

# Chapter 27: RESPONSE TO COMMENTS<sup>1</sup>

## 27.1. Introduction

This chapter of the Final Environmental Impact Statement (“FEIS”) summarizes and responds to the substantive oral and written comments relating to the DEIS received during the public comment period for the Draft Environmental Impact Statement (“DEIS”) and General Project Plan (“GPP”) for the Fountain Avenue Land Use Improvement and Residential Project. The public hearing on the DEIS and GPP was held in two sessions from 3:00 p.m. to 5:00 p.m. and from 6:00 p.m. to 8:00 p.m. on May 24, 2016 at the Brooklyn Sports Club Senior Citizens Center located at 1540 Van Siclen Avenue in Brooklyn, New York. The comment period remained open through June 23, 2016.

Section 27.2 of this chapter of the FEIS, identifies the organizations and individuals who provided comments on the DEIS and GPP. Section 27.3 contains a summary of the relevant comments and a response to each. These summaries convey the substance of the comments made, but do not necessarily quote the comments verbatim. Where appropriate, comments of a similar nature have been grouped together.

## 27.2. List of Elected Officials, Organizations, and Individuals Who Commented

### ELECTED OFFICIALS

1. Viola Plummer, on behalf of Charles Barron, New York State Assembly, oral testimony (Plummer)
2. Melvin Faulkner, on behalf of Charles Barron, New York State Assembly, oral testimony (Faulkner)

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<sup>1</sup> This chapter is new to the Final Environmental Impact Statement.

3. Richard Bearak, Land Use Director, Brooklyn Borough President's Office, on behalf of the Brooklyn Borough President Eric Adams; oral testimony (Bearak)

#### **LOCAL AGENCIES**

4. Albert Scott, Jr., Brooklyn Community Board 5 and Chair of Homeowners Association of Greater East New York, oral testimony (Scott)
5. Alice Lowman, Vice President of Community Board 5, and President, Spring Creek Gardens, oral testimony (Lowman)
6. Lisa Schreibman, Director of Strategic Planning, Operations and Planning, MTA New York City Transit, written comment dated April 27, 2016 (Schreibman)
7. Carl Weisbrod, Chairman, City Planning Commission, written comment dated June 23, 2016 (Weisbrod)

#### **INTERESTED INDIVIDUALS AND ORGANIZATIONS**

8. Bishop Lester Smith, Senior Pastor, New Jerusalem Holy Church, oral testimony (Smith)
9. June Williams, oral testimony (Williams)
10. Jeannette Brown, oral testimony (Brown)
11. Eva Sherard, oral testimony (Sherard)
12. Lillie Jones, oral testimony (Jones)
13. Pastor Victor Rivera, oral testimony (V. Rivera)
14. Manuel Burgos, BTN Consulting Services, oral testimony (Burgos)
15. Kelly Houghtaling, oral testimony (Houghtaling)
16. Sukram Ajvaz, oral testimony (Ajvaz)
17. Hugo Mailhos, oral testimony (Mailhos)
18. Latrina Miley, oral testimony (Miley)
19. Mike Kalezic, oral testimony (Kalezic)
20. Isha Kanu, oral testimony (Kanu)

