

Ms. Regina Myer
Brooklyn Borough Office
16 Court Street, 7th Fl.
Brooklyn, NY 11241-0103

Re: Greenpoint-Williamsburg Rezoning
CEQR No. 04DCP003K
Draft Scope of Work for an E.I.S.

November 23, 2003

Dear Ms. Myer,

The following document is the written comments on the Draft Scope of Work for an E.I.S. for the Greenpoint-Williamsburg rezoning, as approved by Brooklyn Community Board One Rezoning Task Force ("RTF"). These comments complement the verbal testimony given at the public scoping session on November 13, 2003 as well as the letter written to Deputy Mayor Doctoroff and Chair Burden, dated November 12, 2003.

This document has been prepared by the RTF, which has worked for over one year to develop comprehensive and detailed recommendations for the rezoning of Greenpoint and Williamsburg based on the 197-a Plans. Underlying these recommendations is the belief that these neighborhoods already have distinct and diverse thriving populations and local economies that need room to grow and mechanisms to ensure appropriate, sustainable and sound development.

The RTF is organized into 5 subcommittees mirroring the format and major areas covered in the 197-a Plans. This past summer, each of the five subcommittees met with Regina Myer, Howard Slatkin, and other DCP staff members to review DCP's proposal in more detail and ask questions. The RTF looks forward to continuing communication with DCP and initiating a deeper dialogue regarding the specific recommendations of the plan over the coming months prior to ULURP.

The following task-by-task response to the Draft Scope presents the RTF's position on assessment criteria and methodologies to be used in the EIS, mitigation measures and alternatives that should be considered, and consistency of various elements of the rezoning action with the goals and objectives of the Greenpoint and Williamsburg Waterfront 197-a Plans.

Respectfully submitted,

Vincent V. Abate, Chairman
Brooklyn Community Board One

Chris Olechowski, Chairman
Brooklyn CB One Rezoning Task Force

**RESPONSE TO DRAFT SCOPE OF WORK FOR AN ENVIRONMENTAL IMPACT
STATEMENT
GREENPOINT-WILLIAMSBURG REZONING
CEQR NO. 04DCP003K**

**Submitted by the Rezoning Task Force of Brooklyn Community Board 1
November 23, 2003**

INTRODUCTION

As stated at the public scoping session on November 13, 2003, CB1 commends DCP for following the guidance of the Greenpoint and Williamsburg Waterfront 197-a Plans in undertaking this rezoning action. However, as submitted in a letter dated November 12, 2003, the Board has several pressing concerns with the City's rezoning proposal. They are re-stated as follows:

- ***The rezoning must be the forum to execute visionary Affordable Housing developments.***

As with most communities in New York City, Greenpoint and Williamsburg suffer from a severe shortage of affordable housing. It is feared that without a rigorous, visionary and mandated Affordable Housing component, the rezoning may only exacerbate the situation. The Greenpoint-Williamsburg rezoning is a great opportunity to realize the Mayor's New Marketplace Plan and simply must guarantee a significant Affordable Housing component for the residents of Greenpoint and Williamsburg.

- ***The Height and Bulk of the proposed plan does not reflect the community's existing, or desired, character and scale.***

Greenpoint and Williamsburg are low-density, low-rise neighborhoods. Although each community needs and desires the development that will accompany this rezoning, it is a priority that the new development is in harmony with the existing diverse neighborhood character and sufficiently protects existing buildings. Innovative and sustainable building practices should be encouraged.

- ***The language regarding Mixed-Use zoning is not effective for maintaining a mixed-use neighborhood.***

The existing Mixed-Use (MX) language has historically favored residential development over industrial or commercial development. The proposed MX district will not maintain the mix of uses in the neighborhood that is crucial to sustaining a diverse community fabric and stable job base. The Mixed-Use designation needs to encourage high-performance and light industrial and/or commercial development while adequately addressing the needs of residential development.

- ***The location and amount of Open Space fails to meet even the City's own standards.***

The amount of parkland and Open Space delineated in the current DCP proposal does not sufficiently accommodate the potential build out. The proposed amounts fall short of the DCP recommended open space per capita ratio, as well as the current Brooklyn average. Additionally, the lack of Open Space per capita creates a potential decrease of tree canopy cover that is already below agency standards and causes further environmental concerns. The current proposal is deficient in active open space at the north end of Greenpoint where the bulk of development would occur.

- ***The Shore Public Walkway must be continuous and serve to celebrate and protect natural features.***

The Shore Public Walkway has the potential to be the most promising and vibrant amenity to the community resulting from the rezoning effort and to increase the development potential of difficult waterfront sites. Its potential is contingent on continuous implementation (as opposed to the current plan that provides piecemeal private development). We call on the City to provide a guaranteed commitment to immediately develop the entire waterfront esplanade. We also call on the City to ensure that the entire waterfront esplanade guarantees full, open and convenient public access that remains continuously open to the public without any closure or restriction by private developers or landowners.

DETAILED COMMENTS ON SPECIFIC SECTIONS IN THE DRAFT SCOPE

A. Introduction

CB1 will not be commenting on this section

B: Required Approvals and Review Procedures

CB1 will not be commenting on this section

C. Description of the Proposed Action

Note: Section C of the Draft Scope covers much of the material to be included in the first chapter of the EIS. Responses to Section C below should be read in the context of Task 1.

The Proposed Action

- **Both the Draft Scope and the EIS should make reference to the Greenpoint and Williamsburg Waterfront 197-a plans in describing the proposed action.** These plans serve as the foundation, or policy framework, for the City's rezoning proposal, and should be acknowledged as such. While we believe the current rezoning proposal does not adequately reflect the priorities of the 197-a plans, we look forward to working with the City to ensure that it does so. The EIS should include a detailed description of how the proposed rezoning actions fulfill the goals and recommendations of the 197-a plans.
- **DCP should expand the proposed action area boundary to include:**
 - a. A commercial overlay on Greenpoint Avenue, between Franklin Street and Manhattan Avenue.
 - b. Blocks bounded by the Williamsburg Bridge, N3rd Street, the waterfront and Wythe Avenue to be zoned M1-2.
 - c. A commercial overlay on the Blocks bounded by S. 1st Street, Hope Street, Roebling Street and Havemeyer Street.
- **DCP should amend the proposed action area by removing eight blocks for which MX designation is currently being proposed.** These blocks support a significant number of industrial jobs and should not be subject to real estate speculation and conversion pressures. They are concentrated in two areas:

- Blocks 2371, 2372, 2374 and 2375 (bounded by Rodney Street, Metropolitan Avenue, Union Avenue and Hope Street). These blocks maintain a concentration of industrial uses and should remain zoned M1.
- Blocks 2299, 2306, 2307 and the northern half of Block 2313 (bounded by N. 11th, N. 8th, and N. 10th Streets, Driggs Ave., Roebling St., Withers St., and Union Ave.) These blocks were never part of the Special Northside Mixed Use District. They have maintained their industrial uses and should remain zoned M1.
- **DCP should consider the option of creating a special zoning district encompassing the entire action area, as a means of achieving specific planning, socioeconomic and urban design objectives.** City Planning staff should work with community members and the RTF to develop text for this Special Zoning District with clearly established guidelines, based upon the specific goals, recommendations and policies stated in the Draft Scope and in the 197-a Plans.
- **The City should clearly state its commitment to developing the park in the Draft Scope and take immediate steps to acquire the land and move forward with the development.** The area proposed for parkland between N9th Street and the northern edge of the Bushwick Inlet retains its M3-1 designation in the proposed rezoning action. This leaves it vulnerable to as-of-right development.
- **The RTF is opposed to the de-mapping of portions of N.9th to N.12th Streets west of Kent Avenue as part of the rezoning action.** DCP should study the feasibility of developing the ‘Olympic Park’ between N.9th Street and the northern edge of the Bushwick Inlet while keeping the streets mapped (but not built), in order to reduce the potential for a large private assemblage in the future and ensure ongoing public access.
- **It is unclear from Figure 1c whether Noble Street is identified as a public street.** Noble Street, west of West Street, is indeed a publicly mapped street and should be figured as such in the WAP.

Project Purpose and Need

The statement of purpose in the EIS should acknowledge that Greenpoint and Williamsburg already have distinct and diverse thriving populations and local economies that need room to grow and mechanisms to ensure appropriate, sustainable and sound development. It should also acknowledge the important citywide role of this rezoning action in setting a precedent for the development of formerly industrial waterfront communities that balances citywide and local needs.

- **Both the Draft Scope and the EIS should refer to the Greenpoint and Williamsburg Waterfront 197-a Plans in describing project purpose and need.** The proposed action should be linked to the Plans’ priorities, specifically:
 - Affordable housing
 - Access to the waterfront
 - Preservation of the mixed use character of the neighborhoods
 - Job retention and creation (especially in Williamsburg)
- **Both the Draft Scope and the EIS should acknowledge the impact that zoning variances and illegal conversion have had on the decline in industrial jobs in the rezoning area and the importance of protecting remaining jobs.** The Draft Scope states “...industrial sectors such as

garment and textile manufacturing, which once dominated Williamsburg, have nearly disappeared...” Notwithstanding this fact, the industrial sector still accounts for over 4,000 jobs in the action area alone. Recognition of these jobs is important and is a key consideration in the 197-a plans, especially the Williamsburg plan.

Projected Development Scenario

- **The Draft Scope substantially under-represents potential future development activity and population growth as well as current development activity in the proposed action area.** The reasonable worst case development scenario (RWCDS) for the build year, 2013, is based upon only 53 projected development sites and a potential population increase of 14,813. **The number of projected development sites must be realistic and must be expanded to include:**
 - Large sites, such as the Greenpoint Terminal Market, which would add an estimated 2,059 units and a population of 4,100. The impacts of that development alone are considerable.
 - Smaller underbuilt sites, including those under 5,000 s.f.
 - Additional sites besides 55 Berry Street, that are currently being developed or sold. At least 25 buildings within the action area are presently undergoing some type of development. The rezoning action itself will encourage even more development and the RWCDS should reflect this.
 - All warehoused sites in Northside Williamsburg, especially along N.9th Street.
 - All pending variance applications. The EIS should take into account all sites with pending and recently approved zoning variances to assess the true impact of the rezoning proposal with and without the proposed action. Development projections should reflect realistic numbers based on the history of BSA approvals.

A reasonable estimate of projected development is crucial because it affects all other areas of concern in terms of potential adverse impacts and mitigation measures. Detailed assessments for each technical area should assume a higher level of development under the RWCDS.

- Additional residential development sites within the broader study area should be taken into consideration in the EIS when determining impacts, including the Schaeffer site and the Domsey site, both in south Williamsburg.
- The Draft Scope uses an average of 2.88 persons per residential unit in the upland developments and 2 persons per unit in waterfront developments to estimate population growth by the build year, assuming an average unit size of 1300 s.f. in the upland areas and 900 s.f. on the waterfront. . Square footage, in both instances, would permit a 2-bedroom apartment adequate for a young couple with a child. The EIS should use an average of 2.88 persons per residential unit for both upland and waterfront sites in determining population growth and potential impacts.
- In addition to estimating the total number of units of residential development, the draft scope should estimate the total number of affordable units to be created under the proposed affordable housing policies.

