



**Empire State
Development**

KINGSBORO PSYCHIATRIC CENTER MIXED-USE PROJECT

FSOW Appendix A:

**Responses to Comments on the Draft Scope of Work to Prepare a Draft
Environmental Impact Statement**

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RESPONSES TO COMMENTS

1. Introduction

This appendix to the Final Scope of Work (“FSOW”) summarizes and responds to the substantive oral and written comments received during the public comment period for the Draft Scope of Work (“DSOW”) to prepare a Draft Environmental Impact Statement (“DEIS”) for the Kingsboro Psychiatric Center Mixed-Use Project. The public meeting on the DSOW (“Public Scoping Meeting”) was held on Thursday, January 19, from 6:00 to 8:00 pm. The Public Scoping Meeting was conducted as a “live” virtual meeting, utilizing the Zoom video communications and teleconferencing platform, which allowed members of the public to participate using the Zoom application from a computer or device, such as a smart phone or tablet, or by dial-in using a telephone. The Public Scoping Meeting was also live-streamed simultaneously on YouTube. A copy of the Public Scoping Meeting Notice has been provided on the ESD website (<https://esd.ny.gov/kingsboro>) along with the Kingsboro Environmental Assessment Form (“EAF”) and the DSOW, as well as a copy of the Public Scoping Meeting transcript. The public comment period remained open for 30 days following the close of the meeting, with written and emailed comments on the DSOW accepted until 5:00 PM on Tuesday February 21, 2023.

Section 2 of this document identifies the elected official and individuals who provided comments on the DSOW. Section 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. See Appendix B for a transcript of the scoping meeting and the written comments received on the DSOW.

2. List of Elected Official and Interested Individuals Who Commented

Elected Official			
First Name	Last Name	Testimony Format	Affiliation
Hon. Brian	Cunningham	oral testimony	New York State Assembly Member 43 rd District
Raul	Rothblatt	oral testimony; written testimony	Director of Constituent Affairs for Assemblyman Brian Cunningham
Interested Individuals			
First Name	Last Name	Testimony Format	
Syed	Ali	written testimony	
Ken	Ayub	written testimony	
Cynthia	Berns	written testimony	
Nathan	Blumes	written testimony	
Rachel	Brown	written testimony	
Dovber	Bryski	written testimony	
Matthew	Burton	written testimony	
Eli	D.	written testimony	
Eli	Deitsch	oral testimony	
Elizabeth	Denys	written testimony	
Ben	Elman	oral testimony	
Salvatore	Franchino	written testimony	
Boruch	Gancz	written testimony	
Meir	Gewirtz	oral testimony	
Basya	Gold	written testimony	
Rachel	Gold	oral testimony	
Chaya	Goldin	written testimony	
Sheyna	Goldin	written testimony	
Yossi	Goldstein	written testimony	
Rivkah	Gurary	written testimony	
Eliezer	Halon	written testimony	
Douglas	Hanau	written testimony	
Alexander	Heppenheimer	written testimony	
Chad	Horner	written testimony	
Toby	Hyde	written testimony	
Lana	Irons, MD	written testimony	
Jerome	Jackson	oral testimony	

First Name	Last Name	Testimony Format
Mary	James	written testimony
Amelia	Josephson	written testimony
Avi	K.	written testimony
Devorah	Kasimov	written testimony
Olivia	Killingsworth	written testimony
Yossi	Klein	written testimony
Joseph	Kolodny	written testimony
Mushky	Kotlarsky	oral testimony
Deena	Lefkowitz	oral testimony
Hershi	Lefkowitz	written testimony
Chaya	Leiter	oral testimony
Kreina	Lepkivker	written testimony
Bashi	Levilev	written testimony
Chaya	Loewenthal	oral testimony
David	Ma	oral testimony
Dovid and Itty	Marasow and Barber*	written testimony
Chaya	Margolin	oral testimony
Danielle	McDougall	written testimony
Sean	McLaughlin	written testimony
William	Meehan	written testimony
Mendel	Nemes	written testimony
Chaya	Pape	oral testimony
Chanie	Perl	written testimony
Zeesy	Piamenta	oral testimony
Deborah	Pointer	written testimony
Seth	Pollack	written testimony
Nachman	Rivkin	written testimony
Sandra	Roberson	oral testimony
Chanoch	Rosenfeld	written testimony
Shmuly	S	written testimony
Suki	S	written testimony
Richard	Saul	written testimony
Jordan	Sears-Zeve	written testimony
Raizel	Serebryanski	written testimony
Dassie	Schneur	written testimony
Chaim	Shabtai	oral testimony
Levi	Shemtov	written testimony
Jay	Sorid	oral testimony; written testimony
Chana	Nancy Shloush	written testimony
Rozee	Spiegel	oral testimony

First Name	Last Name	Testimony Format
Theodore	Tatik	oral testimony
Esther	Tauber	written testimony
Efraim	Tessler	written testimony
Ethel	Tyus, Esq.	written testimony
Avi	Webb	oral testimony
Ya'akovah	Webber	oral testimony
J.	Weber	written testimony
Rochel	Weingarten	written testimony
Max	Yeston	written testimony
Yosef	Yeroshalmi	written testimony
Veronica	Yurovsky	written testimony
Itty	[LAST NAME NOT PROVIDED]	written testimony

3. Comments and Responses

PROJECT PURPOSE AND NEED

Comment 1: This plan seems racist and anti-Semitic - to use tax money to disproportionately impact a neighborhood occupied primarily by Caribbean-American and Orthodox Jewish families. (Ya'akovah Webber, J. Weber)

Response: The Proposed Project is intended to benefit an area—that has historically suffered from disinvestment and marginalization—through the provision of affordable and supportive housing and other amenities including new public open space.

Comment 2: This project is meant to benefit the Developer rather than the community. (Chaya Pape, Rozee Spiegel, Avi Webb)

Response: As described in the FSOW, the Proposed Actions would facilitate the construction of affordable housing in a significantly underserved area, the East Flatbush section of Brooklyn, New York. The proposed acquisition, sale, and redevelopment of the Project Site would allow for the reuse of substantially underdeveloped acreage to provide affordable housing including supportive housing, as well as housing for senior citizens. The Proposed Project would replace the two existing single-adult men's homeless shelters with new state-of-the-art facilities to serve the existing residents and host the existing programs.

The purpose of the Proposed Project, as part of New York State's *Vital Brooklyn Initiative*, is to leverage State programs and resources to improve health and wellness in Central Brooklyn. See <https://www.ny.gov/programs/vital-brooklyn-initiative>. The Proposed Project would also improve economic opportunities in East Flatbush, which has long suffered from disinvestment and marginalization that have hindered the well-being of its residents. Residents experience measurably higher than average rates of obesity, diabetes, and high blood pressure, limited access to healthy foods or opportunities for physical activity, as well as higher-than-average rates of unemployment and poverty. The Proposed Project seeks to ameliorate these conditions by creating a health-centered community that provides open space, walkable access to retail destinations, and proximity to a large concentration of healthcare infrastructure (Kingsbrook Jewish Hospital, Kings County Hospital, SUNY Downstate Hospital, and KPC). Furthermore, the Project would provide up to approximately 3,700 construction jobs and 389 permanent jobs for area residents. The Proposed Project would provide affordable housing to an underserved portion

of Brooklyn, including supportive housing and housing for senior citizens, and improve wellness and economic opportunities as part of the *Vital Brooklyn Initiative*.

Comment 3: The current project will not solve the issues you want to address but will exacerbate the problems in the neighborhood and in the communities introduced to the neighborhood. (Avi Webb, Efraim Tessler)

Response: As described in the FSO, the Proposed Actions would facilitate the construction of affordable housing in a significantly underserved area, the East Flatbush section of Brooklyn, New York. The proposed acquisition, sale, and redevelopment of the Project Site would allow for the reuse of substantially underdeveloped acreage to provide affordable housing including supportive housing, as well as housing for senior citizens. The Proposed Project would replace the two outdated single-adult men’s homeless shelters with new state-of-the-art facilities to serve the existing residents and host the existing programs.

The purpose of the Proposed Project, as part of New York State’s *Vital Brooklyn Initiative*, is to leverage State programs and resources to improve health and wellness in Central Brooklyn. As part of the Request for Proposals (“RFP”) to select and conditionally designate a development team (collectively referred to as the “Developer”) to undertake the Proposed Project, New York State Homes and Community Renewal (“HCR”) conducted public outreach in order to guide the development of the RFP so as to solicit proposals which aligned with the goals and objectives of the community. Specifically, the Community Advisory Council for the 43rd Assembly District identified a focus on integrating supportive and non-supportive populations; a focus on serving multiple supportive populations with onsite services while creating a balanced environment that better connects the entire community together; and prioritizing and offering on-site supportive services for populations reliant on such services.

The Proposed Project would also improve economic opportunities in East Flatbush, which has long suffered from disinvestment and marginalization that have hindered the well-being of its residents. Residents experience measurably higher than average rates of obesity, diabetes, and high blood pressure, limited access to healthy foods or opportunities for physical activity, as well as higher-than-average rates of unemployment and poverty. The Proposed Project seeks to ameliorate these conditions by creating a health-centered community that provides supportive and affordable housing, open space, walkable access to retail destinations, and

proximity to a large concentration of healthcare infrastructure (Kingsbrook Jewish Hospital, Kings County Hospital, SUNY Downstate Hospital, and KPC).

Comment 4: Introducing replacement men’s shelters and new supportive housing to this neighborhood will not benefit the community. (Ben Elman, Mushky Kotlarsky, Avi Webb, Eli Deitsch, Chaya Loewenthal, Theodore Tatic, David Ma, Raizel Serebryanski, Efraim Tessler, Cynthia Berns, Itty, Levi Shemtov)

Response: See response to Comment #3.

