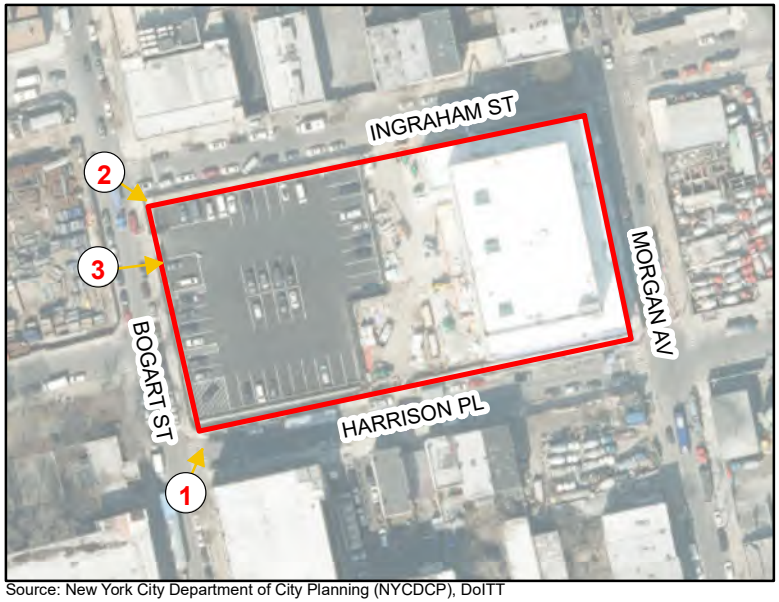
1. View of the Project Site looking northeast at the intersection of Bogart Street and Harrison Place.



2. View of the Project Site looking southeast at the intersection of Bogart Street and Ingraham Street.



3. View of Project Site looking east from the west side of Bogart Street between Ingraham Street and McKibbin Street.



Source: New York City Department of City Planning (NYCDCP), DoITT
Notes:
1. The Project Site is outlined by a solid red line.



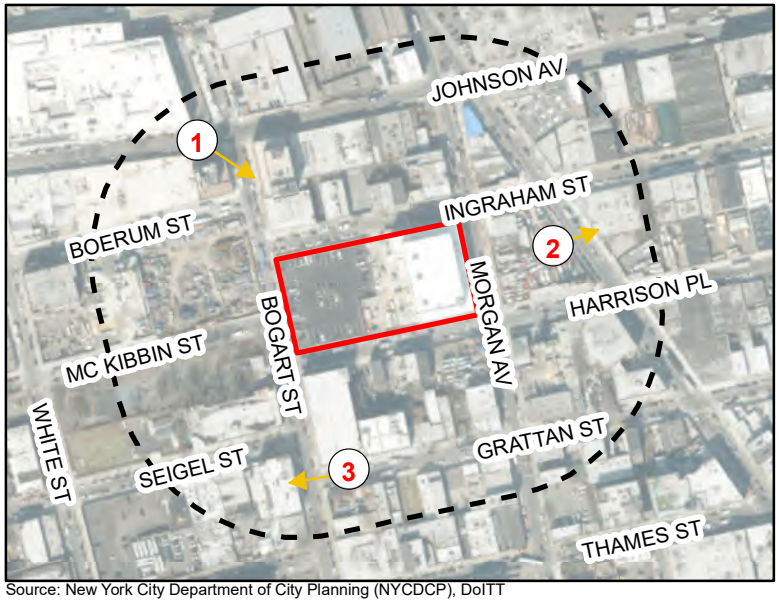
1. View of 100 Bogart Street looking southeast on the corner of Johnson Avenue and Bogart Street



2. View of 27 Knickerbocker Avenue facing east on on Knickerbocker between Ingraham Street and Harrison Place.



3. View of 49 Bogart Street facing west at the intersection of Bogart Street and Grattan Street.



Source: New York City Department of City Planning (NYCDCP), DoITT
Notes:
1. The Primary Study Area is outlined by a solid red line.
2. The Secondary Study Area is outlined by a dashed black line.

A large majority of the buildings in the Secondary Study Area also have graffiti murals or other art featured on their facade, which reinforces the artistic nature of the area.

Lot size and building footprint in the Secondary Study Area are mixed with large, predominately industrial lots mixed in with smaller residential and commercial buildings. Most residential buildings are multi-family walk up apartment buildings, some of which are built over commercial ground floors. Most buildings are oriented to the street and are largely built to the street line. As shown in **Figure E-5**, built FARs are varied throughout the Secondary Study Area and range from between 0 (on vacant lots), to greater than 4 FAR. A majority of buildings are between 0 and 2 FAR.

As shown in **Figure E-6**, the tallest building within the Primary and Secondary Study Areas is the existing, 7-story self-storage facility at the Project Site. Most buildings are 4 stories or under, with the exception of the Project Site and two buildings: 360 Johnson Avenue (Block 3074, Lot 23), which is a 6-story hotel, and 100 Bogart Street (Block 3075, Lot 2), which is a 6-story industrial building.

Within the Secondary Study Area are two historic resources, described in greater detail below. 56 Bogart Street (Block 3093, Lot 1) and Engine Company No. 237 (Block 3102, Lot 23) are both historic resources that are eligible for listing on the State/National Registers of Historic Places ("S/NR"). S/NR-eligible 56 Bogart Street is located approximately 60 feet south of the Project Site, directly across Harrison Place. S/NR-eligible Engine Company No. 237 is at 43 Morgan Avenue, approximately 350 feet south of the Project Site.

Streets and Streetscape

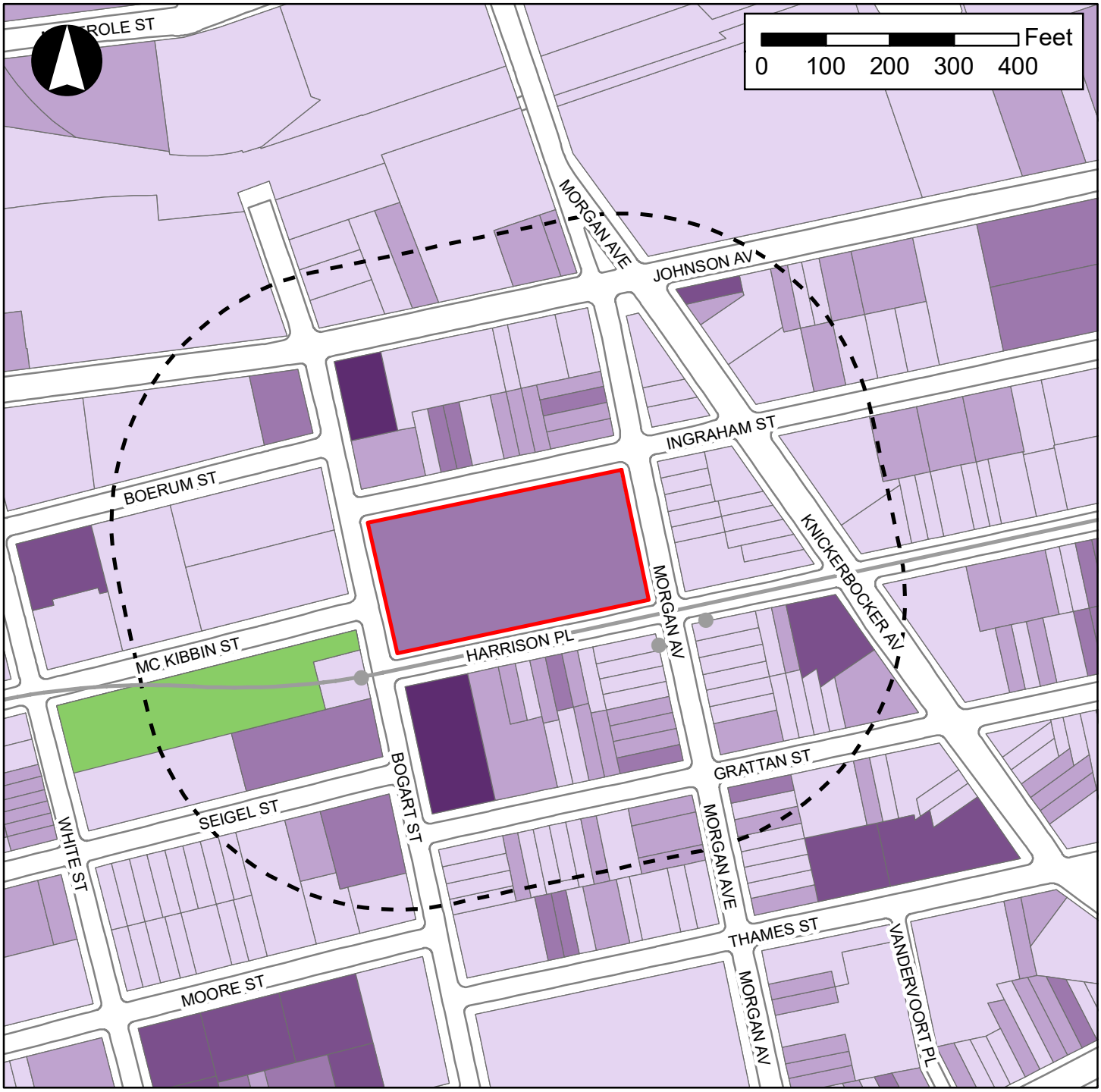
The street pattern in the Secondary Study Area is characterized by an interrupted grid pattern. While a majority of the streets run east-west and north-south, Knickerbocker Avenue cuts diagonally through the Secondary Study Area, east of the Project Site. East-west oriented streets include Johnson Avenue, Boerum Street, Ingraham Street, McKibbin Street, Harrison Place, Seigel Street and Grattan Street intersecting north-south oriented streets Bogart Street and Morgan Avenue. All streets within the Secondary Study Area are 60 feet wide, with the exception of Knickerbocker Avenue, which is 70 feet wide.

Johnson Avenue is a two-way street in the northern section of the Secondary Study Area that connects Bogart Street to the west to Knickerbocker Avenue to the east. Street parking is generally prohibited but is available intermittently on both sides of the street. Parking is not available at the B60 route bus stops (see **Figure E-7a**) located on the north and south sides of Johnson Avenue between Bogart Street and Morgan Avenue, in loading and unloading zones, and in front of curb cuts along Johnson Avenue for garages and parking facilities serving commercial buildings. There are few streetscape elements along this street segment, with the exception of standard signage, streetlights, fire hydrants, and some street trees.

Boreum Street is a one-way eastbound street with no lane markings located south of Johnson Avenue and connects to Bogart Street. Boreum Street serves industrial land uses, and as such does not allow street parking due to curbside loading regulations, has many curb cuts, and there are no streetscape elements, except signage and streetlights.

As previously mentioned, Ingraham Street is a one-way westbound street that runs along the northern border of the Primary Study Area. With the exception of curb cuts for loading and unloading, street parking is allowed along Ingraham Street. Streetscape elements on Ingraham Street that were not

Figure E-5
Built FAR



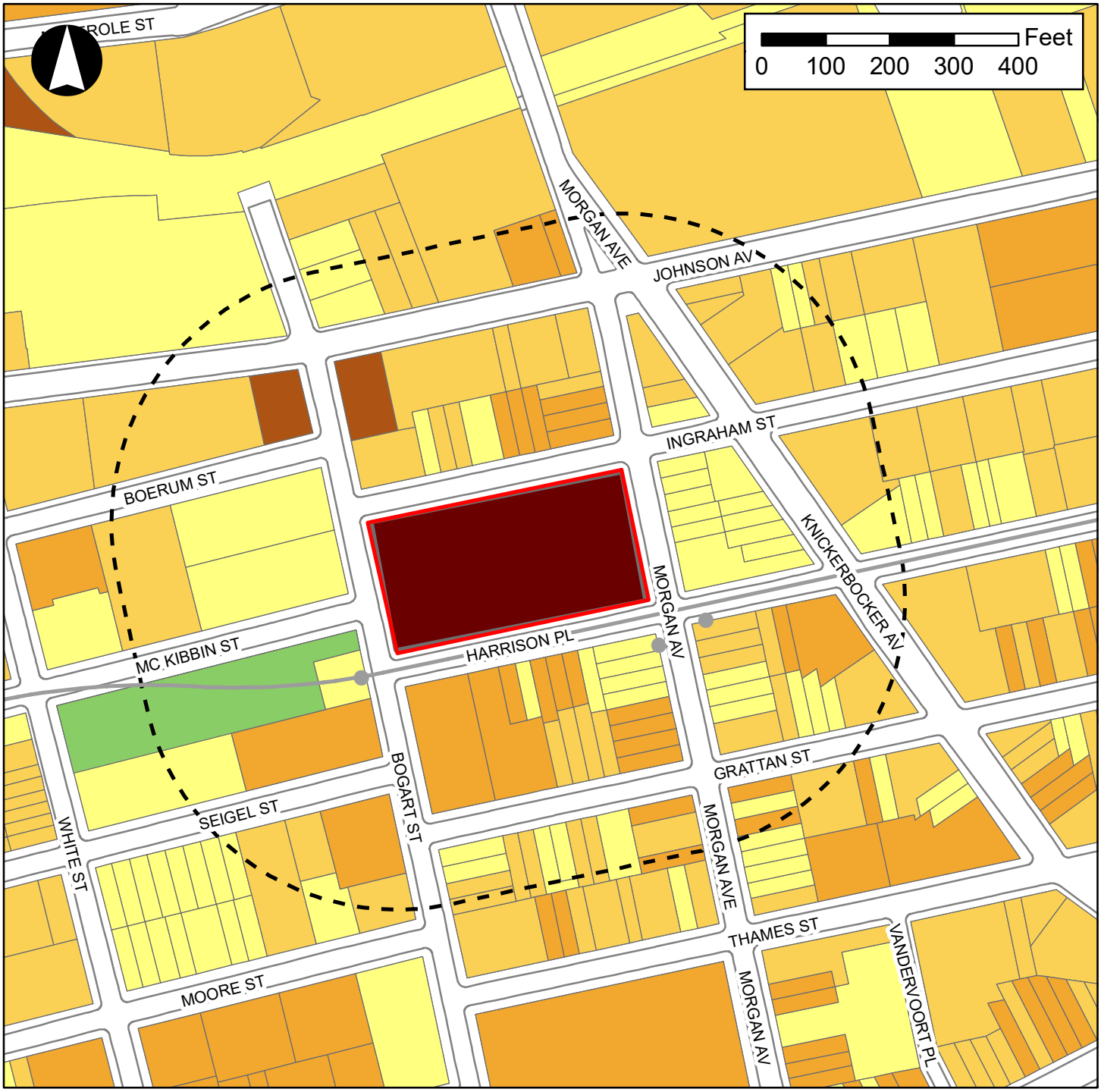
Legend

- Project Site
- 400 Foot Radius
- Morgan Avenue L Subway Entrance
- L Train Subway Route
- Open Space

Built FAR

- 0 - 1
- 1 - 2
- 2 - 3
- 3 - 4
- Greater than 4

Figure E-6
Building Heights



Legend

- Project Site
- 400 Foot Radius
- Morgan Avenue L Subway Entrance
- L Train Subway Route
- Open Space

Number of Stories

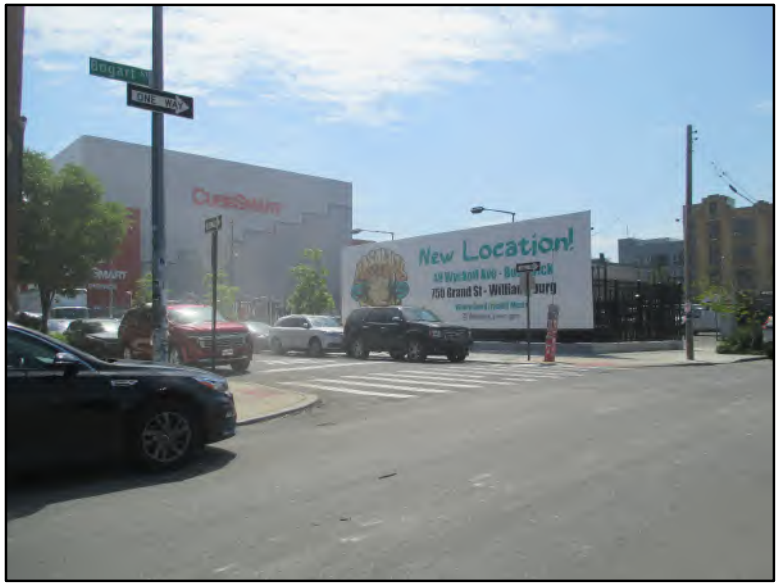
- 0 Stories
- 1 - 2 Stories
- 3 - 4 Stories
- 5 - 6 Stories
- Greater than 6 Stories



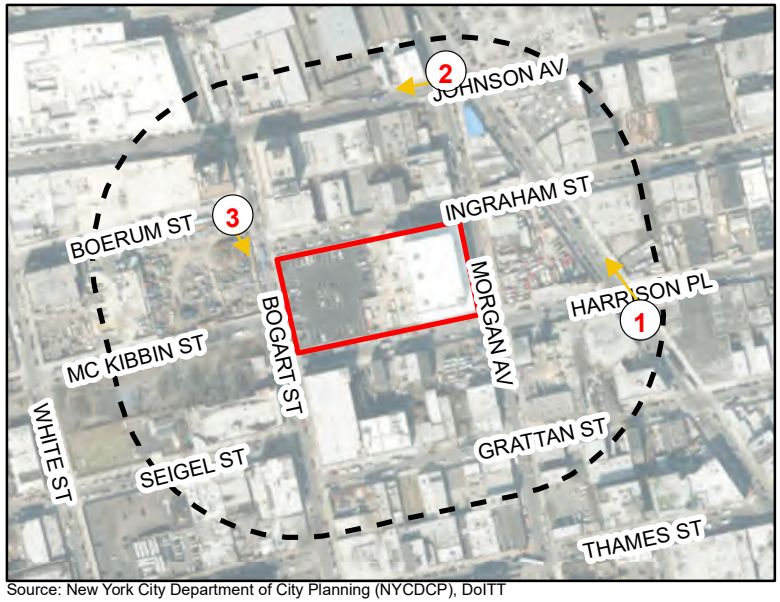
1. Looking northwest at the intersection of Knickerbocker Avenue and Harrison Place.



2. Looking west at the intersection of Johnson and Morgan Avenues.



3. Looking southeast at the intersection of Boerum and Bogart Streets.



Source: New York City Department of City Planning (NYCDCP), DoITT
Notes:
1. The Primary Study Area is outlined by a solid red line.
2. The Secondary Study Area is outlined by a dashed black line.

Figure E-7a
Secondary Study Area- Streetscapes

previously described include a street tree located on the north side of Ingraham Street towards the intersection with Knickerbocker Avenue.

McKibbin Street, a one-way westbound street, intersects with Bogart Street on the western side of the Project Site. Street parking is available along the southern side of the street, and along the northern side of the street, west of the industrial lot at 318 Boreum Street. Fencing along the industrial facilities on McKibbin Street are covered in graffiti and street art (see **Figure E-7b**). McKibbin Street borders Justice Gilbert Ramirez Park to the north and features a Citi Bike station along McKibbin's southern sidewalk. Other streetscape elements along this portion of McKibbin Street include signage and streetlights.

Harrison Place is a one-way eastbound street that runs along the southern portion of the Project Site and intersects Morgan Avenue and Knickerbocker Avenue within the Secondary Study Area. Consistent with other streets near the Project Site, Harrison Place runs along industrial uses, and allows street parking, except at the curb cuts of the industrial sites. There are no additional streetscape elements along Harrison Place, aside from standard signage, street lights, and street art seen along industrial fencing.

Seigel Street is a one-way eastbound street located southwest of the Project Site and intersects with Bogart Street on its eastern border. Seigel Street features street trees on both sides of the street, as well as street parking. Other streetscape elements on Seigel Street include street lights, signage, and a fire hydrant.

Grattan Street is a one-way eastbound street located south of the Project Site and intersects with Bogart Street and Morgan Avenue within the Secondary Study Area. Parking is available along both sides of Grattan Street. As seen in **Figure E-7b**, there is a parklet along Grattan Street, near Morgan Avenue that allows for outdoor restaurant seating. There are also street trees along the northern side of Grattan Street, one of which can be seen in **Figure E-7b**. In addition to standard signage and street lights, Grattan Street also features a designated bike lane on the north side of Grattan Street east of Morgan Avenue that continues past the boundaries of the Secondary Study Area.

As mentioned previously, Bogart Street is a one-way, unstriped street with one moving lane and parking on both sides that runs southbound adjacent to the Project Site. Within the Secondary Study Area, Bogart Street intersects with Johnson Avenue to the north, then Ingraham Street, Harrison Place, and Grattan Street to the south. Along Bogart Street there are primarily industrial land uses, with residential uses along Bogart Street near the intersection with Grattan Street. Additionally, the Morgan Avenue L Subway Station is located along Bogart Street at its intersection with Harrison Place (**Figure E-7c**). Many buildings along Bogart Street feature murals on their façade, consistent with the rest of the Secondary Study Area. There are street trees found along both sides of Bogart Street, along with standard signage, street lights, and a food truck parked at the northwest corner of the intersection of Bogart and Seigel Streets.

Morgan Avenue is a one-way southbound street with one moving lane, parking on both sides, and a designated bike lane. Within the Secondary Study Area, Morgan Avenue intersects with Johnson Avenue to the north, then Ingraham Street, Harrison Place, and Grattan Street to the south. There are three entrances to the Morgan Avenue L Subway Station (see **Figure E-7c**) located at the northeast, southeast, and southwest corners at the intersection of Morgan Avenue and Harrison Place. The B60 bus route runs along Morgan Avenue and has a stop at its intersection with Harrison Place. There are street trees found along both sides of Morgan Avenue, along with standard signage, street lights, and fire hydrants.

Knickerbocker Avenue runs diagonally through the Secondary Study Area from the intersection of Morgan Avenue to the north, past Johnson Avenue, Ingraham Street, Harrison Place and just north of Grattan



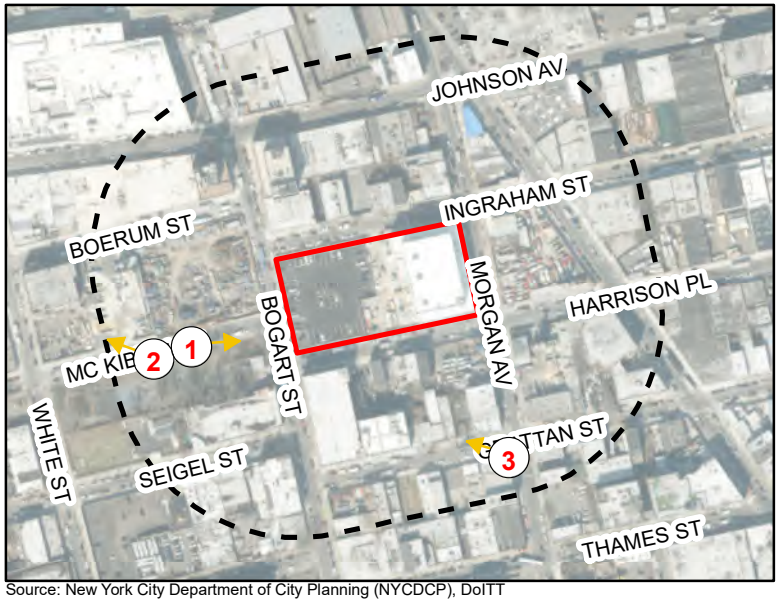
1. View of the Citi Bike station located on the southern side of McKibbin Street near the intersection of McKibbin and Bogart Streets.



2. Looking west on McKibbin Street at graffiti mural along industrial sites on the northern side of McKibbin Street, west of Bogart Street.

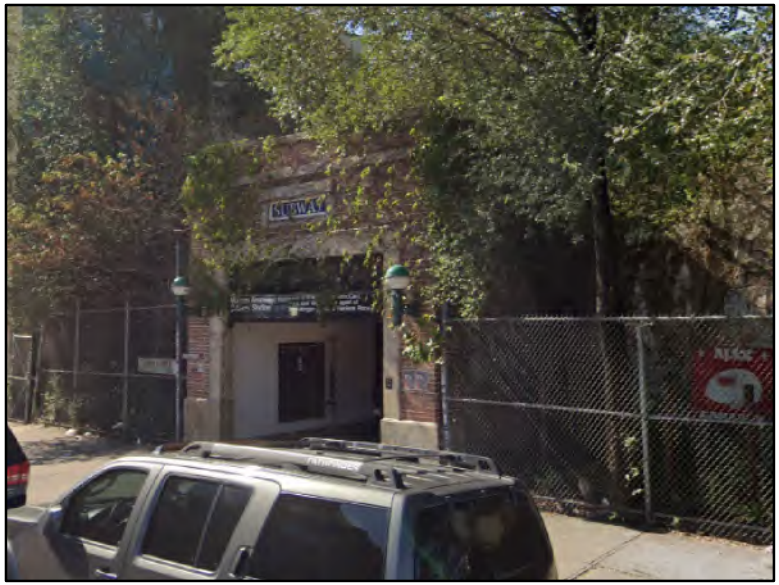


3. View of outdoor restaurant seating on the north side of Grattan Street near the intersection with Morgan Avenue.



Source: New York City Department of City Planning (NYCDCP), DoITT
Notes:
1. The Primary Study Area is outlined by a solid red line.
2. The Secondary Study Area is outlined by a dashed black line.

