



CITY PLANNING COMMISSION

June 22, 2016/Calendar No. 10

C 160093 ZSK

IN THE MATTER OF an application submitted by L&E Building Materials Inc. pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 106-32(c) of the Zoning Resolution to modify the yard regulations of Section 106-34 (Special Yard Regulations) to facilitate the development of a one-story warehouse building on property located at 2700 Stillwell Avenue (Block 6997, Lot 69), in an M1-2 District, within the Special Coney Island Mixed Use District, Borough of Brooklyn, Community District 13.

The application (C 160093 ZSK) for a special permit was filed by L&E Building Materials Inc., on November 3, 2015, pursuant to Section 106-32 (c) of the Zoning Resolution, to modify the yard requirements of Section 106-34 to facilitate the construction of an approximately 3,996 square-foot, 1-story commercial warehouse in a M1-2 District, within the Special Coney Island Mixed Use District.

BACKGROUND

The proposed development site is located at 2700 Stillwell Avenue (Block 6997, Lot 69), between Neptune Avenue to the south and the Coney Island Creek to the north. The site is vacant and has a lot area of 4,752 square feet, with 40 feet of frontage on Stillwell Avenue

The project site and surrounding area is located in the Special Coney Island Mixed Use District (CO), which is bounded by Coney Island Creek to the north, Cropsey Avenue to the west, Neptune Avenue to the south and Stillwell Avenue to the east. The CO is within a M1-2 zoning district and contains provisions to stabilize residential uses in the area, while allowing modest growth of manufacturing and commercial uses. The CO regulates the location of residential, commercial and certain manufacturing uses to specified streets, limits the size of zoning lots for as-of-right development and provides measures to ensure the general safety of the district. The area surrounding the proposed development site is characterized by a mix of low-rise residential buildings midblock, and commercial, and light industrial uses on Neptune, Cropsey and Stillwell

avenues. Adjacent to the north of the site is a 2-story residential building and, to the south, is a 2-story distribution warehouse.

The proposed action would facilitate the construction of a warehouse for the applicant's building materials wholesale and distribution business. The proposed 1-story building will have approximately 3,996 square feet of floor area (0.84 FAR) and has a maximum height of 23 feet. There will be a 168 square foot loading berth to accommodate one van or small truck that is accessed by a 12 foot-wide curb cut. It is anticipated that trips to and from the proposed warehouse would typically move along Stillwell Avenue, a 100 foot-wide north-south arterial thoroughfare that connects to the Belt Parkway. It is expected that bulk deliveries of construction and building materials by trucks will service the business approximately twice per week during the morning hours. Customers are expected to take materials from the warehouse in vans or pick-up trucks, and it is anticipated that there will be an average of 25 customers (local contractors) per day. They would use the building's loading area to load their purchases into their vehicles.

The site is located in Flood Zone AE and has a Base Flood Elevation (BFE) of 11 feet and a Flood-Resistant Construction Elevation (FRCE) of 12 feet (BFE + 1 foot of freeboard). The height of the building is measured from the FRCE, 12 feet minus the ground elevation, which is approximately 5 feet above curb level, as determined by the North American Vertical Datum of 1988. The building will comply with Appendix G of the Building Code for Flood Resistant Construction.

This application seeks a special permit to waive the yard requirements of the CO in order to facilitate the development of the proposed project. Pursuant to Section 106-34 (*Special Yard Regulations*), where the side lot line of a zoning lot containing manufacturing or commercial uses coincides with the side or rear lot line of a zoning lot containing residential uses, an open area at least 15 feet wide is required to be provided. It also requires that, where a zoning lot containing manufacturing or commercial uses shares a common rear lot line with a zoning lot containing residential uses, an open area at least 30 feet in depth also needs to be provided.

A waiver of Section 106-34 is needed to facilitate the proposed project because the development site shares a side lot line with one zoning lot that contains residential uses (Block 6997, Lot 67) and would therefore be required by the CO to provide a side yard at least 15 feet wide.

Additionally, the development site shares a ten foot portion of a rear lot line with a lot containing a residential use (Block 6997, Lot 31). The yard requirements result in an irregularly-shaped floor plate of approximately 2,387 square feet and limited to a width of 25 feet, which would operation of the business. The applicant is seeking to modify this yard requirement to enable the development of a more efficient floor plate that is more suited for the proposed use.

