

# FORMER STERLING TRANSFORMER CORP.

510 DRIGGS AVENUE  
BROOKLYN, NEW YORK  
Block 2312 Lot 23

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## NEW YORK STATE BROWNFIELD CLEANUP PROGRAM APPLICATION AND SUPPLEMENTAL INFORMATION



New York State Department of Environmental Conservation  
Brownfields and Voluntary Cleanup Section  
625 Broadway, 11th floor  
Albany, NY 12233-7015

November 2014

*Prepared for:*  
187 North 8 Street Owner LLC  
266 Broadway Suite 501  
Brooklyn, NY 11211

*Prepared By:*

**EBC**

**ENVIRONMENTAL BUSINESS CONSULTANTS**

1808 Middle Country Road  
Ridge, NY 11961

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**NEW YORK STATE  
DEPARTMENT OF ENVIRONMENTAL CONSERVATION  
BROWNFIELD CLEANUP PROGRAM (BCP)**



ECL ARTICLE 27 / TITLE 14

DEPARTMENT USE ONLY BCP SITE #:
------------------------------------

08/2013

Section I. Requestor Information				
NAME <b>187 NORTH 8 STREET OWNER LLC</b>				
ADDRESS <b>266 Broadway Suite 501</b>				
CITY/TOWN <b>Brooklyn</b>		ZIP CODE <b>11211</b>		
PHONE <b>(718) 386-8040</b>	FAX <b>(718) 386-8045</b>	E-MAIL <b>ceo@goalliancecapital.com</b>		
<p>Is the requestor authorized to conduct business in New York State (NYS)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>-If the requestor is a Corporation, LLC, LLP or other entity requiring authorization from the NYS Department of State to conduct business in NYS, the requestor's name must appear, exactly as given above, in the <u>NYS Department of State's Corporation &amp; Business Entity Database</u>. A print-out of entity information from the database must be submitted to DEC with the application, to document that the applicant is authorized to do business in NYS.</p> <p>-Individuals that will be certifying BCP documents, as well as their employers, meet the requirements of Section 1.5 of <u>DER-10: Technical Guidance for Site Investigation and Remediation</u> and New York State Education Law. <b>Documents that are not properly certified will not be approved under the BCP.</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>				
NAME OF REQUESTOR'S REPRESENTATIVE <b>Michael Kohn</b>				
ADDRESS <b>Same as above</b>				
CITY/TOWN		ZIP CODE		
PHONE	FAX	E-MAIL		
NAME OF REQUESTOR'S CONSULTANT <b>Environmental Business Consultants</b>				
ADDRESS <b>1808 Middle Country Road</b>				
CITY/TOWN <b>Ridge</b>		ZIP CODE <b>11961</b>		
PHONE <b>631-504-6000</b>	FAX <b>631-924-2870</b>	E-MAIL <b>csosik@ebcincny.com</b>		
NAME OF REQUESTOR'S ATTORNEY <b>Lawrence Schnapf - Schnapf LLC</b>				
ADDRESS <b>55 East 87th Street #8B</b>				
CITY/TOWN <b>New York</b>		ZIP CODE <b>10128</b>		
PHONE <b>212-876-3189</b>	FAX	E-MAIL <b>Larry@SchnapfLaw.com</b>		
<p>THE REQUESTOR MUST CERTIFY THAT HE/SHE IS EITHER A PARTICIPANT OR VOLUNTEER IN ACCORDANCE WITH ECL 27-1405 (1) BY CHECKING ONE OF THE BOXES BELOW:</p> <table border="1"> <tr> <td style="width: 50%; vertical-align: top;"> <input type="checkbox"/> <b>PARTICIPANT</b>            A requestor who either 1) was the owner of the site at the time of the disposal of hazardous waste or discharge of petroleum or 2) is otherwise a person responsible for the contamination, unless the liability arises solely as a result of ownership, operation of, or involvement with the site subsequent to the disposal of hazardous waste or discharge of petroleum.         </td> <td style="width: 50%; vertical-align: top;"> <input checked="" type="checkbox"/> <b>VOLUNTEER</b>            A requestor other than a participant, including a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site subsequent to the disposal of hazardous waste or discharge of petroleum.             NOTE: By checking this box, the requestor certifies that he/she has exercised appropriate care with respect to the hazardous waste found at the facility by taking reasonable steps to: i) stop any continuing discharge; ii) prevent any threatened future release; and iii) prevent or limit human, environmental, or natural resource exposure to any previously released hazardous waste.         </td> </tr> </table>			<input type="checkbox"/> <b>PARTICIPANT</b> A requestor who either 1) was the owner of the site at the time of the disposal of hazardous waste or discharge of petroleum or 2) is otherwise a person responsible for the contamination, unless the liability arises solely as a result of ownership, operation of, or involvement with the site subsequent to the disposal of hazardous waste or discharge of petroleum.	<input checked="" type="checkbox"/> <b>VOLUNTEER</b> A requestor other than a participant, including a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site subsequent to the disposal of hazardous waste or discharge of petroleum.  NOTE: By checking this box, the requestor certifies that he/she has exercised appropriate care with respect to the hazardous waste found at the facility by taking reasonable steps to: i) stop any continuing discharge; ii) prevent any threatened future release; and iii) prevent or limit human, environmental, or natural resource exposure to any previously released hazardous waste.
<input type="checkbox"/> <b>PARTICIPANT</b> A requestor who either 1) was the owner of the site at the time of the disposal of hazardous waste or discharge of petroleum or 2) is otherwise a person responsible for the contamination, unless the liability arises solely as a result of ownership, operation of, or involvement with the site subsequent to the disposal of hazardous waste or discharge of petroleum.	<input checked="" type="checkbox"/> <b>VOLUNTEER</b> A requestor other than a participant, including a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site subsequent to the disposal of hazardous waste or discharge of petroleum.  NOTE: By checking this box, the requestor certifies that he/she has exercised appropriate care with respect to the hazardous waste found at the facility by taking reasonable steps to: i) stop any continuing discharge; ii) prevent any threatened future release; and iii) prevent or limit human, environmental, or natural resource exposure to any previously released hazardous waste.			
Requestor Relationship to Property (check one):				
<input type="checkbox"/> Previous Owner <input checked="" type="checkbox"/> Current Owner <input type="checkbox"/> Potential /Future Purchaser <input type="checkbox"/> Other _____				
If requestor is not the site owner, requestor will have access to the property throughout the BCP project. <input type="checkbox"/> Yes <input type="checkbox"/> No -Proof of site access must be submitted for non-owners				

# NYS Department of State

## Division of Corporations

### Entity Information

The information contained in this database is current through November 7, 2014.

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Selected Entity Name: 187 NORTH 8 STREET OWNER LLC

Selected Entity Status Information

**Current Entity Name:** 187 NORTH 8 STREET OWNER LLC

**DOS ID #:** 4624254

**Initial DOS Filing Date:** AUGUST 20, 2014

**County:** KINGS

**Jurisdiction:** DELAWARE

**Entity Type:** FOREIGN LIMITED LIABILITY COMPANY

**Current Entity Status:** ACTIVE

Selected Entity Address Information

**DOS Process (Address to which DOS will mail process if accepted on behalf of the entity)**

187 NORTH 8 STREET OWNER LLC  
266 BROADWAY  
BROOKLYN, NEW YORK, 11201

**Registered Agent**

NONE

This office does not require or maintain information regarding the names and addresses of members or managers of

nonprofessional limited liability companies. Professional limited liability companies must include the name(s) and address(es) of the original members, however this information is not recorded and only available by [viewing the certificate.](#)

### **\*Stock Information**

<b># of Shares</b>	<b>Type of Stock</b>	<b>\$ Value per Share</b>
No Information Available		

\*Stock information is applicable to domestic business corporations.

### **Name History**

<b>Filing Date</b>	<b>Name Type</b>	<b>Entity Name</b>
AUG 20, 2014	Actual	187 NORTH 8 STREET OWNER LLC

A **Fictitious** name must be used when the **Actual** name of a foreign entity is unavailable for use in New York State. The entity must use the fictitious name when conducting its activities or business in New York State.

NOTE: New York State does not issue organizational identification numbers.

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**Section II. Property Information**

Check here if this application is to request significant changes to property set forth in an existing BCA:

Existing BCP site number: \_\_\_\_\_

PROPERTY NAME Former Sterling Transformer Corp.

ADDRESS/LOCATION 510 Driggs Avenue CITY/TOWN Brooklyn ZIP CODE 11211

MUNICIPALITY(IF MORE THAN ONE, LIST ALL):

City of New York

COUNTY Kings SITE SIZE (ACRES) 0.40

LATITUDE (degrees/minutes/seconds) 40 ° 43 ' 04.79 " LONGITUDE (degrees/minutes/seconds) 73 ° 57 ' 21.15 "

HORIZONTAL COLLECTION METHOD:  SURVEY  GPS  MAP HORIZONTAL REFERENCE DATUM: WGS84

COMPLETE TAX MAP INFORMATION FOR ALL TAX PARCELS INCLUDED WITHIN THE PROPERTY BOUNDARIES. ATTACH REQUIRED MAPS PER THE APPLICATION INSTRUCTIONS.

Parcel Address Parcel No. Section No. Block No. Lot No. Acreage

510 Driggs Avenue			2312	23	0.40

- Do the property boundaries correspond to tax map metes and bounds?  Yes  No  
If no, please attach a metes and bounds description of the property.
- Is the required property map attached to the application? (application will not be processed without map)  Yes  No
- Is the property part of a designated En-zone pursuant to Tax Law § 21(b)(6)?  Yes  No  
For more information please see Empire State Development's [website](#).  
If yes, identify area (name) \_\_\_\_\_  
Percentage of property in En-zone (check one):  0-49%  50-99%  100%
- Is this application one of multiple applications for a large development project, where the development project spans more than 25 acres (see additional criteria in BCP application instructions)? If yes, identify name of properties in related BCP applications:  Yes  No

5. Property Description Narrative:  
The Site is located in the Williamsburg section of the borough of Brooklyn (Kings County) and is identified as Block 2312 lot 23. The Site has approximately 175 ft of frontage along Driggs Avenue and 100 ft of frontage along N. 8th Street. The property is currently a vacant lot and has been so since 2007. Prior to 2007 the property was used as a warehouse, a chair manufacturer, a transformer manufacturer and a garage.

6. List of Existing Easements (type here or attach information)  
Easement Holder Description  
No easements were identified

7. List of Permits issued by the NYSDEC or USEPA Relating to the Proposed Site (type here or attach information)  
Type Issuing Agency Description  
No permits were identified

If any changes to Section II are required prior to application approval, a new page, initialed by each requestor, must be submitted.

Initials of each Requestor: mk \_\_\_\_\_

**Section III. Current Property Owner/Operator Information**

OWNER'S NAME Same as Requestor

ADDRESS

CITY/TOWN

ZIP CODE

PHONE

FAX

E-MAIL

OPERATOR'S NAME None, the property is vacant

ADDRESS

CITY/TOWN

ZIP CODE

PHONE

FAX

E-MAIL

**Section IV. Requestor Eligibility Information (Please refer to ECL § 27-1407)**

If answering "yes" to any of the following questions, please provide an explanation as an attachment.

- 1. Are any enforcement actions pending against the requestor regarding this site?  Yes  No
- 2. Is the requestor subject to an existing order relating to contamination at the site?  Yes  No
- 3. Is the requestor subject to an outstanding claim by the Spill Fund for this site?  Yes  No
- 4. Has the requestor been determined to have violated any provision of ECL Article 27?  Yes  No
- 5. Has the requestor previously been denied entry to the BCP?  Yes  No
- 6. Has the requestor been found in a civil proceeding to have committed a negligent or intentionally tortious act involving contaminants?  Yes  No
- 7. Has the requestor been convicted of a criminal offense that involves a violent felony, fraud, bribery, perjury, theft, or offense against public administration?  Yes  No
- 8. Has the requestor knowingly falsified or concealed material facts or knowingly submitted or made use of a false statement in a matter before the Department?  Yes  No
- 9. Is the requestor an individual or entity of the type set forth in ECL 27-1407.9(f) that committed an act or failed to act, and such act or failure to act could be the basis for denial of a BCP application?  Yes  No

**Section V. Property Eligibility Information (Please refer to ECL § 27-1405)**

- 1. Is the property, or was any portion of the property, listed on the National Priorities List?  Yes  No  
If yes, please provide relevant information as an attachment.
- 2. Is the property, or was any portion of the property, listed on the NYS Registry of Inactive Hazardous Waste Disposal Sites?  Yes  No  
If yes, please provide: Site # \_\_\_\_\_ Class # \_\_\_\_\_
- 3. Is the property subject to a permit under ECL Article 27, Title 9, other than an Interim Status facility?  Yes  No  
If yes, please provide: Permit type: \_\_\_\_\_ EPA ID Number: \_\_\_\_\_  
Date permit issued: \_\_\_\_\_ Permit expiration date: \_\_\_\_\_
- 4. Is the property subject to a cleanup order under navigation law Article 12 or ECL Article 17 Title 10?  Yes  No  
If yes, please provide: Order # \_\_\_\_\_
- 5. Is the property subject to a state or federal enforcement action related to hazardous waste or petroleum?  Yes  No  
If yes, please provide explanation as an attachment.

**Section VI. Project Description**

What stage is the project starting at?  Investigation  Remediation

Please attach a description of the project which includes the following components:

- Purpose and scope of the project
- Estimated project schedule



## Section VII. Property's Environmental History

To the extent that existing information/studies/reports are available to the requestor, please attach the following:

### 1. Environmental Reports

A Phase I environmental site assessment report prepared in accordance with ASTM E 1527 (American Society for Testing and Materials: Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process), and all environmental reports related to contaminants on or emanating from the site.

If a final investigation report is included, indicate whether it meets the requirements of ECL Article 27-1415(2):  Yes  No

### 2. SAMPLING DATA: INDICATE KNOWN CONTAMINANTS AND THE MEDIA WHICH ARE KNOWN TO HAVE BEEN AFFECTED. LABORATORY REPORTS SHOULD BE REFERENCED AND COPIES INCLUDED.

Contaminant Category	Soil	Groundwater	Surface Water	Sediment	Soil Gas
Petroleum	X VOCs	X			
Chlorinated Solvents					
Other VOCs					
SVOCs					
Metals					
Pesticides					
PCBs					
Other*					

\*Please describe: \_\_\_\_\_

### 3. SUSPECTED CONTAMINANTS: INDICATE SUSPECTED CONTAMINANTS AND THE MEDIA WHICH MAY HAVE BEEN AFFECTED. PROVIDE BASIS FOR ANSWER AS AN ATTACHMENT.

Contaminant Category	Soil	Groundwater	Surface Water	Sediment	Soil Gas
Petroleum					X
Chlorinated Solvents	X	X			X
Other VOCs					
SVOCs	X				
Metals	X				
Pesticides	X				
PCBs	X				
Other*					

\*Please describe: \_\_\_\_\_

### 4. INDICATE KNOWN OR SUSPECTED SOURCES OF CONTAMINANTS (CHECK ALL THAT APPLY). PROVIDE BASIS FOR ANSWER AS AN ATTACHMENT.

- Above Ground Pipeline or Tank   
  Lagoons or Ponds   
  Underground Pipeline or Tank   
  Surface Spill or Discharge  
 Routine Industrial Operations   
  Dumping or Burial of Wastes   
  Septic tank/lateral field   
  Adjacent Property  
 Drums or Storage Containers   
  Seepage Pit or Dry Well   
  Foundry Sand   
  Electroplating  
 Coal Gas Manufacture   
  Industrial Accident   
  Unknown

Other: \_\_\_\_\_

### 5. INDICATE PAST LAND USES (CHECK ALL THAT APPLY):

- Coal Gas Manufacturing   
  Manufacturing   
  Agricultural Co-op   
  Dry Cleaner   
  Salvage Yard   
  Bulk Plant  
 Pipeline   
  Service Station   
  Landfill   
  Tannery   
  Electroplating   
  Unknown

Other: transformer manufacturing, chair manufacturing, garage with underground gas tanks

### 6. PROVIDE A LIST OF PREVIOUS PROPERTY OWNERS AND OPERATORS WITH NAMES, LAST KNOWN ADDRESSES AND TELEPHONE NUMBERS AS AN ATTACHMENT. DESCRIBE REQUESTOR'S RELATIONSHIP, IF ANY, TO EACH PREVIOUS OWNER AND OPERATOR. IF NO RELATIONSHIP, PUT "NONE".

### Section VIII. Contact List Information

Please attach, at a minimum, the names and addresses of the following:

1. The chief executive officer and planning board chairperson of each county, city, town and village in which the property is located.
2. Residents, owners, and occupants of the property and properties adjacent to the property.
3. Local news media from which the community typically obtains information.
4. The public water supplier which services the area in which the property is located.
5. Any person who has requested to be placed on the contact list.
6. The administrator of any school or day care facility located on or near the property.
7. In cities with a population of one million or more, the local community board if the proposed site is located within such community board's boundaries (\*note: per the 2010 census, New York City is the only city in NY with a population over one million).
8. The location of a document repository for the project (e.g., local library). In addition, attach a copy of a letter sent to the repository acknowledging that it agrees to act as the document repository for the property.

### Section IX. Land Use Factors (Please refer to ECL § 27-1415(3))

1. Current Use:  Residential  Commercial  Industrial  Vacant  Recreational (check all that apply)  
Provide summary of business operations as an attachment.

2. Intended Use Post Remediation:  Unrestricted  Residential  Commercial  Industrial (check all that apply)  
Provide specifics as an attachment.

3. Do current historical and/or recent development patterns support the proposed use? (See #14 below re: discussion of area land uses)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
--	---

4. Is the proposed use consistent with applicable zoning laws/maps?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
---	---

5. Is the proposed use consistent with applicable comprehensive community master plans, local waterfront revitalization plans, designated Brownfield Opportunity Area plans, other adopted land use plans?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
--	---

6. Are there any Environmental Justice Concerns? (See §27-1415(3)(p)).	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
--	---

7. Are there any federal or state land use designations relating to this site?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
--	---

8. Do the population growth patterns and projections support the proposed use?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
--	---

9. Is the property accessible to existing infrastructure?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
---	---

10. Are there important cultural resources, including federal or state historic or heritage sites or Native American religious sites within ½ mile?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
---	---

11. Are there important federal, state or local natural resources, including waterways, wildlife refuges, wetlands, or critical habitats of endangered or threatened species within ½ mile?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
---	---

12. Are there floodplains within ½ mile?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
--	---

13. Are there any institutional controls currently applicable to the property?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
--	---

14. Describe the proximity to real property currently used for residential use, and to urban, commercial, industrial, agricultural, and recreational areas in an attachment.

15. Describe the potential vulnerability of groundwater to contamination that might migrate from the property, including proximity to wellhead protection and groundwater recharge areas in an attachment.

16. Describe the geography and geology of the site in an attachment.

**Section X. Statement of Certification and Signatures**

(By requestor who is an individual)

If this application is approved, I acknowledge and agree to the general terms and conditions set forth in DER-32 *Brownfield Cleanup Program Applications and Agreements* and to execute a Brownfield Cleanup Agreement (BCA) within 60 days of the date of DEC's approval letter. I also agree that in the event of a conflict between the general terms and conditions of participation set forth in DER-32 and the terms contained in a site-specific BCA, the terms in the BCA shall control. I hereby affirm that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to section 210.45 of the Penal Law.

Date: \_\_\_\_\_ Signature: \_\_\_\_\_ Print Name: \_\_\_\_\_

(By an requestor other than an individual)

I hereby affirm that I am managing partner (title) of 187 North 8 Street Owner LLC (entity); that I am authorized by that entity to make this application; that this application was prepared by me or under my supervision and direction. If this application is approved, I acknowledge and agree to the general terms and conditions set forth in DER-32 *Brownfield Cleanup Program Applications and Agreements* and to execute a Brownfield Cleanup Agreement (BCA) within 60 days of the date of DEC's approval letter. I also agree that in the event of a conflict between the general terms and conditions of participation set forth in DER-32 and the terms contained in a site-specific BCA, the terms in the BCA shall control. I hereby affirm that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.

