E43

CITY ENVIRONMENTAL QUALITY REVIEW

The City of New York

DEPARTMENT OF ENVIRONMENTAL PROTECTION
59-17 Junction Boulevard, 11th Floor
Elmhurst, NY 11373-5107
(718) 595-4409

DEPARTMENT OF CITY PLANNING
22 Reade Street, Room 4-E
New York, NY 10007-1216
(212) 720-3420

OCT 29 1992

Mr. Herman Freund
Congregation Tov Lev
527 Bedford Avenue
Brooklyn, NY 11211

Re: CEQR No. 89-116K
Lorimer Street Rezoning

Dear Mr. Freund:

Please be advised that the attached Revised Negative Declaration supersedes the Negative Declaration dated August 25, 1992. The revisions address the inclusion of additional lots -- Block 2240 Lots 39 - 46. The Revised Negative Declaration also includes additional "E" designation provisions for Block 2240 Lots 31 and 46.

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 revised proposed action will not have a significant effect on the environment.

Enclosed is the Revised Negative Declaration for CEQR No. 89-116K, the proposed rezoning of Block 2240, Lots 11-71 from M1-2 to R6 and Block 2244 from M3-1 to M1-1. The proposed rezoning includes an "E" designation due to noise conditions on all the lots and, for Block 2240 Lots 31 and 46 only, the "E" designation is also due to the presence of underground storage tanks containing petroleum products. In addition, the enclosed Revised Negative Declaration includes the statement for the finding that the project will not have a significant effect.

Sincerely,

Annette M. Barbaccia
Director
Environmental Assessment &
Review Division

Joseph W. Ketas
Assistant Commissioner
Department of Environmental
Protection

ALBERT APPLETON Commissioner Department of Environmental Protection RICHARD L. SCHAFFER Chairman City Planning Commission

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REVISED NEGATIVE DECLARATION

Proposal No. 89-116K Date Sent: OCT 29 1992

Name, Description and Location of Proposal:

Lorimer Street Rezoning

The proposed rezoning of Block 2240, Lots 11-71 from M1-2 to R6 and Block 2244 from M3-1 to M1-1. The proposed rezoning includes the provision for an "E" designation on Block 2240, Lots 11-71. The text of the "E" designation is as follows:

1. For any development at the above block and lot, the applicant must provide a minimum of 30 dB(A) window/wall attenuation so that with windows closed the internal noise level is acceptable. To achieve this closed window condition an alternate means of ventilation is therefore required.

   Alternate means of ventilation includes, but is not limited to, the following:

   (a) Provisions for central air conditioning;
   (b) Provisions for air conditioner sleeves containing air conditioners or HUD-approved fans.

The "E" designation text also includes additional provisions for Block 2240, Lots 31 and 46 as follows:

Due to the presence of underground storage tanks containing petroleum products 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 site for development,

Task 1

The applicant must submit to the New York City Department of Environmental Protection (DEP) Bureau of Environmental Remediation and Enforcement (BERE) for review and approval, a soil gas, 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\BERE. 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 sampling data. Guidelines and criteria for choosing sampling sites and performing sampling will be provided by DEP\BERE upon request.

TASK 2

A written report with findings and a summary of the data must be presented to DEP\BERE 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\BERE and the New York City Department of Health (DOH) if the results indicate that remediation is necessary.

If DEP and DOH determine that no remediation is necessary, written notice shall be given by DEP\BERE.

If remediation is necessary according to the test results, a proposed remediation plan must be submitted to DEP\BERE for review and approval. The applicant must perform such remediation as determined necessary by DEP\BERE 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.

Revised Negative Declaration
2CEQR No. 89-116K

SUPPORTING STATEMENTS:

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

1. The above "E" designation on the zoning map is necessary due to noise conditions on all the lots in Block 2240 of the proposed action. Noise measurements taken at the site place in the "Marginally Acceptable" category according to the CEPO\CEQR standards. Noise attenuation and alternative means to ventilation as described above are necessary to address the potential adverse effects on interior noise conditions.

2. The above "E" designation on the zoning map is necessary due to the presence of underground storage tanks on Block 2240, Lots 31 and 46. There is a potential for soil and groundwater contamination from existing or past leaking for such tanks and a determination as described above is necessary to conclude if such contamination exists and to perform necessary remediation.

No significant effects upon the environment which would require the preparation of an Environmental Impact Statement are foreseeable.

Annette M. Barbaccia
Director
Environmental Assessment &
Review Division
Department of City Planning

Joseph W. Ketas
Assistant Commissioner
Department of Environmental

Department of City Planning
Revised Negative Declaration
CEQR No. 89-116K

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