Comment 5: This is not the kind of development this community needs. (Mushky Kotlarsky, Chaye Pape, Bob the Builder)

Response: See response to Comment #3.

Comment 6: There are already too many existing and proposed facilities in this neighborhood serving low-income and homeless populations, as well as people with supportive housing needs. (Theodore Tatic, David Ma, Mushky Kotlarsky, Ya’akovah Webber, Chaya Pape, Eli Deitsch, Rozee Spiegel, Chaim Shabtai, Saundra Roberson, Chaim Shabtai, J. Weber, Dovid Marasow and Itty Barber, Bashi Levilev, Bashi Levilev, Nachman Rivkin, Efraim Tessler, Hershi Lefkowitz, Rivkah Gurary)

Response: The Proposed Project is part of the State’s *Vital Brooklyn Initiative*, an ongoing community development program for neighborhoods in Central Brooklyn.

The program was launched based on the State’s finding that Central Brooklyn is one of the most vulnerable and underserved areas in all of New York State and is characterized, among other things, by wide economic disparities due to unemployment and high poverty levels, lack of affordable housing, inadequate access to high quality supportive health services, and limited access to healthy foods and open space for physical activity.

The Proposed Project was designed to address several of the *Vital Brooklyn Initiative’s* key objectives. As stated in Section C, “Purpose and Need,” of the FSO, the Proposed Project would replace the two existing single-adult men’s homeless shelters with new state-of-the-art facilities to serve the existing residents and host the existing programs. Additionally, the Proposed Actions would facilitate the construction of affordable housing in East Flatbush, a significantly underserved area. Both the Community District 9 and the Community District 17 Fiscal Year 2024 statement of needs identify the need for more rent regulated, low-income, and

senior housing.¹ Further, New York University’s Furman Center for Real Estate and Urban Policy’s (“NYU Furman Center”) East Flatbush Neighborhood Profile indicates that the neighborhood has a higher percentage of rent burdened and severely rent burdened households than Brooklyn as a whole.² The proposed acquisition, sale, and redevelopment of the Project Site would facilitate the reuse of substantially underdeveloped acreage to provide affordable housing, including supportive housing, as well as housing for senior citizens.

PROJECT DESCRIPTION

Comment 7: How is 30 percent of area median income (“AMI”) calculated for the Proposed Project? (Theodore Tatic)

Response: The United States Department of Housing and Urban Development (“USHUD”) calculates area median income each year using a combination of census data and adjustments for high housing costs in New York City.

Comment 8: For homeownership and rent assistance that will be available to those at or below 30 percent of AMI, is there a minimum percent of AMI? (Theodore Tatic)

Response: There is currently no “minimum” percent of AMI for potential residents in the Proposed Project.

Comment 9: Why does senior housing apply for individuals that are 55 years and older, rather than 65 and older? (Theodore Tatic)

Response: A final decision on the minimum age for senior units has not been made at this time.

Comment 10: I request evidence that ESD tried to market and sell the land to affordable housing developers but could not, which is required by the UDC to be blighted. (Jay Sorid)

Response: The competitive RFP that ESD utilized to conditionally designate the Developer for the Proposed Project was fully compliant with ESD’s enabling legislation, the New York State Urban Development Corporation Act (“UDC Act”), and all applicable laws. Additionally, when the Proposed Project is submitted for approval by ESD’s Directors, the submission package will include an existing conditions analysis to

¹ Brooklyn Community District 17 (2023), *Statements of Community District Needs and Community Board Budget Requests*. Accessed via New York City Department of City Planning Community District Profiles March 2023. <https://communityprofiles.planning.nyc.gov/brooklyn/17>

² NYU Furman Center (2022), *New York Neighborhood Data Profiles*. <https://furmancenter.org/neighborhoods>

document substandard conditions in or around the Project Site to the extent required under the UDC Act and applicable law.

The UDC Act requires, for a residential project, a finding that “there exists, in the area in which the Project is to be located, or in an area reasonably accessible to such area, a need for safe and sanitary housing accommodations for persons or families of low income, which the operations of private enterprise cannot provide.” There is a documented need for affordable housing in the City of New York, and the Central Brooklyn area in which the Project will be located is particularly underserved with affordable housing resources.

The private market alone is not able to meet the need for affordable housing. Accordingly, ESD’s collaboration with HCR to implement the Project and other projects proposed under the State’s Vital Brooklyn Initiative will help address the need for safe and sanitary housing accommodations for persons and families of low income, including people with special needs, which private enterprise alone cannot provide.

Comment 11: The AMI should be changed to NAMI, Neighborhood Area Median Income, for those 50 percent of the units that come from the local neighborhood to be fair and equitable, as per the RFP’s direction. (Jay Sorid)

Response: Comment noted.

Comment 12: Will ESD be flexible in the design process to address improvements to the project? (Raul Rothblatt, Director of Constituent Affairs for Assembly Member Cunningham)

Response: As ESD continues to advance the Proposed Project’s environmental review, programming, and design, members of the public will have the opportunity to provide comment on the design of the Proposed Project at the public hearing and during the comment period that will follow the release of the DEIS and General Project Plan (“GPP”). All comments received at the public hearing and during the comment period for the DEIS and GPP will be considered and responded to as applicable in the Final EIS.

Comment 13: The Kingsboro redevelopment has a chance to be a community hub for this corner of Brooklyn. Using Restoration Plaza as a model, think it could even be the home base for some sort of “Friends of District 43” nonprofit, which would help to coordinate the different groups that would use the space. I am hoping there is a

small office for a community nonprofit and a dance company. (Raul Rothblatt, Director of Constituent Affairs for Assembly Member Cunningham)

Response: Comment noted.

Comment 14: What will be the impact on local steel pan bands who used to practice in vacant lots in the area? There should be easy access to a rehearsal space for steel pan orchestra. I would also recommend creating an area for a large tent, just as you have in the back of Restoration Plaza. (Suki S, Raul Rothblatt, Director of Constituent Affairs for Assembly Member Cunningham)

Response: Comment noted. In the absence of the Proposed Project, the Project Site would remain occupied and inaccessible to the public, and thus would not provide opportunities for recreation or organized activities such as steel pan band rehearsals. The redevelopment of the Project Site would not directly affect the practice of steel pan bands in the surrounding community.

Comment 15: I would like some public art that represents the spirit of the community, which is largely Caribbean-American, African American and Lubavitch, and I would recommend naming it after someone like Bill Howard, a longtime WIADCA leader who passed away about 3 years ago. I would also consider other names. (Raul Rothblatt, Director of Constituent Affairs for Assembly Member Cunningham)

Response: Comment noted.

Comment 16: I would recommend a public design charrette to discuss the design of rehearsal space for steel pan orchestra and the incorporation of public art. (Raul Rothblatt, Director of Constituent Affairs for Assembly Member Cunningham)

Response: Comment noted.

Comment 17: There should be a large room for various community purposes, including steel pan rehearsal area. It should also be available for Jewish gatherings, and the biggest design element there would be having the men's and women's bathrooms either on opposite sides of the room, or in the hallway. The room should be available for rent at steep discount. There must also be room for community groups to store supplies, also at steeply discounted rates. (Raul Rothblatt, Director of Constituent Affairs for Assembly Member Cunningham)

Response: Comment noted.

Comment 18: Governance of the space during and after construction should come with strict enforcement rules. For instance, I think there should be monthly community oversight discussions that should have representatives of various constituencies, including CB9, religious and cultural groups and local block associations. This is just a suggestion for the sake of conversation: If less than 6 people show up and if there are not at least 6 community questions addressed at each meeting, then the Developer would be required to pay a fine of \$200,000. (Raul Rothblatt, Director of Constituent Affairs for Assembly Member Cunningham)

Response: Comment noted.

Comment 19: Please revamp the area and open it up to cars and pedestrians so we can cross into Troy Avenue without having to go around Utica or Albany Avenues. (Bashi Levilev)

Response: The Proposed Project Site does not extend as far eastward as Troy Avenue. However, the Proposed Project would create two new publicly accessible privately-owned driveways. One would be a one-way private driveway that would align with 43rd Street with an entrance on Clarkson Avenue and exit on Winthrop Street. The other would be a 200-foot-long two-way cul-de-sac driveway with one entrance and exit located on Winthrop Street. The Proposed Project would also include a public open space along Clarkson Avenue with a pedestrian walkway traversing the site from east to west connecting Albany Avenue to the proposed publicly accessible privately-owned driveways. As such, the Proposed Project would entail the removal of wrought-iron perimeter fencing from the Project Site, allow for greater site permeability with the introduction of new pedestrian amenities, and create new pedestrian connections between Clarkson Avenue, Winthrop Street, and Albany Avenue.

Comment 20: Build up housing for working class people that cannot afford to purchase homes. (Bashi Levilev)

Response: As described in the FSOW, the Proposed Project would provide up to approximately 1,057,732 sf of residential space, including approximately 1,090 new units of affordable housing, of which approximately 9 percent would be homeownership units.