Figure E-7b
Secondary Study Area- Streetscapes



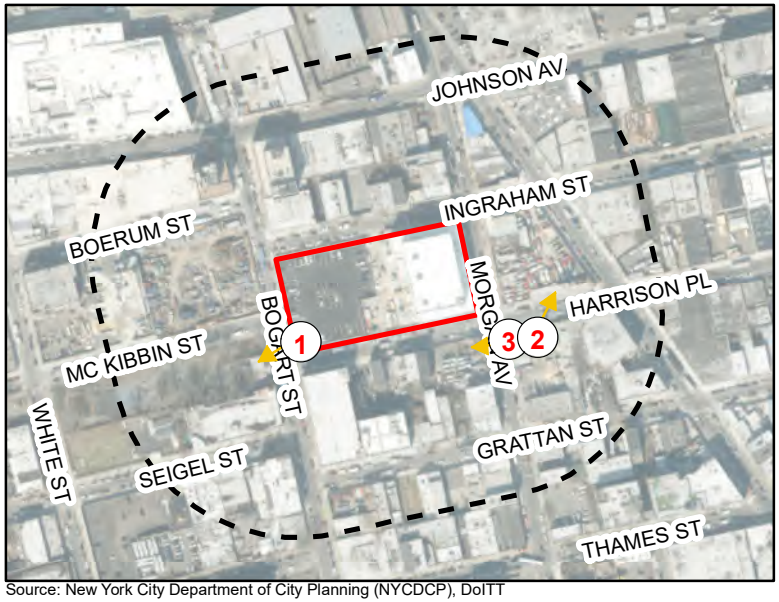
1. View of one of the four Morgan Avenue L Subway entrances - looking southwest at the intersection of Bogart Street and McKibbin Street.



2. View of one of the four Morgan Avenue L Subway entrances - looking northeast at the intersection of Morgan Avenue and Harrison Place.



3. View of one of the four Morgan Avenue L Subway entrances - looking west at the intersection of Morgan Avenue and Harrison Place.



Source: New York City Department of City Planning (NYCDCP), DoITT
Notes:
1. The Primary Study Area is outlined by a solid red line.
2. The Secondary Study Area is outlined by a dashed black line.

Figure E-7c
Secondary Study Area- Streetscapes

Street to the south. Unlike all the other streets within the Secondary Study Area, Knickerbocker Avenue is 70 feet wide. It is a one-moving-lane northbound street with parking lanes on either side of the moving lane and a designated bike lane between the eastern parking lane and sidewalk. Much like the other aforementioned streets, many buildings and fences along Knickerbocker Avenue are covered in graffiti, signage and street art. Other streetscape elements along Knickerbocker Avenue include standard signage, streetlights, bike racks, fire hydrants, and some street trees located just north of the intersection with Ingraham Street.

Natural Features and Open Space

The topography of the Secondary Study Area is generally flat. The only designated open space is in the form of a public park, Justice Gilbert Ramirez Park, which includes a handball court, tennis court, two basketball courts, large playground, and a garden.

Visual Resources

Project Site (Primary Study Area)

There are no visual resources located within the Primary Study Area. Visible from the Project Site's south frontage are views of the S/NR-eligible historic building located at 56 Bogart Street. Justice Gilbert Ramirez Park is also visible from the Project Site, looking southwest. Visual resources are shown in **Figure E-8**.

Secondary Study Area (400-foot Radius)

There are three visual resources located within the Secondary Study Area. One is Justice Gilbert Ramirez Park (Block 3092, Lot 1), which is visible from McKibbin Street, as well as from the southwest corner of the Project Site, and along portions of Bogart Street. This park is lined with trees and features a playground, basketball and handball courts, and a small garden. The second and third are the two historic buildings in the Secondary Study Area: the Bogart and the Firehouse Engine Co. 237.

The Bogart, located at 56 Bogart Street (Block 3093, Lot 1) is an S/NR-eligible historic resource that was designed by Murray Klein in 1930. This four-story building sits on Bogart Street between Harrison Place and Grattan Street in East Williamsburg, Brooklyn. It was constructed in 1930 and previously used for manufacturing and commercial uses; today it is used by artists mainly as lofts, galleries, and art spaces. The building is made of yellow brick with a steel frame. It is rectangular in shape with projecting corners which contain stairwells. The Bogart is visible from the southern edge of the Project Site and is bordered by Harrison Place to the north, Bogart Street to the east, and Grattan Street to the south. The Bogart is also visible from the intersections of Bogart and McKibbin Streets, as well as Bogart and Seigel Streets. The Bogart is also visible along its bordering streets, Harrison Place to the north and Grattan Street to the south from Bogart Street to Morgan Avenue. From further away, the Bogart is partly visible from the intersections of Bogart and Boerum Streets, White and Seigel Streets, Bogart and Moore Streets, Bogart and Varet Streets, and along Ingraham Street, north of the Project Site. However, the current parking lot, fencing around the parking lot, and signage at the Project Site somewhat obstruct the views of the Bogart.

The Firehouse Engine Co. 237, located at 43 Morgan Avenue (Block 3102, Lot 23) is an S/NR-eligible historic resource that was designed by P. J. Lauritzen and completed in 1894. This three-story firehouse is made of stone and brick with the first floor being made of rusticated limestone. The other two floors are made with orange colored brick with Roman style arches on the façade of the third floor. The Firehouse



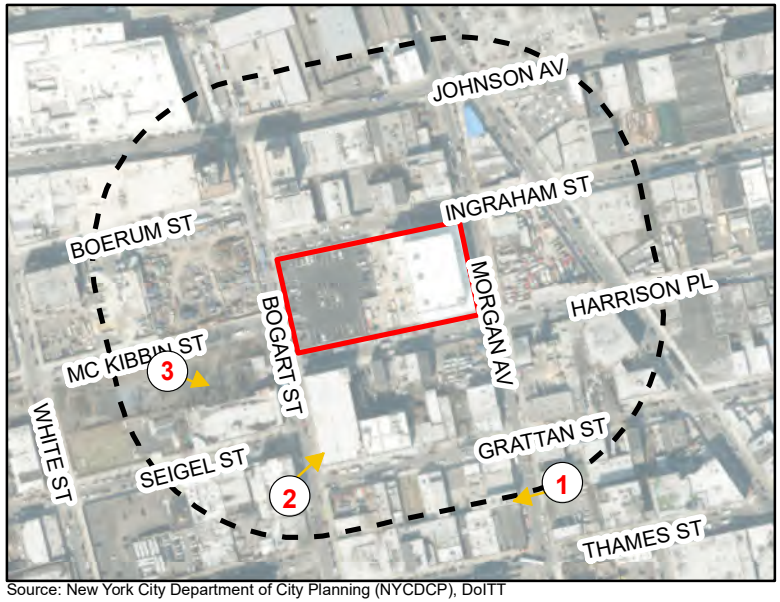
1. Looking west from the east side of Morgan Avenue at the S/NR-eligible Engine Company No. 237 at 43 Morgan Avenue.



2. Looking northeast at the intersection of Grattan and Bogart Streets to the S/NR-eligible building, 56 Bogart Street.



3. View of the basketball court and playground located within Justice Gilbert Ramirez Park.



Source: New York City Department of City Planning (NYCDCP), DoITT
Notes:
1. The Primary Study Area is outlined by a solid red line.
2. The Secondary Study Area is outlined by a dashed black line.

Figure E-8
Secondary Study Area- Visual Resources

Engine Co. 237 is not visible from the Project Site but is visible along Morgan Avenue between Grattan Street and Thames Street.

IV. FUTURE WITHOUT THE PROPOSED ACTION (NO-ACTION SCENARIO)

Urban Design

Project Site (Primary Study Area)

Buildings

As described in **Attachment A, "Project Description,"** in the future without the Proposed Action, the Project Site would remain zoned as M1-2. The eastern portion of the Project Site currently is occupied by an approximately 193,785-gsf commercial building, with approximately 177,000 gsf of self-storage space and 16,000 gsf of empty space on the ground floor. The Applicant plans to rent the 16,000 gsf of unused ground floor space within the self-storage facility to a tenant for local retail space. The remainder of the site would remain as an open surface parking lot for commercial vehicle storage.

Streets and Streetscape

In the future without the Proposed Action, there would be no changes to streets or streetscapes within the Primary Study Area.

Natural Features and Open Space

In the future without the Proposed Action, there would be no changes to natural features or open spaces within the Primary Study Area.

Secondary Study Area (400-foot Radius)

Buildings

As described in **Attachment C, "Land Use, Zoning, and Public Policy,"** there are no known developments anticipated to be built within the Secondary Study Area by the anticipated build year of 2027.

Streets and Streetscape

In the future without the Proposed Action, no changes to streets or streetscape are anticipated within the Secondary Study Area. There are no known streetscape improvement plans within the Secondary Study Area.

Natural Features and Open Space

In the future without the Proposed Action, the only open space within the Secondary Study Area, Justice Gilbert Ramirez Park, would remain unchanged from existing conditions.

Visual Resources

Project Site (Primary Study Area)

There are no visual resources located within the Primary study area and there are no new visual resources anticipated to be introduced within the Primary study in the absence of the Proposed Action. In the future without the Proposed Action, views of surrounding resources are not expected to change.

Secondary Study Area (400-foot Radius)

As mentioned above, in the future without the Proposed Action, construction on the Project Site would not occur. In the future without the Proposed Action, views of the visual resources would not change. Additionally, no new visual resources would be introduced within the Secondary Study Area in the absence of the Proposed Action.

V. FUTURE WITH THE PROPOSED ACTION (WITH-ACTION SCENARIO)

Urban Design

Project Site (Primary Study Area)

In the With-Action Scenario, the Project Site would be rezoned from M1-2 to M1-4A. The allowable commercial and manufacturing FAR for commercial and manufacturing uses would increase from 2.0 to 5.0 and for community facility uses from 4.8 to 6.5. The Applicant would develop, at 74 Bogart Street, an approximately 247,000-gsf building as-of-right to be used for art storage on the western portion of the Project Site, replacing the current open surface commercial vehicle storage lot. The existing self-storage facility on the eastern portion of the Project Site would continue to operate with or without the adoption of the Proposed Action. Additionally, as mentioned previously, the Applicant plans to rent 16,000 gsf of unused space within the self-storage facility to a tenant to be used for local retail space. The retail space would operate with or without the adoption of the Proposed Action.

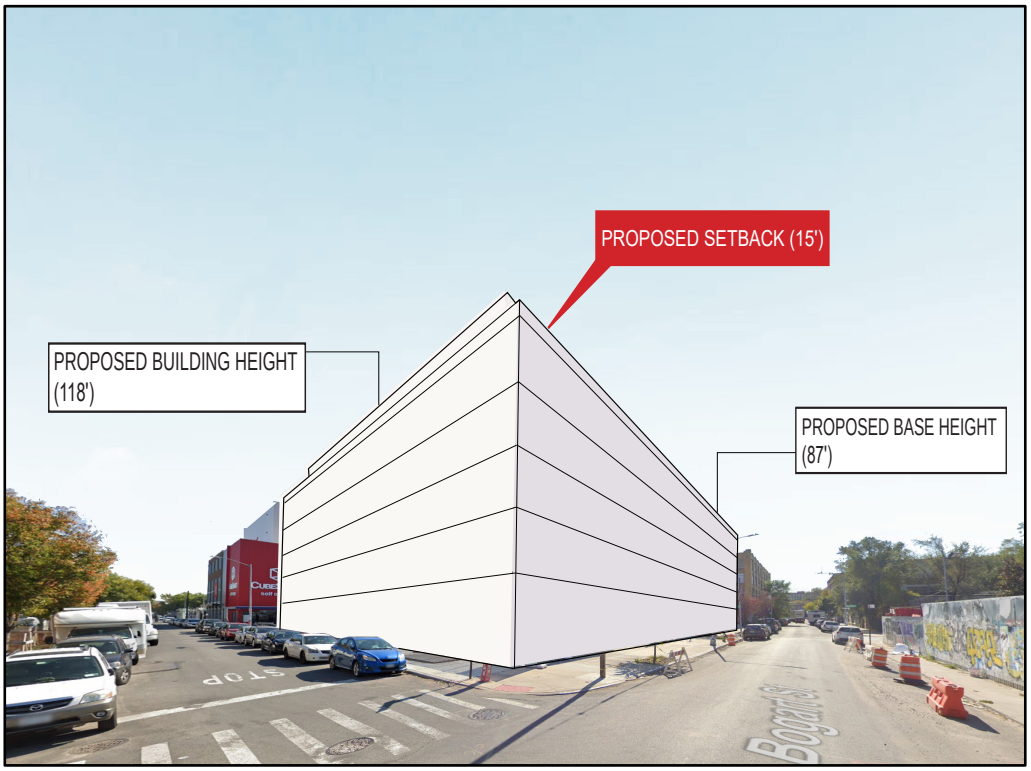
Buildings

As shown in **Figures E-9** through **E-1**0, under With-Action conditions, the Proposed Development (fronting Bogart Street, Ingraham Street, and Harrison Place) would rise seven stories to a roof height of approximately 118 feet. The ground floor of the proposed building would feature a lobby, a client greeting area, staff offices, a security office, a staging room, and loading areas. Floors two through seven would exclusively be used as storage space, with floors two through five each providing approximately 35,800 gsf for storage, and floors six and seven each providing approximately 24,900 gsf for storage. The Proposed Development would include four loading berths, two accessed from Ingraham Street, and two accessed from Harrison Place. Ingraham Street is a one-way street heading west. Along this street, designated larger trucks would back up into the loading berths at a 45-degree angle. Harrison Place is also a one-way street but heading east. Along this street, smaller trucks would back into the loading berths at a 90-degree angle. As shown in the illustrative building renderings, the facade would be made of red brick painted with faces in addition to offset corrugated metal sheets wrapping the building in some places. This design, which is illustrative of the Applicant's intent to provide a façade with artistic decoration, would incorporate well into the current urban context of East Williamsburg's street art and graffiti, so the design on the proposed building would further lend to the artistic nature of the area. As the building also

Illustrative Street View:
Looking Northeast at the Intersection of Bogart Street and Harrison Place



NO-ACTION

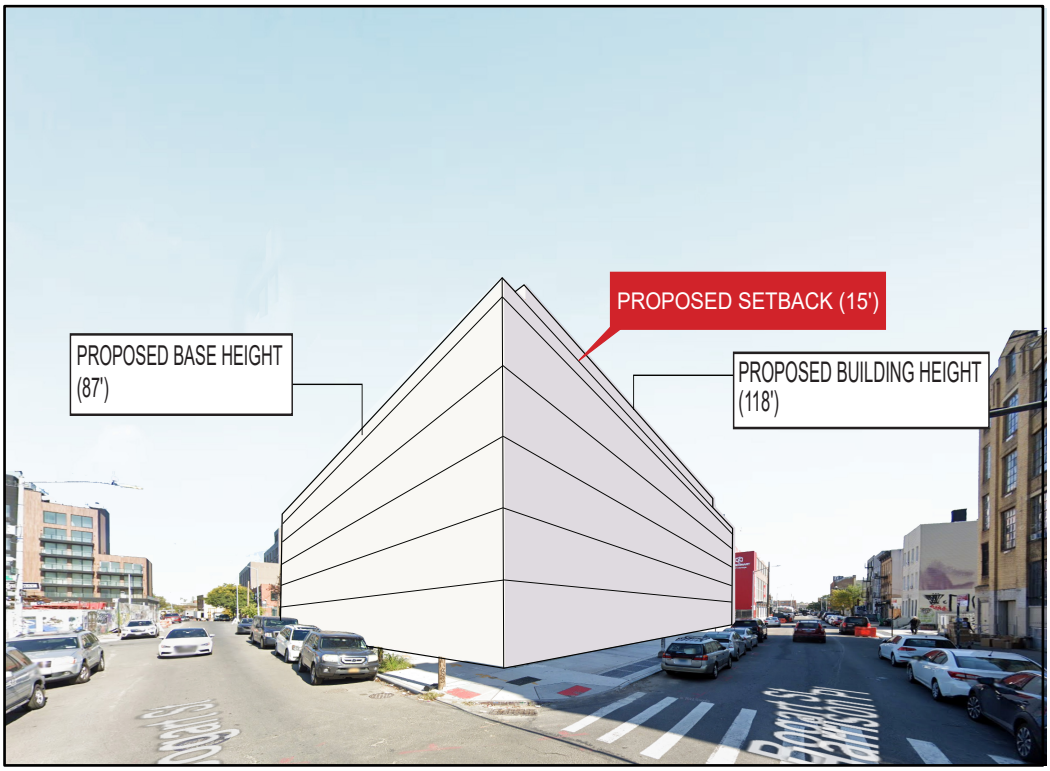


WITH-ACTION

Illustrative Street View:
Looking Southeast at the Intersection of Ingraham Street and Bogart Street



NO-ACTION



WITH-ACTION

is covered in metal panels, it would blend well with the industrial aspects of the area, as many other buildings in the area are similarly used for industrial and manufacturing purposes.

Streets and Streetscape

Construction of the Proposed Development would result in some changes to vehicular access to the Project Site from adjacent streets. However, access to the self-storage facility in the eastern portion of the Project Site would remain unchanged. At this time, it is expected that vehicles would access the Proposed Development via curb cuts to be installed at Ingraham Street and Harrison Place as described above. The existing vehicle entrance on Bogart Street on the western edge of the Project Site would not exist in the future With-Action condition and the existing curb cut would be removed and the curb and full height sidewalk would be restored. At this time, it is also expected that 'No Standing Anytime' signage would be installed on the northern side of Ingraham Street to ensure that delivery trucks would have enough space to back into the loading berth on Ingraham Street. The With-Action condition would otherwise not change the configuration of existing streets and would not change the arrangement, dimensions, or orientation of street space.

The Proposed Action would, however, alter the pedestrian experience of the streetscape surrounding the Primary Study Area. The Applicant's intention is that the Proposed Development would replace the existing parking lot with an art storage facility that incorporates artistic design along the façade, consistent with the surrounding neighborhood. The ground floor is anticipated to feature windows glazed with transparent materials, which would create an enhanced pedestrian realm, provide street users with views of art within the ground floor of the building, and would make the area more attractive and inviting overall.

Open Space and Natural Resources

There are no open spaces or natural resources located within the Primary Study Area.

Secondary Study Area (400-foot Radius)

Buildings

Within the Secondary Study Area, there are no known development projects anticipated to be completed by the 2027 build year. In the future with the Proposed Action, the built character of the Secondary Study Area would remain primarily made up by a mix of concrete plants, lofts, and mid-rise buildings used for industrial and manufacturing uses, as well as open lots for vehicle and contractor material storage. The Proposed Action would not alter the built character of the Secondary Study Area.

Streets and Streetscape

The Proposed Action would not alter any street patterns, street hierarchies, streetscape arrangements, or block forms within the Secondary Study Area.

Open Space and Natural Resources

As the Proposed Action would only affect the Project Site, there would be no impact on Justice Gilbert Ramirez Park, the only open space within the Secondary Study Area.

Visual Resources

Project Site (Primary Study Area)

There are no visual resources within the Primary Study Area and no new visual resources are anticipated to be introduced within the Primary Study Area in the future with the Proposed Actions. Therefore, the Proposed Actions would not result in any significant adverse impacts on visual resources within the Primary Study Area.

Secondary Study Area (400-foot Radius)

The Proposed Action is localized and would not alter building uses, bulks, or arrangements in the surrounding area, or result in any changes to streets, blocks, topography, open spaces, or natural features within the Secondary Study Area under the With-Action scenario. There are three visual resources located in the Secondary Study Area: Engine Company No. 237 (S/NR-eligible), Justice Gilbert Ramirez Park, and The Bogart (S/NR-eligible).

In the future with the Proposed Action, views of the S/NR-eligible Engine Company No. 237 would not change in comparison to the future without the Proposed Action as this visual resource cannot be seen from the Project Site and all view corridors of this visual resource would not be affected by the Proposed Action. In the future with the Proposed Action, the context and setting of the Engine Company No. 237 building would remain unchanged.

Justice Gilbert Ramirez Park is located southwest of the Project Site and is currently visible from the Project Site. The park would remain visible from the Project Site in the future with the Proposed Action. There are no view corridors within the Secondary Study Area that would be affected by the Proposed Development. In the future with the Proposed Action, the park would still serve as an open space refuge in the midst of surrounding industrial and commercial uses. Justice Gilbert Ramirez Park is bordered by trees and vegetation, disrupting view corridors from the park to the Project Site. In the future with the Proposed Action, the context and setting of Justice Gilbert Ramirez Park would remain unchanged.

The S/NR-eligible Bogart building (56 Bogart Street) is located directly south of the Project Site and is currently visible from the Project Site. The Bogart would remain visible from the Project Site in the future with the Proposed Action. Other view corridors that would remain unaffected by the Proposed Development are the view corridors from: the intersection of Bogart and McKibbin Streets, the intersection of Bogart and Seigel Streets, the intersection of White and Seigel Streets, the intersection of Bogart and Moore Streets, the intersection of Bogart and Varet Streets, along Harrison Place and Grattan Street between Bogart Street and Morgan Avenue, and along Seigel Street between White and Bogart Streets. There are multiple view corridors within the Secondary Study Area that would be affected by the Proposed Development. The view corridors from the intersection of Bogart and Boreum Streets, and along Ingraham Street from Bogart Street to midblock towards Morgan Avenue would be affected as a result of the Proposed Development. However, it should be noted that these existing view corridors are obstructed partially by the existing parking lot, fencing, and signage at the western portion of the Project Site.

Assessment

The Proposed Action would facilitate development that is not currently permitted as-of-right, which would create a change in the urban design character of the area. Compared to the future without the Proposed Action, the visual appearance, and thus the pedestrian experience of the study areas, would change.

However, this change would not constitute a significant adverse urban design impact as it would not alter the general arrangement, appearance, or functionality of the neighborhood, thus not negatively affecting a pedestrian's experience. The Proposed Development would be constructed on an existing block and would not entail any changes to topography, street patterns, street hierarchy, street shapes, or natural features in both the Primary and Secondary Study Areas. The Proposed Action would not create land uses nor structure that would be substantially incompatible with the existing land uses and manufacturing character of the East Williamsburg neighborhood. Additionally, development anticipated in the Project Site in the future with the Proposed Action is expected to positively affect the urban design of the area and improve the pedestrian experience, through the redevelopment of a vehicle storage lot with a building that would include facades with dynamic visual texture provided by planned artistic decoration.

As detailed in **Attachment C, "Land Use, Zoning, and Public Policy,"** the requested zoning changes would be compatible with the surrounding area. The rezoning of the Project Site from M1-2 to M1-4A would allow for light manufacturing (similar to that allowed in M1-2 districts), which permits most commercial uses as well as industrial uses (such as storage and warehouse uses). As such, this district would allow the same uses as the current zoning. However, with respect to density, M1-4A district bulk regulations promote more contextual loft-like envelopes with wider floor plates, higher base heights and maximum buildings heights (as opposed to non-contextual M districts subject to front wall height limits and sky exposure planes). With respect to floor area, M1-4A districts permit a greater maximum FAR of 5.0 for commercial/manufacturing use and 6.5 for community facility use. While the Proposed Action would represent a visual change in terms of bulk and height, the Proposed Development is similar in bulk and height to the current self-storage facility on the eastern portion of the Project Site.

The shape and orientation of the Proposed Development has been designed to maximize the public experience, reduce shadow impacts, and create a gateway along the Bogart Street corridor. By incorporating murals and artwork along the façade of the Proposed Development, a softer relationship is achieved between the buildings and the open space. The Proposed Action would rezone the Proposed Development Site to a higher density; however, the Proposed Development seeks to improve the pedestrian experience, by replacing a fenced-in vehicle storage lot with an articulated street wall building that would provide a visual anchor for the neighborhood adjacent to the Morgan Avenue L subway station. The Proposed Action facilitates a design that adds important benefits to the community including increased visual resources.

While the Proposed Development would alter some view corridors of the S/NR eligible building, The Bogart, at 56 Bogart Street, these changes would not be significant or adverse. The affected view corridors are already partially obstructed without the Proposed Action, and while they would be slightly altered by the Proposed Development, the Bogart would nonetheless still be visible from these viewpoints. Moreover, a majority of the viewpoints of the historic building would remain unaffected by the Proposed Development.

VI. CONCLUSION

Urban Design

Development facilitated by the Proposed Action would not result in significant adverse impacts on urban design. While the Proposed Action would facilitate a change in the urban design character of the area, this change would not constitute a significant adverse urban design impact as it would not alter the

general arrangement, or functionality of the neighborhood, thus not negatively affecting a pedestrian's experience

Visual Resources

Development facilitated by the Proposed Action would not result in significant adverse impacts on visual resources. While the Proposed Development would alter some view corridors of the S/NR eligible building, The Bogart, at 56 Bogart Street, these changes would not be significant or adverse. The affected view corridors are already partially obstructed without the Proposed Action, and while they would be slightly altered by the Proposed Development, the Bogart would nonetheless still be visible from these viewpoints. Moreover, a majority of the viewpoints of the historic building would remain unaffected by the Proposed Development.

Therefore, while the addition of the Proposed Development would represent a change from the perspective of a pedestrian, it would not represent a significant adverse impact. As such, the Proposed Action would not result in a significant adverse urban design or visual resource impact in the Primary Study Area or surrounding Secondary Study Area.

Appendix I:

Landmarks Preservation Commission Determination Letter

NYC Landmarks Preservation Commission

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

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

ENVIRONMENTAL REVIEW

Project number: LA-CEQR-K (DEPARTMENT OF CITY PLANNING)
Project:
Address: 74 BOGART STREET BBL: 3030840001
Date Received: 5/17/2024

[X**] No architectural significance**

[X**] No archaeological significance**

[ ] Designated New York City Landmark or Within Designated Historic District

[ ] Listed on National Register of Historic Places

[ ] Appears to be eligible for National Register Listing and/or New York City Landmark Designation

[ ] May be archaeologically significant; requesting additional materials

Comments:

S/NR ELIGIBLE 56 BOGART STREET AND ENGINE CO. 237, 43 MORGAN AVENUE WITHIN RADIUS.

