August 10, 2007

Robert Dobruskin, Director
Environmental Assessment and Review Division
NYC Department of City Planning
22 Reade Street, Rm 4E
New York, NY 10007

Dear Mr. Dobruskin:

I am writing in support of the clear need to conduct an Energy Assessment for the redevelopment of the Domino Sugar Refinery site. The developer, the Refinery LLC, has stated in the scope of work document that "according to the CEQR Technical Manual, actions resulting in new construction would not create significant energy impacts because all new structures requiring heating and cooling are subject to the New York State Energy Conservation Code, which reflects State and City energy policy. *Therefore, a detailed energy assessment is not required* [my italics]." [Draft Scope of Work, Task 15, p 22] I strongly object to the developer's ignoring the evaluation of energy-related impacts in this way.

The New York State Energy Conservation Code takes a limited view of energy consumption and does not address generation. I quote:

> All new structures requiring heating and cooling are subject to the New York State Energy Conservation Code, which reflects state and City energy policy. Therefore, those actions that would result in new construction or substantial renovation of buildings would not create adverse energy impacts, and would not require a detailed energy assessment. A detailed assessment of energy impacts would be limited to actions that could significantly affect the transmission or generation of energy or that generate substantial indirect consumption of energy (such as a new roadway that could lead to a substantial increase in the number of vehicle miles traveled, and thus, fuel consumed in the City). -- CEQR MANUAL, §N,200, p 10/01

Such language does not reflect the current need for our city to address the urgent issue of global warming and contributions to it by buildings here in New York. The city has already begun planning for mitigation, energy conservation, and ecologically sensitive land use and could do more. It is

past time for real estate developers to be held to higher standards in this area.

The Domino Sugar Refinery represents an extreme change of use. It is a massive conversion of formerly industrial space to large-scale residential use. To me, the failure to provide this Energy Assessment, coming as it does during our current climate crisis, represents a dereliction of civic responsibility on the part of the developer. New Yorkers, along with the rest of us living on this planet, must all reevaluate our individual energy habits in light of the serious global warming crisis.

This is no time to rely on a legal loophole--that the project will conform to the New York State Energy Conservation Code--to avoid performing an Energy Assessment of the Domino Sugar Refinery project as part of the Environmental Impact Statement (EIS) process. Rather it is time to rise to the spirit of environmental land use regulation. Projects such as the Domino Sugar development offer opportunities for 21st energy initiatives. As a community, we cannot afford to pass these chances by. It seems obvious and absolutely essential that the developer present a full impact analysis of this project, including an Energy Assessment.

I should acknowledge that my personal interest in this issue is connected to 15 plus years of residence in the vicinity of the Domino Sugar Refinery building and my concern that we are losing another structure that is part of our local industrial architectural heritage. I would have liked to see a more imaginative and more public-spirited repurposing of the structure than as a large-scale condominium development with a small number of units available at affordable rents.

At present, however, I will outline only my views about the need for an Energy Assessment in the EIS. Furthermore, I would urge that this project serve as an opportunity to change the way the neighborhood and New York as a whole view energy and energy consumption. Also, my views are informed by my interest in the rapid conversion of New York City from carbon-based energy production to solar energy and the initiatives and technology to make this conversion take place.

The crisis of global warming has begun to enter the thinking of citizens, planners, and public officials. Global warming is real, and mitigation planning is already under way by the city for the consequences of climate change such as rising sea levels. The need to think about conversion to renewable energy must be linked to planning in every construction and development project, especially a major project like the Domino Sugar

Refinery project. I submit that the Domino Sugar Refinery project requires serious and visionary review in the area of energy utilization. Areas to be explored range from the very practical--wiring and anticipated energy needs to using the Domino Sugar Refinery project to advance New York's goals for reducing its carbon footprint.

1. Residential power requirements are different from industrial requirements--usually greater for the same square footage--and are more sensitive to diversity factors. This is a massive primarily residential complex. How will this development of as many as 2400 individual units impact the reliability of electrical power in the neighborhood? Will it require additional local gas-fired power stations with impacts of their own?
2. New York experienced a widespread blackout in 2003 and another in 2006. The Williamsburg neighborhood has experienced power outages. This suggests that some consideration should be given to distributed power generation--solar, geothermal, and perhaps technology generating energy from the currents in the East River. Solar is beginning to be used in some New York buildings to provide at least some of the electrical need. And geothermal heating/cooling has been used in a conversion along the Brooklyn waterfront (the Esquire building). I suggest that opportunities for power from renewable sources be evaluated. Solar, in particular, allows for decentralized power generation. The project should strive to be at least partially self-sustaining without putting an additional drain on the grid.
3. In comparison to smaller projects, proposing this large a number of units requires a much more thoughtful determination of the approximate electrical load of each and of a diversity factor to allow for a wide range of electricity consumption. Although industrial usage can be predictable, residential electrical usage is less so. Excess capacity needs to be built in and backup systems considered. Energy utilization will continue to be a key issue for the foreseeable future and should be evaluated for every new and converted structure. This is particularly true of "luxury" building, which might be expected to have more electrical usage than the average.
4. With regard to light and air circulation in the surrounding vicinity, the issue is more than a public health or aesthetic issue. The heights of buildings may impact future utilization of solar and perhaps even wind power in the vicinity. Neighbors who wish to adopt low-carbon-impact solar technology may find themselves in the shadow of a large structure and unable to utilize a solar array on their own

properties.

5. The use of "passive solar" techniques in design should be explicit. Rather than trade-offs between insulation and clean energy, we need both to meet the challenge of global warming. The spirit of an impact statement should be to show how ecological concerns have been addressed in the design as well as to disclose the anticipated environmental impact of the construction. This current situation, in which the developer Refinery LLC can gloss over the environmental consequences of a project while being legally in compliance, needs remedy. The City Environment Quality Review (CEQR) and the ECCNYS need review to reflect the urgency of the climate challenge.

In short, this and all construction projects in our city need to accelerate our progress to a carbon-neutral future, not delay it. This is particularly true for a project of the size of the Domino Sugar Refinery development. This high-profile project should strive to be a model for taking the steps necessary to address the challenge of global warming. For New Yorkers, the status quo is no longer an option. From Refinery LLC, an Energy Assessment for this project should be required.

Very truly yours,

Frances Chapman

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