

E-264



CITY PLANNING COMMISSION
CITY OF NEW YORK

OFFICE OF THE CHAIR

October 25, 2010

NEGATIVE DECLARATION

Project Identification

CEQR No. 11DCP038K
ULURP No. 110118ZMK
SEQRA Classification: Unlisted

Lead Agency

City Planning Commission
22 Reade Street
New York, NY 10007
Contact: Robert Dobruskin
(212) 720-3423

Name, Description and Location of Proposal

20-30 Carroll Street

The Department of City Planning proposes a zoning map change from M1-1 to R6B for six lots (Block 352, Lots 19, 20, 21, 22, 23, and 24) on Carroll Street in the Columbia Street neighborhood of Community District 6 in Brooklyn. The rezoning area is bounded by the south side of Carroll Street between Columbia Street and Van Brunt Street. The proposed rezoning area is located in the Columbia Street area in the borough of Brooklyn, on the south side of Carroll Street, between Columbia and Van Brunt Streets.

The proposed action would bring the existing residential structures on Lots 20 and 22-24 into conformance and compliance with the zoning, facilitate the development of a 4-story, 4,400 square foot residential building on Lot 21, legalize of an existing residential unit on Lot 19, and facilitate the conversion to 3 residential uses on its remaining floors. The proposed R6B zoning district also ensures that the built character be in context with what exists today, and would prevent out of character development.

Currently, four of the lots (Lots 20-24) are occupied by 3-story non-conforming, non-complying residential rowhouses, and one lot (Lot 21) is vacant. In addition, Lot 19 is occupied by a 3-story mixed residential/commercial building.

The current M1-1 zoning permits a range of retail, commercial, and manufacturing uses, but does not permit new residential uses. The proposed R6B zoning district permits residential use with a maximum FAR of 2.0 and a maximum building height of 50 feet after a setback at 30-40 feet.

Absent the proposed action, Lot 21 would be constructed with a 2-story storage facility with a basement. Lot 19 would maintain its current 4-story structure and would be occupied by office and manufacturing uses. Lots 20 and 22-24 would remain as in existing conditions.

To avoid any potential significant adverse impacts an (E) designation for hazardous materials, air quality and noise would be mapped as part of the rezoning, as described below.

Amanda M. Burden, FAICP, Chair
22 Reade Street, New York, N.Y. 10007-1216
(212) 720-3200 FAX (212) 720-3219
<http://www.nyc.gov/planning>

To avoid any potential significant adverse hazardous materials impacts, an (E) designation for hazardous materials would be mapped on Block 352, Lots 19 and 21. The text of the (E) designation for hazardous materials is as follows:

Brooklyn Block 352, Lots 19 and 21

Due to the possible presence of hazardous materials on the aforementioned designated sites there is potential for contamination of the soil and groundwater. To determine if contamination exists and to perform the appropriate remediation, the following tasks must be undertaken by the fee owners(s) of the lot(s) restricted by this (E) designation prior to any demolition or disturbance of soil on the lot, or legalization of existing unlawful residential uses of any existing building.

Task 1-Sampling Protocol

A. Petroleum

Soil, soil gas, and groundwater testing protocol (including a description of methods), and a site map with all sampling location represented clearly and precisely, must be submitted to the NYCDEP by the fee owner(s) of the lot which is restricted by this (E) designation, for review and approval.

A site map with the sampling locations clearly identified and a testing protocol with a description of methods, for soil, soil gas, and groundwater, must be submitted by the fee owner(s), of the lot which is restricted by the (E) designation, to the NYCDEP for review and approval.

B. Non-Petroleum

The fee owner(s) of the lot restricted by this (E) designation will be required to prepare a scope of work for any sampling and testing needed to determine if contamination exists and to what extent remediation may be required. The scope of work will include all relevant supporting documentation, including site plans and sampling locations. This scope of work will be submitted to NYCDEP for review and approval prior to implementation. It will be reviewed to ensure that an adequate number of samples will be collected and that appropriate parameters are selected for laboratory analysis. For all non-petroleum (E) designated sites, the three generic NYCDEP soil and ground-water sampling protocols should be followed.

A scope of work for any sampling and testing to be completed, which will determine the extent of on-site contamination and the required remediation, must be prepared by the fee owner(s) of the lot restricted by this (E) designation. The scope of work will include the following: site plans, sampling locations, and all other relevant supporting documentation. The scope of work must be submitted to the NYCDEP for review and confirmation that an adequate testing protocol (i.e., number of samples collected, appropriate parameters for laboratory analysis) has been prepared. The NYCDEP must approve the scope of work before it can be implemented.

