



DEPARTMENT OF CITY PLANNING  
CITY OF NEW YORK

ENVIRONMENTAL ASSESSMENT AND REVIEW DIVISION

Joseph B. Rose, *Director*  
Department of City Planning

December 13, 2000

Howard Goldman  
770 Lexington Avenue, 17<sup>th</sup> Floor  
New York, NY 10021

Mr. Michael Weil  
Department of City Planning  
22 Reade Street  
New York, NY 10007

Mr. John Steinmeyer  
Department of Citywide  
Administrative Services  
1 Center Street, 20<sup>th</sup> Floor  
New York, NY 10007

re: **ULURP Nos. 000024ZMK & N000647ZRK**  
**CEQR No. 00DCP020K, Newwalk, 700 Pacific Street**  
**Revised Negative Declaration**

Dear Messrs Goldman, Weil and Steinmeyer:

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

Enclosed is the revised Negative Declaration for CEQR No. 00DCP020K, with the project description modified to reflect that Department of Citywide Administrative Services (DCAS) has withdrawn the disposition application (CEQR No. 0000613PPK), including supporting statements for the finding that the actions will not have a significant effect. The proposed actions consist of:

- an application by Shaya B. Developers, Inc. for a rezoning of portions of two blocks between Carlton Avenue and Flatbush Avenue (Block 1127, Lots 19, 20, 21, 22, 27, 29,

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30, 33, 35, 48, and Block 1128, Lots 2, 4, 9, 11, 13, 16, 18 and 37 as well as Lots 65, 68, and 70 on Dean Street ) from M1-1 to C4-4A;

- an application by the Department of City Planning for a zoning text amendment to make the conversion regulations of Article I, Chapter 5 of the Zoning Resolution applicable in Community District 8, and;

In addition, Shaya B. Developers, Inc, intends to apply for a modification of a previously approved BSA variance to allow a residential entry to be located on the Dean Street frontage of the Newswalk Site.

The map change, in conjunction with the disposition and the proposed BSA action, would facilitate the redevelopment of the vacant Daily News printing plant located on Pacific Street (Block 1128, Lots 16, 18 and 27) to a mix of residential, retail and office use. In addition to facilitating the development of the Daily News site, the proposed rezoning is expected to result in the development and conversion of other underutilized properties in the rezoning area to residential use.

The proposed text amendment is not expected to induce new development or conversions, however, as a consequence of its application to Community District 8, it will assure that residences constructed in former commercial buildings will meet appropriate standards for light, air and recreation space.

In response to environmental issues within the rezoning area as identified in the proposal's Environmental Assessment Statement, the proposed rezoning includes (E) designations for hazardous materials and noise.

The (E) designation for hazardous materials would be placed on the following parcels:

Site 1:	Block 1127	Lot 22	626-630 Pacific Street
Site 2:	Block 1127	Lot 27	632-638 Pacific Street
Site 3:	Block 1127	Lot 29	640 Pacific Street
Site 4:	Block 1127	Lot 30	642-646 Pacific Street
Site 5:	Block 1128	Lot 4	25 6 <sup>th</sup> Avenue
Site 6:	Block 1128	Lots 9, 11, 13	670 Pacific Street

The (E) designation for noise would be placed on the following parcels:

Site 1:	Block 1127	Lot 22	626-630 Pacific Street
Site 2:	Block 1127	Lot 27	632-638 Pacific Street
Site 3:	Block 1127	Lot 29	640 Pacific Street

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Site 4:	Block 1127	Lot 30	642-646 Pacific Street
Site 5:	Block 1128	Lot 4	25 6 <sup>th</sup> Avenue
Site 6:	Block 1128	Lots 9, 11, 13	670 Pacific Street
Site 7:	Block 1128	Lots 16, 18,	700 Pacific Street

Sincerely,

*Robert Dobruskin*

Robert Dobruskin

cc. Joseph B. Rose, Chairman CPC  
City Planning Commissioners  
Hon. Howard Golden, Brooklyn Borough President  
Alessandra Sumowich  
David Karnovsky  
Joseph Ketas  
Lance Michaels  
Lawrence Parnes  
Gail Benjamin  
John Cahill  
Phil Sperling  
Esther Ginsberg  
Pat Bussey  
Regina Myer  
Erick Verela  
Susan Wong



CITY PLANNING COMMISSION  
CITY OF NEW YORK

OFFICE OF THE CHAIRMAN

**NEGATIVE DECLARATION** December 13, 2000  
(Supersedes Negative Declaration issued on July 10, 2000)

**Project Identification**

CEQR No. 00DCP020K  
ULURP Nos. 00024ZMK, N000647ZRK  
SEQRA Classification: Unlisted