21. Alexandra Artyukhove, oral testimony (Artyukhove)
22. Liliya Shpigelman, oral testimony (Shpigelman)
23. Desiree Bhunt, oral testimony (Bhunt)
24. Jessica Alexander, oral testimony (Alexander)
25. Bill Wilkins, Director of Economic Development, Local Development Corporation of East New York, oral testimony (Wilkins)
26. Hope Johnson, oral testimony (Johnson)
27. Keshia Graham, oral testimony (Graham)
28. Mirna Vidal, oral testimony (Vidal)
29. Momodu Roberts, oral testimony (Roberts)
30. Terry Saunders, oral testimony (Saunders)
31. Patricia Allen, oral testimony (Allen)
32. Ylonka Zorrs, oral testimony (Zorrs)
33. Janet Jolley, oral testimony (Jolley)
34. Michelle West, oral testimony (West)
35. Marcia Campbell, oral testimony (Campbell)
36. Cavarene Wilkinson, oral testimony (Wilkinson)
37. Debbie Hyles, oral testimony (Hyles)
38. Joyce Scott Brayboy, President, Emerald Green Tenant Association, oral testimony (Brayboy)
39. Rhonda Aikman, oral testimony (Aikman)
40. Antrenese McCord, oral testimony (McCord)
41. Gordon Barnes, oral testimony (Barnes)
42. Domingo Rivera, oral testimony (D. Rivera)
43. Grisel Cruz, oral testimony (Cruz)

44. April Ankum, oral testimony (Ankum)
45. Vivian Smith, oral testimony (Smith)
46. Laticha Lesane, oral testimony (L. Lesane)
47. Sarah Lesane, oral testimony (S. Lesane)
48. Yekaterina Fedotkina, oral testimony (Fedotkina)
49. Tanay Matthews, oral testimony (Matthews)
50. Nikki Lucas, Founder, The People First Democratic Club, oral testimony (Lucas)
51. Kimberly Council, oral testimony (Council)
52. Alexandra Diaz, oral testimony (Diaz)
53. Lowana Henry, written testimony, dated May 25, 2016 (Henry)

## 27.3. Comments and Responses

### LAND USE, ZONING, AND PUBLIC POLICY

**Comment 1:** *The Commission is pleased to see non-residential uses, such as retail and community facility space, proposed at the ground floors of buildings along Vandalia Avenue, Seaview Avenue, and Erskine Street, which would provide needed services to area residents. (Weisbrod)*

**Response:** Comment noted.

**Comment 2:** *While there is not yet a redevelopment plan for the remainder of the former [Brooklyn Developmental Center (“BDC”)] beyond the two parcels currently proposed for redevelopment as part of this project, the Commission recognizes that this property represents a significant opportunity for redevelopment in the future. At such time that the state considers redevelopment of the remainder of the property, we encourage ESD to develop a holistic proposal for the site. The heights and densities of the proposed*

*Project, appropriate on the perimeter of the property along wide streets, should not be considered a template for future development. A comprehensive plan for the site should include a mix of densities and uses including housing, commercial and job-generating uses, and community facilities as well as thoughtfully designed open space, similar to the City's comprehensive plan for development at Gateway. This significant site has the potential to help complete the new neighborhood forming here by providing jobs and economic opportunity in addition to housing and community resources. (Weisbrod)*

**Response:** Comment noted. As described in Chapter 1, there are currently no plans for disposition of the remaining BDC property (Lot 300) or for other use of it. Lot 300 is owned by the New York State Office for People with Developmental Disabilities ("OPWDD"), which is using it for administrative offices.

### **SOCIOECONOMIC CONDITIONS**

**Comment 3:** *The Commission recommends that ESD seek to maximize the terms of affordability for a significant number of units in order to ensure long-term affordability. The City's new Mandatory Inclusionary Housing program requires that a portion of new housing in areas rezoned for additional housing capacity include permanently affordable housing. (Weisbrod)*

**Response:** As part of the transaction to sell Parcels A and B, there would be a Restrictive Declaration specifying certain commitments that must be met by the developer. The requirement that the Project be 100 percent affordable to households earning 60 percent Area Median Income ("AMI") would be included in the Restrictive Declaration. The Restrictive Declaration would mandate that this level of affordability be preserved for a minimum of 30 years from project completion.

**Comment 4:** *Regarding local preference, the Commission is pleased that non-senior, non-OPWDD affordable units in the developments receiving financing through the Department of Housing Preservation and Development (HPD) would adhere to HPD marketing guidelines regarding a preference for local Community Board residents for 50 percent of the affordable units and encourages ESD to apply this stipulation to all non-senior, non-OPWDD units irrespective of financing source. (Weisbrod)*

**Response:** ESD is in discussion with New York State Homes and Community Renewal (“NYSHCR”) to determine how best to achieve this goal.

