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DEPARTMENT OF CITY PLANNING
CITY OF NEW YORK

ENVIRONMENTAL ASSESSMENT AND REVIEW DIVISION

Amanda M. Burden, A.I.C.P, *Director*
Department of City Planning

November 18, 2002

Regina Myer, Director
Department of City Planning
Brooklyn Borough Office
16 Court Street - 7th Floor
Brooklyn, NY 11241

Re: Park Slope Rezoning
CEQR No. 03DCP030K
ULURP No. 030194 ZMK

Dear Ms. Myer:

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 the Park Slope Rezoning, CEQR No. 03DCP030K, including supporting statements for the finding that the project will not have a significant effect. The proposal involves an application by the Department of City Planning to amend the City zoning map to rezone 110 blocks in Park Slope, Community District 6, Brooklyn. The proposed rezoning would replace existing R6, R7A, C1-3 and M1-2 districts with R6B, R6A, R7A, R7B, R8A, C1-4, C2-4, C4-3A and C8-2 districts and introduce limited, new C2-4 overlays. R6B and R7B contextual designations would be mapped in midblock areas and avenues where rowhouses predominate; R6A along Third, Fifth and Seventh Avenues and a portion of 9th Street; and R7A on Prospect Park West. Along Fourth Avenue, the proposal would replace the existing R7A district north of Union Street with an R8A district. The rezoning would replace C1-3 and C2-3 commercial overlays with C1-4 and C2-4 overlays, respectively, and introduce C2-4 commercial overlays to reflect existing land uses. The proposal also includes changing a C4-3 district to C4-3A on Fifth Avenue, a portion of Fourth Avenue's M1-2 district to C8-2 and a midblock M1-2 district to R6B.

The proposed action is intended to preserve the historic scale of the brownstone neighborhood and provide increased opportunities for residential and commercial development on Fourth Avenue.

Robert Dobruskin, *Director*
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Although it is not intended to facilitate any specific development projects, the proposed action could result in additional development or different types of development on several sites within the proposed rezoning area. Compared to conditions absent the proposed action, the proposed rezoning could result in a net increase of approximately 221 dwelling units, 1,840 square feet of commercial floor area and a net decrease of approximately 7,250 square feet of community facility floor area on those sites.

To avoid the potential for hazardous materials impacts, the proposed rezoning includes (E) designations for hazardous materials.

Sincerely,

Robert Dobruskin

Robert Dobruskin, Director

cc. Hon. Marty Markowitz, Brooklyn Borough President
Robert Kulikowski
David Karnovsky
Angela Licata
Laurence Parnes
Gail Benjamin
Tom C. Kunkel
Phil Sperling
Sam Voyages
James Merani
Pat Bussey
Susan Wong
Community Board 6, Brooklyn

CITY PLANNING COMMISSION
CITY OF NEW YORK

OFFICE OF THE CHAIR

November 18, 2002

NEGATIVE DECLARATION

Project Identification

CEQR No. 03DCP030K
ULURP No. 030194 ZMK
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:

Park Slope Rezoning:
The proposal involves an application by the Department of City Planning to amend the City zoning map to rezone 110 blocks in Park Slope, Community District 6 in Brooklyn. The rezoning area is generally bounded by Union Street to the north, 15th Street to the south, Prospect Park West to the east and Third and Fourth Avenues to the west. A section of Fourth Avenue between President and Warren Streets is also included in the rezoning area. Portions of the rezoning area are located within the Park Slope Historic District, a designated New York City historic district.

The proposed action includes replacing the existing R6, R7A, C1-3 and M1-2 districts with R6B, R6A, R7A, R7B, R8A, C1-4, C2-4, C4-3A and C8-2 districts and introducing limited, new C2-4 overlays. The action is intended to preserve the historic scale of the brownstone neighborhood and provide increased opportunities for residential and commercial development on Fourth Avenue. R6B and R7B contextual designations would be mapped in midblock areas and avenues where rowhouses predominate; R6A along Third, Fifth and Seventh Avenues and a portion of 9th Street; and R7A on Prospect Park West. Along Fourth Avenue, the proposal would replace the existing R7A district north of Union Street with an R8A district. The rezoning would replace C1-3 and C2-3 commercial overlays with C1-4 and C2-4 overlays, respectively, and introduce C2-4 commercial overlays to reflect existing land uses. The proposal also includes changing a C4-3 district to C4-3A on Fifth Avenue, a portion of Fourth Avenue's M1-2 district to C8-2 and a midblock M1-2 district to R6B.

