



Department of
Housing Preservation
& Development
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100 Gold Street
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NEGATIVE DECLARATION

December 22, 2023

Project Identification

Locations: 409-413 East 120th Street (Block 1808, Lots 1,8, and 7501)

CEQR No.: 23HPD033M

ULURP No.: TBD

SEQRA Classification: Unlisted

Name and Description of Proposed Action

The Beacon Harlem:

The New York Department of Housing and Preservation (HPD), on behalf of The Community Builders Inc., the project sponsor, is requesting several discretionary actions including: a zoning map amendment, a zoning text amendment pursuant to MIH, the disposition of City-owned property, the designation of the Project Site (Manhattan Block 1808 Lot 8) as an Urban Development Action Area Project (UDAAP), and a change in the City Map (collectively, the “Proposed Actions”).

The proposed zoning map amendment would rezone portions of Block 1808 Lots 1, 8, and 7501 (the “Project Area”) from R7X and R7-2 to R8. The proposed zoning text amendment to Appendix F of the New York City Zoning Resolution (ZR) would establish a Mandatory Inclusionary Housing (MIH) area coterminous with the Project Area. The proposed change to the City Map would demap a portion of East 120th Street between 1st Avenue and 365 feet east of 1st Avenue. As a result of the change in the City Map, the existing R7X zoning district boundary mapped to the centerline of East 120th Street would be adjusted to the new centerline of East 120th Street. The Proposed Rezoning Area’s eastern boundary would be located approximately 365 feet east of First Avenue, the western boundary approximately 100 feet east of First Avenue, the northern boundary approximately 185 feet north of Lot 8’s southern property line, and the southern boundary would be the new street centerline of East 120th Street.

Approval of the Proposed Actions would facilitate the rehabilitation of an existing community center and the development of a new 21-story affordable housing building on the Project Site in the East Harlem neighborhood of Manhattan Community District (CD) 11. Renovation of the existing five-story community facility building would add an additional story which would include an educational greenhouse, rooftop basketball court, and community recreation space. The proposed residential building would be a 21-story (215-foot-tall not including mechanical equipment) 262,873 gross-square-foot (gsf) building containing approximately 274 affordable dwelling units (DUs) (the “Proposed Project”). In addition, approval of the Proposed Actions would result in the renovation of the 80,290 five-story gsf existing community facility building. The renovated six-story 65,860 gsf community facility building (the “East Harlem Multi-Service Center or EHMSC”) would incorporate a rooftop greenhouse, community recreation space. Finally, the Proposed Project would include a landscaped corridor that would connect East 120th Street to the Wagner Houses campus to the north.



According to the Environmental Assessment Statement (EAS) dated November 3, 2023, the Proposed Development would be constructed in a single phase and is expected to be completed and operational by 2026. Absent approval of the Proposed Actions, the EAS assumes the continuation of existing conditions on the Project Site.

The proposed project would be constructed in conformance with the following provisions in order to ensure there are no significant adverse impacts. The provisions are as follows:

Hazardous Materials

A Phase I Environmental Site Assessment was prepared by ALC Environmental in June 2022. ALC Environmental concluded that there is one recognized environmental condition (REC) due to a tank vault in the basement of the subject building. ALC reported that the tank vault contains two, active 10,000-gallon No. 2 fuel oil tanks. The tank vault is inaccessible allowing no visual evaluation of the tanks. Therefore, ALC recommended a tightness test be conducted on the tank system (tanks and the pipe system) to assess the integrity of the onsite tank.

The project sponsor will conduct a tightness test of the tank system. If the tank fails the test or if leakage is discovered, a Phase II Work Plan would be submitted for DEP review and approval, and the project sponsor would prepare a Phase II Environmental Site Assessment in accordance with the approved Work Plan. If warranted, a Remedial Action Plan would be submitted for DEP review and approval. These provisions will be required through the Land Disposition Agreement and/or Regulatory Agreement between HPD and the project sponsor.

With these measures in place, no significant adverse impacts related to hazardous materials would be expected to occur as a result of the Proposed Actions and resultant development.

Historic and Cultural Resources

In a letter dated October 27, 2022, Landmarks Preservation Commission (LPC) confirmed that none of the lots comprising the Project Area contain any architecturally or archaeologically significant resources. Therefore, the Proposed Actions and associated RWCDs would not have the potential to result in any direct significant adverse archaeological impacts.

However, as the Project Area is located within 90 feet of the S/NR-listed East Harlem Historic District, construction facilitated by the Proposed Actions would be subject to the New York City Department of Buildings (DOB)'s Technical Policy and Procedure Notice (TPPN) #10/88 and require a Construction Protection Plan. The LDA between HPD and the Project Sponsor will require the Construction Protection Plan be provided to LPC for review and approval prior to any work in the Project Area. As such, no construction-related impacts on historic resources would occur as a result of the Proposed Actions.

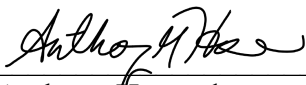
Statement of No Significant Effect:

Pursuant to the CEQR rules adopted on June 6, 1991, Executive Order 91, HPD has completed its technical review of an EAS dated November 3, 2023 and has determined that the proposed actions will have no significant effect on the quality of the environment.

Supporting Statement:

The measures related to Hazardous Materials and Historic and Cultural Resources described above would be implemented in connection with construction and/or the operation of the proposed project and would be required through the Land Disposition Agreement and/or Regulatory Agreement between HPD and the project sponsor, The Community Builders Inc.

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

	12/21/2023
Anthony Howard	Date
Director, Environmental Planning	
Division of Building and Land Development Services (BLDS)	
NYC Department of Housing Preservation and Development	