Date: 12/11/14 Signature: [Signature] Print Name: Michael Kohn

**SUBMITTAL INFORMATION:**

Three (3) complete copies are required.

- **Two (2)** copies, one paper copy with original signatures and one electronic copy in Portable Document Format (PDF) on a CD, must be sent to:  
 Chief, Site Control Section  
 New York State Department of Environmental Conservation  
 Division of Environmental Remediation  
 625 Broadway  
 Albany, NY 12233-7020
- **One (1)** paper copy must be sent to the DEC regional contact in the regional office covering the county in which the site is located. Please check our website for the address of our regional offices.

**FOR DEPARTMENT USE ONLY**

BCP SITE T&A CODE: \_\_\_\_\_ LEAD OFFICE: \_\_\_\_\_

## RESOLUTION OF LIMITED LIABILITY COMPANY

The undersigned, being a member and manager of 187 North 8 Street Owner LLC, a New York limited liability company (the "Company"), does hereby resolve that:

1. Mike Fohn is an officer of the Company and has the full power and authority on behalf of the Company to:

(a) Execute documents in connection with the application of the Company for participation in the New York State Brownfield Cleanup Program (the "BCP");

(b) Enter into agreements with the New York State Department of Environmental Protection (the "DEC") in connection with the Company's participation in the BCP;

(c) Execute any and all documents in connection with the Company's participation in the BCP, including but not limited to applications, agreements, and tax returns;

(d) Take any action necessary to the furtherance of the Company's participation in the BCP, including but not limited to conducting negotiations on behalf of the Company.

2. The authority hereby conferred shall be deemed retroactive, and any and all acts authorized herein which were performed prior to the passage of this unanimous consent are hereby approved and ratified. The authority hereby conferred is in addition to that conferred by any other consent heretofore or hereafter delivered to the DEC and shall continue in full force and effect until the DEC shall have received notice in writing, certified by the sole member of this company, of the revocation hereof by a resolution duly adopted by the sole member of this company. Any such revocation shall be effective only as to actions taken by this company subsequent to DEC's receipt of such notice.

3. The undersigned hereby represents and warrants that (i) the undersigned is a member and manager of the Company; and (ii) the consent of any member and manager is sufficient to authorize the Company to take the aforementioned actions.

MLF

Dated: November 28, 2014  
Brooklyn, NY

## 1.0 INTRODUCTION (Application Section I-III)

187 North 8 Street Owner LLC seeks to remediate and redevelop a site located on Driggs Avenue in the Williamsburg neighborhood of Brooklyn, NY (the "Site") (see **Figure 1**). The address of the Site is 510 Driggs Avenue, Brooklyn, NY. It is comprised of a single tax parcels identified as Block 2312, Lot 23 (**Figure 2**). The Site is currently a vacant lot but was previously occupied by Sterling Transformer Corp.

The Site has confirmed contamination in soil and groundwater which is related to historic fuel storage in underground tanks.

553 Marcy Avenue Owner LLC plans a mixed use, residential-commercial redevelopment of the Site consisting of a new 8 to 11 story multi-use building that will occupy the entire Site. The nature and extent of existing contamination and the potential for off-site contamination related to this property, however, complicates the redevelopment plan. Accordingly, 553 Marcy Avenue Owner LLC is submitting its application for entry into the BCP to the New York State Department of Environmental Conservation (NYSDEC). This document contains the supplemental information required in the application package.

### 1.1 Requestor Information

187 North 8 Street Owner LLC is the applicant for the project and is applying to the program as a Volunteer. 187 North 8 Street Owner LLC is the current owner of the property (**Attachment A**), and is not affiliated in any way with the past property owners or operators, or the release of contaminants at the site. As the owner of the property, 187 North 8 Street Owner LLC has access to the Site to implement the required remedial actions that will be required under the BCP.

### 1.2 Property Information

The Site to be remediated and redeveloped is located in the Williamsburg section of Kings County and is comprised of a single tax parcel (**Figure 2**) totaling 17,500 square feet (0.40 acres). The Site is located in the City of New York and Borough of Brooklyn. The Site has approximately 175 ft of street frontage on Driggs Avenue and 100 feet of street frontage on N. 8<sup>th</sup> Street. Currently the property is a vacant lot surrounded by an 8 foot high chain link fence. The Site was previously used as a warehouse, transformer manufacturer, a chair manufacturer and a garage with underground tanks.

The elevation of the Site is ranges from 18 to 21 feet above the National Geodetic Vertical Datum (NGVD). The area topography gradually slopes to the north. The depth to groundwater beneath the Site is approximately 15 feet below grade. Based on regional groundwater elevation maps, groundwater flows to the north.

According to the March 18, 2013 deed, the lot is defined as follows:

*BLOCK 2312 LOT 23 ON THE TAX MAP OF KINGS COUNTY*

*BEGINNING at the corner formed by the intersection of the northeasterly side of North 8th Street with the northwesterly side of Driggs Avenue (formerly 5th Street);*

*THENCE northwesterly along the northeasterly side of North 8th Street, 100 feet;*

*THENCE northeasterly parallel with said Driggs Avenue (formerly 5th Street), 175 feet;*

*THENCE southeasterly parallel with said North 8th Street, 100 feet to the northwesterly side of Driggs Avenue (formerly 5th Street);*

*THENCE southwesterly along the northwesterly side of Driggs Avenue (formerly 5th Street), 175 feet to the point or place of BEGINNING.*

*Note: Address, Block & Lot shown for informational purposes only Designated as Block 2312, Lot 23, Kings County, and also known as 508 Driggs Avenue Brooklyn, NY.*

### **1.3 Current Property Owners / Operators**

The property is currently developed with eight buildings including three 4-story buildings, two 3-story buildings and three 1-story buildings. The original building was constructed in 1880. Six more buildings followed in 1931 with another added in 1959 and one more in 1988. The property has been vacant since 2010 but was most recently and historically used by a large commercial laundry operation. See **Figure 3** - Site Plan.

Current owners (see **Appendix A - Deed**) and operators are as follows:

Owner: 187 North 8 Street Owner LLC  
Address: 266 Broadway Suite 501, Brooklyn, NY 11211  
Phone: (718) 386-8040

Operator: Property is vacant  
Address:  
Phone:

## **2.0 PROJECT DESCRIPTION (Application Section VI)**

### **2.1 Project Overview / Eligibility**

The Requestor intends to redevelop the property with a new 6 story mixed-use commercial-residential building which will cover the entire Site. Plans include a full height basement level requiring excavation of the entire Site to a depth of 25 ft below grade. With groundwater present at 12 feet below grade, extensive dewatering will be required during construction of the building's foundation.

The project includes 51,000 sf of commercial / retail space and 18,000 sf of residential apartments. The basement level will be used for parking, meter rooms, residential storage space and bicycle racks.

The lender/investors for this project will require any cleanup be conducted with oversight of the NYSDEC so that the NYSDEC can issue a certificate of completion and liability release from the State of NY. The BCP will allow the applicant to satisfy this requirement as well as to limit its liability to on-site contamination by virtue of its status as a "Volunteer" under the BCP.

The remediation of the existing contamination will increase project costs because of expenses or "premiums" associated with disposal of contaminated soil, increased labor or "trade" premium due to the need to use HAZWOPER-trained-workers in and around the contaminated materials as well as ancillary monitoring and reporting costs. In addition, there will be adverse scheduling impacts on the present completion schedule associated with soil sampling and excavation site constraints that will extend the timeframes customarily required for traditional site excavation.

### **2.2 Scope of the Brownfield Project**

A Remedial Investigation (RI) is proposed to collect data of sufficient quality and quantity to characterize the nature and extent of known petroleum and other potential contaminants in on-site soil, groundwater and soil gas. The RI will include a qualitative exposure assessment for future occupants of the proposed building and the surrounding community and to evaluate alternatives to remediate the contamination. A Draft Remedial Investigation Work Plan (RIWP) is being submitted with this application. Proposed on-site testing under the Draft RIWP includes the installation of soil borings, monitoring wells and soil vapor implants and the collection and analysis of soil, groundwater and soil vapor samples.

Based on the results of previous investigations performed at the Site, the scope of the remedial activity under the BCP will include the removal and proper close out of underground storage tanks, the excavation and proper disposal of residually contaminated and historic fill soils and the remediation of groundwater. Further assessment of soil vapor will be completed during the RI and remediation will be addressed, if required, under the Remedial Action Work Plan to be prepared for the project under the BCP. Further details on the projected scope of the brownfield project including estimated costs are provided in Section 3.6.

## 2.3 Benefits to the Community

The property is located in what has historically been a manufacturing district with an M1-2 zoning designation. The area was generally characterized by large warehouses and manufacturing facilities with heavy industry located west along the East River and late 19<sup>th</sup> and early 20<sup>th</sup> century rowhouses interspersed throughout the industrial sections. Although located within a predominantly industrial / commercial area the property is bordered by residential homes to the west along N. 8<sup>th</sup> and N. 9<sup>th</sup> Streets.

In 2005 the subject Site was rezoned from M1-2 industrial to R6–Residential as part of the Greenpoint-Williamsburg Rezoning Action (CEQR No. 04DCP003K). The purpose of the rezoning was to facilitate the development of the lots under the City’s Quality Housing Program. Similar rezoning actions in the area including the Williamsburg Bridge Area rezoning were performed to “provide opportunities for the development of residential uses on underutilized and vacant land and legalize existing non-conforming uses.”

In response to the change in zoning, the area has seen significant redevelopment as old industrial, commercial buildings and warehouses have been replaced by multi-story residential buildings including new mixed use building projects east of the Site. The Project's residential use blends perfectly with the surrounding properties and addresses the need for additional housing in the community.

### *Local Job Creation*

The project is expected to generate 50-100 temporary construction jobs with 30-50 permanent jobs associated with the commercial / retail aspect of the project. The project also benefits the local economy through the purchase of materials, supplies and services related to the design and construction of the new building in the short term. In the long term the project will benefit the local economy through the purchase of goods and services by the residents of the new building and through increased tax revenue. The proposed project delivers these benefits on a site that is underutilized and has been used as a parking lot for the past eight years.

For this project to be realized the developer will be required to commit significant time, effort and resources to remedy the contamination, develop the Site and begin construction. That commitment will not be made if there exists a risk of a meaningful yet uncertain environmental issue. On the other side, the developer cannot secure financing without assurances to lenders that environmental issues will be fully mitigated with reasonable protection from liability.

## 2.4 Project Schedule

### *BCP Milestones*

The following program milestone dates are anticipated based on an assumed date of 12/22/14 for execution of the BCP agreement.

Submit Remedial Investigation Work Plan (RIWP)	With BCP application
Implement Remedial Investigation Work Plan (RIWP)	January 2015
Submit Remedial Investigation Report (RIR)	February 2015



Submit Remedial Action Work Plan (RAWP)	February 2014
Begin Building Construction and Remedial Action	April 2015
Continue Remedial Action	April 2015 - September 2015
Submit Draft Env. Easement (if Track 1 not Achieved)	June 2015
Submit Draft Site Management Plan (if Track 1 not Achieved)	August 2015
Submit Draft Final Engineering Report	September 2015

### **3.0 ENVIRONMENTAL HISTORY (Application Section VII)**

The environmental history of the subject lot was previously investigated through the review of Federal and State Environmental databases, Environmental Sanborn Fire Insurance maps, NYC Department of Building records and the NYC Department of Finance databases as part of the Phase I Environmental Site Assessment completed in March 2014 by DPV Consultants.

A history dating back to 1887 was established. The report stated that "According to a review of NYC records, Sanborn maps, historic city directories, and historic topographic maps, as well as personal interviews, the subject property was developed as early as 1887 with the three single-family residential homes. Between 1905 and 1916, the northern portion of the site was developed with a commercial storage building. By 1942, southern portions of the site were developed with a garage. Between 1942 and 1951, the garage was converted to an industrial building and occupied by a chair manufacturer. The chair manufacturer was replaced by a transformer manufacturer circa 1965 and later by food warehouse circa 1991. Both buildings were demolished in 2006 and replaced with the existing parking lot."

#### **3.1 Underground / Aboveground Storage Tanks**

The property is not identified as PBS facility. However, the 1942 Sanborn map identifies a gasoline tank at the south-central portion of the property. The Phase I report noted that "No information regarding the current status of this tank and/or soil quality in its vicinity was available for review."

#### **3.2 NYSDEC Spill Files**

The Site is listed on the NYSPILLS database. The database indicates that a spill (No. 1407145) was reported to the DEC on October 8, 2014 for petroleum contamination identified in soil during a due diligence subsurface investigation. This spill file remains open.

#### **3.3 New York City E-Designation**

The New York City E-designation program assigns an E-number to properties during rezoning actions initiated and completed by the NYC Department of City Planning. E-designations come in three types with each requiring investigation, further evaluation, mitigation or remediation before building permits will be issued. Documentation and demonstration that the required action has been satisfactorily completed is a condition of releasing the Certificate of Occupancy. The three types are: Noise (usually requiring attenuation measures to reduce indoor noise levels to a set standard), Air (usually requiring a specific fuel source) and Hazmat (usually requiring an investigation, remedial action and mitigation for impacted media).

The property was assigned an "E" designation for "hazardous materials" as part of the Greenpoint-Williamsburg rezoning action adopted in 2005. The lots were assigned E-138 under the City Environmental Quality Review (CEQR) number 04DCP003K. An E-Designation for Hazmat is a NYC zoning map designation that indicates the presence of an environmental requirement pertaining to potential Hazardous Materials Contamination on a particular tax lot. E-Designations are

established on the Zoning Map by the Department of City Planning (DCP) and City Council as a part of a zoning change/action.

The E-designation requires an environmental review by the New York City Office of Environmental Remediation (NYCOER), which must be satisfied before the New York City Department of Buildings (NYCDOB) will issue building permits for the property. Therefore, redevelopment of the site will be subject to the administration of this program by NYCOER. NYCOER review requires the submission of the following reports; Phase I Environmental Site Assessment Report, Phase II Site Investigation Work Plan and Health and Safety Plan, Phase II Site Investigation Report, and if necessary, Construction Health and Safety Plan (CHASP), Remedial Action Plan (RAP), and Site Closure Report.

It should also be noted that NYCOER requires air monitoring for dust and VOCs during all soil disturbing activities. The P.E. Certified Site Closure Report must include copies of the air monitoring data sheets as well as all waste characterization data, waste manifests, disposal facility approval letters, disposal facility (NYSDEC, NJDEP, etc.) registration(s)/license(s), and a figure(s) indicating where all soil excavated from the site was disposed; daily air monitoring sheets; OER's written approval for clean fill import as well as manifests, truck/tickets, photo documentation and a figure(s) indicating where the soil was used as backfill; photo documentation and P.E. stamped letter of proper vapor barrier and SSDS installation; and certification of compliance with the CHASP during redevelopment.

The assigned E-designation and the level and presence of contamination detected in various media are complicating redevelopment of the property. NYCOER generally cannot manage the remediation of Sites impacted with chlorinated solvents and contamination of this magnitude and scope.

### 3.4 Summary of Environmental Investigations

Environmental investigations performed at the Site include the following:

- Phase I Environmental Site Assessment Report - DPV (March 2014)
- Phase II Subsurface Investigation Data Summary - EBC (October 2014)

#### 3.4.1 March 2014 – Phase I Environmental Site Assessment (DPV)

DPV concluded that "Based on the results of the site inspection, records review and interviews, it was determined that there were several RECs identified with regard to the subject site. RECs are those conditions which could adversely affect the environmental integrity of the property."

DPV identified the following RECs:

- The 1942 Sanborn map depicts the presence of a gasoline tank at the south-central portion of the site. No information regarding the current status of this tank and/or soil quality in its vicinity was available for review. As such, there is a potential for spills or release from the tank to have impacted the subsurface.

- The Sanborn maps indicated that portions of the subject property were historically occupied by a garage, chair manufacturer and a transformer manufacturer. As such, there is a potential for historic site operations to have impacted soil, groundwater and/or soil vapor quality beneath the subject property. Further, the subject property was identified as a New York City Department of City Planning (NYCDCP) Environmental "E" declaration site due to its historic use and the presence of the UST.

Based on its findings, DPV recommended the following:

- A geophysical survey (e.g., magnetometer and/or ground penetrating radar surveys) should be conducted on the southern portion of the property to evaluate the presence of the suspected underground storage tank (UST), as well as the configurations of existing underground utilities in advance of a soil boring program. It is important to note that clearing of all vehicles or other obstructions in the vicinity of the suspected USTs would be necessary to facilitate the geophysical survey and any subsequent sampling.
- If present, any historic USTs should be removed in accordance with New York State Department of Environmental Conservation (NYSDEC) and New York City Fire Department (FDNY) regulations. Any identified geophysical anomalies should be further investigated through the excavation of test pits, with soil samples collected for laboratory analysis as warranted. It is important to note that excavation areas may be necessary to facilitate the geophysical survey and any subsequent sampling.
- To evaluate potential impacts related to historic usage of the subject property and to satisfy the NYCDCP and New York City Office of Environmental Remediation (NYCOER) requirements related to the site's listing as an "E"-designated property, a subsurface investigation should be performed. At a minimum, the investigation should include the installation of soil borings with the collection of representative soil, groundwater and/or soil vapor samples for laboratory analysis to document subsurface conditions and determine the nature and extent of contamination (if present).

A digital copy of the Phase I ESA is included in **Attachment B**.

#### 3.4.2 October 2014 - Phase II Investigation Data Summary (EBC)

The field work portion of the Phase II was performed on September 30, 2014 and included the installation of three soil borings three groundwater samples. Shallow soil samples were analyzed for RCRA metals, TCLP lead and PCBs. Deep samples, from the water table interface, could only be obtained from two borings and were analyzed for VOCs by USEPA 8260 and SVOCs by USEPA 8270. Groundwater samples were analyzed for VOCs only. Laboratory services were provided by Phoenix Environmental Laboratories of Manchester, CT 06040, a New York State ELAP certified environmental laboratory (ELAP Certification No. 11301).

The depth to groundwater at the site is approximately 12 feet below grade. Soil at the site is described as historic fill materials to a depth of approximately 15 feet below the surface followed by native brown fine sand with silt and some clay.

Laboratory results identified petroleum VOCs including benzene above Restricted Residential Soil Cleanup Objectives (SCOs) and trimethylbenzene, ethylbenzene, toluene and xylene above unrestricted and groundwater protection SCOs. The concentration of total VOCs (when including naphthalene) were reported as high as 1,173,800 ug/kg. SVOCs including chysene, fluoranthene, fluorine, ideno(1,2,3-cd)pyrene, naphthalene, phrenanthene and pyrene were all reported above Restricted Residential SCOs. Total SVOCs were reported at 4,358,000 ug/kg at the B3 location.

VOCs were reported in all three groundwater samples above water quality standards and included both petroleum and chlorinated solvent compounds. Total petroleum VOCs were reported to 20,850 ug/L with chlorinated VOCs to 1,027 ug/L.

Summary tables / maps / laboratory reports of the Phase II Investigation data summary are provided in digital form in **Attachment B**.

### 3.5 Summary of Confirmed Contamination and Environmental Conditions

The results of the investigations performed at the site have identified the following contaminated media and environmental conditions that will complicate redevelopment of the property.

