

**Environmental Assessment Statement  
and  
Supplemental Report**

**for**

**13-15 Greenpoint Avenue Zoning Text  
Amendment**

**13-15 Greenpoint Avenue  
Brooklyn, NY**

**Prepared by:**

**Compliance Solutions Services, LLC  
434 West 20<sup>th</sup> Street  
New York, NY 10011**

**November 2016**

# **EAS FORM**



## City Environmental Quality Review

### ENVIRONMENTAL ASSESSMENT STATEMENT (EAS) SHORT FORM

FOR UNLISTED ACTIONS ONLY • Please fill out and submit to the appropriate agency ([see instructions](#))

#### Part I: GENERAL INFORMATION

**1. Does the Action Exceed Any Type I Threshold in 6 NYCRR Part 617.4 or 43 RCNY §6-15(A) (Executive Order 91 of 1977, as amended)?**  YES  NO

If "yes," STOP and complete the [FULL EAS FORM](#).

**2. Project Name** 13-15 Greenpoint Avenue - Text Amendment

#### 3. Reference Numbers

CEQR REFERENCE NUMBER (to be assigned by lead agency)  
16DCP167K

BSA REFERENCE NUMBER (if applicable)

ULURP REFERENCE NUMBER (if applicable)  
160282ZRK

OTHER REFERENCE NUMBER(S) (if applicable)  
(e.g., legislative intro, CAPA)

#### 4a. Lead Agency Information

NAME OF LEAD AGENCY

NYC Department of City Planning

NAME OF LEAD AGENCY CONTACT PERSON

Robert Dobruskin

ADDRESS 120 Broadway, 31<sup>st</sup> floor

CITY New York

STATE NY

ZIP 10271

TELEPHONE 212-720-3423

EMAIL

rdobrus@planning.nyc.gov

#### 4b. Applicant Information

NAME OF APPLICANT

Kent/Greenpoint LLC

NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON

John J. Strauss, Compliance Solutions Services, LLC

ADDRESS 434 West 20th Street, Suite 8

CITY New York

STATE NY

ZIP 10011

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css@nyc.rr.com

#### 5. Project Description

The Applicant, Kent/Greenpoint LLC, is seeking a Zoning Text Amendment to Zoning Resolution (ZR) Section 62-35 (Special Bulk Regulations in Certain Areas within Community District 1, Brooklyn) that would permit an 11-story mixed-use building on its property at 13-15 Greenpoint Avenue (Block 2556, Lots 45 and 46), which is adjacent to WNYC Transmitter Park, to have a massing oriented towards the Park rather than towards Greenpoint Avenue and/or Kent Street, on which the development site fronts. The development site is located on the block bounded by Kent Street, West Street, Greenpoint Avenue and the East River, in the Greenpoint neighborhood of Brooklyn, Community District 1. It lies within R6 and R6/C2-4 zoning districts and is designated as Parcel 12(b) on Waterfront Access Plan BK-1 (WAP).

The Zoning Text Amendment would modify the applicability of requirements of ZR Sections 23-532(a)(Required Rear Yard Equivalents), 23-861 (General Provisions), 62-354(g) and 62-354(h)(Special Height and Setback Regulations) with respect to Parcel 12(b) by providing that: (i) the lot line separating the development site from the Park (Park Street Line) will be considered as a street line of a wide street for purposes of applying the bulk regulations of the Zoning Resolution, including, the provisions governing rear yards and rear yard equivalents and the minimum distance between legally required windows and lot lines, (ii) the provisions of ZR Section 62-354(g) requiring the roof of a facility containing off-street parking spaces to be landscaped shall not apply to the building, and (iii) the provisions of ZR Section 62-354(h) governing street wall location and height shall not apply and in lieu thereof (a) the street wall of the building fronting the Park shall be set back a minimum of 8 feet from Park (and no balconies shall be permitted within such 8-foot setback area) and (b) at least 90 percent of the width of the street wall of the building fronting on Kent Street shall be located within 8 feet of the street line and extend to a minimum height of 30 feet.

The Applicant anticipates transferring up to approximately 6,000 gsf of excess floor area or development rights from up to four of five adjacent parcels on Block 2556 (Lots 48, 49, 50, 51 and 52 (collectively, the Air Rights Parcels)) through the provisions set forth in ZR Section 62-353 (Special floor area, lot coverage and residential density distribution regulations). The existing buildings on the site would be demolished and the property would be developed with an approximately 86,300 gsf mixed-use building approximately 6,000 gsf of which would be derived from the Air Rights Parcels. The building would contain approximately 72,570 gsf of residential floor area, approximately 4,700 gsf of local retail space, and approximately 9,030 gsf of accessory parking. The proposed building would contain 77 dwelling

units, 23 of which would be considered affordable and 1 of which would be a superintendent's unit. 36 off-street accessory parking spaces would be provided. See attached Project Description.

**Project Location**

BOROUGH Brooklyn	COMMUNITY DISTRICT(S) 1	STREET ADDRESS 13-15 Greenpoint Avenue
TAX BLOCK(S) AND LOT(S) Block 2556, Lots 45 & 46		ZIP CODE 11222
DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS Greenpoint Avenue and Kent Street between West Street and Transmitter Park		
EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY R6, R6/C2-4		ZONING SECTIONAL MAP NUMBER 12C

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

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

<input type="checkbox"/> CITY MAP AMENDMENT	<input type="checkbox"/> ZONING CERTIFICATION	<input type="checkbox"/> CONCESSION
<input type="checkbox"/> ZONING MAP AMENDMENT	<input type="checkbox"/> ZONING AUTHORIZATION	<input type="checkbox"/> UDAAP
<input checked="" type="checkbox"/> ZONING TEXT AMENDMENT	<input type="checkbox"/> ACQUISITION—REAL PROPERTY	<input type="checkbox"/> REVOCABLE CONSENT
<input type="checkbox"/> SITE SELECTION—PUBLIC FACILITY	<input type="checkbox"/> DISPOSITION—REAL PROPERTY	<input type="checkbox"/> FRANCHISE
<input type="checkbox"/> HOUSING PLAN & PROJECT	<input type="checkbox"/> OTHER, explain:	

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

SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION 12-10, 23-532(a), 23-861, 62-354(g)(h)

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

VARIANCE (use)

VARIANCE (bulk)

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

SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

**Department of Environmental Protection:**  YES  NO If "yes," specify:

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

<input type="checkbox"/> LEGISLATION	<input type="checkbox"/> FUNDING OF CONSTRUCTION, specify:
<input type="checkbox"/> RULEMAKING	<input type="checkbox"/> POLICY OR PLAN, specify:
<input type="checkbox"/> CONSTRUCTION OF PUBLIC FACILITIES	<input type="checkbox"/> FUNDING OF PROGRAMS, specify:
<input type="checkbox"/> 384(b)(4) APPROVAL	<input type="checkbox"/> PERMITS, specify:
<input type="checkbox"/> OTHER, explain:	

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

<input type="checkbox"/> PERMITS FROM DOT'S OFFICE OF CONSTRUCTION MITIGATION AND COORDINATION (OCMC)	<input type="checkbox"/> LANDMARKS PRESERVATION COMMISSION APPROVAL
<input checked="" type="checkbox"/> OTHER, explain: Dept. of Buildings buildings permit	

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

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

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

<input checked="" type="checkbox"/> SITE LOCATION MAP	<input checked="" type="checkbox"/> ZONING MAP	<input checked="" type="checkbox"/> SANBORN OR OTHER LAND USE MAP
<input checked="" type="checkbox"/> TAX MAP	<input type="checkbox"/> FOR LARGE AREAS OR MULTIPLE SITES, A GIS SHAPE FILE THAT DEFINES THE PROJECT SITE(S)	
<input checked="" type="checkbox"/> 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.): 22,230	Waterbody area (sq. ft) and type: 0
Roads, buildings, and other paved surfaces (sq. ft.): 22,230	Other, describe (sq. ft.): 0

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

SIZE OF PROJECT TO BE DEVELOPED (gross square feet): 86,300

NUMBER OF BUILDINGS: 1

HEIGHT OF EACH BUILDING (ft.): 115

GROSS FLOOR AREA OF EACH BUILDING (sq. ft.): 86,300

NUMBER OF STORIES OF EACH BUILDING: 11

Does the proposed project involve changes in zoning on one or more sites?  YES  NO

If "yes," specify: The total square feet owned or controlled by the applicant: 22,230

The total square feet not owned or controlled by the applicant: 0

Does the proposed project involve in-ground excavation or subsurface disturbance, including, but not limited to foundation work, pilings, utility lines, or grading?  YES  NO

If "yes," indicate the estimated area and volume dimensions of subsurface permanent and temporary disturbance (if known):  
 AREA OF TEMPORARY DISTURBANCE:                      sq. ft. (width x length)                      VOLUME OF DISTURBANCE: 2,900 cubic ft. (width x length x depth)  
 AREA OF PERMANENT DISTURBANCE: 22,230 sq. ft. (width x length)

**Description of Proposed Uses** (please complete the following information as appropriate)

	<b>Residential</b>	<b>Commercial</b>	<b>Community Facility</b>	<b>Industrial/Manufacturing</b>
<b>Size</b> (in gross sq. ft.)	72,570	4,700	0	0
<b>Type</b> (e.g., retail, office, school)	77 units	local retail	N/A	N/A

Does the proposed project increase the population of residents and/or on-site workers?  YES  NO  
 If "yes," please specify:                      NUMBER OF ADDITIONAL RESIDENTS: 154                      NUMBER OF ADDITIONAL WORKERS: 17  
 Provide a brief explanation of how these numbers were determined: Residents based on average household size of 2.0 persons per dwelling unit in census tract 565 (2010 census); Retail workers based on 3 employees per 1,000 sf of retail floor area; Residential workers based on 0.04/DU

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

Has a No-Action scenario been defined for this project that differs from the existing condition?  YES  NO  
 If "yes," see [Chapter 2](#), "Establishing the Analysis Framework" and describe briefly: Absent the proposed action, the existing buildings on the site would be demolished and the site would be developed with an as-of-right approximately 88,250 gsf mixed-use building. The building would contain approximately 71,550 gsf of residential floor area, approximately 4,200 gsf of local retail space, and approximately 12,500 gsf of accessory parking. The building would contain 76 dwelling units, 23 of which would be considered affordable and 1 of which would be a superintendent's unit. 35 off-street accessory parking spaces would be provided. See attached Project Description.

**9. Analysis Year** [CEQR Technical Manual Chapter 2](#)

ANTICIPATED BUILD YEAR (date the project would be completed and operational): 2019

ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: 18

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

BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE:

**10. Predominant Land Use in the Vicinity of the Project** (check all that apply)  
 RESIDENTIAL     MANUFACTURING     COMMERCIAL     PARK/FOREST/OPEN SPACE     OTHER, specify:

**Part II: TECHNICAL ANALYSIS**

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

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

	YES	NO
<b>1. LAND USE, ZONING, AND PUBLIC POLICY:</b> <a href="#">CEQR Technical Manual Chapter 4</a>		
(a) Would the proposed project result in a change in land use different from surrounding land uses?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Would the proposed project result in a change in zoning different from surrounding zoning?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) Is there the potential to affect an applicable public policy?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) If “yes,” to (a), (b), and/or (c), complete a preliminary assessment and attach.		
(e) Is the project a large, publicly sponsored project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If “yes,” complete a PlaNYC assessment and attach.		
(f) Is any part of the directly affected area within the City’s <a href="#">Waterfront Revitalization Program boundaries</a> ?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
o If “yes,” complete the <a href="#">Consistency Assessment Form</a> . See attached report.		
<b>2. SOCIOECONOMIC CONDITIONS:</b> <a href="#">CEQR Technical Manual Chapter 5</a>		
(a) Would the proposed project:		
o Generate a net increase of 200 or more residential units?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Generate a net increase of 200,000 or more square feet of commercial space?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Directly displace more than 500 residents?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Directly displace more than 100 employees?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Affect conditions in a specific industry?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>3. COMMUNITY FACILITIES:</b> <a href="#">CEQR Technical Manual Chapter 6</a>		
(a) Direct Effects		
o Would the project directly eliminate, displace, or alter public or publicly funded community facilities such as educational facilities, libraries, hospitals and other health care facilities, day care centers, police stations, or fire stations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Indirect Effects		
o <b>Child Care Centers:</b> 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 <a href="#">Chapter 6</a> )	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o <b>Libraries:</b> 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 <a href="#">Chapter 6</a> )	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o <b>Public Schools:</b> 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 <a href="#">Chapter 6</a> )	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o <b>Health Care Facilities and Fire/Police Protection:</b> Would the project result in the introduction of a sizeable new neighborhood?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>4. OPEN SPACE:</b> <a href="#">CEQR Technical Manual Chapter 7</a>		
(a) Would the proposed project change or eliminate existing open space?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Is the project located within an under-served area in the <a href="#">Bronx</a> , <a href="#">Brooklyn</a> , <a href="#">Manhattan</a> , <a href="#">Queens</a> , or <a href="#">Staten Island</a> ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If “yes,” would the proposed project generate more than 50 additional residents or 125 additional employees?	<input type="checkbox"/>	<input type="checkbox"/>
(c) Is the project located within a well-served area in the <a href="#">Bronx</a> , <a href="#">Brooklyn</a> , <a href="#">Manhattan</a> , <a href="#">Queens</a> , or <a href="#">Staten Island</a> ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If “yes,” would the proposed project generate more than 350 additional residents or 750 additional employees?	<input type="checkbox"/>	<input type="checkbox"/>
(d) If the project is located in an area that is neither under-served nor well-served, would it generate more than 200 additional residents or 500 additional employees?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	YES	NO
<b>5. SHADOWS:</b> <a href="#">CEQR Technical Manual Chapter 8</a>		
(a) Would the proposed project result in a net height increase of any structure of 50 feet or more?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>6. HISTORIC AND CULTURAL RESOURCES:</b> <a href="#">CEQR Technical Manual Chapter 9</a>		
(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 <a href="#">GIS System for Archaeology and National Register</a> to confirm)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Would the proposed project involve construction resulting in in-ground disturbance to an area not previously excavated?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(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 attached report.		
<b>7. URBAN DESIGN AND VISUAL RESOURCES:</b> <a href="#">CEQR Technical Manual Chapter 10</a>		
(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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Would the proposed project result in obstruction of publicly accessible views to visual resources not currently allowed by existing zoning?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>8. NATURAL RESOURCES:</b> <a href="#">CEQR Technical Manual Chapter 11</a>		
(a) Does the proposed project site or a site adjacent to the project contain natural resources as defined in Section 100 of <a href="#">Chapter 11</a> ?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
o If "yes," list the resources and attach supporting information on whether the proposed project would affect any of these resources.		
(b) Is any part of the directly affected area within the <a href="#">Jamaica Bay Watershed</a> ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If "yes," complete the <a href="#">Jamaica Bay Watershed Form</a> , and submit according to its <a href="#">instructions</a> .		
<b>9. HAZARDOUS MATERIALS:</b> <a href="#">CEQR Technical Manual Chapter 12</a>		
(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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Does the proposed project site have existing institutional controls (e.g., (E) designation or Restrictive Declaration) relating to hazardous materials that preclude the potential for significant adverse impacts?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Would the project require soil disturbance in a manufacturing area or any development on or near a manufacturing area or existing/historic facilities listed in <a href="#">Appendix 1</a> (including nonconforming uses)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d) Would the project result in the development of a site where there is reason to suspect the presence of hazardous materials, contamination, illegal dumping or fill, or fill material of unknown origin?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(e) Would the project result in development on or near a site that has or had underground and/or aboveground storage tanks (e.g., gas stations, oil storage facilities, heating oil storage)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(f) Would the project result in renovation of interior existing space on a site with the potential for compromised air quality; vapor intrusion from either on-site or off-site sources; or the presence of asbestos, PCBs, mercury or lead-based paint?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(g) Would the project result in development on or near a site with potential hazardous materials issues such as government-listed voluntary cleanup/brownfield site, current or former power generation/transmission facilities, coal gasification or gas storage sites, railroad tracks or rights-of-way, or municipal incinerators?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(h) Has a Phase I Environmental Site Assessment been performed for the site?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
o If "yes," were Recognized Environmental Conditions (RECs) identified? Briefly identify: See attached report.		
<b>10. WATER AND SEWER INFRASTRUCTURE:</b> <a href="#">CEQR Technical Manual Chapter 13</a>		
(a) Would the project result in water demand of more than one million gallons per day?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) If the proposed project located in a <a href="#">separately sewered area</a> , would it result in the same or greater development than the amounts listed in Table 13-1 in <a href="#">Chapter 13</a> ?	<input type="checkbox"/>	<input type="checkbox"/>
(d) Would the proposed project involve development on a site that is 5 acres or larger where the amount of impervious surface would increase?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(e) If the project is located within the <a href="#">Jamaica Bay Watershed</a> or in certain <a href="#">specific drainage areas</a> , 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?	<input type="checkbox"/>	<input type="checkbox"/>

	YES	NO
(f) Would the proposed project be located in an area that is partially sewerred or currently unsewerred?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(g) Is the project proposing an industrial facility or activity that would contribute industrial discharges to a Wastewater Treatment Plant and/or generate contaminated stormwater in a separate storm sewer system?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(h) Would the project involve construction of a new stormwater outfall that requires federal and/or state permits?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>11. SOLID WASTE AND SANITATION SERVICES:</b> <a href="#">CEQR Technical Manual Chapter 14</a>		
(a) Using Table 14-1 in <a href="#">Chapter 14</a> , the project's projected operational solid waste generation is estimated to be (pounds per week): 4,263		
o Would the proposed project have the potential to generate 100,000 pounds (50 tons) or more of solid waste per week?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>12. ENERGY:</b> <a href="#">CEQR Technical Manual Chapter 15</a>		
(a) Using energy modeling or Table 15-1 in <a href="#">Chapter 15</a> , the project's projected energy use is estimated to be (annual BTUs): 11,181,275		
(b) Would the proposed project affect the transmission or generation of energy?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>13. TRANSPORTATION:</b> <a href="#">CEQR Technical Manual Chapter 16</a>		
(a) Would the proposed project exceed any threshold identified in Table 16-1 in <a href="#">Chapter 16</a> ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) If "yes," conduct the screening analyses, attach appropriate back up data as needed for each stage and answer the following questions:		
o Would the proposed project result in 50 or more Passenger Car Equivalents (PCEs) per project peak hour?	<input type="checkbox"/>	<input type="checkbox"/>
o If "yes," would the proposed project result in 50 or more vehicle trips per project peak hour at any given intersection? <i>**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 <a href="#">Chapter 16</a> for more information.</i>	<input type="checkbox"/>	<input type="checkbox"/>
o Would the proposed project result in more than 200 subway/rail or bus trips per project peak hour?	<input type="checkbox"/>	<input type="checkbox"/>
o If "yes," would the proposed project result, per project peak hour, in 50 or more bus trips on a single line (in one direction) or 200 subway trips per station or line?	<input type="checkbox"/>	<input type="checkbox"/>
o Would the proposed project result in more than 200 pedestrian trips per project peak hour?	<input type="checkbox"/>	<input type="checkbox"/>
o If "yes," would the proposed project result in more than 200 pedestrian trips per project peak hour to any given pedestrian or transit element, crosswalk, subway stair, or bus stop?	<input type="checkbox"/>	<input type="checkbox"/>
<b>14. AIR QUALITY:</b> <a href="#">CEQR Technical Manual Chapter 17</a>		
(a) <i>Mobile Sources:</i> Would the proposed project result in the conditions outlined in Section 210 in <a href="#">Chapter 17</a> ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) <i>Stationary Sources:</i> Would the proposed project result in the conditions outlined in Section 220 in <a href="#">Chapter 17</a> ?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
o If "yes," would the proposed project exceed the thresholds in Figure 17-3, Stationary Source Screen Graph in <a href="#">Chapter 17</a> ? (Attach graph as needed) See attached report.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) Does the proposed project involve multiple buildings on the project site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) Does the proposed project require federal approvals, support, licensing, or permits subject to conformity requirements?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>15. GREENHOUSE GAS EMISSIONS:</b> <a href="#">CEQR Technical Manual Chapter 18</a>		
(a) Is the proposed project a city capital project or a power generation plant?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Would the proposed project fundamentally change the City's solid waste management system?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) If "yes" to any of the above, would the project require a GHG emissions assessment based on the guidance in <a href="#">Chapter 18</a> ?	<input type="checkbox"/>	<input type="checkbox"/>
<b>16. NOISE:</b> <a href="#">CEQR Technical Manual Chapter 19</a>		
(a) Would the proposed project generate or reroute vehicular traffic?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Would the proposed project introduce new or additional receptors (see Section 124 in <a href="#">Chapter 19</a> ) 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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>17. PUBLIC HEALTH:</b> <a href="#">CEQR Technical Manual Chapter 20</a>		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Air Quality;	<input type="checkbox"/>	<input checked="" type="checkbox"/>

YES	NO

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?

<input checked="" type="checkbox"/>	<input type="checkbox"/>
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(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. **The project requires a detailed analysis of shadows as related to WNYC Transmitter Park, which is located adjacent to the project site to the west. As detailed in the Shadows section of the attached report, none of the new shadows cast on Transmitter Park by the proposed project would be considered significant.**

**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?

<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>

(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 attached report.

**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  
John J. Strauss, Compliance Solutions Services, LLC

DATE  
November 23, 2016

SIGNATURE  


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

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

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

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

**Potentially Significant Adverse Impact**

IMPACT CATEGORY	YES	NO
Land Use, Zoning, and Public Policy	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Socioeconomic Conditions	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Community Facilities and Services	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Open Space	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Shadows	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Historic and Cultural Resources	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Urban Design/Visual Resources	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Natural Resources	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Hazardous Materials	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Water and Sewer Infrastructure	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Solid Waste and Sanitation Services	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Energy	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Transportation	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Air Quality	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Greenhouse Gas Emissions	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Noise	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Public Health	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Neighborhood Character	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Construction	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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 Deputy Director, Environmental Assessment & Review Division	LEAD AGENCY New York City Department of City Planning
NAME Olga Abinader	DATE November 23, 2016
SIGNATURE 	

# **PROJECT DESCRIPTION**

## **13-15 Greenpoint Avenue - Text Amendment**

### **Project Description**

#### **Proposed Action**

This Environmental Assessment Statement (EAS) is filed under the City Environmental Quality Review (CEQR) procedures in connection with an application made to the City Planning Commission (CPC) pursuant to Sections 197-c and 201 of the New York City Charter for a proposed Zoning Text Amendment as further detailed below.

The Applicant, Kent/Greenpoint LLC, is seeking a Zoning Text Amendment to Zoning Resolution (ZR) Section 62-35 (Special Bulk Regulations in Certain Areas within Community District 1, Brooklyn) that would permit an 11-story mixed-use building on its property at 13-15 Greenpoint Avenue (Block 2556, Lots 45 and 46, the "development site"), which is adjacent to WNYC Transmitter Park, to have a massing oriented towards the Park rather than towards Greenpoint Avenue and/or Kent Street, on which the development site fronts. The development site is located on the block bounded by Kent Street, West Street, Greenpoint Avenue and the East River, in the Greenpoint neighborhood of Brooklyn, Community District 1. It lies within R6 and R6/C2-4 zoning districts and is designated as Parcel 12(b) on Waterfront Access Plan BK-1 (WAP).

The Zoning Text Amendment would modify the applicability of requirements of ZR Sections 23-532(a)(Required Rear Yard Equivalents), 23-861 (General Provisions), 62-354(g) and 62-354(h)(Special Height and Setback Regulations) with respect to Parcel 12(b) by providing that: (i) the lot line separating the development site from the Park (Park Street Line) will be considered as a street line of a wide street for purposes of applying the bulk regulations of the Zoning Resolution, including, the provisions governing rear yards and rear yard equivalents and the minimum distance between legally required windows and lot lines, (ii) the provisions of ZR Section 62-354(g) requiring the roof of a facility containing off-street parking spaces to be landscaped shall not apply to the building, and (iii) the provisions of ZR Section 62-354(h) governing street wall location and height shall not apply and in lieu thereof (a) the street wall of the building fronting the Park shall be set back a minimum of 8 feet from the Park (and no balconies shall be permitted within such 8-foot setback area) and (b) at least 90 percent of the width of the street wall of the building fronting on Kent Street shall be located within 8 feet of the street line and extend to a minimum height of 30 feet.

#### **Other Zoning Text Amendments**

On February 3, 2016 the City Planning Commission approved two additional amendments to the text of the Zoning Resolution: the Mandatory Inclusionary Housing (MIH) text amendment (CEQR No. 16DCP028Y and ULURP No. N160051ZRY) and the Zoning for Quality and Affordability (ZQA) text amendment (CEQR No. 15DCP104Y and ULURP No. N160049ZRY). On March 22, 2016, the MIH and ZQA Text Amendments were approved with modifications by the New York City Council. A description of the MIH and ZQA Text Amendments follows below.

Under the MIH Text Amendment, permanently affordable housing set-asides are required for all developments over 10 units or 12,500 zsf within designated Mandatory Inclusionary Housing areas. The MIH Text Amendment does not affect existing provisions in the Zoning

Resolution that apply to the regulation and administration of the Inclusionary Housing Program within existing Inclusionary Housing Designated Areas. As noted above, the development site is located within an existing Inclusionary Housing Designated Area. Accordingly, the Applicant does not anticipate that any changes would be made to the building or the as-of-right building under the provisions of the MIH Text Amendment.

The ZQA Text Amendment effectuates a set of targeted changes to zoning regulations to support the creation of new affordable housing and encourage better residential buildings. The ZQA Text Amendment does not modify the special bulk regulations applicable to new developments in the WAP that are set forth in ZR Section 62-30 et seq. The ZQA Text Amendment eliminates the requirement to provide accessory off-street parking for “income-restricted housing units” which is defined as dwelling units restricted to households earning up to 80 percent of AMI. Under current zoning (ZR Section 25-25), governmental assisted units generate a parking requirement of 0.35 spaces per unit in Quality Housing buildings in R6 districts. Pursuant to ZR Sec. 62-352, 7.5 percent of the residential floor area in the new building would be reserved for households earning up to 80 percent of AMI, which would work out to approximately 4,667 zsf, or 6 of the 77 proposed units, under the With-Action Scenario. Pursuant to the parking provisions of the ZQA Text Amendment, the number of accessory off-street parking spaces required as part of the project is 36 based on the provision of parking for 50% of the 71 market rate units, and 36 spaces are proposed to be provided. Likewise, under the No-Action Scenario, the number of required accessory off-street parking spaces is 35, and 35 parking spaces would be provided.

## **Existing Conditions**

### Description of the Surrounding Area

The development site is located on a waterfront block near the western edge of Brooklyn Community District 1’s Greenpoint neighborhood. This area of the City was first developed more than 100 years ago when both sides of the East River were dominated by large factories, oil refineries, and shipyards. By the mid-19th century, the area had become heavily industrialized by the expansion of ship builders, oil and sugar refineries, and iron foundries. This expansion spurred the growth of residential neighborhoods on streets to the east. The neighborhoods housed industrial workers in homes intermingled with factories, setting a pattern of mixed use that persists to this day.

Over the years, heavy manufacturing in the waterfront area has been replaced by light manufacturing, wholesaling, distribution, and construction. Many waterfront blocks remain vacant and underutilized today. The waterfront blocks immediately surrounding the development site contain industrial warehouse and distribution facilities, offices, apartments, and an open transportation facility. The block containing the development site contains the Park and residential and mixed-use buildings.

The upland surrounding area is characterized by mixed residential, commercial, and institutional uses. The physical character of this part of Greenpoint is shaped by a mix of low- and mid-rise residential and industrial buildings. In general, three types of buildings predominate in the upland area: three- to four-story brick or frame buildings often with stoops, which form a continuous street wall; five- to six-story apartment buildings and older industrial loft buildings; and low-rise industrial buildings.

The largest public open spaces in the surrounding area are the Park (immediately west of the Rezoning Area) and American Playground to the southeast of the development site on the west side of Franklin Street between Milton Street and Noble Street.

In 2005, the Commission and the City Council adopted the Greenpoint-Williamsburg rezoning (C 050111A ZMK, the “2005 Rezoning”), covering a 183-block area generally bounded by the Williamsburg Bridge to the south, the Brooklyn-Queens Expressway and McGuinness Boulevard to the east, Newtown Creek to the north, and the East River to the west. The 2005 Rezoning rezoned waterfront blocks (including the block on which the development site is located) with R6 and/or R8 districts and C2-4 commercial overlays mapped along West Street and Commercial Street to a depth that generally varies from 100 to 460 feet. In recognition of the mixed-use character that has long defined the area, a Special Mixed-Use District (MX-8) was established that incorporates many of the upland blocks between West Street and Franklin Street. The MX District pairs M1-1 and M1-2 manufacturing districts with R6A and R6B districts and permits residential, community facility, commercial, and light industrial uses to exist side-by-side within the same building to facilitate a balanced variety of uses.

In connection with the 2005 Rezoning, a WAP was established for the Greenpoint-Williamsburg waterfront between Manhattan Avenue and North 3rd Street, which identified specific locations for required shore public walkways, upland connections, supplemental public access areas, and visual corridors, and established design parameters tailored to the geography of the WAP area. Regulations governing height, setback, and use within the WAP were modified to ensure a sensitive transition between waterfront and upland blocks, encourage varied building heights, control tower dimensions, provide a pedestrian-friendly streetscape, and activate waterfront public access areas. The 2005 Rezoning also established an Inclusionary Housing zoning bonus in the WAP and MX District. This zoning bonus was intended to stimulate production and preservation of affordable housing.

The Environmental Impact Statement for the 2005 Rezoning (the “2005 EIS”) identified significant impacts including decrease in housing affordability in the area, increased utilization of elementary schools and publicly funded daycare facilities, decrease in open space, destruction of historic resources, traffic impacts at 13 intersections and increased utilization of public transit. The following mitigation measures were proposed: (i) providing approximately 2,060 affordable housing units, half of which would be subject to a preference policy favoring Brooklyn Community District 1 residents; (ii) construction or lease of a new K-8 or elementary school; (iii) monitoring and responding as needed to demand for publicly funded daycare; (iv) creation of 2.75 acres of open space and development of the McCarren Park pool; and (v) various minor changes to traffic controls.

#### Applicant Controlled Proposed Development Site

The Applicant owns the development site, which is an L-shaped parcel with frontages of 66 feet on Greenpoint Avenue and 168 feet on Kent Street. Greenpoint Avenue is a “wide street” and Kent Street is a “narrow street” as defined in ZR Section 12-10. The western 66 feet of the development site is contiguous to the Park’s eastern border and constitutes a “through lot” as defined in ZR Sec. 12-10, running from Greenpoint Avenue to Kent Street. The remainder of the Development Site constitutes an “interior lot” fronting on Kent Street. The total lot area is 22,230 square feet (sf).

The development site is located entirely within an R6 zoning district, and 10,645 sf of the area of the development site is within a C2-4 commercial overlay. R6 districts allow 2.43 FAR (up to 2.75 if inclusionary housing is provided), Use Group 1 and 2 residential uses and Use Group 3 and 4 community facility uses. In the C2-4 overlay, up to 2.0 FAR may be used for a variety of local commercial retail and service uses in Use Groups 5-9 and 14. The development site is also located on a waterfront block in an Inclusionary Housing Designated Area (IHDA) in Brooklyn Community District 1 and in WAP.

Under the applicable regulations in the R6 district and C2-4 overlay district on waterfront blocks in an IHDA and in WAP BK-1, the 22,230 square foot property could be developed with up to 61,133 square feet of zoning floor area based on the maximum FAR with IH bonus of 2.75. Per the provisions of ZR Section 62-352(b), 4,585 square feet of low income floor area, or 5 dwelling units at 1,000 square feet per unit, would be required to be provided per the IHDA.

The development site is currently improved with five manufacturing buildings containing approximately 23,425 gross square feet (gsf) of floor area comprised of Use Group 18 warehouse and related accessory uses. These buildings include three 1-story buildings, all of which are on Lot 45, fronting on Kent Street containing approximately 15,000 gsf of floor area and two 2-story buildings, one of which is on Lot 45 and one of which is on Lot 46, fronting on Greenpoint Avenue containing approximately 8,425 gsf of floor area<sup>1</sup>. There are three existing curb cuts on Kent Street and two existing curb cuts on Greenpoint Avenue, for a total of five curb cuts on the development site. Prior to the adoption of the 2005 Rezoning, the development site was zoned as an M3-1 district, in which Use Group 16 uses were permitted as-of-right. Accordingly, the existing uses in the existing buildings are legal non-conforming.

The 2005 Rezoning identified the development site, Block 2556, Lots 45 and 46, as Potential Development Site 51 and assumed that the site would be developed with approximately 54,096 square feet of residential floor area for 54 dwelling units. It projected that the site could potentially be redeveloped by 2015, but development on potential development sites would be less likely than on projected development sites.

In connection with the 2005 Rezoning, the development site received E-designations (E-138) for hazardous materials and noise. Accordingly, a building permit for the development site cannot be obtained until a testing and sampling protocol has been conducted, a remediation plan has been developed and construction related health and safety plans have been approved. Any building on the site must provide a minimum noise attenuation of 30 dBA. The E-designation language is included below.

#### Hazardous Materials

*The (E) designation requires that the fee owner of the site conduct a testing and sampling protocol and remediation where appropriate, to the satisfaction of the NYCDEP before the issuance of a building permit. The (E) designation also includes a mandatory construction related health and safety plan which must be approved by NYCDEP. For an (E) designated site, the following tasks must be undertaken by the fee owners of the sites that are restricted under this designation:*

*Task 1 - The applicant must submit to the NYCDEP Office of Environmental Planning and*

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<sup>1</sup> Tax Lots 45 and 46 will be merged into a single tax lot and single zoning lot prior to the construction of the new building.

*Assessment (OEPA), for review and approval, a soil and groundwater testing protocol including a description of methods and a site map with all sampling locations clearly and precisely represented.*

*No sampling program should begin until written approval of a protocol is received from DEP. The number and location of sample sites should be selected to adequately characterize the site, the specific source of suspected contamination (i.e., petroleum based contamination and nonpetroleum based contamination) and the remainder of the site's condition. The characterization should be complete enough to determine what remediation strategy (if any) is necessary after review of sampling data. Guidelines and criteria for selecting sampling locations and collecting samples will be provided by DEP upon request.*

*Task 2 - A written report with findings and a summary of the data must be submitted to DEP after completion of the testing phase and laboratory analysis for review and approval. After receiving such tests results, a determination will be made by DEP if the results indicate that remediation is necessary.*

*If DEP determines that no remediation is necessary, written notice shall be given by DEP. If remediation is indicated from the test results, a proposed remediation plan must be submitted to DEP for review and approval. The applicant must complete such remediation as determined necessary by DEP. The applicant should then provide proper documentation that the work has been satisfactorily completed.*

*A DEP-approved construction-related health and safety plan would be implemented during excavation and construction activities to protect workers and the community from potentially significant adverse impacts associated with contaminated soil and/or groundwater. This Plan would be submitted to NYCDEP for review and approval prior to implementation.*

### Noise

*In order to ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed window condition with a minimum of 30 dBA window/wall attenuation on all façades in order to maintain an interior noise level of 45 dBA. In order to maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to central air conditioning or air conditioning sleeves containing air conditioners or HUD approved fans.*

The Applicant anticipates transferring up to 5,700 zoning square feet (zsf) of excess floor area (approximately 6,000 gsf), or development rights, from up to four of five adjacent parcels on Block 2556 (Lots 48, 49, 50, 51, and 52 (collectively, the Air Rights Parcels)) through the provisions set forth in ZR Section 62-353 (Special floor area, lot coverage and residential density distribution regulations)<sup>2</sup>. The Applicant does not own any of the Air Rights Parcels and has begun negotiations with the owners of the Air Rights Parcels regarding the potential acquisition of the development rights. These negotiations are currently ongoing.

The Air Rights Parcels each have a lot area of 1,900 sf and are located in the R6/C2-4 zoning district, which permits a maximum of 2.43 FAR without the inclusionary housing bonus described below, which works out to 4,617 zsf for each of the Air Rights Parcels. Each of the Air Rights Parcels is improved with a three-story building with residential uses on the upper two floors and either residential or commercial uses on the ground floor. The buildings on Lots 48, 51 and 52 each contain an estimated 2,880 gsf, and the buildings on Lots 49 and 50 each contain

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<sup>2</sup> ZR Section 62-353 permits the transfer of floor area without requiring a zoning lot merger pursuant to ZR Section 12-10. Accordingly, each Air Rights Parcel will remain on a separate zoning lot from the zoning lot comprising the development site.

an estimated 3,800 gsf. Assuming mechanical deductions of 3%, Lots 48, 51 and 52 each contain approximately 2,795 zsf and, thus, may each transfer up to 1,822 zsf to the development site. Lots 49 and 50 each contain approximately 3,685 zsf and may each transfer up to 932 zsf to the development site.

