

A. INTRODUCTION

This chapter summarizes and responds to all substantive comments on the Draft Environmental Impact Statement (DEIS) for the proposed action made during the public comment period. The Notice of Completion for the DEIS was issued by the City Planning Commission (CPC) on May 19, 2017, which marked the beginning of the public comment period for the DEIS. Public comments on the DEIS were solicited at the required public hearing on the DEIS held concurrently with the hearing on the proposed action's Uniform Land Use Review Procedure (ULURP) application at 12:50 P.M. on July 26, 2017, in Spector Hall, 22 Reade Street, New York, NY 10007, and during the public comment period, which closed at 5:00 P.M. on August 7, 2017.

The public hearing on the DEIS was noticed in English in the New York Post on July 10, 2017; and in the New York City Record on July 12, 13, 14, 17, 18, 19, 20, 21, 24, 25, and 26.

Section B below lists the elected officials, community boards, organizations and individuals who commented on the DEIS, and Section C summarizes and responds to comments. These summaries convey the substance of the comments made, but do not necessarily quote the comments verbatim. Comments are organized by subject matter and generally parallel the chapter structure of the DEIS. Where more than one commentor expressed similar views, those comments have been grouped and addressed together.

Written comments received on the DEIS are included in Appendix VI to this Final Environmental Impact Statement (FEIS).

B. LIST OF ORGANIZATIONS AND INDIVIDUALS WHO COMMENTED ON THE DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT

Elected Officials

1. Hon. Stephen Levin, Council Member, 33rd District, The Council of the City of New York; verbal comments made July 26, 2017
2. Hon. Antonio Reynoso, Council Member, 34th District, The Council of the City of New York; written submission dated July 26, 2017; verbal comments July 26, 2017

Community Boards

No comments.

Interested Organizations and Individuals

3. Sarah Bikel, Resident; verbal comments made July 26, 2017
4. Mike Bradley, Member of SEIU 32BJ; verbal comments made July 26, 2017
5. Robert Camacho, Resident; verbal comments made July 26, 2017
6. Josi Cruz, Resident; verbal comments made July 26, 2017
7. Raizy Deutsch, Resident; verbal comments made July 26, 2017
8. Aron E. Feldman, Resident; written submission dated July 30, 2017
9. Chaya Fried, Resident; verbal comments made July 26, 2017
10. William Fuller, Member of SEIU 32BJ; verbal comments made July 26, 2017
11. Jose Hernandez, Resident; verbal comments made July 26, 2017
12. Denise Jennings-Houston, Member, Broadway Triangle Community Coalition; verbal comments made July 26, 2017
13. Hasani Jones, Former Resident; verbal comments made July 26, 2017
14. Martin Needelman, Esq., Shekar Krishnan, Esq., Adam Meyers, Esq., Attorney's for The Broadway Triangle Community Coalition; written submission dated July 18, 2017
15. Rabbi David Niederman; CB1 Land Use Committee member, Executive Director of the United Jewish Organization for Williamsburg; verbal comments made July 26, 2017
16. Diana Ortiz, employed near the project; verbal comments made July 26, 2017
17. Sonia Ortiz Gulardo, Director of Parent Engagement and Community Outreach at Beginning with Children Foundation; verbal comments made July 26, 2017
18. David P., Resident; verbal comments made July 26, 2017
19. Ephraim Pilchick, CEO of Safety Fire Sprinkler, verbal comments made July 26, 2017
20. Lori Raphael, Vice President of Strategic Partnerships on behalf of Andrew Hoan, CEO, Brooklyn Chamber of Commerce; written submission dated July 26, 2017; verbal comments made July 26, 2017
21. Boris Santos, Resident; written submission date July 26, 2017; verbal comments made July 26, 2017
22. Robert Schmidt, President of United Panel Technologies; verbal comments made July 26, 2017
23. Bruchie Schwartz, Social Services Consultant; verbal comments made July 26, 2017
24. John Vieira, Sunshine of East Coast; verbal comments made July 26 2017

C. COMMENTS AND RESPONSES ON THE DRAFT EIS

1. Project Description

Comment 1.1: This project is a tremendous opportunity to address one of the greatest obstacles to doing business in the borough: finding available commercial and affordable residential space. The project will help satisfy this demand, with its proposed 1,146 residential units and 64,807 square feet of neighborhood retail space. **(20)**

Response 1.1: *Comment noted.*

Comment 1.2: This project will at last revitalize a former Pfizer site that has sat vacant for decades and will add a neighborhood retail component that will be a welcome addition for businesses looking to re-locate and/or expand. This will not only offer community residents new shopping options, but also will create job opportunities, together with the hundreds of construction jobs this project will create. **(20)**