Gina Santucci 5/22/2024

SIGNATURE DATE
Gina Santucci, Environmental Review Coordinator

File Name: 37345_FSO_ALS_05222024.docx

Appendix II:

MTA No Easement Determination Letter

2 Broadway, 4th Floor
New York, NY 10004-2207

TRANSIT ORIENTED DEVELOPMENT

Construction & Development

No Easement Determination Letter

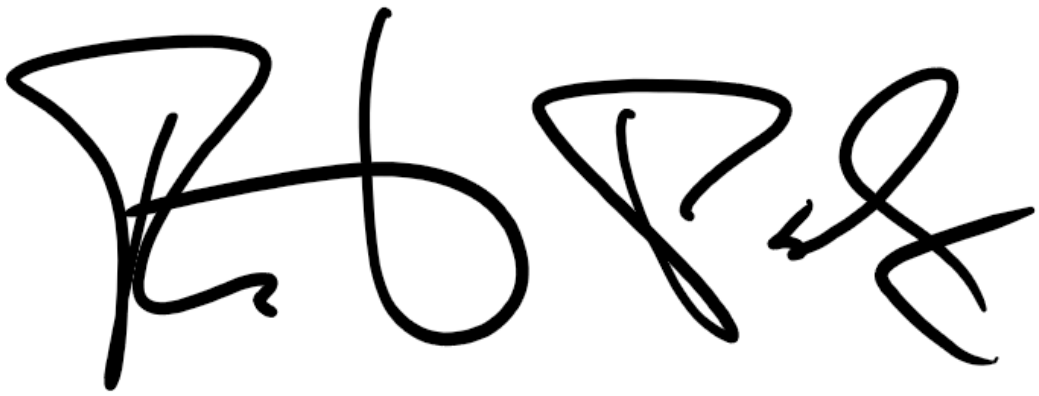
Creation Date	Apr 02, 2024		
Address	DOB BROOKLYN: Kazimir Vilenchik, P.E. 210 Joralemon Street, 8th Floor, Brooklyn, NY 11201		
Applicant Location			
Borough	Brooklyn		
Station Name	Morgan Avenue(BK)	**Line Name**	Canarsie
Street Number	74	**Street Name**	Bogart Street
Block	3084	**Lot Number(s)**	1,
Zip Code	11206	**Cross Street/Intersection**	Harrison Place
Closest Approx. Distance to Station/Transit Asset (in Feet)	5		
Property Owner Information			
First Name	Andrew	**Last Name**	Ehinger
Email Address	aehinger@storagedeluxe.com	**Company Name**	74 Bogart LLC
Phone Number	6466800501	**Full Address**	26 West 17th Street, Suite 801, New York, NY 10011
Applicant Information			
First Name	Stephane	**Last Name**	Lefebvre
Email Address	slefebvre@vhb.com	**Company Name**	VHB
Phone Number	2128577380		
Relationship to the Project	Transit Consultant		

Dear Mr. Vilnechik:

The Owner of the above Project Location (Brooklyn Block 3084, Lot 1) recently submitted an application to the Metropolitan Transportation Authority (“MTA”) for MTA's determination on whether a transit easement volume is needed pursuant to Section 66-21 of the New York City Zoning Resolution.

After a review of the property, the MTA has made the determination that a transit easement volume at this location is **not needed.**

Reviewed By

Name	Robert Paley	**Job Title**	Senior Director, Transit Oriented Development
Company Name	Metropolitan Transportation Authority		
Signature			

Appendix III:

Hazardous Materials Documentation

NYC DEPARTMENT OF FINANCE
OFFICE OF THE CITY REGISTER

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

2022120700263001001E52C4

RECORDING AND ENDORSEMENT COVER PAGE **PAGE 1 OF 10**

Document ID: 2022120700263001 Document Date: 12-01-2022 Preparation Date: 12-07-2022
Document Type: EASEMENT
Document Page Count: 9

PRESENTER:
SIVE PAGET & RIESEL, P.C.
560 LEXINGTON AVENUE, 15TH FLOOR
NEW YORK, NY 10022
212-421-2150
NDUNCAN@SPRLAW.COM

RETURN TO:
SIVE PAGET & RIESEL, P.C.
560 LEXINGTON AVENUE, 15TH FLOOR
NEW YORK, NY 10022
212-421-2150
NDUNCAN@SPRLAW.COM

PROPERTY DATA

Borough	Block	Lot	Unit	Address
BROOKLYN	3084	1	Entire Lot	74 BOGART STREET

Property Type: OTHER Easement

CROSS REFERENCE DATA

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

PARTIES

GRANTOR/SELLER:
74 BOGART LLC
C/O: STORAGE DELUXE REALTY LLC, 26 WEST 17TH STREET, SUITE 801
NEW YORK, NY 10011

GRANTEE/BUYER:
PEOPLE OF STATE OF NEW YORK BY DEPT. ENVIRONMENTAL
CONSERVATION, 625 BROADWAY
ALBANY, NY 12233

FEES AND TAXES

Mortgage :

Mortgage Amount:	$	0.00
Taxable Mortgage Amount:	$	0.00
Exemption:		
TAXES: County (Basic):	$	0.00
City (Additional):	$	0.00
Spec (Additional):	$	0.00
TASF:	$	0.00
MTA:	$	0.00
NYCTA:	$	0.00
Additional MRT:	$	0.00
TOTAL:	$	0.00
Recording Fee:	$	82.00
Affidavit Fee:	$	0.00

Filing Fee: $ 100.00

NYC Real Property Transfer Tax: $ 0.00

NYS Real Estate Transfer Tax: $ 0.00

RECORDED OR FILED IN THE OFFICE OF THE CITY REGISTER OF THE CITY OF NEW YORK
Recorded/Filed 12-09-2022 13:30
City Register File No.(CRFN): **2022000447061**

City Register Official Signature

ENVIRONMENTAL EASEMENT GRANTED PURSUANT TO ARTICLE 71, TITLE 36 OF THE NEW YORK STATE ENVIRONMENTAL CONSERVATION LAW

THIS INDENTURE made this 1st day of December, 2022 between Owner, 74 Bogart LLC, having an office at c/o Storage Deluxe, 26 West 17th Street, New York 10011 (the "Grantor"), and The People of the State of New York (the "Grantee"), acting through their Commissioner of the Department of Environmental Conservation (the "Commissioner", or "NYSDEC" or "Department" as the context requires) with its headquarters located at 625 Broadway, Albany, New York 12233,

WHEREAS, the Legislature of the State of New York has declared that it is in the public interest to encourage the remediation of abandoned and likely contaminated properties ("sites") that threaten the health and vitality of the communities they burden while at the same time ensuring the protection of public health and the environment; and

WHEREAS, the Legislature of the State of New York has declared that it is in the public interest to establish within the Department a statutory environmental remediation program that includes the use of Environmental Easements as an enforceable means of ensuring the performance of operation, maintenance, and/or monitoring requirements and the restriction of future uses of the land, when an environmental remediation project leaves residual contamination at levels that have been determined to be safe for a specific use, but not all uses, or which includes engineered structures that must be maintained or protected against damage to perform properly and be effective, or which requires groundwater use or soil management restrictions; and

WHEREAS, the Legislature of the State of New York has declared that Environmental Easement shall mean an interest in real property, created under and subject to the provisions of Article 71, Title 36 of the New York State Environmental Conservation Law ("ECL") which contains a use restriction and/or a prohibition on the use of land in a manner inconsistent with engineering controls which are intended to ensure the long term effectiveness of a site remedial program or eliminate potential exposure pathways to hazardous waste or petroleum; and

WHEREAS, Grantor, is the owner of real property located at the address of 2 Ingraham Street (a/k/a 74 Bogart Street), in the City of New York, Borough of Brooklyn, County of Kings and State of New York, known and designated on the tax map of the New York City Department of Finance as tax map parcel number: Block 3084, Lot 1, being the same as that property conveyed to Grantor by deed dated May 8, 2019 and recorded in the City Register of the City of New York at CRFN: 2019000154097. The property subject to this Environmental Easement (the "Controlled Property") comprises approximately 1.83 +/- acres and is hereinafter more fully described in the Land Title Survey dated June 21, 2022 prepared by Gregory S. Gallas (Reg. No. 50124) of Gallas Surveying Group, LLC, which will be attached to the Site Management Plan. The Controlled Property description is set forth in and attached hereto as Schedule A; and

WHEREAS, the Department accepts this Environmental Easement in order to ensure the protection of public health and the environment and to achieve the requirements for remediation

established for the Controlled Property until such time as this Environmental Easement is extinguished pursuant to ECL Article 71, Title 36; and

NOW THEREFORE, in consideration of the mutual covenants contained herein and the terms and conditions of Brownfield Cleanup Agreement Index No. Number: C224036-09-10, as amended as applicable, Grantor conveys to Grantee a permanent Environmental Easement pursuant to ECL Article 71, Title 36 in, on, over, under, and upon the Controlled Property as more fully described herein ("Environmental Easement").

1. Purposes. Grantor and Grantee acknowledge that the Purposes of this Environmental Easement are: to convey to Grantee real property rights and interests that will run with the land in perpetuity in order to provide an effective and enforceable means of encouraging the reuse and redevelopment of this Controlled Property at a level that has been determined to be safe for a specific use while ensuring the performance of operation, maintenance, and/or monitoring requirements; and to ensure the restriction of future uses of the land that are inconsistent with the above-stated purpose.

2. Institutional and Engineering Controls. The controls and requirements listed in the Department approved Site Management Plan ("SMP") including any and all Department approved amendments to the SMP are incorporated into and made part of this Environmental Easement. These controls and requirements apply to the use of the Controlled Property, run with the land, are binding on the Grantor and the Grantor's successors and assigns, and are enforceable in law or equity against any owner of the Controlled Property, any lessees and any person using the Controlled Property.

A. (1) The Controlled Property may be used for:

Restricted Residential as described in 6 NYCRR Part 375-1.8(g)(2)(ii), Commercial as described in 6 NYCRR Part 375-1.8(g)(2)(iii) and Industrial as described in 6 NYCRR Part 375-1.8(g)(2)(iv)

(2) All Engineering Controls must be operated and maintained as specified in the Site Management Plan (SMP);

(3) All Engineering Controls must be inspected at a frequency and in a manner defined in the SMP;

(4) The use of groundwater underlying the property is prohibited without necessary water quality treatment as determined by the NYSDOH or the New York City Department of Health and Mental Hygiene to render it safe for use as drinking water or for industrial purposes, and the user must first notify and obtain written approval to do so from the Department;

(5) Groundwater and other environmental or public health monitoring must be performed as defined in the SMP;

(6) Data and information pertinent to Site Management of the Controlled

Property must be reported at the frequency and in a manner defined in the SMP;

(7) All future activities on the property that will disturb remaining contaminated material must be conducted in accordance with the SMP;

(8) Monitoring to assess the performance and effectiveness of the remedy must be performed as defined in the SMP;

(9) Operation, maintenance, monitoring, inspection, and reporting of any mechanical or physical components of the remedy shall be performed as defined in the SMP;

(10) Access to the site must be provided to agents, employees or other representatives of the State of New York with reasonable prior notice to the property owner to assure compliance with the restrictions identified by this Environmental Easement.

B. The Controlled Property shall not be used for Residential purposes as defined in 6NYCRR 375-1.8(g)(2)(i), and the above-stated engineering controls may not be discontinued without an amendment or extinguishment of this Environmental Easement.

C. The SMP describes obligations that the Grantor assumes on behalf of Grantor, its successors and assigns. The Grantor's assumption of the obligations contained in the SMP which may include sampling, monitoring, and/or operating a treatment system, and providing certified reports to the NYSDEC, is and remains a fundamental element of the Department's determination that the Controlled Property is safe for a specific use, but not all uses. The SMP may be modified in accordance with the Department's statutory and regulatory authority. The Grantor and all successors and assigns, assume the burden of complying with the SMP and obtaining an up-to-date version of the SMP from:

Site Control Section
Division of Environmental Remediation
NYSDEC
625 Broadway
Albany, New York 12233
Phone: (518) 402-9553

D. Grantor must provide all persons who acquire any interest in the Controlled Property a true and complete copy of the SMP that the Department approves for the Controlled Property and all Department-approved amendments to that SMP.

E. Grantor covenants and agrees that until such time as the Environmental Easement is extinguished in accordance with the requirements of ECL Article 71, Title 36 of the ECL, the property deed and all subsequent instruments of conveyance relating to the Controlled Property shall state in at least fifteen-point bold-faced type:

This property is subject to an Environmental Easement held

by the New York State Department of Environmental Conservation pursuant to Title 36 of Article 71 of the Environmental Conservation Law.

F. Grantor covenants and agrees that this Environmental Easement shall be incorporated in full or by reference in any leases, licenses, or other instruments granting a right to use the Controlled Property.

G. Grantor covenants and agrees that it shall, at such time as NYSDEC may require, submit to NYSDEC a written statement by an expert the NYSDEC may find acceptable certifying under penalty of perjury, in such form and manner as the Department may require, that:

(1) the inspection of the site to confirm the effectiveness of the institutional and engineering controls required by the remedial program was performed under the direction of the individual set forth at 6 NYCRR Part 375-1.8(h)(3);

(2) the institutional controls and/or engineering controls employed at such site:

(i) are in-place;

(ii) are unchanged from the previous certification, or that any identified changes to the controls employed were approved by the NYSDEC and that all controls are in the Department-approved format; and

(iii) that nothing has occurred that would impair the ability of such control to protect the public health and environment;

(3) the owner will continue to allow access to such real property to evaluate the continued maintenance of such controls;

(4) nothing has occurred that would constitute a violation or failure to comply with any site management plan for such controls;

(5) the report and all attachments were prepared under the direction of, and reviewed by, the party making the certification;

(6) to the best of his/her knowledge and belief, the work and conclusions described in this certification are in accordance with the requirements of the site remedial program, and generally accepted engineering practices; and

(7) the information presented is accurate and complete.

3. Right to Enter and Inspect. Grantee, its agents, employees, or other representatives of the State may enter and inspect the Controlled Property in a reasonable manner and at reasonable times to assure compliance with the above-stated restrictions.

4. Reserved Grantor's Rights. Grantor reserves for itself, its assigns, representatives, and successors in interest with respect to the Property, all rights as fee owner of the Property, including:

A. Use of the Controlled Property for all purposes not inconsistent with, or limited by the terms of this Environmental Easement;

B. The right to give, sell, assign, or otherwise transfer part or all of the underlying fee interest to the Controlled Property, subject and subordinate to this Environmental Easement;

5. Enforcement

A. This Environmental Easement is enforceable in law or equity in perpetuity by Grantor, Grantee, or any affected local government, as defined in ECL Section 71-3603, against the owner of the Property, any lessees, and any person using the land. Enforcement shall not be defeated because of any subsequent adverse possession, laches, estoppel, or waiver. It is not a defense in any action to enforce this Environmental Easement that: it is not appurtenant to an interest in real property; it is not of a character that has been recognized traditionally at common law; it imposes a negative burden; it imposes affirmative obligations upon the owner of any interest in the burdened property; the benefit does not touch or concern real property; there is no privity of estate or of contract; or it imposes an unreasonable restraint on alienation.

B. If any person violates this Environmental Easement, the Grantee may revoke the Certificate of Completion with respect to the Controlled Property.

C. Grantee shall notify Grantor of a breach or suspected breach of any of the terms of this Environmental Easement. Such notice shall set forth how Grantor can cure such breach or suspected breach and give Grantor a reasonable amount of time from the date of receipt of notice in which to cure. At the expiration of such period of time to cure, or any extensions granted by Grantee, the Grantee shall notify Grantor of any failure to adequately cure the breach or suspected breach, and Grantee may take any other appropriate action reasonably necessary to remedy any breach of this Environmental Easement, including the commencement of any proceedings in accordance with applicable law.

D. The failure of Grantee to enforce any of the terms contained herein shall not be deemed a waiver of any such term nor bar any enforcement rights.

6. Notice. Whenever notice to the Grantee (other than the annual certification) or approval from the Grantee is required, the Party providing such notice or seeking such approval shall identify the Controlled Property by referencing the following information:

County, NYSDEC Site Number, NYSDEC Brownfield Cleanup Agreement, State Assistance Contract or Order Number, and the County tax map number or the Liber and Page or computerized system identification number.

Parties shall address correspondence to:

Site Number: C224036
Office of General Counsel
NYSDEC
625 Broadway
Albany New York 12233-5500

With a copy to:

Site Control Section
Division of Environmental Remediation
NYSDEC
625 Broadway
Albany, NY 12233

All notices and correspondence shall be delivered by hand, by registered mail or by Certified mail and return receipt requested. The Parties may provide for other means of receiving and communicating notices and responses to requests for approval.

7. Recordation. Grantor shall record this instrument, within thirty (30) days of execution of this instrument by the Commissioner or her/his authorized representative in the office of the recording officer for the county or counties where the Property is situated in the manner prescribed by Article 9 of the Real Property Law.

8. Amendment. Any amendment to this Environmental Easement may only be executed by the Commissioner of the New York State Department of Environmental Conservation or the Commissioner's Designee, and filed with the office of the recording officer for the county or counties where the Property is situated in the manner prescribed by Article 9 of the Real Property Law.

9. Extinguishment. This Environmental Easement may be extinguished only by a release by the Commissioner of the New York State Department of Environmental Conservation, or the Commissioner's Designee, and filed with the office of the recording officer for the county or counties where the Property is situated in the manner prescribed by Article 9 of the Real Property Law.

10. Joint Obligation. If there are two or more parties identified as Grantor herein, the obligations imposed by this instrument upon them shall be joint and several.

11. Consistency with the SMP. To the extent there is any conflict or inconsistency between the terms of this Environmental Easement and the SMP, regarding matters specifically addressed by the SMP, the terms of the SMP will control.

Remainder of Page Intentionally Left Blank

IN WITNESS WHEREOF, Grantor has caused this instrument to be signed in its name.

74 Bogart LLC:

By: _____

Print Name: Steve Novenstein

Title: Authorized Signatory Date: 11/11/22

Grantor's Acknowledgment

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

On the 11TH day of NOVEMBER, in the year 2022, before me, the undersigned, personally appeared STEVE NOVENSTEIN, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Barbara A Dambrosia
Notary Public - State of New York

BARBARA ANN DAMBROSIA
Notary Public - State of New York
NO. 01DA6367259
Qualified in Queens County
My Commission Expires Nov 13, 2025

SEAL

THIS ENVIRONMENTAL EASEMENT IS HEREBY ACCEPTED BY THE PEOPLE OF THE STATE OF NEW YORK, Acting by and Through the Department of Environmental Conservation as Designee of the Commissioner,

By: _____
Andrew O. Guglielmi, Director
Division of Environmental Remediation

Grantee's Acknowledgment

STATE OF NEW YORK)
) ss:
COUNTY OF ALBANY)

On the 1st day of December in the year 2022 before me, the undersigned, personally appeared Andrew O. Guglielmi, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name is (are) subscribed to the within instrument and acknowledged to me that he/she/ executed the same in his/her/ capacity as Designee of the Commissioner of the State of New York Department of Environmental Conservation, and that by his/her/ signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

_____
Notary Public - State of New York

JENNIFER ANDALORO
Notary Public, State of New York
No. 02AN6098246
Qualified in Albany County
Commission Expires January 14, 2024

SEAL

SCHEDULE "A" PROPERTY DESCRIPTION

ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND, SITUATE, LYING AND BEING IN THE BOROUGH OF BROOKLYN, KINGS COUNTY, CITY AND STATE OF NEW YORK, BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE CORNER FORMED BY THE INTERSECTION OF THE EASTERLY SIDE OF BOGART STREET WITH THE NORTHERLY SIDE OF HARRISON PLACE;

1. RUNNING THENCE NORTHERLY ALONG THE EASTERLY SIDE OF BOGART STREET, 200 FEET TO THE CORNER FORMED BY THE INTERSECTION OF THE EASTERLY SIDE OF BOGART STREET WITH THE SOUTHERLY SIDE OF INGRAHAM STREET;

2. THENCE EASTERLY ALONG THE SOUTHERLY SIDE OF INGRAHAM STREET, 400 FEET TO THE CORNER FORMED BY THE INTERSECTION OF THE SOUTHERLY SIDE OF INGRAHAM STREET AND THE WESTERLY SIDE OF MORGAN AVENUE;

3. THENCE SOUTHERLY ALONG THE WESTERLY SIDE OF MORGAN AVENUE, 200 FEET TO THE CORNER FORMED BY THE INTERSECTION OF THE WESTERLY SIDE OF MORGAN AVENUE WITH THE NORTHERLY SIDE OF HARRISON PLACE;

4. THENCE WESTERLY ALONG THE NORTHERLY SIDE OF HARRISON PLACE, 400 FEET TO THE POINT OR PLACE OF BEGINNING.

CONTAINING 80,000 SQUARE FEET OR 1.8365 ACRE.

SITE MANAGEMENT PLAN

for

2 INGRAHAM STREET
Brooklyn, New York
NYSDEC BCP Site No. C224036

Prepared For:

74 Bogart LLC
26 West 17th Street, Suite 801
New York, NY 10011

Prepared By:

Langan Engineering, Environmental, Surveying, Landscape Architecture and Geology, D.P.C.
21 Penn Plaza
360 West 31st Street, 8th Floor
New York, New York 10001

Revisions to Final Approved Site Management Plan:

Revision No.	Date Submitted	Summary of Revision	NYSDEC Approval Date

January 20, 2023
170519402

CERTIFICATION STATEMENT

I, Gerald Nicholls, certify that I am currently a NYS registered professional engineer as in defined in 6 NYCRR Part 375 and that this Site Management Plan was prepared in accordance with all applicable statutes and regulations and in substantial conformance with the DER Technical Guidance for Site Investigation and Remediation (DER-10).

I certified that all information and statements in this certification are true. I understand that a false statement made herein is punishable as a Class "A" misdemeanor, pursuant to Section 210.45 of the Penal Law.



_____ P.E.

01/20/2023 DATE

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List of Acronyms

BCA	Brownfield Cleanup Agreement
BCP	Brownfield Cleanup Program
bsg	Below Site Grade
CAMP	Community Air Monitoring Plan
CM/SEC	Centimeter per Second
CMWP	Corrective Measures Work Plan
COC	Certificate of Completion
CP	Commissioner Policy
CVOC	Chlorinated Volatile Organic Compound
DD	Decision Document
DER	Division of Environmental Remediation
DOT	Department of Transportation
DUSR	Data Usability Summary Report
EC	Engineering Control
ECL	Environmental Conservation Law
EDD	Electronic Data Deliverable
EE	Environmental Easement
ELAP	Environmental Laboratory Approval Program
ESA	Environmental Site Assessment
EWP	Excavation Work Plan
FEMA	Federal Emergency Management Agency
FIRM	Effective Flood Insurance Rate Map
GPR	Ground Penetrating Radar
HASP	Health and Safety Plan
HC	Hydraulic Conductivity
IC	Institutional Control
IRM	Interim Remedial Measures
IRMWP	Interim Remedial Measures Work Plan
ISS	In-Situ Stabilization/Solidification
MTA	Metropolitan Transportation Authority
NYCDEP	New York City Department of Environmental Protection
NYCRR	New York Codes, Rules and Regulations
NYSDEC	New York State Department of Environmental Conservation
NYSDOH	New York State Department of Health
PCB	Polychlorinated Biphenyls
P.E. or PE	Professional Engineer
PFAS	Per- and Polyfluoroalkyl Substances
PID	Photoionization Detector
PM	Project Manager
PRR	Periodic Review Report
QA/QC	Quality Assurance/Quality Control
QAPP	Quality Assurance Project Plan
QEP	Qualified Environmental Professional
RAO	Remedial Action Objective

RAWP	Remedial Action Work Plan
RCA	Recycled Concrete Aggregate
RI	Remedial Investigation
RIR	Remedial Investigation Report
RIWP	Remedial Investigation Work Plan
RURR	Restricted Use Restricted-Residential
SCG	Standards, Criteria and Guidelines
SCO	Soil Cleanup Objective
SGV	Standards and Guidance Values
SMP	Site Management Plan
SOE	Support of Excavation
SRI	Supplemental Remedial Investigation
SRIWP	Supplemental Remedial Investigation Work Plan
SVI	Soil Vapor Intrusion
SVOC	Semivolatile Organic Compound
TCLP	Toxicity Characteristic Leachate Procedure
TOGS	Technical and Operational Guidance Series
UCS	Unconfined Compressive Strength
UN	United Nations
USEPA	United States Environmental Protection Agency
USGS	United States Geological Service
UST	Underground Storage Tank
VOC	Volatile Organic Compound
XRF	X-ray Fluorescence

EXECUTIVE SUMMARY

This Site Management Plan (SMP) was prepared for the 2 Ingraham Street site in the East Williamsburg neighborhood of Brooklyn, New York (the site). The site is identified as Brooklyn Borough Tax Block 3084, Lot 1. The site (Brownfield Cleanup Program (BCP) Site No. C224036) was remediated pursuant to the November 10, 2010 Brownfield Cleanup Agreement (BCA), Index No. C224036-09-10, between the New York State Department of Environmental Conservation (NYSDEC) and Smith Equities, LLC (i.e., a former owner and the original Volunteer). The BCA was amended on December 19, 2012, to remove and replace the original Volunteer, Smith Equities, LLC, with Bogart Holdings LLC (i.e., the subsequent owner and Volunteer). The BCA was again amended on January 18, 2019 to add 74 Bogart LLC (i.e., then-prospective purchaser of the site) to the BCA as an additional Volunteer. The BCA was amended a third time on July 17, 2019, to reflect a transfer of ownership of the site from Bogart Holdings LLC to 74 Bogart LLC (i.e., the current owner; hereinafter, "the Volunteer" refers only to 74 Bogart LLC).[1]

The following provides a brief summary of the controls implemented for the site, as well as the inspections, monitoring, maintenance and reporting activities required by this Site Management Plan (SMP):

Site Identification: Brownfield Cleanup Program (BCP) Site No. C224036
2 Ingraham Street, Brooklyn, New York

Institutional Controls:	1. The property may be used for Restricted-Residential use as defined in 6 NYCRR Part 375-1.8(g)(2)(ii), Commercial use as defined in 6 NYCRR Part 375-1.8(g)(2)(iii), and Industrial use as designed in 6 NYCRR Part 375-1.8(g)(2)(iv)
	2. All ECs must be operated and maintained as specified in this SMP
	3. All ECs must be inspected at a frequency and in a manner defined in the SMP

[1] Additionally, the BCA was amended on May 28, 2020, to transition the site from Generation 2 of the BCP to Generation 3 of the BCP, following the enactment of legislative amendments to the BCP in 2015.