### Non-Applicant Controlled Sites

No other sites would be affected by the proposed Zoning Text Amendment as no other zoning lots adjacent to the Park have frontage on both Greenpoint Avenue and Kent Street.

### **Description of the Proposed Development**

The Applicant intends to demolish the existing buildings on the development site and erect a new mixed-use Quality Housing building that utilizes the maximum permitted FAR of 2.75, including the bonus available for inclusionary housing that is available in the R6 district in the IHDA pursuant to ZR Section 62-352(b)(2), plus up to approximately 5,700 zsf that would be transferred from up to four Air Rights Parcels.

As noted above, the development site has a lot area of 22,230 sf, and the building would contain 86,300 gsf of floor area (approximately 6,000 gsf of which would be derived from the Air Rights Parcels), including mechanical space, bicycle storage, accessory off-street parking, and other area that is not included in the definition of "floor area" set forth in ZR Section 12-10 (total proposed zoning floor area for the project is 66,833 sf; 4,610 sf would be used for Use Group 6 commercial uses and 62,223 sf would be used for residential use [includes the 5,700 sf from the proposed zoning lot merger].) Of the 86,300 gsf, 72,570 gsf would be residential space, including 77 dwelling units, lobby area, and 920 gsf of ground floor recreation space<sup>3</sup>, 4,700 gsf would be ground floor commercial (retail) space, and 9,030 gsf would be interior space used for 7,340 gsf of ground floor off-street accessory parking and a 1,690 gsf ramp to off-street accessory parking on the roof of a portion of the first story<sup>4</sup>. Each of the Air Rights Parcels has a lot area of 1,900 sf, generating a maximum base permitted floor area of 4,617 zsf. The building would contain 77 dwelling units, yielding an average dwelling unit size of approximately 942 gsf. The development site is within the Transit Zone created by the ZQA Text Amendment and, accordingly, 36 off-street accessory parking spaces would be required pursuant to ZR Sections 25-23 and 25-25, and 36 spaces would be provided, with 18 enclosed ground floor-level spaces accessible from Kent Street and 18 spaces on the roof above the enclosed ground floor-level spaces accessible by a ramp from Greenpoint Avenue.

The building would comply with the provisions of the Inclusionary Housing Program applicable to new developments in the WAP, which requires that 7.5 percent of the total floor area on the zoning lot (exclusive of ground floor non-residential floor area) be reserved for households earning up to 80 percent of Area Median Income (AMI). The building is also anticipated to comply with the programmatic requirements of Section 421-a of the Real Property Tax Law, which would require that at least 30 percent of the dwelling units be reserved for households earning up to 130 percent of AMI. The Section 421-a program expired in January 2016 but it is anticipated that it will be reinstated with some modifications. However, even if the program is not reinstated, no changes would be made to the development. Accordingly, the

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<sup>3</sup> An additional 1,100 sf of recreation space would be provided on the building's roof area.

<sup>4</sup> The 8,360 gsf upper parking area would be located on the roof over the 1st floor of the building and would not be counted as part of the building's gsf as it would not be enclosed.

Applicant anticipates that approximately 6 units, comprising approximately 4,667 zsf of residential floor area (approximately 4,900 gsf), will be reserved for households earning up to 80 percent of AMI and 17 additional units will be reserved for households earning up to 130 percent of AMI.

The building would vary in height from 1 to 11 stories, with a total height of 115 feet plus a mechanical bulkhead. The massing of the building would be oriented toward the Park, with legally required windows facing the Park (as well as both streets). Residential access would be provided from Kent Street at the northwest corner of the building, and the building's retail space would be provided in two 1-story spaces fronting on Kent Street and Greenpoint Avenue. Its frontage on Greenpoint Avenue would be one-story and 15 feet high, with one of the retail spaces and the access ramp to the 18 unenclosed parking spaces. On Kent Street, the western 79'-6" of frontage would be 6 stories (65 feet) high before a 15-foot setback, with an additional 13'-1" setback provided above the 10<sup>th</sup> story (105 feet high). The eastern 76'-6" of frontage would be one-story of retail with a height of 30 feet (a 4-foot wide open area would be provided between the retail frontage and the remainder of the Kent Street frontage above a height of 11 feet). The proposed building would be set back 8 feet from the Park, except for a canopy above the residential entry area, and a 9'-6" setback would be provided above the 6<sup>th</sup> story (65 feet high). A mechanical bulkhead would be provided above the 11<sup>th</sup> story, up to an elevation of 133'-8". The existing curb cuts on both Kent Street and Greenpoint Avenue would be eliminated and replaced with a single curb cut on each frontage.

### **Build Year**

The Project Build Year is 2019. The proposed development site is the only site on which new construction is planned to occur. Construction of the building is expected to be completed and occupancy is expected to begin by 2019, assuming approval of the Text Amendment by 2017 and an approximately 18-month construction period. Accordingly, a Project Build Year of 2019 is justified.

### **Purpose and Need of the Proposed Action**

The Applicant believes that orienting the massing of the building towards the Park will provide for a more efficient building and for better interaction between the building, the Park and the waterfront. Absent the Zoning Text Amendment, a 60-foot rear yard equivalent would be required along the centerline of the through-lot portion of the development site, which would require the building to be constructed as two separate building segments - one fronting Greenpoint Avenue and the other fronting Kent Street - with two separate building cores (including stairs and elevators). This configuration would reduce the amount of floor area that could be used for dwelling units and amenity space. A massing oriented towards the Park would allow for a single building segment and a single core and therefore more floor area for dwelling units and useable amenity space. The Applicant believes that such a massing also would help to activate the Park and would increase security by providing an "eyes on the park" condition. Absent the Zoning Text Amendment, apartment layouts and legal windows in the building would be oriented toward the street and the rear yard equivalent, and only a limited amount of lot line windows would face the Park. With the Zoning Text Amendment, apartment layouts and legal windows would front the Park as well as the streets. Finally, the Zoning Text Amendment would allow for better light and air in the Park. Absent the Zoning Text Amendment, the building would be required to be located on the lot line adjoining the Park.

With the Zoning Text Amendment, the building would be set back 8 to 17.5 feet from the Park providing for better light and air in the Park and a more interactive edge condition between the Park and adjacent outdoor amenity space for the building at ground level.

The Zoning Text Amendment would allow modifications to the requirements set forth in the following provisions of the Zoning Resolution in order to allow the proposed massing of the building:

- ZR Section 23-532(a) provides that on through lots with a depth of more than 110 feet from street to street, a 60-foot rear yard equivalent is required to be provided midway (or within 5 feet of being midway) between the two street lines upon which such through lot fronts. As shown on the Site Plan, the building would have its massing oriented towards the Park and a rear yard equivalent would not be provided midway between Greenpoint Avenue and Kent Street.

The Zoning Text Amendment would provide that the Park Street Line (i.e., the lot line separating the development site from the Park) would constitute a “street line” for purposes of applying all bulk regulations under the Zoning Resolution. Under ZR Section 23-541, no rear yard is required to be provided within 100 feet of the point of intersection of two street lines intersecting at an angle of 135 degrees or less. The Park Street Line would intersect the street lines of Kent Street and of Greenpoint Avenue street line each at angles of approximately 90 degrees. Therefore, if the Zoning Text Amendment is approved, no rear yard would be required within 100 feet of either of such intersections.

- ZR Section 23-861 provides that the minimum distance between a legally required window and a side lot line is 30 feet. A “side lot line” is any lot line that is not a front lot line or a rear lot line. Absent the Zoning Text Amendment, the Park Street Line would constitute a side lot line. The building would have legally required windows oriented towards the Park, set back 8 feet from the Park Street Line up to the 6th story and set back 17 feet, 6 inches from the Park Street Line for the upper stories of the building.

A “front lot line” is a street line. The Zoning Text Amendment would provide that the Park Street Line would constitute a “street line” for purposes of applying all bulk regulations under the Zoning Resolution. Accordingly, if the Zoning Text Amendment is approved, legally required windows may be provided within 30 feet of the Park Street Line.

- ZR Section 62-354(g) provides that any roof of a facility containing off-street parking spaces, not otherwise covered by a building, be landscaped. In order to provide the minimum required 36 off street accessory parking spaces, 18 spaces would be provided at the ground-floor of the building and an additional 18 spaces would be provided on the 1-story roof of the building above. Below-grade parking is not feasible given the location of the development site in the Flood Hazard Area. Likewise, the roof-level parking cannot be enclosed without exceeding the maximum lot coverage (65 percent) permitted in R6 districts in the Waterfront Area.

In order to allow parking on the 1-story roof of the building, the Zoning Text Amendment would provide that the requirements of Section 62-354(g) would not apply to the development site.

- ZR Section 62-354(h) provides that for developments in the WAP, at least 70% of the width of a building's street wall fronting on streets such as Kent Street and Greenpoint Avenue must be within 8 feet of the street line and at least 30 feet high. The building would comply with this provision on Kent Street, as its street wall would be within 8 feet of the street line and at least 30 feet high for 156 feet (93% of the 168-foot wide frontage). On Greenpoint Avenue, however, the building's street wall would not exceed a height of 15 feet, and it would not comply with Section 62-354(h).

The Zoning Text Amendment would require that the street wall of the building fronting the Park be set back at least 8 feet from the Park Street Line and no balconies would be permitted within such 8-foot setback area. Above the 6th floor (65' above base plane), the street wall of the building fronting the Park would set back an additional 9.5 feet from the Park Street Line. The Zoning Text Amendment would also require that at least 90 percent of the width of the street wall of the building fronting on Kent Street shall be located within 8 feet of the street line and extend to a minimum height of 30 feet.

### **Future No-Action Scenario**

The 2005 Rezoning projected that the development site would be a soft site that would be developed with 54 dwelling units under the proposed R6 zoning permitting an FAR of 2.43 (see page 1-18 of the Greenpoint-Williamsburg FEIS Project Description). As discussed in detail below, the current No-Action Scenario differs from what was projected at that time as the site would now be developed to an FAR of 2.75 with an inclusionary housing bonus plus the use of floor area to be obtained through the use of air rights parcels.

Given the current market for residential uses in Williamsburg and Greenpoint, the development site will be developed even if the Zoning Text Amendment is not enacted. The Applicant has been utilizing the development site in connection with its transportation business since prior to the Greenpoint-Williamsburg Rezoning. However, in light of the strength of the residential real estate market, the Applicant is now pursuing a mixed-use development, even if such development is less efficient than the massing that would be allowed with the Zoning Text Amendment. Accordingly, the No-Action Reasonable Worst Case Development Scenario (RWCDs) would reflect the following assumptions:

Absent the Zoning Text Amendment, the Applicant would redevelop the development site with an as-of-right mixed-use building that would fully comply with the applicable regulations in the R6 district and C2-4 overlay district on waterfront blocks in an IHDA and in WAP BK-1. The as-of-right building would utilize the maximum permitted FAR of 2.75 (61,133 zsf) on the development site (based on the lot area of 22,230 sf), including the bonus available for inclusionary housing that is available in the R6 district in the IHDA pursuant to ZR Section 62-352(b)(2), plus approximately 2,650 zsf (2,780 gsf) that would be transferred from up to four Air Rights Parcels (a total of 63,783 zsf). It would contain 88,250 gsf of floor area, including mechanical space, bicycle storage, accessory off-street parking, and other area that is not included in the definition of "floor area" set forth in ZR Section 12-10. Of the 88,250 gsf, 71,550 gsf would be residential space<sup>5</sup>, including dwelling units, lobby area, and 1,270 sf of enclosed

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<sup>5</sup> The 2005 EIS analyzed the Development Site as a potential development site ("Site 51"). As part of this environmental review, the potential residential floor area listed was calculated using the base permitted FAR of 2.43, resulting in 54,096 zsf (54 dwelling units). Since then, the housing market has changed and the Applicant believes there is greater potential for residential development.

recreation space on the first and second floors, 4,200 gsf would be ground floor commercial (retail) space, and 12,500 gsf would be space used for ground floor off-street accessory parking<sup>6</sup>. 35 off-street accessory parking spaces would be provided, all of which would be enclosed on the ground floor of the building.

In the absence of the proposed action, the Applicant would develop the site with an as-of-right building containing 76 dwelling units, 6 of which would be reserved for households earning up to 80 percent of AMI in compliance with the provisions of the inclusionary housing program, 17 of which would be reserved for households earning up to 130 percent of AMI under the 421(a) tax abatement program, and 1 of which would be a superintendent's unit.

The as-of-right building would vary in height from 1 to 14 stories: the development site would be built full for one-story with ground floor commercial space, off-street accessory parking and residential lobby and amenity space; a 7-story residential portion would front on Kent Street; and a 14-story residential portion would front on Greenpoint Avenue. More floor area would be provided on Greenpoint Avenue because it is 20-feet wider than Kent Street and, as a result, it is the Applicant's stance that views and light and air for the portion of the as-of-right building fronting on Greenpoint Avenue would be less impacted by future potential development of the parcel south of Greenpoint Avenue than would be the case on Kent Street. Accordingly, on Greenpoint Avenue, the as-of-right building would have a 6-story street wall (65 feet) before a 10-foot setback. Above the 10<sup>th</sup> story, the lot coverage of the 11<sup>th</sup> - 14<sup>th</sup> stories would be reduced at each level in accordance with ZR Section 62-354(b)(3), up to a total height of 145 feet. On Kent Street, the western 66 feet of the as-of-right building's frontage would be 6 stories (65 feet) before a 15-foot setback, and the 7<sup>th</sup> story would be 75 feet high. On 71 feet of the remainder of the Kent Street frontage, a one-story, 30-foot high retail space will be provided, as well as an entrance to the off-street accessory parking facility. The 14- and 7-story portions of the as-of-right building would be separated by a 70-foot rear yard equivalent above the ground floor pursuant to ZR Section 23-532(a). The rear yard equivalent required for the as-of-right building accounts for the greater number of stories in the no-action scenario because this requirement necessitates two building cores and a building that must rise higher to include the available floor area. The as-of-right building would be built to the side lot line it shares with the Park.

### **Future With-Action Scenario**

In the future with the action, the RWCDS would reflect the following assumptions:

With the proposed Zoning Text amendment, the Applicant would construct a building on the development site that would contain 86,300 gsf of floor area including 72,570 gsf of Use Group 2 residential space, 9,030 gsf of enclosed off-street residential accessory parking, and 4,700 gsf of Use Group 6 commercial uses as described above. The building would contain 66,833 zsf of floor area, increasing the maximum permitted 2.75 FAR by approximately 5,700 zsf that would be transferred from up to four of the Air Rights Parcels pursuant to ZR 62-353. 36 off-street accessory parking spaces would be provided, of which 18 would be enclosed on a basement level of the building, accessible from Greenpoint Avenue, and 18 would be above the first story roof, accessible by a ramp from Kent Street.

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Therefore, 71,550 gsf of residential use is projected on the development site, which includes 7,114 zsf of Inclusionary Housing bonus floor area and the 2,650 zsf of development rights from the Air Rights Parcels.

<sup>6</sup> An unenclosed parking area above the first story roof would have 7,000 gsf of area.

Under the proposed action, the Applicant would develop the site with a building containing 77 dwelling units, 6 of which would be reserved for households earning up to 80 percent of AMI, 17 of which would be reserved for households earning up to 130 percent of AMI, and 1 of which would be a superintendent's unit.

The building would vary in height from 1 to 11 stories and its massing would be oriented towards the Park, with legally required light and air provided above the Park and between 8 feet and 17'-6" of open space between the façade of the building and the western lot line of the development site.

**DESCRIPTION OF EXISTING AND PROPOSED CONDITIONS**

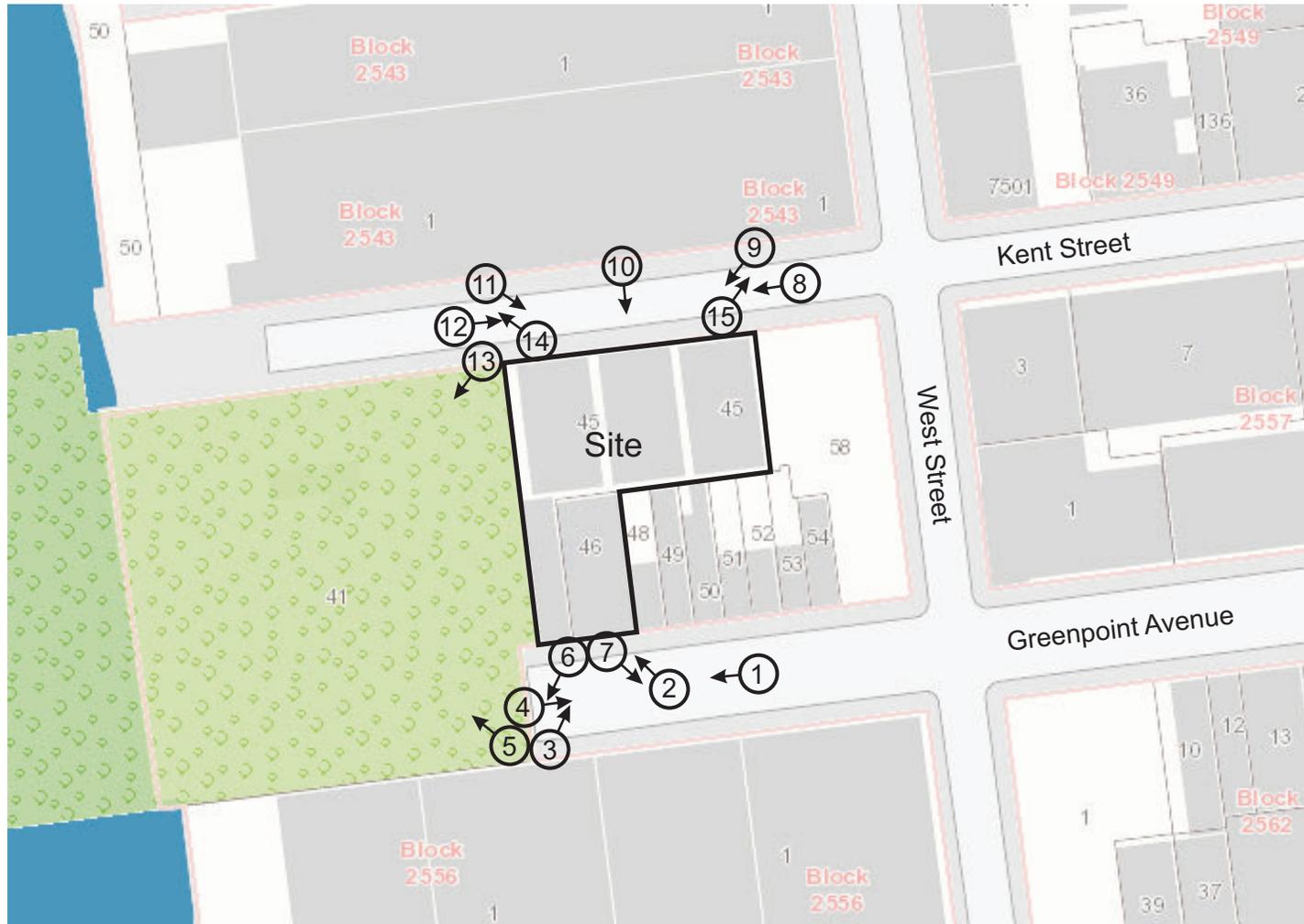
The information requested in this table applies to the Project Area affected by the proposed land use actions. The increment is the difference between the No-Action and the With-Action conditions.

If your project involves multiple development sites, it is generally appropriate to include total development projections in the table below and attach separate tables outlining the reasonable development scenarios for each site. Applicants may re-use information from this table, in its approved form, within the CEQR Full Form.

	<b>EXISTING CONDITION</b>	<b>NO-ACTION CONDITION</b>	<b>WITH-ACTION CONDITION</b>	<b>INCREMENT</b>
<b>LAND USE</b>				
<b>Residential</b>	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
If "yes," specify the following:				
Describe type of residential structures		Multi-family dwelling	Multi-family dwelling	
No. of dwelling units		76	77	+1
No. of low- to moderate-income units		23	23	
Gross floor area (sq. ft.)		71,550	72,570	+1,020
<b>Commercial</b>	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
If "yes," specify the following:				
Describe type (retail, office, other)		retail	retail	
Gross floor area (sq. ft.)		4,200	4,700	+500
<b>Manufacturing/Industrial</b>	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If "yes," specify the following:				
Type of use	Use Group 18 warehouse and related accessory uses			
Gross floor area (sq. ft.)	23,425			
Open storage area (sq. ft.)	none			
If any unenclosed activities, specify:	none			
<b>Community Facility</b>	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If "yes," specify the following:				
Type				
Gross floor area (sq. ft.)				
<b>Vacant Land</b>	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If "yes," describe:				
<b>Other Land Uses</b>	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If "yes," describe:				
<b>PARKING</b>				
<b>Garages</b>	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
If "yes," specify the following:				
No. of public spaces	none	none	none	
No. of accessory spaces	approximately 8	35	36	+1
<b>Lots</b>	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If "yes," specify the following:				
No. of public spaces				
No. of accessory spaces				
<b>ZONING</b>				
Zoning classification	R6, R6/C2-4, IHDA	R6, R6/C2-4, IHDA	R6, R6/C2-4, IHDA	
Maximum amount of floor area that can be developed	61,132.5 Resid, 21,290 Comm'l, 106,704 Comm Facility (not including use of air rights parcels)	61,132.5 Resid, 21,290 Comm'l, 106,704 Comm Facility (not including use of air rights parcels)	61,132.5 Resid, 21,290 Comm'l, 106,704 Comm Facility (not including use of air rights parcels)	
Predominant land use and zoning classifications within land use study area(s) or a 400 ft. radius of proposed project	resid, com'l, industrial, open space; R6, R6/C2-4, R8, R8/C2-4, M1-1, M1-2/R6A, M1-2/R6B	resid, com'l, industrial, open space; R6, R6/C2-4, R8, R8/C2-4, M1-1, M1-2/R6A, M1-2/R6B	resid, com'l, industrial, open space; R6, R6/C2-4, R8, R8/C2-4, M1-1, M1-2/R6A, M1-2/R6B	

# **FIGURES & PHOTOGRAPHS**



















Greenpoint Avenue











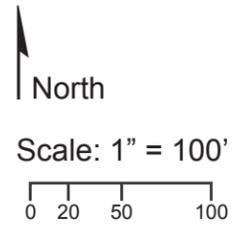




Kent Street



- Legend**
- Ⓝ - Lot Numbers
  - ### - Block Numbers
  - ..... - 400 Foot Radius





NYC Digital Tax Map

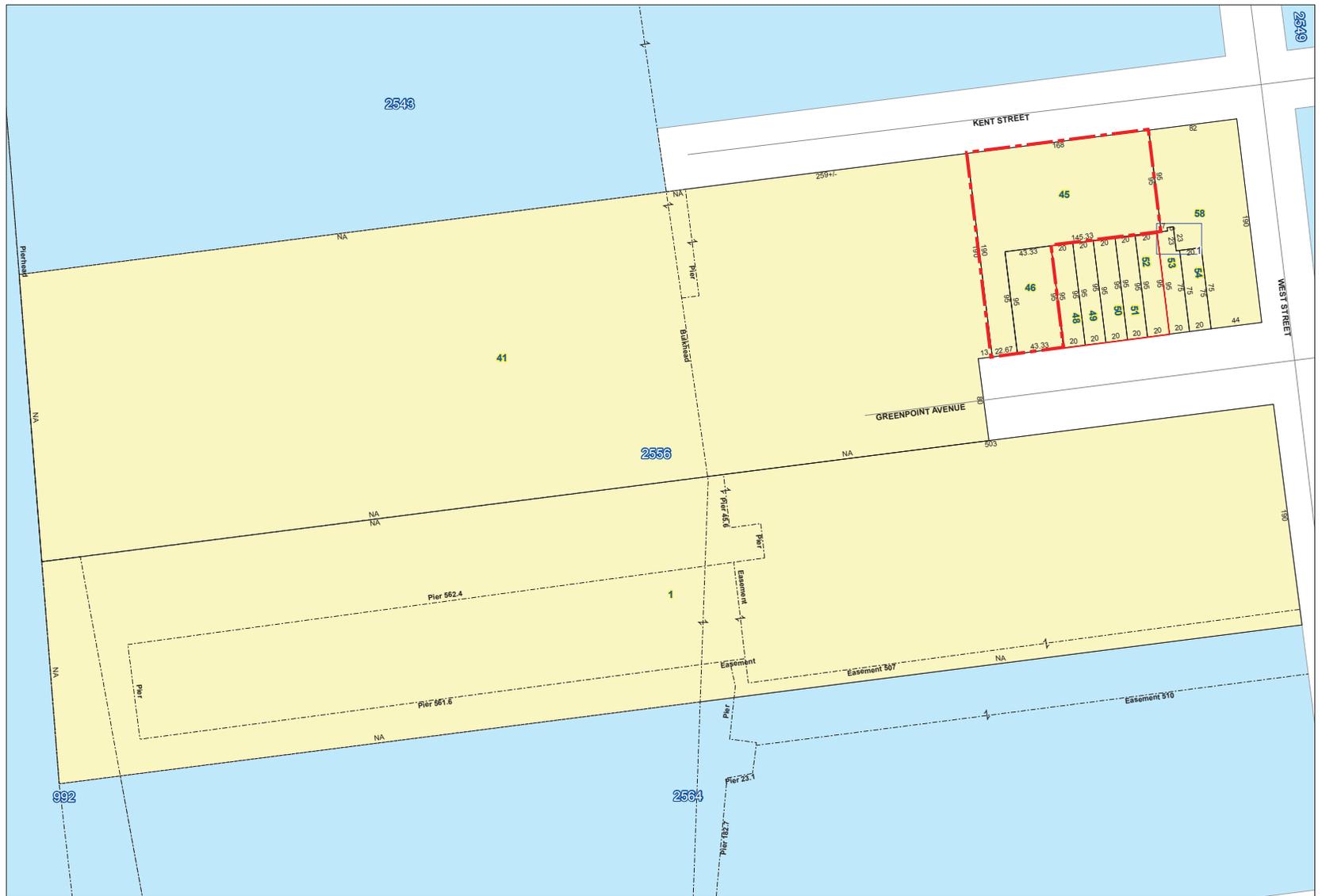
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End Date : Current  
Brooklyn Block: 2556

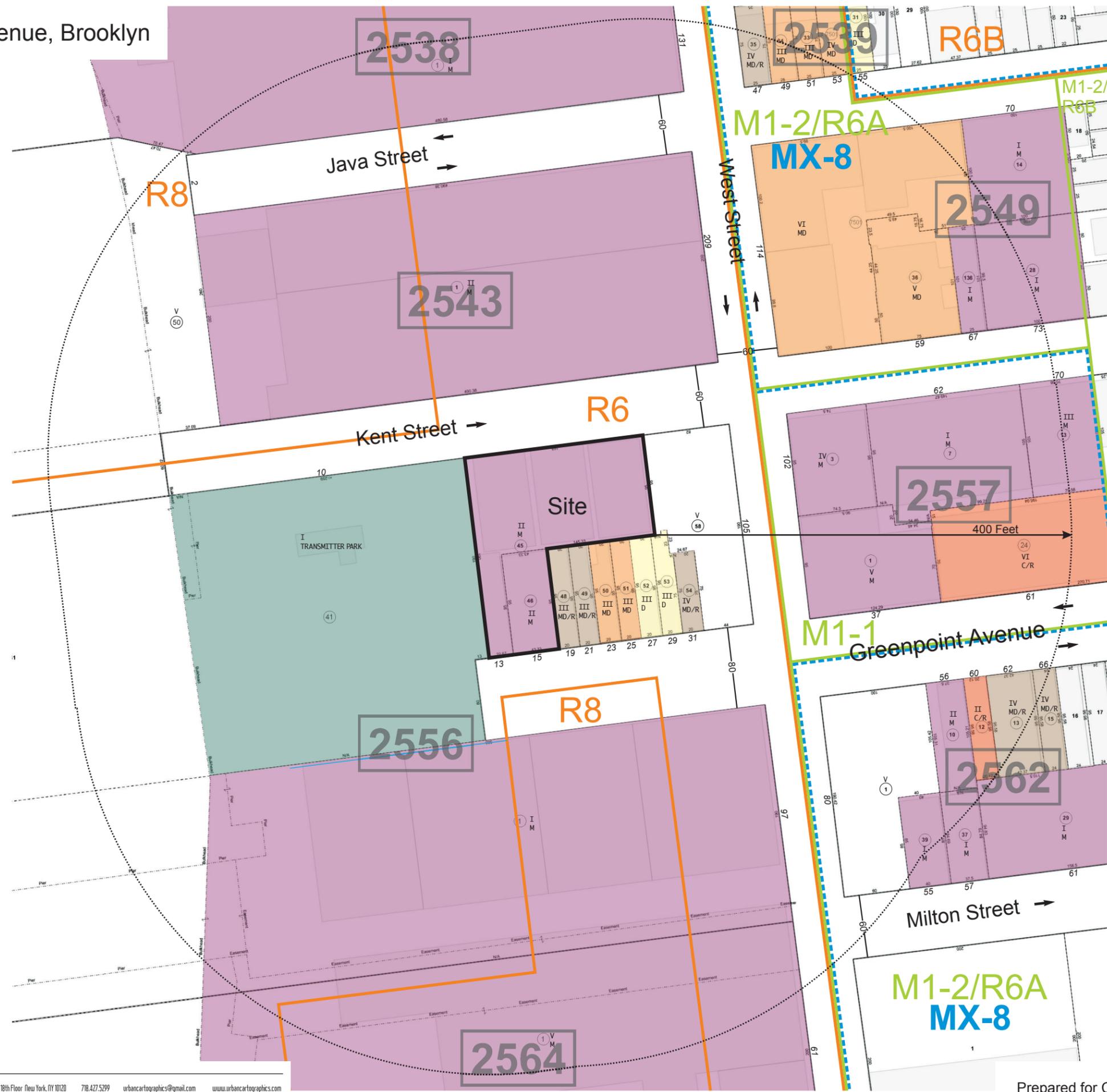


Legend

- Streets
- Miscellaneous Text
- Possession Hooks
- Boundary Lines
- Lot Face Possession Hooks
- Regular
- Underwater
- Tax Lot Polygon
- Condo Number
- Tax Block Polygon

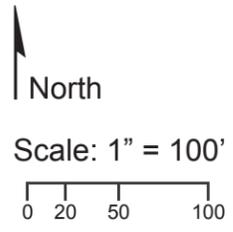
- Development Site
- Potential Air Rights Parcels

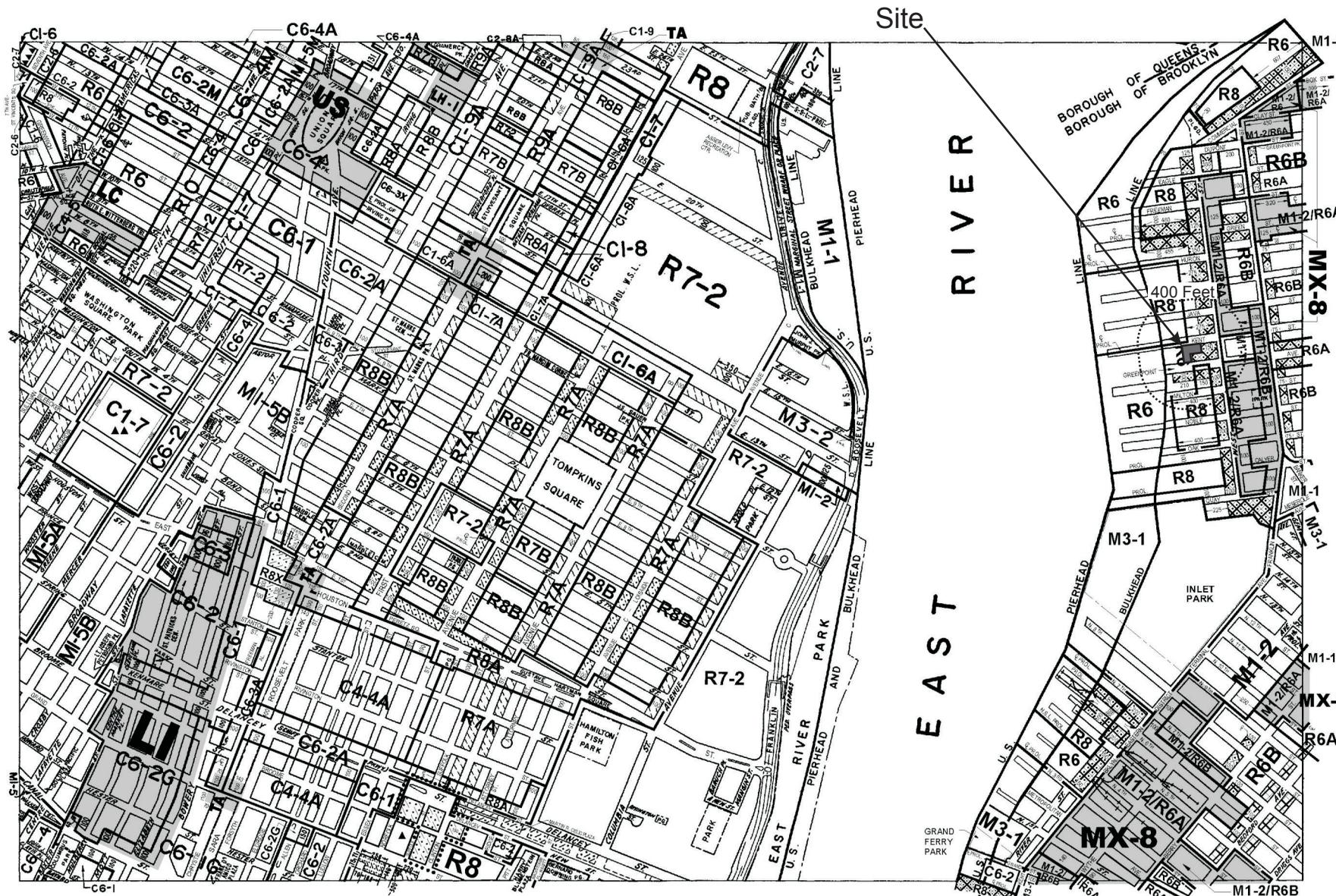




- Land Uses**
- One and Two-Family Homes
  - Multiple Dwelling
  - Commercial
  - Mixed Use (Residential-Commercial)
  - Manufacturing
  - Open Space / Park Land
  - Institutional / Community Facility
  - Parking / Automotive

- Legend**
- # - Lot Numbers (within radius)
  - ### - Block Numbers
  - I, II, III - Story Height
  - MD - Multiple Dwelling
  - D - Dwelling
  - R - Retail
  - G - Garage
  - C - Commercial
  - I - Industrial
  - M - Manufacturing
  - W - Warehouse
  - V - Vacant
  - CF - Community Facility





### ZONING MAP

THE NEW YORK CITY PLANNING COMMISSION

**Major Zoning Classifications:**  
 The number(s) and/or letter(s) that follows an R, C or M District designation indicates use, bulk and other controls as described in the text of the Zoning Resolution.

- R – RESIDENTIAL DISTRICT
- C – COMMERCIAL DISTRICT
- M – MANUFACTURING DISTRICT
- SPECIAL PURPOSE DISTRICT  
The letter(s) within the shaded area designates the special purpose district as described in the text of the Zoning Resolution.
- AREA(S) REZONED

**Effective Date(s) of Rezoning:**  
 10-11-2012 C 120226 ZMM

**Special Requirements:**  
 For a list of lots subject to CEQR environmental requirements, see APPENDIX C.  
 For a list of lots subject to "D" restrictive declarations, see APPENDIX D.  
 For Inclusionary Housing designated areas on this map, see APPENDIX F.

**CITY MAP CHANGE(S):**  
 ▲▲ 8-28-2015 C 150203 MMM  
 ▲ 7-25-2015 C 120077 MMM  
 ▲ 6-01-2013 C 120156 MMM

**MAP KEY**

8b	8d	9b
12a	<b>12c</b>	13a
12b	12d	13b

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ZONING MAP 12c

C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5

**NOTE:** Where no dimensions for zoning district boundaries appear on the zoning maps, such dimensions are determined in Article VII, Chapter 6 (Location of District Boundaries) of the Zoning Resolution.

**NOTE:** Zoning information as shown on this map is subject to change. For the most up-to-date zoning information for this map, visit the Zoning section of the Department of City Planning website: [www.nyc.gov/planning](http://www.nyc.gov/planning) or contact the Zoning Information Desk at (212) 720-3291.

