27-24 College Point Boulevard Commercial Overlay

Environmental Assessment Statement

CEQR Number: 23DCP106Q

Prepared by:

Environmental Studies Corp.

Prepared for:

Bacele Realty Corp.

Lead Agency:

NYC Department of City Planning

December 2023

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City Environmental Quality Review
ENVIRONMENTAL ASSESSMENT STATEMENT (EAS) SHORT FORM

FOR UNLISTED ACTIONS ONLY • *Please fill out and submit to the appropriate agency* (see instructions)

Part I: GENERAL INFORMATION

1. *Does the Action Exceed Any Type I Threshold in 6 NYCRR Part 617.4 or 43 RCNY §6-15(A) (Executive Order 91 of 1977, as amended)?* ☐ YES ☒ NO

If "yes," **STOP** and **complete the FULL EAS FORM**.

2. *Project Name* 27-24 College Point Boulevard Commercial Overlay

3. *Reference Numbers*

CEQR REFERENCE NUMBER (to be assigned by lead agency)	BSA REFERENCE NUMBER (if applicable)
23DCP106Q	
ULURP REFERENCE NUMBER (if applicable)	OTHER REFERENCE NUMBER(S) (if applicable) (*e.g.*, legislative intro, CAPA)
220185ZMQ	

4a. *Lead Agency Information*			**4b. *Applicant Information***		
NAME OF LEAD AGENCY			NAME OF APPLICANT		
NYC Department of City Planning			Bacele Realty Corp		
NAME OF LEAD AGENCY CONTACT PERSON			NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON		
Stephanie Shellooe, Director, EARD			Hiram Rothkrug, Environmental Studies Corp.		
ADDRESS 120 Broadway, 31st floor			ADDRESS 55 Water Mill Lane		
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5. *Project Description*

The Applicant, Bacele Realty Corp., seeks a zoning map amendment to rezone Block 4292, p/o Lots 10, 11 12, 60 and 75 (the "Proposed Rezoning Area"), from an R5B zoning district to an R5B/C2-3 zoning district, and an R4 zoning district to an R5/C2-3 zoning district (the "Proposed Action"), in the College Point neighborhood of Queens Community District 7. The Proposed Action would facilitate the construction of the Proposed Development, a new 15-foot, one-story, Use Group 5 eating and drinking establishment with a drive through and five accessory parking spaces in the rear with a total of 2,541 gross square feet (gsf) at 27-24 College Point Boulevard, Block 4292, Lot 12 (the "Projected Development Site 1). Because the Proposed Development would achieve less than half the commercial FAR permitted under the proposed rezoning, the future With-Action Scenario analyzed in the EAS conservatively assumes a Reasonable Worst Case Scenario, in which case the Projected Development Site 1 would be redeveloped with a 30-foot, two-story commercial Use Group 6C home center (affiliated with the adjacent Lots 10 and 11) with five parking spaces and a total of 5,765 gsf.

Project Location

BOROUGH Queens	COMMUNITY DISTRICT(S) 7	STREET ADDRESS 27-24 College Point Blvd
TAX BLOCK(S) AND LOT(S) Block 4292, p/o Lots 10,11,12,60 and 75		ZIP CODE 11354
DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS Northwest corner of College Point Blvd. and 28th Ave.		
EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY R4, R5B		ZONING SECTIONAL MAP NUMBER 10a

6. *Required Actions or Approvals* (check all that apply)

***City Planning Commission*:** ☒ YES ☐ NO ☒ UNIFORM LAND USE REVIEW PROCEDURE (ULURP)

☐ CITY MAP AMENDMENT	☐ ZONING CERTIFICATION	☐ CONCESSION
☒ ZONING MAP AMENDMENT	☐ ZONING AUTHORIZATION	☐ UDAAP
☐ ZONING TEXT AMENDMENT	☐ ACQUISITION—REAL PROPERTY	☐ REVOCABLE CONSENT
☐ SITE SELECTION—PUBLIC FACILITY	☐ DISPOSITION—REAL PROPERTY	☐ FRANCHISE
☐ HOUSING PLAN & PROJECT	☐ OTHER, explain:	

☐ SPECIAL PERMIT (if appropriate, specify type: ☐ modification; ☐ renewal; ☐ other); EXPIRATION DATE:

SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

***Board of Standards and Appeals*:** ☐ YES ☒ NO

☐ VARIANCE (use)

☐ VARIANCE (bulk)

☐ SPECIAL PERMIT (if appropriate, specify type: ☐ modification; ☐ renewal; ☐ other); EXPIRATION DATE:

SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

***Department of Environmental Protection*:** ☐ YES ☒ NO ☐ Cogeneration Facility ☐ Title V Permit

Other City Approvals Subject to CEQR (check all that apply)

☐ LEGISLATION

☐ RULEMAKING

☐ CONSTRUCTION OF PUBLIC FACILITIES

☐ 384(b)(4) APPROVAL

☐ OTHER, explain:

☐ FUNDING OF CONSTRUCTION, specify:

☐ POLICY OR PLAN, specify:

☐ FUNDING OF PROGRAMS, specify:

☐ PERMITS, specify:

Other City Approvals Not Subject to CEQR (check all that apply)

☐ PERMITS FROM DOT'S OFFICE OF CONSTRUCTION MITIGATION AND COORDINATION (OCMC)

☐ LANDMARKS PRESERVATION COMMISSION APPROVAL

☐ OTHER, explain:

***State or Federal Actions/Approvals/Funding*:** ☐ YES ☒ NO If "yes," specify:

7. *Site Description:* *The directly affected area consists of the project site and the area subject to any change in regulatory controls. Except where otherwise indicated, provide the following information with regard to the directly affected area.*

***Graphics*:** *The following graphics must be attached and each box must be checked off before the EAS is complete. Each map must clearly depict the boundaries of the directly affected area or areas and indicate a 400-foot radius drawn from the outer boundaries of the project site. Maps may not exceed 11 x 17 inches in size and, for paper filings, must be folded to 8.5 x 11 inches.*

☒ SITE LOCATION MAP ☒ ZONING MAP ☐ SANBORN OR OTHER LAND USE MAP

☒ TAX MAP ☐ FOR LARGE AREAS OR MULTIPLE SITES, A GIS SHAPE FILE THAT DEFINES THE PROJECT SITE(S)

☒ PHOTOGRAPHS OF THE PROJECT SITE TAKEN WITHIN 6 MONTHS OF EAS SUBMISSION AND KEYED TO THE SITE LOCATION MAP

Physical Setting (both developed and undeveloped areas)

Total directly affected area (sq. ft.): 8,864

Waterbody area (sq. ft) and type:

Roads, buildings, and other paved surfaces (sq. ft.): 3,194

Other, describe (sq. ft.): 5,670 vacant

8. *Physical Dimensions and Scale of Project* (if the project affects multiple sites, provide the total development facilitated by the action)

SIZE OF PROJECT TO BE DEVELOPED (gross square feet): 5,765

NUMBER OF BUILDINGS: 1

GROSS FLOOR AREA OF EACH BUILDING (sq. ft.): 5,765

HEIGHT OF EACH BUILDING (ft.): 30

NUMBER OF STORIES OF EACH BUILDING: 2

Does the proposed project involve changes in zoning on one or more sites? ☒ YES ☐ NO

If "yes," specify: The total square feet owned or controlled by the applicant: 5,634

The total square feet not owned or controlled by the applicant: 3,230

Does the proposed project involve in-ground excavation or subsurface disturbance, including, but not limited to foundation work, pilings, utility lines, or grading? ☒ YES ☐ NO

If "yes," indicate the estimated area and volume dimensions of subsurface permanent and temporary disturbance (if known):

AREA OF TEMPORARY DISTURBANCE: 2,882.5 sq. ft. (width x length)

VOLUME OF DISTURBANCE: 11,530 cubic ft. (width x length x depth)

AREA OF PERMANENT DISTURBANCE: 2,882.5 sq. ft. (width x length)

Description of Proposed Uses (please complete the following information as appropriate)

	Residential	***Commercial***	***Community Facility***	***Industrial/Manufacturing***
Size (in gross sq. ft.)		5,765		
Type (*e.g.,* retail, office, school)	units	retail (home center)		

Does the proposed project increase the population of residents and/or on-site workers? ☒ YES ☐ NO

If "yes," please specify: NUMBER OF ADDITIONAL RESIDENTS: NUMBER OF ADDITIONAL WORKERS: 18

Provide a brief explanation of how these numbers were determined: Avg 3 worker/1000sf commercial

Does the proposed project create new open space? ☐ YES ☒ NO If "yes," specify size of project-created open space: sq. ft.

Has a No-Action scenario been defined for this project that differs from the existing condition? ☐ YES ☒ NO

If "yes," see Chapter 2, "Establishing the Analysis Framework" and describe briefly:

9. *Analysis Year* CEQR Technical Manual Chapter 2

ANTICIPATED BUILD YEAR (date the project would be completed and operational): 2025		
ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: 7		
WOULD THE PROJECT BE IMPLEMENTED IN A SINGLE PHASE? ☒ YES ☐ NO		IF MULTIPLE PHASES, HOW MANY?
BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE:		

10. ***Predominant Land Use in the Vicinity of the Project*** (check all that apply)

☒ RESIDENTIAL ☒ MANUFACTURING ☒ COMMERCIAL ☐ PARK/FOREST/OPEN SPACE ☐ OTHER, specify:

Part II: TECHNICAL ANALYSIS

INSTRUCTIONS: For each of the analysis categories listed in this section, assess the proposed project's impacts based on the thresholds and criteria presented in the CEQR Technical Manual. Check each box that applies.

- If the proposed project can be demonstrated not to meet or exceed the threshold, check the "no" box.
- If the proposed project will meet or exceed the threshold, or if this cannot be determined, check the "yes" box.
- For each "yes" response, provide additional analyses (and, if needed, attach supporting information) based on guidance in the CEQR Technical Manual to determine whether the potential for significant impacts exists. Please note that a "yes" answer does not mean that an EIS must be prepared—it means that more information may be required for the lead agency to make a determination of significance.
- The lead agency, upon reviewing Part II, may require an applicant to provide additional information to support the Short EAS Form. For example, if a question is answered "no," an agency may request a short explanation for this response.

	YES	NO
1. *LAND USE, ZONING, AND PUBLIC POLICY*: CEQR Technical Manual Chapter 4		
(a) Would the proposed project result in a change in land use different from surrounding land uses?	☒	☐
(b) Would the proposed project result in a change in zoning different from surrounding zoning?	☒	☐
(c) Is there the potential to affect an applicable public policy?	☐	☒
(d) If "yes," to (a), (b), and/or (c), complete a preliminary assessment and attach.		
(e) Is the project a large, publicly sponsored project?	☐	☒
○ If "yes," complete a PlaNYC assessment and attach.		
(f) Is any part of the directly affected area within the City's Waterfront Revitalization Program boundaries?	☒	☐
○ If "yes," complete the Consistency Assessment Form. See CAF Appendix B		
2. *SOCIOECONOMIC CONDITIONS*: CEQR Technical Manual Chapter 5		
(a) Would the proposed project:		
○ Generate a net increase of 200 or more residential units?	☐	☒
○ Generate a net increase of 200,000 or more square feet of commercial space?	☐	☒
○ Directly displace more than 500 residents?	☐	☒
○ Directly displace more than 100 employees?	☐	☒
○ Affect conditions in a specific industry?	☐	☒
3. *COMMUNITY FACILITIES*: CEQR Technical Manual Chapter 6		
(a) Direct Effects		
○ Would the project directly eliminate, displace, or alter public or publicly funded community facilities such as educational facilities, libraries, hospitals and other health care facilities, day care centers, police stations, or fire stations?	☐	☒
(b) Indirect Effects		
○ **Early Childhood Programs:** Would the project result in 20 or more eligible children under age 6, based on the number of low or low/moderate income residential units? (See Table 6-1 in Chapter 6)	☐	☒
○ **Public Schools:** Would the project result in 50 or more elementary or middle school students, or 150 or more high school students based on number of residential units? (See Table 6-1 in Chapter 6)	☐	☒
○ **Libraries:** Would the project result in a 5 percent or more increase in the ratio of residential units to library branches? (See Table 6-1 in Chapter 6)	☐	☒
○ **Health Care Facilities and Fire/Police Protection:** Would the project result in the introduction of a sizeable new neighborhood?	☐	☒
4. *OPEN SPACE*: CEQR Technical Manual Chapter 7		
(a) Would the project change or eliminate existing open space?	☐	☒
(b) Would the project generate more than 200 additional residents or 500 additional employees?	☐	☒
5. *SHADOWS*: CEQR Technical Manual Chapter 8		
(a) Would the proposed project result in a net height increase of any structure of 50 feet or more?	☐	☒
(b) Would the proposed project result in any increase in structure height and be located adjacent to or across the street from a sunlight-sensitive resource?	☐	☒
6. *HISTORIC AND CULTURAL RESOURCES*: CEQR Technical Manual Chapter 9		

	YES	NO
(a) Does the proposed project site or an adjacent site contain any architectural and/or archaeological resource that is eligible for or has been designated (or is calendared for consideration) as a New York City Landmark, Interior Landmark or Scenic Landmark; that is listed or eligible for listing on the New York State or National Register of Historic Places; or that is within a designated or eligible New York City, New York State or National Register Historic District? (See the GIS System for Archaeology and National Register to confirm)	☐	☒
(b) Would the proposed project involve construction resulting in in-ground disturbance to an area not previously excavated?	☒	☐
(c) If "yes" to either of the above, list any identified architectural and/or archaeological resources and attach supporting information on whether the proposed project would potentially affect any architectural or archeological resources. see Section 2:Cultural and Historic Resources		
7. *URBAN DESIGN AND VISUAL RESOURCES*: CEQR Technical Manual Chapter 10		
(a) Would the proposed project introduce a new building, a new building height, or result in any substantial physical alteration to the streetscape or public space in the vicinity of the proposed project that is not currently allowed by existing zoning?	☒	☐
(b) Would the proposed project result in obstruction of publicly accessible views to visual resources not currently allowed by existing zoning?	☐	☒
8. *NATURAL RESOURCES*: CEQR Technical Manual Chapter 11		
(a) Does the proposed project site or a site adjacent to the project contain natural resources as defined in Section 100 of Chapter 11?	☐	☒
○ If "yes," list the resources and attach supporting information on whether the proposed project would affect any of these resources.		
(b) Is any part of the directly affected area within the Jamaica Bay Watershed?	☐	☒
○ If "yes," complete the Jamaica Bay Watershed Protection Plan Project Tracking Form, and submit according to its instructions.		
9. *HAZARDOUS MATERIALS*: CEQR Technical Manual Chapter 12		
(a) Would the proposed project allow commercial or residential uses in an area that is currently, or was historically, a manufacturing area that involved hazardous materials?	☒	☐
(b) Would the proposed project introduce new activities or processes using hazardous materials and increase the risk of human or environmental exposure?	☐	☒
(c) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to hazardous materials that preclude the potential for significant adverse impacts?	☐	☒
(d) Would the project require soil disturbance in a manufacturing area or any development on or near a manufacturing area or existing/historic facilities listed in the Hazardous Materials Appendix (including nonconforming uses)?	☒	☐
(e) Would the project result in the development of a site where there is reason to suspect the presence of hazardous materials, contamination, illegal dumping or fill, or fill material of unknown origin?	☐	☒
(f) Would the project result in development on or near a site that has or had underground and/or aboveground storage tanks (*e.g.*, gas stations, oil storage facilities, heating oil storage)?	☒	☐
(g) Would the project result in renovation of interior existing space on a site with the potential for compromised air quality; vapor intrusion from either on-site or off-site sources; or the presence of asbestos, PCBs, mercury or lead-based paint?	☐	☒
(h) Would the project result in development on or near a site with potential hazardous materials issues such as government-listed voluntary cleanup/brownfield site, current or former power generation/transmission facilities, coal gasification or gas storage sites, railroad tracks or rights-of-way, or municipal incinerators?	☐	☒
(i) Has a Phase I Environmental Site Assessment been performed for the site?	☒	☐
○ If "yes," were Recognized Environmental Conditions (RECs) identified? Briefly identify: See Section 4: Hazardous Materials	☐	☐
(j) Based on the Phase I Assessment, is a Phase II Investigation needed? Sent separately.	☒	☐
10. *WATER AND SEWER INFRASTRUCTURE*: CEQR Technical Manual Chapter 13		
(a) Would the project result in water demand of more than one million gallons per day?	☐	☒
(b) If the proposed project located in a combined sewer area, would it result in at least 1,000 residential units or 250,000 square feet or more of commercial space in Manhattan, or at least 400 residential units or 150,000 square feet or more of commercial space in the Bronx, Brooklyn, Staten Island, or Queens?	☐	☒
(c) If the proposed project located in a separately sewered area, would it result in the same or greater development than the amounts listed in Table 13-1 in Chapter 13?	☐	☒
(d) Would the proposed project involve development on a site that is 5 acres or larger where the amount of impervious surface would increase?	☐	☒
(e) If the project is located within the Jamaica Bay Watershed or in certain specific drainage areas, including Bronx River, Coney Island Creek, Flushing Bay and Creek, Gowanus Canal, Hutchinson River, Newtown Creek, or Westchester Creek, would it involve development on a site that is 1 acre or larger where the amount of impervious surface would increase?	☐	☒
(f) Would the proposed project be located in an area that is partially sewered or currently unsewered?	☐	☒

	YES	NO
(g) Is the project proposing an industrial facility or activity that would contribute industrial discharges to a Wastewater Treatment Plant and/or generate contaminated stormwater in a separate storm sewer system?	☐	☒
(h) Would the project involve construction of a new stormwater outfall that requires federal and/or state permits?	☐	☒
11. *SOLID WASTE AND SANITATION SERVICES*: CEQR Technical Manual Chapter 14		
(a) Using Table 14-1 in Chapter 14, the project's projected operational solid waste generation is estimated to be (pounds per week): 5,000		
○ Would the proposed project have the potential to generate 100,000 pounds (50 tons) or more of solid waste per week?	☐	☒
(b) Would the proposed project involve a reduction in capacity at a solid waste management facility used for refuse or recyclables generated within the City?	☐	☒
12. *ENERGY*: CEQR Technical Manual Chapter 15		
(a) Using energy modeling or Table 15-1 in Chapter 15, the project's projected energy use is estimated to be (annual BTUs): 549,618,300		
(b) Would the proposed project affect the transmission or generation of energy?	☐	☒
13. *TRANSPORTATION*: CEQR Technical Manual Chapter 16		
(a) Would the proposed project exceed any threshold identified in Table 16-1 in Chapter 16?	☐	☒
(b) If "yes," conduct the screening analyses, attach appropriate back up data as needed for each stage and answer the following questions:		
○ Would the proposed project result in 50 or more Passenger Car Equivalents (PCEs) per project peak hour?	☐	☐
If "yes," would the proposed project result in 50 or more vehicle trips per project peak hour at any given intersection? ***It should be noted that the lead agency may require further analysis of intersections of concern even when a project generates fewer than 50 vehicles in the peak hour. See Subsection 313 of Chapter 16 for more information.*	☐	☐
○ Would the proposed project result in more than 200 subway/rail, bus trips, or 50 Citywide Ferry Service ferry trips per project peak hour?	☐	☐
If "yes," would the proposed project result, per project peak hour, in 50 or more bus trips on a single line (in one direction), 200 subway/rail trips per station or line, or 25 or more Citywide Ferry Service ferry trips on a single route (in one direction), or 50 or more passengers at a Citywide Ferry Service landing?	☐	☐
○ Would the proposed project result in more than 200 pedestrian trips per project peak hour?	☐	☐
If "yes," would the proposed project result in more than 200 pedestrian trips per project peak hour to any given pedestrian or transit element, crosswalk, subway stair, or bus stop, or Citywide Ferry Service landing?	☐	☐
14. *AIR QUALITY*: CEQR Technical Manual Chapter 17		
(a) *Mobile Sources*: Would the proposed project result in the conditions outlined in Section 210 in Chapter 17?	☒	☐
(b) *Stationary Sources*: Would the proposed project result in the conditions outlined in Section 220 in Chapter 17?	☐	☒
○ If "yes," would the proposed project exceed the thresholds in Figure 17-3, Stationary Source Screen Graph in Chapter 17? (Attach graph as needed)	☐	☒
(c) Does the proposed project involve multiple buildings on the project site?	☐	☒
(d) Does the proposed project require federal approvals, support, licensing, or permits subject to conformity requirements?	☐	☒
(e) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to air quality that preclude the potential for significant adverse impacts?	☐	☒
15. *GREENHOUSE GAS EMISSIONS*: CEQR Technical Manual Chapter 18		
(a) Is the proposed project a city capital project or a power generation plant?	☐	☒
(b) Would the proposed project fundamentally change the City's solid waste management system?	☐	☒
(c) If "yes" to any of the above, would the project require a GHG emissions assessment based on the guidance in Chapter 18?	☐	☐
16. *NOISE*: CEQR Technical Manual Chapter 19		
(a) Would the proposed project generate or reroute vehicular traffic?	☒	☐
(b) Would the proposed project introduce new or additional receptors (see Section 114 in Chapter 19) near heavily trafficked roadways, within one horizontal mile of an existing or proposed flight path, or within 1,500 feet of an existing or proposed rail line with a direct line of site to that rail line?	☐	☒
(c) Would the proposed project cause a stationary noise source to operate within 1,500 feet of a receptor with a direct line of sight to that receptor or introduce receptors into an area with high ambient stationary noise?	☐	☒
(d) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to noise that preclude the potential for significant adverse impacts?	☐	☒
17. *PUBLIC HEALTH*: CEQR Technical Manual Chapter 20		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Air Quality;	☒	☐

	YES	NO
Hazardous Materials; Noise?		
(b) If "yes," explain why an assessment of public health is or is not warranted based on the guidance in Chapter 20, "Public Health." Attach a preliminary analysis, if necessary. Based on the attached analyses, there would be no significant impacts to Air Quality, Hazardous Material or Noise, therefore a Public Health analysis is not warranted.		
18. *NEIGHBORHOOD CHARACTER*: CEQR Technical Manual Chapter 21		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Land Use, Zoning, and Public Policy; Socioeconomic Conditions; Open Space; Historic and Cultural Resources; Urban Design and Visual Resources; Shadows; Transportation; Noise?	☐	☒
(b) If "yes," explain why an assessment of neighborhood character is or is not warranted based on the guidance in Chapter 21, "Neighborhood Character." Attach a preliminary analysis, if necessary.		
19. *CONSTRUCTION*: CEQR Technical Manual Chapter 22		
(a) Would the project's construction activities involve:		
○ Construction activities lasting longer than two years?	☐	☒
○ Construction activities within a Central Business District or along an arterial highway or major thoroughfare?	☒	☐
○ Closing, narrowing, or otherwise impeding traffic, transit, or pedestrian elements (roadways, parking spaces, bicycle routes, sidewalks, crosswalks, corners, *etc.*)?	☐	☒
○ Construction of multiple buildings where there is a potential for on-site receptors on buildings completed before the final build-out?	☐	☒
○ The operation of several pieces of diesel equipment in a single location at peak construction?	☐	☒
○ Closure of a community facility or disruption in its services?	☐	☒
○ Activities within 400 feet of a historic or cultural resource?	☐	☒
○ Disturbance of a site containing or adjacent to a site containing natural resources?	☐	☒
○ Construction on multiple development sites in the same geographic area, such that there is the potential for several construction timelines to overlap or last for more than two years overall?	☐	☒

(b) If any boxes are checked "yes," explain why a preliminary construction assessment is or is not warranted based on the guidance in Chapter 22, "Construction." It should be noted that the nature and extent of any commitment to use the Best Available Technology for construction equipment or Best Management Practices for construction activities should be considered when making this determination.

Although the project site is located along an arterial roadway (College Point Blvd.), the construction project would be small and would not result in any significant disruption of traffic. The site is vacant, so no demolition would be required. The building would not have a basement or cellar and would be anchored by 4-foot-deep pilings, so construction activities would not include the removal of truckloads of soil or the use of excavation equipment. The building would be two-stories tall and 5,765 gsf, so construction is expected to last approximately 7 months and involve the transport of modest amounts of equipment and materials to and from the site and a modest number of workers. The vehicular trips that would occur would not coincide with the roadway's peak travel periods. Because the building would not occupy the entire site, equipment and material could be stored on site, and vehicles could park there, obviating the need for lane closures. For these reasons, a construction impact assessment is not warranted.

20. *APPLICANT'S CERTIFICATION*

I swear or affirm under oath and subject to the penalties for perjury that the information provided in this Environmental Assessment Statement (EAS) is true and accurate to the best of my knowledge and belief, based upon my personal knowledge and familiarity with the information described herein and after examination of the pertinent books and records and/or after inquiry of persons who have personal knowledge of such information or who have examined pertinent books and records.

Still under oath, I further swear or affirm that I make this statement in my capacity as the applicant or representative of the entity that seeks the permits, approvals, funding, or other governmental action(s) described in this EAS.

APPLICANT/REPRESENTATIVE NAME	DATE
Kathleen M Feeney, AICP, Environmental Studies Corp.	12/07/23

SIGNATURE

PLEASE NOTE THAT APPLICANTS MAY BE REQUIRED TO SUBSTANTIATE RESPONSES IN THIS FORM AT THE DISCRETION OF THE LEAD AGENCY SO THAT IT MAY SUPPORT ITS DETERMINATION OF SIGNIFICANCE.

Part III: DETERMINATION OF SIGNIFICANCE (To Be Completed by Lead Agency)

INSTRUCTIONS: In completing Part III, the lead agency should consult 6 NYCRR 617.7 and 43 RCNY § 6-06 (Executive Order 91 or 1977, as amended), which contain the State and City criteria for determining significance.

1. For each of the impact categories listed below, consider whether the project may have a significant adverse effect on the environment, taking into account its (a) location; (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude.

IMPACT CATEGORY	Potentially Significant Adverse Impact YES	NO
Land Use, Zoning, and Public Policy	☐	☒
Socioeconomic Conditions	☐	☒
Community Facilities and Services	☐	☒
Open Space	☐	☒
Shadows	☐	☒
Historic and Cultural Resources	☐	☒
Urban Design/Visual Resources	☐	☒
Natural Resources	☐	☒
Hazardous Materials	☐	☒
Water and Sewer Infrastructure	☐	☒
Solid Waste and Sanitation Services	☐	☒
Energy	☐	☒
Transportation	☐	☒
Air Quality	☐	☒
Greenhouse Gas Emissions	☐	☒
Noise	☐	☒
Public Health	☐	☒
Neighborhood Character	☐	☒
Construction	☐	☒

2. Are there any aspects of the project relevant to the determination of whether the project may have a significant impact on the environment, such as combined or cumulative impacts, that were not fully covered by other responses and supporting materials? ☐ YES ☒ NO

If there are such impacts, attach an explanation stating whether, as a result of them, the project may have a significant impact on the environment.

3. Check determination to be issued by the lead agency:

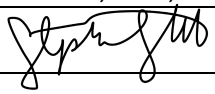
☐ **Positive Declaration**: If the lead agency has determined that the project may have a significant impact on the environment, and if a Conditional Negative Declaration is not appropriate, then the lead agency issues a *Positive Declaration* and prepares a draft Scope of Work for the Environmental Impact Statement (EIS).

☐ **Conditional Negative Declaration:** A *Conditional Negative Declaration* (CND) may be appropriate if there is a private applicant for an Unlisted action AND when conditions imposed by the lead agency will modify the proposed project so that no significant adverse environmental impacts would result. The CND is prepared as a separate document and is subject to the requirements of 6 NYCRR Part 617.

☒ **Negative Declaration:** If the lead agency has determined that the project would not result in potentially significant adverse environmental impacts, then the lead agency issues a *Negative Declaration*. The *Negative Declaration* may be prepared as a separate document (see template) or using the embedded Negative Declaration on the next page.

4. ***LEAD AGENCY'S CERTIFICATION***

TITLE	LEAD AGENCY
Director, Environmental Assessment and Review Division	Department of City Planning on behalf of the City Planning Commission
NAME	DATE
Stephanie Shellooe, AICP, Director	December 29, 2023

SIGNATURE 

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 action. 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 action 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 action sought before the City Planning Commission (CPC) 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 this EAS. The Applicant, Bacele Realty Corp., seeks a zoning map amendment to rezone Block 4292, portions of (p/o) Lots 10, 11, 12, 60 and 75 (the "proposed rezoning area") from an R5B zoning district to an R5B/C2-3 zoning district, and an R4 zoning district to an R5/C2-3 zoning district (the "Proposed Action"), in the College Point neighborhood of Queens Community District 7. The Proposed Action would facilitate construction of the proposed project – a one-story, 15-foot-tall, 2,541-gross-quare-foot (gsf) eating and drinking establishment (Use Group (UG) 5) with a drive-through and five accessory parking spaces in the rear, at 27-24 College Point Boulevard (Block 4292, Lot 12, "Projected Development Site 1"). Because the proposed project would not maximize the development potential, the Future With-Action Scenario analyzed in the EAS conservatively assumes that Projected Development Site 1 would be redeveloped with a two-story, 30-foot-tall, 5,765 gsf commercial building (UG 6C). The proposed zoning map amendment would permit local retail and service uses within an area that has only been occupied by commercial uses since the existing residential zoning designation was established in 1961. As such, the Proposed Action would bring the longstanding commercial uses on Lots 10 and 11 into conformity with zoning use regulations and reinforce the mixed-use character of College Point Boulevard. The Proposed Action is anticipated to result in the redevelopment of a vacant, underutilized lot with a commercial use that would be compatible with surrounding land uses, which include a mix of residential, commercial, and light industrial and uses. The Proposed Action would not conflict with public policies applicable to the proposed rezoning area, including the City's Waterfront Revitalization Program (WRP# 20-093). Therefore, the analysis concludes that the Proposed Action would not result in significant adverse impacts to land use, zoning and public policy impacts, and further analysis is not warranted.

Hazardous Materials and Air Quality

An (E) designation (E-741) related to hazardous materials and air quality would be established as part of the approval of the Proposed Action. Refer to "Determination of Significance Appendix: (E) designation" for the applicable (E) designation requirements. The hazardous materials and air quality analyses concludes that with the (E) designation in place, the Proposed Action 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 Stacey Barron, AICP at sbarron@planning.nyc.gov.

TITLE	LEAD AGENCY
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, AICP	DATE 12/29/2023
SIGNATURE	

TITLE	
Vice Chair, City Planning Commission	
NAME Kenneth J. Knuckles, Esq.	DATE 1/2/2024
SIGNATURE	

Project Name: 27-24 College Point Boulevard Commercial Overlay
CEQR # 23DCP106Q
SEQRA Classification: Unlisted

Determination of Significance Appendix

The Proposed Action was determined to have the potential to result in changes to development on the following site:

Development Site	Borough	Block and Lot
Projected Development Site 1	Queens	Block 4292, Lot 12

(E) Designation Requirements

To ensure that the Proposed Action would not result in significant adverse impacts related to hazardous materials and air quality, an (E) designation (**E-741**) would be established as part of approval of the Proposed Action 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 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.