Comment 21: Put in a park and community center such as a Jewish Community Center (“JCC”) to help the area grow. (Bashi Levilev)

- Response:** As described in the FSOW, the Proposed Project would include approximately 63,071 sf of community facility space (including a SEIU facility, an emergency food provider, a ballet studio, and resident social service space) and 2.80 acres of open space, of which approximately 2.16 acres would be publicly accessible.
- Comment 22:** The project would be improved by adding more units on the site. (Rachel Brown)
- Response:** Comment noted.
- Comment 23:** The project would be improved by providing fully funded permanent housing for the homeless instead of forcing them to live precariously. (Rachel Brown, Max Yeston)
- Response:** See response to Comment #28.
- Comment 24:** Change men’s shelters to women and children’s shelters. (Avi Webb)
- Response:** The New York City Department of Homeless Services (“NYCDHS”) has expressed the need for men’s homeless shelter space in particular. The Proposed Project would maintain capacity for the homeless populations served on the Project Site, while providing shelter residents with improved facilities and access to community facilities and services on-site.
- Comment 25:** Build new townhouses or three-bedroom apartments instead of the proposed development. (Mushky Kotlarsky, Chaya Leiter, Jay Sorid)
- Response:** The housing size and mix that is being considered for the Proposed Project site is based on a number of considerations, including but not limited to maximizing the number of affordable housing units while providing a sufficient amount of open space on the Project Site, meeting the goals and objectives of the *Vital Brooklyn Initiative*, and financial feasibility issues. See also the responses to Comments #60 and #62, which describe the priorities identified by the Community Advisory Council for the 43rd Assembly District that informed the development of the Proposed Project.
- Comment 26:** The buildings should be demolished, as proposed, but be replaced by something else than the proposed building (ex. all open space or spaces to benefit families). (Ben Elman, Rozee Spiegel, Eli D.)
- Response:** As mentioned in the response to Comment #25, the Proposed Project was designed to meet the goals and objectives of the *Vital Brooklyn Initiative*. Providing open
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space as the only amenity on the Project Site by removing without replacing the existing shelters would eliminate an essential service and run counter to those goals and objectives.

With respect to open space, as described in the F50W, the Proposed Project would include 2.80 acres of open space, of which approximately 2.16 acres would be publicly accessible. The proposed acquisition, sale, and redevelopment of the Project Site would allow for the reuse of substantially underdeveloped acreage to provide affordable housing, including supportive housing, as well as housing for senior citizens.

Comment 27: Please include at least a lap pool (preferably a diving pool) for stiff-jointed older folks who will be living there. (Ethel Tyus, Esq.)

Response: Comment noted.

Comment 28: Create additional units of affordable housing and permanent supportive housing rather than replacing the shelter as-is (Syed Ali).

Response: As noted in the response to Comment #24, NYCDHS has expressed the need for men's homeless shelter facilities. The purpose and need of the Proposed Project includes maintaining the existing capacity and providing improved facilities and services for the population served by the existing shelters operating on the Project Site.

In addition to replacing the two men's shelters in kind, the Proposed Project would provide up to approximately 1,057,732 sf of residential space, including approximately 1,090 new units of permanent housing, including affordable rental housing, affordable homeownership units, affordable senior housing, and affordable supportive housing. It would also provide approximately 8,092 sf of commercial space (grocery store); approximately 63,071 sf of community facility space (including a SEIU facility, an emergency food provider, a ballet studio, and resident social service space); approximately 15 parking spaces; and 2.80 acres of open space, of which approximately 2.16 acres would be publicly accessible.

Comment 29: I encourage more openness to the west of the Project Site. It would also be great to integrate with Kings County Hospital's plans for its own sites across Albany Avenue. (Syed Ali)

Response: As noted in the response to Comment #19, the Proposed Project would remove the perimeter fencing surrounding the Project Site, introduce publicly accessible open

space along Clarkson Avenue, and create new pedestrian connections between Clarkson Avenue, Winthrop Street, and Albany Avenue. This would improve the site permeability and further connect the Project Site to the existing neighborhoods and facilities to the north, south, and west of the Project Site. In this way, the Proposed Project would improve the connectivity between the Project Site and the NYC Health + Hospitals Kings County campus, including the recently completed Extended Care Unit that focuses on the rehabilitation and reintegration of patients with mental illnesses. NYC Health + Hospitals has not publicly announced any future redevelopment plans for the Kings County campus or properties to the west of the Project Site.

Comment 30: Permanent housing should be built for large families at subsidized rentals. (Esther Tauber)

Response: As described in the FSOW, the Proposed Project would provide up to approximately 1,057,732 sf of residential space, including approximately 1,090 new units of affordable housing, of which approximately 9 percent would be homeownership units.

Comment 31: Alternative locations for this project should be pursued. Riker’s Island will be closing in 2030. This project will not be completed until after 2030. It makes sense to build on vacant land at Rikers Island to avoid segregation issues. Eric Adams’ City of Yes is in the process of converting office space in Manhattan to residential. The disabled should not be segregated on Clarkson Ave when there will be many apartments in Manhattan which are more widely dispersed. (Chaim Shabtai, Chaya Loewenthal, Jay Sorid, Ya’akovah Webber, Chaya Pape, J. Weber, Basya Gold, Chanoch Rosenfeld, Yossi Klein, Dovber Bryski, Bashi Levilev, Yosef Yeroshalmi)

Response: As described in Section C, “Purpose and Need,” of this FSOW, the purpose and need of the Proposed Project includes the acquisition, sale, and redevelopment of the western portion of Brooklyn Block 4833, Lot 1, specifically (the Project Site), allowing for the reuse of this substantially underdeveloped acreage to provide affordable housing including supportive housing, as well as housing for senior citizens. Further, the Proposed Project is part of New York State’s *Vital Brooklyn Initiative* to improve health and wellness in Central Brooklyn. The development of another site would not be a reasonable alternative to the Proposed Project.

Comment 32: Assemblywoman Diana Richardson’s 43rd Assembly District Vital Brooklyn warns against mixing vulnerable populations. The current project mixes senior citizens with homeless and/or supportive housing populations who may have had histories

of violence, or potential for violence (schizophrenia) when not taking medication. Orthodox Jews are as much of a vulnerable population as senior citizens. (Jay Sorid)

Response: In designing a residential program for the Proposed Project, the Kingsboro RFP called for integrating supportive and non-supportive populations and creating a balanced environment that weaves the entire community together. Including housing options for supportive and non-supportive populations with income limits between 30 percent and 90 percent of AMI—as the Proposed Project does—is consistent with the intent of the *Vital Brooklyn Initiative*. See also responses to Comments #60 and #62.

Comment 33: Not many businesses will be interested in joining the proposed mixed-use development because of the large homeless population located there. (Ya'akovah Webber, J. Weber)

Response: The Proposed Project would result in streetscape improvements and create a new publicly accessible open space. These elements are expected to be conducive to supporting neighborhood businesses.

Many supportive housing residences are mixed use buildings with community-serving retail and not-for-profit uses. In Downtown Brooklyn, a supportive housing residence has a 199-seat theater and performance space as well as a storefront space operated by the Brooklyn Ballet. In Manhattan, a 416-unit supportive housing residence has a 7,000 square foot ballroom for private and community events. Another 650-unit supportive housing residence in Manhattan has over 6,000 square feet of retail. A Bronx supportive housing residence has a community daycare center and new adjacent retail and a YMCA facility. Thus, experience based on these examples shows that supportive housing can co-exist with local business.

The Proposed Project includes the creation of two new replacement DHS Shelters which would provide a one-for-one replacement of shelter beds in the community. The newer, upgraded shelter buildings would be purpose-built for providing temporary housing and include updated building systems and would support the latest advances in security. Both shelter buildings would include 24/7 onsite security and private outdoor spaces on dedicated rooftop decks to provide safe spaces for shelter occupants to recreate.

Comment 34: The unit mix – that is the number of studios, one bedroom, two bedroom, three bedroom units – is relevant for Fair Housing Concerns – and Neighborhood Density Concerns. To better ascertain unit types, page 7 of the Kingsboro Vital Brooklyn CB

9 Committee presentation [Kingsboro-Vital-Brooklyn-CB9-Housing-Committee-Presentation.pdf \(nyc.gov\)](#) should include three columns to the right of “60 percent of total units” which say 0,1,2,3 to indicate bedroom counts as a percentage and in actual number counts. With regard to the entire chart on page 7, in addition, to percentages, actual number counts would be helpful in addition to percentage counts. This is very important for Fair Housing purposes and density purposes. Since the most recent US Census shows that 22 percent of the Housing Units in NYC are 4 persons or more, this should be at least reflected in similar unit sizes as a percentage of all the Vital Brooklyn Housing projects in CB 9. NYS AG should review all units for Fair Housing Concerns compromising families who need three-bedroom units. Family size is a protected category under Fair Housing Laws. Disclosure as to unit mix and bedroom count should be made corresponding to AMI. Disclosure of bedroom counts are very important because the project discloses units and bedrooms are unknown. The project could vastly increase the total number of residential beds by changing mix of unit types with regard to the number of bedrooms per unit. (Jay Sorid)

Response: The unit mix has not been determined. For the purposes of SEQRA analyses for the Proposed Project, it is conservatively assumed that the household size for all units introduced by the Proposed Project would be the Kings County average of 2.71 persons per household. This presents a conservative estimate of the total population that would be introduced by the Proposed Project such that analyses and determinations of impacts will be based on a reasonable worst-case development scenario.

Comment 35: The Proposed Project should be larger. (Max Yeston)

Response: Comment noted.

SOCIOECONOMIC CONDITIONS

Comment 36: How will economic and industrial development be affected by this project? (Suki S)

Response: The Proposed Project would provide affordable and supportive housing and would not affect the surrounding land use patterns. As noted in the FSOW, the Proposed Project would not: directly displace employees, businesses, or residents; result in new development that differs markedly from the surrounding neighborhood; create retail concentrations that may draw a substantial amount of sales from existing businesses within the study area; or affect conditions in a specific industry.

The DEIS will include a screening level socioeconomic conditions analysis, which can be found in the Socioeconomic Conditions section of the FSOW.

Comment 37: Will ESD consider funding additional economic development projects in this area in addition to housing? (Suki S)

Response: ESD sponsors a wide range of programs to assist business in the City and throughout the State. These include grants, tax-based incentives, resources and training for entrepreneurs and businesses, industry/university partnerships fostering the development of innovative technologies and products, and the financial support needed to help businesses grow. More information about these programs is available on ESD's website at <https://esd.ny.gov/doing-business-ny>.

The Proposed Project itself would introduce, in addition to housing, approximately 8,092 sf of commercial space (grocery store); approximately 63,371 sf of community facility space (including a SEIU facility, an emergency food provider, a ballet studio, and resident social service space), approximately 15 parking spaces; and 2.80 acres of open space, of which approximately 2.16 acres would be publicly accessible.

