

NEGATIVE DECLARATION (Use of this form is optional)

Statement of No Significant Effect

Pursuant to Executive Order 91 of 1977, as amended, and the Rules of Procedure for City Environmental Quality Review, found at Title 62, Chapter 5 of the Rules of the City of New York and 6 NYCRR, Part 617, State Environmental Quality Review, the Department of City Planning, acting on behalf of the City Planning Commission assumed the role of lead agency for the environmental review of the proposed project. Based on a review of information about the project contained in this environmental assessment statement and any attachments hereto, which are incorporated by reference herein, the lead agency has determined that the proposed project would not have a significant adverse impact on the environment.

Reasons Supporting this Determination

The above determination is based on information contained in this EAS, which finds the proposed actions sought before the City Planning Commission would have no significant effect on the quality of the environment. Reasons supporting this determination are noted below.

Hazardous Materials, Air Quality, and Noise

1. An (E) designation (E-483) for hazardous materials, air quality and noise has been incorporated into the proposed actions. Refer to "Determination of Significance Appendix: (E) Designation" for a list of the sites affected by the proposed (E) designation and applicable (E) designation requirements. With these measures in place, the proposed actions would not result in significant adverse impacts to hazardous materials, air quality or noise.


Land Use, Zoning and Public Policy

2. This EAS includes a detailed Land Use, Zoning and Public Policy section, which analyzes the potential significance of the proposed text amendment and special permits on land use, zoning and public policy in the study area. The proposed actions would establish the affected area as a new Industrial Business Incentive Area (IBIA) and modify the bulk and accessory off-street parking and loading requirements of the existing zoning. This EAS includes a consistency assessment with the Waterfront Revitalization Program (WRP). The analysis concludes that the proposed actions would not result in significant adverse impacts on land use, zoning or public policy.

Conceptual Analysis

3. This EAS includes a Conceptual Analysis section which analyzes the potential future development of three lots not owned by the applicant within the affected area. Future development on these sites subject to the proposed IBIA would require a Special Permit, which would be subject to future environmental review. Detailed and site-specific analysis of potential effects would be made at the time of a future special permit application pursuant to the IBIA.

No other significant effects upon the environment that would require the preparation of a Draft Environmental Impact Statement are foreseeable. This Negative Declaration has been prepared in accordance with Article 8 of the New York State Environmental Conservation Law (SEQRA).

TITLE Deputy Director, Environmental Assessment and Review Division	LEAD AGENCY Department of City Planning, acting on behalf of the City Planning Commission
NAME Olga Abinader	DATE 8/17/2018
SIGNATURE 	

TITLE Chair, City Planning Commission	
NAME Marisa Lago	DATE 8/20/2018
SIGNATURE	

Project Name: 12 Franklin Street Special Permit
CEQR #: 18DCP099K
SEQRA Classification: Unlisted

Determination of Significance Appendix: (E) Designation (E-483)

To ensure that there would be no significant adverse hazardous materials, air quality or noise impacts associated with the proposed project, an (E) designation (E-483) will be placed on the project site (Block 2614, Lots 1, 3, and 8).

Hazardous Materials

Task 1

The applicant submits to OER, for review and approval, a Phase 1A of the site along with a soil and groundwater testing protocol, including a description of methods and a site map with all sampling locations clearly and precisely represented.

If site sampling is necessary, no sampling should begin until written approval of a protocol is received from OER. The number and location of sample sites should be selected to adequately characterize the site, the specific source of suspected contamination (i.e., petroleum based contamination and non-petroleum based contamination), and the remainder of the site's condition. The characterization should be complete enough to determine what remediation strategy (if any) is necessary after review of sampling data. Guidelines and criteria for selecting sampling locations and collecting samples are provided by OER upon request.

Task 2

A written report with findings and a summary of the data must be submitted to OER after completion of the testing phase and laboratory analysis for review and approval. After receiving such results, a determination is made by OER if the results indicate that remediation is necessary. If OER determines that no remediation is necessary, written notice shall be given by OER.

If remediation is indicated from the test results, a proposed remediation plan must be submitted to OER for review and approval. The applicant must complete such remediation as determined necessary by OER. The applicant should then provide proper documentation that the work has been satisfactorily completed.

An OER-approved construction-related health and safety plan would be implemented during evacuation and construction and activities to protect workers and the community from potentially significant adverse impacts associated with contaminated soil and/or groundwater. This plan would be submitted to OER for review and approval prior to implementation.

Project Name: 12 Franklin Street Special Permit
CEQR #: 18DCP099K
SEQRA Classification: Unlisted

Air Quality

Block 2614, Lots 1, 3 and 8 (Development Site): Any new commercial development on Block 2614, Lots 1, 3, and 8, to preclude the potential for significant adverse air quality impacts from any Industrial/Manufacturing Uses developed pursuant to Section 74-962 of the Zoning Resolution of the City of New York, must locate the emission stack for toxic releases on or within the highest-tier bulkhead at, at least, 138 feet above grade. Fossil fuel-fired heating and hot water exhaust stacks must be located at least 138 feet above grade. Adherence to these conditions would avoid any potential significant adverse air quality impacts.

Noise

Block 2614, Lots 1, 3 and 8 (Development Site): To ensure an acceptable interior noise environment, future Commercial uses must provide a closed window condition with a minimum of 26 dBA window/wall attenuation on any western-facing facade located on Franklin Street and 23 dBA window/wall attenuation on any eastern-facing facade located on Gem Street to maintain an interior noise level of 50 dBA or lower. The minimum required composite window/wall attenuation for future Residential and/or Community Facility uses would be 5 dBA more than that for Commercial uses. 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, air conditioning.