Project Name: 27-24 College Point Boulevard Commercial Overlay
CEQR # 23DCP106Q
SEQRA Classification: Unlisted

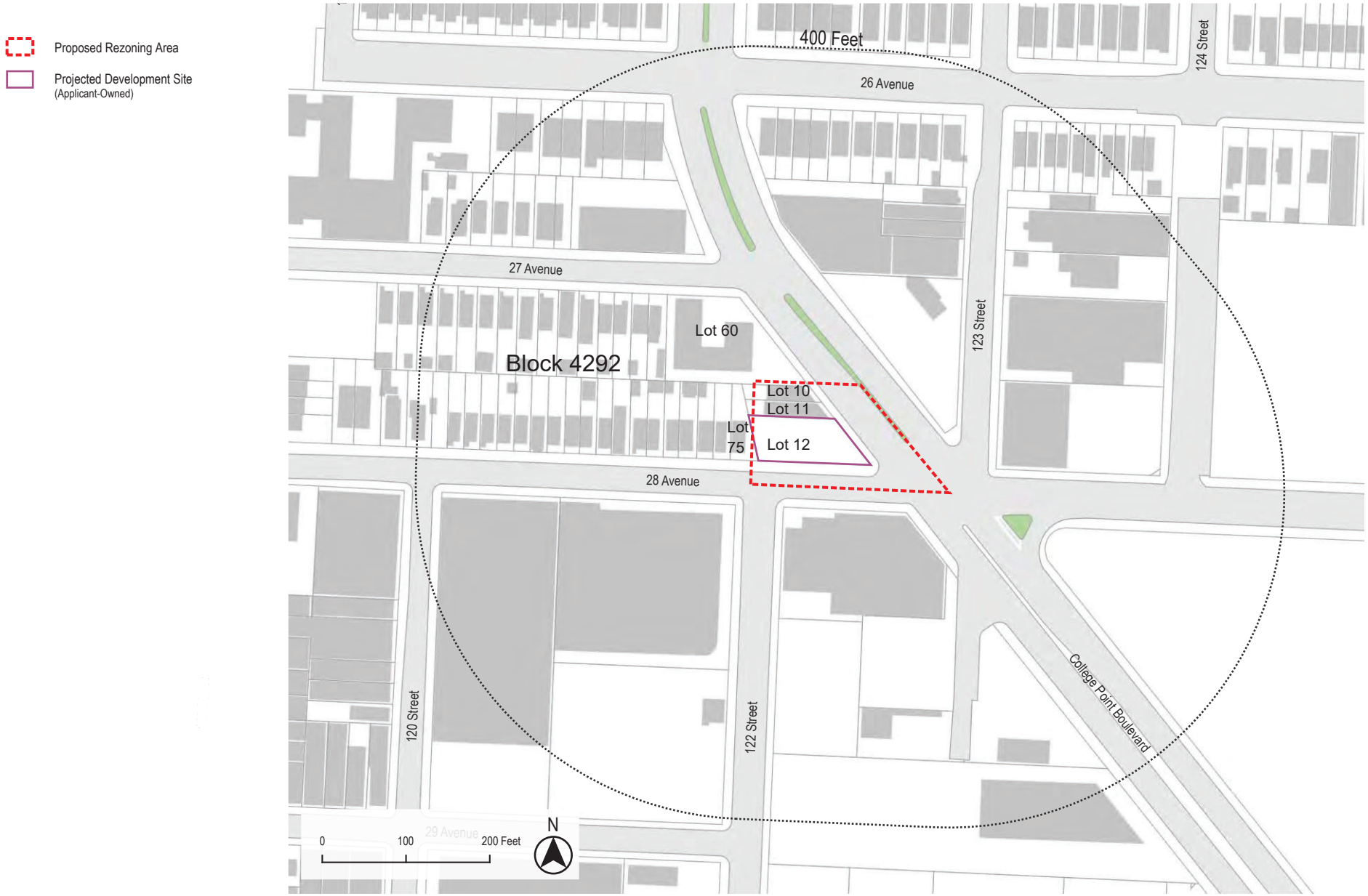
Air Quality

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

> ***Projected Development Site 1:*** *Any new commercial development on the above-referenced property must ensure that the heating, ventilation, and air conditioning (HVAC), and hot water system(s) stack is located at the building's highest level and at least 17 feet above grade, and that the stack is located at least 15 feet from the northern lot line facing 27th Avenue and at least 15 feet from the western lot line facing 119th Street to avoid any potential significant adverse air quality impacts.*

27-24 College Point Boulevard, Queens

Figure 1: Site Location

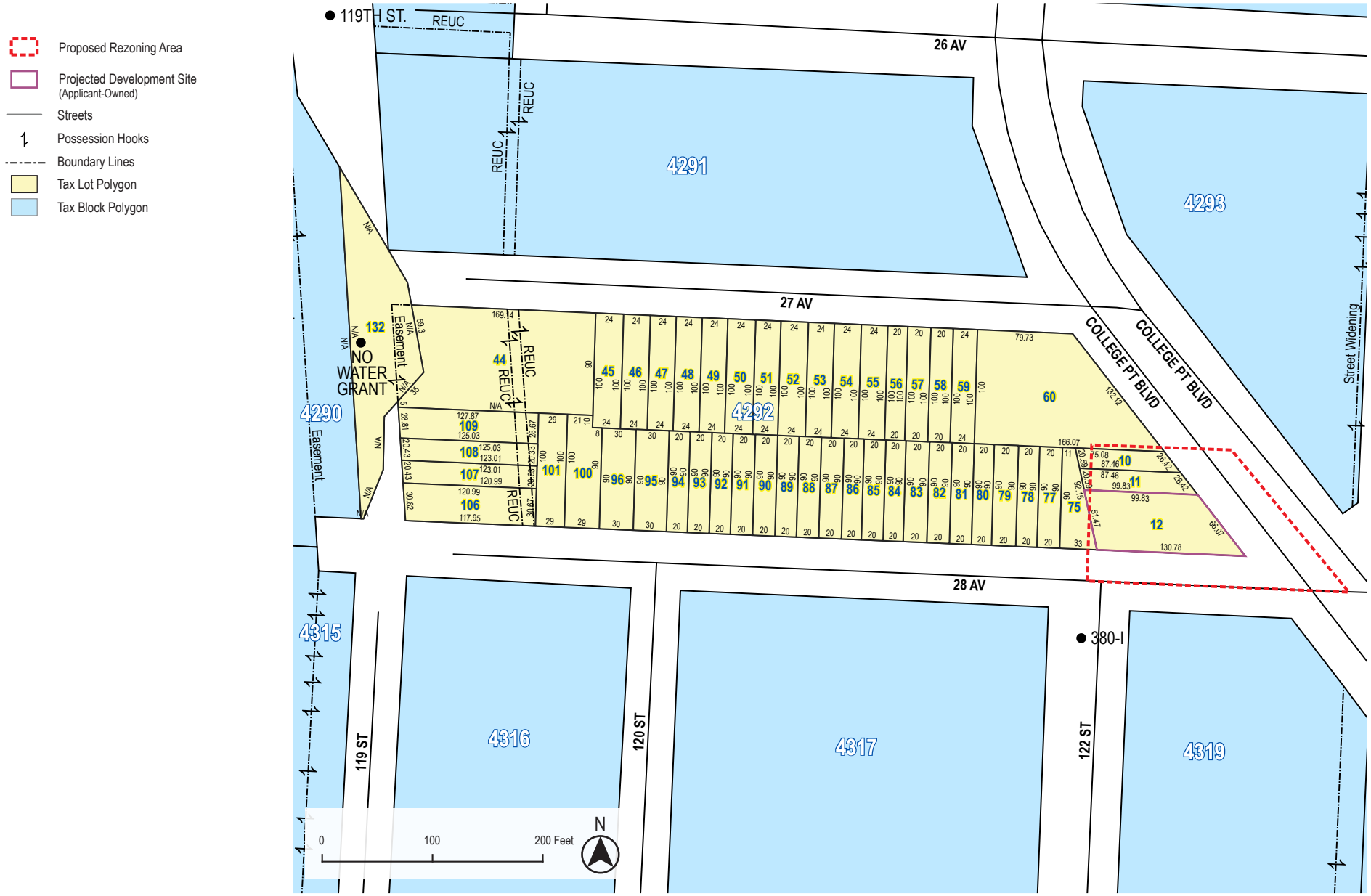


Data Source: MapPLUTO 2023v2

Urban Cartographics

27-24 College Point Boulevard, Queens

Figure 2: Tax Map

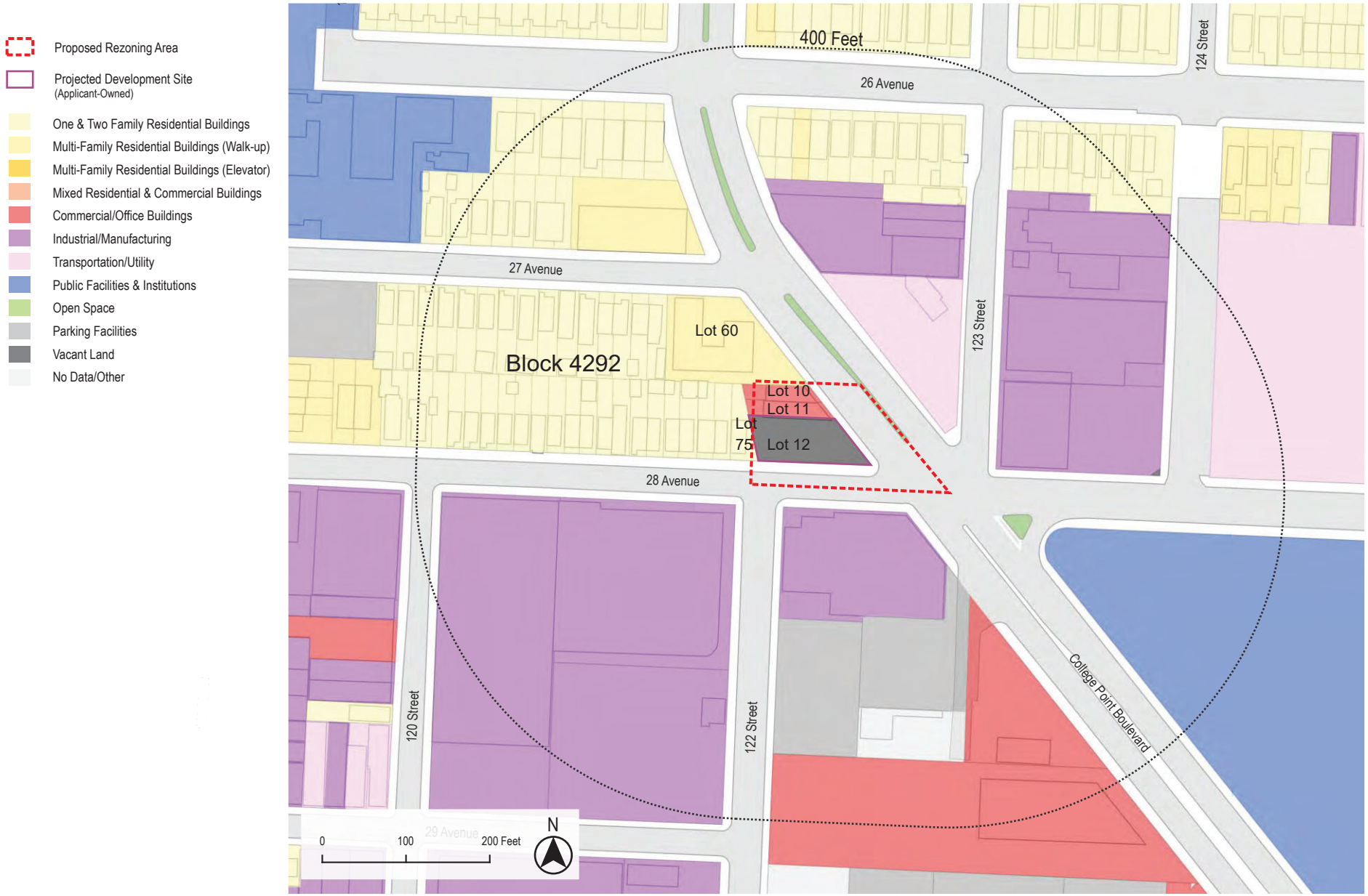


Data Source: MapPLUTO 2023v2, NYC DOF Digital Tax Map 3/1/23

Urban Cartographics

27-24 College Point Boulevard, Queens

Figure 3: Land Use Map

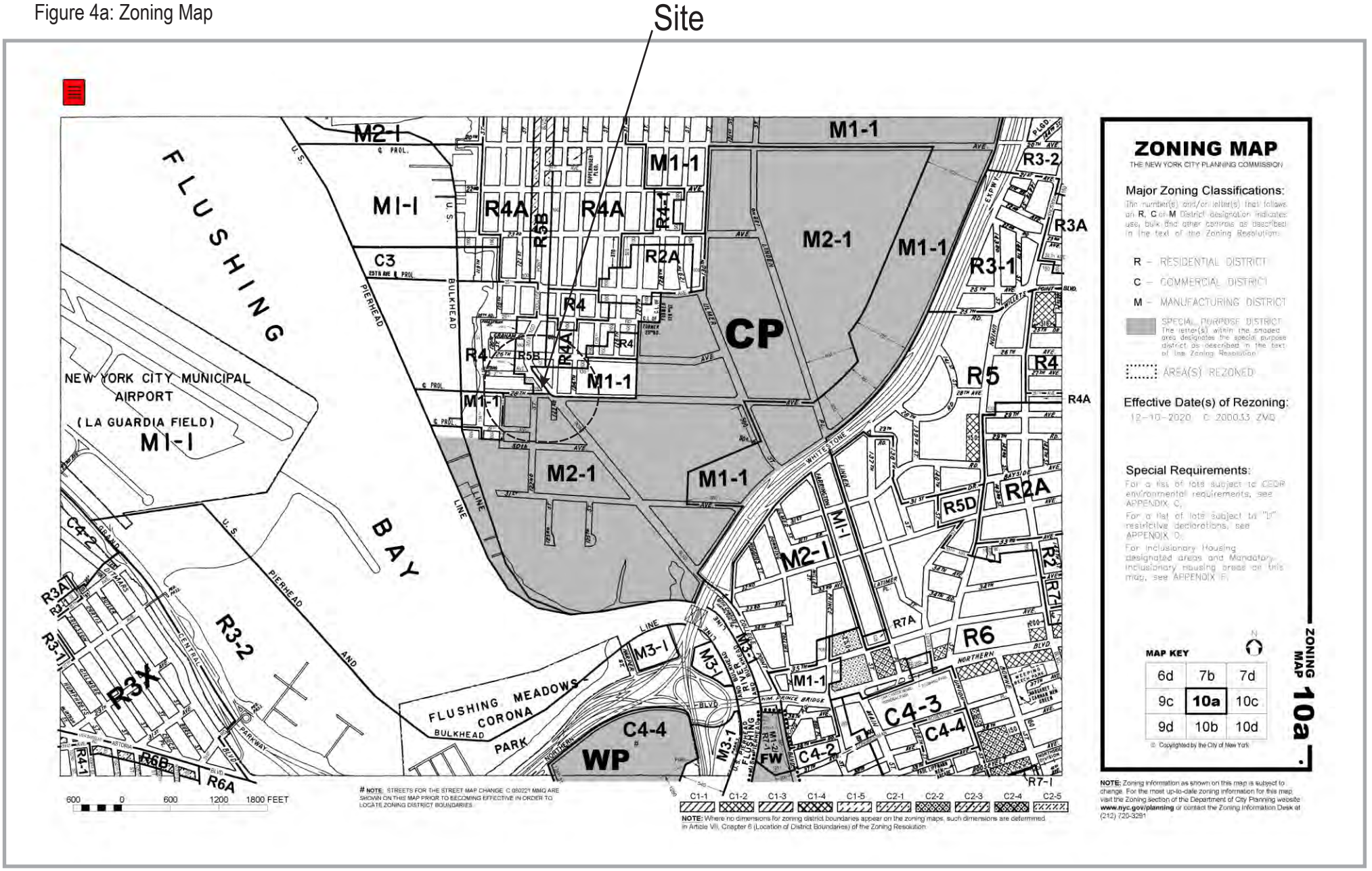


Data Source: MapPLUTO 2023v2, NYC DOF Digital Tax Map 3/1/23

Urban Cartographics

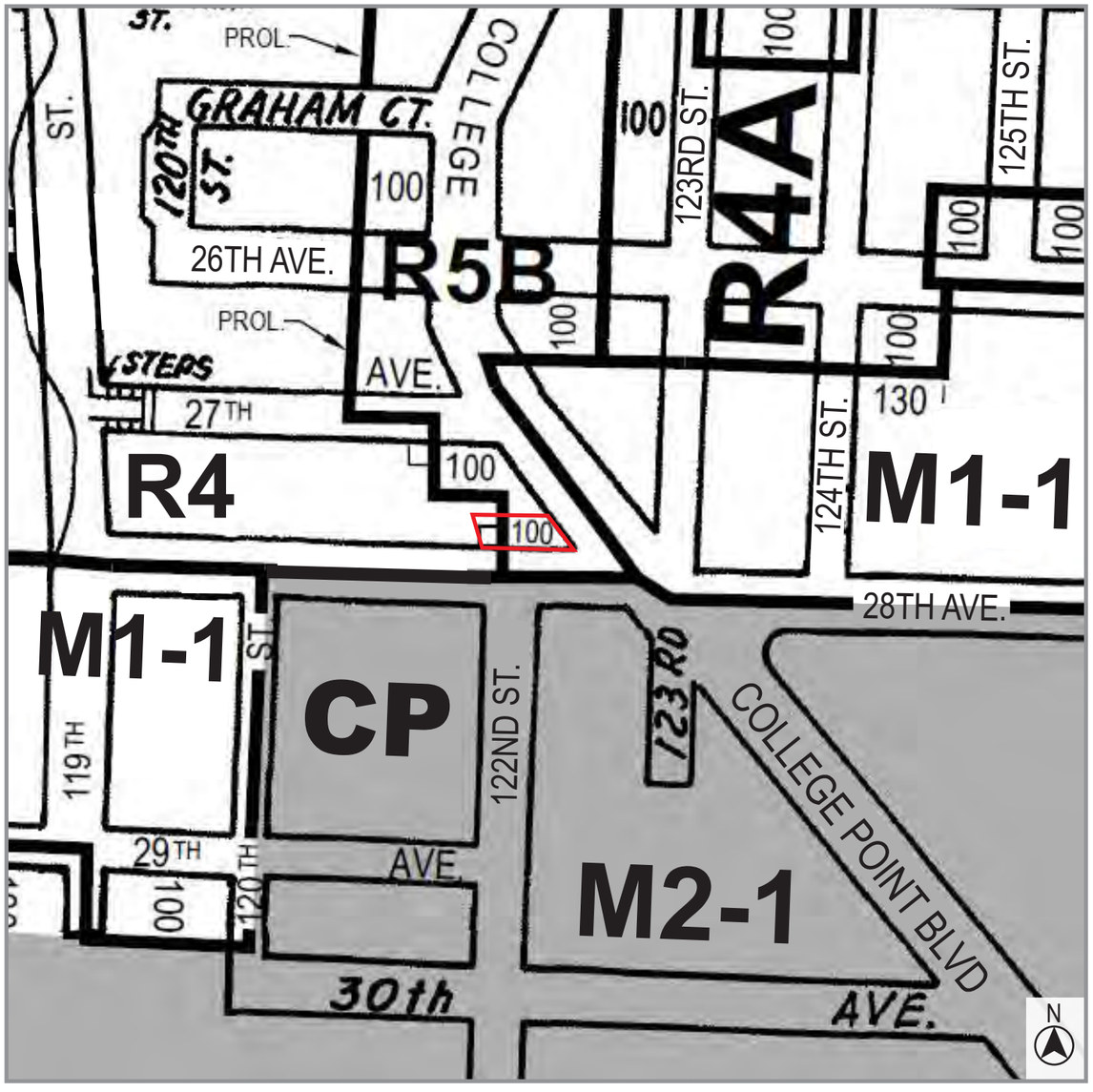
27-24 College Point Boulevard, Queens

Figure 4a: Zoning Map

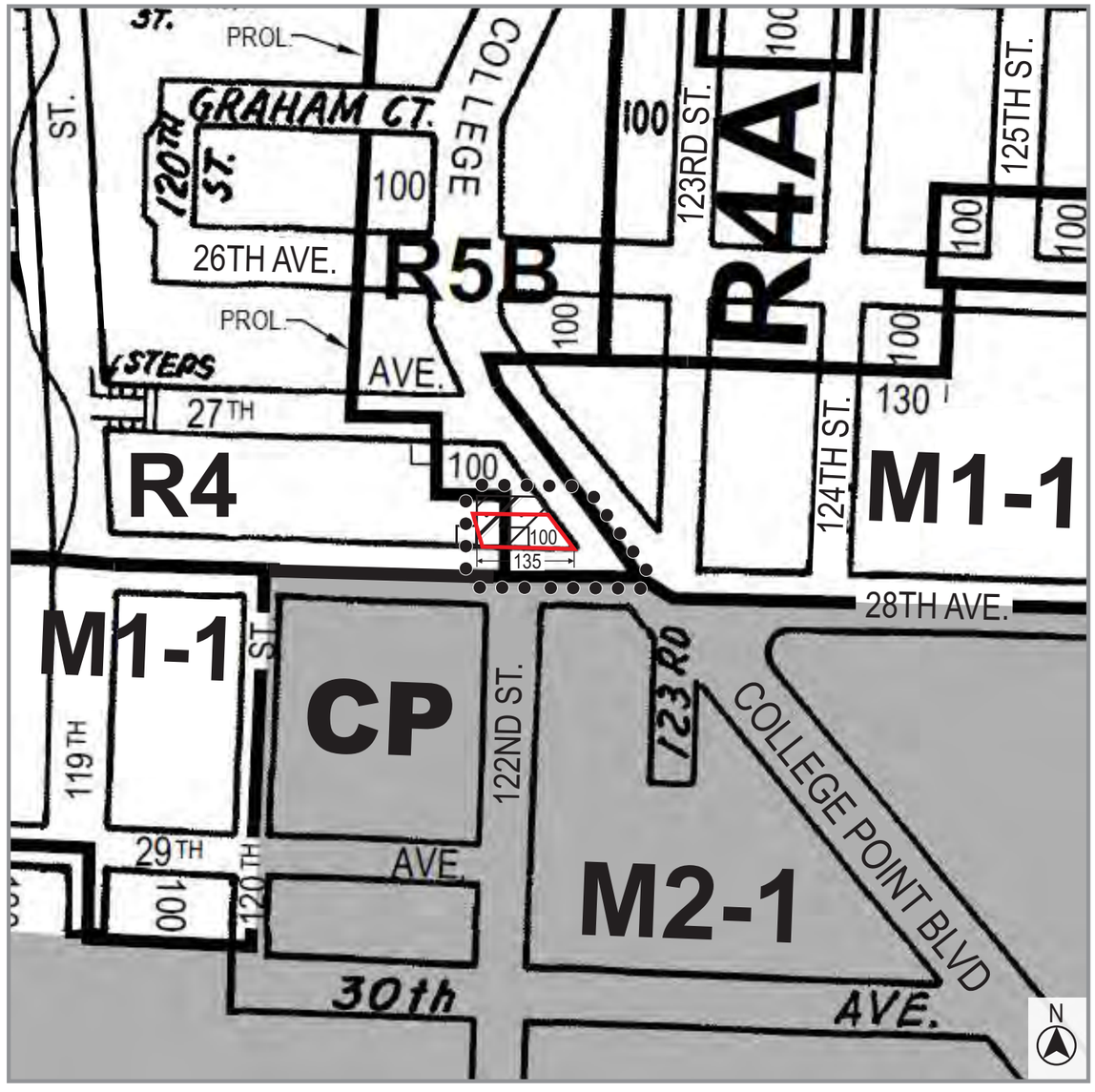


Urban Cartographics

Figure 4b - Zoning Change Map



Current Zoning Map (10a)



Proposed Zoning Map (10a) - Area being rezoned is outlined with dotted lines

Rezoning from R5B to R5B/C2-3
Rezoning from R4 to R4/C2-3

Development Site

C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5

NOTE: Where no dimensions for zoning district boundaries appear on the zoning maps, such dimensions are determined in Article VII, Chapter 6 (Location of District Boundaries) of the Zoning Resolution.

27-24 College Point Boulevard, Queens

Figure 5: Aerial Map



Imagery Source: 2023 Bing, Microsoft Corporation

Urban Cartographics

Figure 6: Site Photograph Log



Photo No. 1



Photo No. 2



Photo No. 3



Photo No. 4



27-24 COLLEGE POINT BOULEVARD COMMERCIAL OVERLAY

PROJECT DESCRIPTION

INTRODUCTION

This Environmental Assessment Statement (EAS) is filed under the City Environmental Quality Review (CEQR) procedures in connection with an application made to the City Planning Commission (CPC) for a zoning map amendment (the Proposed Action).

PROPOSED ACTION

The Applicant, Bacele Realty Corp., seeks a zoning map amendment to zoning sectional map 10a to rezone Queens Block 4292, portion of (p/o) Lots 10, 11, 12, 60 and 75 (the "Proposed Rezoning Area") located in College Point, Queens. The Proposed Action would rezone parts of five contiguous lots on the southeastern portion of Queens Block 4292 (bounded by 28th Avenue on the south, College Point Boulevard on the east, 27th Avenue on the north, and 119th Street on the west). The Proposed Rezoning Area would be rezoned from an R5B zoning district to an R5B/C2-3 zoning district, and an R4 zoning district to an R5/C2-3 zoning district (the "Proposed Action"). The Proposed Action would facilitate the construction of the Applicant's Proposed Development, a new 15-foot, one-story, Use Group 5 eating and drinking establishment with a drive through and five accessory parking spaces in the rear with a total of 2,541 gross square feet (gsf) at 27-24 College Point Boulevard, Block 4292, Lot 12 (the "Projected Development Site 1).

The proposed zoning map amendment would alter the Proposed Rezoning Area's use regulations by permitting uses listed in commercial Use Groups 6, 7, 8, 9, and 14. Such uses are now prohibited except where they have been located continuously since before the effective date of the current Zoning Resolution in 1961. New commercial development could achieve a maximum permitted floor area ratio (FAR) of 1.00 and a maximum permitted building height of 30 feet or two stories, whichever is less. Residential and community facility uses would continue to be permitted, as they are at present. In the portion of the Proposed Rezoning Area that is now zoned R4, the maximum permitted residential FAR would increase from 0.90 to 1.35, the maximum permitted residential lot coverage would increase from 45 percent to 55 percent, and the minimum required front yard depth for residential development would decline from ten feet to five feet.

REZONING AREA

The Proposed Rezoning Area consists of approximately 8,864 sf that includes parts of five lots (Queens Block 4292, Lots 10, 11, 12, 60 and 75) fronting on the west side of College Point Blvd. and the north side of 28th Ave. in College Point. The eastern part of the area is now zoned R5B, and the western part is zoned R4, with the boundary a line perpendicular to 28th Avenue located 100 feet west of College Point Boulevard at its intersection with 28th Avenue. The Proposed Rezoning Area was zoned R4 from 1961 until 2005, when the eastern portion was rezoned R5B as part of the larger College Point Rezoning (C050482ZMQ). The area is within the Coastal Zone Boundary.

Lot 12 (27-24 College Point Blvd. and Projected Development Site 1) is located at the northwest corner of College Point Blvd. and 28th Ave. It is a 5,765 sf, irregularly shaped vacant, unpaved lot with approximately 131 feet of frontage on the boulevard and 66 feet of frontage on the avenue, an approximately 100'-long northern lot line, and an approximately 51'-long western lot line. The two streets are not perpendicular to one another, and the lot's southwest corner is an acute angle. The western lot line is neither perpendicular to 28th Ave. nor parallel to College Point Blvd. The distance between the northern and southern property lines, measured perpendicular to the avenue, is approximately 50 feet. Of the lot's 5,765 sf, 3,919 sf (68%) is zoned R5B, and 1,816 sf (32%) is zoned R4.

The lot was formerly occupied by a gas station from the late 1940s to 2011. The service station use was subject to a variance (BSA Cal. No. 359-47BZ) which was originally approved in 1947, expired in 1985, and was reinstated in October 2000 (BSA Cal. No. 5-00-BZ) for a term of ten years, which expired in October 2010. Following the closing of the gas station, demolition of the building, and closing and removal of the gasoline storage tanks, contamination from leaking underground gasoline storage tanks was remediated to the satisfaction of the New York State Department of Environmental Conservation (NYSDEC) Division of Environmental Remediation, which issued a signoff letter on July 8, 2013. On January 28, 2014, the BSA granted a use variance (BSA Cal. No. 279-12-BZ) to permit the construction of a two-story commercial building (0.88 FAR) to be occupied as a UG 6 bank, but the property owner was unable to secure a tenant, and the bank was never built. The site has been unutilized since 2011.

Lot 11 (27-20 College Point Blvd.) is located to the north of Lot 12, and Lot 10 (27-18 College Point Blvd.) is located to the north of Lot 11. The two lots are in common ownership. Lot 11 measures 1,905 sf; of which approximately 996 sf is zoned R5B, and approximately 909 sf is zoned R4. It has approximately 26 feet of street frontage, a width of approximately 20 feet, and a depth that diminishes from approximately 100 feet at its southern lot line to approximately 87 feet at its northern lot line. Lot 10 measures 1,660 sf; of which approximately 653 sf is zoned R5B, and approximately 1,007 sf is zoned R4. It has approximately 26 feet of street frontage, a width of approximately 20 feet, and a depth that diminishes from approximately 87 feet at its southern lot line to approximately 75 feet at its northern lot line. Both lots are developed with two-story-and-cellar, 23-foot-tall commercial buildings. The one on Lot 11 contains approximately 3,390 gsf (including 2,260 zsf, for an FAR of 1.19). The one on Lot 10 contains approximately 2,730 gsf (including 1,820 zsf, for an FAR of 1.10). The two buildings are adjacent, and they have been joined; a home center selling cabinets, counters, fixtures, hardware, and so on occupies both buildings. Because the two commercial buildings predate the 1961 Zoning Resolution, they are legally noncomplying, and the use is legally nonconforming.

Lot 60 (119-58 27th Avenue) abuts the northern lot lines of Lot 10 and Lot 75. It is an approximately 12,300 square foot lot with approximately 3,300 sf zoned R4 to the west and 9,000 sf zoned R5B to the east. It is improved with an approximately 17,493 square foot (1.42 FAR) three-story, multi-family residential building with 30 dwelling units built in 1966.

Lot 75 (120-35 28th Avenue) abuts the rear (western) lot lines of the three other lots. It measures 1,980 sf and is located entirely in the R4 district. It has 33 feet of frontage on the avenue, a western side lot line that is 90 feet long and perpendicular to 28th Ave., a rear lot line that is 11 feet wide,

and an angled eastern lot line approximately 92 feet long. It is developed with a 945 gsf, 2½-story, 28'-tall single-family home. The FAR is 0.48.

The Proposed Action would move the boundary between the R5B and R4 districts 35 feet west, enlarging the R5B district by 3,150 sf (from 5,569 sf to 8,864 sf), and mapping a C2-3 local commercial overlay within the enlarged R5B district. Table 1 shows the portions of the five lots that would and would not be rezoned.

Table 1: Lots Wholly or Partly in the Proposed Rezoning Area (Block 4292)

Block	Lot	Address	Lot Area (Sq. Ft.)	Within Rezoning Area		Outside Rezoning Area		Max. Width of Excluded Area
				Area	Percentage	Area	Percentage	
4292	10	27-18 College Point Blvd.	1,660	1,353	82%	307	18%	18
	11	27-20 College Point Blvd.	1,905	1,696	89%	209	11%	13
	12	27-24 College Point Blvd.	5,765	5,634	98%	131	2%	8
	60	119-58 27th Avenue	12,300	145	0.1%	12,155	99.9%	100
	75	120-35 28th Avenue	1,980	36	2%	1,944	98%	29
				8,864				

Under the provisions of Zoning Resolution (ZR) Section 77-11, Conditions for Application of Use Regulations to Entire Zoning Lot, if a zoning lot in existence at the time of a zoning map amendment is divided, as a result of that amendment, between districts with different use regulations, "the use regulations applicable to the district in which more than 50 percent of the lot area of the zoning lot is located may apply to the entire zoning lot, provided that the greatest distance from the mapped district boundary to any lot line of such zoning lot in the district in which less than 50 percent of its area is located does not exceed 25 feet." In such a situation, "the district boundary may be assumed to be relocated accordingly, and the bulk, off-street parking and loading, and all other regulations applying to such expanded district shall apply to the entire zoning lot." Because more than 75 percent of Lots 10, 11, and 12 would be zoned R5B/C2-3 and the portions outside the C2-3 overlay would be less than 25 feet wide, the provisions of ZR Section 77-11 would apply to the three lots. All regulations applicable in an R5B/C2-3 district would apply to the entirety of these lots.

The provisions of ZR Section 77-12, Application of Use Regulations Under All Other Conditions, would apply to Lots 60 and 75.

Lot 60: The use regulations for R4 and for R5B/C2-3 would apply separately to those portions of the lot in the two districts. Commercial uses would be permitted only in a 73-sf area that is no more than two feet wide. The Proposed Action would not affect the development potential of the parcel, which is now occupied by a multi-family home.

Lot 75: The use regulations for R4 and for R5B/C2-3 would apply separately to those portions of the lot in the two districts. Commercial uses would be permitted only in a 36-sf area that is no more than four feet wide. The Proposed Action would not affect the development potential of the parcel, which is now occupied by a single-family home.

The Proposed Action would therefore affect a 9,330-sf area consisting of Block 4292, Lots 10, 11, and 12.

PROJECT DESCRIPTION

The Proposed Action would facilitate the redevelopment of Projected Development Site 1 (27-24 College Point Boulevard, Block 4292, Lot 12) with a one-story, 2,541 gsf UG 6 eating and drinking establishment (such as a Starbucks, Dunkin', or other coffee or fast-food chain franchise) with a drive-through and five accessory parking spaces in the rear. All floor area would count for zoning purposes, so the FAR would be 0.44. Lot coverage would be 44 percent. The building would be 14 feet tall and would be in the southeastern part of the lot. The building's entrance would be onto College Point Blvd. Vehicles would enter the site via a curb cut onto College Point Blvd. north of the building (50'2" from the intersection) and proceed along a 12'4"-wide lane between the building and the northern lot line to the western part of the lot, where they would either turn into the drive-through lane or park in one of the spaces near the western edge of the property. Landscaping and a six-foot-tall opaque fence would separate and screen the parking area from the residential property to the west (Lot 75). Vehicles would exit the site via a curb cut onto 28th Avenue approximately 83 feet from the intersection.

The proposed project would comply with all bulk and parking regulations applicable to the proposed R5B/C2-3 zoning. It would be underbuilt relative to the permitted maximum FAR of 1.00 and the permitted maximum street wall height of two stories or 30 feet (whichever is less). Although one accessory off-street parking space per 400 sf of floor area is required for the proposed use, yielding a requirement for six spaces, the requirement is waived if the number of spaces is below 25. The five spaces that would be provided is the number that can be accommodated given the building footprint and the vehicular circulation requirements. (Illustrative architectural plans are attached as **Appendix A**.)

PURPOSE AND NEED

The Proposed Action would bring the longstanding commercial uses on Lots 10 and 11 into conformity with zoning use regulations (although the buildings would remain legally noncomplying with floor area regulations) and would facilitate the redevelopment of Projected Development Site 1 (Lot 12), which has been unutilized and vacant since 2011. The site was formally occupied by a gasoline service station (a UG 16 use that is not permitted under either the current or the proposed zoning) from the late 1940s until 2011. In granting a use variance for Lot 12 in 2014 to permit construction of a bank, the BSA noted that redevelopment with a conforming residential or community facility use is not feasible because of the site's contamination because of its previous use as a gasoline service station, the cost of the required remediation, and the proximity of manufacturing uses along College Point Blvd. Even with the variance, it has not been possible to redevelop the site and the applicant believes that more flexibility regarding possible commercial uses is warranted. Although residential uses occupy the properties to the west along the cross streets and to the north along the west side of College Point Blvd., commercial and automotive uses have occupied the lots in the Proposed Rezoning Area that front on College Point Blvd. since the 1940s, a gas station faces the Proposed Rezoning Area

on the east side of College Point Blvd., a warehouse abuts the gas station, an industrial use faces Lot 12 at the southwest corner of College Point Blvd. and 28th Ave., and the NYPD Police Academy occupies the lot at the southeast corner of the intersection. The Proposed Rezoning Area is at the edge of the area's residential districts, facing an M1-1 district on the eastern side of the boulevard north of 28th Ave. and an M2-2 district on the south side of the avenue.

As discussed above, the Proposed Action is intended to provide more flexibility than the existing zoning, paired with historical uses currently permits, which the Applicant believes to be necessary to develop the site appropriately.

ANALYSIS FRAMEWORK

The potential development under both the future No-Action and With-Action conditions is used to determine the change in permitted development created by the Proposed Action. The first step in constructing a Reasonable Worst Case Design Scenario (RWCDS) is generally to estimate the projected development in the future without the project (the No-Action condition) for the area directly affected by the Proposed Action as well as the study area. The RWCDS analysis takes the existing observed condition and adds to it known or expected changes to arrive at a reasonable estimate of future conditions. After the baseline condition is established in the future without the project, the RWCDS for the project is established and compared to the No-Action condition for the environmental assessment.

Existing Conditions

The Projected Development Site 1 (Block 4292, Lot 12) is a vacant lot. The two out parcels (Block 4292, Lots 10 and 11) are under common ownership and are developed with two-story-and-cellar, 23-foot-tall commercial buildings. Lot 11 contains approximately 3,390 gsf (including 2,260 zsf, for an FAR of 1.19). Lot 10 contains approximately 2,730 gsf (including 1,820 zsf, for an FAR of 1.10). The two buildings are adjacent, and they have been joined; a home center selling cabinets, counters, fixtures, hardware, and so on occupies both buildings. Because the two commercial buildings predate the 1961 Zoning Resolution, they are legally noncomplying, and the use is legally nonconforming.

The Future without the Proposed Action

The no-action scenario is the same as the existing conditions. A home center would continue to occupy the buildings on Lots 10, 11, and 12 would remain vacant and unutilized.

Lot 12 has been unutilized since 2011, and a new conforming use does not seem to be feasible for the lot, as the BSA acknowledged in its 2014 decision to permit a nonconforming UG 6 bank use on the property. That use has also proved to be unfeasible, and the lot has remained unutilized.

Lots 10 and 11 are overbuilt relative to the current zoning, so any redevelopment would result in a loss of floor area. Both storefronts were renovated in 2016, with permits issued by the DOB. It is therefore assumed that the legal nonconforming use of the two lots would continue under the no-action scenario.

As discussed above, the p/o Lots 60 and 75 are too small to be considered as part of the area affected by the rezoning.

The Future with the Proposed Action

Although the Proposed Rezoning Area includes Lot 10 and 11, only the Applicant-owned Project Site (Lot 12) would be a Projected Development Site 1. Other than the Project Site, no "soft sites" were identified within the Proposed Rezoning Area. Soft sites would include sites where a specific development is not currently proposed or being planned but may reasonably be expected to occur by the projected build year. Lots 10 and 11 are improved with occupied commercial buildings that already contain more commercial floor area than would be permitted under the rezoning, therefore are not considered soft sites.

Since the Proposed Project would achieve less than half the commercial FAR permitted under the proposed rezoning, for the purposes of a conservative analysis a Reasonable Worst Case Development Scenario (RWCDS) has also been established. This EAS assesses with-action scenario for Lot 12 (Projected Development Site 1). With-Action Scenario is the development of a two-story, 5,765 gsf commercial building (UG6C, home center) affiliated with the one that occupies Lots 10 and 11. There would be no cellar, and all floor area would count for zoning purposes. The building would be in the southeastern part of the lot. It would be 30 feet tall and would have a 2,882.5-sf footprint (covering 50 percent of the lot). The FAR would be 1.00 (the maximum permitted), and the building height would be the maximum permitted for any portion of a building occupied by a UG 6C use in any C1 or C2 district. Although one accessory off-street parking space per 400 sf of floor area is required for the projected use, yielding a requirement for 14 spaces, the requirement is waived if the number of spaces is below 25. Five spaces would be provided (the number that can be accommodated given the building footprint and the vehicular circulation requirements) near the western edge of the property. Landscaping and a six-foot-tall opaque fence would separate and screen the parking area from the residential property to the west (Lot 75). Vehicles would enter the site via a curb cut onto College Point Blvd. north of the building (50'2" from the intersection) and proceed along a 12'4"-wide lane between the building and the northern lot line to the parking area in the western part of the lot. Vehicles would exit the site via a curb cut onto 28th Avenue approximately 83 feet from the intersection.

See **Table 2-**Existing/No-Action and With Action Comparison below.