Environmental Impact Statement

CB1 will not be commenting on this section.

D. Scope of Work

TASK 1. PROJECT DESCRIPTION

See detailed response to Section C above

TASK 2. LAND USE, ZONING AND PUBLIC POLICY

Assessment criteria and methodologies

- **The land use study area should be extended beyond the ½-mile distance from the proposed action area boundary to encompass all of Community District 1.** The EIS should provide a description of land use, zoning and public policy in the district as a whole in order to adequately assess the cumulative impacts of current land use activity and trends as well as developments resulting from the proposed action. Significant land use changes are already occurring, both within the proposed action area and in adjacent neighborhoods that are having ramifications throughout the district. Additional substantial development as a result of the proposed action will exacerbate this trend.

While CEQR mentions one-half mile as a typical radius for determining impacts, the scale of the rezoning action and existing conditions in CD 1 warrant assessment of impacts over a larger study area. One option would be to define the ½ mile radius as the primary study area requiring detailed analysis, and the remainder of the district as the secondary study area subject to broader review. (See CEQR, p.2-5, Section 200; p.3A-6, Section 310)

- **The Draft Scope should clearly describe subtasks as well as the required level of detail for each subtask with respect to the proposed action area and the broader land use study area.** It is not always clear whether subtasks described under Task 2 refer to the entire land use study area (i.e. the proposed action area *and* neighboring areas) or whether they merely refer to the neighboring areas. (See second, third and fifth bullets on p.11).
- **The EIS should describe all BSA actions within the land use study area, including approved, pending and rejected actions.** It should also review and incorporate Community Board 1 Land Use Committee opinions on BSA variance applications.
- As stated in the Draft Scope, the EIS will assess the effects of the proposed action in the context of existing public policy. **The EIS should consider recommendations in the Economic Development Corporation’s soon-to-be-released “Industry Study” prepared by the Parthenon Group, in undertaking this assessment.** The preliminary findings of that study indicate that lack of affordable industrial space is a major concern of industrial businesses.
- In addition to the Greenpoint and Williamsburg Waterfront 197-a Plans, the EIS should discuss the action’s consistency with the WRP as an adopted public policy.
- In addition to discussing the effect of the loss of manufacturing zoning and elimination of the Special Franklin Street and Special Northside Mixed Use District regulations, the EIS should discuss the

proposed action's potential land use effects related to MX designation, including loss of industrial space and the compatibility of uses.

The RTF feels that MX districts will act as transitional areas that will encourage residential development and price out existing businesses. The Task Force also believes that MX designation will encourage property owners to demolish existing one- and two-story industrial buildings in order to construct residential buildings to a higher FAR. **The areas proposed for MX designation should be analyzed in detail in terms of impacts on existing businesses as well as height, bulk and density.**

Mitigation measures and alternatives

- **The EIS should analyze the impacts of an alternative “modified” MX district, which includes the environmental protections of the existing MX text as well as the protections for a balance of uses from the Special Northside Mixed Use District (M/R) text.**
- The Task Force is also concerned about the impact that projected residential development will have on the proposed M1 districts east of the Bushwick Inlet and on the East Williamsburg In-Place Industrial Park. **The EIS should look at ways to increase protection in these areas and maintain the integrity of the M designation.**

TASK 3: SOCIOECONOMIC CONDITIONS

The socioeconomic conditions study area should be expanded to include all of Brooklyn Community District 1, with a primary study area extending up to ½ -mile from the action area boundary and a secondary study area covering the balance of the Community District. Socioeconomic impacts from the proposed action will be felt over a much larger area than the ½-mile study area identified in the draft scope as residents and businesses seek more affordable accommodation in other parts of the district. As it is mapped now, the study area leaves out large portions of the East Williamsburg IPIP and Newtown Creek. These are areas the City has stated they want to maintain for industrial uses, however there have been illegal conversions and BSA applications in the East Williamsburg IPIP threatening the ability to maintain its industrial character.

Population and Housing Characteristics

Housing Affordability

Housing affordability has become one of the community's most pressing concerns, as Greenpoint and Williamsburg have attracted new residents over the past few years and increased housing demand and speculation in anticipation of rezoning have driven up housing costs. Between 1990 and 2000, residents of Brooklyn Community District 1 endured a 67% rise in median monthly rent, the highest increase in New York City.¹ Also, Community District 1 has one of Brooklyn's highest 2001 to 1986 average for-sale price ratios for 2-4 unit residential buildings, with an index that is 58% higher than the city as a whole. Although the U.S. Census reports that the median monthly rent in Community District 1 is affordable to residents earning the median income for the district of \$26,325 a year, a 2002 survey of

¹ Wallin, Schill, and Daniels. *State of New York City's Housing and Neighborhoods 2002*. Furman Center for Real Estate and Urban Policy. School of Law and Robert F. Wagner Graduate School of Public Service New York University.

rental properties reveals that the current asking price of 2-bedroom properties is twice as high as what residents earning the median rent can afford.² In Community District 1, rents and for-sale prices, as well as rent as a percentage of income, are skyrocketing at rates well above the rest of New York City. Therefore, the issue of indirect residential displacement deserves unique and careful study in the rezoning of Greenpoint-Williamsburg, as it will greatly affect population patterns and neighborhood character. This pressure can only increase as the rezoning and land speculation around the rezoning raise the value of residential and manufacturing properties.

The draft scope should name multiple data sources for determining indirect residential displacement including, but not limited to, those listed on pages 3B-19 and 3B-20 of the CEQR Technical Manual. As stated in an earlier letter from the Community Board 1 Rezoning Task Force, the EIS should consult additional data sets that better reveal the potential impacts of the proposed rezoning. It should examine recent, locally gathered data sets, for example, to study changes in contract rent and tenant harassment complaints, two measures that reflect growing displacement pressures. It should use this data to project how the rezoning will aggravate existing trends.

Populations Vulnerable to Displacement

The draft scope states that the EIS will identify "...populations particularly vulnerable to economic changes..." In examining these populations, the EIS should investigate specific federally protected classes of the population that are likely to be disproportionately impacted by the rezoning. Between 1990 and 2000, Community District 1 experienced an 11% drop in its Hispanic population, while these numbers grew or remain unchanged in each of the five boroughs and increased citywide.³ The decline in the Hispanic population is not surprising when viewed in conjunction with more recent data gathered by local community-based organizations that suggests that Latino and Polish immigrants are among the most vulnerable to displacement pressures. Senior citizens and Italian-Americans are other vulnerable groups. The EIS should study how to mitigate the negative effects of the rezoning on all these population groups. The displacement of these populations will significantly and permanently alter the neighborhood character and population patterns in Greenpoint and Williamsburg.

Consistency with the 197-a Plans

One of the primary objectives of the Greenpoint and Williamsburg Waterfront 197-a Plans, in addition to the development of additional housing was that it include a significant component of affordability. Both plans list affordable housing as their top recommendation to fulfill the areas' housing needs and stress that every effort should be made to provide affordable housing on waterfront development sites (examples include housing developments proposed for the Greenpoint Terminal Market, Brooklyn Eastern District Terminal, Schaefer Brewery). In fact they specifically state that affordability should be one of the criteria for obtaining community support for any proposed development. Both plans also request that the city address the housing needs of the elderly, which include affordable housing.

²Survey by Rebecca Scott, member of the Affordable Housing Subcommittee of the Community Board 1 Rezoning Task Force.

³ U.S. Census data as reported by the New York City Department of City Planning website: www.nyc.gov

While DCP's rezoning proposal follows the guidance of the 197-a plans in providing opportunities for housing development, with respect to affordability it does not go far enough. We fear that existing financial incentive programs that rely on voluntary participation by developers will not produce an adequate level of affordable housing to address current needs in Greenpoint-Williamsburg or increased demand as a result of rezoning. Careful consideration should be given in the EIS to existing affordable housing needs as well as the potential for increased residential displacement as a result of the proposed action. The EIS should quantify the need for affordable units at multiple income brackets, considering the current need for affordable units and projected residential displacement.

Assessment Criteria and Methodologies

- **Task 3 should include a more detailed list of subtasks for analysis of population and housing characteristics.** Existing and anticipated future conditions and potential impacts should be analyzed in sufficient detail to allow appropriate mitigation to be considered as required by the City Environmental Quality Review process.⁴ The EIS must provide detailed *quantitative* analyses of the impact of the Reasonable Worst Case Development Scenario (RWCDs) and a lesser build / lower density alternative on indirect residential displacement. Also, the EIS should consider an expanded RWCDs, as stated earlier in this document, when projecting the impact of the rezoning action on indirect residential displacement.
- **The EIS should incorporate the following suggestions in order to more adequately examine the characteristics of those populations most likely to be negatively impacted by the proposed rezoning.**
 1. **Consultants working on the EIS should approach local real estate brokers to assess the change in real estate prices and sales since land speculation has increased in North Brooklyn.** The draft scope states that the EIS will use “discussions with real estate brokers” as a data source to determine the rent levels for manufacturing and commercial buildings in the study area. The EIS should do the same for residential properties in order to determine changes in housing costs that coincide with the recent rise in land speculation.
 2. **The EIS should include a quantitative analysis of rental characteristics and trends for residential buildings with less than six units.** This portion of the housing stock is not subject to rent regulation and is therefore vulnerable to rent increases. In order to capture changes that have occurred as the result of land speculation around the proposed rezoning, the analysis of trends should consider a time period beginning in 1995, when the City began this rezoning initiative.
 3. **The EIS should study data collected by Mobilization Against Displacement (MAD), a coalition of local community-based organizations that have come together to ensure that the North Brooklyn waterfront rezoning occurs without resident displacement.** This data suggests that Latinos would be disproportionately vulnerable to indirect displacement as a result of the proposed rezoning. With the help of City Planning, MAD could expand this study to thoroughly document the potential impact of the proposed rezoning on the area's Latino, Polish and senior population.

⁴ City Environmental Quality Review Technical Manual. City of New York. October 2001. Chapter 3B. Section 330.

4. **The EIS should study data collected by the People's Firehouse and North Brooklyn Development Corporation that reveals the recent rise in tenant harassment complaints among North Brooklyn's Polish population.**
5. **EIS consultants should meet with a range of community development organizations to assess the best method by which to investigate the potential for indirect displacement of senior residents and gather recent data on displacement pressures already facing this population.** For example, community organizations like St. Nicholas Neighborhood Preservation Corporation and Los Sures have long waiting lists for their existing low-income senior projects, reflecting the number of seniors in need of decent, affordable housing.
6. **The EIS should look to other data sources besides the U.S. Census when examining the impact that the proposed rezoning will have on the areas' immigrant population.** The U.S. Census is an inadequate data source for measuring the size and characteristics of the Community District's immigrant population. Local churches with large numbers of immigrant parishioners can help to provide a better estimate of immigration trends and the number of immigrants in the local community.

