
CHAPTER 26: RESPONSE TO COMMENTS¹

A. INTRODUCTION

This chapter summarizes and responds to substantive comments received during the public comment period on the Draft Scope of Work and the Draft Environmental Impact Statement (DEIS) for the Dutch Kills Rezoning and Related Actions. Copies of all written comments received during the public comment period are included in Appendix L. Section B below contains a list of those who commented on the Draft Scope of Work along with their substantive comments and the corresponding responses. Section C below contains a list of those who commented on the DEIS along with their substantive comments and the corresponding responses.

B. DRAFT SCOPE OF WORK COMMENTS AND RESPONSES

Public review of the Scope of Work for the proposed actions began on October 19, 2007 with the issuance of the Draft Scope of Work by the lead agency. A public scoping meeting was held on November 19, 2007 at the Evangel Church Meeting Hall (39-21 Crescent Street, Long Island City, New York) to accept verbal comments, with written comments accepted until the close of the public comment period on November 29, 2007. The verbal and written comments were considered in the preparation of the Final Scope of Work. A Final Scope of Work was completed on March 11, 2008 (see Appendix H).

This section lists the elected officials, community board and organization members, and individuals who commented on the Draft Scope of Work. The comments include those made during the public hearing, as well as written comments received through the close of the comment period as noted above. In some instances, where multiple comments were made on the same subject matter, a single comment combines and summarizes those individual comments. Following each comment is an assigned speaker number which corresponds to the numbered list of people who made the comments. Responses are presented directly below each comment.

Where relevant, changes resulting from the comments raised on the Draft Scope of Work have been incorporated into the DEIS.

ORGANIZATIONS AND INDIVIDUALS WHO COMMENTED ON THE DRAFT SCOPE OF WORK

1. Rosanna Polito, oral comments and written comments received November 27, 2007
2. Roger Laghezza, oral comments and written comments received November 19, 2007
3. Stephen Morena, oral comments and written comments received November 26, 2007
4. Antonios Benetatos, oral comments
5. John Skorbicis, oral comments
6. Doris Navillo Suda, oral comments
7. Tracey Florio, oral comments
8. Richard C. Madrid, oral comments
9. Megan Friedman, oral comments written comments received November 27, 2007
10. Jack Friedman, oral comments

¹ This Chapter is new to the FEIS

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11. Pat Wilson, oral comments
12. Andrew Bailis, oral comments
13. Eric Palatnik, oral comments
14. Dominick Fortino, oral comments
15. Dianne Martin, oral comments
16. Daniel Jennings, oral comments
17. Gerald Walsh, oral comments
18. Nico Sermontea, oral comments
19. Atom Budhu, oral comments
20. Marcia Madrid, oral comments
21. Barbara Lorinz, oral comments
22. Mary Cavallo, oral comments
23. Shirley Barr, oral comments
24. Gloria Maloney, oral comments
25. Pastor Johansson, oral comments
26. Marykate Zukiewicz, Councilman Gioia's Office, oral comments
27. Naim Rasheed, Director, New York City Department of Transportation, written comments received December 4, 2007
28. Joseph Dente, written comments received November 26, 2007
29. Sandra Khan, written comments received November 26, 2007
30. Sophia Polite, written comments received November 26, 2007
31. Ana Mae Fitzsimmons, written comments received November 26, 2007
32. Christos Fakatselis, President, Queensbridge Associates LLC, written comment received November 26, 2008
33. Councilmember, Eric Gioia, written comments received November 19, 2007
34. Terrell Estes, Office of City Project Review, New York City Department of Environmental Protection, written comments received December 5, 2007
35. Michelle Koutsoubelis, written comments received November 26, 2007
36. Beth Cumming, Historic Preservation Specialist, New York State Office of Parks, Recreation, and Historic Preservation, written comments received on November 23, 2007
37. Napoleon Morales, oral comments
38. Jovita Rivera, oral comments