Site Identification: Brownfield Cleanup Program (BCP) Site No. C224036

2 Ingraham Street, Brooklyn, New York

	4. The use of groundwater underlying the property is prohibited without necessary water quality treatment as determined by the New York State Department of Health (NYSDOH) or the New York City Department of Health and Mental Hygiene to render it safe for use as drinking water or for industrial purposes, and the user must first notify and obtain written approval to do so from the NYSDEC
	5. Groundwater and other environmental or public health monitoring must be performed as defined in this SMP
	6. Data and information pertinent to site management must be reported at the frequency and in a manner as defined in this SMP
	7. On-site environmental monitoring devices, including but not limited to groundwater monitoring wells, must be protected and replaced as necessary to ensure proper functioning in the manner specified in the SMP
	8. All future activities that will disturb remaining contaminated material must be conducted in accordance with this SMP
	9. Monitoring to assess the performance and effectiveness of the remedy must be performed as defined in this SMP
	10. Operation, maintenance, monitoring, inspection, and reporting of any mechanical or physical component of the remedy shall be performed as defined in this SMP
	11. Access to the site must be provided to agents, employees or other representatives of the State of New York with reasonable prior notice to the property owner to assure compliance with the restrictions identified by the Environmental Easement
	12. The potential for vapor intrusion must be evaluated for any potential future buildings developed in the area within the IC boundaries, and any potential impacts that are identified must be monitored or mitigated
	13. Vegetable gardens and farming on the site are prohibited

Site Identification: Brownfield Cleanup Program (BCP) Site No. C224036
2 Ingraham Street, Brooklyn, New York

	14. The Volunteer must provide all persons who acquire any interest in the site a complete copy of the SMP that the NYSDEC approves for the site and all NYSDEC-approved amendments to the SMP
Engineering Controls:	1. Composite cover system
	2. In-situ stabilization/solidification (ISS) monolith and capillary break

Inspections:	**Frequency:**
1. Composite cover system	Annually
2. ISS monolith and capillary break	When exposed during excavation and/or site redevelopment.
3. Monitoring wells	Quarterly for the first year, and annually thereafter.
Monitoring:	**Frequency:**
1. Groundwater monitoring wells (PWM-02, PMW-22, PMW-27, PMW-30_R, and PMW-54)	Quarterly for the first two years, and annually thereafter. If warranted by results, a request to decrease frequency will be submitted to NYSDEC.
2. Soil vapor intrusion evaluation for potential future buildings in parking lot development	As necessitated by any future site redevelopment
Maintenance:	**Frequency:**
1. Composite cover inspection	As needed
2. ISS monolith and capillary break	As needed, if exposed and accessible during or after any future construction activities within the ISS area
Reporting:	**Frequency**
1. Groundwater monitoring	Quarterly for first year, and annually thereafter.

Site Identification: Brownfield Cleanup Program (BCP) Site No. C224036
2 Ingraham Street, Brooklyn, New York

2. Periodic Review Report	Annually, unless otherwise approved by the NYSDEC.

Further descriptions of the above requirements are provided in detail in the latter sections of this SMP.

1.0 INTRODUCTION

1.1 General

This Site Management Plan (SMP) is a required element of the remedial program for the 2 Ingraham Street site, located in the East Williamsburg section of Brooklyn, New York (hereinafter referred to as the "site"). The site is enrolled in the New York State (NYS) Brownfield Cleanup Program (BCP Site No. C224036), which is administered by the New York State Department of Environmental Conservation (NYSDEC).

Smith Equities, LLC (i.e., a previous owner and the original Requestor) entered into a Brownfield Cleanup Agreement (BCA), Index No. C224036-09-10, on November 10, 2010 with the NYSDEC to investigate and remediate the site. The BCA was amended on December 19, 2012, to remove and replace the original Volunteer, Smith Equities, LLC, with Bogart Holdings LLC (i.e., the subsequent owner and Volunteer). The BCA was again amended on January 18, 2019, to add 74 Bogart LLC (i.e., then-prospective purchaser of the site) to the BCA as an additional Volunteer. The BCA was amended a third time on July 17, 2019, to reflect a transfer of ownership of the site from Bogart Holdings LLC to 74 Bogart LLC (i.e., the current owner).[2] 74 Bogart LLC implemented the NYSDEC-approved Interim Remedial Measures Work Plan (IRMWP) and Remedial Action Work Plan (RAWP) (hereinafter, "the Volunteer" refers only to 74 Bogart LLC). A site location map and site plan showing the site location and boundaries of the site are provided as Figure 1. The boundaries of the site are more fully described in the metes and bounds site description that is part of the Environmental Easement (EE) provided in Appendix A.

Remediation was completed in accordance with the IRMWP (dated September 10, 2019, as amended March 1, 2021) and the RAWP (dated June 2022). After completion of the remedial work, residual contamination was left at the site, which is hereafter referred to as "remaining contamination". Institutional and Engineering Controls (ICs and ECs) have been incorporated into the site remedy to control exposure to remaining contamination and to provide protection of public health and the environment, provided that there is strict adherence to the SMP by property owners, employees, occupants, contractors and site visitors. An EE was executed by the Department on December 1, 2022, and recorded in the Office of the City Register of New York City on December 9, 2022. The County Recording Filing Number (CRFN) for this filing is 2022000447061. The EE requires compliance with this SMP and ICs and ECs placed on the site.

[2] Additionally, the BCA was amended on May 28, 2020, to transition the site from Generation 2 of the BCP to Generation 3 of the BCP, following the enactment of legislative amendments to the BCP in 2015.

This SMP was prepared to manage remaining contamination at the site until the EE is extinguished in accordance with Environmental Conservation Law (ECL) Article 71, Title 36. This SMP has been approved by the NYSDEC, and compliance with this plan is required by the grantor of the EE and the grantor's successors and assigns. This SMP may only be revised with the approval of the NYSDEC.

This SMP details the site-specific implementation procedures that are required by the EE. Failure to properly implement the SMP is a violation of the EE, which is grounds for revocation of the Certificate of Completion (COC). Failure to comply with this SMP is also a violation of ECL, Title 6 of the New York Codes, Rules and Regulations (6 NYCRR) Part 375 and the BCA (Index No. C224036-09-10, Site No. C224036) for the site, and thereby subject to applicable penalties.

Reports associated with the site can be viewed by contacting the NYSDEC or its successor agency managing environmental issues in New York State. A list of contacts for persons involved with the site is provided in Appendix B of this SMP.

This SMP was prepared by Langan Engineering, Environmental, Surveying, Landscape Architecture and Geology, D.P.C. (Langan), on behalf of the Volunteer, in accordance with the requirements of the NYSDEC's Division of Environmental Remediation (DER)-10 ("Technical Guidance for Site Investigation and Remediation"), dated May 3, 2010, and the guidelines provided by the NYSDEC. This SMP addresses the means for implementing the ICs and/or ECs that are required by the EE for the site.

1.2 Revisions

Revisions to this SMP will be proposed in writing to the NYSDEC's project manager. Revisions will be necessary upon, but not limited to, the following occurring:

- A change in media monitoring requirements
- Upgrades to or shutdown of a remedial system
- Post-remedial removal of contaminated sediment or soil
- Other significant change to the site conditions

In accordance with the EE, the NYSDEC will provide a notice of any approved changes to the SMP and append these notices to the SMP that is retained in its files.

1.3 Notifications

Notifications will be submitted by the property owner to the NYSDEC, as needed, in accordance with NYSDEC's DER-10 for the following reasons:

1. 60-day advance notice of any proposed changes in site use that are required under the terms of the BCA, 6 NYCRR Part 375, and/or ECL.
2. 7-day advance notice of any field activity associated with the remedial program.
3. 15-day advance notice of any proposed ground-intrusive activity pursuant to the Excavation Work Plan (EWP). If the ground-intrusive activity qualifies as a change of use as defined in 6 NYCRR Part 375, the above mentioned 60-day advance notice is also required.
4. Notice within 48 hours of any damage or defect to the foundation, structures, or EC that reduces or has the potential to reduce the effectiveness of an EC, and likewise, any action to be taken to mitigate the damage or defect.
5. Notice within 48 hours of any non-routine maintenance activities.
6. Verbal notice by noon of the following day of any emergency, such as a fire, flood, or earthquake that reduces or has the potential to reduce the effectiveness of ECs in place at the site, with written confirmation within 7 days including a summary of actions taken, or to be taken, and the potential impact to the environment and the public.
7. Follow-up status reports on actions taken to respond to any emergency event requiring ongoing responsive action submitted to the NYSDEC within 45 days describing and documenting actions taken to restore the effectiveness of the ECs.

Any change in the ownership of the site or the responsibility for implementing this SMP will include the following notifications:

8. At least 60 days prior to the change, the NYSDEC will be notified in writing of the proposed change. This will include a certification that the prospective purchaser/Remedial Party has been provided with a copy of the BCA and all approved work plans and reports, including this SMP.
9. Within 15 days after the transfer of all or part of the site, the new owner's name, contact representative, and contact information will be confirmed in writing to the NYSDEC.

Table 1.3 includes contact information for the above notifications. The information on this table will be updated as necessary to provide accurate contact information. A full listing of site-related contact information is provided in Appendix B. An EWP is included as Appendix D.

Table 1.3: Notification Contact List*

Name	**Contact Information**	**Required Notifications**
Javier Perez-Maldonado NYSDEC Project Manager (PM)	Telephone: (518) 402-8172 Email: javier.perez-maldonado@dec.ny.gov	All Notifications
William Bennett NYSDEC PM's Supervisor	Telephone: (518) 402-9662 Email: william.bennett@dec.ny.gov	All Notifications
Kelly Lewandowski NYSDEC Site Control	Telephone: (518) 402-9553 Email: kelly.lewandowski@dec.ny.gov	Notifications 1 and 8
Stephen Lawrence NYSDOH PM	Telephone: (518) 402-0450 Email: BEEI@health.ny.gov	Notifications 4, 6, and 7

* Note: Notifications are subject to change and will be updated as necessary.

** Note: Numbers in this column reference the numbered bullets in the notification list in this section.

2.0 SUMMARY OF PREVIOUS INVESTIGATIONS AND REMEDIAL ACTIONS

2.1 Site Location and Description

The site is located in Brooklyn, Kings County, New York and is identified as Block 3084 and Lot 1 on the Brooklyn Borough Tax Map. Alternate addresses for the site include 74-92 Bogart Street, 1-39 Harrison Place, 2-40 Ingraham Street, and 75-91 Morgan Avenue. The site is approximately 80,000 square feet (approximately 1.8 acres) in area and is bounded by Ingraham Street to the north, Morgan Avenue to the east, Harrison Place to the south, and Bogart Street to the west.

The present site uses include an at-grade asphalt-paved logistics company parking lot in the western portion of the site (hereafter referred to as the "parking lot development") and a seven-story storage building with an approximately 34,000-square-foot cellar in the eastern portion of the site (hereafter referred to as "storage building development"). The parking lot and storage building developments are shown on Figure 1.

The northwest corner of the site includes an easement for New York City Water Tunnel No. 3, which is currently under construction by the New York City Department of Environmental Protection (NYCDEP) and is over 500 feet below site grade (bsg) within bedrock. The upper vertical limit of the easement is more than 100 feet below current site grade. The NYC Metropolitan Transportation Authority (MTA) L train subway tunnel runs underneath Harrison Place, adjacent to the southern site boundary. The boundaries of the site are more fully described in the metes and bounds in the EE, which is included as Appendix A. A site location map and site plan are included as Figure 1.

The owner and operator at the time of issuance of this SMP, which is the party responsible for implementing the SMP under the BCA, is:

74 Bogart LLC
26 West 17th Street, Suite 801
New York, NY 10011

2.2 Physical Setting

2.2.1 Land Use

The site is currently zoned in an industrial/manufacturing (M1-2) district. The M1-2 zoning district typically includes light industrial uses.

The properties adjoining the site and in the surrounding neighborhood primarily include commercial, residential, and industrial properties. The site is adjoined by Ingraham Street followed by various one-story and multiple-story warehouse buildings and retail/office buildings to the north; Morgan Avenue followed by various one-story warehouse buildings and retail properties to the east; Harrison Place followed by manufacturing, warehouses, commercial and residential buildings to the south; and Bogart Street followed by a concrete company, multiple parks, and warehouses to the west.

2.2.2 Geology

As observed during the 2019 supplemental remedial investigation (SRI) performed by Langan, the site was underlain by a fill layer, which consists of brown to gray to black, fine- to coarse-grained sand with varying amounts of silt, clay, gravel, and anthropogenic and pyrogenic material including coal, brick, concrete, wood, glass, metal, plastic, ceramic, and white amorphous material (likely ash). The fill layer extended from beneath the former 6-inch-thick reinforced concrete floor slab to a maximum depth of approximately 16 feet below former site grade (bfsg). Native soil was encountered below the fill layer and generally consists of reddish-brown to brown to gray, fine- to coarse-grained sand with varying amounts of silt, clay, gravel, and cobbles.

The United States Geologic Survey (USGS) "Bedrock and Engineering Geologic Maps of New York County and Parts Kings and Queens Counties, New York, and Parts of Bergen and Hudson Counties, New Jersey" indicates that the bedrock underlying the site is part of the Hartland Formation. The Hartland Formation is composed of mica schist and quartz-feldspar granulite, with localized intrusions of granite and pegmatite. Depth to bedrock is anticipated to be between about 150 and 200 feet below site grade.

Geologic cross sections from the 2019 SRI are shown in Figures 2A and 2B. Historical boring logs from the SRI are included in Appendix C.

2.2.3 Hydrogeology

Groundwater was observed at depths ranging from 11.64 to 15.36 feet bfsg (elevation [el.] 5.38 to el. 8.07)[3] during the February 4, 2019 synoptic gauging of monitoring wells located on-site and within the adjoining sidewalks. The groundwater table was typically observed within native soil, though fill extended to approximately 16 feet bfsg (el. 5 feet)

[3] Elevations are stated in North American Vertical Datum of 1988 (NAVD88).

(i.e., below the water table) in the southwestern part of the site. Based on gauging data and local topography, groundwater is inferred to flow north-northwest.

A groundwater contour map from the SRI is shown as Figure 3 and a performance monitoring well location and protection plan is shown as Figure 4. Groundwater elevation data is provided in Table 1. Performance monitoring groundwater monitoring well construction logs and soil boring logs are provided in Appendix C.

2.3 Investigation and Remedial History

The following narrative provides a remedial history timeline and a brief summary of the available project reports to document key investigative and remedial milestones for the site.

2.3.1 Site History

According to Sanborn Fire Insurance Maps, the site was located in a moderately developed urban area as early as 1888, and by 1907 was partially improved with a church, rectory, convent, orphanage, and carriage house. Additional buildings shown in the 1933 Sanborn map include a parochial school, a laundry, and a shelter. According to a Phase I Environmental Site Assessment (ESA) report prepared by ERD Environmental, Inc., a site-wide one-story building was constructed in 1946. In the 1951 Sanborn map, the northeast quarter of the building is depicted as a machine shop and the southeast quarter is labeled as an electrical equipment manufacturing and repair business. From 1965 to 1995, historical records indicate the building was re-partitioned, with Sanborn maps indicating uses including metal finishing (northwest portion), zipper manufacturing (southwest portion), and umbrella manufacturing (eastern portion). At the time of the ERD Phase I ESA reconnaissance in 1996, the building had reportedly been vacant for approximately seven years. The two most recent tenants were listed as Jayer Plating (chromium and nickel plating operation in northwest portion) and Macon Umbrella Corporation (south and east portions).

According to a Remedial Investigation Work Plan (RIWP) prepared by MC Environmental, LLC (MC Environmental), the site building was again occupied by 2011 with warehouse tenants and a picture frame assembly company. Uses described in a 2014 Draft Remedial Investigation Report (RIR) prepared by ESPL Environmental Consultants Corp. (ESPL) included a soda distribution warehouse (north-central portion of the site) and a party goods wholesaler (south-central portion of the site), with additional areas on the west and east sides of the site listed as vacant. According to a 2016 IRMWP prepared by ESPL, the entire building was vacated as of April 2016. The building was abated for asbestos

containing materials (ACM) and demolished during IRMWP implementation between September and December 2019.

2.3.2 Previous Environmental Reports

The following environmental reports and work plans have been prepared for the site and are listed for reference:

- November 1996 Phase I ESA, prepared by ERD
- May 22, 1997 Focused Phase II Soil Investigation Report, prepared by Excel Environmental Resources, Inc. (Excel)
- December 1, 1997 Site Investigation Report, prepared by AKRF, Inc.
- November 2011 RIWP, prepared by MC Environmental
- February 2014 Draft RIR, prepared by ESPL
- October 2014 Supplemental Remedial Investigation Work Plan (SRIWP), prepared by ESPL
- November 2016 Final IRMWP, prepared by ESPL
- November 29, 2018 SRIWP, prepared by Langan
- April 17, 2019 Phase I ESA, prepared by Langan
- August 8, 2019 RIR, prepared by Langan
- September 10, 2019 IRMWP (amended March 1, 2021), prepared by Langan
- November 11, 2019 Off-site Investigation Work Plan, prepared by Langan
- January 24, 2020 Waste Characterization Sampling Report, prepared by Impact Environmental
- September 10, 2020 Treatability Study and Hazardous Lead Delineation Work Plan, prepared by Langan
- December 2, 2020 Mercury Excavation Letter, prepared by Langan
- March 12, 2021 Draft Supplemental Investigation Report, prepared by Langan
- May 19, 2021 Waste Characterization Sampling Report, prepared by Impact Environmental
- June 2022 Remedial Action Work Plan, prepared by Langan
- October 7, 2022 Billboard Foundation Installation Work Plan, prepared by Langan

- January 2023 Final Engineering Report, prepared by Langan

Subsurface investigations performed from 1997 to the present included sampling of soil, groundwater, and sub-slab and soil vapor, with some investigations focusing on the metal plating trench area and others intending to characterize the entire site or to delineate or characterize other contamination (e.g., solvent-impacted groundwater, mercury-impacted fill, hazardous lead soil).

Remedial investigations are further described in the following section.

2.3.3 Remedial Investigation Findings

The site was investigated in accordance with the scope of work presented in the NYSDEC-approved November 2011 RIWP, October 2014 SRIWP, and November 2018 SRIWP. The remedial investigation (RI) was conducted between April and July 2013, an SRI was conducted in December 2014 and July 2017, and a second SRI was conducted between December 2018 and February 2019. The RIR, prepared by Langan, was approved by NYSDEC on August 8, 2019.

The tasks completed during the RI and SRIs are described below:

<u>RI – April to July 2013 (completed by ESPL)</u>

- Advanced 21 soil borings (identified as B-5 through B-15 and SB-1 through SB-10) and collected 48 soil samples, including quality assurance/quality control (QA/QC) duplicate samples
- Installed six permanent monitoring wells (identified as MW-05 through MW-10) and collected 10 groundwater samples, including QA/QC duplicate samples
- Installed four sub-slab vapor sampling points (identified as SVP-1 through SVP-4) and collected four sub-slab vapor samples

<u>SRI – December 2014 and July 2017 (completed by ESPL)</u>

- Advanced 16 soil borings (identified as SSB-02N, SSB-02W, SSB-02S, SSB-02E, SSB-07N, SSB-07S, SSB-10A through SSB-10D, SSB-15E, SSB-17, SSB-18, SSB-19, SSB-20 and SSB-22), and collected 43 soil samples, including QA/QC duplicate samples
- Installed one permanent monitoring well (identified as MW-11) and collected 12 groundwater samples, including a QA/QC duplicate sample, from the new well and existing wells.

- Installed three soil vapor sampling points (identified as SSVP-3/SSVP-3I, SSVP-4/SSVP-4I, and SSVP-7/SSVP-7I), and collected 3 soil vapor samples, 3 indoor air samples, and one ambient air sample.

SRI – December 2018 to February 2019 (completed by Langan)

- Completed a geophysical survey, using ground-penetrating radar (GPR) and electromagnetic and utility line locator instruments, to identify and delineate potential underground storage tanks (USTs), concrete discontinuities, drains, underground utilities, and other subsurface anomalies across the site
- Advanced 44 soil borings (identified as SSB-23 through SSB-66) and collected 296 soil samples, including 18 QA/QC duplicate samples
- Installed nine permanent monitoring wells (identified as MW-12 through MW-20) and collected 21 groundwater samples, including one QA/QC duplicate sample
- Installed 13 sub-slab vapor sampling points, including nine new points and reinstallation of four pre-existing points, and collected 14 sub-slab vapor samples, including one QA/QC duplicate sample

Recovered soil from each investigation was screened for visual, olfactory, and photoionization detector (PID) evidence of environmental impacts, and visually classified for soil type, grain size, texture and moisture content. A handheld X-ray fluorescence (XRF) analyzer was also used at select locations to screen for mercury, chromium, and nickel impacts.

A total of 387 soil samples (including QA/QC samples) were collected for laboratory analysis during the RI and SRIs. For each soil boring, a soil sample was collected from:

- 4-foot intervals from grade to termination depth during the RI;
- 5-foot intervals from grade to termination depth during the 2014/2017 SRI; and
- Every 2 linear feet (or 1 foot, depending on recovery) during the 2018/2019 SRI.

No apparent environmental impacts (i.e., solvent or petroleum impacts) were observed based on visual/olfactory and PID soil screening during the RI or SRIs. XRF screening values were compared to analytical results for soil samples that were both XRF-screened and lab-analyzed for chromium, mercury, and/or nickel; efficacy of XRF screening varied, as the observed screening values were often higher than the corresponding lab-reported concentrations.

Groundwater samples were collected from permanent monitoring wells MW-01 through MW-10 during the RI, from permanent monitoring wells MW-01 through MW-11 during the 2014/2017 SRI, and from MW-01 through MW-20 during the 2018/2019 SRI.

Sub-slab soil vapor samples were collected from four soil vapor points (SVP-1 through SVP-4) during the RI, from three soil vapor points/indoor air locations (SVP-3/SSVP-3I, SSVP-4/SSVP-4I, and SSVP-7/SSVP-7I) during the 2014/2017 SRI, and from 13 sub-slab soil vapor points (SSVP-2 through SSVP-4, and SSVP-7 through SSVP-16) during the 2018/2019 SRI. The sub-slab soil vapor points were sampled in accordance with Final Guidance for Evaluating Soil Vapor Intrusion in the State of New York (NYSDOH October 2006, revised May 2017) (NYSDOH Guidance). Sub-slab vapor samples were collected into laboratory-supplied, batch-certified clean, 2.7-liter Summa canisters with flow controllers calibrated for 2-hour sample intervals.

Soil, groundwater, and soil vapor samples collected during the RI and SRIs were analyzed by NYSDOH Environmental Laboratory Approval Program (ELAP)-certified laboratories as follows:

- Soil samples were analyzed for volatile organic compounds (VOCs) by United States Environmental Protection Agency (USEPA) Method 8260C, semivolatile organic compounds (SVOCs) by USEPA Method 8270D, pesticides by USEPA Method 8081B, polychlorinated biphenyls (PCBs) by USEPA Method 8082A, metals by USEPA Method 6010C or Method 6010D/7000 series (including hexavalent and trivalent chromium), total cyanide by USEPA Method 9010C/9012B, and toxicity characteristic leaching procedure (TCLP) chromium, lead, and/or mercury.

- Groundwater samples were analyzed for VOCs by USEPA Method 8260C, SVOCs by USEPA Method 8270D (including SIM), pesticides by USEPA Method 8081B, PCBs by USEPA Method 8082A, metals by USEPA Method 6010C/7471 and dissolved (field filtered) TAL metals, including hexavalent and total chromium, by USEPA Method 6010/6020/7000 series.

- Groundwater samples collected during the 2018/2019 SRI were also analyzed for 1,4-dioxane by USEPA Method 8270-SIM and per- and polyfluoroalkyl substances (PFAS) by USEPA Method 537M.

- Sub-slab soil vapor and ambient air samples were analyzed for VOCs via USEPA Method TO-15 and for helium (during the RI only).

The NYSDEC and NYSDOH have determined that the site poses a significant threat to human health and the environment.

