



CITY PLANNING COMMISSION
CITY OF NEW YORK

OFFICE OF THE CHAIRMAN

NEGATIVE DECLARATION

Project Identification

CEQR No. 16DCP012K
ULURP No. 160028ZSK
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:

170 Buffalo Avenue

The applicant, Buffalo Avenue Realty Associates, LLC, is seeking a Special Permit pursuant to the New York City Zoning Resolution Z.R. Section 74-90 ("Use and Bulk Modification for Certain Community Facility Uses") to permit a nursing home in Brooklyn Community District 8. The project site is located at 170 Buffalo Avenue (Block 1362, Lot 1) in an R6 zoning district in the Weeksville neighborhood of Brooklyn. The proposed action would facilitate a proposal by the applicant to convert an existing 286,084 gross square foot (gsf), vacant former hospital building (Use Group 4) for use as a nursing home (Use Group 3).

In connection with the proposed special permit, the applicant also seeks a variance from the Board of Standards and Appeals ("BSA") pursuant to ZR Section 24-522 ("Front Setbacks in Districts Where Front Yards are not Required"). The concurrent BSA application involves a bulk variance permitting the project site to maintain existing building configuration while introducing a nursing home use. A coordinated CEQR review was conducted with the BSA participating as an involved agency.

The project site is an irregular shaped lot occupying the eastern half of Block 1362 and is bounded by St Mark's Avenue to the north; Buffalo Avenue to the east; Prospect Place to the south; and Rochester Avenue to the west. The project site is currently developed with an unoccupied 286,084 gsf, eight-story hospital (formerly St. Mary's Hospital), and a 5,078 gsf ambulatory parking facility. The site also includes an unenclosed parking lot with twenty spaces and an enclosed ambulatory parking facility which contains nine spaces. All parking is accessed via an existing curb cut at Prospect Place.

Although nursing home uses are permitted within the underlying R6 zoning district, they are not permitted as-of-right in Brooklyn's Community District 8, pursuant to ZR 22-10 ("Uses Permitted

As-Of-Right”). The special permit pursuant to ZR 74-90 is required to allow the proposed nursing home use.

As proposed the nursing home would include a total of 281 beds, within the existing 286,084 gsf building. The proposed development would not include changes to the existing building’s bulk, but the applicant anticipates including substantial interior and exterior renovations, (including interior reconfigurations for senior apartments, new façade materials and exterior windows). The proposed development would contain 38 at grade parking spaces, including 34 unenclosed spaces and four enclosed spaces (within the existing ambulatory parking facility). A new 20 foot wide curb cut would be provided on Prospect Place for access to the unenclosed parking, while the existing 24-foot curb cut on Prospect Place would be shortened to 20 feet.

Absent the proposed action the existing eight-story building would remain vacant.

The analysis year for the proposed project is 2018.

The proposed action includes an (E) designation on the development site (Block 1362, Lot 1) in order to preclude potential impacts related to noise. The (E) designation number is E-370.

The (E) designation text is as follows:

“To ensure an acceptable interior noise environment, future nursing home uses on Block 1362 Lot 1 must provide a closed window condition with a minimum of 28 dBA window/wall attenuation on all façades to maintain an interior noise level of 45 dBA. 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 attenuation measures specified above, the proposed development would not result in any significant adverse noise impacts, and would meet CEQR guidelines.

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 November 12, 2015, prepared in connection with the ULURP Application (No. 160028ZSK). 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:

1. The (E) designation for noise would ensure that the proposed actions would not result in significant adverse impacts.
2. No other significant 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 Ingrid Young of the Department of City Planning at (212) 720-3425.



Olga Abinader, Deputy Director
Environmental Assessment & Review Division
Department of City Planning

Date: November 13, 2015

Carl Weisbrod, Chairman
City Planning Commission

Date: November 16, 2015