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, Web Holdings, LLC, is requesting a zoning map amendment to change the existing M3-1 zoning district on Brooklyn Block 2403, Lots 1, 15, 31, 33, 41 and portions of ("p/o") Lots 37 and 7501 (collectively the "Project Area") to an M1-3A/R7X (MX-8) district on Lots 1, 15, and 41, and to an M1-2A district on Lots 31, 33, p/o 37 and p/o 7501 and a zoning text amendment to Zoning Resolution (ZR) Appendix F to establish Lots 1, 15, and 41 as a Mandatory Inclusionary Housing (MIH) area (collectively, the "Proposed Actions"). The Proposed Actions would facilitate the applicant's proposed development of a 236.25-foot-tall building including mechanical bulkhead, 301,499 total gross square foot (GSF) mixed-use residential and commercial building consisting of 267,824 GSF of residential use containing 278 dwelling units ("DUs") of which 20% to 30% of units (56-83) would be affordable at an average of 40% to 80% area median income (AMI) pursuant to MIH options 1, 2, or 3, and 33,675 GSF of local retail commercial use on applicant-owned Block 2403, Lots 1 and 41 in the Williamsburg neighborhood of Brooklyn Community District 1 ("Projected Development Site 1"). To present a conservative analysis, the EAS also analyzes a With-Action Condition of two non-applicant owned Projected Development Sites; Projected Development Site 2 on Block 2403 Lot 15 would consist of a 200-foot-tall building including mechanical bulkhead, mixed-use 63,057 total GSF building consisting of 54,863 GSF of residential uses containing 57 DUs, of which 20% to 30% of units (11-17) would be affordable at an average of 40% to 80% AM pursuant to MIH options 1, 2, or 3, and 8,194 GSF of local retail; and Projected Development Site 3 on Block 2403 p/o Lot 37 which would consist of a 130-foot tall building including mechanical bulkhead, mixed-use 51,309 total GSF building containing 34,206 GSF of commercial uses and 17,103 GSF of community facility uses. The Proposed Actions would permit the addition of residential uses and expansion of commercial and community facility uses while light manufacturing would continue to be permitted. The proposed zoning's permitted uses and with-action condition's mix of uses would be consistent with the wide range of existing secondary study land uses such as the mixed-use residential and commercial developments, the commercial/office uses, the community facility/institutional uses in the secondary study area's eastern portion, and the interspersed industrial/manufacturing uses throughout the secondary study area. The proposed M1-3A (MX-8) and M1-2A zoning zoning districts would facilitate development that would scale appropriately between development along waterfront sites in the western portion of the secondary study area and the multifamily walk-up buildings in the eastern portion of the secondary study area. Additionally, existing zoning districts in the secondary study area include three special mixed-use districts (MX-8) to the northeast and south of the primary study area, including an M1-2/R6 district that adjoins the primary study area to the north, and a high-density R8 district permitting similar heights and bulk is located to the west of the primary study area. Additionally, the remainder of the primary study area lots that would be rezoned M1-2A (Block 2403, Lots 31, 33, and p/o 7501) would remain in their existing/No-Action condition of commercial uses on Lot 31, mixed-use nonconforming residential and commercial on Lot 33, and p/o Lot 7501 containing a one-story commercial retail portion of the larger mixed-use residential building on the portion outside of the primary study area in the With-Action Condition. The Proposed Actions would be consistent with the policies set forth in the Waterfront Revitalization Program (WRP #24-009). Therefore, the Proposed Actions would not result in a significant adverse impact to Land Use, Zoning, or Public Policy.

