



# Green Fast Track for Housing: Process Guidance for Determining Type II Eligibility

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For projects where the City Planning Commission is the lead agency for environmental determination, confirmation of Green Fast Track for Housing Type II eligibility will require sign-off on the applicant’s proposed development scenario(s) and all other eligibility criteria. This document contains guidance on how to determine eligibility and what is needed at each stage of the process.

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## I. Overview of Legal Rules

To be eligible for CEQR Type II, both City and State regulations need to be reviewed for the following:

1. The project cannot be a Type I project under SEQRA, which is available at [6 NYCRR Part 617 - State Environmental Quality Review](#) under section 617.4(b) 1 through 11
2. The Project cannot be a Type I action under CEQR, [62 RCNY section 6-15](#)
3. DCP recognizes projects as Type II if they meet SEQRA Type II requirements, available at [6 NYCRR Part 617 - State Environmental Quality Review](#) under section 617.5(c) 1 through 46
4. City rules pertaining to CEQR Type II are located here [Chapter 5: City Environmental Quality Review \(CEQR\) \(amlegal.com\)](#) and include categories listed in section 5-05(c)1 through 12 and 5-05(e) and (f).
  - a. 5-05(e) and (f) include the requirements pertaining to Green Fast Track projects.

It is important to note that the Green Fast Track for Housing CEQR Type II rules only apply to City actions where criteria can be met.

## II. Tools and Resources

DCP created a mapping and surveying tool to guide applicants through determining Green Fast Track eligibility: [Fast Tracker Application](#). The GIS data behind the tool are also available here: [Fast Tracker Web Map - CEQR Type II - Overview \(arcgis.com\)](#).

Please see the info page, tool guide, and survey instructions in Fast Tracker for more information on how to use the tool. A report and data export from Fast Tracker are required as part of your Eligibility Package, as outlined below.

DCP applicants can indicate their intent to pursue Green Fast Track eligibility in the ZAP Applicant Portal at multiple stages of engagement. Please see additional information on this below.

## III. Stages of Engagement

### Project Conception

DCP encourages you to test your project for Green Fast Track eligibility early in your project conception process to determine if you may be eligible. Fast Tracker is available to the public.

### Early Pre-Certification

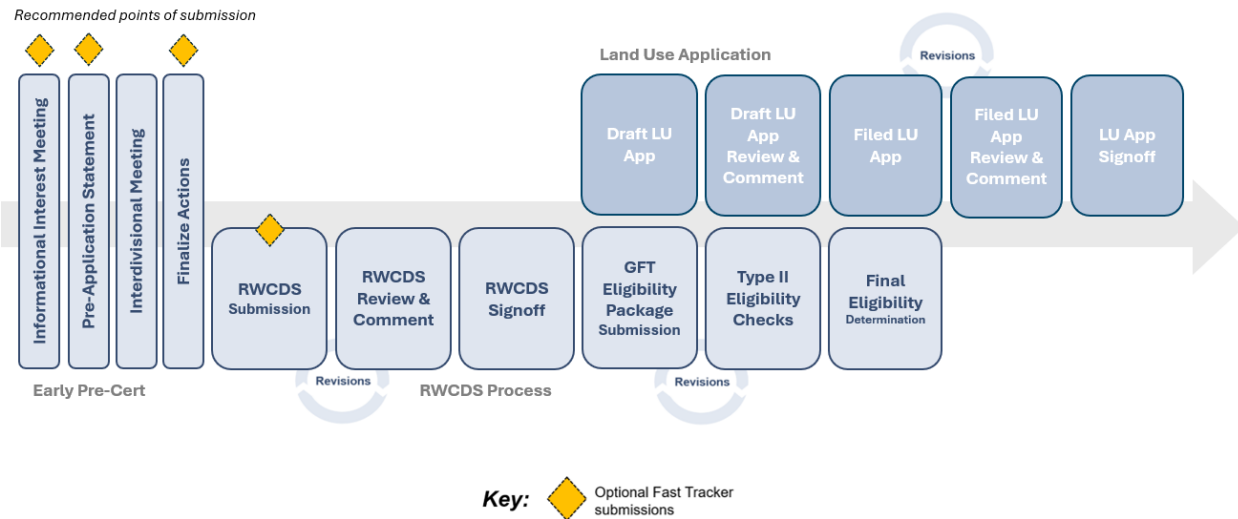
After determining that CPC actions may be required to facilitate the applicant's proposed development and initiating a conversation with the appropriate DCP borough office, DCP recommends an initial Green Fast Track for Housing Type II eligibility check. Not all questions can be answered definitively at this early stage since the required project actions and

development program are nascent, but many of the locational eligibility requirements can be checked.

At the Informational Interest Meeting, DCP borough offices are encouraged to ask whether the applicant team intends to pursue Type II eligibility and, if so, whether the team has used Fast Tracker to provide some preliminary direction. If the applicant team is interested, DCP encourages the team to indicate intent to pursue eligibility under Green Fast Track in question 4f of the Pre-Application Statement (PAS) Form and to submit the Fast Tracker report with the PAS.

At the Interdivisional Meeting and thereafter, as actions are finalized, it is appropriate to discuss the possibility of the applicant’s project being Type II eligible using the Fast Tracker report.

The image below shows the recommended submission points during the early pre-certification process, as well as the milestones moving into the Reasonable Worst Case Development Scenario (RWCDs) process.



## RWCDs

Type II eligibility criteria require projects not to exceed certain limits on incremental residential and non-residential development of the proposed action compared to the no-action condition, which can only be assessed after the actions are finalized. To determine the incremental proposed development, DCP must approve the RWCDs. A Fast Tracker report may optionally be submitted with the RWCDs package for initial eligibility review. We also recommend that applicants reach out to partner agencies such as LPC and DEC for necessary clearances as early in the process as possible, see more information below. Submission of the RWCDs follows the standard procedure and should be submitted to the Applicant Portal, per guidance from the Lead Planner and EARD Lead.

### Green Fast Track for Housing Type II Eligibility Package (“Eligibility Package”)

Following sign-off of the RWCDs, projects that may be eligible for Green Fast Track for Housing Type II should submit an Eligibility Package. Your lead planner or EARD Lead will create a Draft EAS package with the comment “For Green Fast Track Housing Type II Eligibility Package.” If you do not see this, please contact the EARD Lead and request this package be created.

Once the Eligibility Package is submitted, requests for sign-offs on sensitive resources can be made of DCP or partner agencies to include in a subsequent Eligibility Package submission (see details below).

The Eligibility Package should include:

1. A comprehensive memo outlining Green Fast Track eligibility. The memo should reference how each eligibility criterion is satisfied. A standard outline and sample memo are included in this document.
2. A table summarizing the development increment and a Project Area map as part of the memo document, see sample below.
3. An output pdf report from Fast Tracker and a CSV export of the data for all developable sites within the project area as determined by the RWCDs. All survey questions should be answered definitively. The pdf report is emailed to you upon submission of your survey.
4. Required sign-offs for hazardous materials, historic resources, and natural resources and any associated documentation. See details below.

Once DCP and external reviewers have completed review of the Eligibility Package, your EARD Lead will share compiled comments and requested revisions if needed. A new Draft EAS package for the Eligibility Package will be opened in ZAP to submit revised materials.

### Type II Memo

Upon confirmation of eligibility, DCP will generate a Type II memo that indicates that all criteria have been met and includes necessary correspondence from partner agencies. Following Type II determination, the CEQR fee may be paid at the same time as the Filed Land Use Application fee.