Response 1.2: *Comment noted.*

Comment 1.3: The current proposal to transform the vacant Pfizer site will allow the densest zoning in the neighborhood, while providing job opportunities for local residents. The proposal for the Pfizer site will provide a significant number of affordable units, while also increasing the general housing inventory for Brooklyn and the City. **(8)**

Response 1.3: *Comment noted.*

Comment 1.4: The current application for the Pfizer development will result in the largest project in our neighborhood, and will significantly alleviate the shortage of apartments. More important, it calls for 287 affordable apartments and will help many people to afford a decent apartment. **(3)**

Response 1.4: *Comment noted.*

Comment 1.5: I'm for the Pfizer rezoning, for numerous reasons. It's currently an empty lot. There's two square blocks of hideous machines. There are hundreds of rats through there. There's abandoned vehicles, and vandalism in the area. The project will add new units to these lots and add about 300 affordable units. I understand people want more, but if this is all that can be given, it's better than nothing. This project will add new life to the neighborhood and bring hundreds of new jobs to nearby residents. **(11)**

Response 1.5: *Comment noted.*

Comment 1.6: The first thing I want to say is I just want to address issues that are related to what the applicant was talking about. The need for affordable housing and how bad we need affordable housing and that we need to do everything we can to get affordable housing into this community. Yet, the applicant speaks to limiting the height of the building, right, and limiting and not maximizing the square footage. Why not do that if we need affordable housing? It is actually something that the Coalition, who is pro-development in this case, wants more buildings for more affordable housing. That is something that the applicant has not committed to doing just yet. **(2)**

Response 1.6: *Comment noted. Chapter 1 on pages 1-9 and 1-15 of the FEIS, discusses that the building volumes in the RWCDs are projected to substantially fill the permitted building envelopes, including reaching the maximum permitted building heights of 145 allowed with a qualifying ground floor in the portion of the project area that would be mapped with an R8A contextual zoning district, and would utilize the maximum permitted floor area. Regarding the commitment to provide affordable housing, as discussed in Chapter 1 on pages 1-8 to 1-9, the proposed action includes a zoning text amendment designating the project area as a Mandatory Inclusionary Housing Area (MIHA). As further discussed below in response to Comment 3.8, the provision of affordable housing would be required as part of the project.*

2. Land Use, Zoning, and Public Policy

Comment 2.1: The best housing policy for Community Board 1 is one in which the production of affordable housing should be maximized in order to further offset displacement. The current policy of MIH (20-30% units permanently affordable) is not enough in a community that has a higher percentage of minority persons displaced. It is time for developers such as Rabsky to do more than the bare minimum of what the law requires. (21)

Response 2.1: *Comment noted. As discussed in Chapter 2, “Land Use, Zoning, and Public Policy” the proposed development is expected to create 287 dwelling units of permanently affordable housing pursuant to MIH, which is 25 percent of the total number of dwelling units being created in the proposed development. This would be pursuant to the applicant’s proposed zoning text amendment, which seeks designation of the project area as a MIHA subject to Option 1 in Appendix F of the ZR. Regarding the comment that the share of inclusionary housing units exceeding the requirements of the MIH program, this is outside the scope of this environmental review.*

Comment 2.2: The Mandatory Inclusionary Housing Program (MIH) will ensure that 20-30% of the units in the development be established as “affordable” apartments. However, even these “affordable” apartments will exclude a significant part of the community. If the option with the deepest levels of affordability were to be applied to the site and 20% of all units were required to be affordable to households earning 40% of the area median income -- \$31,080 for a family of three—about a third of Williamsburg, Bushwick and Bedford Stuyvesant households would nevertheless be excluded because of insufficient incomes. If any other options under MIH were selected, even more families would be excluded from eligibility for the newly-created housing. (14)

Response 2.2: *Comment noted. It should be noted at a minimum, MIH requires 25 percent of residential floor area be devoted to inclusionary housing units, resulting in at least approximately 25 percent of the housing units being income-restricted affordable housing units.*

Comment 2.3: The site is currently zoned for heavy industrial use. Nowhere in the entire borough of Brooklyn does a similar condition exist. The M3 district extends over three blocks – one of which is currently occupied by an elementary school, separating it from the adjacent M1 district and surrounded by medium density residential districts on the three sides. Until 1993, the Heavy Manufacturing District was buffered from residential neighborhoods by Light Manufacturing Districts. By 2012, the Heavy Manufacturing District was an island surrounded by residential uses and a school. (8)

