



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

September 19, 1988

Mr. Sol Seidman
Heimberger & Seidman
118-35 Queens Boulevard
Forest Hills, New York 11375

RE: CEQR No. 88-214K
BSA No. Pending
40 Lee Avenue
Brooklyn

Dear Mr. Seidman:

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 have no significant effect on the environment upon modification.

Enclosed is the Conditional Negative Declaration for CEQR No. 88-214K, the proposed construction of a mixed use building with three dwelling units, 1000 square feet of retail space (Use Group 6) and 800 square feet of community facility space (medical office) located at 40 Lee Avenue, Brooklyn, including the conditions under which there will be no significant effect. Provided that you are willing to comply with the conditions, you should sign the Declaration in the space provided on the reverse side and return it to this office. It will then be signed by the CEQR Directors and distributed to the appropriate authorities.

Sincerely,

Mark London

Gail Benjamin

AG:gm

cc: Roger Bennett
Stuart Beckerman
Diana Elrod
Wilbur Woods

Bonnie Buch
Sylvia Pereli
Alan Geiger



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CONDITIONAL NEGATIVE DECLARATION

Proposal No. 88-214K

Date Sent: Sept. 23, 1988

Name, Description and Location of Proposal:

The proposed construction of mixed-use building with 3 dwelling units, 1000 square feet of retail space (Use Group 6) and 800 square feet of community facility space (medical office) located at 40 Lee Avenue, Brooklyn (Block 2182, Lot 30).

STATEMENT OF NO SIGNIFICANT EFFECT UPON MODIFICATION

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 human environment once modified in the following areas:

1. Prior to the start of construction the NYC Landmarks Preservation Commission (LPC) should review final plans showing building and foundation depths for both the proposed project and for the previous buildings on the site; based on this information LPC will determine if the project requires a documentary study. If a documentary study is required the study should be submitted to NYC LPC for evaluation and approval, to determine if field research and archaeological excavation are required (see attachment A: NYC LPC Guidelines for Archaeology). Should archaeological field work be necessary it must be completed prior to start of construction on the site.

SUPPORTING STATEMENTS:

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

1. The project site is part of Williamsburg dating back to the 19th century and there is a potential that significant archaeological resources may be found on the site. The above condition is necessary to insure that no significant adverse impacts on such resources would result from construction of the proposed project.

2. The project as proposed will not result in any significant adverse air quality or noise impacts on the existing environment.
3. No other significant effects upon the environment which would require an Environmental Impact Statement are foreseeable.

It is fully agreed and understood that if the foregoing conditions, modifications and alterations are not fully incorporated into the proposed action that this Conditional Negative Declaration shall become null and void. In such event, the applicant shall be required to prepare a Draft Environmental Impact Statement before proceeding further with said proposal.

I, the undersigned, as the applicant or authorized representative for this proposal, hereby affix my signature in acceptance of the above conditions, modification and alterations to the proposed action.

(Signature of Applicant or Authorized Representative)

(Date)

Name of Applicant or Authorized Representative

Gail Benjamin

Mark London