For non-petroleum (E) designated sites, one of the three generic soil and groundwater

sampling protocols prepared by the NYCDEP should be followed.

The protocols are based on three types of releases to soil and groundwater sampling protocols prepared by the NYCDEP should be followed.

The protocols are based on three types of releases to soil and groundwater, including: the release of a solid hazardous material to ground surface; the release of a liquid hazardous material to the ground surface; and the release of a hazardous material to the subsurface (i.e., storage tank or piping). The type of release defines the areas of soil to be sampled from surface, near-surface, to subsurface. Additionally, it determines the need for groundwater sampling.

A written approval of the sampling protocol must be received from the NYCDEP before commencement of sampling activities. Sample site quantity and location should be determined so as to adequately characterize the site, the source of contamination, and the condition of the remainder of the site. After review of the sampling data, the characterization should have been complete enough to adequately determine what remediation strategy (if any) is necessary. Upon request, NYCDEP will provide guidelines and criteria for choosing sampling sites and performing sampling.

Finally, a Health and Safety Plan must be devised and approved by the NYCDEP before the commencement on any on-site activities.

Task 2-Remediation Determination and Protocol

After sample collection and laboratory analysis have been completed on the soil and/or groundwater samples collected in Task 1, a summary of the data and findings in the form of a written report must be presented to the NYCDEP for review and approval. The NYCDEP will provide a determination as to whether remediation is necessary.

If it is determined that no remediation activities are necessary, a written notice will be released to that effect. However, if it is the NYCDEP's determination that remediation is necessary the fee owner(s) of the lot restricted by the (E) designation must submit a proposed remediation plan to the NYCDEP for review and approval. Once approval has been obtain, and the work completed, the fee owner(s) of the lot restricted by the (E) designation must provide proof to the NYCDEP that the work has been completed satisfactorily.

The placement of (E) designations would ensure that no significant impacts related to hazardous materials would occur as a result of the proposed actions.

To avoid any potential significant adverse air quality impacts, an (E) designation for air quality would be mapped on Block 352, Lots 19 and 21. The text of the (E) designation for air quality is as follows:

Brooklyn Block 352, Lot 19

Any new residential and/or commercial development and legalizations of existing unlawful residential uses on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 15 feet from the lot line facing Columbia Street and use natural gas as the type of fuel for space heating and hot water (HVAC) systems,

to avoid any potential significant adverse air quality impacts.

Brooklyn Block 352, Lot 21

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 30 feet from the lot line facing Summit Street, and use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

With the placement of the (E) designation for air quality, no impacts related to air quality are expected and no further assessment is warranted.

To avoid any potential significant adverse noise impacts, an (E) designation for noise would be mapped on Block 352, Lots 19 and 21. The text of the (E) designation for noise is as follows:

Brooklyn Block 352, Lot 19

In order to ensure an acceptable interior noise environment, future residential/commercial uses and legalizations of existing unlawful residential uses must provide a closed window condition with minimum window/wall attenuation of 28 dB(A) on all facades 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.

Brooklyn Block 352, Lot 21

In order to ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed window condition with minimum window/wall attenuation of 28 dB(A) on all facades 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.

With the placement of the (E) designation for noise, no impacts related to noise are expected and no further assessment is warranted.

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, dated October 12, 2010, prepared in connection with the ULURP Application (No. 110118ZMK). The City Planning Commission has determined that the proposed action will have no significant effect on the quality of the environment.

Supporting Statement:

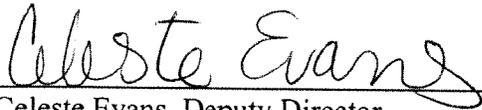
The above determination is based on an environmental assessment which finds that:

20-30 Carroll Street
CEQR No. 11DCP038K
Negative Declaration

1. The (E) designation for hazardous materials would ensure that the proposed action would not result in significant adverse impacts due to hazardous materials.
2. The (E) designation for air quality would ensure that the proposed action would not result in significant adverse impacts due to air quality.
3. The (E) designation for noise would ensure that the proposed action would not result in significant adverse impacts due to noise.
4. No other significant adverse effects on 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.

Should you have any questions pertaining to this Negative Declaration, you may contact Olga Abinader at (212) 720-3493.



Celeste Evans, Deputy Director
Environmental Assessment & Review Division
Department of City Planning

Date: October 25, 2010



Amanda M. Burden, FAICP, Chair
City Planning Commission

Date: October 25, 2010