Response 2.3: *Comment noted.*

Comment 2.4: The DEIS includes no analysis of a scenario that includes manufacturing retention on site, even though it was asked for the scoping hearing. (2)

Response 2.4: *As stated in Chapter 1, pages 1-5 to 1-6 of the FEIS, the existing manufacturing-zoned site has been vacant for over two decades. Although manufacturing uses are permitted as-of-right under the site's existing M3-1 zoning, as evidenced by the long-term absence of manufacturing uses, the assumption that the site would remain vacant provides a conservative baseline for assessment of the effects of the proposed action.*

3. Socioeconomic Conditions

Comment 3.1: The proposed rezoning will have an adverse impact on low-income communities of color by generating massive secondary displacement, and will perpetuate entrenched residential segregation in and around the Broadway Triangle. The Proposed Development will displace low-income families in the Broadway Triangle and in the surrounding neighborhoods and would bring 4,000 new residents to the area, increasing the population within the surrounding ½-mile radius by more than 5%, and the population within the surrounding ¼-mile radius by more than 20%. (14)

Response 3.1: *As discussed in Chapter 3, page 3-7 of the FEIS, the proposed action is expected to increase the population within a ½-mile radius by more than 5%. According to the assessment provided in the Chapter 3, pages 3-18 to 3-19, "though the expected average incomes of the new residential population would be higher than the average incomes of the existing study area population, the study area has experienced a trend toward more*

costly housing and an influx of a more affluent population that is anticipated to continue in the future without the proposed action. The proposed action and RWCDS would not introduce a new trend or accelerate an existing trend of changing socioeconomic conditions in a manner that would have the potential to substantially change the socioeconomic character of the neighborhood. In addition, the proposed action and RWCDS would add up to 344 affordable housing units to the study area, which would help ensure housing opportunities for lower-income residents and would encourage a more diverse demographic composition within the study area.” As noted in Chapter 3, the study area has already experienced a readily observable trend toward increasing residential development with increasing rents. The 803 market-rate residential units added by the proposed action and associated RWCDS would represent a continuation of this existing trend. A large portion of the existing housing inventory consists of publicly assisted housing where low and moderate-income rents are protected and would not be in danger of secondary displacement. Furthermore, by adding new market and permanently affordable housing units, the proposed project would increase the supply of housing at a range of income levels.

Comment 3.2: Contrary to what the DEIS claims, not all publicly-assisted housing is immune from secondary displacement effects. (14)

Response 3.2: *As discussed in Chapter 3, pages 3-2 to 3-3 of the FEIS, regarding potential indirect residential displacement effects on rent-protected units, the CEQR Technical Manual states that the objective of the indirect residential displacement analysis is to determine whether the proposed project may introduce a trend or accelerate a trend of changing socioeconomic conditions that may potentially displace a population of renters living in units not protected by rent stabilization, rent control, or other government regulations restricting rents. The Rent Stabilization Code requires the relocation of rent-stabilized tenants from buildings permitted to be demolished to units at a comparable rent and/or the provision of a stipend payment; as such, these measures provide a protection not available to tenants living in unprotected units.*

Comment 3.3: In the current DEIS, the Applicant recognizes that as a result of the Williamsburg-Greenpoint rezoning in 2005 residential rents and sales prices in Williamsburg have increased considerably with limited inventory which has led to spillover demand in adjacent inland neighborhoods, such as Bedford Stuyvesant. The effects of this rezoning extended well beyond a ½-mile radius studied by the City in its environmental analyses. It is the Applicant’s and the City’s responsibility to truly account for the impact this project will actually have on the communities surrounding the rezoning area

– not simply perform a formulaic analysis of environmental impacts in order to comply in name only with land use regulations. (14)

Response 3.3: *Comment noted. As discussed in response 3.1 the introduction of new market-rate and permanently affordable units in the study area has the potential to reduce this spillover effect by providing new market rate and inclusionary housing. The study area was defined based on the areas in which project impacts would be expected to occur, following conservative methodologies described in the CEQR Technical Manual.*

Comment 3.4: Segregation will only be magnified by the anticipated application of the community preference with respect to the affordable housing proposed for the development under MIH. While the Pfizer sites are just one block from Community District 3, and only 5 blocks from Community District 4, the site's location in Community District 1 (CD1) will likely ensure that the affordable housing preference will be available only to CD1 residents. Containing the neighborhoods of Williamsburg and Greenpoint, CD1 has a significantly higher white population, and significantly fewer people of color than the surrounding neighborhoods of Bushwick (CD4) and Bedford Stuyvesant (CD3). Thus relatively more white residents will be eligible for the community preference. Allowing the community preference to benefit only CD1 will ensure that even in the distribution of the new affordable housing, the historical patterns of segregation in South Williamsburg will be perpetuated. (14)