Mitigation Measures and Alternatives

Mitigation against potential adverse impacts of the proposed rezoning action on housing and population should include:

1. Location of Land and Resources for Affordable Housing

The EIS should assess opportunities within the action area for the construction, conversion or rehabilitation of housing units that are guaranteed to be affordable to the Community District's current population. City Planning should work with local community development organizations to identify appropriate sites and to assess how local groups might be involved in owning, managing or operating affordable housing on these sites. This process may include identifying additional low-cost capital for community development organizations.

While setting aside land for affordable housing is an important mitigation measure, it is not a substitute for other policies that would create of affordable units throughout the district. We are seeking to maintain the district's mixed income character, not to encourage income segregation.

2. Zoning to Promote Affordable Housing

The EIS should examine the ability of an affordable housing zoning district to mitigate indirect displacement pressures resulting from the rezoning. **The application of an affordable housing zoning district to both waterfront sites and up-land sites should be considered as an alternative to the affordability options provided in the rezoning plan. This alternative should be analyzed to the same level of detail as the proposed action to provide sufficient basis for comparison.**

Attached to this document is a copy of Council Member David Yassky's proposal for an affordable housing zoning district that can serve as a guide. The affordability zone would include mandatory affordability requirements to assure a reasonable level of affordable housing in the area, consistent with the goals of the Greenpoint and Williamsburg 197-a Plans. It should be noted however, that while the

Rezoning Task Force supports David Yassky's proposal, consideration should be given to extending the 25-year term and establishing income levels that are more appropriate to Greenpoint and Williamsburg.

3. Anti-harassment Provisions

The EIS should examine the application of specific anti-harassment provisions similar to those in place in the Clinton Special District, to protect existing tenants from harassment. Because the proposed rezoning will increase displacement pressures throughout Community Board 1, these provisions should extend to the entire Community District.

4. Community Stability Tax Credit

The EIS should examine the Community Stability Small-Homeowner Tax Credit proposal as crafted by the Fifth Avenue Committee for Park Slope, to judge whether or not it could be adapted for use in Greenpoint and Williamsburg. The proposal was introduced in the New York State Assembly (A1841) and the State Senate (S196) in January 2003 and is currently under consideration. Although the program could not be implemented as a tax credit without the appropriate legislation, the EIS should examine alternative sources of revenue (such as tax increment financing) that could be used in a similar fashion.

The program would offer property tax abatements to owners of small (1 – 5 unit) unregulated buildings who rent apartments to tenants below the market rate. It would help both tenants and owners of small buildings in neighborhoods where rents are rising faster than incomes; vulnerable tenants who are currently paying a rent that is below the “fair market rent” and may become homeless if the owners raise their rent; and owners of small buildings who are facing financial pressure but do not want to evict their vulnerable tenants. Because the proposed rezoning will increase displacement pressures throughout Community Board 1, these provisions should extend to the entire Community District.

5. Commercial and Luxury Housing Linkage Fees to Create Affordable Housing

This mechanism has been used successfully in other large cities, including San Francisco. It would require new commercial construction and luxury housing units in the redevelopment area to contribute funds for affordable housing to be built in designated receiver areas. Because the proposed rezoning will increase displacement pressures throughout Community Board 1, these provisions should extend to the entire Community District.

6. Equitable Housing Trust Fund

This is just one way to collect and distribute funds generated from any of the affordable housing funding mechanisms described above. Because the proposed rezoning will increase displacement pressures throughout Community Board 1, these provisions should extend to the entire Community District. The EIS should discuss the number of below-market rate units that would be generated by such a program and the income levels to be served, as well as the methodology used to arrive at these conclusions.

Economic Characteristics

Assessment Criteria and Methodologies

1. The Draft Scope states that the vacancy rate and rent levels for buildings in the study area will be based on visual inspections, discussions with the Brooklyn Office of DCP and discussions with real estate brokers (p.12). The EIS should include a more objective analysis than a visual inspection and should identify the databases and data sources. **Furthermore, we believe that a survey of property owners and tenants should be conducted to accurately assess vacancy rates and rent levels.** There have been instances in Community District 1 of owners forcing out tenants to make way for residential conversions through variances. **The study should seek to directly communicate with both owners and tenants to gain a more accurate perspective.**
2. The Draft Scope only mentions "...sites identified for likely development..." when discussing direct displacement of manufacturing and commercial businesses and employment (p. 12). **Estimates should be determined for both projected and potential development sites.**
3. The maps showing projected and potential sites show large areas where no development is expected until after 2013. If this is true, it is likely that those areas will experience real estate speculation and the displacement of existing industrial tenants. **The EIS should examine the impacts of real estate speculation on socioeconomic conditions.**
4. The EIS should analyze the impacts of the proposed action on jobs in the creative economy.

Mitigation Measures and Alternatives

1. **Mitigation for business displacement in Greenpoint and Williamsburg should be assessed in a citywide context.** Relocation is listed as a mitigation measure in the draft scope. However, since the City is presently rezoning numerous manufacturing districts, relocation is becoming less and less of a viable option for displaced companies.
2. The Draft Scope requires the EIS to identify "...likely relocation areas nearby, if necessary..." to mitigate displacement impacts. (p. 12). The Newtown Creek manufacturing district and the entire East Williamsburg IPIP should be specifically studied for this purpose, with the understanding that these areas have experienced real estate pressures of their own and that they may need added protection to resist future pressures.
3. A study of relocation areas should take into account the varying needs of different types of businesses, such as proximity to public transportation and availability of telecommunications services.
4. Additional mitigation measures to be studied for companies and jobs that may be displaced as a result of rezoning should include:
 - Capital funds to help buy down the costs of not-for-profit development of industrial space similar to the Greenpoint Manufacturing and Design Center;
 - Relocation funds for displaced companies to move to secure industrial areas;

- Conversion fees exacted from owners converting industrial property to residential use. These fees would go into a fund that would help pay for not-for-profit development of industrial space, relocation funds, and technical assistance to upgrade the operations of existing companies.
 - The funding of retraining and placement programs to mitigate lost jobs. These programs should be run through locally based organizations.
5. DCP should weigh in on BSA variance applications for sites within the proposed action area that are being retained for industrial use - in the proposed M1 district east of the Bushwick Inlet, for example, and industrial locations outside of the action area such as the Newtown Creek and the East Williamsburg IPIP. By doing so, DCP will help to mitigate real estate speculation in these areas.
 6. Acknowledging that conversion pressure has been significant in Greenpoint/Williamsburg over the past several years; that residential conversions are already occurring in the East Williamsburg In-Place Industrial Park; and that the industrial integrity of the areas designated to remain zoned for manufacturing in Community Board 1 may be jeopardized by the proposed rezoning, the Task Force recommends that the EIS consider the designation of the Bushwick Inlet area and the East Williamsburg In-Place Industrial Park as Planned Manufacturing Districts (PMD). PMDs are manufacturing areas where uses other than production-based uses would be severely restricted. While BSA zoning variances may not be completely curtailed, the criteria for approval would be much stricter in these areas. Companies in Planned Manufacturing Districts would be provided with financial and technical assistance to upgrade their operations and become more competitive and environmentally sound.
 7. The RTF recommends modifications to the “MX” text to provide greater protection to businesses that may be vulnerable to displacement as a result of the proposed rezoning action. See Task 22 Alternatives for a more complete description.

TASK 4: COMMUNITY FACILITIES AND SERVICES

Population growth in Community District 1 has increased the need for community facilities and services in recent years. As indicated in the 2005 Community District Needs Statement, written and submitted in 2003, these include Fire Department and other essential city services along the waterfront; an EMS facility to service the northern part of the district; enhancement of the Greenpoint Branch Library; and additional senior housing, senior citizen's centers and day care facilities. Future residential growth as a result of the proposed action will exacerbate this need and place additional pressure on existing community facilities and services.

Consistency with 197-a Plans

As expressed in both 197-a plans, adequate provision for community facilities and services, based upon a detailed assessment of existing and future conditions and needs, should accompany new housing development in Community District 1.

Assessment criteria and methodologies

As stated earlier in this document, the RWCDS upon which future impacts will be measured is based upon too few projected development sites and will lead to an underestimation of population growth and needs. Expansion of the projected development sites, as discussed in Task 1, would result in a higher net

increase of dwelling units and residents and provide a more accurate basis upon which to determine impacts on existing community facilities and services and develop appropriate mitigation measures.

Health care/day care facilities

Since preliminary findings indicate the need for detailed analyses of health care facilities and day care centers, Task 4 subtasks should be expanded to include a detailed description of tasks to be performed in assessing existing and future conditions and impacts on these facilities. (See CEQR 3C-8, 3C-9) Subtasks currently only cover identification and mapping for general informational purposes, and detailed analyses of public schools and libraries. (See first, second and third bullets on p.13)

In addition to assessing future conditions regarding health care facilities and day care centers with and without the proposed action, the DEIS should include a detailed assessment of future conditions resulting from the inclusionary zoning alternative described in the response to Task 2. Mandatory affordable housing provisions under IZ would most likely result in a higher number of low- and moderate-income units than anticipated in the RWCDs, which may increase the number of health and day care facilities needed in CD1.

Schools

The draft scope proposes an assessment of schools "...noting any specific problems with school capacity." In addition to assessing the capacity of schools, the EIS should review their performance and past grade levels.

The second bullet on p.13 should read: "Identify and locate public AND PAROCHIAL schools..."

Police and fire services

The Rezoning Task Force is concerned that the EIS will not include a detailed assessment of police and fire services. The proposed zoning changes will lead to a significant amount of construction activity in the area over a period of many years, and will have a significant impact in terms of population growth, increased commercial and retail activity, and increased pedestrian and vehicular traffic. Moreover, the recent closing of Engine Company 212 in Williamsburg has left the Greenpoint-Williamsburg waterfront, where significant residential development is being proposed, particularly underserved. In addition to fighting fires, Engine Company 212 served as a first responder on medical emergencies in a neighborhood short on medical facilities. With the increase of restaurant and bars in the neighborhood we have already seen violent crime levels increase. These significant changes and impacts warrant a careful evaluation of fire and police protection services. Above all, the EIS must ensure that the proposed rezoning action brings as little harm to the community as possible.

Reliance on the Police and Fire Departments to, as stated in the draft scope "... routinely evaluate the need for changes in personnel, equipment or facilities based on population, response time, crime levels, or other local factors..." (p.12) is not adequate to protect Community District 1 in the proposed rezoning action. There should be an EIS study on the net population increase and its projected effect on fire response times, firehouse requirements, and crime levels. To exclude such a study is totally unacceptable. It is a matter of Public Safety.

