NEGATIVE DECLARATION (Use of this form is optional)

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 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 EAS, which 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.

Air Quality, Noise
An (E) designation (E-490) for noise has been incorporated into the sites affected by the proposed actions. Refer to "Determination of Significance Appendix 1: (E) Designation" for a list of the sites affected by the proposed (E) designation and applicable requirements. With these measures in place, the proposed actions would not result in significant adverse impacts related to air quality or noise.

Land Use, Zoning and Public Policy
A detailed analysis of Land Use, Zoning and Public Policy is included in this EAS. The analysis concludes that the Proposed Actions, which would facilitate the development of a new mixed use residential and commercial office building, would not generate new land uses that would be incompatible with the current land uses within the Study Area, as the Study Area currently contains mixed-use residential and commercial land uses. The analysis further concludes that there would be no significant adverse impacts related to Zoning. The Proposed Actions would facilitate an increase in commercial density that would be consistent with and complementary to the goals of the Special Downtown Brooklyn District. Additionally, the Proposed Actions would be consistent with the goals of the applicable Public Policies in the Study Area, including the Downtown Brooklyn Development Plan, the Brooklyn Center Urban Renewal Plan, and the Downtown Brooklyn Partnership - MetroTech Business Improvement District.

Shadows
A detailed analysis of Shadows generated is included in this EAS. As a result of the proposed actions, incremental shadows would fall on four sunlight-sensitive resources: Fort Greene Park, Fox Square, St. Nicholas Cathedral, and University Place. Considering the following factors: the projected duration of the incremental shadows, the percentage of incremental shadow coverage on the affected resources, the availability of other sunlit areas nearby, the effect on peak usage times, and the number of analysis days a shadow is projected to reach affected sunlight-sensitive resources, the analysis finds that the shadows cast by the proposed project would not result in significant adverse impacts.

Historic and Cultural Resources
A detailed analysis of Historic and Cultural Resources is included in this EAS. The New York City Landmarks Preservation Commission (LPC), upon consultation, determined that there were no archaeological resources of concern in the Study Area. The Study Area contains three architectural resources: the Pioneer Warehouse, the Strand Theatre, and the Fort Greene Historic District. The analysis concludes that the Proposed Actions would not result in significant adverse impacts to the architectural resources in the Study Area, as the architectural resources are located more than 90 feet from the proposed Development Site. The Proposed Actions would also not introduce significant shadows over a historic landscape or an architectural resource with sunlight-sensitive features.

Urban Design
A detailed analysis of Urban Design and Visual resources is included in this EAS. The analysis concludes that the proposed actions would not result in significant adverse impacts related to urban design or visual resources. The Proposed Actions would facilitate a mixed-use building that would be consistent in height with the range of building heights in the Study Area. No significant visual resources or view corridors were identified at the proposed Development Site or in the Study Area, and the Proposed Actions would not result in substantial changes to the street-scape of the neighborhood, affect the pedestrian experience, noticeably change the scale of buildings, or result in substantial changes to the built environment of a historic district. The Proposed Actions would result in development consistent with the character of Urban Design in the Study Area.

Hazardous Materials
A detailed analysis of Hazardous Materials is included in this EAS. The New York City Department of Environmental Protection (DEP), in a letter dated May 10, 2018, approved a Remedial Action Plan (RAP) and Construction Health and Safety Plan (CHASP) prepared by the Applicant. The analysis concludes that with the measures identified in the RAP and CHASP included as part of the Proposed Actions, no significant adverse impacts related to hazardous materials would occur.

Transportation
A detailed analysis of Transportation-Pedestrian traffic was included in this EAS. The analysis conducted shows that the Proposed Actions would not generate incremental vehicular or transit trips that meet the threshold for detailed analysis, or for an analysis of parking supply and utilization, per the CEQR Technical Manual, and would not result in significant adverse impacts to these categories. The detailed analysis on Pedestrian traffic concludes that the pedestrian volumes generated as a result of the Proposed Actions would not result in a significant adverse impact to the levels of service for the sidewalks in the Study Area. Additionally and separately from the Proposed Actions, the owner of the adjacent property at 1 Flatbush Avenue (Block 2106, Lot 26) was granted a certification for the waiver of subway stair relocation requirements and would undertake, at its own cost and expense, certain improvements to the stairways that New York City Transit, (NYCT) determined to be warranted in connection with the development of 1 Flatbush Avenue.

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)

TITLE	LEAD AGENCY
Deputy Director, Environmental Assessment and Review Division	Department of City Planning, acting on behalf of the City Planning Commission
NAME	DATE
Olga Abinader	08/17/18
SIGNATURE	

TITLE Chair, City Planning Commission	
NAME Marisa Lago	DATE 08/20/2018
SIGNATURE	

Appendix 1: (E) Designations

Air Quality

To ensure that the proposed actions would not result in significant adverse air quality impacts, an E designation (E-490) will be placed on the following sites as described below:

Development Site (Block 2106, Lot 35)

To avoid any potential significant air quality impacts, any new development on Block 2106, Lot 35 must utilize only natural gas in any fossil fuel-fired heating and hot water system, the systems shall be fitted with low NOx (30 ppm) burners, and ensure that fossil fuel-fired heating and hot water exhaust stack(s) be at least 509 feet above grade. Exhaust stacks must also be located at least 20 feet from the lot line of Lot 35 facing Rockwell Place at least 30 feet from the lot line of Lot 35 facing Fulton Street.

Potential Enlargement Site (Block 2106, p/o Lot 24)

To avoid any potential significant air quality impacts, any new development on Block 2106, Lot 24 must utilize only natural gas in any fossil fuel-fired heating and hot water system. The systems shall have a total maximum firing capacity of 0.71 MMBtu per hour, be fitted with low NOx (30 ppm) burners, and ensure that fossil fuel-fired heating and hot water exhaust stack(s) be at least 118 feet above grade. Exhaust stacks must also be located at least 55 feet from the lot line of Lot 24 facing 570 Fulton Street and at least 50 feet from the northern lot line of Lot 24 facing the intersection of Fulton Street and Flatbush Avenue.

Noise

To ensure that the proposed action would not result in significant adverse noise impacts, an E designation (E-485) will be incorporated as described below.

The text for the (E) Designation would be as follows:

(Block 2106, Lot 35, Block 2106, p/o Lot 24)

To ensure an acceptable interior noise environment, the building façade(s) of future development must provide minimum composite building façade attenuation as shown in Table I-5, in order to maintain an interior L10 noise level not greater than 45 dBA for residential, educational, and child care uses or not greater than 50 dBA for commercial, administrative, and office uses. To maintain a closed-window condition in these areas, an alternate means of ventilation that brings outside air into the building without degrading the acoustical performance of the building façade(s) must also be provided.

Table I-5
CEQR Building Attenuation Requirements in dBA

Location	Receptor Site	Maximum L_{10}	Attenuation Required[1]
Development Site	1	77.5	33
Potential Enlargement (Lot 24)	2	78.2	35

Note: [(1)] Attenuation values are shown for residential, educational, and child care uses; commercial, administrative/office uses would require 5 dBA less attenuation.