Response 3.4: *Comment noted. Assessment of racial/ethnic housing patterns are not within the scope of CEQR socioeconomic conditions analyses. The rules under which the community preference are conducted, including whether there is a community preference, is outside the scope of CEQR and are determined by neither the City Planning Commission nor the Applicant.*

Comment: 3.5: Omitted from the DEIS is an analysis of household size need based on a radius larger than ¼-mile, in order to meet the need of surrounding communities, which was asked for the in the initial scoping hearing. (2)

Response 3.5: *An analysis of household size need is outside the scope of CEQR and the EIS. As discussed in Chapter 3, page 3-2 of the FEIS, the analysis is using Census data from a ¼-mile radius for analysis purposes to identify the average household size for the RWCDS. The rate for this area is 3.55 persons per unit, which provides a conservative assumption for projecting the environmental effects of the proposed action/RWCDS. The use of the 3.55 rate for environmental review is based on local Census data.*

Comment 3.6: The Project will exacerbate racial and religious segregation which has plagued the Broadway Triangle and its surrounding neighborhood for decades. (14)

Response 3.6: *Comment noted. Please refer to the response to Comment 3.4.*

Comment 3.7: Given the Applicant's failure to properly assess the displacement impacts of the proposed development and the absence of a real anti-displacement plan in an already heavily gentrified and segregated area of Brooklyn, the Coalition demands that the Application be denied in its entirety. (14)

Response 3.7: *Pursuant to CEQR Technical Manual guidelines, the socioeconomic conditions analysis provided in Chapter 3 of the FEIS analyzed the potential for the proposed action to result in either direct or indirect displacement of residents, business, or institutions. As detailed in therein and summarized in the Principal Conclusion on pages 3-2 to 3-4, the proposed action would not result in any direct displacement as the project area is currently vacant, apart from temporary occupancy on short-term rentals. The analysis also determined that the proposed action would not result in any significant adverse indirect displacement impacts*

Comment 3.8: When we talk about affordable, this development is not affordable. If you go into poor or low-income working class communities and build there, and the affordability is not at a level where nearby residents still cannot qualify for the affordable units you cannot say it is affordable. We do not want affordable. We want fair and equitable. (12)

Response 3.8: *Comment noted. As discussed in Chapter 1 on pages 1-8 to 1-9 of the FEIS, the proposed action would include the designation of the project area as a Mandatory Inclusionary Housing Area (MIHA), which would require the provision of affordable housing pursuant to the Mandatory Inclusionary Housing (MIH) program. MIH consists of two alternatives: 1) 25 percent of residential floor area be must be affordable housing units affordable to households with income at a weighted average of 60 percent of area median income (AMI), with 10 percent affordable to households within an income band of 40 percent of AMI; or 2) 30 percent of residential floor area must be affordable housing units affordable to households with income at a weighted average of 80 percent of AMI. In combination with these options, two other options may be utilized. A "Deep Affordability Option" also may be utilized providing 20 percent of residential floor area must be affordable housing units affordable to households with income at a weighted average of 40 percent of AMI. Also, a "Workforce Option" also may be utilized providing 30 percent of residential floor area must be affordable housing units affordable to households with income at a weighted average of 115 percent, with 5*

percent of residential floor area must be affordable housing units affordable to households within an income band of 70 percent of AMI and another 5 percent of residential floor area must be affordable housing units affordable to households within an income band of 90 percent of AMI. Other restrictions apply to the Deep Affordability and Workforce Options. The Applicant is proposing MIH Option 1; however, CPC and ultimately the City Council determine requirements applicable to each MIHA. With Option 1, the project would provide 287 units of inclusionary housing (25 percent of the total) at a weighted average of 60 percent AMI, whereas if Option 2 is selected, the project would provide 344 units of inclusionary housing (30 percent of the total) at a weighted average of 80 percent AMI.

Comment 3.9: With projects like this it affords us the opportunity to employ more people, there's a greater workforce. I'm very respectful and glad to hear that there are 287 affordable housing units. Many of our employees that do live in Brooklyn, Queens are have difficulty finding housing, affordable housing. I know that in some instances they double and triple up in apartments. (24)

Response 3.9: *Comment noted.*

Comment 3.10: I would love to be able to live in the place where I work, and be able to spend that extra time with family. So I am really in favor of this project. (16)

Response 3.10: *Comment noted.*

Comment 3.11: I support the project, and I would ask the City Planning Commission to do the same. Our work relies on projects like this. The new development planned on this empty site will create over 1,100 new apartments. That would mean work for a lot of companies and people in the surrounding area. (22)