Community District 1 is still one of 3 most industrialized inner-city districts in New York City. It is home to 22 'Toxic Release Inventory' ("TRI") facilities, 211 'Right-To-Know' ("RTK") facilities, Radiac, the Newtown Creek Sewage Treatment Plant, the Mobil Oil Spill, six existing, permitted, or proposed power plants along a 1½ mile stretch of the waterfront, the highly flammable jet-fuel Buckeye Pipeline, and 1/3 of the Bulk Petroleum storage in NYC. The 233 TRI and RTK facilities are registered because of the

quantity of hazardous chemicals stored or used on site. The rezoning will result in a substantial net increase of dwelling units. There must be an EIS study, which evaluates the need for fire protection in light of the ongoing industrial burdens and influx of new residents.

This year's closure of Engine 212 could prove to be a disaster for the community and to the City. Radiac, at Kent Avenue and S. 1st Street, serves as a transfer station for both hazardous chemicals *and* low-level radioactive waste. Because of the spatial inadequacies of the footprint of the facility, Radiac often operates with its doors open during loading/unloading of hazardous chemical and radioactive waste. A Molotov cocktail or a gunshot could set off a calamitous event. Engine Co. 212 *was* located ten blocks from Radiac and could have handled a fire rapidly enough to prevent a meltdown of the low-level nuclear waste (the EPA standard of cleanup of Radioactive events could lead to a 50-year evacuation and quarantine of Williamsburg and parts of Manhattan or Queens, depending on wind direction). This one facility stores up to critical mass of radioactive waste and flammable liquids, reactives, oxidizers, and explosives (up to 15,000 total gallons of hazardous chemical waste).

In addition to Radiac, there are several metal plating companies, large chemical factories, and other bulk chemical-users. Any facility that uses sodium or lithium, or any other oxidizer, which is reactive to air and water, is in need of a "foam" fire response. The power plants store bulk ammonia and oil on site and attach to high-pressure natural gas pipelines, which run through the community. Dealing with these types of fires, on the magnitude of the recent explosion in Port Mobil in Staten Island, requires extensive training of Fire Department personnel. Even more potentially disastrous than any of the above-mentioned facilities is the Liquid Natural Gas (LNG) Storage on the KeySpan site in East Williamsburg. LNG is a condensed and super-cooled natural gas, which is highly explosive and, if ignited or attacked by airplane or missile, would create a fireball reaching Manhattan that would incinerate everything in its path. There is now no trained Haz Mat or foam company within CD#1.

A reasonable study of such facilities must include a comparison of fire, police, and medical emergency response time, as well as available resources in the study area over time, i.e. prior to the most recent census, after the loss of Engine Company 212, during the construction phase (with its occupational dangers); and at the Build year (2013).

Current fire safety services are dependant on an overlapping network of responder units. The demand for service in any area near or adjacent to the study area could potentially impact the ability of responder units to address fire or medical emergencies inside the study area, and conversely. Therefore, the study area should encompass the larger service district when assessing existing resources and vulnerable populations.

The review of fire safety data should also cover environmental factors promoting incendiary risks, and their burn times, to assess whether or not the existing services provide adequate coverage. The study area in this case should include the catchment area for the only nearby Haz Mat unit (Bushwick). Environmental factors to be considered should include, but not be limited to, certified environmental risk facilities, chemical containment, transfer and processing facilities, high risk/vulnerable structures (such as attached wood frame and non-conforming residential loft dwellings), and the increased concentration of restaurants and other fire-prone facilities which warrant chemical containment fire suppression responses.

Mitigation measures

Mitigation for inadequate fire protection as a result of the proposed action could include construction of a new firehouse – or reopening of the existing firehouse. (See CEQR, 3C-11, §550).

Construction activity, ongoing industrial uses and population growth may warrant the reopening of Engine Company 212 or construction of a new firehouse – not merely an adjustment of resources/staffing levels by the Fire Department.

TASK 5. OPEN SPACE

Draft Scope language

Draft Scope Task 5, 1st bullet: Using the 2000 Census data alone to "calculate the total residential population", may not be sufficient. It is known throughout the community that many immigrants did not participate in the Census due to immigration fears. Use of other data sources, including local organizations, and as mentioned in this document under Task 3.

Draft Scope Task 5, 2nd bullet: The area of the McCarren Park pool should not be included in the existing parks calculations as it is not accessible to the public.

Draft Scope Task 5, 3rd bullet: Please confirm that the ratio used as the City guideline for comparison is 2.5 acres per 1,000 users.

Draft Scope Task 5, 4th bullet: The "Olympic Park" area, exclusive of the portion already owned by NY State, should not be included as new open space in the calculations as there has been no capital budget established for the acquisition of these properties- or, a separate study should be performed where it is not used. For the current NY State Park site- calculations should only include "above water" area. **Analysis must include the entire Community District.**

Draft Scope Task 5, 5th bullet: As noted above- new proposed park should NOT be included as there has been no capital budget established for the acquisition of these properties.

Consistency with 197-a Plans

As expressed in both 197-a Plans and in the Community District Needs Statement there is a critical need for public open space for both active and passive recreation in Community District 1. The current Open Space Ratio for CB1 is .5 acres per 1,000 people.

The Rezoning Taskforce is pleased to see the proposal for a Waterfront Access Plan, a recommendation of the Greenpoint 197-a Plan. As recommended in both 197-a Plans, legal and safe waterfront access at all street ends must be immediately provided upon approval of the rezoning action. Also, we strongly support the immediate development of a continuous Shore Public Walkway as part of the proposed Waterfront Access Plan.

As part of this rezoning action, no streets should be de-mapped. Preserve all publicly mapped streets by assessing the feasibility of an overlay action of active and passive parkland for the Olympic Park.

Assessment Criteria and Methodologies

While the population of Community District 1 increased by a moderate 2.8% since 1990, it is expected to increase substantially as a result of rezoning, with close to 15,000 additional residents by 2013, the proposed build year. Should the rezoning area be built to its maximum capacity under the current RWCDs - the resulting Open Space Ratio, including the proposed new open space, would be .56 acres

per 1,000 people. It would be considerably less if additional sites were developed. The NYC average is 3.5 acres, the DCP recommended standard is 2.5 acres and the current Brooklyn average is 1.5 acres per 1,000 people. This is unacceptable and can be altered successfully with proper planning and design.

As the neighborhood continues to be developed there will be less and less land available for open space, and therefore the EIS should include a calculation of the open space ratio based on the full build-out of the proposed rezoning in addition to the 10-year RWCDS. The EIS should also consider open space ratios resulting from the lesser build/lesser density alternative.

In assessing the potential for open space demand generated by employees, consideration should be given to ongoing (and potentially expanded) industrial activity in areas that have been retained for light manufacturing or mixed use. The worker population in these areas as well as non-resident population generated by the proposed action may warrant a more detailed assessment.

It is not clear if DCP's proposed zoning permits various types of boating, docking, mooring and boating infrastructure at waterfront parkland. Such possibilities need to be studied, explored and outreached throughout the citywide boating community.

Present boating access is severely limited. However present boating is identified at the following locations:

- End of Manhattan Ave at Newtown Creek (motor boats, kayaks; etc)
- Bushwick Inlet (light craft, such as rowboats)

Recreational fishing has been identified at the following site:

- Java & India St. bulkhead/pier sit
- End of Manhattan Ave at Newtown Creek
- BEDT Park shore

The EIS should include a study of potential sites for "mooring fields" along the Greenpoint-Williamsburg waterfront to allow for small boating (i.e. kayaking).

A survey of the bulkhead should be conducted along the shore line in the study area to assess the feasibility of different types of Shore Public Walkways, locations for access to the water, construction costs, as well as areas for recreational and fishing and mooring fields.

Mitigation Measures and Alternatives

Draft Scope Task 5, 6th bullet paragraph: Clarification: If the projected open space ratio is less than the City guidelines, discuss potential mitigation measures.

Consideration should be given, in developing mitigation measures, to allocating sufficient/ additional resources to park maintenance for both proposed and existing parks. Currently, neighborhood parks are in a severe state of neglect and disrepair due to a poorly funded parks budget and overuse due to the chronic shortage of parks and open space. Clearly the parks budget will need significant improvement to ensure the long-term success of this rezoning action.

The EIS should outline a procedure resolving the vulnerability to as-of-right development of the sites mapped as park with a zoning of M3-1, including the possibility of immediately condemning the land.

DCP's proposed rezoning proposal calls for thousands of additional units and potential park users in the Barge Park area. DCP must consider present and future active and passive parks & open space needs in the Barge Park area to adequately meet the parkland needs of Greenpoint. DCP should study potential land swaps, projects & the community amenities they represent to create more open space opportunities and to provide an adequate amount of active parkland in Greenpoint, particularly at the northern tip (Barge Park Area) as well as a open space on parcel 62, as discussed under Task 7.

TASK 6. SHADOWS

Assessment criteria and methodologies

- The draft scope proposes to analyze the shadow impacts of new development, much of which will be over 50' tall, on "...natural features, publicly accessible open space, or on historical features that are dependent on sunlight." This scope is not sufficient. The shadow study should include a projection of shadows from each of the potential development sites along the waterfront onto the existing buildings across the street. Proposed rezoning of the waterfront will result in much taller buildings than those that exist in the adjoining blocks. The new buildings could have a significant adverse impact in terms of the shadows they will cast across neighboring buildings and streets, severely curtailing the hours of sunlight, particularly during the winter months when there is the greatest need.
- A shadow study should be conducted for the following public spaces and historic resources, clearly stating how many hours per day the site will be in full or partial shadow for each season:
 - The existing Barge Park Playground
 - The proposed Supplemental Access on "lot 32", (current lot designation on parcel #3)
 - American Playground
 - WNYC Park
 - The current NY State owned portion of the proposed "Olympic Park"
 - All potential landscaped street ends
 - The Greenpoint Historic District
- Because of the natural and historic features of Bushwick Inlet, specific shadow studies should be undertaken to determine impacts on nesting avian and aquatic life as well as the proposed Monitor Museum site.
- The EIS should include a comparative assessment of shadow impacts between the RWCDS (including additional projected development sites, such as the Greenpoint Terminal Market) and a lesser build/lesser density alternative, as well as a redistributed bulk alternative.

Mitigation Measures and Alternatives

- The EIS should explore various alternatives that reduce or eliminate shadow impacts, such as reorientation of buildings and reduced height and bulk as well as specific and detailed mitigation mechanisms.

TASK 7. HISTORIC RESOURCES

Consistency with 197-a Plans

2nd bullet: The Greenpoint Terminal Market should be considered a significant historic resource and consideration should be given to adaptive reuse and preservation of certain buildings in the complex. The Greenpoint 197-a plan specifically calls for the exploration of the “feasibility of expanding the Greenpoint Historic District towards the East River, including but not limited to, parts of the Greenpoint Terminal Market and the north side of Greenpoint Avenue west of Franklin Avenue.”