**Lead Agency**

City Planning Commission  
22 Reade Street  
New York, NY 10007  
Contact: Robert Dobruskin  
(212) 720-3423

**Name, Description, and Location of Proposal:**

Newswalk, 700 Pacific Street

The proposal involves the following discretionary approvals:

- Shaya B. Developers, Inc. is applying to rezone from an M1-1 district to a C4-4A district portions of two blockfronts on Pacific Street between Carlton Avenue and Flatbush Avenue in the Prospect Heights section of Community Districts 6 and 8 in Brooklyn. The affected Blocks and Lots are Block 1127, Lots 19, 20, 21, 22, 27, 29, 30, 33, 35, and 48 in Community District 6, and Block 1128, Lots 2, 4, 9, 11, 13, 16, and 18 in Community District 8.
- The Department of City Planning is applying for a zoning text amendment to Article I, Chapter 5 of the Zoning Resolution to make the residential conversion regulations of that section applicable in Brooklyn Community District 8.

In addition, Shaya B. Developers, Inc. intends to apply for a modification of a previously approved BSA variance to allow a residential entry to be located on the Dean Street frontage of the Newswalk site. The current variance restricts a portion of this frontage to private open space to be used in connection with a newspaper printing facility. Modification of the variance is not subject to CEQR review.

The proposal formerly included an action by the Department of Citywide Administrative Services (DCAS) for a disposition of City-owned property to remove a restriction limiting the use of portions of the proposed Newswalk development site to newspaper printing.

A Negative Declaration was issued for the former proposal on July 10, 2000. Since the issuance of the Negative Declaration, it has been determined that the disposition action is not required for the proposed project. Consequently, DCAS has withdrawn the disposition application. The elimination of the disposition action would not affect the development proposal as described in the previous Negative Declaration or result in different environmental effects.

The requested actions would facilitate the following:

- Shaya B. Developers, Inc. is proposing to redevelop the vacant Daily News printing plant (the Newswalk development) located on Pacific Street (Block 1128, Lots 16, 18 and 27) to a mix of residential, retail and office use. The three most intensive building programs include: retail uses on the first and second floors (plus mezzanine), totaling approximately 113,000 square feet; and residential units on floors 4-10 totaling 135,635 square feet (90 units); and 70 permitted accessory parking spaces below grade, with a curb cut on Pacific Street. In connection with the redevelopment, the applicant intends to construct a public parking lot of approximately 70 spaces on property it owns on the corner of Carlton Avenue and Pacific Street (Block 1129, Lot 6), outside of the proposed rezoning area. The project would therefore provide a total of 140 parking spaces. In addition, the developer plans to construct a 10th floor between the 9<sup>th</sup> and the roof. This addition would not expand the existing building envelope. Furthermore, an area fronting on Dean Street, currently restricted to use as private open space in connection with a newspaper printing facility, would be developed as a residential entrance to the Newswalk building. As part of the residential entrance; a new curb cut providing vehicular access would be added on Dean Street. It is anticipated that the project will be completed by 2001.
- Six additional sites within the proposed rezoning area have been identified as possible residential development sites. If developed to the maximum under the proposed C4-4A (R7A equivalent) zoning, they could accommodate approximately 220 dwelling units and 9,600 square feet of ground floor retail space. On some sites, existing buildings could be converted to residential use. On other sites, new residential buildings could replace existing underbuilt commercial structures. The sites are as follows:

Site 1:	Block 1127	Lot 22	626-630 Pacific Street
Site 2:	Block 1127	Lot 27	632-638 Pacific Street
Site 3:	Block 1127	Lot 29	640 Pacific Street
Site 4:	Block 1127	Lot 30	642-646 Pacific Street
Site 5:	Block 1128	Lot 4	25 6 <sup>th</sup> Avenue
Site 6:	Block 1128	Lot 9, 11, 13	670-682 Pacific Street

At this time, there are no known plans to redevelop these properties for residential use.

- The proposed text amendment would apply to the residential conversion of commercial and manufacturing buildings located in zoning districts in Community District 8 which allow new residential uses. It is not expected that the proposed text amendment would induce new conversions. Instead, its application to Community District 8 would help assure that residences converted in former commercial and manufacturing buildings would meet appropriate standards for light, air and recreation space. Building converted pursuant to the proposed text would be required to provide private, on-site open space. Six sites where the proposed text would be applicable have been identified. The sites are located at:

Block 1257	Lot 27	1062 St. John's Place
Block 1136	Lot 84	491 Bergen Street
Block 1147	Lots 21, 27	768 and Bergen Street
Block 1145	Lot 21	664 Bergen Street
Block 1145	Lots 66, 68, 72, 75	227-253 St. Mark's Avenue
Block 1128	Lot 4	25 6 <sup>th</sup> Avenue

At this time there are no known plans to redevelop these site.

