

THE CITY OF
NEW YORK



CITY ENVIRONMENTAL QUALITY REVIEW

GAIL BENJAMIN, Director, OEI
Department of Environmental Protection
Municipal Building, 1 Centre Street, Room 2420
New York, NY 10007, (212) 669-8110

MARK LONDON, Director, ERD
Department of City Planning
22 Reade Street, Room 4E
New York, NY 10007-1216, (212) 720-3420

August 22, 1989

Mr. Todd Henkels
Stephen B. Jacobs and Associates
677 Fifth Avenue
New York, New York 10022

RE: CEQR No. 88-032K
ULURP No. 870955ZMK

Dear Mr. Henkels:

Under City Environmental Quality Review, the lead agencies are required to determine whether a proposed action may or will not have a significant effect on the environment. In accordance with this regulation, the Departments of Environmental Protection and City Planning, as CEQR co-lead agencies, have determined that the proposed action will not have significant effect on the environment.

Enclosed is the Negative Declaration for CEQR No. 88-032K, proposed rezoning from R6/C2-2 to R8 to facilitate the construction of an 80,000 square foot residential building with ground floor commercial space at 90-102 Fourth Avenue, and 583-587 Warren Street, Brooklyn. The rezoning includes the provision for a special little "e" designation on the zoning map for all blocks listed below. The text of this little "e" is as follows:

1. The applicant must provide a minimum of 30 dB(A) window/wall attenuation so that with windows closed the internal noise level is acceptable. An alternate means of ventilation is therefore required. Alternate means of ventilation include but are not limited to the following:
 - a. Provision of central air conditioning.
 - b. Provision of air conditioner sleeves containing air conditioner or HUD approved fans.

The above methods of ventilation should conform to sub-article 1206 of the New York City Building Code (Standards or Mechanical Ventilation).

2. Due to the presence of discontinued underground gasoline storage tanks there is potential for contamination of the soil and groundwater by existing or past leakage from such tanks. To determine if contamination exists on-site and to determine and perform any appropriate remediation, the following tasks must be undertaken by the applicant prior to any demolition or excavation of the lot below for construction:

Task 1

The applicant must submit to the Department of Environmental Protection's Division of Hazardous Materials Program (DEP-DHMP) for review and approval, a soil and groundwater 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-DHMP. The number and location of sample sites 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-DHMP upon request.

Task 2

A written report with findings and a summary of the data must be submitted to DEP-DHMP after completion of the testing phase and laboratory analysis for review and approval. After receiving such test results a determination will be made by DEP-DHMP and the Department of Health (DOH) if the results indicate the remediation is necessary.

If DEP-DHMP and DOH determine no remediation is necessary, written notice shall be given by DEP-DHMP.

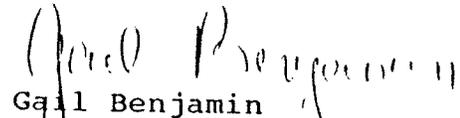
If remediation is indicated from the test result, a proposed remediation plan must be submitted to DEP-DHMP for review and approval. The applicant must perform such remediation determined needed by DEP-DHMP and DOH. After completion of said remediation, the applicant should provide proof that the work has been satisfactorily completed.

The rezoning includes provision for a little "e" destination on the zoning map for the following blocks and lots: Block 395, Lots 35, 36, 37, 44, 45 and 46.

This declaration includes statements for the finding that the project will not have a significant effect.

Sincerely,


Mark London


Gail Benjamin

VL:gm

cc: Sylvia Deutsch
Larry Parnes
Michelle Mangieri
Harvey Schultz
John DiMartino
Thomas Jorling
Carlos Cuevas
Vince Morris
Board of Estimate
City Planning Commission

Jonathan Lindsey
Marcelyn Anhouse
Victor L'Eplattenier ✓
Harold Nudelman
Martin Engelhardt
Betty-Jo Daly
Jeremy Woodoff
Jai Therattil
Cyprian Cox

Eric Kober
Lance Michaels
Wilbur Woods
Milt Valenta
Ed Wagner
Barbara Rinaldi
Ed Helenius
Joseph Montalto



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NEGATIVE DECLARATION

Proposal No. 88-032K
ULURP No. 870955ZMK

Date Sent: August 22, 1989

Name, Description and Location of Proposal:

Proposed rezoning from R6/C2-2 to R8 to facilitate the development of an 80,000 square feet residential building with ground floor commercial located at 90-102 Fourth Avenue, Brooklyn (Block 395, Lots 35, 36, 37, 44, 45 and 46). The rezoning includes the provision for a special little "e" designation on the zoning map for all blocks listed above. The text of this little "e" is as follows:

1. The applicant must provide a minimum of 30 dB(A) window/wall attenuation so that with windows closed the internal noise level is acceptable. An alternate means of ventilation is therefore required. Alternate means of ventilation include but are not limited to the following:
 - a. Provision of central air conditioning.
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If DEP-DHMP and DOH determine no remediation is necessary, written notice shall be given by DEP-DHMP.

If remediation is indicated from the test result, a proposed remediation plan must be submitted to DEP-DHMP for review and approval. The applicant must perform such remediation determined needed by DEP-DHMP and DOH. After completion of said remediation, the applicant should provide proof that the work has been satisfactorily completed.

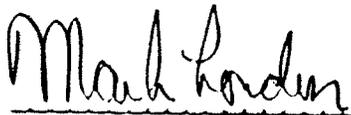
STATEMENT OF NO SIGNIFICANT EFFECT:

The Departments of City Planning and Environmental Protection, as CEQR Lead Agencies, have determined that the proposed action will have no significant effect on the quality of the environment.

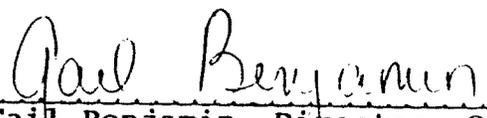
SUPPORTING STATEMENTS:

The above determination is based on an environmental assessment which finds that:

1. The project as proposed with a special little "e" designation on the zoning map will not result in significant adverse impacts to future occupants of the building since the potential for unacceptable indoor noise levels is addressed by the little "e" designation, and the potential for soil or groundwater contamination is also addressed by such a designation which requires testing of soil and groundwater on the site prior to construction.
2. The project as proposed would not result in significant adverse air quality impacts to the existing environment.
3. The applicant is aware that the operation of the commercial component for the proposed project must conform to Article VI, where applicable, of the New York City Noise Control Code.
4. No other significant effects upon the environment which would require an Environmental Impact Statement are foreseeable.



Mark London, Director, ERD



Gail Benjamin, Director, OEI