Methodologies and Criteria

The historic resources study area (including architectural and archeological resources) should extend beyond 400 feet to at least ½-mile from the proposed action area boundary in order to identify potential historic or significant buildings and artifacts that may be impacted by development pressures in the adjacent neighborhoods. As-of-right development under the proposed rezoning could lead to the demolition or substantial alteration of historic industrial buildings within the proposed action area. It could also lead to development pressures and similar impacts in adjacent areas.

1st and 4th bullets: Parcel 62 should be considered an archaeological resource. It is the site of the former Continental Iron Works. The Civil War Ironclad "Monitor" and 8 other monitor class ships were built and launched from this site. They are a major part of United States history.

Since much of the site has not been developed but is simply paved over there is a high likelihood that it may contain archaeological artifacts. The EIS should undertake a detailed historic assessment of the site, with maps showing uses during the abovementioned shipbuilding period and subsurface analyses to determine the location of potential archaeological artifacts

2nd bullet: The EIS should identify, map, and describe both small and large industrial buildings that contribute to the historic, architectural and mixed use character of the neighborhood, but are no longer used for industry. These buildings will be vulnerable to demolition as a result of rezoning but could be adaptively reused for housing and mixed-use purposes, thereby satisfying the community's desire for expanded housing, community facilities, reuse of existing buildings, and saving the historic and characteristic *village quality* of the area. Consideration should be given to recommending landmark status for some of these buildings.

Although the study area encompasses the Greenpoint Historic District, it includes only a few officially designated landmark buildings. In addition to considering designated historic landmarks the EIS should recognize the unique historic industrial character of Greenpoint and Williamsburg as a significant resource.

3rd bullet: Also submit proposed action to the New York State Historic Preservation Office (NYSHPO)

7th bullet: The EIS should assess probable impacts of development resulting from the proposed action on historical and cultural resources as well as architectural.

Mitigation Measures and Alternatives

- The EIS should consider various mitigation measures for preserving, historic, architectural and archaeological resources and sites, including transfer of development rights.

- The EIS should consider specific incentives for adaptive reuse of industrial buildings; thereby protecting the architectural qualities and historic character of the neighborhoods.

TASK 8. URBAN DESIGN/VISUAL RESOURCES

One of the most important characteristics of Greenpoint and Williamsburg, aside from the human scale and “village quality” of these neighborhoods, is the sense of space afforded by low-rise buildings and open vistas, reflected most clearly in the spectacular waterfront views of the East River and the Manhattan skyline. The proposed action has the potential to significantly impact these qualities and views.

Consistency with the 197-a Plans

Both the Greenpoint and Williamsburg Waterfront 197-a Plans state the need to maintain open views to and beyond the waterfront. The RTF is concerned that the proposed rezoning action will promote development that will dominate the skyline and substantially change the current visual context. Views of the East River against the backdrop of Manhattan will be limited to narrow view corridors, and piecemeal development of the shore public walkway will limit waterfront access and open views to a few specific locations.

Assessment Criteria and Methodologies

- The draft scope should include a more detailed list of subtasks related to urban design and visual resources in order to ensure an adequate assessment of potential impacts of the proposed action and the development of adequate mitigation measures and alternatives.
- Tasks related to the assessment of visual resources and impacts should be more specific in terms of the selection of viewpoints and assessment criteria and methodologies. The selection of viewpoints should not be limited to views toward the waterfront and resources of visual or historic significance within the proposed action area and adjacent areas. Additional viewpoints should include:
 - Views toward Greenpoint and Williamsburg from more distant locations, with a viewshed extending up to one mile from the boundary of the proposed action. In addition to examining near field visual impacts, the EIS should examine the cumulative impact of new development on views from, for example, the 59th Street Bridge, the Long Island Expressway, and the east side of Manhattan.
 - As an example, with reference to the first bullet point on page 16: The “village quality” of the Greenpoint neighborhood, with its two- to four-story rowhouses punctuated by church steeples, should be included in the description of urban design and visual resources, as it relates to distant views. Graphic material should include photo-simulations depicting Greenpoint in the future with the proposed action, or RWCDs, as seen from the 59th Street Bridge.
 - Important vistas, such as the Manhattan skyline *beyond* the low-rise neighborhoods of Greenpoint and Williamsburg, as seen from the Long Island Expressway and the BQE.
 - Views from natural, recreational, cultural and historic resources within the action area and broader study area as well as more distant locations. (See fifth bullet point on page 16) Graphic material, for instance, should include a photo-simulation depicting the view toward Manhattan

from the steps of St. Anthony's church in the heart of the Greenpoint Historic District.

- Elevated views toward the waterfront, from schools, churches and other public buildings within the proposed action area and adjacent areas, in addition to street level views from residential neighborhoods and commercial districts.
- Bushwick Inlet is an historic and natural area and an important visual resource. Primary consideration should be given to visual impacts of projected and potential new development on this resource, both in terms of retaining open views and vistas and providing appropriate backdrops.

Mitigation Measures and Alternatives

In addition to considering the zoning text amendment's modifications to the use and bulk regulations within the area governed by the WAP (third bullet point on p.16), the EIS should consider guidelines related to the orientation or arrangement of buildings on the site, as mitigation against potential adverse urban design and visual impacts.

Assessment of alternatives, as described in Task 22, should include a comparative photo-simulation showing future conditions with the proposed action and future conditions with a lesser build alternative as well as a redistributed bulk alternative proposed by the RTF in Task 22, from viewpoints within the action area and adjacent neighborhoods as well as more distant locations.

3-D studies or photo-simulations should show massing options for the proposed action on the waterfront development sites in the following 2 ways:

- Lower street wall with higher towers
- Higher street wall with lower towers

TASK 9. NEIGHBORHOOD CHARACTER

The very character of the neighborhood that makes it so attractive to new residents is the very thing that that has the potential to disappear as a long-term result of the rezoning. The neighborhood character of Greenpoint-Williamsburg should be considered as a delicate balance of diversity that has grown and developed over many generations. The diversity within the neighborhood should be understood as a very sensitive and interdependent character; not as a varied context capable of tolerating great changes.

Draft Scope language

Draft Scope Task 9, 2nd bullet: As described in the Draft Scope, the EIS will assess the potential of the neighborhood character in the future without the proposed action. The EIS should separately focus on the waterfront areas and the upland areas, considering scale, diversity of population, diversity of use, and vehicular and pedestrian traffic patterns.

Draft Scope Task 9, 3rd bullet: Clarification: The EIS should have its own fully detailed section on Neighborhood Character; not only rely on other sections of the EIS.

Consistency with 197-a Plans

The massive and bulky development proposed for the waterfront areas is out of scale and character with the existing neighborhood. The proposed street wall does not effect “contextual” development in a way that is appropriate to this neighborhood. Additionally, as discussed earlier in the document, the market rate units are targeted for an income bracket not currently present to a significant degree in the neighborhood, exacerbating the residential and business displacement.

Assessment Criteria and Methodologies

As recommended in the CEQR manual, the study area should be coterminous with the Land Use study area.

All assessments of impact on neighborhood character should be closely analyzed in relation to impacts on urban design/visual resources and the comments in Task 8.

Field visits and photographic surveys should be conducted and designed to recognize the complex, unique, and delicate set of cultural and economic diversities that make up Greenpoint and Williamsburg. Multiple field visits should be made during typical weekday, typical weekend day, typical weekday night and typical weekend night

Interviews with residents, workers, and visitors should be conducted.

Mitigation Measures and Alternatives

The EIS should carefully and thoroughly review all of the alternatives described within this document, related to density and distribution of bulk, street wall heights, economic development, affordable housing, transportation, and parks and open space as mitigation measures for impacts on Neighborhood Character.

TASK 10. NATURAL RESOURCES

Greenpoint and Williamsburg’s primary natural resources are the East River and the Bushwick Inlet. The proposed action may significantly impact these resources. The development of new buildings, roadways, parking lots, and other paved surfaces in the upland areas will increase the amount of storm water runoff into the East River and the Inlet; high rise development on the waterfront may cast prolonged shadows on the Inlet; the rehabilitation or new construction of marine structures, such as bulkheads, piers, etc. will alter existing marine habitats; and remediation of Brownfield sites may affect groundwater conditions.

Draft Scope Language

The draft scope does not go into sufficient detail in outlining tasks for the EIS.

Consistency with the 197-a Plans

The draft scope does not mention the Bushwick Inlet, which is considered to be a major natural resource in both the Greenpoint and Williamsburg Waterfront 197-a Plans. Forms that were submitted by DCP in the EAS indicate that the Inlet has not been adequately studied to determine its value as a tidal wetland and nesting area for avian and aquatic life.

Assessment Criteria and Methodologies

Assessment of existing conditions, as stated in the CEQR Technical Manual (Chapter 3i, §320) should include field reconnaissance, and detailed surveys and research as needed.

Bushwick Inlet

The EIS should place emphasis on the Bushwick Inlet as a natural resource in assessing existing conditions and future impacts, by determining: (a) its value as a tidal wetland for recreation, open space, marine habitat, flood or storm control, groundwater recharge, etc.; (b) current levels of environmental degradation; and (c) the extent of remediation and wetland restoration required.

In addition to examining existing conditions with regard to the Inlet, the EIS should examine conditions that may be expected in the future, with and without the proposed action, resulting from the environmental remediation of adjacent sites, increased storm water runoff, and public access.

DCP should consider extending the proposed parks mapping further north to provide greater habitat protection of the Inlet. ("In the City of New York, the tidal wetland adjacent area as defined by State wetland regulations, usually includes the landward area within 150 feet of the wetland." §122, CEQR 3I-4)

Fish and other habitat

The EIS should include an assessment of resident nesting and migratory birds, foliage and fauna along the East River and in particular the Bushwick Inlet in addition to fish/aquatic life. The avian study provided by the community to DCP should be included in the study of Natural Resources.

Runoff

Studies are needed to determine the extent to which future development activity under the proposed action will increase surface water runoff from existing outfalls in addition to evaluating the impact of new outfalls. Increased outflow from the existing outfall located at the northern tip of the Bushwick Inlet may already pose a threat to the historic and natural value of the Inlet.

Floodplain

As indicated in the CEQR Technical Manual, "...an important consideration is that portion of the area that is low enough to hold floods during large storms." (CEQR Chapter 3I, §113). Much of the new development as a result of the proposed action will occur along the East River waterfront, which is subject to flooding from storm surges. (See SLOSH map – Sea, lake and overland surges for hurricanes) New construction will result in significant changes to the floodplain that may reduce its capacity for flood retention or alter storm water flow characteristics. (CEQR Technical Manual, p. 3I-38)

Mitigation Measures and Alternatives

The EIS should consider limitations on impervious surfaces in new construction as mitigation against increased runoff, consistent with environmental recommendations in the Greenpoint and Williamsburg Waterfront 197-a Plans.

TASK 11. HAZARDOUS MATERIALS

Assessment Criteria and Methodologies

The Greenpoint-Williamsburg waterfront has been home to many industries including, but not limited to; a petroleum product storage, shipbuilding industry, the ceramic industry, tanning facilities, and other chemical-based industries – all activities requiring assessment in the CEQR Appendix 1.

