E-7-8

DEPARTMENT OF CITY PLANNING
CITY OF NEW YORK

ENVIRONMENTAL ASSESSMENT AND REVIEW

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

October 16, 1996

Mr. Norman Marcus, Esq.
Bachner, Tally, Polevoy & Misher LLP
380 Madison Avenue, 18th Floor
New York, New York 10017

RE: DCP CEQR No. 96DCP006M
ULURP No. 960074ZMM

Dear Mr. Marcus:

Under City Environmental Quality Review procedures, 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 DCP CEQR No. 96DCP038M, an application for the rezoning of three city blocks bounded by Prince, Lafayette, Bleeker and Mulberry Streets from M1-5B to C6-2 and C6-3 in Community District 2 in Manhattan. The Declaration includes "E" designations for noise and hazardous materials, and the finding that the project will not have a significant effect.

Sincerely,

Robert Dobruskin

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

enclosure

Robert Dobruskin, *Director*
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DCP CEQR No. 96DCP006M
ULURP No. 960074ZMM

c: Hon. Ruth Messinger
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Susan Wong
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Manhattan CB 7 - Chairperson
Environmental News Bulletin

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CITY PLANNING COMMISSION
CITY OF NEW YORK

OFFICE OF THE CHAIRMAN

NEGATIVE DECLARATION

CEQR No. 96DCP006M
ULURP No. 960074ZMM

Name, Description and Location of Proposal:
285 Lafayette Street.
Rezoning three city blocks bounded by Prince, Lafayette, Bleeker and Mulberry Streets from M1-5B to C6-2 and C6-3. The proposed rezoning area consists of Block 510, Lots 17, 21, 23, 25, 26, 28, 30, 33 and 45; and Block 522, Lots 36, 38, 41, and 43, located within Manhattan Community District 2. The action would facilitate the development of approximately 42 new housing units within existing buildings, some of which could involve enlargements such as roof-top expansions.

To avoid potential impacts associated with noise, the proposed action, includes "E" designation for noise to be placed on Block 522, Lot 38 and Block 510, Lots 17, 28 and 30.

> **In order to ensure an acceptable interior noise environment, future residential uses must provide a closed window condition with a minimum of 35 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.**

To avoid potential impacts associated with hazardous materials, the proposed action includes the following "E" designation for petroleum products to be placed on Block 522, Lots 41 and 43:

> **Due to a land use history of automobile-related uses on Block 522, Lots 41 and 43, there is potential for contamination of the soil and groundwater by existing or 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.**
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> Task 1
>
> **The fee owners of the lot restricted by this E designation must submit to the New York City Department of Environmental Protection's (DEP) Bureau of**

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Environmental Review 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 the 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 provided by DEP if the results indicate that remediation is necessary.

Written notice shall be given by DEP BERE 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 BERE for review and approval. The fee owners of the lot restricted by this E designation must perform such remediation as determined necessary by DEP BERE. After completing the remediation, the fee owners of the lot restricted by this E designation should provide proof that the work has been satisfactorily completed.

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 STATEMENTS:

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

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

Robert Dobruskin

Date: 9-30-96

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

Date: 9-30-96

Joseph B. Rose, Chairman
City Planning Commission

The CEQR lead agency has prepared the Negative Declaration 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 Chung Chan at 212-720-3418.

Project Identification
CEQR No. 96DCP006M
ULURP No. 960074ZMM
SEQRA Classification: Type I

Lead Agency
City Planning Commission
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