**Comment 5:** *As Brooklyn has experienced economic development, many long-time residents have been displaced and can no longer afford to live in their own neighborhoods, and those that remain bear an unsustainable rent burden. Many of the displaced persons have moved to East New York, which is also home to many long-term residents. Without rent stabilization protection for more than 20,000 area apartments, East New York residents will feel the pressures of rising rents, a situation which could be avoided by providing regulated, affordable housing to those who have been facing displacement. The Borough President expresses support for the proposed action. (Bearak)*

**Response:** Comment noted.

**Comment 6:** *The project would bring much needed employment to the area, including both during construction and also to support the operation of the commercial spaces programmed as part of the project. (Smith)*

**Response:** Comment noted.

## COMMUNITY FACILITIES AND SERVICES

**Comment 7:** *The developers are urged to consult with New York City Administration for Children’s Services to ensure provision of adequate, publicly funded child care facilities. (Bearak)*

**Response:** As described in Chapter 23, mitigation measures would be warranted for the potential significant adverse impacts to child care centers that would be attributable to the proposed action. The Restrictive Declaration governing the use of the project site would require that the developer consult with the New York City Administration for Children’s Services (“NYCACS”) to determine appropriate mitigation measures, which could include funding of vouchers for slots in private day care centers and/or providing space that

could be used for on-site day care services, the use of which would be determined through consultation with NYCACS. The proposed action would include space that could be used for child care facilities within the Parcel B building area designated for commercial use. The Restrictive Declaration would require that the developer, prior to the occupancy of Phase 1, consult with NYCACS to determine the appropriate mitigation measures for the significant adverse indirect impact of eligible children anticipated to be generated by the proposed action, which could include (1) funding a number of vouchers equal to the number of children projected to occupy the project site (or a portion thereof) eligible for publicly funded day care; and/or (2) providing commercial space within Parcel B to a NYCACS contractor or other day care provider accepting vouchers sufficient to serve the eligible children projected to occupy the project site, or a portion thereof.

## URBAN DESIGN AND VISUAL RESOURCES

**Comment 8:** *Additional ground-floor design controls would ensure that the streetscapes along Vandalia Avenue, Seaview Avenue, and Erskine Street are active and inviting to pedestrians at the street level. The ground floors of the proposed buildings facing public streets should generally comply with the provisions of Section 26-54 of the NYC Zoning Resolution, Minimum Transparency Requirements, which requires that a minimum of 50 percent of the area between 2 and 12 feet above curb level should be transparent, with no blank walls to exceed more than ten feet in width. (Weisbrod)*

**Response:** The project would be designed in accordance with the GPP and Design Guidelines, which include provisions and stipulations that are expected to result in an inviting pedestrian experience at the street level. Specifically, the ground floors of buildings facing public streets on both portions of the project site would generally comply with Minimum Transparency Requirements. The Design Guidelines stipulate that the majority of ground-floor street frontage be retail storefront; glazing would be required for 50 percent of retail street walls, of which 50 percent must be translucent. All ground-floor windows would extend up from curb level to a height of approximately 10 feet. Please also see response to Comment 15.

**Comment 9:** *The ground floors of buildings facing public streets should generally comply with the streetscape requirements applicable to “qualifying ground floors” as described in Section 23-662 of the NYC Zoning Resolution. (Weisbrod)*

**Response:** Although Section 23-662 of the NYC Zoning Resolution does not directly describe streetscape requirements, 23-662(b) refers to Section 26-54, Parking Wrap and Screening Requirements. The proposed project would generally comply with Parking Wrap and Screening Requirements: no parking area would be located on or at a streetwall, and so no parking area would be visible from the street.