# 26 KENT STREET

BROOKLYN, NY

PERSPECTIVE FROM GREENPOINT AVE  
LOOKING NORTH EAST



PROPOSED



AS OF RIGHT PROPOSAL



# 26 KENT STREET

BROOKLYN, NY

PERSPECTIVE FROM KENT STREET  
LOOKING SOUTH WEST



PROPOSED



AS OF RIGHT PROPOSAL



KUTNICKI BERNSTEIN ARCHITECTS

FOR ILLUSTRATIVE PURPOSES ONLY

# 26 KENT STREET

BROOKLYN, NY

PERSPECTIVE FROM TRANSMITTER PARK  
LOOKING SOUTH EAST



PROPOSED

AS OF RIGHT PROPOSAL



# **SUPPLEMENTAL REPORT**

## EAS NARRATIVE ATTACHMENT

### 13-15 GREENPOINT AVENUE - ZONING TEXT AMENDMENT

#### ENVIRONMENTAL ASSESSMENT STATEMENT

#### INTRODUCTION

Based on the analysis and the screens contained in the Environmental Assessment Statement Full Form, the analysis areas that require further explanation include land use, zoning, and public policy (including waterfront assessment); shadows; historic and cultural resources; urban design and visual resources; natural resources; hazardous materials; air quality; noise; and construction as further detailed below. The section numbers below correspond to the relevant chapters of the 2014 *CEQR Technical Manual*.

#### **4. LAND USE, ZONING, AND PUBLIC POLICY**

##### EXISTING CONDITIONS

###### Land Use

###### History

The development site is located on a waterfront block near the western edge of Brooklyn Community District 1's Greenpoint neighborhood. This area of the City was first developed more than 100 years ago when both sides of the East River were dominated by large factories, oil refineries, and shipyards. By the mid-19th century, the area had become heavily industrialized by the expansion of ship builders, oil and sugar refineries, and iron foundries. This expansion spurred the growth of residential neighborhoods on streets to the east. The neighborhoods housed industrial workers in homes intermingled with factories, setting a pattern of mixed use that persists to this day. Over the years, heavy manufacturing in the waterfront area has been replaced by light manufacturing, wholesaling, distribution, and construction. Many waterfront blocks remain vacant and underutilized today.

###### Project Site

The subject property consists of an approximately 22,230 square foot parcel (Block 2556, Lots 45 and 46) which is an L-shaped parcel with frontages of approximately 66 feet on Greenpoint Avenue to the south and 168 feet on Kent Street to the north in the Greenpoint neighborhood of Brooklyn. The property is bordered by WNYC Transmitter Park to the west and other lots to the east and south. The western 66 feet of the development site is contiguous to the Park's eastern border and is a through lot that measures 190 feet from Greenpoint Avenue to Kent Street. The eastern 102 feet of the development site is an interior lot fronting on Kent Street with a depth of 95 feet.

The development site is currently improved with five manufacturing buildings containing approximately 23,425 gross square feet (gsf) of floor area comprised of Use Group 18 warehouse and related accessory uses. These buildings include three 1-story buildings, all of which are on

Lot 45, fronting on Kent Street containing approximately 15,000 gsf of floor area and two 2-story buildings, one of which is on Lot 45 and one of which is on Lot 46, fronting on Greenpoint Avenue containing approximately 8,425 gsf of floor area<sup>1</sup>. There are three existing curb cuts on Kent Street and two existing curb cuts on Greenpoint Avenue, for a total of five curb cuts on the project site.

### Study Area

The primary study area extends approximately 400 feet in all directions from the project site. The study area is roughly bounded by an area between Java and India Streets to the north, an area between Milton and Noble Streets to the south, an area between West and Franklin Streets to the east, and the East River to the west.

The surrounding 400-foot radius area is primarily characterized by buildings that are generally occupied by manufacturing uses and warehouses, one- and two-family and multi-family residential uses, vacant land, open space, and the East River. The physical character of this part of Greenpoint is shaped by a mix of low- and mid-rise residential and industrial buildings. In general, three types of buildings predominate in the upland area: three- to four-story brick or frame buildings often with stoops, which form a continuous street wall; five- to six-story apartment buildings and older industrial loft buildings; and low-rise industrial buildings.

Properties bordering and directly across the street from the project site include the following:

- Transmitter Park, a 6.61 acre neighborhood park operated and maintained by the NYC Department of Parks and Recreation (DPR), adjoins the project site to the west.
- 105 West Street is a 12,446 square foot vacant lot adjoining the project site to the east.
- The following buildings adjoin the project site to the south and east: 19 and 21 Greenpoint Avenue each consist of a 3-story mixed residential (2 DUs)/commercial (1 unit) building; 23 and 25 Greenpoint Avenue each consist of a 3-story, 3 unit residential building; 27 and 29 Greenpoint Avenue each consist of a 3-story, 2 unit residential building; and 31 Greenpoint Avenue is a 4-story mixed residential (2 DUs)/commercial (1 unit) building.
- 97 West consists of a full block developed with four 1-story buildings occupied by industrial/manufacturing uses across Greenpoint Avenue from the project site to the south.
- 209 West Street consists of a full block developed with three 2-story buildings occupied by commercial/office uses across Kent Street from the project site to the north.

The block on which the project site is located (Block 2556 which includes the area located across Greenpoint Avenue) is developed as described in the first four bullet points above. The fifth bullet above describes the development located on Block 2543 directly across Kent Street from the project site to the north. Proceeding further to the north across Java Street, Block 2538 is developed with a one-story manufacturing building which occupies the entire block. The southernmost block within 400 feet of the project site west of West Street (Block 2564) is developed with a five-story manufacturing building.

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<sup>1</sup> Tax Lots 45 and 46 will be merged into a single tax lot and single zoning lot prior to the construction of the new building.

The western edge of the 400-foot radius project study area consists of the East River. The eastern portion of the 400-foot radius project study area east of West Street contains portions of four blocks developed as follows. Proceeding from north to south, the southwestern corner of Block 2539 is developed with four narrow 3- to 4-story multiple dwellings. The building located along West Street also contains ground floor retail space. The 400-foot radius portion of Block 2549 between Java and Kent Streets is developed with three 1-story manufacturing buildings and one 5-story and one 6-story multiple dwelling. The 400-foot radius portion of Block 2557 between Kent Street and Greenpoint Avenue is developed with four manufacturing buildings between one- and five-stories in height and a six-story commercial/retail building. The 400-foot radius portion of Block 2562 between Greenpoint Avenue and Milton Street is developed with four 1- and 2-story manufacturing buildings, a 2-story commercial/retail building, and two 4-story multiple dwellings with ground floor retail space. It also contains a large vacant lot along the West Street frontage of the block.

## ZONING

### History

In 2005, the City Planning Commission (CPC) and the City Council adopted the Greenpoint-Williamsburg rezoning (C 050111A ZMK, the “2005 Rezoning”), covering a 183-block area generally bounded by the Williamsburg Bridge to the south, the Brooklyn-Queens Expressway and McGuinness Boulevard to the east, Newtown Creek to the north, and the East River to the west. The 2005 Rezoning rezoned waterfront blocks (including the block on which the development site is located) with R6 and/or R8 districts and C2-4 commercial overlays mapped along West Street and Commercial Street to a depth that generally varies from 100 to 460 feet. In recognition of the mixed-use character that has long defined the area, a Special Mixed-Use District (MX-8) was established that incorporates many of the upland blocks between West Street and Franklin Street. The MX District pairs M1-1 and M1-2 manufacturing districts with R6A and R6B districts and permits residential, community facility, commercial, and light industrial uses to exist side-by-side within the same building to facilitate a balanced variety of uses.

In connection with the 2005 Rezoning, a Waterfront Access Plan (WAP) was established for the Greenpoint-Williamsburg waterfront between Manhattan Avenue and North 3rd Street, which identified specific locations for required shore public walkways, upland connections, supplemental public access areas, and visual corridors, and established design parameters tailored to the geography of the WAP area. Regulations governing height, setback, and use within the WAP were modified to ensure a sensitive transition between waterfront and upland blocks, encourage varied building heights, control tower dimensions, provide a pedestrian-friendly streetscape, and activate waterfront public access areas. The 2005 Rezoning also established an Inclusionary Housing zoning bonus in the WAP and MX District. This zoning bonus was intended to stimulate production and preservation of affordable housing.

### Project Site

The New York City Zoning Resolution shows that the project site is located entirely within an R6 zoning district, and 10,645 square feet of the 22,230 square foot site is located within a C2-4 commercial overlay. The development site is also located on a waterfront block in an Inclusionary Housing Designated Area (IHDA) in Brooklyn Community District 1 and in a WAP and is designated as Parcel 12(b) on WAP BK-1. The maximum permitted FAR on the

project site is 2.75, including the bonus available for inclusionary housing that is available in the R6 district in the IHDA pursuant to ZR Section 62-352(b)(2).

Prior to the adoption of the 2005 Rezoning, the project site was zoned as an M3-1 district, in which Use Group 16 uses were permitted as-of-right. Accordingly, the existing uses in the existing buildings on the site are legally non-conforming. In connection with the 2005 Rezoning, the development site received E-designations for hazardous materials and noise. Accordingly, a building permit for the development site cannot be obtained until a testing and sampling protocol has been conducted, a remediation plan has been developed, and construction related health and safety plans have been approved. Any building on the site must provide a minimum noise attenuation of 30 dBA.

R6 districts allow Use Group 1 and 2 residential uses and Use Group 3 and 4 community facility uses. C2-4 overlays allow a variety of local commercial retail and service uses in Use Groups 5-9 and 14. Further discussion of these districts is provided below.

R6 zoning districts are widely mapped in built-up, medium-density areas of the City. The character of R6 districts can range from neighborhoods with a diverse mix of building types and heights to large-scale “tower in the park” developments. Two sets of bulk regulations apply in the R6 district. Standard height factor regulations produce small multi-family buildings on small zoning lots and, on larger lots, tall buildings that are set back from the street. Optional Quality Housing regulations produce high lot coverage buildings within height limits that often reflect the scale of older, pre-1961 apartment buildings in the neighborhood.

Buildings developed pursuant to height factor regulations are often tall buildings set back from the street and surrounded by open space and on-site parking. The floor area ratio (FAR) in R6 districts ranges from 0.78 (for a single-story building) to 2.43 at a typical height of 13 stories; the open space ratio (OSR) ranges from 27.5 to 37.5. It allows a community facility FAR of up to 4.8. Generally, the more open space, the taller the building. Thus, the maximum floor area ratio is achievable only where the zoning lot is large enough to accommodate a practical building footprint as well as the required amount of open space. There are no height limits for height factor buildings although they must be set within a sky exposure plane which begins at a height of 60 feet above the street line and then slopes inward over the zoning lot. Off-street parking is required for 70% of a building’s dwelling units, or it can be waived if five or fewer spaces are required.

The optional Quality Housing regulations produce high lot coverage buildings set at or near the street line. Height limitations ensure that these buildings are often more compatible with older buildings in the neighborhood. The FAR is 3.0; the maximum base height before setback is 60 feet with a maximum building height of 70 feet. On a narrow street (beyond 100 feet of a wide street), the maximum FAR is 2.2; the maximum base height before setback is 45 feet with a maximum building height of 55 feet. Off-street parking is required for 50% of the dwelling units, and can be waived if five or fewer spaces are required.

C1 and C2 overlay districts accommodate the retail and personal service shops needed in residential neighborhoods, and are generally mapped along major avenues. C2 districts permit a slightly wider range of uses than C1 districts, such as funeral homes and repair shops, which is intended to serve a wide neighborhood. When mapped in R6 zoning districts, the C2-4

maximum commercial FAR is 2.0 and zoning regulations limit local commercial retail and service uses in Use Groups 5-9 and 14 to one or two floors.

The Inclusionary Housing Program promotes economic integration in areas of the City undergoing substantial new residential development by offering an optional floor area bonus in exchange for the creation or preservation of affordable housing, on-site or off-site, principally for low-income households. The Inclusionary Housing Program requires a percentage of the dwelling units within a building to be set aside, or new or rehabilitated affordable units be provided off-site within the same community district or within one-half mile of the bonused development. All affordable residential units created through the Inclusionary Housing Program must remain permanently affordable. Affordable apartments may be rental units or, under modifications made to the program in 2009, available in an ownership plan.

On February 3, 2016 the City Planning Commission approved two additional amendments to the text of the Zoning Resolution: the Mandatory Inclusionary Housing (MIH) text amendment (CEQR No. 16DCP028Y and ULURP No. N160051ZRY) and the Zoning for Quality and Affordability (ZQA) text amendment (CEQR No. 15DCP104Y and ULURP No. N160049ZRY). On March 22, 2016, the MIH and ZQA Text Amendments were approved with modifications by the New York City Council. A description of the MIH and ZQA Text Amendments follows below.

Under the MIH Text Amendment, permanently affordable housing set-asides are required for all developments over 10 units or 12,500 zsf within designated Mandatory Inclusionary Housing areas. The MIH Text Amendment does not affect existing provisions in the Zoning Resolution that apply to the regulation and administration of the Inclusionary Housing Program within existing Inclusionary Housing Designated Areas. As noted above, the development site is located within an existing Inclusionary Housing Designated Area. Accordingly, the Applicant does not anticipate that any changes would be made to the building or the as-of-right building under the provisions of the MIH Text Amendment.

The ZQA Text Amendment effectuates a set of targeted changes to zoning regulations to support the creation of new affordable housing and encourage better residential buildings. The ZQA Text Amendment does not modify the special bulk regulations applicable to new developments in the WAP that are set forth in ZR Section 62-30 et seq. The ZQA Text Amendment eliminates the requirement to provide accessory off-street parking for “income-restricted housing units” which is defined as dwelling units restricted to households earning up to 80 percent of AMI. Under current zoning (ZR Section 25-25), governmental assisted units generate a parking requirement of 0.35 spaces per unit in Quality Housing buildings in R6 districts. Pursuant to ZR Sec. 62-352, 7.5 percent of the residential floor area in the new building would be reserved for households earning up to 80 percent of AMI, which would work out to approximately 4,667 zsf, or 6 of the 77 proposed units, under the With-Action Scenario. Pursuant to the parking provisions of the ZQA Text Amendment, the number of accessory off-street parking spaces required as part of the project is 36, and 36 spaces are proposed to be provided. Likewise, under the No-Action Scenario, the number of required accessory off-street parking spaces is 35, and 35 parking spaces would be provided.

## Study Area

With the exception of Transmitter Park which is not zoned, the remainder of Block 2556 between Greenpoint Avenue and Kent Street on which the project site is located is zoned R6/C2-4. Most of the portion of Block 2556 south of Greenpoint Avenue is also zoned R6 and R6/C2-4. Therefore, the zoning use and bulk provisions relevant to the project site also apply to these portions of the project study area.

The remainder of the 400-foot radius project study area west of West Street is zoned R8 and R8/C2-4 with the C2-4 commercial overlay mapped along West Street and the southerly side of Greenpoint Avenue. The 400-foot radius portion of Block 2557 directly east of the project site block across West Street is zoned M1-1 while the remainder of this area east of West Street is zoned M1-2/R6A as a Special Mixed Use district (MX-8). The zoning characteristics of these areas are discussed below. With the exception of the M1-1 zoned portion of Block 2557 referenced above, the entire area is located within the IHDA discussed above. A very small area located within the bed of Java Street is zoned R6B and will not be discussed further as it has no relevance to the project.

The R8 zoning district permits medium to high density residential housing with a permitted residential FAR ranging between 0.94 and 6.02. It also permits community facility uses up to an FAR of 6.50. Apartment houses in R8 districts can range from mid-rise, eight- to ten-story buildings to much taller, narrower buildings set back from the street on large zoning lots. There are no absolute height limits; the building must be set within a sky exposure plane which, in R8 districts, begins at a height of 85 feet above the street line and then slopes inward over the zoning lot. The R8 zoning district regulations require that parking be provided for 40 percent of the dwelling units.

The Quality Housing program is optional in R8 districts. In R8 districts, these regulations utilize height limits to produce lower, high lot coverage buildings set at or near the street line. The maximum FAR is 6.02, and the base height before setback is 60 to 80 feet with a maximum building height of 105 feet. On wide streets outside the Manhattan Core, the FAR rises to 7.2, and the base height before setback is 60 to 85 feet with a maximum building height of 120 feet. Parking is required for 40 percent of the dwelling units.

The M1 district is often a buffer between M2 and M3 districts and adjacent residential or commercial districts. Light industries typically found in M1 areas include woodworking shops, auto storage and repair shops, and wholesale service and storage facilities. Offices, most retail uses, and some community facility uses are also permitted but residential uses are not allowed. Strict performance standards are common to all M1 districts. The M1-1 district permits a maximum FAR of 1.0 for manufacturing and commercial uses and 2.4 for Use Group 4 community facility uses. The M1-1 district permits a maximum building height of 30 feet or two-stories, whichever is less, and requires a setback of 20 feet on narrow streets and 15 feet on wide streets. No front or side yards are generally required but a standard rear yard of 20 feet is required in the M1-1 district. Parking is required based on the type of use and the size of the establishment.

The Special Mixed Use District (MX) was established in 1997 to encourage investment in, and enhance the vitality of, existing neighborhoods with mixed residential and industrial uses in close proximity and create expanded opportunities for new mixed use communities. New

residential and non-residential uses (commercial, community facility and light industrial) can be developed as-of-right and be located side-by-side or within the same building. Residential uses are generally subject to the bulk controls of the governing residence district; commercial, industrial, and community facility uses are subject to the M1 district bulk controls, except that community facilities are subject to residential FAR limits. Most light industrial uses are permitted in the MX district as-of-right, others are subject to restrictions and Use Group 18 uses are excluded altogether, except for small breweries.

## **PUBLIC POLICY**

### Project Site

The site is located within the City's Coastal Zone Boundary and is therefore subject to the provisions of the New York City Waterfront Revitalization Program. A Waterfront Consistency Assessment Form (CAF) has been prepared for the proposed development and is attached to this document.

The project site is also located within the boundaries of the Greenpoint 197-a Plan which is described below.

The City Council adopted the plan, as modified and approved by the City Planning Commission, on January 30, 2002. The plan represents a decade-long effort by residents, local community organizations, business leaders and Community Board 1 to fashion a blueprint for how the community's neighborhoods can best be developed, its problems addressed, and its promise achieved. It offers a comprehensive set of recommendations for the community, which includes the East River waterfront with some largely vacant potential redevelopment sites, the industrial Newtown Creek waterfront, Bushwick Inlet, McCarren Park, industrial enclaves and a variety of residential and mixed-use neighborhoods.

The plan's recommendations propose a long-term vision for the Greenpoint community that includes a publicly accessible waterfront, a restored housing stock in existing residential neighborhoods, opportunities for new housing, commercial and light industrial uses in rezoned areas along and upland of the East River waterfront, an expanded historic district, revitalized commercial streets, a significantly improved environment, and a high quality of life for its residents and workers.

The project site is not located within a NYC Landmarks Preservation Commission (LPC) designated Historic District and is therefore not subject to New York City landmarks preservation regulations. No other public policies relate to the project site.

### Study Area

Portions of the land use study area surrounding the project site are also subject to the requirements of public policy documents. The City's Coastal Zone Boundary extends to the north and south of the project site as far east as Franklin Street and is therefore subject to the provisions of the City's Waterfront Revitalization Program. The project study area is also located within the boundaries of the Greenpoint 197-a Plan described above.

The Eberhard Faber Pencil Company Historic District is located within 400 feet of the project site directly across West Street predominantly between Kent Street and Greenpoint Avenue. This area is subject to the provisions of the New York City Landmarks Law.

No other public policy documents would apply to the project study area.

## **THE FUTURE WITHOUT THE PROJECT**

### **Land Use**

#### Project Site

Given the current market for residential uses in Williamsburg and Greenpoint, the development site will be developed even if the proposed Zoning Text Amendment is not enacted. The Applicant has been utilizing the project site in connection with its transportation business since prior to the Greenpoint-Williamsburg Rezoning. However, in light of the strength of the residential real estate market, the Applicant is now pursuing a mixed-use development, even if such development is less efficient than the massing that would be allowed with the Zoning Text Amendment.

Absent the Zoning Text Amendment, the Applicant would redevelop the development site with an as-of-right mixed-use building that would fully comply with the applicable regulations in the R6 district and C2-4 overlay district on waterfront blocks in an IHDA and in WAP BK-1. Accordingly, the No-Action Reasonable Worst Case Development Scenario (RWCDs) would reflect the following assumptions.

The existing buildings on the site would be demolished. The as-of-right building would contain 88,250 gsf of floor area, including mechanical space, bicycle storage, accessory off-street parking, and other area that is not included in the definition of "floor area" set forth in ZR Section 12-10. Of the 88,250 gsf, 71,550 gsf would be residential space, including dwelling units, lobby area, and 1,270 sf of enclosed recreation space on the first and second floors; 4,200 gsf would be ground floor commercial (retail) space; and 12,500 gsf would be space used for ground floor off-street accessory parking<sup>2</sup>. 35 off-street accessory parking spaces would be provided, all of which would be enclosed on the ground floor of the building.

In the absence of the proposed action, the Applicant would develop the site with an as-of-right building containing 76 dwelling units, 6 of which would be reserved for households earning up to 80 percent of AMI in compliance with the provisions of the inclusionary housing program, 17 of which would be reserved for households earning up to 130 percent of AMI under the 421(a) tax abatement program, and 1 of which would be a superintendent's unit.

The as-of-right building would vary in height from 1 to 14 stories: the development site would be built full for one-story with ground floor commercial space, off-street accessory parking and residential lobby and amenity space; a 7-story residential portion would front on Kent Street; and a 14-story residential portion would front on Greenpoint Avenue. More floor area would be provided on Greenpoint Avenue because it is 20-feet wider than Kent Street and, as a result, it is the Applicant's stance that views and light and air for the portion of the as-of-right building fronting on Greenpoint Avenue would be less impacted by future potential development of the parcel south of Greenpoint Avenue than would be the case on Kent Street. Accordingly, on

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<sup>2</sup> An unenclosed parking area above the first story roof would have 7,000 gsf of area.

Greenpoint Avenue, the as-of-right Building would have a 6-story street wall (65 feet) before a 10-foot setback. Above the 10<sup>th</sup> story, the lot coverage of the 11<sup>th</sup> - 14<sup>th</sup> stories would be reduced at each level in accordance with ZR Section 62-354(b)(3), up to a total height of 145 feet. On Kent Street, the western 66 feet of the as-of-right building's frontage would be 6 stories (65 feet) before a 15-foot setback, and the 7<sup>th</sup> story would be 75 feet high. On 71 feet of the remainder of the Kent Street frontage, a one-story, 30-foot high retail space will be provided, as well as an entrance to the off-street accessory parking facility. The 14- and 7-story portions of the as-of-right building would be separated by a 70-foot rear yard equivalent above the ground floor pursuant to ZR Section 23-532(a). The rear yard equivalent required for the as-of-right building accounts for the greater number of stories in the no-action scenario because this requirement necessitates two building cores and a building that must rise higher to include the available floor area. The as-of-right building would be built to the side lot line it shares with the Park.

The conforming/as-of-right building would be 1,950 gsf larger than the proposed building. It would contain 1,020 gsf less residential floor area and 1 less dwelling unit, and 500 gsf less commercial floor area than the proposed project but it would include 3,470 gsf more floor area for off-street accessory parking due to additional space required for parking ramps and vehicle circulation area providing 1 less parking space than the proposed project.

#### Study Area

No development plans are known to exist for the 400-foot radius project study area by the project build year of 2019. No new development projects have been identified for the 400-foot radius project study area based on a review of the CEQR listings of the NYC Department of City Planning's (DCP) Land Use & CEQR Application Tracking System (LUCATS) for Brooklyn Community District 1.

#### **Zoning**

##### Project Site

As detailed in the Land Use section above, absent the Zoning Text Amendment, the Applicant would redevelop the project site with an as-of-right mixed-use building that would fully comply with the applicable regulations in the R6 district and C2-4 overlay district on waterfront blocks in an IHDA and in WAP BK-1.

The as-of-right building would utilize the maximum permitted FAR of 2.75 (61,133 zsf) on the development site (based on the lot area of 22,230 sf), including the bonus available for inclusionary housing that is available in the R6 district in the IHDA pursuant to ZR Section 62-352(b)(2), plus approximately 2,650 zsf (2,780 gsf) that would be transferred from up to four Air Rights Parcels (a total of 63,783 zsf), described in the Future With-Action section below.

#### Study Area

Based on a review of the CEQR listings of the DCP's LUCATS list for Brooklyn Community District 1, no rezonings are proposed for the 400-foot radius project study area by the project build year of 2019. In addition, the DCP website does not indicate any proposed changes to the zoning districts and zoning regulations relating to the project site or the surrounding study area in the near future.

## **Public Policy**

The City has proposed a series of revisions to the Waterfront Revitalization Program (WRP) in order to proactively advance the long-term goals laid out in “Vision 2020: The New York City Comprehensive Waterfront Plan”, released in 2011. On September 11, 2013, the City Planning Commission voted to approve revisions to the WRP and on October 30, 2013, the City Council approved the revisions to the WRP. The WRP must be approved by the New York State Department of State and the U.S. Department of Commerce before it goes into effect.

No changes are anticipated to any other public policy documents relating to the project site or to the surrounding study area by the project build year of 2019 (i.e., the Greenpoint 197-a Plan, the Eberhard Faber Pencil Company Historic District). The DCP website does not indicate any proposed changes to any public policy documents relating to the project site or the surrounding study area in the near future.

## **THE FUTURE WITH THE PROJECT**

The Applicant is seeking a Zoning Text Amendment to ZR Section 62-35 (Special Bulk Regulations in Certain Areas within Community District 1, Brooklyn) that would permit an 11-story mixed-use building on the project site to have its massing oriented towards the adjacent Transmitter Park rather than towards Greenpoint Avenue and/or Kent Street, on which the site fronts.

The Zoning Text Amendment would modify the applicability of requirements of ZR Sections 23-532(a)(Required Rear Yard Equivalents), 23-861 (General Provisions), 62-354(g) and 62-354(h)(Special Height and Setback Regulations) with respect to Parcel 12(b) by providing that: (i) the lot line separating the development site from the Park (Park Street Line) will be considered as a street line of a wide street for purposes of applying the bulk regulations of the Zoning Resolution, including, the provisions governing rear yards and rear yard equivalents and the minimum distance between legally required windows and lot lines, (ii) the provisions of ZR Section 62-354(g) requiring the roof of a facility containing off-street parking spaces to be landscaped shall not apply to the building, and (iii) the provisions of ZR Section 62-354(h) governing street wall location and height shall not apply and in lieu thereof (a) the street wall of the building fronting the Park shall be set back a minimum of 8 feet from Park (and no balconies shall be permitted within such 8-foot setback area) and (b) at least 90 percent of the width of the street wall of the building fronting on Kent Street shall be located within 8 feet of the street line and extend to a minimum height of 30 feet.

## **Land Use**

In the future with the action, the RWCDS would reflect the following assumptions.

With the proposed Zoning Text amendment, the Applicant would demolish the existing buildings on the site and construct a building on the site that would contain 86,300 gsf of floor area (approximately 6,000 gsf of which would be derived from the Air Rights Parcels discussed in the Zoning section below), including mechanical space, bicycle storage, accessory off-street parking, and other area that is not included in the definition of “floor area” set forth in ZR Section 12-10. Of the 86,300 gsf, 72,570 gsf would be Use Group 2 residential space, including dwelling units, lobby area, and 920 gsf of ground floor recreation space<sup>3</sup>, 4,700 gsf would be Use

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<sup>3</sup> An additional 1,100 sf of recreation space would be provided on the building’s roof area.

Group 6 ground floor commercial (retail) space, and 9,030 gsf would be space used for 7,340 gsf of ground floor off-street accessory parking and a 1,690 gsf ramp to off-street accessory parking on the roof of a portion of the first story<sup>4</sup>. The proposed building would contain 77 dwelling units, yielding an average dwelling unit size of approximately 942 gsf. The development site is within the Transit Zone created by the ZQA Text Amendment and, accordingly, 36 off-street accessory parking spaces would be required pursuant to ZR Sections 25-23 and 25-25, and 36 spaces would be provided, with 18 enclosed ground floor-level spaces accessible from Kent Street and 18 spaces on the roof above the enclosed ground floor-level spaces accessible by a ramp from Greenpoint Avenue.

The building would comply with the provisions of the Inclusionary Housing Program applicable to new developments in the WAP, which requires that 7.5 percent of the total floor area on the zoning lot (exclusive of ground floor non-residential floor area) be reserved for households earning up to 80 percent of Area Median Income (AMI). The building is also anticipated to comply with the programmatic requirements of Section 421-a of the Real Property Tax Law, which would require that at least 30 percent of the dwelling units be reserved for households earning up to 130 percent of AMI. Accordingly, the Applicant anticipates that approximately 6 units, comprising approximately 4,667 zsf of residential floor area (approximately 4,900 gsf), will be reserved for households earning up to 80 percent of AMI and 17 additional units will be reserved for households earning up to 130 percent of AMI.

In summary, under the proposed action, the Applicant would develop the site with a building containing 77 dwelling units, 6 of which would be reserved for households earning up to 80 percent of AMI, 17 of which would be reserved for households earning up to 130 percent of AMI, and 1 of which would be a superintendent's unit.

The building would vary in height from 1 to 11 stories, with a total height of 115 feet plus a mechanical bulkhead. The massing of the building would be oriented toward the Park, with legally required windows facing the Park (as well as both streets). Residential access would be provided from Kent Street at the northwest corner of the building, and the building's retail space would be provided in two 1-story spaces fronting on Kent Street and Greenpoint Avenue. Its frontage on Greenpoint Avenue would be one-story and 15 feet high, with one of the retail spaces and the access ramp to the 18 unenclosed parking spaces. On Kent Street, the western 79'-6" of frontage would be 6 stories (65 feet) high before a 15-foot setback, with an additional 13'-1" setback provided above the 10<sup>th</sup> story (105 feet high). The eastern 76'-6" of frontage would be one-story of retail with a height of 30 feet (a 4-foot wide open area would be provided between the retail frontage and the remainder of the Kent Street frontage above a height of 11 feet). The proposed building would be set back 8 feet from the Park, except for a canopy above the residential entry area, and a 9'-6" setback would be provided above the 6<sup>th</sup> story (65 feet high). A mechanical bulkhead would be provided above the 11<sup>th</sup> story, up to an elevation of 133'-8". The existing curb cuts on both Kent Street and Greenpoint Avenue would be eliminated and replaced with a single curb cut on each frontage.

The proposed building would be 1,950 gsf smaller than the conforming building. It would contain 1,020 gsf more residential floor area and 1 additional dwelling unit, and 500 gsf more commercial floor area than the as-of-right development but it would include 3,470 gsf less floor

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<sup>4</sup> The upper parking area would be 8,360 gsf of the building's roof area.

area for off-street accessory parking providing 1 parking space more than the conforming building.

The Project Build Year is 2019. The proposed development site is the only site on which new construction is planned to occur. Construction of the building is expected to be completed and occupancy is expected to begin by 2019, assuming approval of the Text Amendment by 2017 and an approximately 18-month construction period. Accordingly, a Project Build Year of 2019 is justified.

The Applicant believes that orienting the massing of the building towards the Park will provide for a more efficient building and for better interaction between the building, the Park and the waterfront. Absent the Zoning Text Amendment, a 60-foot rear yard equivalent would be required along the centerline of the through-lot portion of the development site, which would require the building to be constructed as two separate building segments - one fronting Greenpoint Avenue and the other fronting Kent Street - with two separate building cores (including stairs and elevators). This configuration would reduce the amount of floor area that could be used for dwelling units and amenity space. A massing oriented towards the Park would allow for a single building segment and a single core and therefore more floor area for dwelling units and useable amenity space. Such a massing also would help to activate the Park and would increase security by providing an “eyes on the park” condition. Absent the Zoning Text Amendment, apartment layouts and legal windows in the building would be oriented toward the street and the rear yard equivalent, and only a limited amount of lot line windows would face the Park. With the Zoning Text Amendment, apartment layouts and legal windows would front the Park as well as the streets. Finally, the Zoning Text Amendment would allow for better light and air in the Park. Absent the Zoning Text Amendment, the building would be required to be located on the lot line adjoining the Park. With the Zoning Text Amendment, the building would be set back 8 to 17.5 feet from the Park providing for better light and air in the Park and a more interactive edge condition between the Park and adjacent outdoor amenity space for the building at ground level.

Based on the above analysis, it is concluded that no adverse impact to land use patterns in the area is expected to arise as a result of the proposed project, and further assessment of land use is not warranted.

## **Zoning**

The Applicant intends to demolish the existing buildings on the development site and erect a new mixed-use Quality Housing building containing 66,833 zsf of floor area. The building would exceed the maximum permitted FAR of 2.75, including the bonus available for inclusionary housing that is available in the R6 district in the IHDA pursuant to ZR Section 62-352(b)(2), by approximately 5,700 zsf. Therefore, up to approximately 5,700 zsf would be transferred from up to four Air Rights Parcels discussed below.

The Applicant anticipates transferring up to 5,700 zsf of excess floor area (approximately 6,000 gsf), or development rights, from up to four of five adjacent parcels on Block 2556 (Lots 48, 49, 50, 51, and 52 (collectively, the Air Rights Parcels)) through the provisions set forth in ZR Section 62-353 (Special floor area, lot coverage and residential density distribution regulations)<sup>5</sup>.

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<sup>5</sup> ZR Section 62-353 permits the transfer of floor area without requiring a zoning lot merger pursuant to ZR Section 12-10. Accordingly, each Air Rights Parcel will remain on a separate zoning lot from the zoning lot comprising the development site.

The Applicant does not own any of the Air Rights Parcels and has begun negotiations with the owners of the Air Rights Parcels regarding the potential acquisition of the development rights. The Air Rights Parcels each have a lot area of 1,900 sf and are located in the R6/C2-4 zoning district, which permits a maximum of 2.43 FAR without the inclusionary housing bonus described below, which works out to 4,617 zsf for each of the Air Rights Parcels. Each of the Air Rights Parcels is improved with a three-story building with residential uses on the upper two floors and either residential or commercial uses on the ground floor. The buildings on Lots 48, 51 and 52 each contain an estimated 2,880 gsf, and the buildings on Lots 49 and 50 each contain an estimated 3,800 gsf. Assuming mechanical deductions of 3%, Lots 48, 51 and 52 each contain approximately 2,795 zsf and, thus, may each transfer up to 1,822 zsf to the development site. Lots 49 and 50 each contain approximately 3,685 zsf and may each transfer up to 932 zsf to the development site.

The Zoning Text Amendment would allow modifications to the requirements set forth in the following provisions of the Zoning Resolution in order to allow the proposed massing of the building:

1. ZR Section 23-532(a) provides that on through lots with a depth of more than 110 feet from street to street, a 60-foot rear yard equivalent is required to be provided midway (or within 5 feet of being midway) between the two street lines upon which such through lot fronts. As shown on the Site Plan, the building would have its massing oriented towards the Park and a rear yard equivalent would not be provided midway between Greenpoint Avenue and Kent Street.

The Zoning Text Amendment would provide that the Park Street Line (i.e., the lot line separating the development site from the Park) would constitute a “street line” for purposes of applying all bulk regulations under the Zoning Resolution. Under ZR Section 23-541, no rear yard is required to be provided within 100 feet of the point of intersection of two street lines intersecting at an angle of 135 degrees or less. The Park Street Line would intersect the street lines of Kent Street and of Greenpoint Avenue street line each at angles of approximately 90 degrees. Therefore, if the Zoning Text Amendment is approved, no rear yard would be required within 100 feet of either of such intersections.

2. ZR Section 23-861 provides that the minimum distance between a legally required window and a side lot line is 30 feet. A “side lot line” is any lot line that is not a front lot line or a rear lot line. Absent the Zoning Text Amendment, the Park Street Line would constitute a side lot line. The building would have legally required windows oriented towards the Park, set back 8 feet from the Park Street Line up to the 6th story and set back 17 feet, 6 inches from the Park Street Line for the upper stories of the building.

A “front lot line” is a street line. The Zoning Text Amendment would provide that the Park Street Line would constitute a “street line” for purposes of applying all bulk regulations under the Zoning Resolution. Accordingly, if the Zoning Text Amendment is approved, legally required windows may be provided within 30 feet of the Park Street Line.

3. ZR Section 62-354(g) provides that any roof of a facility containing off-street parking spaces, not otherwise covered by a building, be landscaped. In order to provide the minimum required

36 off street accessory parking spaces, 18 spaces would be provided at the ground-floor of the building and an additional 18 spaces would be provided on the 1-story roof of the building above. Below-grade parking is not feasible given the location of the development site in the Flood Hazard Area. Likewise, the roof-level parking cannot be enclosed without exceeding the maximum lot coverage (65 percent) permitted in R6 districts in the Waterfront Area.

In order to allow parking on the 1-story roof of the building, the Zoning Text Amendment would provide that the requirements of Section 62-354(g) would not apply to the development site.

4. ZR Section 62-354(h) provides that for developments in the WAP, at least 70% of the width of a building's street wall fronting on streets such as Kent Street and Greenpoint Avenue must be within 8 feet of the street line and at least 30 feet high. The building would comply with this provision on Kent Street, as its street wall would be within 8 feet of the street line and at least 30 feet high for 156 feet (93% of the 168-foot wide frontage). On Greenpoint Avenue, however, the building's street wall would not exceed a height of 15 feet, and it would not comply with Section 62-354(h).