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Table 2-Existing/No-Action and With Action Comparison			
Projected Development Site 1	**Existing/ No-Action Condition (Vacant)**	**With-Action Condition (Proposed Project)**	**Increment**
Commercial Retail	--	5,765 SF	+5,765 SF
Workers[1]	--	18	+18
Parking Requirements[2]	--	14 Total Required 14<25 0 Required (5 Provided)	+5 spaces

REQUIRED APPROVALS

The Proposed project would require an amendment to zoning sectional map 10a to extend an existing R5B district westward onto what is now part of an R4 district and to map a C2-3 local commercial overlay within the enlarged R5B district. The zoning map amendment would be subject to the Uniform Land Use Review Procedure (ULURP).

BUILD YEAR

It is assumed that the rezoning will take approximately 18 months, including both precertification review and ULURP, and that construction would take approximately 7 months. The projected build year is therefore 2025.

[1] Workers based on land use size-Retail 1/333 sf

[2] Parking base on land use size-Retail 1/400 sf, waived if <25 spaces

PART II: TECHNICAL ANALYSES

INTRODUCTION

Based on the criteria in Part II of the Environmental Assessment Statement Short Form, the following technical areas require further analysis: land use, zoning, and public policy; historic and cultural resources; urban design and visual resources; hazardous materials; air quality; and noise. These analyses, which follow the guidance in the 2021 *CEQR Technical Manual*, are presented below.

1. LAND USE, ZONING, AND PUBLIC POLICY

Introduction

A land use analysis characterizes the uses and development trends in the area that may be affected by an action and determines whether a proposed project is compatible with those conditions or whether it may adversely affect them. The analysis also considers the proposed project's compliance with, and effect on, the area's zoning and other applicable public policies.

According to the *CEQR Technical Manual*, a preliminary assessment that includes a basic description of existing and future land uses, as well as basic zoning information, is provided for most projects, regardless of their anticipated effects. Regarding public policy, the *CEQR Technical Manual* states, "Large, publicly-sponsored projects are assessed for their consistency with PlaNYC, the City's sustainability plan." An assessment of an action's consistency with the Waterfront Revitalization Program is required if an action would occur within the designated Coastal Zone. Public policy assessments are also appropriate if an action would occur within an area covered by an Urban Renewal Plan or a 197-A Plan.

Study Area

According to the *CEQR Technical Manual,* the appropriate study area for land use, zoning, and public policy is related to the type and size of the proposed project, as well as the location and context of the area that could be affected by the project. Study area radii vary according to these factors, with suggested study areas ranging from 400 feet for a small project to 0.5 miles for a very large project.

Because of the relatively modest size of the proposed project, the land use and zoning assessment for the Proposed Action considers a study area extending 400 feet around the Proposed Rezoning Area. As shown in **Figure 1**, Site Location, **Figure 2**, Tax Map and **Figure 3**, Land Use Map (above, following the EAS form), the study area extends northward to 26th Avenue, eastward to 124th Street, southward almost to 26th Avenue, and westward to 120th Street.

Need for a Preliminary Assessment

A land use and zoning assessment is appropriate for the Proposed Action, which is a zoning map amendment.

The proposed project is neither large nor publicly sponsored. No portion of the Proposed Rezoning Area is within an urban renewal area, or an area covered by a 197-a Plan. The Proposed Rezoning Area is within the Coastal Zone, however. The public policy discussion therefore consists of an assessment of the Proposed Action's consistency with the City's Waterfront Revitalization Program.

Land Use

<u>Existing Conditions within the Proposed Rezoning Area</u>

The Proposed Rezoning Area consists of Block 4292, Lots 10, 11, and 12. It is the southeastern portion of Block 4292, which is bounded by 28th Avenue on the south, College Point Boulevard on the east, 27th Avenue on the north, and 119th Street on the west.

Lot 12 (27-24 College Point Blvd. and Projected Development Site 1) is located at the northwest corner of College Point Blvd. and 28th Ave. It is a 5,765 sf, irregularly shaped vacant, unpaved lot with approximately 131 feet of frontage on the boulevard and 66 feet of frontage on the avenue, an approximately 100'-long northern lot line, and an approximately 51'-long western lot line. The lot was formerly occupied by a gas station from the late 1940s to 2011, when the gas station was closed, the building was demolished, the gasoline storage tanks were closed and removed, and contamination from leaking underground gasoline storage tanks was remediated. The site has been vacant ever since.

Lot 11 (27-20 College Point Blvd.) is located to the north of Lot 12, and Lot 10 (27-18 College Point Blvd.) is located to the north of Lot 11. The two lots are in common ownership. Lot 11 measures 1,905 sf. It has approximately 26 feet of street frontage, a width of approximately 20 feet, and a depth that diminishes from approximately 100 feet at its southern lot line to approximately 87 feet at its northern lot line. Lot 10 measures 1,660 sf and has approximately 26 feet of street frontage, a width of approximately 20 feet, and a depth that diminishes from approximately 87 feet at its southern lot line to approximately 75 feet at its northern lot line. Both lots are developed with two-story-and-cellar, 23-foot-tall commercial buildings. The one on Lot 11 contains approximately 3,390 gsf (including 2,260 zsf, for an FAR of 1.19). The one on Lot 10 contains approximately 2,730 gsf (including 1,820 zsf, for an FAR of 1.10). The two buildings are adjacent, and they have been joined; a home center selling cabinets, counters, fixtures, hardware, etc. occupies both buildings.

Existing Conditions within the Study Area

The Proposed Rezoning Area is at the cusp of two land use patterns, one residential and the other industrial and commercial.

Except for the Proposed Rezoning Area, the northwestern quadrant of the study area (the portion north of 28th Avenue and west of College Point Blvd.) is entirely residential. Residential homes also line the south side of 26th Avenue east of College Point Blvd., at the northern edge of the study area. North of the study area, land use is almost entirely residential.

Most of the residential buildings are one- or two-family homes, but three-story brick apartment buildings flank 27th Avenue on the west side of College Point Blvd. To the immediate west of the Proposed Rezoning Area (Lot 75) is a single-family home at 120-35 28th Avenue. To the immediate north of the Proposed Rezoning Area (Lot 60) is an apartment building at the southwest corner of College Point Blvd. and 27th Avenue. As discussed in the Project Description at the start of this report, the Proposed Action would rezone only a small portion of those properties and are not considered part of the area affected by the rezoning.

In the northeastern part of the study area, a gas station occupies the northeastern corner of College Point Blvd. and 28th Avenue (Block 4293, Lot 10), and a warehouse occupies the property to the immediate north of the gas station (Block 4293, Lot 22). To their east, light industrial uses (warehouses, a stone casting establishment, a marine propeller repair and replacement facility, a picture framer, and a chimney contractor) front on 123rd Street north of 28th Avenue.

An aircraft parts manufacturer occupies the south side of 28th Avenue between 120th and 122nd Streets (Block 4317, Lots 1 and 41), and a building materials warehouse occupies the south side of 28th Avenue between 122nd Street and College Point Blvd. (Block 4319, Lots 16, 24, 48, and 49). South of the warehouse, along College Point Blvd., are a deli (Block 4320, Lot 16) and an equipment and tool rental company (Block 4319, Lot 10). South and east of the of the aircraft parts manufacturer, at the northwest corner of 122nd Street and 29th Avenue (Block 4317, Lot 20), is a lot formerly occupied by an asphalt manufacturing plant, where a new, more modern asphalt manufacturing plant is being constructed.

A single institutional use, the NYPD Police Training Academy, occupies the portion of the study area to the east of College Point Blvd. and to the south of 28th Avenue (Block 4327, Lot 1).

Future without the Proposed Action

Absent the Proposed Action, redevelopment would not occur within the Proposed Rezoning Area. A home center would continue to occupy the buildings on Lots 10 and 11, Lot 12 would remain vacant and unutilized.

No land use changes are anticipated within the study.

Future with the Proposed Action

If the Proposed Action is approved, Projected Development Site 1 (Block 4292, Lot 12) would be redeveloped. The With-Action Scenario is the development of a two-story, 5,765 gsf retail home center affiliated with the one that occupies Lots 10 and 11. The building would be located in the southeastern part of the lot. It would be 30 feet tall and would have a 2,882.5-sf footprint (covering 50 percent of the lot). Five accessory parking spaces would be located near the western edge of the property. Landscaping and a six-foot-tall opaque fence would separate and screen the parking area from the residential property to the west (Lot 75). Vehicles would enter the site via a curb cut onto College Point Blvd. north of the building (50'2" from the intersection) and proceed along a 12'4"-wide lane between the building and the northern lot line to the parking area in the western part of the lot. Vehicles would exit the site via a curb cut onto 28th Avenue approximately 83 feet from the intersection.

The Proposed Action would facilitate the development of an active use on what is now a vacant and unutilized lot. The projected home center – or, indeed, any other local retail, service, or eating and drinking use – would be compatible with the adjacent uses within the Proposed Rezoning Area and other nearby uses (residential, manufacturing, and commercial) along this part of College Point Blvd. Although residential uses occupy the properties to the west along the cross streets and to the north along the west side of College Point Blvd., commercial and automotive uses have occupied the lots in the Proposed Rezoning Area that front on College Point Blvd. since the 1940s, a gas station faces the Proposed Rezoning Area on the east side of College Point Blvd., a warehouse abuts the gas station, a warehouse faces Lot 12 at the southwest corner of College Point Blvd. and 28th Ave., and the NYPD Police Academy occupies the lot at the southeast corner of the intersection. The proposed commercial overlay would reinforce the mixed-use character of College Point Boulevard and would not conflict with surrounding residential uses.

As discussed above, the Proposed Action would not have a significant adverse land use impact and further assessment is not warranted.

Zoning

Existing Conditions within the Proposed Rezoning Area

The eastern part of the Proposed Rezoning Area is now zoned R5B, and the western part is zoned R4, with the boundary a line perpendicular to 28th Ave. located 100 feet west of College Point Blvd. at its intersection with 28th Ave. The Proposed Rezoning Area was zoned R4 from 1961 until 2005, when the eastern portion was rezoned R5B as part of the larger College Point Rezoning (C050482ZMQ). See **Figure 4a**, Zoning Map.

R4 and R5B are both low density residential districts that permit residential and community facility uses but prohibit the development of new commercial or industrial uses. Existing commercial or light industrial uses that predate the 1961 Zoning Map they are known as legally nonconforming uses; they may remain indefinitely but may not expand.

R4 permits a maximum FAR of 0.90 for residential development and a maximum FAR of 2.00 for community facility development. The maximum permitted lot coverage is 45 percent for residential development; for a community facility, it is 55 percent on a corner lot and 60 percent on an interior or though lot. Front, side, and rear yards are required; the front yard mut be at least 10 feet deep for residential development and at least 15 feet deep for community facilities. For residential buildings the maximum permitted perimeter wall height is 25 feet, and the maximum permitted building height is 35 feet. For community facilities the maximum perimeter front wall height is 35 feet; above that height, no portion of the building may penetrate a sky exposure plane sloping upwards and rearwards over the property at a 45-degree angle.

R5B permits maximum FARs of 1.35 and 2.00 respectively for residential and community facility developments. Front, side, and rear yards are required; the front yard mut be at least ten feet deep for residential development and at least five feet deep for community facilities. For a residential building the maximum permitted lot coverage is 55 percent, the maximum permitted perimeter wall height is 30 feet, and the maximum permitted building height is 33 feet. For a community facility building the lot coverage and height and setback regulations are the same as in an R4 district.

Existing Conditions within the Study Area

The zoning of the study area reflects its divided land use patterns.

The northwestern part of the study area, with its one- and two-family homes, is zoned R4. The boundary between the R4 and R5B districts jogs westward north of the Proposed Rezoning Area, so that the low-rise apartment buildings along the west side of College Point Blvd. are within the R5B district; and at the northern edge of the study area (along the south side of 26th Avenue), the R5B district extends eastward across College Point Blvd. An R4A district, a contextual variant of R4, covers a small area at the northern edge of the study area.

An M1-1 low density light manufacturing district is mapped over the area east of College Point Blvd. and north of 28th Avenue. M1-1 permits most but not all commercial uses, light manufacturing uses listed in Use Group 17, and certain specified community facility uses but precludes all residential and most community facility uses. The maximum permitted FAR) is 1.00 for commercial or manufacturing uses and 2.40 for community facility uses. Rear yards are required. The maximum street wall height is 30 feet or two stories, whichever is less, for a commercial or manufacturing building and 35 feet or three stories, whichever is less, for a community facility building. At that height a setback from the street line is required, and above that height the building may not penetrate a sky exposure plane that begins at 30 feet above the front lot line and slopes upwards and rearwards at a 45-degree angle.

The southern part of the study area is zoned M2-1 and is within the Special College Point District. M2-1 is a low density medium industrial district. Use regulations are similar to those in an M1-1 district, but fewer community facilities are permitted. The maximum permitted FAR is 2.00, and the maximum street wall height is 60 feet or four stories, whichever is less, and the sky exposure plane that regulates additional building height is steeper than the one for M1-1. The Special College Point District (CP) was created to maintain an attractive, well-functioning businesses park setting for business uses and ensure that there are minimal effects on adjacent residential blocks. The corporate park environment is sustained by requiring front and side yards, restricting signage and loading locations, and setting higher parking requirements for certain commercial uses. Street tree planting and landscaping for front yards and parking lots are required for Use Group 17 uses. All uses must meet M1 performance standards and provide enclosure or screening to minimize impacts upon neighboring uses. Unlike most manufacturing districts, parks and other recreational uses are allowed as-of-right.

Future Conditions without the Proposed Action

In the absence of the Proposed Action, no zoning changes are anticipated within the Proposed Rezoning Area or the study area.

Future Conditions with the Proposed Action

The Proposed Action is a zoning map amendment to move the boundary between the R5B and R4 districts 35 feet west, enlarging the R5B district by 3,222 sf (from 5,642 sf to 8,864 sf), and mapping a C2-3 local commercial overlay within the enlarged R5B district. The map amendment would rezone 5,642 sf from R5B to R5B/C2-3 and 3,222 sf from R4 to R5B/C2-3. The proposed zoning map amendment would alter the Proposed Rezoning Area's use regulations by permitting uses listed in commercial Use Groups 6, 7, 8, 9, and 14. Such uses are now prohibited except where they have been located continuously since before the effective date of the current Zoning Resolution in 1961. New commercial development could achieve a maximum permitted floor area ratio (FAR) of 1.00 and a maximum permitted building height of 30 feet or two stories, whichever is less. Residential and community facility uses would continue to be permitted, as they are at present. In the portion of the Proposed Rezoning Area that is now zoned R4, the maximum permitted residential FAR would increase from 0.90 to 1.35, the maximum permitted residential lot coverage would increase from 45 percent to 55 percent, and the minimum required front yard depth for residential development would decline from ten feet to five feet.

See **Figure 4b**, Zoning Change Map.

As a result of the Proposed Action, 98 percent of Projected Development Site 1 (Lot 12), 89 percent of Lot 11, and 82 percent of Lot 10 would be zoned R5B/C2-3, and the remaining area of each lot would be zoned R4. The maximum distances between the district boundaries and the western lot lines would be 8 feet on Lot 12, 13 feet on Lot 11, and 18 feet on Lot 10.

A small part of Block 4292, Lot 75 (120-35 28th Avenue), which abuts the rear (western) lot lines of Lots 10, 11, and 12, would also be rezoned. Lot 75 measures 1,980 sf and is developed with a single-family home and is now located entirely in the R4 district. As a result of the Proposed Action, 36 sf (2 percent) of the lot would be zoned R5B/C2-3, and the maximum width of that corner of the lot would be four feet. The provisions of ZR Section 77-12, Application of Use Regulations Under All Other Conditions, would apply to Lot 75: The use regulations for R4 and for R5B/C2-3 would apply separately to those portions of the lot in the two districts. Because the development of a commercial use on a 36-sf area that is no more than four feet wide would not be feasible, the Proposed Action would not affect the development potential of the parcel.

A small part of Block 4292, Lot 60 (119-58 27th Avenue), which abuts the northern lot line of Lots 10, and 75, would also be rezoned. Lot 75 measures 12,300 sf and is developed with a multi-family residence and is currently located in a R4 zoning district with a small section located in an R5B zoning district. As a result of the Proposed Action, 145 sf (0.1 percent) of the lot would be zoned R5B/C2-3, and the maximum width of that portion of the lot would be two feet. The provisions of ZR Section 77-12, Application of Use Regulations Under All Other Conditions, would apply to Lot 60: The use regulations for R4 and for R5B/C2-3 would apply separately to those portions of the lot in the two districts. Because the development of a commercial use on a 145-sf area that is no more than two feet wide would not be feasible, the Proposed Action would not affect the development potential of the parcel.

The Proposed Action would bring the longstanding commercial uses on Lots 10 and 11 into conformity with zoning use regulations (although the buildings would remain legally noncomplying with floor area regulations) and would not affect conformity or compliance on Lots 60 or 75. The action would facilitate the redevelopment of Lot 12, which has been unutilized since 2011 and was occupied by a gasoline service station (a UG 16 use that is not permitted under either the current or the proposed zoning) from the late 1940s until 2011. The action would thus permit local retail and service uses within an area on which only commercial uses have been located since residential zoning was mapped there in 1961, and which is located at the edge of the current residential zoning, adjacent to M1-1 and M2-1 districts. The Proposed Action would not have a significant adverse impact regarding zoning.

See **Figure 5**, Aerial Photo and **Figure 6**, Photo Log.

Public Policy

The Proposed Rezoning Area is within the Coastal Zone Boundary, so this section assesses the proposed project's consistency with New York City's Waterfront Revitalization Program (WRP). WRP consistency documents are attached as **Appendix B**, and consistency with relevant policies is summarized below. The area does not have waterfront access, does not include a waterfront lot, and is not located on a waterfront block. Two of the ten WRP policies are relevant to the Proposed Action.

Policy 1.1: Encourage commercial and residential redevelopment in appropriate coastal zone areas.

The Proposed Action would bring the longstanding commercial uses on Lots 10 and 11 into conformity with zoning use regulations and would facilitate the redevelopment of Projected Development Site 1 (Lot 12), which has been unutilized and vacant since 2011. A conforming residential or community facility use is not feasible because of the site's contamination because of its previous use as a gasoline service station, the cost of the required remediation, and the proximity of manufacturing uses along College Point Blvd. Although residential uses occupy the properties to the west along the cross streets and to the north along the west side of College Point Blvd., commercial and automotive uses have occupied the lots in the Proposed Rezoning Area that front on College Point Blvd. since the 1940s, a gas station faces the Proposed Rezoning Area on the east side of College Point Blvd., a warehouse abuts the gas station, an industrial use faces Lot 12 at the southwest corner of College Point Blvd. and 28th Ave., and the NYPD Police Academy occupies the lot at the southeast corner of the intersection. The proposed eating and drinking establishment (fast food franchise) would complement both the commercial uses along College Point Boulevard and the residential uses along 28th Avenue and would not introduce any new risk to the coastal zone while encouraging more flexibility than the existing zoning, paired with historical uses, currently permits.

The proposed rezoning area is not within a Special Natural Waterfront Area (SNWA) or Significant Maritime and Industrial Area (SMIA), and it is in a well-developed area with substantial residential and commercial development. The proposed action would therefore be consistent with Policy 1.1.

Policy 1.3: Encourage redevelopment in the Coastal Zone where public facilities and infrastructure are adequate or will be developed.

The proposed rezoning area is located within a well-developed area that is served by sewers, municipal sanitation services, and police and fire protection services. The rezoning area fronts on public streets. The proposed action would therefore be consistent with Policy 1.3.

Policy 6: Minimize loss of life, structures, and natural resources caused by flooding and erosion, and increase resilience to future conditions created by climate change.

Currently, As shown in the New York City Flood Hazard Mapper, the proposed rezoning area is not within a 100- year-floodplain or a 500-year-floodplain as designated on FEMA's 2015 preliminary flood maps.

The Base Flood Elevation (BFE) designated on FEMA flood maps serves as the standard to which flood-resistant construction requirements apply. Where the BFE exceeds the elevation of the building site, it is necessary to elevate or floodproof (where permitted) the first occupiable floor to ensure that buildings remain structurally sound and to protect building contents during the flood event. As shown in the Although the proposed development is in Zone X (outside of the 0.2% annual chance floodplain, all critical elements such as utilities would be located on the roof or could be relocated to the roof as conditions change in the future. Therefore, the proposed action would be consistent with Policy 6.

Policy 6.2: Integrate consideration of the latest New York City projections of climate change and sea level rise (as published by the NPCC, or any successor thereof) into the planning and design of projects in the city's Coastal Zone.

The New York City Panel on Climate Change has projected that, relative to sea levels in the year 2000, sea levels at New York City will have risen 4 to 8 inches in the 2020s, 11 to 21 inches in the 2050s, 18 to 39 inches in the 2080s, and 22 to 50 inches by 2100. These changes will increase the frequency and severity of coastal flooding, expand existing flood zones, and increase base flood elevations at locations within existing flood zones.

As shown in the New York City Flood Hazard Mapper, the proposed rezoning area is expected to be within the 500-year-floodplain by the 2050s and within the 100-year floodplain by 2100. It is not expected to be subject to moderate wave action or to be inundated during high tide at any time through 2100.

The proposed action would facilitate the redevelopment of Queens Block 4292, Lot 12 (27-24 College Point Blvd.) with a one-story, 14'-tall, 2,541 gsf UG 6 eating and drinking establishment (such as a Starbucks, Dunkin', or other coffee or fast food chain franchise) with a drive-through and five accessory parking spaces in the rear. There would be no subsurface level, and the building would be anchored by four-foot-deep pilings. The rooftop would be flat and would be 2,541 sf in size. Critical elements such as utilities either would be located on the roof or could be relocated to the roof as conditions change in the future. The proposed action would be consistent with Policy 6.2.

The Proposed Action would thus be consistent with all relevant WRP policies (WRP #20-093).

Conclusion

The Proposed Action would not result in any significant adverse impact regarding land use, zoning, or public policy, and no further analysis is warranted.

2. HISTORIC AND CULTURAL RESOURCES

Introduction

This section considers the Proposed Action's potential impact on archaeological and architectural resources. Archaeological resources are artifacts or other remains, from either the prehistoric (Native American) or the historic (colonial or post-colonial) period that might provide information about the period from which they date or the society that produced them. Architectural resources include designated New York City landmarks and buildings within a designated New York City historic district, properties calendared for consideration by the New York City Landmarks Preservation Commission (LPC), properties listed on or determined to be eligible for listing on the State or National Register of Historic Places, National Historic Landmarks, and other properties that meet the eligibility criteria for such designations.

Archaeological Resources

According to the *CEQR Technical Manual*, archaeological resources generally need to be assessed for any project that would result in any in-ground disturbance. In-ground disturbance is any disturbance to an area not previously excavated, including new excavation that is deeper and/or wider than previous excavation on the same site.

The Proposed Action would result in redevelopment involving in-ground disturbance on one of the three lots within the Proposed Rezoning Area (Block 4292, Lot 12). Portions of the lot have not previously been disturbed.

In correspondence dated July 1, 2021 (which is included in **Appendix C** to this report), the LPC stated that none of the lots in the Proposed Rezoning Area are of archaeological significance. The Proposed Action would therefore not have a significant adverse impact on archaeological resources.

Architectural Resources

The two buildings within the Proposed Rezoning Area are utilitarian and undistinguished, and no architectural resources have been identified within 400 feet. In correspondence dated July 1, 2021 (which is included in Appendix C to this report), the LPC confirmed that the area has no architectural significance. The Proposed Action would therefore not have a significant adverse impact on architectural resources.

Conclusion

The Proposed Action would not result in significant adverse impacts related to archaeological or architectural resources, and further assessment is not warranted.

3. URBAN DESIGN AND VISUAL RESOURCES

Introduction

An assessment of urban design is needed when a project may have effects on any of the elements that contribute to the pedestrian experience of public space. A preliminary assessment is appropriate when there is the potential for a pedestrian to observe, from the street level, a physical alteration beyond that allowed by existing zoning, including the following:

1. Projects that permit the modification of yard, height, and setback requirements;

2. Projects that result in an increase in built floor area beyond what would be allowed "as-of-right" or in the future without the proposed project.

A preliminary urban design and visual resources assessment is required because the Proposed Action is a zoning map amendment that would alter the Proposed Rezoning Area's use and bulk regulations. The rezoning would affect three contiguous lots (Lots 10, 11, and 12) on the southeast portion of Queens Block 4292 (bounded by 28th Avenue, College Point Blvd., 27th Avenue, and 119th Street). The Proposed Action is a zoning map amendment that would extend an existing R5B district westward over part of an adjacent R4 district and map a new C2-3 local commercial overlay within part of the enlarged R5B district. Under the reasonable worst-case development scenario (RWCDS) that forms the basis of analyses of future with-action conditions, the existing commercial uses on Lots 10 and 11 would be brought into conformity with zoning use regulations, and the now vacant Lot 12 would be redeveloped with a two-story, 30-foot-tall, 5,765 gsf UG6C retail establishment occupying half the lot and five accessory surface parking spaces. The 400-foot study area extends northward to 26th Avenue, eastward to 124th Street, southward almost to 26th Avenue, and westward to 120th Street.

Pedestrian Wind Conditions

The *CEQR Technical Manual* calls for a separate preliminary assessment to determine whether an analysis of pedestrian wind conditions is appropriate, since the construction of large buildings at locations that experience high wind conditions may result in channelization or downwash effects that could affect pedestrian safety.

The Proposed Action would result in the redevelopment of the project site with a two- story, 30-foot-tall building. As a low-rise building similar in height to other nearby buildings, the development would not cause pedestrian level vortex effects, which tend to form around towers surrounded by open space. As the CEQR Technical Manual explains, "Channelized wind pressure from between tall buildings and downwashed wind pressure from parallel tall buildings may cause winds that affect pedestrian comfort and safety." The Proposed Action would not have a significant adverse impact on pedestrian wind conditions, and a detailed wind conditions assessment is not required.

Existing Conditions

The Proposed Rezoning Area

The Proposed Rezoning Area consists of Block 4292, Lots 10, 11, and 12. It is the southeastern portion of Block 4292, which is bounded by 28th Avenue on the south, College Point Boulevard on the east, 27th Avenue on the north, and 119th Street on the west.

Lot 12 (27-24 College Point Blvd. and Projected Development Site 1) is located at the northwest corner of College Point Blvd. and 28th Ave. It is a 5,765 sf, irregularly shaped vacant, unpaved lot with approximately 131 feet of frontage on the boulevard and 66 feet of frontage on the avenue. The lot was formerly occupied by a gas station from the late 1940s to 2011, when the gas station was closed, and the site was cleared. It has been vacant ever since. The site is unpaved and is enclosed within both wooden and chain link fencing. (See **Figure 7** Photo Key Map and **Figure 8**, Photos No. 6, 8, and 9.)

Lot 11 (27-20 College Point Blvd.) is located to the north of Lot 12, and Lot 10 (27-18 College Point Blvd.) is located to the north of Lot 11. Lot 11 measures 1,905 sf. It has approximately 26 feet of street frontage, a width of approximately 20 feet, and a depth that diminishes from approximately 100 feet at its southern lot line to approximately 87 feet at its northern lot line. Lot 10 measures 1,660 sf and has approximately 26 feet of street frontage, a width of approximately 20 feet, and a depth that diminishes from approximately 87 feet at its southern lot line to approximately 75 feet at its northern lot line. Both lots are developed with two-story-and-cellar, 23-foot-tall commercial buildings. The one on Lot 11 contains approximately 3,390 gsf (including 2,260 zsf, for an FAR of 1.19). The one on Lot 10 contains approximately 2,730 gsf (including 1,820 zsf, for an FAR of 1.10). The two buildings are adjacent, and they have been joined; a home center selling cabinets, counters, fixtures, hardware, and so on occupies both buildings. On the front facades, glazing dominates the ground floors, large signage bands separate the two stories, and red brick, single-pane sash windows, and more signage define the upper floors. The visible sides of the buildings are unfinished. (See **Figure 8**, Photos No. 5, 6, and 9.)

Study Area

As discussed above under Land Use, Zoning, and Public Policy, the Proposed Rezoning Area is at the cusp of two land use patterns, one residential and the other industrial and commercial. The two have quite different urban design characteristics.

The area to the west and northwest of the Proposed Rezoning Area is solidly residential. To the immediate northwest of the Proposed Rezoning Area, at the southwest corner of College Point Blvd. and 27th Avenue, is a large lot occupied by a three-story-and-basement, 32-foot-tall red brick multifamily apartment building, its accessory surface parking lot, a small lawn, and smaller strips of landscaping. A similar development occupies the northwest corner of the intersection. (See **Figure 8,** Photo No. 11.) Neat rows of 2½-story detached and semi-detached homes on 20-foot-wide lots, all built circa 1925, line the north side of 28th Avenue to the west of the Proposed Rezoning Area and both sides of 27th Avenue to the west of the apartment buildings. (See **Figure 8,** Photos No. 2 and 11.) The homes are set back from the street behind garden plots, which are generally enclosed within low fencing, and driveways leading to rear garages are located

alongside the homes and garden plots. The homes all have peaked roofs, and they range from 26 to 30 feet in height.

To the east, a gas station faces the Proposed Rezoning Area on the opposite side of College Point Blvd. on a 16,000-sf triangular lot that also fronts on 123rd Street. (See **Figure 8**, Photos No. 7 and 8.) To its north is a one-story, large-footprint warehouse that covers almost all its 16,400-sf lot, a portion of which extends eastward to 123rd Street. Its brick surface is punctuated only by doorways and truck entrances and a narrow ribbon of windows at the top of the front façade. (See **Figure 8,** Photos No. 7 and 8.) To the east of the gas station and the warehouse, low-rise industrial buildings, mostly one-story warehouses, occupy the frontage of 123rd Street north of 28th Avenue. (See **Figure 8**, Photo No. 10.)

Large, low-rise industrial buildings occupy the south side of 28th Avenue west of College Point Blvd. An approximately 38,000 sf one-story warehouse occupies an approximately 60,000 sf assemblage of lots fronting on 122nsd Street, 28th Avenue, College Point Blvd., and an unmapped dead-end portion of 123rd Street. (See **Figure 8,** Photo No. 4.) The principal facades consist of concrete topped by red brick surrounding large ribbons of translucent multi-paned or glass block windows, with a metal band at the rooftop. Open storage occupies portions of the less visible 122nd and 123rd Street frontages. A one- and two-story, 80,000 gsf factory occupies an approximately 92,000 sf assemblage on the block bounded by 28th Avenue, 122nd Street, 29th Avenue, and 120th Street. (See **Figure 8,** Photo No. 1.) The building has frontage on 28th Avenue and on 120th and 120th Streets, and a small accessory parking lot occupies the 29th Avenue frontage. The facades are of variegated brown brick, and the abutting sidewalks and landscaping are well maintained. The original part of the factory was built in 1956 and altered in 2009, and it was enlarged considerably in 2019. The remainder of the block, which is the northwest corner of 29th Avenue and 122nd Street, is the former site of an asphalt manufacturing plant, which is being replaced by a more modern asphalt plant, which is under construction.

South of 28th Avenue and east of College Point Blvd. is 1,009,176 sf lot occupied by the NYPD Police Training Academy and its associated parking lot and athletic field. The athletic field occupies the portion of the property nearest the Proposed Rezoning Area. (See **Figure 8**, Photo No. 3.)

The street system is a grid of east-west avenues and north-south streets, modified in two ways. One is that the grid is frequently interrupted. For example, 123rd Street is discontinued south of 28th Avenue, 122nd Street is discontinued north of 28th Avenue, 121st Street does not exist in the vicinity of the Proposed Rezoning Area, 120th Street is discontinued north of 28th Avenue, 119th Street exists only as a paper street between 28th Avenue and 25th Road, 27th Avenue exists only to the west of College Point Blvd., and 29th Avenue is discontinued to the east of 122nd Street. The other is that the major roadway carrying through traffic, College Point Blvd., is not part of the grid. Instead, the bifurcated, two-way boulevard angles and curves through the local street system, leaving irregularly shaped lots along its frontage. College Point Blvd. is 100 feet wide, and the streets and avenues are 50 to 70 feet wide.

Visual Resources in the Study Area

According to the *CEQR Technical Manual*, "a visual resource is the connection from the public realm to significant natural or built features, including views of the waterfront, public parks, landmark structures or districts, otherwise distinct buildings or groups of buildings, or natural resources." No visual resources have been identified in the vicinity of the Proposed Rezoning Area.

Future without the Proposed Action

Absent the Proposed Action, redevelopment would not occur within the Proposed Rezoning Area. Within the study area no other changes would occur within the vicinity of the Proposed Rezoning Area.

Future with the Proposed Action

Zoning Map Amendment

The Proposed Action is a zoning map amendment to move the boundary between the R5B and R4 districts 35 feet west, enlarging the R5B district by 3,150 sf (from 5,569 sf to 8,719 sf), and mapping a C2-3 local commercial overlay within the enlarged R5B district. The map amendment would rezone 5,569 sf from R5B to R5B/C2-3 and 3,150 sf from R4 to R5B/C2-3. The proposed zoning map amendment would alter the Proposed Rezoning Area's use regulations by permitting uses listed in commercial Use Groups 6, 7, 8, 9, and 14. Such uses are now prohibited except where they have been located continuously since before the effective date of the current Zoning Resolution in 1961. New commercial development could achieve a maximum permitted floor area ratio (FAR) of 1.00 and a maximum permitted building height of 30 feet or two stories, whichever is less. Residential and community facility uses would continue to be permitted, as they are at present. In the portion of the Proposed Rezoning Area that is now zoned R4, the maximum permitted residential FAR would increase from 0.90 to 1.35, the maximum permitted residential lot coverage would increase from 45 percent to 55 percent, and the minimum required front yard depth for residential development would decline from ten feet to five feet.

Projected Development Site 1

The With-Action assumes that the Projected Development Site 1 (Block 4292, Lot 12) would be redeveloped with a two-story, 5,765 gsf retail establishment affiliated with the one that occupies Lots 10 and 11. There would be no cellar, and all floor area would count for zoning purposes. The building would be in the southeastern part of the lot. It would be 30 feet tall and would have a 2,882.5-sf footprint (covering 50 percent of the lot). The FAR would be 1.00. Five accessory parking spaces would be provided (the number that can be accommodated given the building footprint and the vehicular circulation requirements) near the western edge of the property. Landscaping and a six-foot-tall opaque fence would separate and screen the parking area from the residential property to the west. Vehicles would enter the site via a curb cut onto College Point Blvd. north of the building and proceed along a 12'4"-wide lane between the building and the northern lot line to the parking area in the western part of the lot. Vehicles would exit the site via a curb cut onto 28th Avenue.

Table 3-1 compares the development characteristics of Projected Development Site 1 under existing, future no-action, and future with-action conditions.

Table 3-1
Existing, No-Action, and With-Action Conditions

	Existing Conditions	No-Action Conditions	With-Action Conditions
Development scenario	Vacant lot	Vacant lot	Retail with accessory surface parking
Gross/(net) floor area	0	0	5 ,765 gsf/zsf (1.00 FAR)
Lot coverage	None	None	2,882.5 sf (50%)
Building height	N/A	N/A	2 stories (30 feet)

Urban Design Assessment

The Proposed Action would facilitate the redevelopment of what is now a vacant, fenced lot, which is the only derelict property in the area. The new development would be a two-story commercial building, like those occupying the other two lots within the Proposed Rezoning Area and compatible with the commercial, industrial, and automotive development that characterizes this stretch of College Point Blvd. The building would be seven feet taller than the two existing buildings within the Proposed Rezoning Area (30 rather than 23 feet tall), a difference that is not significant, particularly since the new building's height would be within the range of buildings heights (26 to 32 feet) of the residential buildings that abut the Proposed Rezoning Area. (See **Figure 9 and 10**, Street Perspective Diagrams.)

The Proposed Action would not affect the topography, street system, block forms, or building arrangements within the area including and surrounding the Proposed Rezoning Area.

The Proposed Action would not result in a significant adverse urban design impact, and further analysis is not warranted.

Visual Resources Assessment

No visual resources have been identified in the vicinity of the Proposed Rezoning Area. The Proposed Action would therefore not have a significant adverse impact on visual resources.

Conclusion

The Proposed Action would not result in a significant adverse impact to urban design or visual resources, and no further analysis is warranted.