**Comment 10:** *Along Seaview Avenue, Vandalia Avenue and Erskine Street a minimum sidewalk width of 15 feet, with a clear path width of 10 feet and a street tree planting and amenity strip of 5 feet in width, should be provided. (Weisbrod)*

**Response:** The Design Guidelines require that the project buildings, except as noted, be constructed at the lot line, which is typical of the Quality Housing form that results with R7-A zoning. With the proposed zoning overrides, no new planting strip would be installed along the sidewalks adjoining the project site; however, per the Design Guidelines, street trees would be installed at approximately 25-foot intervals, in compliance with NYCDOT guidelines. Currently, the paved sidewalk area surrounding the project site is approximately five feet in width. At the northern edge of Parcel B, it is expected that the existing planting strip and street trees in place along the curb of Vandalia Avenue would be retained, though the planting strip currently in place adjacent to the perimeter wall surrounding the BDC would be paved; consequently, the width of paved sidewalk area along Vandalia Avenue, would be expanded from its current width of approximately five feet to a width of approximately ten feet with the proposed action. Along Erskine Street at the western edge of the project site (both parcels A and B), the distance between the curb and lot line is approximately 12.6 feet, the entirety of which (adjacent to the project site) would be paved as sidewalk area with the proposed action, thereby increasing the width of the portions of Erskine Street sidewalk adjacent to the project site from approximately five feet to approximately 12.6 feet (except at locations where street trees would be planted). Similarly, the paved sidewalk to the east of Parcel B along Fountain Avenue would be expanded from its approximate five-foot width to comprise the entire width between lot line and curb (approximately 12.5 feet in that location), except for where street trees would be planted. To the south of the project site, along Seaview Avenue, the minimum distance between curb and lot line is approximately 35.9 feet, and so it is expected that



sidewalks would be constructed at a minimum width of 15 feet with a clear path of ten feet, at the discretion of NYCDOT. (As described in the Design Guidelines, the project developer would coordinate with NYCDOT in off-site matters as they relate to sidewalk improvements.)

**Comment 11:** *The City's standard street tree planting requirements should be adhered to along all street frontages. (Weisbrod)*

**Response:** As the proposed actions do not include any overrides relating to street tree requirements, the project would provide street trees in accordance with NYCDOT street planting requirements, providing new and/or replacement street trees along all project site street frontages. Specifically, the existing planting strip and street trees in place along the Vandalia Avenue curb north of Parcel B would be retained (and protected during construction or replaced, if necessary, as a result of construction activities); the remainder of public street frontage on both parcels would be provided with new sidewalks extending from the building face (lot line) to the existing curb line, and would include new or existing street trees planted at 25-foot intervals.

**Comment 12:** *ESD and the project developer should coordinate with the relevant property owner and NYC DOT regarding the triangle of space at Seaview Avenue and Erskine Street south of Parcel A, where a bus stop serving three lines is located. The streetscape controls for Parcel A should ensure pedestrian connectivity to this key node, and the triangle should be landscaped with trees, plantings, sidewalks, seating and other elements to create an attractive green space that is well connected to surrounding properties and enhances access to transit. (Weisbrod)*

**Response:** Please see the responses to Comment 10 and Comment 21. The project developer would coordinate with NYCDOT in off-site matters as they relate to sidewalk improvements, particularly with regard to pedestrian connectivity and NYCDOT-approved landscaping.

**Comment 13:** *ESD and the project developer should coordinate with Gateway Center and NYC DOT to ensure that there are direct, safe pedestrian connections between the proposed*

*development on Parcel A and the Gateway Center (i.e., sidewalks, crosswalks with appropriate controls). This would support access to a wide range of retail options for Project residents as well as greater foot traffic and stronger commercial viability for the proposed retail at the ground floor of Parcel A. (Weisbrod)*

**Response:** Please see the response to Comment 10. The project developer would coordinate with NYCDOT in off-site matters as they relate to sidewalk improvements, particularly with regard to pedestrian connections, including the appropriate installation of crosswalks and pedestrian controls.