Response 3.11: *Comment noted.*

Comment 3.12: Perhaps the single greatest factor accelerating the racially disparate trends of migration and displacement in Brooklyn are rezoning actions. They open the market to rampant real estate speculation, they impose harmful externalities upon existing communities reliant upon local services, and they flood the market with high-end residential properties which drive up rents and produce an uptick in evictions and harassment. (14)

Response 3.12: *Comment noted. As discussed in Chapter 3, on page 3-16 in the FEIS, there is already an existing trend toward more costly housing in the study area and it is expected that this trend would occur with or without the*

proposed action. The action-generated housing is expected to serve to alleviate some of the pressures associated with the increase in cost and demand in this area.

Comment 3.12: Unfortunately, the rezoning that is being considered will lead to further displacement of minorities, further segregation in the Broadway Triangle instead of inclusive housing, and will suppress the voices of advocates that are calling for a comprehensive housing plan in the Broadway Triangle. (21)

Response 3.12: *Comment noted. Refer to response to comment 3.1.*

Comment 3.13: Building service jobs have long offered New Yorkers wages and benefits that allow workers and their families to live, work, and succeed in the City. Unfortunately, while most of the developers in the City assure that service workers at their buildings have good jobs, some developers have adopted a low road business model. The Rabsky Group is one of those developers. They have a record of dangerous behavior that has negatively impacted workers, tenants, and communities near their developments. (4)

Response 3.13: *Comment noted. As discussed in Chapter 3 on pages 3-2 to 3-4, the proposed action would not result in significant adverse socioeconomic impacts in any of the areas potentially sensitive to the effects of the proposed action, consistent with methodologies identified in the CEQR Technical Manual. These areas of concern include: (1) direct displacement of residential population from the project area; (2) indirect displacement of residential population in a 1/2-mile study area; (3) direct displacement of existing businesses from the project area; (4) indirect displacement of businesses in a 1/2-mile study area; and (5) adverse effects on specific industries.*

4. Community Facilities and Services

Comment 4.1: The DEIS has revealed even more issues. It shows an unaddressed impact on our local schools, and potentially local traffic as well. How can we allow a developer to continue with a proposal with no plan to address adverse impacts on our community that they admit will happen as a result of their project? (2)

Response 4.1: *As discussed in Chapter 4 of the FEIS the proposed project, under the With-Action condition would add an estimated 333 elementary school students and 161 high school students. The resulting utilization rates for these two types of schools would be 99.2 and 99.4 percent for elementary and high-schools respectively. As the proposed action would not result in significant adverse impacts in either elementary or high schools no consideration of mitigation is required under CEQR guidance.*

As for intermediate schools, the introduction of 138 additional intermediate school students would increase the utilization rate to 142 percent, meaning that enrollment would exceed capacity. As discussed in Chapter 19, "Mitigation," the significant adverse impact related to intermediate schools would be fully mitigated by conditions outlined in the Restrictive Declaration to be recorded against the project area. Refer to page 19-4 of the FEIS for a detailed description of the intermediate schools mitigation.

5. Open Space

Comment 5.1: At the first scoping hearing it was suggested that there be a mechanism for public oversight of open space created on the proposed development site to ensure that it will truly be open for the public. (2)

Response: 5.1: *As noted in Chapter 5 on pages 5-18 to 5-19 of the FEIS, the publicly-accessible open space would be provided pursuant to a Restrictive Declaration to ensure that it is provided and maintained when the project area is developed.*

Comment 5.2: Directly across the street from the rezoning area, at 11 Bartlett Street is a charter school. This school was recently approved to grow from a K-5 to include a much needed middle school. The school does not have an indoor gymnasium. The play yard is the only area that can accommodate exercise, which we know is critical to students' physical and educational development. Our neighborhood lacks access to park land today. This development should include, if approved, enhanced open space that is accessible to the entire community and complements existing recreation areas. (17)

Response 5.2: *As discussed in Chapter 5, "Open Space" the proposed development proposes 26,000 sf (0.6 acres) of publicly-accessible open space. It would include two 65 foot x 200 foot areas in a midblock corridor and its southern end would be across the street from the 11 Bartlett Street school play yard.*

Comment 5.3: The open space is more like corridors. And I don't think that is sufficient for a community. And from what I have seen in this neighborhood, the open spaces in other projects that exist in the community are really not open space. They're just walkways that people walk. If that is the case, then that is not going to be sufficient for our community. (17)

Response 5.3: *Comment noted. As shown in Chapter 5, "Open Space" within the CEQR-defined Open Space study area (roughly a ½ mile radius from the*

project site) there are 26 open space resources totaling 33.61 acres, 79% of which is considered for active uses. Refer to Table 5-3 on pages 5-9 and 5-10.