27-24 College Point Boulevard, Queens

Figure 7 - Urban Design Study Area and Photo Key Map

Affected Area

400-Foot Study Area

1 → Photo Location and Direction

Development Site



Data Source(s):
(1) New York City Department of City Planning, Information Technology Division: MapPLUTO Data;
(2) ESRI, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AerioGRID, IGN, and the GIS User Community

Figure 8: Urban Design Photo Log (Page 1 of 3)



Photo No. 1



Photo No. 2



Photo No. 3



Photo No. 4



Photo No. 5



Photo No. 6



Photo No. 7



Photo No. 8



Photo No. 9



Photo No. 10



Photo No. 11

FIGURE 9
VIEW 1: LOOKING NORTHWEST ALONG COLLEGE POINT BOULEVARD



VIEW 1: FUTURE NO-ACTION CONDITION



VIEW 1: FUTURE WITH-ACTION CONDITION

FIGURE 10
VIEW 2: LOOKING WEST FROM INTERSECTION OF COLLEGE POINT BOULEVARD AND 28TH AVENUE



VIEW 2: FUTURE NO-ACTION CONDITION



VIEW 2: FUTURE WITH-ACTION CONDITION

4. HAZARDOUS MATERIALS

Introduction

A Phase I Environmental Site Assessment (ESA) was performed February of 2022 of the subject property located at 27-24 College Point Boulevard, Queens, New York. This Phase I ESA was prepared in accordance with the ASTM Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process (ASTM Designation E 1527-13).

Site Description

The subject property at 27-24 College Point Boulevard, Queens, New York, is an irregularly shaped parcel of undeveloped land, approximately 5,765 square feet in area. At the time of the site visit, the site was surrounded by a chain link fence with a locked gate along 28th Avenue. The surface was unpaved and partially covered by snow. There were numerous plastic jersey barriers around the perimeter of the lot. No buildings, building foundations, concrete slabs or other visible evidence of former structures were present on the site.

Current Operations/Hazardous Substances

There were not any operations involving the storage or use of hazardous substances or petroleum products observed at the project site. In addition, there were not any indications of the past storage or use of hazardous substances or petroleum products, such as chemical/oil-stained surfaces, discarded drums or chemical containers, dead or dying vegetation, etc.

Site History

Research into the history of the project site indicates that the property was vacant land in 1903 and 1916, as shown on the Sanborn maps for those years. The property was first developed in 1925 with a 1-and 2-story building occupied by a retail store and a dwelling. By 1934, the use of the site had been converted to a gasoline filling station, auto repair garage, and dwelling. The filling station and repair garage remained on the property until circa 2010, and the retail store and dwelling until circa 2015. The former gasoline station equipment (i.e., tanks, dispensers, associated piping, etc.) were all removed from the station in 2011. The former building at the site was demolished in 2015, and the property has remained vacant and undeveloped since 2015.

Site Drainage

There were not any floor drains, trench drains, drywells, or other drainage structures observed at the property during the site visit.

Petroleum Storage Tanks

No aboveground storage tanks (ASTs), or indications of the presence of underground storage tanks (USTs) were observed at the property, or in the adjoining sidewalks during the site visit. In 2011, 12 USTs, product dispensers, and all associated piping were removed from the property. The tanks, dispensers and associated piping were located on the eastern and central parts of the site. The tanks removed were a 2,000-gallon gasoline UST, a 2,000-gallon diesel fuel UST, a 4,000-gallon gasoline UST, a 1,100-gallon gasoline UST (previously abandoned), five 550-gallon gasoline USTs (previously abandoned), one previously unknown 550-gallon UST (contents unknown), one 550-gallon fuel oil UST, and one 275-gallon waste oil UST.

The remedial actions taken to address the contamination at the project site consisted of the operation of a soil vapor extraction/air sparge remediation system, the removal of all USTs, product dispensers and associated piping, and the over excavation and disposal of 811.72 tons of petroleum-impacted soil. The NYSDEC closed spill number 9913926 on 7/8/2013. At the time of the spill closure, one of the on-site wells displayed significant residual groundwater impacts, but these were considered unlikely to cause a significant off-site impact. The closure letter for Spill Number 9913926 states that if the property is redeveloped, any contaminated subsurface materials encountered during construction activities must be properly handled in accordance with all applicable laws and regulations, and appropriate remedial and vapor mitigation measures must be taken to prevent potential vapor intrusion from affecting any site development, to ensure human health and safety.

The property does not appear in the remaining Federal or State environmental databases reviewed including the United States Environmental Protection Agency (USEPA's) Superfund, CERCLIS or ERNS databases, the RCRA CORRACTS database, Hazardous Waste Generators list, or hazardous waste Treatment/Storage/Disposal Facilities list, or the NYSDEC Solid Waste Facilities database, Voluntary Cleanup Program or Brownfields databases, or the Registry of Inactive Hazardous Waste Disposal Sites.

Asbestos/Lead-Based Paints/PCBs

No suspected asbestos-containing building materials or lead-based paints were observed at the subject property during the site visit. No transformers or other electrical equipment suspected of containing PCBs were observed at the project site.

Regulatory Agency Database Records

The property is identified in the New York State Department of Environmental Conservation (NYSDEC) Spill Logs and Petroleum Bulk Storage (PBS) databases. NYSDEC Spill Number 0607659 was assigned to the site on 10/5/2006 due to an odor complaint from a tenant in the building at the project site. This spill incident was closed by the NYSDEC on 10/5/2006. Spill Number 9506846 was assigned on 9/5/1995 when gasoline was discovered on the groundwater table below the property during a site evaluation. This spill incident was closed on 10/19/2004.

Spill Number 9913926 was assigned on 3/9/2000 due to a housekeeping issue at the project site. From circa 2005 to 2012, the investigation and remediation of petroleum-impacted soil and groundwater below the property was performed under NYSDEC Spill Number 9913926.

The remedial actions taken to address the contamination at the project site consisted of the operation of a soil vapor extraction/air sparge remediation system, the removal of all USTs, product dispensers and associated piping, and the over excavation and disposal of 811.72 tons of petroleum-impacted soil. The NYSDEC closed spill number 9913926 on 7/8/2013. At the time of the spill closure, one of the on-site wells displayed significant residual groundwater impacts, but these were considered unlikely to cause a significant off-site impact. The closure letter for Spill Number 9913926 states that if the property is redeveloped, any contaminated subsurface materials encountered during construction activities must be properly handled in accordance with all applicable laws and regulations, and appropriate remedial and vapor mitigation measures must be taken to prevent potential vapor intrusion from affecting any site development, to ensure human health and safety.

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Surrounding Land Use

The property is adjoined to the north by a 2-story, mixed-use building (i.e., residential with ground floor retail). Adjacent and to the south of the site is 28th Avenue, beyond which is a building materials supply company (Raw Equipment Building Materials), and a warehousing and distribution operation (Yellow Key Supply and HCK International Trading, Inc.). Adjacent and to the east is College Point Boulevard, beyond which is a plumbing supply business (Y Star Plumbing Supply). The property is adjoined to the west by residential uses.

Land use in the immediate vicinity of the property (i.e., within approximately 500 feet of the site) are a mix of residential, commercial, retail, and industrial uses. In addition, the New York City Police Academy complex is located approximately 100 feet southeast of the project site.

There is an active gasoline filling station at 26-27 College Point Boulevard, located approximately 100 feet northeast of the property. There is an on-going investigation and remediation of petroleum- contaminated groundwater from this site, being performed under NYSDEC Spill Number 8708729. According to the spill report for Spill Number 8708729, investigation and remediation activities of groundwater contamination at this site have been ongoing since circa 2003 by the responsible party under the regulatory oversight of the NYSDEC. The depth to groundwater below the site has been determined to be between 13 to 25 fbg and flows to the southwest. The report indicates that groundwater contamination from the station had migrated off site.

Remedial activities performed have included soil/vapor extraction, air sparge, enhanced LPH recovery, and chemical/oxidation injections. The remedial actions performed to date have significantly reduced the levels of contamination in the groundwater, to the point where only two wells show elevated levels of contaminants. Remedial activities continue to address the remaining contamination at the site. Spill Number 8708729 has not been closed by the NYSDEC as of the time of this writing.

A review of Sanborn historical maps show that historical land uses in the immediate vicinity of the property have been comprised of a combination of residential, commercial, retail, and industrial uses since the 1960s. Industrial uses shown in the area on historical Sanborn maps include electronics equipment manufacturing, transparent specialty manufacturing, metals warehousing, clothing manufacturing, and contractor's yards, all of which are shown to the south of the project site. A gasoline filling station is shown at 26-27 College Point Boulevard on the 1981 through 2006 Sanborn maps. Land uses in the immediate vicinity of the property prior to the 1960s were predominantly residential. A gasoline filling station is shown at 28-11 College Point Boulevard on the 1941 through 1993 Sanborn maps, approximately 100 feet southeast of the project site. This location is currently part of the New York City Police Academy.

The results of this assessment revealed no evidence of *Recognized Environmental Conditions* or *Controlled Recognized Environmental Conditions* in connection with the property. This assessment

has revealed no evidence of *Historical Recognized Environmental Conditions* in connection with the property, with the following exceptions:

- The NYSDEC requirement that in the event the property is redeveloped, any contaminated subsurface materials encountered during construction activities must be properly handled in accordance with all applicable laws and regulations.
- The NYSDEC requirement that in the event the property is redeveloped, appropriate remedial and vapor mitigation measures must be taken to prevent potential vapor intrusion from affecting any site development, to ensure human health and safety.

Based on the above, a proposed Remedial Action Plan (RAP) was prepared by Envirotrac (July 2022). The proposed Remedial Action achieves protection of public health and the environment for the intended use of the property. The proposed Remedial Action achieves all the Remedial Action Objectives established for the project and addresses applicable standards, criterion, and guidance; is effective in both the short-term and long-term and reduces mobility, toxicity and volume of contaminants; is cost effective and implementable; and uses standards methods that are well established in the industry. The proposed Remedial Action will consist of:

1. Performance of a Community Air Monitoring Program for particulates and volatile organic carbon compounds;

2. Establishment of NYSDEC Commercial Soil Cleanup Objectives (CUSCOs);

3. Site mobilization involving Site security setup, equipment mobilization, utility mark outs and marking and staking excavation areas;

4. Completion of a Waste Characterization Study prior to excavation activities. Waste characterization soil samples will be collected at a frequency dictated by the disposal facility;

5. Excavation and removal of soil/fill exceeding NYSDEC CUSCOs. To facilitate construction of the new building, limited excavation to approximately 10 feet below grade will be conducted within the building footprint which occupies 38% of the lot in the southeastern corner. In addition, 10 foot by 10 foot area surrounding SB-5 will be excavated to three (3) feet below grade and a 10 foot by 10 foot Remedial Action Plan 27-24 College Point Boulevard, College Point, NY 11354 xi area surrounding SB-1 will be excavated an additional five (5) feet to a final depth of 15 feet below grade, to remove residual petroleum impacted material detected above NYSDEC CUSCOs as reported in the Phase II. Therefore, an estimated 850 cubic yards (or approximately 1,275 tons) of soil will require excavation for the new building's construction. Soil will be properly disposed of at an appropriately licensed or permitted facility;

6. Screening of excavated soil/fill during intrusive work for indications of contamination by visual means, odor, and monitoring with a PID;

7. Management of excavated materials including temporarily stockpiling and segregating in accordance with defined material types and to prevent co-mingling of contaminated material and non-contaminated materials;

8. Removal of all identified USTs, during soil/fill removal actions. Registration of tanks and reporting of any petroleum spills associated with USTs and appropriate closure of these petroleum spills in compliance with applicable local, State and Federal laws and regulations;

9. Transportation and off-site disposal of all soil/fill material at permitted facilities in accordance with applicable laws and regulations for handling, transport, and disposal, and this plan. Sampling and analysis of excavated media as required by disposal facilities. Appropriate segregation of excavated media on-Site;

10. Collection and analysis of five (5) end-point samples (EP-1 through EP-5) and eight (8) Hotspot sidewall endpoint samples (HS-1 N, HS-1 S, HS-1 W, HS-1 E, HS-2 N, HS-2 S HS-2 W and HS-2 E) to determine the performance of the remedy with respect to attainment of NYSDEC CUSCOs;

11. Import of materials to be used for backfill and cover in compliance with this plan and in accordance with applicable laws and regulations;

12. Construction of an engineered composite cover system. The composite cover system will consist of the following: • Building Footprint: A 4-inch concrete cellar slab underlain by a 20-mil vapor barrier (Stego Industries® Stego® Wrap) on a 6-inch layer of granular sub-base; • Remainder of Lot 12: 3-inch asphalt on a 6-inch layer of granular sub-base.

13. Installation of a vapor barrier system consisting of a 20-mil vapor barrier installed beneath the building slab and outside of sub-grade foundation sidewalls to meet grade to mitigate soil vapor migration into the building. The vapor barrier system will consist of Stego Industries® Stego® Wrap 20-mil Vapor Barrier system (or approved equivalent) installed below the slab throughout the building area and outside all sub-grade foundation sidewalls to meet grade. All welds, seams and penetrations will be properly sealed to prevent preferential pathways for vapor migration. The vapor barrier system is an Engineering Control for the Remedial Action. The remedial engineer will certify in a Remedial Closure Report (RCR) that the vapor barrier system was designed and properly installed to mitigate soil vapor migration into the building;

14. Performance of all activities required for the Remedial Action, including permitting requirements and pretreatment requirements, in compliance with applicable laws and regulations;

15. Implementation of storm-water pollution prevention measures in compliance with applicable laws and regulations;

16. Submission of a RCR that describes the remedial activities, certifies that the remedial requirements have been achieved, defines the Site boundaries, lists any changes from this RAP, and describes all Engineering and Institutional Controls to be implemented at the Site; and

17. Submission of an approved Site Management Plan (SMP) in the RCR for long-term management of residual contamination, including plans for operation, maintenance, monitoring, inspection, and certification of Engineering and Institutional Controls and reporting at a specified frequency.

A revised RAP and HASP was prepared and submitted in November 2022, and upon review, the DEP approved the protocol, as was detailed in their letter dated February 23, 2023.

A Phase II Investigation Report prepared in accordance with the approved RAP and HASP (Envirotrac June 2023), was completed in August 2023.

Based on review of these reports, DEP recommends an (E-741) designation for hazardous materials be placed on the zoning map in connection with this new application (see letter dated August 29, 2023, in **Appendix D**). The Applicant will be directed to coordinate further hazardous materials assessments through the Mayor's Office of Environmental Remediation (OER).

The (E-741) designation requirements applicable to Projected Development Site 1 (Block 4292, Lot 12) 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.

Conclusion

With this (E-741) designation in place, no significant adverse impacts related to hazardous materials are expected, and no further analysis is warranted. Therefore, there is no potential for the Proposed Actions to result in significant adverse impacts related to hazardous materials on Projected Development Site

5. AIR QUALITY

Introduction

Ambient air quality, or the quality of the surrounding air, may be affected by air pollutants produced by motor vehicles, referred to as "mobile sources"; by fixed facilities, usually referenced as "stationary sources"; or by a combination of both. Under the City Environmental Review (CEQR), an air quality assessment determines both a proposed project's effects on ambient air quality and the quality of the ambient air at the project.

Ambient air quality describes pollutant levels in the surrounding environment to which the public has access. The pollutants of concern include six criteria pollutants—known as "criteria" pollutants, and air toxics or toxic air pollutants known as noncriteria pollutants, which include hazardous air pollutants (HAPs) and many other pollutants. To assess potential health hazards due to ambient air quality, the impact of air pollutants emitted by motor vehicles (mobile source) and by fixed facilities (stationary source) are analyzed.

Air Quality Standards, Regulations, and Benchmarks

Criteria Pollutants

The US Environmental Protection Agency (EPA) has established national ambient air quality standards (NAAQS) for six of the most common air pollutants—known as "criteria" pollutants. The presence of these pollutants in ambient air is generally due to numerous diverse and widespread sources of emissions. The NAAQS primary standards are designed to protect public health with adequate margin of safety. The NAAQS secondary standards are designed to protect the public welfare from adverse effects, including those related to effects on soils, water, vegetation, visibility, and other aspects. As required by the Clean Air Act, EPA periodically conducts comprehensive reviews of the scientific literature on health and welfare effects associated with exposure to the criteria air pollutants. The NAAQS have been adopted as the ambient air quality standards for the State of New York.

Determination of significant impact related to criteria pollutants accounts for pollutants concentrations in the ambient air, which include background concentrations. The New York State Department of Environmental Conservation (NYSDEC) measures air pollutants at more than 50 sites across the state using continuous and/or manual instrumentation. These sites are a mix of federally mandated and supplemental monitoring networks. The primary NAAQS and background concentrations from the nearest federally mandated monitoring station(s) are presented in **Table 5-1.**

Table 5-1: NAAQS and Background Concentration Published in the NYSDEC 2019 Report

Pollutant	Averaging Period	National and State Standards	Background Concentration	Monitoring Station
NO_2	1-Hour	188 µg/m^3	103.6 µg/m^3	Queens College
	Annual	100 µg/m^3	26.8 µg/m^3	
$PM_{2.5}$	24-Hour	35 µg/m^3	18.1 µg/m^3	
	Annual	12 µg/m^3	7.0 µg/m^3	
PM_{10}	24-Hour	150 µg/m^3	28 µg/m^3	
CO	1-Hour	35 ppm	1.51 ppm	
	8-Hour	9 ppm	1.10 ppm	
SO_2	1-Hour	35 µg/m^3	13.5 µg/m^3	
	Annual (1)	12 µg/m^3	0.96 µg/m^3	

Note:
1. 6 CRR-NY 257-2.3 for annual SO_2 standard: "During any 12 consecutive months, the annual average of the 24-hour average concentrations shall not exceed 0.03 ppm.
2. Part per million (ppm); microgram per meter cube (µg/m^3).

In addition to the NAAQS, the *CEQR Technical Manual* requires that projects subject to CEQR apply particulate matter with aerodynamic diameter smaller or equal to 2.5 microns ($PM_{2.5}$) and carbon monoxide (CO) significant impact criteria (based on concentration increments). The *CEQR Technical Manual de minimis* criteria set allowable incremental increase in CO and $PM_{2.5}$ concentrations that would result as a consequence of a proposed project. Significant increase of CO concentrations in New York City are:

- An increase of 0.5 parts per million (ppm) or more in the maximum 8-hour average CO concentration at a location where the predicted No-Action 8-hour concentration is equal to 8 ppm or between 8 ppm and 9 ppm; or
- An increase of more than half the difference between baseline (i.e., No-Action) concentrations and the 8-hour standard, when No-Action concentrations are below 8 ppm.

The following criteria are used for determination of significant adverse $PM_{2.5}$ incremental impacts for projects subject to the CEQR:

- Predicted 24-hour maximum $PM_{2.5}$ concentration increase of more than half the difference between the 24-hour background concentration and the 24-hour standard; or
- Predicted annual average $PM_{2.5}$ concentration increments greater than 0.1 µg/m^3 at ground level on a neighborhood scale (i.e., the annual increase in concentration representing the average over an area of approximately 1 square kilometer, centered on the location where the maximum ground-level impact is predicted for stationary sources; or for mobile sources, at a distance from a roadway corridor similar to the minimum distance defined for locating neighborhood scale monitoring stations); or
- Predicted annual average $PM_{2.5}$ concentration increments greater than 0.3 µg/m^3 at any receptor location for stationary sources.

Accordingly, the 8-hour CO *de minimis* design value is 3.95 ppm, and $PM_{2.5}$ *de minimis* design values are 24-hour $PM_{2.5}$ concentration increment of 8.45 $\mu g/m^3$, and annual $PM_{2.5}$ concentration increments of 0.3 $\mu g/m^3$ for stationary source and 0.1 $\mu g/m^3$ for mobile source.

Non-Criteria Pollutants

As mentioned, New York State has adopted the national standard, NAAQS. In addition, the NYSDEC has established guidelines for maximum allowable concentration of "noncriteria pollutants," which are potentially toxic or carcinogenic pollutants. These include 188 hazardous air pollutants (HAPs) which are also regulated by the EPA. The maximum allowable guidelines set a maximum 1-hour and annual averaging time concentrations and are published in the DAR-1 Annual and Short-term (AGC/SGC) Table (February 12th, 2021, publication) Guideline Concentrations. In addition, DAR-1 also includes standard for pollutants cumulative risk assessment.

In addition, the NYSDEC also regulates pollutants that produce discomfort due to odors, where significant discomfort is evaluated on quantity, characteristic or duration.

Mobile Source

The proposed project would not exceed the minimum development density potentially requiring a transportation analysis, as shown in Table 16-1 of the transportation chapter of the *2021 CEQR Technical Manual*. As such, the projected traffic volumes would not exceed the carbon monoxide (CO) screening threshold defined in the 2021 *CEQR Technical Manual* (170 peak hour vehicle trips at an intersection in the study area). Considering the low levels of project-generated traffic, emissions of particulate matter (PM) would not exceed the *de minimis* thresholds referenced in the *2021 CEQR Technical Manual*.

The Proposed Action would not result in operable windows or air intakes within 200 feet of an atypical roadway, nor would it result in creation of a covered roadway or be affect by covered roadway. The Proposed Action would not result in a new sensitive receptor placed near an existing large parking facility (the Metropolitan Transportation Authority (MTA) College Point Bus Depot. is located more than 400 feet east of the proposed project), or significantly increase the vehicle miles traveled in a large area. The proposed project would provide at most five (5) parking spaces. Because the incremental number of new parking spaces is minimal, impact is unlikely, based on analyses of much larger parking garages in the city.

Stationary Source

According to the *CEQR Technical Manual* guidelines, air quality analyses of stationary sources may be warranted if a project would (i) create new stationary sources of pollutants – such as emission stacks of industrial plants, hospitals, other large institutional uses, or even a building's boilers – that may affect surrounding uses; (ii) introduce certain new uses near existing or planned emissions stacks that may affect the use, or (iii) introduce structures near such stacks so that changes in the dispersion of emissions from the stacks may affect surrounding uses.

The Proposed Action would facilitate the redevelopment of Projected Development Site 1 (27-24 College Point Boulevard, Block 4292, Lot 12) with a one-story, 14-foot-tall, building containing 2,541 gsf UG 6 eating and drinking establishment (such as a Starbucks, Dunkin', or other coffee

or fast-food chain franchise) with a drive-through and five accessory parking spaces in the rear. The developments' heating/hot water, ventilation, and air conditioning (HVAC) systems could potentially be fueled by fossil fuel, and therefore, have the potential to result in a significant adverse impact to nearby sensitive land uses.

The Proposed Action would introduce a sensitive land use into the area. The area within 400 feet of the Proposed Project includes manufacturing processing facilities with potential emission sources that may adversely affect the uses introduced by the project. In addition, the Cofire Asphalt Corp., an Air State Facility (Permit ID: 2-6302-00004/00005 issued to the Cofire Industries, LLC), is located within 1,000 feet of the Proposed Project. As such, a detailed analysis is required to determine if existing emission sources in the area may affect the uses introduced by the project.

Heating and Hot Water Systems

The potential for the heat and hot water system(s) to have a significant adverse impact on nearby receptors depends on the type of fuel that would be used by the HVAC system, the height of the stack venting the emissions, the distance to the nearest building of similar or greater height, and the square footage of the development that would be served by the system. The *CEQR Technical Manual* screening analysis is based on these factors. In addition, the CEQR screening procedure is applicable to buildings that are not less than 30 feet from the nearest building of similar or greater height. A detailed analysis is required if the screening analysis fails. Two screening assessment scenarios were considered:

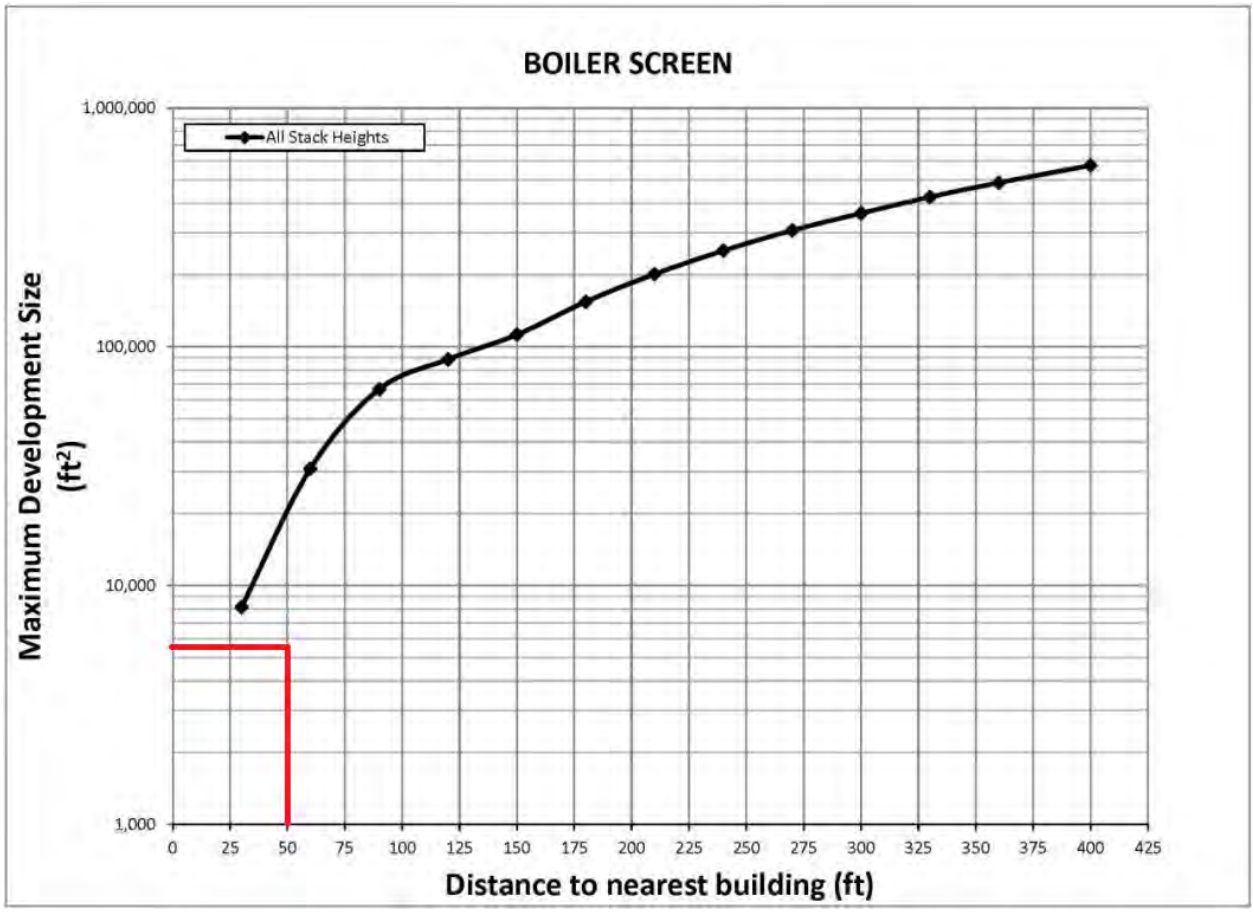
Screening Scenario eating and drinking establishment: The Proposed Action would facilitate the redevelopment of Projected Development Site 1 (27-24 College Point Boulevard, Block 4292, Lot 12) with a one-story, 2,541 gsf UG 6 eating and drinking establishment (such as a Starbucks, Dunkin', or other coffee or fast-food chain franchise) with a drive-through and five accessory parking spaces in the rear. The building would be 14 feet tall and would be in the southeastern part of the lot. The residential buildings located at 120-35 28th Avenue (Block 4292, Lot 75) and 120-33 28th Avenue (Block 4292, Lot 77), and the commercial buildings located at 27-20 College Point Boulevard (Block 4292, Lot 11) and 27-18 College Point Boulevard (Block 4292, Lot 10) buildings heights[3] are similar or greater in height than the Proposed Project building (14-foot-tall development) and these buildings are within 30 feet of the Proposed Project. Therefore, the screening analysis is not applicable and a detailed analysis is required for these buildings.

Screening Scenario Reasonable Worst Case Development Scenario (RWCDS): Projected Development Site 1 RWCDS is the development of a two-story, 5,765 gsf commercial building (UG6C, home center) affiliated with the one that occupies Lots 10 and 11. There would be no cellar, and all floor area would count for zoning purposes. The building would be in the southeastern part of the lot. It would be 30 feet tall and would have a 2,882.5-sf footprint (covering 50 percent of the lot). The nearest building similar or greater in height is the three-story, 32-foot-tall, residential building, located at 119-58 27 Avenue (Block 4292, Lot 60). The distance between Projected Development Site 1 and the residential building at 119-58 27 Avenue (Block 4292, Lot

[3] NYC Open Data. "Building Footprints." < https://data.cityofnewyork.us/Housing-Development/Building-Footprints/nqwf-w8eh> February 07, 2023.

60) is approximately 50 feet. The *CEQR Technical Manual* Figure 17-3 nomograph was used for the screening assessment. **Figure 5-1** shows the project-on-existing screening analysis.

Figure 5-1: RWCDS on Existing – HVAC Screen



As seen in the screening analysis (see **Figure 5-1**), using the nomograph provided in the *CEQR Technical Manual*, the Projected Development Site 1 RWCDS gsf would fall below the curve for fossil fuel fired HVAC system. Therefore, the Proposed Action RWCDS passes the screening analysis on existing land uses.

<u>HVAC Detailed Analysis - eating and drinking establishment</u>

A detailed analysis was conducted to evaluate the Proposed Project potential for significant impact on the existing buildings located at 120-35 28th Avenue (Block 4292, Lot 75), 120-33 28th Avenue (Block 4292, Lot 77), 27-20 College Point Boulevard (Block 4292, Lot 11), and 27-18 College Point Boulevard (Block 4292, Lot 10). Lakes Environmental MPI executable was used in the analysis. The MPI executable takes advantage of computers with multiple processors, reducing run-time significantly. Lakes Environmental, Inc. has adjusted the EPA AERMOD source code and recompiled the model to parallelize the processing of receptors. The MPI executable (used in the analysis) modified the EPA's AERMOD latest executable model version 21112. AERMOD model incorporates air dispersion based on planetary boundary layer turbulence structure and scaling concepts, including treatment of both surface and elevated sources, and both simple and complex terrain. The model was run with the regulatory default option and for both with and

without downwash effects options, where the Building Profile Input Program (BPIP) was run with the downwash effect enabled. All analyses were conducted using five consecutive years of meteorological data (2015-2019), obtained from the NYSDEC. Surface data used in the analysis is from LaGuardia Airport, upper air data is from Brookhaven station, New York. The meteorological data provided hour-by-hour wind speeds and directions, stability states, and temperature inversion elevations over the 5-year period. Population in Queens County, obtained from the U.S. Census Bureau (July 2019), was specified to account for the effects of increased surface heating from an urban area on pollutant dispersion under stable atmospheric conditions.

Oil No. 2 was assumed to be the type of fuel, if any, used in the Proposed Project HVAC systems. The pollutants of concern for Oil No. 2 fueled boilers are nitrogen dioxide (NO_2), sulfur dioxide (SO_2), and $PM_{2.5}$. The building HVAC system'(s) energy capacity was calculated based on the buildings gsf and energy consumption rate, obtained from the *CEQR Technical Manual Appendices*, corresponding to commercial use in the building. Pollutants emission factors were obtained from the EPA AP-42 manual for external combustion sources. All fuel was assumed to be consumed during the 100-day (or 2,400 hour) heating season. **Table 5-2** shows the HVAC system'(s) energy capacity and pollutants emission rates.

Table 5-2: HVAC System(s) Short-term and Annual Emission Rates

Site ID	Development Site RWCDS Floor Area (gsf)	Fuel Used	Pollutant	Short-term Emission Rate (g/s)	Annual Emission Rate (g/s)
Projected Development Site 1	2,541	0.06; Oil No. 2	NO_2	5.60E-04	1.54E-04
			$PM_{2.5}$	5.97E-05	1.63E-05
			SO_2	5.97E-06	1.63E-06

The boiler stack's exit temperature was estimated based on values obtained from the New York City Department of Environmental Protection (DEP) "CA Permit" database.[4] The Projected Development Site 1 boiler stack was initially placed 3 feet above the roofline and as close as possible to the receiving building(s). A stack set back distance was specified if impact was predicted.

Projected Development Site 1 was modeled as building that cover its entire lot(s) area(s) (the wall façade located on the outer lot lines) and rise to 14 feet height. Buildings in the surrounding area were accounted for in the downwash effect on plums dispersions (BPIP). Receptors on the receiving building(s) were placed on all wall façade from the ground floor to the roof-top height in spaced intervals. In addition, two stacks' locations were evaluated; one as far west as possible to maximize concentrations at the residential building just west of the Proposed Project, and the other closer to the building just north of the Proposed Project. The maximum predicted concentration(s) was used to evaluate potential for significant impact.

The USGS National Elevation Dataset (NED) 1/3 arc-second resolution (GeoTIFF dataset), the terrain data set recommended by the US EPA for use in the United States for regulatory purposes, was used to process buildings base elevations. The base elevations of receptors and stacks were

[4] DEP "CA Permit" database obtained from the New York City Department of City Planning, February 2020.

set to their building's base elevations. Roof heights of buildings in the area were obtained from the NYC Building Footprint database[5], and satellite imagery and the New York City Department of Building (DOB) database consulted to augment and/or verify the certain buildings' roof heights (such as buildings that were recently constructed).

One-hour NO_2 was predicted using a Tier 1 approach, which is the most conservative approach. The model was run twice; with building wake effect enabled/disabled. The predicted concentration is the highest concentration of these. The NO_2 and SO_2 modeled concentrations were added to the background concentrations and result evaluated with the NAAQS. $PM_{2.5}$ modeled concentrations were evaluated with the *CEQR Technical Manual de minimis* for stationary sources. The HVAC dispersions analysis results are shown in **Table 5-3**.

Table 5-3: HVAC Dispersion Analysis Results

Pollutant and Averaging Time	Modeled Concentration ($\mu g/m^3$)	Background Concentration ($\mu g/m^3$)	Evaluated Concentration ($\mu g/m^3$)	Threshold Concentration ($\mu g/m^3$)	Threshold Standard
1-hour NO_2	56.19	103.59	160	188	NAAQS
Annual NO_2	1.68	26.8	28	100	NAAQS
24-hour $PM_{2.5}$	3.62	N.A.	3.6	8.45	*de minimis*
Annual $PM_{2.5}$	0.18	N.A.	0.18	0.3	*de minimis*
1-hour SO_2	0.9	13.5	14	196	NAAQS
Annual SO_2	0.02	1.0	1	80	NAAQS

As shown in **Table 5.3**, the NO_2 and SO_2 predicted concentrations are within the NAAQS and $PM_{2.5}$ concentrations do not exceed the *de minimis*. These results were predicted with certain requirements to ensure that no impact(s) would occur. The environmental requirements (E-Designations) related to air quality that are placed on the properties are specified in the Conclusion section of this chapter.

Existing Emission Sources

Potential Emission Sources

Major and/or Large Sources

Per the *CEQR Technical Manual*, projects that would introduce new uses near major sources, large sources, or odor producing facilities may result in potentially significant adverse air quality impacts. The study area considers major sources, large sources, and odor producing facilities within 1,000 feet of the Proposed Project. Major emission sources are identified as those sources located at Title V facilities; large emission sources are identified as sources located at facilities which require an Air State Facility permit. Solid waste or medical waste incinerators, asphalt and concrete plants, power generating plants, large boilers of large public facilities for example, and large industrial facilities are typical type of sources requiring these permits. Odor producing facilities are operations that have the potential to cause discomfort, such as: solid waste

[5] NYC Open Data. "Building Footprints." < https://data.cityofnewyork.us/Housing-Development/Building-Footprints/nqwf-w8eh> February 07, 2023.

management facilities, water pollution control plants (i.e., sewage treatment plants), and incinerators.

The City of New York Department of Sanitation (DSNY) North Shore Marine Transfer Station, located at 30-04 121st Street (Block 4346, Lot 75), is approximately 670 feet south of the Proposed Project. New York City Department of Building (DOB) database shows no odor related complaint on file and no odor were observed during the fieldwork observation. Therefore, no analysis is required.