Comment 38: I request an analysis of affordable housing and rent stabilized units/beds by district throughout city. (Jay Sorid)

Response: This information is not required to be collected pursuant to SEQRA and is outside of the scope of the SEQRA review of the Proposed Project.

COMMUNITY FACILITIES

Comment 39: The neighborhood lacks adequate access to emergency services. (Avi Webb)

Response: As described in the FSOW, the Proposed Project would not relocate or otherwise directly affect healthcare or police and fire service facilities. The New York City Environmental Quality Review ("CEQR") *Technical Manual* recommends an analysis of potential indirect impacts on public healthcare facilities and police and fire protection if an action would introduce a sizeable new neighborhood where none existed before. The Proposed Project would not create a sizeable new neighborhood where none existed before. Therefore, a significant environmental impact is not expected with respect to police/fire services and healthcare facilities, and therefore detailed analyses are not required; however, for informational

purposes, a description of existing police, fire, and healthcare facilities serving the Project Site will be provided.

- Pursuant to the guidance provided in the *CEQR Technical Manual*, the location of hospitals and public health clinics serving the site will be identified on a map, and the name and location of the facility will be determined and presented.
- The locations of New York City Police Department (“NYPD”) and New York City Fire Department (“FDNY”) facilities serving the site will be identified and included on a map to illustrate their proximity to the proposed site.
- The NYPD and FDNY will be contacted for the appropriate information (service area, service issues, etc.) and correspondence will be included, as appropriate, in the DEIS.

Comment 40:

I find it hard to believe that there will be/has been no impact on healthcare facilities when three of the existing hospital buildings on the site were underutilized/abandoned/demolished in the years leading up to this project. If we are forgoing the opportunity to renovate some of these buildings for psychiatric beds, will resources be committed to other parts of the three hospital complexes to provide more beds? (Suki S)

Response:

The Project Site is currently developed with five existing buildings. Two of the buildings are utilized as single-adult men’s homeless shelters, two buildings are former garages that are now utilized by New York State Office of Mental Health (“OMH”) for storage, and one building is not actively used. The central portion of the Project Site had formerly been the site of a now demolished KPC building. The two men’s shelters would be replaced with two new state-of-the-art single-adult men’s homeless shelters, which would fully replace the existing 364 beds currently available at the Project Site. The two former garages were never utilized as healthcare facility space. The building that is not actively used was historically used for staff accommodations and has not been utilized for healthcare facility space; therefore, the removal of this building would not reduce the number of psychiatric beds. Therefore the redevelopment of the Project Site would not reduce the number of psychiatric beds. Rather, the Proposed Project would allow not only for the full replacement of the two existing men’s shelters but would also include approximately 136 units set aside specifically for the chronically homeless, approximately 139 units designated for those with behavioral health concerns (i.e.,

serious mental illness), approximately 25 units designated for young adults aged 18-25, and approximately 26 units designated for youth aging out of foster care (“YAOFC”). The Proposed Project would therefore increase support for individuals with mental illness. In addition, the Proposed Project would not affect the currently operational portion of the KPC to the east of the Proposed Project Site.

As described in the FSOW, the *CEQR Technical Manual* recommends an analysis of potential indirect impacts on public healthcare facilities if an action would introduce a sizeable new neighborhood where none existed before. The Proposed Project would not create a sizeable new neighborhood where none existed before. Therefore, a significant impact is not anticipated and a detailed analysis of healthcare facilities is not required; however, for informational purposes and pursuant to the guidance provided in the *CEQR Technical Manual*, the DEIS will identify the location of hospitals and public health clinics serving the site on a map, and the name and location of the facility will be determined and presented.

SHADOWS

Comment 41: I am concerned about sunlight. (Jay Sorid)

Response: The DEIS will include a screening analysis for project-generated shadows prepared pursuant to the guidance of the *CEQR Technical Manual* to determine whether and when new shadows would reach any sunlight-sensitive resources of concern (ex. the National and State Register of Historic Places (“N/SRHP”)-eligible KPC campus and the publicly accessible PS 235 play yard). If required, a more detailed analysis of shadows will be provided. Further information regarding shadows analysis can be found in Task 5, “Shadows,” in the FSOW.

HISTORIC AND ARCHAEOLOGICAL RESOURCES

Comment 42: The Project Site contains a former potter’s field. The entire area should be researched and tested for whether there are bodies buried there. There were bones found down the block and records showing this area was a former burial ground for African Americans. (Jay Sorid)

Response: As described in Task 6, “Historic and Cultural Resources,” in the FSOW, based on the guidance of the *CEQR Technical Manual*, a Historic and Cultural Resources chapter will be prepared that will assess the Proposed Project’s potential effects on archaeological resources based on the findings of a Phase IA archaeological study that will be prepared to support this effort, and any additional studies that the Phase

IA may conclude are warranted. The Phase IA archaeological study will include the review of historic records, environmental studies with information related to the historic conditions of the Project Site, and archaeological surveys for projects in the surrounding area. A site visit will also be conducted to assess the presence of any unrecorded subsurface disturbance. The Phase IA archaeological study will be reviewed by the New York State Office of Parks, Recreation, and Historic Preservation (“OPRHP”) and appended to the DEIS.

URBAN DESIGN AND VISUAL RESOURCES

Comment 43: The proposed project stands out from the rest of the community in terms of height and scale. None of the surrounding buildings in the area are 150 feet tall. (Chaya Leiter, Boruch Gancz, Jay Sorid)

Response: As described in Task 7, “Urban Design and Visual Resources,” in the FSOW, following the guidelines of the *CEQR Technical Manual*, an assessment is appropriate if the Project would result in a physical change beyond what is allowed by existing zoning such as modifications of yard, height, and setback requirements or increase in floor area, and if such change is observable by the pedestrian. The assessment will include a description of the urban design and visual resources that exist in the study area currently, and their anticipated conditions in the future without the Proposed Project.

WATER AND SEWER INFRASTRUCTURE

Comment 44: This project will increase the present issues with flooding in the area. The sewer system does not have the capacity to support this project. (Mushky Kotlarsky, Eli Deitsch, Chaya Pape, Saundra Roberson, Chaya Leiter, Avi Webb, Zalman Abraham, Rachel Gold, Eli D., Jay Sorid)

Response: As described in Task 10, “Water and Sewer Infrastructure,” in the FSOW, the Project Site is located in an area with a combined sewer system and is served by the Coney Island Wastewater Resource Recovery Facility (“WRRF”). The Proposed Project would introduce a net increase of more than 400 residential units compared to No Action conditions, which is the analysis threshold found in the *CEQR Technical Manual*; thus, a preliminary wastewater/stormwater analysis will be included in the DEIS.

The analysis of sewer and stormwater management will provide a description of the existing combined sewers currently serving the Project Site; estimate the

Proposed Project's sewage peak flow contributions; and prepare calculations estimating the stormwater runoff generated from the Project Site in existing conditions, in the future without the Proposed Project, and the future with the Proposed Project. The analysis will also assess the stormwater runoff from the Project Site in the future with the Proposed Project with the implementation of stormwater management practices ("SMPs"). The Water and Sewer Infrastructure analysis will also provide data on existing combined sewer flows to the Coney Island WRRF; provide State Pollutant Discharge Elimination System ("SPDES") permit compliance information; and assess the effects of incremental flows to the Coney Island WRRF on the facility's operations in the future with the Proposed Project. Analyses will be conducted pursuant to the *CEQR Technical Manual*, as well as guidance in the New York City Department of Environmental Protection ("NYCDEP") New York City Stormwater Manual ("NYCSWM") for the assessment of stormwater management infrastructure as applicable.

SOLID WASTE AND SANITATION SERVICES

Comment 45: Please include sanitation in your impact assessment – garbage trucks are currently parked on residential streets because the current sanitation garage building is not large enough. (Suki S)

Response: As described in the FSOW, the DEIS will consider the effects of the proposed project on surrounding environs and will disclose the anticipated demand for sanitation services generated by the project, though the assessment of the New York City Department of Sanitation ("DSNY") management of trucks and their storage is not within the purview of this DEIS.

According to the *CEQR Technical Manual*, a solid waste and sanitation services assessment determines whether a project has the potential to cause a substantial increase in solid waste production that may overburden available waste management capacity or otherwise be inconsistent with the City's Solid Waste Management Plan ("SWMP") or with State policy related to the City's integrated solid waste management system. It is recommended in the *CEQR Technical Manual* that the solid waste and service demand generated by a project be disclosed, based on standard waste generation rates. Therefore, the amount of solid waste that the Proposed Project would generate will be calculated, using solid waste generation rates provided in the *CEQR Technical Manual*, and disclosed in the DEIS. It is anticipated that the Proposed Project would not, as explained in the *CEQR Technical Manual*, be considered "substantial" new development likely to result in 50 tons of

solid waste generated per week. Therefore, the project would not be anticipated to cause a significant environmental impact on solid waste and sanitation services and a detailed solid waste generation analysis will not be required. If it is determined that the development would result in 50 tons or more of solid waste generated per week, a detailed solid waste generation analysis would be required.

ENERGY

Comment 46: This area experiences brownouts in the summer. The electric system will not be able to support the additional electricity demand generated from this project. (Mushky Kotlarsky, Eli Deitsch, Chaya Leiter, Avi Webb, Itty)

Response: As described in the FSOW, the annual energy consumption will be calculated for the residential, commercial (grocery store), shelter and community facility uses that would be introduced with the Proposed Project in accordance with the *CEQR Technical Manual*. As noted in the *CEQR Technical Manual*, all new structures requiring heating and cooling are subject to the New York City Energy Conservation Code. Additionally, Local Law 97, which was passed in April 2019, sets energy use restrictions for buildings larger than 25,000 sf. The Proposed Project would utilize electric HVAC systems. A detailed assessment of energy impacts is limited to projects that may significantly affect the transmission or generation of energy or generate substantial indirect consumption of energy (such as data centers or web hosting facilities). The Proposed Project would not significantly affect the transmission or generation of energy. Therefore, per the *CEQR Technical Manual*, a detailed energy analysis in the DEIS is not required.