RESPONSE TO COMMENTS

LAND USE, ZONING, AND PUBLIC POLICY

Comment 1: Please have the zoning changed as soon as possible by eliminating the need for an Environmental Impact Statement. The as-of-right development of multi-story hotels is destroying our neighborhood. (1, 3, 4, 6, 8, 10, 11, 12, 15, 17, 18, 20, 21, 22, 23, 24, 26, 28, 29, 30, 31, 33, 35)

Response 1: The Department of City Planning, as lead agency, has determined that the proposed actions could result in significant adverse impacts and issued a positive declaration under the rules of CEQR. As a result, an EIS is required. With regard to the recent as-of-right developments, as noted in the Scope of Work, the potential impact of continuing the present zoning will be analyzed as the "No Action" alternative for the EIS. While the

process of conducting and EIS can take time, the City makes every effort to move the process ahead while complying with all applicable laws, regulations and requirements.

Comment 2: In my review of the proposed Dutch Kills rezoning I would like to make the following recommendation. Twenty-Third Street (23rd Street) is a wide street that currently has four story residential buildings and seven story commercial buildings. It seems proper to rezone 23rd Street as M1-2/R6A similar to other wide streets in the proposed rezoning area. (32)

Response 2: Rezoning this area to an M1-2/R6A district would not meet the goals and objectives of the proposed action, which include mapping zoning districts which would result in development that corresponds to the built character of certain areas. The proposed rezoning would rezone only two blockfronts along 23rd Street located on the east side of the street between 39th and 41st Avenues from the existing M1-3 and M1-3D to M1-2/R6A, M1-2/R5B, M1-2/R5D, and M1-2 based on predominant building patterns of the remainder of the block not fronting along 23rd Street. The proposed zoning, if adopted, would result in developments that range in height from 33' to 70' and more closely correspond to established development patterns on the block and on adjacent block portions to the east than would development under R6A.

Comment 3: The new zoning change is permitting high-rise hotels to be developed as-of-right. These hotels are destroying our community and our homes. (2, 7)

Response 3: The proposed rezoning would discourage hotel development by limiting building height in the Dutch Kills Subdistrict and reducing the maximum allowable commercial FAR, except for an area along Northern Boulevard in the M1-3/R7X zone which would retain the current 5 FAR maximum. Under the Reasonable Worst Case Development Scenario (RWCDS), no new hotels are anticipated in the future with the proposed actions.

Comment 4: Thank you for holding tonight's scoping meeting. The rezoning will help to maintain the unique character of the Dutch Kills neighborhood and a high quality of life for its residents. While awaiting this rezoning application, several projects have been initiated for the development of transient hotels, a use that will not be permitted under the proposed rezoning. I ask that you conduct the environmental investigation as expeditiously as possible to ensure that the zoning is implemented in a timely manner. (26, 37)

Response 4: As indicated in response to Comment 1 above, while the process of completing a rezoning can take some time the City makes every effort to move the process ahead while complying with all necessary laws, regulations and requirements.

Comment 5: I'm for progress and I want to see positive change and development in the community. I am for developing the area and I would like to see everything develop and flourish in a positive way. (5, 6, 29)

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Response 5: Comment noted.

Comment 6: I feel that City Planning has created this rezoning to push families and residents out of this community. We want zoning that will protect the quality of life in this community. We are homeowners we should have rights. (7, 38)

Response 6: As stated in the Draft Scope of Work, the goals of the proposed rezoning include: protecting the unique character of Dutch Kills; preventing out-of-scale developments encouraging moderate and higher density development near public transportation; and supporting continued economic growth in a mixed-use residential, commercial and light industrial community, especially by removing restrictions on residential development.

In the DEIS, a future condition with the proposed actions will be analyzed to determine the anticipated results of the proposed rezoning and related actions. Further the EIS will assess the potential socioeconomic impacts associated with the proposed rezoning and related actions to determine if significant adverse socioeconomic impacts due to direct or indirect changes in residential and economic activity would occur.