- The property has been assigned an E-designation for Hazmat. The E-designation requires further investigation and a plan for remedial action approved by the NYSDEC for the open spill file.
- Confirmed petroleum volatile organic compound (VOC) contaminants in soil above restricted residential and groundwater protection standards. This issue will require further investigation and remediation. Soils excavated under the proposed redevelopment scenario will require proper management and disposal at a permitted disposal facility.
- Confirmed petroleum semi-volatile organic compound (SVOC) contaminants in soil above restricted residential and groundwater protection standards. This issue will require further investigation and remediation. Soils excavated under the proposed redevelopment scenario will require proper management and disposal at a permitted disposal facility.
- Confirmed petroleum volatile organic compound (VOC) contaminants in groundwater above water quality standards.
- Confirmed petroleum semi-volatile organic compound (SVOC) contaminants in groundwater above water quality standards.
- Confirmed chlorinated VOC (CVOC) contaminants in groundwater above water quality standards.
- The potential for CVOCs in soil gas related to off-gassing from shallow impacted ground water. Under a redevelopment scenario, VOCs in soil gas and the potential for on and off-site vapor intrusion must be evaluated as part of the Remedial Investigation of the Site.

- The potential for USTs and associated piping systems to remain in place on the Site. There is also a significant potential for unidentified tanks to be present at other locations on the property.
- Historic fill material is known to be present at the Site. Such fill typically contains elevated levels of heavy metals including arsenic, barium, cadmium, chromium, copper, lead, mercury and zinc and semi-volatile organic compounds.

### 3.6 Cost Analysis of Established Environmental Conditions

The projected remedial costs for this project were based on typical NYSDEC Brownfield Cleanup Program requirements. Petroleum contamination in the form of VOCs and SVOCs was reported in soil to depths of 20 feet. However the extent of horizontal and vertical impact has not been determined. Groundwater is also impacted with petroleum and chlorinated solvents. It is not known if the CVOC contamination is site related at this point.

Historic fill materials were documented through out the Site to a depth of 18 feet below the surface. Such fill typically contains elevated levels of metals including arsenic, barium, cadmium, chromium, copper, lead, mercury and zinc and semi-volatile organic compounds. These metals, especially lead, will have a significant effect on disposal costs. If lead is present above 600 ppm disposal costs increase considerably. In addition lead levels in such fill occasionally exceed TCLP analysis resulting in a hazardous classification.

For the purposes of cost analysis it is assumed that soils impacted with petroleum removed during excavation for the new building's foundation with over excavation as needed. Petroleum / chlorinated solvent remediation will include dewater and possibly the application of oxidants to the open excavation. In addition it is assumed that the top 18 ft of soil identified as fill will be removed from the entire Site and disposed of at a Class B facility. The remaining 7 feet of native soil is expected to be disposed of at a beneficial reuse facility. This will generate the following soil volume for disposal:

- Disposal: 3,000 cy non-hazardous high lead soil (>600 mg/kg) - Special Class B facility
- Disposal: 6,700 cy non-hazardous low lead soil(<600 mg/kg) - Class B facility
- Disposal: 6,500 cy Native Soil - Beneficial Re-use

The costs for soil disposal under a hazardous and non-hazardous classification were based on those recently established within the area. It is assumed that contaminant levels for non-hazardous soils are within acceptable limits at standard range New Jersey non-hazardous and beneficial reuse disposal facilities. Costs are also included for the cleaning and removal of the existing UST and AST systems and piping and for the treatment of water during dewatering operations.

Further investigation and remedial action of existing environmental conditions will include the following tasks:

- NYSDEC Brownfield Cleanup Program - Initial Submittals, Investigative Work Plans, etc.  
*Cost: \$30,450*

- Supplemental Remedial Investigation and Reporting  
*Cost: \$91,100*
- Remedial Work Plans and Remedy Scoping  
*Cost: \$ 18,450*
- Remedial Program Implementation and Reporting  
*Cost: \$ 1,700,090*
- Final Reporting, Easements (if needed), DEC/DOH costs and Related for Certificate of Completion  
*Cost: \$ 125,450*
- Post Remedial Monitoring and Reporting (if needed) for 1 year  
*Cost: \$ 33,050*

Subtotal	\$	1,998,590
15% Contingency	\$	299,788
<b>TOTAL PROJECT COST</b>	<b>\$</b>	<b>2,298,378</b>

A detailed summary of the projected remedial costs by task is provided in **Attachment C**.

### 3.7 Previous Owners and Operators

Previous owners and operators of the property are shown in Tables 1 and 2 below. Information regarding ownership of the property was obtained from online property records maintained by the NYC Department of Finance Office of the City Register under its Automated City Register Information System (ACRIS) and from hard copy records at the agencies regional office. Information regarding past operators was obtained from Sanborn Fire Insurance maps, from telephone directory listings and from an internet search of the property address.

The Site is currently owned by the Requestor, 187 North 8 Street Owner LLC. The property is a vacant lot and has been so since 2006. The Requestor purchased the property in October 2014. The property was most recently occupied by a parking company.

A review of Sanborn maps shows that in 1887 the Site was occupied three single family residential homes. Between 1905 and 1916, the northern portion of the site was developed with a commercial storage building. By 1942, southern portions of the site were developed with a garage. Between 1942 and 1951, the garage was converted to an industrial building and occupied by a chair manufacturer. The chair manufacturer was replaced by a transformer manufacturer (Sterling Transformer) circa 1965 and later by food warehouse circa 1991. Both buildings were demolished in 2006. A listing of previous owners and operators for the property is as follows:

**Table 1 – Previous Owners**

Dates	Name	Comments	Contact Info
Prior to 6/28/1968	Esther Zimbaum	Deed	34 Plaza Street, Brooklyn NY 11238
From 6/28/1968 to 4/17/1973	Alan Zimbaum	Deed	349 Crook Bed Road, Mountainside, NJ 07092
From 4/17/1973 to 1/2/2007	Richfield Properties LLC	Deed	101 Richardson Street, Brooklyn, NY 11211
From 1/2/2007 to 7/24/2014	510 Driggs Avenue LLC	Deed	101 Richardson Street, Brooklyn, NY 11211
From 7/24/2014 to 9/17/2014	JMD Driggs LLC	Deed	101 Richardson Street, Brooklyn, NY 11211
From 9/17/2014 to Present	187 North 8 Street Owner LLC	Deed	266 Broadway, Suite 501, Brooklyn, NY 11211

Note: 187 North 8 Street Owner LLC is in no way affiliated with any of the previous owners of the property

**Table 2 – Previous Operators**

Dates	Name	Comments	Contact Info
Sometime between 1916 and 1942 to sometime between 1942 and 1951	Garage	Sanborn Maps	Unknown 510 Driggs Avenue, Brooklyn, NY 11211
Sometime between 1942 and 1951 to sometime between 1951 and 1965	Ideal Chair Co.	Sanborn Maps Internet Search	Unknown 510 Driggs Avenue, Brooklyn, NY 11211
Sometime between 1951 and 1965 to sometime between 1989 and 1991	Sterling Transformer	Sanborn Maps Internet Search	Unknown 510 Driggs Avenue, Brooklyn, NY 11211
From 1991 to 2006	Wonder Foods	Sanborn Maps	Unknown 510 Driggs Avenue, Brooklyn, NY 11211
From 2006 to present	Vacant lot	Sanborn Maps	510 Driggs Avenue, Brooklyn, NY 11211

Note: 187 North 8 Street Owner LLC is in no way affiliated with Sterling Transformer or any of the previous operators at the property



The following resources were employed in obtaining historical information with respect to ownership:

- NYC ACRIS Database
- NYC Department of Finance records, Brooklyn Borough office
- NYS Department of State Business Search

The following resources were employed in obtaining historical information with respect to operators:

- Interviews with current Operators / Owners
- Sanborn Fire Insurance Maps
- Certificate of Occupancy Records as Maintained by the NYC Department of Buildings
- Internet Address Search
- NYS Department of State Business Search

## **4.0 CONTACT LIST INFORMATION (Application Section VIII)**

The following sub-sections provide the minimum contact list information as required in the BCP application form.

### **4.1 Local Government Contacts**

#### City of New York

William de Blasio  
Mayor of New York City  
City Hall  
New York, NY 10007

Eric Adams  
Brooklyn Borough President  
209 Joralemon Street  
New York, NY 11201

Ms. Dealice Fuller  
Chair, Brooklyn Community Board 1  
435 Graham Avenue  
Brooklyn, NY, 11211

Mr. Gerald Esposito  
District Manager, Brooklyn Community Board 1  
435 Graham Avenue  
Brooklyn, NY, 11211

Stephen Levin NYC Council Member  
33<sup>rd</sup> District  
410 Atlantic Avenue  
Brooklyn, NY 11217

Carl Weisbrod  
Chair of City Planning (Zoning)  
22 Reade St.  
Third Floor  
New York, NY 10007

Dalila Hall  
New York City Department of Transportation  
Brooklyn Borough Commissioner  
55 Water Street, 9th Floor  
New York, NY 10041

Kings County Clerk's Office  
Nancy Sunshine, County Clerk  
360 Adams Street, Room 189  
Brooklyn, NY 11201

Ms. Letitia James  
Public Advocate  
1 Centre Street, 15<sup>th</sup> Floor  
New York, NY 10007  
Email: [kjfoyc@pubadvocate.nyc.gov](mailto:kjfoyc@pubadvocate.nyc.gov)

Hon. Scott M. Stringer  
Office of the Comptroller  
1 Centre Street  
New York, NY 10007  
Email: [intergov@comptroller.nyc.gov](mailto:intergov@comptroller.nyc.gov)

Hon. Jose Peralta  
NYS Senator  
32-37 Junction Boulevard  
East Elmhurst, NY 11369

Hon. Joan L. Millman  
NYS Assembly Member  
341 Smith Street  
Brooklyn, NY 11231

Hon. Charles Schumer  
U.S. Senator  
757 Third Avenue, Suite 17-02  
New York, NY 10017

Hon. Kirsten Gillibrand  
U.S. Senator  
780 Third Avenue, Suite 2601  
New York, NY 10017

Hon. Nydia M. Velazquez  
U.S. House of Representatives  
266 Broadway, Suite 201  
Brooklyn, NY 11211

John Wuthenow  
Office of Environmental Planning & Assessment  
NYC Dept. of Environmental Protection  
96-05 Horace Harding Expressway  
Flushing, NY 11373

Director  
NYC Office of Environmental Coordination  
100 Gold Street– 2nd Floor  
New York, NY 10038

Daniel Walsh  
NYC Department of Environmental Remediation  
100 Gold Street  
New York, NY 10038

## 4.2 Adjacent Property Owner Contacts

Properties adjacent to the project site are shown in **Figure 4**. Contact information for the identified owners, as listed in the New York City ACRIS Database, are as follows:

### South

1. 537 DRIGGS AVENUE LLC  
537 DRIGGS AVE.  
BROOKLYN, NY 11211-2909

OCCUPANT  
537 DRIGGS AVE.  
BROOKLYN, NY 11211-2909

2. NORTHSIDE STUDIOS, I.  
7 HEMLOCK DR.  
GLEN HEAD, NY 11545-3324

OCCUPANT  
530 DRIGGS AVE.  
BROOKLYN, NY 11211

3. IWONA TANCULA  
188 N. 8TH ST.  
BROOKLYN, NY 11211-2006

### West

4. BALBI, CARMELA  
185 N. 8TH ST.  
BROOKLYN, NY 11211-2005

5. 194 NORTH 9TH PARTNERS, LLC  
450 LEXINGTON AVENUE APT. 31ST FLOOR  
NEW YORK, NY 10017

OCCUPANT  
194 NORTH 9TH STREET  
BROOKLYN, NY 11211

North

6. ZABLOCKI TADEUSZ  
75 BERRY ST.  
BROOKLYN, NY 11249-1917

AGENT  
506 DRIGGS ACE.  
BROOKLYN, NY 11211

East

7. 505 DRIGGS AVENUE LLC  
505 DRIGGS AVE.  
BROOKLYN, NY 11211-2020

OWNER/OCCUPANT  
505 DRIGGS AVE  
BROOKLYN, NY 11211-2020

8. SZCZEPAN JANECKO  
197 N. 8TH ST.  
BROOKLYN, NY 11211-2007

### 4.3 Local News Media

#### **The Brooklyn Paper**

One Metrotech Center, Suite 1001  
Brooklyn, NY 11201  
(718) 260-4504

#### **New York Times**

620 Eighth Ave.  
New York, NY 10018

#### **New York Daily News**

450 W. 33 Street  
New York, NY 10001

## **New York Post**

1211 Avenue of the Americas  
New York, NY 10036-8790

### **4.4 Public Water Supplier**

New York City Department of Environmental Protection  
Bureau of Water Supply  
1250 Broadway - 8th Floor  
Manhattan, NY 10001  
New York City Department of City Planning

### **4.5 Requested Contacts**

No requests have been made at this time.

### **4.6 Schools and Daycare Facilities**

The following Schools and Daycare facilities were identified within a one-quarter mile radius of the project site (see **Figure 5**):

1. Williamsburg Northside School  
70 Havemeyer St New York, NY 11211  
(718) 599-7300  
Attn: Gina Farrara
2. Brooklyn Preparatory High School  
257 North 6th Street New York, NY 11211  
(718) 486-2550  
Attn: Noah Lansner
3. Williamsburg High School for Architecture and Design  
257 N 6th St Brooklyn, New York 11211  
(718) 388-1260  
Attn: Gill Cornell
4. Conselyea Preparatory School  
208 N 5th St Brooklyn, New York 11211  
(718) 486-6221  
Attn: Maria Masullo
5. P.S. 377 Alejandina B De Gautier  
200 Woodbine Street New York, NY 11221  
718-574-0325  
Attn: Dominic Zagami

6. Chabad of North Brooklyn  
132 North 5th Street Brooklyn, NY 11211  
(718) 388-0748  
Attn: Rabbi Shmuel Lein
  
7. North Side Catholic Academy St Vincent  
180 N 7th St Brooklyn, New York 11211  
(718) 384-3496  
Omit - School is Closed
  
8. Williamsburg Northside Preschool  
152 N. 5<sup>th</sup> Street, Brooklyn, NY 11211  
(718) 599-7300  
Attn: Gina Farrar

#### 4.7 Document Repository

The following location will serve as a repository for public access to documents generated under the BCP program:

#### **Brooklyn Public Library – Leonard Branch**

81 Devoe Street, Brooklyn, NY 11211  
(718) 486-3365

#### **Hours**

Mon	10:00 AM - 6:00 PM
Tue	1:00 PM - 8:00 PM
Wed	10:00 AM - 6:00 PM
Thu	10:00 AM - 6:00 PM
Fri	10:00 AM - 6:00 PM
Sat	10:00 AM - 5:00 PM
Sun	closed



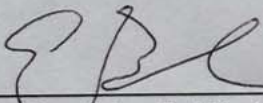
December 1, 2014

Brooklyn Public Library  
Leonard Street Branch  
81 Devoe Street  
Brooklyn, NY 11211

**Re: NYS Brownfield Cleanup Program Application  
Former Sterling Transformer Corp. Site - 510 Driggs Avenue, Brooklyn, NY**

In compliance with the requirements of the NYSDEC Brownfield Clean-up Program, the Brooklyn Public Library, Leonard Branch, located at 81 Devoe Street, Brooklyn, NY 11216 agrees to serve as a designated repository for the above referenced project to facilitate citizen access to project documents such as Work Plans, Technical Specifications and Investigative Reports.

Please sign below and return the original copy to our office at the address shown below.

Accepted by:  Date 12/01/2014  
for Brooklyn Public Library - Leonard Branch





## **5.0 LAND USE FACTORS (Application Section IX)**

### **5.1 Current Property Use (Question 1)**

The site is currently a vacant paved lot without any structures. Further information on the historic use of the property is provided in *Section 3.0 - Environmental History*.

### **5.2 Intended Post Remediation Property Use (Question 2)**

The Requestor intends to redevelop the property with a new a new 6 story mixed-use commercial-residential building which will cover the entire Site. Plans include a full height basement level requiring excavation of the entire Site to a depth of 25 ft below grade. With groundwater present at 12 feet below grade, extensive dewatering will be required during construction of the building's foundation.

The project includes 51,000 sf of commercial / retail space and 18,000 sf of residential apartments. The basement level will be used for parking, meter rooms, residential storage space and bicycle racks.

Further details of the proposed project are provided in *Section 2.0 - Project Description*.

### **5.3 Surrounding Land Use (Question 14)**

The land use in the immediate vicinity of the Site (**Figure 6**) includes a commercial (manufacturing) and a mixed-use (1<sup>st</sup> floor retail) to the east, mixed use buildings to the north, mixed-use buildings and a parking lot to the south and single family residential homes to the west. There are no schools or daycare centers in the immediate area of the Site, however there are several schools located to the south and southeast within 1,200 ft of the Site.

The area surrounding the property is highly urbanized and predominantly consists of multi-family residential buildings with mixed-use buildings (residential w/ first floor retail) along main corridors such as Driggs Avenue which borders the property to the east and Bedford Avenue located just one block to the northwest. The area is marked by late 19th and early 20th century rowhouses with commercial and industrial properties interspersed throughout the residential sections. The area to the west of the Site was historically characterized by heavy industry and manufacturing. Following a steady decline of manufacturing in the area from the late 1960's through the 1980's, many of the industrial properties were vacated leaving the buildings to be vandalized and become derelict. Conditions continued to decline throughout the 1980's and 1990's.

The community and area have seen a resurgence in recent years following the rezoning of former industrial properties to residential use during the Greenpoint-Williamsburg Rezoning Action in 2005. The proposed project is compatible with the surrounding land use and will be in compliance with the current zoning.

#### *Compliance with Current Zoning*

The property is currently zoned M1-2 / R6A. M1 districts are often buffers between M2 or M3 districts and adjacent residential or commercial districts. M1 districts typically include light industrial

uses, such as woodworking shops, repair shops, and wholesale service and storage facilities. Nearly all industrial uses are allowed in M1 districts if they meet the stringent M1 performance standards. Offices, hotels and most retail uses are also permitted. Certain community facilities, such as hospitals, are allowed in M1 districts only by special permit, but houses of worship are allowed as-of-right.

R6A is a higher-density residence district generally found close to central and regional business districts and are usually mapped in proximity to mass transit. These areas are characterized by bulkier buildings, a greater range of building heights and less automobile ownership than lower-density areas.

Contextual districts are designed to maintain the scale and form of the city's traditional moderate- and higher-density neighborhoods. These districts, which have an A, B, D or X letter suffix are mapped where buildings of similar size and shape form a strong neighborhood context, or where redevelopment would create a uniform context. The bulk regulations for these districts are known as Quality Housing regulations.

Created in the 1980's to promote high-quality housing harmonious with its neighbors, the Quality Housing Program was a response to concerns that height factor buildings were often out-of-scale with the surrounding neighborhood. The program assigns a single floor area ratio to each district, and includes bulk regulations that typically produce buildings that are shorter and have higher lot coverage than height factor buildings.

The proposed project which includes residential apartments and retail space is compatible with the surrounding land use and will be in compliance with the current zoning.

#### *Compliance with Land Use Plans*

In May 2005, the City Council adopted the Greenpoint - Williamsburg Rezoning Action (CEQR No. 04DCP003K). The purpose of the action was intended to provide opportunities for new residential and commercial development and enhancement and upgrade of the waterfront areas, including new parkland on the waterfront to provide waterfront access and recreational opportunities.

Over the last two decades, the Greenpoint and Williamsburg areas have experienced substantial growth in their residential population, resulting in a housing shortfall and increasing demands for new dwelling units. While the residential population dramatically increased, the industrial sector has declined, leaving many large properties vacant or underutilized. In addition, as a result of the 1961 rezoning efforts, existing residential buildings in manufacturing districts became non-conforming uses, banned from continued residential occupancy when vacant for two years, and not allowed to expand or rebuild when substantially damaged by fire.

