NYC PLANNING

ENVIRONMENTAL ASSESSMENT AND REVIEW DIVISION

Marisa Lago, *Director*
Department of City Planning

PAB 3rd Holdings, LLC
c/o Eric Palatnik
55 Water Mill Road
Great Neck, NY

Re:	**506 Third Avenue**
CEQR No.	20DCP129K
ULURP No(s).	210119ZMK, N210120ZRK
SEQRA Classification:	Unlisted
Brooklyn Community District:	BK02

Dear Eric Palatnik,

Under City Environmental Quality Review, the lead agency is required to determine whether a proposed action may have a significant adverse impact on the environment. In accordance with this regulation, the City Planning Commission has determined that the proposed action would not have a significant adverse impact on the environment.

Enclosed is the Negative Declaration for CEQR No. 20DCP129K, 506 Third Avenue, including supporting statements for the finding that the proposed actions would not have a significant adverse impact on the environment. The Negative Declaration was issued on May 17, 2021.

Sincerely,

Stephanie Shellooe, AICP, *Deputy Director*

May 17, 2021
Date

cc: Project File
Marisa Lago, Chair
City Planning Commissioners
Raju Mann, Director, City Council Land Use Division
Eric Adams, Brooklyn Borough President
Brooklyn Community Board BK02

Olga Abinader, *Director,* (212) 720-3493 | oabinad@planning.nyc.gov
Stephanie Shellooe, AICP, *Deputy Director,* (212) 720-3328 | sshellooe@planning.nyc.gov
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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

A detailed analysis of land use, zoning, and public policy is included in the EAS. The Applicant, PAB 3rd Avenue Holdings LLC, seeks a zoning map amendment and zoning text amendment to facilitate the development of a five-story commercial office building at 506 Third Avenue (Block 1020, Lot 36) in the Gowanus neighborhood of Brooklyn Community District 6. In addition to 506 Third Avenue, the Applicant controls 530 Third Avenue (Block 1026, Lot 32, anticipated for expansion under the proposed actions) and 156 11th Street (Block 1020, Lot 34, anticipated for redevelopment under the proposed actions). In total, the proposed zoning map amendment affects 82,951 square feet of lot area, of which 57,471 sf are anticipated to be redeveloped in the future with the Proposed Actions. The Proposed Actions would affect the following tax blocks and lots: Block 1020, Lots 34, 35, 36, 39, 40, 41, 42, 43, 44, and 45; Block 1026, Lots 32, 33, 34, 35, 36, 37, 40, 42.The Proposed Actions consist of a zoning map amendment from M2-1 to C4-4A and a zoning text amendment to designate the Project Area as a Mandatory Inclusionary Housing (MIH) Area, pursuant to an amendment of Appendix F of the New York City Zoning Resolution. Two scenarios are considered in the EAS: Scenario A would result in a total of 128,202 gsf of residential space, a net increase of 110,292 over no-action conditions (115 DU's, of which 39 would be permanently affordable under MIH). Scenario B would result in a net increase of 139,036 gsf of commercial space, a net decrease of 17,910 gsf of residential space, and a net decrease of 18,246 gsf of manufacturing space as compared to the no-action scenario. The proposed actions would not affect the existing character of the area, nor affect public policy, which represent the thresholds of impact significance in the 2020 CEQR Technical Manual. The analysis concludes that no significant adverse impacts related to Land Use, Zoning, and Public Policy would result from the proposed action.