**Comment 14:** *Buildings should be designed to provide variety and visual interest, to break up large masses and frontages, and to differentiate the buildings along the street frontages. This can be accomplished by providing for visual breaks through variation in massing and changes in plane, materials and glazing/fenestration. (Weisbrod)*

**Response:** The following design goals and principles inform the Design Guidelines: building articulation that establishes a street wall presence; modulation of building scale through various building heights; horizontal or vertical architectural breaks; and building façade articulation through variation in materials and detailing. The project would be designed in compliance with GPP and Design Guidelines requirements with regard to materials, glazing/fenestration, variations in massing and façade plane. Building volumes would be articulated with changes in façade plane.

**Comment 15:** *Buildings should have clear divisions in the façade design with particular attention to definition and differentiation in treatment at the first and second floors – the “lower base” of the building that most impacts the pedestrian experience, while also providing variation and articulation at the upper portion of the building, e.g., cornice lines and/or articulated parapet details, massing variation and dormers that contribute to the overall streetscape profile of the new development. (Weisbrod)*

**Response:** The Design Guidelines include glazing/fenestration requirements at the ground floor level (the lower-base of the façade), which is expected to result in an attractive pedestrian experience. The articulation of building volumes is maintained above the lower base of the building, with the variations in façade plane designed in combination with the varied materials, which per the Design Guidelines would include precast

concrete, stone and brick veneer, and metal cladding. The fenestration patterns would contrast with this variability in texture by providing a relatively uniform rhythm of horizontally and vertically aligned windows in the residential floors above the lower base of the building. The streetscape profile of the building would be further accentuated at the roofline by the variations in building height.

**Comment 16:** *The Project site plan is proposed to be well integrated with the surrounding street network, including the continuation of Schroeder’s Avenue as Schroeders Walk along the southern portion of Parcel B of the Project site as publicly accessible thoroughfare. The Commission encourages ESD and the project developer to include seating, plantings, lighting and other amenities as part of the Schroeders Walk open space to ensure that is a welcoming and attractive open space for residents and community members. (Weisbrod)*

**Response:** The Design Guidelines provide that Schroeders Walk would comprise a continuous area designated for and designed to encourage public pedestrian circulation and other appropriate public uses, and that it would include lighting, A.D.A. access, seating, grass areas, and trees.

## **WATER AND SEWER INFRASTRUCTURE**

**Comment 17:** *The sanitary and stormwater waste that would be produced by the proposed action would affect the DEP’s Jamaica Bay tributary and Long Term Control Plan and operation of the 26<sup>th</sup> Ward Waste Water Treatment Plant, and so the developer should use strategies such as bioswales, permeable pavers and blue/green roof strategies to support DEP’s stormwater goals and coincide with the Long Term Control Plan. (Bearak)*

**Response:** As described in Chapter 11, Stormwater Management Practices (“SMPs”) would be implemented and a Stormwater Pollution Prevention Plan would be prepared for the proposed action in compliance with the standards of NYSDEC. The SMPs would include structural improvements as part of the proposed action, including runoff detention tanks with flowrate control structures to mitigate increment in flow attributable to the proposed action in accordance with the NYCDEP-approved master plan for the proposed

action. The proposed action includes stormwater treatment systems to be designed following the New York State Stormwater Management Design Manual. Treatment for the calculated water quality volumes would be provided using non-structural SMPs, which are expected to include green roofs, and the open space comprising Schroeders Walk on Parcel B, which would include planting areas.