Open Space

A detailed analysis of open space is included in the EAS. The incremental increase of 727 residents exceeds the CEQR Technical Manual threshold of 200 new residents for a detailed indirect open space analysis. The detailed analysis shows that between the no-action and with-action conditions, the total open space ratio (OSR) would decrease from .506 to .498 acres per 1,000 residents, the active OSR would decrease from .221 to .217 acres per 1,000 residents, and the passive OSR would decrease from .285 to .280 acres per 1,000 residents, reflecting a decrease of 1.70% in each total, active, and passive OSRs. With the Proposed Actions, the percent change in the passive OSR (-1.70%) would not exceed the passive percentage change threshold (-3%). However, the percent change in the total and active OSR (-1.70%) exceeds the -1% threshold for each. However, the qualitative assessment shows that the open space resources included in the quantitative analysis were found to be in good or excellent condition with low to moderate utilization rates which suggests additional demand generated by the new development would be accommodated. Additionally, the 7-acre Marsha P. Johnson State Park and 35-acre Bushwick Inlet Park were not included in the quantitative analysis but are located just north of the open space study area, approximately 12-minute (0.5 miles) and 15-minute (0.6 miles) walks, respectively, from the Project Area. Overall, the quantitative open space deficiency would be ameliorated by several qualitative factors. Therefore, the Proposed Actions would not result in a significant adverse impact to open space.

Shadows

A detailed analysis of shadows is included in the EAS. The tier 3 screening shows that Projected Development Sites 1-3 facilitated by the Proposed Actions would have the potential to cast incremental shadows on the sunlight-sensitive open space resources of Domino Park, Refinery Plaza, Grand Ferry Park, William Sheridan Playground, River Ring Open Space, and Domino Square and the sunlight-sensitive natural resource of the East River. The detailed analysis shows that Domino Park would receive incremental shadow on the March 21/September 21 analysis day for 29 minutes (7:54am-8:23am), the May 6/August 6 analysis day for 1 hour and 17 minutes (6:49am-8:06am), the June 21 analysis day for 9 minutes (7:34am-7:43am), and the December 21 analysis day for 1 hour and 8 minutes (8:55am-10:23am). Refinery Plaza would receive incremental shadow on the May 6/August 6 analysis day for 1 hour and 4 minutes (6:50am-7:54am) and on the June 21 analysis day for 43 minutes (7:35am-8:18am). William Sheridan Playground would receive incremental shadow on the May 6/August 6 analysis day for 36 minutes (4:40pm-5:16pm). The East River would receive incremental shadow on the March 21/September 21 analysis day for 38 minutes (7:36am-8:14am), the May 6/August 6 analysis day for 45 minutes (6:51am-

7:36am) and the December 21 analysis day for 1 hour and 2 minutes (8:51am-9:53am). Grand Ferry Park would not receive any incremental shadow. The incremental shadows would be of limited coverage and duration ranging from nine minutes to one hour and 28 minutes and are generally limited to the early morning hours. At William Sharidan Playground, incremental shadows would be limited to afternoon and early evening hours and decrease and would move eastward becoming eclipsed by shadows cast by existing buildings at about 5:00pm. The shadows are not static and move from west to east throughout the day and during the growing season, the open space and natural resource sunlight-sensitive features would receive adequate direct sunlight of at least six-to eight-hours per day. For all four resources receiving incremental shadow, existing and/or no-action background development buildings adjacent to the Project Area already shadow portions of the resources at similar times during the analysis period and therefore the incremental shadows cast by the Projected Development Sites do not add significantly to the size or duration of the shadow coverage. Regarding the East River, the swift moving current carries organisms quickly through the area covered by shadows and any stationary plants and organisms would primarily be located at the river bottom and which received limited sunlight in the existing and No-Action conditions such that the incremental shadow would not create a noticeably different condition at the river bottom. Overall, the extent and duration of the incremental shadows would not significantly reduce or eliminate direct sunlight exposure on any of the sunlight-sensitive open space or natural resources and would not alter the public's use of passive areas or viability of vegetation. Therefore, the Proposed Actions would not result in significant adverse shadows impacts.