Comment 7: I find it appalling that it took City Planning ten years to give legitimacy and protection to the residential neighborhood of Dutch Kills. The rezoning of this neighborhood does not protect the residential core of the neighborhood but encumbers it with a ring of heavy and light manufacturing uses as well as commercial developments. (9)

Response 7: As discussed in the Draft Scope of Work, objectives of the rezoning include removing restrictions on as-of-right residential development and providing incentives for the provision of affordable housing through an increase in the allowed residential density. Allowable densities for commercial and light industrial uses would be changed to more closely correspond to proposed residential densities, generally resulting in decreased densities for such uses, except near Northern Boulevard where higher densities are proposed. The proposed zoning changes would work in conjunction with the proposed Dutch Kills Subdistrict provisions, which are intended to encourage appropriate new development and economic growth opportunities in the Subdistrict.

Comment 8: What is the height of the M1-3/R7X? Are manufacturing uses permitted on Northern Boulevard under the proposed zoning? (12)

Response 8: As stated in the Draft Scope of Work, the maximum allowable height within the M1-3/R7X district would be 125 feet, and industrial/manufacturing uses would be allowed with an FAR up to 5.0.

Comment 9: A lot of residents from Long Island City were not told about this. We are going to fight this. (37)

Response 9: The notice for the scoping meeting was published in accordance with all applicable rules and regulations. In addition, a considerable outreach program has been and will continue

to be undertaken by the City on this project with many public meetings held and elected officials and the Community Board consulted. The Public Scoping meeting is one such public forum that offers the opportunity for the public to comment on the nature and extent of the analyses that comprise the DEIS. The City's Uniform Land Use Review Procedure provides several required hearing for public comments and concerns about land use changes to be presented.

Comment 10: We would like to commend City Planning for considering the rezoning of this area. The manufacturing community of this community agrees with the residents that hotels are not wanted in the Dutch Kills neighborhood. Now that things are changing to residential it seems that the manufacturing community, which has existed in this community, is not being heard. The proposed 2.0 FAR is not adequate to allow these existing businesses to grow. (13)

Response 10: As stated in the Draft Scope of Work, the area would generally be rezoned from its current M1-3D and M1-1 to a mixed-use district where a Residence District would be paired with an M1-2 light Manufacturing District. A small portion of the western side of the rezoning area would be rezoned from M1-3D to only an M1-2 zoning district. Manufacturing will be allowed throughout the rezoning area in M1-2 and M1-3 zones in accordance with the mixed-use provisions of Article 12 Chapter 3, of the Zoning Resolution. Allowable densities for commercial and light industrial uses would be changed to more closely correspond to proposed residential densities, generally resulting in decreased densities for such uses, except near Northern Boulevard where higher density residential is proposed. The proposed change from M1-1 to M1-2 mixed use zoning would also allow an increase in the maximum light manufacturing FAR from 1 to 2 FAR. Most properties with light manufacturing businesses are underdeveloped today, overwhelmingly characterized by one-story buildings. The proposal aims to achieve a balance among residential, commercial and light manufacturing uses.

Comment 11: I've owned a business in the Dutch Kills neighborhood for 30 years. The proposed rezoning limits future commercial growth and as a result there has been a rush to develop hotels in the community. (14)

Response 11: The proposed rezoning would allow a very board and lively mixture of uses to occur within the rezoning area. Commercial uses would be permitted by the proposal and new neighborhood services and retail are expected to serve the growing residential population.

Comment 12: The proposed zoning should include text that requires these hotels to remain as hotels. (17)

Response 12: The proposed rezoning has been established to allow a mixture of uses within the rezoning area. The sites that are currently developed with hotels would be allowed to remain as such under the proposed rezoning. Under the RWCDS, it is not expected that hotels would be converted to other uses.

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Comment 13: It seems that all the residents of the Dutch Kills community have finally come to an agreement on the rezoning for the neighborhood. Why hasn't the city put a moratorium or a stop order on development in the Dutch Kills community? (25)

Response 13: As discussed above, the City must complete an environmental review of the proposed rezoning before the City Planning Commission can make a determination regarding its acceptability. The intent of the proposed rezoning is to allow a mixture of uses that accommodates the current and future needs of the community. The use of a moratorium to stop development is out of the scope of the environmental impact statement.