The Zoning Text Amendment would require that the street wall of the building fronting the Park be set back at least 8 feet from the Park Street Line and no balconies would be permitted within such 8-foot setback area. Above the 6th floor (65' above base plane), the street wall of the building fronting the Park would set back an additional 9.5 feet from the Park Street Line. The Zoning Text Amendment would also require that at least 90 percent of the width of the street wall of the building fronting on Kent Street shall be located within 8 feet of the street line and extend to a minimum height of 30 feet.

Based on the above analysis, it is concluded that potentially significant adverse impacts related to zoning are not expected to occur as a result of the proposed action, and further assessment of zoning is not warranted.

### **Public Policy**

Waterfront approval is required for the proposed development as the project site and the surrounding 400-foot radius project study area are located within the City's Coastal Zone Boundary Area and the project must be assessed for its consistency with the City's Waterfront Revitalization Program. The Waterfront Consistency Assessment Form and a narrative explaining how the proposed action would be consistent with WRP policies are attached to this document. The narrative explains how the project complies with the policies noted after each Consistency Assessment Form question that has been affirmatively responded to. The proposed action is consistent with WRP policies, and no potentially significant adverse impacts related to the WRP are anticipated as a result of the proposed action.

The proposed project would meet the goals of the Greenpoint 197-a Plan applicable to the property and the surrounding area. The project represents a new housing and commercial development on a site upland of the East River waterfront that was rezoned from manufacturing to residential/commercial use as part of the Greenpoint-Williamsburg Rezoning in 2005. As described in the Land Use section above, the Applicant believes that orienting the massing of the building towards Transmitter Park will provide for a more efficient building and for better interaction between the building, the Park and the waterfront. The proposed

development represents a significant investment in the neighborhood that would result in a significantly improved environment on the project site block and a high quality of life for its residents, workers, and visitors.

The proposed development would have no impact upon the Eberhard Faber Pencil Company Historic District located within 400 feet of the project site directly across West Street predominantly between Kent Street and Greenpoint Avenue. Although shadows would be cast on this Historic District by the project, the District is not a sunlight sensitive resource.

No other public policy documents would apply or be affected by the proposed action.

No potentially significant adverse impacts related to public policy are anticipated to occur as a result of the proposed action, and further assessment of public policy is not warranted.

## NEW YORK CITY WATERFRONT REVITALIZATION PROGRAM Consistency Assessment Form

Proposed actions that are subject to CEQR, ULURP or other local, state or federal discretionary review procedures, and that are within New York City's Coastal Zone, must be reviewed and assessed for their consistency with the New York City Waterfront Revitalization Program (WRP) which has been approved as part of the State's Coastal Management Program.

This form is intended to assist an applicant in certifying that the proposed activity is consistent with the WRP. It should be completed when the local, state, or federal application is prepared. The completed form and accompanying information will be used by the New York State Department of State, the New York City Department of City Planning, or other city or state agencies in their review of the applicant's certification of consistency.

### A. APPLICANT INFORMATION

Name of Applicant: Kent/Greenpoint LLC

Name of Applicant Representative: John J. Strauss, President, CSS

Address: 434 West 20th Street, Suite 8, New York, NY 10011

Telephone: 212-741-3432 Email: jstrauss-css@nyc.rr.com

Project site owner (if different than above): \_\_\_\_\_

### B. PROPOSED ACTIVITY

*If more space is needed, include as an attachment.*

#### 1. Brief description of activity

The Applicant intends to demolish the existing buildings on the development site and erect a new mixed-use 86,300 gsf Quality Housing building containing 72,570 gsf of residential space for 77 dwelling units, 4,700 gsf of ground floor commercial (retail) space, and 9,030 gsf of space for 36 accessory off-street parking spaces.

#### 2. Purpose of activity

The Applicant is seeking a Zoning Text Amendment to Zoning Resolution Section 62-35 that would permit an 11-story mixed-use building on its property at 13-15 Greenpoint Avenue, which is adjacent to NYC Transmitter Park, to have its massing oriented towards the Park rather than towards Greenpoint Avenue and/or Kent Street, on which the development site fronts.

**C. PROJECT LOCATION**

Borough: Brooklyn Tax Block/Lot(s): Block 2556, Lots 45 and 46

Street Address: 13-15 Greenpoint Avenue

Name of water body (if located on the waterfront): \_\_\_\_\_

**D. REQUIRED ACTIONS OR APPROVALS**

Check all that apply.

**City Actions/Approvals/Funding**

- City Planning Commission**       Yes     No
- |   |  |  |
|---|--|--|
| <input type="checkbox"/> City Map Amendment               | <input type="checkbox"/> Zoning Certification        | <input type="checkbox"/> Concession        |
| <input type="checkbox"/> Zoning Map Amendment             | <input type="checkbox"/> Zoning Authorizations       | <input type="checkbox"/> UDAAP             |
| <input checked="" type="checkbox"/> Zoning Text Amendment | <input type="checkbox"/> Acquisition – Real Property | <input type="checkbox"/> Revocable Consent |
| <input type="checkbox"/> Site Selection – Public Facility | <input type="checkbox"/> Disposition – Real Property | <input type="checkbox"/> Franchise         |
| <input type="checkbox"/> Housing Plan & Project           | <input type="checkbox"/> Other, explain: _____       |  |
| <input type="checkbox"/> Special Permit                   |  |  |
- (if appropriate, specify type:  Modification  Renewal  other) Expiration Date: \_\_\_\_\_

- Board of Standards and Appeals**     Yes     No
- Variance (use)
  - Variance (bulk)
  - Special Permit
- (if appropriate, specify type:  Modification  Renewal  other) Expiration Date: \_\_\_\_\_

- Other City Approvals**
- |  |   |
|--|---|
| <input type="checkbox"/> Legislation                       | <input type="checkbox"/> Funding for Construction, specify: _____                               |
| <input type="checkbox"/> Rulemaking                        | <input type="checkbox"/> Policy or Plan, specify: _____   |
| <input type="checkbox"/> Construction of Public Facilities | <input type="checkbox"/> Funding of Program, specify: _____                                     |
| <input type="checkbox"/> 384 (b) (4) Approval              | <input checked="" type="checkbox"/> Permits, specify: <u>Dept. of Buildings building permit</u> |
| <input type="checkbox"/> Other, explain: _____             |   |

**State Actions/Approvals/Funding**

- State permit or license, specify Agency: \_\_\_\_\_ Permit type and number: \_\_\_\_\_
- Funding for Construction, specify: \_\_\_\_\_
- Funding of a Program, specify: \_\_\_\_\_
- Other, explain: \_\_\_\_\_

**Federal Actions/Approvals/Funding**

- Federal permit or license, specify Agency: \_\_\_\_\_ Permit type and number: \_\_\_\_\_
- Funding for Construction, specify: \_\_\_\_\_
- Funding of a Program, specify: \_\_\_\_\_
- Other, explain: \_\_\_\_\_

Is this being reviewed in conjunction with a Joint Application for Permits?       Yes       No

## E. LOCATION QUESTIONS

1. Does the project require a waterfront site?  Yes  No
2. Would the action result in a physical alteration to a waterfront site, including land along the shoreline, land under water or coastal waters?  Yes  No
3. Is the project located on publicly owned land or receiving public assistance?  Yes  No
4. Is the project located within a FEMA 1% annual chance floodplain? (6.2)  Yes  No
5. Is the project located within a FEMA 0.2% annual chance floodplain? (6.2)  Yes  No
6. Is the project located adjacent to or within a special area designation? See *Maps – Part III of the NYC WRP*. If so, check appropriate boxes below and evaluate policies noted in parentheses as part of WRP Policy Assessment (Section F).
- Significant Maritime and Industrial Area (SMIA) (2.1)
- Special Natural Waterfront Area (SNWA) (4.1)
- Priority Maritime Activity Zone (PMAZ) (3.5)
- Recognized Ecological Complex (REC) (4.4)
- West Shore Ecologically Sensitive Maritime and Industrial Area (ESMIA) (2.2, 4.2)

## F. WRP POLICY ASSESSMENT

Review the project or action for consistency with the WRP policies. For each policy, check Promote, Hinder or Not Applicable (N/A). For more information about consistency review process and determination, see **Part I** of the *NYC Waterfront Revitalization Program*. When assessing each policy, review the full policy language, including all sub-policies, contained within **Part II** of the WRP. The relevance of each applicable policy may vary depending upon the project type and where it is located (i.e. if it is located within one of the special area designations).

For those policies checked Promote or Hinder, provide a written statement on a separate page that assesses the effects of the proposed activity on the relevant policies or standards. If the project or action promotes a policy, explain how the action would be consistent with the goals of the policy. If it hinders a policy, consideration should be given toward any practical means of altering or modifying the project to eliminate the hindrance. Policies that would be advanced by the project should be balanced against those that would be hindered by the project. If reasonable modifications to eliminate the hindrance are not possible, consideration should be given as to whether the hindrance is of such a degree as to be substantial, and if so, those adverse effects should be mitigated to the extent practicable.

		Promote	Hinder	N/A
<b>I</b>	<b>Support and facilitate commercial and residential redevelopment in areas well-suited to such development.</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1.1	Encourage commercial and residential redevelopment in appropriate Coastal Zone areas.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1.2	Encourage non-industrial development with uses and design features that enliven the waterfront and attract the public.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1.3	Encourage redevelopment in the Coastal Zone where public facilities and infrastructure are adequate or will be developed.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1.4	In areas adjacent to SMIA's, ensure new residential development maximizes compatibility with existing adjacent maritime and industrial uses.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
1.5	Integrate consideration of climate change and sea level rise into the planning and design of waterfront residential and commercial development, pursuant to WRP Policy 6.2.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<b>2</b>	<b>Support water-dependent and industrial uses in New York City coastal areas that are well-suited to their continued operation.</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2.1	Promote water-dependent and industrial uses in Significant Maritime and Industrial Areas.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2.2	Encourage a compatible relationship between working waterfront uses, upland development and natural resources within the Ecologically Sensitive Maritime and Industrial Area.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2.3	Encourage working waterfront uses at appropriate sites outside the Significant Maritime and Industrial Areas or Ecologically Sensitive Maritime Industrial Area.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2.4	Provide infrastructure improvements necessary to support working waterfront uses.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2.5	Incorporate consideration of climate change and sea level rise into the planning and design of waterfront industrial development and infrastructure, pursuant to WRP Policy 6.2.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>3</b>	<b>Promote use of New York City's waterways for commercial and recreational boating and water-dependent transportation.</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3.1	Support and encourage in-water recreational activities in suitable locations.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3.2	Support and encourage recreational, educational and commercial boating in New York City's maritime centers.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3.3	Minimize conflicts between recreational boating and commercial ship operations.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3.4	Minimize impact of commercial and recreational boating activities on the aquatic environment and surrounding land and water uses.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3.5	In Priority Marine Activity Zones, support the ongoing maintenance of maritime infrastructure for water-dependent uses.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>4</b>	<b>Protect and restore the quality and function of ecological systems within the New York City coastal area.</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4.1	Protect and restore the ecological quality and component habitats and resources within the Special Natural Waterfront Areas.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4.2	Protect and restore the ecological quality and component habitats and resources within the Ecologically Sensitive Maritime and Industrial Area.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4.3	Protect designated Significant Coastal Fish and Wildlife Habitats.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4.4	Identify, remediate and restore ecological functions within Recognized Ecological Complexes.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4.5	Protect and restore tidal and freshwater wetlands.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4.6	In addition to wetlands, seek opportunities to create a mosaic of habitats with high ecological value and function that provide environmental and societal benefits. Restoration should strive to incorporate multiple habitat characteristics to achieve the greatest ecological benefit at a single location.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4.7	Protect vulnerable plant, fish and wildlife species, and rare ecological communities. Design and develop land and water uses to maximize their integration or compatibility with the identified ecological community.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4.8	Maintain and protect living aquatic resources.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<b>5</b>	<b>Protect and improve water quality in the New York City coastal area.</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5.1	Manage direct or indirect discharges to waterbodies.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5.2	Protect the quality of New York City's waters by managing activities that generate nonpoint source pollution.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5.3	Protect water quality when excavating or placing fill in navigable waters and in or near marshes, estuaries, tidal marshes, and wetlands.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5.4	Protect the quality and quantity of groundwater, streams, and the sources of water for wetlands.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5.5	Protect and improve water quality through cost-effective grey-infrastructure and in-water ecological strategies.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>6</b>	<b>Minimize loss of life, structures, infrastructure, and natural resources caused by flooding and erosion, and increase resilience to future conditions created by climate change.</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6.1	Minimize losses from flooding and erosion by employing non-structural and structural management measures appropriate to the site, the use of the property to be protected, and the surrounding area.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6.2	Integrate consideration of the latest New York City projections of climate change and sea level rise (as published in <i>New York City Panel on Climate Change 2015 Report, Chapter 2: Sea Level Rise and Coastal Storms</i> ) into the planning and design of projects in the city's Coastal Zone.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6.3	Direct public funding for flood prevention or erosion control measures to those locations where the investment will yield significant public benefit.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6.4	Protect and preserve non-renewable sources of sand for beach nourishment.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>7</b>	<b>Minimize environmental degradation and negative impacts on public health from solid waste, toxic pollutants, hazardous materials, and industrial materials that may pose risks to the environment and public health and safety.</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7.1	Manage solid waste material, hazardous wastes, toxic pollutants, substances hazardous to the environment, and the unenclosed storage of industrial materials to protect public health, control pollution and prevent degradation of coastal ecosystems.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7.2	Prevent and remediate discharge of petroleum products.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7.3	Transport solid waste and hazardous materials and site solid and hazardous waste facilities in a manner that minimizes potential degradation of coastal resources.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>8</b>	<b>Provide public access to, from, and along New York City's coastal waters.</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8.1	Preserve, protect, maintain, and enhance physical, visual and recreational access to the waterfront.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8.2	Incorporate public access into new public and private development where compatible with proposed land use and coastal location.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8.3	Provide visual access to the waterfront where physically practical.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8.4	Preserve and develop waterfront open space and recreation on publicly owned land at suitable locations.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

8.5	Preserve the public interest in and use of lands and waters held in public trust by the State and City.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8.6	Design waterfront public spaces to encourage the waterfront's identity and encourage stewardship.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>9</b>	<b>Protect scenic resources that contribute to the visual quality of the New York City coastal area.</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
9.1	Protect and improve visual quality associated with New York City's urban context and the historic and working waterfront.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
9.2	Protect and enhance scenic values associated with natural resources.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>10</b>	<b>Protect, preserve, and enhance resources significant to the historical, archaeological, architectural, and cultural legacy of the New York City coastal area.</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10.1	Retain and preserve historic resources, and enhance resources significant to the coastal culture of New York City.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10.2	Protect and preserve archaeological resources and artifacts.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**G. CERTIFICATION**

The applicant or agent must certify that the proposed activity is consistent with New York City's approved Local Waterfront Revitalization Program, pursuant to New York State's Coastal Management Program. If this certification cannot be made, the proposed activity shall not be undertaken. If this certification can be made, complete this Section.

"The proposed activity complies with New York State's approved Coastal Management Program as expressed in New York City's approved Local Waterfront Revitalization Program, pursuant to New York State's Coastal Management Program, and will be conducted in a manner consistent with such program."

Applicant/Agent's Name: John J. Strauss, President, Compliance Solutions Services, LLC

Address: 434 West 20 Street, Suite 8, New York, NY 10011

Telephone: 212-741-3432 Email: jstrauss-css@nyc.rr.com

Applicant/Agent's Signature: 

Date: 11-23-16

**13-15 Greenpoint Avenue Zoning Text Amendment**  
**Explanation of Consistency with Waterfront Policies**

**1. Policy 1: Support and facilitate commercial and residential redevelopment in areas well-suited to such development.**

Policy 1 relates to the development of new residential, commercial, and community facility uses on the waterfront in order to revitalize derelict waterfront areas. The project site is not located directly on the waterfront but is separated from it by an existing park. Nevertheless, the proposed development would bring new activity to the park adjacent to the site and the adjoining waterfront area by providing retail space as well as residents and visitors to the residential portion of the building.

**2. Policy 1.1: Encourage commercial and residential redevelopment in appropriate coastal zone areas.**

The project site is an appropriate location for the proposed development and meets the criteria of Policy 1.1 as described below.

*A. Criteria that should be considered to determine areas appropriate for reuse through public and private actions include: compatibility with the continued functioning of the designated Special Natural Waterfront Areas, the Arthur Kill Ecologically Sensitive Maritime and Industrial Area, or Significant Maritime and Industrial Areas, where applicable; the absence of unique or significant natural features or, if present, the potential for compatible development; the presence of substantial vacant or underused land; proximity to existing residential or commercial uses; the potential for strengthening upland residential or commercial areas and for opening up the waterfront to the public; transportation access; the maritime and industrial jobs potentially displaced or created; and the new opportunities created by redevelopment.*

*Public actions – such as property disposition, urban renewal plans, and infrastructure provision – should facilitate redevelopment of underused property to promote housing and economic development and enhance the city's tax base, subject to consideration of Policy 2, where applicable.*

Relative to Policy 1.1 A., the project site is not designated as a Special Natural Waterfront Area (SNWA, as the Arthur Kill Ecologically Sensitive Maritime and Industrial Area, or as a Significant Maritime and Industrial Area (SMIA) nor is it in close proximity to any areas so designated. The project site does not border the shoreline and is separated from it by an existing park. The project site does not contain any unique and significant natural features. The 22,230 square foot project site is fully developed with five 1- and 2-story manufacturing buildings containing approximately 23,425 gsf of floor area.

The Applicant intends to demolish the existing buildings on the site and erect an 11-story, 86,300 gsf mixed use building that utilizes the maximum permitted FAR of 2.75, including the bonus available for inclusionary housing that is available in the R6 district in the IHDA pursuant to ZR Section 62-352(b)(2), plus up to approximately 5,700 zsf (approximately 6,000 gsf) that would be transferred from up to four Air Rights Parcels. At an existing FAR of approximately 1.05, the property is substantially underdeveloped relative to the 2.75 FAR permitted on the site.

The project site is located in an area primarily occupied by a mixture of one- and two-family and multi-family dwellings, commercial uses, industrial uses, and open space areas. The project site and the immediately surrounding area were rezoned from M3-1 to R6 and R6/C2-4 as part of the Greenpoint-Williamsburg Rezoning (C050111A ZMK) in 2005.

The proposed development would add to and strengthen the surrounding mixed-use residential and commercial community. The proposed development would have no impact upon public access to the waterfront as the project site is not located along the waterfront. The proposed development would result in the loss of approximately 13 existing jobs, and is anticipated to result in the generation of approximately 17 new retail and residential service jobs.

The proposed action would not involve any public actions, such as property disposition, Urban Renewal Plans, and infrastructure provision. However, the action would facilitate redevelopment of underused property to promote housing and economic development and would thereby enhance the city's tax base.

**2. Policy 1.2: Encourage non-industrial development with uses and design features that enliven the waterfront and attract the public.**

The proposed project is a non-industrial development that would create a new residential presence near the waterfront. It would serve to attract the general public to the waterfront by providing retail space as well as residents and visitors to the residential portion of the building.

*A. Residential, commercial, and other non-industrial projects that comply with Article 6 Chapter 2 of the New York City Zoning Resolution satisfy the consistency requirements for Policy 1.2. If the project is not subject to the Zoning Resolution, the standards of Article 6 Chapter 2 of the Zoning Resolution should be used as guidelines for development and the inclusion of open space, visual access, upland connections, and water-related uses.*

The proposed mixed-use residential and commercial project would be consistent with Policy 1.2A. as it would comply with the use regulations of the property's R6 and R6/C2-4 zoning as well as the Waterfront Area zoning regulations pursuant to Article 6 Chapter 2 of the New York City Zoning Resolution. The proposed action would require a Text Amendment to the Zoning Resolution varying several zoning bulk regulations to allow the proposed building to have a massing oriented towards the adjacent Transmitter Park rather than towards Greenpoint Avenue and/or Kent Street, on which the development site fronts.

**3. Policy 1.3: Encourage redevelopment in the Coastal Zone where public facilities and infrastructure are adequate or will be developed.**

*A. Encourage development at a density compatible with the capacity of surrounding roadways, mass transit, and essential community services such as public schools. Lack of adequate local infrastructure need not preclude development, but it may suggest the need to upgrade or expand inadequate or deteriorated local infrastructure.*

The project site is located in an area with fully developed infrastructure with adequate capacity to serve the proposed project.

The project site is bounded by two streets, Kent Street and Greenpoint Avenue, which dead end at the property or just beyond it to the west at Transmitter Park. Greenpoint Avenue provides two-way access while Kent Street provides one-way access eastbound. Vehicular access to the proposed building would be provided via both Kent Street and Greenpoint Avenue. West Street, a two-way north-south running street, connects with Kent Street and Greenpoint Avenue to the east and provide access to the larger surrounding area.

The project site is approximately 0.3 miles from the Greenpoint Avenue subway station (G train) at the intersection of Greenpoint Avenue and Manhattan Avenue, which runs from Court Square in Queens to Church Avenue in Borough Park, and 0.2 miles from the India Street / Greenpoint ferry landing, which provides service to East 34<sup>th</sup> Street in midtown Manhattan. The project site is also served by the B32 bus, which runs from Long Island City to Williamsburg Bridge Plaza and the B24 bus, which runs from West Street through Sunnyside and Williamsburg to Williamsburg Bridge Plaza.

The nearest public elementary school, P. S. 31 at 75 Meserole Avenue serving grades pre-K through 5, is located approximately 0.34 miles from the project site. The most recent enrollment and capacity data from the NYC Department of Education indicates that in the 2013-2104 school year, the target capacity of P. S. 31 was 699 seats while 596 students were enrolled, representing a utilization rate of 85%.

**4. Policy 1.5: Integrate consideration of climate change and sea level rise into the planning and design of waterfront residential and commercial development, pursuant to WRP Policy 6.2.**

*A. Projects should consider potential risks related to coastal flooding to features specific to each project, including, but not limited to, critical electrical and mechanical systems, residential living areas, and public access areas.*

See discussion under Policy 6.2 below.

**5. Policy 6: Minimize loss of life, structures, infrastructure, and natural resources caused by flooding and erosion, and increase resilience to future conditions caused by climate change.**

As shown on the Preliminary Flood Insurance Rate Map FEMA Panel 3604970202G issued in 2015, most of the project site is located within Zone AE, which has a base flood elevation of 11 feet and a 1 percent annual chance flood hazard. A portion of the project site, primarily in the mid-block area, is located within Zone X, which has a 0.2 percent annual chance flood hazard.

Zone AE is described as “Areas subject to inundation by the 100-year flood determined in a Flood Insurance Study by detailed methods. Base flood elevations are shown within these zones. Mandatory flood insurance purchase requirements apply.” Zone X is described on the FEMA Flood Panel Map as “Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood.”

The project architect, Kutnicki Bernstein Architects, LLP, has provided the following responses regarding the design of the building relative to protecting the structure and its residents, workers, visitors, and natural features.

- All proposed residential uses and electric service will be located on the 2<sup>nd</sup> floor of the building and above. The ground floor commercial uses will be flood proofed using a dry-floodproofing system by sealing exterior walls below the Design Flood Elevation of 12 feet (NAVD 88) with waterproof coatings, locating all windows at or above the Design Flood Elevation and equipping all doorways and other openings below the Design Flood Elevation for the installation of temporary flood shields.
- The building will include a pile foundation to elevate the building above the flood zone. The portion of the 1<sup>st</sup> floor of the building providing access to residential accessory uses will be raised to the Design Flood Elevation of 12 feet (NAVD 88), which is 3 feet above grade. The portions of the 1<sup>st</sup> floor of the building occupied by commercial uses will be dry floodproofed below the Design Flood Elevation as noted above. See attached Design Flood Elevation diagram (Drawing SK-001) showing the DFE, location of uses and mechanical systems, and the proposed floodproofing strategies.
- Plant materials will be indigenous coastal wetlands species and will be salt water tolerant.

Measures employed by the project to minimize loss of life, structures, infrastructure, and natural resources caused by flooding and erosion, and to increase resilience to future conditions caused by climate change are discussed in further detail under Policy 6.2 below.

**6. Policy 6.1: Minimize losses from flooding and erosion by employing non-structural and structural management measures appropriate to the site, the use of the property to be protected, and the surrounding area.**

Policy 6.1 primarily relates to shoreline protection measures. As the project site is not located on the shoreline and is separated from it by the adjacent Transmitter Park, shoreline protection measures would not be applicable to the subject property.

**7. Policy 6.2: Integrate consideration of the latest New York City projections of climate change and sea level rise (as published by the NPCC, or any successor thereof) into the planning and design of projects in the city's Coastal Zone.**

*A. In the planning and design of all projects – except for the maintenance or in-kind, in-place replacement of existing facilities – identify the potential vulnerabilities of the project to sea level rise, coastal flooding, and storm surge over its usable life and the general consequences to the project of these types of events. This analysis shall be conducted by an engineer, architect or other qualified professional. For projects with a usable life span beyond the timeframe of any available projections, the furthest projection by the NPCC or its successor shall be used. The scope of the analysis should take into account the nature of the action subject to consistency review, as well as the size and location of the project, and must examine, as applicable:*

The project architect, Kutnicki Bernstein Architects, LLP, have provided the responses below.

- *Current conditions and the projected conditions with sea level rise and climate change.*

The project is located beyond 250 feet of the existing shoreline. WNYC Transmitter Park serves as a buffer between the East River and the proposed project.

- *Features of the project likely to be vulnerable to temporary flooding, frequent inundation, wave action, or erosion. Vulnerable features may include, for example, residential living areas, workplace areas, public access areas, plants and materials, critical electrical and mechanical systems, temporary and long-term waste storage areas, fuel storage tanks, energy generators, hazardous materials storage, or maritime infrastructure.*

All proposed residential dwelling uses and electric service will be located on the 2<sup>nd</sup> floor of the building and above. The portion of the 1<sup>st</sup> floor of the building providing access to residential accessory uses will be raised to the Design Flood Elevation of 12 feet (NAVD 88), which is 3 feet above grade. The portions of the 1<sup>st</sup> floor of the building occupied by commercial uses will be dry floodproofed below the Design Flood Elevation. Plant materials will be indigenous wetlands species.

- *The general consequences of temporary flooding, frequent inundation, wave action, or erosion with respect to such vulnerable features.*

The building will be constructed on piles and will not be susceptible to wave action or flooding.

- *The best available flood zones as established by FEMA, any associated base flood elevation, and the range of the projected future flood elevations based on sea level rise projections, as available.*

The project was designed to be above flood plain level.

*B. Identify and incorporate design techniques in projects that address the potential vulnerabilities and consequences identified and/or enhance the capacity to incorporate adaptive techniques in the future. Climate resilience techniques shall aim to protect health and well-being, minimize damage to systems and natural resources, prevent loss of property, and, to the extent practicable, promote economic growth and provide additional benefits such as the provision of public space or intertidal habitat. The appropriate techniques for a given project depend on case-by-case considerations, including such factors as the project's lifespan, the costs, benefits, and feasibility of incorporating a technique, and the potential adverse or positive effects of the techniques on ecological health, public health, urban design, economic activity, and public space. To the extent that potential techniques are identified but not incorporated, an explanation shall be provided as to why incorporating such techniques are not appropriate or practicable for the given project, or how the project may be adapted to incorporate such measures in the future. The following are examples of potential techniques to be considered and incorporated into the project design, as appropriate:*

- *Features which increase the project's ability to withstand sea level rise, coastal flooding, and storm surge.*

These features include a pile foundation for the proposed building, residential units located at and above the 2<sup>nd</sup> floor of the building, the portion of the 1<sup>st</sup> floor of the building providing access to residential accessory uses raised to the Design Flood Elevation, which is 3 feet above grade, and the portions of the 1<sup>st</sup> floor of the building occupied by commercial uses will be dry floodproofed below the Design Flood Elevation.

- *Openings that allow the flood waters to enter and leave without causing disruption.*

Not applicable. Dry floodproofing will be incorporated into the design of the building.

- *Opportunities to elevate, encase, or design electrical and mechanical equipment to be submersible.*

Electrical switch gear will be located on the 2<sup>nd</sup> floor of the building.

- *Use of flood- and salt-water- resistant materials.*

Not applicable. Dry floodproofing will be incorporated into the design of the building.

- *Elevation of structures and usable space within a project to an appropriate design flood elevation that reduces risk with minimal impacts on public space and urban design. The selection of an appropriate design flood elevation shall consider projections of climate risks, the lifespan of the project, and specific risks associated with the project.*

The project has been elevated above flood plain level.

- *The raising of land or the placement of fill to elevate projects above projected future flood levels.*

The proposed pile foundation has been designed to elevate the building.

- *Selection of plantings suited to the current and projected future climate including selection of salt-water-tolerant species.*

Planting will be indigenous coastal species and will be salt water tolerant.

- *Securing, elevating, or locating outside of the flood zones hazardous materials, temporary and long-term waste storage areas, and/or fuel storage tanks to protect against the impacts of flooding and wave action due to storm surge.*

NA

- *Incorporation of structural and non-structural shoreline treatments to attenuate waves and protect inland areas from coastal flooding.*

The project is not located on the shoreline.

- *Incorporation of design features that allow projects to be adapted on an on-going basis in response to changing climate projections and conditions.*

The project is elevated and buffered from any wave action or projected climate change.

*C. Where opportunities exist, new structures directly on waterfront sites should incorporate site features to reduce the impacts of flooding, storm surge and wave action on inland structures and uses.*

Not applicable as the project site is not located directly on the waterfront.

#### **8. Policy 8: Provide public access to, from, and along New York City's coastal waters.**

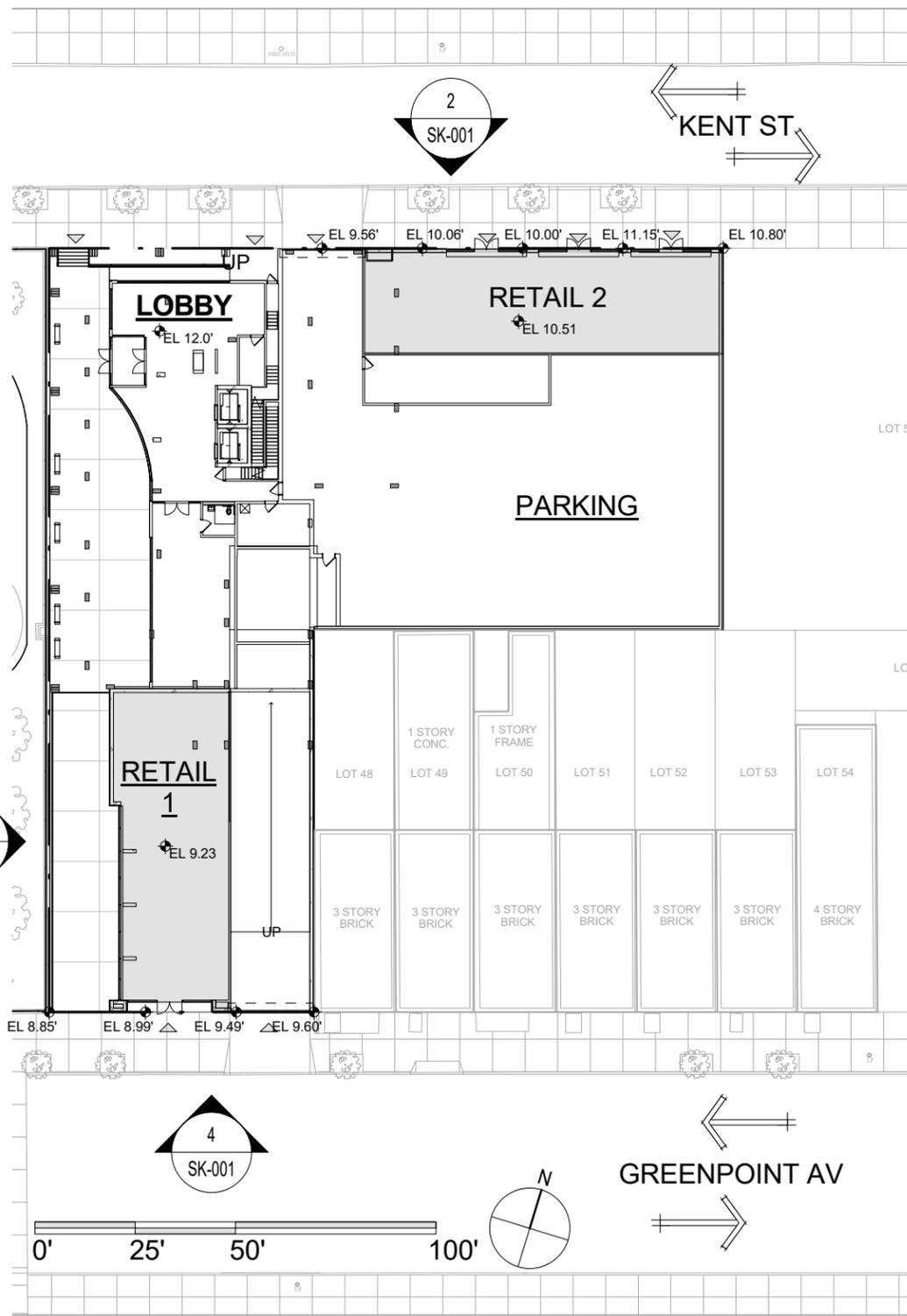
The project site is located adjacent to WNYC Transmitter Park, a 6.61 acre neighborhood park operated and maintained by the NYC Department of Parks and Recreation (DPR). Transmitter Park extends into the East River. DPR describes this park as follows:

WNYC Transmitter Park was opened to the Greenpoint-Williamsburg communities in 2012 as a local waterfront destination. Once the working home of the WNYC radio transmission towers, the park is now a stunning green space, with both natural areas and also places for fishing, play, and active recreation.