The Cofire Paving Corp. facility, located at 28-30 122nd Street (Block 4317, Lot 20), is situated approximately 250 south of the Proposed Project. The Cofire Paving Corp. is an Air State Facility (Permit ID 2-6302-00004/00005). The facility Permit ID is for the "replacement of existing hot mix asphalt (HMA) production equipment. Current plant will be replaced by a 300 ton per hour drum hot mix asphalt plant equipped with a low-NOx natural gas burner. No. 2 fuel oil connection will be in-place, but only utilized on an as-needed basis in the event of interruption of natural gas delivery service. All other stationary facility equipment will be powered by line-power electric. Facility will limit annual production (rolled-monthly) to no more than 300,000 tons, effectively limiting emission of criteria pollutants to less than major sources threshold levels." As the facility is within 1,000 feet of the Proposed Project, a detailed analysis is required for this facility.

Emission profile and stack parameters of the asphalt processing drum hot mix asphalt was obtained from the DEP permit PW003920 (the stack height and diameter specified in the DEP and the Air State Facility permits are the same). A cumulative analysis was conducted for the large and industrial sources.

Industrial Sources

Per the *CEQR Technical Manual*, projects that would result in new uses (particularly schools, hospitals, parks, and residences) within 400 feet of manufacturing processing facilities may result in potentially significant adverse impacts. The analysis first determines if there are any existing manufacturing uses within the 400-foot study area containing exhaust stacks, vents, or other emission sources that may have the potential to adversely affect the uses introduced by the project. If warranted, an air dispersion analysis is then conducted for any existing industrial source(s) located in the study area.

Existing manufacturing uses with exhaust stacks, vents, or other emission sources that may have the potential to adversely affect the uses introduced by the project were identified by reviewing the DEP online Clean Air Tracking System (CATS) database, the NYSDEC map application (DECinfo Locator), and through a field survey. The field survey took place on June 7th, 2021.

The study area encompasses all or part of Blocks 2997, 3003, 3008, 3075, 3083, 3084, 3092, 3093, 3101, and 3102, and includes properties along Knickerbocker Avenue, Morgan Avenue, Bogart Street, McKibbin Street, Seigel Street, Ingraham Street, Harrison Place, Grattan Street and Thames Street. The project area is characterized by a mixture of uses, including residential and commercial/retail uses, artist's lofts, warehouse, parking lots, a park, and industrial uses. The results of the study are as follows:

The study area encompasses all or part of Blocks 4291, 4292, 4293, 4294, 4317, 4319, 4320, and 4327, and includes properties along College Point Boulevard, 26th Avenue, 27th Avenue, 28th Avenue, 29th Avenue, 120th Street, 122nd Street, 123rd Street and 124th Street. Land uses in the study area are a mix of residential, commercial, and industrial uses. The results of the study are as follows:

- There are two current DEP Processing permits issued to S&S Propellor at 26-15 23rd Street (Block 4294, Lot 17). S&S Propellor is a metalworking operation involved in the repair and reconditioning of boat propellors. Permit PA007893 was issued for metalworking and expires on 7/13/2022. Permit PA007993 was issued for an industrial spray booth, and also expires on 7/13/2022. A Freedom of Information Law (FOIL) request was submitted to the DEP on 6/4/2021 for specific information regarding these permits. The permit information provided by the DEP was used for the analysis of this facility, which is presented below.

- There are three current Processing permits issued to the property located at 28-30 122nd Street (Block 4317, Lot 20). Permit PA020771 was issued to Cofire Industries, LLC for construction aggregate processing. This permit expires on 8/7/2022. Permits PR001721 and PW003920 were issued to Cofire Asphalt Corp. Permit PR001721 is for a natural gas-fired heater and expires on 2/26/2024. Permit PW003920 is for construction aggregate processing and expires on 3/30/2022. This facility also has a NYSDEC Air State Facility permit which expires on 6/1/2030 (Permit ID 2-6302-00004/00005), where the DEP permit PW003920 is for the same equipment as the Air State Facility Permit. At the time of the field survey, the asphalt plant at 28-30 122nd Street was not in operation. The site was under construction and all new asphalt plant equipment was being installed. A FOIL request was submitted to the DEP on 6/4/2021 for specific information regarding these permits. The permit information provided by the DEP, and from the NYSDEC, was used for the analysis for this facility, which is presented below.

- There are two expired Processing permits on file for Interplex NAS, Inc. at 120-12 28th Avenue (Block 4317, Lot 41). Permit PA065183 was issued for metal processing and expired on 2/1/2008. Permit PA065382 was issued for industrial/miscellaneous and expired on 11/26/2009. Interplex NAS, Inc. no longer operates at 120-12 28th Avenue. At the time of the field survey, the building at 120-12 28th Avenue was occupied by S&L Aerospace Metals, a manufacturer of precision parts for the aerospace industry. There were not any DEP of NYSDEC permits found on file for S&L Aerospace Metals. However, the operations of S&L Aerospace Metals consist of metalworking, and therefore, the permit information for Interplex NAS, Inc. was used for the analysis of this facility. A FOIL request was submitted to the DEP on 6/4/2021 for specific information regarding these permits. The analysis of this facility is presented below.

- There is an expired Processing permit issued to United Rentals at 28-44 College Point Boulevard (Block 4319, Lot 10). Permit PR038016 was issued for an engine/generator and expired on 12/8/2019. Small combustion installations are exempt, and therefore, no analysis for this generator is required.

- There is an expired Processing permit issued to the NYPD Police Academy at 127-10 28th Avenue (Block 4327, Lot 1). Permit PB022914 was issued for an engine/generator and expired

on 4/14/2017. Small combustion installations are exempt, and therefore, no analysis for this generator is required.

- There are two expired Processing permits identified at 120-30 28th Avenue (Block 4317, Lot 1). Permit PA042671 was issued to F&R Enterprises for an industrial work permit. This permit expired on 9/12/86. Permit PB042107 was issued to Express Auto Corp. and expired on 1/16/2011. These businesses are no longer in operation at this location. At the time of the field survey, the building at 120-30 28th Avenue was occupied by warehousing and distribution operations (HCK International Trading, Inc. & Yellow Key Supply), and no stacks, emissions or odors were observed at this location. Therefore, no analysis is required.

- Damelio Brothers Cast Stone is located at 26-19 123rd Street (Block 4294, Lot 37), which is a manufacturer of architectural cast-stone elements. There is a stack located on the east side of the building; however, the facility operates with no DEP permit, therefore, PB007307, registered to Accurate Precast Corp., was used as a representative emission profile and the analysis of this facility is presented below.

The backup files for this project contain the fieldwork notes and photos. No other potential source(s) of toxics air emissions were identified in the study area.

Emission Profile

S&S Propellor (DEP Permits PA007893 and PA007993)

The S&S Propellor DEP Permit PA007893 is for the manufacturing of propellor. Particulate (New York Identification Number NY075-00-0) emission is generated by processing of metal by grinding wheels equipped with a 95 percent control efficiency filter. Emissions specified in the permit were determined to be written with ten to the exponent of 3. The particle size distribution, obtained from the EPA *AP-42 Appendix B.2.2* for mechanically generated of processed ores and nonmetallic minerals (Category 4), was used in the analysis. **Table 5-4** shows the PM_{10} and $PM_{2.5}$ 24-hour average (the 1-hour emission rate and the daily activity rate were used to calculate the 24-hour emission rate) and annual emission rates.

Table 5-4: S&S Propellor DEP Permit PA007893

Contaminant	Solids Emission Rate			Particulate	Fraction of Particle Size	Emission Rate	
	(lb/hr)	(lb/day) (1)	(lb/yr)		Percent	(lb/day)	(lb/yr)
PM	0.267	1.07	300	$PM_{2.5}$	30	0.32	90
				PM_{10}	85	0.91	255

Note:
1. 4-hour per day activity rate used to calculate pounds per day emission rate.

The S&S Propellor DEP Permit PA007993 is for a spray-painting processing activity in a spray booth. A maximum of 0.3 gallon per hour is consumed during a one-hour per day, 208 day per year activity rate, where contaminants (chemicals) of varying toxicities are emitted. The chemicals

hourly and annual emission rates emitted from the spray-painting processing activity, along with their Chemical Abstract Service (CAS) number, are presented in **Table 5-5**.

Table 5-5: S&S Propellor DEP Permit PA007893 Chemicals Short-term and Annual Emission Rates

Contaminant name	CAS No.	Emission Rate	
		(lb/hr)	(lb/yr)
Nitrocellulose Resin	9004-70-0	0.015	3.12
Isoprpyl Alcohol	67-63-0	0.01	2.08
Methyl Ethyl Ketone	78-93-3	0.003	0.62
Toluene	108-88-3	0.047	9.78
Acetone	67-64-1	0.015	3.12
Isoprpyl Acetate	108-21-4	0.008	1.66

S&L Aerospace Metals

S&L Aerospace Metals emission profile was based on the expired DEP Permits PA065183 and PA065382 as these permits could be renewed and the processing manufacturing activity is similar to that in the permits. Permits PA065183 is for metal stamping processing during a 1-hour per day, 200 day per year activity rate. Oil mist with the NY Identification number NY090-00-0 is emitted to the outside air. The oil mist was analyzed as $PM_{2.5}$ and/or PM_{10}, where the 1-hour emission rate and the daily activity rate were used to calculate the 24-hour emission rate(s). Permit PA065382 is for grinding of metal during a 6-hour per day, 200 day per year activity rate. Steel grit with the NY Identification number NY075-00-0 is emitted to the outside air, where emission is controlled by a cyclone with 98 percent efficiency. The steel grit was analyzed as $PM_{2.5}$ and PM_{10}, where the 1-hour emission rate and the daily activity rate were used to calculate the 24-hour emission rate(s). The particle size distribution was obtained from the EPA *AP-42 Appendix B.2.2* for mechanically generated of processed ores and nonmetallic minerals (Category 4). **Table 5-6** shows the S&L Aerospace Metals PM_{10} and $PM_{2.5}$ 24-hour average (the 1-hour emission rate and the daily activity rate were used to calculate the 24-hour emission rate) and annual emission rates.

Table 5-6: S&L Aerospace Metals Short-term and Annual Emission Rates

Contaminant	Solids Emission Rate			Particulate	Fraction of Particle Size	Emission Rate	
	(lb/hr)	(lb/day) (1)	(lb/yr)		Percent	(lb/day)	(lb/yr)
Oil Mist as PM	0.025	0.025	5	$PM_{2.5}$	100	0.025	5
				PM_{10}	100	0.025	5
Steel Grit as PM	0.002	0.012	2.4	$PM_{2.5}$	30	0.0036	0.7
				PM_{10}	85	0.0102	2.0

Note:
1. Daily activity rate used to calculate pounds per day emission rates.

Damelio Brothers Cast Stone

Damelio Brothers Cast Stone is a manufacturer of architectural cast-stone elements. The facility operates with no DEP permit. The DEP permit PB007307, for grinding of architectural stone, registered to Accurate Precast Corp. was used as a representative emission profile. All particulate emission was assumed to be $PM_{2.5}$. Twenty-four-hour and annual emission rates of the Damelio Brothers Cast Stone facility were based on 8-hour per day, 250-day per year activity rate, similar to the activity rate specified in the DEP permit PB007307 of Accurate Precast Corp. **Table 5-7** shows the Damelio Brothers Cast Stone emission rate.

Table 5-7: Damelio Brothers Cast Stone

Contaminant	Solids Emission Rate			Particulate	Fraction of Particle Size	Emission Rate	
	(lb/hr)	(lb/day) (1)	(lb/yr) (1)		Percent	(lb/day)	(lb/yr)
$PM_{2.5}$	0.001	0.008	2.0	$PM_{2.5}$	100	0.008	2.0

Note:
1. 8-hour per day, 250 day per year activity rate used to calculate daily and annual emission rates.

Cofire Paving Corp

Cofire Paving Corp. is an Air State Facility (Permit ID: 2-6302-00004/00005). The facility has 3 DEP Permits on file (PW003920, PR001721, and PA020771). The emission associated with the Air State Facility, which is a large source, was included in the industrial source analysis. Per the Air State Facility Certificate, line-electric power is used for all stationary source, except the hot drum mix. However, the analysis assumed that the other stationary source (DEP Permit PR001721 for a Heatec HC-120AS external combustion source), would operate on natural gas, based on the DEP Permit PR001721.

PR001721: The DEP Permit PR001721 is for a Heatec HC-120AS, described as "heaters are direct fired heaters designed around a helical coil."[6] The 1.6 million Btu (heat input), natural gas fueled heater is active 24-hour per day, 7488 hour per year. Information included in the DEP Permit PW00392 indicated that the heater is equipped with low-NOx burners and emission rates are derived from the EPA *AP-42 External Combustion Source*.[7] **Table 5-8** shows the Heatec HC-120AS (DEP Permit PR001721) short-term and annual emission rates.

[6] ASTEC. "HEATEC HC & HCS HEATERS." <https://www.astecindustries.com/products/details/heatec-hc-hcs-heaters?>, Accessed July 2021

[7] EPA. *Compilation of Air Pollutant Emission Factors AP-42 Fifth Edition, Vol. 1: Chapter 1: External Combustion Sources*, https://www3.epa.gov/ttn/chief/ap42/ch01/final/c01s04.pdf. July 1998.

Table 5-8: Cofire Paving Corp. DEP Permit PR001721 Short-term and Annual Emission Rates

Contaminant name	CAS No.	Emission Rate		Pollutant Category
		(lb/hr)	(lb/yr)	
NOx	NY210-00-0	0.07	550	Criteria Pollutant
$PM_{2.5}$	NY075-02-5	0.01	84	
PM_{10}	NY075-00-5	0.01	84	
CO	630-08-0	0.12	925	
SO_2	7446-09-5	0.001	7	
Formaldehyde	00050-00-0	1.1E-04	8.3E-01	Non-Criteria Pollutant
B A P	00050-32-8	1.8E-09	1.3E-05	
Dibenz(A,H)Anthracene	00053-70-3	1.8E-09	1.3E-05	
3-Methylcholanthrene	00056-49-5	2.6E-09	2.0E-05	
Benzo(A)Anthracene	00056-55-3	2.6E-09	2.0E-05	
Benzene	00071-43-2	3.1E-06	2.3E-02	
Ethane	00074-84-0	4.6E-03	3.4E+01	
Propane	00074-98-6	2.4E-03	1.8E+01	
Acenaphthene	00083-32-9	2.6E-09	2.0E-05	
Phenanthrene	00085-01-8	2.5E-08	1.9E-04	
Fluorene	00086-73-7	4.1E-09	3.1E-05	
Naphthalene	00091-20-3	9.0E-07	6.7E-03	
Methylnaphthalene, 2	00091-57-6	3.5E-09	2.6E-05	
Butane	00106-97-8	3.1E-03	2.3E+01	
Toluene	00108-88-3	5.0E-06	3.7E-02	
Pentane	00109-66-0	3.8E-03	2.9E+01	
Hexane	00110-54-3	2.6E-03	2.0E+01	
Anthracene	00120-12-7	3.5E-09	2.6E-05	
Pyrene	00129-00-0	7.4E-09	5.5E-05	
Benzo[G,H,I]Perylene	00191-24-2	1.8E-09	1.3E-05	
Indeno(1,2,3-Cd)Pyrene	00193-39-5	2.6E-09	2.0E-05	
Acenaphthylene	203-96-8	2.6E-09	2.0E-05	
Benzo(b) Fluoranthene	00205-99-2	2.6E-09	2.0E-05	
Fluoranthene	00206-44-0	4.4E-09	3.3E-05	
Benzo[K]Fluoranthene	00207-08-9	2.6E-09	2.0E-05	
Chrysene	00218-01-9	2.6E-09	2.0E-05	
Dichlorobenzene	25321-22-6	1.8E-06	1.3E-02	

The $PM_{2.5}$ and PM_{10} 1-hour emission rates and the daily activity rate were used to calculate the 24-hour emission rate, resulting in:

- $PM_{2.5}$ 24-hour emission rate: 0.27 pound per day, based on 24-hour activity rate.
- PM_{10} 24-hour emission rate: 0.27 pound per day, based on 24-hour activity rate.

PA020771: DEP Permit PA020771 is for a rotary aggregate dryer drum equipped with a baghouse collector. The aggregate processing emits particulates (NY Identification Number NY075-00-0) during an 8-hour day, 200 day per year activity rate. The total particulates emission is 0.02 pounds per hour, 32 pounds per year. The particle size distribution was obtained from the EPA *AP-42*

Chapter 11: Mineral Products Industry, Hot Mix Asphalt Plant Table 11.1-4. **Table 5-8** shows the PM_{10} and $PM_{2.5}$ 24-hour average (the 1-hour emission rate and the daily activity rate were used to calculate the 24-hour emission rate) and annual emission rates.

Table 5-9: Cofire Paving Corp. PA020771 Short-term and Annual Emission Rates

Contaminant	Solids Emission Rate			Particulate	Fraction of Particle Size	Emission Rate	
	(lb/hr)	(lb/day) (1)	(lb/yr)		Percent	(lb/day)	(lb/yr)
PM	0.02	0.16	32	$PM_{2.5}$	21	0.0336	6.7
				PM_{10}	30	0.0480	9.6

Note:
1. 8-hour per day activity rate used to calculate pounds per day emission rate.

Air State Facility Permit ID: 2-6302-00004/00005 (DEP Permit PW003920): The DEP Permit PW003920 is associated with the Air State Facility Permit ID: 2-6302-00004/00005, for firing natural gas in drum mix asphalt plant (per the DEP Permit PW003920, the process is for firing natural gas). The facility's design capacity is 300 tons per hour and 300,000 tons per year, which correlates to 1,000 hour per year activity at maximum production rate. Per the DEP Permit PW003920, the facility daily activity rate is capped at 8-hour per day. Criteria pollutant and total VOC emission rates were obtained from the DEP Permit PW003920. The chemicals (and their emission factors) that make up the VOC group were obtained from the EPA AP-42 *Chapter 11: Mineral Products Industry, Hot Mix Asphalt Plant Table 11.1-10.* **Table 5-10** shows the Cofire Paving Corp. pollutants emission rates (short-term and annual emission rates) associated with the Air State Facility Permit ID: 2-6302-00004/00005, where the short-term emission rates are based on the equipment operating at 100 percent capacity.

Table 5-10: Cofire Paving Corp. Air State Facility Permit ID: 2-6302-00004/00005 (DEP Permit PW003920) Short-term and Annual Emission Rates at 100 Percent Capacity.

Contaminant name	CAS No.	Emission Rate		Pollutant Category
		(lb/hr)	(lb/yr)	
NOx	NY210-00-0	7.80	7,800	Criteria Pollutant
$PM_{2.5}$	NY075-02-5	6.90	6,900	
PM_{10}	NY075-00-5	6.90	6,900	
CO	630-08-0	39.00	39,000	
SO_2	7446-09-5	1.020	1,020	
Formaldehyde	00050-00-0	3.23E-04	3.23E-01	Non-Criteria Pollutant
B A P	00050-32-8	1.02E-09	1.02E-06	
Benzo(A)Anthracene	00056-55-3	2.19E-08	2.19E-05	
Benzene	00071-43-2	4.07E-05	4.07E-02	
Methyl Chloroform	00071-55-6	5.01E-06	5.01E-03	
Ethylene	00074-85-1	7.30E-04	7.30E-01	
Acenaphthene	00083-32-9	1.46E-07	1.46E-04	
Phenanthrene	00085-01-8	7.93E-07	7.93E-04	
Fluorene	00086-73-7	3.96E-07	3.96E-04	
Naphthalene	00091-20-3	9.39E-06	9.39E-03	
Methylnaphthalene, 2	00091-57-6	7.72E-06	7.72E-03	
Methylpentane, 3	00096-14-0	1.98E-05	1.98E-02	
Ethyl Benzene	00100-41-4	2.50E-05	2.50E-02	
Butane	00106-97-8	6.99E-05	6.99E-02	
Toluene	00108-88-3	1.56E-05	1.56E-02	
Pentane	00109-66-0	2.19E-05	2.19E-02	
Pentene, 1	00109-67-1	2.29E-04	2.29E-01	
Hexane	00110-54-3	9.60E-05	9.60E-02	
Anthracene	00120-12-7	2.29E-08	2.29E-05	
Pyrene	00129-00-0	5.63E-08	5.63E-05	
Heptane, N-	00142-82-5	9.80E-04	9.80E-01	
Benzo[G,H,I]Perylene	00191-24-2	4.17E-09	4.17E-06	
Benzo(E)Pyrene	192-97-2	1.15E-08	1.15E-05	
Indeno(1,2,3-Cd)Pyrene	00193-39-5	7.30E-10	7.30E-07	
Perylene	198-55-0	9.18E-10	9.18E-07	
Benzo(b)fluoranthene	00205-99-2	1.04E-08	1.04E-05	
Fluoranthene	00206-44-0	6.36E-08	6.36E-05	
Benzo[K]Fluoranthene	00207-08-9	4.28E-09	4.28E-06	
Acenaphthylene	00208-96-8	8.97E-07	8.97E-04	
Chrysene	00218-01-9	1.88E-08	1.88E-05	
2-Methyl-2-Butene	513-35-9	6.05E-05	6.05E-02	
Iso-Octane	00540-84-1	4.17E-06	4.17E-03	
2-Methyl-1-Pentene	763-29-1	4.17E-04	4.17E-01	
Xylene, M, O & P Mixture	01330-20-7	2.09E-05	2.09E-02	

The $PM_{2.5}$ and PM_{10} 1-hour emission rates and the daily activity rate were used to calculate the 24-hour emission rate, resulting in:

- $PM_{2.5}$ 24-hour emission rate: 55.2 pound per day, based on 8-hour activity rate.
- PM_{10} 24-hour emission rate: 55.2 pound per day, based on 8-hour activity rate.

Dispersion Analysis

A stationary source modeling, using AERMOD and/or the *CEQR Technical Manual Industrial Source Screen* procedure, was conducted to evaluate the potential impacts associated with the Cofire Air State Facility emission source and industrial source(s) emissions.

The S&S Propellor and S&L Aerospace Metals stack parameters and locations were obtained from the DEP permit applications. The location of the Damelio Brothers Cast Stone facility stack was observed in the fieldwork observation study. The Cofire Paving Corp. stack parameters of Permits PW003920 and PA020771 were obtained from the DEP Permit applications. The stack of the Heatec HC-120AS equipment (DEP Permit PR001721), was estimated at 12-inch, based on online image from the manufacturer[8], and the stack was located at a height of 22.5 feet, which is 3 feet above the structure height (specified in the DEP Permit PW003920). The Heatec stack flow rate was calculated based on the fuel dry volume of combustion components per unit of heat content. The Cofire Paving Corp. stacks' locations were estimated based on the fieldwork observation and street view images, locating the stack(s) and at the north section of the equipment.

The *CEQR Technical Manual* industrial source screen was used to predict pollutants concentrations emitted from S&S Propellor facility (DEP Permits PA007893 and PA007993), the S&L Aerospace Metal facility (DEP permits PA065183 and PA065382), Damelio Brothers Cast Stone facility, and the Cofire Paving Corp. DEP Permits PR001271 and PA020771, except $PM_{2.5}$ concentrations which were evaluated with AERMOD. The *CEQR Technical Manual* industrial source screen can be used to estimate maximum short-terms and annual average concentrations values at various distances (from 30 to 400 feet) from a single emission source. The *CEQR Technical Manual* industrial source screen pre-tabulated concentrations are displayed in **Table 5-11**.

[8]ASTEC. "HEATEC HC & HCS HEATERS."
<https://www.astecindustries.com/products/details/heatec-hc-hcs-heaters?>, Accessed July 2021

Table 5-11: ***2021 CEQR Technical Manual Table 17-3 Industrial Source Screen*** **Pre-Tabulated Concentrations**

Facility Name	Actual Distance from Source (ft)	1-Hour ($\mu g/m^3$)	8-Hour ($\mu g/m^3$)	24-Hour ($\mu g/m^3$)	Annual ($\mu g/m^3$)
S&S Propellor PA007893	440	1,015	N.A.	364	47
S&S Propellor PA007993	440	1,015	N.A.	364	47
Damelio Brothers Cast Stone	370	N.A.	N.A.	431	56
S&L Aerospace Metal PA065183	308	1,449	N.A.	580	75
S&L Aerospace Metal PA065382	345	1,282	N.A.	496	64
Cofire Paving Corp. PR001271	340	1,282	653	496	64
Cofire Paving Corp. PA020771	340	1,282	N.A.	496	64

Note:
The *CEQR Technical Manual* Table 17-3 pre-tabulated concentrations are based on a generic emission rate of 1 gram per second of a pollutant from a point source.

AERMOD modeling system version 21112 was used to predict the Cofire Paving Corp. Air State Facility (permit ID: 2-6302-00004/00005), and all sources except Damelio Brothers Cast Stone $PM_{2.5}$ cumulative concentrations (24-hour and annual). The AERMOD modeling application, terrain data, and meteorology data are discussed in the HVAC analysis section of this chapter.

The Cofire Paving Corp. Air State Facility (permit ID: 2-6302-00004/00005) emission source was evaluated at 100, 75, and 50 percent operating capacities, which included stack exit flow rates for each capacity. A generic emission rate of 1 gram per second was used to evaluate annual NO_2, PM_{10}, SO_2, CO, and VOCs concentrations, where the maximum concentration was used to evaluate if impact is predicted. One-hour NO_2 was predicted using a Tier 2 approach. For determining compliance with the 1-hour NO_2 standard, the EPA has developed a three-tiered modeling approach. Tier 1 approach assumes a full conversion of NOx to NO_2, which is the most conservative approach. Tier 2 Ambient Ratio Method 2 (ARM 2) assumes ambient equilibrium between NO and NO_2. ARM 2 adjusts the modeled NOx concentrations based on an empirical relationship between ambient NOx and ambient NO_2 concentrations. Tier 3, which is the most precise approach, accounts for the chemical transformation of NO emitted from the stack to NO_2 within the source plume using hourly ozone background concentrations. For the Tier 2 approach, the default minimum and maximum ambient of 0.5 and 0.9, respectively, were applied.

AERMOD was used to predict the cumulative $PM_{2.5}$ concentrations. The Cofire Paving Corp. Air State Facility (permit ID: 2-6302-00004/00005) emissions were evaluated with the equipment operating at 100, 75, and 50 percent capacities, and maximum cumulative concentrations predicted within the model.

Receptors were placed at the Projected Development Site 1 (building height of 30 feet), from ground floor to roof top height in spaced intervals. Buildings in the surrounding area were included in the downwash effect on plum dispersion. Concentrations were predicted for both building wake effect options (with or without building wake effect option), and the maximum concentration of these used to evaluate if impact is predicted.

The VOCs predicted concentrations of each chemical were evaluated with the NYSDEC SGC/AGC design values. The noncriteria pollutants cumulative results are displayed in **Table 5-12**.

Table 5-12: Noncriteria Pollutants Cumulative Dispersion Analysis Results

Contaminant name	CAS No.	1-Hour ($\mu g/m^3$)	SGC ($\mu g/m^3$)	Annual ($\mu g/m^3$)	AGC ($\mu g/m^3$)
Formaldehyde *	00050-00-0	0.02	30.0	0.001	0.06
B A P *	00050-32-8	0.0000003	---	0.00000001	0.001
Dibenz(A,H)Anthracene *	00053-70-3	0.0000003	---	0.00000001	0.0001
3-Methylcholanthrene	00056-49-5	0.0000004	No CAS	0.00000002	No CAS
Benzo(A)Anthracene *	00056-55-3	0.000001	---	0.00000002	0.01
Isopropyl Alcohol	00067-63-0	1.3	98000.0	0.001	7000.0
Acetone	00067-64-1	1.9	180000.0	0.002	30000.0
Benzene *	00071-43-2	0.001	27.0	0.00002	0.13
Methyl Chloroform	00071-55-6	0.0001	9000.0	0.0000003	5000.0
Ethane	00074-84-0	0.7	No CAS	0.03	No CAS
Ethylene	00074-85-1	0.01	---	0.0001	550.0
Propane	00074-98-6	0.4	No CAS	0.02	No CAS
Methyl Ethyl Ketone	00078-93-3	0.4	13000.0	0.0004	5000.0
Acenaphthene	00083-32-9	0.000002	No CAS	0.00000003	No CAS
Phenanthrene	00085-01-8	0.00001	No CAS	0.0000002	No CAS
Fluorene	00086-73-7	0.00001	No CAS	0.0000001	No CAS
Naphthalene *	00091-20-3	0.0003	7900.0	0.00001	3.0
Methylnaphthalene, 2	00091-57-6	0.0001	---	0.000001	7.1
Methylpentane, 3	00096-14-0	0.0003	350000.0	0.000001	4200.0
Ethyl Benzene *	00100-41-4	0.0003	---	0.000002	1000.0
Butane	00106-97-8	0.5	No CAS	0.02	No CAS
Isopropyl Acetate	00108-21-4	1.0	62700.0	0.001	995.0
Toluene *	00108-88-3	6.0	37000.0	0.007	5000.0
Pentane	00109-66-0	0.6	---	0.03	70250.0
Pentene, 1	00109-67-1	0.003	---	0.00002	410.0
Hexane *	00110-54-3	0.4	---	0.02	700.0
Anthracene	00120-12-7	0.000001	No CAS	0.00000003	No CAS
Pyrene	00129-00-0	0.000002	No CAS	0.0000001	No CAS
Heptane, N-	00142-82-5	0.01	210000.0	0.0001	3900.0
Benzo[G,H,I]Perylene	00191-24-2	0.0000003	No CAS	0.00000001	No CAS
Benzo(E)Pyrene	00192-97-2	0.0000001	No CAS	0.0000000008	No CAS
Indeno(1,2,3-CD-Pyrene *	00193-39-5	0.0000004	---	0.00000002	0.01
Perylene	00198-55-0	0.0000000	No CAS	0.0000000001	No CAS
Acenaphthylene	00203-96-8	0.0000004	No CAS	0.00000002	No CAS
Benzo(b)fluoranthene *	00205-99-2	0.000001	---	0.00000002	0.01
Fluoranthene	00206-44-0	0.000002	No CAS	0.00000003	No CAS
Benzo[K]Fluoranthene *	00207-08-9	0.0000005	---	0.00000002	0.10
Acenaphthylene	00208-96-8	0.00001	No CAS	0.0000001	No CAS
Chrysene *	00218-01-9	0.000001	---	0.00000002	0.10
2-Methyl-2-Butene	00513-35-9	0.0008	No CAS	0.000004	No CAS
Iso-Octane *	00540-84-1	0.00005	---	0.0000003	3300.0
2-Methyl-1-Pentene	00763-29-1	0.01	No CAS	0.00003	No CAS
Xylene, M, O & P Mixture	01330-20-7	0.0003	22000.0	0.000001	100.0
Nitrocellulose Resin	09004-70-0	1.9	No CAS	0.002	No CAS
Dichlorobenzene	25321-22-6	0.0003	No CAS	0.00001	No CAS

* HAP or any other carcinogen or suspected carcinogen.

As seen in **Table 5-12**, the pollutants concentrations are within the SGC/AGC design values. In addition, the cumulative inhalation cancer risk for the HAPs (and the other carcinogenic contaminant if any) is 0.01 (less than 10), and the multi contaminant Hazardous Index is 0.000002 (less than 2) for the non-carcinogenic pollutants.

The criteria pollutant results are presented in **Table 5-12**.

Table 5-13: Criteria Pollutants Cumulative Dispersion Analysis Results

Criteria Pollutant	Predicted Conc.	Background Conc.	Evaluated Conc.	Threshold Criteria	Conc. Unit
NO_2 1-Hour	60.3	103.6	164	188	$\mu g/m^3$
NO_2 Annual	6.2	26.8	33	100	$\mu g/m^3$
SO_2 1-Hour	9.13	13.51	23	196	$\mu g/m^3$
SO_2 Annual	0.04	0.96	1	80	$\mu g/m^3$
CO 1-Hour	0.32	1.51	1.83	35	ppm
CO 8-Hour	0.22	1.10	1.32	9	ppm
PM_{10} 24-Hour	11.6	28	40	150	$\mu g/m^3$
$PM_{2.5}$ 24-Hour	7.74	18.1	25.8	35	$\mu g/m^3$
$PM_{2.5}$ Annual	0.30	7.0	7.3	12	$\mu g/m^3$

As seen in **Table 5-13**, the criteria pollutants predicted concentrations are within the NAAQS.

Therefore, no adverse air quality impact is predicted at the project increment building from existing toxic air emission sources in the study area or the Cofire Paving Corp. Air State Facility.

Conclusion

Based on the analysis, conditions associated with the Proposed Action would not result in any violations of the ambient air quality standards. Therefore, there is no reason to believe that the Proposed Action would result in any potentially significant adverse stationary or mobile source air quality impacts, and further assessment is not warranted.

The summary results of the analysis is as follows:

- Conditions associated with the Proposed Action mobile source will not result in significant adverse mobile source air quality impact.
- Air toxics concentrations emitted from existing industrial sources operating within 400 feet of the Proposed Project and the Cofire Paving Corp. Air State Facility would be below the threshold criteria (NAAQS, SGC/AGC and cumulative risk assessments).
- No significant impact was predicted in the HVAC analysis with the Projected Development Site 1 HVAC stack(s) is set back from the property line.

Accordingly, based on the results of the analyses described above, the following environmental requirement will be required:

(E) Designation

Block 4292, Lots 12 (Projected Development Site 1): ***Any new commercial development on the above-referenced property must ensure that the heating, ventilating, air conditioning (HVAC), and hot water system(s) stack is located at the building's highest level and at least 17 feet above grade, and that the stack is located at least 15 feet from the northern lot line facing 27th Avenue and at least 15 feet from the western lot line facing 119th Street to avoid any potential significant adverse air quality impacts.***

6. NOISE

Introduction

The purpose of a noise assessment under CEQR is to determine whether an action would (1) raise noise levels significantly at existing or anticipated sensitive noise receptors (such as residences or schools) or (2) introduce new sensitive uses (such residential buildings or schools) at locations subject to unacceptably high ambient noise levels.

The assessment is concerned with both mobile and stationary noise sources. Mobile sources are those that move in relation to a noise-sensitive receptor. They include automobiles, buses, trucks, aircraft, and trains. Stationary sources of noise do not move in relation to a noise-sensitive receptor. Typical stationary noise sources of concern include machinery or mechanical equipment associated with industrial and manufacturing operations; building heating, ventilating, and air conditioning (HVAC) systems; speakers for public address and concert systems; playground noise; and spectators at concerts or sporting events. An action could raise noise levels either by introducing new stationary noise sources (such as outdoor playgrounds or rooftop air conditioning compressors) or by increasing mobile source noise (generally by generating additional traffic). Similarly, an action could introduce new residences or other sensitive receptors that would be subject to noise from either stationary or mobile sources.

The Proposed Action is a zoning map amendment that would extend an existing R5B district westward over part of an adjacent R4 district and map a new C2-3 local commercial overlay within part of the enlarged R5B district. The Proposed Rezoning Area consists of three contiguous lots on the southeastern portion of Queens Block 4292 (bounded by 28th Avenue on the south, College Point Boulevard on the east, 27th Avenue on the north, and 119th Street on the west) in the College Point neighborhood of Queens Community District 7. Lot 12 (27-24 College Point Blvd. and Projected Development Site 1) is a vacant lot located at the northwest corner of College Point Blvd. and 28th Ave. Lot 11 (27-20 College Point Blvd.) and Lot 10 (27-18 College Point Blvd.) front on College Point Blvd. to the north of Lot 12. The two lots are developed with adjacent two-story-and-cellar commercial buildings, which have been joined and are occupied by a home center selling cabinets, counters, fixtures, hardware, and so on. The Proposed Action would facilitate the redevelopment of Lot 12, either with a 5,765 gsf home center with five accessory off-street parking spaces (With-Action) or a 2,541 gsf eating and drinking establishment (such as a Starbucks, Dunkin', or other coffee or fast-food chain franchise) with a drive-through and five accessory parking spaces.