2.4 Remedial Action Objectives

Objectives for the remedial program were established through the remedy selection process stated in 6 NYCRR Part 375. The Remedial Action Objectives (RAO) for the site as listed in the June 29, 2022 Decision Document (DD) are as follows:

Table 2.4 Remedial Action Objectives

RAOs	RAOs for Public Protection	RAOs for Environmental Protection
Groundwater	• Prevent ingestion of groundwater containing contaminant levels exceeding drinking water standards • Prevent contact with, or inhalation of, volatiles emanating from contaminated groundwater	• Restore the groundwater aquifer to pre-disposal/pre-release conditions, to the extent practicable • Remove the source of ground or surface water contamination
Soil	• Prevent ingestion/direct contact with contaminated soil • Prevent inhalation of, or exposure from contaminants volatilizing from contaminants in soil	• Prevent migration of contaminants that would result in groundwater or surface water contamination
Soil Vapor	• Mitigate impacts to public health resulting from existing, or the potential for, soil vapor intrusion into the building at the site	

2.4.1 Remedial Action Implementation

Remedial work at the site was completed under the NYSDEC-approved IRMWP and RAWP. Remedial excavation extents for IRMWP and RAWP implementation are shown in Figures 5A and 5B, respectively. Documentation soil sample analytical results from the IRM are presented on Tables 3 through 4B and summarized on Figure 6.

The following activities were completed as part of the remedial action to achieve the RAOs:

IRM Phase 1:

An IRMWP for the storage building development was approved by NYSDEC on September 10, 2019 and implemented as IRM Phase 1 from September 2019 to April 2021. IRM Phase 1 included:

- Demolition and off-site disposal of the former building, including the chromium-impacted concrete building slabs and footings;
- Advancement of eight soil borings, installation of three soil vapor points, and collection of eight soil and three soil vapor samples to investigate known mercury impacts in the western portion of the site;
- Advancement of shallow excavations and collection of eight soil samples throughout the site for emerging contaminants analysis;
- Installation of support of excavation (SOE) soldier piles to a minimum of approximately 36 feet bfsg (approximately el. -15) along the eastern site perimeter and the eastern portion of the north and south site perimeters, and installation of timber lagging;
- Localized dewatering, treatment via settling, and discharge of dewatering fluids in accordance with an NYCDEP sewer discharge permit;
- Excavation and off-site disposal of non-native fill material impacted with SVOCs and metals and native soil to depths generally ranging from approximately 13 to 15.6 feet bfsg (approximately el. 8 to 5.4) in the eastern portion of the site to achieve Track 2 Restricted Use Restricted-Residential (RURR) Soil Cleanup Objectives (SCOs); and
- Collection of documentation base and sidewall samples from the mass excavation to show that Track 2 RURR SCOs were met.

IRM Phase 2:

An amended version of the IRMWP, proposing work for the parking lot development and associated stormwater detention system, was approved by NYSDEC on March 1, 2021, and implemented as IRM Phase 2 from April 2021 to May 2022. IRM Phase 2 included:

- Excavation and off-site disposal of non-native fill impacted with metals and native soil to depths ranging from approximately 4 to 12 feet bfsg for installation of a stormwater detention system in the western portion of the site;
- Excavation to a maximum depth of 8 feet bfsg and off-site disposal of mercury-impacted fill within five mercury source areas;
- Excavation to approximately 3 feet bfsg and off-site disposal of hazardous lead-impacted fill at RI soil boring SSB-40;
- Collection of documentation base samples from the stormwater detention system excavations;
- Collection of documentation base and sidewall samples from the mercury source area excavations;
- Backfill of mercury source removal excavations, stormwater detention system excavations, and outside the foundation walls of the storage building with native soil generated from IRM Phase 1 excavation on the eastern portion of the site and/or imported material;
- Temporary capping of a proposed in-situ stabilization/solidification (ISS) treatment area surrounding the former metal plating trench drain area with asphalt pavement;
- Installation of groundwater monitoring wells down-gradient of mercury source area excavations and the proposed ISS area, and collection of baseline performance monitoring groundwater samples;
- Installation of a vapor barrier as a construction measure beneath the cellar slab and along the foundation walls of the storage building in the eastern portion of the site; and
- Installation of a composite cover engineering control comprising an approximately 8-inch-thick composite cover system consisting of approximately 4 inches of recycled concrete aggregate (RCA) sub-base and 4 inches of asphalt pavement underlain by a demarcation barrier, throughout the parking lot development in the western portion of the site.

RAWP Implementation:

A RAWP was approved in June 2022, and implemented from August to December 2022. RAWP implementation included:

- Pre-excavation and off-site disposal of non-hazardous fill and hazardous chromium-impacted soil (F006/D007 and D007 waste) within the approximately 6,500-square-foot ISS area to approximately 5.5 feet below grade surface (el. 15).
- Off-site disposal of hazardous chromium-impacted concrete (F006/D007 waste), hazardous chromium-impacted soil (F006/D007 and D007 waste), and non-hazardous concrete and soil encountered in the ISS area.
- Utilization of an excavator bucket to mix grout (Portland cement and water mixture), Blastox 215, and ferrous sulfate with soil in the ISS area. ISS mixing began at approximately 5 feet below grade surface (el. 15) and extended to depths varying between approximately 14.5 and 24.5 feet below grade surface (el. 6 to -4) across an area of approximately 6,500 square feet, for a total treatment volume of approximately 2,700 cubic yards of soil. ISS implementation involved the addition of approximately:
    - 226 tons of Portland cement,
    - 56,790 gallons of water,
    - 93 tons of Blastox 215, and
    - 46.5 tons of ferrous sulfate.
- Collection of unconfined compressive strength (UCS), hydraulic conductivity (HC), and synthetic precipitation leaching procedure (SPLP) QC samples once ISS mixing was complete.
- Advancement of six cores through the ISS monolith using a Geoprobe 7800 truck-mounted drill rig. Visual inspection of the cores confirmed effectiveness of the field and sampling QA/QC program and indicated a homogenous mixture.
- Installation of a capillary break to prevent residual chromium (if any) from migrating upward with moisture. This capillary break is composed of a demarcation barrier (i.e., Geotex DND Demarcation Fabric [a geotextile fabric]) placed on top of the ISS area followed by geotextile fabric, approximately 3 feet of clean 3/4-inch stone (as a capillary break), geotextile fabric, clean backfill, geotextile fabric, a 4-inch-

thick RCA subbase to approximately 4 inches below grade, and an approximately 4-inch-thick asphalt cap.

- Off-site disposal of waste generated during IRMWP implementation, including: hazardous chromium-impacted sweeping compound (F006/D007 waste); bench-scale treatability study soil samples; and non-hazardous polyethylene sheeting and decontamination water.
- Re-installation of performance monitoring well PMW-30_R and repair of performance monitoring well PMW-27, which were damaged during sidewalk construction on Ingraham Street.
- Off-site disposal of soil and groundwater generated from the re-installation and/or repair of performance monitoring wells PMW-27 and PMW-30_R.

As-built drawings for the remedy, signed and sealed by a PE who is licensed and registered in New York State, are included in Appendix E.

Additionally, the installation of a billboard foundation by the Volunteer in September and October 2022 entailed replacement of an approximately 384-square-foot area of asphalt pavement in the northwestern corner of the site with 12-inch-thick concrete mat slab. The mat slab comprises part of the composite cover system and is described herein.

2.5 Remaining Contamination

Residual soil, groundwater, and soil vapor exist beneath the site. Therefore, ECs/ICs are required in order to protect human health and the environment.

2.5.1 Soil

Documentation soil samples from IRM Phase 1 indicate that soil remaining beneath the storage building development meets the Track 2 RURR SCOs, which are shown in Table 2. IRM Phase 1 documentation soil samples were also compared against Unrestricted Use (UU) SCOs for reference. VOCs, SVOCs and herbicides were not detected at concentrations above the UU SCOs. One pesticide (4,4'-DDT), total PCBs, and 10 metals (barium, hexavalent chromium, trivalent chromium, lead, manganese, mercury, nickel, selenium, silver, and zinc were detected at concentrations above the UU SCOs, but below the Track 2 RURR SCOs, across 24 soil samples (including 2 QA/QC samples).

Documentation soil samples from IRM Phase 2 indicate that remaining soil contamination beneath the demarcation barrier within the parking lot development includes SVOCs and

metals (lead and mercury) exceeding the Track 2 RURR SCOs. Of the 10 documentation soil samples collected in the parking lot development, 5 samples contained concentrations of compounds exceeding the RURR SCOs. Of the 24 documentation samples (including a QA/QC sample) collected for the mercury source area removals in the parking lot development, 20 samples contained mercury at a concentration above the RURR SCO. Over-excavation completed in response to two of the documentation sample results is described in the following paragraph.

Two of the documentation samples (SWN_SB-02_SSB02E and SWN_SB-02_SSB02E_A) collected from the northern sidewall of the SB-02/SSB02E mercury source excavation contained mercury at concentrations above 1,000 mg/kg. Based on these results, the SB-02/SSB02E mercury source excavation was extended 2 feet to the north.

IRM Phase 2 documentation soil samples were also compared against UU SCOs. VOCs were not detected at concentrations above the UU SCOs. Seven SVOCs (benzo[a]anthracene, benzo[a]pyrene, benzo[b]fluoranthene, benzo[k]fluoranthene, chrysene, dibenz[a,h]anthracene, and indeno[1,2,3-cd]pyrene), three pesticides (4,4'-DDD, 4,4'-DDE and 4,4'-DDT), totals PCBs and four metals (copper, lead, mercury and zinc) were detected at concentrations above the UU SCOs across 8 soil samples (including one QA/QC sample). Pesticides and total PCBs were detected at concentrations below Track 2 RURR SCOs.

After RAWP implementation, residual chromium- and nickel-impacted soil stabilized via ISS remains in place in the northwest part of the site, within the parking lot development and near the former metal plating trench drain. ISS is the process of mixing contaminated soils with cement (and other additives, as needed) to permanently immobilize the contaminants in a soil-cement monolith. The ISS monolith extends to a maximum of approximately el. -4 across an approximately 6,500-square-foot area.

Remedial excavation extents for the IRM and RAWP implementation are shown in Figures 5A and 5B, respectively. The documentation soil sample analytical results from the IRM are presented on Tables 3 through 4B and summarized on Figure 6.

2.5.2 Groundwater

During IRMWP implementation, permanent groundwater monitoring wells were installed in the southwestern part of the site (PMW-02 and PMW-54) and on the Ingraham Street sidewalk (PMW-22, PMW-27, and PMW-30). One baseline groundwater sample was collected from each well in October 2021, prior to RAWP implementation. Dissolved mercury, chromium, and nickel concentrations were compared to the NYSDEC Technical

and Operational Guidance Series (TOGS) Class GA Standards and Guidance Values (SGVs). Concentrations detected above the NYSDEC SGVs are listed below (TOGS Class GA standards in parentheses):

- PMW-30_100821
    - Dissolved Chromium – 23,530 µg/L (50 µg/L)
    - Dissolved Nickel – 1,764 µg/L (100 µg/L)
    - Dissolved Mercury – 1.93 µg/L (0.7 µg/L)

Groundwater monitoring to assess the performance of the remedy, or natural attenuation following the removal of contaminant sources, will continue until residual groundwater concentrations are found to be below the applicable NYSDEC standards or have become asymptotic over an extended period, as determined by NYSDOH and NYSDEC. It is anticipated that, following remediation, a minimum of four quarterly groundwater monitoring events will be performed. Groundwater monitoring will continue thereafter annually. If warranted by the groundwater monitoring results, a request to decrease monitoring frequency will be submitted to the NYSDEC.

Table 5 and Figure 7 summarize the results of the baseline groundwater sampling, performed before RAWP implementation.

2.5.3 Soil Vapor

Soil within the storage building development footprint and also in the locations of previous soil vapor samples, where chlorinated volatile organic compounds (CVOCs) were previously identified, was excavated and remediated to Track 2 RURR SCOs. A vapor barrier system was installed beneath the concrete foundation slab and along the foundation cellar walls of the storage building to mitigate potential soil vapor intrusion from off-site sources.

Any potential future buildings in the parking lot development will be evaluated for soil vapor intrusion and the possible routes of exposure will be avoided or mitigated through soil vapor mitigation measures if necessary.

3.0 INSTITUTIONAL AND ENGINEERING CONTROL PLAN

3.1 General

Because remaining contamination exists at the site, ICs and ECs are required to protect human health and the environment. This IC/EC Plan describes the procedures for the implementation and management of all IC/ECs at the site. The IC/EC Plan is one component of the SMP and is subject to revision by the NYSDEC project manager.

This plan provides:

- A description of all IC/ECs on the site;
- The basic implementation and intended role of each IC/EC;
- A description of the key components of the ICs set forth in the EE;
- A description of the controls to be evaluated during each required inspection and periodic review;
- A description of plans and procedures to be followed for implementation of IC/ECs, such as the implementation of the EWP for the proper handling of remaining contamination that may be disturbed during maintenance or redevelopment work on the site; and
- Any other provisions necessary to identify or establish methods for implementing the IC/ECs required by the site remedy, as determined by the NYSDEC project manager.

3.2 Institutional Controls

A series of ICs is required by the DD to:

1. Implement, maintain and monitor EC systems;
2. Prevent future exposure to remaining contamination; and,
3. Limit the use and development of the site to only restricted-residential use, commercial use, and industrial use, as allowed by current local zoning.

Adherence to these ICs on the site is required by the EE and will be implemented under this SMP. ICs identified in the EE may not be discontinued without an amendment to or extinguishment of the EE. The ICs, as defined by the RAWP and DD, include recording of an EE and SMP. The IC boundaries are shown on the NYSDEC easement survey included in Appendix A. These ICs are:

- The property may be used for Restricted-Residential use as defined in 6 NYCRR Part 375-1.8(g)(2)(ii), Commercial use as defined in 6 NYCRR Part 375-1.8(g)(2)(iii), and Industrial use as designed in 6 NYCRR Part 375-1.8(g)(2)(iv)
- All ECs must be operated and maintained as specified in this SMP
- All ECs must be inspected at a frequency and in a manner defined in the SMP
- The use of groundwater underlying the property is prohibited without necessary water quality treatment as determined by the NYSDOH or the New York City Department of Health and Mental Hygiene to render it safe for use as drinking water or for industrial purposes, and the user must first notify and obtain written approval to do so from the NYSDEC
- Groundwater and other environmental or public health monitoring must be performed as defined in this SMP
- Data and information pertinent to site management must be reported at the frequency and in a manner as defined in this SMP
- All future activities that will disturb remaining contaminated material, including the ISS monolith, must be conducted in accordance with this SMP
- Monitoring to assess the performance and effectiveness of the remedy must be performed as defined in this SMP
- Operation, maintenance, monitoring, inspection, and reporting of any mechanical or physical component of the remedy shall be performed as defined in this SMP
- Access to the site must be provided to agents, employees or other representatives of the State of New York with reasonable prior notice to the property owner to assure compliance with the restrictions identified by the EE
- The potential for vapor intrusion must be evaluated for any potential future buildings developed in the area within the IC boundaries noted in Appendix A, and any potential impacts that are identified must be monitored or mitigated
- Vegetable gardens and farming on the site are prohibited

3.3 Engineering Controls

As-built drawings, signed and sealed by a PE who is licensed and registered in New York State, are included in Appendix E.

3.3.1 Composite Cover System

Exposure to remaining contamination in the parking lot development is primarily prevented by a composite cover system comprising:

- Approximately 4 inches of RCA sub-base and 4 inches of asphalt pavement underlain by a demarcation barrier in the parking lot development.
- A capillary break is composed of a demarcation barrier (i.e., Geotex DND Demarcation Fabric [geotextile fabric]) placed on top of the ISS area followed by geotextile fabric, about 3 feet of clean 3/4-inch stone (as a capillary break), geotextile fabric, clean backfill, geotextile fabric, a 4-inch-thick RCA subbase to about 4 inches below grade, and an about 4-inch-thick asphalt cap.
- An approximately 384-square-foot, 12-inch-thick reinforced concrete mat slab in the northwest corner of the site.

Composite cover system locations and details are presented on Figure 8A. ISS sections are shown on Figures 8B and 8C. The EWP outlines the procedures required to be implemented in the event the cover system is breached, penetrated or temporarily removed. Procedures for the inspection of this cover are provided in the Monitoring and Sampling Plan included in Section 4.0 of this SMP. Any work conducted pursuant to the EWP must also be conducted in accordance with the procedures defined in a Health and Safety Plan (HASP) and associated Community Air Monitoring Plan (CAMP) prepared for the site and provided in Appendix F. Any disturbance of the site's cover system must be overseen by a Qualified Environmental Professional as defined in 6 NYCRR Part 375, a Professional Engineer (PE) who is licensed and registered in New York State, or a qualified person who directly reports to a PE who is licensed and registered in New York State.

3.3.2 ISS Monolith and Capillary Break

ISS and installation of a capillary break were completed in the northwest part of the site during RAWP implementation. ISS is the process of mixing contaminated soil with cement (and other additives, as needed) to permanently immobilize the contaminants in a soil-cement monolith. The ISS monolith extends to a maximum of approximately el. -4 across an approximately 6,500-square-foot area. Implementation of the ISS involved the addition of approximately:

- 226 tons of Portland cement,
- 56,790 gallons of water,

- 93 tons of Blastox 215, and
- 46.5 tons of ferrous sulfate.

The primary objective of ISS is to permanently immobilize soil contaminants into a soil-cement matrix. ISS QC samples demonstrated that after 28 days of curing, the treatment area UCS ranged from 79.6 to 496.6 psi, and the weighted-average UCS of the ISS monolith (weighted by cell volume) was 270.1 psi. The treatment area HCs ranged from 7.63×10^{-8} to 6.04×10^{-6} cm/sec, and the weighted-average HC of the ISS monolith (weighted by cell volume) was 1.20×10^{-6} cm/sec. If future development is planned in the ISS area, it should be completed as per Section 3.3.2.1 below.

The capillary break is composed of a demarcation barrier (i.e., Geotex DND Demarcation Fabric [geotextile fabric]) placed on top of the ISS area followed by geotextile fabric, about 3 feet of clean ¾-inch stone (as a capillary break), geotextile fabric, clean backfill, geotextile fabric, a 4-inch-thick RCA subbase to about 4 inches below grade, and an about 4-inch-thick asphalt cap. The capillary break effectively mitigates the potential for upward migration of chromium contamination (if any) in water vapor.

3.3.2.1 Protection of ISS Monolith

Scope

This section describes limitations and restrictions for development activities allowed within the ISS area, and procedures to maintain the integrity of the monolith so that the remedy continues to be effective.

Loading

The ISS monolith was not designed as a load-bearing structure; therefore, no loads may be placed directly onto the mass. Results of QC samples collected during installation yielded a UCS between 79.6 to 496.6 psi after 28 days. Structural foundation slabs and elements shall not be constructed using the ISS monolith as the subgrade. Future potential excavation in the ISS area must maintain a minimum 12 inches of fill (e.g., capillary break) above the ISS to effectively distribute any loads.

Deep Foundation Components

Deep foundation installation should be performed in a manner that complies with the restrictions of this SMP and meets New York City Department of Buildings (NYCDOB) requirements and regulations. Because the ISS mass is a self-supporting structure, large-

diameter penetrations are not expected to collapse. Oversized boreholes may be rotary drilled through the ISS, terminating at the bottom of the ISS, as noted by spoils and drilling resistance. Spoils generated by drilling through the ISS monolith must be handled as regulated solid waste, as the material's mass consists largely of chromium- and nickel-impacted soil. Spoils must be tested by a certified laboratory and disposed of at a facility that can accept the material. Limited stockpiling may be used until laboratory results are received. These stockpiles must remain covered when not in use.

After drilling, the borehole must be tremie-grouted to grade. Shear forces on the ISS are prohibited.

Foundation Components

Foundation components (e.g., grade beams, pile caps) must not rest directly on the ISS monolith. Foundation components under compression may exert a damaging force to the ISS, compromising the impermeability of the monolith. A minimum two-inch-thick compressible material must be installed directly beneath any foundation component located partially or entirely within the ISS area. The compressible material must extend at least six inches beyond the edge of the foundation component; this dimension must be confirmed and documented during construction inspection.

3.4 Criteria for Completion of Remediation/Termination of Remedial Systems

Generally, remedial processes are considered completed when monitoring indicates that the remedy has achieved the RAOs identified by the DD. The framework for determining when remedial processes are complete is provided in Section 6.4 of NYSDEC DER-10. Unless waived by the NYSDEC, confirmation samples of applicable environmental media are required before terminating any remedial actions at the site. Confirmation samples require Category B deliverables and a Data Usability Summary Report (DUSR).

As discussed below, the NYSDEC may approve termination of a groundwater monitoring program. When a remedial party receives this approval, the remedial party will decommission all site-related monitoring, injection and recovery wells as per the NYSDEC Commissioner Policy (CP)-43 policy.

The remedial party will also conduct any needed site restoration activities, such as asphalt patching. In addition, the remedial party will conduct any necessary restoration of vegetation coverage, trees and wetlands, and will comply with NYSDEC and United States Army Corps of Engineers regulations and guidance. Also, the remedial party will ensure that no ongoing erosion is occurring on the site.

3.4.1 Composite Cover System

The composite cover system is a permanent EC, and the quality and integrity of this system will be inspected at defined, regular intervals in accordance with this SMP in perpetuity. In the event the composite cover system is disturbed during future redevelopment, it will be replaced in-kind or per a redevelopment plan submitted to NYSDEC in accordance with this SMP and subject to NYSDEC approval.

3.4.2 ISS Monolith and Capillary Break

The ISS monolith and capillary break are a permanent EC. Based on the current site conditions, the ISS monolith and capillary break are below-grade and not accessible for inspection. The quality and integrity of system components will be inspected if exposed and accessible during or after any future construction activities near the ISS monolith and capillary break. The inspections will be completed at the same frequency as the composite cover system (if accessible) and in accordance with this SMP, in perpetuity.

3.4.3 Monitoring Wells Associated with the Remedy

Groundwater monitoring to assess the performance of the remedy, or natural attenuation following the removal of contaminant sources, will continue, as determined by NYSDOH and NYSDEC, until residual groundwater concentrations are found to be below applicable NYSDEC standards or have become asymptotic over an extended period.

To measure the effectiveness of the remedial excavation of mercury source areas and the ISS remedy, five permanent groundwater monitoring wells were installed in the southwestern part of the site (PMW-02 and PMW-54) and on the Ingraham Street sidewalk (PMW-22, PMW-27, and PMW-30_R). PMW-22, PMW-27 and PMW-30_R will be used to monitor post-remediation dissolved mercury concentrations, and PMW-22, PMW-27, and PMW-30_R will be used to monitor post-remediation dissolved nickel, dissolved hexavalent chromium and dissolved chromium concentrations.

If monitoring data indicates that monitoring may no longer be required, a proposal to discontinue to the remedy will be submitted by the Volunteer. Monitoring and well inspection will continue until permission to discontinue is granted in writing by NYSDEC and NYSDOH. Monitoring activities are outlined in the Monitoring and Sampling Plan of the SMP. It is anticipated that, following remediation, a minimum of eight quarterly monitoring events will be performed.

Well inspections will be performed during each quarterly monitoring event and annually thereafter. The quality and integrity of the monitoring wells will be inspected if accessible during or after any future construction activities.

4.0 MONITORING AND SAMPLING PLAN

4.1 General

This Monitoring and Sampling Plan describes the measures for evaluating the overall performance and effectiveness of the remedy. This Monitoring and Sampling Plan may only be revised with the approval of the NYSDEC project manager. Details regarding the sampling procedures, data quality usability objectives, analytical methods, etc. for all samples collected as part of site management for the site are included in the Quality Assurance Project Plan (QAPP) provided in Appendix G.

The QAPP describes the methods to be used for:

- Sampling and analysis of all appropriate media (e.g., groundwater, indoor air, soil vapor, soils);
- Assessing compliance with applicable NYSDEC standards, criteria and guidance (SCGs), particularly groundwater standards and Part 375 SCOs for soil; and
- Evaluating site information periodically to confirm that the remedy continues to be effective in protecting public health and the environment.

To adequately address these issues, the QAPP provides information on:

- Sampling locations, protocol and frequency;
- Analytical sampling program requirements;
- Inspection and maintenance requirements for monitoring wells;
- Monitoring well decommissioning procedures; and
- Annual inspection and periodic certification.

Reporting requirements are provided in Section 7.0 of this SMP.

4.2 Site-wide Inspection

Site-wide inspections will be performed annually. These periodic inspections must be conducted when the ground surface is visible (i.e. no snow cover). Site-wide inspections will be performed by a Qualified Environmental Professional (QEP) as defined in 6 NYCRR Part 375, a PE who is licensed and registered in New York State, or a qualified person who directly reports to a PE who is licensed and registered in New York State.

Modification to the frequency or duration of the inspections will require approval from the NYSDEC project manager. Site-wide inspections will also be performed after all severe weather conditions that may affect ECs or monitoring devices. During these inspections, an inspection form will be completed as provided in Appendix H. The form will compile sufficient information to assess the following:

- Compliance with all ICs, including site usage;
- An evaluation of the condition and continued effectiveness of ECs;
- General site conditions at the time of the inspection;
- Whether stormwater management systems, such as basins and outfalls, are working as designed;
- The site management activities being conducted being conducted in accordance with the EWP and a health and safety inspection; and
- Confirm that site records are up to date.

All ECs will be inspected and a comprehensive site-wide inspection will be conducted and documented according to the SMP schedule, regardless of the frequency of the Periodic Review Report (PRR). The inspections will determine and document the following:

- Whether ECs continue to perform as designed;
- If these controls continue to be protective of human health and the environment;
- Compliance with requirements of this SMP and the Environmental Easement;
- Achievement of remedial performance criteria; and
- Whether site records are complete and up to date.

Reporting requirements are outlined in Section 7.0 of this plan.