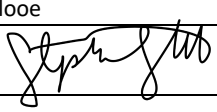
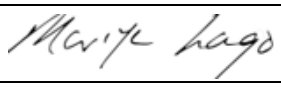
Shadows

A detailed analysis related to shadows is included in this EAS. The detailed analysis showed that incremental shadows introduced by the proposed actions would affect one sunlight-sensitive resource: the Ennis Playground. The proposed building on Projected Site 1 would cast incremental shadow on portions Ennis Playground for up to 1 hour and 9 minutes in the morning hours of the December 21 analysis period on southern and northern portions of the Ennis Playground, areas that feature basketball courts and playground equipment with minimal landscaping features. Projected Site 1 would also cast incremental shadow for 2 minutes in the morning of the March 21 analysis period on sunlight. These incremental shadows cast by Projected Site 1 would be limited in extent and have little to no effect on amenities or vegetation in the spaces due to their location and the time of the year that incremental shadows would occur. No other open space sensitive resource would be affected by shadows generated by the proposed actions. Therefore, the proposed actions would not result in significant shadow impacts, and no further analysis is necessary.

Hazardous Materials, Air Quality, and Noise

An (E) designation (E-617) 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 Katherine Glass at +1 212-720-3425.

TITLE Deputy 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 | 212.720.3493
NAME Stephanie Shellooe	DATE May 14, 2021
SIGNATURE 	
TITLE Chair, City Planning Commission	
NAME Marisa Lago	DATE May 17, 2021
SIGNATURE 	

Project Name: 506 Third Avenue
CEQR # 20DCP129K
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	Lot
Projected Development Site 1	Bk	1020	36
Projected Development Site 2	Bk	1020	43, 44
Projected Development Site 3	Bk	1026	35, 36
Projected Development Site 4	Bk	1026	40, 42
Projected Development Site 5	Bk	1026	32
Projected Development Site 6	Bk	1020	34
Projected Development Site 7	Bk	1020	45

(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-617**) would be established as part of approval of the proposed actions on **Projected Development Sites 1-7** as described below:

Development Site	Hazardous Materials	Air Quality	Noise
Projected Development Site 1	X	X	X
Projected Development Site 2	X	X	X
Projected Development Site 3	X	X	X
Projected Development Site 4	X	X	X
Projected Development Site 5	X	X	X
Projected Development Site 6	X	X	X
Projected Development Site 7	X	X	X

Hazardous Materials

The (E) designation requirements applicable to **Projected Development Sites 1-7** for hazardous materials would apply as follows:

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 he 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.

Air Quality

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

Block 1020, Lot 36 (Projected Development Site 1): Any new residential or commercial development on the above-referenced property must ensure that the heating, ventilation, air conditioning (HVAC) and hot water system(s) stack is located at the building's highest level or at least 98 feet above grade and that the stack is located at least 60 feet from the western lot line facing 2nd Avenue to avoid any potential significant adverse air quality impacts.

Block 1020, Lots 43, 44 (Projected Development Site 2): Any new residential or commercial development on the above-referenced property must ensure that the heating, ventilation, air conditioning (HVAC) and hot water system(s) stack is located at the building's highest level or at least 98 feet above grade and that the stack is located at least 30 feet from the western lot line facing 2nd Avenue to avoid any potential significant adverse air quality impacts.

Block 1026, Lots 35, 36 (Projected Development Site 3): Any new residential or commercial development on the above-referenced property must ensure that the heating, ventilation, air conditioning (HVAC) and hot water system(s) stack is located at the building's highest level or at least 98 feet above grade and that the stack is located at least 30 feet from the western lot line facing 2nd Avenue to avoid any potential significant adverse air quality impacts.

Block 1026, Lots 40, 42 (Projected Development Site 4): Any new residential or commercial development on the above-referenced property must ensure that the heating, ventilation, air conditioning (HVAC) and hot water system(s) stack is located at the building's highest level or

at least 98 feet above grade and that the stack is located at least 45 feet from the western lot line facing 2nd Avenue to avoid any potential significant adverse air quality impacts.

Block 1026, Lot 32 (Projected Development Site 5): Any new residential or commercial development on the above-referenced property must ensure that the heating, ventilation, air conditioning (HVAC) and hot

water system(s) stack is located at the building's highest level or at least 98 feet above grade to avoid any potential significant adverse air quality impacts.

