NYC PLANNING

ENVIRONMENTAL ASSESSMENT AND REVIEW DIVISION

Marisa Lago, *Director*
Department of City Planning

Suydam, Inc.
c/o Anne Tirchwell
60 Sackett Street
Brooklyn, NY 11231

Re:	**Suydam Street Rezoning**
CEQR No.	18DCP177K
ULURP No(s).	C 200344ZMK, C 200326ZSK, N200343ZRK
SEQRA Classification:	Unlisted
Brooklyn Community District:	BK04

Dear Anne Tirchwell,

Under City Environmental Quality Review, the lead agency is required to determine whether a proposed action may have a significant adverse impact on the environment. In accordance with this regulation, the City Planning Commission has determined that the proposed action would not have a significant adverse impact on the environment.

Enclosed is the Negative Declaration for CEQR No. 18DCP177K, Suydam Street rezoning, including supporting statements for the finding that the proposed actions would not have a significant adverse impact on the environment. The Negative Declaration was issued on November 2, 2020.

Sincerely,

Stephanie Shellooe, AICP, *Deputy Director*

November 2, 2020
Date

cc: Project File
Marisa Lago, Chair
City Planning Commissioners
Raju Mann, Director, City Council Land Use Division
Eric Adams, Brooklyn Borough President
Brooklyn Community Board BK04

Olga Abinader, *Director,* (212) 720-3493 | oabinad@planning.nyc.gov
Stephanie Shellooe, AICP, *Deputy Director,* (212) 720-3328 | sshellooe@planning.nyc.gov
120 Broadway, 31st Floor, New York, N.Y. 10271 | Fax: (212) 720-3488

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, Suydam, Inc. and 3210 Willoughby LLC., is seeking a zoning map amendment to rezone portions of Brooklyn Block 3210 from M1-1 to M1-5, MX (M1-5/R7D), and R6. This action would facilitate the construction of a new residential building at 1250 Willoughby Avenue (Block 3210, Lots 16, 17, 18, 19, 20, and 21), comprised of 95 dwelling units, and the enlargement of an existing manufacturing building at 349 Suydam Street (Block 3210, Lots 48 and 51) in the Bushwick neighborhood of Brooklyn, Community District 4. The applicant is also seeking a zoning text amendment to create a new Special Mixed-Use District for the mixed-use portion of the Project Area (Block 3210, Lots 15, 16, 17, 18, 19, 20, and 21); a zoning text amendment to Appendix F of the Zoning Resolution (ZR) to establish the MX portion of the proposed rezoning area (Block 3210, Lots 15, 16, 17, 18, 19, 20, and 21) as a Mandatory Inclusionary Housing ("MIH") Area; and a special permit pursuant to ZR § 74-533, a reduction of parking spaces to facilitate affordable housing, to eliminate the 35 required accessory off-street parking spaces for the proposed residential building on Block 3210, Lots 16-21. The Proposed Actions would reinforce the trend towards a more active mixed-use neighborhood, which is heavily represented to the east of the Proposed Rezoning Area and in the blocks immediately to the west. Therefore, the Proposed Actions are not expected to have any significant adverse impacts on land use, zoning and public policy.

Shadows

A detailed analysis related to shadows is included in this EAS. Results of the detailed shadow analysis indicate that incremental shadows from the Reasonable Worst-Case Development Scenario have the potential to reach the P.S. 123 Playground during the March, June, and May analysis periods, and the Willoughby-Suydam National Historic District in the December analysis period. A shadow impact occurs when the incremental shadow from a proposed project falls on a sunlight-sensitive resource or feature and reduces its direct sunlight exposure. Determining whether this impact is significant or not, under CEQR, depends on the extent and duration of the incremental shadow and the specific context in which the impact occurs. Incremental shadows would only be cast on the historic district during the December analysis period and would only be cast on the district for approximately 22 minutes. As the buildings in the historic district do not have any stained-glass windows and given the short amount of time the district would experience incremental shadow, significant adverse impacts related to shadows to this resource are not expected and no further analysis is warranted. Incremental shadows would be cast on the P.S. 123 Playground during three of the four analysis periods (March, May, and June). Incremental shadows would be cast on the resource for up to 4 hours and 34 minutes in the early morning hours. Due to the time and duration of the incremental shadow, the proposed actions would not affect the usability of the open space resource and no further analysis is warranted. Therefore, significant adverse impacts with regards to shadows are not expected to occur.

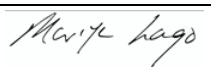
Hazardous Materials and Air Quality

An (E) designation (E-583) 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 or 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 Stephanie Shellooe at 212-720-3328.

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 | 212.720.3328
NAME	DATE
Stephanie Shellooe, AICP	October 30, 2020
SIGNATURE 	

Project Name: Suydam Street Rezoning
CEQR # 18DCP177K
SEQRA Classification: Unlisted

TITLE Chair, City Planning Commission	
NAME Marisa Lago	DATE November 2, 2020
SIGNATURE 	

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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 3210, Lots 48 and 51
Projected Development Site 2	Brooklyn	Block 3210, Lots 15, 16, 17, 18, 19, 20 and 21

(E) Designation Requirements

To ensure that the proposed actions would not result in significant adverse impacts related to hazardous materials and air quality, an (E) designation (**E-583**) would be established as part of approval of the proposed actions on **Projected Development Site 1 and Projected Development Site 2** as described below:

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

Hazardous Materials

The (E) designation requirements 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 (Block 3210, Lots 48 and 51)

HVAC Sources

Any new development or enlargement on the above referenced property must provide a heating, ventilation, air conditioning (HVAC) stack to be located at least 70 feet from its northwestern lot line facing Willoughby Avenue to avoid potential significant adverse air quality impacts.

Industrial Sources

To preclude the potential for significant adverse air quality impacts from manufacturing uses, any processes that require an NYC DEP Certificate of Operation (C of O) must provide an air quality analysis to OER prior to obtaining a Notice of Satisfaction in order to demonstrate that such process would not cause a significant adverse air quality impact.

Projected Development Site 2 (Block 3210, Lots 15, 16, 17, 18, 19, 20 and 21)

Any new residential development on the above-referenced property must ensure that the heating ventilation and air conditioning (HVAC) system stack is located at least 118 feet above grade to avoid any significant adverse air quality impacts.