NEGATIVE DECLARATION

Statement of No Significant Effect

Pursuant to Executive Order 91 of 1977, as amended, and the Rules of Procedure for City Environmental Quality Review, found at Title 62, Chapter 5 of the Rules of the City of New York and 6 NYCRR, Part 617, State Environmental Quality Review, the Department of City Planning acting on behalf of the City Planning Commission assumed the role of lead agency for the environmental review of the proposed actions. Based on a review of information about the project contained in this environmental assessment statement (EAS) and any attachments hereto, which are incorporated by reference herein, the lead agency has determined that the proposed actions would not have a significant adverse impact on the environment.

Reasons Supporting this Determination

The above determination is based on information contained in this EAS, which finds the proposed actions sought before the City Planning Commission would not have a significant adverse impact on the environment. Reasons supporting this determination are noted below.

Land Use, Zoning, and Public Policy

The Applicant, Stamford LLC, is seeking a zoning map amendment from R6, M1-2, and M2-1 zoning districts to an R6B and C4-4A zoning districts affecting Block 5348, Lots 15, 17, 41, 42, 44 - 49, 54 - 66, 118, and 119 (the "Affected Area") within the Borough Park neighborhood of Brooklyn, Community District 12. The Applicant is also seeking a zoning text amendment to establish a Mandatory Inclusionary Housing (MIH) Area that is coterminous with the Affected Area and a special permit pursuant to the New York City Zoning Resolution (ZR) Section 74-681 to allow development within or over a railroad or transit right-of-way or yard (the "Proposed Actions").Of the 25 separate lots within the Affected Area, four are controlled by the Applicant and are the location of the Development Site—Block 5348, Lots 15, 17, 49, and 54 (Projected Development Site 1). Together the four lots total 25,900 square feet (sf), with Lots 49 and 54 fronting 38th Street, and Lots 15 and 17 fronting 37th Street. Lot 49 is a 15,033-sf interior lot improved with the 15,000-gsf Paperific Supermarket; the building was constructed in 1930 and is one story tall. Lot 54 is a 5,863-sf interior lot that is improved with a one-story, 12-foot-tall, 5,700-gsf commercial building originally constructed in 1930. Lots 15 (3,370 sf) and 17 (1,634 sf) are both vacant lots fronting 37th Steet. The Proposed Actions would facilitate the development of a new 5-story, 63-foot, 134,840 gross square foot (GSF)(103,512 zoning square foot; 4.0 FAR) commercial and office building on Projected Development Site 1 that would include 19,985 GSF of ground floor commercial space for a super market; 84,573 GSF of office space; and 25,900 GSF at the cellar level for an enclosed parking garage with 63 parking spaces, and a parking ramp that would be accessible from 37th Street. In addition, the first-floor level would contain 528 GSF containing 35 bicycle parking spaces, and a 790 GSF loading berth accessed from 37th Street. In addition to the Applicant owned Projected Development Site 1, two Potential Development Sites would potentially be expected to develop as a result of the Proposed Actions. The Proposed Actions would not directly displace a land use that would adversely affect surrounding area land uses, nor would it generate a land use that would be incompatible with surrounding uses.

Open Space

A detailed open space analysis is included in the EAS. The Proposed Actions would reduce the open space ratio (OSR) by 0.67% to 0.061 acres per 1,000 residents. Though the area has a low OSR, based on the screening thresholds for preliminary open space assessment, the OSR decrease would be less than 1%, which is below the threshold warranting further assessment of open space. In addition, the Affected Area is located within a Walk to a Park Service Area. Accordingly, the Proposed Actions are not expected to have significant adverse impacts on the open space resources.

Hazardous Materials, Air Quality, and Noise

An (E) designation (**E-692**) related to hazardous materials, air quality, and noise would be established as part of the approval of the proposed actions. Refer to "Determination of Significance Appendix: (E) designation" for the applicable (E) designation requirements. The hazardous materials, air quality, and noise analyses conclude that with the (E) designation in place, the proposed actions would not result in a significant adverse impact related to hazardous materials, air quality, or noise.

No other significant effects upon the environment that would require the preparation of a Draft Environmental Impact Statement are foreseeable. This Negative Declaration has been prepared in accordance with Article 8 of the New York State Environmental Conservation Law (SEQRA). Should you have any questions pertaining to this Negative Declaration, you may contact Evan Miller at +1 212-720-3657.