The electric utility for the Project Site, Consolidated Edison (“Con Ed”), issued its most recent Long-Range Plan in January 2022. The plan forecasts an increase in demand through 2050 based on additional electric building heating systems and increased adoption of electric vehicles. Con Ed has identified near-term investments to meet this demand including substation upgrades, enhanced energy storage, and clean energy hubs, including one in Brooklyn that could be in operation by summer 2027.

TRANSPORTATION

Comment 47: Traffic is already atrocious. This project will make traffic in the area a bigger problem than it currently is. (Ben Elman, Deena Lefkowitz, Mushky Kotlarsky, Theodore Tatic, Boruch Gancz, Avi Webb, Itty)

Response: Detailed traffic analyses of existing conditions, the No Action condition, and the With Action condition will be performed for the DEIS, as described in Task 11, “Transportation,” in the F50W. An existing conditions traffic network will be developed based on traffic count data and additional coordination with NYCDOT to collect, validate, and adjust the traffic counts to reflect changes related to the COVID-19 pandemic. An analysis of the No Action condition will be performed that accounts for travel demand generated by planned projects that will be developed in the area in the future without the Proposed Project, and an annual growth rate will be applied to existing traffic volumes to account for general background growth, per *CEQR Technical Manual* guidelines. A With Action condition analysis will account for travel demand generated by the Proposed Project. Based on these analyses, potential traffic impacts and mitigation measures will be identified. Where impacts cannot be mitigated, they will be described as unavoidable adverse impacts. As appropriate, recommendations for avoiding or reducing identified impacts to less-than-significant levels (with or without mitigation) would be provided in the DEIS. Further information regarding DEIS traffic analyses can be found in Task 11, “Transportation,” in the F50W.

Comment 48: This neighborhood is lacking public transit. (David Ma, Avi Webb, Chaya Leiter, Rozee Spiegel)

Response: The Project Site is served by four Metropolitan Transportation Authority (“MTA”) New York City Transit (“NYCT”) local bus routes (B12, B44, B46, and B35) and select bus service (B44 SBS, and B46 SBS), as well as four MTA NYCT subway routes, including the 2, 5, B, and Q lines. The 2 and 5 subway lines are accessible via the Winthrop Street Station approximately ½-mile to the west of the Project Site, and the B and Q lines are accessible via the Parkside Avenue Station via the B12 local bus route.

A detailed bus-line haul analysis will be performed for the weekday AM and PM peak hours for the B12 route. Existing peak-hour bus service levels and maximum load-point ridership will be documented. The effects of new project-generated peak-hour trips will be determined, and bus transit mitigation, if warranted, will be identified in consultation with ESD and MTA NYCT.

Also, a detailed subway line-haul analysis will be performed for the peak load during the weekday AM and PM peak hours for the 2 and 5 subway lines. Pedestrian level-of-service (“LOS”) analyses will be performed for platform-to-street elements (i.e., stairs, turnstiles, fare gates) at the Winthrop Street Station. The effects of new

project-generated peak hour trips will be determined and subway mitigation, if warranted, will be identified in consultation with ESD and NYCT. Further information regarding DEIS transit analyses can be found in Task 11, "Transportation," in the FSOW.

Comment 49: The proposed project will increase the severity of the parking issues already present in the area. (David Ma, Zalman Abraham, Eli Deitsch, Chaim Shabtai, Sandra Roberson, Zalman Abraham, Dovid Marasow and Itty Barber, Bashi Levilev, Eli D., Bob the Builder, Boruch Gancz, Avi K, Itty, Chaya Pape)

Response: Parking demand attributable to the Proposed Project will be analyzed in the DEIS. To begin, proposed on-site parking will be evaluated to determine whether project-generated demand would be accommodated. If it would not, a detailed parking assessment will be conducted. The detailed parking assessment will comport with guidance provided in the *CEQR Technical Manual* and will consist of a comparison of existing conditions, the No Action condition, and the With Action condition. The With Action condition will be evaluated based on consideration of two factors: the proposed on-site parking supply attributable to the Proposed Project (i.e., new on-street parking supply), and the potential off-site capacity that would be expected to be available to accommodate any overflow parking demand from the Proposed Project, thus adding to the overall new on-street parking demand. Any potential parking shortfall within the study area will be identified.

The parking analysis will also consider the potential cumulative effects of other reasonably foreseeable development within ¼-mile of the Project Site, as well as background growth anticipated by the 2031 analysis year on parking demand. Further information regarding DEIS parking analyses can be found in Task 11, "Transportation," in the FSOW.

Comment 50: The project should accommodate more parking. (Raul Rothblatt, Director of Constituent Affairs for Assembly Member Cunningham, David Ma)

Response: Comment noted. See response to Comment #49 for information about DEIS parking analyses.

Comment 51: Do not include any parking in this project plan. (Syed Ali, Max Yeston)

Response: Comment noted. See response to Comment #49 for information about DEIS parking analyses.

Comment 52: Traffic/parking issues require a hard look since the project provides zero residential on site-parking spots and only 15 parking spots for a supermarket and other commercial space. A parking analysis should be based upon the amount of visual off-street parking spots open. Although NYC car registrations have been used in the past, many residents have out-of-area and out-of-state parking registrations. Also, the other Vital Brooklyn projects cannot be segmented (Utica Crescent, Kingsbrook Estates, Clarkson Estates, Kingsboro West aka Sparrow, as well as the parking spots needed for anticipated commercial spaces). An analysis of the local area's coop buildings and apartment buildings and the number of residents who do not have parking spots is relevant (e.g. Harry Silver Coop – less than half of its residents have off-site parking and more than half rely upon street parking). (Jay Sorid)

Response: See response to Comment #49. Additionally, the parking and transportation analyses will take into account the anticipated increase in parking demand attributable to the Utica Crescent and Kingsbrook Estates projects. The Clarkson Estates project is located approximately ½-mile from the Project Site, and as such is beyond the reasonable parking distance that would be expected for a project of this type, per the guidance of the *CEQR Technical Manual*.

Comment 53: Expanded transit zones have a disparate impact on displacement in minority neighborhoods. The location of the project is more than 0.5 miles from a subway and relies on cars for travel. I request a study of how many transit zones are more than 0.5 miles from a subway and whether the current Brooklyn CB 9 transit zone is arbitrary from NYS AG James and City Planning. (Jay Sorid)

Response: The requested studies regarding transit zones are beyond the scope of the SEQRA review for the Proposed Project. See response to Comments #48 and 49.

NOISE AND VIBRATION

Comment 54: The open space should be designed so that steelpans and marching bands can rehearse. This will mean making sure apartment windows are insulated against sound. (Raul Rothblatt, Director of Constituent Affairs for Assembly Member Cunningham)

Response: See response to Comment #14. The Proposed Project would include publicly accessible open space. It should be noted, however, that the Proposed Project as presently designed is not intended to facilitate activities that have the potential to introduce significant noise to sensitive receptors at or near the Project Site. As

described in Task 14, “Noise and Vibration,” in the FSOW, required attenuation for the Proposed Project will be predicted based on noise analysis results. The noise analysis will only account for ambient noise sources, which is typically the result of vehicular traffic when measured over a 24 hour period. Should the ambient noise conditions dictate a need for specific control measures to be considered in the design and construction of the residential and/or community facility buildings on the Project Site as part of the Proposed Project, these measures would be identified, based on fundamental noise attenuation principles and assessment procedures referenced within the *CEQR Technical Manual*. In accordance with *CEQR Technical Manual*, any exterior to interior window-wall noise attenuation requirements needed to provide acceptable interior noise levels in the context of exterior noise source activities, will be identified in the DEIS.

CONSTRUCTION

Comment 55: Have you considered the impact to the community from construction? (Suki S.)

Response: The DEIS will include a review of potential construction period effects attributable to project construction. In particular, the Construction Impacts chapter of the DEIS will assess potential construction-related impacts to transportation, air quality, and noise and vibration. This chapter will also provide a description of construction activities such as the Developer’s anticipated phasing, staging plans, equipment that would be utilized, and schedule. Further information regarding construction analyses can be found in Task 17, “Construction Impacts,” in the FSOW.

Comment 56: Have you considered the impact that would result from a delay in construction that could result in the Project Site remaining vacant for an extended period of time? (Suki S)

Response: The Proposed Project would facilitate the redevelopment of a portion of the KPC campus, a portion of which comprises unimproved vegetated area which currently does not contain active uses. Thus, the Proposed Project would introduce active uses and newly constructed buildings onto a portion of the KPC campus that would otherwise remain underdeveloped in the future without the Proposed Project. Further, the Proposed Project would open up the Project Site, which is currently surrounded by perimeter fencing, and improve the permeability and integration with the surrounding neighborhoods.

Construction of the Proposed Project would be phased such that the shelter facilities currently operating on the Project Site would remain in operation until the

completion and occupancy of the two new shelter facilities built as part of the Proposed Project. The portions of the Project Site developed during each phase of construction would be occupied following the completion of that phase of construction. Thus, construction of the Proposed Project would not create a condition of vacancy at the Project Site, even temporarily, as active uses would remain on the site throughout the construction period.

Additionally, it is anticipated that HCR and/or the New York State Housing Finance Agency (“HFA”) would enter into a regulatory agreement with the Developer and that a restrictive declaration would be recorded against the property, both of which would contain appropriate enforcement mechanisms to ensure that the Proposed Project would be constructed as envisioned by HCR and ESD, avoiding vacancy of the site.