HISTORIC RESOURCES

Comment 14: Based on reported resources, there is an archeological site in or adjacent to the project area. As a result, the Office of Parks, Recreation and Historic Preservation recommends that a Phase IA archeological survey is warranted. Furthermore, the OPRHP would like to be consulted as the Historic Resources chapter is developed for both architectural and archeological resources. (36)

Response 14: A complete Phase IA cultural resource survey will be conducted for the rezoning area as a part of the EIS analysis. Both the New York City Landmarks Preservation Commission and NYS OPRHP will be consulted during preparation of the DEIS and/or Phase IA cultural resource survey.

HAZARDOUS MATERIALS

Comment 15: As part of the preparation of the Draft Environmental Impact Statement, for the hazardous material analysis, a field survey to assess the findings and conclusions of the hazardous materials evaluation should be conducted with DEP personnel and DCP personnel if available. A preliminary presentation of findings should be prepared for the field survey and adequate time for responses and revisions should be incorporated in the schedule. DEP needs to be involved in the review and approval for all/any proposed E-designated sites. (34)

Response 15: Standard protocols will be utilized to determine the need for E-designations for hazardous materials including examination of site land use history, spill history and a sidewalk site survey. DEP will be consulted as appropriate during the process and will review the E-designations as part of the DEIS process.

INFRASTRUCTURE

Comment 16: With regard to infrastructure, the DEIS must disclose the proposed project's potential to impact the sewer system and identify any necessary measures to address potential impacts. (34)

Response 16: The DEIS will include an infrastructure chapter that will evaluate potential impacts on the sewer system. Any necessary measures to address potential impacts will be identified.

TRAFFIC AND PEDESTRIAN

Comment 17: Please provide a figure that indicates the location of the projected development sites and a figure that indicated the pedestrian analysis locations. Clarify the anticipated incremental net change of residential units. Provide justification for the exclusion of a weekend Midday analysis for the 131,698 gsf of local retail. As recommended by the *CEQR Technical Manual*, reduce the linked trip credit from 40 percent to 25 percent for the local retail. (27)

Response 17: The information and methodologies requested in the comment will be incorporated into the DEIS. The EIS will include figures that indicate projected development sites and pedestrian analysis locations. The "Traffic and Parking" chapter as well as other chapters of the EIS will discuss the anticipated incremental net change of residential units. A Saturday midday traffic analysis reflecting the travel demand from the local and destination retail uses that would be developed under the RWCDS will also be provided in the "Traffic and Parking" chapter. In addition, a screening analysis of the potential for significant adverse pedestrian impacts in the Saturday midday will be included in the "Transit and Pedestrians" chapter of the EIS. A 70 percent linked-trip rate (not 40 percent) will be used for local retail, consistent with the rate used for the Jamaica Plan FEIS. The transportation planning factors utilized for the analyses in the DEIS will be discussed in detail in an updated Transportation Planning Factors Technical Memorandum that will be included as an appendix to the EIS.

AIR QUALITY

Comment 18: Air quality analysis results should be reviewed in coordination with DEP. The DEIS should describe in detail the feasibility of any mitigation and, in the absence of known feasible mitigation; any Industrial Source air quality impacts should be disclosed as significant impacts for which no mitigation is available. (34)

Response 18: DCP will coordinate closely with DEP, particularly on the Industrial Source air quality analysis. The *CEQR Technical Manual* procedures will be followed, and comprehensive analyses of both stationary and mobile sources will be included in the DEIS.

NOISE

Comment 19: With regard to noise analysis, DEP should be involved in the selection of monitoring locations. Furthermore, any identified noise attenuation greater than 35 dBA should be coordinated with DEP to ensure the necessity and feasibility of attenuation requirements. (34)

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Response 19: Noise monitoring locations will be selected in coordination with DEP, as will development of noise attenuation requirements.

C. DEIS COMMENTS AND RESPONSES

Public review of the DEIS began on May 19, 2008 with the issuance of the notice of completion and publication of the DEIS. A public hearing was held before the City Planning Commission (CPC) on July 23, 2008 in Spector Hall at 22 Reade Street in Manhattan to accept verbal comments, with written comments received until the close of the public comment period on August 4, 2008. The verbal and written comments received on the DEIS were considered in the preparation of the Final Environmental Impact Statement (FEIS).