Inspections will also be performed in the event of an emergency. If an emergency, such as a natural disaster, severe weather events or an unforeseen failure of any of the ECs occurs that reduces or has the potential to reduce the effectiveness of ECs in place at the site, verbal notice to the NYSDEC project manager must be given by noon of the following day. In addition, an inspection of the site will be conducted by a QEP as defined in 6 NYCRR Part 375, a PE who is licensed and registered in New York State, or a qualified person who directly reports to a PE who is licensed and registered in New York State within 5 days of the event to verify the effectiveness of the IC/ECs implemented at the

site. Written confirmation must be provided to the NYSDEC project manager within 7 days of the event that includes a summary of actions taken, or to be taken, and the potential impact to the environment and the public.

4.3 Monitoring and Inspections

Table 4.3 – Monitoring/Inspection Schedule

Remedial System Component	Monitoring Parameter	Operating Range	Monitoring Schedule
Composite Cover System	Cover conditions	Visible disturbances, changes, or damage	Annually
ISS Monolith and Capillary Break	ISS monolith and capillary break condition	Visible disturbances, changes, or damage	If exposed and accessible during or after any future construction in the ISS area
Groundwater Well Monitoring and Inspection	Depth to water and cover conditions	Visible disturbance, changes, or damage. Purge and sample groundwater	Quarterly for first two years, and annually thereafter.

4.3.1 Composite Cover System

Monitoring of the composite cover system will be performed on a routine basis, as identified in Table 4.3. The monitoring of remedial systems must be conducted by a QEP as defined in 6 NYCRR Part 375, a PE who is licensed and registered in New York State, or a qualified person who directly reports to a PE who is licensed and registered in New York State. Modification to the frequency or sampling requirements will require approval from the NYSDEC project manager. A visual inspection of the complete system will be conducted during each monitoring event. Unscheduled inspections may take place when a suspected failure of the composite cover system has been reported or an emergency occurs that is deemed likely to affect the operation of the system. Modification to the frequency or sampling requirements will require approval from the NYSDEC project manager. During these inspections, an inspection form, provided in Appendix H, will be completed. The inspection requires sufficient information to certify the condition of all elements of the cover system and should document any site cover disturbances. Any damage to the site cover identified during the inspection will be repaired in kind and in compliance with this SMP.

4.3.2 ISS Monolith and Capillary Break

Inspection of the ISS by a QEP, as defined in 6 NYCRR Part 375, a PE who is licensed and registered in New York State, or a qualified person who directly reports to a QEP or PE who is licensed and registered in New York State is required when accessible, as identified in Table 4.3, and following severe weather events or other conditions that could affect the EC (when exposed and accessible during or after future construction activities in proximity to the ISS area). The inspection requires sufficient information to certify the integrity of the ISS monolith and capillary break. Any damages to those EC components identified during the inspection will be documented.

4.3.3 Groundwater Monitoring, Sampling, and Inspection

Groundwater monitoring and sampling will be performed quarterly for the first two years beginning in 2024, to monitor the effectiveness of the ISS remedy and mercury source removal as described in Section 4.4.1.

Groundwater monitoring well inspections will be performed during each of the quarterly monitoring events, and annually thereafter. If warranted by results, a request to decrease groundwater monitoring and sampling frequency will be submitted to NYSDEC in accordance with Section 3.4.3.

4.3.4 Soil Vapor Intrusion Evaluation

A soil vapor intrusion (SVI) evaluation will be performed if buildings are constructed on the parking lot development. The evaluation will include a provision for implementing actions recommended to address exposures related to soil vapor, as required. Additional details regarding the SVI sampling are provided in Section 4.4.2.

4.4 Post-Remediation Media Monitoring and Sampling

4.4.1 Groundwater Sampling

Five monitoring wells (PMW-02, PMW-22, PMW-27, PMW-30_R, and PMW-54) were installed to monitor post-remediation dissolved mercury, nickel, and chromium concentrations at locations downgradient of the ISS monolith and/or mercury source excavations. The monitoring wells were installed to depths ranging from 22 to 25 feet bsg.

Groundwater monitoring will be performed for at least eight quarterly monitoring events and annually thereafter to assess the performance of the remedy. Modification to the

frequency or sampling requirements will require approval from the NYSDEC and NYSDOH project manager.

One groundwater sample will be collected from each monitoring well during the quarterly and annual sampling events. Prior to sampling, the monitoring wells will be gauged to the nearest 0.01 foot for static water levels and purged. Purging will consist of pumping, at a minimum, the stabilized drawdown volume plus the pump tubing volume and waiting until the physical and chemical parameters (e.g., temperature, dissolved oxygen, oxygen reduction potential, turbidity) stabilize within the ranges specified in the USEPA's Low Stress Purging and Sampling Procedure for the Collection of Groundwater Samples From Monitoring Wells, dated July 30, 1996 and 4th revision September 19, 2017. Performance monitoring wells PMW-02, PMW-22, PMW-27, PMW-30_R and PMW-54 will be analyzed for dissolved mercury, and performance monitoring wells PMW-22, PMW-27, and PMW-30_R will be analyzed for dissolved nickel, dissolved hexavalent chromium and dissolved chromium. Sampling will be conducted using low-flow sampling procedures described in the QAPP included as Appendix G.

Table 4.4.1 summarizes the monitoring well identification numbers, as well as the purpose/location, depths, diameter and screened intervals of the wells. As part of the groundwater monitoring, the monitoring wells are sampled to evaluate the effectiveness of the remedial system. The remedial party will measure depth to the water table for each monitoring well in the network before sampling.

Table 4.4.1 – Monitoring Well Construction Details

Well ID	Well Purpose/ Location	Surveyed Coordinates	Top of Casing (el.)	Well Diameter (inches)	Depth (feet below surface)		
					Top of Seal	Screen Top	Screen Bottom
PMW-02	Parking lot development (on-site)	N 196646.00 E 1002730.92	19.96	2	10	14	24
PMW-22	Downgradient / Ingraham Street sidewalk (off-site)	N 196770.29 E 1002674.77	20.09	2	8	12	22
PMW-27	Downgradient / Ingraham Street sidewalk (off-site)	N 196778.08 E 1002721.90	20.06	2	8	12	22
PMW-30_R	Downgradient / Ingraham Street sidewalk (off-site)	N 196787.46 E 1002772.29	19.79	2	8	12	22
PMW-54	Parking lot development (on-site)	N 196604.28 E 1002706.49	19.96	2	11	15	25

Monitoring well construction logs and soil boring logs are included in Appendix C of this document.

If biofouling or silt accumulation occurs in the monitoring wells, the wells will be physically agitated/surged and redeveloped. Additionally, monitoring wells will be properly decommissioned and replaced if an event renders the wells unusable.

Repairs and/or replacement of wells in the monitoring well network will be performed based on assessments of structural integrity and overall performance.

The NYSDEC project manager will be notified prior to any repair or decommissioning of any monitoring well for the purpose of replacement, and the repair or decommissioning and replacement process will be documented in the subsequent PRR. Well decommissioning without replacement will be done only with the prior approval of the NYSDEC project manager. Well abandonment will be performed in accordance with NYSDEC's guidance entitled "CP-43: Groundwater Monitoring Well Decommissioning Procedures." Monitoring wells that are decommissioned because they have been

rendered unusable will be replaced in kind in the nearest available location, unless otherwise approved by the NYSDEC project manager.

The sampling frequency may only be modified with the approval of the NYSDEC project manager. This SMP will be modified to reflect changes in sampling plans approved by the NYSDEC project manager.

Deliverables for the groundwater monitoring program are specified in Section 7.0 – Reporting Requirements.

4.4.2 Soil Vapor Intrusion Evaluation

Soil vapor intrusion evaluation will be performed, if an occupied building(s) is constructed in the parking lot development, to address potential exposures related to soil vapor. This evaluation may not require any additional sampling if it is determined that based on existing data soil vapor mitigation is required. If additional sampling is determined to be required, the remainder of this section provides guidelines.

Modification to the frequency or sampling requirements will require approval from the NYSDEC project manager.

The network of on-site soil vapor intrusion sample locations will be designed based on the following criteria:

- Proximity to former soil vapor samples collected during the RI with concentrations of VOCs above background levels;
- Location and extents of the proposed occupied building(s); and
- Presence of residual contamination below the remedial excavation depth.

Soil vapor samples will be collected in accordance with the Final Guidance for Evaluating Soil Vapor Intrusion in the State of New York (NYSDOH October 2006 and any subsequent updates). Sample points will be installed using a Geoprobe direct-push drill rig to a depth comparable to the depth of foundation footings or at least two feet above the groundwater table, whichever is shallower. Sample collection points will consist of a stainless-steel-screened probe and inert sampling tubing (i.e., polyethylene or Teflon). The annulus around the probe will be backfilled with coarse sand to approximately six inches above the top of the probe. A 3-foot hydrated bentonite seal will be installed above the sampling zone if possible, based on the depth to groundwater. The annulus around

the inert sampling tube will be filled with sand or hydrated bentonite up to a cement-bentonite surface seal. Soil vapor samples will be analyzed for EPA Method TO-15 VOCs.

The sampling frequency may only be modified with the approval of the NYSDEC project manager. This SMP will be modified to reflect changes in sampling plans approved by the NYSDEC project manager.

Deliverables for the soil vapor intrusion sampling program are specified in Section 7.0 – Reporting Requirements.

4.5 Monitoring and Sampling Protocol

All sampling activities will be recorded in a field book and associated sampling log as provided in Appendix H. Other observations (e.g., groundwater monitoring well integrity) will be noted on the sampling log. The sampling log will serve as the inspection form for the monitoring network.

5.0 OPERATION AND MAINTENANCE PLAN

The site remedy does not rely on any mechanical systems, such as groundwater treatment systems, sub-slab depressurization systems, or air sparge/soil vapor extraction systems, to protect public health and the environment. Therefore, the operation and maintenance of such components is not included in this SMP. The EWP provided in Appendix D outlines the procedure for handling, transport and disposal of soil excavated below the existing site cover system, which is to be implemented during any future redevelopment of the site.

6.0 PERIODIC ASSESSMENT/EVALUATIONS

6.1 Climate Change Vulnerability Assessment

Increases in both the severity and frequency of storms/weather events, an increase in sea level elevations along with accompanying flooding impacts, shifting precipitation patterns and wide temperature fluctuation, resulting from global climatic change and instability, have the potential to significantly impact the performance, effectiveness and protectiveness of a given site and associated remedial systems. Vulnerability assessments provide information so that the site and associated remedial systems are prepared for the impacts of the increasing frequency and intensity of severe storms/weather events and associated flooding.

This section provides a summary of vulnerability assessments that will be conducted for the site during periodic assessments, and briefly summarizes the vulnerability of the site and/or engineering controls to severe storms/weather events and associated flooding.

According to the Federal Emergency Management Agency (FEMA) Effective Flood Insurance Rate Map (FIRM) dated September 5, 2007 (Map Number 3604970208F), the site is located in Zone X. Zone X is a minimal flood hazard area. The site remedy does not rely on mechanical systems. In the event of a power loss, the effectiveness of the engineering controls will not be disrupted.

Significant site erosion is not expected during severe weather or precipitation events, because no soil is exposed and the site is improved with impervious surfaces up to its physical boundaries. No chemical or petroleum bulk storage are anticipated; therefore, chemical and petroleum spills are not anticipated. ECs including the composite cover system will be inspected after severe weather or other emergency conditions (natural disasters or fires) and repaired, as necessary.

Overall, the site ECs are expected to be vulnerable to the effects of global climate change, including severe weather and flooding events.

6.2 Green Remediation Evaluation

NYSDEC's DER-31 Green Remediation requires that green remediation concepts and techniques be considered during all stages of the remedial program including site management, with the goal of improving the sustainability of the cleanup and summarizing the net environmental benefit of any implemented green technology. This

section of the SMP provides a summary of any green remediation evaluations to be completed for the site during site management, and as reported in the PRR.

Waste generated during performance monitoring sampling events will include purged groundwater, which will be containerized in 55-gallon United Nations/Department of Transportation (UN/DOT)-approved drums. To minimize the number of drums for disposal and the frequency of drum pickups, drums will be used to containerize purged groundwater over several sampling events and will be transported off-site for disposal after they are approximately 75% full.

6.2.1 Timing of Green Remediation Evaluations

For major remedial system components, green remediation evaluations and corresponding modifications will be undertaken as part of a formal Remedial System Optimization (RSO), or at any time that the NYSDEC project manager feels appropriate, e.g., during significant maintenance events or in conjunction with storm recovery activities.

Modifications resulting from green remediation evaluations will be routinely implemented and scheduled to occur during planned/routine operation and maintenance activities. Reporting of these modifications will be presented in the PRR.

6.2.2 Inspections, Sampling, Maintenance and Other Periodic Activities

Transportation to and from the site and use of consumables during site cover inspections and performance monitoring events have direct and/or inherent energy costs. The schedule for the site cover inspections and performance monitoring events was devised so as to not negatively impact the protectiveness of remedial systems and/or ECs but reduce expenditure of energy and/or non-renewable resources. When possible, site cover inspections and performance monitoring events will be performed simultaneously.

6.3 Remedial System Optimization

A Remedial System Optimization (RSO) study will be conducted any time that the NYSDEC project manager or the remedial party requests in writing that an in-depth evaluation of the remedy is needed. An RSO may be appropriate if any of the following occur:

- The remedial actions have not met or are not expected to meet RAOs in the time frame estimated in the DD;

- The management and operation of the remedial system is exceeding the estimated costs;
- The remedial system is not performing as expected or as designed;
- Previously unidentified source material may be suspected;
- Plume shift has potentially occurred;
- Site conditions change due to development, change of use, change in groundwater use, etc.;
- There is an anticipated transfer of the site management to another remedial party or agency; and
- A new and applicable remedial technology becomes available.

An RSO will evaluate the site conceptual model, summarize past remedial actions, document current site conditions, evaluate additional performance or media-specific data and information, and provide recommendations and justifications for improving the ECs or changing the approved remedy.

7.0 REPORTING REQUIREMENTS

7.1 Site Management Reports

Site management inspection, maintenance and monitoring events will be recorded on the appropriate site management form provided in Appendix H. These forms are subject to NYSDEC revision. All site management inspection, maintenance, and monitoring events will be conducted by a QEP as defined in 6 NYCRR Part 375, a PE who is licensed and registered in New York State, or a qualified person who directly reports to a PE who is licensed and registered in New York State.

All applicable inspection forms and other records, including media sampling data and system maintenance reports, generated for the site during the reporting period will be provided in electronic format to the NYSDEC in accordance with the requirements of Table 7.1 and summarized in the PRR.

Table 7.1: Schedule of Monitoring/Inspection Reporting

Task/Report	Reporting Frequency*
Composite Cover System, and ISS Monolith and Capillary Break Inspections	Annually. Reports will be issued the following year.
Groundwater Monitoring, Sampling and Inspection	Quarterly for the first year, and annually thereafter. Results will be included in the following PRR.
PRR	Annually. Reports will be issued the following year.

* The frequency of events will be conducted as specified until otherwise approved by the NYSDEC project manager.

Monitoring/inspection reports will include, at a minimum:

- Date of event or reporting period;
- Name, company, and position of person(s) conducting monitoring/inspection activities;
- Description of the activities performed;
- Where appropriate, color photographs or sketches showing the approximate location of any problems or incidents noted (included either on the checklist/form or on an attached sheet);
- Type of samples collected (e.g., sub-slab vapor, indoor air, outdoor air);

- Copies of all field forms completed (e.g., well sampling logs, chain-of-custody documentation);
- Sampling results in comparison to appropriate standards/criteria;
- A figure illustrating sample type and sampling locations;
- Copies of all laboratory data sheets and the required laboratory data deliverables required for all points sampled (to be submitted electronically in the NYSDEC-identified format);
- Any observations, conclusions, or recommendations; and
- A determination as to whether contaminant conditions have changed since the last reporting event.

Routine maintenance event reporting forms will include, at a minimum:

- Date of event;
- Name, company, and position of person(s) conducting maintenance activities;
- Description of maintenance activities performed;
- Any modifications to the system;
- Where appropriate, color photographs or sketches showing the approximate location of any problems or incidents noted (included either on the checklist/form or on an attached sheet); and
- Other documentation such as copies of invoices for maintenance work, receipts for replacement equipment, etc. (attached to the checklist/form).

Non-routine maintenance event reporting forms will include, at a minimum:

- Date of event;
- Name, company, and position of person(s) conducting non-routine maintenance/repair activities;
- Description of non-routine activities performed;
- Where appropriate, color photographs or sketches showing the approximate location of any problems or incidents (included either on the form or on an attached sheet); and
- Other documentation such as copies of invoices for repair work, receipts for replacement equipment, etc. (attached to the checklist/form).

Data will be reported in digital format as determined by the NYSDEC. Currently, data is to be supplied electronically and submitted to the NYSDEC EQuIS™ database in accordance with the requirements found at this link http://www.dec.ny.gov/chemical/62440.html.

7.2 Periodic Review Report

A PRR will be submitted to the NYSDEC project manager beginning sixteen months after the Certificate of Completion is issued. After submittal of the initial PRR, the next PRR shall be submitted annually to the NYSDEC project manager or at another frequency as may be required by the NYSDEC project manager. In the event that the site is subdivided into separate parcels with different ownership, a single PRR will be prepared that addresses the site described in Appendix A. The report will be prepared in accordance with NYSDEC's DER-10 and submitted within 30 days of the end of each certification period. Media sampling results will also be incorporated into the PRR. The report will include:

- Date of event or reporting period;
- Name, company, and position of person(s) conducting monitoring/inspection activities;
- Description of the activities performed;
- Where appropriate, color photographs or sketches showing the approximate location of any problems or incidents noted (included either on the checklist/form or on an attached sheet);
- Type of samples collected (e.g., groundwater, sub-slab vapor, indoor air, outdoor air);
- Copies of annual site inspection forms, groundwater monitoring forms, non-routine maintenance reports, and other pertinent records generated from the site during the reporting period;
- Scaled drawings and figures;
- As required, tabulated analytical data, reparation of DUSRs, submission of electronic data deliverables (EDD) using the NYSDEC EQuIS database, and laboratory data packages;
- Observations, conclusions, or recommendations;

- A determination as to whether contaminant conditions have changed since the last reporting event;
- Identification, assessment and certification of all ECs/ICs required by the remedy for the site;
- Results of the required annual site inspections, fire inspections and severe condition inspections, if applicable;
- All applicable site management forms and other records generated for the site during the reporting period in the NYSDEC-approved electronic format, if not previously submitted;
- Identification of any wastes generated during the reporting period, along with waste characterization data, manifests, and disposal documentation;
- A summary of any discharge monitoring data and/or information generated during the reporting period, with comments and conclusions;
- Data summary tables and graphical representations of contaminants of concern by media (groundwater, soil vapor, etc.), which include a listing of all compounds analyzed, along with the applicable standards, with all exceedances highlighted. These tables and figures will include a presentation of past data as part of an evaluation of contaminant concentration trends, including but not limited to:
    - Trend monitoring graphs that present groundwater contamination levels from before the start of the remedy implementation to the most current sampling data;
    - A current plume map for the sites with remaining groundwater contamination; and
    - A groundwater elevation contour map for each gauging event.
- Results of all analyses, copies of all laboratory data sheets, and the required laboratory data deliverables for all samples collected during the reporting period, submitted in digital format as determined by the NYSDEC. Currently, data is supplied electronically and submitted to the NYSDEC EQuIS™ database in accordance with the requirements found at this link: http://www.dec.ny.gov/chemical/62440.html; and
- A site evaluation, which includes the following:
    - The compliance of the remedy with the requirements of the site-specific RAWP or DD;

- The operation and the effectiveness of all treatment units, etc., including identification of any needed repairs or modifications;
- Any new conclusions or observations regarding site contamination based on inspections or data generated by the Monitoring and Sampling Plan for the media being monitored;
- Recommendations regarding any necessary changes to the remedy and/or Monitoring and Sampling Plan;
- An evaluation of trends in contaminant levels in the affected media to determine if the remedy continues to be effective in achieving remedial goals as specified by the RAWP or DD; and
- The overall performance and effectiveness of the remedy.

7.2.1 Certification of Institutional and Engineering Controls

Following the last inspection of the reporting period, a New York State-licensed PE licensed to practice and registered in New York State will prepare, and include in the PRR, the following certification as per the requirements of NYSDEC DER-10:

"*For each Institutional Control or Engineering Control identified for the site, I certify that all of the following statements are true:*

- *The inspection of the site to confirm the effectiveness of the institutional and engineering controls required by the remedial program was performed under my direction;*
- *The institutional control and/or engineering control employed at this site is unchanged from the date the control was put in place, or last approved by the Department;*
- *Nothing has occurred that would impair the ability of the control to protect the public health and environment;*
- *Nothing has occurred that would constitute a violation or failure to comply with any site management plan for this control;*
- *Access to the site will continue to be provided to the Department to evaluate the remedy, including access to evaluate the continued maintenance of this control;*

- *If a financial assurance mechanism is required under the oversight document for the site, the mechanism remains valid and sufficient for the intended purpose under the document;*
- *Use of the site is compliant with the environmental easement;*
- *The engineering control systems are performing as designed and are effective;*
- *To the best of my knowledge and belief, the work and conclusions described in this certification are in accordance with the requirements of the site remedial program [and generally accepted engineering practices]; and*
- *The information presented in this report is accurate and complete.*

"I certify that all information and statements in this certification form are true. I understand that a false statement made herein is punishable as a Class "A" misdemeanor, pursuant to Section 210.45 of the Penal Law. I, Gerald Nicholls, P.E., of Langan, have been authorized and designated by the site owner to sign this certification for the site."

"I certify that the New York State Education Department has granted a Certificate of Authorization to provide Professional Engineering services to the firm that prepared this Periodic Review Report."

Every five years, the following certification will also be added:

- *"The assumptions made in the qualitative exposure assessment remain valid."*

The signed certification will be included in the PRR. The PRR will be submitted, in electronic format, to the NYSDEC project manager and the NYSDOH project manager. The PRR may also need to be submitted in hard-copy format if requested by the NYSDEC project manager.

7.3 Corrective Measures Work Plan

If any component of the remedy is found to have failed, or if the periodic certification cannot be provided due to the failure of an institutional or engineering control or failure to conduct site management activities, a Corrective Measures Work Plan (CMWP) will be submitted to the NYSDEC for approval. This plan will explain the failure and provide the details and schedule for performing work necessary to correct the failure. Unless an emergency condition exists, no work will be performed pursuant to the CMWP until it has been approved by the NYSDEC.

7.4 Remedial Site Optimization Report

If an RSO is to be performed consistent with Section 6.3, upon completion of an RSO, an RSO report must be submitted to the NYSDEC project manager for review and approval. The RSO report will document the research/investigation and data collection efforts, evaluate the results and facts obtained, present a revised conceptual site model and present recommendations for further action. RSO recommendations are to be implemented upon approval from the NYSDEC. Additional work plans, design documents, HASPs etc., may still be required to implement the recommendations, based upon the actions that need to be taken. An FER and update to the SMP may also be required.

The RSO report will be submitted, in electronic format, to the NYSDEC and NYSDOH project managers.

8.0 REFERENCES

6 NYCRR Part 375, Environmental Remediation Programs. December 14, 2006.

NYSDEC DER-10 – Technical Guidance for Site Investigation and Remediation. May 3, 2010 (Amended April 9, 2019).

NYSDEC DER – Draft Brownfield Cleanup Program Guide. May 2004.

NYSDEC DER-31 – Green Remediation. August 2010.

NYSDEC. Ambient Water Quality Standards and Guidance Values and Groundwater Effluent Limitations Division of Water Technical and Operational Guidance Series (TOGS) 1.1.1. June 1998 (April 2000 addendum).

NYSDOH – Guidance for Evaluating Soil Vapor Intrusion in the State of New York (October 2006).

ERD Environmental, Inc., Phase I Environmental Site Assessment, November 1996.

Excel Environmental Resources, Inc., Focused Phase II Soil Investigation Report, May 22, 1997.

AKRF, Inc., Site Investigation Report, December 1, 1997

MC Environmental, Remedial Investigation Work Plan, November 2011.

ESPL Engineering, Draft Remedial Investigation Report, February 2014.

ESPL Engineering, Supplemental Remedial Investigation Work Plan, October 2014.

ESPL Engineering, Final Interim Remedial Measures Work Plan, November 2016.

Langan, Supplemental Remedial Investigation Work Plan, November 29, 2018.

Langan, Phase I Environmental Site Assessment, April 17, 2019.

Langan, Remedial Investigation Report, August 8, 2019.

Langan, Off-Site Investigation Work Plan, November 11, 2019.

Impact Environmental, Waste Characterization Sampling Report, January 24, 2020.

Langan, Treatability Study and Hazardous Lead Delineation Work Plan, September 10, 2020.

Langan, Rationale to Stabilize and Cap Mercury-Impacted Soil in Place, December 2, 2020.

Langan, Interim Remedial Measures Work Plan, September 10, 2019 (Amended March 1, 2021).

Langan, Remedial Action Work Plan, June 2022.

NYSDEC, Decision Document, June 29, 2022.

Langan, Final Engineering Report, January 2023.

NEW YORK STATE | Department of Environmental Conservation

FACT SHEET

Brownfield Cleanup Program

2 Ingraham Street
2 Ingraham Street
East Williamsburg, NY 11206

SITE No. C224036
NYSDEC REGION 2

January 2023

Cleanup Action Completed at Brownfield Site

Action has been completed to address the contamination related to the 2 Ingraham Street site ("site") located at 2 Ingraham Street, East Williamsburg, NY under New York State's Brownfield Cleanup Program (BCP). Please see the map for the site location.

