



DEPARTMENT OF CITY PLANNING
CITY OF NEW YORK

ENVIRONMENTAL ASSESSMENT AND REVIEW DIVISION

Joseph B. Rose, *Director*
Department of City Planning
September 10, 2001

Raymond Levin, Esq.
Wachtel & Masyr
110 East 59th Street
New York, NY 10022

re: **CEQR No. 01DCP065K**
ULURP No. 010725ZMK, 010726ZSK
Light Bridges at 100 Jay Street Rezoning

Dear Mr. Levin:

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 a significant effect on the environment.

Enclosed is the Negative Declaration for CEQR No. 01DCP065K, Light Bridges at 100 Jay Street Rezoning, including supporting statements for the finding that the project will not have a significant effect. The proposed action would facilitate a proposal by the applicant to develop a 23-story, approximately 331,855 gross square feet (9.0 FAR), mixed-use building (Light Bridges at 100 Jay Street) on Block 53, Lots 3, 6, 21, 24, 25, 26, and 27. The project site currently contains a parking lot. The Environmental Assessment Statement analyzes two reasonable worst case development scenarios for the site-one that maximizes commercial uses and one that maximizes residential uses.

- Commercial Scenario: Under the commercial scenario, approximately 33,500 square feet of neighborhood retail could be developed on the ground and first floors. Above that there would be a 4 story commercial base with each floor consisting of 23,000 square feet for a total of 92,000 square feet. Residential towers would rise above the four story base. The towers would be 14 stories tall and would contain approximately 13,000 sq. ft. of floor area on each floor, for a total of 182,000 square feet. Assuming an average unit size of 1,000 square feet, this could result in 182 dwelling units.

Neighborhood Retail	33,500 sq.ft.
Commercial	92,000 sq.ft.

Robert Dobruskin, *Director*
James Merani, *Deputy Director*
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Residential	182,000 sq.ft. (182 dwelling units)
Total	307,500 sq.ft. (zoning square feet)

- Residential Scenario: Under this scenario, the four-story base would be split between commercial and residential uses. Commercial uses would total approximately 34,000 sq. ft. and residential uses about 53,000 sq. ft.. Assuming an average unit size of 1,000 sq. ft. this would result in 53 dwelling units.

Neighborhood Retail	33,500 sq.ft.
Commercial	34,000 sq.ft.
Residential	235,000 sq.ft. (235 dwelling units)
Total	302,500 sq.ft. (zoning square feet)

Both scenarios would include a 273-space 33,500 sq. ft. below grade parking garage.

The proposed rezoning could also result in the redevelopment of an existing 6-story residential building on Block 53, Lot 9, which could be developed with an additional 27,000 sq. ft. of floor area (approximately 27 dwelling units).

In addition, the rezoning could facilitate new residential development on Block 52, which is not owned by the applicant. The block is currently developed with a mixture of residential, retail, commercial uses and vacant lots. For purposes of the environmental review, it is projected that Lots, 1, 2, and 32 could be redeveloped with about 99,000 sq. ft. of floor area (9.0 FAR) under the proposed zoning. The redevelopment could produce approximately 9,000 sq. ft. of ground level retail and 90,000 sq. ft. of residential development (approximately 90 dwelling units) on the upper floors.

The proposed rezoning include (E) designations for noise and hazardous materials. The (E) designation for hazardous materials will be placed on Block 52, Lots 1, 2, and 32 and Block 53, Lot 9.

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 New York City Department of Environmental Protection (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 (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 (EPA) 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.

The maximum exterior L_{10} noise level at the three development sites would be less than 80.5 dB(A). This noise level is within the Marginally Unacceptable category as per New York City CEPO-CEQR standards. To ensure an interior noise environment of 45 dB(A) or less, an (E) designation for noise will be placed on the on Blocks 52, Lots 1, 2 and 32 and Block 53, Lots 3, 6, 9, 21, 24, 25, 26, and 27.

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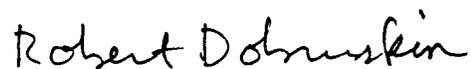
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The text on the (E) designation would be as follows:

In order to ensure an acceptable interior noise environment, new residential development must provide a closed window condition with a minimum of 45 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 includes, but is not limited to, central air conditioning or air conditioning sleeves containing air conditioners.

The (E) designation would preclude the potential for significant adverse noise impacts.

Sincerely,



Robert Dobruskin

cc. Joseph B. Rose
City Planning Commissioners
Hon. Howard Golden, Brooklyn Borough President
Alessandra Sumowicz
David Karnovsky
Joseph Ketas
Lance Michaels
Lawrence Parnes
Gail Benjamin
John Cahill
Phil Sperling
Esther Ginsberg
Pat Bussey
Regina Myer
Community Board 2, Brooklyn
Erick Verela



CITY PLANNING COMMISSION
CITY OF NEW YORK
OFFICE OF THE CHAIRMAN

NEGATIVE DECLARATION September 10, 2001

Project Identification

CEQR No. 01DCP065K
ULURP No. 010725ZMK & 010726ZSK
SEQRA Classification: Type I

Lead Agency

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

Name, Description and Location of Proposal:

Light Bridges at 100 Jay Street Rezoning

The application involves a proposal by Jeffery M. Brown Associates, Inc., for a zoning map amendment from M1-2 to M1-5/R9-1 Special Mixed Use District (MX-2) for all of Blocks 52 and 53 in Brooklyn Community District 2. The proposed rezoning area is bounded by Front Street, Jay Street, York Street and Adams Street. The applicant is also seeking a special permit pursuant to Zoning Resolution (ZR) Section 74-42 (Parking Garages or Public Parking Lots in High Density Areas) for a 273-space public parking garage.