Section 106-32 (c) (*Special Permit Provisions for Manufacturing and Commercial Uses*) provides provisions to allow for modifications in yard regulations for Use Group M or commercial uses in developments or enlargements within the CO. The proposed modifications to the yard requirements would facilitate the development of a one-story commercial warehouse with a floor plate of approximately 3,996 square feet of space.

ENVIRONMENTAL REVIEW

This application (C 160093 ZSK) was reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA), and the SEQRA regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.00 *et seq.* and the City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The designated CEQR number is 15DCP052K. The lead agency is the Department of City Planning.

On November 9, 2015, the application was determined to be a Type II action pursuant to 6 NYCRR 617.5(c)(7), which requires no further environmental review.

UNIFORM LAND USE REVIEW

This application (C 160093 ZSK) was certified as complete by the Department of City Planning on

February 1, 2016, and was duly referred to Community Board 13 and the Borough President, in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b).

Community Board Public Hearing

Community Board 13 held a public hearing on this application (C 160093 ZSK) on February 24, 2016, and on March 30, 2016, adopted a resolution recommending approval of this application by a vote of 22 in favor, 2 against, and 4 abstaining.

Borough President Recommendation

The Borough President held a public hearing on this application (C 160093 ZSK) and on May 2, 2016 issued a recommendation to approve the application.

City Planning Commission Public Hearing

On May 11, 2016 (Calendar No. 1), the City Planning Commission scheduled a public hearing on this application (C 160093 ZSK) for May 25, 2016. The hearing was duly held on May 25, 2016 (Calendar No. 11). There was one speaker in favor of the application and none opposed.

A representative of the applicant, speaking in favor, described the need for the special permit to modify the yard requirements in order to facilitate the development of the warehouse with a suitable floorplate on this site in the Special Coney Island Mixed Use District.

There were no other speakers and the hearing was closed.

WATERFRONT REVITALIZATION PROGRAM CONSISTENCY REVIEW

This application (C160093 ZSK) was reviewed by the City Coastal Commission for consistency with the policies of the New York City Waterfront Revitalization Program (WRP), as amended, approved by the New York City Council on October 30, 2013 and by the New York State Department of State on February 3, 2016, pursuant to the New York State Waterfront Revitalization and Coastal

Resources Act of 1981, (New York State Executive Law, Section 910 *et seq.*) The designated WRP number is 14-048. This action was determined to be consistent with the policies of the New York City Waterfront Revitalization Program.

CONSIDERATION

The Commission believes that the grant of this special permit is appropriate.

The Special Coney Island Mixed Use District (CO) was established to stabilize existing residential development and protect the industries within the area. The goals of the CO include stabilizing the residential future of this mixed residential and industrial area by permitting the expansion and development of residential and light manufacturing uses where adequate environmental standards are assured; promoting the opportunity for people to work in the vicinity of their residences; providing a safe circulation system in this area of mixed residential and manufacturing use; and retaining adequate wage, job-intensive, seasonally stable industries within New York City. There has been minimal development in the since its creation in 1975.

This action will facilitate the construction of a one-story commercial warehouse on a site that is currently vacant. The Commission notes that the special permit will allow for the development of an efficient floorplate for the operation of a wholesale and distribution business. The Commission observes that a fourteen-foot side yard exists between the proposed warehouse and the residential building to the north, and that there will be twenty-three feet of open space between the proposed warehouse and the structure located on the residential property to the west. The Commission also notes that the proposed warehouse will comply with the regulations on performance standards for M1 Districts, as the activity will occur in a fully enclosed building and will not require the use of heavy machinery or result in the manufacture of goods.

The Commission believes that the proposed one-story warehouse will not unduly impact access to light and air of the adjacent residential properties. Further, the Commission is pleased to note that, in

response to its concern about communication with the property owner of the residential building to the north, the property owner submitted a letter on February 5, 2016 stating that they had reviewed the plans for the proposed warehouse and had no objection to the special permit to waive the open space requirement.

The traffic generated by the business will be minimal, and it is anticipated these drivers will use Stillwell Avenue, an arterial thoroughfare connected to the Belt Parkway, instead of local streets. As a result, the Commission believes that the proposed warehouse will not create harmful, congested or dangerous conditions in the Special Coney Island Mixed Used District (CO).

