

DEPARTMENT OF CITY PLANNING
CITY OF NEW YORK

ENVIRONMENTAL ASSESSMENT AND REVIEW DIVISION

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Department of City Planning

ENVIRONMENTAL ASSESSMENT AND REVIEW DIVISION
FACSIMILE TRANSMITTAL SHEET

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RE: E-226
FROM: Susan Wong
DATE: 5/29/09

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E-226



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Assistant Commissioner

Office of Development
Planning
100 Gold Street
New York, N.Y. 10038

December 19, 2008

NEGATIVE DECLARATION

Project Identification

Location: Coney Island Commons, Brooklyn, Community District 13
Northside of Surf Avenue between West 29th and West 30th Street
(Block 7051, Lots 33, 35, 37-42, 46, 57, 59, 61, 63-65, 68, 138-145,
165- 172, 239, 269, 339 and 439)

CEQR No. 09HPD021K

SEQRA Classification: Unlisted

Name and Description of Proposed Action

Coney Island Commons:

The proposal involves an application by the New York City Department of Housing Preservation and Development (HPD), on behalf of the project sponsor Coney Island Commons, LLC, for a zoning map amendment to change an existing R6/C1-2 district to a R7-2/C1-2 district. The proposed action also includes the disposition of City-owned property and project approval and designation of the site as an Urban Development Action Area Project (UDAAP).

The proposed action would result in the redevelopment of a vacant, 64,724-square-foot, City-owned site with up to 190 units of affordable housing in two mid-rise towers (nine and 13 stories tall) and a 42,663-square-foot community facility building for the Young Men's Christian Association (YMCA). In addition, 106 accessory parking spaces would be provided at ground level in an attended parking garage. The project site is located on the north side of Surf Avenue between West 29th Street and West 30th Street in the Coney Island neighborhood of Brooklyn, Community District 13.

Under the proposed action, an adjacent, privately-owned parcel (Block 7051, Lots 48 and 54) currently occupied with approximately 15,780 square feet of local retail space, is projected to contain 90 dwelling units and 19,649 square feet of local retail space. In total, the Environmental Assessment Statement (EAS) assesses 280 dwelling units, 19,649 square feet of local retail space and 42,663 square feet of community facility space. The proposed action has a build year of 2011.

The existing R6 zoning district allows residential and community facility uses and has a maximum FAR of 2.43. The proposed R7-2 district allows residential and community facility uses and has a maximum FAR of 4.0. With and without the proposed action, the existing C1-2 commercial overlay would remain.



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In addition to the actions discussed above, the Coney Island Commons proposal requires a Mayoral Zoning Override for open space non-compliance (Zoning Resolution section 23-142), permitted obstructions in required rear yards (ZR section 24-33), standard setbacks and height limits (ZR section 23-632) and community facility accessory parking (ZR Section 36-21). A light and air easement is also required from the New York City Department of Education (DOE). Funding from the New York State Affordable Housing Corporation (AHC), Housing Partnership Development Corporation and the Housing Development Corporation (HDC) would also be provided to facilitate the proposed project.

To avoid the potential for impacts associated with hazardous materials, the proposed action includes (E) designations on the following properties:

- Block 7051, Lots 48 and 54

The text of the (E) designation for hazardous materials for the above properties is as follows:

The (E) designation would require that the fee owner of such a site conduct a testing and sampling protocol, and remediation where appropriate, to the satisfaction of the DEP before the issuance of a building permit by the DOB (pursuant to Section 11 15 of the Zoning Resolution Environmental Requirement). The (E) designation also includes a mandatory construction related health and safety plan which must also be approved by the DEP.

To avoid the potential for impacts related to noise, the proposed action includes (E) designations for noise on the following lots:

- Block 7051, Lots 48 and 54

The text of the (E) designation for noise for the above properties is as follows:

In order to ensure an acceptable interior noise environment, future residential and community facility uses must provide a closed window condition with a minimum of 30 dB(A) window wall attenuation in order to maintain an interior noise level of 45 dB(A). Alternate means of ventilation includes, but is not limited to central air conditioning or air conditioning sleeves containing air conditioners.

The proposed project will be implemented in conformance with the following provisions to be incorporated into the Land Disposition Agreement (LDA) in order to ensure that there are no significant adverse impacts related to hazardous materials, traffic and noise. The provisions are as follows:



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Hazardous Materials

The Phase I Environmental Site Assessment (ESA) conducted by Metcalf and Eddie Consultants and dated May, 2006 indicates that historic uses adjacent to the site, on the northeast corner of Surf Avenue, (Block 7051, Lot 54) which is proposed for rezoning, contains a dry cleaning service presently offering off-site dry cleaning services, however the potential for historic on-site dry cleaning operations cannot be ruled out.

Development could result in hazardous materials contamination associated with perchloroethylene. Perchloroethylene is a manufactured chemical compound that is widely used for the dry cleaning of fabrics. In addition, portions of the Coney Island Commons project site were historically occupied by a railroad.