## **IV. Determining Eligibility**

Eligibility criteria fall into the following categories: zoning and density, air quality, noise, hazardous materials, natural resources, historic resources, and sunlight sensitivity. Each of these categories of determinations and how they will be reviewed is described below. If any of these criteria cannot be met, the project cannot be determined to be a Type II action and the applicant should proceed to prepare an Environmental Assessment Statement (EAS).

### Understanding the Affected Area

The geographic areas that the rule refers to depend on the specific criteria in question. The applicant should answer criteria questions in Fast Tracker and the Eligibility Package with the following areas in mind:

- Project Area: the area affected by the proposed actions.
- Developable Sites: refers to zoning lots, including the development site, within the area that is the subject of the action, that the lead agency determines are likely to be developed as a result of the action.
- Development Site: refers to the zoning lot which contains the proposed project being developed through the action.
- Adjacent: refers to properties abutting the site
- Substantially contiguous: generally refers to properties abutting or across a street from the site, subject to lead agency determination

The extent and bounds of these areas may not be known until finalized through the RWCDs process. Until finalized, the applicant should select all lots within the project area when using Fast Tracker. Once DCP confirms which properties are developable sites, as defined in the rules and above, the applicant should adjust the survey selection to match.

### Zoning and Density

The existing zoning districts of the project area determine the baseline of the surrounding context and density. The general location of a project and the density threshold category that applies to it can be known as early as the PAS stage, but the determination that the development increment is eligible can only be made with an approved RWCDs. Inputs into Fast Tracker for the Eligibility Package must reflect the approved RWCDs increments. The criteria apply to the proposed project as defined in the RWCDs.

For projects where DCP is the lead agency:

- A developable site cannot be located in a Special Coastal Risk District.
- If all developable sites originate wholly within an R5 - R10 Residence district,<sup>1</sup> then the project must enable at least one and no more than 250 incremental units and may not enable more than 35,000 gross square feet (gsf) of incremental non-residential use.<sup>2</sup> This can include up to 25,000 gsf of community facility use and 25,000 gsf of commercial use.
- If any developable site originates within an R1 - R4 Residence district, then the project must enable at least one and no more than 175 incremental units and may not enable more than 20,000 gsf of incremental non-residential use. This can include up to 10,000 gsf of community facility use and 10,000 gsf of commercial use.
- Actions that enlarge or create a special mixed use zoning district (MX) or a stand-alone commercial (C) district are not eligible. However, actions that include the enlargement, creation or modification a commercial overlay in a residential district are potentially eligible.
  - If any developable site is located in an existing stand-alone C zoning or manufacturing (M) district it must be developed pursuant to a regulatory agreement or lease with a government agency to develop housing (HPD, EDC) or a decision by BSA to authorize residential development.

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<sup>1</sup> Residential districts with commercial overlays are eligible.

<sup>2</sup> Non-residential floor area includes commercial, community facility, manufacturing, or other floor area that is not for mechanical/utility equipment. Include structured parking as non-residential floor area when accessory to non-residential uses.

- The total construction duration at each development site cannot be greater than 24 months. For developable sites that are substantially contiguous, the consecutive projected construction period can not be greater than 24 months. DCP will need to approve the projected construction duration in the RWCDs.
- Projects enabling buildings with a maximum building height (including all rooftop bulkheads, mechanical equipment, parapets, and other parts of the building) greater than 250 feet, regardless of the increment, are not eligible. Projects enabling buildings with a height up to 50 feet may be eligible regardless of location. Projects enabling buildings between 50 and 250 feet in height must be checked to determine whether the building(s) is substantially contiguous to sunlight sensitive resources (see Shadows section below)

If the applicant wishes to dispute the data outputs displayed in Fast Tracker, such as zoning district category or eligibility guidance, please provide back up in the Eligibility Package.<sup>3</sup> Otherwise, this section should only include information to answer the above points in the form of a development increment table and a Project Area Map. See examples below.

<b>Development Increment Table</b>				
Site	Use	No-Action Condition	With-Action Condition	Increment
Development Site	Residential (GSF)			
	<i>Units</i>			
	Non-Residential (GSF)			
	<i>Commercial (GSF)</i>			
	<i>Community Facility (GSF)</i>			
	<i>Other (GSF)<sup>4</sup></i>			
Developable Site 1	Residential (GSF)			
	<i>Units</i>			
	Non-Residential (GSF)			
	<i>Commercial (GSF)</i>			
	<i>Community Facility (GSF)</i>			
	<i>Other (GSF)</i>			
<b>Total for Developable Sites</b>	<b>Residential (GSF)</b>			
	<b><i>Units</i></b>			
	<b>Non-Residential (GSF)</b>			
	<b><i>Commercial (GSF)</i></b>			
	<b><i>Community Facility (GSF)</i></b>			
	<b><i>Other (GSF)</i></b>			
	<b>Total (GSF)</b>			

<sup>3</sup> Fast Tracker uses PLUTO data and geospatial methods to attribute zoning districts to tax lots. The tool will indicate any zoning district that overlaps with at least 10% of a tax lot’s area. The applicant should review the zoning districts that apply to their site closely.

<sup>4</sup> “Other” category includes manufacturing and all structured parking accessory to non-residential uses.

**Project Area Map Example**



-  Project Area
-  Development Site
-  Developable Site 1

Item	Submission format	Notes
Within special coastal risk district	Direct Fast Tracker output	
Zoning district location	Direct Fast Tracker output and referenced in memo	In cases with minor or substantive overlapping zoning districts, the applicant may need to provide back-up showing eligibility

Zoning actions	Applicant entry into Fast Tracker as determined by RWCDs and referenced in memo	
Regulatory agreement	Applicant entry into Fast Tracker	
Incremental development	Included in memo along with applicant entry into Fast Tracker as determined by RWCDs	
Development Increment Table	Applicant inclusion in memo	See example
Project Area Map	Applicant inclusion in memo	See example
Construction duration	Applicant entry into Fast Tracker as determined by RWCDs and referenced in memo	

### Air Quality

To be eligible, the applicant must commit to electricity use for heat and hot water as opposed to fossil fuels in all buildings on the development site.

If a project has a build year prior to applicable effective date of Local Law 154 of 2021, then an (E) designation for electricity use will be required<sup>5</sup>. For all (E) designation commitments, the applicant should provide proposed language for DCP review and approval.

Projects located adjacent to a vent structure for a tunnel are also not eligible for this Type II. Fast Tracker will flag if a project area is within 200 feet of a tunnel vent structure. Projects with developable sites located adjacent to an arterial highway are not eligible for this Type II. Arterial highways are identified in Appendix H of the Zoning Resolution. Fast Tracker will determine instances in which developable sites are within 200 feet of an arterial highway. If the applicant team believes a developable site is not adjacent to a tunnel vent or highway, it should provide back-up in the form of an aerial map with lot lines and distance measurements to enable DCP to confirm whether the developable site is adjacent.

Furthermore, projects are not eligible if they have the potential to be affected by a nearby air emissions source (industrial, large/major source).<sup>6</sup> The applicant must indicate whether:

- Any developable site is within 1,000 feet of an emissions source with either a New York State Air Facility permit or a Clean Air Act Title V permit.
- Any developable site is within 400 feet of an existing air emissions source with an active or expired industrial permit issued by DEP.<sup>7</sup>
- Any developable site is within 400 feet of any unpermitted industrial air emissions source.

