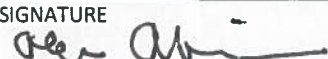


Part III: DETERMINATION OF SIGNIFICANCE (To Be Completed by Lead Agency)		
INSTRUCTIONS: In completing Part III, the lead agency should consult 6 NYCRR 617.7 and 43 RCNY § 6-06 (Executive Order 91 or 1977, as amended), which contain the State and City criteria for determining significance.		
1. For each of the impact categories listed below, consider whether the project may have a significant adverse effect on the environment, taking into account its (a) location; (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude.	Potentially Significant Adverse Impact	
	YES	NO
IMPACT CATEGORY		
Land Use, Zoning, and Public Policy	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Socioeconomic Conditions	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Community Facilities and Services	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Open Space	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Shadows	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Historic and Cultural Resources	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Urban Design/Visual Resources	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Natural Resources	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Hazardous Materials	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Water and Sewer Infrastructure	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Solid Waste and Sanitation Services	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Energy	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Transportation	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Air Quality	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Greenhouse Gas Emissions	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Noise	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Public Health	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Neighborhood Character	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Construction	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Are there any aspects of the project relevant to the determination of whether the project may have a significant impact on the environment, such as combined or cumulative impacts, that were not fully covered by other responses and supporting materials? If there are such impacts, attach an explanation stating whether, as a result of them, the project may have a significant impact on the environment.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Check determination to be issued by the lead agency:		
<input type="checkbox"/> Positive Declaration: If the lead agency has determined that the project may have a significant impact on the environment, and if a Conditional Negative Declaration is not appropriate, then the lead agency issues a <i>Positive Declaration</i> and prepares a draft Scope of Work for the Environmental Impact Statement (EIS).		
<input type="checkbox"/> Conditional Negative Declaration: A <i>Conditional Negative Declaration</i> (CND) may be appropriate if there is a private applicant for an Unlisted action AND when conditions imposed by the lead agency will modify the proposed project so that no significant adverse environmental impacts would result. The CND is prepared as a separate document and is subject to the requirements of 6 NYCRR Part 617.		
<input checked="" type="checkbox"/> Negative Declaration: If the lead agency has determined that the project would not result in potentially significant adverse environmental impacts, then the lead agency issues a <i>Negative Declaration</i> . The <i>Negative Declaration</i> may be prepared as a separate document (see template) or using the embedded Negative Declaration on the next page.		
4. LEAD AGENCY'S CERTIFICATION		
TITLE Director, Environmental Assessment and Review Division	LEAD AGENCY Department of City Planning, acting on behalf of the City Planning Commission	
NAME Olga Abinader	DATE January 17, 2020	
SIGNATURE 		

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 that finds the proposed project and related 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.

1. **Hazardous Materials, Air Quality:** To ensure that the Proposed Actions would not result in significant adverse hazardous materials or air quality impacts, an (E) designation (E-560) would be established as part of the approval of the Proposed Actions. Refer to "Determination of Significance Appendix: (E) designation" for the applicable (E) designation requirements. The Hazardous Materials and Air Quality analyses determined that with the (E) designation requirements in place, the Proposed Actions would not result in significant adverse impacts related to hazardous material or air quality.


2. **Land Use, Zoning and Public Policy:** The Proposed Actions include a zoning map amendment to rezone the project site from an M1-2 district to an R6A/C2-4 district as well as a zoning text amendment to Appendix F of the Zoning Resolution to establish a Mandatory Inclusionary Housing within with the rezoning area. The rezoning area is identified as Block 43, Lots 1 and part of 41 within the Vinegar Hill neighborhood of Brooklyn, Community District 2. The Land Use, Zoning, and Public Policy analysis finds that the Proposed Actions would not introduce new land uses not already present in the study area. Though the maximum FAR under the Proposed Actions would increase to 3.0 from 2.0 in the existing conditions, the greater bulk permitted at the Project Site would align with the bulk of surrounding developments within the study area. Additionally, as the project site is located within the Coastal Zone, a WRP assessment (WRP No. 13-095) was included in this EAS, and found the proposed development to be consistent with the policies set forth in the WRP. Based on the above, the Land Use, Zoning and Public Policy analysis concludes that the proposed actions would not have a significant adverse impact on land use, zoning, or public policy.

