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, 150 Mill LLC, seeks a zoning map amendment to rezone Brooklyn Block 552 Lots 13, 21, 22, 23, 24, 25 and portions of (p/o) Lots 5, 17, 18, 29, 31, and 34 (the "Affected Area") from M1-1 to M1-5 (the "Proposed Action"). The Proposed Action would facilitate the development of a new 10-story, approximately 67,336 gross square foot (gsf) mixed-use commercial and community facility building on the applicant-owned Block 552, Lot 13 (the "Projected Development Site 1") that would include approximately 9,462 gsf of ground floor commercial retail, 15,144 gsf of community facility, and 41,727 gsf of commercial office (the "Proposed Project").

The Proposed Action would not result in significant adverse impacts to Land Use, Zoning, and Public Policy. The Proposed Action would facilitate the development of a mixed-use commercial and community facility building that would be compatible with the existing commercial uses located on Hamilton Avenue immediately south of the Proposed Project and existing community facility uses adjacent to the west and the north of the Proposed Project. The proposed M1-5 district would allow the same range of uses as the existing M1-1 while increasing the allowable floor area ratio (FAR) for commercial and manufacturing uses from 1.0 to 5.0 and the allowable FAR for community facility uses from 2.4 to 6.5. The Proposed Action would be consistent with public policies relevant to the Affected Area. The Affected Area is within the Southwest Brooklyn Industrial Business Zone (IBZ) and the proposed rezoning to a M1-5 district would not facilitate the development of residential dwelling units nor allow new uses within the IBZ. The Proposed Action would be consistent with the policies set forth in the Waterfront Revitalization Program (WRP# 18-169). Therefore, the analysis concludes that the Proposed Action would not result in significant adverse impacts related to Land Use, Zoning, and Public Policy.

Shadows

A detailed analysis related to shadows is included in this EAS. The detailed shadows analysis indicates that of six sunlight-sensitive resources identified within the shadows study area, development facilitated by the Proposed Action would cast incremental shadows on five sunlight-sensitive resources during at least one of the analysis days mandated by the CEQR Technical Manual. The five sunlight-sensitive resources that would receive incremental shadows are the Admiral Triangle, two Green Streets along Clinton Street to the west of Projected Development Site 1, the Cough Triangle, and the Red Hook Recreation Area.

Incremental shadows resulting from the Proposed Action would reach the Admiral Triangle on the December 21st analysis day for one hour and 15 minutes. No incremental shadows were identified for other analysis days. The incremental shadows resulting from the Proposed Action would not significantly reduce sunlight exposure on this resource and would not affect the public's usability or enjoyment of the Admiral Triangle.

Incremental shadows resulting from the Proposed Action would reach two Green Streets (Sunlight-Sensitive Resource 2 and 3). Both Sunlight-Sensitive Resource 2 and 3 consist of plantings of trees and bushes located within the median of Clinton Street to the west and northwest of the Proposed Project. Incremental shadows would reach Sunlight-Sensitive Resource 2 for two hours between 8:51 a.m. and 10:51 a.m. on the December 21st analysis day, one hour and 18 minutes between 6:27 a.m. to 7:45 a.m. on the May 6th and August 6th analysis days, and for 10 minutes from 6:57 a.m. to 7:07 a.m. on the June 21st analysis day. There are no passive nor active recreation assets within either Sunlight-Sensitive Resource 2 or 3. Both resources would continue to receive eight hours of direct sunlight during the growing season.

Incremental shadows resulting from the Proposed Action would reach the Cough Triangle for one hour on the June 21st analysis day. The Cough Triangle, consisting of benches and tree plantings, would continue to receive 11 hours and four minutes of direct sunlight on the June 21st analysis day. The incremental shadow resulting from the Proposed Project would not significantly reduce sunlight exposure on this resource and would not affect the public's usability or enjoyment of the Cough Triangle.

Incremental shadows resulting from the Proposed Action would reach the Red Hook Recreation Area on the June 21st analysis day for one hour between 5:57 a.m. and 6:57 a.m. Incremental shadows would be cast on two outdoor basketball courts and the northern portion of an outdoor sports field. The incremental shadows would occur within the first 1.5 hours of sunrise and would not affect the public's usability or enjoyment of the sunlight-sensitive resource.