The Commission believes that the development of the proposed warehouse will meet the goals of the special district by providing an appropriate active use on an underutilized site, as well locating a new local, year-round business to the Special Coney Island Mixed Use District.

FINDINGS

The City Planning Commission hereby makes the following findings pursuant to Section 106-32 (c) (Special Permit Provisions for Manufacturing and Commercial Uses) of the Zoning Resolution:

- 1) that such *use* will comply with the regulations on performance standards of M1 Districts; and
- 2) that additional truck traffic generated by such *use* or the modification of *yard* regulations will not create harmful, congested or dangerous conditions;
- 3) not applicable.

RESOLUTION

RESOLVED, the City Coastal Commission finds that the action will not substantially hinder the achievement of any WRP policy and hereby determines that this action is consistent with WRP policies; and be it further

RESOLVED, by the City Planning Commission, pursuant to Sections 197-c and 200 of the New York City Charter, for the grant of a special permit pursuant to Section 106-32(c) of the Zoning Resolution to modify the yard regulations of Section 106-34 (Special Yard Regulations) to facilitate the development of a one-story warehouse building on property located at 2700 Stillwell Avenue (Block 6997, Lot 69), in an M1-2 District, within the Special Coney Island Mixed Use District, Borough of Brooklyn, Community District 13, subject to the following terms and conditions:

1. The property that is the subject of this application (C 160093 ZSK) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications and zoning computations indicated on the following approved plans, prepared by Steven R. Savino R.A., filed with this application and incorporated in this resolution:

<u>Dwg. No.</u>	<u>Title</u>	<u>Last Date Revised</u>
CPC 1.00	Waiver Diagram/Site Plan/Zoning Analysis	November 17, 2015
CPC 2.00	Floor Plan	November 17, 2015
CPC 3.00	Building/Site Sections	November 17, 2015
CPC 4.00	Front Elevation/ Flood Emergency Plan & Elevation	November 17, 2015

2. Such development shall conform to all applicable provisions of the Zoning Resolution, except for the modifications specifically granted in this resolution and shown on the plans listed above which have been filed with this application. All zoning computations are subject to verification and approval by the New York City Department of Buildings.
3. Such development shall conform to all applicable laws and regulations relating to its construction, operating and maintenance.

4. All leases, subleases, or other agreements for use or occupancy of space at the subject property shall give actual notice of this special permit to the lessee, sub-lessee or occupant.
5. Upon the failure of any party having any right, title or interest in the property that is the subject of this application, or the failure of any heir, successor, assign, or legal representative of such party, to observe any of the covenants, restrictions, agreements, terms or conditions of this resolution or the Restrictive Declaration the provisions of which shall constitute conditions of the special permit hereby granted, the City Planning Commission may, without the consent of any other party, revoke any portion of or all of said special permit. Such power of revocation shall be in addition to and not limited to any other powers of the City Planning Commission, or of any other agency of government, or any private person or entity. Any such failure or breach of any of the conditions referred to above, may constitute grounds for the City Planning Commission or the City Council, as applicable, to disapprove any application for modification, renewal or extension of the special permit hereby granted.
6. Neither the City of New York nor its employees or agents shall have any liability for money damages by reason of the city's or such employee's or agent's action or failure to act in accordance with the provisions of this special permit.

The above resolution (C 160093 ZSK), duly adopted by the City Planning Commission on June 22, 2016 (Calendar No. 10), is filed with the Office of the Speaker, City Council, and the Borough President in accordance with the requirements of Section 197-d of the New York City Charter.

CARL WEISBROD, Chairman
KENNETH J. KNUCKLES, ESQ., Vice Chairman
IRWIN G. CANTOR, P.E., ALFRED C. CERULLO, III,
MICHELLE R. DE LA UZ, JOSEPH I. DOUEK, RICHARD W. EADDY,
CHERYL COHEN EFFRON, HOPE KNIGHT, ANNA HAYES LEVIN, ORLANDO
MARIN, LARISA ORTIZ, Commissioners



Community/Borough Board Recommendation
Pursuant to the Uniform Land Use Review Procedure

Application #: C 160093 ZSK	Project Name: 2700 Stillwell Avenue
CEQR Number: 16DCP056K	Borough(s): Brooklyn
	Community District Number(s): 13

Please use the above application number on all correspondence concerning this application