Fast Tracker provides information on permitted source locations as well as any industrial uses within 400 feet of the project area to help identify potential unpermitted source locations. It is

<sup>5</sup> If the project is using a mechanism such as a regulatory or lease agreement, or a decision by a government agency, there may be other options to meet the criteria.

<sup>6</sup> If a developable site has an active or expired relevant air emissions source it would be assumed redeveloped and would not cause an exceedance of pollutant concentrations in the future.

<sup>7</sup> Industrial sources for consideration do not include combustion equipment such as engines, small boilers and heaters, or DEP registrations (e.g., those with the “PR” in the ID No.). Permitted sources for consideration also do not include dry cleaners that utilize 4th generation control systems.



important to note that Fast Tracker does not flag all potential lots that could contain unpermitted sources, and the applicant must identify any other locations of concern. A land use survey to verify if there are potential unpermitted sources should be conducted, with results summarized in the eligibility memo. Additional materials may be attached to the package.

If a developable site is within any of these buffer areas, the applicant must confirm that emission limits will not exceed pollutant concentrations as determined by City and State guidelines at the corresponding developable site. Applicants must request information from DEP’s Bureau of Environmental Compliance (BEC) for DEP industrial permits and from DEC for Title V and State Air Facility permits to obtain information regarding the emission of air pollutants from these potential sources. Applicants should provide representative permits for unpermitted sources on a case-by-case basis to be considered for use in this screening or consult with DCP or DEP to develop this information. A field survey may need to be conducted to determine the operating status of permitted industries, as well to identify any sites not identified in the permit search, as discussed below.

Once the necessary inputs are identified, the emissions must first be converted into grams/second. This converted emission rate must then be multiplied by the value in the table below corresponding to the minimum distance between the industrial source and the building containing the new dwelling units to determine if the National Ambient Air Quality Standards (including background concentrations) and AGC/SGC values in the DAR-1 guidelines are exceeded. Values are provided for 1-hour and annual averages to enable the comparison of pollutant levels to SGCs (1- hour averaging period) or AGCs (annual averaging period). If pollutant concentrations will not be exceeded using screening methodology, then this air quality criteria can be satisfied. However, if more detailed analysis or modeling is required to determine that pollutant concentrations will not be exceeded, then environmental review is warranted, and the project is not eligible. Further, if a pollutant concentration is determined to exceed these levels using a screening, then the project is also not eligible.

Distance from Source	1-Hour Averaging Period (ug/m <sup>3</sup> )	3-Hour Averaging Period (ug/m <sup>3</sup> )	8-Hour Averaging Period (ug/m <sup>3</sup> )	24-Hour Averaging Period (ug/m <sup>3</sup> )	Annual Averaging Period (ug/m <sup>3</sup> )
30 ft	124,848	61,874	46,700	38,284	5,251
60 ft	31,284	15,479	12,721	10,292	1,386
90 ft	13,936	6,884	6,098	4,858	645
120 ft	7,857	4,028	3,658	2,877	378
150 ft	5,038	2,721	2,476	1,926	252
180 ft	3,507	1,982	1,808	1,393	181
210 ft	2,599	1,520	1,390	1,063	138
240 ft	2,038	1,211	1,109	844	110
270 ft	1,684	992	910	692	90
300 ft	1,449	831	764	580	75
330 ft	1,282	714	653	496	64
360 ft	1,153	631	566	431	56
400 ft	1,015	559	477	364	47

Documentation demonstrating that there are no emission sources surrounding the site, or if there are emission sources, documentation demonstrating that concentration guidelines would not be exceeded are required within the package. Back-up materials, including emission calculation spreadsheets, should be provided for review.

Item	Submission format	Notes
Commitment to no fossil fuel use	Applicant entry into Fast Tracker and (E) designation language included in memo, if required	
Tunnel Vent Structures	Direct Fast Tracker output	In cases where Fast Tracker flags a vent but the Project is not adjacent, provide back-up showing eligibility
Arterial Highway	Direct Fast Tracker output	In cases where Fast Tracker flags a highway, but a developable site is not adjacent, provide back-up showing eligibility
State Facilities source permit proximity	Direct Fast Tracker output and referenced in memo	
Clean Air Act Title V source permit proximity	Direct Fast Tracker output and referenced in memo	
DEP industrial permit proximity	Direct Fast Tracker output and referenced in memo	
Relevant DEP permits	Applicant attachment to package	Copies of all DEP permits used in emissions calculations should be attached to the package
Unpermitted source proximity	Applicant inclusion in memo	Applicants should screen properties within 400 feet of a developable site for potential unpermitted emissions.
Confirmation of pollutant concentrations	Included in memo with emission calculation spreadsheets attached to package as necessary	
Existing air quality (E) Designation on site	Direct Fast Tracker output and referenced in memo	Informational

### Noise

All projects must provide noise sampling results to DCP to demonstrate that ambient noise levels are within prescribed limits:

- Developable sites that are within the line of sight of any railway<sup>8</sup> or elevated subway must provide outdoor noise sampling showing less than 65 dBA Ldn ambient noise levels. Fast Tracker will flag sites within 1,500 feet of a railway. If flagged, site photos should be provided to enable DCP to confirm whether each site is within the line of sight.

<sup>8</sup> Includes at-grade, exposed in-cut, elevated, or railyards

- Projects with developable sites near an airport<sup>9</sup> must show that they are outside the 65 Day Night Average Sound Level contours established in the Noise Exposure Map Report. Fast Tracker will flag sites within these contours.
- If not near a railway or airport, all developable sites must show peak hour outdoor noise sampling showing less than 70 A-weighted decibels (dBA) L10 ambient noise levels.

Noise sampling should be conducted per CEQR Technical Manual guidance. There may be cases where prior<sup>10</sup> or nearby noise sampling can be used, or an existing E designation for noise may be sufficient. Consult with your EARD Lead if you wish to pursue one of these alternatives.

If the applicant’s project does not meet the criteria for ambient noise levels described above, projects must agree to the establishment of an E designation for noise. Otherwise, the project is not eligible for this Type II. For all (E) Designation commitments, the applicant should provide proposed language for DCP review and approval.

Item	Submission format	Notes
Railway proximity	Direct Fast Tracker output	In cases where Fast Tracker flags a nearby railway but a developable site is not within “line of sight”, provide back-up in memo showing eligibility
Airport proximity	Direct Fast Tracker output	
Noise sampling and (E) Designation language	Applicant inclusion in memo	
Noise sampling back-up	Applicant attachment to package	

### Hazardous Materials

To be eligible, each project will need sign-off from DCP that no further testing is required, or an agreement to test or remediate in the future to address hazardous materials concerns. A project can comply with this requirement through any of the following:

- All developable sites have existing hazardous materials (E) designations, or
- The applicant has completed a Phase I Environmental Site Assessment for the development site and has documentation from the lead agency that no further environmental investigation is required, or
- The applicant has received approval of a Phase II ESA report, Remedial Action Plan (RAP) and Construction Health and Safety Plan (CHASP), or
- The applicant has agreed to the establishment of an E designation in order to guarantee future testing or remediation.

The applicant should provide documentation to DCP in the Eligibility Package to demonstrate that one of the above conditions has been satisfied. DCP will consult with DEP as necessary on

<sup>9</sup> Includes LaGuardia and JFK.

<sup>10</sup> Typically, noise sampling conducted within 3 years is acceptable, and older sampling would be considered on a case-by-case basis.

the above mechanisms for compliance with this criterion. For all (E) Designation commitments, the applicant should provide proposed language for DCP review and sign-off.