Incremental shadows resulting from the Proposed Action would not significantly reduce the amount of direct sunlight available to any sunlight-sensitive resource including specific features that define any resource's character, use, or survival of the resource's vegetation. Incremental shadows resulting from the Proposed Action would not significantly affect the public's enjoyment of the sunlight-sensitive resources. Therefore, no significant adverse impacts related to shadows would occur as a result of the Proposed Action and no further analysis is required.

Historic and Cultural Resources

An analysis related to historic and cultural resources is included in this EAS. No architectural resources were identified within the Affected Area, however, two architectural resources, the Red Hook Houses and 604 Clinton Street (located within the Red Hook Houses campus) were identified within a 400-foot study area of the Affected Area. The Proposed Project would not introduce incompatible visual, audible, or atmospheric elements, eliminate or screen publicly accessible views of these

resources, or introduce significant shadows to either architectural resource. Therefore, the Proposed Action would not result in significant adverse impacts to architectural resources and no further analysis is necessary.

The Proposed Action would result in new in-ground construction on the Applicant-owned Block 552, Lot 13 ("Projected Development Site 1"). A Phase 1A Archaeological Documentary Study was prepared and determined that it is possible that privies and cisterns may have been in use by residents that occupied the five historic lots that compose what is currently Projected Development Site 1 beginning with the area's residential development in the mid-1850s. The Phase 1A concluded that Projected Development Site 1 is potentially sensitive for archaeological resources and that a program of archaeological field testing be undertaken to determine the presence or absence of 19th-century shaft features and possible yard deposits associated with former residents and commercial endeavors.

In a letter dated January 24th, 2020, the New York City Landmarks Preservation Commission (LPC) stated that the Projected Development Site 1 may be archaeologically significant as there is the potential for the recovery of remains from 19th Century and Native American occupation on Projected Development Site 1 based on archaeological sensitivity models and historic maps.

To ensure that the potential archaeological resources within Projected Development Site 1 are not adversely impacted by construction related to the Proposed Project, the applicant will enter a Restrictive Declaration, to be recorded against Block 552, Lot 13 (Projected Development Site 1) in association with the Proposed Action. The archaeological work will be overseen by LPC prior to the disturbance of Projected Development Site 1. With the implementation of the Restrictive Declaration, the Proposed Action would not result in significant adverse impacts on archaeological resources.

Hazardous Materials, Air Quality, and Noise

An (E) designation (E-699) 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 Sean O'Rourke at sorourke@planning.nyc.gov.

TITLE	LEAD AGENCY
Deputy Director, Environmental Assessment and Review Division	Department of City Planning on behalf of the City Planning Commission 120 Broadway, 31st Fl. New York, NY 10271 | 212.720.3493
NAME Evren Ulker-Kacar, AICP	DATE 3/1/2024
SIGNATURE Evren Ulker Kacar	
TITLE Chair, City Planning Commission	
NAME Daniel R. Garodnick	DATE 3/4/2024
SIGNATURE	

Project Name: 150 Mill Street Rezoning
CEQR # 22DCP016K
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 552, Lot 13

(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-699**) would be established as part of approval of the proposed actions on **Projected Development Site 1** as described below:

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

Hazardous Materials

The (E) designation requirements applicable to **Projected Development Site 1** 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 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.

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Air Quality

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

> **Projected Development Site 1:** Any new commercial and/or community facility development on the above-referenced property must ensure the heating, ventilating, and air conditioning (HVAC) system and hot water equipment stack is located at the building's highest tier and at least 158 feet above grade to avoid any potential significant adverse air quality impacts.

Noise

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

> **Projected Development Site 1:** In order to ensure an acceptable interior noise environment, future community facility/commercial office uses must provide a closed window condition with a minimum of 35 dBA window/wall attenuation on the northern facades facing Mill Street for floors below the BQE and the northeastern facades facing Hamilton Avenue for floors below the BQE and the southeastern facades within 50 feet of Hamilton Avenue for floors below the BQE and 38 dBA of attenuation on the northern facades facing Mill Street for floors at or above the BQE and on the northeastern facades facing Hamilton Avenue for floors at or above the BQE and on the southeastern and eastern facades for floors at or above the BQE and 31 dBA of attenuation on the western facades facing Clinton Street for floors above 15 feet from the ground and 28 dBA of attenuation on the southern facades facing Centre Street within 35 feet from the western lot line for floors above 15 feet from the ground in order to maintain an interior L10 noise level not greater than 45 dBA for community facility uses or not greater than 50 dBA for commercial office uses as illustrated in the EAS Figure 2.87. In order 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, central air conditioning or air conditioning sleeves containing air conditioners.