

NEGATIVE DECLARATION

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 actions. Based on a review of information about the project contained in this environmental assessment statement (EAS) and any attachments hereto, which are incorporated by reference herein, the lead agency has determined that the proposed actions 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 not have a significant adverse impact on the environment. Reasons supporting this determination are noted below.

Land Use, Zoning, and Public Policy
 A detailed analysis of land use, zoning, and public policy is included in the EAS. The proposed actions include zoning text amendment and special permits affecting Block 2641, Lots 1, 3 and 4, "the Affected Area" bound by Wythe Avenue, Banker Street and North 15th Street in the Greenpoint neighborhood of Brooklyn Community District (CD) 1. The proposed actions are (i) a zoning text amendment to map a new Industrial Business Incentive Area (IBIA), (ii) a special permit pursuant to ZR § 74-963, to modify floor area and (iii) a special permit pursuant to ZR § 74-964 for waiver of accessory parking and modification of loading berth requirements to waive all on-site parking and reduce the number of required loading berths from four down to one. The discretionary actions proposed by the Applicant would facilitate the development of an eight-story light industrial and commercial office building comprising approximately 98,792 gross square feet (gsf). The proposed development would include 69,162 gsf of office uses (34,502 gsf of Permitted uses and 34,660 gsf of Incentive Uses), 13,819 gsf of Required Industrial Uses, and 15,811 gsf of non-zoning floor area cellar level permitted industrial uses. The IBIA incentive uses would result in a substantial amount of manufacturing and commercial development within the Affected Area that conforms to surrounding uses and is similar to what currently exists on site at a higher density. The public policy assessment finds that the actions will not substantially hinder the achievement of any Waterfront Revitalization Program (WRP) policy and determines the project consistent with the WRP policies (WRP # 19-117). As a result, no adverse impacts are anticipated, and no further analysis is required.

Urban Design and Visual Resources
 A preliminary analysis of urban design is included in the EAS. The Proposed Actions would result in a taller building than surrounding structures but would be as-of-right within the existing M1-2 zoning district. The Proposed Actions would not alter the pedestrian environment, nor would it result in substantial changes to the built environment of a historic district or components of a historic building. Zoning regulations would remain the same as in existing conditions, and the Proposed Actions would not permit a higher bulk, height, setbacks, or lot coverage. In addition, the project would not change the context of urban design features to the extent that the built visual resources would be altered and no further analysis is required.

Hazardous Materials and Air Quality
 An (E) designation (E-628) related to hazardous materials and air quality 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 conclude that with the (E) designation in place, the proposed actions would not result in a significant adverse impact related to hazardous materials or air quality.

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, you may contact Stephanie Shellooe at 212-720-3328.

TITLE Deputy Director, Environmental Assessment and Review Division	LEAD AGENCY Department of City Planning on behalf of the City Planning Commission 120 Broadway, 31 st Fl. New York, NY 10271 212.720.3328
NAME Stephanie Shellooe	DATE July 23, 2021
SIGNATURE 	
TITLE Chair, City Planning Commission	
NAME Marisa Lago	DATE July 26, 2021
SIGNATURE	

Project Name: 1 Wythe Avenue IBIA Special Permit

CEQR # 21DCP075K

SEQRA Classification: Unlisted

Determination of Significance Appendix

The Proposed Action(s) were determined to have the potential to result in changes to development on the following site(s):

Development Site	Borough	Block and Lot
Projected Development Site 1	Brooklyn	Block 2641, Lots 1, 3 and 4

(E) Designation Requirements

To ensure that the proposed actions would not result in significant adverse impacts related to hazardous materials, air quality, and noise an (E) designation (**E-628**) would be established as part of approval of the proposed actions on **Projected Development Site 1** as described below:

Development Site	Hazardous Materials	Air Quality	Noise
Projected Development Site 1	X	X	

Hazardous Materials

The (E) designation requirements applicable to **Projected Development Site 1** for hazardous materials would apply 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.

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Air Quality

The (E) designation requirements for air quality would apply as follows:

Projected Development Site 1 (Block 2641, Lots 1, 3 and 4):

Any new commercial and/or light industrial development on the above-referenced property must ensure the heating, ventilating, and air conditioning (HVAC) system and hot water equipment stack is located at the building's highest tier and at least 113 feet above grade to avoid any potential significant adverse air quality impacts.

To preclude any potential significant adverse air quality impacts from the following industrial/manufacturing uses jewelry manufacturing, cleaning, polishing, and plating; digital printing, photocopying, and commercial art and design, and baking bread, and cookies/pastries developed pursuant to Section 74-962 of the Zoning Resolution of the City of New York, the emission stack must be located at the building's highest tier and at least 132 feet above grade. Any other processes that require a New York City Department of Environmental Protection Certificate of Operation (C of O) must provide an air quality analysis to OER prior to obtaining a Notice of Satisfaction in order to demonstrate that such process would not cause a significant adverse air quality impact.

In addition, a licensed architect or engineer must certify with the Department of Buildings that the manufacturing use on the above-referenced property will adhere to the following restrictions:

(a) The manufacturing use in the building does not have a New York City or New York State environmental rating of "A", "B" or "C" under Section 24-153 of the New York City Administrative Code for any process equipment requiring a New York City Department of Environmental Protection C of O or New York State Department of Environmental Conservation state facility air permit; and

(b) is not required, under the City Right-to-Know Law, to file a Risk Management Plan for Extremely Hazardous Substances.

Odor/vapor barrier and prevention: a mechanical ventilation system separate from the commercial building will provide fresh air to and exhaust from the ground-floor, with vents running above the roof line of the commercial towers. An odor/vapor barrier would also be applied to the structural slab separating the manufacturing and commercial spaces.