The proposed actions would facilitate a proposal by the applicant to develop a 23-story, approximately 331,855 gross square feet (9.0 FAR), mixed-use building (Light Bridges at 100 Jay Street) on Block 53, Lots 3, 6, 21, 24, 25, 26, and 27. The project site currently contains a parking lot. The Environmental Assessment Statement analyzes two reasonable worst case development scenarios for the site-one that maximizes commercial uses and one that maximizes residential uses.

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The proposed rezoning could also result in the redevelopment of an existing 6-story residential building on Block 53, Lot 9, which could be developed with an additional 27,000 sq. ft. of floor area (approximately 27 dwelling units).

In addition, the rezoning could facilitate new residential development on Block 52, which is not owned by the applicant. The block is currently developed with a mixture of residential, retail, commercial uses and vacant lots. For purposes of the environmental review, it is projected that Lots, 1, 2, and 32 could be redeveloped with about 99,000 sq. ft. of floor area (9.0 FAR) under the proposed zoning. The redevelopment could produce approximately 9,000 sq. ft. of ground level retail and 90,000 sq. ft. of residential development (approximately 90 dwelling units) on the upper floors.

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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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The (E) designation would preclude the potential for significant adverse noise impacts.

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 (EAS) dated September 10, 2001, prepared in connection with the ULURP Application 010725ZMK and 010726ZSK. The City Planning Commission has determined that the proposed action will have no significant effect on the quality of the environment.

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.

- 1) As noted in the proposal's EAS, an historical land use research was undertaken by AT Associates, Inc. in 2001 for the rezoning area, to conduct a preliminary evaluation of historical uses that might affect the proposed rezoning of the area for residential uses and/or construction activities associated with the proposed action. As described in Attachment J of the EAS, it is possible that metalworking operations may have contaminated the soil. Based on these findings, the potential for hazardous materials impacts may exist within the rezoning area. As identified in Attachment J, hazardous materials routinely associated with industries such as iron foundries and machine shops (which have been identified in the rezoning area) include lead, chromium, zinc, mercury, cadmium and other heavy metals; cutting oils, which often contain polynuclear aromatic hydrocarbons, and can sometimes include PCBs; and solvents such as tetrachloroethylene and trichloroethane. In addition, the proximity of the site to the Manhattan Bridge may have resulted in impacts from lead paint.

The applicant has agreed to implement a remediation plan under the supervision of NYC DEP in accordance with the terms of a restrictive declaration acceptable to DEP. The applicant has agreed to record and execute the declaration prior to any actions by the City Planning Commission in connection with this application. In addition, as agreed by the applicant, a Health and Safety Plan (HASP) for the sampling activities will be

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developed and submitted to DEP for review and approval. These measures would ensure that there would be no significant adverse impacts associated with hazardous materials.

In addition, as noted above, the (E) designations for hazardous materials would avoid the potential for significant adverse impacts on the two other development sites identified within the rezoning area.

- 2) As the proposed Light Bridges site may have potential archaeological resources which could be affected by the construction of the proposed development, an archaeological survey of the site has been completed and provided to the Landmarks Preservation Commission (LPC) for its review. As detailed in Attachment I of the EAS, the report has identified three of the seven lots comprising the project site as sensitive or potentially sensitive for 19th century archaeological remains (mainly backyard cisterns and privies). A supplemental study was also prepared for Block 52, and provided to LPC. That study found that the potential development site is not considered sensitive for archaeological remains. LPC has concurred with the findings of the Phase IA Report and supplemental study.

The applicant has agreed to enter into a restrictive declaration obligating itself to perform field testing prior to construction on the identified three lots on Block 53 pursuant to an LPC protocol and, should it be necessary, to carry out remediation work recommended by LPC. These measures would ensure that there would be no significant adverse impacts to archaeological resources.

- 3) The Light Bridges project would be built on a private lot currently used as a parking lot and would not involve the direct removal or alteration of any building identified as a historic landmark or as a contributing resource to the DUMBO Industrial District. The proposed Light Bridges project would be developed adjacent to 126-132 Front Street, and the Manhattan Bridge (Figures 1-4 and 1-5) which are both contributing resources in the State and National Register DUMBO Industrial District. The proposed development would be approximately 31 feet from 126-132 Front Street and approximately 32 feet from the Manhattan Bridge. A construction protection plan, including excavation protective measures, will be developed and submitted to LPC for review and approval after final design is completed in order to avoid any adverse effects on either of the historic resources.
- 4) No other effects on the environment which would require an Environmental Impact Statement are foreseeable.

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

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

Date: 9/10/01

Joseph B. Rose
Joseph B. Rose, Chairman
City Planning Commission

Date: 9/10/01