The decline of industrial activity, particularly water-dependent industry, during recent decades has been pronounced in Greenpoint and Williamsburg. Industrial sectors such as garment and textile manufacturing, which once dominated Williamsburg, have nearly disappeared from the area as companies have closed or moved their operations abroad. At the same time, residential activity has spread beyond its traditional boundaries in Greenpoint-Williamsburg.

The action would create opportunities for new housing development on underutilized and vacant land formerly used for manufacturing, where there is no longer a concentration of industrial activity and where strong demand for housing exists. It would bring existing non-conforming residential uses into conformance. In addition, the mixed-use districts proposed in certain areas would permit the continuation of light industrial uses as well as the residential re-use of underutilized and vacant land.

The proposed project will be in compliance with the current land use plans as identified in the Greenpoint Williamsburg Rezoning action (CEQR No. 03DCP026M) adopted by the City on May 11, 2005 (**Attachment E**).

#### **5.4 Environmental Zone**

In October 2003, the New York State Brownfield Cleanup Program was signed into law under Title 14 of the ECL, Article 27. The law directed New York State's economic development agency, Empire State Development (ESD) to designate Environmental Zones in which tax credits offered under the BCP are enhanced. The subject site is within Census Tract 517 which is not a designated Environmental Zone (see **Figure 7**).

#### **5.5 Environmental Justice Area**

As shown on **Figure 8**, the Site is not located within a potential environmental justice area. The NYSDEC defines a potential environmental justice area as a "minority or low-income community that may bear a disproportionate share of the negative environmental consequences resulting from industrial, municipal, and commercial operations or the execution of federal, state, local, and tribal programs and policies.

Environmental justice means the fair treatment and meaningful involvement of all people regardless of race, color, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. Fair treatment means that no group of people, including a racial, ethnic, or socioeconomic group, should bear a disproportionate share of the negative environmental consequences resulting from industrial, municipal, and commercial operations or the execution of federal, state, local, and tribal programs and policies.

#### **5.6 Groundwater Vulnerability (Question 15)**

Groundwater at the Site is present under water table conditions at a depth of approximately 15 feet below grade. Based on regional and local water table elevation maps, groundwater flow is expected to be north. Groundwater at the site has been affected by petroleum related volatile and semi volatile organic compounds and chlorinated volatile organic compounds (VOCs, SVOCs, CVOCs).

Impact to drinking water is not an immediate concern to the buildings downgradient of the Site as all water for the area is supplied by the NYC Municipal water supply system.

Vapor intrusion, from impacted soil and /or groundwater at the Site, to any new development on the Site and to adjacent residential and commercial buildings is a potential concern that will be investigated further under the Remedial Investigation.

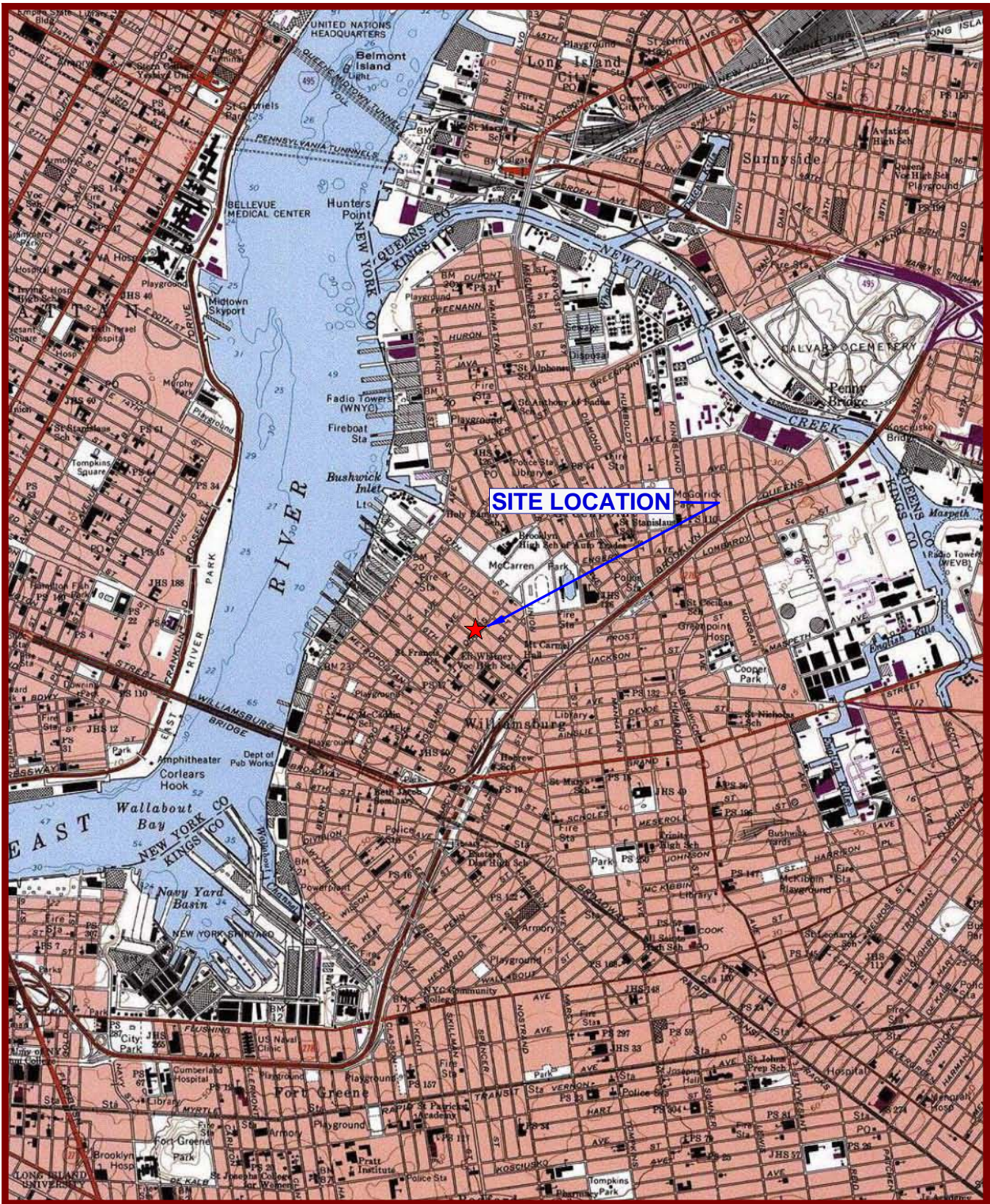
## 5.7 Site Geography and Geology (Question 16)

The geologic setting of Long Island is well documented and consists of crystalline bedrock overlain by layers of unconsolidated deposits. According to geologic maps of the area created by the United States Geologic Survey (USGS), the bedrock in this area of Brooklyn is an igneous intrusive classified as the Ravenswood grano-diorite of middle Ordovician to middle Cambrian age. Unconsolidated sediments overlie the bedrock and consist of Pleistocene aged sand, gravel and silty clays, deposited by glacial-fluvial activity. Non-native fill materials consisting of dredge spoils, rubble and / or other materials have historically been used to reinforce and extend shoreline areas and to raise and improve the drainage of low lying areas.

Soil at the site is described as historic fill materials to a depth of approximately 15 feet below the surface followed by native brown fine sand with silt and some clay. According to the USGS topographic map for the area (Brooklyn Quadrangle), the elevation of the property ranges from 18 to 21 feet above the National Geodetic Vertical Datum (NGVD). The area topography gradually slopes to the north.

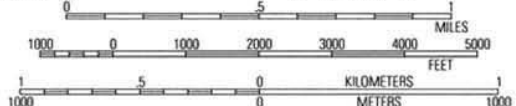
No portion of the Site is located within a designated flood zone area. As shown on **Figure 9**, the nearest moderate risk flood zone is located 100 feet to the northeast and the nearest high risk flood zone is located 250 feet to the northeast.

## **FIGURES**



40°45.000' N  
40°44.000' N  
40°43.000' N  
40°42.000' N

73°59.000' W      73°58.000' W      73°57.000' W      WGS84 73°56.000' W



MN ↑ TN  
13°  
06/04/11

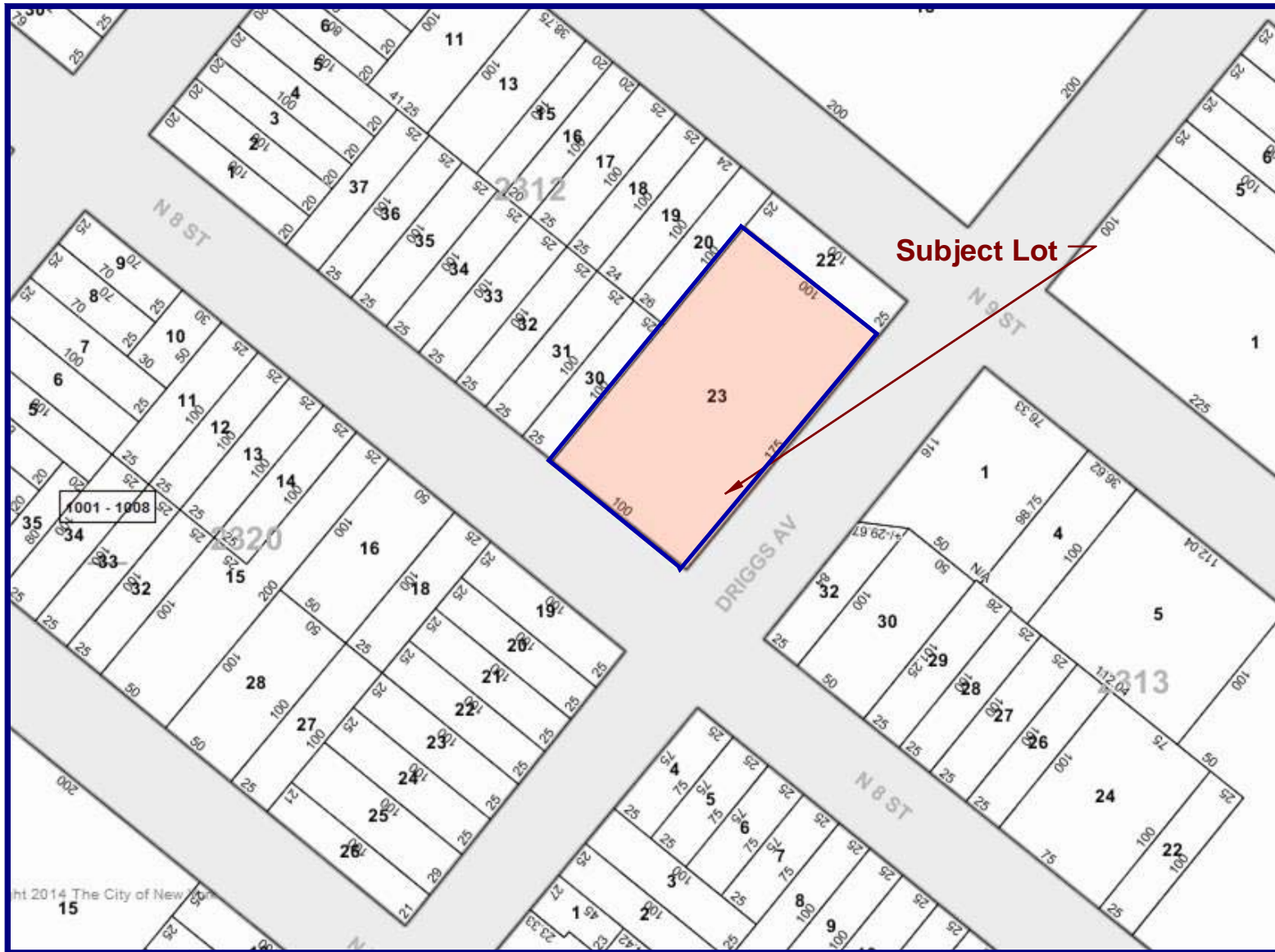
USGS Brooklyn Quadrangle 1995, Contour Interval = 10 feet

**EBC**  
ENVIRONMENTAL BUSINESS CONSULTANTS

Phone 631.504.6000  
Fax 631.924.2870

**FORMER STERLING TRANSFORMER CORP.**  
510 DRIGGS AVENUE, BROOKLYN, NY

**FIGURE 1**      SITE LOCATION MAP



ht 2014 The City of New York  
15



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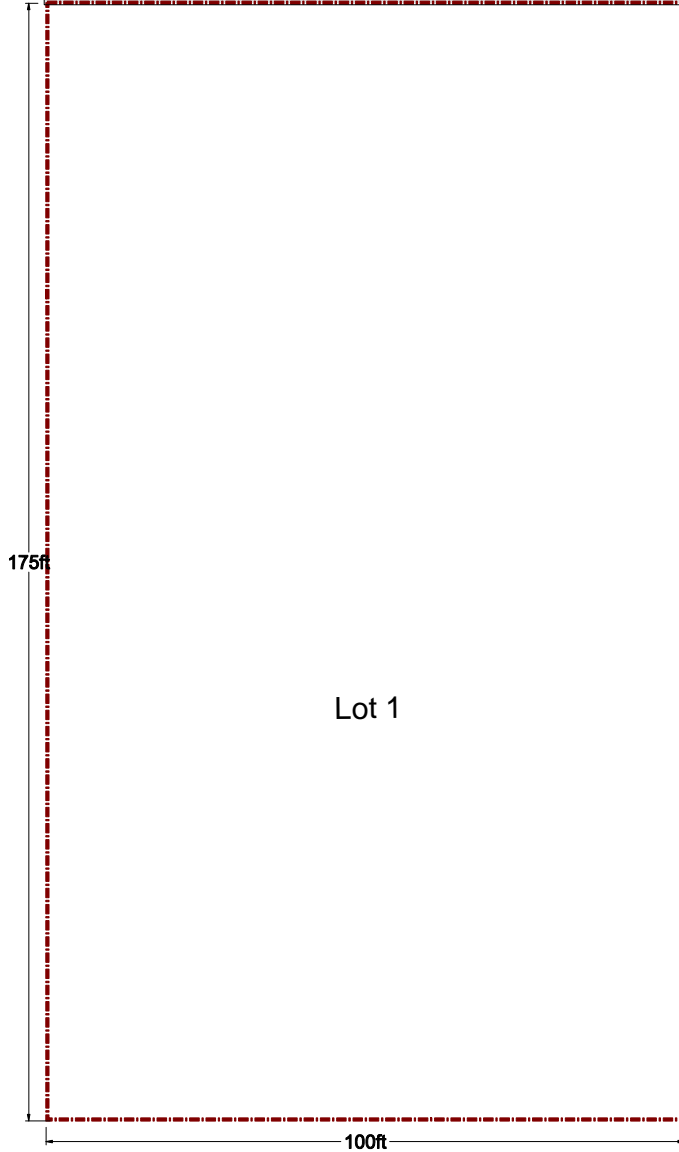
**FIGURE 2**

**NYC TAX MAP**

N. 9th STREET



Adjacent Lot (22)  
Building



175ft

Lot 1


100ft

SIDEWALK

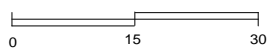
DRIGGS AVENUE

N. 8th STREET

**KEY:**

 BCP Property Boundary

**SCALE:**



Scale: 1 inch = 30 feet



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Figure No.

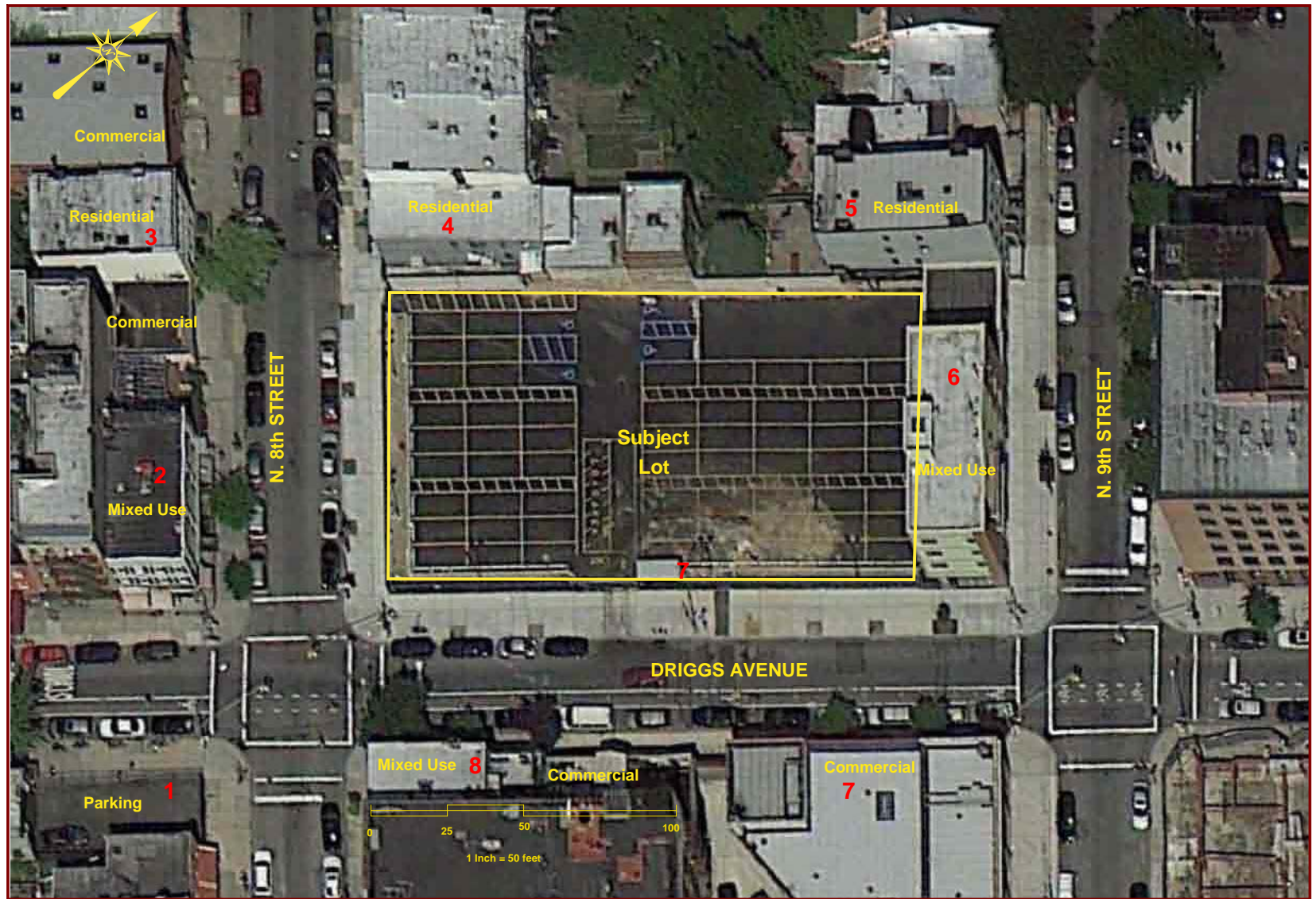
**3**

Site Name: **FORMER STERLING TRANSFORMER CORP.**

Site Address: **510 DRIGGS AVENUE, BROOKLYN, NY**

Drawing Title: **SITE PLAN**





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FORMER STERLING TRANSFORMER CORP.  
 510 DRIGGS AVENUE BROOKLYN, NY  
**FIGURE 4** PROJECT SITE AND  
 ADJACENT PROPERTIES