6. Shadows

No comments.

7. Historic and Cultural Resources

No comments.

8. Urban Design and Visual Resources

No comments.

9. Hazardous Materials

No comments.

10. Water and Sewer Infrastructure

No comments.

11. Energy

No comments.

12. Transportation

Comment 12.1: The DEIS has revealed even more issues. It shows an unaddressed impact on our local schools, and potentially local traffic as well. How can we allow a developer to continue with a proposal with no plan to address adverse impacts on our community that they admit will happen as a result of their project? (2)

Response 12.1: *As discussed in Chapter 12, “Transportation” the proposed action would result in significant adverse impacts at seven study area intersections during one or more analyzed peak hours; specifically, four lane groups at four intersections during the weekday AM peak hour; three lane groups at two intersections during the weekday midday peak hour; eight lane groups at six intersections during the weekday PM peak hour; and one lane group at one intersection during the Saturday midday peak hour.*

Chapter 19, “Mitigation” outlines that these adverse impacts could be avoided by implementing traffic engineering improvements such as signal timing changes or modifications to curbside parking regulations. These actions are subject to approval by the Department of Transportation. If approved these actions would fully mitigate the significant adverse impacts at all analyzed lane groups and intersections during all analyzed peak hours.

Comment 12.2: Left out from the DEIS is a plan to address the strain on public transit infrastructure, which was asked for in the scoping hearing. (2)

Response 12.2: As discussed in Chapter 12, “Transportation” the two nearby subway stations, the Lorimer Street station which is served by the J and M lines, and the Flushing Avenue station which is served by the G line would have no significant adverse impacts due to the action-generated increase in ridership. The B43, B44, B46, B48 and the B57 bus routes all operate in the vicinity of the project area. The increased demand for buses does not exceed the threshold to be considered a significant adverse impact. Accordingly, the proposed action is not expected to increase public transit ridership to an extent that would require mitigation.

13. Air Quality

Comment 13.1: The site, in its current condition, is contaminated and produces dust that may adversely affect the health of children in the multiple adjacent schools and playground. Based on NYC data, Williamsburg-Bushwick and Bedford Stuyvesant – Crown Heights have the fifth and sixth highest rates of hospitalizations for asthma. The redevelopment of this site, to be lined with street trees and green open spaces will reduce dust while producing oxygen. (17)

Response 13.1: Comment noted. It should be noted that as discussed in Chapter 13 on page 13-2 in the FEIS, the proposed action would not result in any significant adverse air quality impacts on sensitive uses in the surrounding community, and would not be adversely affected by existing sources of air emissions in the project area and surrounding vicinity. Furthermore, as discussed in Chapter 18 on page 18-16, on-site and off-site construction activities due to construction of the project would not result in any significant adverse impact on air quality.

14. Greenhouse Gas Emissions and Climate Change

No comments.

15. Noise

No comments.

16. Public Health

No comments.

17. Neighborhood Character

No comments.

18. Construction

Comment 18.1: It is crucial, if a large scale development is approved on these lots, that our school community is protected from truck traffic, emissions, dust, noise, and other adverse construction impacts. Parents are concerned about safety precautions when doing construction on an environmentally compromised site. (17)

Response 18.1: *As discussed in Chapter 18 on page 18-1 of the FEIS, construction will be limited to less than 24 months, which the CEQR Technical Manual classifies as short-term. Construction will also be limited to the hours of 7 A.M to 6 P.M. on weekdays in accordance with New York City construction regulations. As discussed in Chapter 18, on page 18-2 of the FEIS, construction would follow applicable federal, state, and local laws for building and safety, as well as local noise ordinances, as appropriate. As also noted on page 18-2, to minimize the effects of action-generated construction noise on a school playground on the facing blockfront, the proposed action will be required to provide a 12-foot tall barrier along the southern perimeter of the Southern Block (along Gerry Street) during project construction, a requirement that is incorporated into the Restrictive Declaration that would be recorded against the site. Regarding environmental concerns, as discussed in Chapter 9 on page 9-3 of the FEIS, construction in the project area will be subject to the oversight of the NYC Office of Environmental Remediation as required pursuant to an (E) designation.*

19. Mitigation

No comments.

20. Alternatives

No comments.

21. Unavoidable Adverse Impacts

No comments.

22. Executive Summary

No comments.