Comment 57: Have you considered implementing penalties for the Developer for not adhering to the stated construction schedule? (Suki S)

Response: ESD does not anticipate imposing penalties for failure to adhere to the estimated construction schedule presented in the DEIS. It is anticipated that HCR and/or HFA would enter into a regulatory agreement with the Developer and that a restrictive declaration would be recorded against the property, both of which would contain appropriate enforcement mechanisms to ensure that the Proposed Project would be constructed as envisioned by HCR and ESD.

ALTERNATIVES

Comment 58: What alternatives would avoid this project? (Dovid Marasow and Itty Barber)

Response: As stated in Section §617.9 of the SEQRA regulations and described in the FSO, an EIS must include “a description and evaluation of the range of reasonable alternatives to the action that are feasible, considering the objectives and capabilities of the project sponsor. The description and evaluation of each alternative should be at a level of detail sufficient to permit a comparative assessment of the alternatives discussed. The range of alternatives must include the no action alternative. The no action alternative discussion should evaluate the adverse or beneficial site changes that are likely to occur in the reasonably foreseeable future, in the absence of the proposed action.”

As there are no alternative sites for the Proposed Actions (the acquisition and sale of this specific site and its subsequent development), a No Action Alternative will

be analyzed. The No Action Alternative would largely resemble existing conditions, with continued operation of the two existing single-adult men’s shelters, and no new development on the Project Site.

CUMULATIVE EFFECTS

Comment 59: Have you done a cumulative impact analysis including the two other Vital Brooklyn projects in CB9 - Clarkson Estates (328 units) and Utica Crescent (322 units)? (Suki S)

Response: As stated in Task 20, “Summary Chapters,” of this FSOW, the DEIS will include a Cumulative Effects chapter which summarizes the potential for combined effects associated with the Proposed Actions and any past, present, and reasonably foreseeable future actions that may affect the same environs as the Proposed Project. In addition, potential construction-period effects expected with the Proposed Project are also considered in the context of construction associated with other actions in the vicinity.

Per the guidance of the *CEQR Technical Manual*, study areas will be defined for each individual analysis which include the geographic area that would likely experience effects from the Proposed Project related to that technical area. Developments anticipated to be complete by the 2031 analysis year that are located within the project study area for a given analysis will be considered, and the cumulative effects of these developments in combination with the Proposed Project will be assessed.

PUBLIC OUTREACH

Comment 60: The community’s opinion should have been gathered before proposing the project. (Saundra Roberson, Devorah Kasimov, Dovid Marasow and Itty Barber)

Response: HCR conducted public outreach in order to guide the development of the RFP so as to solicit proposals which aligned with the goals and objectives of the community. Specifically, the Community Advisory Council for the 43rd Assembly District identified a focus on integrating supportive and non-supportive populations; a focus on serving multiple supportive populations with onsite services while creating a balanced environment that weaves the entire community together; and prioritizing and offering on-site supportive services for populations reliant on such services.

Comment 61: For future meetings, please inform the community of how to get involved if they oppose these projects. (David Ma)

Response: Comment noted. See responses to Comments #12, #60, and #64. Information about the public hearing for the DEIS will be posted on the ESD website, New York State Department of Environmental Conservation (“DEC”) Environmental Notice Bulletin (“ENB”), and in a news publication of general circulation.

Comment 62: Although the proposal stated that the Developer would visit the community board right away, they didn’t visit the community board hearing until two years after they won the proposal. (Jay Sorid)

Response: Since the *Vital Brooklyn Initiative* was announced in 2017, ESD and HCR have thoughtfully considered development options for each site identified as having potential for affordable housing. As part of the RFP development process, HCR conducted public outreach in order to guide the development of the RFP so as to solicit proposals which aligned with the goals and objectives of the community. Specifically, the Community Advisory Council for the 43rd Assembly District identified a focus on integrating supportive and non-supportive populations; a focus on serving multiple supportive populations with onsite services while creating a balanced environment that weaves the entire community together; and prioritizing and offering on-site supportive services for populations reliant on such services.

Given the Project Site’s complexity and the need to refine elements of the Developer’s original RFP submission, ESD and HCR carefully developed the Kingsboro Psychiatric Center Mixed Use Project proposal before beginning public engagement with respect to the specific Proposed Project. Over the past two years, the Developer has worked closely with ESD and HCR to refine the Proposed Project to best meet the goals and objectives of the community. ESD has re-initiated the public participation process in concert with SEQRA review. ESD will continue public engagement on the Proposed Project through the SEQRA and GPP process.

Comment 63: Why was there no public outreach between July 2021 when the winning bid for Kingsboro was awarded and January 2023? The winning proposal said that they would immediately engage with the community after winning the RFP. (Jay Sorid)

Response: See response to Comment #62.

Comment 64: We are concerned the Developer will not consider our comments. (Meir Gewirtz, Avi Web, Eli Deitsch, Chaya Loewenthal, Devorah Kasimov)

Response: Comments have been considered, responded to, and, as applicable, adopted into this FSOW document. Following the publication of the DEIS and GPP, another public meeting will be held, and public comment period provided. Comments received during the public hearing and comment period on the DEIS and GPP will be considered and, as applicable, adopted into a Final EIS and/or revised GPP.

Comment 65: Residents opposing the project should reach out to politicians, real estate, and residents that are willing to give their signature in order to resist this project. (Richard Saul)

Response: Comment noted.

SEQRA PROCESS

Comment 66: Insufficient notice was given to the surrounding communities to properly engage them in this public hearing. (Jay Sorid, Jerome Jackson, Basya Gold)

Response: Per SEQRA guidelines, a notice of this scope of work and a notice on the DEC ENB was published at the ESD website (https://www.dec.ny.gov/enb/20230104_not2.html) and advertisements were published in the Daily News 14 days prior to the meeting.

Comment 67: Why was this hearing scheduled at the same time as the 71st Community Council Meeting, if the Developer is as in touch with the community's needs as they say? (Meir Gewirtz)

Response: Going forward ESD will ensure we touch base with the local Community Boards to ascertain when other significant community meetings may be occurring as we schedule future meetings. To the extent possible, we strive to avoid dates with other community meetings.

Comment 68: New York State Attorney General Letitia James must be an involved party or at least interested party – she needs to sign off and decide whether the issue with the deed, the right of reverter, entitled this to go to the city council. Since the NYS Attorney General's office was left off of the public scoping list of noticed entities and individuals, the scoping process should be repeated. (Jay Sorid)

Response: As stated in Section §617.2 of the SEQRA regulations, an involved agency refers to “an agency that has jurisdiction by law to fund, approve or directly undertake an action. If an agency will ultimately make a discretionary decision to fund, approve or undertake an action, then it is an ‘involved agency’ notwithstanding that it has not received an application for funding or approval at the time the SEQR process is commenced.” Further, as stated in Section 617.2 of the SEQRA regulations, an interested agency refers to an agency that “wishes to participate in the review process because of its specific expertise or concern about the proposed action.”

The Office of the New York State Attorney General (“OAG”) may have a role in reviewing the form of the title transfer documents for the conveyance of the Project Site from the State (acting through the Dormitory Authority of the State of New York) to ESD. Because the OAG will not be making a discretionary decision to directly undertake, fund or approve the Proposed Project, such activities do not require the OAG to be an involved or interested agency in the SEQRA review.

Comment 69: Why was no outreach done to Community Board 17? The Project Site is located on the border between Community Board 17 and Community Board 9. Brooklyn Community Board 17 residents within ¼ mile should have been notified as per SEQRA which they were not. (Jay Sorid)

Response: See responses to Comments #60 and #62. The DSOW and a Combined Notice of Lead Agency, Positive Declaration, Public Scoping, and Intent to Prepare a Draft Environmental Impact Statement for the Proposed Project were published on the ESD website on December 19, 2022. The announcement of a public hearing and the publication of these documents were posted to the DEC ENB on January 4th, 2023 and published in the New York Daily News legal notices section on January 5th, 2023. Upon request, the Full EAF for the Proposed Project was published to the ESD website. Upon publication of these materials, the DSOW, Combined Notice of Lead Agency, Positive Declaration, Public Scoping, and Intent to Prepare a Draft Environmental Impact Statement for the Proposed Project, and EAF were shared with the following entities and individuals:

Dormitory Authority State of New York
New York State Homes and Community Renewal
New York State Office for People with Developmental Disabilities
New York State Office of Mental Health
New York State Department of Environmental Conservation, Region II
New York City Department of City Planning, Brooklyn Office

New York City Department of Transportation
New York City Department of Housing Preservation and Development
New York City Department of Homeless Services
New York City Housing Development Corporation
Mayor's Office of Environmental Coordination
Honorable Eric Leroy Adams, Mayor of New York City
Antonio Reynoso, Brooklyn Borough President
New York City Council
Honorable Brian Cunningham, New York State District 43 Assembly Member
Honorable Darlene Mealy, New York City Council Member
Honorable Rita Joseph, New York City Council Member
Brooklyn Community Board #9

While this process conforms to the SEQRA regulations, ESD will include Brooklyn Community District #17 in addition to Brooklyn Community District #9 in the distribution of this FSO, as well as any other publicly disseminated Project materials as the environmental review process continues.

Comment 70: The proper environmental review procedures were not followed. Per Section 245.1 of CEQR, the project was required to be listed in the City Record and a newspaper of general circulation. Since this was not done, this may constitute a fatal flaw and would require a new scoping meeting be held that properly notifies the community and follows the correct environmental review procedures. (Jay Sorid)

Response: As described in the FSO, pursuant to SEQRA, codified in Article 8 of the Environmental Conservation Law, and its implementing regulations (6 NYCRR Part 617), ESD intends to prepare an EIS for the Proposed Project. Consistent with ESD practices, because the Proposed Project would be developed in New York City, this EIS will be prepared generally following the guidelines of the *CEQR Technical Manual*. In this way, the Proposed Project may be assessed in a manner that appropriately reflects the urban conditions and setting of the Project Site.