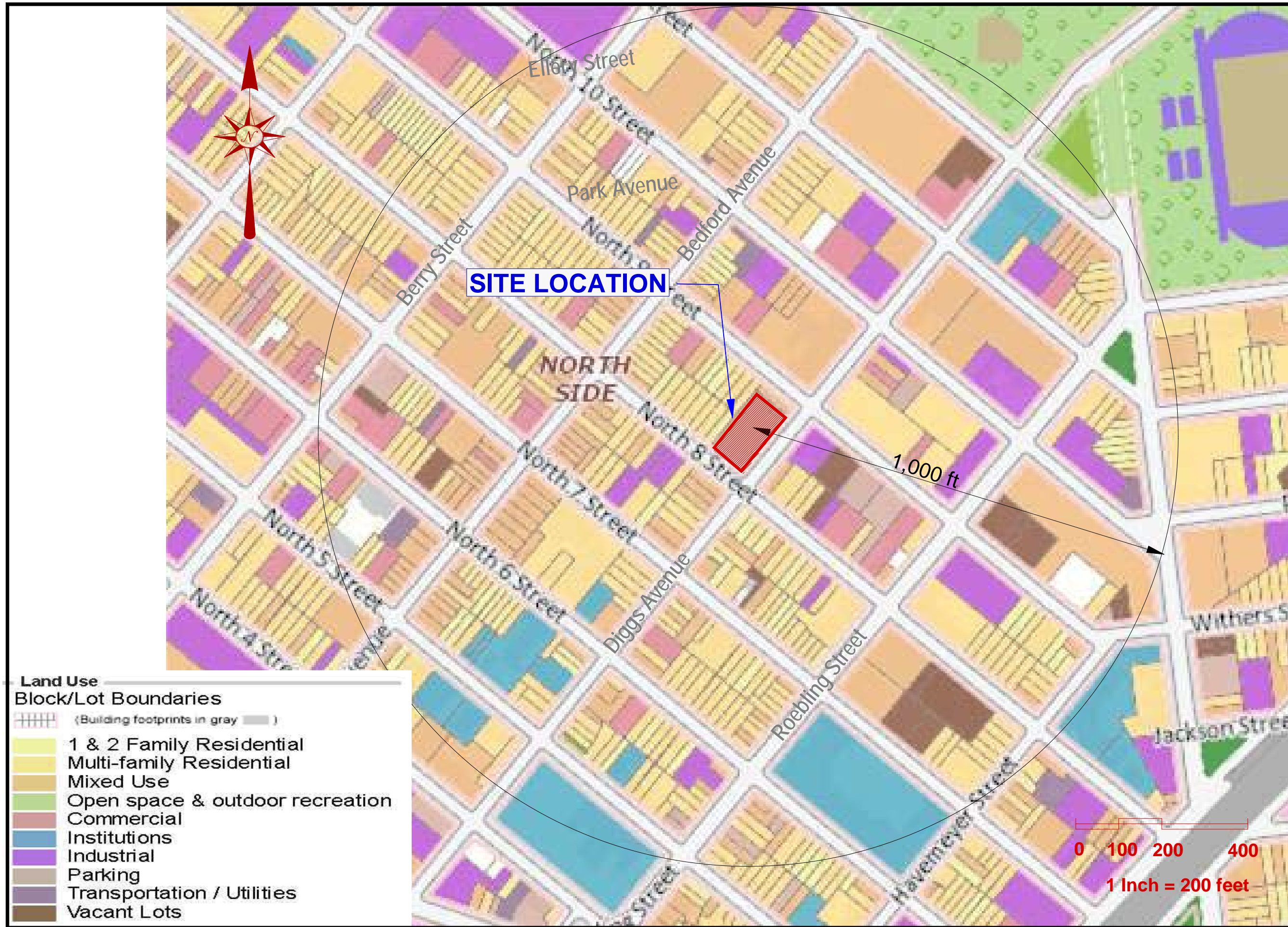


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**FORMER STERLING TRANSFORMER**  
**510 DRIGGS AVENUE, BROOKLYN, NY**

**FIGURE 5** AREA SCHOOLS & DAYCARE CENTERS



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Fax 631.924.2870

Figure No.  
6

Site Name: **FORMER STERLING TRANSFORMER CORP.**

Site Address: **510 DRIGGS AVENUE, BROOKLYN, NY**

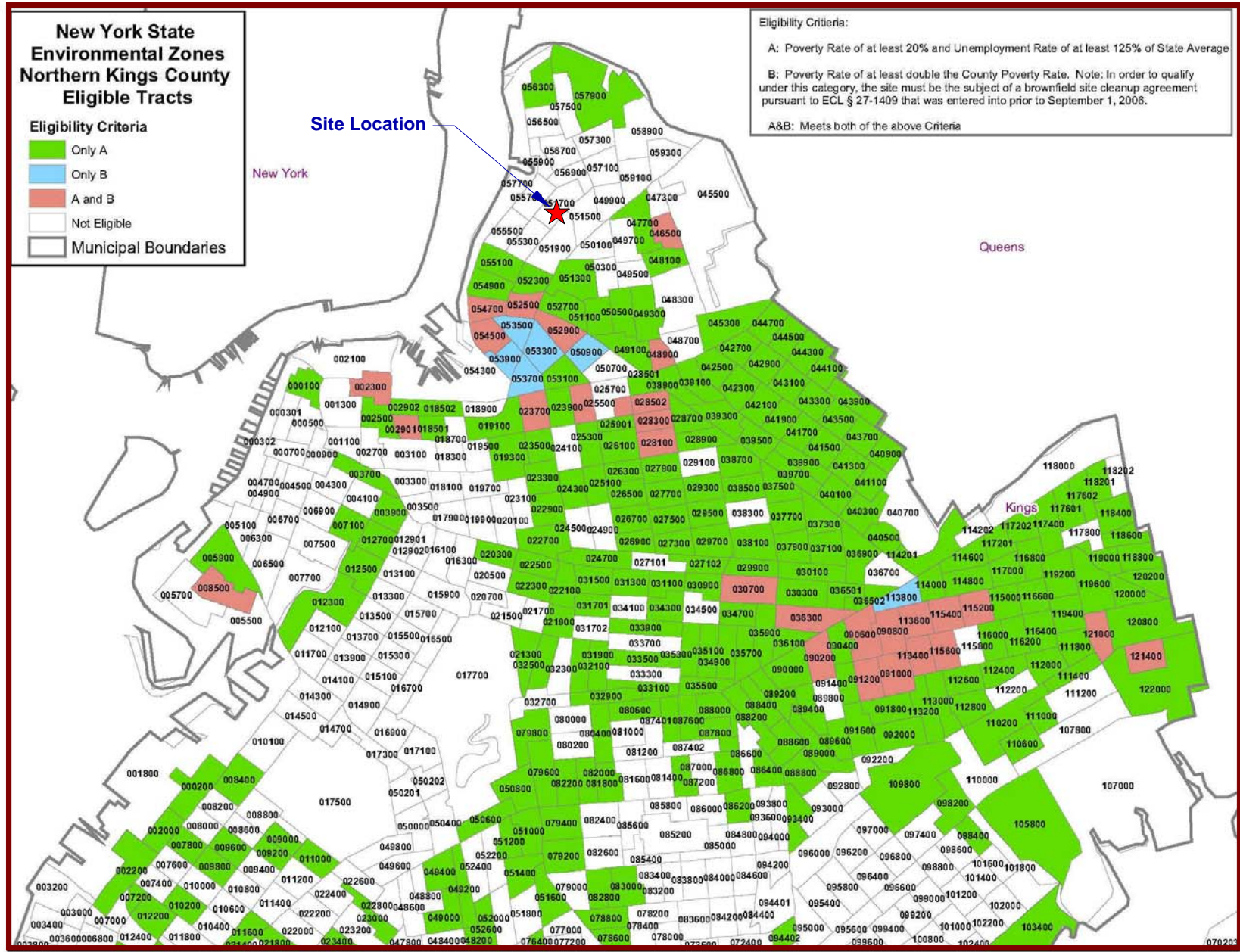
Drawing Title: **SURROUNDING LAND USE**

**New York State  
Environmental Zones  
Northern Kings County  
Eligible Tracts**

- Eligibility Criteria**
- Only A
  - Only B
  - A and B
  - Not Eligible
  - Municipal Boundaries

**Eligibility Criteria:**

- A:** Poverty Rate of at least 20% and Unemployment Rate of at least 125% of State Average
- B:** Poverty Rate of at least double the County Poverty Rate. Note: In order to qualify under this category, the site must be the subject of a brownfield site cleanup agreement pursuant to ECL § 27-1409 that was entered into prior to September 1, 2006.
- A&B:** Meets both of the above Criteria



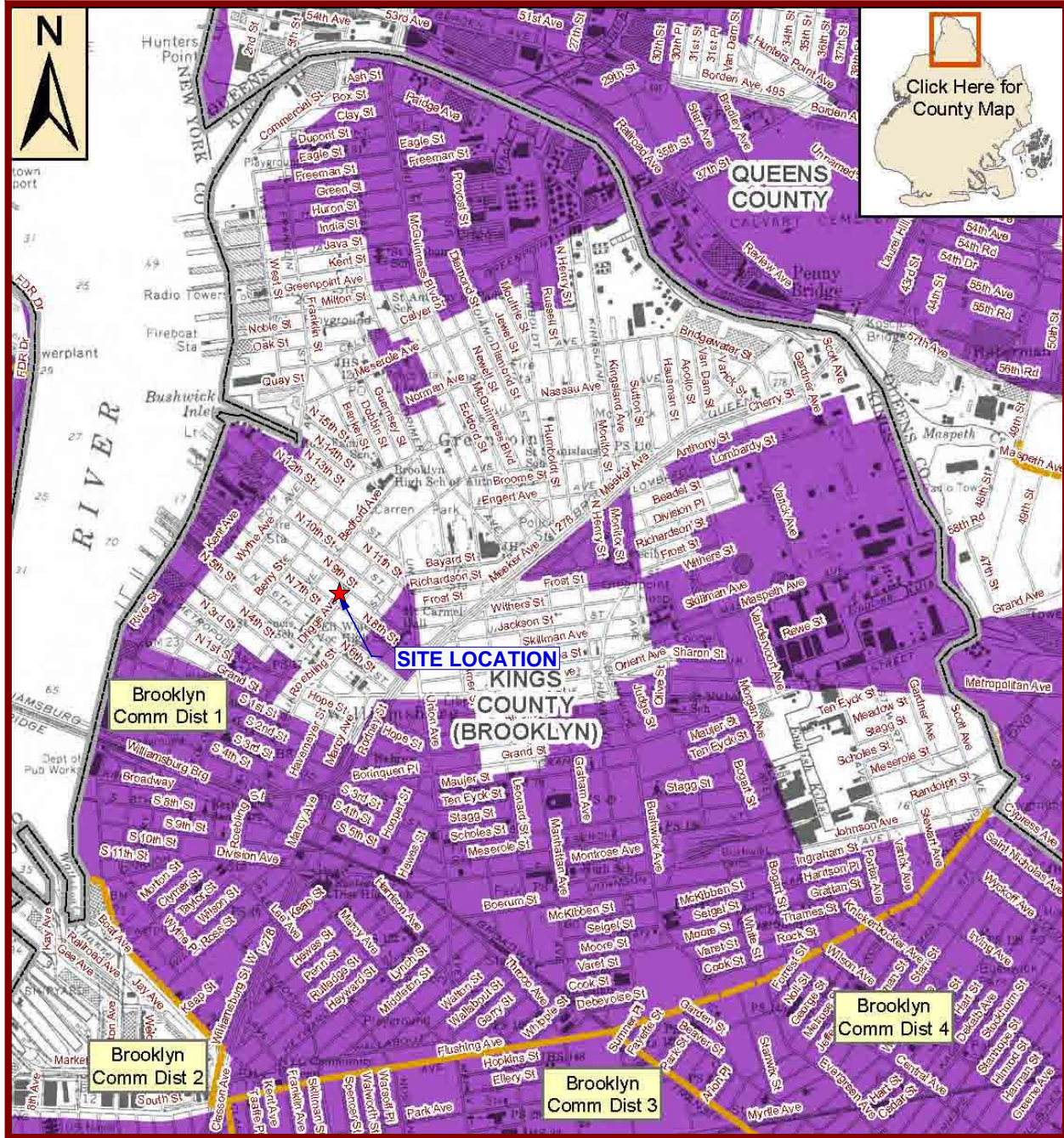
**ENVIRONMENTAL BUSINESS CONSULTANTS**  
1808 MIDDLE COUNTRY ROAD, RIDGE, NY 11961

Phone: 631.504.6000  
Fax: 631.924.2780

**FORMER STERLING TRANSFORMER CORP.**  
510 DRIGGS AVENUE, BROOKLYN, NY

**FIGURE 7** NYS ENVIRONMENTAL ZONES

# Potential Environmental Justice Areas in Brooklyn Community District 1, Kings County, New York



This computer representation has been compiled from supplied data or information that has not been verified by EPA or NYSDEC. The data is offered here as a general representation only and is not to be used for commercial purposes without verification by an independent professional qualified to verify such data or information.

Neither EPA nor NYSDEC guarantee the accuracy, completeness, or timeliness of the information shown and shall not be liable for any loss or injury resulting from reliance.

Data Source for Potential Environmental Justice Areas:  
U.S. Census Bureau, 2000 U.S. Census

### Legend

- Potential EJ Area
- County Boundary
- Community District

0 0.2 0.4 0.6 0.8 1 Miles

SCALE: 1:24,000

For questions about this map contact:  
New York State Department of  
Environmental Conservation  
Office of Environmental Justice  
625 Broadway, 14th Floor  
Albany, New York 12233-1500  
(518) 402-8556  
ej@gw.dec.state.ny.us



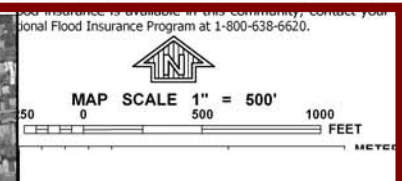
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Phone 631.504.6000  
Fax 631.924.2870

FORMER STERLING TRANSFORMER CORP.  
510 DRIGGS AVENUE, BROOKLYN, NY

**FIGURE 8**

POTENTIAL ENVIRONMENTAL  
JUSTICE AREAS



For more information available in this community, contact your local Flood Insurance Program at 1-800-638-6620.

**NFIP**

PANEL 0204F

**FIRM**  
FLOOD INSURANCE RATE MAP

CITY OF  
NEW YORK,  
NEW YORK  
BRONX, RICHMOND, NEW YORK,  
QUEENS, AND KINGS COUNTIES

PANEL 204 OF 457  
(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
NEW YORK, CITY OF	360497	0204	F

Notice to User: The Map Number shown below should be used when placing map orders; the Community Number shown above should be used on insurance applications for the subject community.

**MAP NUMBER**  
3604970204F

**MAP REVISED**  
SEPTEMBER 5, 2007

Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using FIRM On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at [www.msc.fema.gov](http://www.msc.fema.gov)

EBC

ENVIRONMENTAL BUSINESS CONSULTANTS

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Phone: 631.504.6000  
Fax: 631.924.2780

FORMER STERLING TRANSFORMER CORP.  
510 DRIGGS AVENUE, BROOKLYN, NY

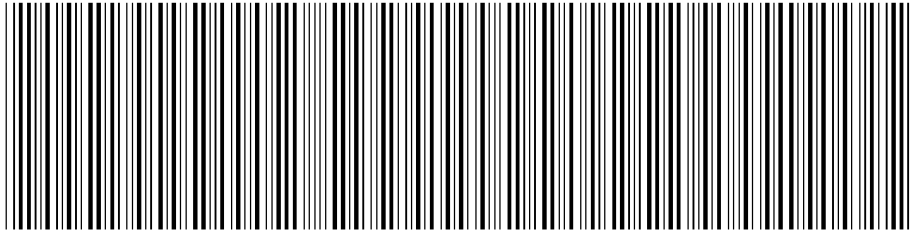
FIGURE 9

FEMA FLOOD  
ZONE MAP

**ATTACHMENT A**  
**Property Deed**

**NYC DEPARTMENT OF FINANCE  
OFFICE OF THE CITY REGISTER**

This page is part of the instrument. The City Register will rely on the information provided by you on this page for purposes of indexing this instrument. The information on this page will control for indexing purposes in the event of any conflict with the rest of the document.



2014092301198002003EB6E1

**RECORDING AND ENDORSEMENT COVER PAGE**

**PAGE 1 OF 9**

**Document ID: 2014092301198002**

Document Date: 09-17-2014

Preparation Date: 11-06-2014

Document Type: DEED

Document Page Count: 7

**PRESENTER:**

RIVERSIDE ABSTRACT LLC  
3839 FLATLANDS AVE #208 - RANY-16753  
BROOKLYN, NY 11234  
718-252-4200  
REC@RSABSTRACT.COM

**RETURN TO:**

RIVERSIDE ABSTRACT LLC  
3839 FLATLANDS AVE #208 - RANY-16753  
BROOKLYN, NY 11234  
718-252-4200  
REC@RSABSTRACT.COM

**PROPERTY DATA**

Borough	Block	Lot	Unit	Address
BROOKLYN	2312	23	Entire Lot	510 DRIGGS AVENUE
<b>Property Type: OTHER</b>				

**CROSS REFERENCE DATA**

CRFN \_\_\_\_\_ or DocumentID \_\_\_\_\_ or \_\_\_\_\_ Year \_\_\_\_\_ Reel \_\_\_\_\_ Page \_\_\_\_\_ or File Number \_\_\_\_\_

**PARTIES**

**GRANTOR/SELLER:**

JMD DRIGGS, LLC  
C/O 101 RICHARDSON STREET  
BROOKLYN, NY 11211

**GRANTEE/BUYER:**

187 NORTH 8 STREET OWNER LLC  
C/O DHA CAPITAL LLC, 330 SEVENTH AVENUE,  
SUITE 1901  
NEW YORK, NY 10001

Additional Parties Listed on Continuation Page

**FEES AND TAXES**

**Mortgage :**

Mortgage Amount: \$ 0.00

Taxable Mortgage Amount: \$ 0.00

Exemption:

TAXES: County (Basic): \$ 0.00

City (Additional): \$ 0.00

Spec (Additional): \$ 0.00

TASF: \$ 0.00

MTA: \$ 0.00

NYCTA: \$ 0.00

Additional MRT: \$ 0.00

**TOTAL: \$ 0.00**

Recording Fee: \$ 72.00

Affidavit Fee: \$ 0.00

**Filing Fee:**

\$ 250.00

NYC Real Property Transfer Tax:

\$ 656,250.00

NYS Real Estate Transfer Tax:

\$ 100,000.00

**RECORDED OR FILED IN THE OFFICE**

**OF THE CITY REGISTER OF THE**

**CITY OF NEW YORK**

Recorded/Filed 11-07-2014 10:49

City Register File No.(CRFN):

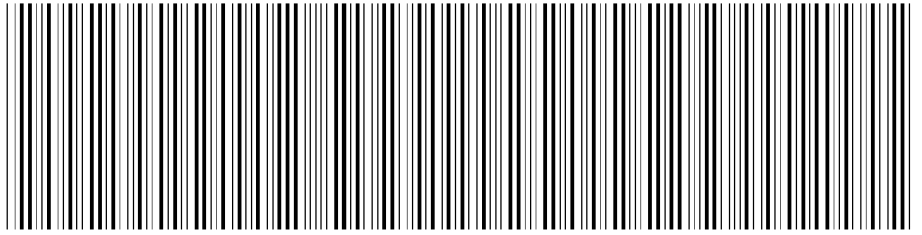
**2014000369125**



*Guanette McMill*

*City Register Official Signature*





2014092301198002003CB461

**RECORDING AND ENDORSEMENT COVER PAGE (CONTINUATION)**

**PAGE 2 OF 9**

**Document ID: 2014092301198002**

Document Date: 09-17-2014

Preparation Date: 10-30-2014

Document Type: DEED

**PARTIES**

**GRANTOR/SELLER:**

RICHFIELD DRIGGS HOLDINGS, LLC  
C/O SIEGEL & REINER, ATTN: IRWIN SIEGEL, 900  
THIRD AVENUE, 17TH FLOOR  
NEW YORK, NY 10022

**GRANTOR/SELLER:**

NCKID DRIGGS, LLC  
C/O 101 RICHARDSON STREET  
BROOKLYN, NY 11211

**GRANTOR/SELLER:**

DRIGGS TRIPLE D, LLC  
C/O 101 RICHARDSON STREET  
BROOKLYN, NY 11211

**GRANTOR/SELLER:**

DRIGGS BEAN, LLC  
C/O 101 RICHARDSON STREET  
BROOKLYN, NY 10022

**BARGAIN AND SALE DEED WITHOUT COVENANT**

**RICHFIELD DRIGGS HOLDINGS, LLC, JMD DRIGGS, LLC, NCKID  
DRIGGS, LLC, DRIGGS TRIPLE D, LLC, and DRIGGS BEAN, LLC,**  
each a Delaware limited liability company,  
as Tenants-in-Common,

TO

**187 NORTH 8 STREET OWNER LLC,**  
a Delaware Limited Liability Company

ADDRESS: 510 DRIGGS AVENUE  
a/k/a 187 North 8<sup>th</sup> Street

BLOCK: 2312  
LOT: 23  
COUNTY: KINGS

RETURN BY MAIL TO:

*Troutman Sanders LLP  
405 Lexington Avenue  
New York, New York 10174  
Attn: Simon D. Ciceo, Esq.*

**BARGAIN AND SALE DEED WITHOUT COVENANT AGAINST GRANTOR'S ACTS**  
**THIS INDENTURE**, made as of this 17<sup>th</sup> day of September, 2014.