SUBMISSION INSTRUCTIONS

- Complete this form and return to the Department of City Planning by one of the following options:
 - EMAIL (recommended):** Send email to CalendarOffice@planning.nyc.gov and include the following subject line: (CB or BP) Recommendation + (6-digit application number), e.g., "CB Recommendation #C100000ZSQ"
 - MAIL:** Calendar Information Office, City Planning Commission, 120 Broadway, 31st Floor, New York, NY 10271
 - FAX:** to (212) 720-3488 and note "Attention of the Calendar Office"
- Send one copy of the completed form with any attachments to the applicant's representative at the address listed below, one copy to the Borough President, and one copy to the Borough Board, when applicable.

Docket Description:

IN THE MATTER OF an application submitted by L & E Building Materials Inc. pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 106-32(c) of the Zoning Resolution to modify the yard regulations of Section 106-34 (Special Yard Regulations) to facilitate the development of a one-story warehouse building on property located at 2700 Stillwell Avenue (Block 6997, Lot 69), in an MI-2 District, within the Special Coney Island Mixed Use District, Borough of Brooklyn, Community District 13.

Plans for this proposal are on file with the City Planning Commission and may be seen at 120 Broadway, 31st Floor, New York, NY 10271-0001.

Applicant(s): L & E Building Materials Inc. 3100 Ocean Parkway Brooklyn, NY 11235	Applicant's Representative: Adam W. Rothkrug Rothkrug Rothkrug & Spector LLP 55 Watermill Lane Great Neck, NY 11021
Recommendation submitted by: Brooklyn Community Board 13	
Date of public hearing: <i>Feb. 24, 2016</i> Location: <i>C.I.H. 2601 Ocean Pkwy Bklyn, NY</i>	
Was a quorum present? YES <input type="checkbox"/> NO <input type="checkbox"/> <small>A public hearing requires a quorum of 20% of the appointed members of the board, but in no event fewer than seven such members.</small>	
Date of Vote: <i>Mar. 30, 2016</i> Location: <i>C.I.H. 2601 Ocean Pkwy Bklyn, NY</i>	
RECOMMENDATION <input checked="" type="checkbox"/> Approve <input type="checkbox"/> Approve With Modifications/Conditions <input type="checkbox"/> Disapprove <input type="checkbox"/> Disapprove With Modifications/Conditions Please attach any further explanation of the recommendation on additional sheets, as necessary.	
Voting # In Favor: <i>22</i> # Against: <i>2</i> # Abstaining: <i>4</i> Total members appointed to the board: <i>45</i>	
Name of CB/BB officer completing this form <i>Stephen Moran</i>	Title <i>Chairperson</i>
	Date <i>4/1/2016</i>

Brooklyn Borough President Recommendation
CITY PLANNING COMMISSION
22 Reade Street, New York, NY 10007
CalendarOffice@planning.nyc.gov



INSTRUCTIONS

1. Return this completed form with any attachments to the Calendar Information Office, City Planning Commission, Room 2E at the above address.
2. Send one copy with any attachments to the applicant's representatives as indicated on the Notice of Certification.

APPLICATION

L&E BUILDING MATERIALS INC. – 160093 ZSK

In the matter of the application submitted by L&E Building Materials Inc. pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Zoning Resolution Section 106-32(c) to modify the yard requirements of Zoning Resolution Section 106-34 to facilitate construction of a one-story wholesale and distribution building materials warehouse located at 2700 Stillwell Avenue, in the Coney Island section of Brooklyn, Community District 13.

COMMUNITY DISTRICT NO. 13

BOROUGH OF BROOKLYN

RECOMMENDATION

APPROVE
 APPROVE WITH
MODIFICATIONS/CONDITIONS

DISAPPROVE
 DISAPPROVE WITH
MODIFICATIONS/CONDITIONS

SEE ATTACHED

BOROUGH PRESIDENT

May 2, 2016

DATE

RECOMMENDATION FOR - L&E BUILDING MATERIALS INC. – 160093 ZSK

The applicant, L&E Building Materials Inc., is seeking authorization of a special permit to modify the yard requirements for the proposed one-story warehouse located at 2700 Stillwell Avenue, in an M1-2 district, in the Coney Island section of Brooklyn, Community District 13, within the Special Coney Island Mixed Use District.

