DEPARTMENT OF CITY PLANNING
CITY OF NEW YORK

ENVIRONMENTAL ASSESSMENT AND REVIEW DIVISION

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Department of City Planning

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POSITIVE DECLARATION

February 4, 2008

Project Identification
CEQR No. 08DCP033K
ULURP Nos. Pending
SEQRA Classification: Type I

Lead Agency
City Planning Commission
22 Reade Street
New York, NY 10007
Contact: Robert Dobruskin
(212) 720-3423

Name, Description and Location of Proposal:

363-365 Bond Street
The applicant, Toll Brothers, Inc., is proposing discretionary actions in connection with the redevelopment of one block and a portion of a second block fronting the western shore of the Gowanus Canal in the Carroll Gardens neighborhood of Brooklyn Community District 6. The proposed development would include residential, commercial, and community facility uses. The project site comprises Block 458, Lot 1, which is bounded by 1st Street to the north, the Gowanus Canal to the east, 2nd Street to the south, and Bond Street to the west; and Block 452, Lots 1 and 15, which are bounded by Carroll Street to the north, the Gowanus Canal to the east, 1st Street to the south, and Bond Street to the west. Two city-owned parcels, located on Block 452, Lots 5 and 19, would also be rezoned as part of the proposed actions, but redevelopment on these lots would not occur as a result.
The proposed actions consist of the following discretionary approvals:

- A zoning map amendment to change an M2-1 zoning district to Special Mixed Use District (MX): M1-2/R7-2. The existing M2-1 zoning district is a medium-density manufacturing district. It allows industrial uses at a maximum FAR of 2.0 and includes performance standards; it does not allow residential use. R7-2 districts allow residential use at a maximum FAR of 3.4. The proposed M1-2 district is a manufacturing district that allows light industrial and certain commercial uses at a maximum FAR of 2.0.

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- A zoning text amendment to establish Special Mixed Use District (MX): M1-2/R7-2 on the blocks bounded by the Gowanus Canal, Carroll Street, Bond Street, and 2nd Street. In addition, *Zoning Resolution* (ZR) sections 23-922 and 23-942 would be amended to apply the Inclusionary Housing program and related floor area regulations to R7-2 zoning districts within the special district and to provide for a base FAR of 2.7 and a maximum FAR of 3.6 within the special district.

- Special permits pursuant to ZR section 74-743 to establish a General Large Scale Plan including i) a special permit to modify the height and setback regulations otherwise applicable pursuant to ZR section 123-662; ii) a special permit to modify courtyard regulations in a General Large-Scale Development otherwise applicable pursuant to ZR section 23-852; and iii) a site plan which includes building locations, uses, and heights.

- A possible demapping of the portions of 1st and 2nd Streets located between the existing street line and a line approximately 40 feet in-board of the existing mapped bulkhead line.

In addition, the proposed project may require approvals from the New York State Department of Environmental Conservation (DEC) and the U.S. Army Corps of Engineers (USACOE) for the repair and replacement of the existing bulkhead. These actions are subject to environmental review and will be conducted through a coordinated review with DCP, the lead agency. The proposed project would also require a State Pollution Discharge Elimination System (SPDES) permit from DEC for stormwater discharges during construction, as well as a Tidal Wetlands permit, a Protection of Waters permit, a Long Island Well permit. Approvals may also be necessary from city and state agencies for the allocation of funds for affordable housing.

The proposed actions would facilitate a proposal by the applicant to develop approximately 605,380 gross square feet (gsf) above grade, including 447 residential units, 130 of which would be affordable units developed pursuant to the city's Inclusionary Housing Program; 1,500 gsf of commercial space; and 1,500 gsf of community facility space. 260 accessory parking spaces would be provided below grade. The proposed residential structures would include a combination of low- and mid-rise apartments and townhouses. The accessory parking would be accessed via two proposed curb cuts located on 1st Street between Bond Street and the Gowanus Canal. The proposed development would include the construction of a publicly accessible waterfront along the entire project site fronting the canal.

The proposed development would include two buildings with components ranging in height from four to twelve stories. The taller structures would be located at the eastern end of the project site near the Gowanus Canal. On the western end of the project site, located along Bond Street, the structures would be six stories in height.

The approximately 3.4-acre project site is currently developed with manufacturing and industrial uses. Block 458, which is entirely under the control of the applicant, contains approximately 34,000 square feet of vehicle storage, with the remaining 8,500 square feet occupied by garment distribution, dry cleaning, and telecommunications uses. The 45,800-square-foot portion of Block 452 under the control of the applicant includes warehouse and storage space and an art and music studio. The project site is adjacent to the Carroll Street Bridge, a New York City landmark and State and National Register-eligible resource. With respect to the city-owned lots, Lot 5 is occupied by a maintenance and service facility for emergency medical service vehicles; Lot 19 contains mechanical equipment and a facility supporting the adjacent historic Carroll Street Bridge.

Construction of the proposed project is anticipated to be completed by 2010.

Statement of Significant Effect:

On behalf of the City Planning Commission, the Environmental Assessment and Review Division has determined, pursuant to 6 NYCRR Part 617.7, that the proposed action may have a significant effect on the quality of the environment as detailed in the following environmental impacts, and that an environmental impact statement will be required:

1. The actions, as proposed, may result in significant adverse impacts related to land use, zoning, and public policy in the vicinity of the affected area.

