NYC PLANNING

ENVIRONMENTAL ASSESSMENT AND REVIEW DIVISION

Marisa Lago, *Director*
Department of City Planning

Dawn Kiernan and NRL URF LLC
c/o Sheldon Lobel, PC
18 East 41st Street, 5th Floor
New York, NY 10017

Re:	**135-137 Bedford Avenue Rezoning**
CEQR No.	20DCP067K
ULURP No(s).	C 210043 ZMK
SEQRA Classification:	Unlisted
Brooklyn Community District:	BK01

Dear Sheldon Lobel, LLP,

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. 20DCP067K, 135-137 Bedford Avenue 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 1

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.

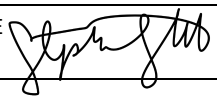
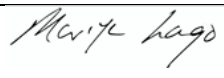
Land Use, Zoning, and Public Policy

A detailed analysis of land use, zoning, and public policy is included in the EAS. The proposed action is a Zoning Map Amendment to rezone the project area (Brooklyn Block 2305, Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, and p/o 34) from R6A and R6B districts to R6A/C1-4 and R6B/C1-4 districts in the Williamsburg neighborhood of Brooklyn, Community District 1. The project area is the southeast blockfront of Bedford Avenue, a commercial and mixed-use corridor, between North 9th Street and North 10th Street, two blocks northeast of the Bedford Avenue MTA L-Train subway station. The proposed action would allow commercial uses within the project area but would not change the residential zoning nor the overall density or height allowed in the project area. Therefore, the proposed action would facilitate commercial ground floors in projected new buildings on Lots 5, 6, and 10 and would facilitate the conversion of ground floors to commercial use on Lots 2, 3, 4, and 7 while bringing existing commercial uses into conformance on Lots 1 and 8. The introduction of ground floor commercial uses on this blockfront of Bedford Avenue is consistent with the existing commercial character of the block and surrounding blocks of Bedford Avenue. Additionally, as the project site is located within the Coastal Zone, a WRP assessment (WRP No. 17-189) was included in the EAS and found the proposed development to be consistent with the policies set forth in the WRP. The analysis concludes that the proposed actions would not introduce a new land use, nor affect the existing mixed-use character of the area, nor affect public policy, which represent the thresholds of impact significance in the 2014 CEQR Technical Manual. Therefore, no significant adverse impacts related to Land Use, Zoning, and Public Policy would result from the proposed actions.

Hazardous Materials

An (E) designation (E-587) related to hazardous materials 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 analysis concludes that with the (E) designation in place, the proposed actions would not result in a significant adverse impact related to hazardous materials.

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 Anthony Grande at 718-780-8271.

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 | 212.720.3328
NAME Stephanie Shellooe	DATE October 30, 2020
SIGNATURE 	
TITLE Chair, City Planning Commission	
NAME Marisa Lago	DATE November 2, 2020
SIGNATURE 	

Project Name: 135-137 Bedford Avenue Rezoning
CEQR # 20DCP067K
SEQRA Classification: Unlisted

Determination of Significance Appendix: (E) Designation

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 2305, Lots 5 and 6
Projected Development Site 2	Brooklyn	Block 2305, Lot 2
Projected Development Site 3	Brooklyn	Block 2305, Lot 3
Projected Development Site 4	Brooklyn	Block 2305, Lot 4
Projected Development Site 5	Brooklyn	Block 2305, Lot 7
Projected Development Site 6	Brooklyn	Block 2305, Lot 10

(E) Designation Requirements

To ensure that the proposed actions would not result in significant adverse impacts related to hazardous materials, an (E) designation (**E-587**) would be established as part of approval of the proposed actions on **Projected Development Sites 2, 3, 4, and 5** as described below:

Development Site	Hazardous Materials
Projected Development Site 1	
Projected Development Site 2	X
Projected Development Site 3	X
Projected Development Site 4	X
Projected Development Site 5	X
Projected Development Site 6	

Hazardous Materials

The (E) designation requirements applicable to **Projected Development Sites 2, 3, 4, and 5** 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.