ENVIRONMENTAL ASSESSMENT AND REVIEW DIVISION

Marisa Lago, *Director*
Department of City Planning

BG Sutphin LLC
c/o Cara McAteer
Breaking Ground
505 8th Ave - 5th floor
New York, NY 10018

Re:	**97-04 Sutphin Boulevard Rezoning**
CEQR No.	21DCP095Q
ULURP No(s).	210213ZMQ, N210214ZRQ
SEQRA Classification:	Unlisted
Queens Community District:	QN12

Dear Cara McAteer,

Under City Environmental Quality Review, the lead agency is required to determine whether a proposed action may have a significant adverse impact on the environment. In accordance with this regulation, the City Planning Commission has determined that the proposed action would not have a significant adverse impact on the environment.

Enclosed is the Negative Declaration for CEQR No. 21DCP095Q, 97-04 Sutphin Boulevard Rezoning, including supporting statements for the finding that the proposed actions would not have a significant adverse impact on the environment. The Negative Declaration was issued on August 30, 2021.

Sincerely,

Stephanie Shellooe, AICP, *Deputy Director*

August 30,2021
Date

cc: Project File
Marisa Lago, Chair
City Planning Commissioners
Raju Mann, Director, City Council Land Use Division
Donovan Richards, Queens Borough President
Queens Community Board QN12

Stephanie Shellooe, AICP, *Deputy Director*
(212) 720-3328 | sshellooe@planning.nyc.gov
120 Broadway, 31st Floor, New York, N.Y. 10271

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 Applicant, BG Sutphin LLC, seeks approval of a zoning map amendment to rezone the project area (Queens Block 10030, Lots 1 and 6) from C4-5X/DJ to C6-3/DJ; and a zoning text amendment to Appendix F to establish a Mandatory Inclusionary Housing (MIH) area coterminous with the project area within the Special Downtown Jamaica District (DJ) in the Jamaica neighborhood of Queens Community District 12 (the "Proposed Actions"). The proposed actions would also remove the Inclusionary Housing designation area for the DJ from the project area to allow MIH to be established. The proposed actions would facilitate the Applicant's proposal to demolish the existing federally qualified health center (FQHC) on the Projected Development Site (Block 10030, Lot 6), which is operated by the Community Healthcare Network (CHN), and construct a new 15-story, approximately 146,000-gross square foot (gsf) mixed-use residential and community facility building that would house a new and expanded FQHC of up to 15,000 gsf on the ground and cellar floors, and approximately 129,700 gsf of low-income and supportive senior housing with up to 190 dwelling units (DUs), and approximately 2,200 gsf of residential accessory space for supportive housing services. The Applicant may also seek Senior Affordable Rental Apartments (SARA) funding from the New York City Department of Housing Preservation and Development (HPD), State funding from the New York State Housing Finance Agency and the New York State Homes and Community Renewal program for bond Financing and subsidy, and federal funding in the form of Section 8 Rental Assistance. Absent the Proposed Actions, the Applicant would develop a 10-story mixed-use community facility and residential building with primarily market rate housing (83 DUs). Though the Proposed Actions would allow greater residential density, the proposed development would be consistent with the overall residential, community facility and commercial land uses and character of the study area. The Proposed Actions would change the zoning designation of project area, however, because the changes encourage the development of affordable housing, they would be consistent with the purpose and goals of the DJ. The Proposed Actions would enhance and expand the existing community facility uses currently found on site, and allow for a 100% affordable senior housing development with units for formerly homeless and low-income seniors, supporting the goals of relevant public policies including The Jamaica Plan, Housing New York Plan 2.0, and PlaNYC 2050. Therefore, the Proposed Actions would not result in a significant adverse impact to land use, zoning and public policy, and no further analysis is warranted.

Urban Design and Visual Resources

A detailed analysis related to Urban Design and Visual Resources is included in the EAS. With the Proposed Actions, the Projected Development Site would be redeveloped with a 15-story structure, which would be approximately 152 feet in height (with an additional 10 feet of bulkhead) and contain approximately 146,000 gsf. The ground floor would contain the existing health center use, with the upper stories containing low-income and supportive senior residential uses. The active ground floor use would maintain the pedestrian experience on the block. The proposed development would include a continuous streetwall in addition to a setback after floor five that would match the design of the buildings to the south and west of the Projected Development Site. Although the Proposed Actions would introduce additional building height, comparative massing diagrams showing the possible development with and without the Proposed Actions was provided and showed that the development with the Proposed Actions would remain compatible with the scale and character of other buildings within the block. In addition, the With-Action scenario would contribute to the study area's urban design character which, as a result of both existing and proposed developments, is transitioning to include greater building height. The study area does not contain any visual resources, nor does it contain any open space or natural resources that would be impacted by the With-Action scenario. Therefore, the Proposed Actions would not result in significant adverse impacts with respect to urban design and visual resources, and no further analysis is warranted.

Hazardous Materials, Air Quality, and Noise

An (E) designation (E-639) related to hazardous materials, air quality, noise 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. This (E) Designation will supersede the prior (E) Designations mapped on the Projected Development Site as a result of the 2007 Jamaica Plan EIS (CEQR No. 05DCP081Q, E-175). The hazardous materials, air quality, and noise analyses conclude that with the (E) designation in place, the proposed actions would not result in a significant adverse impact related to hazardous materials, air quality, or noise.

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 ANNABELLE MEUNIER at +1 212-720-3426.

TITLE	LEAD AGENCY
Deputy Director, Environmental Assessment and Review Division	Department of City Planning on behalf of the City Planning Commission 120 Broadway, 31st Fl. New York, NY 10271 | 212.720.3328
NAME Stephanie Shellooe	DATE August 27, 2021
SIGNATURE	

Project Name: 97-04 Sutphin Boulevard Rezoning
CEQR # 21DCP095Q
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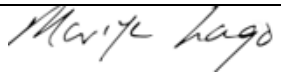
TITLE Chair, City Planning Commission	
NAME Marisa Lago	DATE August 30, 2021
SIGNATURE 	

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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 10030, Lot 6

(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-639**) would be established as part of approval of the proposed actions on **Projected Development Site 1** as described below. This (E) Designation will supersede the prior (E) Designations mapped on the Projected Development Site as a result of the 2007 Jamaica Plan EIS (CEQR No. 05DCP081Q, E-175).

Development Site	Hazardous Materials	Air Quality	Noise
Projected Development Site 1	X	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 he 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:***
> *Any new residential and/or commercial development on the above-referenced property must use natural gas as the type of fuel for heating, ventilating, and air conditioning (HVAC) system and hot water equipment and ensure the HVAC system and hot water equipment stack is located at the highest tier and at least 155 feet above the grade to avoid any potential significant adverse air quality impacts.*

Noise

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

> ***Projected Development Site 1:***
> *In order to ensure an acceptable interior noise environment, future residential/community facility uses must provide a closed-window condition with a minimum of 37 dB(A) window/wall attenuation at all building façades to maintain an interior noise level not greater than 45 dB(A). In order 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 or air conditioning sleeves containing air conditioners.*