Block 1020, Lot 34 (Projected Development Site 6): 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 at a minimum of 98 feet above the grade, and that the stack is located at least 20 feet from the southern lot line facing 12th Street to avoid any potential significant adverse air quality impacts.

Block 1020, Lot 45 (Projected Development Site 7): 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 at a minimum of 98 feet above the grade, and that the stack is located at least 20 feet from the eastern lot line facing 3rd Avenue and 20 feet from the northern lot line facing 11th Street to avoid any potential significant adverse air quality impacts.

Noise

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

Block 1020, Lot 36 (Projected Development Site 1): To ensure an acceptable interior noise environment, future residential/commercial office uses must provide a closed-window condition with a minimum of 31 dBA window/wall attenuation on all facades to maintain an interior noise level not greater than 45 dBA for residential uses or not greater than 50 dBA for commercial office uses. To provide closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, air conditioning.

Block 1020, Lots 43 and 44 (Projected Development Site 2): To ensure an acceptable interior noise environment, future residential/commercial office uses must provide a closed-window condition with a minimum of 31 dBA window/wall attenuation on the facades facing 3rd Avenue and the facades facing 11th Street and the facades facing 2nd Avenue and 28 dBA of attenuation on the facades facing 12th Street to maintain a n interior noise level not greater than 45 dBA for residential uses or not greater than 50 dBA for commercial office uses. To provide closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, to, air conditioning. but is not limited.

Block 1026, Lots 35 and 36 (Projected Development Site 3): To ensure an acceptable interior noise environment, future residential/commercial office uses must provide a closed-window condition with a minimum of 31 dBA window/wall attenuation on the facades facing 3rd Avenue and 28 dBA of attenuation on the facades facing 12th Street and the facades facing 2nd Avenue and the facades facing 13th Street to maintain an interior noise level not greater than 45 dBA for residential uses or not greater than 50 dBA for commercial office uses. To provide closedwindow condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, air conditioning .

Block 1026 , Lots 40 and 42 (Projected Development Site 4): To ensure an acceptable interior noise environment, future residential/commercial office uses must provide a closed window condition with a minimum of 31 dBA window/wall attenuation on the facades facing 3rd Avenue and 28 dBA of

attenuation on the facades facing 12th Street and the facades facing 2nd Avenue and the facades facing 13th Street to maintain an interior noise level not greater than 45 dBA for residential uses or not greater than 50 dBA for commercial uses. To provide closed office window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, air conditioning .

Block 1026, Lot 32 (Projected Development Site 5): To ensure an acceptable interior noise environment, future residential/commercial office uses must provide a closed window condition with a minimum of 31 dBA window/wall attenuation on the facades facing 3rd Avenue and 28 dBA of attenuation on the facades facing 12th Street and the facades facing 2nd Avenue and the facades facing 13th Street to maintain an interior noise level not greater than 45 dBA for residential uses or not greater than 50 dBA for commercial office uses. To provide closed window condition, an alter nate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, air conditioning .

Block 1020, Lot 34 (Projected Development Site 6): interior noise environment, future residential/co To ensure an acceptable commercial office uses must provide a closed window condition with a minimum of 31 dBA window/wall attenuation on the facades facing 3rd Avenue and the facades facing 11th Street and the facades facing 2nd Avenue and 28 dBA of attenuation on the facades facing 12th Street to maintain an interior noise level not greater than 45 dBA for residential uses or not greater than 50 dBA for commercial office uses. To provide closed window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, air conditioning.

Block 1020, Lot 45 (Projected Development Site 7) : To ensure an acceptable interior noise environment, future residential/commercial office uses must provide a closed window condition with a minimum of 31 dBA window/wall attenuation on the facades facing 3rd Avenue and the facades facing 11th Street and the facades facing 2nd Avenue and 28 dBA of attenuation on the facades facing 12th Street to maintain an interior noise level not greater than 45 dBA for residential uses or not greater than 50 dBA for commercial office uses. To provide closed window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, air conditioning.