



July 28, 2017

Via email and first class mail to:

KhalilGibran80Flatbush@schools.nyc.gov

Jennifer Maldonado, Executive Director
New York City Educational Construction Fund
30-30 Thompson Avenue, 4th Floor
Long Island City, NY 11101

RE: 80 Flatbush Avenue, Brooklyn, NY; SEQR/CEQR No. 17ECF001K

Dear Ms. Maldonado:

We write to comment on the Draft Scope of Work for the Preparation of an Environmental Impact Statement (EIS) for the development proposed for 80 Flatbush Avenue, Brooklyn, NY. The proposed development is overwhelmingly commercial in nature and historically large (including proposing an unprecedented FAR of 18). **Located in an already densely built and highly congested area adjacent to the “crossroads of Brooklyn,” its impacts will likely be great, hence we believe that the EIS process must be as thorough, comprehensive, and inclusive of community stakeholders as possible.**

In addition, we request that a thorough and transparent disclosure be made of the following information: (a) terms of the lease of city-owned land to the developer; (b) the cost of tax-exempt bonds, and every other city or state subsidy, including tax abatements for this project; and (c) where the RFP response of Alloy can be found.

Project Site and Study Area: The Draft Scope of Work indicates that a proposed study area radius of 400 feet from the site at 80 Flatbush will be used. We believe that is entirely too small a study area. The study area must be expanded in order to have a legitimate and contextual understanding of the effects on Downtown Brooklyn and the residential neighborhood of Boerum Hill. Expanding the study area to at least one (1) square mile would allow the developers to assess, account for and mitigate other factors that may well impact the development. This includes housing, traffic, transit overcrowding, public safety, population demographics and other jurisdictional issues, such as the proximity of the site to school District 13, which is also over-capacity in the vicinity and which has many additional units of housing under construction and on deck.

Below we discuss particular issues as they relate to specific EIS tasks to be performed.

Task 1: Project Description

The project is described in the Draft Scope of Work with emphasis on the creation of two schools, a new public elementary school and the replacement and expansion of the Khalil Gibran International Academy, a high school. However, the proposed school construction constitutes less than 15% of the

proposed development. Thus, it is far more appropriate to characterize this as a mixed-use, commercial and residential development with a small element of educational space as such.

No one doubts that the Khalil Gibran International Academy is in desperate need of renovation and that a new primary school is needed to accommodate the already burgeoning population in the area; however, with the additional housing proposed at this site, the current overcrowding in classrooms will continue to be an issue, so much so that the net result would be negative and thus the claimed public benefit is illusory.

Task 2: Land Use, Zoning, and Public Policy

As noted above, the study area should be expanded to a radius of 1 square mile. 400 feet is simply myopic for the site and the density proposed. Land use trends must be evaluated in their historical context, including historical buildings on Fulton Street, and the historically and architecturally significant neighborhoods of Boerum Hill and Ft. Greene.

The development of Hoyt-Schermerhorn must be included in the assessment of neighborhood and community plans.

We pause to note that while we anticipate that the EIS will assert consistency with current public policies to increase availability of housing stock as justification for the enormity of the project, we are concerned that New York City will not be able to build its way out of a housing crisis with luxury projects that include a small number of subsidized units themselves priced at rents higher than neighborhood median incomes can afford. Our experience in Brooklyn is that such projects only increase pressure on rents, displacing people who can't even qualify to enter lotteries for the new, supposedly "affordable" housing. There is nothing about the proposed project at 80 Flatbush that alters our concerns in this regard.

Moreover, we are concerned that the proposed FAR of 18 is far too great for the area. It is, in fact, unprecedented and our many years of experience with development in and around Downtown Brooklyn tell us that our fears regarding an FAR of 18 are not misplaced. Current zoning, as cited in the Draft Scope would permit a building of 330 feet including bulkheads. The proposed development would include two towers, one of which would be 960 feet tall, more than 400 feet taller than the Williamsburg Bank building at One Hanson Place and even dwarfing other new towers in the area. We are extremely concerned that 960 feet will become the new normal, and we do not believe that is in the best interest of the communities we represent. Nor do we see any effort to justify this height as economically sound and request that it be thoroughly analyzed and evidence submitted to support the economics of such height.