It is important to note, however, that while the *CEQR Technical Manual* is being used for guidance and as a resource for preparing certain environmental analyses in this SEQRA EIS, ESD is a New York State public entity that is not subject to CEQR and other local laws and procedures, including but not limited to publication of notices in the *City Record*. Per SEQRA guidelines, a notice of this scope of work was published on the DEC ENB, and at the ESD website

(https://www.dec.ny.gov/enb/20230104_not2.html) and advertisements were published in the Daily News 14 days prior to the meeting.

Comment 71: According to SEQRA, the community needs to be notified by putting a sign out and doing a mailing within a quarter mile of the project site. (Jay Sorid)

Response: See responses to Comment #60 and #62. SEQRA does not require posting signs or direct mailings.

Comment 72: The Proposed Project must take into account Governor Hochul’s “Cumulative Impacts Bill” passed on December 31, 2022. Where an EIS is required, state agencies must now assess the effects of any proposed action on disadvantaged communities, including whether the action may cause or increase a disproportionate or inequitable pollution burden on a disadvantaged community. Agencies are prohibited from approving actions that may cause or contribute to, either directly or indirectly, a disproportionate or inequitable or both disproportionate and inequitable pollution burden on a disadvantaged community.

Further, when evaluating a permit for any project subject to SEQRA review that may affect a disadvantaged community, the Department of Environmental Conservation (DEC) must now prepare or require an “existing burden report” assessing the community’s existing pollution burdens. DEC must use the results of the existing burden reports to determine whether the project causes or contributes to a disproportionate and/or inequitable burden on a disadvantaged community. DEC must adopt regulations that set forth the requirements of an existing burden report.

The “existing burden report” will require the lead agency to show a lack of segmentation (combined effects of various local projects) rather than wait for the objection from the public. (Jay Sorid)

Response: The comment refers to recent amendments to the New York State Environmental Conservation Law (“ECL”). In December 2022, L. 2022, Chapter 840 was enacted, which amended the ECL to provide new requirements regarding the evaluation by public agencies of disproportionate impacts of projects and permits on disadvantaged communities and in March 2023, amendments to that law were enacted in L.2023 Chapter 49. The referenced requirements under both of those laws will not take effect until December 30, 2024, and therefore do not apply to the Proposed Project. However, the DEIS will consider the Proposed Project in the context of other known developments and background growth.

Comment 73: Per CEQR, a Racial Impact Study should be prepared to supplement the SEQRA Analysis. Strict scrutiny should apply to the reading of any statute as is the standard practice for civil rights and fair housing laws. (Jay Sorid)

Response: The comment appears to refer to New York City Administrative Code §25-118. This local law requires the preparation of a racial equity report on housing and opportunities for certain types of New York City land use applications. The Proposed Actions do not include any to which this provision applies.

Comment 74: Land acquisition issues should be reviewed and decided as part of the SEQRA. Per SEQRA regulations, “Land acquisition or disposal associated with capital improvement should be reviewed as part of the whole action. Frequently the first commitment to a project will occur when a property transaction is made, and it is appropriate that SEQRA be completed before such commitment is made.” (Jay Sorid)

Response: The DEIS will consider the impacts of both the development and the transactions necessary to facilitate it (e.g., land acquisitions and dispositions), and thus would not segment these related actions.

Comment 75: The current land acquisition by Developer involves extinguishing a right of reverter contained in the deed. The right of reverter is a property interest of NYC. A right of reverter is a property interest that can be sold. This is different than a restricted use which can be changed/removed by Department of City Administrative Services (“DCAS”). The Uniform Development Corporation Act Section 14, requires the local governing body (NYC Council) to issue a resolution to sell any real property (reverter interest). NYS EDC should specifically state how the right of reverter for the deed to 681 Clarkson is going to be extinguished and why Section 14 of the UDC is not applicable. (Jay Sorid)

Response: It is anticipated that the City’s right of reverter will be terminated, released, modified, and/or acquired in connection with the Proposed Project. However, the specific form and process for doing so is not relevant to the scope of work for the DEIS..

Comment 76: Supportive housing facilities were left out of EAS. The EAS ignores Breaking Ground’s transitional shelter at 781 Clarkson as well as the two CAMBA supportive housing facilities on Albany Ave, CAMBA Garden I 690 & 738 Albany Ave, & CAMBA II 560 Winthrop Ave. (Jay Sorid)

Response: A SEQRA EAF was published on ESD's website (<https://esd.ny.gov/sites/default/files/ESD-KPC-EAF.pdf>). The EAF provides a description of the existing conditions on the Project Site insofar as is required to determine whether an EIS will be required based on the proposed incremental development. The EAF determined that an EIS will be required; therefore, further analysis, considering other existing uses in the project area, will be provided and disclosed to the public with the publication of the DEIS.

Comment 77: NYS HCR - Office of Fair and Equitable Housing should be added as an involved or interested agency since the number of units going for residential supportive housing/homeless housing funded from Vital Brooklyn on Clarkson Ave is close to 50 percent, which is greater than the 15 percent requirement that NYC City Council passed. The bedroom mix in the units is also relevant and should reference all Vital Brooklyn Projects occurring and not segment them. City Planning has the data, or this can be requested from NYC Open data, based upon funding sources per census tract area. (Jay Sorid)

Response: Comment noted. As stated in the EAF and Combined Notice of Lead Agency, Positive Declaration, Public Scoping, and Intent to Prepare a Draft Environmental Impact Statement, ESD proposed the Proposed Actions in collaboration with HCR, and HCR is an involved agency for the Proposed Project pursuant to SEQRA. See also responses to Comments #25 (regarding the mix of unit types) and #59 (regarding the consideration of other developments in the vicinity of the Proposed Project for analytical purposes).

Comment 78: I request an analysis of all Vital Brooklyn Projects without segmentation. (Jay Sorid)

Response: The Proposed Project has independent utility and function separate from other *Vital Brooklyn Initiative* projects. Therefore, an independent analysis of the Proposed Project and other *Vital Brooklyn Initiative* projects does not constitute segmentation. Analyses will consider any potential effects resulting from the Proposed Project in the context of all other *Vital Brooklyn Initiative* projects which would be located within the analysis study areas and are anticipated to be complete by the 2031 analysis year.

Comment 79: The public has not been given sufficient time to speak at this public hearing. (Ben Elman)

Response: See responses to Comments #12, #60 and #62. During the Public Scoping Meeting, time was given for each speaker to provide comment. After each speaker was given

the opportunity to provide comment, several speakers were given the opportunity to provide additional oral testimony. Further, the public comment period remained open for 30 days following the close of the meeting, with written and emailed comments on the DSOW accepted until 5:00 PM on Tuesday February 21, 2023.

PUBLIC POLICY

Comment 80:

I request the lead agency to recognize that the current project is located within the Task Force on Racial Inclusion and Equity (“TRIE”) neighborhood of East Flatbush. The location requires an even higher level of scrutiny in accordance with NYS Environmental Justice Standards that affect disadvantaged minority neighborhoods. (Jay Sorid)

Response:

TRIE was launched in April 2020 in response to the disproportionate impact of COVID-19 on communities of color. The Taskforce brings together City Agency leaders, who work in interdisciplinary teams to monitor the COVID-19 response in affected neighborhoods and identify key disparities through analysis and dialogue with affected communities. As TRIE is a task force, there is no standard for reviewing TRIE communities under SEQRA. However, as part of the *Vital Brooklyn Initiative*, the Proposed Project seeks to leverage State programs and resources to improve health and wellness in Central Brooklyn. The Proposed Project would also improve economic opportunities in East Flatbush, which has long suffered from disinvestment and marginalization that have hindered the well-being of its residents. As such, the Proposed Project would provide affordable housing to an underserved portion of Brooklyn, including supportive housing and housing for senior citizens, and improve wellness and economic opportunities as part of the *Vital Brooklyn Initiative*.

Comment 81:

Fair Housing Law requires HUD investigate federal civil rights and be added as an involved or at least interested party. There needs to be a residential beds analysis, according to census tract area, and neighborhood (East Flatbush CB 9), not just Community District 9, to decide whether the disabled are being segregated on Clarkson Ave. This is a Civil rights issue because the Affirmatively Furthering Fair Housing Act prohibits segregation in housing. NYS ESD must look at the two CAMBA buildings across the street on west side Albany Ave and Clarkson (approximately 300 residential beds for disabled), which were left out of the EAS statement (which was never put publicly online until after the Draft Scope Meeting), the Breaking Ground transitional shelter at 781 Clarkson which has 110 beds for the people who have mental health issues, and the other Vital Brooklyn construction developments

of Clarkson Estates 322 Clarkson (half supportive housing), Utica Estates, Kingsbrook Estates to ascertain segregation in the local neighborhood. (Jay Sorid)

Response:

Comment noted. USHUD is a federal agency, and therefore does not qualify as an involved or interested agency within their meaning as defined in SEQRA, the application of which is limited to New York State and local agencies (see 6 NYCRR §617.2(c), (t) and (u)).

The Affirmatively Furthering Fair Housing (“AFFH”) obligation under the Fair Housing Act applies to USHUD, other federal agencies, and USHUD funding recipients such as States and local governments and requires those entities participating in certain USHUD programs to certify that they will comply with their AFFH obligation. This requirement does not apply to individual projects. However, the purpose and need for the Proposed Project is aligned with AFFH, which the USHUD regulations define as “taking meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics. Specifically, affirmatively furthering fair housing means taking meaningful actions that, taken together, address significant disparities in housing needs and in access to opportunity, replacing segregated living patterns with truly integrated and balanced living patterns, transforming racially or ethnically concentrated areas of poverty into areas of opportunity, and fostering and maintaining compliance with civil rights and fair housing laws.” 24 CFR 5.151. The USHUD regulations state: “For persons with disabilities, segregation includes a condition in which the housing or services are not in the most integrated setting appropriate to an individual's needs in accordance with the requirements of the Americans with Disabilities Act (42 U.S.C. 12101, et seq.), and section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794).” “The most integrated setting is one that enables individuals with disabilities to interact with persons without disabilities to the fullest extent possible...” The Proposed Project, as well as other *Vital Brooklyn Initiative* projects, seeks to incorporate supportive housing into the fabric of neighborhoods with residents not requiring supportive housing, in an effort to reduce segregation of populations who often suffer the greatest hardship in accessing safe and affordable housing.