## ENERGY

**Comment 18:** *The project site is part of the Brooklyn Queens Demand Management Zone, which includes infrastructure identified by Con Ed as inadequate to support current energy demand and requiring a new substation within two years. Considering the significant additional demand that will be generated by the growing population, the development has a responsibility to be energy efficient, green, and healthy. The developer is urged to advance sustainable energy measures such as solar panels, blue / green / white roofs, and Passive House design principles. (Bearak)*

**Response:** The project site lies within the Brooklyn Queens Demand Management Zone, an area targeted by Con Edison for strategic implementation of solutions aimed at reducing load demand. As described in Chapter 1, the proposed action would be required to comply with the New York City Energy Conservation Code, which governs performance requirements of heating, ventilation, and air conditioning systems, as well as the exterior building envelope of new buildings. In compliance with this code, the proposed action would meet current standards for energy conservation, which include requirements relating to energy efficiency and combined thermal transmittance. In addition, the proposed method of construction and building operations would be designed to meet Enterprise Green Communities Standards of energy efficiency, and the buildings would partially rely on on-site solar- and/or wind-generated power.

## TRANSPORTATION

**Comment 19:** *Please explain the assignments of customers to particular bus lines. The reasoning should include an explanation of why customers are assigned to different lines in the a.m. and p.m. peak hours (i.e., customer assignments during the a.m. peak period are distributed fairly evenly among the bus lines, while customer assignments during the p.m. peak period are assigned in a greater proportion to the B83). (Schreibman)*

**Response:** Bus assignments considered in the EIS are based on field-survey observations of existing bus boarding and alighting passenger travel patterns for each of the four bus service lines in the study area (B13, B83, B84, and Q8) that make stops along Fountain Avenue, Vandalia Avenue, Erskine Street, or Gateway Drive in the vicinity of the project site. Field observations revealed that the existing ridership distribution in the morning is fairly balanced among the four bus routes, while during the evening substantially more riders approach the study area via the B83. This observed ridership pattern reflects the existing bus frequencies; the frequency of the B83 is more than twice the frequency of the B13, B84 or Q8. Future conditions without the proposed action are assumed to maintain similar ridership distribution patterns as those observed in existing conditions, and assignments of new riders introduced by the proposed action are similarly based on the existing observed ridership distribution.

**Comment 20:** *Please explain the reasons and assumptions made regarding bus-subway transfers (i.e., analyses appear to route customers past certain subway stations in favor of other subway stations further along the line). (Schreibman)*

**Response:** Specific bus-to-subway transfer assignments were not developed as part of this EIS, as the thresholds for detailed subway analyses were not met. Bus-to-subway/subway-to-bus trips were assigned to/from the four bus routes serving the study area (B13, B83, B84, and Q8) based on field-survey observations of existing bus boarding and alighting passenger travel patterns for each of the four bus service lines.

**Comment 21:** *NYCT recommends that the existing sidewalk along Erskine Street (near Seaview Avenue), where the B13, B84, and Q8 bus stop is located, be made wide enough to accommodate two bus shelters. (Schreibman)*

**Response:** As required by the Design Guidelines, the project developer would coordinate with NYCDOT in off-site matters as they relate to sidewalk improvements. The width of the Erskine Street sidewalk adjacent to the project site (Parcel A) would be paved to a width of approximately 12.6 feet. It is noted that current NYCDOT siting criteria for a “narrow” bus shelter require a 3-foot distance from curb to shelter; 3.5 feet of sidewalk width for the shelter; and a minimum clearance of 7 feet behind the shelter. The portion of Erskine Street sidewalk extending south of the project site (nearer Seaview Avenue) may be paved to a greater width at the discretion of NYCDOT in order to accommodate a 5-foot by 26-foot shelter, as near the B13, B84, and Q8 bus stop as practicable. Please see responses to Comments 10, 11, and 12.