This section lists the elected officials, community board and organization members, and individuals who commented on the DEIS. The comments include those made during the public hearing, as well as written comments received through the close of the comment period as noted above. In some instances, where multiple comments were made on the same subject matter, a single comment combines and summarizes those individual comments. Following each comment is an assigned speaker number which corresponds to the numbered list of people who made comments. Responses are presented directly below each comment.

Where relevant, changes resulting from the comments raised on the DEIS have been incorporated into the FEIS. These revisions have been double-underlined in the FEIS for easy identification.

ORGANIZATIONS AND INDIVIDUALS WHO COMMENTED ON THE DEIS

1. Jack Friedman, oral comments
2. Theresa Cavallo, oral comments and written comments received July 22, 2008
3. Barbara Lorinz, oral comments
4. Megan Friedman, oral comments
5. Gerald Walsh, oral comments
6. Edwin Cady, oral comments
7. Chris Vivardi, oral comments
8. George L Stamatiades, oral comments
9. Vienna Ferreri, oral comments
10. Karl Wolf, oral comments
11. Benita Goldstein, oral comments
12. Adam Friedman, oral comments and written comments received July 23, 2008
13. Caroline Giil, Assemblywoman Martha Malba's Office, oral comments
14. Barbara Hair, oral comments
15. Pamela Steinberg, oral comments
16. Nicholas Griffin, oral comments and written comments received July 23, 2008
17. Barbara Vetale, oral comments
18. Christian Lund-Kan, oral comments
19. Narini Singh, oral comments
20. Naoko Yokoyana, , oral comments
21. John Skordilis, oral comments
22. Dominick Fortino, oral comments

23. Robert Nusbaun, oral comments
24. Eric Palatnik, oral comments and written comments received July 23, 2008
25. Christos Fakatselis, President, Queensbridge Associates LLC, oral comments
26. Michael Karantidis, oral comments
27. Steven Bahar, oral comments
28. Robert Altman, oral comments and written comments received July 23, 2008
29. Michael Rogner, oral comments
30. Bruce Cohen, oral comments
31. George Cambourakis, oral comments
32. Timothy Wong, oral comments
33. Gina Logan, oral comments
34. Gayle Barron, and written comments received July 10, 2008
35. Patricia Wilson, written comments received July 22, 2008
36. Flora Marinelli, written comments received July 22, 2008
37. Albert Buzzeos, written comments received July 22, 2008
38. Victor Lapz, written comments received July 22, 2008
39. Katherine Power, written comments received July 22, 2008
40. Theresa Mingalone, written comments received July 22, 2008
41. Jali Kehne, written comments received July 22, 2008
42. P. Luciano, written comments received July 22, 2008
43. T. Ma, written comments received July 22, 2008
44. Jane (Noni) Pratt, written comments received July 21, 2008
45. William Thompson, Jr., Comptroller of the City of New York, written comments received April 14, 2008
46. Helen Marshall, Queens Borough President,

RESPONSE TO COMMENTS

Comment 1: Thank you to City Planning for listening to the needs of the community. We are happy with the proposed rezoning and feel that the proposal is in keeping with the existing character of the neighborhood while allowing an appropriate amount of growth to occur. (1, 2, 3, 4, 5, 6, 7, 10, 11, 13, 14, 15, 17, 18, 19, 20, 33)

Response 1: Comment noted.

Comment 2: Please approve this rezoning as soon as possible. The development of these as-of-right hotels is destroying the character of our neighborhood and our homes. According to concerned residents and as has been reported in the media, the Dutch Kills community is currently being flooded with new hotels and other large development projects that would be prohibited under the proposed rezoning regulations. Developers are undoubtedly taking advantage of the time span for the completion of the Environmental Impact Statement and residents are understandably concerned about the long-term implications for the community. In light of this distressing situation, I urge the swift completion of the EIS by the Department of City Planning in order to minimize the effect of the current rush to saturate the neighborhood with large developments. (2, 4, 8, 9, 10, 33, 45)

