NYC PLANNING

ENVIRONMENTAL ASSESSMENT AND REVIEW DIVISION

Marisa Lago, *Director*
Department of City Planning

Elie Pariente
c/o Sheldon Lobel, LLP
18 E 41st Street, 5th Floor
New York, NY 10017

Re:	**Grand Ave and Pacific St Rezoning**
CEQR No.	19DCP114K
ULURP No(s).	C 190256 ZMK; N 190257 ZRK
SEQRA Classification:	Unlisted
Brooklyn Community District:	08

Dear Sheldon Lobel, LLP,

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 revised Negative Declaration for CEQR No. 19DCP114K, Grand Ave and Pacific St Rezoning, including supporting statements for the finding that the proposed actions would not have a significant adverse impact on the environment. The enclosed revised Negative Declaration supersedes the original 9/23/2019 Negative Declaration.

Sincerely,

Stephanie Shellooe, AICP, *Deputy Director*

August 7, 2020
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 8

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Project Name: Grand Avenue and Pacific Street Rezoning
CEQR #: 19DCP114K
SEQRA Classification: Unlisted

REVISED* 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 project. 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 project would not have a significant adverse impact on the environment.

Reasons Supporting this Determination

The above determination is based on information contained in this revised EAS, which that finds the proposed actions sought before the City Planning Commission would have no significant effect on the quality of the environment. Reasons supporting this Determination are noted below.

Hazardous Materials and Noise:
An (E) designation (E-550) for hazardous materials and noise has been incorporated into the proposed actions. Refer to Appendix 1: (E) Designation" attached to this Determination of Significance, for a list of sites affected by the (E) designation and applicable (E) designation and applicable (E) designation requirements. The analysis conducted for hazardous materials and noise conclude that with the (E) designation requirements in place, the proposed actions would not result in significant adverse impacts to hazardous materials and noise.

Land Use, Zoning, and Public Policy:
A Land Use, Zoning and Public Policy analysis is included in this EAS. The Proposed Action involves a Zoning Map Amendment from M1-1 to R7D with a C2-4 commercial overlay and Zoning Text Amendment to Appendix F of the Zoning Resolution to map a new Mandatory Inclusionary Housing area on Block 1125/ Lot 1 (the development site) and Block 1133 / Lot 7, 10, 11, 12, and a portion of Lot 13. Following certification of the rezoning, the proposed actions were modified, changing a portion of the project area from an R7D/C2-4 district to an R7A/C2-4 district and changing the MIH options by removing Option 2, leaving only Option 1. The requested actions would facilitate the development of a new nine-story mixed-use residential development with 64 dwelling units and 8,400 zoning square feet of commercial space. The analysis concludes that no significant adverse impacts related to Land Use, Zoning and Public Policy would result from the proposed actions.

Open Space:
A detailed analysis of the effects of the proposed actions on Open Space was included in this EAS. A significant adverse open space impact may occur if a proposed action would reduce the open space ratio by more than five percent in areas that are currently below the City's median community district open space ratio 1.5 acres per 1,000 residents. In areas that are extremely lacking in open space, a reduction as little as one percent may be considered significant. As a result of the proposed actions, the total residential study area open space ratio would decrease by .5 percent to 0.1048 acres per 1,000 residents. Therefore, the proposed project would not result in a significant adverse impact related to open space.

Urban Design and Visual Resources:
A assessment related to urban design and visual resources is included in the EAS. In the future with the proposed actions, the visual appearance within the primary study area and development site would change; however, this change would not meet the 2014 CEQR Technical Manual threshold for a significant adverse urban design impact in that it would not alter the arrangement, appearance, or functionality of the primary study area such that the alteration would negatively affect a pedestrian's experience of the area. The analysis concludes that the proposed actions would not result in significant adverse impacts to urban design or visual resources.

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 Anthony Grande at (718) 780-8271.

TITLE	LEAD AGENCY
Deputy Director, Environmental Assessment and Review Division	Department of City Planning, acting on behalf of the City Planning Commission, 120 Broadway, 31st Floor, New York, NY 10271 I (212) 720-3493
NAME Stephanie Shellooe	DATE 7/31/2020
SIGNATURE	

TITLE	
Chair, Department of City Planning	
NAME Marisa Lago	DATE 8/3/2020
SIGNATURE	

*Following certification of the Grand Avenue and Pacific Street Rezoning on September 23, 2019 and the issuance of the original EAS dated September 2019 and negative declaration dated September 23, 2019, the EAS has been revised to reflect a modified zoning district on a portion of the project area and a modified MIH option. This revised negative declaration supersedes the negative declaration issued on September 23, 2019 and reflects revised EAS dated June 26, 2020, which assesses this revision. This modification would not alter the conclusions of the original EAS, which found no significant adverse impacts.

Determination of Significance Appendix: (E) Designation

To ensure that the proposed actions would not result in significant adverse hazardous materials and noise, and (E) Designation (E-550) will be placed on the development sites as described below:

Hazardous Materials

The (E) Designation requirements for hazardous materials will be placed on Projected Development Site 1 (Block 1125; Lot 1) and Projected Development Site 2 (Block 1133; Lots 7, 10, 11, and 12).

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.

Noise

The (E) Designation requirement for noise will be place on the Projected Development Site 1 (Block 1125; Lot 1) and Projected Development Site 2 (Block 1133; Lots 7, 10, 11, and 12) and are as follows:

Block 1125, Lot 1 (Projected Development Site 1): In order to ensure an acceptable interior noise environment, future residential/commercial office uses must provide a closed-window condition with a minimum of 28 dBA window/wall attenuation on all facades to ensure an interior noise level not greater than 45 dBA for residential uses or not greater than 50 dBA for commercial office 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. Block 133, Lots 7, 10, 11, and 12 (Projected Development Site 2): In order 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 façades to ensure an interior noise level not greater than 45 dBA for residential uses or not greater than 50 dBA for commercial office 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.