TITLE Director, Environmental Assessment and Review Division	LEAD AGENCY Department of City Planning on behalf of the City Planning Commission 120 Broadway, 31st Fl. New York, NY 10271 | 212.720.3328
NAME Stephanie Shellooe, AICP	DATE November 4, 2022
SIGNATURE	
TITLE Chair, City Planning Commission	
NAME Daniel R. Garodnick	DATE November 7,2022
SIGNATURE	

Project Name: Paperific Rezoning
CEQR # 22DCP045K
SEQRA Classification: Unlisted

Determination of Significance Appendix

The Proposed Action(s) were determined to have the potential to result in changes to development on the following site(s):

Development Site	Borough	Block and Lot
Projected Development Site 1	Brooklyn	Block 5348: Lots 15, 17, 49, and 54
Potential Development Site 1	Brooklyn	Block 5348: Lots 44, 45, 46, and 47
Potential Development Site 2	Brooklyn	Block 5348: Lots 41, 42, 118, and 119

(E) Designation Requirements

To ensure that the proposed actions would not result in significant adverse impacts related to hazardous materials, air quality, and noise an (E) designation (E-692) would be established as part of approval of the proposed actions on **Projected Development Site 1**, and **Potential Development Sites 1 and 2** as described below:

Development Site	Hazardous Materials	Air Quality	Noise
Projected Development Site 1	X	X	X
Potential Development Site 1	X	X	
Potential Development Site 2	X	X	X

Hazardous Materials

The (E) designation requirements applicable for hazardous materials would apply as follows:

Projected Development Site 1 (Block 5348, Lots 15, 17, 49, and 54); Potential Development Site 1 (Block 5348, Lots 44, 45, 46, and 47); and Potential Development Site 2 (Block 5348, Lots 41, 42, 118, and 119)

An E-Designation should be placed on the site to assure that testing and mitigation will be performed, as necessary, before any future development and/or soil disturbance. Further hazardous materials assessments should be coordinated through the Mayor's Office of Environmental Remediation (OER).

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 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. With this (E) designation in place, no significant adverse impacts related to hazardous materials are expected, and no further analysis is warranted.

Air Quality
The (E) designation requirements for air quality would apply as follows:

Block 5348, Lots 15, 17, 49, and 54 (Projected Development Site 1): *Any new residential or commercial development on the above-referenced property must exclusively use natural gas as the type of fuel for heating, ventilating, air conditioning (HVAC), and hot water system(s) and must be fitted with low NOx (30 ppm) burners, ensure that the stack is located at the building's highest level or at least 63 feet above grade, and that the stack is located at least 90 feet from the northern lot line facing 37th Street and 90 feet from the eastern lot line facing 15th Avenue to avoid any potential significant adverse air quality impacts.*

Block 5348, Lots 44, 45, 46, and 47 (Potential Development Site 1): *Any new residential or commercial development on the above-referenced property must ensure that the heating, ventilating, air conditioning (HVAC), and hot water system(s) stack is located at the building's highest level or at least 101 feet above grade, and that the stack is located at least 40 feet from the northern lot line facing 37th Street to avoid any potential significant adverse air quality impacts.*

Block 5348, Lots 41, 42, 118, and 119 (Potential Development Site 2): *Any new residential or commercial development on the above-referenced property must ensure that the heating, ventilating, air conditioning (HVAC), and hot water system(s) stack is located at the building's highest level or at least 101 feet above grade, and that the stack is located at least 60 feet from the southern lot line facing 38th Street to avoid any potential significant adverse air quality impacts.*

Noise

The (E) designation requirements for noise would apply as follows:

Projected Development Site 1 (Block 5348, Lots 15, 17, 49, and 54)
To ensure an acceptable interior noise environment, future residential/community facility uses must provide a closed-window condition with a minimum of 28 dBA window/wall attenuation on façades facing 37th Street, eastern façades facing 15th Avenue within 50 feet of 37th Street and western façades facing 14th Avenue within 50 feet of 37th Street to maintain an interior noise level not greater than 45 dBA for residential/community facility uses. To maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, air conditioning.
Potential Development Site 2 (Block 5348, Lots 41, 42, 118 and 119)
To ensure an acceptable interior noise environment, future residential/community facility uses must provide a closed-window condition with a minimum of 28 dBA window/wall attenuation on façades facing 37th Street, eastern façades facing 15th Avenue within 50 feet of 37th Street and western façades facing 14th Avenue within 50 feet of 37th Street to maintain an interior noise level not greater than 45 dBA for residential/community facility uses. To maintain a closed-window condition,

an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, air conditioning. With the above E-designation, there would be no significant adverse impacts related to noise as a result of the Proposed Actions.