Noise Fundamentals

Noise is defined as any unwanted sound, and sound is defined as any pressure variation that the human ear can detect. Humans can detect a large range of sound pressures, from 20 to 20 million micropascals, but only those air pressure variations occurring within a particular set of frequencies are experienced as sound. Air pressure changes that occur between 20 and 20,000 times a second, stated as units of Hertz (Hz), are registered as sound.

Because the human ear can detect such a wide range of sound pressures, sound pressure is converted to sound pressure level (SPL), which is measured in units called decibels (dB). The decibel is a relative measure of the sound pressure with respect to a standardized reference quantity. Because the dB scale is logarithmic, a relative increase of 10 dB represents a sound

pressure that is 10 times higher. However, humans do not perceive a 10-dB increase as 10 times louder. Instead, they perceive it as twice as loud.

Sound is often measured and described in terms of its overall energy, taking all frequencies into account. However, the human hearing process is not the same at all frequencies. Humans are less sensitive to low frequencies (less than 250 Hz) than mid-frequencies (500 Hz to 1,000 Hz) and are most sensitive to frequencies in the 1,000- to 5,000-Hz range. Therefore, noise measurements are often adjusted, or weighted, as a function of frequency to account for human perception and sensitivities. The most common frequency weightings used are the A- and C-weightings. These weight scales were developed to allow sound level meters, which use filter networks to approximate the characteristic of the human hearing mechanism, to simulate the frequency sensitivity of human hearing. The A-weighting is the most commonly used for environmental measurements, and sound levels measured using this weighting are denoted as dBA. The letter "A" indicates that the sound has been filtered to reduce the strength of very low and very high frequency sounds, much as the human ear does. C-weighting gives nearly equal emphasis to sounds of most frequencies. Mid-range frequencies approximate the actual (unweighted) sound level, while the very low and very high frequency bands are significantly affected by C-weighting.

Table 6-1: Noise Levels of Common Sources

Sound Source	**SPL(dB(A))**
Air Raid Siren at 50 feet	120
Maximum Levels at Rock Concerts (Rear Seats)	110
On Platform by Passing Subway Train	100
On Sidewalk by Passing Heavy Truck or Bus	90
On Sidewalk by Typical Highway	80
On Sidewalk by Passing Automobiles with Mufflers	70
Typical Urban Area	60-70
Typical Suburban Area	50-60
Quiet Suburban Area at Night	40-50
Typical Rural Area at Night	30-40
Isolated Broadcast Studio	20
Audiometric (Hearing Testing) Booth	10
Threshold of Hearing	0
Notes: A change in 3dB(A) is a just noticeable change in SPL. A change in 10 dB(A)Is perceived as a doubling or halving in SPL.	
Source: 2021 CEQR Technical Manual	

The following is typical of human response to relative changes in noise level:

- 3-dBA change is the threshold of change detectable by the human ear;
- 5-dBA change is readily noticeable; and
- 10-dBA change is perceived as a doubling or halving of the noise level.

The SPL that humans experience typically varies from moment to moment. Therefore, various descriptors are used to evaluate noise levels over time. Some typical descriptors are defined below.

- L_{eq} is the continuous equivalent sound level. The sound energy from the fluctuating SPLs is averaged over time to create a single number to describe the mean energy, or intensity, level. High noise levels during a measurement period will have a greater effect on the L_{eq} than low noise levels. L_{eq} has an advantage over other descriptors because L_{eq} values from various noise sources can be added and subtracted to determine cumulative noise levels.
- $L_{eq(24)}$ is the continuous equivalent sound level over a 24-hour time period.

The sound level exceeded during a given percentage of a measurement period is the percentile-exceeded sound level (L_X). Examples include L_{10}, L_{50}, and L_{90}. L_{10} is the A-weighted sound level that is exceeded 10% of the measurement period.

The decrease in sound level caused by the distance from any single noise source normally follows the inverse square law (i.e., the SPL changes in inverse proportion to the square of the distance from the sound source). In a large open area with no obstructive or reflective surfaces, it is a general rule that at distances greater than 50 feet, the SPL from a point source of noise drops off at a rate of 6 dB with each doubling of distance away from the source. For "line" sources, such as vehicles on a street, the SPL drops off at a rate of 3 dBA with each doubling of the distance from the source. Sound energy is absorbed in the air as a function of temperature, humidity, and the frequency of the sound. This attenuation can be up to 2 dB over 1,000 feet. The drop-off rate also will vary with both terrain conditions and the presence of obstructions in the sound propagation path.

Impact Determination and Noise Standards and Guidelines

In 1983, the New York City Department of Environmental Protection (NYCDEP) adopted the City Environmental Protection Order - City Environmental Quality Review (CEPO-CEQR) noise standards at the exterior façade to achieve interior noise levels of 45 dB(A) or below. CEPO-CEQR Noise Exposure Guidelines classify noise exposure into four categories: Acceptable, Marginally Acceptable, Marginally Unacceptable and Clearly Unacceptable. The ranges for each category vary by type of use. The standards are presented in Table 6-2.

Table 6-2

CEQR Noise Exposure Guidelines for Use in City Environmental Impact Review[1]

Receptor Type	Time Period	Acceptable General External Exposure	Airport[3] Exposure	Marginally Acceptable General External Exposure	Airport[3] Exposure	Marginally Unacceptable General External Exposure	Airport[3] Exposure	Clearly Unacceptable General External Exposure	Airport[3] Exposure
1. Outdoor area requiring serenity and quiet[2]		$L_{10} \leq 55$ dBA	——DNL ≤ 60 dBA——		——60 < DNL ≤ 65 dBA——		(I) 65 < DNL ≤ 75 dBA		——75 dBA < DNL——
2. Hospital, nursing home		$L_{10} \leq 55$ dBA		55 < $L_{10} \leq 65$ dBA		65 < $L_{10} \leq 80$ dBA		$L_{10} > 80$ dBA	
3. Residence, residential hotel, or motel	(7 AM to 10 PM)	$L_{10} \leq 65$ dBA		65 < $L_{10} \leq 70$ dBA		70 < $L_{10} \leq 80$ dBA		$L_{10} > 80$ dBA	
	(10 PM to 7 AM)	$L_{10} \leq 55$ dBA		55 < $L_{10} \leq 70$ dBA		70 < $L_{10} \leq 80$ dBA		$L_{10} > 80$ dBA	
4. School, museum, library, court, house of worship, transient hotel or motel, public meeting room, auditorium, out-patient public health facility		Same as Residential Day (7 AM-10 PM)		Same as Residential Day (7 AM-10 PM)		Same as Residential Day (7 AM-10 PM)		Same as Residential Day (7 AM-10 PM)	
5. Commercial or office		Same as Residential Day (7 AM-10 PM)		Same as Residential Day (7 AM-10 PM)		Same as Residential Day (7 AM-10 PM)		Same as Residential Day (7 AM-10 PM)	
6. Industrial, public areas only[4]	Note 4	Note 4		Note 4		Note 4		Note 4	

Notes:

(i) In addition, any new activity shall comply with Impact Thresholds detailed in Section 410.

[1] Measurements and projections of noise exposures are to be made at appropriate heights above site boundaries as given by American National Standards Institute (ANSI) Standards; all values are for the worst hour in the time period.

[2] Tracts of land where serenity and quiet are extraordinarily important and serve as important public need, and where the preservation of these qualities is essential for the area to serve its intended purpose. Such areas could include amphitheaters, particular parks or portions of parks, or open spaces dedicated or recognized by appropriate local officials for activities requiring special qualities of serenity and quiet. Examples are grounds for ambulatory hospital patients and patients and residents of sanitariums and nursing homes.

[3] One may use the FAA-approved DNL contours supplied by the Port Authority of New York and New Jersey (PANYNJ), or the noise contours may be computed from the federally approved Aviation Environmental Design Tool (AEDT) Computer Model using flight data supplied by the PANYNJ.

[4] External Noise Exposure standards for industrial areas of sounds produced by industrial operations other than operating motor vehicles or other transportation facilities are spelled out in the New York City Zoning Resolution, Sections 42-20 and 42-21. The referenced standards apply to M1, M2, and M3 manufacturing districts and to adjoining residence districts (performance standards are listed by octave bands).

Sources: New York City Department of Environmental Protection (adopted policy 1983).

For sensitive receptors introduced by the Proposed Action, the L_{10} noise levels measured directly outside the Projected Development Site 1 are compared with the values in the Noise Exposure Guidelines. If the measured noise levels exceed those in the Marginally Acceptable range, a sufficient level of window/wall noise attenuation is required to prevent a significant adverse impact. The minimum attenuation requirements are presented in Table 6-3.

Table 6-3
Required Attenuation Values to Achieve Acceptable Interior Noise Levels

	Marginally Unacceptable				Clearly Unacceptable
Vehicular Traffic	$70<L_{10}\leq73$	$73<L_{10}\leq76$	$76<L_{10}\leq78$	$78<L_{10}\leq80$	$80<L_{10}$
Aircraft[A]	$65<DNL\leq68$	$68<DNL\leq71$	$71<DNL\leq73$	$73<DNL\leq75$	$75<DNL$
Train	$65<L_{dn}\leq68$	$68<L_{dn}\leq71$	$71<L_{dn}\leq73$	$73<L_{dn}\leq75$	$75<L_{dn}$
Attenuation[B]	(I) 28 dB(A)	(II) 31 dB(A)	(III) 33 dB(A)	(IV) 35 dB(A)	See note [C]

Note:

[A] DNL descriptor based on average values of L_{dn} over a year period.

[B] The above composite window-wall attenuation values are for residential dwellings and community facility development. Commercial office spaces and meeting rooms would be 5 dB(A) less in each category. All of the above categories require a closed window situation and hence an alternate means of ventilation.

[C] The required attenuation value is the difference between L_{build} and $L_{interior,}$ using the appropriate noise descriptor

Where:

L_{build} is the projected noise level under the build condition rounded up to the whole number

$L_{interior}$ is the designed interior noise level (45 dB(A) for vehicular noise, 40 dB(A) for aircraft and train noise)

Source: New York City Department of Environmental Protection

Conclusion

New Stationary Noise Sources

The Proposed Action would result in the redevelopment of the Projected Development Site 1 with a fully enclosed commercial use. All rooftop mechanical equipment, including air conditioner compressors, would be enclosed and would comply with New York City Noise Code requirements, which limit noise levels generated by such equipment to 65 dBA during the daytime (7AM to 10 PM) and 55 dBA during the nighttime. The Proposed Action would therefore not have the potential to cause a significant adverse stationary source noise impact.

New Mobile Noise Sources

The proposed project would not exceed the minimum development density potentially requiring a transportation analysis, as shown in Table 16-1 of the transportation chapter of the *2021 CEQR Technical Manual*. Therefore, the projected action-generated redevelopment would be expected to generate fewer than 50 additional vehicular trips during any peak hour. That would not substantially increase traffic volumes along College Point Blvd., which is an arterial roadway. The Proposed Action would therefore not have the potential to cause a significant adverse mobile source noise impact.

Existing Ambient Noise Levels

An action can cause a significant adverse noise impact if it introduces new noise-sensitive uses in an area characterized by high ambient noise levels. The Proposed Action would lead to the development of a new retail or eating and drinking establishment, neither of which is a sensitive receptor for CEQR noise assessment purposes. The Proposed Action would therefore not have the potential to cause a significant adverse noise impact as a result of existing ambient noise levels.

The Proposed Action would not cause a significant adverse noise impact, and further analysis is not warranted.

APPENDIX A

ILLUSTRATIVE ARCHITECTURAL PLANS

(Architectural plans are for illustrative purposes only)

27-24 COLLEGE POINT BLVD.

PROJECT NUMBER: 1145-NJ

CLIENT

PETER GUGLIELMI
LaSTRADA GENERAL CONTRACTING Co.
118-20 29TH STREET
COLLEGE POINT NY 11354
BLOCK: 4292
LOT: 12

DRAWING LIST

A-001.00	TITLE SHEET
A-002.00	SITE SURVEY, TAX & ZONING MAP
A-003.00	PROPOSED SITE PLAN
A-004.00	ZONING CALCULATIONS
A-005.00	FIRST FLOOR PLAN
A-006.00	ROOF PLAN
A-007.00	EXTERIOR ELEVATIONS
A-008.00	EXTERIOR ELEVATIONS
A-009.00	BUILDING SECTIONS



EXISTING VIEW FROM COLLEGE BLVD.



EXISTING VIEW FROM 28TH AVE.

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FLUSHING, NY 11354

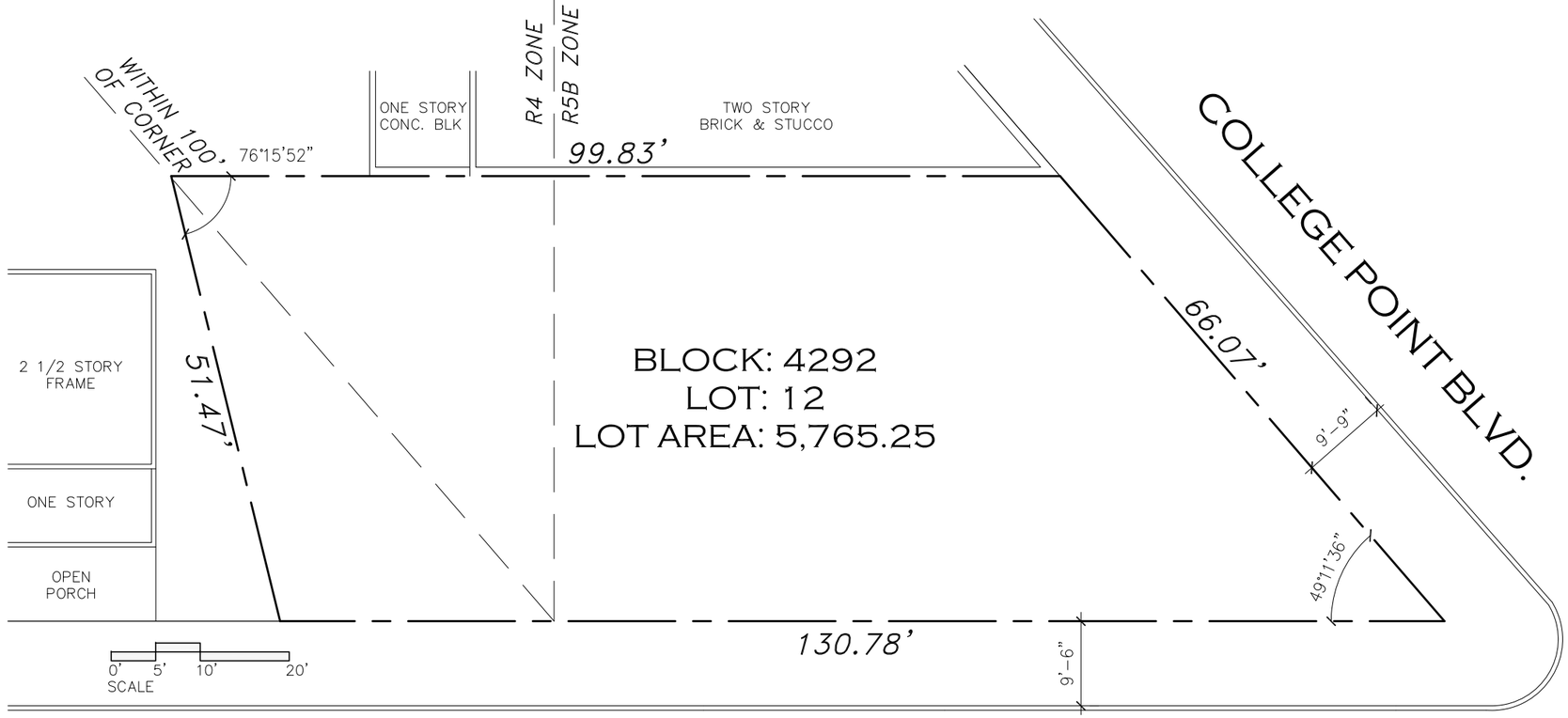
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TITLE SHEET

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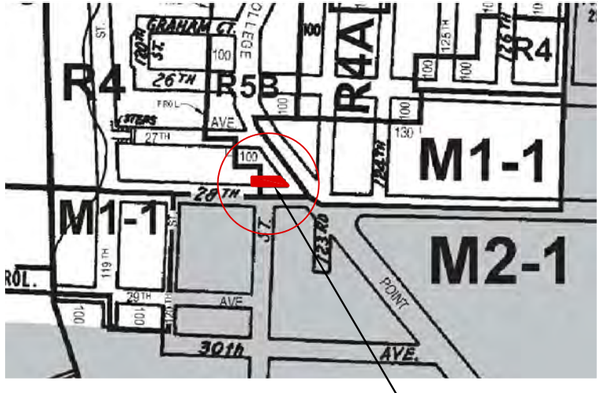
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SITE SURVEY
SCALE: 1/16" = 1'-0"

28TH AVENUE



ZONING MAP (10A)
N.T.S.



TAX MAP
N.T.S.

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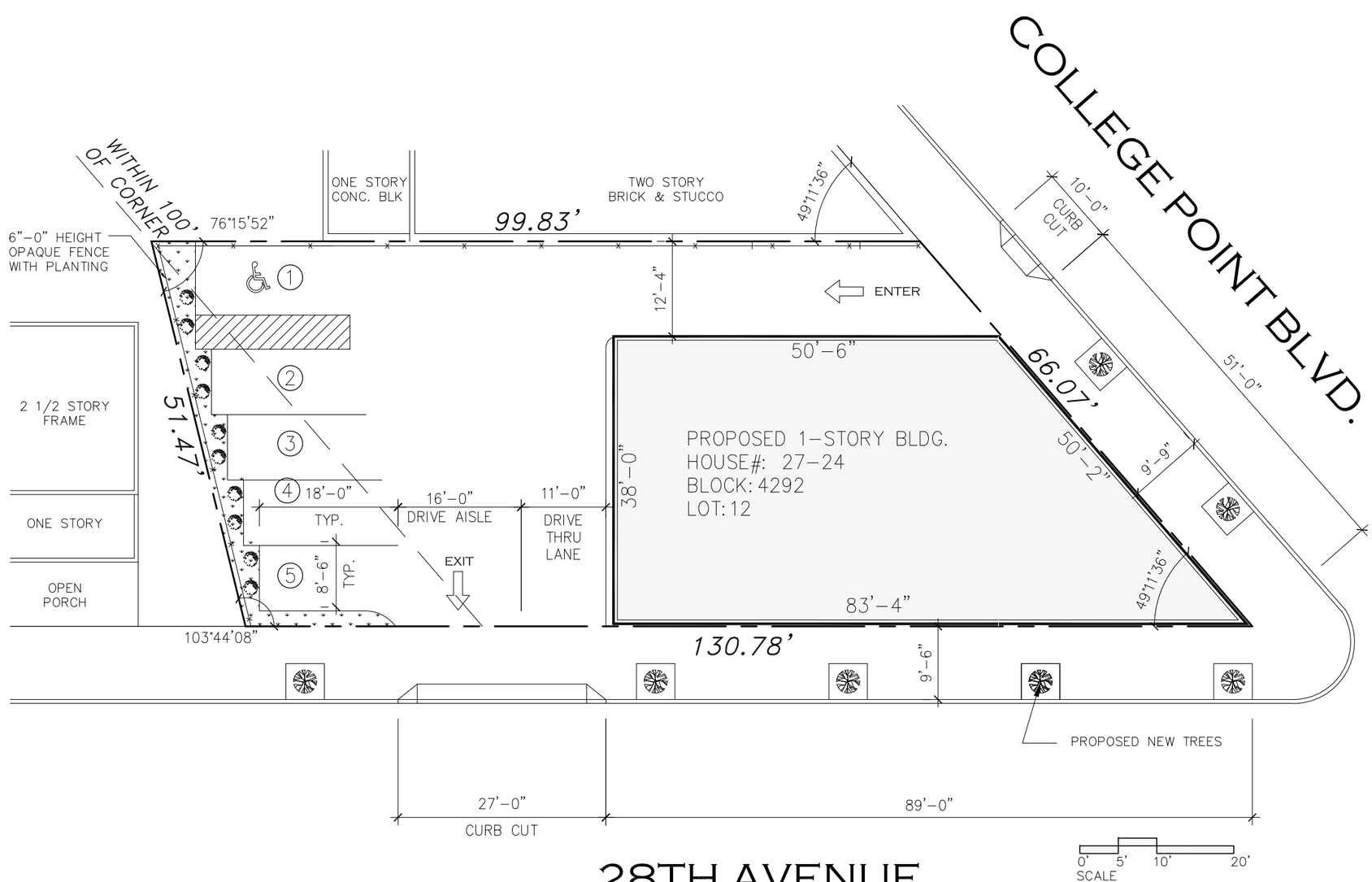
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SITE SURVEY, TAX MAP & ZONING MAP

A-2.0

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PROPOSED SITE PLAN

SCALE: 1/16" = 1'-0"

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PROPOSED SITE PLAN

A-3.0

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ZONING CALCULATIONS (EXISTING)

BUILDING NO.: 27–24
BLOCK: 4292
ZONE: R4 & R5B
LOT AREA: 5765.25 S.F.

PREMISE: COLLEGE POINT BLVD.
LOT: 12
MAP NO.: 10A

PORTION IN R5B = 3,919.52 (68%)
PORTION IN R4 = 1,845.75 (32%)

SECTION 23–141 OPEN SPACE AND FLOOR AREA REGULATIONS

ADJUSTED FLOOR AREA RATIO (RESIDENTIAL) (77–22)
R5B = 1.35 X .68 = .918
R4 = .75 X .32 = .24
ADJUSTED F.A.R. = 1.158

MAX. FLOOR AREA (RESIDENTIAL)
= 1.158 X 5765.25 = 6,676.16 S.F.

ACTUAL FLOOR AREA
= 2,541 S.F. (FIRST FLOOR)

MIN. OPEN SPACE (77–23)

R5B	= 45%	= 1,763.78 S.F.	
R4	= 55%	= 1,015.16 S.F.	
TOTAL	=	= 2,778.94 S.F.	

ACTUAL OPEN SPACE

R5B	=	1,378.52 S.F.
R4	=	1,845.75 S.F.
	=	3,224.27 S.F.

ADJUSTED MAX. LOT COVERAGE (77–24)
R5B = .55 X .68 = .374
R4 = .45 X .32 = .108
ADJUSTED LOT COVERAGE = .482 = 48.2%

MAX. LOT COVERAGE
= .482 X 5765.25 = 2,778.85 S.F.

ACTUAL LOT COVERAGE
=2,541 S.F.

REQ'D

SECTION 23–45: FRONT YARD

R5B =5'–0"
R4 =10'–0"

SECTION 23–462 (a) (b): SIDE YARDS

R5B = 0'
R4 = STREETWALL <80' = 8'–0"
STREETWALL >80' = 10% OF AGGREGATE WIDTH OF STREETWALL
83.33 x .10 = 8.33'

SECTION 23–471 (b): REAR YARD

8'–0" WHERE SUCH REAR LOT LINE COINCIDES W/ A SIDE LOT LINE OF ADJOINING LOT

SECTION 23–631 (e) HEIGHT

R5B = MAX. HGT= 33'–0" ABOVE B.P.
MAX. STREET WALL HGT= 30'–0".
R4 = MAX. HGT= 35'–0" ABOVE B.P.
MAX. STREET WALL HGT= 25'–0".

NEAREST DISTRICT WHERE USE IS PERMITTED=M1–1 OR M1–2
SECTION 44–20: REQUIRED ACCESSORY OFF–STREET PARKING

1 PER 300 S.F.
5,084/300= 16.94 = 17

ZONING CALCULATIONS (R5B/C2-3)

BUILDING NO.: 27–24
BLOCK: 4292
ZONE: R5B/C2–3 OVERLAY
LOT AREA: 5765.25 S.F.

PREMISE: COLLEGE POINT BLVD.
LOT: 12
MAP NO.: 10A

SECTION 32–10 PERMITTED USE GROUPS	PERMITTED	PROPOSED
	U.G. 1–9 AND 14	U.G. 6
U.G. 6 PROPOSED		
SECTION 33–121 F.A.R. REGULATIONS		
COMMERCIAL	1.0/ 5,765.25 SF	0.44/ 2,541 SF
COMMUNITY FACILITY	2.0/ 11,530.5 SF	N/A
SECTION 33–23 LOT COVERAGE REGULATIONS		
COMMERCIAL	100%/ 5,765.25 SF	44%/ 2,541 SF
COMMUNITY FACILITY	100%/ 5,765.25 SF	N/A
YARD REGULATIONS		
SECTION 33–25 SIDE	0' OR 8'	12'–4" / 47'–9"
SECTION 33–26 REAR	20'	N/A
SECTION 33–431 HEIGHT AND SETBACK REGULATIONS		
MAX HEIGHT OF OF FRONT WALL	30' OR 2 STRY. WHICHEVER IS LESS	14' / 1 STRY.
INITIAL SETBACK (NARROW ST./WIDE ST.)	20'/ 15'	N/A
SKY EXPOSURE (NARROW ST./WIDE ST.)	1:1	N/A
SECTION 36–21 ACCESSORY OF STREET PARKING		
COMMERCIAL	6 (WAIVED)	5 VOLUNTARY
2541/ 400 = 6.3 OR 6		
SECTION 36–231 WAIVER OF REQ. FOR SPACES BELOW MIN. NUMBER		
C2–3 = 25 OR LESS		
6 < 25 = NONE REQUIRED		
SECTION 36–62 ACCESSORY OF STREET LOADING BERTH		
COMMERCIAL	FIRST 8,000 = NONE NEXT 17,000 = 1	NONE

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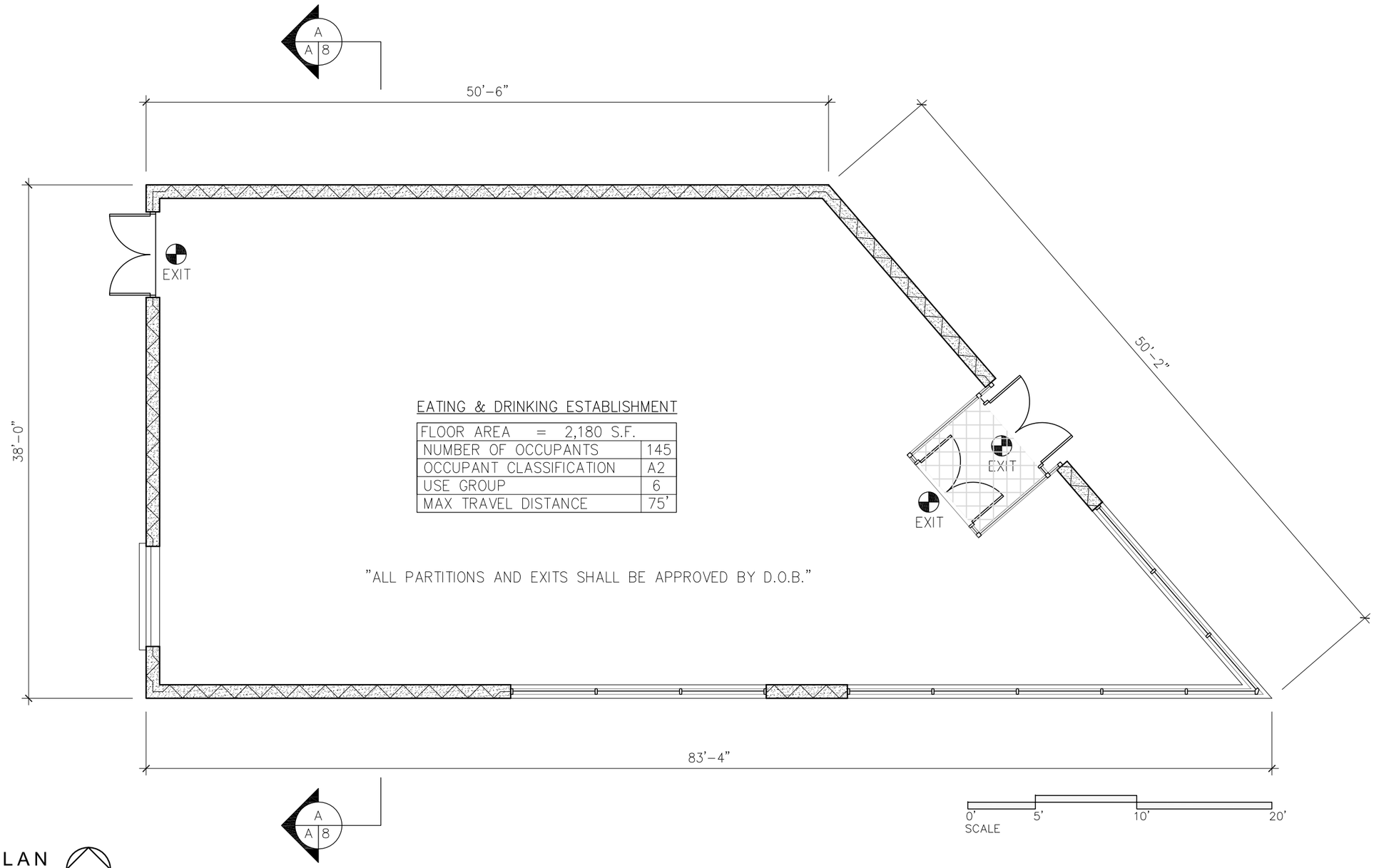
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ZONING ANALYSIS

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EATING & DRINKING ESTABLISHMENT

FLOOR AREA = 2,180 S.F.	
NUMBER OF OCCUPANTS	145
OCCUPANT CLASSIFICATION	A2
USE GROUP	6
MAX TRAVEL DISTANCE	75'

"ALL PARTITIONS AND EXITS SHALL BE APPROVED BY D.O.B."

FIRST FLOOR PLAN

SCALE: 1/8" = 1'-0"

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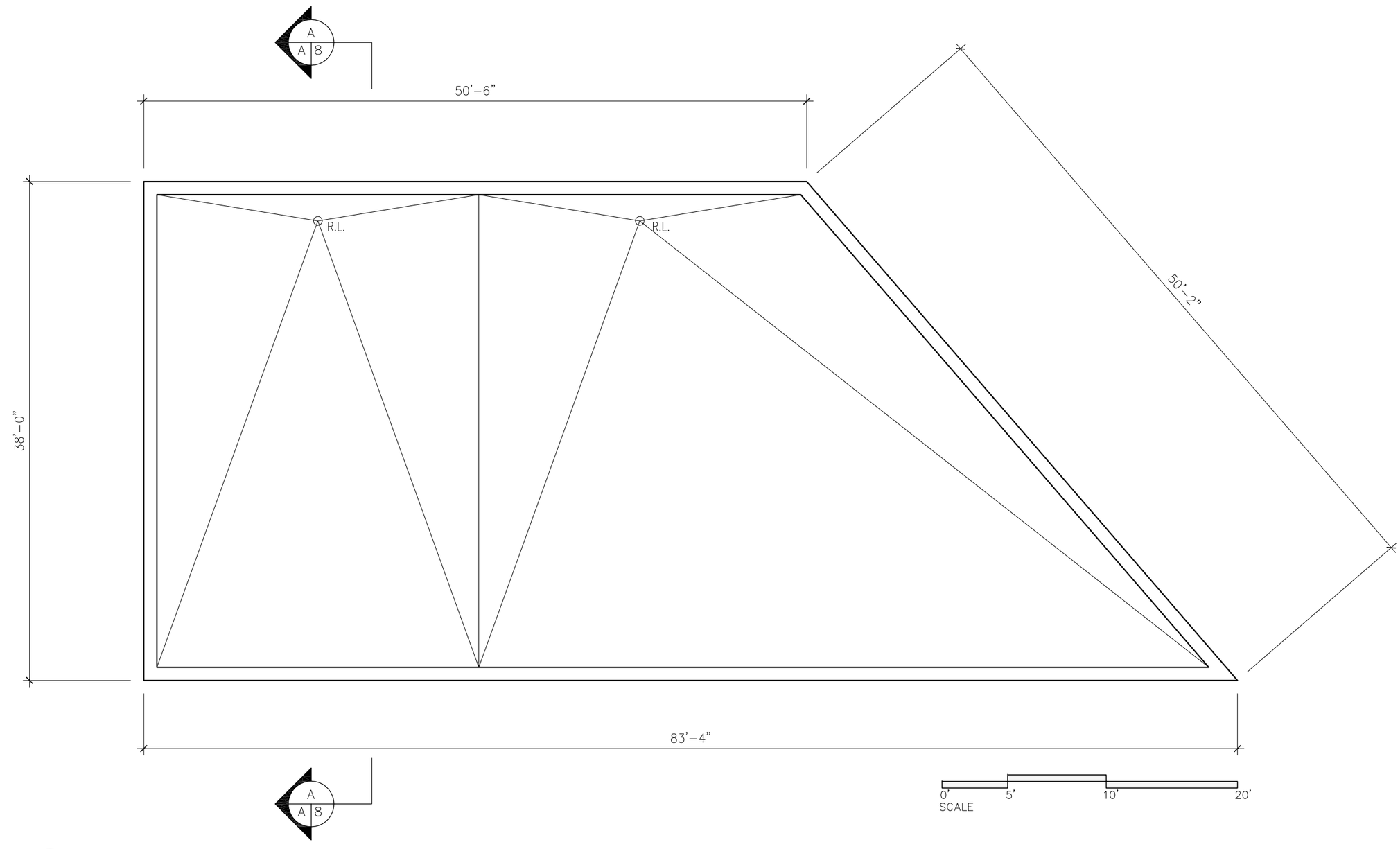
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FIRST FLOOR PLAN

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ROOF PLAN

SCALE: 1/8" = 1'–0"

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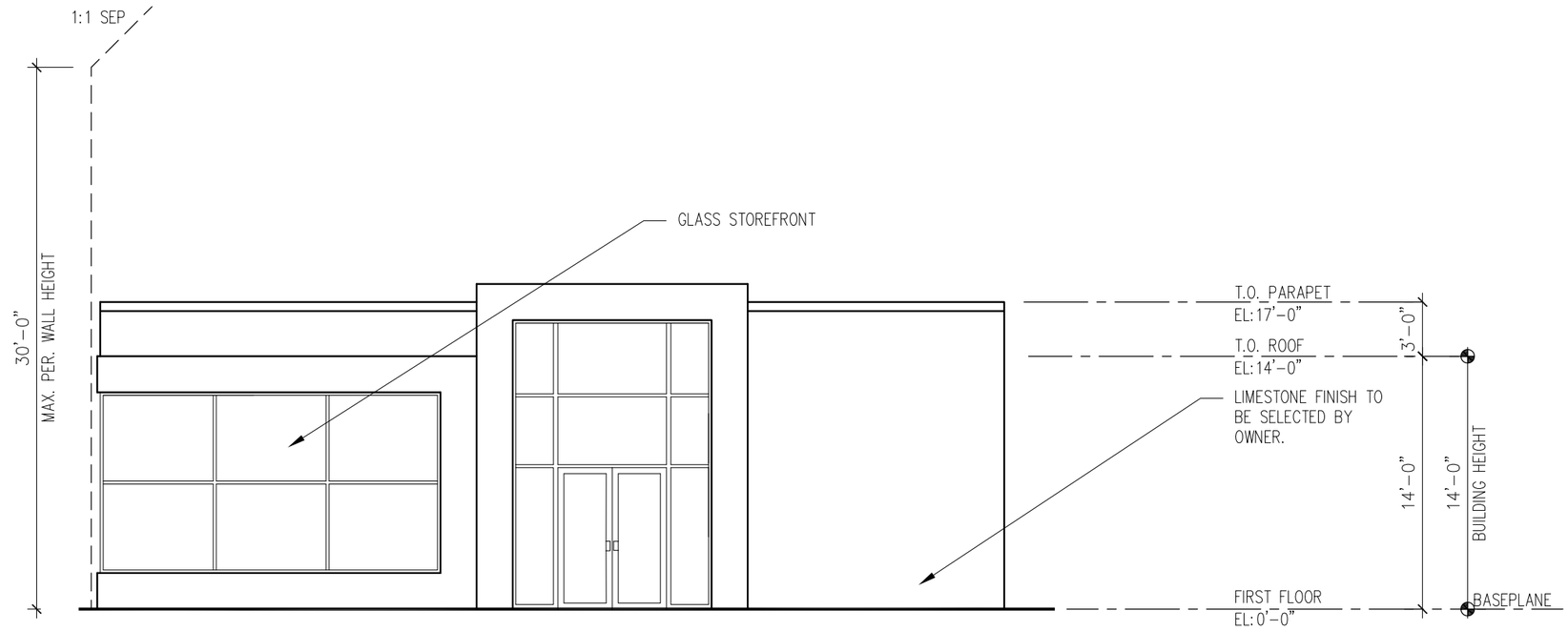
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ROOF PLAN

