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 proposed actions include a Zoning Map Amendment to rezone the project area (Brooklyn Block 6621, Lots 22, 28, and 42 (p/o), a.k.a. the "Rezoning Area") from an R5B zoning district to an R6A district, as well as a Zoning Text Amendment to map a Mandatory Inclusionary Housing area coterminous with the Rezoning Area (the "Proposed Actions") in the Bensonhurst neighborhood of Brooklyn Community District 11. The project area is located on the west side of West 10th Street, near its intersection with Kings Highway. The Proposed Actions would facilitate the redevelopment of Lot 28 with a 35,901 gsf mixed-use building with 27 residential units, an adult daycare center, and accessory parking. The Proposed Actions would result in changes in land use and zoning in the project area, however, these changes would be compatible with the existing character of the surrounding neighborhood and the proximity to Kings Highway, the change in land use and zoning would not constitute a significant adverse impact.

Urban Design and Visual Resources

A detailed analysis related to Urban Design and Visual Resources is included in this EAS. The Proposed Actions are consistent with the urban design character of the surrounding blocks and would not change the street grid or topography of the area. In addition, there were no visual resources identified in the vicinity of the project area. Furthermore, due to the characteristics of the surrounding area and of the proposed development, no pedestrian safety impacts due to wind channelization or vortex effects are anticipated. Therefore, the Proposed Actions would not result in significant adverse impacts due to urban design or visual resource considerations.

Hazardous Materials, Air Quality, and Noise

An (E) designation (E-710) related to hazardous materials and air quality 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 and air quality analyses conclude that with the (E) designation in place, the proposed actions would not result in a significant adverse impact related to hazardous materials and air quality.

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 ABRAHAM ABREU at aabreu@planning.nyc.gov..

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NAME Evren Ulker-Kacar, AICP	DATE 2/10/2023
SIGNATURE Evren Ulker Kacar	
TITLE Chair, City Planning Commission	
NAME Daniel R. Garodnick	DATE 2/13/2023
SIGNATURE	

Project Name: 1656 West 10th Street Rezoning
CEQR # 23DCP014K
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 6621, Lot 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-710**) 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	

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 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.

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Air Quality

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

> ***Projected Development Site 1:*** *To avoid any significant adverse HVAC source impacts from the proposed project on existing nearby sensitive receptors, an (E) designation would be placed on Projected Development Site 1. The air quality text of E-710 would be as follows:*
>
> ***Block 6621, Lot 28 (Projected Development Site 1):*** *Any new residential and/or community facility development on the above-referenced property must ensure the heating, ventilation, and air conditioning (HVAC) system and hot water equipment stack is located at the highest tier and at least 85 feet above grade to avoid any potential significant adverse air quality impacts.*