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Although it is not intended to facilitate any specific development projects, the proposed action could result in additional development or different types of development on several sites within the proposed rezoning area. Compared to conditions absent the proposed action, the proposed rezoning could result in a net increase of approximately 221 dwelling units, 1,840 square feet of commercial floor area and a net decrease of approximately 7,250 square feet of community facility floor area on those sites. A detailed description of the likely effects of the proposed action on future development is presented in the proposal's Environmental Assessment Statement.

To avoid the potential for hazardous materials impacts, the proposed rezoning includes (E) designations for hazardous materials, which will be mapped on the following parcels:

Block 958, Lots, 1, 2, 4, 5, 7
Block 961, Lots 1, 2, 3, 7, 67, 69
Block 964, Lots 1, 6, 7
Block 969, Lot 1
Block 974, Lots 6, 12, 15, 68, 72, 73
Block 981, Lot 101
Block 987, Lot 1
Block 992, Lot 38
Block 993, Lots 6, 7, 10
Block 1003, Lots 29, 32, 33, 34, 35, 36, 38
Block 1027, Lots 35, 40, 41, 42, 43, 44, 45
Block 1040, Lots 29, 53, 55, 58, 59
Block 1041, Lot 1

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 New York City Department of Buildings (NYCDOB) 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.

A comprehensive list of sites containing an (E) designation, identified by block and lot number,

is provided in the attached table. Contamination on (E) designated sites can be classified as "petroleum based" or "non-petroleum based." The NYCDEP has developed protocols for both petroleum and non-petroleum based (E) designated sites that are required to be followed in order to address possible contamination.

The text for the (E) designations is as follows:

(E) Designations for Petroleum Based Contamination

Leakage of underground storage tanks containing petroleum products requires a specific protocol and may contain parts of the near surface and subsurface protocols. To determine if contamination exists on the petroleum (E) designated sites, and to determine and perform any appropriate remediation, the following tasks must be undertaken by the fee owners of the lot restricted by this (E) designation prior to any demolition or excavation on the lot prior to development:

- **Task 1 – The fee owner(s) of the lot restricted by this (E) designation must submit to the New York City Department of Environmental Protection (NYCDEP), for review and approval, a soil, soil gas, 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 the NYCDEP. The number and location of sample sites should be selected to adequately characterize the site, the specific source of suspected contamination, and the condition of the remainder of the site. The characterization should be complete enough to determine what remediation strategy (if any) is necessary after review of the sampling data. Guidelines and criteria for choosing sampling sites and performing sampling will be provided by the NYCDEP upon request.

- **Task 2 – A written report with findings and a summary of the data must be presented to the NYCDEP after completion of the testing phase and laboratory analysis for review and approval. After receiving such test results, a determination will be provided by the NYCDEP if the results indicate that remediation is necessary. Written notice shall be given by the NYCDEP if it determines that no remediation is necessary.**

If remediation is necessary according to the test results, a proposed remediation plan must be submitted to the NYCDEP for review and approval. The fee owner(s) of the lot

restricted by the (E) designation must perform such remediation as determined necessary by the NYCDEP. After completing the remediation, the fee owner(s) of the lot restricted by this "E" designation should provide proof that the work has been satisfactorily completed.

(E) Designations for Non-Petroleum Based Contamination

The non-petroleum based contamination protocol has been developed to address potential contamination from all other hazardous materials sources. The procedures in the non-petroleum based protocol are the same as the petroleum based protocol with the exception of the parameters for which the soil and ground water should be tested. These parameters will vary from site to site depending upon the type of non-petroleum contamination expected to be encountered.

In general the following steps will be required for non-petroleum (E) designated sites:

- **The owner of the property will be required to prepare a scope of work for any sampling and testing needed to determine if contamination exists and to what extent remediation may be required. The scope of work will include all relevant supporting documentation including site plans and sampling locations. This scope of work will be submitted to the NYCDEP for review and approval prior to implementation. It will be reviewed to insure that an adequate number of samples will be collected and that appropriate parameters are selected for laboratory analysis. For all non-petroleum (E) designated sites, the three generic NYCDEP soil and ground water sampling protocols should be followed. These protocols are based on the following three types of releases to soil and ground water that may occur: release of a solid hazardous material to the ground surface; release of a liquid hazardous material to the ground surface; and the release of a hazardous material to the subsurface (i.e., storage tank or piping). The type of release will define the areas of soil to be sampled (surface, near-surface or subsurface) and determine the need for ground water sampling.**