A-6.0

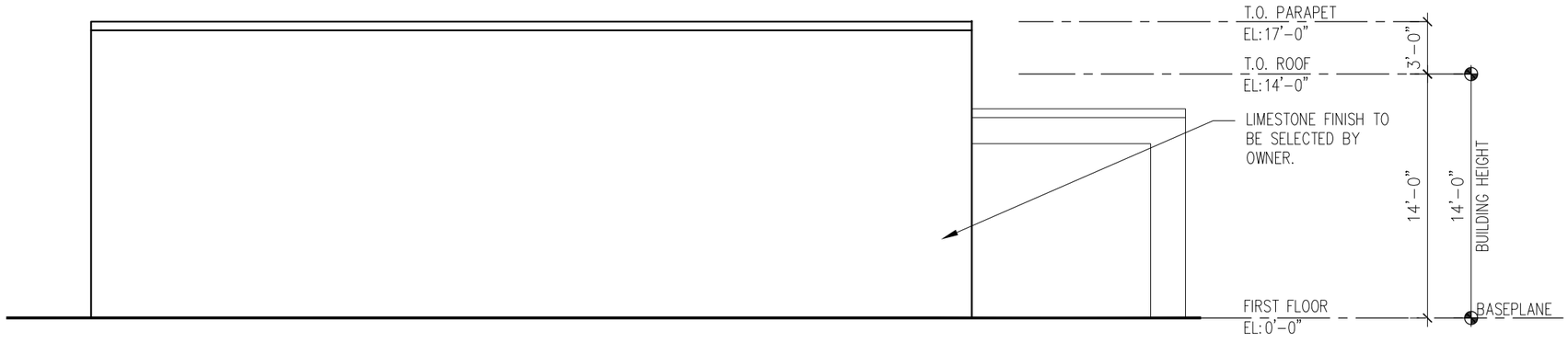
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FRONT ELEVATION (COLLEGE POINT BLVD)

SCALE: 1/8" = 1'-0"



SIDE ELEVATION (NORTH)

SCALE: 1/8" = 1'-0"

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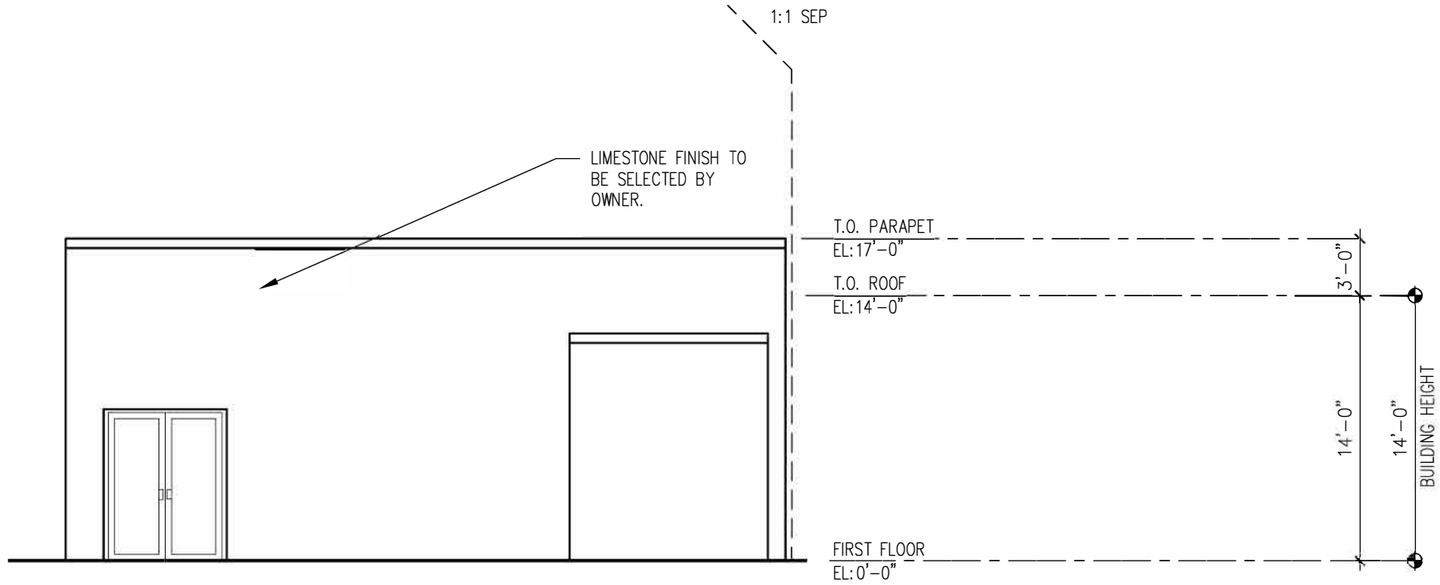
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EXTERIOR ELEVATIONS

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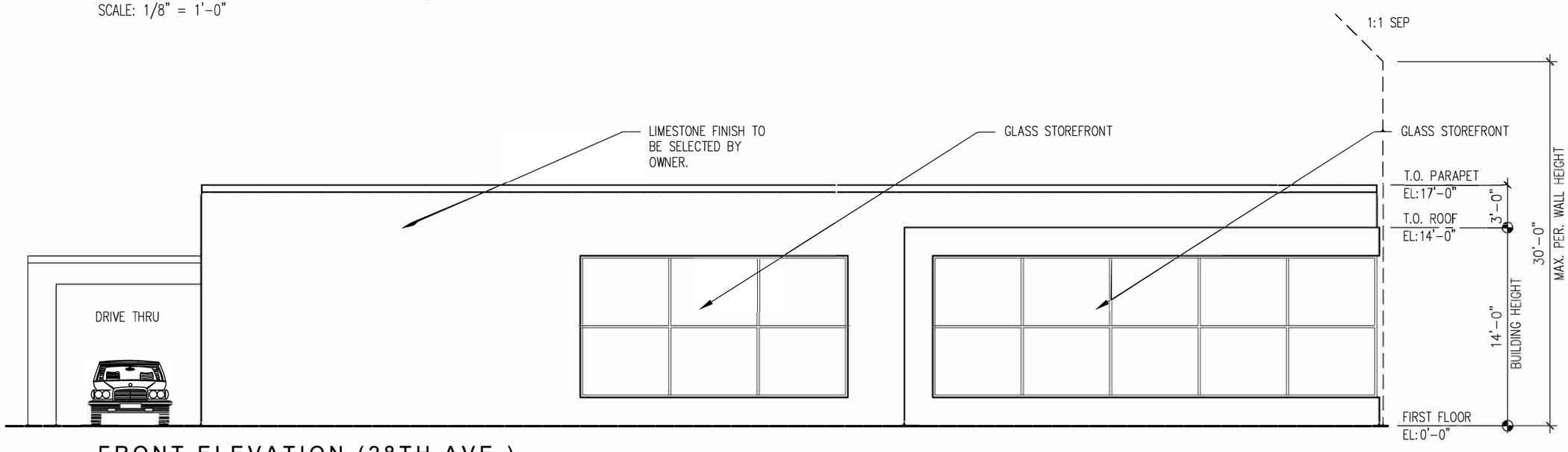
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SIDE ELEVATION (WEST)

SCALE: 1/8" = 1'-0"



FRONT ELEVATION (28TH AVE.)

SCALE: 1/8" = 1'-0"

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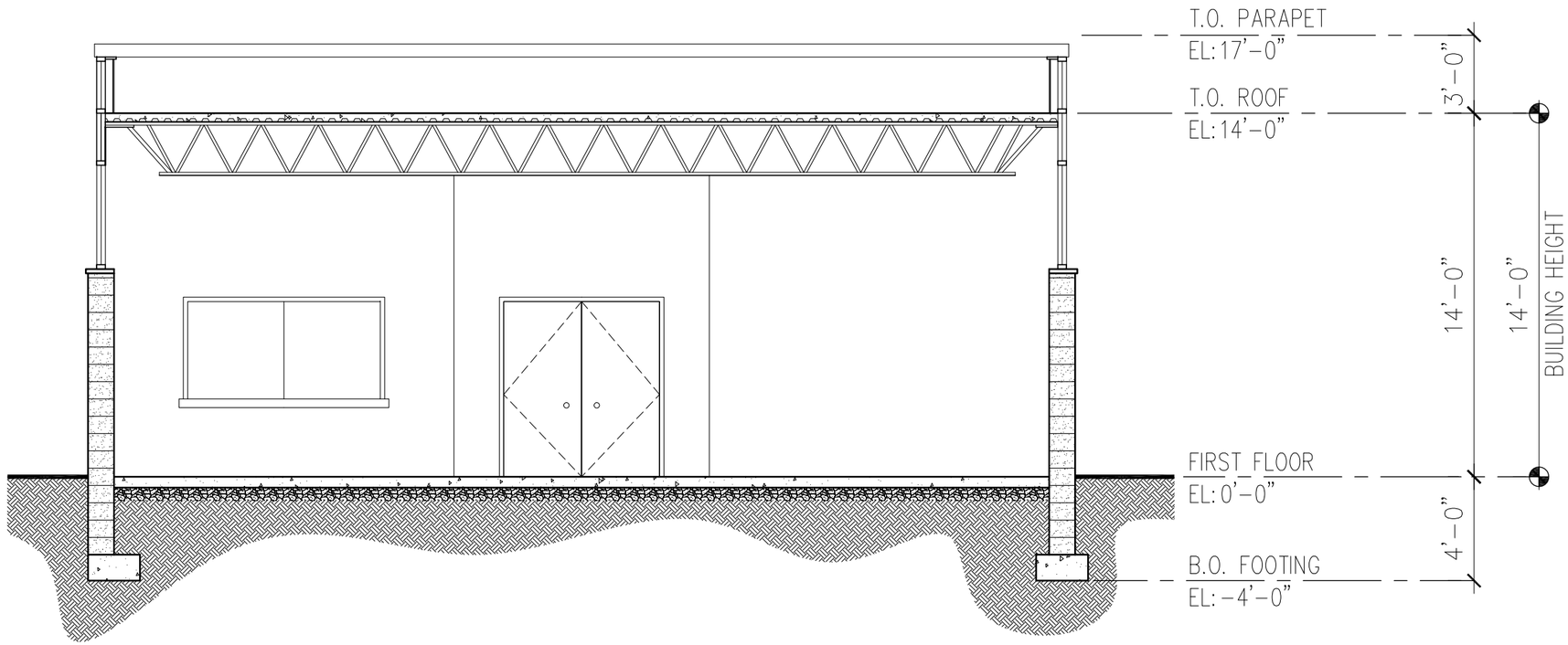
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EXTERIOR ELEVATIONS

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SECTION A - A

SCALE: 3/16" = 1'-0"

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BUILDING SECTION

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APPENDIX B

WRP CONSISTENCY DOCUMENTS

FOR INTERNAL USE ONLY	WRP No. #20-093
Date Received: _____	DOS No. _____

NEW YORK CITY WATERFRONT REVITALIZATION PROGRAM
Consistency Assessment Form

Proposed actions that are subject to CEQR, ULURP or other local, state or federal discretionary review procedures, and that are within New York City's Coastal Zone, must be reviewed and assessed for their consistency with the *New York City Waterfront Revitalization Program (WRP)* which has been approved as part of the State's Coastal Management Program.

This form is intended to assist an applicant in certifying that the proposed activity is consistent with the WRP. It should be completed when the local, state, or federal application is prepared. The completed form and accompanying information will be used by the New York State Department of State, the New York City Department of City Planning, or other city or state agencies in their review of the applicant's certification of consistency.

A. APPLICANT INFORMATION

Name of Applicant: Bacele Realty Corp.

Name of Applicant Representative: Brian Kintish of Environmental Studies Corp.

Address: 313 East 60th St. 1C, New York, NY 10022

Telephone: 646-896-1873 Email: bkintish@environmentalstudiescorp.com

Project site owner (if different than above): _____

B. PROPOSED ACTIVITY

If more space is needed, include as an attachment.

1. Brief description of activity

The proposed action is a Zoning zoning map amendment to zoning sectional map 10a to rezone Queens Block 4292, portion of (p/o) Lots 10, 11, 12, 60 and 75, located in College Point section of Queens. The Proposed Action would rezone parts of five contiguous lots on the southeast portion of Block 4292 which is now divided between R4 and R5B districts. The Proposed Action would move the boundary between the R5B and R4 districts 35 feet west, enlarging the R5B district by 3,222 sf (from 5,642 sf to 8,964 sf), and mapping a C2-3 local commercial overlay within the enlarged R5B district. The map amendment would rezone 5,642 sf from R5B to R5B/C2-3 and 3,222 sf from R4 to R5B/C2-3.

2. Purpose of activity

The proposed zoning map amendment would alter the Proposed Rezoning Area's use regulations by permitting uses listed in commercial Use Groups 6, 7, 8, 9, and 14 which are now prohibited. New commercial development could achieve a maximum permitted floor area ratio (FAR) of 1.00 and a maximum permitted building height of 30 feet or two stories, whichever is less. Residential and community facility uses would continue to be permitted, as they are at present. In the portion of the Proposed Rezoning Area that is now zoned R4, the maximum permitted residential FAR would increase from 0.90 to 1.35, the maximum permitted residential lot coverage would increase from 45 percent to 55 percent, and the minimum required front yard depth for residential development would decline from ten feet to five feet.

C. PROJECT LOCATION

Borough: Queens Tax Block/Lot(s): Block 4292, Lot 12

Street Address: 27-24 College Point Boulevard

Name of water body (if located on the waterfront): _____

D. REQUIRED ACTIONS OR APPROVALS

Check all that apply.

City Actions/Approvals/Funding

City Planning Commission ☑ Yes ☐ No

☐ City Map Amendment	☐ Zoning Certification	☐ Concession
☑ Zoning Map Amendment	☐ Zoning Authorizations	☐ UDAAP
☐ Zoning Text Amendment	☐ Acquisition – Real Property	☐ Revocable Consent
☐ Site Selection – Public Facility	☐ Disposition – Real Property	☐ Franchise
☐ Housing Plan & Project	☐ Other, explain: _____	
☐ Special Permit		

(if appropriate, specify type: ☐ Modification ☐ Renewal ☐ other) Expiration Date: _____

Board of Standards and Appeals ☐ Yes ☑ No

☐ Variance (use)
☐ Variance (bulk)
☐ Special Permit
(if appropriate, specify type: ☐ Modification ☐ Renewal ☐ other) Expiration Date: _____

Other City Approvals

☐ Legislation	☐ Funding for Construction, specify: _____
☐ Rulemaking	☐ Policy or Plan, specify: _____
☐ Construction of Public Facilities	☐ Funding of Program, specify: _____
☐ 384 (b) (4) Approval	☐ Permits, specify: _____
☐ Other, explain: _____	

State Actions/Approvals/Funding

☐ State permit or license, specify Agency: _____ Permit type and number: _____
☐ Funding for Construction, specify: _____
☐ Funding of a Program, specify: _____
☐ Other, explain: _____

Federal Actions/Approvals/Funding

☐ Federal permit or license, specify Agency: _____ Permit type and number: _____
☐ Funding for Construction, specify: _____
☐ Funding of a Program, specify: _____
☐ Other, explain: _____

Is this being reviewed in conjunction with a Joint Application for Permits? ☐ Yes ☑ No

E. LOCATION QUESTIONS

1. Does the project require a waterfront site? ☐ Yes ☑ No
2. Would the action result in a physical alteration to a waterfront site, including land along the shoreline, land under water or coastal waters? ☐ Yes ☑ No
3. Is the project located on publicly owned land or receiving public assistance? ☐ Yes ☑ No
4. Is the project located within a FEMA 1% annual chance floodplain? *(6.2)* ☐ Yes ☑ No
5. Is the project located within a FEMA 0.2% annual chance floodplain? *(6.2)* ☐ Yes ☑ No
6. Is the project located adjacent to or within a special area designation? *See Maps – Part III of the NYC WRP. If so, check appropriate boxes below and evaluate policies noted in parentheses as part of WRP Policy Assessment (Section F).* ☐ Yes ☑ No

   ☐ Significant Maritime and Industrial Area (SMIA) (*2.1*)

   ☐ Special Natural Waterfront Area (SNWA) (*4.1*)

   ☐ Priority Maritime Activity Zone (PMAZ) (*3.5*)

   ☐ Recognized Ecological Complex (REC) (*4.4*)

   ☐ West Shore Ecologically Sensitive Maritime and Industrial Area (ESMIA) (*2.2, 4.2*)

F. WRP POLICY ASSESSMENT

Review the project or action for consistency with the WRP policies. For each policy, check Promote, Hinder *or* Not Applicable (N/A). *For more information about consistency review process and determination, see* ***Part I*** *of the NYC Waterfront Revitalization Program. When assessing each policy, review the full policy language, including all sub-policies, contained within* ***Part II*** *of the WRP. The relevance of each applicable policy may vary depending upon the project type and where it is located (i.e. if it is located within one of the special area designations).*

For those policies checked Promote *or* Hinder, *provide a written statement on a separate page that assesses the effects of the proposed activity on the relevant policies or standards. If the project or action promotes a policy, explain how the action would be consistent with the goals of the policy. If it hinders a policy, consideration should be given toward any practical means of altering or modifying the project to eliminate the hindrance. Policies that would be advanced by the project should be balanced against those that would be hindered by the project. If reasonable modifications to eliminate the hindrance are not possible, consideration should be given as to whether the hindrance is of such a degree as to be substantial, and if so, those adverse effects should be mitigated to the extent practicable.*

		Promote	Hinder	N/A
1	**Support and facilitate commercial and residential redevelopment in areas well-suited to such development.**	☑	☐	☐
1.1	Encourage commercial and residential redevelopment in appropriate Coastal Zone areas.	☑	☐	☐
1.2	Encourage non-industrial development with uses and design features that enliven the waterfront and attract the public.	☐	☐	☑
1.3	Encourage redevelopment in the Coastal Zone where public facilities and infrastructure are adequate or will be developed.	☑	☐	☐
1.4	In areas adjacent to SMIAs, ensure new residential development maximizes compatibility with existing adjacent maritime and industrial uses.	☐	☐	☑
1.5	Integrate consideration of climate change and sea level rise into the planning and design of waterfront residential and commercial development, pursuant to WRP Policy 6.2.	☐	☐	☑

		Promote	Hinder	N/A
2	**Support water-dependent and industrial uses in New York City coastal areas that are well-suited to their continued operation.**	☐	☐	☑
2.1	Promote water-dependent and industrial uses in Significant Maritime and Industrial Areas.	☐	☐	☑
2.2	Encourage a compatible relationship between working waterfront uses, upland development and natural resources within the Ecologically Sensitive Maritime and Industrial Area.	☐	☐	☑
2.3	Encourage working waterfront uses at appropriate sites outside the Significant Maritime and Industrial Areas or Ecologically Sensitive Maritime Industrial Area.	☐	☐	☑
2.4	Provide infrastructure improvements necessary to support working waterfront uses.	☐	☐	☑
2.5	Incorporate consideration of climate change and sea level rise into the planning and design of waterfront industrial development and infrastructure, pursuant to WRP Policy 6.2.	☐	☐	☑
3	**Promote use of New York City's waterways for commercial and recreational boating and water-dependent transportation.**	☐	☐	☑
3.1.	Support and encourage in-water recreational activities in suitable locations.	☐	☐	☑
3.2	Support and encourage recreational, educational and commercial boating in New York City's maritime centers.	☐	☐	☑
3.3	Minimize conflicts between recreational boating and commercial ship operations.	☐	☐	☑
3.4	Minimize impact of commercial and recreational boating activities on the aquatic environment and surrounding land and water uses.	☐	☐	☑
3.5	In Priority Marine Activity Zones, support the ongoing maintenance of maritime infrastructure for water-dependent uses.	☐	☐	☑
4	**Protect and restore the quality and function of ecological systems within the New York City coastal area.**	☐	☐	☑
4.1	Protect and restore the ecological quality and component habitats and resources within the Special Natural Waterfront Areas.	☐	☐	☑
4.2	Protect and restore the ecological quality and component habitats and resources within the Ecologically Sensitive Maritime and Industrial Area.	☐	☐	☑
4.3	Protect designated Significant Coastal Fish and Wildlife Habitats.	☐	☐	☑
4.4	Identify, remediate and restore ecological functions within Recognized Ecological Complexes.	☐	☐	☑
4.5	Protect and restore tidal and freshwater wetlands.	☐	☐	☑
4.6	In addition to wetlands, seek opportunities to create a mosaic of habitats with high ecological value and function that provide environmental and societal benefits. Restoration should strive to incorporate multiple habitat characteristics to achieve the greatest ecological benefit at a single location.	☐	☐	☑
4.7	Protect vulnerable plant, fish and wildlife species, and rare ecological communities. Design and develop land and water uses to maximize their integration or compatibility with the identified ecological community.	☐	☐	☑
4.8	Maintain and protect living aquatic resources.	☐	☐	☑

		Promote	Hinder	N/A
5	**Protect and improve water quality in the New York City coastal area.**	☐	☐	☑
5.1	Manage direct or indirect discharges to waterbodies.	☐	☐	☑
5.2	Protect the quality of New York City's waters by managing activities that generate nonpoint source pollution.	☐	☐	☑
5.3	Protect water quality when excavating or placing fill in navigable waters and in or near marshes, estuaries, tidal marshes, and wetlands.	☐	☐	☑
5.4	Protect the quality and quantity of groundwater, streams, and the sources of water for wetlands.	☐	☐	☑
5.5	Protect and improve water quality through cost-effective grey-infrastructure and in-water ecological strategies.	☐	☐	☑
6	**Minimize loss of life, structures, infrastructure, and natural resources caused by flooding and erosion, and increase resilience to future conditions created by climate change.**	☑	☐	☐
6.1	Minimize losses from flooding and erosion by employing non-structural and structural management measures appropriate to the site, the use of the property to be protected, and the surrounding area.	☐	☐	☑
6.2	Integrate consideration of the latest New York City projections of climate change and sea level rise (as published in *New York City Panel on Climate Change 2015 Report, Chapter 2: Sea Level Rise and Coastal Storms*) into the planning and design of projects in the city's Coastal Zone.	☑	☐	☐
6.3	Direct public funding for flood prevention or erosion control measures to those locations where the investment will yield significant public benefit.	☐	☐	☑
6.4	Protect and preserve non-renewable sources of sand for beach nourishment.	☐	☐	☑
7	**Minimize environmental degradation and negative impacts on public health from solid waste, toxic pollutants, hazardous materials, and industrial materials that may pose risks to the environment and public health and safety.**	☐	☐	☑
7.1	Manage solid waste material, hazardous wastes, toxic pollutants, substances hazardous to the environment, and the unenclosed storage of industrial materials to protect public health, control pollution and prevent degradation of coastal ecosystems.	☐	☐	☑
7.2	Prevent and remediate discharge of petroleum products.	☐	☐	☑
7.3	Transport solid waste and hazardous materials and site solid and hazardous waste facilities in a manner that minimizes potential degradation of coastal resources.	☐	☐	☑
8	**Provide public access to, from, and along New York City's coastal waters.**	☐	☐	☑
8.1	Preserve, protect, maintain, and enhance physical, visual and recreational access to the waterfront.	☐	☐	☑
8.2	Incorporate public access into new public and private development where compatible with proposed land use and coastal location.	☐	☐	☑
8.3	Provide visual access to the waterfront where physically practical.	☐	☐	☑
8.4	Preserve and develop waterfront open space and recreation on publicly owned land at suitable locations.	☐	☐	☑

		Promote	Hinder	N/A
8.5	Preserve the public interest in and use of lands and waters held in public trust by the State and City.	☐	☐	☑
8.6	Design waterfront public spaces to encourage the waterfront's identity and encourage stewardship.	☐	☐	☑
9	**Protect scenic resources that contribute to the visual quality of the New York City coastal area.**	☐	☐	☑
9.1	Protect and improve visual quality associated with New York City's urban context and the historic and working waterfront.	☐	☐	☑
9.2	Protect and enhance scenic values associated with natural resources.	☐	☐	☑
10	**Protect, preserve, and enhance resources significant to the historical, archaeological, architectural, and cultural legacy of the New York City coastal area.**	☐	☐	☑
10.1	Retain and preserve historic resources, and enhance resources significant to the coastal culture of New York City.	☐	☐	☑
10.2	Protect and preserve archaeological resources and artifacts.	☐	☐	☑

G. CERTIFICATION

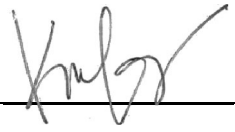
The applicant or agent must certify that the proposed activity is consistent with New York City's approved Local Waterfront Revitalization Program, pursuant to New York State's Coastal Management Program. If this certification cannot be made, the proposed activity shall not be undertaken. If this certification can be made, complete this Section.

"The proposed activity complies with New York State's approved Coastal Management Program as expressed in New York City's approved Local Waterfront Revitalization Program, pursuant to New York State's Coastal Management Program, and will be conducted in a manner consistent with such program."

Applicant/Agent's Name: Brian Kintish

Address: 313 East 60th Street 1C, New York, NY 10022

Telephone: 646-896-1873 Email: bkintish@environmentalstudiescorp.com

Applicant/Agent's Signature:  Kathleen M Feeney for Brian Kintish

Date: 4/25/23

Submission Requirements

For all actions requiring City Planning Commission approval, materials should be submitted to the Department of City Planning.

For local actions not requiring City Planning Commission review, the applicant or agent shall submit materials to the Lead Agency responsible for environmental review. A copy should also be sent to the Department of City Planning.

For State actions or funding, the Lead Agency responsible for environmental review should transmit its WRP consistency assessment to the Department of City Planning.

For Federal direct actions, funding, or permits applications, including Joint Applicants for Permits, the applicant or agent shall also submit a copy of this completed form along with his/her application to the NYS Department of State Office of Planning and Development and other relevant state and federal agencies. A copy of the application should be provided to the NYC Department of City Planning.

The Department of City Planning is also available for consultation and advisement regarding WRP consistency procedural matters.

New York City Department of City Planning
Waterfront and Open Space Division
120 Broadway, 31st Floor
New York, New York 10271
212-720-3696
wrp@planning.nyc.gov
www.nyc.gov/wrp

New York State Department of State
Office of Planning and Development
Suite 1010
One Commerce Place, 99 Washington Avenue
Albany, New York 12231-0001
518-474-6000
www.dos.ny.gov/opd/programs/consistency

Applicant Checklist

- ☑ Copy of original signed NYC Consistency Assessment Form
- ☑ Attachment with consistency assessment statements for all relevant policies
- ☐ For Joint Applications for Permits, one (1) copy of the complete application package
- ☑ Environmental Review documents
- ☑ Drawings (plans, sections, elevations), surveys, photographs, maps, or other information or materials which would support the certification of consistency and are not included in other documents submitted. All drawings should be clearly labeled and at a scale that is legible.
- ☑ Policy 6.2 Flood Elevation worksheet, if applicable. For guidance on applicability, refer to the WRP Policy 6.2 Guidance document available at www.nyc.gov/wrp

Attachment to Consistency Assessment Form for 27-24 College Point Blvd Rezoning

Policy 1.1: Encourage commercial and residential redevelopment in appropriate coastal zone areas.

The Proposed Action would bring the longstanding commercial uses on Lots 10 and 11 into conformity with zoning use regulations and would facilitate the redevelopment of Projected Development Site 1 (Lot 12), which has been unutilized and vacant since 2011. A conforming residential or community facility use is not feasible because of the site's contamination because of its previous use as a gasoline service station, the cost of the required remediation, and the proximity of manufacturing uses along College Point Blvd. Although residential uses occupy the properties to the west along the cross streets and to the north along the west side of College Point Blvd., commercial and automotive uses have occupied the lots in the Proposed Rezoning Area that front on College Point Blvd. since the 1940s, a gas station faces the Proposed Rezoning Area on the east side of College Point Blvd., a warehouse abuts the gas station, an industrial use faces Lot 12 at the southwest corner of College Point Blvd. and 28th Ave., and the NYPD Police Academy occupies the lot at the southeast corner of the intersection. The proposed eating and drinking establishment (fast food franchise) would complement both the commercial uses along College Point Boulevard and the residential uses along 28th Avenue and would not introduce any new risk to the coastal zone while encouraging more flexibility than the existing zoning, paired with historical uses, currently permits.

The proposed rezoning area is not within a Special Natural Waterfront Area (SNWA) or Significant Maritime and Industrial Area (SMIA), and it is in a well-developed area with substantial residential and commercial development. The proposed action would therefore be consistent with Policy 1.1.

Policy 1.3: Encourage redevelopment in the Coastal Zone where public facilities and infrastructure are adequate or will be developed.

The proposed rezoning area is located within a well-developed area that is served by sewers, municipal sanitation services, and police and fire protection services. The rezoning area fronts on public streets. The proposed action would therefore be consistent with Policy 1.3.

Policy 6: Minimize loss of life, structures, and natural resources caused by flooding and erosion, and increase resilience to future conditions created by climate change.

Currently, As shown in the New York City Flood Hazard Mapper, the proposed rezoning area is not within a 100- year-floodplain or a 500-year-floodplain as designated on FEMA's 2015 preliminary flood maps.

The Base Flood Elevation (BFE) designated on FEMA flood maps serves as the standard to which flood-resistant construction requirements apply. Where the BFE exceeds the elevation of the building site, it is necessary to elevate or floodproof (where permitted) the first occupiable floor to ensure that buildings remain structurally sound and to protect building contents during the flood event. As shown in the Although the proposed development is in Zone X (outside of the 0.2% annual chance floodplain, all critical elements such as utilities would be located on the roof

or could be relocated to the roof as conditions change in the future. Therefore, the proposed action would be consistent with Policy 6.

Policy 6.2: Integrate consideration of the latest New York City projections of climate change and sea level rise (as published by the NPCC, or any successor thereof) into the planning and design of projects in the city's Coastal Zone.

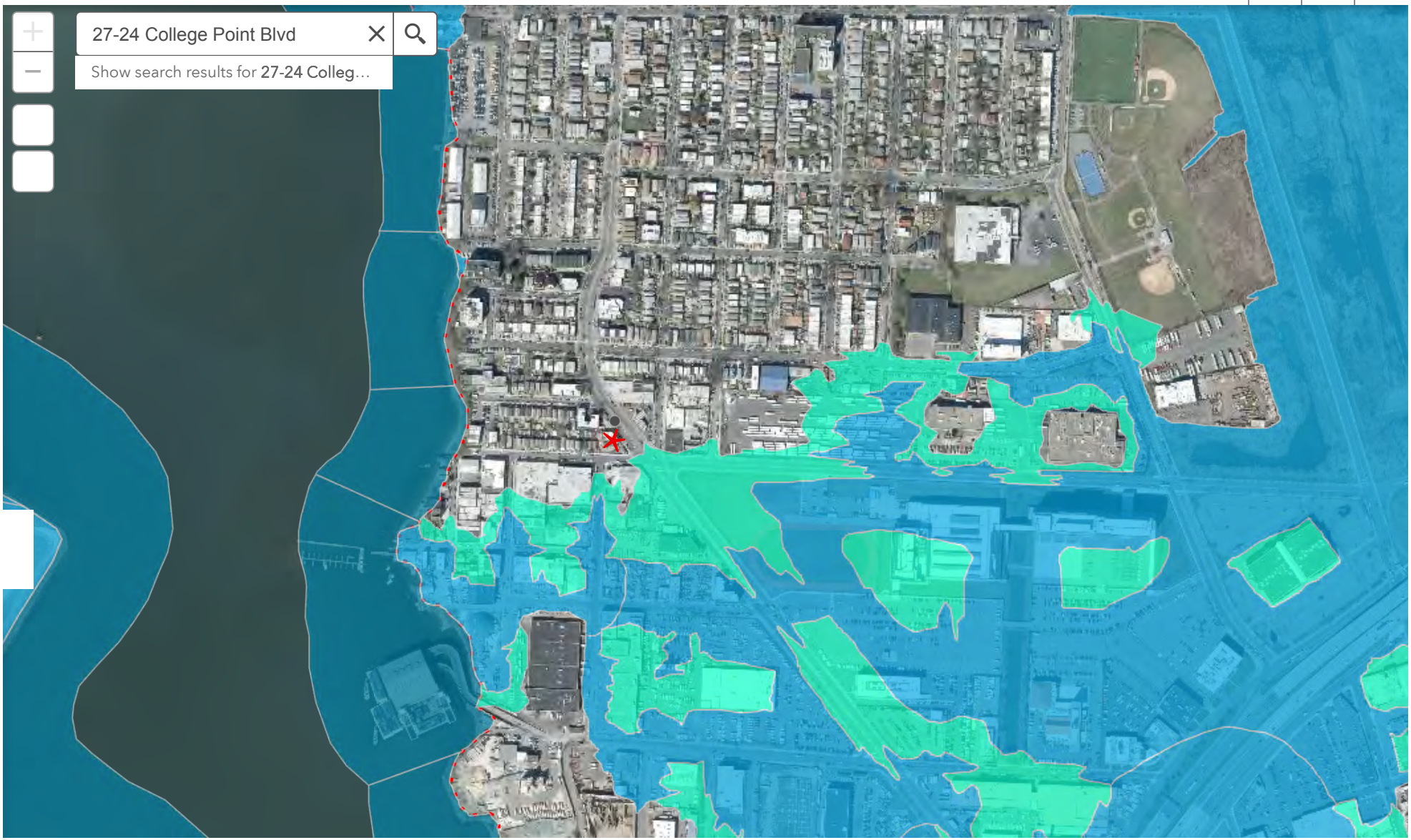
The New York City Panel on Climate Change has projected that, relative to sea levels in the year 2000, sea levels at New York City will have risen 4 to 8 inches in the 2020s, 11 to 21 inches in the 2050s, 18 to 39 inches in the 2080s, and 22 to 50 inches by 2100. These changes will increase the frequency and severity of coastal flooding, expand existing flood zones, and increase base flood elevations at locations within existing flood zones.

As shown in the New York City Flood Hazard Mapper, the proposed rezoning area is expected to be within the 500-year-floodplain by the 2050s and within the 100-year floodplain by 2100. It is not expected to be subject to moderate wave action or to be inundated during high tide at any time through 2100.

The proposed action would facilitate the redevelopment of Queens Block 4292, Lot 12 (27-24 College Point Blvd.) with a one-story, 14'-tall, 2,541 gsf UG 6 eating and drinking establishment (such as a Starbucks, Dunkin', or other coffee or fast food chain franchise) with a drive-through and five accessory parking spaces in the rear. There would be no subsurface level, and the building would be anchored by four-foot-deep pilings. The rooftop would be flat and would be 2,541 sf in size. Critical elements such as utilities either would be located on the roof or could be relocated to the roof as conditions change in the future. The proposed action would be consistent with Policy 6.2.

NYC Flood Hazard Mapper

NYC Department of City Planning



27-24 College Point Boulevard

600ft

-73.855 40.778 Degrees

NOTES TO USERS

This map is for use in administering the National Flood Insurance Program. It does not necessarily identify all areas subject to flooding, particularly from local drainage sources of small size. The **community map repository** should be consulted for possible updated or additional flood hazard information.

To obtain more detailed information in areas where **Base Flood Elevations** (BFEs) and/or **floodways** have been determined, users are encouraged to consult the Flood Profiles and Floodway Data and/or Summary of Stillwater Elevations tables contained within the Flood Insurance Study (FIS) report that accompanies this FIRM. Users should be aware that BFEs shown on the FIRM represent rounded whole-foot elevations. These BFEs are intended for flood insurance rating purposes only and should not be used as the sole source of flood elevation information. Accordingly, flood elevation data presented in the FIS report should be utilized in conjunction with the FIRM for purposes of construction and/or floodplain management.

