Project Name: 5914 Bay Parkway
CEQR #: 19DCP208K
SEQRA Classification: Unlisted

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 project. 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 project would not have a significant adverse impact on the environment.

Reasons Supporting this Determination

The above determination is based on information contained in the 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.

Land Use, Zoning, and Public Policy

This EAS includes a detailed an analysis of the effects of the proposed actins on Land Use, Zoning, and Public Policy and determined that no significant impacts would occur. The proposed actions would consist of a zoning map amendment to rezone the project site from an R5 zoning district to an R6/C2-4 zoning district, and zoning text amendment to designate the project site as an MIH area, coterminous with the rezoning area, pursuant to Appendix F of the Zoning Resolution. The EAS analyzed the proposed development as the reasonable worst case development scenario. The proposed actions would facilitate a development of 47,603 zoning square feet; the residential component of the proposed development would consist of approximately 42,569 gsf, including 42 residential units, nine of which would be permanently affordable MIH units. The proposed rezoning would extend the existing zoning district immediately to the south to the project site, and would permit neighborhood-serving commercial uses. The proposed action would not introduce any new land uses to the area that are not permitted under existing or no-action condition, which represents the thresholds of impact significance in the *CEQR Technical Manual*. The analysis concludes that the proposed action would not result in any significant adverse Land Use, Zoning, or Public Policy impacts.

Hazardous Materials, Air Quality, and Noise

An (E) designation (E-554) related to hazardous materials, air quality and noise has been assigned to site(s) affected by the proposed actions. Refer to "Determination of Significance Appendix: (E) Designation" for a list of these sites and all applicable (E) designation requirements. With the (E) designation measures in place, the proposed actions would not result in significant adverse impacts related to hazardous materials, air quality and 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 Katherine Glass at (212) 720-3425.

TITLE	LEAD AGENCY
Director, Environmental Assessment and Review Division	Department of City Planning, acting on behalf of the City Planning Commission 120 Broadway, 31st Fl. New York, NY 10271 | (212) 720-3493
NAME Olga Abinader	DATE November 8, 2019
SIGNATURE	

TITLE
Vice Chair, City Planning Commission

NAME	DATE
Kenneth J. Knuckles, Esq.	November 12, 2019
SIGNATURE	

Determination of Significance Appendix: (E) Designation

To ensure that there would be no significant adverse hazardous materials, air quality, noise impacts associated with the proposed project, an (E) designation (E-554) will be assigned to projected development sites as explained below.

Projected Development Site 1:

Block 5515, Lots 43, 44, 45 and 46

Hazardous Materials

Task 1

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

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

To ensure that there are no significant adverse impacts from HVAC systems of the proposed buildings, certain restrictions would be required through the mapping of an (E) designation for air quality regarding fuel type and stack location.

The (E) Designation text would be as follows:

Brooklyn Block 5515, Lots 43, 44, 45, and 46

Any new residential and/or commercial development or enlargement on the above referenced properties must ensure that the heating, ventilation, and air conditioning (HVAC) stack(s) is located at the highest tier or at least 98 feet above grade to avoid any significant adverse air quality impacts.

Noise:

The following E-designation commitment for Noise will be assigned to the project site:

Brooklyn Block 5515, Lots 43, 44, 45 and 46

"In order to ensure an acceptable interior noise environment, future residential/commercial office/community facility uses must provide a closed-window condition with a minimum of 33 dBA window/wall attenuation on all facades in order to maintain an interior noise level not greater than 45 dBA for residential and community facility uses or not greater than 50 dBA for commercial office uses. 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."