- **Upon receipt of written approval from the NYCDEP of the scope of work, the sampling program will be implemented. No site investigation work will be initiated without a Site Health and Safety Plan also approved by the NYCDEP.**

- **Once the site investigation is complete, a report fully documenting the procedures and findings of the report will be submitted to the NYCDEP for review and approval. If remediation is deemed necessary by the NYCDEP, the site owner will be required to develop a remediation plan and subsequently implement the plan to the satisfaction of the NYCDEP.**

- **Once the site investigation is complete, a report fully documenting the procedures and findings of the report will be submitted to the NYCDEP for review and approval. If remediation is deemed necessary by the NYCDEP, the site owner will be required to develop a remediation plan and subsequently implement the plan to the satisfaction of the NYCDEP.**

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 November 15, 2002, prepared in connection with the ULURP Application (030194 ZMK). 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. This Negative Declaration has been prepared in accordance with Article 8 of the Environmental Conservation Law 6NYCRR part 617.

Should you have any questions pertaining to this Negative Declaration, you may contact Patrick Blanchfield at (212) 720-3346.

Robert Dobruskin

Date: 11/15/02

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

Date: 11/18/02

Amanda M. Burden, AICP, Chair
City Planning Commission

DEVELOPMENT SITES

HAZARDOUS MATERIALS PRELIMINARY SCREENING ANALYSIS

SITE	BLOCK	LOT(S)	TYPE OF CONTAMINATION	PRELIMINARY SCREENING (PAST/CURRENT USES AT SITE)	2002 LAND USE	HISTORY/FINDINGS
1	958	7	Petroleum, Non-Petroleum	Underground and/or above ground storage tanks, Petroleum Spill Locations, Use(s) identified in Appendix A	Vacant	Former Junk Yard, Auto Glass, Building Material Storage, Truck parking
2	969	1	Non-Petroleum	Use(s) identified in Appendix A	Furniture Warehouse, Woodworking Shop	Warehouse, Truck Loading Bays, Furniture/Woodworking, Former Auto Repair
3	974	6, 12, 15, 68, 72, 73	Petroleum	Underground and/or above ground storage tanks, Petroleum Spill Locations	Vacant	Former Auto Repair and Garage
5	981	101	Petroleum	Underground and/or above ground storage tanks, Petroleum Spill Locations	Kitchen and Bath Supply Warehouse	Former Auto Repair and Gas Station
B	958	1, 2, 4, 5	Petroleum, Non-Petroleum	Underground and/or above ground storage tanks, Petroleum Spill Locations, Use(s) identified in Appendix A	Auto-Related Commercial	Auto Repair Shop, Metal Shop, Glass Repair, Tire Store
C	961	1, 2, 3, 7, 67, 69	Petroleum	Underground and/or above ground storage tanks, Petroleum Spill Locations	Auto-Related Commercial, Residential, Vacant	Auto Accessory Installation and Repair, Auto Bays, Garage and Parking.
D	964	1, 6, 7	Petroleum	Underground and/or above ground storage tanks, Petroleum Spill Locations	Auto Repair, Restaurant	Former Gas Station
E	987	1	Petroleum	Underground and/or above ground storage tanks, Petroleum Spill Locations	Gas station	Gas Station
F	992	38	Petroleum, Non-Petroleum	Underground and/or above ground storage tanks, Petroleum Spill Locations, Use(s) identified in Appendix A	Auto-Related Commercial	Auto Parts and Supplies, Auto Bays for (current or former) Repair, History of Furniture Manufacturing and Garage
G	993	6, 7, 10	Petroleum	Use(s) identified in Appendix A	Oil Distribution, Sign Manufacturer	Oil Distribution Facility and Sign Manufacturing, History of Auto Repair
H	1003	29, 32, 33, 34, 35, 36, 38	Non-Petroleum	Use(s) identified in Appendix A	Residential, Commercial, Industrial	Industrial Adhesive Manufacturer
I	1027	35, 40, 41, 42, 43, 44, 45	Petroleum	Underground and/or above ground storage tanks, Petroleum Spill Locations	Beverage Distributor, Residential	Former Gas Station, Bays for Auto Repair
J	1040	29, 53, 55, 58, 59	Non-Petroleum	Use(s) identified in Appendix A	Manufacturing, Warehouse, Residential	Textile Product Manufacturing and Warehouse, History of Manufacturing/Woodworking
K	1041	1	Petroleum	Underground and/or above ground storage tanks, Petroleum Spill Locations, Use(s) identified in Appendix A	Auto -Related Commercial	Auto Parts, Service and Repair