On March 21st, 2016, Brooklyn Borough President Eric L. Adams held a public hearing on this application. There were no speakers for this item.

In response to Borough President Adams' policy to promote the use of sustainable and renewable energy resources, as well as promoting practices to retain stormwater runoff, the applicant's representative noted that while solar panels were not considered because of the intended use of the building, the applicant will consider assessing the rooftop to determine feasibility of incorporating such infrastructure. In regard to utilizing Passive House design for the proposed building, the representative stated that this will be brought to the architect's attention. The proposed development will include a small 18-foot rear yard, and the applicant is willing to consider the use of permeable pavers and dry wells in order to ensure stormwater runoff is kept onsite. The applicant will also consider assessing the roof for incorporating further stormwater runoff measures.

In response to Borough President Adams' policy to maximize job opportunities for Brooklynites, the representative noted that this is a new business and the applicant intends to hire and contract locally.

In response to Deputy Borough President Diana Reyna's suggestion that the applicant reach out to organizations such as Southwest Brooklyn Industrial Corporation, Business Outreach Center Network, and Hire NYC, the representative stated that the applicant is willing to work with local providers and hiring organizations. Such organizations exist free of charge and are able to assist in local hiring. Additionally, the representative stated that the applicant intends to ensure the participation of Minority and Women-Owned Business Enterprises (MWBES) and Local Business Enterprises (LBEs) in the process of construction at this development site.

Subsequent to the hearing, the applicant provided a letter dated April 11, 2016 (attached) expressing commitments regarding sustainable design elements and hiring for construction of this facility.

Consideration

Community Board 13 (CB 13) approved the application without conditions.

The proposed action would facilitate the development of a one-story wholesale and distribution building materials warehouse containing approximately 4,000 square feet of floor area, rising to a height of 23 feet above curb level. The applicant seeks to maximize the lot coverage on the property in order to create a building with a large enough floor plate to be viable for the proposed warehouse use. The proposed building will contain 12 feet of dry flood proofing, which meets the Flood-Resistant Construction Elevation Requirement. Utilities and equipment will either be placed within the dry flood-proofed enclosure or raised above.

The site previously contained a two-story mixed-use building comprised of a store on the ground level and residential above, and later a one-story brick building. The site was cleared in 2013 and has since been used for parking and storage of automobiles. The lot is bounded by a small commercial automobile garage and a two-story residential building. The area surrounding the site consists of a mix of low-rise, one- to two-story, residential, commercial, and manufacturing uses, which include warehouses, transportation and utility uses, as well as vacant lots.

Under the Special Coney Island Mixed Use District bulk regulations, yard setbacks are required when such lot boundaries are adjoined by residential use. Therefore, the northern side lot line requires a side yard of 15 feet and, for a length of 10 feet, a rear yard of 30 feet is required. Complying with these regulations would limit the building to a width of 25 feet and a depth of less than 100 feet. According to the applicant, such requirements result in a building too small and narrow to be viable for the proposed business operations. This special district contains a provision for modifying such yard requirement through a discretionary special permit. Such special permit has been filed for the purposes of modifying these yard requirements to allow for the development of a new building with floor plates large enough to be viable for the proposed use.

The warehouse will have approximately three employees on a daily basis. The warehouse would be re-stocked, by truck deliveries, approximately one to two times a week. Its content would be distributed approximately five to 10 times per day, taken away in vans and small delivery trucks.

Borough President Adams generally supports land use actions that enhance economic opportunity for local business operation and create local employment. Granting approval of the proposed special permit would allow L&E Building Materials Inc., a new local business, to realize meaningful building lot coverage to allow for a viable business operation. Additionally, the proposed development will meet the goals of the Special Coney Island District by providing an appropriate active use on an underutilized site. Borough President Adams is encouraged by the applicant's April 11, 2016 letter committing to local hiring and use of locally-based enterprises and sustainable practices in the construction of the new building. He supports the approval of the proposed special permit.

In the letter dated April 11, 2016, it was noted that the applicant is committed to using commercially reasonable efforts to pursue the hiring of Brooklyn residents and prioritize the retention of Brooklyn-based subcontractors, especially those designated MWBE. This is a priority for Borough President Adams because of his concern that too many residents of Brooklyn are currently unemployed or underemployed. It is his policy to promote economic development to create more employment opportunities. Double-digit unemployment remains a pervasive reality in many of Brooklyn's neighborhoods, and more than half of our community districts have experienced poverty rates of 25 percent or greater, according to averaged data from 2008 to 2012. Prioritizing local hiring will address this employment crisis. In addition, promoting Brooklyn-based businesses, including those that qualify as MWBE and LBE, is central to Borough President Adams' economic development agenda. Borough President Adams looks forward to additional opportunities that he could support to bring jobs and careers to borough residents.