**BETWEEN** (a) **RICHFIELD DRIGGS HOLDINGS, LLC**, with an office c/o Siegel & Reiner, \_\_\_ 900 Third Avenue, 17<sup>th</sup> floor, New York, New York 10022, and (b) **NCKID DRIGGS, LLC, JMD DRIGGS, LLC, DRIGGS TRIPLE D, LLC, and DRIGGS BEAN, LLC**, each with an office c/o 101 Richardson Street, Brooklyn, New York 11211, collectively, party of the first part, and **187 NORTH 8 STREET OWNER LLC**, a Delaware limited liability company, with offices c/o DHA Capital LLC, 330 Seventh Avenue, Suite 1901, New York, NY 10001, party of the second part,

**WITNESSETH**, that the party of the first part, in consideration of ten dollars and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

**ALL** that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the City of Brooklyn, County of Kings and State of New York, more commonly known as **510 Driggs Avenue, Brooklyn, New York** and more particularly described on Exhibit A attached hereto and hereby made part hereof.

**TOGETHER** with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof; **TOGETHER** with the appurtenances and all the estate and rights of the party of the first part in and to said premises;


**TO HAVE AND TO HOLD** the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

**AND** the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose. The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.


**BEING** the same Property conveyed to Grantor by virtue of a certain deed recorded on July 24, 2014, as CRFN #2014000245957.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.


**RICHFIELD DRIGGS HOLDINGS, LLC**

By:   
Joshua Dolgin, Authorized Signatory


**JMD DRIGGS, LLC**

By:   
Joshua Dolgin, Authorized Signatory


**NCKID DRIGGS, LLC**

By:   
Joshua Dolgin, Authorized Signatory

**DRIGGS TRIPLE D, LLC**

By:   
Joshua Dolgin, Authorized Signatory

**DRIGGS BEAN, LLC**

By:   
Joshua Dolgin, Authorized Signatory

STATE OF NEW YORK )  
COUNTY OF New York )

On the 16<sup>th</sup> day of September in the year 2014 before me, the undersigned, a Notary Public in and for said State, personally appeared JOSHUA DOLGIN, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Dinah B. Slavitt  
Signature and Office of individual taking  
acknowledgement  
DINAH B. SLAVITT  
Notary Public, State of New York  
Registration #01SL4961161  
Qualified In New York County  
Commission Expires Jan. 22, 20 18

STATE OF NEW YORK )  
COUNTY OF New York )

On the 16<sup>th</sup> day of September in the year 2014 before me, the undersigned, a Notary Public in and for said State, personally appeared JOSHUA DOLGIN, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

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acknowledgement  
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Signature and Office of individual taking  
acknowledgement  
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STATE OF NEW YORK )  
COUNTY OF New York )

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Dinah B. Slavitt  
Signature and Office of individual taking  
acknowledgement  
DINAH B. SLAVITT  
Notary Public, State of New York  
Registration #01SL4961161  
Qualified in New York County  
Commission Expires Jan. 22, 20 18

STATE OF NEW YORK )  
COUNTY OF New York )

On the 16<sup>th</sup> day of September in the year 2014 before me, the undersigned, a Notary Public in and for said State, personally appeared JOSHUA DOLGIN, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Dinah B. Slavitt  
Signature and Office of individual taking  
acknowledgement  
DINAH B. SLAVITT  
Notary Public, State of New York  
Registration #01SL4961161  
Qualified in New York County  
Commission Expires Jan. 22, 20 18

**RIVERSIDE ABSTRACT, LLC**  
as Agent for  
Old Republic National Title Insurance Company

**SCHEDULE A – DESCRIPTION**

Title No.: **RANY-16753**

ALL that certain plot, piece or parcel of land, situate, lying and being in the Borough of Brooklyn, County of Kings, City and State of New York, bounded and described as follows:

**Parcel I**

BEGINNING at the corner formed by the intersection of the northeasterly side of North 8th Street with the northwesterly side of Driggs Avenue (formerly 5th Street);

THENCE northwesterly along the northeasterly side of North 8th Street, 100 feet;

THENCE northeasterly parallel with said Driggs Avenue (formerly 5th Street), 150 feet;

THENCE southeasterly parallel with said North 8th Street, 100 feet to the northwesterly side of Driggs Avenue (formerly 5th Street);

THENCE southwesterly along the northwesterly side of Driggs Avenue (formerly 5th Street), 150 feet to the point or place of BEGINNING.

**PARCEL II**

BEGINNING at a point on the northwesterly side of Driggs Avenue distant 150 feet from the corner formed by the intersection of the northeasterly side of North 8th Street with the northwesterly side of Driggs Avenue (formerly 5th Street);

THENCE northwesterly parallel with North 8th Street, 100 feet;

THENCE northeasterly parallel with said Driggs Avenue (formerly 5th Street), 25 feet;

THENCE southeasterly parallel with said North 8th Street, 100 feet to the northwesterly side of Driggs Avenue (formerly 5th Street);

THENCE southwesterly along the northwesterly side of Driggs Avenue (formerly 5th Street), 25 feet to the point or place of BEGINNING.

**RIVERSIDE ABSTRACT, LLC**  
as Agent for  
**Old Republic National Title Insurance Company**

**SCHEDULE A - DESCRIPTION**

Title Number: **RANY-16753**

**PERIMETER DESCRIPTION**

BEGINNING at the corner formed by the intersection of the northeasterly side of North 8th Street with the northwesterly side of Driggs Avenue (formerly 5th Street);

THENCE northwesterly along the northeasterly side of North 8th Street, 100 feet;

THENCE northeasterly parallel with said Driggs Avenue (formerly 5th Street), 175 feet;

THENCE southeasterly parallel with said North 8th Street, 100 feet to the northwesterly side of Driggs Avenue (formerly 5th Street);

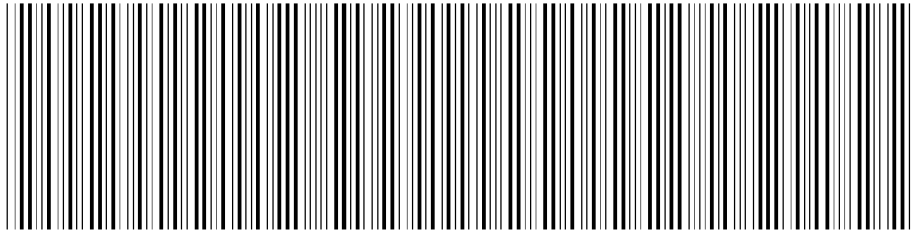
THENCE southwesterly along the northwesterly side of Driggs Avenue (formerly 5th Street), 175 feet to the point or place of BEGINNING.

Note: Address, Block & Lot shown for informational purposes only

Designated as Block 2312, Lot 23, Kings County, and also known as 508 Driggs Avenue Brooklyn, NY.



NYC DEPARTMENT OF FINANCE  
OFFICE OF THE CITY REGISTER



2014092301198002003S7860

**SUPPORTING DOCUMENT COVER PAGE**

**PAGE 1 OF 1**

**Document ID: 2014092301198002**

Document Date: 09-17-2014

Preparation Date: 10-30-2014

Document Type: DEED

**ASSOCIATED TAX FORM ID:** 2014072500304

**SUPPORTING DOCUMENTS SUBMITTED:**

Page Count

DEP CUSTOMER REGISTRATION FORM FOR WATER AND SEWER BILLING

1

RP - 5217 REAL PROPERTY TRANSFER REPORT

5

FOR CITY USE ONLY

C1. County Code  C2. Date Deed Recorded  /  /   
 Month Day Year

C3. Book  OR  C4. Page

C5. CRFN



**REAL PROPERTY TRANSFER REPORT**  
 STATE OF NEW YORK  
 STATE BOARD OF REAL PROPERTY SERVICES  
**RP - 5217NYC**

**PROPERTY INFORMATION**

1. Property Location  510 |  DRIGGS AVENUE |  BROOKLYN |  11211  
STREET NUMBER STREET NAME BOROUGH ZIP CODE

2. Buyer Name  187 NORTH 8 STREET OWNER LLC  
LAST NAME / COMPANY FIRST NAME

3. Tax Billing Address   
Indicate where future Tax Bills are to be sent if other than buyer address (at bottom of form)  
LAST NAME / COMPANY FIRST NAME

4. Indicate the number of Assessment Roll parcels transferred on the deed  1 # of Parcels OR  Part of a Parcel

5. Deed Property Size  FRONT FEET X  DEPTH OR  ACRES

8. Seller Name  JMD DRIGGS, LLC  
 RICHFIELD DRIGGS HOLDINGS, LLC  
LAST NAME / COMPANY FIRST NAME

9. Check the box below which most accurately describes the use of the property at the time of sale:  
 A  One Family Residential C  Residential Vacant Land E  Commercial G  Entertainment / Amusement I  Industrial  
 B  2 or 3 Family Residential D  Non-Residential Vacant Land F  Apartment H  Community Service J  Public Service

**SALE INFORMATION**

10. Sale Contract Date  2 / 21 / 2014  
Month Day Year

11. Date of Sale / Transfer  9 / 17 / 2014  
Month Day Year

12. Full Sale Price \$  2,500,000.00  
( Full Sale Price is the total amount paid for the property including personal property. This payment may be in the form of cash, other property or goods, or the assumption of mortgages or other obligations.) Please round to the nearest whole dollar amount.

13. Indicate the value of personal property included in the sale

14. Check one or more of these conditions as applicable to transfer:  
 A  Sale Between Relatives or Former Relatives  
 B  Sale Between Related Companies or Partners in Business  
 C  One of the Buyers is also a Seller  
 D  Buyer or Seller is Government Agency or Lending Institution  
 E  Deed Type not Warranty or Bargain and Sale (Specify Below )  
 F  Sale of Fractional or Less than Fee Interest ( Specify Below )  
 G  Significant Change in Property Between Taxable Status and Sale Dates  
 H  Sale of Business is Included in Sale Price  
 I  Other Unusual Factors Affecting Sale Price ( Specify Below )  
 J  None

**ASSESSMENT INFORMATION - Data should reflect the latest Final Assessment Roll and Tax Bill**

15. Building Class  G, 6 16. Total Assessed Value (of all parcels in transfer)  4,315,500  
Month Day Year

17. Borough, Block and Lot / Roll Identifier(s) ( If more than three, attach sheet with additional identifier(s) )  
 BROOKLYN 2312 23

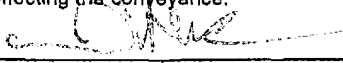
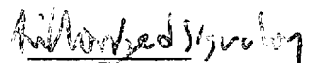
**Signature (both the grantor(s) and grantee(s) must sign)**

The undersigned certify that the above information contained in schedules A, B, and C, including any return, certification, schedule, or attachment, is to the best of his/her knowledge, true and complete, and authorize the person(s) submitting such form on their behalf to receive a copy for purposes of recording the deed or other instrument effecting the conveyance.

X	_____	_____	_____	_____
	Grantor signature	Title	Grantee signature	Title
	_____	_____	_____	_____
	Grantor signature	Title	Grantee signature	Title

**Signature (both the grantor(s) and grantee(s) must sign)**

The undersigned certify that the above information contained in schedules A, B, and C, including any return, certification, schedule, or attachment, is to the best of his/her knowledge, true and complete, and authorize the person(s) submitting such form on their behalf to receive a copy for purposes of recording the deed or other instrument effecting the conveyance.

_____	_____		
Grantor signature	Title	Grantee signature	Title

_____	_____	_____	_____
Grantor signature	Title	Grantee signature	Title

Grantee (Buyer)

LAST NAME / COMPANY

Grantor (Seller)

NCKID DRIGGS, LLC

LAST NAME / COMPANY

Grantee (Buyer)

FIRST NAME

FIRST NAME Joshua Dolgin

LAST NAME / COMPANY

Grantor (Seller)

DRIGGS TRIPLE D, LLC

LAST NAME / COMPANY

Grantee (Buyer)

FIRST NAME

FIRST NAME Joshua Dolgin

LAST NAME / COMPANY

Grantor (Seller)

DRIGGS BEAN, LLC

LAST NAME / COMPANY

Grantee (Buyer)

FIRST NAME

FIRST NAME Joshua Dolgin

LAST NAME / COMPANY

Grantor (Seller)

RICHFIELD DRIGGS HOLDINGS, LLC

LAST NAME / COMPANY

Grantee (Buyer)

FIRST NAME

FIRST NAME Joshua Dolgin

LAST NAME / COMPANY

Grantor (Seller)

FIRST NAME

LAST NAME / COMPANY

Grantee (Buyer)

FIRST NAME

LAST NAME / COMPANY

Grantor (Seller)

FIRST NAME

LAST NAME / COMPANY

Grantee (Buyer)

FIRST NAME

LAST NAME / COMPANY

Grantor (Seller)

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Grantee (Buyer)

FIRST NAME

LAST NAME / COMPANY

Grantor (Seller)

FIRST NAME

LAST NAME / COMPANY

FIRST NAME

### CERTIFICATION

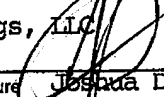
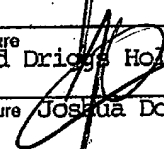
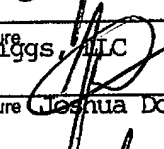
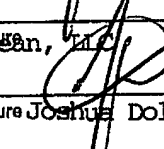
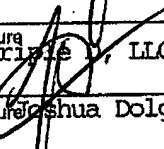
I certify that all of the Items of Information entered on this form are true and correct (to the best of my knowledge and belief) and understand that the making of any willful false statement of material fact herein will subject me to the provisions of the penal law relative to the making and filing of false Instruments.

#### BUYERS

187 NORTH 8 STREET OWNER LLC

Buyer Signature	Date
Buyer Signature	Date
Buyer Signature	Date
Buyer Signature	Date
Buyer Signature	Date
Buyer Signature	Date
Buyer Signature	Date
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Buyer Signature	Date

#### SELLERS

JMD Driggs, LLC Seller Signature  Joshua Dolgin	Date
Richfield Driggs Holdings, LLC Seller Signature  Joshua Dolgin	Date
NCRID Driggs, LLC Seller Signature  Joshua Dolgin	Date
Driggs Bean, LLC Seller Signature  Joshua Dolgin	Date
Driggs Triplets, LLC Seller Signature  Joshua Dolgin	Date
Seller Signature	Date
Seller Signature	Date
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The City of New York  
Department of Environmental Protection  
Bureau of Customer Services  
59-17 Junction Boulevard  
Flushing, NY 11373-5108

## Customer Registration Form for Water and Sewer Billing

### Property and Owner Information:

(1) Property receiving service: BOROUGH: BROOKLYN BLOCK: 2312 LOT: 23

(2) Property Address: 510 DRIGGS AVENUE, BROOKLYN, NY 11211

(3) Owner's Name: 187 NORTH 8 STREET OWNER LLC

Additional Name:

### Affirmation:



Your water & sewer bills will be sent to the property address shown above.

### Customer Billing Information:

#### Please Note:

A. Water and sewer charges are the legal responsibility of the owner of a property receiving water and/or sewer service. The owner's responsibility to pay such charges is not affected by any lease, license or other arrangement, or any assignment of responsibility for payment of such charges. Water and sewer charges constitute a lien on the property until paid. In addition to legal action against the owner, a failure to pay such charges when due may result in foreclosure of the lien by the City of New York, the property being placed in a lien sale by the City or Service Termination.

B. Original bills for water and/or sewer service will be mailed to the owner, **at the property address or to an alternate mailing address**. DEP will provide a duplicate copy of bills to one other party (such as a managing agent), however, any failure or delay by DEP in providing duplicate copies of bills shall in no way relieve the owner from his/her liability to pay all outstanding water and sewer charges. Contact DEP at (718) 595-7000 during business hours or visit [www.nyc.gov/dep](http://www.nyc.gov/dep) to provide us with the other party's information.

### Owner's Approval:

The undersigned certifies that he/she/it is the owner of the property receiving service referenced above; that he/she/it has read and understands Paragraphs A & B under the section captioned "Customer Billing Information"; and that the information supplied by the undersigned on this form is true and complete to the best of his/her/its knowledge.

Print Name of Owner:

Signature:

Date (mm/dd/yyyy)

Name and Title of Person Signing for Owner, if applicable:

**ATTACHMENT B**  
**Environmental Reports (Digital Files on CD)**



## **ATTACHMENT C**

# **Detailed Cost Analysis of Established Environmental Conditions**

**FORMER STERLING TRANSFORMER  
Brooklyn, NY**

**Summary of Project Costs**

**NYS Brownfields Cleanup Program  
Costs by Task**

**TASK - ENVIRONMENTAL REMEDIATION**

BCP Entry Documents	\$	30,450.00
Supplemental Investigation And RI Report	\$	91,100.00
Remedial Work Plan, Remedy Scoping & Coordination	\$	18,450.00
Remedial Program Implementation	\$	1,603,535.00
Final Engineering Report, Site Management Plan & IC/ECs	\$	125,450.00
Post Remedial Monitoring	\$	33,050.00
<i>Subtotal</i>	\$	1,902,035.00
<i>15% Contingency</i>	\$	285,305.25
<b><i>Total</i></b>	<b>\$</b>	<b>2,187,340.25</b>

**ATTACHMENT D**  
**Authorization to Sign on Behalf of LLC**

## RESOLUTION OF LIMITED LIABILITY COMPANY

The undersigned, being a member and manager of 187 North 8 Street Owner LLC, a New York limited liability company (the "Company"), does hereby resolve that:

1. Mike Fohn is an officer of the Company and has the full power and authority on behalf of the Company to:

(a) Execute documents in connection with the application of the Company for participation in the New York State Brownfield Cleanup Program (the "BCP");

(b) Enter into agreements with the New York State Department of Environmental Protection (the "DEC") in connection with the Company's participation in the BCP;

(c) Execute any and all documents in connection with the Company's participation in the BCP, including but not limited to applications, agreements, and tax returns;

(d) Take any action necessary to the furtherance of the Company's participation in the BCP, including but not limited to conducting negotiations on behalf of the Company.

