ENVIRONMENTAL ASSESSMENT AND REVIEW DIVISION

Anita Laremont, *Director*
Department of City Planning

November 30, 2021

Zucker Enterprises, LLC
c/o Richard Lobel
Sheldon Lobel, PC
18 E 41st St
New York, NY 10017

Re:	**840 Lorimer Street Rezoning**
CEQR No.	21DCP078K
ULURP No(s).	C210299ZMK, N210300ZRK
SEQRA Classification:	Unlisted
Brooklyn Community District:	BK01

Dear Richard Lobel,

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. 21DCP078K, 840 Lorimer 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 29, 2021.

Sincerely,

Stephanie Shellooe, AICP, *Deputy Director*

November 30, 2021
Date

cc: Project File
Anita Laremont, Chair
City Planning Commissioners
Raju Mann, Director, City Council Land Use Division
Eric Adams, Brooklyn Borough President
Brooklyn Community Board BK01

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 proposed actions are a Zoning Map Amendment to rezone the project area (Brooklyn Block 2679, Lots 32, 34, 42, and 43) from M1-2/R6 (MX-8) and R6A/C2-4 to C4-5D, and a Zoning Text Amendment to establish a Mandatory Inclusionary Housing area coterminous with the rezoning area in the Greenpoint neighborhood of Brooklyn Community District 1. The predominant land uses in the surrounding area are residential, mixed-use, and open space, with McCarren Park immediately adjacent. Residential buildings are characterized by three to four-story townhouses and apartment buildings within M1-2/R6 (MX-8) and R6B districts, as well as mid-rise elevator condominium buildings generally ranging from six to nine stories. The proposed actions would facilitate the development of a mixed-use residential and commercial building on Block 2679, Lot 43, containing 94 dwelling units, 38 residential accessory parking spaces, and 31,377 gsf of commercial space. The proposed actions are anticipated to result in a change in land use within the project area, however, given the existing mixed-use character of the surrounding area and varying building heights, the change in land use and zoning would not constitute a significant adverse impact. The proposed rezoning area is located within the coastal zone, and the proposed actions would be consistent with all applicable policies of the Waterfront Revitalization Program (WRP #20-029). The proposed actions would not result in significant adverse land use, zoning, or public policy impacts.

Shadows

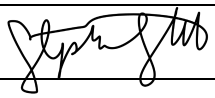
A detailed analysis related to shadows is included in this EAS. The detailed analysis showed that incremental shadows introduced by the proposed actions would affect one sunlight-sensitive resource: McCarren Park. The portions of McCarren Park that would be affected by the shadows induced by the Proposed Development mainly consist of vegetation, outdoor walking lanes, benches, and a one-story building occupied with a public restroom to the west and south of the project area. Activities within the affected park area are mostly passive. Therefore, the concerns regarding shadows from the Proposed Development within the affected park area are passive activities and the growth of vegetation. Though the shadows induced by the Proposed Development would be cast upon the northeastern corner of McCarren Park on all analysis days, including growing seasons, the shadows would move constantly throughout the days and be cast upon different portions within the affected area of the park. All the benches, walking lanes, and vegetation within the affected area would have exposure to the direct sunlight for a minimum of 6 hours all year round, the minimum specified in the CEQR Technical Manual to support vegetative growth. As such, the Proposed Actions would not affect the vitality or usage of any sunlight sensitive resources in McCarren Park, and significant adverse shadows impacts would not result from the Proposed Actions.

Hazardous Materials, Air Quality, and Noise

An (E) designation (E-650) 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 Rachel Antelmi at rantelmi@planning.nyc.gov.

Project Name: 840 Lorimer Street Rezoning
CEQR # 21DCP078K
SEQRA Classification: Unlisted

TITLE Deputy Director, Environmental Assessment and Review Division	LEAD AGENCY Department of City Planning on behalf of the City Planning Commission 120 Broadway, 31st Fl. New York, NY 10271 | 212.720.3493
NAME Stephanie Shellooe	DATE November 24, 2021
SIGNATURE 	
TITLE Chair, City Planning Commission	
NAME Anita Laremont	DATE November 29, 2021
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	BK	Block 2679, Lot 43

(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-650**) 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	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:*** *Any new residential and/or commercial development on the above-referenced property must exclusively use natural gas as the type of fuel for the heating, ventilating, and air conditioning (HVAC) system and hot water equipment, and ensure the HVAC system and hot water equipment stack is located at the building's highest tier and at least 118 feet above grade to avoid any potential significant adverse air quality impacts.*

Noise

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

> ***Projected Development Site 1:*** *In order to ensure an acceptable interior noise environment, future residential/commercial office uses must provide a closed-window condition with a minimum of 31 dBA window/wall attenuation on all facades in order to maintain an interior noise level not greater than 45 dBA for residential 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.*