The EAF for the Proposed Project is available on ESD’s website at <https://esd.ny.gov/sites/default/files/ESD-KPC-EAF.pdf>. The SEQRA regulations do not require publication of an EAF, but it has been published at the request of the commenter.

Comment 82: A fair share analysis of residential beds analysis is required even though this Developer isn't a city agency. The City originally sited the two existing homeless shelters. Breaking Ground is taking over the City Contracts and expanding the City's original siting with more supportive housing. NYC Article 5 is relevant since this is an expansion of the City's original siting, and Breaking Ground will receive at least 50 percent of funding from City contracts. Residential beds analysis example by district is in Fair Share, but a more advanced census tract analysis for segregation AFFH (Affirmatively Furthering Fair Housing) concerns. (Jay Sorid)

Response: The Proposed Project is being sponsored by ESD, a New York State public benefit corporation that is not subject to local laws and regulation, including but not limited to the City of New York's "Fair Share" criteria for the location of City facilities, as set forth in Sections 203 and 204 of the New York City Charter and associated City regulations.

Comment 83: The 43rd Assembly District Vital Brooklyn Community Proposal Violated Equal Protection Laws. The Jewish community was shut out of the initial stages of Vital Brooklyn. Former Assemblywoman Diana Richardson held all of the Vital Brooklyn Public meetings on Saturdays, which effectively had a disparate impact on Orthodox Jews who could not attend and be part of the Vital Brooklyn process. A legal opinion is requested from NYS AG James, as an involved agency or interested agency, on the applicability of the Equal Protection Clause/Section 1983 action and other laws is requested. It is also requested that equitable tolling be used to toll any statute of limitations since the Jewish community never knew of the substance of what took place at the meetings, and this is a matter of public concern. (Jay Sorid)

Response: Comment noted. This comment is outside of the scope of the SEQRA review of the Proposed Project.

ESD does not have a direct role in elected officials' communication with their constituents. ESD has and will continue to make a concerted effort to provide public participation opportunities for all members of the public and will not hold meetings or hearings on Fridays, Saturdays, or Sundays.

As stated in the response to Comment #68, OAG is not an involved agency for the Proposed Project as defined in SEQRA.

Comment 84: Individual Members of the 43rd Assembly District were denied the right to have a majority of residents from the 43rd District on the Vital Brooklyn Advisory Board. A

majority of the members of the Vital Brooklyn Advisory Board were from outside the 43rd District. A legal opinion is requested from AG Letisha James, as an involved agency or interested agency, on whether any laws were not followed is requested. (Jay Sorid)

Response: Comment noted. This comment is outside of the scope of the SEQRA review for the Proposed Project.

It should be noted that local elected officials gathered feedback from their constituents on the *Vital Brooklyn Initiative* at their discretion, and not through any legally required process. ESD has not had any role in the formation or function of the 43rd Assembly District Vital Brooklyn Advisory Board.

As stated in the response to Comment #68, OAG is not an involved agency for the Proposed Project per the guidance of SEQRA and does not have a role in rendering legal opinions on aspects of the Proposed Project such as this.

SAFETY

Comment 85: Multiple commenters expressed safety concerns related to the existing men's shelters on the Project Site and the need for increased security in the area surrounding the Project Site. Commenters specifically were concerned about the safety of children and the elderly, robbery, theft, trespassing, public indecency, lewd behavior, drug use, anti-Semitic hate crimes, and harassment of pedestrians. Below is a summary of personal accounts provided by area residents:

- I'm a mother of young children and do not feel safe taking them to our own local playgrounds due to incidents of indecent exposure, sexual harassment and verbal altercations at the spaces that are supposed to be designated for our most vulnerable residents, children.
- Public urination and defecation have become a norm on our blocks as small children await their school bus. There are troubled individuals walking the street and cat calling and harassing our children and women.
- We go into the synagogue and I'm nervous for my child to go out even for five minutes, even holding the door open because of the existing homeless that are there, the existing mentally unstable that are there already.
- I have been sworn at, spat at, and shoved by an older man. I'm scared to walk on the streets there.
- I have been harassed multiple times just walking down the street. So has my mom who comes to visit, and my kids are afraid to walk to school. I've come

home more than once to find homeless individuals on my front steps while my young children are around.

- Packages have been stolen from my porch.
- I've been assaulted, I've been mugged in that area, and these are the people who live in that facility.
- People park their cars on the street at night, you don't know if you're going to come back tomorrow with a smashed window because the people at the homeless shelter can get violent, they're fighting between each other but sometimes they throw their bottles and throw their things and then, you know, some windows get busted or things like that.
- Men stop motor vehicles and pedestrians alike, in a manner that can at times be intimidating.
- There are people here that roam the streets, come to my children, try talking to them, doing illicit drugs in front of everybody's faces
- My young grandchildren have been attacked and harassed by the people that live in the shelter.

(Eli Deitsch, Avi K., Mushky Kotlarsky, Avi Webb, Boruch Gancz, Chaim Shabtai, Chana Nancy Shloush, Chaya Goldin, Chaya Loewenthal, Chaya Margolin, Chaya Pape, Deena Lefkowitz, Devorah Kasimov, Dovber Bryski, Efraim Tessler, Eli D., Itty [LAST NAME NOT PROVIDED], Jerome Jackson, Joseph Kolodny, Mary James, Rochel Weingarten, Zalman Abraham, Bashi Levilev, Ben Elman, Chaya Leiter, Dovid Marasow and Itty Barber [joint comment], J. Weber, Levi Shemtov, Rachel Gold, Raul Rothblatt, Director of Constituent Affairs for Assemblymember Cunningham, Rozee Spiegel, Ya'akovah Webber, Yossi Goldstein, Zeesy Piamenta, Basya Gold, Meir Gewirtz, Nathan Blumes, Saundra Roberson, Theodore Tatic, Yossi Klein, Syed Ali)

Response:

The Proposed Project would fully replace the 364 beds in the two existing men's shelters with 364 beds in two new state-of-the-art single-adult men's homeless shelters. No additional shelter beds would be introduced to the Project Site as part of the Proposed Project. The Proposed Project would provide adequate on-site security providing access control to Proposed Project buildings and increasing the residential and commercial activity in and around the Project Site allowing for greater community surveillance of surrounding streetscapes. There would also be extensive security camera systems installed and security and services staff to monitor and secure the Project Site. As such, the Proposed Project would introduce

enhanced security measures that would not otherwise be implemented without the Proposed Project.

See response to Comment #32 for additional information about designing a residential program for the Proposed Project that integrates supportive and non-supportive populations.

Comment 86: I request NYPD data on hate crimes and unprovoked attacks where mental illness was a factor. (Jay Sorid)

Response: Comment noted. This comment is outside of the scope of the SEQRA review for the Proposed Project. ESD does not maintain this information.

SUPPORT FOR THE PROPOSED PROJECT

Comment 87: I support the Proposed Project. (Max Yeston, Jordans Sears-Zeve, Danielle McDougall, Olivia Killingsworth, Veronica Yurovsky, Elizabeth Denys, Ken Ayub, Matthew Burton, Salvatore Franchino, Toby Hyde, Chad Horner, Sean McLaughlin, Lana Irons MD, Seth Pollack, Douglas Hanau, Rachel Brown, William Meehan, Amelia Josephson)

Response: Comment noted.

Comment 88: I believe the planned replacement of two existing homeless shelters with new facilities and a new provider will better ensure the security and wellbeing of both shelter residents and their neighbors in the wider community. (Olivia Killingsworth, Ken Ayub, Salvatore Franchino, Chad Horner, Sean McLaughlin, Douglas Hanau, William Meehan, Amelia Josephson, Veronica Yurovsky)

Response: Comment noted.

OPPOSITION TO THE PROPOSED PROJECT

Comment 89: We do not want this project. (Ben Elman, Mushky Kotlarsky, David Ma, Chaya Pape, Basya Gold, Bashi Levilev, Kreina Lepkivker, Boruch Gancz, Richard Saul)

Response: Comment noted.

Comment 90: I oppose this project. (Deena Lefkowitz, Rozee Spiegel, Sandra Roberson, Chaya Leiter, Mary James, Nachman Rivkin, Dassie Schneur, Mendel Nemes, Yosef

Hershkop, Efraim Tessler, Nathan Blumes, Alexander Heppenheimer, Deborah Pointer, Levi Shemtov, Eliezer Halon, Sheyna Goldin, Chanie Perl, Shmuly S)

Response: Comment noted.

MISCELLANEOUS

Comment 91: How will you ensure that future owners of the development have a strong requirement to connect with the community and listen to their concerns in the future? (Raul Rothblatt, Director of Constituent Affairs for Assembly Member Cunningham)

Response: See response to Comment #12 for information about continued public outreach.

Comment 92: The project will decrease the neighborhood's property values. (Chaya Pape, Rozee Spiegel, Sandra Roberson)

Response: The effect of a project on neighboring property values, except as it may implicate the potential for indirect displacement, is beyond the scope of SEQRA analyses. It should be noted however, that according to the most rigorous and largest study to date (NYU's Furman Center for Real Estate and Urban Policy, 2008) development including supportive housing does not depress neighboring property values.

Comment 93: Politicians are deliberately degrading the quality of life for Crown Heights residents. (Yosef Yeroshalmi)

Response: See response to Comment #3.