**Comment 22:** *The developers are urged to consult with MTA New York City Transit to provide additional bus service as warranted for B13, B83, and Q8 routes, and by considering extending the terminus of IRT3 train service by integrating a station as part of rail decking over Linden Boulevard between Elton and Linwood streets. (Bearak)*

**Response:** As described in Chapter 23, the general policy of New York City Transit is to provide additional bus service where demand warrants, taking into account financial and operational constraints. No significant adverse subway service impacts would be expected to result with the proposed action, and so no mitigation associated with subway impacts is considered in this EIS.

## **MITIGATION MEASURES (GENERAL COMMENT)**

**Comment 23:** *I am pleased with the mitigation measures described in the EIS. (Burgos)*

**Response:** Comment noted.

## GENERAL

**Comment 24:** *Overall, the Commission believes this project to be a beneficial use of underutilized property which would provide needed affordable housing, including housing for seniors and people with disabilities, and is pleased to see this development move forward. (Weisbrod)*

**Response:** Comment noted.

**Comment 25:** *Comments generally in support of the project, including comments indicating a need for affordable housing serving the neighborhood in which the project site is located and including comments about project design. (Smith, Brown, Bearak, Burgos, Wilkins, Council, Diaz, Lucas)*

**Response:** Comments noted.

**Comment 26:** *Comments generally in support of “Progressive Management,” a subsidiary of The Arker Companies, including comments representing the satisfaction enjoyed by residents of existing properties located elsewhere in New York City (e.g., not the proposed project) that were developed by The Arker Companies and/or are managed by Progressive Management, or that are otherwise associated with The Arker Companies. (Williams, Brown, Sherard, Jones, V. Rivera, Houghtaling, Mailhos, Miley, Kalezic, Kanu, Artyukhove, Shpigelman, Blunt, Alexander, Johnson, Graham, Vidal, Roberts, Saunders, Allen, Zorrs, Jolley, West, Campbell, Wilkinson, Hyles, Aikman, McCord, Barnes, D. Rivera, Cruz, Ankum, Smith, L. Lesane, S. Lesane, Fedotkina, Matthews, Diaz)*

**Response:** Comments noted.

**Comment 27:** *Comments advising ESD to require that the proposed action would result in a “local preference” given to accepting residents of the Brooklyn Community district (or otherwise representing the neighborhood surrounding the project site) as residents of the proposed project, including comments concerned with generally preventing residential displacement. (Bearak, Wilkins)*

**Response:** The proposed action would not result in direct residential displacement, nor as an affordable housing project would it be expected to cause indirect residential displacement; rather the proposed action would provide new affordable housing in an underserved part of Brooklyn. The provision of affordable housing on the project site as part of the proposed action would not be expected to result in any indirect effects to rents in the surrounding neighborhood. See response to Comment 5, regarding “local preference.”

**Comment 28:** *Comments generally concerned with unemployment and means to reduce unemployment and facilitate local awareness of employment opportunities and preparation for employment, such as through provision of job training; and comments representing concerns for job creation, including comments that request ESD make sure efforts are made by the project developer to “hire locally” and to hire M/WBE firms, particularly with regard to hiring for construction jobs. (Bearak, Burgos, Wilkins, Scott, Lucas)*

**Response:** The developer has expressed intent to retain a firm to assist in maximizing local participation in the construction of the project.

**Comment 29:** *Comments requesting that the community be kept informed about project status. (Bearak, Burgos)*

**Response:** Comment noted.

**Comment 30:** *Comment in opposition to developing new homeless shelter facilities or jail facilities in the neighborhood. (Faulkner)*

**Response:** Comment noted. The proposed action does not include and would not facilitate development of homeless shelters or jail facilities.



**Comment 31:** *Comment generally expressing dissatisfaction with “Progressive Management,” a subsidiary of The Arker Companies, including comments based on the experience of a resident of an existing property located elsewhere in New York City (e.g., not the proposed project) that was developed by The Arker Companies and/or is managed by Progressive Management, or that is otherwise associated with The Arker Companies. (Brayboy)*

**Response:** ESD has determined that the project developer has the capacity to complete and maintain the proposed project.