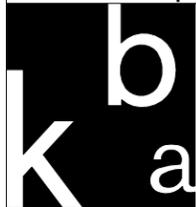
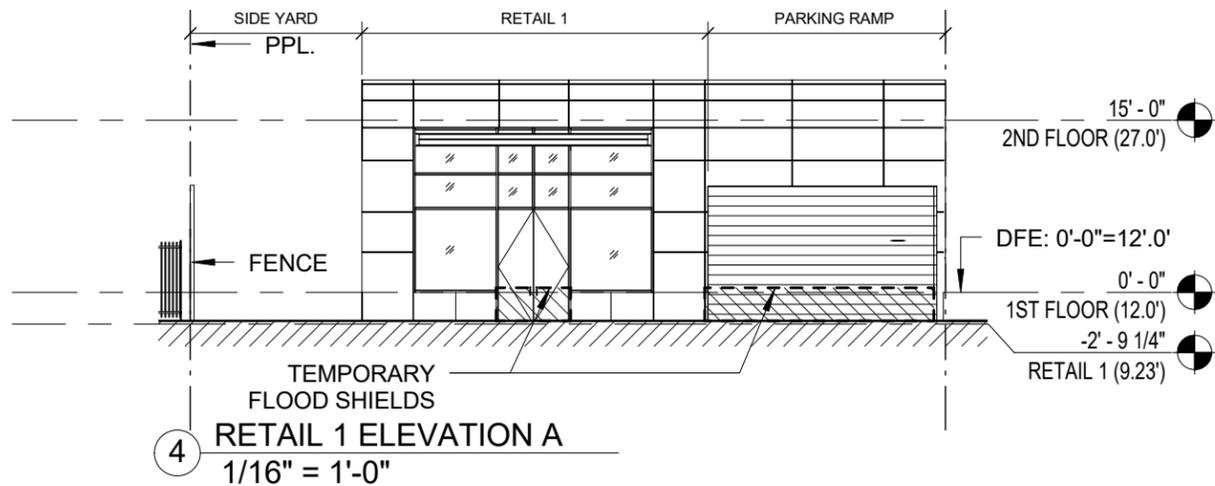
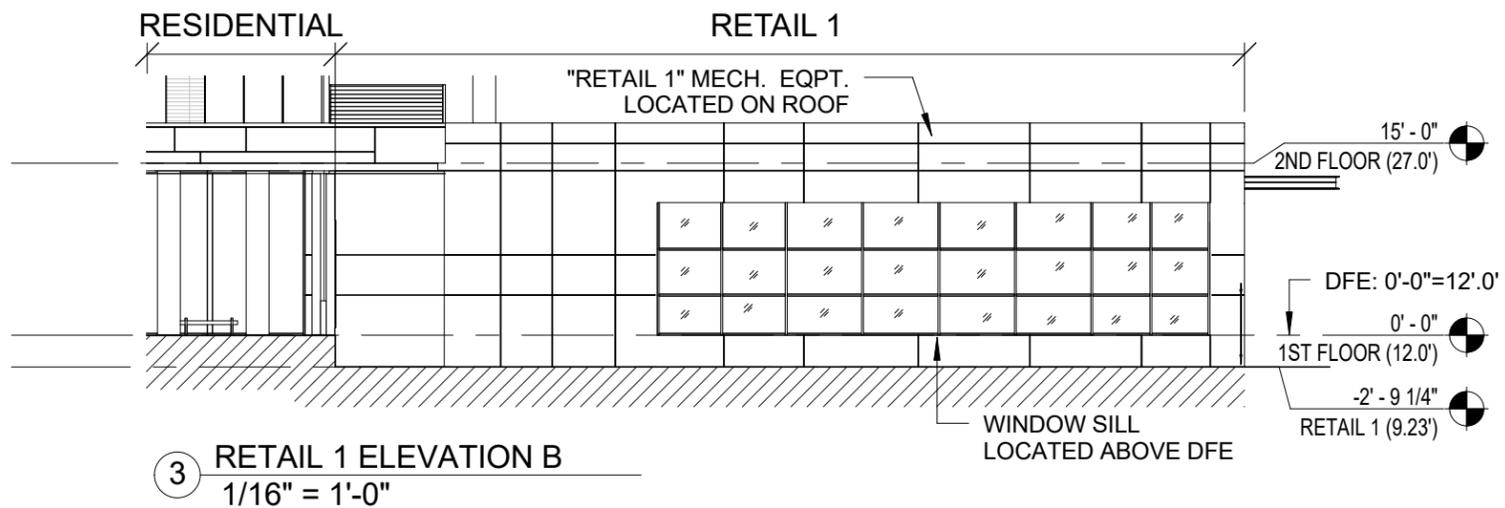
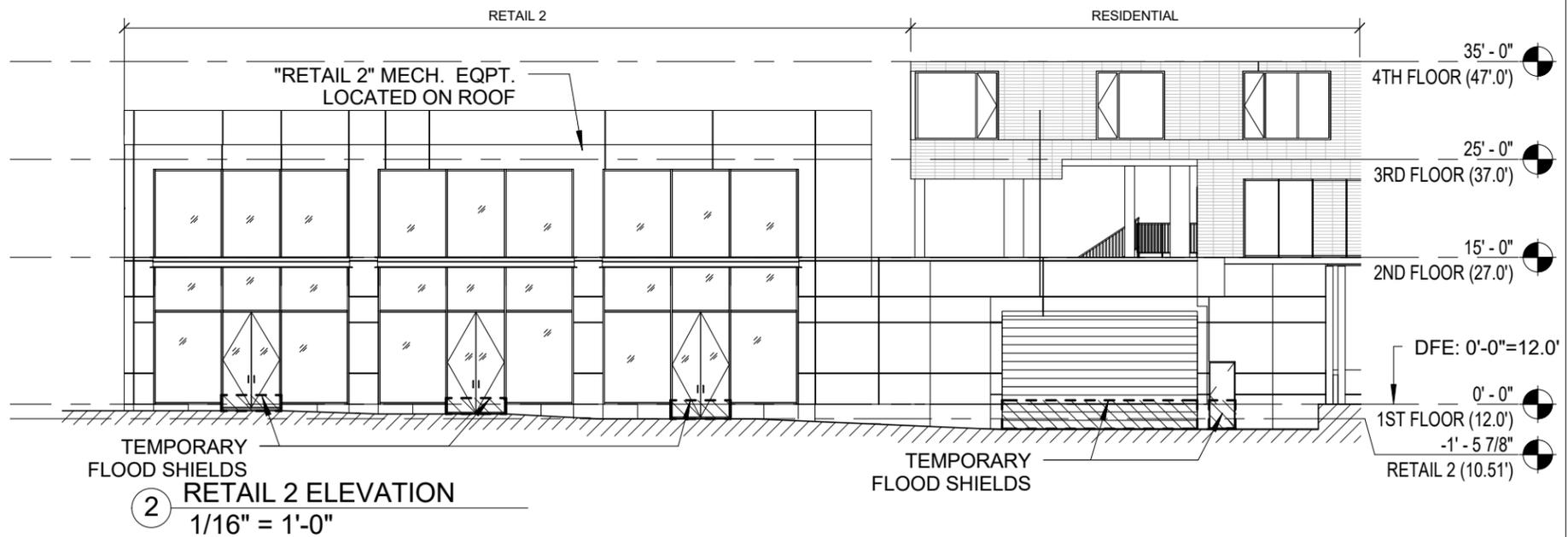
The park includes an overlook to the south, seating, and a waterfront esplanade. The center of the park includes a large, open lawn with a separate children's play area featuring a nautical theme to reflect the site's context. It also includes a spray shower and nature gardens. A pedestrian bridge has been restored as a wetland accessible to visitors. At the end of Kent Street is a recreational pier, featuring opportunities for fishing and a view of the Manhattan skyline and East River.

Although the proposed mixed-use residential and commercial development would not provide direct access to the waterfront, it would result in the presence of more people in this location than the currently existing manufacturing uses on the project site. It would serve to attract the general public to the waterfront by providing retail space on the project site as well as residents and visitors to the residential portion of the building.

The Applicant believes that orienting the massing of the new building as proposed towards Transmitter Park will provide for better interaction between the building, the Park and the waterfront. A massing oriented towards the Park would help to activate the Park and would increase security by providing an "eyes on the park" condition. Absent the Zoning Text Amendment, apartment layouts and legal windows in the building would be oriented toward the street and the rear yard equivalent, and only a limited amount of lot line windows would face the Park. With the Zoning Text Amendment, apartment layouts and legal windows would front the Park as well as the streets. In addition, the Zoning Text Amendment would allow for better light and air in the Park. Absent the Zoning Text Amendment, the building would be required to be located on the lot line adjoining the Park. With the Zoning Text Amendment, the building would be set back 8 to 17.5 feet from the Park providing for better light and air in the Park and a more interactive edge condition between the Park and adjacent outdoor amenity space for the building at ground level.

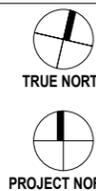


1 1ST FLOOR PLAN  
1" = 40'-0"



13 GREENPOINT AVE  
BROOKLYN, NY 11222

TITLE:	DESIGN FLOOD ELEVATION
DWG BY:	DATE 11/18/2016 4:10:46 PM
SCALE:	JOB # 2015-95



SK-001

## **8. SHADOWS**

### **Introduction**

Several potentially sunlight sensitive resources are located within the maximum shadow radius of the proposed development. Sunlight sensitive open space resources include WNYC Transmitter Park, located adjacent to the project site to the west, and a small portion of American Playground, located two blocks from the project site to the southeast. A shadows assessment is required for the proposed action as the project would result in a different building configuration than the as-of-right development on the property and would therefore cast different shadows on the open space resources of concern.

The Eberhard Faber Pencil Company Historic District is also located within the maximum shadow radius of the proposed development but is not considered to be sunlight sensitive based on the criteria listed below<sup>6</sup>. Potentially sunlight-sensitive architectural resources include the following:

- Buildings containing design elements that are part of a recognized architectural style that depends on the contrast between light and dark design elements.
- Buildings distinguished by elaborate, highly carved ornamentation.
- Buildings with stained glass windows.
- Exterior materials and color that depend on direct sunlight for visual character.
- Historic landscapes, such as scenic landmarks including vegetation recognized as an historic feature of the landscape.
- Features in structures where the effect of direct sunlight is described as playing a significant role in the structure's significance as an historic landmark.

The buildings within the Eberhard Faber Pencil Company Historic District do not contain any of the features noted above. This Historic District is characterized by a collection of industrial buildings constructed between the mid-1880s to the mid-1920s. Further information about this District is provided in the Historic and Cultural resources section below.

The potential affect of new shadows cast by the proposed development on WNYC Transmitter Park and American Playground is discussed below.

### **Tier 1 Screening Assessment**

The proposed building would reach a total height of 136.5 feet to the top of the parapet above the rooftop bulkheads. Based on 2014 *CEQR Technical Manual* criteria, the longest shadow that any building or structure would cast during the year (except within an hour and a half of sunrise or sunset which is not deemed to be of concern) is 4.3 times its height. Applying the 4.3 factor to the maximum building height of 136.5 feet results in a maximum shadow distance of approximately 587 feet. This is shown on the attached Tier 1 Screening Assessment diagram.

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<sup>6</sup> In addition, as shown on the shadows graphics, although shadows from the proposed development would potentially reach the Historic District, new shadows would be blocked by existing development and no new incremental shadows would be cast by the project on this District.

## **Tier 2 Screening Assessment**

The Tier 2 Screening Assessment diagram shows the area south of the project site that would not experience any shadows cast by the proposed building. As shown on the attached diagram, American Playground and the southern portion of Transmitter Park are located within the area that is between -108 degrees from true north and +108 degrees from true north so no further assessment is required for these areas. However, the bulk of Transmitter Park could still be affected by shadows from the project and further assessment of this area is therefore required.

## **Tier 3 Screening Assessment**

A Tier 3 screening assessment has been performed to determine when and for how long new shadows would be cast by the proposed building on Transmitter Park. As shown on the attached Tier 3 Screening Assessment figures, the proposed development could cast shadows on the Park during the December 21<sup>st</sup>, March 21<sup>st</sup>, May 6<sup>th</sup>, and June 21<sup>st</sup> analysis days.

The attached Tier 3 Screening Incremental Impact Assessment figures illustrate the extent and duration of new shadows that would be cast by the proposed building on Transmitter Park relative to those that would be cast by the as-of-right development on the project site. The analysis is presented below. It should be noted that although the as-of-right development on the project site would result in a building of up to 14 stories in height relative to the proposed building which would only rise to a maximum of 11 stories, the configuration of the buildings would differ. The massing of the proposed building would be oriented toward the Park allowing for a single building segment whereas for the as-of-right development, a 60-foot rear yard equivalent would be required along the centerline of the through-lot portion of the development site, which would require the building to be constructed as two separate building segments - one fronting Greenpoint Avenue and the other fronting Kent Street. Therefore, relative to the as-of-right development on the site, the proposed building would cast some incremental shadows on Transmitter Park.

1. December 21<sup>st</sup> Analysis Day - No incremental shadows would be cast by the proposed development on Transmitter Park.
2. March 21<sup>st</sup> Analysis Day - Incremental shadows would affect a relatively small area of Transmitter Park along its northern edge from approximately 7:36 am to 10:19 am, a period of 2 hours, 43 minutes.
3. May 6<sup>th</sup> Analysis Day - Relative to the March 21<sup>st</sup> analysis day, shadows would affect a somewhat larger area of Transmitter Park along its northern edge and towards the center of the Park from approximately 6:27 am to 11:25 am, a period of 4 hours, 58 minutes.
4. June 21<sup>st</sup> Analysis Day - Relative to the May 6<sup>th</sup> analysis day, shadows would affect a somewhat larger area of Transmitter Park in its north-central area from approximately 5:57 am to 11:33 am, a period of 5 hours, 36 minutes.

Transmitter Park is a 6.61 acre neighborhood park operated and maintained by the NYC Department of Parks and Recreation (DPR) adjoining the project site to the west. The park is described on the DPR website as follows:

WNYC Transmitter Park was opened to the Greenpoint-Williamsburg communities in 2012 as a local waterfront destination. Once the working home of the WNYC radio transmission

towers, the park is now a stunning green space, with both natural areas and also places for fishing, play, and active recreation.

The park includes an overlook to the south, seating, and a waterfront esplanade. The center of the park includes a large, open lawn with a separate children's play area featuring a nautical theme to reflect the site's context. It also includes a spray shower and nature gardens. A pedestrian bridge has been restored as a wetland accessible to visitors. At the end of Kent Street is a recreational pier, featuring opportunities for fishing and a view of the Manhattan skyline and East River.

New shadows cast by the proposed project on the Park would primarily affect lawn areas with several trees. There would be a minimal incremental shadows effect on the children's playground area located in the northeast corner of the Park. As shown on the Incremental Shadows drawings, much of the new shadows on the May 6<sup>th</sup> and June 21<sup>st</sup> analysis days would affect the mapped portion of the park located under water. A small portion of the southern half of the Park would experience new shadows on the June 21<sup>st</sup> analysis day. However, incremental shadows from the project would not affect the southern half of the Park on any other analysis days.

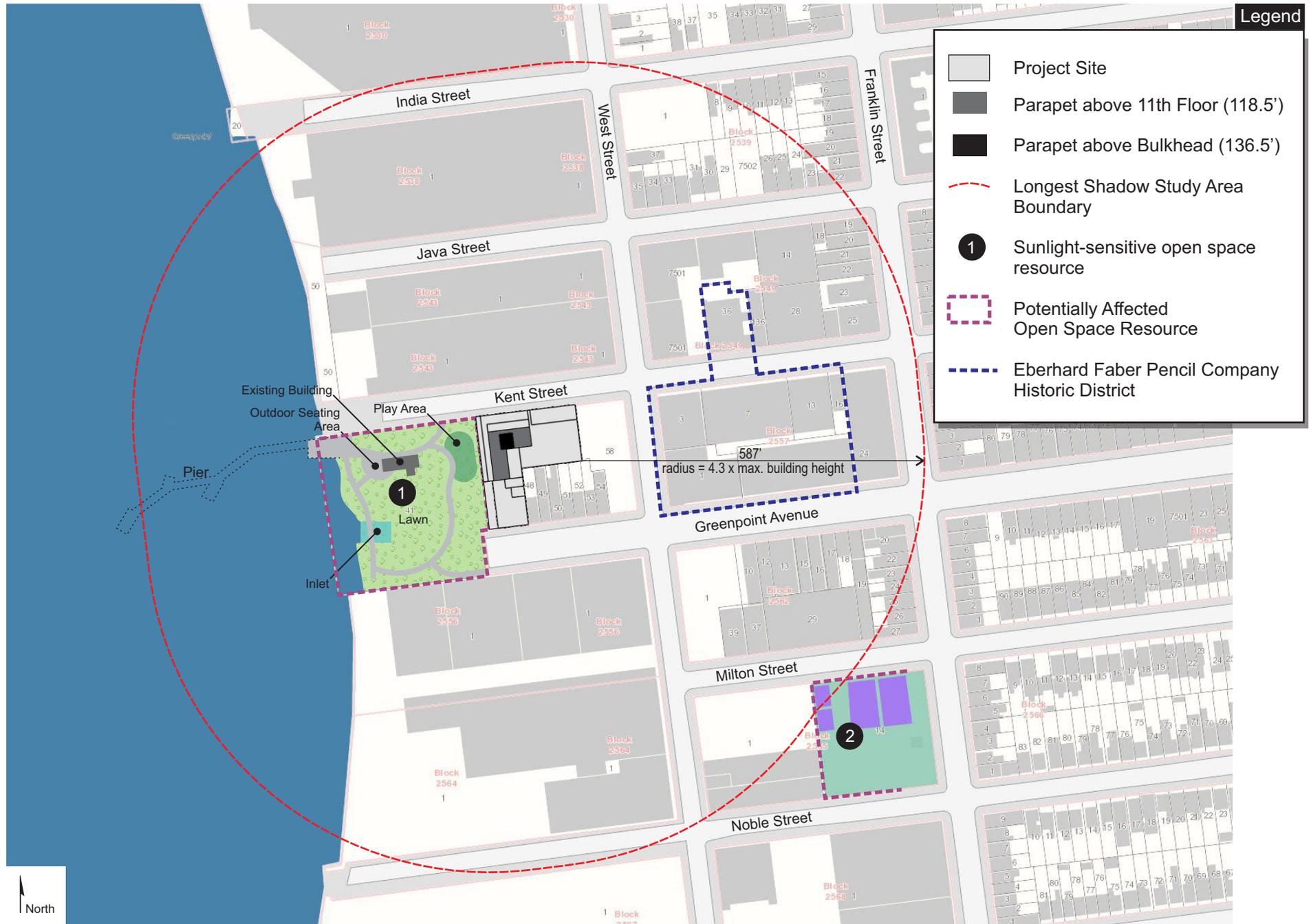
### **Analysis Summary**

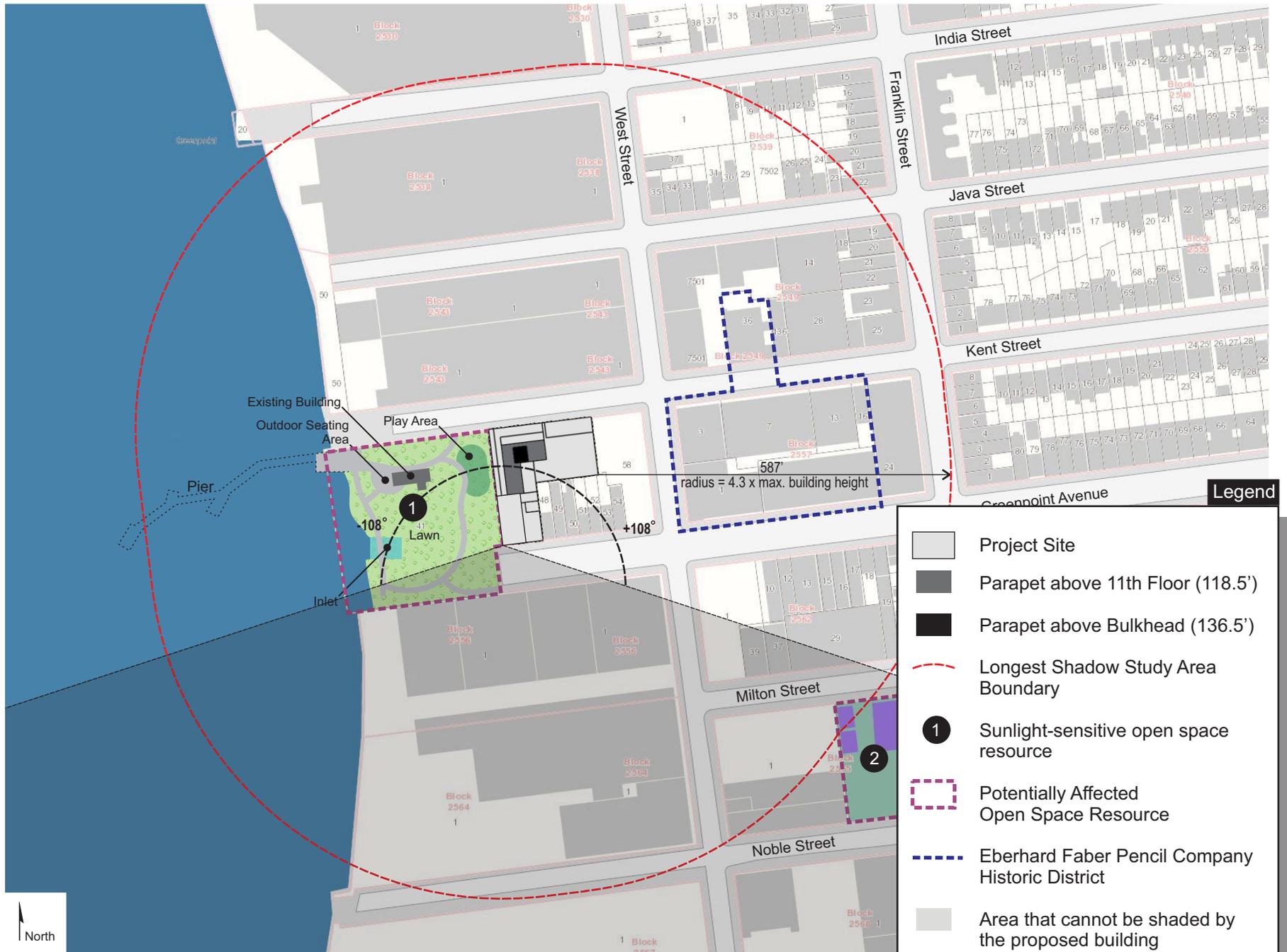
None of the new shadows cast on WNYC Transmitter Park by the proposed project would be considered significant. The maximum duration of new shadows cast by the project would be 5 hours, 36 minutes during the longest day of the year (i.e. June 21<sup>st</sup>). Impacts to vegetation are generally not considered to be significant unless vegetation would receive less than four to six hours of direct sunlight during the growing season. In New York City on June 21<sup>st</sup>, the sun rises at 5:25 am, and sets at 8:31 pm, a period of 15 hours, 6 minutes. Subtracting the 5 hours, 36 minutes of incremental shadow cast by the project on this day would leave 9 hours, 30 minutes of direct sunshine on the Park. The Park would therefore receive more than the four to six hours of direct sunlight during the growing season specified above. The proposed development would not cast any new shadows on the Park during the cold weather months (e.g. December 21<sup>st</sup> analysis day) when shadows effects to passive recreational features such as sitting areas are of greatest concern.

Additional shadows cast by the proposed project during the spring and summer months would occur during the morning period only which would is not the peak activity period of the park. In addition, new shadows would only occupy a portion of the park while other accessible sunlit portions of the park would remain available for park patrons. Finally, shadow impacts on the park playground area would be largely the same under No-Action and With-Action conditions.

### **Conclusion**

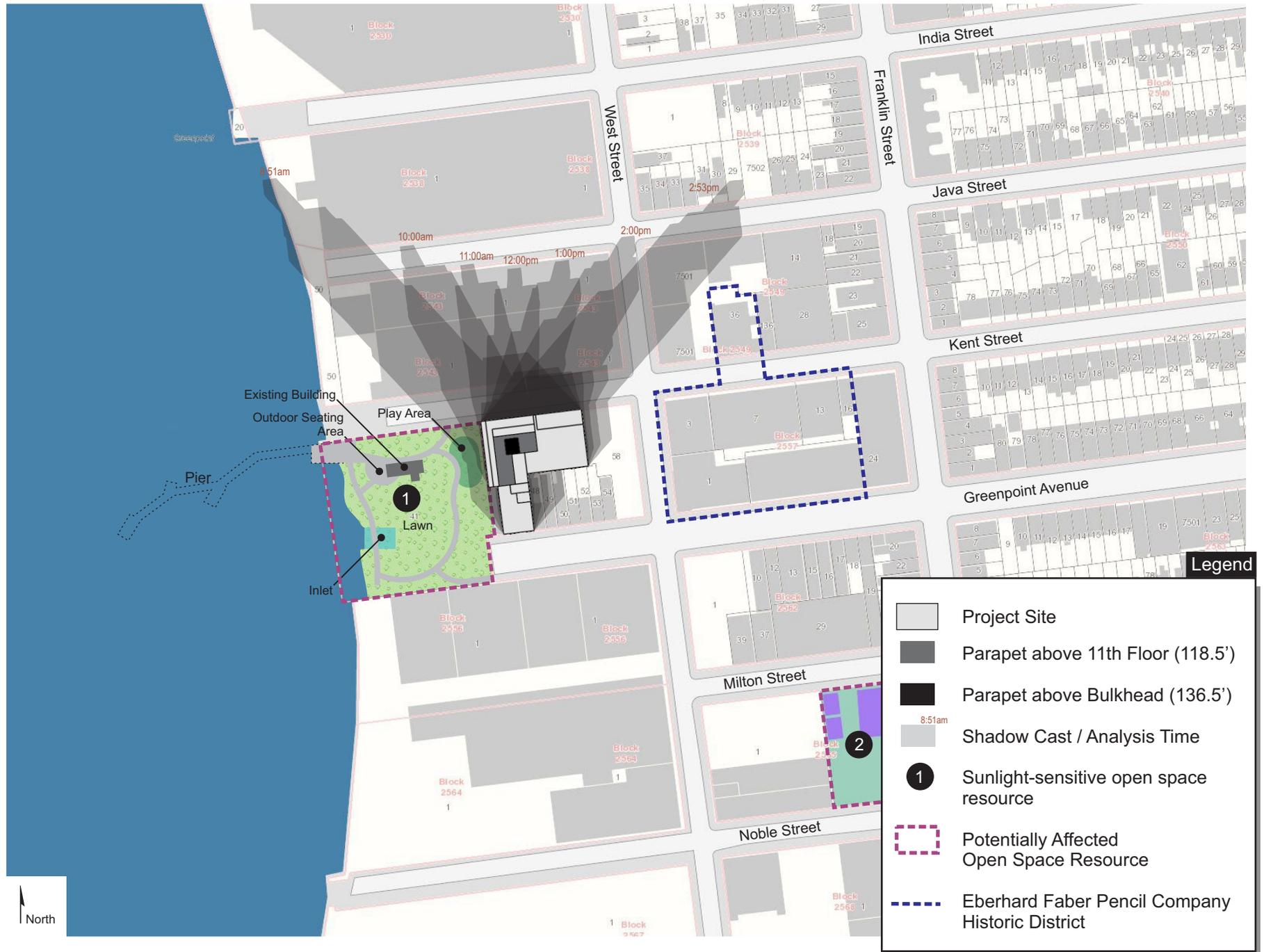
The proposed development would not result in significant adverse shadows impacts on open space resources and no further assessment is needed for the project.





**Legend**

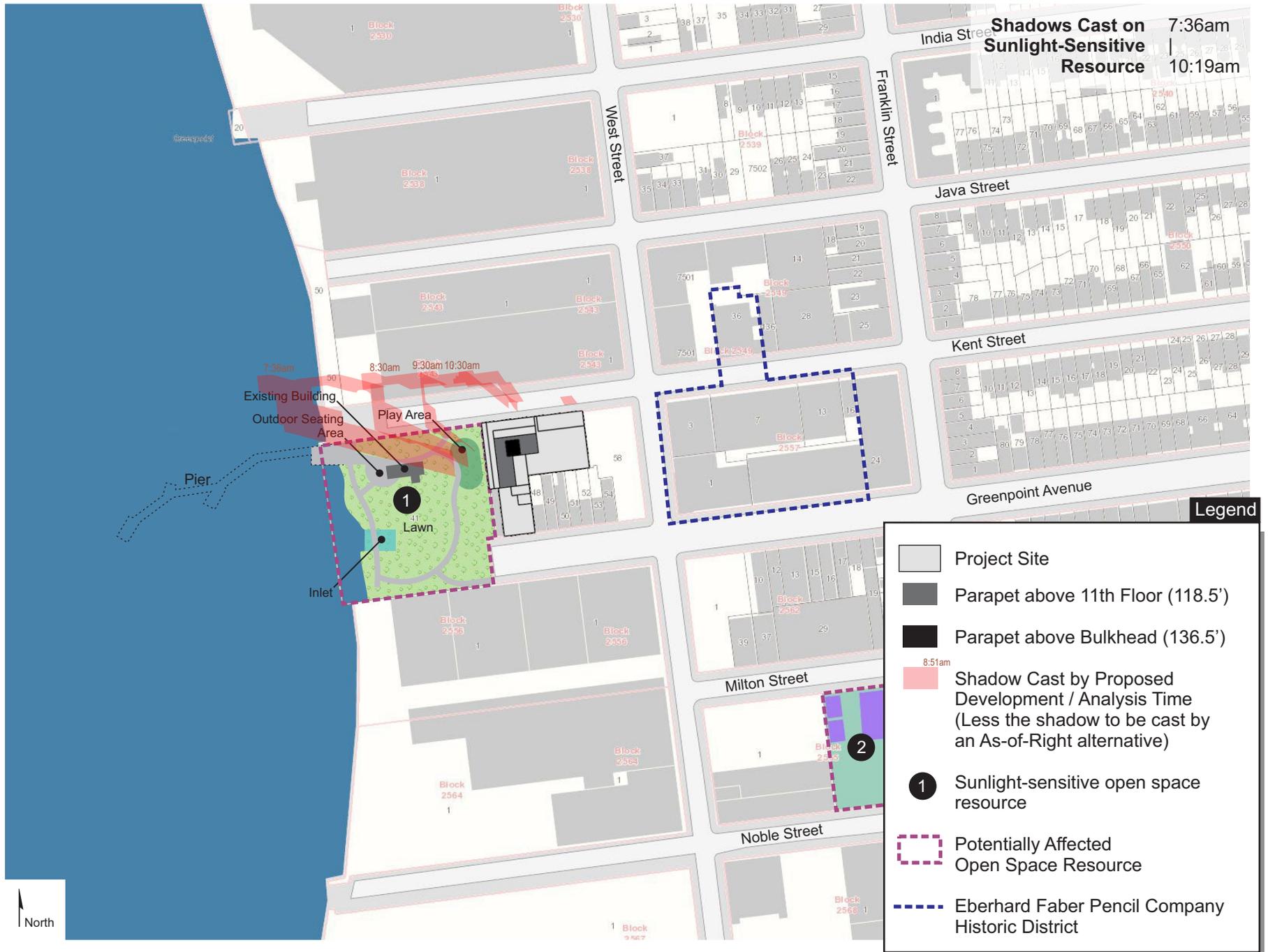
- Project Site
- Parapet above 11th Floor (118.5')
- Parapet above Bulkhead (136.5')
- Longest Shadow Study Area Boundary
- 1 Sunlight-sensitive open space resource
- Potentially Affected Open Space Resource
- Eberhard Faber Pencil Company Historic District
- Area that cannot be shaded by the proposed building



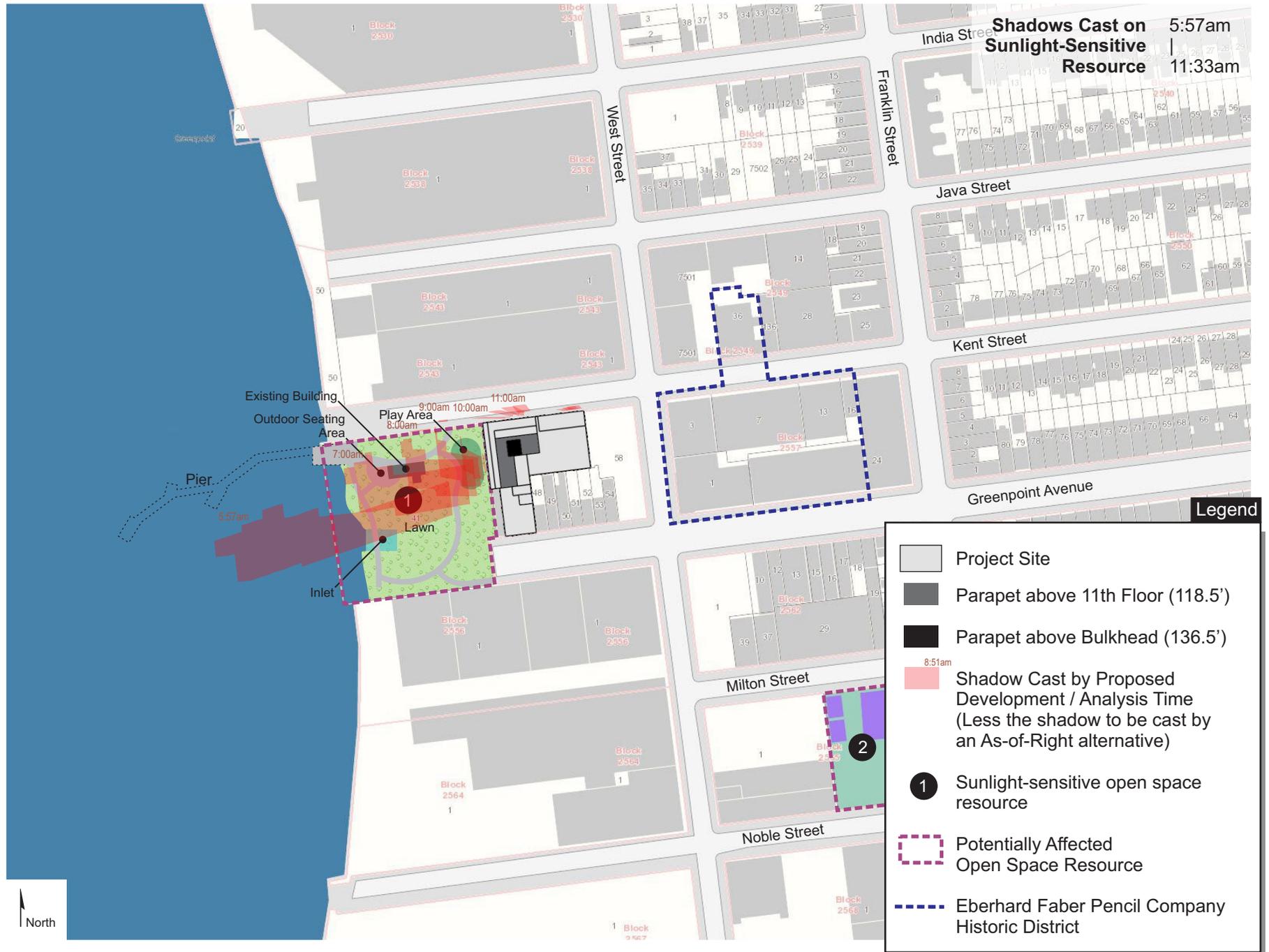












## **9. HISTORIC AND CULTURAL RESOURCES**

### EXISTING CONDITIONS

#### Project Site

The subject property consists of an approximately 22,230 square foot parcel (Block 2556, Lots 45 and 46) which is an L-shaped parcel with frontages of approximately 66 feet on Greenpoint Avenue to the south and 168 feet on Kent Street to the north in the Greenpoint neighborhood of Brooklyn. The property is bordered by WNYC Transmitter Park to the west and other lots to the east and south. The western 66 feet of the development site is contiguous to the Park's eastern border and is a through lot that measures 190 feet from Greenpoint Avenue to Kent Street. The eastern 102 feet of the development site is an interior lot fronting on Kent Street with a depth of 95 feet.

The project site is currently improved with five manufacturing buildings containing approximately 23,425 gsf of floor area comprised of Use Group 18 warehouse and related accessory uses. These buildings include three 1-story buildings fronting on Kent Street containing approximately 15,000 gsf of floor area, and two 2-story buildings fronting on Greenpoint Avenue containing approximately 8,425 gsf of floor area.

The property is not an individually designated historic resource and is not located within a Historic District.

#### Study Area

The Eberhard Faber Pencil Company Historic District is located within 400 feet of the project site directly across West Street predominantly between Kent Street and Greenpoint Avenue. This area is subject to the provisions of the New York City Landmarks Law. The Designation Report describes the Historic District as follows.

The Eberhard Faber Pencil Factory Historic District, located in Brooklyn's Greenpoint neighborhood, consists of eight buildings and one freestanding wall incorporating the remaining portions of the facades of three largely-demolished nineteenth-century buildings that occupy parts of two blocks along Greenpoint Avenue, West Street, and Kent Street. The Eberhard Faber Pencil Company, originally the A. W. Faber Company, was founded by Eberhard Faber (1822-1879) in 1861. Following a disastrous fire at the Manhattan plant in 1872, Faber moved the factory to Brooklyn, where it remained until 1956. The company is credited with bringing German lead pencil making techniques to the United States and Faber grew to become one of Brooklyn's most important factories, employing hundreds of workers, most of which were women. In addition to mass-producing low-cost pencils, the Brooklyn plant made pen holders and related stationary items. The earliest structures, located on West Street and extending the full block between Kent Street and Greenpoint Avenue, all date from the 1860s to the early 1880s, including the two south buildings that records suggest were acquired from a faience pottery works. These buildings are decorated with stone lintels that display the company's logo, a feature that Faber trademarked for use on his pencils in 1861. Most of the buildings in the historic district date from the mid-1880s to the 1910s and were designed to complement the earlier structures, displaying elements of the German Renaissance Revival style, such as segmental lintels, carefully detailed brickwork, and corbels, as well as pedimented parapets that display Faber's star and diamond motif. The final building in the district was constructed in 1923-24. It is the

complex's signature building and the largest structure in the historic district. Six stories tall, the upper floor is embellished with stars and pencils, gigantic glazed terra cotta reliefs that proudly advertised the company's main product to pedestrians and passengers using the nearby ferry. Not only did the company become a significant presence in Greenpoint, occupying two square blocks, Eberhard Faber would also turn into a nationally recognized brand name. Furthermore, in an early example of corporate branding, many of the Eberhard Faber buildings prominently display a star-and-diamond motif on their pedimented parapets in order to establish visual continuity across blocks. Built over several decades, these buildings provide a concise history of the development of industrial architecture in Brooklyn, as well as one company's rise to national prominence.

### **FUTURE NO-ACTION CONDITIONS**

In the future without the action, the RWCDs on the project site would entail the demolition of the existing structures on the site and the construction of a 14-story, 88,250 gsf mixed-use building. Of the 88,250 gsf, 71,550 gsf would be residential space, including 76 dwelling units, lobby area, and 1,270 sf of enclosed recreation space on the first and second floors; 4,200 gsf would be ground floor commercial (retail) space; and 12,500 gsf would be space used for ground floor off-street accessory parking<sup>7</sup>. 35 off-street accessory parking spaces would be provided, all of which would be enclosed on the ground floor of the building.

