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, Grace Housing Development Fund Co. Inc., proposes a zoning map amendment and a zoning text amendment (the "Proposed Actions") of approximately 82,555 square feet (sf) "Affected Area", which is generally bounded by Liberty Avenue to the north, Vermont Street to the east, Glenmore Avenue to the south, and Pennsylvania Avenue to the west and split by New Jersey Avenue in the East New York neighborhood of Brooklyn Community District 5. The zoning map amendment would rezone the Affected Area from an R5B zoning district to an R6A zoning district. The zoning text amendment would modify Zoning Resolution ("ZR") Appendix F: Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing ("MIH") Areas for Community District 5, Brooklyn to establish an MIH Area coterminous with the Affected Area. The Proposed Actions would facilitate the development of a 131,404 gross square feet ("GSF") (98,795 zoning square feet ("ZSF"); 3.60 Floor Area Ratio ("FAR")), 7-story, 68-foot tall, residential building on Projected Development Site 1 (Block 3705, Lots 27, 28, 29, 30, 31, 32, 34, 35, 38, and 39) and a 65,824 GSF (51,034 ZSF; 3.44 FAR), 5-story, 60-foot-tall mixed residential and community facility building on Projected Development Site 2 (Block 3705, Lots 9, 10, and 14). Projected Development Site 1 would contain 114 dwelling units (DUs, 29-34 affordable units pursuant to MIH) and 44 residential accessory parking spaces. Projected Development Site 2 would contain 39 DUs (10-12 affordable pursuant to MIH) and 23 residential accessory parking spaces. The project is seeking NYC Housing Preservation and Development (HPD) funding to develop all 153 incremental DUs on Projected Development Sites 1 and 2 as income restricted affordable DUs. For a conservative analysis, the applicant owned Potential Development Site (Block 3704, Lots 26, 27, and 28), is assumed to be developed with 28 units (7-9 affordable pursuant to MIH). The Affected Area would also include Block 3705, Lots 1, 3, 4, 5, 6, 7, 8, 40, 42 and Block 3704, Lots 25, 29, 31, 33, 35, and 36, however no additional development is anticipated as a result of the Proposed Actions on these lots. While the Proposed Actions would result in a change in zoning, and land use, the proposed change would be compatible with the existing character and density in the area, and not alter the development patterns of the area, and therefore would not result in a significant adverse impact with respect to land use, zoning and public policy.

Community Facilities and Services

A detailed analysis related to community facilities and services is included in this EAS. As a result of the preliminary screening, the Proposed Actions would not exceed the thresholds for detailed analysis of public schools, libraries, healthcare facilities, fire or police services. A detailed analysis was required for publicly funded early childhood programs. The analysis concluded that the Proposed Actions would result in 27 additional children under the age of 6 eligible for publicly-funded early childhood, which would increase the utilization rate of publicly funded child care centers from 80.48 percent under the No-Action Condition to 81.79 percent under the With-Action Condition. As the utilization rate does not exceed 100 percent utilization, and the change in utilization is under 5 percent, the Proposed Actions would not result in significant adverse impacts related to publicly funded childhood, and would not result in a significant adverse impact on community facilities and services and further analysis is not required.

Open Space

A detailed analysis related to open space is included in this EAS. Pursuant to the 2021 CEQR Technical Manual, an area with an open space ration (OSR) of 0.50 or less can tolerate up to a 1 percent decrease in the OSR between the Future No-Action and Future With-Action Condition. Although the area has a relatively low OSR of 0.289 under the With-Action Condition, the OSR decrease induced by the Proposed Actions would be 0.90 percent, which is lower than the CEQR threshold for areas with an OSR of 0.50 or less. In addition, there are additional open space resources located within walking distance of the Affected Area, which could help serve local demand for open space and alleviate the shortfall of open spaces within the study area. Also, the Affected Area is located within a Walk to Park Service Area and is therefore not identified as a walk gap area. As a result of the quantitative and qualitative analysis, the Proposed Actions would not have significant adverse impacts on open space and further analysis is not warranted.