**Comment 32:** *Comment concerned with the process by which ESD determined to pursue the proposed action, including questions as to how the “RFP process” was conducted and the response received by ESD; includes questioning whether the project developer can be trusted. (Scott)*

**Response:** The RFP was posted on the ESD website and published in the New York State Contract Reporter. See response to Comment 31.

**Comment 33:** *Comment raising question as to whether affordable housing is assured as part of the proposed action. (Scott)*

**Response:** See response to Comment 3.

**Comment 34:** *Comment requesting that ESD identify “community partners” that would be coordinating the housing for seniors and for persons with disabilities. (Scott)*

**Response:** At this time, it is anticipated that the Block Institute would provide supportive services for people with developmental disabilities and that the Northeast Brooklyn Housing Development Corporation would provide supportive services for seniors.

**Comment 35:** *Comment requests there be formal contracts in place to assure the community that the project developer would implement the project with the benefits that the community is led to believe would be part of the proposed action. (Scott, Brayboy)*

**Response:** As part of the transaction to sell Parcels A and B, there would be a Restrictive Declaration specifying certain commitments that must be met by the developer.

**Comment 36:** *Comment requests that the project developer meet with community stakeholders to identify true community partnerships. (Scott)*

**Response:** Comment noted.

**Comment 37:** *Comment expresses the understanding that funding sources for the proposed action include aid from the State, as well as local funding that would include New York City Department of Housing and Preservation Development. (Scott)*

**Response:** Comment noted. It is anticipated that the project developer would rely on financing mechanisms that could be available through federal, State, or local programs; such mechanisms may include subsidies and/or tax credits for affordable housing.

**Comment 38:** *Comment raising question as to whether the commercial space provided as part of the proposed action would result in opportunities for local people in the community to own or rent the stores. (Lucas)*

**Response:** The developer plans to lease out the commercial space for retail, commercial and/or community facility space; the GPP would not restrict to whom the space may be leased.

**Comment 39:** *Comment expressing belief that seniors and students would comprise substantial proportions of tenants in the proposed residential development and questions whether there is adequate and accessible community space, such as a community room; specifically, asking what outlets are available for the children and seniors. (Lucas)*

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**Response:** As described in Chapter 1, the proposed action would introduce approximately 51,300 square feet (1.18 acres) of publicly accessible passive open space, known as Schroeders Walk, to Parcel B. In addition, the proposed action would introduce approximately 9,900 square feet (0.23 acres) of private open space, which would be available to the project-generated population. As described in Chapter 5, substantial open space areas already exist and/or are expected to be developed in the vicinity of the project site, providing a mix of both active and passive recreation opportunities for the residents and workers introduced to the project site with the proposed action, as well as for the surrounding community.

**Comment 40:** *As our community grows, we want to make sure that our educational system grows. (Lucas)*

**Response:** As described in Chapter 4, the proposed action would result in increased school utilization rates but would not result in a significant adverse impact to schools; specifically, CSD 19, Sub-District 3 would be under capacity for both elementary and intermediate schools in the future with the proposed action. As discussed in Chapter 22, the East New York Rezoning Proposal (e.g., not the proposed action) would be expected to result in significant adverse impacts on schools in CSD 19 Sub-District 2, north of and adjacent to CSD 19, Sub-District 3, which serves the project site. As described in Chapter 22, when a need for additional capacity to address increased enrollment is identified, then New York City Department of Education would evaluate the appropriate timing and mix of measures that would meet demand; in coordination with the New York City School Authority, if additional school construction is warranted, and if funding is available, it would be identified in the Five Year Capital Plan that covers the period in which the capacity would be needed.

**Comment 41:** *Our community must be concerned with fair and accessible public safety. (Lucas)*

**Response:** As described in Chapter 4, the proposed action would result in no direct or indirect effect to the police and fire services serving the project site and surrounding community.