Item	Submission format
Existing (E) Designations	Direct Fast Tracker output and inclusion in memo
Phase I Environmental Site Assessment	Applicant attachment to package if required
Sign-off on Phase I determining no hazardous materials issues	Applicant attachment to final package provided by DCP and referenced in memo
Sign-off on all hazardous materials investigations or (E) Designation language	Applicant attachment to package and referenced in memo

Natural Resources

A project cannot contain a natural resource and be eligible for this Type II. A natural resource is defined as surface water bodies; wetland resources; upland resources, such as beaches, shrublands, meadows, and forests; or other significant or sensitive resources.

Fast Tracker provides data made available by DEC to check if these resources intersect developable sites<sup>11</sup>:

- State Freshwater and Tidal Wetlands and National Wetlands (including DOB flag data)
- Priority Waterbodies
- Significant Natural Communities- including forests, maritime beach, and salt marsh
- Special Natural Waterfront Areas
- Recognized Ecological Complexes (RECs)
- NYC Parks Forever Wild areas
- Coastal Erosion Hazard Area DOB Flag

Fast Tracker will also flag if a developable site is within a wetland check zone. If so, coordination with DEC will be required to determine if there is an unmapped wetland within the site. A jurisdictional sign-off from DEC can be provided to be Type II eligible.

There are some cases in which these areas may be flagged by Fast Tracker, but the developable site is fully developed or does not contain a natural resource. Support should be provided in the memo if a natural resource is flagged but the developable site does not contain one. There may be cases where the project area also contains forested area, vernal pools, groundwater issues<sup>12</sup>, nearshore areas or other natural resources that are not mapped. These should be identified in the Eligibility Package. If the project is near coastal areas with beaches, dunes, bluffs, or nearshore areas, you will need to verify that no developable site contains a natural resource. Maps of Coastal Erosion Hazard Areas (CEHAs) are available along with

<sup>11</sup> Functionality for some of these data sources is still in development, it is the responsibility of the applicant to prove there are no natural resources on site to be eligible.

<sup>12</sup> Note that if your project will require a dewatering permit, SEQRA review is required. While you may be eligible for a CEQR Type II determination, consultation with DCP and DEC to determine the most efficient pathway is recommended to satisfy SEQRA.

information on how to reach the DEC Region 2 office for confirmation of the existence of these natural features: [Coastal Areas Regulated By The CEHA Permit Program - NYDEC](#).

Item	Submission format	Notes
Surface water bodies, confirmed wetlands, significant natural areas, and RECs	Direct Fast Tracker output	
Wetland Check Zone	Direct Fast Tracker output	If located within a wetland check zone, sign-off from DEC will be required to determine that there are no wetlands within any developable site
Identification of unmapped natural resources	Applicant inclusion in memo	

### Historic Resources

All projects are required to submit a Request for Historic Clearance from LPC and receive a sign off from LPC to be eligible for this Type II. The request should detail the project increments, any incremental disturbance, and disclose any known or potential resources on or adjacent to applicable sites, including information detailing sunlight sensitivity (See CEQR Technical Manual for more information). More information on how to submit this request is available here: [Environmental Review - LPC \(nyc.gov\)](#). LPC will determine whether any portion of a developable site is within an archaeologically sensitive area, is designated, calendared or eligible for designation as a New York City Landmark or Historic District, is formally determined to be eligible for inclusion on the National or State Register of Historic Places, or is substantially contiguous to a sunlight sensitive architectural resource. Upon receipt of a response from LPC the following can be determined:

- If the project is substantially contiguous to a sunlight sensitive architectural resource, it is not eligible for this Type II. This is discussed more under sunlight sensitivity.
- If LPC determines that a developable site has archaeological sensitivity, the applicant must complete a Phase IA archaeological documentary study for the site and have LPC determine that the development site does not raise archaeological concerns. If LPC determines that it does raise archaeological concerns, then the project is not eligible for this Type II.
- If LPC determines that a developable site is designated, calendared for consideration or eligible for designation as a Landmark or Historical District, is listed on or formally determined to be eligible to inclusion on the National or State Register of Historic Places, then the applicant must obtain a Certificate of Appropriateness (C of A) or other concurrence from LPC in order to be eligible for this Type II.<sup>13</sup>
- If the development site is within 90 feet of any architectural resource identified by LPC, the applicant must agree to prepare a Construction Protection Plan (CPP). This will need to follow DOB Technical Policy and Procedures Notice (TPPN) #10/88. For architectural

<sup>13</sup> The process to obtain a C of A is discretionary through LPC and can take three months to complete. More information is available here: [Certificate of Appropriateness - LPC \(nyc.gov\)](#)

resources identified as “eligible” the CPP will need to be codified in a restrictive declaration.

Fast Tracker will identify potential historic characteristics of the project area based on available data, but ultimately LPC must sign off on historic conditions. These sign-offs and agreements must be included in the package.

Item	Submission format	Notes
Archaeologically Sensitive Area	LPC Correspondence attached by applicant to package and referenced in memo	Fast Tracker contains data from NYSHPO and is for general reference only. The lead agency with LPC will verify if the project site is located within and archaeologically sensitive area
Local, State or National Register landmark, building, or district	Direct Fast Tracker output and LPC Correspondence attached by applicant to package and referenced in memo	
LPC determinations on architectural and archaeological issues	Applicant attachment to package and referenced in memo	
Construction Protection Plan agreement	Applicant attachment to package, including restrictive declaration, and referenced in memo if required.	

Shadows

Buildings or other structures enabled by the proposed actions must meet restrictions on building height and proximity to sunlight sensitive resources to be eligible for this Type II. Building height includes all rooftop bulkheads, mechanical equipment, parapets, and any other parts of the building or structure. Projects enabling buildings or other structures with a height greater than 250 feet, regardless of the increment, are not eligible. Actions enabling buildings or structures with a height up to 50 feet are eligible regardless of location. Actions enabling buildings or structures between 50 and 250 feet in height must be checked to determine whether the building or structure is substantially contiguous to sunlight sensitive resources, unless the sunlight sensitive resource falls within a defined area that cannot be shaded by the buildings. To be eligible, the actions shall not enable buildings or structures:

- Substantially contiguous to a sunlight sensitive historic resource as identified by LPC, as explained above. Sunlight sensitive historic resources are those that have characteristics or elements that make the resource historically significant that depend on sunlight such as gardens or scenic resources, stained glass windows, elaborate ornamentation, multicolored facades, or other features. To confirm whether sun-sensitive historic resources may be present or adjacent to on the project site, the applicant should submit a Request for Historic Clearance to LPC.
- Substantially contiguous to a natural resource such as a waterbody, wetland, or upland resource. Fast Tracker will check for natural resources within 200 feet.

- Substantially contiguous to a public open space. These include parks, beaches, public outdoor pools, playgrounds, plazas, schoolyards, greenways, and landscaped medians with seating, but not streets. Fast Tracker will check for open spaces within 200 feet.

Fast Tracker will identify locations of natural resources and public open spaces. It should be noted that not all NYC Parks properties identified in Fast Tracker qualify as open spaces (such as parking lots or garages) and it is possible that the applicant may need to demonstrate errors in the data. Fast Tracker can also help to identify historic resources, but not those that are sunlight sensitive. LPC will identify sunlight sensitive resources in their historic clearance request, as discussed above.