G. General

Comment G.1: The Office of Council Member Reynoso has supported the rezoning being pursued by developers of 349 Suydam Street and 1080 Willoughby Avenue to rezone these sites into 100% affordable developments that also expand manufacturing jobs. This rezoning is a great example of a developer that wants to work with the community – not against it. **(21)**

Response G.1: *Comment noted.*

Comment G.2: It is finally important to note that Rabsky continues to be an unresponsive player. Community Board 4 decided to have a special land use session hearing to discuss the following rezoning, which they believe would impact Bushwick residents. Rabsky was invited and they decided not to show up. This behavior is not unusual for them and, in fact, was proven to be the norm when they rezoned the Rheingold sites in Bushwick. I hope that if Community Board 3 decides to also pursue the same course as Community Board 4 in having a special land use session regarding this rezoning, that Rabsky be present to answer questions from residents. **(21)**

Response G.2: *Comment noted.*

Comment G.3: Rabsky Group has purchased development sites in Flatbush, Downtown Brooklyn, DUMBO, and on the Williamsburg Waterfront, and they have codified their refusal to deliver on commitments to affordable housing at Rheingold – Bushwick will now have 88 fewer affordable units than promised at that site. **(2)**

Response G.3: *Comment noted. Refer to the response to Comment 3.8; as discussed therein, the proposed action includes a zoning text amendment to designate the project area a MIHA where the MIH program requires new residential development to provide a portion of the development area as inclusionary housing.*

Comment G.4: Too often developers' promises are not enforced by the City and are simply ignored by either the original applicants or the subsequent owners of a rezoned site, as happened with the nearby Rheingold rezoning in Bushwick. (14)

Response G.4: *Comment noted.*

Comment G.5: Rabsky Property Group has distinguished itself as a developer which overtly disregards its commitments to the surrounding community. At the Rheingold Brewery, Rabsky purchased a significant part of the site shortly after the rezoning was completed, and then immediately reneged on the promises of affordable housing and local hiring promised by its predecessor-in-interest. It has consistently refused to even to meet and negotiate with the people affected by the development. Because Rabsky has such a notorious track record, mitigations to address the impact generated by the project must be tied to legally enforceable mechanisms by both the City and the affected communities. (14)

Response G.5: *Comment noted. As summarized in Chapter 1 on page 1-9 of the FEIS, the Applicant or any future owner(s) of the project area would be legally obligated, by means of a Restrictive Declaration recorded against the project area, to comply with measures to mitigate significant adverse impacts and provide project components related to the environment, including complying with (E) designations requirements for hazardous materials, air quality, and noise.*

Comment G.6: The public has repeatedly been deprived of meaningful opportunities to receive proper notice and comment on the application. (14)

Response G.6: *Chapter 1 on pages 1-16 to 1-18 in the FEIS outlines the public review process, including City Environmental Quality Review (CEQR) and the City's Uniform Land Use Review Procedure (ULURP), which mandate public notice of and opportunities to comment on this Application and its environmental review documents. The applicant filed the land use application that is the subject of the EIS with the Department of City Planning on July 6, 2016, which outlined the applicant's development proposal for the project area pursuant to the proposed zoning map and text amendments. Per standard procedures, a copy of the application was forwarded to Community Board 1 (CBI). This application represented a revision of previous submissions made by the applicant earlier in 2016 and in 2015, which were also forwarded to CBI, Borough President, and the Borough Board. The filing of and forwarding of the application described above were carried out pursuant to the requirements of the New York City Charter. A public scoping hearing on the Draft Scope of Work for the EIS was held on November 9, 2016, at which members of the*

public could provide verbal comments on the Draft Scope and the public comment period remained open until November 21, 2016 for the submission of public comments. A further minor revision of the application was filed with the Department on May 16, 2017, which was also forwarded to CBI, Borough President, and the Borough Board. A Notice of Completion of the DEIS was issued on May 19, 2017 and the DEIS was posted on the Department's website. The application was certified on May 22, 2017, which was also forwarded to CBI, Borough President, and the Borough Board. Following certification of the application, in conformance with ULURP, a series of opportunities for public comment on the application and the DEIS were provided, with public notice. Brooklyn Community Board 1, Land Use Committee held a public hearing on the application on June 6, 2017. The Borough President solicited public comments on the application during his review period, which extended from June 22 to July 21, 2017. The City Planning Commission held a public hearing on July 26, 2017 and written comments from the public were accepted until August 7, 2017.