Moreover, the proponent seeks exceptions to the current setback requirements. These setbacks exist so as to provide light and a feel of less density and greater community on the ground. We do not see a rationale for this exception in the Draft Scope and request that the EIS thoroughly analyze this and produce evidence to support the request.

Task 3: Socioeconomic Conditions

There is cause to be concerned that the proposed housing units will attract a new population with a higher income than surrounding neighborhoods, such as Downtown Brooklyn. Phase I includes studio and one-bedroom apartments, in one of the two luxury towers. The affordable housing units will not be

included in this phase. **We are concerned that the proposed building will further displace the African American community in the area, which has already suffered significant displacement. We would like this thoroughly analyzed as well as the effect on the market value of the housing on the 400 and 500 blocks of State Street, whose homes would be directly impacted by the construction of such tall towers.**

Task 4: Community Facilities and Services

Conducting construction for a new school directly next to the current Khalil Gibran High School building could be tremendously distracting for the students throughout the school year. While this outdated building should no longer be used for this school, and the construction of a new one is of the utmost importance and needed urgently, significant thought and attention should be given to how and when construction should take place. School holidays and vacation periods should be maximized for construction periods to reduce the disturbance that nearby construction will undoubtedly have on the students at the high school.

We are extremely concerned about the issue of school overcrowding in this area. While the Draft Scope cites to statistics for District 15, the site is virtually surrounded by District 13 which has school overcrowding issues as well. The rapid pace of residential development in and around Downtown Brooklyn has only exacerbated this problem with no relief in sight. Each attempt to build school space into a massive residential development furthers the area's shortage of school seats. The instant proposal is no different. It proposes to add 922 new residential units, which will add an estimated 510 new public school students using the Department of Education's own formula. The 370 new school seats that 80 Flatbush is offering leaves a net negative of 140 school seats in an area where residents are facing overcrowding in their public schools already. It appears that at least 140 additional school seats are required to support the students projected from 80 Flatbush alone. This does nothing to address the current shortage, but would leave hundreds more students high and dry.

We request that the EIS analyze the area construction over the next five years (as mentioned in Task 2 of the Draft Scope of Work) in this regard. There are 4,000 new units of housing under or near construction in the area and another 2,000 in the pipeline. A thorough and dispassionate analysis is needed and will help gauge the number of school seats that are actually needed and could potentially modify the plans for the two schools.

We also ask that the effects of the proposed project on the firehouse on State Street, Engine 226, be analyzed as well.

Task 5: Open Space

Boerum Hill in particular has no parks and is in desperate need of additional green space. This is according to the City's own metrics. We believe that there will be direct effects on open space as the number of people in need of such space, and in particular, active green space, will increase dramatically and this lack of open space must be analyzed.

Task 6: Shadows

It is important that shadow studies be considered for the new towers that are being built. The towers that have been proposed are much taller than any other tower in Downtown Brooklyn and would significantly change the landscape of the area. Moreover, these towers would be next to 4-story residential buildings and entirely shift their surrounding views. The sheer height of the proposed towers separates it from the rest of the Brooklyn skyline. In addition, reflections from the proposed glass

towers must be evaluated. We are also concerned about wind patterns as the area is increasingly windy as a result of the many tall buildings that have been constructed in the area.

Task 7: Historic and Cultural Resources

Again, the best way to evaluate how the surrounding area is affected by the new development is to expand the study area. The current study area of 400 feet is far too small. Boerum Hill, a New York City historic district with many buildings on the national and state registries of historic places is the neighborhood within which the proponent seeks to build. It is comprised of many 4-story brownstones that are wildly dissimilar to the 80 Flatbush proposal. In order to truly understand the potential adverse effects of the development, the study area should be expanded as indicated above.