3. **Shadows:** The detailed shadows analysis notes one sunlight-sensitive resource within the longest shadow study area, the playground of P.S. 307. Though the project site is adjacent to the Vinegar Hill Historic District, none of the architectural features of the district are sunlight-sensitive. The shadows analysis determines that incremental shadow would reach the P.S. 307 playground on the June 21st analysis day, but no incremental shadow would reach the playground on the December 21st, March 21st, or May 6th analysis days. The analysis further notes that incremental shadow would only reach a small portion of the play area, and shadows would fall outside of peak use of the playground: after 6 pm in mid-to-late summer. For the reasons stated above, the analysis concludes that the proposed actions would not have a significant adverse impact on shadows.

4. **Historic and Cultural Resources:** A detailed Historic and Cultural Resources analysis is included in this EAS. Regarding architectural resources, the project site is located adjacent to Area II of the Vinegar Hill Historic District. In order to protect the structural integrity of the surrounding contributing architectural resources within the historic district, the Applicant will follow the guidelines of the Department of Building's Technical Policy and Procedure Notice (TPPN #10/88) which supplements the standard building protections afforded by the Building Code by requiring a monitoring program to reduce the likelihood of construction damage to adjacent historic resources. The plan will be implemented prior to any construction on the project site to assure that there would be no significant adverse impacts to architectural resources. Regarding archaeological resources, a Phase I archaeological documentary study determined the potential for archaeological resources at the project site. The applicant has entered into a Restrictive Declaration (CFRN 2016000378122) committing to prepare the recommended archaeological documentary study at the project site. The work will be conducted prior to any construction on the project site to assure there would be no significant adverse impacts related to archaeological resources. Based on the above, the analysis concludes that the Proposed Actions would not have a significant adverse impact related to historic and cultural resources.

5. **Urban Design and Visual Resources:** A detailed Urban Design and Visual Resources analysis is included in this EAS. The analysis determines the proposed actions would not affect the topography, street system, block forms, or building arrangements within the area including and surrounding the project site. The area's urban design context is marked by contrasts in building heights, types, and dimensions. Thus, the new building would not disrupt a consistent neighborhood scale. Based on the above, the analysis concludes that the Proposed Actions would not have a significant adverse impact related to urban design and visual resources.

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). Should you have any questions pertaining to this Negative Declaration, please contact Anthony Howard at 212-720-3422.

TITLE Director, Environmental Assessment and Review Division	LEAD AGENCY Department of City Planning, acting on behalf of the City Planning Commission 120 Broadway, 31 st Floor New York, NY 10271
NAME Olga Abinader	DATE January 17, 2020
SIGNATURE 	

TITLE Chair, Department of City Planning	
NAME Marisa Lago	DATE January 21, 2020
SIGNATURE	

Project Name: 265 Front Street Rezoning
CEQR No.: 15DCP207K
SEQRA Classification: Type I

Determination of Significance Appendix: (E) Designation

To ensure that the proposed actions would not result in significant adverse impacts related to hazardous materials or air quality, an (E) designation (E-560) would be established as described below:

Hazardous Materials

The (E) designation requirements for hazardous materials would apply to the project site, Brooklyn **Block 43, Lot 1** as follows:

Task 1-Sampling Protocol

The applicant submits to OER, for review and approval, a Phase I of the site along with a soil, groundwater and soil vapor 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 samples should be selected to adequately characterize the site, specific sources 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-Remediation Determination and Protocol

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 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.

A construction-related health and safety plan should be submitted to OER and would be implemented during excavation and construction activities to protect workers and the community from potentially significant adverse impacts associated with contaminated soil, groundwater and/or soil vapor. This plan would be submitted to OER prior to implementation.

Air Quality

Block 43, Lot 1: Any new residential or commercial development on the above-referenced property must exclusively use natural gas as the type of fuel for heating, ventilating, and air conditioning (HVAC)

systems and hot water systems, ensure that the stack(s) is located at the highest tier and at least 73 feet above grade to avoid any potential significant air quality impacts.