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- Response 2:** The CEQR process must be completed before the City Planning Commission can make a determination whether to approve the proposed actions. The City needs to follow due process set forth in the Uniform Land Use Review Procedure (“ULURP”) in planning, reviewing and deciding upon rezoning proposals.
- Comment 3:** Several houses have experienced shaking and damage due to the number of hotels under construction. (2, 4, 8, 9, 10, 33, 45)
- Response 3:** Comment noted, but this concern is outside the scope of the CEQR process.
- Comment 4:** This neighborhood is unique because it has a mix of uses. The proposed zoning continues the existing mixed use character but hotels should be eliminated from the portion of the rezoning area that runs along Northern Boulevard. We need to maximize the amount of residential development that can occur in the neighborhood. Additionally, slaughter houses should never be included in mixed use districts and special districts. (8)
- Response 4:** As discussed in the DEIS, the proposed M1-3/R7X district would allow a range of uses, including hotels. Under the RWCDs, it is expected that development sites in this area would be redeveloped primarily with residential and non-hotel commercial uses, consistent with the mixed-use character of the area. In addition, the RWCDs predicts a substantial increase in residential use, with a net gain of 1,555 dwelling units. No slaughterhouses are expected to be developed in the rezoning area under either the existing or proposed zoning.
- Comment 5:** The proposed rezoning would limit the ability of existing small businesses to expand or relocate, including five specific examples as provided in Appendix L; discourage other small businesses from relocating to Dutch Kills; and fails to account for the potential loss of manufacturing space that would be caused by the rezoning. Dutch Kills includes numerous small and thriving industrial businesses. The proposed rezoning would reduce their ability to grow. If residents are concerned with the development of out of character hotels, then the appropriate planning response is to disallow hotels, not to sacrifice the industrial businesses. Multi-story industrial uses should be allowed to develop and an FAR of 5.0, the existing maximum allowable FAR, would allow them to develop. Considering Dutch Kills' close proximity and easy access to Manhattan, this plan does not take into account the needs of the community or the environment. We should be looking to develop areas within close proximity to Manhattan in order to prevent sprawl-not discouraging development. (12, 16, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32)
- Response 5:** Approximately 70% of the lot area in Dutch Kills is in non-residential use and there are less than a handful of light industrial buildings greater than 2 stories. Almost all of the light industrial businesses are currently located in one- and, at most, two-story buildings, which is consistent with the scale being proposed. Based on trends, the RWCDs in the FEIS found that it was unlikely that existing industrial businesses would enlarge to 5.0 FAR under future no-action conditions or to 2.0 FAR under with-action conditions. Allowing densities of 5.0 FAR in the Subdistrict outside of Northern Boulevard for light industrial uses would permit out-of-context commercial development that would

overwhelm the streetscape and not meet the goals and objectives of the proposed rezoning, as discussed in Chapter 1, Project Description. Instead, the FEIS conservatively assumed that certain sites with existing industrial businesses would be developed with residential use under the proposed rezoning. In accordance with *CEQR Technical Manual* guidelines, the socioeconomic conditions analysis in the FEIS considered the elimination of manufacturing uses and related jobs on these sites and determined that the proposed rezoning would not result in any significant adverse socioeconomic impacts. Moreover, a socioeconomic analysis conducted pursuant to the *CEQR Technical Manual* does not evaluate impacts to specific businesses; rather, it looks at the potential impacts to specific industries. The FEIS also includes an analysis of a 3.0 FAR Alternative, which would afford certain light industrial uses greater development flexibility than the proposed actions. Both the proposed actions and the 3.0 FAR Alternative would result in development that is harmonious with the existing built character of the neighborhood and support the objectives of the proposal.