Task 8: Urban Design and Visual Resources

We reiterate here our serious concerns regarding the proposal for an 18 FAR, as well as the requests for the elimination of required setbacks to the towers. As is indicated in the current proposal, the residential towers will be the tallest buildings thus far in the Downtown Brooklyn area (the buildings are not in Downtown Brooklyn, but in Boerum Hill), and would obliterate the views of some of the already existing icons of the Brooklyn skyline. The Williamsburg Savings Bank Tower, or 1 Hanson Place, is a focal point of Downtown Brooklyn. It is a beautiful and historic piece of architecture that has become personally significant not only with its inhabitants, but with many visitors to Brooklyn. Current residents at 1 Hanson Place are concerned that their beautiful tower that they fastidiously maintain will be blocked completely from sight. The view of this building should be considered when finalizing the height and design of the new towers so as not to detract from the Brooklyn skyline as it exists now, but rather enhance it and create a sense of cohesion within the context of the area.

Task 9: Environmental Materials

The students at Khalil Gibran High School will remain in their current building as construction on the two new schools takes place. The noise level is already a concern, but the use of hazardous materials can also negatively affect the students. We believe that the proponent understands and will be exceedingly careful in the analysis of hazardous materials at the site.

Task 10: Water and Infrastructure

Water and infrastructure must be considered in the context of an additional 4,000 to 6,000 new residential units. The area is uphill from the infamous Gowanus Canal superfund site. Water run-off and storm water retention issues must be thoroughly analyzed.

Task 11: Transportation

Scoping should also include subway and car traffic trends, not solely at peak periods but at all times of day and night, to understand congestion impacts. Traffic at the crossroads of Brooklyn is such that the traditional peak/off-peak analysis fails. Traffic is congested throughout the day. Additionally, an analysis of each intersection near the development site should be conducted to understand possible safety issues. The proposed schools will require students to cross Flatbush Avenue at particularly dangerous intersections. The advent of new housing and thousands of people commuting to school and work will generate a significant increase in transit and crowding.

The Draft Scope mentions 18 intersections to be analyzed without identifying them. To the extent those 18 intersections will be an outgrowth of the TDF, the public must be noticed of those intersections before the EIS is conducted and have opportunity to comment on the intersections' dynamics and the proposed analysis.

Moreover, the EIS does not address transit issues because the study area is drawn to exclude them—there is no subway stop within the proposed study area.

The area is also prone to major traffic congestion. Flatbush Avenue is not a safe place to make deliveries, nor is it a good place for school buses to pull up, but neither is State Street for a host of reasons. The issues of loading docks and school drop-off and pick-ups must be carefully and thoroughly analyzed.

Task 12: Air Quality

The EIS must identify with precision the steps to be taken to mitigate construction dust and debris.

Task 14: Noise

We reiterate the need for construction noise to be at a minimum during school hours and for construction to be limited to weekdays.

Task 16: Neighborhood Character

It should be clarified at the outset that the neighborhood character to be assessed and conformed to must be historic Boerum Hill. The Draft Scope indicates that neighborhood character is made up of factors including land use, urban design, visual resources, historic resources, socioeconomic conditions, traffic, and noise. However, we submit that neighborhood character is also a factor of the people who live in the area and the area's small business community serving them. What makes New York City's neighborhood worth investing in and fighting for are the people. Please do not dismiss this important factor in the analysis.

From an urban design point of view the current proposal seems far too reminiscent of "tower in the park" design, an outdated and unsuccessful approach which altered life in the streets and detracted from what Jane Jacobs described as the need for, "eyes upon the street, eyes belonging to those we might call the natural proprietors of the street." Boerum Hill has eyes on the street and community dynamics worthy of respect and consideration in any development.

Task 17: Construction

See above.

Very truly yours,



Senator Velmanette Montgomery



Assemblymember Jo Anne Simon

cc: Brooklyn Borough President Eric L. Adams
Councilman Stephen Levin