The as-of-right building would vary in height from 1 to 14 stories: the development site would be built full for one-story with ground floor commercial space, off-street accessory parking and residential lobby and amenity space; a 7-story residential portion would front on Kent Street; and a 14-story residential portion would front on Greenpoint Avenue. More floor area would be provided on Greenpoint Avenue because it is 20-feet wider than Kent Street and, as a result, views and light and air for the portion of the as-of-right building fronting on Greenpoint Avenue would be less impacted by future potential development of the parcel south of Greenpoint Avenue than would be the case on Kent Street. Accordingly, on Greenpoint Avenue, the as-of-right Building would have a 6-story street wall (65 feet) before a 10-foot setback. Above the 10<sup>th</sup> story, the lot coverage of the 11<sup>th</sup> - 14<sup>th</sup> stories would be reduced at each level in accordance with ZR Section 62-354(b)(3), up to a total height of 145 feet. On Kent Street, the western 66 feet of the as-of-right building's frontage would be 6 stories (65 feet) before a 15-foot setback, and the 7<sup>th</sup> story would be 75 feet high. On 71 feet of the remainder of the Kent Street frontage, a one-story, 30-foot high retail space will be provided, as well as an entrance to the off-street accessory parking facility. The 14- and 7-story portions of the as-of-right building would be separated by a 70-foot rear yard equivalent above the ground floor. The as-of-right building would be built to the side lot line it shares with the Park. The building would not contain a cellar.

The as-of-right building would fully comply with the applicable regulations in the R6 district and C2-4 overlay district on waterfront blocks in an IHDA and in WAP BK-1. The conforming/as-of-right building would be 1,950 gsf larger than the proposed building. It would contain 1,020 gsf less residential floor area and 1 less dwelling unit, and 500 gsf less commercial floor area than the proposed project but it would include 3,470 gsf more floor area for off-street accessory parking providing 1 less parking space than the proposed project.

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<sup>7</sup> An unenclosed parking area above the first story roof would have 7,000 gsf of area.

The project site is not an individually designated historic resource and is not located within, adjacent to, or across the street from a Historic District. In addition, no individually designated resources are located adjacent to or across the street from the project site. With the exception of regulations pertaining to construction near historic resources, LPC historic district regulations would not be applicable to the property.

Although the as-of-right development on the property would not contain a cellar, construction of the building would result in some subsurface disturbance. It is estimated that the entire surface area of the 22,230 square foot site and a volume of 3,400 cubic yards, including 800 cubic yards of cellar material, would be disturbed to accommodate the as-of-right development on the property.

By letter dated June 24, 2016, LPC has determined that the subject property has no archaeological or architectural significance. (See LPC letter in Historic and Cultural Resources Appendix.) Therefore, the No-Action development on the site would not result in any impacts to historic or cultural resources.

#### **FUTURE WITH-ACTION CONDITIONS**

In the future with the action, the RWCDS on the project site would entail the demolition of the existing structures on the site and the construction of an 11-story, 86,300 gsf mixed-use building. Of the 86,300 gsf, 72,570 gsf would be Use Group 2 residential space, including 77 dwelling units, lobby area, and 920 gsf of ground floor recreation space<sup>8</sup>, 4,700 gsf would be Use Group 6 ground floor commercial (retail) space, and 9,030 gsf would be space used for 7,340 gsf of ground floor off-street accessory parking and a 1,690 gsf ramp to off-street accessory parking on the roof of a portion of the first story<sup>9</sup>. 36 parking spaces would be provided, with 18 enclosed ground floor-level spaces accessible from Kent Street and 18 spaces on the roof above the enclosed ground floor-level spaces accessible by a ramp from Greenpoint Avenue.

The building would vary in height from 1 to 11 stories, with a total height of 115 feet plus a mechanical bulkhead. The massing of the building would be oriented toward the Park, with legally required windows facing the Park (as well as both streets). Residential access would be provided from Kent Street at the northwest corner of the building, and the building's retail space would be provided in two 1-story spaces fronting on Kent Street and Greenpoint Avenue. Its frontage on Greenpoint Avenue would be one-story and 15 feet high, with one of the retail spaces and the access ramp to the 18 unenclosed parking spaces. On Kent Street, the western 79'-6" of frontage would be 6 stories (65 feet) high before a 15-foot setback, with an additional 13'-1" setback provided above the 10<sup>th</sup> story (105 feet high). The eastern 76'-6" of frontage would be one-story of retail with a height of 30 feet (a 4-foot wide open area would be provided between the retail frontage and the remainder of the Kent Street frontage above a height of 11 feet). The proposed building would be set back 8 feet from the Park, except for a canopy above the residential entry area, and a 9'-6" setback would be provided above the 6<sup>th</sup> story (65 feet high). A mechanical bulkhead would be provided above the 11<sup>th</sup> story, up to an elevation of 133'-8". The building would not contain a cellar.

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<sup>8</sup> An additional 1,100 sf of recreation space would be provided on the building's roof area.

<sup>9</sup> The upper parking area would be 8,360 gsf of the building's roof area.

The Applicant is seeking a Zoning Text Amendment to ZR Section 62-35 that would permit the proposed building to have its massing oriented towards the adjacent Transmitter Park rather than towards Greenpoint Avenue and/or Kent Street, on which the site fronts. The Zoning Text Amendment would modify the applicability of requirements of ZR Sections 23-532(a)(Required Rear Yard Equivalents), 23-861 (General Provisions), 62-354(g) and 62-354(h)(Special Height and Setback Regulations) with respect to Parcel 12(b) by providing that: (i) the lot line separating the development site from the Park (Park Street Line) will be considered as a street line of a wide street for purposes of applying the bulk regulations of the Zoning Resolution, including, the provisions governing rear yards and rear yard equivalents and the minimum distance between legally required windows and lot lines, (ii) the provisions of ZR Section 62-354(g) requiring the roof of a facility containing off-street parking spaces to be landscaped shall not apply to the building, and (iii) the provisions of ZR Section 62-354(h) governing street wall location and height shall not apply and in lieu thereof (a) the street wall of the building fronting the Park shall be set back a minimum of 8 feet from Park (and no balconies shall be permitted within such 8-foot setback area) and (b) at least 90 percent of the width of the street wall of the building fronting on Kent Street shall be located within 8 feet of the street line and extend to a minimum height of 30 feet.

The proposed building would be 1,950 gsf smaller than the conforming building. It would contain 1,020 gsf more residential floor area and 1 additional dwelling unit, and 500 gsf more commercial floor area than the as-of-right development but it would include 3,470 gsf less floor area for off-street accessory parking providing 1 more parking space than the conforming building.

As explained above for the future without the action, the project site is not an individually designated historic resource and is not located within, adjacent to, or across the street from a Historic District. In addition, no individually designated resources are located adjacent to or across the street from the project site. With the exception of regulations pertaining to construction near historic resources, LPC historic district regulations would not be applicable to the property.

Although the proposed development on the property would not contain a cellar, construction of the building would result in some subsurface disturbance. It is estimated that the entire surface area of the 22,230 square foot site and a volume of 2,900 cubic yards, including 800 cubic yards of cellar material, would be disturbed to accommodate the proposed development on the property.

By letter dated June 24, 2016, LPC has determined that the subject property has no archaeological or architectural significance. (See LPC letter in Historic and Cultural Resources Appendix.) Therefore, the With-Action development on the site would not result in any impacts to historic or cultural resources.

### Archaeological Resources

The *CEQR Technical Manual* indicates that archaeological resources should be assessed for projects that would result in any in-ground disturbance if the proposed project would result in any of the conditions noted in italics below. In-ground disturbance is any disturbance to an area not previously excavated, including new excavation that is deeper and/or wider than previous excavation on the same site. Examples of projects that typically require assessment are:

- *Above-ground construction resulting in-ground disturbance, including construction of temporary roads and access facilities, grading, or landscaping.*

- *Below-ground construction, such as installation of utilities or excavation, including that for footings or piles.*

An assessment of archaeological resources is not required for projects that would result in the conditions noted in italics below:

- *Projects that would not result in ground disturbance.*

- *Projects that would result in disturbance only of areas that have already been recently excavated for other purposes, such as basements, concourses, sunken plazas, etc. However, if the area proposed to be excavated exceeds the previous disturbance in depth or footprint, archaeological assessment may be appropriate.*

As explained above, both the future no-action and future with-action developments on the project site would not contain a cellar. However, construction of each building would result in some subsurface disturbance. Under the future no-action condition, it is estimated that the entire surface area of the 22,230 square foot site and a volume of 3,400 cubic yards, including 800 cubic yards of cellar material, would be disturbed to accommodate the as-of-right development on the property. Under the future with-action condition, it is estimated that the entire surface area of the 22,230 square foot site and a volume of 2,900 cubic yards, including 800 cubic yards of cellar material, would be disturbed to accommodate the proposed development on the property.

The extent of subsurface disturbance to accommodate the proposed development would be relatively minor and would be approximately 500 cubic yards less than the as-of-right development on the site. In addition, the property is currently fully developed with existing one- and two-story buildings that are likely to have already disturbed an area similar to what would be disturbed by the proposed development.

LPC has reviewed the proposed action and determined that it would not result in any impacts to archaeological resources as no such resources are located on the development site. (See LPC letter dated 6/24/16 in Historic and Cultural Resources Appendix.)

### Historic Resources

The *CEQR Technical Manual* indicates that architectural resources should be surveyed and assessed if the proposed project would result in any of the conditions noted in italics below.

- *New construction, demolition, or significant physical alteration to any building, structure, or object.*

The proposed action would result in demolition of the five existing 1- and 2-story manufacturing buildings on the project site. These buildings consist of generic brick clad buildings and sheet metal sheds that are utilitarian in nature and without any distinguishing architectural characteristics or historic character. LPC has determined that the development site has no architectural significance. (See LPC letter dated 6/24/16 in Historic and Cultural Resources Appendix.)

- *A change in scale, visual prominence, or visual context of any building, structure, or object or landscape feature. Visual prominence is generally the way in which a building, structure, object, or landscape feature is viewed. Visual context is the character of the surrounding built or natural environment. This may include the following: the architectural components of an area's buildings (e.g., height, scale, proportion, massing, fenestration, ground-floor configuration, style), streetscapes, skyline, landforms, vegetation, and openness to the sky.*

As described above, the proposed project would result in the demolition of the five existing 1- and 2-story manufacturing buildings on the project site. It would result in the construction of a 1- to 11-story, 86,300 gsf mixed-use building on the property.

The project would result in a change in scale, visual prominence, and visual context relative to the surrounding area and existing conditions on the property. The proposed building would be much taller and bulkier than the existing buildings on the project site. However, it would be similar to the as-of-right development on the property and would be 1,950 gsf smaller than the conforming building. The proposed building would have its massing oriented towards the adjacent Transmitter Park rather than towards Greenpoint Avenue and/or Kent Street as would be the case with the conforming development.

- *Construction, including but not limited to, excavating vibration, subsidence, dewatering, and the possibility of falling objects.*

LPC-approved construction procedures would be followed to protect historic structures in the area (i.e., within the Eberhard Faber Pencil Company Historic District) from damage from vibration, subsidence, dewatering, or falling objects. Construction procedures would comply with the NYC Department of Buildings memorandum Technical Policy and Procedure Notice # 10/88 (TPPN # 10/88) and with the site safety requirements of the 2008 NYC Building Code, as amended, which stipulate that certain procedures be followed for the avoidance of damage to historic and other structures resulting from construction. TPPN # 10/88 pertains to any structure which is a designated NYC Landmark or located within a historic district, or listed on the National Register of Historic Places and is contiguous to or within a lateral distance of 90 feet from a lot under development or alteration.

- *Additions to or significant removal, grading, or replanting of significant historic landscape features.*

Not applicable to the proposed action. No historic landscape features are located on or adjacent to the project site.

- *Screening or elimination of publicly accessible views.*

Not applicable to the proposed action. Views of Transmitter Park adjacent to the site and the East River waterfront beyond would continue to be available from the sidewalks bordering the property.

- *Introduction of significant new shadows or significant lengthening of the duration of existing shadows on an historic landscape or on an historic structure if the features that make the structure significant depend on sunlight.*

On the basis of the *CEQR Technical Manual* criteria above, the project would not result in significant shadows impacts on historic resources. As discussed in the Shadows section above, the proposed building would reach a total height of 136.5 feet to the top of the parapet above the rooftop bulkheads and would result in a maximum shadow distance of approximately 587 feet. The project could potentially cast shadows on the nearby Eberhard Faber Pencil Company Historic District. However, this Historic District does not contain any potentially sunlight-sensitive historic structures. In addition, LPC has determined that no shadow impacts to the Eberhard Faber Pencil Company Historic District are anticipated as a result of this action. (See LPC letter dated 6/24/16 in Historic and Cultural Resources Appendix.)

As described above, the project site is not an individually designated historic resource and is not located within, adjacent to, or across the street from a Historic District. In addition, no individually designated resources are located adjacent to or across the street from the project site. With the exception of regulations pertaining to construction near historic resources, which are discussed in the construction section below, LPC historic district regulations would not be applicable to the property.

Based on the above analysis, it is concluded that the proposed development would be compatible with the nearby Eberhard Faber Pencil Company Historic District. No significant adverse impact to this Historic District would be expected as a result of the proposed action.

It is not anticipated that the proposed project would result in any significant adverse impacts to historic or archaeological resources.

## **10. URBAN DESIGN AND VISUAL RESOURCES**

### **Introduction**

An assessment of urban design is needed when a project may have effects on any of the elements that contribute to the pedestrian experience of public space. A preliminary assessment is appropriate when there is the potential for a pedestrian to observe, from the street level, a physical alteration beyond that allowed by existing zoning, including the following:

1. Projects that permit the modification of yard, height, and setback requirements;
2. Projects that result in an increase in built floor area beyond what would be allowed 'as-of-right' or in the future without the proposed project.

### **Yard, Height, and Setback Requirements**

The proposed Zoning Text Amendment would modify the applicability of requirements of ZR Sections 23-532(a)(Required Rear Yard Equivalents), 23-861 (General Provisions), 62-354(g) and 62-354(h)(Special Height and Setback Regulations) with respect to Parcel 12(b) by providing that: (i) the lot line separating the development site from the Park (Park Street Line) will be considered as a street line of a wide street for purposes of applying the bulk regulations of the Zoning Resolution, including, the provisions governing rear yards and rear yard equivalents and the minimum distance between legally required windows and lot lines, (ii) the provisions of ZR Section 62-354(g) requiring the roof of a facility containing off-street parking spaces to be landscaped shall not apply to the building, and (iii) the provisions of ZR Section 62-354(h) governing street wall location and height shall not apply and in lieu thereof (a) the street wall of the building fronting the Park shall be set back a minimum of 8 feet from Park (and no balconies shall be permitted within such 8-foot setback area) and (b) at least 90 percent of the width of the street wall of the building fronting on Kent Street shall be located within 8 feet of the street line and extend to a minimum height of 30 feet.

Based on the above zoning modifications, the proposed action would result in a change to the yard, height, and setback requirements applicable to the proposed development on the project site. As a consequence of these zoning modifications, there would be the potential for a pedestrian to observe, from the street level, a physical alteration beyond that allowed by existing zoning.

### **Future Without the Project**

Absent the Zoning Text Amendment, the Applicant would redevelop the development site with an as-of-right mixed-use building that would fully comply with the applicable regulations in the R6 district and C2-4 overlay district on waterfront blocks in an IHDA and in WAP BK-1. Accordingly, the No-Action RWCDS would reflect the following assumptions. See As-of-Right Architectural Plans Appendix to this document.

The existing buildings on the site would be demolished. The as-of-right building would contain 88,250 gsf of floor area. Of the 88,250 gsf, 71,550 gsf would be residential space for 76 dwelling units, and associated area; 4,200 gsf would be ground floor commercial (retail) space; and 12,500 gsf would be space used for ground floor off-street accessory parking<sup>10</sup>. 35 off-street accessory

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<sup>10</sup> An unenclosed parking area above the first story roof would have 7,000 gsf of area.

parking spaces would be provided, all of which would be enclosed on the ground floor of the building.

The as-of-right building would vary in height from 1 to 14 stories: the development site would be built full for one-story with ground floor commercial space, off-street accessory parking and residential lobby and amenity space; a 7-story residential portion would front on Kent Street; and a 14-story residential portion would front on Greenpoint Avenue. More floor area would be provided on Greenpoint Avenue because it is 20-feet wider than Kent Street and, as a result, views and light and air for the portion of the as-of-right building fronting on Greenpoint Avenue would be less impacted by future potential development of the parcel south of Greenpoint Avenue than would be the case on Kent Street. Accordingly, on Greenpoint Avenue, the as-of-right Building would have a 6-story street wall (65 feet) before a 10-foot setback. Above the 10<sup>th</sup> story, the lot coverage of the 11<sup>th</sup> - 14<sup>th</sup> stories would be reduced at each level in accordance with ZR Section 62-354(b)(3), up to a total height of 145 feet. On Kent Street, the western 66 feet of the as-of-right building's frontage would be 6 stories (65 feet) before a 15-foot setback, and the 7<sup>th</sup> story would be 75 feet high. On 71 feet of the remainder of the Kent Street frontage, a one-story, 30-foot high retail space will be provided, as well as an entrance to the off-street accessory parking facility. The 14- and 7-story portions of the as-of-right building would be separated by a 70-foot rear yard equivalent above the ground floor. The as-of-right building would be built to the side lot line it shares with the Park.

#### Future With the Project

In the future with the action, the RWCDS would reflect the following assumptions. See Proposed Architectural Plans Appendix to this document.

With the proposed Zoning Text amendment, the Applicant would demolish the existing buildings on the site and construct a building on the site that would contain 86,300 gsf of floor area. Of the 86,300 gsf, 72,570 gsf would be for 77 dwelling units and associated area; 4,700 gsf would be ground floor commercial (retail) space; and 9,030 gsf would be space used for ground floor off-street accessory parking and a ramp to off-street accessory parking on the roof of a portion of the first story<sup>11</sup>. 36 parking spaces would be provided, with 18 enclosed ground floor-level spaces accessible from Kent Street and 18 spaces on the roof above the enclosed ground floor-level spaces accessible by a ramp from Greenpoint Avenue.

The building would vary in height from 1 to 11 stories, with a total height of 115 feet plus a mechanical bulkhead. The massing of the building would be oriented toward the Park, with legally required windows facing the Park (as well as both streets). Residential access would be provided from Kent Street at the northwest corner of the building, and the building's retail space would be provided in two 1-story spaces fronting on Kent Street and Greenpoint Avenue. Its frontage on Greenpoint Avenue would be one-story and 15 feet high, with one of the retail spaces and the access ramp to the 18 unenclosed parking spaces. On Kent Street, the western 79'-6" of frontage would be 6 stories (65 feet) high before a 15-foot setback, with an additional 13'-1" setback provided above the 10<sup>th</sup> story (105 feet high). The eastern 76'-6" of frontage would be one-story of retail with a height of 30 feet (a 4-foot wide open area would be provided between the retail frontage and the remainder of the Kent Street frontage above a height of 11 feet). The proposed building would be set back 8 feet from the Park, except for a canopy above

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<sup>11</sup> The upper parking area would be 8,360 gsf of the building's roof area.

the residential entry area, and a 9'-6" setback would be provided above the 6<sup>th</sup> story (65 feet high). A mechanical bulkhead would be provided above the 11<sup>th</sup> story, up to an elevation of 133'-8".

The intent of the Zoning Text Amendment is to allow the proposed building to have its massing oriented towards the adjacent Transmitter Park rather than towards Greenpoint Avenue and/or Kent Street, on which the project site fronts. The Zoning Text Amendment would allow modifications to the requirements set forth in the following provisions of the Zoning Resolution in order to allow the proposed massing of the building:

1. ZR Section 23-532(a) provides that on through lots with a depth of more than 110 feet from street to street, a 60-foot rear yard equivalent is required to be provided midway (or within 5 feet of being midway) between the two street lines upon which such through lot fronts. As shown on the Site Plan, the building would have its massing oriented towards the Park and a rear yard equivalent would not be provided midway between Greenpoint Avenue and Kent Street.

The Zoning Text Amendment would provide that the Park Street Line (i.e., the lot line separating the development site from the Park) would constitute a "street line" for purposes of applying all bulk regulations under the Zoning Resolution. Under ZR Section 23-541, no rear yard is required to be provided within 100 feet of the point of intersection of two street lines intersecting at an angle of 135 degrees or less. The Park Street Line would intersect the street lines of Kent Street and of Greenpoint Avenue street line each at angles of approximately 90 degrees. Therefore, if the Zoning Text Amendment is approved, no rear yard would be required within 100 feet of either of such intersections.

2. ZR Section 23-861 provides that the minimum distance between a legally required window and a side lot line is 30 feet. A "side lot line" is any lot line that is not a front lot line or a rear lot line. Absent the Zoning Text Amendment, the Park Street Line would constitute a side lot line. The building would have legally required windows oriented towards the Park, set back 8 feet from the Park Street Line up to the 6<sup>th</sup> story and set back 17 feet, 6 inches from the Park Street Line for the upper stories of the building.

A "front lot line" is a street line. The Zoning Text Amendment would provide that the Park Street Line would constitute a "street line" for purposes of applying all bulk regulations under the Zoning Resolution. Accordingly, if the Zoning Text Amendment is approved, legally required windows may be provided within 30 feet of the Park Street Line.

3. ZR Section 62-354(g) provides that any roof of a facility containing off-street parking spaces, not otherwise covered by a building, be landscaped. In order to provide the minimum required 36 off street accessory parking spaces, 18 spaces would be provided at the ground-floor of the building and an additional 18 spaces will be provided on the 1-story roof of the building above. Below-grade parking is not feasible given the location of the development site in the Flood Hazard Area. Likewise, the roof-level parking cannot be enclosed without exceeding the maximum lot coverage (65 percent) permitted in R6 districts in the Waterfront Area.

In order to allow parking on the 1-story roof of the building, the Zoning Text Amendment would provide that the requirements of Section 62-354(g) would not apply to the development site.

4. ZR Section 62-354(h) provides that for developments in the WAP, at least 70% of the width of a building's street wall fronting on streets such as Kent Street and Greenpoint Avenue must be within 8 feet of the street line and at least 30 feet high. The building would comply with this provision on Kent Street, as its street wall would be within 8 feet of the street line and at least 30 feet high for 156 feet (93% of the 168-foot wide frontage). On Greenpoint Avenue, however, the building's street wall would not exceed a height of 15 feet, and it would not comply with Section 62-354(h).

One retail portion of the development would front on Greenpoint Avenue as would an entrance to the parking within the building. A second retail store and parking entrance would front on Kent Avenue as would the lobby for the residential portion of the development. Each parking entrance would be 20 feet wide. Two curb cuts are currently located along the Greenpoint Avenue frontage of the site which would be reduced to one for the proposed development. Three curb cuts are currently located along the Kent Avenue frontage of the site which would be reduced to one for the proposed development.

The Zoning Text Amendment would require that the street wall of the building fronting the Park be set back at least 8 feet from the Park Street Line and no balconies would be permitted within such 8-foot setback area. The 8 foot setback with no balconies was incorporated at the request of DPR. Above the 6th floor (65' above base plane), the street wall of the building fronting the Park would set back an additional 9.5 feet from the Park Street Line. The Zoning Text Amendment would also require that at least 90 percent of the width of the street wall of the building fronting on Kent Street shall be located within 8 feet of the street line and extend to a minimum height of 30 feet.

A children's playground is located along the northern portion of the park's boundary with the development site while the remainder of the park's shared boundary with the site is a passive use area containing plants and shrubs. There is a wrought iron fence along the shared lot line which would remain.

The Applicant believes that orienting the massing of the building towards the Park will provide for a more efficient building and for better interaction between the building, the Park, and the waterfront. Absent the Zoning Text Amendment, a 60-foot rear yard equivalent would be required along the centerline of the through-lot portion of the development site, which would require the building to be constructed as two separate building segments - one fronting Greenpoint Avenue and the other fronting Kent Street - with two separate building cores (including stairs and elevators). This configuration would reduce the amount of floor area that could be used for dwelling units and amenity space. A massing oriented towards the Park would allow for a single building segment and a single core and therefore more floor area for dwelling units and useable amenity space. Such a massing also would help to activate the Park and would increase security by providing an "eyes on the park" condition. Absent the Zoning Text Amendment, apartment layouts and legal windows in the building would be oriented toward the street and the rear yard equivalent, and only a limited amount of lot line windows would face the Park. With the Zoning Text Amendment, apartment layouts and legal windows would front the Park as well as the streets. Finally, the Applicant believes that the Zoning Text Amendment would allow for better light and air in the Park. Absent the Zoning Text Amendment, the building would be required to be located on the lot line adjoining the Park. With the Zoning Text Amendment, the building would be set back 8 to 17.5 feet from the Park

providing for better light and air in the Park and a more interactive edge condition between the Park and adjacent outdoor amenity space for the building at ground level.

Based on the above, it is concluded that the proposed zoning modifications and the associated changes to the yard, height, setback, and other requirements applicable to the proposed development would result in a development that would be superior to the conforming development on the property. Although there would be the potential for a pedestrian to observe, from the street level, a physical alteration beyond that allowed by existing zoning, these alterations would be more appropriate to the setting of the project site adjacent to Transmitter Park which is a significant visual resource in the area. A significant adverse impact to urban design would not occur from the proposed zoning modifications and the associated changes to the yard, height, setback, and other requirements.

### **Floor Area**

The proposed action would result in the construction of 86,300 gsf/66,833 zsf of floor area on the project site relative to 88,250 gsf/63,783 zsf in the future without the proposed project. The proposed building would be 1,950 gsf smaller and 3,050 zsf larger than the conforming building. It would contain 1,020 gsf more residential floor area and 1 additional dwelling unit, and 500 gsf more commercial floor area than the as-of-right development but it would include 3,470 gsf less floor area for off-street accessory parking providing 1 more parking space than the conforming building.

Under the applicable regulations in the R6 district and C2-4 overlay district on waterfront blocks in an IHDA and in WAP BK-1, the 22,230 square foot property could be developed with up to 61,133 square feet of zoning floor area based on the maximum FAR with IH bonus of 2.75. Both the as-of-right and the proposed developments on the site exceed this maximum permitted floor area.

The as-of-right building would utilize the maximum permitted FAR of 2.75, including the bonus available for inclusionary housing that is available in the R6 district in the IHDA pursuant to ZR Section 62-352(b)(2), plus approximately 2,650 zsf (2,780 gsf) that would be transferred from up to four Air Rights Parcels, described for the proposed building below.

For the proposed building, the Applicant anticipates transferring up to 5,700 zsf of excess floor area (approximately 6,000 gsf), or development rights, from up to four of five adjacent parcels on Block 2556 (Lots 48, 49, 50, 51, and 52 (collectively, the Air Rights Parcels)) through the provisions set forth in ZR Section 62-353 (Special floor area, lot coverage and residential density distribution regulations). The Air Rights Parcels are located in the R6/C2-4 zoning district, which permits a maximum of 2.75 FAR assuming the inclusionary housing bonus. The Air Rights Parcels are each improved with three-story buildings with residential uses on the upper floors and either residential or commercial uses on the ground floors. The buildings on Lots 48, 51 and 52 each contain an estimated 2,880 gsf, and the buildings on Lots 49 and 50 each contain an estimated 3,800 gsf. Assuming mechanical deductions of 3%, Lots 48, 51 and 52 each contain approximately 2,795 zsf and Lots 49 and 50 each contain approximately 3,685 zsf.

Following the transfer of development rights from the Air Rights parcels, the as-of-right development of 88,250 gsf/63,783 zsf and the proposed development of 86,300 gsf/66,833 zsf would both comply with the floor area requirements pursuant to zoning. Although the

proposed building would have more zoning floor area than the as-of-right development on the site, it would be smaller in terms of gross or actual square footage on the property. In comparison to the as-of-right development on the site, the proposed project would use additional excess floor area from the Air Rights parcels. As the use of air rights from the adjacent parcels is allowed for development on the project site pursuant to zoning, the proposed project would not result in an increase in built floor area beyond what would be allowed as-of-right.

Based on the above, it is concluded that a significant adverse impact to urban design would not occur from an increase in built floor area beyond what would be allowed as-of-right.

### **Views**

The 400-foot radius project study area surrounding the project site includes several visual resources including Transmitter Park adjacent to the project site to the west and the East River beyond, and the Eberhard Faber Pencil Company Historic District. Views of these areas are available from the sidewalks adjacent to the project site. The proposed action would not result in the obstruction of publicly accessible views to these visual resources that are not allowed by the existing zoning of the property.

### **Conclusion**

Based on the above, an urban design assessment would not be required and the proposed action would not result in significant adverse impacts to urban design or visual resources.

Greenpoint Avenue facing west (Site at right)



No-Action Scenario

Greenpoint Avenue facing west (Site at right)



Proposed Project

Kent Street facing west (Site at left)



No-Action Scenario

Kent Street facing west (Site at left)



Proposed Project

Transmitter Park facing east (Site ahead)



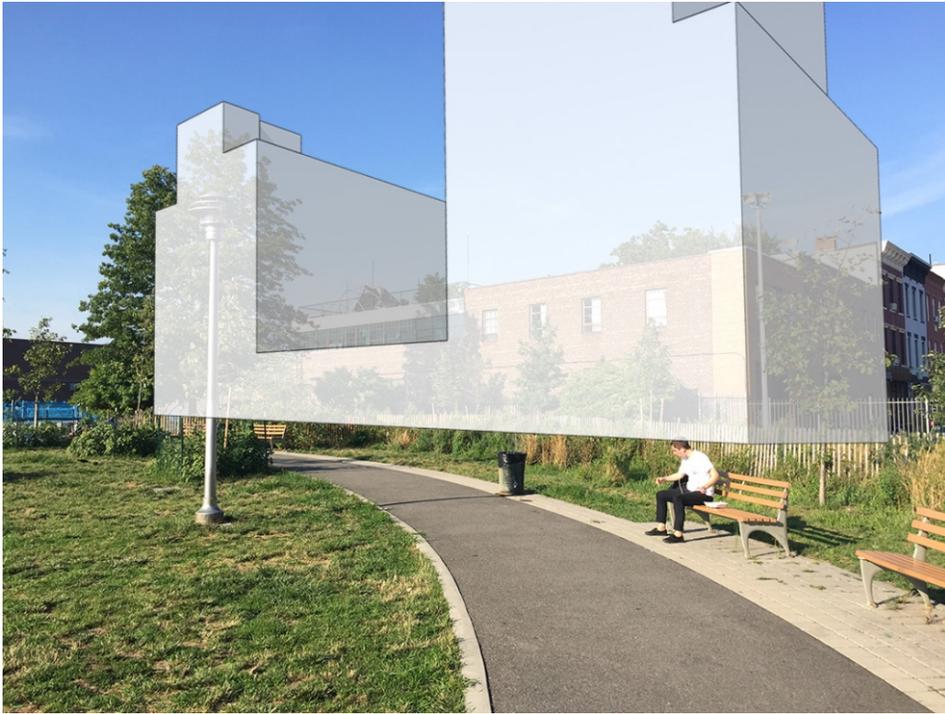
No-Action Scenario

Transmitter Park facing east (Site ahead)



Proposed Project

Transmitter Park facing northeast (Site ahead)



No-Action Scenario

Transmitter Park facing northeast (Site ahead)



Proposed Project

## **11. NATURAL RESOURCES**

The project site is located adjacent to Transmitter Park, which would be considered to be a “Terrestrial Cultural” natural resource according to the *CEQR Technical Manual*. The western 66 feet of the development site is contiguous to the Park’s eastern border. The waters of the East River adjoin the Park to the west.

Transmitter Park is a 6.61 acre neighborhood park operated and maintained by the NYC Department of Parks and Recreation (DPR). The park is described on the DPR website as follows:

WNYC Transmitter Park was opened to the Greenpoint-Williamsburg communities in 2012 as a local waterfront destination. Once the working home of the WNYC radio transmission towers, the park is now a stunning green space, with both natural areas and also places for fishing, play, and active recreation.

The park includes an overlook to the south, seating, and a waterfront esplanade. The center of the park includes a large, open lawn with a separate children’s play area featuring a nautical theme to reflect the site’s context. It also includes a spray shower and nature gardens. A pedestrian bridge has been restored as a wetland accessible to visitors. At the end of Kent Street is a recreational pier, featuring opportunities for fishing and a view of the Manhattan skyline and East River.

The Applicant is seeking a Zoning Text Amendment to ZR Section 62-35 (Special Bulk Regulations in Certain Areas within Community District 1, Brooklyn) that would permit an 11-story mixed-use building on the project site to have its massing oriented towards the adjacent Transmitter Park rather than towards Greenpoint Avenue and/or Kent Street (on which the site fronts) as would be the case with the conforming development. The proposed building would be set back 8 feet from the Park, except for a canopy above the residential entry area, and a 9’-6” setback would be provided above the 6<sup>th</sup> story (65 feet high). The proposed development would not result in any physical disturbance to the Park.

The Applicant believes that orienting the massing of the building towards the Park will provide for a more efficient building and for better interaction between the building, the Park and the waterfront. Absent the Zoning Text Amendment, a 60-foot rear yard equivalent would be required along the centerline of the through-lot portion of the development site, which would require the building to be constructed as two separate building segments - one fronting Greenpoint Avenue and the other fronting Kent Street - with two separate building cores (including stairs and elevators). This configuration would reduce the amount of floor area that could be used for dwelling units and amenity space. A massing oriented towards the Park would allow for a single building segment and a single core and therefore more floor area for dwelling units and useable amenity space. Such a massing also would help to activate the Park and would increase security by providing an “eyes on the park” condition. Absent the Zoning Text Amendment, apartment layouts and legal windows in the building would be oriented toward the street and the rear yard equivalent, and only a limited amount of lot line windows would face the Park. With the Zoning Text Amendment, apartment layouts and legal windows would front the Park as well as the streets. Finally, the Applicant believes that the Zoning Text Amendment would allow for better light and air in the Park. Absent the Zoning Text Amendment, the building would be required to be located on the lot line adjoining the Park.

With the Zoning Text Amendment, the building would be set back 8 to 17.5 feet from the Park providing for better light and air in the Park and a more interactive edge condition between the Park and adjacent outdoor amenity space for the building at ground level.

New shadows cast by the proposed project on the Park would primarily affect lawn areas with several trees. There would be a minimal incremental shadow effect on the children's playground area located in the northeast corner of the Park. A small portion of the southern half of the Park would experience new shadows on the June 21<sup>st</sup> analysis day. However, incremental shadows from the project would not affect the southern half of the Park on any other analysis days.

None of the new shadows cast on WNYC Transmitter Park by the proposed project would be considered significant. The maximum duration of new shadows cast by the project would be 5 hours, 36 minutes during the longest day of the year (i.e. June 21<sup>st</sup>). Impacts to vegetation are generally not considered to be significant unless vegetation would receive less than four to six hours of direct sunlight during the growing season. In New York City on June 21<sup>st</sup>, the sun rises at 5:25 am, and sets at 8:31 pm, a period of 15 hours, 6 minutes. Subtracting the 5 hours, 36 minutes of incremental shadow cast by the project on this day would leave 9 hours, 30 minutes of direct sunshine on the Park. The Park would therefore receive more than the four to six hours of direct sunlight during the growing season specified above. The proposed development would not cast any new shadows on the Park during the cold weather months (e.g. December 21<sup>st</sup> analysis day) when shadows effects to passive recreational features such as sitting areas are of greatest concern.

Based on the above analysis, no adverse impacts to natural resources are anticipated. The proposed project would provide for a better interaction between the building, the Park, and the waterfront than a conforming development on the property. Further assessment of natural resources is therefore not warranted.

## **12. HAZARDOUS MATERIALS**

### **Phase I Environmental Assessment (ESA)**

LCS, Inc. Environmental and Real Estate Consultants (“LCS”) prepared a Phase I Environmental Assessment report (“ESA”) dated December 5, 2011 for Amalgamated Bank. The ESA was prepared for the property identified as 13-17 Greenpoint Avenue and 26-40 Kent Street in Brooklyn, NY.

The purpose of the ESA was to assess existing site conditions and render an opinion as to the identified or potential presence of recognized environmental conditions in connection with the property within the scope and limitations of ASTM International's Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process E 1527-05.

### **Recognized Environmental Conditions (RECs)**

The ESA has revealed the following known or suspect recognized environmental conditions (RECs) in connection with the subject property.

- According to Sanborn maps, historic uses of the subject property include: lumber storage yard/buildings (at least 1887 through at least 1942) and a machine shop (at least 1965). Additionally, according to two Certificates of Occupancy, the first floor of the 13 Greenpoint Avenue building was used as a manufacturing establishment for metal, steel and glass products in at least 1969 through at least 1973.
- According to the site contact, a fuel oil tank was removed from the subject property. Information provided relative to this tank indicated that one 1,080-gallon fuel oil UST was properly abandoned on the subject property at 13 Greenpoint Avenue in January 2003.
- According to documentation supplied to LCS, evidence of two oil USTs, reportedly inactive, was noted within the subject structures at 13 and 15 Greenpoint Avenue.
- According to the FirstSearch report, the subject property was identified as an E Designation Site due to a UST. According to a (E)-Designation Greenpoint-Williamsburg Rezoning Environmental Impact Statement-Chapter 11: Hazardous Materials (dated May 11, 2005) from the NYC Office of Environmental

Remediation (E)-Designation website, the subject property was identified as an (E)-Designation site due to a tank on Lot 46 (see further discussion below).