2. The authority hereby conferred shall be deemed retroactive, and any and all acts authorized herein which were performed prior to the passage of this unanimous consent are hereby approved and ratified. The authority hereby conferred is in addition to that conferred by any other consent heretofore or hereafter delivered to the DEC and shall continue in full force and effect until the DEC shall have received notice in writing, certified by the sole member of this company, of the revocation hereof by a resolution duly adopted by the sole member of this company. Any such revocation shall be effective only as to actions taken by this company subsequent to DEC's receipt of such notice.

3. The undersigned hereby represents and warrants that (i) the undersigned is a member and manager of the Company; and (ii) the consent of any member and manager is sufficient to authorize the Company to take the aforementioned actions.

MLF

Dated: November 28, 2014  
Brooklyn, NY

**ATTACHMENT E**  
**Greepoint - Williamsburg**  
**Rezoning Action**

## **CITY PLANNING COMMISSION**

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March 14, 2005/Calendar No. 6

N 050110(A) ZRK

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**IN THE MATTER OF** an application submitted by the Department of City Planning, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, relating to Article II, Chapter 3 (Bulk Regulations for Residential Buildings in Residence Districts) and Article VI, Chapter 2 (Special Regulations Applying in the Waterfront Area); Article XII, Chapter 3 (Special Mixed Use District) specifying a Special Mixed Use District (MX-8) in Greenpoint-Williamsburg, Community District 1, Brooklyn; and the elimination of Article IX, Chapter 7 (Special Northside Mixed Use District) and Article X, Chapter 8 (Special Franklin Street Mixed Use District), Borough of Brooklyn, Community District 1.

---

The application for the zoning text amendment was filed by the Department of City Planning on September 30, 2004, with a modified application N 050110(A) ZRK filed on December 22, 2004. The modified application, N 050110(A) ZRK, is the subject of this report.

### **RELATED ACTIONS**

In addition to the amendment of the Zoning Resolution which is the subject of this report, implementation of the proposed development also requires action by the City Planning Commission on the following applications which are being considered concurrently with this application:

1. **C 040415 MMK**      The elimination, discontinuance, and closing of a portion of North 12<sup>th</sup> Street between Kent Avenue and the U.S. Pierhead Line, the establishment of Inlet Park, and the delineation of sewer corridors
2. **C 040416 MMK**      The elimination of a portion of Quay Street between West Street and the U.S. Bulkhead Line, the establishment of Inlet Park, the establishment of Inlet Park, and the delineation of a sewer corridor
3. **C 040417 MMK**      The elimination, discontinuance, and closing of a portion of North 11<sup>th</sup> Street between Kent Avenue and the U.S. Pierhead Line, the establishment of Inlet Park, and the delineation of a sewer corridor

4. **C 040418 MMK** The elimination, discontinuance, and closing of portions of North 9<sup>th</sup> Street and North 10<sup>th</sup> Street between Kent Avenue and the U.S. Pierhead Line, and the establishment of Inlet Park
5. **C 050111(A) ZMK** Amendment of the Zoning Map, Section Nos. 8d, 9b, 12c, 12d, 13a, and 13b to rezone approximately 183 blocks to R6, C2-4/R6, C1-4/R6, R6B, C2-4/R6B, C1-4/R6B, R6A, C2-4/R6A, C1-4/R6A, R8, C2-4/R8, M1-2, M1-2/R6B, M1-2/R6A, M1-2/R6, M1-2/R7A, and MX-8.

## **BACKGROUND**

### **Description of Proposal**

The Department of City Planning proposes zoning map changes, zoning text amendments, and city map changes in Brooklyn Community District 1 to facilitate housing and open spaces, and light industry and commercial uses, along two miles of Brooklyn's East River waterfront and the adjoining upland neighborhoods. The project area includes approximately 183 blocks affected by the proposed zoning map and text changes and proposed City Map changes, where the existing zoning, for the most part, does not permit new residential buildings. It is generally bounded by the Williamsburg Bridge to the south, the Brooklyn-Queens Expressway (BQE) and McGuinness Boulevard to the east, Newtown Creek to the north, and the East River to the west.

In established residential communities as well as adjoining areas that have been mostly vacant and derelict for years, the proposal would create opportunities for thousands of new housing units, including affordable housing made possible by the Mayor's housing plan. Zoning controls would set height limits to ensure that new buildings fit in with their surroundings. In recognition of the mixed-use character that has long defined these neighborhoods, the proposal would rezone certain areas to a Special Mixed Use District (MX-8) to permit light industrial and residential uses to coexist, while retaining manufacturing zoning in areas containing critical concentrations of industry. The proposed actions would also facilitate a continuous publicly accessible waterfront walkway and new public open spaces along the East River waterfront, creating new recreational opportunities and forging long-sought links between the water's edge and the established Greenpoint and Williamsburg communities.

Zoning map changes would replace M1-1, M1-2, M3-1, C8-1, C8-2, R6, R6/C1-3, Special Northside Mixed Use District and Special Franklin Street Mixed Use District zoning designations with residential and mixed use districts. Upland areas would be rezoned to R6, R6A, R6B, M1-2/R6, M1-2/R6A, M1-2/R6B, M1-2/R7A, R6/C1-4, R6A/C1-4, R6B/C1-4, R6/C2-4, R6A/C2-4, and R6B/C2-4, with commercial overlays proposed along Grand Street, Bedford Avenue, Green Street, and Greenpoint Avenue. R6 and R8 districts are proposed on the waterfront, with commercial overlays on West Street, Kent Avenue, Commercial Street, Quay Street, Franklin Street, Green Street, Greenpoint Avenue, and North 6<sup>th</sup> Street, and with zoning text changes establishing special bulk rules for this waterfront area. In addition, the proposal would rezone an area between McCarren Park and Kent Avenue/Franklin Street, as well as two blocks between Manhattan Avenue and the Pulaski Bridge north of Box Street, from M3-1 to M1-2.

Zoning text amendments in the form of a Waterfront Access Plan (WAP) for the Greenpoint-Williamsburg waterfront between Manhattan Avenue and North 3rd Street would identify specific locations for required shore public walkways, upland connections, supplemental public access areas, and visual corridors, and establish design parameters tailored to the geography of the WAP area. Proposed zoning text amendments would modify waterfront zoning regulations governing height, setback, and use within the area governed by the Greenpoint-Williamsburg WAP, in order to ensure a sensitive transition between waterfront and upland blocks, encourage varied building heights, control tower dimensions, provide a pedestrian-friendly streetscape, and activate waterfront public access areas. The modified zoning text amendment application would establish an Inclusionary Housing zoning bonus in the area governed by the WAP and in upland areas rezoned for residential or mixed use. This zoning bonus, which could be combined with city, state, and federal affordable housing subsidy programs, would lead to the production and preservation of affordable housing. Zoning text amendments would also eliminate the Special Northside and Franklin Street Mixed Use districts, which would no longer appear on the zoning map as a result of the proposed zoning map changes.



Proposed City Map changes would demap portions of North 9th, North 10th, North 11th, and North 12th Streets, and a portion of Quay Street west of Kent Avenue, and mapping the resultant approximately 45.5-acre parcel between North 9th Street to the south and the northern edge of Bushwick Inlet to the north as park. The proposed park includes approximately 17.7 acres of land under water, for a net of 27.8 acres of park land.

### **Project Objectives**

The Greenpoint-Williamsburg rezoning is a comprehensive, area-wide rezoning which builds upon recommendations in the Greenpoint and Williamsburg Waterfront 197-a plans. These plans, which were sponsored by Community Board 1 and officially adopted in January 2002, were the result of years of community effort and collaboration with the Department of City Planning. The 197-a plans articulated a number of principles that have guided the Greenpoint-Williamsburg Rezoning, including achieving waterfront access; facilitating housing and local commercial development, including affordable housing; and pursuing rezoning actions to address these issues.

The objectives of the Greenpoint-Williamsburg Rezoning include the following:

- *Update zoning* to reflect the dramatic land use and economic changes that have been occurring in Greenpoint-Williamsburg in recent years.
- *Promote housing opportunities.* Over the last two decades, the Greenpoint and Williamsburg areas have experienced substantial growth in their residential population, resulting in increasing demands for new dwelling units. Currently in most of the rezoning area, new residential uses are not permitted.
- *Facilitate the creation of affordable housing.* The Greenpoint-Williamsburg Rezoning creates opportunities for the creation of affordable housing where no such opportunities exist today.

- *Address neighborhood context.* Through rezoning to districts with height limits, new development will fit in with surrounding buildings.

- *Create a continuous waterfront walkway and maximize public access to the waterfront.* Along with related actions that would map a new, approximately 27.8-acre park on the waterfront between North 9<sup>th</sup> Street and the northern end of Bushwick Inlet, the proposed zoning map and text amendments would establish a blueprint for a revitalized, publicly accessible East River waterfront including parks and a continuous route for a two-mile public walkway. New waterfront developments would be required to build and maintain links in a continuous network of publicly accessible waterfront spaces.

- *Facilitate development that will reconnect the neighborhood to the waterfront.* Upland neighborhoods will be reconnected to the waterfront through requirements for pedestrian-friendly connections to adjoining neighborhoods, with a sensitive transition between upland and waterfront areas, and limitations on building heights at the upland end of waterfront development sites.

- *Recognize important concentrations of industrial activity.* Retain manufacturing zoning districts where important concentrations of industrial activity and employment exist.

### **Background and History**

Greenpoint and Williamsburg developed more than 100 years ago, as neighborhoods dominated by large-scale waterfront industry, including ship builders, china and porcelain factories, glass makers, oil refineries, sugar refineries, iron foundries, and other industry. A multi-ethnic residential community developed on nearby residential streets, and in portions of the area homes and factories intermingled, setting a pattern of mixed use that shapes the neighborhood to this day.

Since the mid-20th century, industry has declined sharply and these neighborhoods have adapted to changing economic conditions. Heavy manufacturing uses, which once dominated the area, have given way to light manufacturing, wholesaling, distribution, and construction. In recent years, this trend has accelerated within the rezoning area. Between 1991 and 2002, both the Williamsburg and Greenpoint areas (excluding the area west of McCarren Park) lost approximately 40% of their industrial jobs. Manufacturing employment declined significantly in Williamsburg and Greenpoint in the same period, with manufacturing employment alone declining by 72% in Williamsburg and 60% in Greenpoint. This decline in industrial activity has left the area with large parcels of vacant and underutilized land, particularly along the waterfront.

By the early- to mid-1990's, many artists had found the industrial lofts of Williamsburg to be both accommodating and affordable places in which to live and work. This contributed to the growth of the population of artists, performers, and designers in Williamsburg and into Greenpoint. Towards the late 1990s, Williamsburg gained wide recognition as a burgeoning cultural center, with bookstores, galleries, performance spaces, and restaurants among its many offerings.

While housing demand has been growing with the population, most of the housing supply is in existing residential buildings or conversions from non-residential use. Approximately 97 percent of the residential units in the rezoning area are in buildings that were constructed before 1940. In spite of the increasing demand for housing, most of the rezoning area remains zoned for industry and does not permit new housing. Upland areas contain vacant and underutilized buildings, and the waterfront remains largely derelict, dominated by empty lots and crumbling structures, and almost entirely inaccessible to the public.

## **Neighborhood Characteristics**

### *Waterfront Area*

Although zoned for heavy manufacturing, the East River waterfront in both Greenpoint and Williamsburg contains no heavy manufacturing, and is underutilized, with many large parcels of vacant land and many abandoned or only partially occupied buildings.

The waterfront block furthest northeast in the rezoning area, between the Pulaski Bridge and Manhattan Avenue in Greenpoint, contains a soap and candle manufacturer, a vehicle repair shop, a construction contractor's yard, and a multistory industrial building containing two pre-1961 residences. On the west side of Manhattan Avenue is the Greenpoint Manufacturing and Design Center (GMDC), a loft building which has been redeveloped for a variety of industrial and commercial users, including woodworkers, metalworkers, and design firms. Immediately west of the GMDC building is a loft building largely converted to residential use, a largely vacant two-story warehouse building, and a Metropolitan Transportation Authority (MTA) bus depot.

Extending to the west of the MTA depot is the northern half of the Greenpoint Lumber Exchange site, a 22-acre site which is currently used for vehicle and equipment storage. This property consists of two parcels of privately owned land, including a pier at the end of the prolongation of Green Street, separated by a City-owned lot leased to the Lumber Exchange and the Newtown Barge Terminal Playground, a city park. The Department of Environmental protection (DEP) operates a sludge barge loading facility on the City-owned site and maintains an easement through the City-owned property for a pipeline from the sludge storage tank on an adjacent City-owned lot.

On the blocks south of the Lumber Exchange property, generally between Green Street and Kent Street, there are several one-story industrial buildings, including buildings for a recently defunct printing company, a furniture wholesaler, and a car dispatch facility. Along the waterfront between Kent Street and Greenpoint Avenue is the former WNYC transmitter site, an approximately 1.6-acre parcel which is currently inaccessible to the public, but planned for improvement as a public park by the Department of Parks and Recreation (DPR). On the same

block, there are several existing residential buildings and a construction contractor's storage facility.

The Greenpoint Terminal Market site occupies over three blocks of land along the East River between Greenpoint Avenue and Oak Street. This site, which is largely vacant, includes six industrial buildings ranging in height from one to seven stories, several of which are severely deteriorated. Immediately south of the Greenpoint Terminal Market is a now vacant parcel formerly occupied by Consolidated Freight, a national freight forwarding company that declared bankruptcy in August 2002.

The waterfront block between Quay Street and the Bushwick Inlet contains an MTA garage for Mobile Wash Unit vehicles, small one-story industrial and commercial buildings, and vacant land. On the southern edge of the inlet is a fuel depot owned by Bayside Fuel, containing storage tanks and ancillary structures such as garages and maintenance facilities. A document storage facility, Department of Sanitation garage, and an automobile impound lot occupy the blocks south of Bayside Fuel between North 12<sup>th</sup> and North 9<sup>th</sup> Streets.

New York State has acquired the waterfront blocks between North 7<sup>th</sup> and North 9<sup>th</sup> Streets, with the exception of a 5,000 square foot parcel on North 8<sup>th</sup> Street, for the development of the approximately 6-acre East River State Park. These two blocks are not within the proposed action area.

The remaining waterfront blocks in the proposed rezoning area, between North 3<sup>rd</sup> and North 7<sup>th</sup> Streets, contain land used for open vehicle storage, a paper recycling facility, and a loft building (184 Kent Avenue) partially converted to residential use.

To the south of the subject area, between North 3<sup>rd</sup> Street and the Williamsburg Bridge, the waterfront blocks are occupied by Consolidated Edison facilities; a recently constructed New York Power Authority generation facility; Grand Ferry Park, a half-acre pocket park; and the

Domino Sugar facility, which was an active manufacturing facility and a major employer in the area until January 2004, when it shut down its refining operations at this location.

### *Upland Area*

#### Greenpoint

The upland portion of the rezoning area abuts the residential core of Greenpoint, which is centered around the commercial corridor of Manhattan Avenue. The blocks between Franklin and West streets from Eagle Street to Java Street contain older residential buildings as well as several recently constructed apartment buildings. Clusters of residential buildings, many of which were built prior to the implementation of the current manufacturing zoning in 1961, are located on the block bounded by Box Street, Clay Street, Manhattan Avenue, and McGuinness Boulevard; and on the block bounded by Oak, Calyer, West, and Franklin streets.

The remaining portion of the rezoning area in Greenpoint, located west of Manhattan Avenue and Franklin Street, is characterized by a mix of industrial buildings, nonconforming residential buildings, and loft buildings that have partially been converted to residential use. On the west side of Franklin Street between Milton and Noble streets is the American Playground, a park nearly one acre in size.

#### Williamsburg

In the center of the Williamsburg portion of the proposed rezoning is the Bedford Avenue commercial core and the Northside residential neighborhood. Bedford Avenue from North 4<sup>th</sup> to North 10<sup>th</sup> streets is a lively and nearly continuous street of shops, restaurants, and bars with residential use above. The surrounding blocks to the east and west are comprised mostly of three- to four-story residential buildings dating from the first two decades of the twentieth century. This central residential area also includes a number of community facilities, including public and private schools and several churches. Additional clusters of residential buildings exist to the northeast of McCarren Park along Graham Avenue; along Grand Street, which also contains numerous ground-floor commercial uses; and on the blocks bounded by Grand Street, Wythe Avenue, North 3<sup>rd</sup> Street, and Berry Street.

Outside these residential concentrations, a mix of industrial, residential, and commercial uses exist. To the south and west of the Northside residential core is a patchwork of industrial buildings, loft buildings partially or fully converted to residential use, early twentieth century residential buildings, automotive uses, and vacant lots. While the mix of uses varies, every block in this area contains residential use. Among the residentially converted buildings in this area are 151 Kent Avenue, and the Esquire building at South 1<sup>st</sup> Street and Wythe Avenue, a condominium in a 16-story-high building formerly used for the manufacture of shoe polish.

The blocks south of McCarren Park on either side of Union Avenue, and the blocks just east of the park along Manhattan Avenue, are characterized by a similar mix of industrial, commercial, and residential uses interspersed with vacant lots. The proposed action area also includes portions of a few blocks just east of the BQE, where nonconforming residential buildings are mixed with industrial buildings, auto repair shops, and vacant lots. The rezoning area also includes nine blocks east of the BQE, bounded by Metropolitan Avenue, Union Avenue, Borinquen Place, and Rodney Street. These blocks contain a mix of residential, commercial, and industrial buildings as well as vacant lots and auto repair yards.

Five blocks located just north of the Williamsburg Bridge, between South 5<sup>th</sup> Place and Kent Avenue, contain a mix of loft buildings, several of which have been residentially converted, low-rise industrial buildings, and nonconforming residential buildings.

#### Bushwick Inlet Area

The area between McCarren Park and Kent Avenue/Franklin Street, roughly between North 9<sup>th</sup> Street and Calyer Street is characterized primarily by one- and two-story industrial buildings and contains almost no residential use. Unlike areas to the north and south, and the waterfront blocks to the west, this area maintained stable levels of industrial jobs between 1991 and 2002. This area contains numerous active industrial firms, including Colonial Glass and Mirror, Rosenwach Wood Tank Company, and the Brooklyn Brewery. Other industrial activity in the area includes

food distribution, baking, metalworking, construction-related business, and plastic products manufacture.

The largest open space resource in the rezoning area is McCarren Park, located at the intersection of the Greenpoint and Williamsburg neighborhoods. McCarren Park, which is approximately 35.7 acres in size (though approximately 5.5 acres containing the closed McCarren Pool is largely inaccessible), contains a variety of active recreational facilities. Other parks and recreational facilities in the rezoning area include Newtown Barge Park, Greenpoint Park, American Playground, Metropolitan Pool and Fitness Center, and William Sheridan Playground at P.S. 84. In Greenpoint, the former WNYC transmitter site, located on the East River between Kent Street and Greenpoint Avenue, is under Department of Parks and Recreation jurisdiction and is proposed for redevelopment as a park. In Williamsburg, the waterfront blocks between North 7<sup>th</sup> and North 9<sup>th</sup> Street have been acquired by New York State for the development of parkland.

The L train, which runs from 8<sup>th</sup> Avenue and 14<sup>th</sup> Street in Manhattan to Canarsie, serves the Williamsburg portion of the rezoning area, with stations at Bedford Avenue and Lorimer Street. The G train, which runs between Smith/9<sup>th</sup> Street in Brooklyn and Queens, has stations at Metropolitan Avenue in Williamsburg, and at Nassau Avenue and Greenpoint Avenue in Greenpoint. The Williamsburg Bridge, at the southern end of the rezoning area, provides vehicular access between Williamsburg and Delancey Street in Manhattan. The Pulaski Bridge, at the northern end of the rezoning area, connects McGuinness Boulevard to Hunter's Point and Long Island City in Queens. The Brooklyn-Queens Expressway, which connects Brooklyn and Queens via the Kosciusko Bridge, runs along the eastern edge of the rezoning area in Williamsburg. A number of bus lines serve the area: the B61 along Bedford Avenue, Driggs Avenue, Manhattan Avenue, and McGuinness Boulevard; the B43 along Manhattan Avenue in Greenpoint; the B48 along Nassau Avenue and Lorimer Street; the Q59 along Grand Street and Kent Avenue; the B24 along Metropolitan Avenue, Marcy Avenue, and Rodney Street; the B39 from Washington Plaza over the Williamsburg Bridge; and the Q54 along Grand Street and



Grand Street Extension. In addition, the B46 and B60 terminate at Washington Plaza, just outside the rezoning area.

