E-358

CITY PLANNING COMMISSION
CITY OF NEW YORK

OFFICE OF THE CHAIRMAN

NEGATIVE DECLARATION

November 3, 2014

Project Identification
CEQR No. 15DCP052K
ULURP No. 140209ZSK
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:

2702 West 15th Street
The applicant, SO Development Enterprises, LLC, is proposing a special permit pursuant to Section 106-32(a) and (c) of the Zoning Resolution ("ZR") to permit commercial uses in new developments not permitted by the provisions of ZR Section 106-31 and a request for modification of the open area requirements pursuant to ZR § 106-34. The proposed special permit would facilitate a proposal by the applicant to construct a new 3-story 35,092 gross square foot (gsf) commercial warehouse (Use Group 16D) building, and two accessory parking spaces on an undeveloped parcel of land located at 2702 West 15th Street (Block 6996, Lots 53, and 59 "the Project Site"). The Project site is located in an M1-2 zoning district and the Special Coney Island Mixed-Use District ("CO") in Brooklyn Community District 13.

The development, as proposed, is not permitted on an as-of-right basis in the CO pursuant to ZR § 106-31 because the Project Site is situated in a zoning lot having more than 60 feet of street frontage, a lot area exceeding 7,800 square feet (sf), is a vacant lot with frontage of aggregate length exceeding 60 feet, and is located on a street other than Neptune, Stillwell or Cropsey Avenues. The Project Site has 147 feet of frontage on West 15th Street, with a lot area of 11,945 sf and currently contains automobile storage uses (Lot 53), and an unimproved and vacant lot (Lot 59).

Absent the proposed actions the applicant has stated that the Project Site would remain a vacant undeveloped site and any auto storage would be removed.

Carl Weisbrod, *Chairman*
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The proposed project is expected to be completed in 2016.

To avoid the potential for significant adverse impacts related to hazardous materials, an (E) designation (E-358) has been incorporated into the proposed actions for the project site (Block 6996, Lots 53 and 59) as described below.

The (E) designation text related to hazardous materials is as follows:

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.

All demolition or rehabilitation would be conducted in accordance with applicable requirements for disturbance, handling and disposal of suspect lead-paint and asbestos-

containing materials. For all projected and potential development sites where no E-designation is recommended, in addition to the requirements for lead-based paint and asbestos, requirements (including those of NYSDEC) should petroleum tanks and/or spills be identified and for off-site disposal of soil/fill would need to be followed.

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 October 31, 2014, prepared in connection with the ULURP Application (No. 140209ZSK). 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 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 contac Ingrid Young at (212) 720-3425.

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

Date: October 31, 2014

Purnima Kapur, Executive Director
Department of City Planning

Date: November 3, 2014