- According to the FirstSearch report, adjacent properties were identified as:
  - 30 Greenpoint Avenue: FINDS database.
  - 10 Kent Street: RCRA Conditionally Exempt Small Quantity Generator and FINDS database.
  - 101-105 West Street: VCP site; remedial work at this site is completed.

### **Historic RECs**

The ESA has revealed the following Historic RECs in connection with the subject property.

According to the FirstSearch report, an adjacent property at 10 Java Street was identified as a NY Spills site with two “inactive” spills.

### De Minimis Conditions

While not considered recognized environmental conditions under the ASTM standard, LCS notes the following:

- Paints, stains, etc., were noted in approximately ten one-gallon or less containers within the wood working shop at 13 Greenpoint Avenue.
- LCS noted 16 empty 55-gallon drums (plastic) within the electrical contractor's storage warehouse at 15-17 Greenpoint Avenue.

### Recommendations

LCS provides the following recommendations for the RECs, Historic RECS, and DeMinimis Conditions identified above.

#### (RECs)

- Historic on-site UST(s) and (E)-Designation listing - No further investigation is warranted in the area of the abandoned UST at 13 Greenpoint at this time; however, limited areas of impact may exist due to the former fuel oil tank. Should future site development/excavation work encounter any impacted soils and/or materials, such should be properly addressed at that time. Prior to/as part of any on-site redevelopment/excavation work, the property owner should work with the NYC Office of Environmental Remediation to clear the (E)-Designation.
- Historic on-site machining/manufacturing at 13 Greenpoint Avenue and 15-17 Greenpoint Avenue - No further investigation warranted at this time; however, should future site development/excavation work encounter any impacted soils and/or materials, such should be properly addressed at that time.
- Adjacent properties of potential concern, including a Voluntary Cleanup Program (VCP) site - No further investigation warranted at this time; however, should future site development/excavation work encounter any impacted soils and/or materials, such should be properly addressed at that time.

#### Historic RECs

No further work is warranted.

### De Minimis Conditions

The hazardous/regulated materials noted on-site should be properly maintained. As a best management practice, the empty 55-gallon drums on-site should be properly disposed of if not intended for future use.

### (E) Designation

The project site, Block 2556, Lots 45 and 46, has been mapped with an E-designation (E-138) for hazardous materials as part of the 2005 Greenpoint-Williamsburg Rezoning EIS. Lot 46 of the subject property was identified as containing a fuel storage tank.

The (E) designation requires that the fee owner of the site conduct a testing and sampling protocol and remediation where appropriate, to the satisfaction of the NYCDEP<sup>12</sup> before the issuance of a building permit. The (E) designation also includes a mandatory construction-related health and safety plan which must be approved by NYCDEP. For an (E) designated site, the following tasks must be undertaken by the fee owners of the sites that are restricted under this designation:

*Task 1 - The applicant must submit to the NYCDEP Office of Environmental Planning and Assessment (OEPA), for review and approval, a soil and groundwater testing protocol including a description of methods and a site map with all sampling locations clearly and precisely represented.*

*No sampling program should begin until written approval of a protocol is received from DEP. The number and location of sample sites should be selected to adequately characterize the site, the specific source of suspected contamination (i.e., petroleum based contamination and non-petroleum based contamination) and the remainder of the site's condition. The characterization should be complete enough to determine what remediation strategy (if any) is necessary after review of sampling data. Guidelines and criteria for selecting sampling locations and collecting samples will be provided by DEP upon request.*

*Task 2 - A written report with findings and a summary of the data must be submitted to DEP after completion of the testing phase and laboratory analysis for review and approval. After receiving such tests results, a determination will be made by DEP if the results indicate that remediation is necessary.*

*If DEP determines that no remediation is necessary, written notice shall be given by DEP.*

*If remediation is indicated from the test results, a proposed remediation plan must be submitted to DEP for review and approval. The applicant must complete such remediation as determined necessary by DEP. The applicant should then provide proper documentation that the work has been satisfactorily completed.*

*A DEP-approved construction-related health and safety plan would be implemented during excavation and construction activities to protect workers and the community from potentially significant adverse impacts associated with contaminated soil and/or groundwater. This Plan would be submitted to NYCDEP for review and approval prior to implementation.*

The EAS will use the existing E-designation. The E-designation from the 2005 Rezoning Notice of Completion is also included in the E-designation Appendix to this document. The Applicant will need to provide all necessary reports and documents to the New York City Office of Environmental Remediation (OER).

## **Conclusion**

Historical and current information was obtained and reviewed for the project site and the surrounding area by LCS as part of the Phase I ESA discussed above in order to determine the likelihood of any potential hazardous materials concerns existing at the project site. It is concluded on the basis of this information that there are no significant hazardous materials concerns on the subject property or in the surrounding area that would warrant the preparation of a Phase II Environmental Site Investigation (ESI) report or any other further studies. In addition, the Applicant will undertake the required tasks identified above relative to the E-

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<sup>12</sup> NYCDEP oversight of the satisfaction of E-designation requirements is now undertaken by the NYC Office of Environmental Remediation (OER).

designation mapped on the site. Therefore, based on *CEQR Technical Manual* criteria, the proposed project would not result in any significant adverse hazardous materials impacts.

## **17. AIR QUALITY**

### **Introduction**

Under *CEQR*, two potential types of air quality impacts are examined. These are mobile and stationary source impacts. Potential mobile source impacts are those which could result from an increase in traffic in the area, resulting in greater congestion and higher levels of carbon monoxide (CO). Potential stationary source impacts are those that could occur from stationary sources of air pollution, such as the heat and hot water boiler of a proposed development which could adversely affect other buildings in proximity to the proposed development.

### **Mobile Source**

Under guidelines contained in the 2014 *CEQR Technical Manual*, and in this area of New York City, projects generating fewer than 170 additional vehicular trips in any given hour are considered as highly unlikely to result in significant mobile source impacts, and do not warrant detailed mobile source air quality studies.

The proposed action would result in the construction of an approximately 86,300 gsf mixed-use building containing approximately 72,570 gsf of residential floor area for 77 dwelling units, approximately 4,700 gsf of local retail space, and 36 off-street accessory parking spaces. The future no-action development on the site would consist of an approximately 88,250 gsf mixed-use building containing approximately 71,550 gsf of residential floor area for 76 dwelling units, approximately 4,200 gsf of local retail space, and 35 off-street accessory parking spaces. The existing buildings on the site would be demolished under both development scenarios.

The proposed action would result in the addition of 1 dwelling unit and 1 residential accessory parking space and 500 gsf less local retail space on the project site. It would not be possible for this level of development to generate 170 additional vehicular trips in any given hour.

No significant adverse mobile source air quality impacts would be generated by the project.

### **Stationary Source**

A stationary source analysis is required for the proposed action as further discussed below.

A screening analysis was performed, using the methodology described in the *CEQR Technical Manual*, to determine if the heat and hot water system of the building could result in potential air quality impacts to any other buildings in the surrounding area. This methodology determines the threshold of development size below which the action would not have a significant impact. The results of this analysis found that there would be no significant air quality impacts from the project's heating, ventilation, and air conditioning (HVAC) systems.

Impacts from boiler emissions associated with a development are a function of fuel type, stack height, minimum distance of the stack on the source building to the closest building of similar or greater height, and the square footage size of the source building. The *CEQR Technical Manual* Figure 17-3, Stationary Source Screen was used for the analysis.

The proposed 86,300 gsf building would be 11 stories in height. The tallest building within 400 feet of the site is only six stories. Therefore, the analysis will assume 400 feet as the location of the closest receptor. The location of the boiler emissions stack for the proposed building is

shown on Drawing A-116.00, Roof Plan, included in the Air Quality Appendix. However, to provide a conservative analysis, a worst case assumption has been made in which the boiler stack is located at the edge of the building.

As shown on Figure 17-3 included in the Air Quality Appendix, the plotted point for an 86,300 gsf building located 400 feet from the project site is well below the curve. Therefore, no stationary source impacts would be generated by the proposed building on the existing building.

The potential for significant adverse impacts due to boiler stack emissions from the proposed project is unlikely, and a detailed analysis of stationary source impacts is not required.

### **Air Toxics**

The air quality chapter of the 2005 Greenpoint-Williamsburg Rezoning EIS was reviewed to determine if any air toxics from industrial sources in the project study area would be anticipated to adversely affect the proposed development.

As stated on pages 18-25 & 26 of the EIS air quality chapter, a study was conducted to identify manufacturing and industrial uses within 400 feet of the projected and potential developments. NYCDEP-BEC, NYSDEC, and EPA permit records were used to identify existing sources of industrial emissions. A total of 96 permitted facilities (consisting of 192 sources) were identified and analyzed within 400 feet of at least one development site. The information from these permits (emission rates, stack parameters, etc.) was input to the ISC3 model.

As stated on page 18-28 of the EIS air quality chapter, exceedances of the short-term guideline concentrations (SGC) for particulate matter are predicted at three potential development sites, while the SGC for formaldehyde is predicted to be exceeded at one projected development site. Exceedances of the annual guideline concentrations (AGC) for dioctyl phthalate are predicted at one projected development site and six potential development sites, while the AGC for formaldehyde is predicted to be exceeded at one projected development site and two potential development sites, and the AGC for chromic acid is predicted to be exceeded at three potential development sites. However, the impacts of chromic acid at these development sites are not considered significant.

The air toxics analysis determined that at most projected and potential development sites, maximum short term and annual average concentrations of individual compounds would be below NYSDEC SGCs and AGCs, and that the cumulative health risk associated with industries in the project action area are below EPA criteria. At a total of one projected and nine potential development sites were identified where an (E) designation for air quality will be incorporated in the text of the rezoning proposal to ensure that no significant impacts at these sites would occur. The project site is not one of the projected or potential development sites identified as being potentially affected by the pollutants discussed above.

Therefore, it is not anticipated that the proposed development would experience any significant adverse air quality impacts from air toxics and further analysis would not be required.

### **Conclusion**

The proposed project would not create any significant adverse mobile or stationary source air quality impacts relative to the surrounding area. The proposed sensitive residential receptors to

be developed as part of the proposed project would not experience any significant adverse air quality impacts from existing development in the surrounding area.

## **19. NOISE**

### **Introduction**

Two types of potential noise impacts are considered under CEQR. These are potential mobile source and stationary source noise impacts. Mobile source impacts are those which could result from a proposed project adding a substantial amount of traffic to an area. Potential stationary source noise impacts are considered when a proposed action would cause a stationary noise source to be operating within 1,500 feet of a receptor, with a direct line of sight to that receptor, if the project would include unenclosed mechanical equipment for building ventilation purposes, or if the project would introduce receptors into an area with high ambient noise levels.

### **Mobile Source**

Relative to mobile source impacts, a noise analysis would only be required if a proposed project would at least double existing passenger car equivalent (PCE) traffic volumes along a street on which a sensitive noise receptor (such as a residence, a park, a school, etc.) is located. The garage entrance to the proposed development would be on Kent Street between West Street and Transmitter Park. This section of Kent Street does not contain any residential uses and only includes a commercial building with one garage entrance door. Transmitter Park, located adjacent to the project site to the west, would not experience any significant noise impacts from the proposed development as Kent Street dead ends at the Park. Therefore, no vehicular traffic generated by the project would pass the Park. However, residential uses are located along West Street which would provide vehicular access to the project site. West Street would therefore be of concern relative to mobile source noise impacts. In addition, the proposed new residential apartments would be a sensitive use relative to noise impacts.

A detailed mobile source analysis is typically conducted when PCE values are at least doubled between the no-build and the action conditions during the worst case expected hour at receptors most likely to be affected by the proposed action. The proposed action would result in the construction of an approximately 86,300 gsf mixed-use building containing approximately 72,570 gsf of residential floor area for 77 dwelling units, approximately 4,700 gsf of local retail space, and 36 off-street accessory parking spaces. The future no-action development on the site would consist of an approximately 88,250 gsf mixed-use building containing approximately 71,550 gsf of residential floor area for 76 dwelling units, approximately 4,200 gsf of local retail space, and 35 off-street accessory parking spaces. The existing buildings on the site would be demolished under both development scenarios.

The proposed action would result in the addition of 1 dwelling unit and 1 residential accessory parking space and 500 gsf less local retail space on the project site. PCE values would not double under the proposed action based on the relative sizes of the future no-action and future with-action development scenarios on the project site. The proposed action would also not result in the doubling of PCE values along either Kent Street, which provides vehicular access to the commercial building noted above, or West Street which is lined with numerous multi-family and industrial uses.

PCE values on the streets surrounding the subject property would not be doubled under the proposed action, and a detailed mobile source analysis is therefore not warranted. No significant adverse mobile source noise impacts would be generated by the project.

### Potential Impacts of Surrounding Development on the Proposed Project

The project's residential dwelling units would be considered to be a noise sensitive use which could potentially be adversely affected by existing ambient noise in the surrounding area. The project site, Block 2556, Lots 45 and 46, has been mapped with an E-designation (E-138) for noise as part of the 2005 Greenpoint-Williamsburg Rezoning EIS. The noise chapter of the EIS states that at all monitoring sites, traffic noise was the dominant noise source. The text of the E-designation applicable to the project site is presented below. The E-designation from the 2005 Rezoning Notice of Completion is also included in the E-designation Appendix to this document.

In order to ensure an acceptable interior noise environment, future residential/ commercial uses must provide a closed window condition with a minimum of 30 dBA window/wall attenuation on all façades in order to maintain an interior noise level of 45 dBA. In order to maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to central air conditioning or air conditioning sleeves containing air conditioners or HUD approved fans.

The Applicant will include the recommended 30 dBA window/wall attenuation on all façades of the building and will provide an alternate means of ventilation in order to maintain an interior noise level of 45 dBA. Therefore, the proposed action would not result in any significant adverse noise impacts to residents and commercial occupants of the proposed project.

### **Stationary Source**

The proposed project would not include any unenclosed mechanical equipment for building ventilation purposes, and would not include any active outdoor recreational space that could result in stationary source noise impacts to the surrounding area. All mechanical equipment would be located either inside the building or would be enclosed on the roof of the structure.

Therefore, the proposed project would not result in potential stationary source noise impacts to any other buildings in the vicinity of the project site.

### **Conclusion**

The proposed action would not result in any potentially significant adverse stationary or mobile source noise impacts, and further assessment is not warranted.

## **22. CONSTRUCTION**

Based on *CEQR Technical Manual* guidelines, where the duration of construction is expected to be short-term (less than two years), any impacts resulting from construction generally do not require detailed assessment. Construction of the proposed project is expected to be completed within 18 months. However, a preliminary screening of construction impacts resulting from the project is potentially required because construction activities on the site would be occurring within 400 feet of historic and cultural resources, as identified in the Historic and Cultural Resources section above and further discussed below.

The Eberhard Faber Pencil Company Historic District is located within 400 feet of the project site directly across West Street predominantly between Kent Street and Greenpoint Avenue. The *CEQR Technical Manual* indicates that construction impacts may occur to historic and cultural resources if in-ground disturbances or vibrations associated with project construction could undermine the foundation or structural integrity of nearby resources. The project would involve some in-ground disturbance and some level of vibration is anticipated to occur as part of project construction.

A construction assessment may be needed for historic and cultural resources if the project involves construction activities within 400 feet of a historic resource. LPC-approved construction procedures would be followed to protect historic structures in the area from damage from vibration, subsidence, dewatering, or falling objects. Construction procedures would comply with the NYC Department of Buildings memorandum Technical Policy and Procedure Notice # 10/88 (TPPN # 10/88) and with the site safety requirements of the 2008 NYC Building Code, as amended, which stipulate that certain procedures be followed for the avoidance of damage to historic and other structures resulting from construction. TPPN # 10/88 pertains to any structure which is a designated NYC Landmark or located within a historic district, or listed on the National Register of Historic Places and is contiguous to or within a lateral distance of 90 feet from a lot under development or alteration. Therefore, no adverse construction impacts would occur to any historic resources within 400 feet of the project site.

On the basis of the above analysis, it is concluded that the proposed action would not have any potentially significant adverse construction impacts, and further analysis would not be warranted.

# **APPENDIX**

# **As-of-Right Architectural Plans**

For Illustrative Purposes Only

**KUTNICKI BERNSTEIN ARCHITECTS**  
 434 BROADWAY NEW YORK CITY 10013 P.212.431.5552 F.212.431.5663

MEP ENGINEER:  
 STRUCTURAL ENGINEER:  
 CONSULTANT:  
 OWNER:

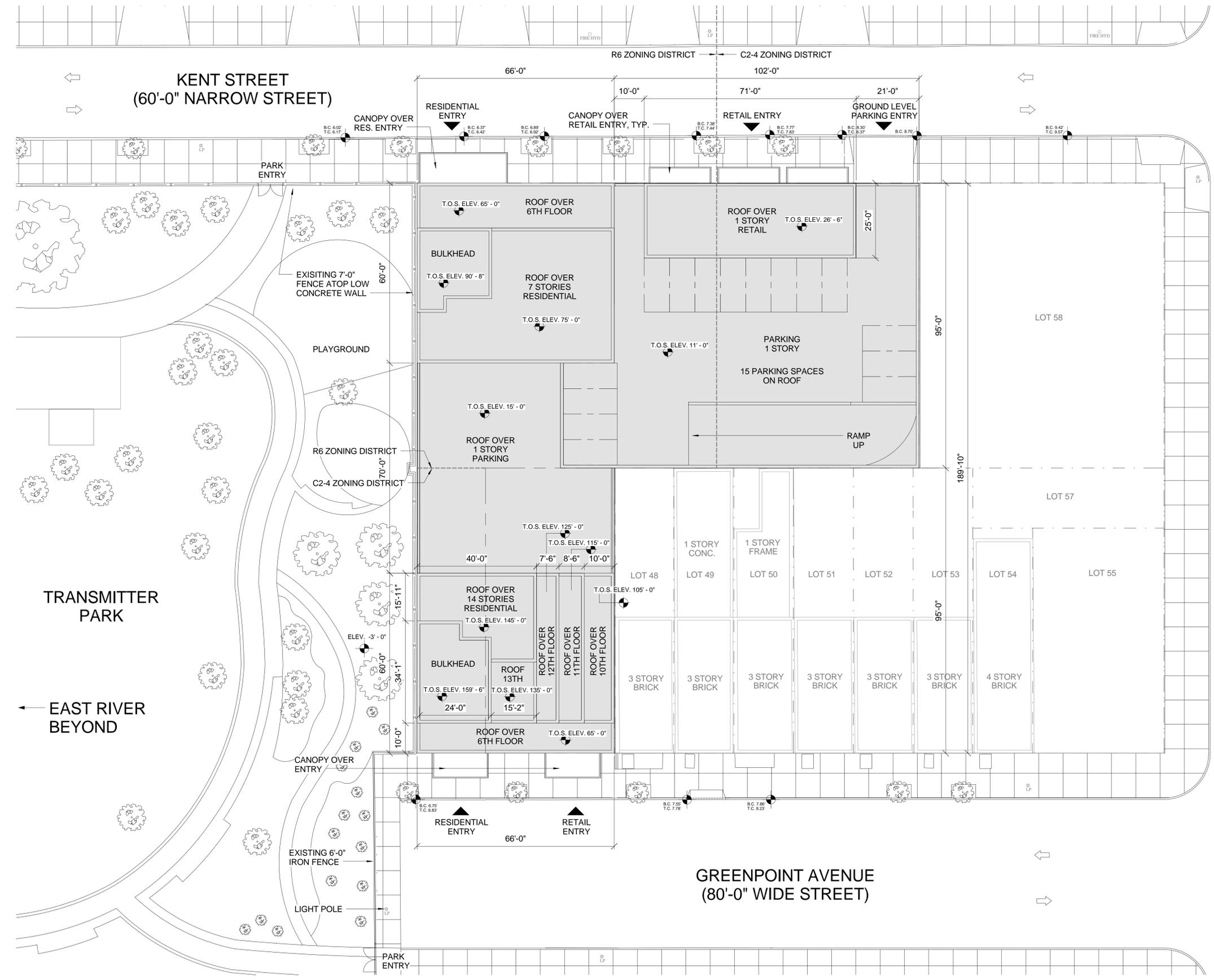


**LEGEND**

- PROPERTY LINES
- ZONING DISTRICT BOUNDARY
- PROPOSED BUILDING
- BUILDING ENTRANCE

**NOTES:**

1. APPLICANT'S STAMP AND SEAL CORRESPONDS TO THE INFORMATION REGARDING THE DEVELOPMENT SITE, ZONING LOT, AND RELATED CURB CUTS. INFORMATION REGARDING THE SURROUNDING PROPERTIES IS FOR ILLUSTRATIVE PURPOSES ONLY.
2. BUILDING ENTRANCES ARE SHOWN FOR ILLUSTRATIVE PURPOSES ONLY.



WEST STREET (60'-0" NARROW STREET)

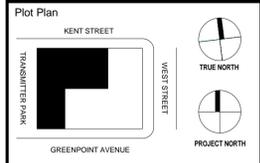
① SITE PLAN  
 1/16" = 1'-0"

**Issuance Schedule**

No.	Date	Description

**Revision Schedule**

No.	Date	Description



For Department of Buildings Use

Drawing Title  
**SITE PLAN**

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 Drawing No.  
**A-010.00**

date 05/05/15	drawn by Author	job no. 2014-027
sheet scale As indicated	checked by Checker	DOB sheet X OF 100

DOB NUMBER

Project  
**13 GREENPOINT AVENUE**  
 BROOKLYN, NY 11222  
 BLOCK: 2556 LOTS: 45 & 46

**KUTNICKI BERNSTEIN ARCHITECTS**  
 434 BROADWAY NEW YORK CITY 10013 P. 212.431.5552 F. 212.431.5663

MEP ENGINEER:

STRUCTURAL ENGINEER:

CONSULTANT:

OWNER:



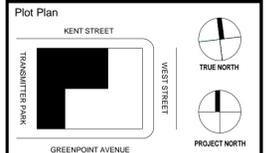
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No.	Date	Description



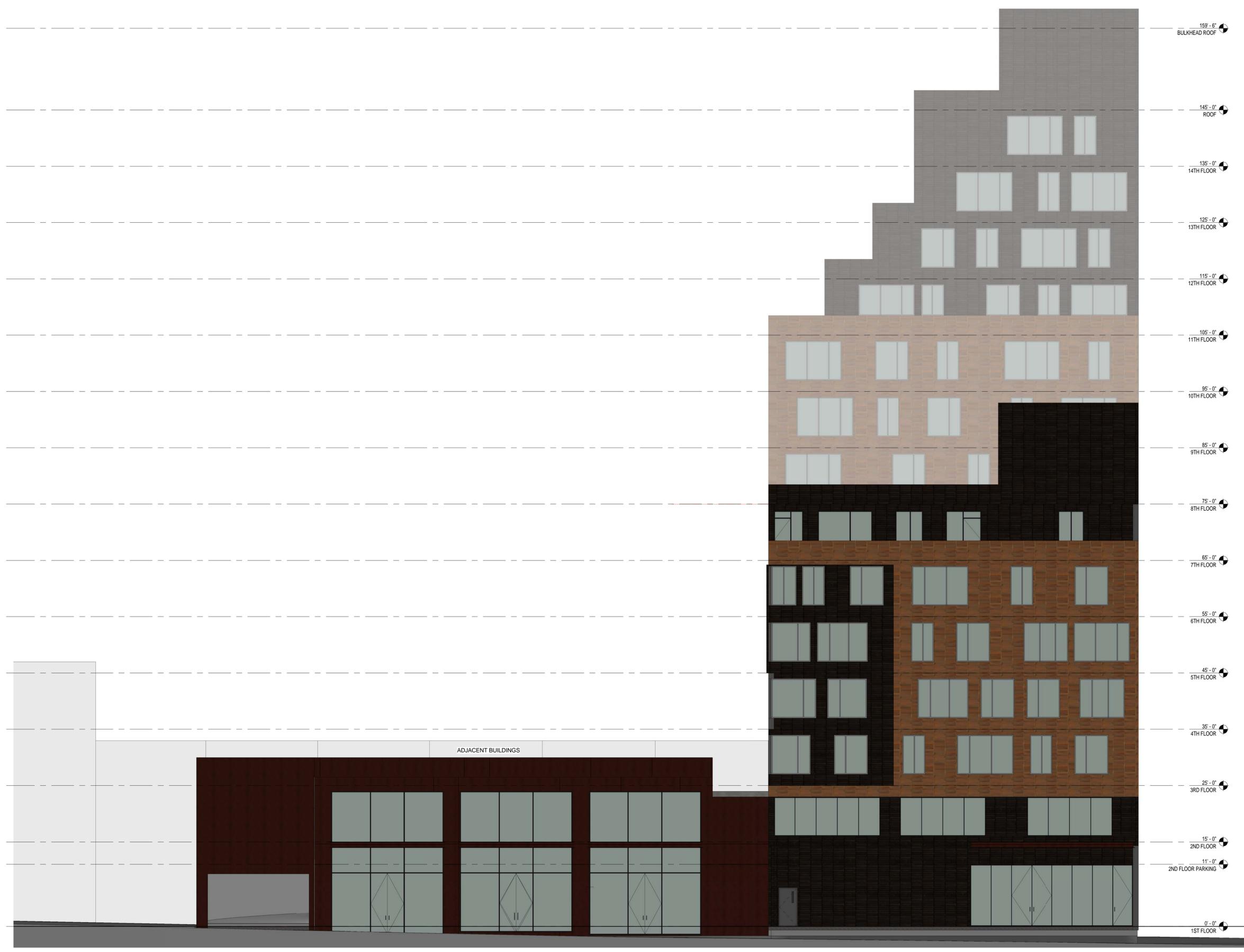
For Department of Buildings Use

Drawing Title  
**NORTH ELEVATION**

Sign & Seal  
 Drawing No.  
**A-300.00**

date 05/05/15	drawn by Author	job no. 2014-027
sheet scale 1/8" = 1'-0"	checked by Checker	DOB sheet

DOB NUMBER



① NORTH ELEVATION  
 1/8" = 1'-0"

Project  
**13 GREENPOINT AVENUE**  
 BROOKLYN, NY 11222  
 BLOCK: 2556 LOTS: 45 & 46

**KUTNICKI BERNSTEIN ARCHITECTS**  
 434 BROADWAY NEW YORK CITY 10013 P. 212.431.5552 F. 212.431.5663

OWNER:  
 13 GREENPOINT AVENUE  
 BROOKLYN, NY 11222

CONSULTANT:  
 220 EAST 57TH ST  
 BROOKLYN, NY 11227

STRUCTURAL ENGINEER:  
 200 EAST 14TH AVENUE, 20TH FL  
 PLAINFIELD, NJ 07061

MEP ENGINEER:  
 200 EAST 14TH AVENUE, 20TH FL  
 PLAINFIELD, NJ 07061



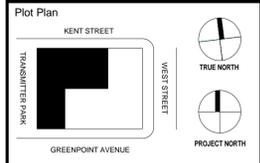
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Revision Schedule

No.	Date	Description



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Drawing Title  
**SOUTH ELEVATION**

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**A-301.00**

date 05/05/15	drawn by Author	job no. 2014-027
sheet scale 1/8" = 1'-0"	checked by Checker	DOB sheet

DOB NUMBER



① SOUTH ELEVATION  
 1/8" = 1'-0"

Project  
**13 GREENPOINT AVENUE**  
 BROOKLYN, NY 11222  
 BLOCK: 2556 LOTS: 45 & 46

**KUTNICKI BERNSTEIN ARCHITECTS**  
 434 BROADWAY NEW YORK CITY 10013 P. 212.431.5552 F. 212.431.5663

OWNER:  
 13 GREENPOINT AVENUE  
 BROOKLYN, NY 11222

CONSULTANT:  
 220 EAST 10TH ST  
 BROOKLYN, NY 11217

STRUCTURAL ENGINEER:  
 100 GREENPOINT AVENUE, 30TH FLOOR  
 BROOKLYN, NY 11222

MEP ENGINEER:  
 100 GREENPOINT AVENUE, 30TH FLOOR  
 BROOKLYN, NY 11222

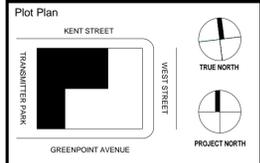


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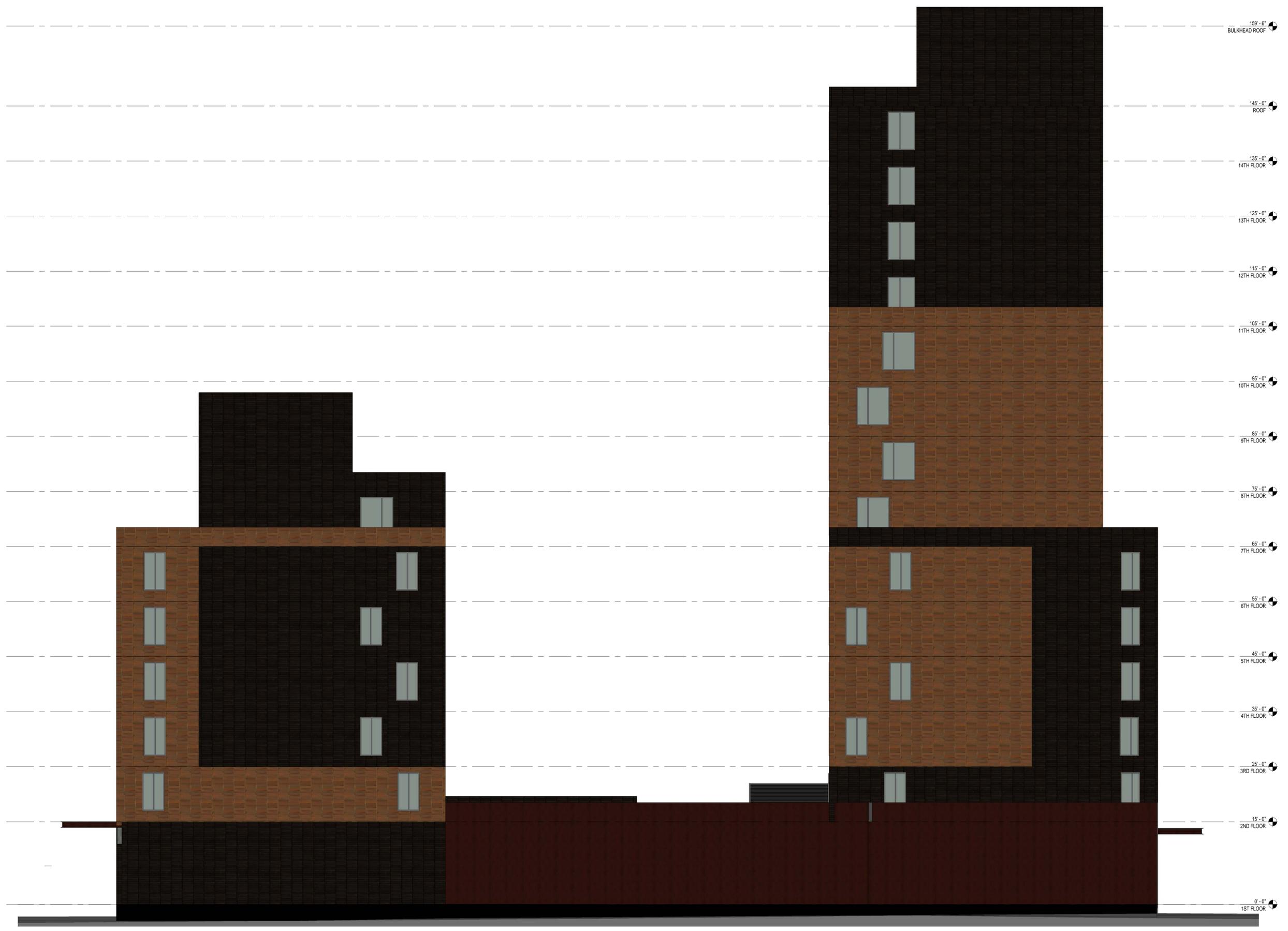
Drawing Title  
**WEST ELEVATION**

Sign & Seal

Drawing No.  
**A-302.00**

date 05/05/15	drawn by Author	job no. 2014-027
sheet scale 1/8" = 1'-0"	checked by Checker	DOB sheet

DOB NUMBER



1 WEST ELEVATION  
 1/8" = 1'-0"



① EAST ELEVATION  
1/8" = 1'-0"

Project  
**13 GREENPOINT AVENUE**  
 BROOKLYN, NY 11222  
 BLOCK: 2556 LOTS: 45 & 46

**KUTNICKI BERNSTEIN ARCHITECTS**  
 434 BROADWAY NEW YORK CITY 10013 P. 212.431.5552 F. 212.431.5663

OWNER:  
 226 EAST 10TH ST 3RD FL  
 BROOKLYN, NY 11217

CONSULTANT:  
 226 EAST 10TH ST 3RD FL  
 BROOKLYN, NY 11217

STRUCTURAL ENGINEER:  
 100 GREENPOINT AVENUE 30TH FL  
 BROOKLYN, NY 11218

MEP ENGINEER:  
 100 GREENPOINT AVENUE 30TH FL  
 BROOKLYN, NY 11218

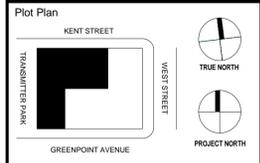
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Revision Schedule

No.	Date	Description



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Drawing Title  
**EAST ELEVATION**

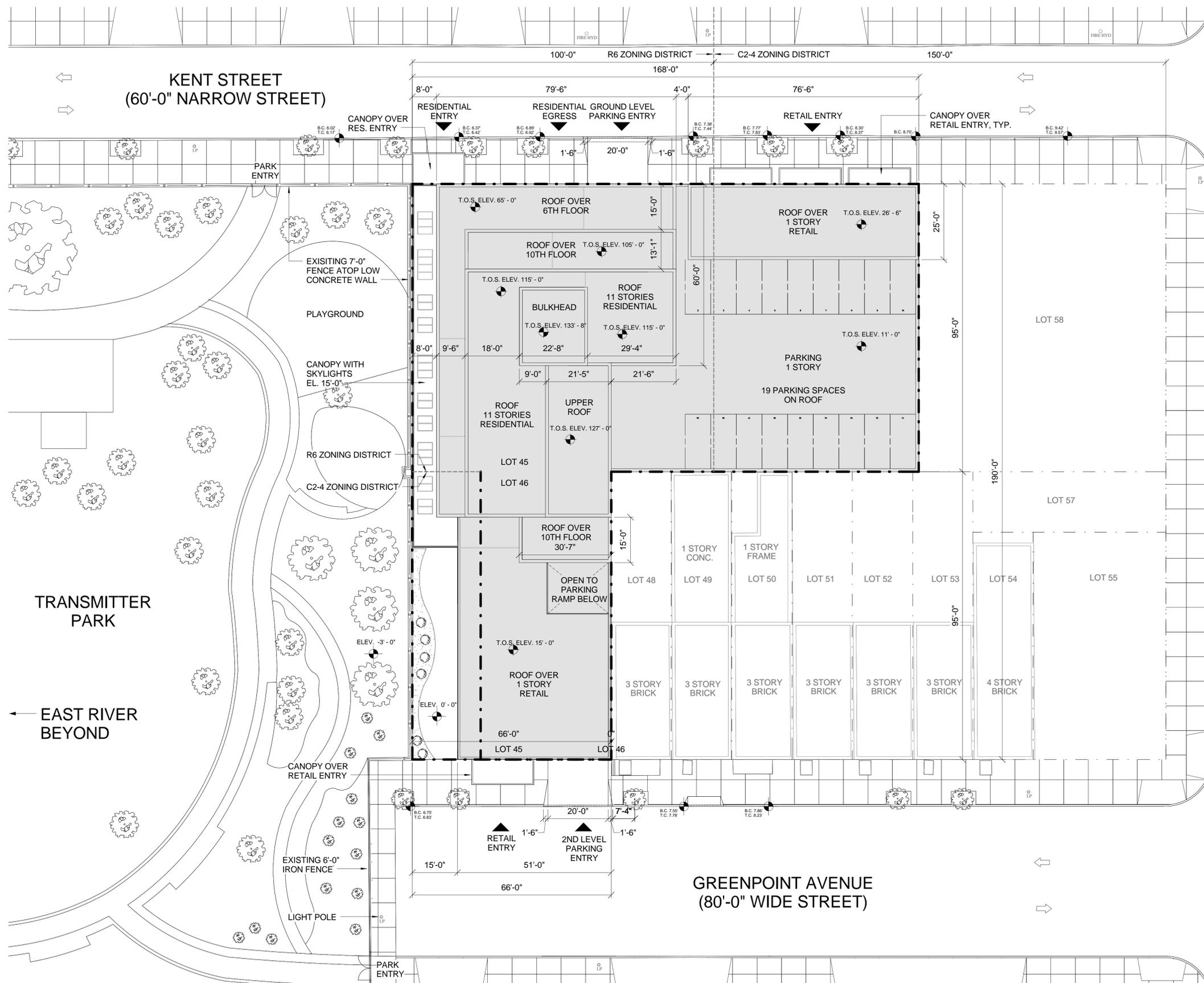
Sign & Seal  
 Drawing No.  
**A-303.00**

date 05/05/15	drawn by Author	job no. 2014-027
sheet scale 1/8" = 1'-0"	checked by Checker	DOB sheet

DOB NUMBER

# **Proposed Architectural Plans**

For Illustrative Purposes Only



**LEGEND**

- PROPERTY LINES
- ZONING DISTRICT BOUNDARY
- PROPOSED BUILDING
- BUILDING ENTRANCE

**NOTES:**  
 1. APPLICANT'S STAMP AND SEAL CORRESPONDS TO THE INFORMATION REGARDING THE DEVELOPMENT SITE, ZONING LOT, AND RELATED CURB CUTS. INFORMATION REGARDING THE SURROUNDING PROPERTIES IS FOR ILLUSTRATIVE PURPOSES ONLY.  
 2. BUILDING ENTRANCES ARE SHOWN FOR ILLUSTRATIVE PURPOSES ONLY.