If any developable site is substantially contiguous to a sunlight sensitive resource, but that resource falls within an area between  $-108^{\circ}$  from true north and  $+108^{\circ}$  from true north of the building or structure, a map illustrating the area that cannot be shaded should be provided in the eligibility memo to demonstrate that the project meets shadows criteria (see example in Sample Memo). Projects with a substantially contiguous sunlight sensitive architectural resource may also meet shadows criteria if the architectural resource is located on a facade facing directly away from a developable site. Back-up should be provided in the eligibility memo. If more detailed analysis is required to confirm shadow location, then environmental review is warranted and the project is not eligible for Green Fast Track.

Item	Submission format	Notes
Building height	Applicant entry into Fast Tracker as determined by RWCDs and referenced in memo	
Sunlight sensitive historic resource	LPC correspondence attached by applicant to package and referenced in memo	
Natural resource adjacency	Direct Fast Tracker output and referenced in memo	In cases where Fast Tracker flags a natural resource but the Project is not substantially contiguous, provide back-up in memo showing eligibility
Open space adjacency	Direct Fast Tracker output and referenced in memo	In cases where Fast Tracker flags an open space but the Project is not substantially contiguous, provide back-up in memo showing eligibility
Adjacency and potential shadow confirmations	Applicant inclusion in memo	Can include an aerial map demonstrating the area that cannot be shaded and/or back-up illustrating an architectural resource's façade faces directly away from a developable site.

## **V. Green Fast Track Eligibility Memo Outline**

1. Location and Density
  - a. Proposed Actions
  - b. Affected Area
    - i. Project Area Map
  - c. Proposed Development
  - d. Future No-Action Scenario
  - e. Future With-Action Scenario
  - f. Development Increment
    - i. Development Increment Table
2. Air Quality
  - a. Fuel Source
  - b. (E) Designation Language (if applicable)
  - c. Arterial Highway and Ventilation Structure Screening (if flagged by Fast Tracker)
  - d. Industrial Source Screening
3. Noise
  - a. Time, Date, and Location of Noise Monitoring
  - b. Noise Monitoring Tables
  - c. (E) Designation Language (if applicable)
4. Hazardous Materials
  - a. Phase I ESA Summary
  - b. (E) Designation Language (if applicable & after DEP review of Phase I ESA)
5. Natural Resources
6. Historic Resources
7. Shadows

## **VI. Sample GFT Memo**

Please consult the following sample memo for example purposes.





## 127 South Example Avenue Rezoning

*Sample Green Fast Track Eligibility Memo to demonstrate example language and structure of eligibility packages for informational purposes. Not all memos will require exactly the same level of detail, based on the site- and project-specific conditions.*

### **Location and Density**

#### Proposed Actions

The Proposed Actions are as follows:

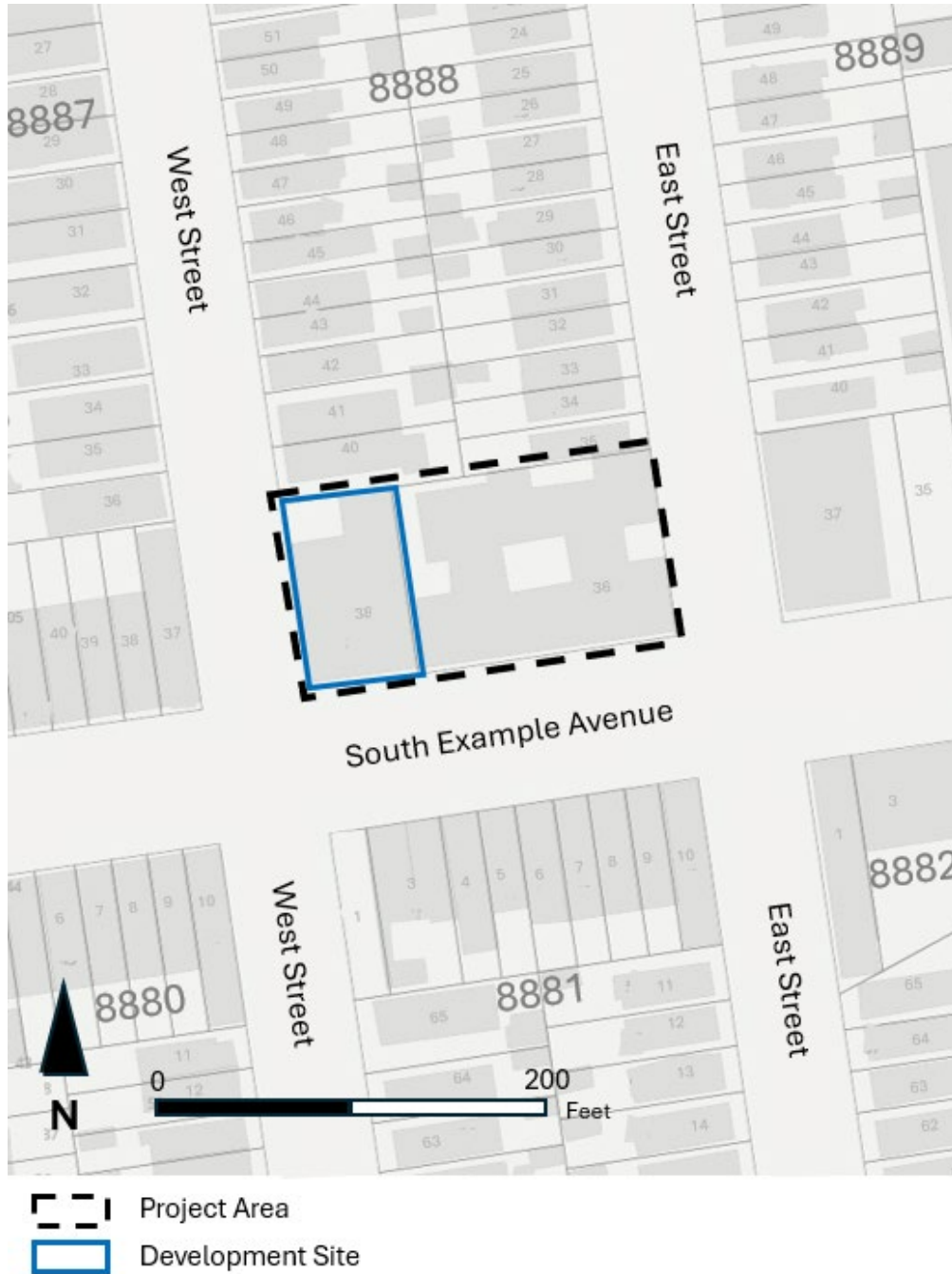
1. A Zoning Map Amendment to rezone from R3-2 to R6A/C2-4 a 20,000 sf area (Brooklyn Block 8888, Lots 36 and 38) in the Example neighborhood of Brooklyn Community District 19; and
2. A Zoning Text Amendment to map a Mandatory Inclusionary Housing (MIH) area coterminous with the Rezoning Area.

#### Affected Area

The Affected Area includes Block 8888, Lots 36 and 38 in the Example neighborhood of Brooklyn Community District 19. The Affected Area is located within the block bounded by South Example Avenue to the south, East Street to the east, North Example Avenue to the north, and West Street to the west.

The project area is shown in Figure 1 below.

Figure 1: Project Area Map<sup>1</sup>



<sup>1</sup> Project area boundaries, tax lots, development site and developable sites should be shown on the project area map.