Additionally, the area between the south side of the USA Waste property and the Bayside site had train tracks running to the East River; all tracks in the mid 1900s were sprayed with agent orange (dioxin) to control weeds. Before the 1900s, coal tar piles were stored on this site. Soil sampling in the 1990s showed lead, heavy metals, arsenic, and cyanide, probably residual from both the train yards and the coal tar gasification process.

Tank farms still exist on the Bayside site and the Con Ed property at N. 1st Street.

DEC Spills mapping shows that the aquifers of this waterfront area are the most contaminated by petroleum products of any aquifers in the City and must be taken into consideration.

Mitigation Measures and Alternatives

Because these industries were present throughout the waterfront, it is expected that most sites will require Phases I and II of an ESA. The EIS should specifically list for each waterfront site if site reconnaissance was performed or whether it was not possible due to private ownership

The EIS should suggest a remediation plan for the contaminated waterfront sites, addressing among other things contamination that may be especially prohibitive to development.

TASK 12. WATERFRONT REVITALIZATION PROGRAM

Applicable Policies

According to the draft scope, the EIS will include a detailed assessment of the proposed action's consistency with WRP Policies 1, 2, 7.2, 8, 9.1 and 10. Other policies that should be regarded as applicable include: Policy 3, general statement – related to ferry transportation; Policy 3.2 (B), related to recreational boating at Bushwick Inlet; possibly Policy 3.3 (D), related to boat access at the Bushwick Inlet; Policies 4.2 (A) and 4.2 (B), related to wetlands; Policy 5.2 (A), related to stormwater runoff; and Policy 6.2, related to the protection of public open space and recreation facilities.

Consistency with 197-a Plans

The rezoning plan- as currently proposed by DCP- is not in compliance with policies 9.1 (A), 10 and 10.2 of "The New Waterfront Revitalization Program (1999)- specifically on parcels #56, #60 and #61 in Greenpoint, and parcel #199 in Williamsburg.

Policy 9.1 (A) states: "Ensure that new buildings and other structures are compatible with and add interest to existing scenic elements, such as landmarks, maritime industry, recreational and boating facilities, natural features, topography, landforms and the botanic environment. Among the measures that may be considered are grouping or orienting structures to preserve open space and maximize views to and from the coast, and incorporating sound existing structures into development where harmonious with their surroundings." DCP's current proposal provides no incentive for the reuse of the existing sound structures on parcels #56, #60 and #61. In fact, the DCP presentation materials indicate (6) towers on

these properties. In addition, the Greenpoint 197-a Plan states these buildings should be re-used. The bulk proposed on these blocks as well as parcel #44 are not compatible with the scale and character of the adjacent landmark district. Parcel #222 in Williamsburg contains a building of significant historic architectural significance- an industrial building designed by Cass Gilbert. The bulk proposed for parcel #199 is not compatible with the scale or character of this building.

Policy 10.2 states: "Protect and preserve archaeological resources and artifacts". Parcel #62 should be considered an archaeologically sensitive location. It is the site of the former Continental Iron Works. The Civil War Ironclad "Monitor" as well as 8 other monitor class ships, was built and launched from this site. As the majority of the site has not been built upon - but simply paved over - there is a high likelihood of archaeological artifacts existing on the site. The current DCP plan indicates the construction of new towers on this site.

TASK 13. INFRASTRUCTURE

Upgrading of any and all services in the street, water, sewer, electric and gas will have a great impact on the surrounding community during construction and due to potential discontinuations in service. The upgrade of telecommunication other services should be considered an important element in the retention and increase of businesses.

Consistency with 197-a Plans

Development of all of Greenpoint-Williamsburg's infrastructures so as to accommodate all forthcoming residential, commercial and other development is entirely consistent with Greenpoint-Williamsburg's 197-a Plan.

Telecommunication and high-speed internet services in the area already do not meet the great and increasing demands. Current businesses and residential units have difficulty getting and maintaining service in the area.

The sludge storage tank property, owned by the NYC Department of Environmental Protection (NYCDEP), was the subject of the Uniform Land Use Review Procedure (ULURP No. C 960404 PCK) and City Council Resolution No. 2115, dated January 8, 1997. As part of the administrative implementing conditions of the ULURP resolution (contained in a December 19, 1996 letter) the NYCDEP was directed to close the sludge storage tank and maintain the former site as open space. Development on the site of the sludge storage tank shall be wholly consistent with the Council and ULURP Resolution that reserved the property, if the tank is demolished, towards the development of a park and should not be considered a site for potential residential development.

The large developments along the waterfront could result in as much as 10,000,000 mgd of additional sewage to the Newtown Creek Sewage Treatment Plant. This additional tonnage may be a problem for the plant and for the sewage pipes under the streets. Replacing existing pipes would significantly disrupt the neighborhood. Pile driving for new construction will create vibrations, which could impact existing infrastructure and housing stock.

Mitigation Measures and Alternatives

A study of mitigation measures should be based on actual existing service and capacity and project an expansion of lines and services. The EIS should suggest mitigation measures for the disruption to

residents and existing infrastructure that will occur as all services, especially underground wiring, are upgraded because many lines now run in and around existing buildings.

The draft scope should recognize the City Council Resolution and the letter dated December 16, 1996 with respect to the sludge storage tank property through and eliminate references to this property in Task 13.

TASK 14. STORMWATER – (EAS: SOLID WASTE AND SANITATION SERVICES)

Many new commercial establishments, e.g. restaurants and retail stores, will be associated with the creation of new residential units, both within the action area and the broader study area. Because the neighborhood is already over-burdened with waste handling, mitigation measures should be recommended to address the effect and burden of increased commercial and residential waste handling in the area.

Many problems with flooding due to sewer back-up have been noted in the Greenpoint area. The current sewage system is overloaded throughout Greenpoint. The EIS should study the current problem and recommend mitigation for any further strain on the storm water system that increased development will create.

TASK 15. ENERGY

The EIS should include a discussion of energy conservation measures and sustainable building practices, including green buildings and green roofs, beyond the New York State Energy Conservation Code as mitigation for increased energy demands resulting from new development.

The EIS should also discuss the potential impact of new development in terms of additional load and service connections on the existing infrastructure.

TASK 16. TRAFFIC AND TRANSPORTATION

In general, the proposed traffic study appears adequate for determining the environmental impact of the rezoning on routine commuter traffic. **However we are concerned that the Draft Scope overemphasizes residential automotive routes, while providing a comparatively limited and unspecific intent to study the impact of the rezoning on commercial traffic and public transportation.** Transit capital investment and traffic demand reduction strategies must be made wholesale parts of any development plan.

In general, transportation mitigation measures should minimize the diversion of highway auto and truck traffic to local streets; improve and create opportunities for pedestrian/bicycle travel; increase the effectiveness of mass transit; address the needs of emergency response personnel and vehicles; and enhance the opportunities for the efficient movement of goods and other commercial services.

Task 16A. Traffic

Assessment Criteria and Methodologies

Study Parameters

It is anticipated that the Shore Public Walkway will be an extremely vibrant and popular destination. The Shore Public Walkway is a desperately needed amenity for many residents in Brooklyn whose neighborhoods are underserved with open space. Therefore, we expect the Shore Public Walkway to be very heavily traveled on Sundays, similar to the Hudson river Park on Sunday. Subway, bus, pedestrian and car access programs to the park will also affect Sunday travel to the park. **The EIS should analyze Sunday traffic.**

In addition to the weekday AM, midday, and PM peak hours, the EIS should examine non-standard peak commuter hours, such as weekday early morning and late night. A large part of the Greenpoint-Williamsburg population does not work standard 9am – 5 pm hours. Additionally, Greenpoint and Williamsburg have a thriving nightlife and are a destination for both tourists and city residents who frequent local restaurants, bars, and nightclubs. **For nightlife traffic, examine weekend and weekday evening hours, possibly (9pm-12am).**

Study Area

Please define criteria for selecting intersections. Study all streets and intersections that have direct access to significant public features i.e., park, malls, church etc.

Define and explain the reasoning for the boundaries of the primary and secondary study areas. Is the study area and intersections to be analyzed based on current major traffic routes or anticipated major routes considering rezoning impacts? Identify and clarify the role of upland connectors in automotive, pedestrian, and bicycle routes.

Data

Identify the date and source of the DDC's study and other past studies, qualify the data's appropriateness and explore the possibility of updating the data. All volume data should be no older than 3 years, as recommended in the CEQR manual.

Available traffic data, "based on U.S. Census Data and Standard References", is neither specific enough to this study area, nor current enough to be entirely useful. Explore the possibility of updating the data and coordinating this data with other agencies that are anticipating projects in the area.

As previously stated in this document, the RWCDS underestimates development. Adjust all calculations to accommodate the increased development as suggested earlier in this document.

Assess all construction period traffic impacts will be assessed QUANTITATIVELY. Construction period impacts are not simply a qualitative, or quality of life adjustment, but are to be coordinated exactly so as to give the least amount of obstruction to residents and business owners.

Mitigation Measures and Alternatives

Truck Routes

The locations of both designated and "unofficial" truck routes are a current concern in Greenpoint-Williamsburg. The traffic assessment will reflect existing truck routes and should include the impacts of

the existing truck traffic on the new and existing residential and commercial communities. **However, in order to maintain a healthy and vibrant community, the EIS should evaluate alternative truck routes and suggest mitigation measures for truck traffic impacts.** This study should include the requirements for loading docks, curb cuts, and turning radii of trucks to assess any impacts on residential streets. **Any modifications to truck routes must balance the needs of the existing and new businesses as well as the residential population.** The Draft Scope should cite a specific development agenda for Kent Avenue. Define and qualify the approach and departure routes in the truck trip generation analysis.

Water Taxi Service

The Draft Scope states that the EIS will “develop planning criteria and forecast demand for the new waterfront park and water taxi service”. **The scope should evaluate the adequacy of pedestrian, bus, and subway access to potential water taxi/ferry sites.**

The amount of water taxi stops as well as their locations and distance from each other should be studied. The RTF has identified three possible water taxi station sites along the Greenpoint waterfront which we believe would not interfere with the creation of open space and primary active/passive parkland sites:

- a. Proposed pier at Klein’s development away from active parkland use
- b. Green St pier
- c. Kent St side of WNYC Transmitter Park

The Draft scope should study water taxi stops along the Williamsburg waterfront at North 6th or 7th streets and Broadway as suggested in the 197-a Plan

Any water taxi sites should be studied and considered with attention paid to their potential effect on active and or passive parkland use as well as on surrounding human, avian and marine life. The WAP should indicate that craft should be "low diesel" and "low wake hull" in order to have minimal impacts on aquatic life and other waterborne craft.

Bike Paths

As part of a commuter transportation as well as recreational activity, the EIS should study the feasibility of bike paths to be incorporated into the Shore Public Walkway & parkland system. Also, study the possibility of an uninterrupted bike path along Kent Avenue and West Street.