Cleanup activities were performed by 74 Bogart LLC and Bogart Holdings LLC ("applicants") with oversight provided by the New York State Department of Environmental Conservation (NYSDEC). The applicants have submitted a draft Final Engineering Report (FER) for NYSDEC review which states that cleanup requirements have been achieved to fully protect public health and the environment for the proposed site use.

- Access project documents online through the DECinfo Locator: https://www.dec.ny.gov/data/DecDocs/C224036/.
- The documents also are available at the locations identified at left under "Where to Find Information."

Highlights of the Site Cleanup: The following activities have been or will shortly be completed to achieve the remedial action objectives:

- Demolition and off-site disposal of the former building, including impacted building materials.
- Excavation - Excavation and off-site disposal of 2,789 tons of concrete, 519 tons of hazardous soils, and 32,768 tons of contaminated soil exceeding the Restricted Residential Use soil cleanup objectives (RRUSCOs), the site-specific cleanup criteria. Clean fill was brought in to replace the excavated soil and to establish the design grades at the site.
- In-situ Solidification (ISS) - Solidification of metal-impacted soils to depths of up to twenty-five (25) feet below ground surface in the former metal plating drain area. The contaminated soil was mixed in-place together with a solidifying agent (Portland cement) and other binding agents using an excavator. This mixture of soil, cement, and binding agents will slow groundwater flow and inhibit the movement of contaminants.
- Site Cover System - Placement of a cover system, including a demarcation layer over areas without hardscape (buildings, asphalt, or concrete) to address contamination remaining above RRUSCOs.

Where to Find Information:

Access project documents through the DECinfo Locator https://www.dec.ny.gov/data/DecDocs/C224036/ and at these location(s):

Brooklyn Public Library
Central Branch
10 Grand Army Plaza
Brooklyn, NY 11238
(718) 230-2100

Brooklyn Community Board 1
435 Graham Avenue
Brooklyn, NY 11211
(718) 389-0009
bk01@cb.nyc.gov

Who to Contact:

Comments and questions are welcome and should be directed as follows:

Project-Related Questions
Javier Perez-Maldonado, Project Manager
NYSDEC
625 Broadway
Albany, NY 12233-7016
(518) 402-9768
javier.perez-maldonado@dec.ny.gov

Project-Related Health Questions
Stephen Lawrence
NYSDOH
Bureau of Environmental Exposure Investigation
Corning Tower, Rm 1787
Albany, NY 12237
(518) 402-0450
beei@health.ny.gov

For more information about New York's Brownfield Cleanup Program, visit:
www.dec.ny.gov/chemical/8450.html

BROWNFIELD CLEANUP PROGRAM

- Development of a Site Management Plan (SMP) for long-term management of residual contamination as required by the Environmental Easement, including plans for: (1) Institutional and Engineering Controls (IC/ECs); (2) monitoring; (3) operation and maintenance; and (4) reporting.
- An Environmental Easement was recorded to prevent future exposure to any contamination remaining at the site and to ensure implementation of the SMP.

Next Steps: When NYSDEC approves the FER, it will be made available to the public (see "Where to Find Information"). NYSDEC then will issue a Certificate of Completion (COC) that will be announced in a fact sheet. The applicants would be able to redevelop the site after receiving a COC. In addition, the applicants will be eligible for tax credits to offset a portion of the costs of performing cleanup activities and for redevelopment of the site.

Site Description: The site is located at 2 Ingraham Street in the East Williamsburg Area of Brooklyn, NY, and is identified as Block 3084, Lot 1 on the New York City Tax Map. The site is a rectangular parcel about 1.8 acres in size and is located on the city block bordered by Ingraham Street to the north, Morgan Avenue to the east, Harrison Place to the south, and Bogart Street to the west. Historic uses included an orphanage, an umbrella manufacturing plant, and a metal plating operation. The site is being redeveloped into a seven-story storage building and a parking lot.

Additional site details, including environmental and health assessment summaries, are available on NYSDEC's Environmental Site Remediation Database (by entering the site ID, C224036) at:
https://www.dec.ny.gov/cfmx/extapps/derexternal/index.cfm?pageid=3

Brownfield Cleanup Program: New York's Brownfield Cleanup Program (BCP) encourages the voluntary cleanup of contaminated properties known as "brownfields" so that they can be reused and redeveloped. These uses may include recreation, housing, business, or other uses. A brownfield site is any real property where a contaminant is present at levels exceeding the SCOs or other health-based or environmental standards, criteria or guidance adopted by NYSDEC that are applicable based on the reasonably anticipated use of the property, in accordance with applicable regulations.

For more information about the BCP, visit:
https://www.dec.ny.gov/chemical/8450.html

We encourage you to share this fact sheet with neighbors and tenants, and/or post this fact sheet in a prominent area of your building for others to see.

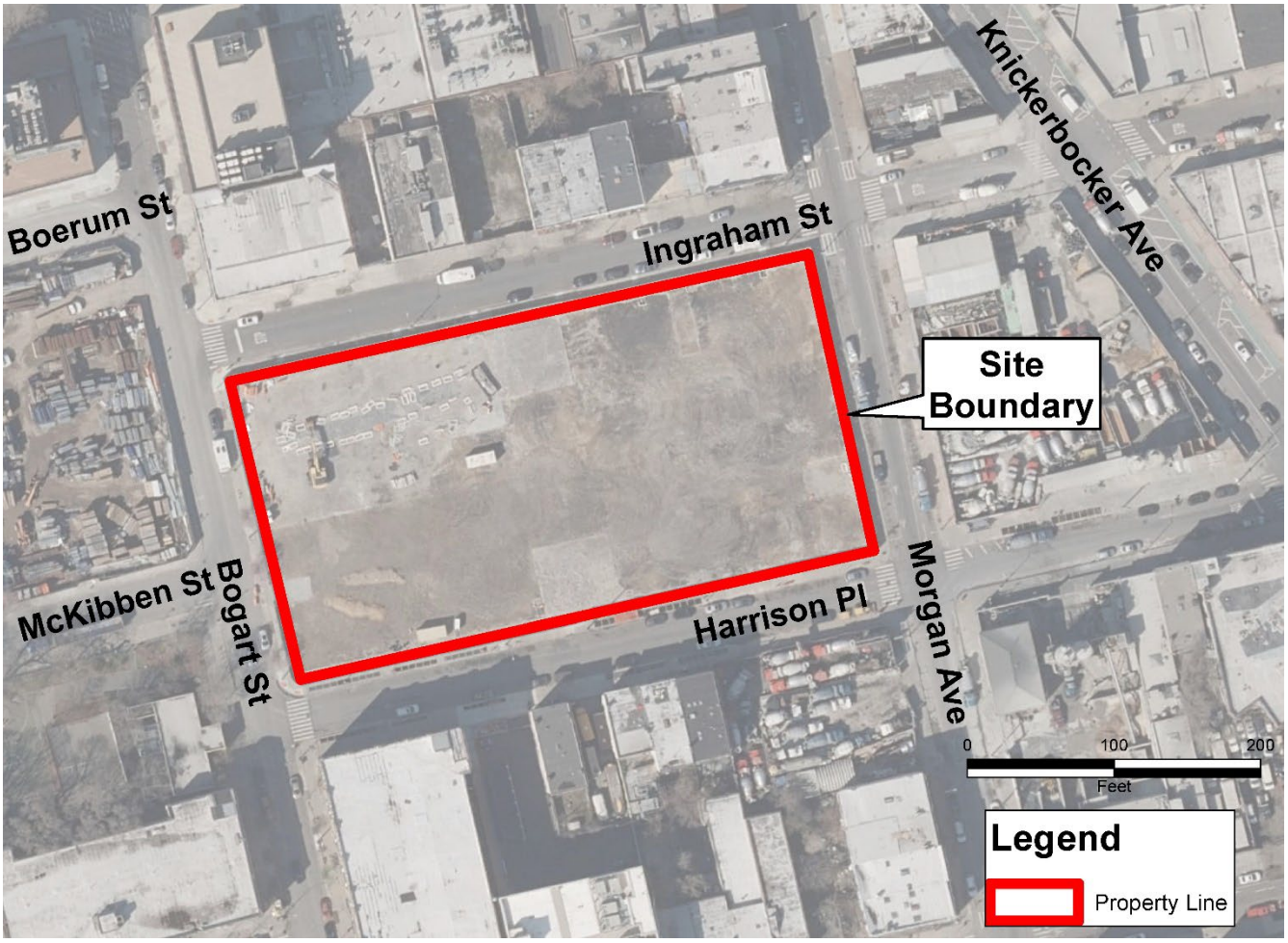
Stay Informed With DEC Delivers
Sign up to receive site updates by email:
www.dec.ny.gov/chemical/61092.html

Note: Please disregard if you already have signed up and received this fact sheet electronically.

DECinfo Locator
Interactive map to access DEC documents and public data about the environmental quality of specific sites:
https://www.dec.ny.gov/pubs/109457.html

BROWNFIELD CLEANUP PROGRAM

Site Location



Appendix IV:

Travel Demand Factors Memorandum

Philip Habib & Associates
Engineers and Planners • 432 Park Avenue South • New York, NY 10016 • 212 929 5656 • 212 929 5605 (fax)

TECHNICAL MEMORANDUM

TO: **NYCDCP**

FROM: **Philip Habib & Associates**

DATE: **June 27, 2024**

PROJECT: **74 Bogart Street Rezoning EAS (PHA No. 2405)**

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

This memorandum summarizes the transportation planning factors to be used for the analysis of traffic, parking, transit, and pedestrian conditions for the *74 Bogart Street Rezoning EAS*. Estimates of the peak travel demand for the Proposed Actions' Reasonable Worst Case Development Scenario (RWCDS) are provided, along with a discussion of trip assignment methodologies and study area definitions.

THE PROPOSED ACTIONS

The Applicant, 74 Bogart LLC, is seeking a zoning map amendment to rezone 74 Bogart Street (Block 3084, Lot 1; the "Project Site") in Brooklyn Community District 1 (refer to **Figure 1**) from a M1-2 district to a M1-4A district (the "Proposed Action"). The zoning map amendment would facilitate the development of an approximately 247,000-gross-square-foot (gsf) building to be used for warehouse and storage space for art (the "Proposed Development"). The Proposed Action would allow for an increase of permitted floor area on the Project Site by approximately 240,000 zoning square feet (zsf) to allow for the development of the proposed facility.

DEVELOPMENT SCENARIOS

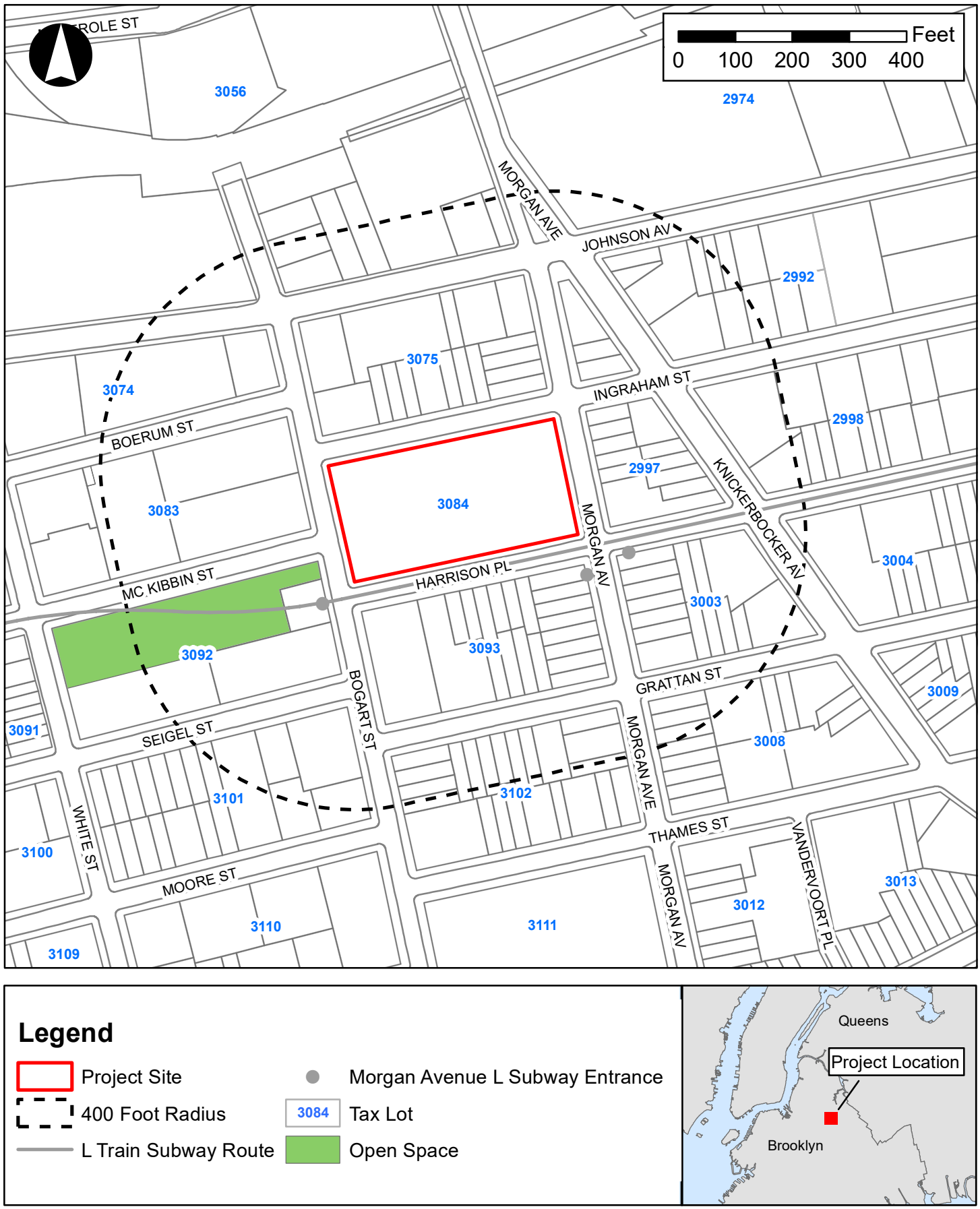
In order to assess the potential effects of the Proposed Actions, a RWCDS for both "future without the proposed actions" (No-Action) and "future with the proposed actions" (With-Action) conditions are analyzed for an analysis year of 2027. I'll continue reviewing from here

Future without the Proposed Actions (No-Action Condition)

In the future without the Proposed Actions, the Project Area's existing M1-2 zoning district would remain. Under the No-Action condition the 247,0000-gsf building would not be developed. The site would stay as current with the eastern portion of the Project Site occupying approximately 193,785-gsf commercial building, with approximately 177,000 gsf of existing self-storage space and 16,000 gsf of empty space on the ground floor. The Applicant plans to rent the 16,000 gsf of unused ground floor space within the facility to a tenant for local retail space. The remainder of the site will be used for vehicle storage lot.

Figure 1

Project Location



Future with the Proposed Actions (With-Action Condition)

In the With-Action Scenario, 74 Bogart Street would be rezoned from M1-2 to M1-4A. The allowable commercial and manufacturing FAR for commercial and manufacturing uses would increase from 2.0 to 5.0 and for community facility uses from 4.8 to 6.5. The Applicant would develop an approximately 247,000-gsf building as-of-right to be used as a warehouse and storage for art on the western portion of the Project Site, replacing the current parking lot. The existing self-storage facility on the eastern portion of the Project Site would continue to operate with or without the adoption of the Proposed Action.

RWCDS Increment

As presented in **Table 1**, compared to the No-Action condition, the With-Action condition for the Proposed Actions' RWCDS would result in the positive incremental development of approximately 247,000-gsf of warehouse space (for art warehousing and storage) as well as a negative incremental development of approximately 40,000-gsf of outdoor vehicle storage space. However, for conservative analysis and travel demand forecasting purposes, no credit will be taken for the existing outdoor vehicle storage space on the Project Site that would remain under the No-Action scenario.

Table 1: 2027 RWCDS Comparison of No-Action and With-Action Development Scenarios

Use (gsf)	No-Action	With-Action	Increment
Self-Storage	177,785	177,785	+0
Retail	16,000	16,000	+0
Outdoor Vehicle Storage[1]	40,000	0	-40,000
Art Storage	0	247,000	+247,000

Notes:

[1] For conservative analysis and travel demand forecasting purposes, no credit will be taken for the existing outdoor vehicle storage space to remain under No-Action

TRANSPORTATION PLANNING FACTORS

The transportation planning factors used to forecast the travel demand that would be generated by the No-Action and With-Action land uses on Project Site are summarized in **Table 2** and discussed below.

The trip generation rates, temporal distributions, modal splits, vehicle occupancies, and truck trip factors for each projected land use were primarily based on data provided by DOT, factors developed for recent environmental reviews in the area, and American Association of State Highway Transportation Officials (AASHTO) Census Transportation Planning Products (CTPP) reverse journey-to-work data in the area.

Warehouse

The trip generation rates, temporal distributions, modal splits and directional in/out splits used to forecast warehouse travel demand were based on data provided by DOT. The auto vehicle occupancy was based on 2012-2016 AASHTO CTPP reverse journey-to-work data for Kings County census tracts 453 and 485. The taxi vehicle occupancy was based on data cited in the 2021 *Gowanus Neighborhood Rezoning and Related Actions FEIS*. The truck trip generation, temporal distribution, and directional distribution were based on data provided by DOT.

TABLE 2: Transportation Planning Factors

Land Use:	**Warehouse**	
Trip Generation:	(1)	
Weekday	2.36	
Saturday	0.2	
	per 1,000 sf	
Temporal Distribution:	(1)	
AM	10.0%	
MD	9.0%	
PM	11.0%	
Saturday	33.0%	
Modal Splits:	(1)	
	All Periods	
Auto	34.2%	
Taxi	0.5%	
Subway/Railroad	24.1%	
Bus	7.3%	
Walk/Other	33.9%	
	100.0%	
In/Out Splits:	(1)	
	In	Out
AM	77%	23%
MD	53%	47%
PM	27%	73%
Saturday	64%	36%
Vehicle Occupancy:	(2,3)	
	All Periods	
Auto	1.2	
Taxi	1.3	
School Bus		
Truck Trip Generation:	(1)	
Weekday	0.91	
Saturday	0.08	
	per 1,000 sf	
Truck Temporal Distribution:	(1)	
AM	9.9%	
MD	8.0%	
PM	7.0%	
Saturday	28.0%	
Truck Directional Distribution:	In	Out
All Periods/ AM	67.0%	33.0%
MD	57.0%	43.0%
PM	60.0%	40.0%
SAT	42.0%	58.0%

Notes:

(1) Based on data provided by DOT

(2) Based on AASHTO CTTP reverse journey to work 5-Year (2012-2016) data for Kings County Census Tract 453 and 485.

(3) Gowanus Neighborhood Rezoning and Related Actions FEIS, 2021.

TRIP GENERATION

The net incremental change in person and vehicle trips expected to result from the Proposed Actions by the 2027 analysis year was derived based on the net change in land uses shown in **Table 1** and the transportation planning factors shown in **Table 2**. **Table 3** shows an estimate of the net incremental change in peak hour person trips and vehicle trips, (versus the No-Action condition) that would occur in 2027 with implementation of the Proposed Actions. As shown in **Table 3**, under the RWCDS, the Proposed Actions would generate a net increase of approximately 58 person trips in the weekday AM peak hour, 52 in the weekday midday peak hour, 64 in the weekday PM peak hour, and 16 in the Saturday peak hour.

Peak hour vehicle trips (including auto, truck, and taxi trips balanced to reflect that some taxis arrive or depart empty) would increase by a net total of approximately 39, 33, 33, and 10 (in and out combined) in the weekday AM, midday, and PM, and Saturday peak hours, respectively.

Peak hour subway trips would increase by a net total of approximately 14, 13, 15, and three during the weekday AM, midday, and PM, and Saturday peak hours, respectively. Peak hour bus trips would increase by a net total of approximately four trips in the weekday AM, midday, and PM peak hours and a net increase of one trip in the Saturday peak hour.

There would be no net change in the peak hour bike trips. Trips made entirely on foot (walk-only trips) or by other non-motorized modes would increase by 20, 18, 23, and 6 trips during the weekday AM, midday, and PM, and Saturday peak hours, respectively. As such, total pedestrian trips (including walk-only trips, pedestrians walking to/from subway stations and bus stops, and those travelling on bikes) would increase by a net total of approximately 38, 35, 42, and 10 trips during these periods.

LEVEL 1 SCREENING ASSESSMENT

The 2021 *CEQR Technical Manual* describes a two-level screening procedure for the preparation of a "preliminary analysis" to determine if quantified operational analyses of transportation conditions are warranted. As discussed in the following sections, the preliminary analysis begins with a trip generation (Level 1) analysis to estimate the numbers of person and vehicle trips attributable to the proposed action. According to the 2021 *CEQR Technical Manual*, if a proposed action is expected to result in fewer than 50 vehicle or ferry trips in each peak hour, and fewer than 200 peak hour transit or pedestrian trips, further quantified analyses are not warranted. When these thresholds are exceeded, detailed trip assignments (a Level 2 screening assessment) are to be performed to estimate the incremental trips that could occur at specific transportation elements and to identify potential locations for further analysis. If the trip assignments show that the proposed action would generate 50 or more peak hour vehicle trips at an intersection, 200 or more peak hour subway trips at a station, 50 or more peak hour bus trips in one direction along a bus route, 25 or more peak hour trips by Citywide Ferry Service ("CWFS") in a single direction on a single route, 50 or more at a ferry landing, or 200 or more peak hour pedestrian trips traversing a sidewalk, corner area or crosswalk, then further quantified operational analyses may be warranted to assess the potential for significant adverse impacts on traffic, transit, ferry, pedestrians, vehicular and pedestrian safety, and parking.

TABLE 3: RWCDS Travel Demand Forecast

Land Use:	Warehouse			
Size/Units:	247,000 gsf			
Peak Hour Trips:			Total Trips	
AM	58		58	
MD	52		52	
PM	64		64	
Saturday	16		16	
Person Trips:				
AM	In	Out	In	Out
Auto	15	5	15	5
Taxi	0	0	0	0
Subway	11	3	11	3
Bus	3	1	3	1
Bicycle	0	0	0	0
Walk/Other	15	5	15	5
Total	44	14	44	14
MD	In	Out	In	Out
Auto	9	8	9	8
Taxi	0	0	0	0
Subway/Railroad	7	6	7	6
Bus	2	2	2	2
Bicycle	0	0	0	0
Walk/Other	10	8	10	8
Total	28	24	28	24
PM	In	Out	In	Out
Auto	6	16	6	16
Taxi	0	0	0	0
Subway	4	11	4	11
Bus	1	3	1	3
Bicycle	0	0	0	0
Walk/Other	6	17	6	17
Total	17	47	17	47
Saturday	In	Out	In	Out
Auto	4	2	4	2
Taxi	0	0	0	0
Subway/Railroad	2	1	2	1
Bus	1	0	1	0
Bicycle	0	0	0	0
Walk/Other	4	2	4	2
Total	11	5	11	5
Vehicle Trips :				
AM	In	Out	In	Out
Auto	13	4	13	4
Taxi	0	0	0	0
Taxi (Balanced)	0	0	0	0
School Bus	0	0	0	0
Truck	15	7	15	7
Total	28	11	28	11
MD	In	Out	In	Out
Auto	8	7	8	7
Taxi	0	0	0	0
Taxi (Balanced)	0	0	0	0
School Bus	0	0	0	0
Truck	10	8	10	8
Total	18	15	18	15
PM	In	Out	In	Out
Auto	5	13	5	13
Taxi	0	0	0	0
Taxi (Balanced)	0	0	0	0
School Bus	0	0	0	0
Truck	9	6	9	6
Total	14	19	14	19
Saturday	In	Out	In	Out
Auto	3	2	3	2
Taxi	0	0	0	0
Taxi (Balanced)	0	0	0	0
School Bus	0	0	0	0
Truck	2	3	2	3
Total	5	5	5	5

Traffic

Based on 2021 *CEQR Technical Manual* guidance, a quantified traffic analysis is typically required if the proposed action would result in 50 or more vehicle trip ends in a peak hour at one or more intersections. As shown in **Table 3**, under the Proposed Actions there would be a net increase of 39, 33, 33, and 10 vehicle trips in the weekday AM, midday, and PM peak hours, and Saturday peak hours, respectively. As the numbers of trips would not exceed the 50-trip threshold in any of the analysis periods, a Level 2 screening assessment is not warranted. Therefore, significant adverse impacts for vehicles are not expected to occur under the Proposed Actions, and a detailed vehicular analysis is not warranted based on 2021 *CEQR Technical Manual* guidance.

Transit

According to the general thresholds used by the Metropolitan Transportation Authority (MTA) and specified in the 2021 *CEQR Technical Manual*, detailed transit analyses are generally not required if the proposed action is projected to result in fewer than 200 peak hour rail or bus transit riders. If the proposed action would result in 50 or more bus passengers being assigned to a single bus route in one direction, or if it would result in an increase of 200 or more passengers at a single subway station or on a single subway line, a detailed bus and/or subway analysis would be warranted. Transit analyses typically focus on the weekday AM and PM commuter peak hours, as it is during these periods that overall demand on the subway and bus systems is usually highest.

As shown in **Table 3**, the Proposed Actions are expected to generate a net total of approximately 14 and 15 incremental subway trips in the weekday AM and PM peak hours, respectively. As these numbers of trips would not exceed the 200-trip 2021 *CEQR Technical Manual* analysis threshold, further analysis is not warranted. As also shown in **Table 3,** there is expected to be a net increase of approximately four incremental bus trips for both the weekday AM and PM peak hours, respectively. As these numbers of trips would not exceed the 50-trip 2021 *CEQR Technical Manual* analysis threshold, further analysis is not warranted. Therefore, significant adverse impacts to transit subway and bus services are not expected to occur under the Proposed Actions, and a detailed analysis of subway and bus conditions is not warranted based on 2021 *CEQR Technical Manual* guidance.

