E-83

DEPARTMENT OF CITY PLANNING
CITY OF NEW YORK

ENVIRONMENTAL ASSESSMENT AND REVIEW

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

# MEMORANDUM

TO: Mitchell Korbey

FROM: Robert Dobruskin RD

DATE: August 18, 1997

RE: CEQR NO.: 98DCP007K
ULURP NO.: 980067ZMK
Vinegar Hill Rezoning

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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. 98DCP007K, the proposed zoning map amendment from M1-2 to R6A, R6A/C2-4 and R6B, and from M3-1 to M1-2 for an 8 block area in Vinegar Hill, Brooklyn. Included in the proposed action are "E" designations for noise and hazardous materials.

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

c: City Planning Commissioners
John Cahill
Howard Goldman
Annette M. Barbaccia
Brooklyn Community Board 2 Chairperson
Brooklyn Community Board 2 District Manager
Gail Benjamin
Melanie Meyers
George Danskin
ENB
Michael Weil
Richard Jacobs
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CITY PLANNING COMMISSION
CITY OF NEW YORK

OFFICE OF THE CHAIRMAN

August 18, 1997

# NEGATIVE DECLARATION

Project Identification
CEQR No.: 98DCP007K
ULURP No.: 980067ZMK
SEQRA Classification: Unlisted

Lead Agency
City Planning Commission
22 Reade Street
New York, N. Y. 10007

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Name, Description and Location of Proposal:

Vinegar Hill Rezoning:
The Department of City Planning (DCP) is proposing a zoning map amendment from M1-2 to R6A, R6A/C2-4 and R6B, and from M3-1 to M1-2 for an 8 block area in Vinegar Hill, Brooklyn (see attached list of Blocks and Lots to be rezoned). Included in the proposed action are "E" designations for noise and hazardous materials.

"E" Designations for Noise
To avoid any potential impacts associated with noise, as part of the proposed action, the following "E" designation for noise will be placed on Block 55, Lot 20, 25, 32, 33, 40, 41, 42, 43, 44, 45.

> **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 or air conditioning sleeves containing air conditioners or HUD-approved fans.**

"E" Designation for Hazardous Materials
To avoid potential impacts associated with hazardous materials, as part of the proposed action, the following "E" designation for petroleum products would be placed on Block 34, Lot 8:

> **Due to the land use history of automobile related uses on Block 34, Lot 8 there is a potential for contamination of soil and groundwater by past use of petroleum products. To determine if contamination exists on the site 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's (DEP), for review and approval, a soil, soil gas, 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. 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.**

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**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 DEP upon request.**

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

**Written notice shall be given by DEP 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 DEP for review and approval. The fee owner(s) of the lot restricted by this E designation must perform such remediation as determined necessary by DEP. 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.**

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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 pursuant to the City's Environmental Quality Review (CEQR) process and 6 NYCRR 617. The City Planning Commission has determined that the proposed action will have no significant effect on the quality of the environment.

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

The CEQR lead agency has prepared the Negative Declaration in accordance with Article 8 of the Environmental Conservation Law 6 NYCRR Part 617.

Should you have any questions pertaining to this Negative Declaration, you may contact Richard Jacobs at (718) 643-7535.

Robert Dobruskin

Date: August 12, 1997

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

Joseph Rose

Date: 8/18/97

Joseph B. Rose, Chairman
City Planning Commission

**Attachment**
**Vinegar Hill Rezoning**
**CEQR No.: 98DCP007K**

## LIST OF BLOCKS AND LOTS

| BLOCKS | LOTS TO BE REZONED |
|---|---|
| 32 | 1, p/o 4, p/o 17, p/o 29, p/o 50, 55, 56, p/o 140 |
| 33 | p/o 1, p/o 16, 29, 34, 35 |
| 34 | all lots |
| 42 | p/o 1, 11, 16, 18, 24, 33-41, 46 |
| 43 | all lots |
| 44 | all lots |
| 55 | all lots |
| 56 | all lots |
| 2023 | lot 10, p/o 1, p/o 125 |