Comment 6: We support the proposed rezoning with one exception. We feel that taller residential uses should be permitted on 32nd Street (or “subarea C”). Under the proposed zoning, the portions of 31st Street, 37th Avenue, and 33rd Street that surround this portion of 32nd Street will be upzoned to M1-2/R6A. Our area should match the surrounding area and also be rezoned to M1-2/R6A or M1-2/R6B. (15, 17, 18, 19, 20)

Response 6: Rezoning this area to R6A would be contrary to the goals and objectives of the proposed rezoning, which include mapping districts that match the built fabric of the surrounding area. As indicated in Chapter 1, Project Description, under the proposed actions, the Dutch Kills neighborhood would be rezoned to allow as-of-right residential development that preserves the existing low-density scale of most of the residential uses. Similarly, allowable densities for commercial and light industrial uses would be changed to more closely correspond to proposed residential densities, generally resulting in decreased densities for such uses, except near Northern Boulevard where higher density residential and light industrial uses are being proposed for this wide street. 32nd Street is a narrow street with predominately residential uses at an average FAR of 1.1. The portions of the rezoning area in the M1-1 district being proposed to be rezoned to M1-2/R6A have a different built fabric than 32nd Street and are located along a wide street closer to mass transit. The 32nd Street midblock follows the zoning strategy of other residential midblocks in the rezoning area as well. DCP’s Queens Borough office met with residents of 32nd St and analyzed the block in question more closely. However, it was found that the proposed M1-2/R5B district is appropriate given the residential density of the block, with an average FAR of 1.1, and given its location on a one-way side street. The proposed M1-2/R5B district would preserve the integrity of 32nd St and still allow for modest residential enlargements.

Comment 7: The zoning proposal by the NYC Department of City Planning will be the new beginning of our community. Please use your good office to approve City Planning’s Proposal for our community. We would also appreciate if you would remove from the “Use Groups”; Slaughter Houses of Any Type, Hotels and Hazardous Material Operations, none of which have any place in a residential-mixed use community. We need every square foot

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of property that is available for residential use in keeping with Mayor Bloomberg's 2030 Plan. (35, 36, 37, 38, 39, 40, 41, 42, 43)

Response 7: Although the proposed zoning would allow slaughterhouses, hazardous material operations, and hotels, such uses are unlikely to occur as a result of the proposed actions on projected and potential development sites (see discussion of RWCDs in DEIS). The proposed actions are expected to result in a substantial increase in residential use, with a net gain of 1,555 dwelling units.

Comment 8: I recently moved to Dutch Kills to start a Tibetan Learning Center. This neighborhood is unique and the lowness of the buildings, the light, the friendly and varied neighborhood, and the calmness and proximity to the midtown and the subway lines make it a perfect place for us to reside. We were happy to see Quality Inn and what is now Hotel Verve move into the neighborhood as we felt it provided a place for students that come from a far to stay. These hotels were built at a scale that is appropriate to the neighborhood. The recent hotel development however is out of scale with the community. There are currently five hotels being built around us and we feel the ground shake every day as pilings are put in the ground. The very rare and unique quality of this neighborhood will soon disappear if the rezoning proposal is not passed soon to save what is left of our community. (44)

Response 8: The effect of out-of-scale hotel development on the neighborhood character is described in various chapters of the DEIS, including Chapter 8, "Urban Design and Visual Resources".

Comment 9: When the Dutch Kills plans were made with New York City Planning about three years ago, our target and priority was to keep our 2 and 3-family tree lined blocks. Since that time several developers have moved in to develop transient hotels with the permitted 5 FAR. I am asking that you approve the proposed zoning allowing residential building as-of-right with an amendment recommending at least 3 FAR for residential. Homeowners should be afforded the same height as commercial owners. (9)

Response 9: The proposed rezoning will allow a mixture of uses of varying density (including residential) within the proposed M1-2/R5B, M1-2/R5D, M1-2/R6A and M1-3/R7X districts. While the commercial and industrial FAR will be fixed at 2.0 in M1-2 districts and 5.0 in the proposed M1-3 district, the differing FARs for residential uses are based on the existing scale of the built context. For example, R5B allows an FAR of 1.65 (this was increased in the Dutch Kills Subdistrict from the typical R5B FAR of 1.35), R5D allows an FAR of 2.0, R6A allows an FAR of 3.0 and the R7X district would allow an FAR of 5.0. The proposed mapping of these residential district designations was based on factors such as the predominant scale of existing developments and compatibility with surrounding land uses and densities.