

August 7, 2024

New York City Planning Commission
120 Broadway
31st Floor
New York, NY 10271

MAS Testimony on the Draft Environmental Impact Statement for 962-972 Franklin Avenue

Dear Commission,

The Municipal Art Society of New York (MAS) opposes 962-972 Franklin Avenue for the same reasons it opposed Continuum Company's 2021 development proposal at 960 Franklin Avenue. Namely, significant and unmitigated shadow impacts on the Brooklyn Botanic Garden (BBG), a 114-year-old world-class urban oasis, as well as Jackie Robinson Playground.

962-972 Franklin Avenue would cast hours-long incremental shadows on more than 90 percent of the sunlight-sensitive resources studied at BBG, including world-renowned greenhouses used to propagate plants that require full, year-round sunlight. The DEIS acknowledges that if the project were to be built, remaining sunlight may not be enough to promote healthy growth of these plants, effectively compromising the Garden's mission to educate and inspire children and other members of the community.

Project-generated shadows would be especially detrimental to Jackie Robinson Playground during March and September, when the presence or lack of sunlight can determine whether such spaces are comfortable and usable. During these times, entire areas of the playground – including tables and benches, play structures, large trees, and basketball courts – would lose more than two and a half hours of daily sunlight.

More than 30 years ago, the City recognized the fragility of BBG and made a commitment to protect it by establishing commonsense zoning regulations on the parcel in question. At more than double the allowable height, 962-972 Franklin Avenue would set a dangerous precedent, effectively giving the green light to projects that ignore the very purpose and function of the 1991 rezoning.

In 2021, CPC rejected 962-972 Franklin Avenue's predecessor because of the same projected shadow impacts. It is telling that once again, virtually every public official with a say in 962-972 Franklin Avenue's outcome has expressed extreme concern or outright disapproval of it. MAS strongly urges the Commission to reject the project and uphold its commitment to neighborhood play spaces and cultural institutions like BBG because they are vital to a great city.