Historic and Cultural Resources

A detailed analysis of historic and cultural resources is included in the EAS. Regarding archaeological resources, the lots comprising the Project Area were determined to not contain any archaeological significance and therefore an archaeological analysis is not warranted, and the Proposed Actions would not have the potential to result in any significant adverse archaeological impacts. Regarding architectural resources, there are several resources within a 400-foot study area radius surrounding the primary study area: S/NR Eligible Fulton Bag and Cotton Mills Company Building, Grand Street Historic District (which includes S/NR Eligible former Northside Savings Bank), Rectory for Saints Peter and Paul Roman Catholic Church, McCaddin Memorial Hall, Romanesque Revival Apartments, and S/NR Eligible and New York City Landmark (NYCL)/Landmarks Preservation Commission (LPC)-designated Havemeyers & Elder Filter, Pan, and Finishing House (American Sugar Refinery/Domino Sugar Refinery). The Proposed Actions would introduce consistent uses within the study area, would not alter the resources' relationship with the streetscape, and public views of the resource would remain in view corridors on the resources' adjacent streets and sidewalks and therefore the Proposed Actions would not result in development that would diminish the qualities that make the resources historically significant and no indirect or contextual impacts to historic architectural resources would occur. The NYCL Designated/S/NR-Eligible resource of the Havemeyers & Elder Filter, Pan, and Finishing House is within 90ft of applicant-owned Projected Development Site 1, and the S/NR-Eligible Fulton Bag and Cotton Mills Company Building is within 90ft of the Projected Development Sites 1, 2 and 3. Additional protective measures through the Department of Buildings (DOB) Technical Policy and Procedure Notice (TPPN) #10/88 apply to NYCL Designated resources located within 90ft of a construction site. Therefore, the development on Projected Development Site 1 would be subject to TPPN #10/88 due to being within 90ft of the Havemeyers & Elder Filter, Pan, and Finishing House. In addition, the Applicant will prepare and implement an LPC-approved Construction Protection Plan (CPP) consistent with TPPN #10/88 for Projected Development Site 1 (Block 2403, Lots 1 and 41) which would cover resources within 90ft of the site including S/NR-Eligible Fulton Bag and Cotton Mills Company Building and NYCL Designated/S/NR-Eligible Havemeyers & Elder Filter, Pan, and Finishing House. This requirement would be codified in conjunction with the Proposed Actions in a Restrictive Declaration to be placed on Projected Development Site 1 (Block 2403, Lots 1 and 41). Non-applicant owned Projected Development Sites 2 and 3 would develop in both the as-of-right No-Action condition and the With-Action condition and there are no other architectural historic resources within 90 ft of the Projected Development Sites 2 and 3. Therefore, the Proposed Actions would not result in significant adverse construction-related impacts to historic architectural resources. Additionally, although a portion of the S/NR-Eligible Fulton Bag and Cotton Mills Company Building on Block 2403, Lot 7501 is within the Project Area, no changes to this lot would occur with the Proposed Actions as it is not a Projected Development Site and no other lots that comprise the Project Area or primary study area contain architectural resources and therefore the Proposed Actions would not result in any direct impacts to historic architectural resources. Overall, The Proposed Actions would not result in a significant adverse impact to historic and cultural resources.

Construction

A detailed analysis of construction is included in this EAS. Construction activity associated with the Proposed Actions is expected to exceed 24 months in duration which is considered long-term. The analysis concluded that no construction transportation impacts would occur as there would be no parking shortfall during peak construction, peak pedestrian demand from construction workers would not need the 200 trips/hour threshold, peak transit demand from construction workers would not meet the 200 trips/hour nor the 50 trips/hour/direction analysis threshold for a detailed subway or bus analysis, and construction vehicle trips would not exceed the 50 trip/hour analysis threshold at any intersection during AM and PM construction peak hours. Regarding construction air quality, standard measures would be taken to reduce air pollutant emissions during construction in accordance with all applicable laws, regulations, and building codes and, in addition, requirements would be recorded as Project Components Related to the Environment (PCRE's) to further reduce air pollutant emissions during construction at Projected Development Site 1 such as utilization of newer equipment and best available tailpipe reduction technologies as explained in the EAS. Regarding construction noise, construction activities must follow the requirements of the New York City Noise Control Code for construction noise control measures, and, in addition, further source and path control requirements would be recorded as PCRE's including source controls such as generators shall not exceed the Lmax noise level limit of 72 dBA at 50ft and no impact pile or sheeting driving would be utilized for construction, and path controls such as concrete operations (i.e., concrete pump and concrete truck washout) would be staged inside the site-perimeter barrier along South 1st street and during concrete operations, the noise barrier along the area where concrete operations are staged would be 12ft tall and cantilevered towards the work area, and 8ft tall along any remaining perimeter as explained in the EAS. These PCRE's would be codified in conjunction with the Proposed Actions in a Restrictive Declaration to be placed on Projected Development Site 1 (Block 2403, Lots 1 and 41). Additionally, the Construction Protection Plan (CPP) would be codified in a Restrictive Declaration to be placed on Projected Development Site 1 (Block 2403 Lots 1 and 41) and therefore the Proposed Actions would not result in construction-related impacts to historic and cultural resources. Therefore, the Proposed Actions would not result in a significant adverse construction period impact.