Comment G.7: The asymmetry between Community District 1 ethnic compositions and its Board calls into question the legitimacy of the Board's land use decisions in historically segregated areas. (14)

Response G.7: *Comment noted. This issue is outside the scope of CEQR.*

Comment G.8: Missing from the DEIS is any discussion about the acknowledgement of a potential future scenario on the City-owned sites that may be very different from the stalled plan, pending the outcome of the litigation, which was asked for in the scoping hearing. (2)

Response G.8: *For conservative analysis purposes, and with guidance from the Department of City Planning, the FEIS assumes that all of these City-owned sites within the Broadway Triangle rezoning area will be redeveloped by 2019. This information is provided in the Chapter 2 on page 2-18 and in Table 2-2a of the FEIS.*

Comment G.9: We lost 88 units of affordable housing after agreeing with the Read Property Group that they would build a certain amount of affordable housing at the Rheingold Site. Rabsky then purchased the property from the Read Group. All the commitments made to the community regarding the apartment size and the amount of apartment units was scratched off, and Rabsky did only as-of-right. And what they did was the bare minimum, the bare minimum and what was most financially advantageous to them. He gave nothing to the community. If you approve this project, if you approve this project and let it go to the City Council without disapproving it, what they're going to do is they're going to maximize the financial gain and do the bare minimum for

the community again, and we cannot allow that. (2)

Response G.9: *Comment noted.*

Comment G.10: I would just ask that this Commission look at the merits of the application. If there are recommendations that you want to see the application incorporate as it moves forward through the ULURP process, through the Council, I would love to see those recommendations. But again, I think that it deserves, like any application, to be weighed on its own merit. (1)

Response G.10: *Comment noted.*

Comment G.11: The previous developer for the Rheingold Brewery came to Community District 4 and wants to promise us 20 percent affordable housing, 10 percent for seniors etc. only for them to sell the property to Rabsky Group who then do not follow through on the initial agreement made with the community. (5)

Response G.11: *Comment noted.*

Comment G.12: Entities affiliated with the Rabsky Group have engaged in wage theft by violating prevailing wage laws. Last year an investigation by ProPublica found that tenants in the building owned by a Rabsky Group affiliate were subjected to a scheme to dodge the rent stabilization requirements attached to the 421-a tax abatement the building received. The Rabsky Group has refused to honor the Community Benefits Agreement signed by the former developer of a site Rabsky purchased in 2010. (4)

Response G.12: *Comment noted.*

Comment G.13: The proposed Rabsky development will increase the availability and ease the tremendous need which is so imperative for the community. Hence, I appeal, please accept this application so we can proceed and complete this project without further delays. (23)

Response G.13: *Comment noted.*

Comment G.14: We all want to live in Williamsburg. That is a close knit community for us, and that is where we were raised with passion and care. Williamsburg is a place that is meaningful in our community. It's where we want to live. That's why I am here to support this development. (9)

Response G.14: *Comment noted.*

Comment G.15: The Schafer Project is an HPD project that created 40% affordable units in

Williamsburg. The United Jewish Organization worked on this project and I say this development will be similar. You will have Latino, African Americans, and Hasidic community members living and working together. (15)

Response G.15: *Comment noted.*

Comment G.16: This project will not relocate anyone. This is an empty lot we are talking about. Let's develop something here, let's create jobs, let's get housing and let's get moving. Developments like this are the reason I have a job. So I support this project. I also support the lottery for the affordable housing units. (6), (18)

Response G.16: *Comment noted.*

Comment G.17: I'm for this development for the simple fact that I would like the opportunity to move back into the neighborhood that I grew up in. Unfortunately, without a development like this, I can't afford to come back here. (13)

Response G.17: *Comment noted.*

Comment G.18: I have been living in Williamsburg for the past 19 years with my growing family. I have been struggling with housing conditions as my family has gotten larger, with no options of affordable housing. I fully support this Pfizer housing project, and I ask the City to please do the same. (7)

Response G.18: *Comment noted.*

Comment G.19: I have been dealing with the Rabsky Group actually for many years servicing their buildings. And I can tell you that they're the highest standard I know of. The existing site looks like a vandalized site, and its development would not directly relocate anyone. (19)

Response G.19: *Comment noted.*

Comment G.20: I know that in new buildings throughout Brooklyn where the developer has not committed to create high quality service jobs, workers, including workers at Rabsky affiliated buildings, are often paid between twelve and thirteen dollars an hour, and given no meaningful benefits. This was true even in buildings where Rabsky was required by the 421-a program to pay prevailing wages. These low wages threaten to bring down wages across the entire building service industry. They are a threat to the job security of many workers. Over 1,300 members of the community have signed a petition say it is important that the developer on this site commit to create good jobs and affordable housing. I am calling on the City Planning

Commission to disapprove this applicant unless the Rabsky Group provides concrete evidence that the company and its affiliates have changed their practices. **(10)**

Response G.20: ***Comment noted. This issue is outside the scope of CEQR.***