Coastal Base Flood Elevations (BFEs) shown on this map apply only landward of 0.0' National Geodetic Vertical Datum of 1929 (NGVD 29). Users of this FIRM should be aware that coastal flood elevations are also provided in the Summary of Stillwater Elevations tables in the Flood Insurance Study report for this jurisdiction. Elevations shown in the Summary of Stillwater Elevations tables should be used for construction and/or floodplain management purposes when they are higher than the elevations shown on this FIRM.

Boundaries of the **floodways** were computed at cross sections and interpolated between cross sections. The floodways were based on hydraulic considerations with regard to requirements of the National Flood Insurance Program. Floodway widths and other pertinent floodway data are provided in the Flood Insurance Study report for this jurisdiction.

Certain areas not in Special Flood Hazard Areas may be protected by **flood control structures**. Refer to Section 2.4 "Flood Protection Measures" of the Flood Insurance Study report for information on flood control structures for this jurisdiction.

The **projection** used in the preparation of this map was New York State Plane FIPSZONE 2104. The **horizontal datum** was NAD 83, GRS80 spheroid. Differences in datum, spheroid, projection or State Plane zones used in the production of FIRMs for adjacent jurisdictions may result in slight positional differences in map features across jurisdiction boundaries. These differences do not affect the accuracy of this FIRM.

Flood elevations on this map are referenced to the National Geodetic Vertical Datum of 1929. These flood elevations must be compared to structure and ground elevations referenced to the same **vertical datum**. For information regarding conversion between the National Geodetic Vertical Datum of 1929 and the North American Vertical Datum of 1988, visit the National Geodetic Survey website at http://www.ngs.noaa.gov or contact the National Geodetic Survey at the following address:

NGS Information Services
NOAA, N/NGS12
National Geodetic Survey
SSMC-3, #9202
1315 East-West Highway
Silver Spring, Maryland 20910-3182
(301) 713-3242

To obtain current elevation, description, and/or location information for **bench marks** shown on this map, please contact the Information Services Branch of the National Geodetic Survey at **(301) 713-3242**, or visit its website at http://www.ngs.noaa.gov.

Base map information shown on this FIRM was provided in digital format by the Department of Information Technology and Telecommunication, City of New York. This information was derived from digital orthophotos produced at a scale of 1:1,200 with 2-foot pixel-resolution from photography dated 2004.

Based on updated topographic information, this map reflects more detailed and up-to-date **stream channel configurations and floodplain delineations** than those shown on the previous FIRM for this jurisdiction. As a result, the Flood Profiles and Floodway Data tables in the Flood Insurance Study Report (which contains authoritative hydraulic data) may reflect stream channel distances that differ from what is shown on this map. Also, the road to floodplain relationships for unrevised streams may differ from what is shown on previous maps.

Corporate limits shown on this map are based on the best data available at the time of publication. Because changes due to annexations or de-annexations may have occurred after this map was published, map users should contact appropriate community officials to verify current corporate limit locations.

Please refer to the separately printed **Map Index** for an overview map showing the layout of map panels for this jurisdiction.

Contact the **FEMA Map Service Center** at 1-800-358-9616 for information on available products associated with this FIRM. Available products may include previously issued Letters of Map Change, a Flood Insurance Study report, and/or digital versions of this map. The FEMA Map Service Center may also be reached by Fax at 1-800-358-9620 and its website at http://msc.fema.gov.

If you have **questions about this map** or questions concerning the National Flood Insurance Program in general, please call **1-877-FEMA MAP** (1-877-336-2627) or visit the FEMA website at http://www.fema.gov.

27-24 College Point Blvd



LEGEND

SPECIAL FLOOD HAZARD AREAS SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD

The 1% annual flood (100-year flood), also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. The Special Flood Hazard Area is the area subject to flooding by the 1% annual chance flood. Areas of Special Flood Hazard include Zones A, AE, AH, AO, AR, A99, V, and VE. The Base Flood Elevation is the water-surface elevation of the 1% annual chance flood.

- ZONE A — No Base Flood Elevations determined.
- ZONE AE — Base Flood Elevations determined.
- ZONE AH — Flood depths of 1 to 3 feet (usually areas of ponding); Base Flood Elevations determined.
- ZONE AO — Flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths determined. For areas of alluvial fan flooding, velocities also determined.
- ZONE AR — Special Flood Hazard Area formerly protected from the 1% annual chance flood by a flood control system that was subsequently decertified. Zone AR indicates that the former flood control system is being restored to provide protection from the 1% annual chance or greater flood.
- ZONE A99 — Area to be protected from 1% annual chance flood by a Federal flood protection system under construction; no Base Flood Elevations determined.
- ZONE V — Coastal flood zone with velocity hazard (wave action); no Base Flood Elevations determined.
- ZONE VE — Coastal flood zone with velocity hazard (wave action); Base Flood Elevations determined.

FLOODWAY AREAS IN ZONE AE

The floodway is the channel of a stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without substantial increases in flood heights.

OTHER FLOOD AREAS

- ZONE X — Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood.

OTHER AREAS

- ZONE X — Areas determined to be outside the 0.2% annual chance floodplain.
- ZONE D — Areas in which flood hazards are undetermined, but possible.

COASTAL BARRIER RESOURCES SYSTEM (CBRS) AREAS

OTHERWISE PROTECTED AREAS (OPAs)

CBRS areas and OPAs are normally located within or adjacent to Special Flood Hazard Areas.

- 1% annual chance floodplain boundary
- 0.2% annual chance floodplain boundary
- Floodway boundary
- Zone D boundary
- CBRS and OPA boundary
- Boundary dividing Special Flood Hazard Area Zones and boundary dividing Special Flood Hazard Areas of different Base Flood Elevations, flood depths or flood velocities.
- 513 — Base Flood Elevation line and value; elevation in feet*
- (EL 987) — Base Flood Elevation value where uniform within zone; elevation in feet*

* Referenced to the National Geodetic Vertical Datum of 1929

- Cross section line
- Transect line
- 97°07'45", 32°22'30" — Geographic coordinates referenced to the North American Datum of 1983 (NAD 83), Western Hemisphere
- 4276000 FT — 1000-meter Universal Transverse Mercator grid values, zone 18
- 600000 FT — 5000-foot grid ticks: New York State Plane coordinate system, Long Island zone (FIPSZONE 3104), Lambert Conformal Cone projection
- DX5510 — Bench mark (see explanation in Notes to Users section of this FIRM panel)
- M1.5 — River Mile

MAP REPOSITORY
Refer to listing of Map Repositories on Map Index

INITIAL NFIP MAP DATE:
June 28, 1974

FLOOD HAZARD BOUNDARY MAP REVISIONS
June 17, 1976

FLOOD INSURANCE RATE MAP EFFECTIVE
November 16, 1983

FLOOD INSURANCE RATE MAP REVISIONS:
September 5, 2007 - to change Special Flood Hazard Areas, to reflect updated topographic information, and to update map format.

To determine if flood insurance is available in this community, contact your Insurance agent or call the National Flood Insurance Program at 1-800-638-6620.

MAP SCALE 1" = 500'
250 0 500 1000 FEET
150 0 150 300 METERS

NFIP
NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0113F

FIRM
FLOOD INSURANCE RATE MAP

CITY OF
NEW YORK,
NEW YORK
BRONX, RICHMOND, NEW YORK, QUEENS, AND KINGS COUNTIES

PANEL 113 OF 457

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS

COMMUNITY	NUMBER	PANEL	SUFFIX
NEW YORK, CITY OF	360497	0113	F

Notice to User: The **Map Number** shown below should be used when placing map orders; the **Community Number** shown above should be used on insurance applications for the subject community.

MAP NUMBER
3604970113F

MAP REVISED
SEPTEMBER 5, 2007

Federal Emergency Management Agency

NYC Waterfront Revitalization Program - Policy 6.2 Flood Elevation Workhsheet

COMPLETE INSTRUCTIONS ON HOW TO USE THIS WORKSHEET ARE PROVIDED IN THE "CLIMATE CHANGE ADAPTATION GUIDANCE" DOCUMENT AVAILABLE AT www.nyc.gov/wrp

Enter information about the project and site in highlighted cells in Tabs 1-3. Tab 4, "Summary Charts" contains primary results. Tab 5, "0.2%+SLR" produces charts to be used for critical infrastructure or facilities. Tab 6, "Calculations" contains background computations. Appendix A contains tide elevations for station across the city to be used for the elevation of MHHW if a site survey is not available. Non-highlighted cells have been locked.

Background Information	
Project Name	27-24 College Point Boulevard Commercial Overlay
Location	Block 4292, Lots 10, 11, 12, and 75, within the College Point section of Queens CD 7
Type(s)	☑ Residential, Commercial, Community Facility ☐ Parkland, Open Space, and Natural Areas ☐ Tidal Wetland Restoration ☐ Critical Infrastructure or Facility ☐ Industrial Uses ☐ Over-water Structures ☐ Shoreline Structures ☐ Transportation ☐ Wastewater Treatment/Drainage ☐ Coastal Protection
Description	The proposed action is a Zoning Map Amendment affecting parts of the four lots listed above, which are now divided between R4 and R5B districts. The action would move the boundary between the two districts 35 feet west, enlarging the R5B district by 3,150 sf (to 8,719 sf), and mapping a C2-3 local commercial overlay within the enlarged R5B district. The action would facilitate the redevelopment of the now vacant Lot 12 with a one-story, 14-foot-tall, 2,541 gsf eating and drinking establishment (such as a Starbucks, Dunkin', or other coffee or fast food chain franchise) with a drive-through and five accessory parking spaces. The uses now located on Lots 10, 11, and 75 are expected to remain.
Planned Completion Date	2023
Expected Project Lifespan	to approximately 2021

The New York City Waterfront Revitalization Program Climate Change Adaptation Guidance document was developed by the NYC Department of City Planning. It is a guidance document only and is not intended to serve as a substitute for actual regulations. The City disclaims any liability for errors that may be contained herein and shall not be responsible for any damages, consequential or actual, arising out of or in connection with the use of this information. The City reserves the right to update or correct information in this guidance document at any time and without notice.

For technical assistance on using this worksheet, email wrp@planning.nyc.gov, using the message subject "Policy 6.2 Worksheet."

Last update: Sept. 7, 2018

Establish current tidal and flood heights.

	FT (NAVD88)	Feet	Datum	Source
MHHW	3.62	**3.62**	**NAVD88**	*NOAA Datums for Kings Point Station*
1% flood height	12.00	**12.00**	**NAVD88**	*Flood Hazard Mapper*
Design flood elevation	19.00	**19.00**	**NAVD88**	*NYC Open Data Building Footprint File*
As relevant:				
0.2% flood height	-->			

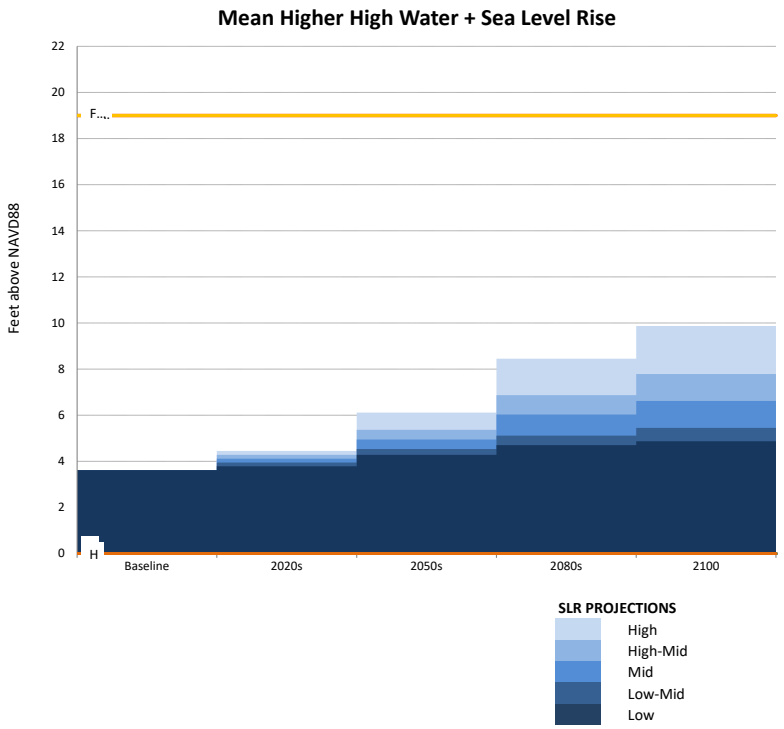
Data will be converted based on the following datums:

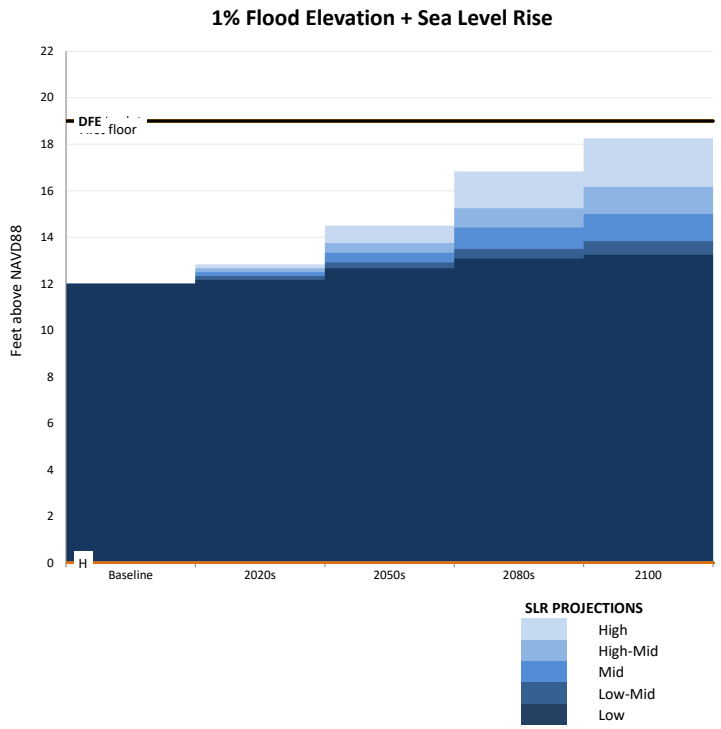
Datum	FT (NAVD88)
NAVD88	*0.00*
NGVD29	*-1.10*
Manhattan Datum	*1.65*
Bronx Datum	*1.51*
Brooklyn Datum (Sewer)	*0.61*
Brooklyn Datum (Highway)	*1.45*
Queens Datum	*1.63*
Richmond Datum	*2.09*

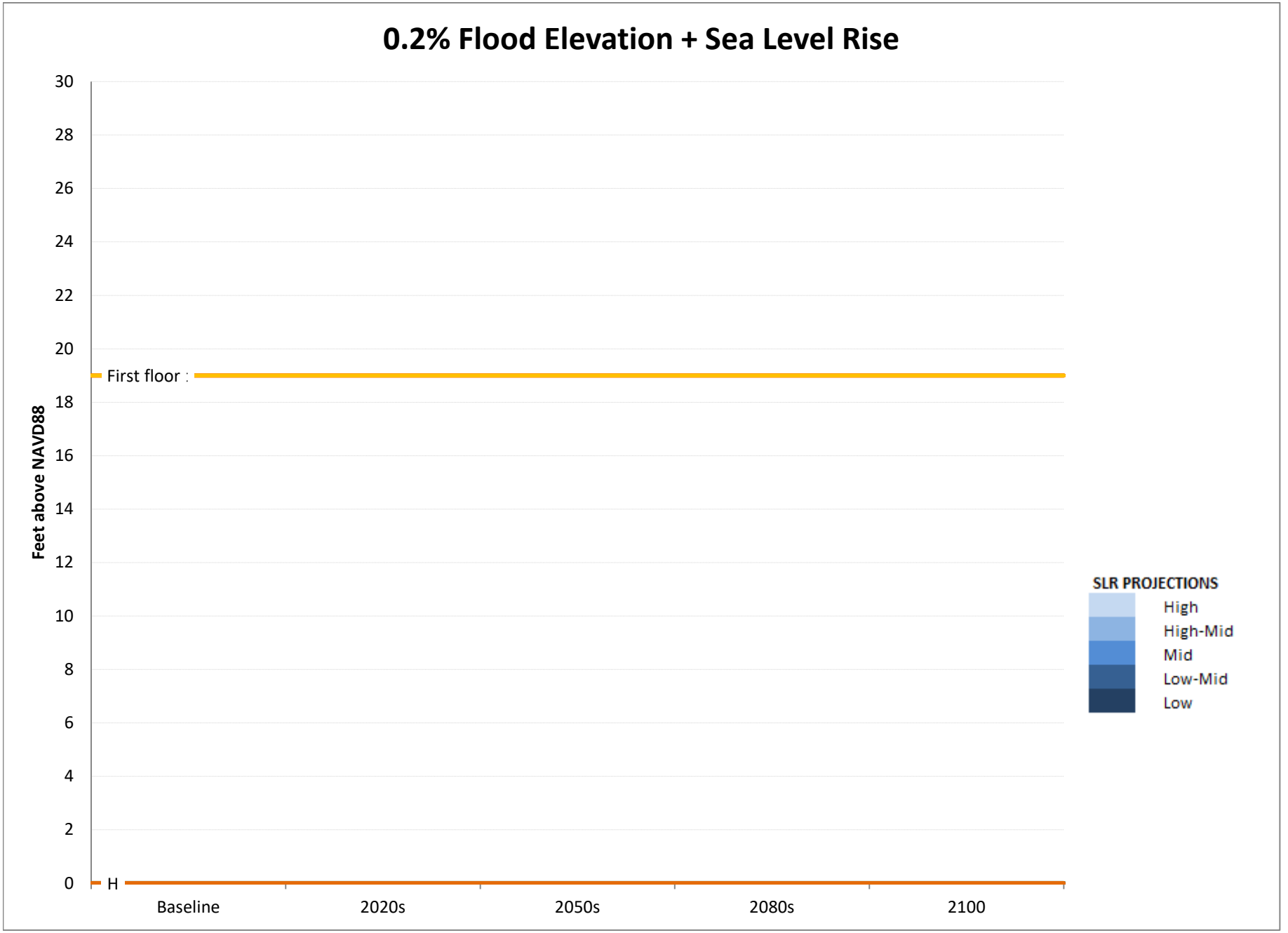
Describe key physical features of the project.

Feature *(enter name)*	Feature Category	Lifespan	Elevation	Units	Datum	Ft	Ft Above NAVD88	Ft Above MHHW	Ft Above 0.2% flood height
Parking lot	☑ Vulnerable ☐ Critical ☐ Potentially Hazardous ☐ Other	2100	19.0	Feet	NAVD88	*19.0*	*19.0*	*15.4*	*#VALUE!*
five surface parking spaces on a paved surface									
First floor	☑ Vulnerable ☐ Critical ☐ Potentially Hazardous ☐ Other	2100	19.0	Feet	NAVD88	*19.0*	*19.0*	*15.4*	*#VALUE!*
Restaurant									
Roof	☐ Vulnerable ☑ Critical ☐ Potentially Hazardous ☐ Other	2100	33.0	Feet	NAVD88	*33.0*	*33.0*	*29.4*	*#VALUE!*
Utlities									
D	☐ Vulnerable ☐ Critical ☐ Potentially Hazardous ☐ Other			Feet	NAVD88				
Description of Planned Uses and Materials									
E	☐ Vulnerable ☐ Critical ☐ Potentially Hazardous ☐ Other			Feet	NAVD88				
Description of Planned Uses and Materials									
F	☐ Vulnerable ☐ Critical ☐ Potentially Hazardous ☐ Other			Feet	NAVD88				
Description of Planned Uses and Materials									
G	☐ Vulnerable ☐ Critical ☐ Potentially Hazardous ☐ Other			Feet	NAVD88				
Description of Planned Uses and Materials									
H	☐ Vulnerable ☐ Critical ☑ Potentially Hazardous ☐ Other			Feet	NAVD88				
Description of Planned Uses and Materials									

Assess project vulnerability over a range of sea level rise projections.






0.2% Flood Elevation + Sea Level Rise
Feet above NAVD88
30
28
26
24
22
20
18
16
14
12
10
8
6
4
2
0
First floor
H
Baseline
2020s
2050s
2080s
2100
SLR PROJECTIONS
High
High-Mid
Mid
Low-Mid
Low

	SLR (ft)					
	Low	**Low-Mid**	**Mid**	**High-Mid**	**High**	
Baseline	0.00	0.00	0.00	0.00	0.00	**2014**
2020s	0.17	0.33	0.50	0.67	0.83	**2020s**
2050s	0.67	0.92	1.33	1.75	2.50	**2050s**
2080s	1.08	1.50	2.42	3.25	4.83	**2080s**
2100	1.25	1.83	3.00	4.17	6.25	**2100**

	MHHW+SLR (ft above NAVD88)				
	Low	**Low-Mid**	**Mid**	**High-Mid**	**High**
Baseline	3.62	3.62	3.62	3.62	3.62
2020s	3.79	3.95	4.12	4.29	4.45
2050s	4.29	4.54	4.95	5.37	6.12
2080s	4.70	5.12	6.04	6.87	8.45
2100	4.87	5.45	6.62	7.79	9.87

	1%+SLR (ft above NAVD88)				
	Low	**Low-Mid**	**Mid**	**High-Mid**	**High**
Baseline	12.00	12.00	12.00	12.00	12.00
2020s	12.17	12.33	12.50	12.67	12.83
2050s	12.67	12.92	13.33	13.75	14.50
2080s	13.08	13.50	14.42	15.25	16.83
2100	13.25	13.83	15.00	16.17	18.25

	0.2%+SLR (ft above NAVD88)				
	Low	**Low-Mid**	**Mid**	**High-Mid**	**High**
Baseline	#VALUE!	#VALUE!	#VALUE!	#VALUE!	#VALUE!
2020s	#VALUE!	#VALUE!	#VALUE!	#VALUE!	#VALUE!
2050s	#VALUE!	#VALUE!	#VALUE!	#VALUE!	#VALUE!
2080s	#VALUE!	#VALUE!	#VALUE!	#VALUE!	#VALUE!
2100	#VALUE!	#VALUE!	#VALUE!	#VALUE!	#VALUE!

	0	1
Parking lot	19	19
First floor	19	19
C	0	0
D	0	0
E	0	0
F	0	0
G	0	0
H	0	0
DFE	19.00	19.00

SLR (in)				
Low	**Low-Mid**	**Mid**	**High-Mid**	**High**
0	0	0	0	0
2	4	6	8	10
8	11	16	21	30
13	18	29	39	58
15	22	36	50	75

NOAA Tide Station Data

(to be used only when a site survey is unavailable)

Station ID	*Station Name*	*Source MHHW (Feet, NAVD88)**	*Adjusted MHHW (Feet, NAVD88)**
8518687	Queensboro Bridge	2.27	2.60
8530095	Alpine	2.11	2.44
8516614	Glen Cove	3.72	4.05
8516990	Willets Point	3.72	4.05
8518639	Port Morris	3.33	3.66
8518699	Williamsburg Bridge	2.14	2.47
8518750	The Battery	2.28	2.61
8531680	Sandy Hook	2.41	2.74
8518490	New Rochelle	3.71	4.04
8531545	Keyport	2.66	2.99
8516891	Norton Point	2.08	2.41
8517201	North Channel	2.72	3.05
8517137	Beach Channel	2.10	2.43
8517756	Kingsborough	2.13	2.46
8519436	Great Kills	2.22	2.55
8531142	Port Reading	2.82	3.15
8519483	Bergen Point	2.56	2.89
8519050	USCG	2.28	2.61
8518902	Dyckman St	2.01	2.34
8517251	Worlds Fair Marina	3.59	3.92
8518668	Horns Hook	2.54	2.87
8518643	Randalls Island	2.60	2.93
8518526	Throggs Neck	3.68	4.01

* MHHW values include an addition 0.33 feet to account for changes in sea level since the 1983-200

Source
NOAA Tides and Currents
NOAA Tides and Currents
NOAA Tides and Currents
NOAA Tides and Currents
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NOAA Tides and Currents

)1 tidal epoch.




Alpine
8530095
New
Rochelle
8518490
Dyckman St
8518902
Glen Cove
8516614
Randalls
Island
8518643
Port
Morris
8518639
Throggs
Neck
8518526
Willets
Point
8516990
Worlds Fair
Marina
8517251
Queensboro
Bridge
8518687
Horns Hook
8518668
Williamsburg
Bridge
8518699
The Battery
8518750
North
Channel
8507201
Norton
Point
8516891
CG
9050
Beach
Channel
8517137
Kingsborough
8517756
Sandy Hook
8531680

APPENDIX C

HISTORIC AND CULTURAL RESOURES

AGENCY CORRESPONDENCE

Landmarks Preservation Commission

1 Centre Street
9th Floor North
New York, NY 10007

Voice (212)-669-7700
Fax (212)-669-7960
http://nyc.gov/landmarks

ENVIRONMENTAL REVIEW

Project number: DEPARTMENT OF CITY PLANNING / LA-CEQR-Q
Project: COLLEGE PT BLVD
Date Received: 6/24/2021

Properties with no Architectural or Archaeological significance:

1) 27-18 COLLEGE POINT BLVD, BBL: 4042920010
2) 27-20 COLLEGE POINT BLVD, BBL: 4042920011
3) 27-24 COLLEGE POINT BLVD, BBL: 4042920012
4) 120-35 28 AVENUE, BBL: 4042920075

Gina Santucci

7/1/2021

SIGNATURE DATE

Gina Santucci, Environmental Review Coordinator

File Name: 35728_FSO_DNP_07012021.docx

APPENDIX D

HAZARDOUS MATERIALS

AGENCY CORRESPONDENCE

Environmental Protection

Rohit T. Aggarwala
Commissioner

Angela Licata
Deputy Commissioner
Sustainability

59-17 Junction Blvd.
Flushing, NY 11373

Tel. (718) 595-4398
alicata@dep.nyc.gov

February 23, 2023

Stacey Barron
Associate Project Manager
Environmental Assessment and Review Division
New York City Department of City Planning
120 Broadway, 31st Floor
New York, New York 10271

Re: 27-24 College Point Boulevard Commercial Overlay
Block 4292, Lots 10, 11, 12 and p/o 75
CEQR # 23DCP106Q

Dear Ms. Barron:

The New York City Department of Environmental Protection, Bureau of Sustainability (DEP) has reviewed the Revised November 2022 Phase II Work Plan (Phase II Work Plan) and the Revised November 2022 Health and Safety Plan (HASP) prepared by EnviroTrac Limited, on behalf of Bacele Realty Corporation, (applicant) for the above referenced project located on the corner of College Point Boulevard and 28th Avenue in the College Point neighborhood of Queens Community District 7. It is our understanding that the applicant is seeking a zoning map amendment from the New York City Department of City Planning (DCP) to rezone Block 4292, Lots 10, 11, 12 and p/o 75 from a R4\R5B zoning district to a R5B/C2-3 zoning district.

The proposed action would facilitate the redevelopment of Block 4292, Lot 12 (Projected Development Site 1) with a new one-story, 2,541 gross square feet (gsf), commercial building to house an eating and drinking establishment with a drive-through and five accessory parking spaces on the rear. The applicant-owned Projected Development Site 1 is currently undeveloped, while the remainder of the project area not controlled by the applicant, Block 4292, Lots 10, 11 and p/o 75 is currently developed with two two-story mixed-use buildings and one two-story residential building. It should also be noted that in the Future With-Action Scenario, Block 4292, Lots 10, 11 and p/o 75 are not expected to be redeveloped.

The November 2022 Phase II Work Plan proposes to install seven soil borings (SB-1 through SB-7), three temporary groundwater monitoring wells (MW-1, MW-2 and MW-3) and five soil vapor probes (SV-1 through SV-5) at the project site. Two soil samples will be collected from each boring. One soil sample will be collected from the 0 to 2 feet below grade surface (bgs) interval and the second sample will be collected from two feet below the proposed maximum excavation depth (estimated at 10 – 12 feet bgs). Additional soil samples may also be collected from each or several test boring(s) if elevated photoionization detector readings and/or visual and olfactory observations are noted during borehole advancement. Fourteen soil samples and three groundwater samples will be collected and analyzed for volatile organic compounds (VOCs) via United States Environmental Protection Agency (EPA) Method 8260, semi-volatile organic compounds (SVOCs) via EPA Method 8270, pesticides via EPA Method 8081, polychlorinated biphenyls (PCBs) via EPA Method 8082 and Target Analyte List (TAL) metals via EPA Methods 6010 and 7471 (filtered and

unfiltered for groundwater samples). Five soil vapor samples will also be collected and analyzed for VOCs via EPA Method TO-15.

Based upon our review of the submitted documentation, we have the following comments and recommendations to DCP:

HASP

- DCP should instruct the applicant to include phone numbers of the Site Supervisor and the Alternate Site Health and Safety Officer in the HASP.

DEP finds the November 2022 Phase II Work Plan and HASP for the proposed investigation acceptable, as long as the aforementioned information is incorporated into the HASP. DCP should inform the applicant that upon completion of the investigation activities, a detailed Phase II report should be submitted for DEP review and approval. The report should include, at a minimum, an executive summary, narrative of the field activities, laboratory data and conclusions, comparison of soil, groundwater and soil vapor analytical results (i.e., New York State Department of Environmental Conservation (NYSDEC) 6 NYCRR Part 375, NYSDEC Water Quality Regulations, and New York State Department of Health's October 2006 Guidance for Evaluating Soil Vapor Intrusion in the State of New York), updated site plans depicting sample locations, boring logs, and remedial recommendations, if warranted.

Future correspondence and submittals related to this project should include the following CEQR # **23DCP106Q.** If you have any questions, you may contact Ms. Cassandra Scantlebury at (718) 595-6756.

Sincerely,

Wei Yu

Wei Yu
Deputy Director, Hazardous Materials

cc: R. Weissbard
T. Estesen
C. Scantlebury
M. Wimbish
S. Shellooe – DCP
E. Ulker Kacar – DCP

Environmental Protection

Rohit T. Aggarwala
Commissioner

Angela Licata
Deputy Commissioner
Sustainability

59-17 Junction Blvd.
Flushing, NY 11373

Tel. (718) 595-4398
alicata@dep.nyc.gov

August 29, 2023

Stacey Barron
Associate Project Manager
Environmental Assessment and Review Division
New York City Department of City Planning
120 Broadway, 31st Floor
New York, NY 10271

Re: 27-24 College Point Boulevard Commercial Overlay
Block 4292, Lots 10, 11, 12, 60, and 75
CEQR # 23DCP106Q

Dear Ms. Barron:

The New York City Department of Environmental Protection, Bureau of Sustainability (DEP) has reviewed the May 2023 Phase II Investigation Report prepared by EnviroTrac Limited, on behalf of Bacele Realty Corporation (applicant) for the above referenced project. It is our understanding that the applicant is seeking a zoning map amendment from the New York City Department of City Planning (DCP) to rezone Block 4292, Lots 10, 11, 12, 60, and 75 from a R4\R5B zoning district to a R5B/C2-3 zoning district to facilitate the redevelopment of Block 4292, Lot 12 (Projected Development Site 1) with a new one-story, 2,541 gross square feet eating and drinking establishment with a drive through and five accessory parking spaces in the rear located on the corner of College Point Boulevard and 28th Avenue in the College Point neighborhood of Queens Community District 7. In the Future With-Action Scenario, Block 4292, Lots 10, 11, 60, and 75 are not expected to be redeveloped.

During the March 2023 fieldwork, seven (7) soil borings (SB-1 through SB-7) were advanced to depths ranging from 15 to 25 feet below grade surface (bgs). Two soil samples were collected from each boring. Soil samples were collected from the 0 to 2 feet bgs and 10 to 12 feet bgs intervals. Additional soil samples were collected from soil boring SB-1 at the 14 to 15 feet bgs and 20 to 21 feet bgs intervals, from soil boring SB-3 at the 14 to 15 feet bgs interval, and from soil boring SB-4 at the 20 to 21 feet bgs interval. Three (3) temporary groundwater monitoring wells (MW-1 through MW-3) were installed and three (3) groundwater samples were collected. Soil and groundwater samples were analyzed for volatile organic compounds (VOCs) by United States Environmental Protection Agency (EPA) Method 8260, semivolatile organic compounds (SVOCs) by EPA Method 8270, pesticides by EPA Method 8081, polychlorinated biphenyls (PCBs) by EPA Method 8082, and Target Analyte List metals by EPA Methods 6010/7471. Four (4) additional soil samples collected from borings SB-1, SB-3, and SB-4 were analyzed for VOCs by EPA

Method 8260 only. Five (5) soil vapor samples (SV-1 through SV-5) were collected and analyzed for VOCs by EPA Method TO-15.

The soil analytical results revealed that PCBs were either non-detect (ND) or below their New York State Department of Environmental Conservation (NYSDEC) 6 NYCRR Part 375 Unrestricted Use Soil Cleanup Objectives (SCOs). Several VOCs (1,2,4-trimethylbenzene, 1,3,5-trimethylbenzene, acetone, benzene, ethylbenzene, methyl ethyl ketone, naphthalene, n-butylbenzene, n-propylbenzene, o-xylene, toluene), several SVOCs (benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(k)fluoranthene, chrysene, dibenz(a,h)anthracene, dibenzofuran, and indeno(1,2,3-cd)pyrene), several pesticides (4,4'-DDE, 4,4'-DDT, aldrin, and dieldrin), and several metals (lead and mercury) were detected above their NYSDEC 6 NYCRR Part 375 Unrestricted Use SCOs, Restricted Residential Use SCOs, and/or Commercial Use SCOs.

The groundwater analytical results revealed that pesticides and PCBs were either ND or below their NYSDEC Technical and Operational Guidance Series (TOGS) 1.1.1 Class GA Ambient Water Quality Standards and Guidance Values. Several VOCs (1,2,4-trimethylbenzene, 1,3,5-trimethylbenzene, benzene, ethylbenzene, isopropylbenzene, naphthalene, n-butylbenzene, n-propylbenzene, o-xylene, p-isopropyltoluene, sec-butylbenzene, toluene), one SVOC (2-methylphenol), and several metals (barium, iron, lead, magnesium, manganese, mercury, nickel, and sodium) were detected above their NYSDEC TOGS 1.1.1 Class GA Ambient Water Quality Standards and Guidance Values.

The soil vapor analytical results revealed that several VOCs (2-hexanone, 4-ethyltoluene, acetone, benzene, cyclohexane, ethanol, ethylbenzene, heptane, hexane, isopropyl alcohol, m&p-xylene, methyl ethyl ketone, o-xylene, propylene, tetrachloroethene (PCE), and toluene) were detected. Benzene was detected at concentrations up to 57,500 $\mu g/m^3$, cyclohexane was detected at concentrations up to 128,000 $\mu g/m^3$, ethylbenzene was detected at concentrations up to 8,290 $\mu g/m^3$, heptane was detected at concentrations up to 272,000 $\mu g/m^3$, hexane was detected at concentrations up to 1,420,000 $\mu g/m^3$, m&p-xylene was detected at concentrations up to 9,070 $\mu g/m^3$, PCE was detected at concentrations up to 256 $\mu g/m^3$, and toluene was detected at concentrations up to 20,000 $\mu g/m^3$.

Based upon our review of the submitted documentation, we have the following comments and recommendations to DCP:

- Based on the contamination identified, DEP recommends that an (E) Designation for hazardous materials should be placed on the zoning map pursuant to Section 11-15 of the New York City Zoning Resolution for Projected Development Site 1. The (E) Designation will ensure that testing and mitigation will be provided as necessary before any future development and/or soil disturbance. Further hazardous materials assessments should be coordinated through the Mayor's Office of Environmental Remediation. The Environmental Assessment Statement should also be revised as appropriate to incorporate the placement of the (E) Designation.

Future correspondence and submittals related to this project should include the following CEQR # **23DCP106Q**. If you have any questions, you may contact me at (718) 595-4358.

Sincerely,

Wei Yu

Wei Yu
Deputy Director, Hazardous Materials

c: R. Weissbard
T. Estesen
M. Wimbish
S. Shellooe – DCP
E. Ulker Kacar – DCP
M. Bertini – OER