Disadvantaged Communities Assessment

An assessment of the Proposed Actions' potential effects on disadvantaged communities is included in this EAS. The Project Area is located within a designated disadvantaged community according to the NYSDEC Disadvantaged Community Assessment Tool (DACAT). The Proposed Actions would not result in significant adverse impacts in the following technical areas analyzed in the EAS: land use, zoning, and public policy, socioeconomic conditions, open space, shadows, historic and cultural resources, urban design and visual resources, hazardous materials, air quality, noise, public health, neighborhood character, or construction. As such, the Proposed Actions would not disproportionately affect any disadvantaged communities, nor would they cause or increase a disproportionate pollution burden on disadvantaged communities.

Project Name: 289 Kent Avenue Rezoning
CEQR # 26DCP046K
SEQRA Classification: Type I

Hazardous Materials, Air Quality, and Noise
An (E) designation (E-905) 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 Erin Whitney at ewhitney@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 April 9, 2026
SIGNATURE	

TITLE	
Sideya Sherman, Chair, City Planning Commission	
NAME	DATE April 13, 2026
SIGNATURE	

Project Name: 289 Kent Avenue Rezoning
CEQR # 26DCP046K
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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 2403, Lots 1 and 41
Projected Development Site 2	Brooklyn	Block 2403, Lot 15
Projected Development Site 3	Brooklyn	Block 2403, Lot 37

(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-905**) would be established as part of approval of the proposed actions on **Projected Development Site 1, Projected Development Site 2, and Projected Development Site 3** as described below:

Development Site	Hazardous Materials	Air Quality	Noise
Projected Development Site 1	X	X	X
Projected Development Site 2	X	X	
Projected Development Site 3	X	X	

Hazardous Materials

The (E) designation requirements applicable to Projected Development Site 1 (Block 2403, Lots 1 and 41), Projected Development Site 2 (Block 2403, Lot 15), and Projected Development Site 3 (Block 2403, Lot 37) 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.

Air Quality

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

Projected Development Site 1 (Block 2403, Lots 1 and 41): *Any new development shall utilize only electrically powered heating and hot water systems, to avoid any potential significant adverse air quality impacts.*

Projected Development Site 2 (Block 2403, Lot 15): *Any new development shall utilize only electrically powered heating and hot water systems, to avoid any potential significant adverse air quality impacts.*

Projected Development Site 3 (Block 2403, Lot 37): *Any new development shall utilize only electrically powered heating and hot water systems, to avoid any potential significant adverse air quality impacts.*

Noise

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

Projected Development Site 1 (Block 2403, Lots 1 and 41): *To ensure an acceptable interior noise environment, future community facility uses must provide a closed-window condition with a minimum window/wall attenuation of 35 dBA on the west façade facing Kent Avenue, north façade facing South 1st Street within 50 feet of Kent Avenue, and south façade facing South 2nd Street within 50 feet of Kent Avenue in order to maintain an interior noise level not greater than 45 dBA for community facility uses or not greater than 50 dBA for commercial office uses. The north and south façades require no building attenuation beyond 50 feet from Kent Avenue. The east and block-interior-facing façades require no building attenuation. 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.*