E-89

DEPARTMENT OF CITY PLANNING
CITY OF NEW YORK

ENVIRONMENTAL ASSESSMENT AND REVIEW

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

October 5, 1998

David Walentas
Brooklake Associates, LLC
111 West 57th Street, Suite 1000
New York, New York 10019

RE: CEQR NO.: 98DCP052K
ULURP NOs.: 980584ZMK, N990001ZRK
Project Name: Washington Street Rezoning
Brooklyn

Dear Mr. Walentas:

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. 98DCP052K, a proposed zoning map amendment that would rezone approximately four blocks bounded by Water, Adams, York and Dock Streets in Brooklyn from M1-2 to M1-2/R8A, a Special Mixed Use Zoning District. The proposed action would facilitate the immediate development of approximately 23 residential units and 10,000 square feet of local retail at 66-72 Water Street, and 29 residential units with 10,000 square feet of local retail at 75-91 Washington Street, and would also allow for the additional development of approximately 350 units within the rezoning area.

This declaration includes the supporting statement for the finding that the project will not have a significant effect on the quality of the environment.

Robert Dobruskin, *Director*
James Heineman, *Deputy Director*
22 Reade Street, New York, N.Y. 10007-1216 Room 4E (212) 720-3420
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Sincerely,

Robert Dobruskin

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

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CITY PLANNING COMMISSION
CITY OF NEW YORK

OFFICE OF THE CHAIRMAN

October 5, 1998

NEGATIVE DECLARATION

Project Identification
CEQR NO.: 98DCP052K
ULURP NOs.: 980584ZMK, N990001ZRK
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: Washington Street Rezoning
This project involves a proposed zoning map amendment and zoning text amendment by Brooklake Associates, LLC. The zoning map amendment would rezone approximately four blocks bounded by Water, Adams, York and Dock Streets in Community District 2, Brooklyn from M1-2 to M1-2/R8A, a Special Mixed Use Zoning District. The rezoning area includes Block 36, Lots 16, 33, 34, 38; Block 37, Lot 1; Block 38, Lot 1; Block 45, Lot 101; Block 51, Lots 1,13, 18, 19, 20, and 25. The zoning text amendment would modify ZR Section 123-90 by adding the proposed special district to the list of specified mixed use districts. The district would be identified as the Special Mixed Use District 2: Fulton Ferry, Brooklyn.

The proposed actions would facilitate the immediate development of approximately 53 residential units and 20,000 square feet of local retail uses in two vacant industrial loft buildings: approximately 24 residential units and 10,000 square feet of local retail at 66-72 Water Street, and 29 residential units with 10,000 square feet of local retail at 75-91 Washington Street. The proposal would also allow for the additional development of approximately 354 residential units and 30,000 square feet of local retail in two industrial loft buildings which are currently occupied by offices, art studios and light manufacturing uses: approximately 100 residential units and 10,000 square feet of retail at 24-36 Main Street, and approximately 254 residential units and 20,000 square feet of retail at 60-82 Washington Street.

As part of the proposed zoning map amendment, an (E) designation for noise (window/wall attenuation) would be mapped on Block 45, Lot 101, and Block 51, Lots 1 and 13; an (E) designation for hazardous materials on Block 51, Lot 13; and an (E) designation for air

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quality on Block 51, Lot 1 .

The text for the (E) designation for noise for Block 51, Lot 13 would be as follows:

> **In order to ensure an acceptable interior noise environment, future residential uses 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 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.**

The text for the (E) designation for noise for Block 51, Lot 1; and Block 45, Lot 101 would be as follows:

> **In order to ensure an acceptable interior noise environment, future residential uses must provide a closed window condition with a minimum of 40 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.**

The text for the (E) designation for hazardous materials on Block 51, Lot 13 would be as follows:

> **To determine if contamination exists on Block 51, Lot 13, 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.**
>
> **<u>Task 1</u>**
> **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. 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. Prior to development, 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.

The text for the (E) designation for air quality on Block 51, Lot 1 would be as follows:

In order to avoid a significant adverse impact on air quality, any future development containing residential uses on Block 51, Lot 1 must utilize natural gas for space heating and hot water needs.

In addition, as part of the proposed action, a Restricted Declaration has been entered into by the applicant affecting three properties within the proposed rezoning area: Block 36, Lot 16; Block 51, Lot 1; and Block 45, Lot 101. This Restrictive Declaration obligates the applicant or his successors to conduct a NYCDEP approved hazardous materials testing and sampling protocol and if required, to perform the necessary mitigation pursuant to a remediation plan approved by 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. 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 upon 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.

Robert Dobruskin

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

Date: October 2, 1998

Joseph B. Rose, Chairman
City Planning Commission

Date: 10-5-98