In response to environmental issues, within the rezoning area, identified in the proposal's Environmental Assessment Statement, the proposed rezoning includes (E) designations for hazardous materials and noise.

The (E) designation for hazardous materials would be placed on the following parcels:

Site 1:	Block 1127	Lot 22	626-630 Pacific Street
Site 2:	Block 1127	Lot 27	632-638 Pacific Street
Site 3:	Block 1127	Lot 29	640 Pacific Street
Site 4:	Block 1127	Lot 30	642-646 Pacific Street
Site 5:	Block 1128	Lot 4	25 6 <sup>th</sup> Avenue
Site 6:	Block 1128	Lot 9, 11, 13	670-682 Pacific Street

The (E) designation for hazardous materials would ensure that sampling and remediation take place where hazardous material contamination may exist, and would avoid any significant impacts related to hazardous materials at these locations. The (E) designation would require that the fee owner of such site conduct a testing and sampling protocol, and remediation where appropriate, to the satisfaction of the NYCDEP before the issuance of a building permit by the Department of Buildings pursuant to the provisions of Section 11-15 of the Zoning Resolution

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(Environmental Requirements). The (E) designation also includes a mandatory construction-related health and safety plan which must be approved by NYCDEP.

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

**Task 1 - The applicant must submit to the NYCDEP Office of Environmental Planning and Assessment (OEPA) for review and approval a soil and ground water testing protocol including a description of methods and a site map with all sampling locations clearly and precisely represented.**

**No sampling program should begin until written approval of a protocol is received from DEP. The number and location of sample site should be selected to adequately characterize the site, the specific source of suspected 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 choosing sampling sites and performing sampling will be provided by DEP upon request.**

**Task 2 - A written report with findings and a summary of the data must be submitted to DEP after completion of the testing phase and laboratory analysis for review and approval. After receiving such tests results, a determination will be made by DEP if the results indicate that remediation is necessary.**

**If DEP determines that no remediation is necessary written notice shall be given by DEP.**

**If remediation is indicated from the test results, a proposed remediation plan must be submitted to DEP for review and approval. The applicant must perform such remediation as determined necessary by DEP. The applicant should then provide proof that the work has been satisfactorily completed.**

**A DEP-approved construction-related health and safety plan would be implemented during excavation and construction activities to protect workers and the community from potentially significant adverse impacts associated with contaminated soil and/or groundwater. This plan would be submitted to NYCDEP for review and approval prior to implementation.**

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To avoid any potential impacts associated with noise, an (E) designation for noise will be placed on the following sites:

Site 1:	Block 1127	Lot 22	626-630 Pacific Street
Site 2:	Block 1127	Lot 27	632-638 Pacific Street
Site 3:	Block 1127	Lot 29	640 Pacific Street
Site 4:	Block 1127	Lot 30	642-646 Pacific Street
Site 5:	Block 1128	Lot 4	25 6 <sup>th</sup> Avenue
Site 6:	Block 1128	Lot 9, 11, 13	670-682 Pacific Street
Site 7:	Block 1128	Lot 16, 18	700 Pacific Street

The text for (E) designation for noise would be as follows:

**In order to ensure an acceptable interior noise environment, future residential uses must provide a closed window condition with a minimum of 30 dB(A) window/wall attenuation in order to maintain an interior noise level of 45 dB(A). In order 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, central air conditioning sleeves containing air conditioners or HUD-approved fans**

**Statement of No Significant Effect:**

The Environmental Assessment and Review Division of the Department of City Planning, on behalf of the City Planning Commission, has completed its technical review of the Environmental Assessment Statement dated June 7, 2000. The City Planning Commission has determined that the proposed action will have no significant effect on the quality of the environment.

This Negative Declaration supersedes a previous Negative Declaration issued on July 10, 2000.

**Supporting Statement:**

The above determination is based on an environmental assessment which finds that no significant effects on the environment which would require an Environmental Impact Statement are foreseeable.

This Negative Declaration has been prepared in accordance with Article 8 of the Environmental Conservation Law 6NYCRR part 617.

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Should you have any questions pertaining to this Negative Declaration, you may contact Erick Verela at (212) 720-3258.

Robert Dobruskin

Date: 12/13/00

Robert Dobruskin, Director  
Environmental Assessment & Review Division  
Department of City Planning

Joseph B. Rose

Date: 12/13/00

Joseph B. Rose, Chairman,  
City Planning Commission