### Proposed Development

The Development Site, Lot 38 (127 South Example Avenue) fronts along South Example Avenue and along West Street for a total lot area of approximately 6,000 square feet. It is currently improved with a non-conforming, single-story commercial building of approximately 5,300 square feet (0.88 FAR). The Proposed Actions would facilitate the redevelopment of the Development Site with a 24,400 gsf (22,000 zsf) seven-story building (75 ft tall) with 5,000 gsf (5,000 zsf) of ground floor commercial (local retail) uses and 19,000 gsf (17,100 zsf) of residential space (19 dwelling units; 5-6 of which would be income-restricted pursuant to MIH). The building would have a total FAR of 3.68 (0.83 Commercial and 2.85 Residential). There would be 10 parking spaces (accessory residential) in the cellar level, with a curb cut on West Street.

### Future No-Action Scenario<sup>2</sup>

Absent the Proposed Actions, no development is anticipated. The 5,300 gsf commercial building would remain. The non-Applicant-owned lot would also not be redeveloped. The existing conditions would continue within the Rezoning Area.

### Future With-Action Scenario<sup>3</sup>

The With-Action Scenario assumes a development with the same uses as the proposed project that would maximize the site's development potential under the proposed R6A/C2-4 zoning.

The Proposed Actions would facilitate the development of the Development Site with a 25,440 gsf (23,400 zsf) nine-story building. The With-Action Condition development would have a total FAR of 3.90 (0.83 Commercial and 3.07 Residential). It would contain 20,440 gsf (18,400 zsf) of residential space with 24 dwelling units (6-7 of which would be income-restricted pursuant to MIH). The building would rise to a height of 95 feet, with a maximum height of 105 feet including bulkhead. There would be 10 parking spaces (accessory residential) in the cellar level, with a curb cut on West Street.

There would be a total of 5,000 gsf of non-residential floor area, consisting of 5,000 gsf (5,000 zsf) of ground floor commercial (local retail uses) uses.

Construction would take approximately 12 months.

Lot 36, the only other lot within the Affected Area, is not expected to be redeveloped as a result of the Proposed Actions. The Proposed Actions would not increase the total floor area that can be developed on this lot by more than 50%. Moreover, the lot contains a multi-family residential building containing 45 dwelling units, including rent-regulated dwelling units.

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<sup>2</sup> Please describe the anticipated No-Action Scenario for all developable sites within the Affected Area.

<sup>3 3</sup> Please describe the anticipated With-Action Scenario for all developable sites within the Affected Area.



Development Increment

Under the With-Action Scenario, the Proposed Actions would result in a net increase of 24 dwelling units and -300 gsf of non-residential floor area. This is shown in Table 1 below.

**Table 1: Development Increment Table**

Site	Use	No-Action Condition	With-Action Condition	Increment
Development Site	Residential (gsf)	0	20,440	20,440
	Units	0	24	24
	Non-Residential (gsf)	5,300	8,000	2,700
	Commercial (gsf)	5,300	5,000	-300
	Community Facility (gsf)	0	0	0
	Other (gsf)	0	0	0
	Total (gsf)	5,300	25,440	20,640
Total for Developable Sites	Residential (gsf)	<b>0</b>	<b>20,440</b>	<b>20,440</b>
	Units	<b>0</b>	<b>24</b>	<b>24</b>
	Non-Residential (gsf)	<b>5,300</b>	<b>8,000</b>	<b>2,700</b>
	Commercial (gsf)	<b>5,300</b>	<b>5,000</b>	<b>-300</b>
	Community Facility (gsf)	<b>0</b>	<b>0</b>	<b>0</b>
	Other (gsf)	<b>0</b>	<b>0</b>	<b>0</b>
	Total (gsf)	<b>5,300</b>	<b>25,440</b>	<b>20,640</b>

**Air Quality<sup>4</sup>**

Fuel Source

The development would not burn fossil fuels for heating, cooling, or hot water. To ensure that this is the case, an (E) designation (E-###)<sup>5</sup> for air quality would be placed on the Development Site. The text of the (E) designation would be as follows:

**Brooklyn Block 8888 Lot 38**

**Any new residential, commercial, and/or community facility development on the above-referenced property must exclusively use electric grid power for heating, ventilating, and air conditioning (HVAC) system and hot water equipment with no venting or stacks to avoid any potential significant adverse air quality impacts.**

<sup>4</sup> Disputes regarding Fast Tracker indications that a developable site is adjacent to an arterial highway or tunnel ventilation structure can be included as a separate subsection if warranted.

<sup>5</sup> (E) designation number will be provided by EARD Lead.



### Industrial Source Screening<sup>6</sup>

A land use survey was conducted to determine if there are any existing manufacturing uses within the 400-foot study area containing exhaust stacks, vents, or other emission sources that may have the potential to adversely affect the uses introduced by the project.

Existing manufacturing uses with exhaust stacks, vents, or other emission sources that may have the potential to adversely affect the uses introduced by the project were identified by reviewing the DEP online Clean Air Tracking System (CATS) database (accessible through New York City Open Data<sup>1</sup>), the NYSDEC map application (DECinfo Locator), the New York City Department of City Planning (DCP) online Land Use Map (ZoLa) application, and through a field survey performed on August 26<sup>th</sup>, 2023.

The study area encompasses all or part of Blocks 8880, 8881, 8882, 8887, 8888, and 8889, and includes properties along South Example Avenue, North Example Avenue, East Street, and West Street. Land uses in the study area include residential and commercial/retail uses along with a parking lot.<sup>7</sup>

DEP processing permit PB857894 was issued to D.N. Auto Repair Shop at 154 South Example Avenue (Block 8882, Lot 5) for an auto body spray booth. DEP Permit B043714 expired on 8/18/2018.

D.N. Auto Repair Shop no longer operates at 168 North Example Avenue. At the time of the field survey, the building at 168 South Example Avenue was occupied by N.Y.H. Auto Repair, a general auto repair garage whose operations do not include auto body repair or painting. During the field survey, no stacks, odors, emissions, or indications of auto body repair or painting operations were observed at this location.

During the field survey, one potential air emission source was identified in the study area: Q&B Auto Body at 117 South Example Avenue (Block 8887, Lot 39). At the time of the field survey, no odors or emissions were observed at this location; however, a rooftop stack is visible from the street. No DEP processing permit or NYSDEC air facility registration certificate was found on file for the business(es) occupying the building. NYS Department of Motor Vehicle licenses registered at the address (117 South Example Avenue) include Q&B Auto Body, Inc. and Certified Auto Mechanics, Inc. The fieldwork observation study and online data suggest that an auto body repair facility and an auto mechanic facility operate from the building at 117 South Example Avenue.

No other potential sources of toxic air emissions were identified in the study area in the DEP CATS database, the NYSDEC DECinfo Locator database, or during the field survey.

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<sup>6</sup> If a New York State Air Facility permit or a Clean Air Act Title V permit is within 1,000 feet of a developable site, that screening should be included in this section.

<sup>7</sup> If Fast Tracker and a land use survey show no possible industrial sources, no further screening is required.



*Pollutants of Concern*

Emissions from the Q&B Auto Body facility are from spray-painting processing operation and the emissions from particulate matter with aerodynamic diameters less than or equal to 2.5 microns (“PM<sub>2.5</sub>”) and 10 microns (“PM<sub>10</sub>”), are evaluated with the National Ambient Air Quality Standards (NAAQS) (including background concentration), and the DAR-1 (current publication February 12, 2021) Annual and Short-term Guideline Concentration (AGC/SGC Table).

Background concentrations from the nearest New York State Department of Environmental Conservation (NYSDEC) federally-mandated monitoring station(s) were applied in the screening Table 2 shows the NAAQS and background concentrations for the pollutants/sources required for the screening.