Project  
**13 GREENPOINT AVENUE**  
 BROOKLYN, NY 11222  
 BLOCK: 2556 LOTS: 45 & 46

**KUTNICKI BERNSTEIN ARCHITECTS**  
 434 BROADWAY NEW YORK CITY 10013 P. 212.431.5552 F. 212.431.5663

MEP ENGINEER  
 STRUCTURAL ENGINEER  
 CONSULTANT  
 ONE EXCHANGE PLACE  
 15TH FLOOR  
 NEW YORK, NY 10008

OWNER  
 1530 AVENUE D  
 NEW YORK, NY 10008

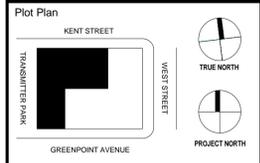


**Issuance Schedule**

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1	11/20/14	DCP

**Revision Schedule**

No.	Date	Description
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Drawing Title  
**SITE PLAN**

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 Drawing No.  
**A-010.00**

date 05/05/15	drawn by Author	job no. 2014-027
sheet scale As indicated	checked by Checker	DOB sheet X OF 100

DOB NUMBER

① SITE PLAN  
 1/16" = 1'-0"

Project  
**13 GREENPOINT AVENUE**  
 BROOKLYN, NY 11222  
 BLOCK: 2556 LOTS: 45 & 46

**KUTNICKI BERNSTEIN ARCHITECTS**  
 434 BROADWAY NEW YORK CITY 10013 P. 212.431.5552 F. 212.431.5663

OWNER: L. RESTATE  
 1590 BRIDGE AVENUE  
 NEW YORK, NY 10036

CONSULTANT:  
 ONE EXCHANGE PLACE  
 NEW YORK, NY 10008

STRUCTURAL ENGINEER:  
 MEP ENGINEER:



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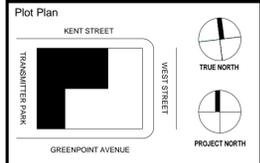
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- 127'-0" UPPER ROOF
- 118'-6" PARAPET
- 115'-0" ROOF
- 105'-0" 11TH FLOOR
- 95'-0" 10TH FLOOR
- 85'-0" 9TH FLOOR
- 75'-0" 8TH FLOOR
- 65'-0" 7TH FLOOR
- 55'-0" 6TH FLOOR
- 45'-0" 5TH FLOOR
- 35'-0" 4TH FLOOR
- 25'-0" 3RD FLOOR
- 15'-0" 2ND FLOOR
- 11'-0" 2ND FLOOR PARKING
- 0'-0" 1ST FLOOR

Issuance Schedule

No.	Date	Description

Revision Schedule

No.	Date	Description



For Department of Buildings Use

Drawing Title  
**NORTH ELEVATION**

Sign & Seal	Drawing No. <b>A-300.00</b>
date 05/05/15	drawn by Author
sheet scale 1/8" = 1'-0"	checked by Checker
job no. 2014-027	DOB sheet 17 OF 100
DOB NUMBER	

① NORTH ELEVATION  
 1/8" = 1'-0"

**KUTNICKI BERNSTEIN ARCHITECTS**  
 434 BROADWAY NEW YORK CITY 10013 P. 212.431.5552 F. 212.431.5663

OWNER: L. RESALE  
 15-30 BROADWAY 3RD FLR  
 NEW YORK, NY 10038

CONSULTANT:  
 ONE EXCHANGE PLACE  
 NEW YORK, NY 10038

STRUCTURAL ENGINEER:  
 MEP ENGINEER:



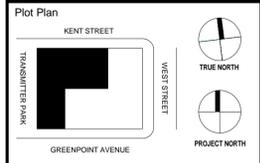
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No.	Date	Description



For Department of Buildings Use

Drawing Title  
**SOUTH ELEVATION**

Sign & Seal Drawing No.  
**A-301.00**

date 05/05/15	drawn by Author	job no. 2014-027
sheet scale 1/8" = 1'-0"	checked by Checker	DOB sheet 18 OF 100

DOB NUMBER



1 South Elevation  
 1/8" = 1'-0"



① West Elevation  
1/8" = 1'-0"

Project  
**13 GREENPOINT AVENUE**  
 BROOKLYN, NY 11222  
 BLOCK: 2556 LOTS: 45 & 46

**KUTNICKI BERNSTEIN ARCHITECTS**  
 434 BROADWAY NEW YORK CITY 10013 P. 212.431.5552 F. 212.431.5663

OWNER: L. RESAYE  
 65-30 BROADWAY 3RD FLR  
 NEW YORK, NY 10008

CONSULTANT:  
 ONE EXCHANGE PLACE  
 NEW YORK, NY 10008

STRUCTURAL ENGINEER:  
 MEP ENGINEER:

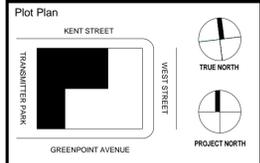
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Issuance Schedule

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Revision Schedule

No.	Date	Description



For Department of Buildings Use

Drawing Title <b>WEST ELEVATION</b>		
Sign & Seal	Drawing No. <b>A-302.00</b>	
date 05/05/15	drawn by Author	job no. 2014-027
sheet scale 1/8" = 1'-0"	checked by Checker	DOB sheet 19 OF 100
DOB NUMBER		

Project  
**13 GREENPOINT AVENUE**  
 BROOKLYN, NY 11222  
 BLOCK: 2556 LOTS: 45 & 46

**KUTNICKI BERNSTEIN ARCHITECTS**  
 434 BROADWAY NEW YORK CITY 10013 P.212.431.5552 F.212.431.5663

OWNER: KUTNICKI BERNSTEIN ARCHITECTS  
 150 WEST STREET 15TH FLOOR NEW YORK, NY 10038

CONSULTANT: ONE EXCHANGE PLACE NEW YORK, NY 10001

STRUCTURAL ENGINEER: [Redacted]  
 MEP ENGINEER: [Redacted]



- 133 - 0' BULKHEAD ROOF
- 127 - 0' UPPER ROOF
- 118 - 6' PARAPET
- 115 - 0' ROOF
- 105 - 0' 11TH FLOOR
- 95 - 0' 10TH FLOOR
- 85 - 0' 9TH FLOOR
- 75 - 0' 8TH FLOOR
- 65 - 0' 7TH FLOOR
- 55 - 0' 6TH FLOOR
- 45 - 0' 5TH FLOOR
- 35 - 0' 4TH FLOOR
- 25 - 0' 3RD FLOOR
- 15 - 0' 2ND FLOOR
- 11 - 0' 2ND FLOOR PARKING
- 0 - 0' 1ST FLOOR

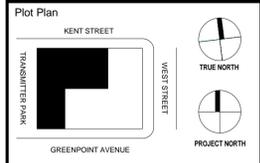
① East Elevation  
 1/8" = 1'-0"

Issuance Schedule

No.	Date	Description

Revision Schedule

No.	Date	Description



For Department of Buildings Use

Drawing Title  
**EAST ELEVATION**

Sign & Seal	Drawing No. <b>A-303.00</b>	
date 05/05/15	drawn by Author	job no. 2014-027
sheet scale 1/8" = 1'-0"	checked by Checker	DOB sheet
DOB NUMBER		

# **ZONING APPENDIX**

Matter in underline is new, to be added;  
Matter in ~~strikeout~~ is to be deleted;  
Matter within # # is defined in Section 12-10;  
\* \* \* indicates where unchanged text appears in the Zoning Resolution

**Article VI**  
**SPECIAL REGULATIONS APPLICABLE TO CERTAIN AREAS**

\* \* \*

**Chapter 2**  
**Special Regulations Applying in the Waterfront Area**

\* \* \*

**62-35**  
**Special Bulk Regulations in Certain Areas Within Community District 1, Brooklyn**

\* \* \*

**62-356**  
**Special bulk regulations for zoning lots adjacent to public parks**

On Parcel 12b within Waterfront Access Plan BK-1 in Section 62-931 of this Chapter, any #lot line# that coincides with the boundary of a #public park# shall be considered to be a #street line# of a #wide street# for the purposes of applying all #bulk# regulations of this Resolution, except that the provisions of paragraphs (g) and (h) of Section 62-354 (Special height and setback regulations) shall not apply. In lieu thereof, the #street wall# of any #building# fronting on a #lot line# that coincides with the boundary of a #public park# shall be located at least eight feet from such #lot line# and no balconies shall be permitted within such eight-foot setback area. At least 90 percent of the width of the #street wall# of a #building# fronting on Kent Street shall be located within eight feet of the #street line# and extend to a minimum height of 30 feet.

**HISTORIC AND CULTURAL  
RESOURCES APPENDIX**

## **ENVIRONMENTAL REVIEW**

**Project number:** DEPARTMENT OF CITY PLANNING / 16DCP167K  
**Project:** 13-15 GREENPOINT  
**Date received:** 6/21/2016

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**Properties with no Architectural or Archaeological significance:**

- 1) ADDRESS: 15 GREENPOINT AVENUE, BBL: 3025560046
- 2) ADDRESS: 13 GREENPOINT AVENUE, BBL: 3025560045

**Comments:** The LPC is in receipt of the EAS of May, 2016. The document is acceptable for historic and cultural resources. No shadow impacts to the Eberhard Faber Pencil Company HD (LPC designated and S/NR eligible) are anticipated as a result of this action.

*Gina Santucci*

6/24/2016

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SIGNATURE  
Gina Santucci, Environmental Review Coordinator

DATE

**File Name:** 31582\_FSO\_DNP\_06242016.doc

# **E-DESIGNATION APPENDIX**

Greenpoint-Williamsburg Rezoning  
CEQR No. 04DCP003K

## Hazardous Materials

With the exception of Site 211 (which is proposed to be mapped as park and acquired by the City), all of the remaining 339 projected and potential developments would be mapped with Environmental (E) designations (see Table NOC-3). A Phase I Environmental Site Assessment was prepared for Site 211, which indicated that the site had a history that included use as an oil refinery and later bulk petroleum storage, a manufactured gas plant and a rail yard. Testing on this site has confirmed the presence of contaminants consistent with the cited historic use of the site. Therefore, as part of the property acquisition process associated with the proposed park mapping, the City will ensure that all appropriate testing at the proposed park site is completed, and that all necessary remediation measures are undertaken, as necessary, following acquisition and prior to construction.

The (E) designation status of the 340 projected and potential development sites is shown in Table NOC-3. Any site that has been (E)-designated will require that the fee owner of the site conduct a testing and sampling protocol, and develop a remediation plan, where appropriate, to the satisfaction of the New York City Department of Environmental Protection (NYCDEP) before the issuance of a building permit by the Department of Buildings (pursuant to Section 11-15 Zoning Resolution - Environmental Requirements). The (E) designation also includes mandatory construction-related health and safety plans which must be approved by the NYCDEP. The scope of a Phase II Site Investigation is dependent on the nature of the recognized environmental conditions. Any recognized environmental condition should be adequately addressed or considered before further development of a Site. The text of the (E) designations is as follows:

Task 1- The applicant must submit to the NYCDEP Office of Environmental Planning and Assessment (OEPA), for review and approval, a soil and groundwater testing protocol including a description of methods and a site map with all sampling locations clearly and precisely represented.

No sampling program should begin until written approval of a protocol is received from DEP. The number and location of sample sites should be selected to adequately characterize the site, the specific source of suspected contamination (i.e., petroleum based contamination and non- petroleum based contamination) and the remainder of the site's condition. The characterization should be complete enough to determine what remediation strategy (if any) is necessary after review of sampling data. Guidelines and criteria for selecting sampling locations and collecting samples will be provided by DEP upon request.

Task 2 - A written report with findings and a summary of the data must be submitted to DEP after completion of the testing phase and laboratory analysis for review and approval. After receiving such tests results, a determination will be made by DEP if the results indicate that remediation is necessary.

If DEP determines that no remediation is necessary, written notice shall be given by DEP.

Greenpoint-Williamsburg Rezoning  
CEQR No. 04DCP003K

If remediation is indicated from the test results, a proposed remediation plan must be submitted to DEP for review and approval. The applicant must complete such remediation as determined necessary by DEP. The applicant should then provide proper documentation that the work has been satisfactorily completed.

A DEP-approved construction-related health and safety plan would be implemented during excavation and construction activities to protect workers and the community from potentially significant adverse impacts associated with contaminated soil and/or groundwater. This Plan would be submitted to NYCDEP for review and approval prior to implementation.

With the requirements of the (E) designation on development sites, there would be no impact from the potential presence of contaminated materials.

All of the remediation of Site 211 would be performed under the purview of the NYSDEC and/or the New York City Department of Environmental Protection (NYCDEP) under a Health and Safety Plan (HASP) minimizing the potential for impacts to site workers or the adjacent neighborhoods. The remediation requirements would be performed to be protective of the end use as a park.

Demolition of interiors, portions of buildings or entire buildings are regulated by the NYC Building Department requiring abatement of asbestos prior to any intrusive construction activities including demolition. OSHA regulates construction activities to prevent excessive exposure of workers to contaminants in the building materials including lead in paint. New York State Solid Waste regulations control where demolition debris and contaminated materials associated with construction are handled and disposed. Adherence to these existing regulations would prevent impacts from development activities any of the development sites or potential development sites in the study area.

**Greenpoint-Williamsburg Rezoning  
CEQR No. 04DCP003K**

**TABLE NOC-3  
Hazardous Materials (E) Designation Status of Projected and Potential Development Sites**

Site #	Tax Blocks/Lots	(E) Designation	Site #	Tax Blocks/Lots	(E) Designation	Site #	Tax Blocks/Lots	(E) Designation
1	2472/410	yes	37	2531/12	yes	75	2698/5	yes
2	2472/425	yes	38	2531/35, 36	yes	76	2698/7	yes
3	2494/1; 2502/1; 2472/2; 2520/57; 2510/1	yes	39	2531/20	yes	77	2698/11, 15	yes
3.1	2472/32, 2494/6	yes	40	2532/1	yes	78	2698/25, 26	yes
3.2	2472/100	yes	41	2538/1	yes	79	2699/9	yes
4	2482/1, 4, 6	yes	42	2539/1, 8	yes	80	2699/15, 17	yes
5	2482/7, 8	yes	43	2539/27, 29	yes	81	2701/1, 2, 50	yes
6	2482/53	yes	44	2543/1	yes	82	2713/9, 13	yes
7	2482/21	yes	45	2549/1	yes	83	2713/1	yes
8	2482/26, 39	yes	46	2549/10	yes	84	2714/33	yes
9	2483/61, 62	yes	47	2549/14	yes	85	2714/13	yes
10	2483/11, 12	yes	48	2549/25	yes	86	2714/30, 32	yes
11	2483/14, 15	yes	49	2549/28	yes	87	2719/1, 4, 8, 11	yes
12	2483/17, 19, 20	yes	50	2549/36	yes	88	2719/13, 14, 16	yes
13	2483/59, 60	yes	51	2556/45, 46	yes	89	2719/31, 32	yes
14	2483/48	yes	52	2556/55, 57, 58	yes	90	2720/9, 10, 12	yes
15	2483/25	yes	53	2557/1, 3	yes	91	2720/19, 41	yes
16	2483/45	yes	54	2557/7	yes	92	2720/43, 44, 45, 46	yes
17	2487/10, 12, 17, 18, 20, 21, 72,	yes	55	2557/24	yes	93	2724/1, 30, 31, 33, 34, 37	yes
18	2503/1	yes	56	2567/1; 2570/36; 2556/1; 2564/1	yes	94	2724/7, 10, 12	yes
19	2511/1	yes	57	2562/1, 10	yes	95	2724/18	yes
20	2511/11, 12, 14	yes	58	2562/37, 39	yes	96	2727/1, 47	yes
21	2511/31	yes	59	2562/29	yes	97	2289/14	yes
22	2512/60	yes	60	2565/1	yes	98	2290/5	yes
23	2512/52, 54	yes	61	2568/1	yes	99	2290/10	yes
24	2520/1	yes	62	2570/1	yes	100	2291/1	yes
25	2521/1	yes	63	2571/1, 9	yes	101	2291/17	yes
26	2521/5, 6, 7	yes	64	2571/18	yes	102	2292/29, 33	yes
27	2521/11, 12, 13	yes	65	2589/5	yes	103	2292/11, 12	yes
28	2521/32	yes	66	2589/13	yes	104	2721/8	yes
29	2521/19	yes	67	2590/1	yes	105	2721/11	yes
30	2522/10	yes	68	2590/210, 215, 222	yes	106	2722/34, 36	yes
31	2522/16, 18	yes	69	2644/43	yes	107	2722/8	yes
32	2522/24	yes	70	2679/46	yes	108	2722/10	yes
33	2522/31	yes	71	2697/16	yes	109	2722/13, 15, 16	yes
34	2530/1, 55, 56	yes	72	2697/7	yes	110	2722/19	yes
35	2531/1, 2, 3	yes	73	2697/1	yes	111	2722/21	yes
36	2531/9, 10, 110	yes	74	2698/1	yes	112	2722/25	yes

**Greenpoint-Williamsburg Rezoning  
CEQR No. 04DCP003K**

**TABLE NOC-3 (continued)  
Hazardous Materials (E) Designation Status of Projected and Potential Development Sites**

Site #	Tax Blocks/Lots	(E) Designation	Site #	Tax Blocks/Lots	(E) Designation	Site #	Tax Blocks/Lots	(E) Designation
113	2723/1	yes	149	2307/31, 33, 36, 38	yes	184	2746/39	yes
114	2723/5, 7	yes	150	2307/1	yes	185	2317/1, 3, 5, 6, 7, 8, 36,	yes
115	2723/29, 30	yes	151	2307/14, 16, 19	yes	186	2317/12, 13	yes
116	2723/33, 36	yes	152	2307/25, 27	yes	187	2317/16, 17	yes
117	2723/37, 38	yes	153	2736/1, 9, 48	yes	188	2317/18	yes
118	2296/14	yes	154	2736/20, 23	yes	189	2319/31	yes
119	2297/5	yes	155	2737/10, 11	yes	190	2320/15	yes
120	2297/1	yes	156	2738/3, 5	yes	191	2321/36, 37, 38	yes
121	2298/31	yes	157	2738/10	yes	192	2319/31; 2321/13, 14	yes
122	2298/29	yes	158	2738/13, 15	yes	193	2321/18	yes
122	2298/13	yes	159	2738/21, 24	yes	194	2321/25	yes
124	2298/21	yes	160	2309/5, 13	yes	195	2322/1	yes
125	2299/1	yes	160.1	2309/1	yes	196	2322/6	yes
126	2299/9	yes	161	2309/17	yes	197	2322/10, 11, 28, 30	yes
127	2299/21	yes	162	2310/9, 10, 11	yes	198	2323/9, 10	yes
128	2300/1, 5	yes	163	2312/22	yes	199	2324/1; 2332/1	yes
129	2300/20, 26	yes	164	2313/1	yes	200	2325/4, 5, 103	yes
130	2731/1	yes	165	2313/5, 7	yes	201	2325/11, 12	yes
131	2731/44, 45, 47	yes	166	2313/11, 13, 22	yes	202	2325/24, 25, 26	yes
132	2731/38, 41	yes	167	2313/15	yes	203	2325/27, 28, 29	yes
133	2731/35, 36	yes	168	2313/23, 24, 26	yes	204	2325/31, 32	yes
134	2732/33	yes	169	2313/27, 28, 29	yes	205	2326/32, 33, 34, 35	yes
135	2732/5	yes	170	2314/1	yes	206	2326/17, 18, 19	yes
136	2732/27, 30	yes	171	2314/5	yes	207	2327/2	yes
137	2733/6, 7, 10	yes	172	2315/14	yes	208	2327/4, 5	yes
138	2734/3, 4, 5, 7, 11	yes	173	2315/21	yes	209	2327/16, 17, 18	yes
139	2734/13	yes	174	2741/3, 7, 8	yes	210	2327/19, 31, 34	yes
140	2734/35, 38	yes	175	2741/47	yes	211	2277/1; 2287/1, 16, 30; 2294/1, 5; 2301/1, 50, 60, 70; 2590/25, 100	NO
141	2304/36, 37	yes	176	2741/13	yes	212	2331/7, 8	yes
142	2304/10, 12, 13, 14	yes	177	2741/15	yes	213	2331/42	yes
143	2304/15	yes	178	2741/19	yes	214	2333/1	yes
144	2305/15, 16, 17	yes	179	2742/2, 4, 5, 9	yes	215	2334/1, 3, 28, 30, 40, 45, 50	yes
145	2305/18	yes	180	2742/15	yes	216	2334/22, 23	yes
146	2306/1, 11, 15, 27, 28, 30	yes	181	2742/17, 20	yes	217	2335/6, 10, 12	yes
147	2306/9	yes	182	2742/35	yes	218	2335/13, 14, 15	yes
148	2306/18	yes	183	2746/40, 41, 42	yes	219	2337/20	yes

**Greenpoint-Williamsburg Rezoning  
CEQR No. 04DCP003K**

**TABLE NOC-3 (continued)  
Hazardous Materials (E) Designation Status of Projected and Potential Development Sites**

Site #	Tax Blocks/Lots	(E) Designation	Site #	Tax Blocks/Lots	(E) Designation	Site #	Tax Blocks/Lots	(E) Designation
220	2338/1	yes	261	2366/32	yes	302	2379/24, 27	yes
221	2339/7	yes	262	2366/16, 21	yes	302.1	2381/1	yes
222	2340/1	yes	263	2367/7	yes	303	2381/14, 15, 16	yes
223	2341/9	yes	264	2367/15	yes	304	2382/28	yes
224	2342/1	yes	265	2367/27, 28	yes	305	2384/8	yes
225	2342/16	yes	266	2368/1	yes	306	2384/22, 23, 24, 25	yes
226	2342/23, 26	yes	267	2368/18, 19, 21, 22	yes	307	2386/7, 12, 14	yes
227	2343/5	yes	268	2368/26, 27, 28	yes	308	2387/2	yes
228	2343/18, 19	yes	269	2368/31, 32, 33, 34	yes	309	2387/6, 7, 12	yes
229	2344/5	yes	270	2369/4, 6, 7	yes	310	2399/1, 8	yes
230	2344/26	yes	271	2369/14	yes	311	2411/1, 12	yes
231	2344/25	yes	272	2369/19	yes	312	2390/15	yes
232	2344/16	yes	273	2369/27	yes	313	2390/16, 17	yes
233	2346/30	yes	274	2369/37, 38	yes	314	2393/14	yes
234	2346/26	yes	275	2369/40	yes	315	2393/23, 24	yes
235	2349/1, 15, 18, 21	yes	276	2371/1, 3, 5, 10	yes	316	2404/1, 5	yes
236	2350/1	yes	277	2371/33	yes	317	2416/7, 8	yes
237	2350/2	yes	278	2371/40, 42	yes	318	2416/27	yes
238	2350/4	yes	279	2371/48	yes	319	2428/28, 29, 30	yes
239	2350/24	yes	280	2372/1	yes	320	2441/4, 104, 107	yes
240	2350/26	yes	281	2372/5	yes	321	2441/41, 47	yes
241	2351/40, 2351/1	yes	282	2372/9	yes	321.1	2441/38	yes
242	2351/28	yes	283	2374/1	yes	322	2441/12	yes
243	2352/20	yes	284	2374/7	yes	323	2441/24	yes
244	2353/6, 8	yes	285	2374/27, 28, 31	yes	324	2442/11	yes
245	2353/13, 26, 28	yes	286	2375/1	yes	325	2442/21	yes
246	2357/1, 4	yes	287	2375/5	yes	326	2442/25	yes
247	2357/25	yes	288	2375/10	yes	327	2443/6, 37, 41	yes
248	2357/1, 18, 20, 21, 22, 24	yes	289	2375/12	yes	328	2443/13	yes
249	2358/1, 38	yes	290	2375/16	yes	329	2443/23	yes
250	2358/4, 36	yes	291	2378/40	yes	330	2443/29, 30	yes
251	2358/6, 29, 31	yes	292	2378/1, 2, 3	yes	331	2444/2, 3, 4, 5	yes
252	2358/11, 14, 15	yes	293	2378/11	yes	332	2444/11	yes
253	2358/22	yes	294	2378/14	yes	333	2444/28	yes
254	2358/24, 25, 27, 28	yes	295	2378/21, 26	yes	334	2446/68	yes
255	2363/2, 3	yes	296	2378/29, 32	yes	335	2446/78	yes
256	2363/36, 38	yes	297	2378/35, 36	yes			
257	2363/9, 28	yes	298	2379/42, 43, 44	yes			
258	2363/20, 26	yes	299	2379/8, 9	yes			
259	2364/15, 16, 17	yes	300	2379/12, 13	yes			
260	2366/1	yes	301	2379/16, 19	yes			

Greenpoint-Williamsburg Rezoning  
CEQR No. 04DCP003K

Noise

A total of 31 sites were monitored for potential noise impacts under the proposed action. The analysis examined the potential for impacts from both net increases in traffic under the proposed action as well as the current ambient noise and the potential for future residential uses to be impacted by ambient noise. The analysis showed that there would not be any impacts from traffic generated noise. The largest increase in  $L_{eq}(1)$  would be 1.4 and the *CEQR Technical Manual* describes a significant increase as an increase of 3dBA. Thus, the ambient noise increases with the proposed action are well below the *CEQR Technical Manual* definition of a significant noise impact.

As part of the proposed action, a public park is proposed at the Bayside Oil site along Kent Avenue between North 9th Street and North 15th Street and south of Bushwick Inlet. Monitoring results for receptor Sites 8 and 14 which were located at this site recorded ambient noise levels of 79.1 dBA. These noise levels are higher than those recommended for parks and places of outdoor activities and would exceed the CEQR Exposures Guideline value of 55 dBA  $L_{10}$  for park uses. However, these are comparable to noise levels at many existing City parks that are adjacent to roadways, and would not be considered a significant adverse impact. There are no feasible mitigation measures to reduce noise levels at an urban park such as this. However, it would also be expected that these noise levels would diminish at locations in the park that are further from the street (i.e., nearer the water).

As described in the *CEQR Technical Manual*, the City has established interior noise values for residential buildings that are 45 dBA or lower. When the ambient noise exceeds these levels, noise attenuation is recommended so that buildings are designed to achieve interior noise levels of 45 dBA or lower.

Based upon the measured ambient  $L_{10}$  noise levels in the area of the proposed action, noise attenuation would be required at certain sites due to the high existing background noise levels in order to achieve interior residential noise levels of 45 dBA or lower in residential zoning districts. This zoning attenuation would be required for both the projected and potential development sites in one of two ways: 1) through the zoning resolution, which requires noise attenuation in mixed use districts; and 2) through the use of an (E) designation.

As shown in Table NOC-6 below, a total of 45 projected and potential sites would be mapped with an (E) designation for noise attenuation. There are two levels of required noise attenuation depending upon the ambient noise levels. One level of attenuation is 30 dBA and the higher level of attenuation is 35 dBA. As shown in Table NOC-6, there are 38 sites where the 30 dBA level of noise attenuation would be required, 10 of which are projected development sites and 28 of which are potential development sites. The text for the (E) designation for sites requiring 30 dBA of attenuation would be as follows:

**Greenpoint-Williamsburg Rezoning  
CEQR No. 04DCP003K**

**Table NOC-6 Development Sites Receiving (E) Designation for Noise**

30 dBA Attenuation			
Site #	Block	Tax Lot	Minimum Required Building Attenuation (dBA)
<i>Projected Development Sites</i>			
3	2494 2502 2472 2520 2510	1 1 2 57 1	30
10	2483 2483	11 12	30
15	2483	25	30
19	2511	1	30
22	2512	60	30
26	2521 2521 2521	5 6 7	30
43	2539 2539	29 27	30
56	2567 2570 2556 2564	1 36 1 1	30
302.1	2381	1	30
314	2393	14	30
<i>Potential Development Sites</i>			
1	2472	410	30
2	2472	425	30
3.1	2472 2494	32 6	30
3.2	2472	100	30
20	2511 2511	11 14	30
21	2511	31	30
24	2520	1	30
27	2521 2521 2521	11 12 13	30
34	2530 2530 2530	1 55 56	30
36	2531 2531 2531	9 10 110	30
37	2531	12	30
38	2531 2531	35 36	30
40	2532	1	30

30 dBA Attenuation (continued)			
Site #	Block	Tax Lot	Minimum Required Building Attenuation (dBA)
41	2538	1	30
42	2539 2539	1 8	30
44	2543	1	30
51	2556 2556	45 46	30
52	2556 2556 2556	55 57 58	30
62	2570		30
67	2590	1	30
68	2590 2590 2590	210 215 222	30
142	2304 2304 2304 2304	10 12 13 14	30
298	2379 2379 2379	42 43 44	30
302	2379 2379	24 27	30
303	2381 2381 2381	14 15 16	30
306	2384 2384 2384 2384	22 23 24 25	30
315	2393 2393	23 24	30
316	2404 2404	1 5	30
35 dBA Attenuation			
<i>Projected Development Sites</i>			
199	2324 2324	29 33	35
<i>Potential Development Sites</i>			
222	2340	1	35
233	2346	30	35
234	2346	26	35
304	2382	28	35
317	2416	27	35
318	2416	27	35

Greenpoint-Williamsburg Rezoning  
CEQR No. 04DCP003K

In order to ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed window condition with a minimum of 30 dBA window/wall attenuation on all facades in order to maintain an interior noise level of 45 dBA. In order to maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, central air conditioning or air conditioning sleeves containing air conditioners or HUD approved fans.

For sites requiring 35 dBA of noise attenuation, the following (E) designation text would apply:

In order to ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed window condition with a minimum of 35 dBA window/wall attenuation on all facades in order to maintain an interior noise level of 45 dBA. In order to maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, central air conditioning or air conditioning sleeves containing air conditioners or HUD approved fans.

With the attenuation measures specified above, the proposed action would not result in any significant adverse noise impacts, and would meet CEQR guidelines.

The potential impacts of the proposed TransGas power plant on the proposed park were also evaluated. Under this scenario (Scenario B), the TransGas site would be excluded from the proposed park and a power facility would be developed. Based on the data provided in the noise assessment conducted for the proposed TransGas power plant, the resultant noise levels at the nearest receptors were examined to determine their consistency with the proposed action. It was found that noise due to the operation of the plant alone would produce an  $L_{eq}(1)$  of 35 dBA at the nearest sensitive receptor in the park. This projected increase in noise levels would add less than 0.1 dBA to the ambient noise, which is below the CEQR impact threshold. Similarly, noise due to operation of the plant alone would generate noise levels of 45 dBA at the northeastern property line (Kent Avenue/North 13<sup>1</sup> Street). Here the increase would also be less than 3 dBA, which is the CEQR impact threshold. Therefore, with the proposed action under Scenario B, there would not be any significant noise impacts from the TransGas facility on the proposed park.

# **AIR QUALITY APPENDIX**

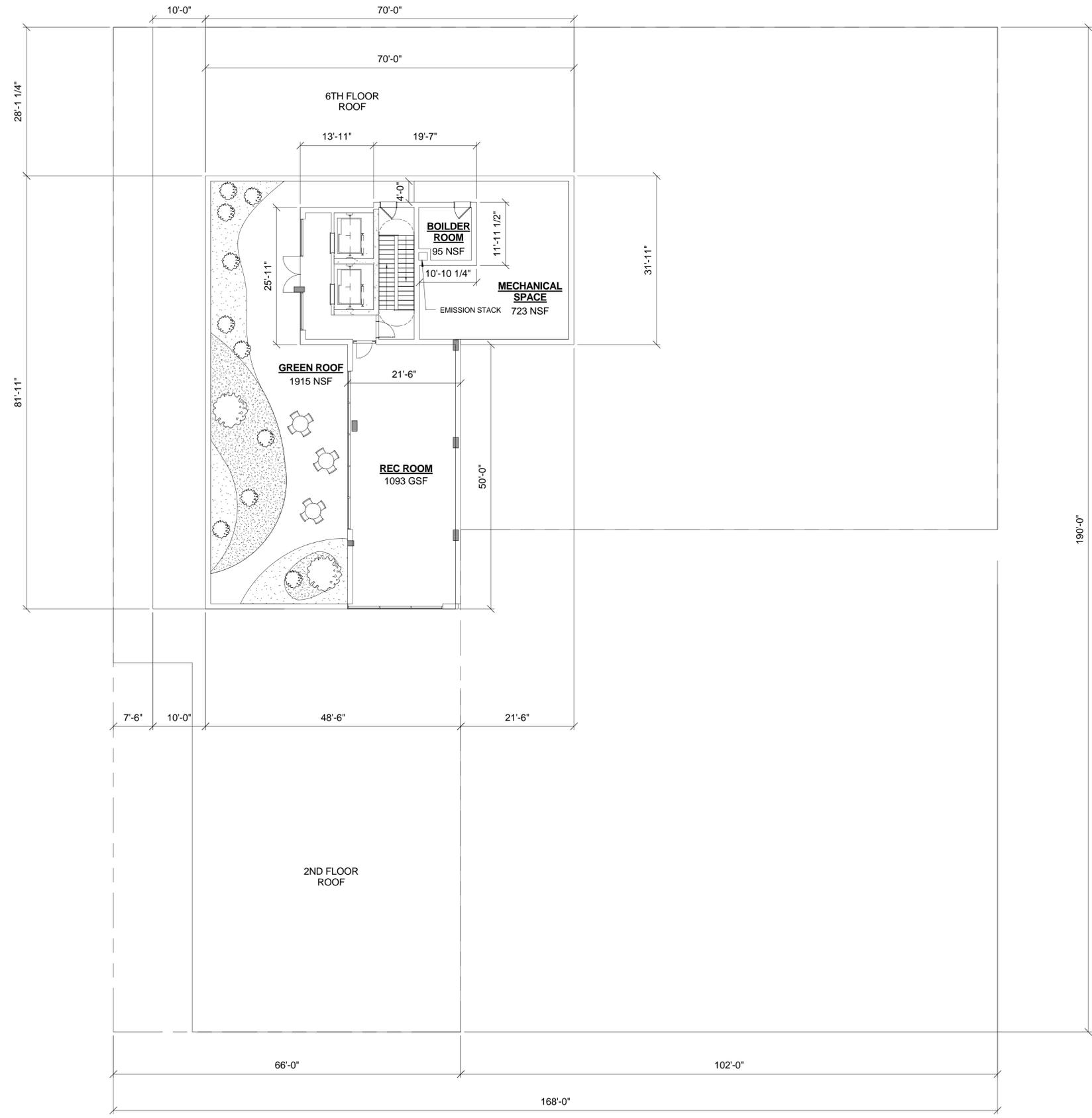
**KUTNICKI BERNSTEIN ARCHITECTS**  
 434 BROADWAY NEW YORK CITY 10013 P.212.431.5552 F.212.431.5663

**OWNER:**  
 13 GREENPOINT AVENUE  
 BROOKLYN, NY 11222

**MEP ENGINEER:**  
 225 W. 43rd St.  
 NEW YORK, NY 10018

**STRUCTURAL ENGINEER:**  
 225 W. 43rd St.  
 NEW YORK, NY 10018

**CODE CONSULTANT:**  
 200 EIGHTH AVENUE, 24TH FL.  
 NEW YORK, NY 10018



1 ROOF PLAN  
 3/32" = 1'-0"

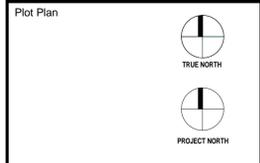
10 STORY, 70 UNIT  
 PROGRESS SET: 11/10/2015 1:08:06 PM

Issuance Schedule

No.	Date	Description

Revision Schedule

No.	Date	Description



For Department of Buildings Use

Drawing Title  
**ROOF PLAN**

Sign & Seal  
 Drawing No.  
**A-116.00**

date 11/01/10	drawn by Author	job no. 2014-027
sheet scale 3/32" = 1'-0"	checked by Checker	DOB sheet 16 OF 100

DOB NUMBER

Figure 17-3:  
Stationary Source Screen