Task 16B. Parking

Assessment Criteria and Methodologies

Parking waivers through use of Quality Housing and Subsidized/Elderly Housing waivers

Several provisions in the Zoning Resolution provide for the partial waivers of parking requirements in certain circumstances, including the development of elderly housing and the use of public subsidies. The scope of the parking analysis needs to take into account the likelihood of the use of these programs and how this would affect parking.

Commercial and Residential vehicles

Commercial vehicles are limited in their ability to stand or park on residential streets. Residential vehicles are similarly excluded from parking in loading zones. Considering the mixed-use nature of Greenpoint-Williamsburg and the proposed density changes, the scope of the parking analysis must

evaluate the impact on parking for both residential and commercial vehicles. Additionally a parking analysis should take into account the parking that will be lost as surface parking lots are removed to make way for development.

Bicycle Parking

When estimating capacity, the EIS should take into account bicycle parking equipment near all major transit hubs (particularly Bedford Avenue station, Nassau Avenue station, and Greenpoint Avenue station), major bus stops, near parks, and at major intersections along the waterfront park. Project future additional bicycle use both with and without public provisions for bicycle parking.

Mitigation Measures and Alternatives

In many parts of the neighborhood, the lack of available surface parking is a major problem. **The EIS should consider minimizing parking requirements as a potential discouragement of vehicle usage.** This requires that both residential and commercial transportation routes and linkages be reviewed to address improvements; especially public transportation upgrades to accommodate population increase. Additionally, setting lower parking requirements (with a capped maximum allowance) near major transit stops will prevent auto-oriented uses from occupying land near subway and bus stations, and stimulate the use of alternative modes of travel.

Task 16C. Transit and Pedestrians

Assessment Criteria and Methodologies

According to Table 2 of the Phillips & Habib analysis included in the Draft Scope, the modal split heavily favors subway use (anecdotally, bus usage appears to be grossly understated, and unreflective of the increased demand for bus service). If 55% of Greenpoint trips and 60% of Williamsburg trips are generated by subway service, then surely the analysis of subway and bus service should be at least as detailed as the automotive traffic analysis. Given the neighborhood's dependence on public transportation, there is an imbalance in the study; there are over 70 intersections designated for study in the traffic analysis, only three pedestrian intersections and not one specific bus or subway station. **The emphasis of the Draft Scope must be altered to accurately reflect the dependence of current and future residents of our community on public transportation.**

Methodology

We encourage the Department of City Planning to take this opportunity to innovate a more public transit-oriented approach to the field of traffic impact study. In particular, we note that there are several elements of the traffic study methodology that are analogous to public transit and which should be included in the scope for the public transit study. These include: travel speed and delay runs, volume to capacity ratios and a physical data inventory.

Bus and Subway Nodes for Analysis

Particular attention must be paid to inter-modal transfers between the bus and subway.

Redistributed height and bulk will certainly impact these nodes and intermodal transfer points. It is essential that these and other public transit nodes be examined in the EIS in much greater detail than currently proposed.

The EIS should be expanded to identify specific bus and subway stations, with “rider counts” discussed in the same manner as traffic and pedestrian counts. At the minimum, the analysis must examine peak hour usage at the Bedford and Lorimer Street L train stations; the Metropolitan-Grand, Nassau Ave., and Greenpoint Ave., G train stations; the Marcy Avenue J/M/Z station; and key B61 and B43 transfer points at Bedford and North 7th, Manhattan and Greenpoint Avenues, and the cross-river routes at the Williamsburg Bridge. Because the G is the only subway serving Greenpoint, the EIS analysis should include the G line’s above and below-ground connections to other train lines including but not limited to the “L” at Metropolitan; the 2,3,4,5 at Atlantic Ave; the C at Lafayette; the 7 train at 45th St.; and trains at Court Square and Queens Plaza.

Mitigation Measures and Alternatives

Transit overcrowding and trip length

The EIS must address overcrowding and increases in trip length and should address mitigation for these problems mentioned. Specific existing community concerns include overcrowding on the L train (during the AM rush hour at Bedford Avenue it is routine that trains are unable to accommodate the riders on the platform, or for overcrowded trains to skip the stop altogether) and the MTA’s elimination of direct G train transfers to several Manhattan-bound trains during peak hours. The analysis should also include a study of the capacity of the Driggs Street entrance (which is currently severely overcrowded) at the Bedford Avenue stop on the L as well as the potential for a new subway stop at Kent Avenue.

In addition, the shortened G train that currently terminates at 23rd Street-Ely Avenue during rush hours should be studied in light of increased subway usage. **A study of the restoration of full G service as mentioned strongly in the District Needs Statement should be included.**

Bus Rapid Transit

In addition to evaluating local subway and bus service, a MetroCard-based Bus Rapid Transit (“BRT”) corridor should be implemented from Red Hook to Queens Plaza, connecting North Brooklyn’s waterfront neighborhoods and parks, as well as opportunities for free and easy transfer to other mass transit options. The BRT will serve two purposes: it will provide a link between various recreational waterfront destinations; and it will provide additional transfer options at all major existing mass transit links to subway and local bus service, from Red Hook to Queens Plaza. BRT stops should include Red Hook, Fulton Ferry Landing, Jay Street/Borough Hall (connect to existing subway and local bus service), Marcy Avenue (connect to existing subway and local bus service), Bedford Avenue (connect to existing subway and local bus service), Greenpoint Avenue (connect to existing subway and local bus service), Long Island City (connect to existing subway, ferry, and local bus service), and Queens Plaza (connect to existing subway and local bus service).

Through the Northside Williamsburg community, the best BRT route would be along Kent Avenue up Franklin Street, with adequate mitigation measures. Kent Avenue and Franklin Street are part of a major truck route. In addition to repairing Kent Avenue and Franklin Street, DDC will need to make infrastructure adjustments to accommodate higher volumes of pedestrian and bicycle traffic, since the truck route lies parallel to a proposed major recreational destination and residential population. The study must provide adequate accommodation of both pedestrian and bicycle traffic, and anticipate that pedestrians in particular will need added safety measures as they enter and exit the waterfront park.

BRT measures for Kent Street and Franklin Avenue should include a study of:

* Installation of traffic signals and signage at major street crossings, with right-of-way signaling and BRT lane.

* Construction of a central median with plantings to emphasize proximity to park space; also to provide a safe resting place for pedestrians who need extra time to cross (senior citizens, people with small children, etc.). The central median on Kent Avenue can also be utilized to discourage unnecessary traffic turns onto side streets; DCP should study building continuous medians through certain intersections to help preserve safety and reduce noise on residential streets near the park.

Coordinate with Open Space

Pedestrian safety and access routes need to be identified and addressed for each park or open space as well as to the Shore Public Walkway. Access routes should include bus routes to Shore Public Walkway access points, upland connectors, and water taxi stops.

TASK 17. AIR QUALITY

CB1's severe lack of tree canopy cover plays a significant role in CB1's high asthma rates.

Assessment Criteria and Methodologies

The most significant problem associated with the proposed action is an increase in P.M.2.5 during construction, both from dust emissions and the operation of construction equipment. Higher wind conditions on open waterfront sites within the action area will create more widespread problems with P.M.2.5 than upland construction. Since much of the soil on these sites is likely to be contaminated with heavy metals, and will be further contaminated with lead paint and asbestos fibers after the demolition of existing buildings, dust mitigation and monitoring should be specifically mentioned in the draft scope, as should VOC vapors and odors.

The mobile source analysis should include an assessment of impacts from water taxis and ferries that may be put into service as a result of the proposed action.

Mitigation Measures and Alternatives

The EIS should examine the tree canopy cover, planting of trees, ground cover and other vegetation as mitigation against potential adverse air quality impacts of the action induced development. Specific measures the EIS may consider include: the restoration of funds to replant trees and prevent further loss due to the Asian Long Horned Beetle; funding for outreach to property owners about the importance of planting trees; mandatory provisions for tree planting in every new development; and establishment and maintenance of adequate standards for tree plantings.

TASK 18. NOISE

Noise from construction and programs related to the proposed development may be disruptive to existing residents, businesses and natural habitats.

Assessment Criteria and Methodologies

Pile driving is likely to be the most significant noise pollution from the proposed action, as it has been for residents during construction at the Newtown Creek Sewage Treatment Plant and the Schaeffer Brewery. Especially on the waterfront, where much available property is landfill, pile driving will play a significant role in foundation construction.

Mitigation Measures and Alternatives

The EIS should recommend that all pile driving only occur during business hours on weekdays. Additionally, any docks for all motorized, waterborne transportation should be located away from natural habitat and parkland uses because this type of traffic often disturbs natural habitat and disrupts the enjoyment of open space. The WAP should indicate that craft should be “low diesel” and “low wake hull” in order to have minimal impacts on aquatic life and other waterborne craft.

TASK 19. CONSTRUCTION IMPACTS

Construction impacts from future development resulting from the proposed action will be enormous and will most likely affect the Greenpoint and Williamsburg communities for 20 years, not 10. In either case, they will be more than a passing, or “temporary” condition. It should be noted that large development projects might take up to several years to complete. **The EIS should consider the cumulative impacts of several large construction projects occurring over the same time period on the waterfront. This is particularly important in terms of traffic impacts (Kent Avenue is a major truck route and is being scheduled for reconstruction), air and noise impacts, and public waterfront access.**

There will be considerable air quality impacts from P.M._{2.5} and VOC vapors during site remediation, excavation and construction and from lead and asbestos particles during the demolition of existing buildings. Careful consideration for soil removal, dust suppression, truck sanitation (i.e. truck covering/tarping, tire washing) and soil storage (as samples are analyzed for soil deposition, soil is often stockpiled for 2-3 weeks) should be mentioned in the scoping document. These activities have a much greater impact than truck trips. Air monitoring should be addressed in the EIS as a necessity for each demolition, excavation, and building project, with the installation of periphery as well as community monitors for P.M._{2.5} and VOCs.

Other important construction impacts that should be considered in the EIS include:

- noxious odors from BTEX and other VOC contamination during soil excavation;
- off-site parking by construction workers;
- vibration and noise from pile driving;
- water runoff to the East River during excavation, demolition and construction, and;

Finally, construction impacts may not come from onsite construction alone. Off site impacts must also be evaluated. Service disruptions, street closures and traffic impacts related to the connection, installation or upgrading of water mains, sewer lines, utilities and telecommunications infrastructure on large development projects must be taken into consideration in the EIS, with the study area expanded beyond the ½ mile boundary in some instances and the importance of inter-agency coordination addressed.

Mitigation Measures and Alternatives

All mitigations suggested in the EIS should be explicitly enforceable.

TASK 20. PUBLIC HEALTH

It should be noted that there will be adverse impacts on public health both *during* demolition/construction and *after* projects are completed.