### **Existing Zoning**

The existing zoning in Greenpoint-Williamsburg reflects historical, rather than current, land uses. Generally, heavy manufacturing districts occupy the waterfront, with light manufacturing districts forming a buffer between the waterfront and the residential districts further inland.

While two blocks within the rezoning area, as well as areas to the east and south of the rezoning area, permit residential use, new residences within the remainder of the rezoning area itself are either not permitted at all, or are permitted only in a limited way in two special zoning districts established in the 1970s.

#### *M3-1*

Blocks nearest the waterfront are zoned M3-1, a district that accommodates heavy industrial uses and certain commercial uses at a maximum FAR of 2.0. New residential uses are not permitted. In Williamsburg, M3-1 districts are mapped generally between the East River and Wythe Avenue. In Greenpoint, M3-1 districts are located between the East River/Newtown Creek and West Street/Commercial Street.

#### *M1-1, M1-2*

M1-1 (1.0 FAR) and M1-2 (2.0 FAR) zones permit light industrial and commercial uses, and do not permit new residential uses. In Williamsburg, M1-1 and M1-2 districts are located on blocks between Wythe Avenue and Berry Street, on several blocks adjacent to the Williamsburg Bridge, on blocks adjoining Metropolitan Avenue, on approximately six blocks in an area south of McCarren Park, in a nine-block area east of the Brooklyn-Queens Expressway between Metropolitan Avenue and Borinquen Place, and in a small area near the intersection of Humboldt Street and the BQE. M1-1 districts are also located on blocks west and northwest of McCarren Park, and between Franklin and West Streets in Greenpoint. M1 districts within the rezoning area currently contain numerous nonconforming residential uses and loft conversions, as well as light industrial and commercial facilities.

### *C8-1, C8-2*

C8-1 (1.0 FAR) and C8-2 (2.0 FAR) districts are located along Grand Street and near the Brooklyn-Queens Expressway and permit commercial and automotive uses, as well as some community facilities, but not new residential uses. These areas currently contain a mix of automotive, commercial, light industrial, and residential uses.

### *Special Franklin Street Mixed Use District*

The Special Franklin Street Mixed Use District (FR) is located in an area generally bounded by Eagle Street, Franklin Street, Java Street, and West Street, covering portions of five blocks. This special district was established in 1975 to recognize the mix of uses in the area at that time, which included older residential buildings as well as a limited range of industrial uses, and was a precursor to the current Special Mixed Use (MX) Districts. Residential uses are permitted as-of-right at an FAR of 2.43, and certain industrial uses are allowed by special permit. The Quality Housing Program is not applicable. Since 1975, nearly all industrial use has left this area and, in the past two years, three new residential buildings have been constructed as of right in the district.

### *Special Northside Mixed Use District*

The Special Northside Mixed Use District (N), created in 1976, includes an area covering approximately 50 blocks near the southern and eastern edges of McCarren Park, and extending roughly to the Brooklyn-Queens Expressway to the east, North 4<sup>th</sup> Street to the south, and Wythe Avenue to the west. This district was implemented to recognize the mix of uses then in the area. Areas zoned R6(M1-2) and R6(M1-1) were predominantly residential, and residential development is permitted as of right in accordance with R6 district regulations (though the Quality Housing program is not applicable in this district), and certain new industrial uses are allowed by special permit. Areas zoned M1-2(R6) and M1-1(R6) were predominantly industrial, and new industrial uses are allowed as-of-right, while most residential development is allowed only by special permit. Since 1976, land use patterns in the area have changed dramatically, and particularly in recent years, residential use has spread through both R(M) and M(R) portions of

the district, as it has in surrounding manufacturing districts, while manufacturing activity has declined sharply.

### *R6*

Two small portions of the rezoning area -- along Grand Street between Roebling and Havemeyer Streets, and along Greenpoint Avenue between Franklin Street and Manhattan Avenue -- are zoned R6, a medium-density residential district with a maximum residential FAR of 2.43 and a maximum community facility FAR of 4.8. Under the optional Quality Housing program, the maximum FAR is 2.2 on a narrow street and 3.0 on a wide street. These areas are currently predominantly residential, with ground-floor commercial uses.

### **Required Actions**

#### AMENDMENTS TO THE ZONING MAP (C 050111(A) ZMK)

In order to provide opportunities for new development in both residential and mixed-use areas, reinforce existing commercial corridors and support emerging ones, and support areas with concentrations of industrial activity near residential and mixed-use areas, the Department of City Planning proposes amendments to the zoning map.

On December 22, 2004, the Department filed modified applications for the zoning map amendment (C 050111(A) ZMK). The modified application reflects several comments received during the public review process. The modifications include the removal of one block (bounded by Gem Street, Meserole Avenue, Banker Street, Wythe Avenue, and North 15th Street) from the proposed action, the addition of a C2-4 commercial overlay along the east side of West Street between Dupont and Eagle Streets, and the reconfiguration of the R6 and R8 district boundaries in the waterfront area bounded by Oak Street, West Street, the Bushwick Inlet, and the East River, without changing the FAR generated by the site, in conjunction with modifications to the Waterfront Access Plan (as part of the modified application N 050110(A) ZRK).

The proposed zoning changes would both reflect existing land uses and facilitate redevelopment of waterfront sites and other vacant and underutilized land. The proposed zoning districts would also ensure that new buildings in the upland area are consistent with the existing built context.

### ***Proposed Residential and Commercial Overlay Districts***

Residential districts are proposed in portions of the Greenpoint-Williamsburg rezoning area where existing land uses are predominantly residential and community facilities. The proposed R6B, R6A, and R6 residential districts would make existing nonconforming residential buildings conforming uses and allow new residential uses as of right.

R6B districts allow a maximum FAR of 2.0 for all new development, and have a minimum streetwall height of 30 feet, a maximum streetwall height of 40 feet, and a maximum building height of 50 feet. New buildings in R6B districts would be required to line up with the streetwall of adjacent buildings. R6A districts allow a maximum FAR of 3.0, and have a minimum streetwall height of 40 feet, a maximum streetwall height of 60 feet, and a maximum building height of 70 feet. The Quality Housing program is mandatory in R6B and R6A districts. R6 districts allow a maximum residential FAR of 2.43. Under the optional Quality Housing program, the maximum FAR in an R6 district is 2.2 on a narrow street and 3.0 on a wide street. R6 districts have no height limits and are governed by sky exposure plane regulations.

Commercial overlay districts would be established on the existing and emerging retail corridors of the neighborhood. Proposed C1-4 districts would allow local retail uses appropriate to a continuous commercial strip, with up to 2.0 FAR. Proposed C2-4 districts would allow a somewhat wider variety of local retail uses, also with up to 2.0 FAR. The parking requirements for C1-4 and C2-4 districts are low, appropriate to the type of neighborhood retail in these areas.

### **Greenpoint**

*FR, M1-1 to R6B, R6B/C2-4*

An R6B district is proposed along the west side of Franklin Street between Freeman and Java Streets. This area is comprised mostly of 3 to 4 story residential buildings. Under the proposed

R6B district, new residential buildings could be built as of right, under height limits that require them to fit in with the existing neighborhood context. New industrial uses would no longer be allowed.

- C2-4 commercial overlay districts are proposed along both sides of Green Street between Franklin and West Streets, within the proposed R6B district. The commercial overlay would allow the development of local retail in the Green Street corridor, which connects Manhattan Avenue to a pier on the waterfront.

*FR to R6A*

- An R6A district is proposed along the west side of Franklin Street between Eagle and Freeman Streets, an area characterized primarily by residential buildings over 50 feet tall. The proposed R6A district would fit the existing buildings in this area and ensure that new development or enlargements remain at a scale characteristic of the neighborhood.

*M1-1 to R6*

- A small area on the east side of Franklin Street between India and Huron streets is proposed to be zoned R6. This area is currently zoned M1-1 and houses a one story industrial building. This building is surrounded by residential buildings and an R6 district. The proposed R6 district would ensure that any future development on this site is in keeping with the surrounding neighborhood.

*R6 to R6/C2-4*

- A C2-4 overlay is proposed along both sides of Greenpoint Avenue between Franklin Street and Manhattan Avenue, an area characterized primarily by residential buildings with some ground floor retail. The proposed C2-4 overlay would make existing storefronts conforming uses and reinforce the retail character of the Greenpoint Avenue corridor.

## **Williamsburg**

*From N - R6(M1-1), N - R6(M1-2), M1-2 to R6B and R6B/C1-4*

- R6B is proposed on a number of blocks centered around Bedford Avenue, roughly between Wythe Avenue and Havemeyer Street, and between North 4<sup>th</sup> Street and North 9<sup>th</sup> Street; as well as on the blocks surrounding Graham Avenue between Calyer and Bayard Streets. These areas contain predominantly residential and community facility uses, and are characterized by three- to four-story row houses. The proposed R6B districts would allow new residential buildings that fit in with the existing character of these areas.
- C1-4 commercial overlay districts would be established along Bedford Avenue between North 4<sup>th</sup> and North 10<sup>th</sup> Streets, the commercial strip around which the neighborhood is centered. This area consists primarily of residential buildings with ground-floor retail establishments.

*From N - R6(M1-2) and M1-1 to R6A, R6A/C1-4, R6A/C2-4*

- Bedford Avenue between North 10<sup>th</sup> Street and McCarren Park, and Havemeyer Street between North 5<sup>th</sup> and North 7<sup>th</sup> streets would be rezoned to R6A. These two areas are characterized by taller residential buildings of up to six stories. The predominantly residential north side of Grand Street between Berry Street and Wythe Avenue is also proposed for R6A. The proposed R6A districts would allow new residential buildings under height limits that reflect the character of these areas.
- A C1-4 overlay is proposed for a portion of a block at North 10<sup>th</sup> Street and Bedford Avenue, continuing the local retail strip where residential buildings and commercial uses exist. A C2-4 overlay is also proposed along the north side of Grand Street between Berry Street and Wythe Avenue, allowing neighborhood-scale retail uses to reinforce Grand Street as a local commercial corridor.

*From N - R6(M1-2), M1-1, C8-1, C8-2 to R6, R6/C1-4, R6/C2-4*

- R6 is proposed from Grand Street to South 3<sup>rd</sup> Street between Wythe Avenue and Berry Street; along Grand Street from Bedford Avenue to Roebling Street; on the north side of Grand Street between Havemeyer Street and Marcy Avenue; and on two irregularly shaped blocks north of Metropolitan Avenue between Roebling Street and the Brooklyn-Queens Expressway. These blocks are characterized by residential and community facility uses and include many irregularly shaped lots where contextual zoning regulations are not appropriate, and where the more flexible R6 regulations allow better site planning flexibility.
- C1-4 and C2-4 commercial overlays would be established along Grand Street between Bedford Avenue and the BQE. Grand Street already houses many ground floor retail establishments, and the proposed commercial overlays would encourage new neighborhood-scale retail uses to reinforce Grand Street as a local commercial corridor.

***Proposed Special Mixed Use District***

The boundaries of a Special Mixed Use (MX-8) District, currently located on Franklin Street between Freeman and Green streets in Greenpoint would be expanded to include portions of the rezoning area in both Greenpoint and Williamsburg that are characterized by a mix of residential buildings, light industrial and commercial uses, and loft buildings converted to residential use. The proposed Special Mixed Use District would allow for the development of new housing, the revitalization of vacant and underutilized land, and the continuation of a mix of uses, including residential, light industrial, and commercial uses, as well as mixed use buildings. The mapping of contextual (R6B, R6A, R7A) residential districts as components of the Special Mixed Use District will require new residential buildings to fit in with their surroundings.

The proposed Special Mixed Use (MX-8) District pairs an M1-2 district with R6B, R6A, R7A, and R6 residential districts. Residential uses are allowed as of right under the applicable residential district regulations. The R6B and R6A district regulations described above (under “Proposed Residential Districts”) are applicable to buildings in Special Mixed Use Districts with these residential district designations. Residential buildings in MX districts with an R6

designation have a maximum FAR of 2.43, a maximum base height of 60 feet, and a maximum building height of 110 feet, but may take advantage of the optional Quality Housing regulations. Residential buildings in MX districts with an R7A residential district designation have a maximum FAR of 4.0, a minimum streetwall height of 40 feet, a maximum streetwall height of 65 feet, and a maximum building height of 80 feet. The Quality Housing program is mandatory in R6B, R6A, and R7A districts.

Specified light manufacturing and commercial uses are permitted as of right under M1-2 district regulations, with up to 2.0 FAR of light industrial or commercial use. This represents the same FAR as in areas currently zoned M1-2, and an increase from the 1.0 FAR currently allowed in areas currently zoned M1-1, providing flexibility for the in-place expansion of existing businesses in these areas.

The proposed zoning would make existing loft conversions conforming uses and provide a framework for them to legalize. The proposed Special Mixed Use District allows greater flexibility for live-work accommodations and mixed-use buildings, both of which are characteristic of the Greenpoint-Williamsburg area. For certain manufacturing uses seeking to locate within or adjacent to a residential use, the Special Mixed Use District requires professional certification that environmentally hazardous materials are not involved.

### **Greenpoint**

#### *M1-1 to MX-8, M1-2/R6B*

- An MX-8, M1-2/R6B district is proposed on portions of the blocks bounded by Franklin, West, Oak, and Calyer streets. This area is currently zoned M1-1 but contains numerous, mostly three-story row houses in addition to a few industrial buildings. The proposed M1-2/R6B designation would make these residential uses conforming and allow for the as of right development of residential and mixed use buildings.

#### *M1-1, FR to MX-8, M1-2/R6A*

- An MX-8, M1-2/R6A district is proposed between Box and Clay Streets on both sides of Manhattan Avenue, on the eastern side of Franklin Street between Clay and Dupont Streets, on the east side of West Street between Eagle and Java Streets, on portions of Green Street between Franklin Street and Manhattan Avenue, and on the blocks between West and Franklin Streets from Java Street to Quay Street. Land use in these areas is a



mixture of residential and industrial uses and includes many loft buildings of up to six stories or more, as well vacant and underbuilt sites. The proposed M1-2/R6A zoning designation would make a number of existing residential buildings conforming uses, while light industrial uses would remain conforming uses. New residential development in this area could not exceed the scale established by the existing loft buildings.

*M1-1 to MX-8, M1-2/R6*

- An MX-8, M1-2/R6 district is proposed on the block frontage next to the Pulaski Bridge along McGuinness Boulevard between Box and Clay Streets and on the narrow, triangularly shaped portion of the block between Commercial and Clay Streets. These areas contain a mix of vacant lots, industrial buildings, and industrial buildings at least partly converted to residential use. The proposed zoning would make the existing residential buildings conforming and would allow a continued mix of uses in these areas.

**Williamsburg**

*From N - R6(M1-1), N - R6(M1-2), N - M1-1(R6), N - M1-2(R6), M3-1, M1-1, M1-2 to MX-8, M1-2/R6B*

- An MX-8, M1-2/R6B district is proposed in certain areas characterized by mixed use, lower building heights, and adjacency to low-scale residential areas. These include portions of blocks surrounding the intersection of North 7<sup>th</sup> Street and Wythe Avenue, between North 5<sup>th</sup> and North 4<sup>th</sup> streets between Berry Street and Driggs Avenue, between Union Avenue and Lorimer Street and Richardson and Withers Streets; and on the west side of Eckford Street between Driggs and Engert avenues.

*From N - R6(M1-1), N - R6(M1-2), N - M1-2(R6), M3-1, M1-1, M1-2 to MX-8, M1-2/R6A*

- Most of the area west of Berry Street, north of North 7<sup>th</sup> Street between Driggs and Union avenues, adjacent to McCarren Park along Bayard Street and Manhattan Avenue, and along Berry Street between North 10<sup>th</sup> and North 12<sup>th</sup> streets is proposed to be rezoned to MX-8, M1-2/R6A. These areas are characterized generally by tall, four- to six-story loft buildings interspersed with underbuilt industrial buildings and vacant lots. Numerous loft buildings have already been partly or fully converted to residential use, and nonconforming residential buildings are scattered within these areas.

*From N - R6(M1-1), N - M1-1(R6), N - M1-2(R6), M3-1, M1-1, M1-2, C8-1 to MX-8, M1-2/R6*

- An MX-8, M1-2/R6 district is proposed on blocks near elevated structures and on blocks with many small or irregularly shaped lots. These areas include the blocks along and east of the BQE; just north of the Williamsburg Bridge; along Metropolitan Avenue; between Grand Street and South 1<sup>st</sup> Street west of Wythe Avenue; and just east of McCarren Park. These areas contain a mix of industrial buildings, partially and fully converted loft buildings, and nonconforming residential buildings, as well as vacant and underutilized land. Buildings in these areas vary in height, with a number of buildings taller than 70 feet. The proposed R6 residential component allows sufficient site planning flexibility for development in areas located near elevated structures such as the Williamsburg Bridge and BQE.

*From N - M1-2(R6) to MX-8, M1-2/R7A*

- An MX-8, M1-2/R7A district is proposed for a block bounded by Bedford Avenue, North 12<sup>th</sup> Street, Driggs Avenue, and North 11<sup>th</sup> Street. The proposed zoning would facilitate development of a large vacant site at a significant location, where Bedford Avenue meets McCarren Park. The proposed R7A would limit the height of new buildings to 65 feet at the streetwall and 80 feet overall, and would facilitate the creation of streetwall along all frontages of this block.

### ***Proposed Manufacturing Districts***

*From M3-1 to M1-2*

The blocks west of the Pulaski Bridge bounded by the Newtown Creek, Box Street, Commercial Street, and including the Greenpoint Manufacturing and Design Center, would be rezoned from M3-1 to M1-2. In addition, several M3-1 blocks between Kent Avenue and McCarren Park, south to North 9<sup>th</sup> Street, would be rezoned M1-2. The proposed M1-2 district would permit light industrial and certain commercial uses in buildings with a maximum FAR of 2.0, the same FAR permitted in the existing M3-1 zone. These changes would ensure that new industrial uses in these areas will be enclosed and compatible with the nearby residential and mixed-use neighborhoods. New residential uses would not be permitted in these areas.

In the certified application, Block 2615, bounded by Gem Street, Meserole Avenue, Banker Street, Wythe Avenue, and North 15<sup>th</sup> Street, was included in the area proposed for rezoning from M3-1 to M1-2. In the modified zoning map change application, this block was removed from the proposed rezoning.

The above resolution (N 050110(A) ZRK), duly adopted by the City Planning Commission on March 14, 2005 (Calendar No. 6), is filed with the Office of the Speaker, City Council, and the Borough President in accordance with the requirements of Section 197-d of the New York City Charter.

**AMANDA M. BURDEN, AICP, Chair**

**KENNETH J. KNUCKLES, Esq., Vice-Chairman**

**ANGELA M. BATTAGLIA, IRWIN CANTOR, P.E., ANGELA R. CAVALUZZI, R.A.,**

**ALFRED C. CERULLO, III, RICHARD W. EADDY, LISA A. GOMEZ,**

**CHRISTOPHER KUI, JOHN MEROLO, Commissioners**

**KAREN A. PHILLIPS, DOLLY WILLIAMS, Commissioners Voting No**