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July 24, 2026

Tracie Behnke, AICP
Director, Environmental Projects
New York City Board of Standards and Appeals
22 Reade Street, 1st Floor
New York, NY 10007

Re: Request for Qualified Action Determination

- **Project Name:** 51 Little West 12th Street BSA Use Variance
- **CEQR No.:** 26BSA002M
- **BSA Reference No.:** 2025-22-BZ

Dear Ms. Behnke:

On behalf of the Applicant, GZA GeoEnvironmental, Inc. (GZA) submits the enclosed Qualified Action Determination Form, Applicant Hazardous Materials Certification, and BSA CEQR Checklist Form for the above-referenced Application. In review of the above-referenced application, it has been determined that, pursuant to Subdivision 5 of section 8-0111 of the Environmental Conservation Law, it is a Qualified Action not subject to further review under SEQRA / CEQR. Pursuant to Subdivision 5-a(b)(i)(1-6), the Proposed Project meets the following criteria for a Qualified Action:

1. *Is connected to existing community or public water and sewerage systems at the commencement of habitation.*

The Proposed Project would be connected the New York City (NYC) Water Supply System and Newtown Creek Sewershed.

2. *Is located at a previously disturbed site.*

Pursuant to NYC Department of Buildings (DOB) records, the site was originally improved in 1888 with a three-story brick rowhouse. In 1977, the building was physically combined with adjoining structures and converted into a commercial meat processing plant with cold storage rooms. Under a 2009 DOB Emergency Declaration, the structure was demolished down to grade, and the former building cellar was backfilled with structural demolition debris. Refer to the attached BSA Qualified Action Determination Form for more information.

3. *Is not located within an area zoned exclusively for industrial uses.*

The Project Site is located within an M1-1 zoning district, which permits selected community facility and commercial uses, in addition to light manufacturing and industrial uses.



4. *Contain no more than fifty thousand square feet of commercial, retail, community facility or other non-industrial non-residential uses;*

The Proposed Project includes 13,894 GSF of commercial floor area and no other non-residential floor area, well below the 50,000 GSF threshold.

5. *Not exceed 250 dwelling units within a zoning district where, at the time of application, the standard maximum residential building height is greater than forty-five feet; or the maximum height of a building is regulated by something other than a horizontal plane and that allows residential buildings to exceed 45 feet;*

or

6. *Not exceed five hundred dwelling units within a zoning district where, at the time of application, there is such maximum building height;*

The Proposed Project would result in an incremental increase of six (6) residential dwelling units. Further, the Project Site is located within a mapped M1-1 zoning district, where building height is regulated by the sky exposure plane, which begins 30 feet above the street line.

7. *Not include construction of only one single-family residence on a parcel of one-half or more acres.*

The Proposed Project consists of the development of a mixed use residential and commercial building, which would include six (6) residential dwelling units.

8. *Is subject to local municipal requirements regarding hazardous materials and is accompanied by an applicant certification where applicable.*

A Phase I Environmental Site Assessment (ESA) and Phase II Environmental Site Investigation (ESI) were performed at the Project Site in January 2025 and March 2025 respectively. In correspondence dated September 17, 2025, DEP indicated they had reviewed the Phase I ESA and Phase II ESI and recommended that an E Designation be placed on the property pursuant to NYC Zoning Resolution § 11-15. The (E) Designation will ensure that testing and mitigation will be provided as necessary before any future development and/or soil disturbance occurs, as well as to ensure the maintenance and oversight of any required engineering controls through oversight by the Mayor's Office of Environmental Remediation (MOER). Further hazardous materials assessments should be coordinated through OER, which may have additional requirements.

A Hazardous Materials Certification Form is included as part of the attached Qualified Action documentation submission, formalizing the Applicant's commitment to compliance with all local municipal requirements regarding hazardous materials remediation, including an E-Designation for hazardous materials (E-Designation number to be determined). This E-Designation will require all additional hazardous materials studies and remediation efforts to be coordinated through the Mayor's Office of Environmental Remediation



The Applicant understands that a Qualified Action Determination exempts the action from further review under SEQRA and CEQR only and does not affect any other applicable requirement. We respectfully request that the Board issue a Qualified Action Determination for this application. Please contact the undersigned with any questions or with any additional information the Board requires.

Sincerely,

A handwritten signature in black ink that reads "Matt Sloane". The signature is fluid and cursive, with the first name "Matt" and last name "Sloane" clearly visible.

Matthew Sloane, AICP
Senior Project Manager
GZA GeoEnvironmental, Inc.

Enclosures:

BSA Qualified Action Determination Form
BSA CEQR Checklist Form
BSA Applicant Hazardous Materials Certification Form