The New York State Department of Environmental Conservation (NYSDEC) may have jurisdiction over some or all activities. If it is determined that the NYSDEC has jurisdiction, the developer/sponsor is responsible to ensure a review of such plans is coordinated with the NYSDEC. If applicable, the developer shall be responsible to provide copies of all correspondence with the State to HPD/DEP as it becomes available. If required, the developer shall provide any and all plans and reports generated in association with the requisite work to DEC. If applicable, the developer is responsible to ensure that a no further action determination is consistent with NYSDEC requirements. As a result of potential contamination, the developer/project sponsor must submit to HPD's Environmental Review Unit, a Phase II Sampling and Analysis work plan/protocol designed to identify, and if present, delineate the nature and extent of potential soil and groundwater contamination at the site, and a site specific Investigation Health and Safety Plan. Upon completion of this review and if the document is acceptable to HPD, HPD will transmit to the DEP for approval.

The plan may include, at the agencies discretion, descriptions of a geophysical survey, excavation of test pits, installation of soil borings/monitoring wells, and collection of soil and groundwater samples, including a description of the methods to be used, a site map showing clearly and precisely all testing locations. If any underground tanks are found on site, a protocol for tank removal and soil and groundwater testing must be prepared and submitted to HPD/DEP for approval.

The developer project sponsor would be responsible for providing a written report with findings and conclusions, and a summary of the testing program and laboratory results to HPD. The report should clearly indicate if remediation is required and its extent. Upon completion of this review and if the document is acceptable to HPD, HPD will transmit to the DEP for approval.



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If DEP determines no further soil or groundwater testing or remediation is necessary, then written notice shall be given by DEP that the site may be developed as proposed.

The developer/project sponsor is responsible to perform any and all remediation and construction activities in accordance with the remediation plan and construction health and safety plan, as approved by DEP.

After completion of remediation, the developer/project sponsor shall provide a Site Closure Report in accordance with DEP requirements to serve as proof that remediation is complete. If DEP accepts the closure report, DEP will notify HPD and the developer that the proposed remediation work has been satisfactorily completed and that the site is suitable for re-use/occupancy.

Noise Attenuation

Ambient noise levels were measured at the intersection of Surf Avenue and 29th Street in order to establish existing noise levels in the vicinity of the project site. The highest noise measurement of 73.5 dBA occurred in the AM peak hour. Due to ambient noise levels, the developer/sponsor will provide window-wall attenuation with an OITC rating of 30 dBA on all facades of any residential and community facility development in order to achieve a minimum interior noise environment (closed-window condition) of 45 dBA. Therefore, alternate means of ventilation are required. Alternate means of ventilation may include, but is not limited to the provision of central air conditioning or air conditioner sleeves containing air conditioners.

Traffic

Traffic demand generated by the proposed project would create significant adverse traffic impacts at one intersection in the Weekday AM and Weekday PM peak hour; therefore traffic improvements may be necessary. Traffic improvement measures would include signal timing changes at the intersection of Neptune Avenue and Cropsey Avenue.

In connection with the proposal, HPD and/or the project sponsor will notify the New York City Department of Transportation (NYCDOT) six months prior to the completion and occupancy of the proposed Coney Island Commons development. Upon notification, NYCDOT will investigate the feasibility of implementing signal timing changes at the intersection of Neptune Avenue and Cropsey Avenue. The signal timing changes include:

- The reallocation of one second of green time from the east-west phase to the north-south phase during the weekday AM peak hour



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- The reallocation of one second of green time from the east-west phase to the north-south phase during the Weekday PM peak hour.

With implementation of the above-described improvement measures, the proposed action would not result in significant adverse traffic-related impacts.

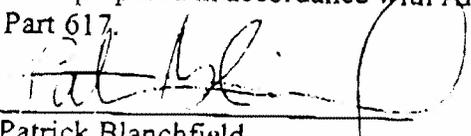
Statement of No Significant Effect:

Pursuant to the CEQR rules adopted on June 6, 1991, Executive Order 91, HPD has completed its technical review of the Environmental Assessment Statement (EAS) dated December 19, 2008, and determined that the proposed action will have no significant effect on the quality of the environment.

Supporting Statement:

The proposed action includes requirements associated with hazardous materials, noise and traffic. With these measures included as part of the proposal, the proposed action would not result in any significant adverse impacts. If the provisions described above are not fully implemented as part of the proposed action, then the Negative Declaration shall become null and void. In such event, a Draft Environmental Impact Statement (EIS) will be prepared before proceeding further with said proposal.

The EAS is on file with HPD and available for public review. This Negative Declaration has been prepared in accordance with Article 8 of the Environmental Conservation Law 6NYCRR Part 617.


Patrick Blanchfield
Director of Environmental Review

December 19, 2008
Date

NYC