Historic and Cultural Resources

A detailed analysis related to historic and cultural resources is included in this EAS. The Proposed Actions would not result in any types of visual and contextual impacts to the known historic resources within the Study Area or introduce any incompatible visual, audible, or atmospheric elements to the settings of historic resources. Though no architectural resources were identified in the project study area, there is potential for the recovery of remains from 19th Century occupation on the project site. A Phase IA report indicated that Affected Area was undeveloped until the late 1840s, and that at least one lot was never developed while others sequentially developed with new buildings replacing older ones. The project site was characterized by a series of residential dwellings dating from the mid-nineteenth century onward. According to the findings of Phase IA report, it is recommended that a Phase 1B including a program of archaeological field testing be undertaken on portions of each historic lot designated as potentially sensitive. This testing would determine the presence or absence of nineteenth-century shaft features and possible yard deposits associated with the former residents and commercial endeavors on the property. The Applicant has prepared an Archeological Restrictive Declaration, which will mandate that the Applicant may not apply for Department of Buildings permits, including certificates of occupancy, until LPC has issued the documents specified in the agreement after the successful completion of archaeological work as recommended in the Phase 1A report. With the Archeological Restrictive Declaration in place, significant adverse impacts to architectural or archaeological resources are not expected because of the Proposed Actions, and further analysis is not warranted.

Project Name: Grace Houses
CEQR # 23DCP108K
SEQRA Classification: Unlisted

Urban Design and Visual Resources

A detailed analysis related to Urban Design and Visual Resources is included in this EAS. The analysis concludes that while the development facilitated by the Proposed Actions could change the urban design of the project area, the development would not adversely impact any of the constituent urban design elements or impact the overall character of the neighborhood. It would not significantly change the pedestrian experience, nor would it disturb the vitality, walkability, or the visual character of the area. Therefore, the Proposed Actions would not result in any significant adverse impact to the constituent elements of Urban Design, and further analysis is not warranted.

Hazardous Materials, Air Quality, and Noise

An (E) designation (E-802) 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 Louise Cafiero at lcafiero@planning.nyc.gov.

TITLE	LEAD AGENCY
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 | 212.720.3328
NAME Stephanie Shellooe, AICP	DATE 11/27/2024
SIGNATURE	

TITLE	
Chair, City Planning Commission	
NAME Daniel R. Garodnick	DATE 12/2/2024
SIGNATURE	

Project Name: Grace Houses
CEQR # 23DCP108K
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 3705, Lots 27, 28, 29, 30, 31, 32, 34, 35, 38, and 39
Projected Development Site 2	Brooklyn	Block 3705, Lots 9, 10, and 14
Potential Development Site 1	Brooklyn	Block 3704, Lots 26, 27, and 28

(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-802**) would be established as part of approval of the proposed actions on **Projected Development Site 1, 2 and Potential Development Site 1** as described below:

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

Hazardous Materials

The (E) designation requirements applicable to **Projected Development Site 1 and 2** 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 3705, Lots 27, 28, 29, 30, 31, 32, 34, 35, 38, and 39 (Projected Development Site 1): *Any new residential development on the above-referenced property must exclusively use natural gas as the type of fuel for the heating, ventilation, and air conditioning (HVAC) system and hot water equipment, and ensure that the stack is located at the building's highest level and at a minimum of 70.7 feet above grade, and that the stack is located at least 30 feet from the property's western lot line facing New Jersey Avenue to avoid any potential significant adverse air quality impacts.*

Block 3705, Lots 9, 10, and 14 (Projected Development Site 2): *Any new residential or community facility development on the above-referenced property must exclusively use natural gas as the type of fuel for the heating, ventilation, and air conditioning (HVAC) system and hot water equipment, and ensure that the stack is located at the building's highest level and at a minimum of 73 feet above grade, and that the stack is located at least 50 feet from the property western lot line facing New Jersey Avenue and at least 20 feet from the property's eastern lot line facing Vermont Street to avoid any potential significant adverse air quality impacts.*

Block 3704, Lots 26, 27, and 28 (Potential Development Site 1): *Any new residential development on the above-referenced property must exclusively use natural gas as the type of fuel for the heating, ventilation, and air conditioning (HVAC) system and hot water equipment, and ensure that the stack is located at the building's highest level and at a minimum of 93 feet above grade, and that the stack is located at least 40 feet from the property's western lot line facing Pennsylvania Avenue to avoid any potential significant adverse air quality impacts.*

Noise

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

Block 3705, Lots 27, 28, 29, 30, 31, 32, 34, 35, 38 and 39 (Projected Development Site 1): *In order to ensure an acceptable interior noise environment, future residential use must provide a closed window condition with a minimum of 28 dB(A) window/wall attenuation on the facade facing Vermont Street, the facade facing Liberty Avenue within 50 feet of Vermont Street, the facade facing Glenmore Avenue, and the facade facing New Jersey Avenue within 50 feet of Glenmore Avenue to maintain an interior noise level not greater than 45 dB(A) for residential use. 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, air conditioning.*