**Table 2: NAAQS and background concentrations for the relevant pollutants**

Pollutant	Averaging Period	NAAQS	Background Concentration (µg/m <sup>3</sup> )	Monitoring Station (1)
PM <sub>10</sub>	24 Hour	150 µg/m <sup>3</sup>	43 µg/m <sup>3</sup>	East Street Site No. 36-834-5837
PM <sub>2.5</sub>	24 Hour	35 µg/m <sup>3</sup>	17.8 µg/m <sup>3</sup>	JHS 836 Site No. 36-892-0425
	Annual	9.0 µg/m <sup>3</sup>	7.6 µg/m <sup>3</sup>	
Notes:				
1. Background concentration: NYSDEC. 2019. “New York State Ambient Air Quality Report for 2019.” File version: 11/12/2020. <a href="https://extapps.dec.ny.gov/docs/air_pdf/2019airqualreport.pdf">https://extapps.dec.ny.gov/docs/air_pdf/2019airqualreport.pdf</a> .				
2. µg/m <sup>3</sup> = micrograms per cubic meter				

The Q&B Auto Body facility operates without a NYSDEC or DEP permit. The Q&B Auto Body is a relatively small facility, occupying part of the 2,400 gsf building at 117 South Example Avenue. The particulate and VOC emissions, including the VOC chemical composition, of the Q&B Auto Body facility were based on the DEP permit PW001217, registered to Alex's Auto Body, and DEP permit PW003321, registered to the New Honeywell Auto facility. The New Honeywell Auto facility in Brooklyn is an approximately 2,700 gsf facility. Alex's Auto Body facility at 2250 McDonald Avenue (Block 7103, Lot 32), 2256 McDonald Avenue (Block 7103, Lot 56), and 2260 McDonald Avenue (Block 7103, Lot 36) in Brooklyn operates from a total of 9,374 gsf facility. Coating compounds (paint, clear coats, reducer, and thinner) consumption rates are included in the DEP permits PW001217 and PW003321.

The chemicals that make up the VOC group were derived from the chemical composition listed in the DEP permit PW001217 and PW003321 described above. Each chemical's maximum percent weight was used to compile a single chemical composition database (rather than treat each DEP permit as a database), as many appear in both DEP permits. This approach yielded a VOC chemical composition with a total percent weight of 147 percent, exceeding the estimated total VOC emission of the P&T Auto Body.

Particulate emissions include PM<sub>10</sub> and PM<sub>2.5</sub> combined. Particle size distribution (46.7 percent PM<sub>10</sub> and 28.6 percent PM<sub>2.5</sub>) associated with the spray-painting processing emission specified



in the EPA AP-42 Manual Appendix B.1-12, *Automobile and Light-Duty Truck Surface Coating Operations: Automobile Spray Booths (Water-Base Enamel)*, was used to derive the facility’s PM<sub>10</sub> and PM<sub>2.5</sub> emissions. Table 3 shows the Q&B Auto Body facility's short-term and annual PM<sub>10</sub> and PM<sub>2.5</sub> emissions.

In accordance with the procedure in Appendix B of 62 RCNY Chapter 5 of the rules of the city of New York (Industrial Air Quality Checklist), an industrial source screen was used to predict a pollutant concentration emitted from a single source at various distances (30 to 400 feet). A distance of 120 feet was used in the screening analysis.

The criteria pollutants dispersion results are presented in Table 3. As shown in Table 3, PM<sub>2.5</sub> and PM<sub>10</sub> concentrations are within the NAAQS.

**Table 3: Criteria pollutants dispersion results**

Criteria Pollutant	Emission (g/s)	Concentration (µg/m <sup>3</sup> )			
		Increment (Modeled)	Background	Ambient With-Action	NAAQS
PM <sub>2.5</sub> 24-Hour (1)	1.36E-03	2.1	17.8	19.9	35
PM <sub>2.5</sub> Annual (2)	5.19E-04	0.2	7.6	7.8	9.0
PM <sub>10</sub> 24-Hour (1)	2.23E-03	3.42	43	46.4	150
<b>Notes:</b>					
1. 24-hour concentration is predicted by multiplying the 24-hour average emission by a generic concentration at 120 feet distance from the source (2,877 µg/m <sup>3</sup> ).					
2. Annual concentration is predicted by multiplying the annual average emission by a generic concentration at 120 feet distance from the source (378 µg/m <sup>3</sup> ).					

Predicted contaminants (criteria and noncriteria pollutants) concentrations at the Development Site would not exceed the NAAQS or the SGC/AGC standard. Therefore, emission limits will not exceed pollutant concentrations as determined by City and State guidelines at the corresponding developable site.

**Noise**

The site is not located within line of sight to any railway or elevated subway or within an airport noise exposure zone.

Noise monitoring was conducted on Wednesday, October 23, 2023, during the morning, midday, and late afternoon peak travel periods. Readings were taken at three sidewalk locations:

1. Location 1 – adjacent to the Development Site at the center of the West Street frontage;
2. Location 2 – adjacent to the Development Site at the center of the South Example Avenue frontage; and
3. Location 3 – across the street from the Development Site at the southeast corner of West Street and South Example Avenue.

Monitoring results are presented in Tables 4 through 6.



**Table 4: Noise Levels in dB(A) at Location 1**

<i>Wednesday, October 23, 2023</i>			
<b>Time</b>	<b>7:46 am – 8:06 am</b>	<b>12:00 pm – 12:21 pm</b>	<b>4:34 pm – 4:54 pm</b>
L <sub>max</sub>	82.0	82.6	76.6
L <sub>10</sub>	71.5	65.0	64.0
L <sub>eq</sub>	69.5	61.7	60.9
L <sub>50</sub>	69.5	58.0	59.0
L <sub>90</sub>	63.0	49.5	52.5
L <sub>min</sub>	56.9	44.4	47.5

**Table 5: Noise Levels in dB(A) at Location 2**

<i>Wednesday, October 23, 2023</i>			
<b>Time</b>	<b>8:07 am – 8:28 am</b>	<b>12:21 pm – 12:42 pm</b>	<b>4:55 pm – 5:15 pm</b>
L <sub>max</sub>	86.3	79.9	102.8
L <sub>10</sub>	72.5	71.0	71.5
L <sub>eq</sub>	68.6	66.6	72.9
L <sub>50</sub>	63.5	62.0	64.0
L <sub>90</sub>	58.0	50.0	54.0
L <sub>min</sub>	56.9	44.9	48.4

**Table 6: Noise Levels in dB(A) at Location 3**

<i>Wednesday, October 23, 2023</i>			
<b>Time</b>	<b>8:29 am – 8:49 am</b>	<b>12:43 pm – 1:03 pm</b>	<b>5:16 pm – 5:36 pm</b>
L <sub>max</sub>	85.4	82.0	89.6
L <sub>10</sub>	70.5	67.0	67.0
L <sub>eq</sub>	66.6	63.5	66.7
L <sub>50</sub>	63.5	60.0	62.5
L <sub>90</sub>	57.5	53.5	55.5
L <sub>min</sub>	51.8	48.7	50.0

The highest recorded L<sub>10</sub> levels were 71.5 dBA at Location 1, 72.5 at Location 2, and 70.5 at Location 3. All three noise levels are in the Marginally Unacceptable range, requiring window/wall attenuation of at least 28 dB(A) to maintain an acceptable indoor noise level.