Borough President Adams encourages responsible development and good practices by contractors and subcontractors. He believes that workers should be able to work in a non-threatening environment while promoting his agenda for achieving employment for Brooklynites through discretionary land use actions.

Regarding sustainability measures, in the letter dated April 11, 2016, it was noted that the applicant is committed to incorporating sustainable design elements as appropriate, including: green/blue/white roof improvements; renewable energy features such as solar panels, and implementation of stormwater runoff retention measures. These commitments are consistent with Borough President Adams' sustainable energy policy. He encourages the developer to coordinate with the Mayor's Office of Sustainability, New York State Energy Research and Development Authority (NYSERDA), and/or New York Power Authority (NYPA). Furthermore, as part of his flood resiliency policy, implementation of stormwater runoff retention measures that incorporate permeable pavers and/or establish bioswales would advance the New York City Department of Environmental Protection's (DEP) green-water stormwater strategies.

Using the building's roof for any combination of solar, blue, green and/or white roof improvements and/or incorporating rooftop renewable energy features to harness direct sunlight would be a valuable use of this project's roof surfaces, considering the relatively low height of surrounding structures, in order to generate sustainable energy. Blue/green roofs, permeable pavers and bio-swales constructed as part of the proposed Builders Pavement Plan would deflect stormwater from entering the City's water pollution control plants.

According to the NYC Green Infrastructure 2014 Annual Report, green infrastructure has a critical role in addressing water quality challenges and provides numerous environmental, social, and economic co-benefits. DEP is currently working on a Long-Term Control Plan (LTCP) to better understand CSO impacts on water quality in Coney Island Creek, which is affected by this site's wastewater- and storm-water. This development site is within the Water Pollution Control Plant. Therefore, by incorporating bioswales, permeable pavers and green/blue roof strategies, this site would be consistent with the LTCP. Efforts to clean up the Coney Island Creek Tributary bring it closer to becoming a non-motorized boating recreational resource.

The Brooklyn Borough President's Office is available to be of assistance to the developer to maximize sustainable design features.

Recommendation

Be it resolved that the Borough President of Brooklyn, pursuant to sections 197-c and 201 of the New York City Charter, recommends that the City Planning Commission and City Council approve the land use action requested.

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April 11, 2016

Borough President Eric L. Adams
Office of the Brooklyn Borough President
Borough Hall
209 Joralemon Street
Brooklyn, NY 11201

Re: Cal. No. C 160093 ZSK
2700 Stillwell Avenue
Brooklyn, New York

Dear Borough President Adams:

Reference is made to the above application filed by L & E Building Materials, Inc., the owner of the subject site, for a special permit pursuant to § 106-32(c) of the New York City Zoning Resolution ("ZR") to modify yard requirements of ZR § 106-34 to allow for construction of a proposed one-story warehouse on a site that is currently vacant.

On March 21, 2016 our office appeared on behalf of L & E Building Materials at the Uniform Land Use Review Procedure Public Hearing of the Brooklyn Borough President's Office to present the application. At that meeting, representatives of the Borough President's Office raised issues pertaining to sustainability measures and local and MWBE hiring. In response to the issues raised, please be advised that L & E Building Materials is committed to incorporating sustainable design elements as appropriate, including:

- green/blue/white roof improvements
- renewable energy features (such as solar panels)
- implementation of stormwater runoff retention measures

In addition, L & E Building Materials is committed to using commercially reasonable efforts to pursue hiring of Brooklyn residents and prioritize retention of Brooklyn based sub-contractors, especially those designated MWBE. Further, with respect to both hiring and sustainability measures, L & E Building Materials recognizes the assistance the Brooklyn Borough President's Office can provide and is prepared to contact the Office as needed.

Should any additional information be required, please contact our office accordingly.

Respectfully,

Rothkrug, Rothkrug & Spector LLP
ROTHKRUG ROTHKRUG & SPECTOR LLP