Consideration should be given in the EIS to specific requirements for construction and development, aimed at minimizing potential adverse impacts to public health, including: community air monitoring for P.M._{2.5} and VOC contaminants, as discussed in response to Task 19; the appointment of a community oversight committee for each waterfront development project and; mitigation and emissions offsets.

Green building technology would considerably offset the public health impacts of future development related to energy use, heat impacts, ozone creation, and gray water production. **Green buildings and green roofs should be a requirement of all development projects permitted under the proposed action.**

TASK 21. MITIGATION

Mitigation measures have been addressed within each Task and other section within this document.

TASK 22. ALTERNATIVES

Alternatives should be assessed to a high level of detail in order to make meaningful comparisons with the proposed action and that quantitative assessment, where the impacts of the alternative are quantified, is preferable to a qualitative assessment. As stated in the CEQR Technical Manual, "...This is usually accomplished by applying the same methodology as that used for assessment of the proposed action." (See Chapter 3U, Section 320 on p.3U-3)

- **In addition to the build and no-build alternative under the RWCDS, and the lesser build alternative, the EIS should study all alternatives mentioned in earlier sections of this document, including but not limited to:**
 - Under Task 3, mechanisms to mandate affordable housing and prevent residential displacement
 - Under Task 5, Additional open space opportunities
 - Under Task 7, incentives for adaptive re-use of industrial buildings
 - Under Task 8 and 9, options for massing and bulk distribution to maintain visual resources and neighborhood character
 - Under Task 16, transportation alternatives and improvements
- **The EIS should study the following alternatives relative to economic development:**
 1. **Except for areas that are abutting existing or proposed open space, all areas proposed to be mapped as MX should be mapped with a modified "MX" zone which includes the environmental protections of the existing text as well as text to ensure a balance of uses in the proposed MX areas.**
 2. **In the absence of a modified MX text, the Committee recommends that the Special Northside Mixed Use District be mapped in proposed MX areas in the Northside, except for areas abutting existing or proposed open space.**

- 3. The EIS should address and study the use of a commercial overlay in Greenpoint, as a more inclusive designation that will allow for a variety of non-polluting commercial enterprises other than just retail.**
- **The EIS should examine an additional build scenario with a redistribution of bulk and massing regulations as described in “Attachment A”.**

TASK 23. SUMMARY EIS CHAPTERS

CB1 will not be commenting on this task.

TASK 24. EXECUTIVE SUMMARY

CB1 will not be commenting on this task.

Attachment A

An Alternative Build Scenario with a Redistribution of Bulk and Massing Regulations

Community Character and Quality of Design

Currently, there are fewer than 30 buildings within the study area boundary taller than 60' in height, with the vast majority less than 30' in height. R6, R6A and R6B each allow buildings 50' in height and larger, inherently out of scale with surroundings

An overall contextual strategy must be overlaid with the fine-grained study that DCP has conducted. This ensures a more comprehensive development scenario throughout the neighborhood and prohibits spot zoning while promoting developments appropriate in scale to the existing neighborhoods of Greenpoint and Williamsburg.

Distribute height and bulk between the upland and the waterfront as proposed in the below recommendations, and as opposed to along the waterfront, by promoting mixed and multi-use streets in the following "Primary Community Corridors":

Metropolitan Avenue; the BQE to the East River
North 6th Street; Bedford Avenue to the East River
Greenpoint Avenue; Manhattan Avenue to the East River
Green Street; Manhattan Avenue to the East River

Map each "Primary Community Corridor " with an R6A zoning designation in the upland blocks with slightly more height and bulk along the waterfront block. This higher density designation on waterfront parcels are contained within or adjacent to the Primary Community Corridors and is not to exceed R7 height and density regulations, reducing the size and number of towers on the waterfront properties. Overlay each Primary Community Corridor with a commercial component encompassing a wide range of Use Groups.

Enlarge study area map boundary to include areas listed in comments for "C. Description of the Proposed Action, The Proposed Action".

The blocks bounded by the Williamsburg Bridge to N 3rd Street, the waterfront to Wythe Avenue should be zoned M1-2 with an incentive for adaptive re-use of the existing buildings.

Map remaining areas with a lower density Residential or modified MX designation.

Mandate Quality Housing throughout the rezoning.

Encourage the renewal of the existing housing stock and infill housing upland by limiting building heights to discourage zoning lot assemblages. Limit building heights at waterfront parcels to ensure new developments meld with their surroundings.

Primary Community Corridor, upland: Maximum 70'
Primary Community Corridor, waterfront: Maximum 80' with a maximum tower height of 150'
In-between, upland: Maximum 50'
In-between, waterfront: Maximum 50'

Maintain relative consistency of Floor Area Ratios (FAR) throughout the community.

Primary Community Corridor, upland: max FAR = 3.0
Primary Community Corridor, waterfront: max FAR = 3.5
In-between, upland: max FAR = 2.2
In-between, waterfront: max FAR = 3.0

Mandate a balanced housing program addressing the need for affordable housing for very low, low and middle-income residents, including families and senior citizens, rental and home ownership.

Promote quality development throughout the community by providing incentives (FA bonuses, parking waivers, etc.) for the following:

- a. New Community facilities such as hotels, performing art centers, day care centers, public pools, "skate board" park, "music barge", public boat launch, fishing, and the like.
- b. Quality accommodations for existing community facilities such as El Puente High School, River School, etc
- c. State of the art facilities catering to sustainable business/manufacturing practices and high performance light industry.
- d. Adaptive re-use of existing industrial buildings, particularly with an eye to structures with historic significance.
- e. Rehabilitation of existing piers and/or addition of new piers for recreational use.
- f. Environmentally sustainable construction practices/LEEDS certification.
- g. Utilization of local labor and materials. (85% perhaps)
- h. Design competitions to encourage exemplary design.

Maintain the street wall diversity that is unique to this neighborhood, encourage adaptive re-use of existing buildings and retain visual access from the existing upland communities to the view of midtown by relaxing base height requirements

Primary Community Corridor, upland: Minimum 15' / Maximum 60'
Primary Community Corridor, waterfront: Minimum 15' / Maximum 60' with an allowance of 80' for not more than 20% street frontage.
In-between, upland: Minimum 15' / Maximum 40'
In-between, waterfront: Minimum 15' / Maximum 50' Extend this base height along Kent Avenue and West Street to promote development contextual with existing adjacent neighborhood and along the Shore Public Walkway to enhance the open space of the Shore Public Walkway.

The BQE

An MX(M-1/R6) designation along the BQE promotes growth of both industry and housing without height restrictions while limiting density, encourages a mix of building heights and sizes, and acts as a buffer at the highway.

McCarren Park.

Lower height and bulk even further around McCarren Park to preserve a sense of expansiveness. R6B and M1-1 both insure this condition.

Lot Coverage

Limit Zoning Lot size and street frontage to encourage smaller, neighborhood scaled developments. Retain language from the Special Northside Mixed-Use District Section 97-22 dictating special provisions that "zoning lots may be developed as-of-right-with new *residential buildings* provided that:

- (a(1)) such zoning lot contains no structures, etc.
- (d) the size of such Zoning Lot shall not exceed 6,000 square feet.
- (e). No part of a continuous frontage of vacant Zoning Lot whose aggregate length exceeds 60 feet shall be developed for Residential Use

Or more simply, limit street frontage per building to 60' in width to promote multiple buildings on larger sites under single ownership.

Limit Lot Coverage. Under Quality Housing provisions, maximum lot coverage is 60%. On sites larger than 10,000 square feet, decrease the lot coverage to 50%.

Require public mid block cross-connectors where lot size exceeds 400' in length. (typical community block size = 200' x400')

Limit tower footprints to preserve views from the upland to the waterfront. Orient the narrow side to the water. Locate towers away from the waterfront portion of each parcel.

Distribute a small amount of each waterfront parcel's Supplemental Open Space to be used for plazas, open residential entry courts, tot-lots and other mid-block programmatic elements.

Diversity of Use and An Active Street Life

Existing Manufacturing Community

Support industrial retention and development. Zone areas where industrial and commercial activity remains active with an M designation allowing an FAR of 2.0 to allow improvements and expansion of businesses.

Exceptions to this are the blocks directly adjacent to McCarren Park. Retain existing M1-1 designation with FAR of 1.0 to preserve views of Manhattan skyline from Park.

Provide M-1 Buffer Zones between areas to remain M-3 and new residential or mixed-use development.

Maintain an Active Street Life

Front yards, max setback from street = 10'. This also prohibits parking between the street and the building.

Retail & Commercial development should be compatible with the scale and context of the existing community. Limit retail square footage and require street frontage to inhibit big-box stores with large parking lots.

MIXED USE

Use a modified “MX” on the waterfront as well as upland in Williamsburg. The new zoning designations should include as much (modified) MX as possible. This committee unequivocally supports the Economic Development subcommittee's recommendation to encourage stronger MX language to protect businesses.

Use Groups

Waterfront: Review Use Groups from residential districts to insure compatibility with other zoning districts. Add Use Groups that will promote either businesses or activities compatible with waterfront uses.

Upland: Maintain Use Groups from existing zoning districts.

Existing Artist Community and Loft Conversion

Encourage live/work conditions. Require A.I.R. registration

Maintain Separation Requirements between buildings on same zoning lot and adjacent zoning lots to allow continued use of existing buildings. Address yard requirements and lot line windows.

Encourage adaptive reuse of existing manufacturing buildings by restricting FAR increases from this rezoning to impede on existing lot line windows on loft buildings built full to the lot. Preserve existing “housing” units in lofts and discourage displacement of existing community of artists through this limitation.

Extend the applicability of Article 1, Chapter 5 of the Zoning Resolution, Special Regulations for the Conversion to Dwelling Units of Non-Residential Buildings, in Brooklyn Community District 1, from buildings erected prior to December 15, 1961, to cover buildings erected prior to January 1, 2000. (at the very least be applicable to buildings erected prior to January 1, 1977.)

Parking and Transportation

Discourage the use of automobiles by minimizing parking requirements. This in turn will minimize the bulk of new construction. Where parking structures are required, such structures are not to be located at the street wall, except in the interest of safety and quality of design, where up to 10% of such structure would be allowed to have street frontage.

This requires that both residential and commercial transportation routes and linkages be reviewed to address improvements, especially public transportation upgrades to accommodate population increase. See Task 16 for the complete comments on transportation.

Quality of Waterfront Access

Increase minimum width of Shore Public Walkway. The Shore Public Walkway is to be continuous and without barriers from the Newtown Creek to Division Avenue with innovative design requirements in place before development begins. Where the Shore Public Walkway is impeded by existing conditions, create incentives for building owners to continue Shore Public Walkway through their building interior, via an arcade for example.

Eliminate distinction between upland connectors and view corridors. Require every street end remain publicly owned from the Shore Public Walkway to the neighborhood and be open, easily recognized, well lit & inviting to the public. The parking of cars, trucks, trashcans or garbage containers, or for uses other than public access, is to be strictly prohibited.

The attached zoning map illustrates the above recommendations.