To ensure that the appropriate level of noise attenuation is provided, an (E) designation (E-###)<sup>8</sup> for noise would be placed on the Development Site. The text of the (E) designation would be as follows:

**Brooklyn Block 8888, Lot 38**

**To ensure an acceptable interior noise environment, future residential/commercial office/community facility uses must provide a closed-window condition with a minimum of 28 dB(A) window/wall attenuation on all facades to ensure an interior noise level not greater than 45 dB(A) for residential and community facility uses or not greater than 50 dB(A) for commercial office uses. To maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation include, but are not limited to, air conditioning.**

**Hazardous Materials**

New York Environmental Consultants performed a Phase I Environmental Site Assessment (ESA) of the Development Site and issued a report dated August 2023, included in Attachment A. The ESA identified one Recognized Environmental Condition:

1. The potential for groundwater contamination resulting from a historical dry cleaner located approximately 30 feet north of the site.

The Phase I ESA was reviewed by DEP on October 28, 2023, included in Attachment B.<sup>9</sup>

To ensure that a significant adverse impact related to hazardous materials does not occur, an (E) designation (E-###)<sup>10</sup> for hazardous materials would be placed on the Development Site. The text of the (E) designation would be as follows:

**Brooklyn Block 8888, Lot 38**

**Task 1-Sampling Protocol**

The applicant submits to OER, for review and approval, a Phase I of the site along with a soil, groundwater and soil vapor testing protocol, including a description of methods and a site map with all sampling locations clearly and precisely represented. If site sampling is necessary, no sampling should begin until written approval of a protocol is received from OER. The number and location of samples should be selected to adequately characterize the site, specific sources of suspected contamination (i.e., petroleum-based contamination and non-petroleum based contamination), and the remainder of the site's condition. The characterization should be complete enough to determine what remediation strategy (if any) is necessary after review of sampling data. Guidelines and

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<sup>8</sup> (E) designation number will be provided by EARD Lead.

<sup>9</sup> If DEP review finds no need for an (E) designation, please specify here.

<sup>10</sup> (E) designation number will be provided by EARD Lead.



criteria for selecting sampling locations and collecting samples are provided by OER upon request.

### **Task 2-Remediation Determination and Protocol**

A written report with findings and a summary of the data must be submitted to OER after completion of the testing phase and laboratory analysis for review and approval. After receiving such results, a determination is made by OER if the results indicate that remediation is necessary. If OER determines that no remediation is necessary, written notice shall be given by OER. If remediation is indicated from test results, a proposed remediation plan must be submitted to OER for review and approval. The applicant must complete such remediation as determined necessary by OER. The applicant should then provide proper documentation that the work has been satisfactorily completed. A construction-related health and safety plan should be submitted to OER and would be implemented during excavation and construction activities to protect workers and the community from potentially significant adverse impacts associated with contaminated soil, groundwater and/or soil vapor. This plan would be submitted to OER prior to implementation.

### **Natural Resources**

The Development Site does not contain a wetland, priority waterbody, significant natural community, forever wild area, recognized ecological complex, special natural waterfront area, or beach and is not located within a wetland check zone. No unmapped natural resource has been identified on or near the site.

*Below is an example of a site that would need to conduct natural resources screening.*

Fast Tracker identified that the Development Site is within a wetland check zone. The site is fully disturbed and developed with the exception of a small area (see aerial map below). Therefore, the Applicant sought jurisdictional sign off to confirm the presence of wetlands on the site by DEC. DEC determined that there were no wetlands present in correspondence dated September 10, 2023 (see Attachment D).

**Figure 2: Natural Resources Satellite Map**



**Historic Resources<sup>11</sup>**

In correspondence dated November 20, 2023, LPC confirmed that the Development Site does not contain any architecturally or archaeologically significant resources. LPC also conveyed that the Development Site is substantially contiguous to one sunlight sensitive architectural resource, the Brooklyn Stained Glass House eligible for designation as a NYC landmark located on Lot 3 of Block 8881. Aside from the Brooklyn Stained Glass House, no other significant architectural resources are located within 90 feet of the Development Site.

Since the Brooklyn Stained Glass House is within 90 feet of the Development Site, a Construction Protection Plan will be prepared in accordance with DOB Technical Policy and Procedures Notice #10/88. A restrictive declaration has also been prepared and is attached as Attachment C.

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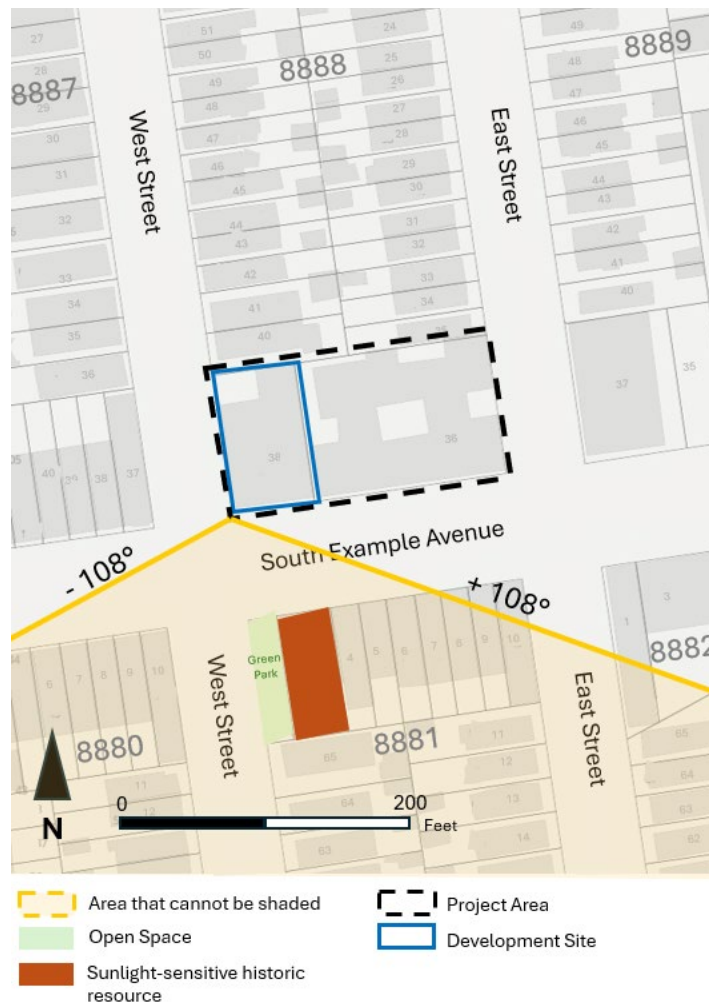
<sup>11</sup> Example text for instances with no historic resources nearby: “In correspondence dated November 20, 2023, LPC confirmed that Projected Development Site 1 does not contain any architecturally or archaeologically significant resources and that no significant architectural resources are located within 90 feet of the site.”

### Shadows<sup>12</sup>

There are two sunlight-sensitive resources substantially contiguous to the Development Site. The Brooklyn Stained Glass House, a sunlight-sensitive architectural resource, is located on Lot 3 of Block 8881. Green Park, a DPR-owned open space, is located on Lot 1 of Block 8881.

The below Screening Assessment (Figure 2) shows the area south of the Development Site that cannot be shaded by the Proposed Actions and resulting development. As illustrated the resources discussed above are located within the area that cannot be shaded by the Proposed Project and therefore could not be affected by shadows from the Proposed Actions.

**Figure 3: Shadows Screening Assessment**



<sup>12</sup> When the Fast Tracker report indicates no possible shadow impacts, a statement along the following lines can be provided: “Projected Development Site 1 is not substantially contiguous to any open space, natural resource, or historic resource.”