CWFS

According to *CEQR Technical Manual* guidance, detailed analyses of the CWFS are not typically required if a proposed action would result in 50 or fewer peak hour CWFS peak hour ferry riders to a ferry landing within a half-mile of the Project Site. As the Project Site is not located within a half-mile of a CWFS ferry landing, a Level 2 screening assessment is not warranted per the 2021 *CEQR Technical Manual*.

Pedestrians

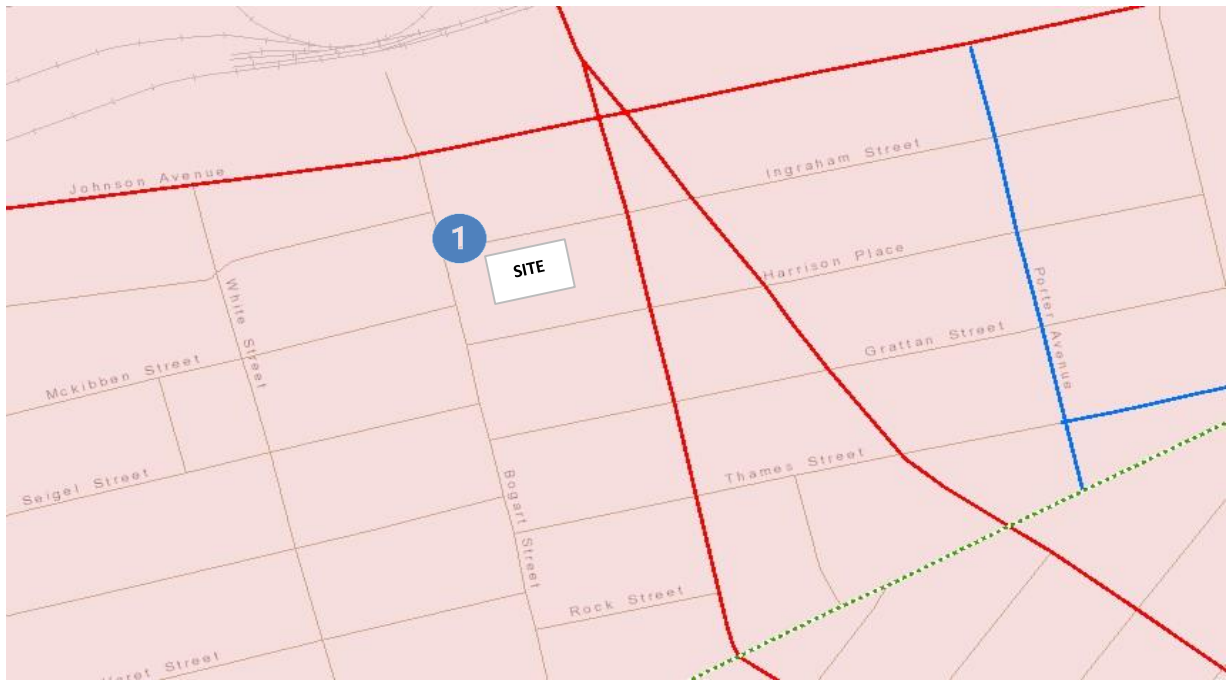
According to 2021 *CEQR Technical Manual* guidance, a quantified analysis of pedestrian conditions is typically required if the proposed action would result in 200 or more peak hour pedestrian trips at any pedestrian element (sidewalk, corner area or crosswalk). As shown in **Table 3**, the Proposed Actions would generate a net incremental increase of approximately 38, 35, 42, and 10 total pedestrian trips in the weekday AM, midday, and PM peak hours, and Saturday peak hour, respectively. These would include walk-only trips and pedestrians walking to and from subway stations and bus stops. As the numbers of trips would not exceed the 200-trip threshold, further analysis is not warranted. Therefore, significant adverse impacts to pedestrian conditions are not anticipated.

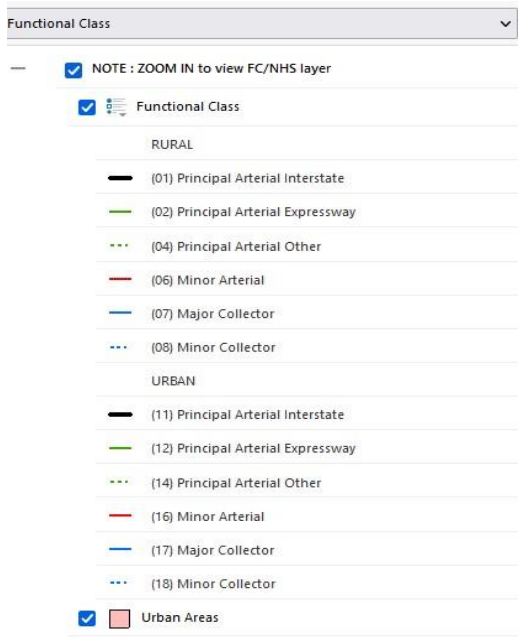
Appendix V:

Air Quality Mobile Source Screening

74 Bogart Street EAS, Air Quality Mobile Source Screening Backup

Classification Map



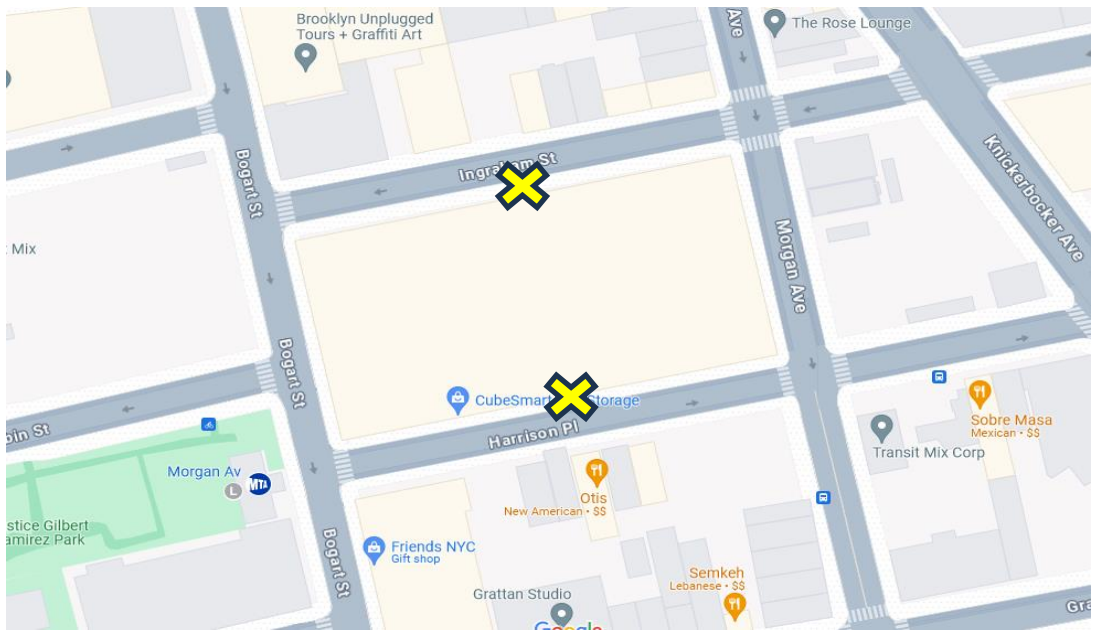


Site Analyzed

#	Location	Classification
1	Ingraham Street and Bogart Street	paved roads with avg daily traffic < 5,000 vehicles

Note: this intersection would receive the greatest number of incremental traffic. There are two entrances to the Project Site, one on Ingraham and one on Harrison Place. Due to the one-way street orientation, all vehicles must pass through this intersection to access the site (if going for the Harrison Pl entrance) or exit the site (if leaving the Ingraham St entrance).

See below- the yellow x's represent the approximate locations of the sites entrances



PM2.5 Preliminary Screening

Intersection	Signal Control	PM 2.5 Screening HDDV	Intersection Increment HDDV	Intersection Increment Traffic
			Highest hr	Highest hr
Ingraham Street and Bogart Street	**SS**	Pass Screen	9	16

Total Volume Increment - CO screening

Intersection	Signal Control	Intersection Incremental Traffic veh/hr					CEQR Manual CO Screening Volume Increment ≥ 170
		Highest Hr	AM	MD	PM	SAT	
Ingraham Street and Bogart Street	SS	16	16	10	7	10	Passed

Screen for this area of NYC 170

Equivalent Truck Calculation

Instructions:

1. Input the hourly vehicles trips in the 2nd column (yellow column) in Table 1.
2. The equavalent to heavy duty trucks are shown in Table 2

Table 1: Vehicle trips	
Vehcile types	**Hourly vehicles**
LDGT1	13
LDGT2	
LDGT3	
LDGT4	
LDDT12	
LDDT34	
HDGV2B	
HDGV3	
HDGV4	
HDGV5	
HDGV6	1
HDGV7	
HDGV8A	
HDGV8B	
HDDV2B	
HDDV3	
HDDV4	
HDDV5	
HDDV6	1
HDDV7	
HDDV8A	
HDDV8B	1
Total	16

Table 2: Equivalent Truck Calculation			
Road Types	**Equ. truck**	**Screen value**	**PM2.5 Screen**
Paved road < 5000 veh/day	9	13	Pass Screen
Collector roads	5	20	Pass Screen
Principal and minor arterials	3	23	Pass Screen
Expressways and limited access roads	3	23	Pass Screen

TRAFFIC ASSIGNMENT PREPARED BY PHA. INCREMENT VOLUMES FROM TRAVEL DEMAND FORECAST MEMO

Increment Autos

AM	Appr	L	T	R	
Ingraham St & Bogart St	EB				0
	WB	13			13
	NB				0
	SB				0

13

Increment Trucks

AM	Appr	L	T	R	
Ingraham Str & Bogart St	EB				0
	WB	3			3
	NB				0
	SB				0

3 16

Increment Autos

MD	Appr	L	T	R	
Ingraham St & Bogart St	EB				0
	WB	8			8
	NB				0
	SB				0

8

Increment Trucks

MD	Appr	L	T	R	
Ingraham Str & Bogart St	EB				0
	WB	2			2
	NB				0
	SB				0

2 10

Increment Autos

PM	Appr	L	T	R	
Ingraham St & Bogart St	EB				0
	WB	5			5
	NB				0
	SB				0

5

Increment Trucks

PM	Appr	L	T	R	
Ingraham Str & Bogart St	EB				0
	WB	2			2
	NB				0
	SB				0

2 7

Increment Autos

SAT	Appr	L	T	R	
Ingraham St & Bogart St	EB				0
	WB	3			3
	NB				0
	SB				0

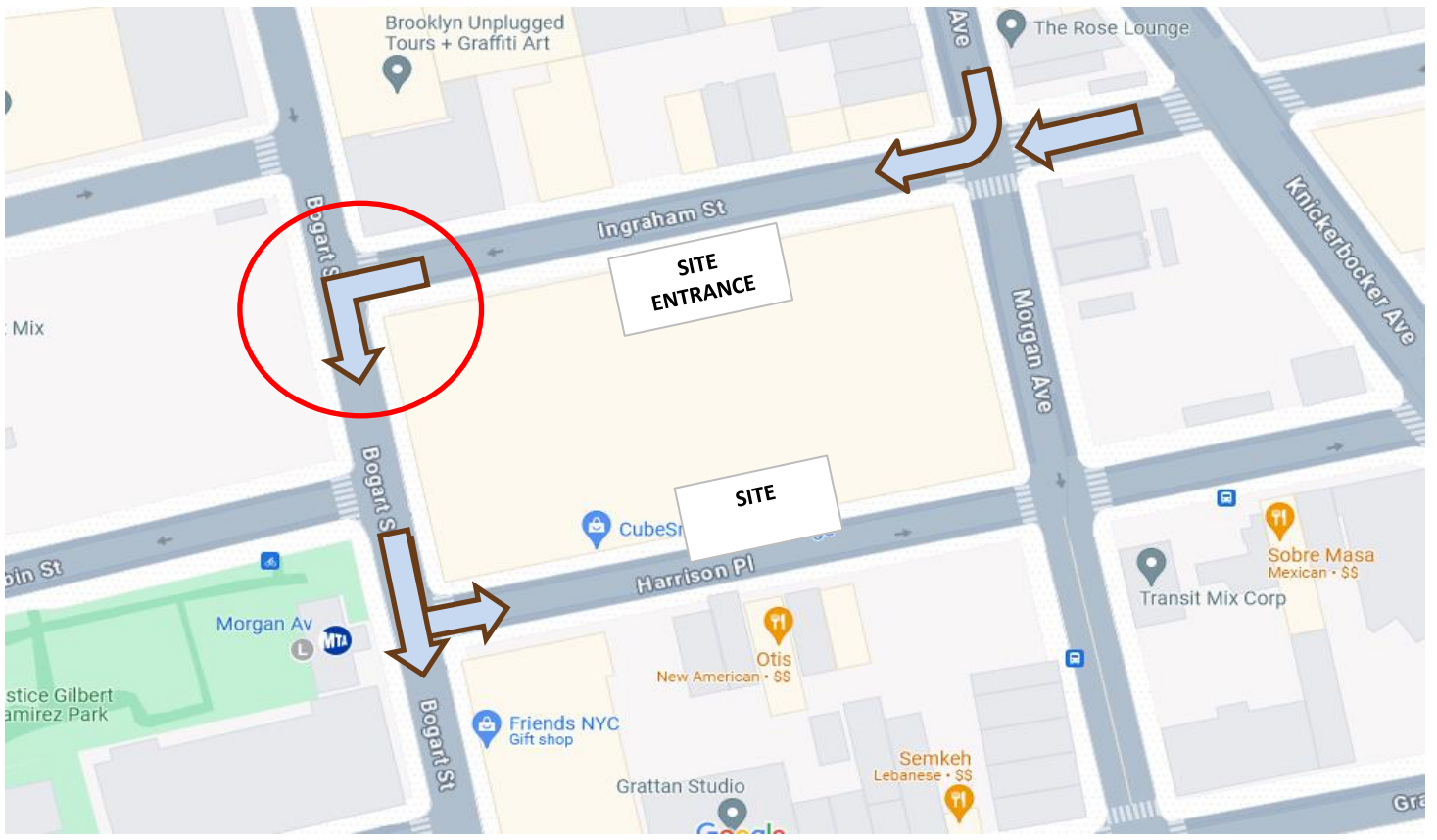
3

Increment Trucks

SAT	Appr	L	T	R	
Ingraham Str & Bogart St	EB				0
	WB	7			7
	NB				0
	SB				0

7 10

Vehicle Trips:		In	Out
AM	Auto	13	4
	Truck	3	1
	Total	16	5
MD	Auto	8	7
	Truck	2	1
	Total	10	8
PM	Auto	5	13
	Truck	2	1
	Total	7	14
SAT	Auto	3	2
	Truck	5	7
	Total	8	9



74 Bogart Street EAS Planning Factors- For Air Quality Screening Only

Land Use:	**Local Retail**		**Self Storage**		**Warehouse**	
Trip Generation:	(1)		(3)		(2)	
Weekday	329.0		1.42		2.36	
Saturday	358.0		2.34		0.2	
	per 1,000 sf		per 1,000 sf		per 1,000 sf	
Temporal Distribution:	(1)		(3)		(2)	
AM	4.8%		4.9%		10.0%	
MD	8.0%		12.3%		9.0%	
PM	10.9%		8.6%		11.0%	
Saturday	11.7%		12.4%		33.0%	
Modal Splits:	(2)		(3)		(2)	
	All Periods		All Periods		All Periods	
Auto	11.0%		100.0%		34.2%	
Taxi	0.0%		0.0%		0.5%	
Subway/Railroad	3.0%		0.0%		24.1%	
Bus	2.0%		0.0%		7.3%	
School Bus	0.0%		0.0%		0.0%	
Bicycle	0.0%		0.0%		0.0%	
Walk/Other	84.0%		0.0%		33.9%	
	100.0%		100.0%		100.0%	
In/Out Splits:	(1)		(3)		(2)	
	In	Out	In	Out	In	Out
AM	52%	48%	50%	50%	77%	23%
MD	50%	50%	55%	45%	53%	47%
PM	50%	50%	50%	50%	27%	73%
Saturday	50%	50%	52%	48%	64%	36%
Vehicle Occupancy:	(2)		(3)		(4,5)	
	All Periods		All Periods		All Periods	
Auto	1.2		1.2		1.2	
Taxi	1.2		1.2		1.3	
School Bus						
Truck Trip Generation:	(1)		(3)		(6)	
Weekday	0.35		0		0.17	
Saturday	0.04		0		0.17	
	per 1,000 sf		per 1,000 sf		per 1,000 sf	
Truck Temporal Distribution:	(1)		(3)		(2)	
AM	8.0%		0.0%		9.9%	
MD	11.0%		0.0%		8.0%	
PM	2.0%		0.0%		7.0%	
Saturday	11.0%		0.0%		28.0%	
Truck Directional Distribution:	In	Out	In	Out	In	Out
All Periods/ AM	50.0%	50.0%	50.0%	50.0%	67.0%	33.0%
MD					57.0%	43.0%
PM					60.0%	40.0%
SAT					42.0%	58.0%

Notes :

(1) 2021 City Environmental Quality Review (CEQR) Technical Manual.

(2) Based on data provided by DOT.

(3) Based on data from 59-02 Borden Ave Self-Storage Special Permit EAS (2019).

(4) Based on AASHTO CTTP reverse journey to work 5-Year (2012-2016) data for Kings County Census Tract 453 and 485.

(5) Gowanus Neighborhood Rezoning and Related Actions FEIS, 2021.

(6) Truck Generation Rates for the Air Quality analysis are based on truck delivery rates at the client's current facility in Brooklyn, approximately 0.5 mile south of the Project Site.

74 Bogart Street EAS - Travel Demand Forecast: Air Quality Analysis

Land Use:		**Warehouse**			
Size/Units:		247,000 gsf			
Peak Hour Trips:				**Total Trips**	
	AM	58		58	
	MD	52		52	
	PM	64		64	
	Saturday	16		16	
Person Trips:					
AM		In	Out	In	Out
	Auto	15	5	15	5
	Taxi	0	0	0	0
	Subway	11	3	11	3
	Bus	3	1	3	1
	School Bus	0	0	0	0
	Bicycle	0	0	0	0
	Walk/Other	15	5	15	5
	Total	44	14	44	14
MD		In	Out	In	Out
	Auto	9	8	9	8
	Taxi	0	0	0	0
	Subway/Railroad	7	6	7	6
	Bus	2	2	2	2
	School Bus	0	0	0	0
	Bicycle	0	0	0	0
	Walk/Other	10	8	10	8
	Total	28	24	28	24
PM		In	Out	In	Out
	Auto	6	16	6	16
	Taxi	0	0	0	0
	Subway	4	11	4	11
	Bus	1	3	1	3
	School Bus	0	0	0	0
	Bicycle	0	0	0	0
	Walk/Other	6	17	6	17
	Total	17	47	17	47
Saturday		In	Out	In	Out
	Auto	4	2	4	2
	Taxi	0	0	0	0
	Subway/Railroad	2	1	2	1
	Bus	1	0	1	0
	School Bus	0	0	0	0
	Bicycle	0	0	0	0
	Walk/Other	4	2	4	2
	Total	11	5	11	5
Vehicle Trips :					
AM		In	Out	In	Out
	Auto	13	4	13	4
	Taxi	0	0	0	0
	Taxi (Balanced)	0	0	0	0
	School Bus	0	0	0	0
	Truck	3	1	3	1
	Total	16	5	16	5
MD		In	Out	In	Out
	Auto	8	7	8	7
	Taxi	0	0	0	0
	Taxi (Balanced)	0	0	0	0
	School Bus	0	0	0	0
	Truck	2	1	2	1
	Total	10	8	10	8
PM		In	Out	In	Out
	Auto	5	13	5	13
	Taxi	0	0	0	0
	Taxi (Balanced)	0	0	0	0
	School Bus	0	0	0	0
	Truck	2	1	2	1
	Total	7	14	7	14
Saturday		In	Out	In	Out
	Auto	3	2	3	2
	Taxi	0	0	0	0
	Taxi (Balanced)	0	0	0	0
	School Bus	0	0	0	0
	Truck	5	7	5	7
	Total	8	9	8	9
	Total	13	16	13	16

Existing

Parking SF	Parking Spaces		
	Residential	Commercial	Community Facility
900	0	3	0
900	0	3	0

No Action

Parking SF	Parking Spaces		
	Residential	Commercial	Community Facility
900	0	3	0
900	0	3	0

With Action

Parking SF	Parking Spaces		
	Residential	Commercial	Community Facility
900	0	3	0
900	0	3	0

Incremental

Parking SF	Parking Spaces		
	Residential	Commercial	Community Facility
0	0	0	0

Appendix B

MOBILE6 Input Data Format Reference Tables

Table 3: Complete MOBILE6 Vehicle Classifications

Number	Abbreviation	Description
1	LDGV	Light-Duty Gasoline Vehicles (Passenger Cars)
2	LDGT1	Light-Duty Gasoline Trucks 1 (0-6,000 lbs. GVWR, 0-3750 lbs. LVW)
3	LDGT2	Light-Duty Gasoline Trucks 2 (0-6,000 lbs. GVWR, 3751-5750 lbs. LVW)
4	LDGT3	Light-Duty Gasoline Trucks 3 (6,001-8,500 lbs. GVWR, 0-5750 lbs. ALVW)
5	LDGT4	Light-Duty Gasoline Trucks 4 (6,001-8,500 lbs. GVWR, 5751 lbs. and greater ALVW)
6	HDGV2B	Class 2b Heavy-Duty Gasoline Vehicles (8501-10,000 lbs. GVWR)
7	HDGV3	Class 3 Heavy-Duty Gasoline Vehicles (10,001-14,000 lbs. GVWR)
8	HDGV4	Class 4 Heavy-Duty Gasoline Vehicles (14,001-16,000 lbs. GVWR)
9	HDGV5	Class 5 Heavy-Duty Gasoline Vehicles (16,001-19,500 lbs. GVWR)
10	HDGV6	Class 6 Heavy-Duty Gasoline Vehicles (19,501-26,000 lbs. GVWR)
11	HDGV7	Class 7 Heavy-Duty Gasoline Vehicles (26,001-33,000 lbs. GVWR)
12	HDGV8A	Class 8a Heavy-Duty Gasoline Vehicles (33,001-60,000 lbs. GVWR)
13	HDGV8B	Class 8b Heavy-Duty Gasoline Vehicles (>60,000 lbs. GVWR)
14	LDDV	Light-Duty Diesel Vehicles (Passenger Cars)
15	LDDT12	Light-Duty Diesel Trucks 1 and 2 (0-6,000 lbs. GVWR)
16	HDDV2B	Class 2b Heavy-Duty Diesel Vehicles (8501-10,000 lbs. GVWR)
17	HDDV3	Class 3 Heavy-Duty Diesel Vehicles (10,001-14,000 lbs. GVWR)
18	HDDV4	Class 4 Heavy-Duty Diesel Vehicles (14,001-16,000 lbs. GVWR)
19	HDDV5	Class 5 Heavy-Duty Diesel Vehicles (16,001-19,500 lbs. GVWR)
20	HDDV6	Class 6 Heavy-Duty Diesel Vehicles (19,501-26,000 lbs. GVWR)
21	HDDV7	Class 7 Heavy-Duty Diesel Vehicles (26,001-33,000 lbs. GVWR)
22	HDDV8A	Class 8a Heavy-Duty Diesel Vehicles (33,001-60,000 lbs. GVWR)
23	HDDV8B	Class 8b Heavy-Duty Diesel Vehicles (>60,000 lbs. GVWR)
24	MC	Motorcycles (Gasoline)
25	HDGB	Gasoline Buses (School, Transit and Urban)
26	HDDBT	Diesel Transit and Urban Buses
27	HDDBS	Diesel School Buses
28	LDDT34	Light-Duty Diesel Trucks 3 and 4 (6,001-8,500 lbs. GVWR)

Vehicle Trips:		In	Out
AM	Auto	13	4
	Truck	3	1
	Total	16	5
MD	Auto	8	7
	Truck	2	1
	Total	10	8
PM	Auto	5	13
	Truck	2	1
	Total	7	14
SAT	Auto	3	2
	Truck	5	7
	Total	8	9

Truck Delivery Calculations

Avg Daily Deliveries:	10.92086	(Queens Location: 115,029 sf)
Avg Delivery per 1000 SF:	0.086935	
Future Location:	20.8643	(240,000 sf)

AM Peak: 3 trucks
Diesel: 2
Gasoline: 1

1 Diesel WB-67 (HDDV8B)
1 Diesel SU-30 (HDDV6)
1 Gasoline SU-30 (HDGV6)

NOTES

All passenger trips are counted as LDGV
Diesel WB-67 trips are counted as HDDV8B
Diesel SU-30 trips are counted as HDDV6
Gasoline SU-30 trips are counted as HDGV6
Vehicle trips below are from the TDF Memo for Warehouse Uses.
For the air quality analysis only, truck trips have been replaced with truck delivery counts provided by the applicant at their current locations in NYC
The applicant indicated that at their current facilities, 90% of deliveries are SU-30s and 10% are WB-67s, that was assumed in this analysis
The applicant indicated that about 80% of their trucks are diesel and the remaining 20% are gasoline. That was assumed in this analysis

Appendix VI:

Proposed Development Renderings


For Illustrative Purposes Only
UOVO


For Illustrative Purposes Only
LOMA
JA