2. The actions, as proposed, may result in significant adverse impacts on socioeconomic conditions in the vicinity of the affected area.

3. The actions, as proposed, may result in significant adverse impacts on community facilities and services in the vicinity of the affected area.

4. The actions, as proposed, may result in significant adverse impacts on publicly accessible open space in the vicinity of the affected area.

5. The actions, as proposed, may result in significant adverse shadow impacts in the vicinity of the affected area.

6. The actions, as proposed, may result in significant adverse impacts on historic resources in the vicinity of the affected area.

7. The actions, as proposed, may result in significant adverse impacts on urban design and visual resources in the vicinity of the affected area.

8. The actions, as proposed, may result in significant adverse impacts on neighborhood character in the vicinity of the affected area.

9. The actions, as proposed, may result in significant adverse impacts to natural resources in the affected area.

10. The actions, as proposed, may result in significant adverse hazardous materials impacts in the affected area.

11. The actions, as proposed, are located within the designated coastal zone and may result in significant adverse impacts related to the Local Waterfront Revitalization Program (LWRP) within the affected area.

12. The actions, as proposed, may result in significant adverse impacts on infrastructure in the vicinity of the affected area.

13. The actions, as proposed, may result in significant adverse impacts on solid waste and sanitation services in the vicinity of the proposed action.

14. The actions, as proposed, may result in significant adverse impacts on energy consumption in the affected area.

15. The actions, as proposed, may result in significant adverse impacts to traffic, parking, transit, and pedestrian conditions in the vicinity of the affected area.

16. The actions, as proposed, may result in significant adverse impacts to air quality in the vicinity of the affected area.

17. The actions, as proposed, may result in significant adverse noise impacts in the vicinity of the affected area.

18. The actions, as proposed, may result significant adverse construction-related impacts.

19. The actions, as proposed, may result in significant adverse public health-related impacts.

20. The actions, as proposed, may result in significant adverse impacts related to other aspects of the environment.

Supporting Statement:

The above determination is based on an Environmental Assessment Statement prepared for the action which finds that:

1. The proposed actions would alter existing land use and zoning patterns by rezoning the project site to permit the development of new residential, commercial and community facility uses.

2. The proposed actions would result in approximately 605,380 gross square feet of new development on the project site, including new residential, commercial and community facility uses. This has the potential to alter socioeconomic conditions in the area.

3. The proposed actions would introduce a new residential population, which could potentially increase demand on community facilities.

4. The proposed actions would bring new residents and workers to the area, potentially placing additional demands on available open space resources.

5. The proposed actions would result in the construction of new buildings containing various high-rise components. The proposed buildings could cast shadows on sunlight sensitive resources.

6. Construction of the proposed project could disturb archaeological resources should they exist on the project site. In addition, the proposed project could affect the context of existing historic structures in the area.

7. The proposed actions would result in a new type of building use and form which would differ from existing urban design elements in the affected area, and may alter the urban design character and visual resources of the surrounding area.

8. The proposed actions would result in new development which could alter existing neighborhood character by affecting land use, socioeconomic conditions, historic resources, urban design, traffic, and noise.

9. The proposed action would result in new development on the project site which could affect natural resources.

10. The proposed actions would result in demolition and construction on the project site which could potentially expose construction workers and the public to hazardous materials.

11. The proposed actions would result in new development in the designated coastal zone which could potentially be inconsistent with the policies of the LWRP.

12. The proposed action would result in approximately 605,380 gross square feet of new development on the project site which could place additional demands on infrastructure.

13. The proposed actions would result in approximately 605,380 gross square feet of new development on the project site which would result in the generation of solid waste, and which would require sanitation services.

14. The proposed actions would result in new development on the project site which could increase demand for energy.

15. The proposed actions would result in approximately 605,380 gross square feet of new development on the project site which would result in additional vehicular, pedestrian, and transit trips, and additional parking demand in the vicinity of the affected area.

16. The proposed actions would result in new development on the project site which could potentially result in air quality impacts due to increased mobile source (vehicular) and stationary source (HVAC system) emissions.

17. The proposed actions would increase the volume of traffic in the area, which could result in additional traffic noise. The proposed action could also potentially result in noise impacts due to the introduction of sensitive receptors, including residential and community facility uses.

18. The proposed actions would result in new development that would involve demolition and construction activities which may result in construction-related impacts.

19. The proposed actions would result in new development which could potentially result in public health concerns.

20. The Draft Environmental Impact Statement (DEIS) to be prepared for the proposed action will identify and describe any other potential effects on the environment.

Public Scoping:

The CEQR lead agency hereby requests that the applicant prepare or have prepared, at their option, a Draft Environmental Impact Statement (DEIS) in accordance with 6 NYCRR 617.9(b) and Sections 6-08 and 6-12 of Executive Order No. 91 of 1977 as amended (City Environmental Quality Review).

A public scoping meeting has been scheduled for Thursday, March 13, 2008 from 2:00 to 5:00 PM and from 6:00 to 8:45 PM at the City of New York Department of City Planning, Spector Hall, 22 Reade Street, New York, New York 10007. Written comments will be accepted by the lead agency through the tenth day following the scoping meeting.

This determination has been prepared in accordance with Article 8 of the Environmental Conservation Law.

If you have any questions pertaining to this Positive Declaration, please contact the project manager, Adam Lynn, at (212) 720-3493.

Robert Dobruskin

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Environmental Assessment & Review Division
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2/7/08

Date