DEPARTMENT OF CITY PLANNING
CITY OF NEW YORK

ENVIRONMENTAL ASSESSMENT AND REVIEW DIVISION

Marisa Lago, *Director*
Department of City Planning

October 15, 2019

Roy Pomerantz
Woodside Equities LLC c/o Regent Baby Products Corp.
182-20 Liberty Avenue
Jamaica, NY 11412

Re: 52nd Street Rezoning
CEQR No. 18DCP020Q
ULURP No(s). C180154ZMQ, N180155ZRQ
Queens, Community District 02

Dear Mr. Pomerantz,

Under City Environmental Quality Review, the lead agency is required to determine whether a proposed action may or will not have a significant effect on the environment. In accordance with this regulation, the City Planning Commission had determined that the proposed actions will not have a significant effect on the environment.

Enclosed is the Negative Declaration for CEQR No. 18DCP020Q, 52nd Street Rezoning, including supporting statements for the finding that the proposed action will not have a significant effect. The Negative Declaration was issued on October 15, 2019.

Sincerely,

Olga Abinader

cc: Project File
Marisa Lago, Chair
City Planning Commissioners
Raju Mann, City Council
Hon. Melinda Katz, Queens Borough President
Queens Community District 2

Olga Abinader, *Director*
Stephanie Shellooe, AICP, *Deputy Director*
120 Broadway, 31st Floor, New York, N.Y. 10271
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Project Name: 52nd Street Rezoning
CEQR #: 18DCP020Q
SEQRA Classification: Unlisted

NEGATIVE DECLARATION (Use of this form is optional)

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 project. 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 project would not have a significant adverse impact on the environment.

Reasons Supporting this Determination

The above determination is based on information contained in this EAS, which finds the proposed actions sought before the City Planning Commission would have no significant effect on the quality of the environment. Reasons supporting this determination are noted below.

Hazardous Materials, Air Quality and Noise:
An (E) designation (E-497) for hazardous materials, air quality and noise has been incorporated into the proposed actions. Refer to Appendix 1: "(E) Designation", attached to this Determination of Significance, for a list of sites affected by the (E) designation and applicable (E) designation requirements. The analysis conducted for hazardous materials, air quality and noise conclude that with the (E) designation requirements in place, the proposed actions would not result in significant adverse impacts to hazardous materials, air quality and noise.

Land Use, Zoning, and Public Policy:
A Land Use, Zoning and Public Policy analysis is included in this EAS. The Proposed Action involves a Zoning Map Amendment from R5B to R7A with a C2-3 commercial overlay and Zoning Text Amendment to Appendix F of the Zoning Resolution to map a new Mandatory Inclusionary Housing area on Block 1321, Lots 7, 10, 12, 15, 16, 17 and portions of Lots 1, 19, 55, 57 and 58. The requested actions would facilitate the development of a new nine-story mixed-use residential development with 68 dwelling units and 15,000 square feet of commercial space. The analysis concludes that no significant adverse impacts related to Land Use, Zoning and Public Policy would result from the proposed actions.

Open Space:
A detailed analysis of the effects of the proposed actions on Open Space was included in this EAS. A significant adverse open space impact may occur if a proposed action would reduce the open space ratio by more than five percent in areas that are currently below the CIty's median community district open space ratio 1.5 acres per 1,000 residents. In areas that are extremely lacking in open space, a reduction as little as one percent may be considered significant. As a result of the proposed actions, the total residential study area open space ratio would decrease by 0.57 percent to 0.186 acres per 1,000 residents. Therefore, the proposed project would not result in a significant adverse impact related to open space.

Urban Design and Visual Resources:
A assessment related to urban design and visual resources is included in the EAS. In the future with the proposed actions, the visual appearance within the primary study area and development site would change; however, this change would not meet the 2014 CEQR Technical Manual threshold for a significant adviser urban design impact in that it would not alter the arrangement, appearance, or functionality of the primary study area such that the alteration would negatively affect a pedestrian's experience of the area. The analysis concludes that the proposed actions would not result in significant adverse impacts to urban design or visual resources.

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 Alexander McClean at (212) 720-3429.

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TITLE Director, Environmental Assessment and Review Division	LEAD AGENCY Department of City Planning, acting on behalf of the City Planning Commission 120 Broadway, 31st Fl. New York, NY 10271 | (212) 720-3493
NAME Olga Abinader	DATE October 11, 2019
SIGNATURE	
TITLE Chair, City Planning Commission	
NAME Marisa Lago	DATE October 15, 2019
SIGNATURE	

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Appendix 1: (E) Designations

To ensure that there would be no significant adverse hazardous material, air quality or noise impacts associated with the proposed project, an E designation (E-497) will be placed on the project sites as follows:

Hazardous Material

The E designation requirements related to hazardous materials would apply to:

Projected Development Site 2:
Block 1321, Lot 7

Projected Development Site 3:
Block 1321, Lot 19

The E designation language related to hazardous materials is as follows:

Task 1
The fee owners of the lot restricted by this (E) designation will be required to prepare a scope of work for any soil, gas, or groundwater sampling and testing needed to determine if contamination exists, the extent of the contamination, and to what extent remediation may be required. The scope of work will include all relevant supporting documentation, including site plans and sampling locations. This scope of work will be submitted to the
OER for review and approval prior to implementation. It will be reviewed to ensure that an adequate number of samples will be collected and that appropriate parameters are selected for laboratory analysis.
No sampling program may begin until written approval of a work plan and sampling protocol is received from the OER. The number and location of sample sites should be selected to adequately characterize the type and extent of the contamination, and the condition of the remainder of the site. The characterization should be complete enough to determine what remediation strategy (if any) is necessary after review of the sampling data. Guidelines and criteria for choosing sampling sites and performing sampling will be provided by OER upon request.

Task 2
A written report with findings and a summary of the data must be presented to OER after completion of the testing phase and laboratory analysis for review and approval. After receiving such test results, a determination will be provided 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 necessary according to test results, a proposed remediation plan must be submitted to OER for review and approval. The fee owners of the lot restricted by this
(E) designation must perform such remediation as determined necessary by OER. After completing the remediation, the fee owners of the lot restricted by this (E) designation should provide proof that the work has been satisfactorily completed.

An OER-approved construction-related health and safety plan would be implemented during excavation and construction activities to protect workers and the community from potentially

significant adverse impacts associated with contaminated soil and/or groundwater. This Plan would be submitted to OER for review and approval prior to implementation.

Air Quality

The E designation requirements related to air quality would apply to:

Projected Development Site 1:
Block 1321, Lots 12, 15, 16 and 17

Projected Development Site 4:
Block 1321, Lot 10

The E designation language related to air quality is as follows:

Any new residential or commercial development on the above-referenced property must exclusively use natural gas as the type of fuel for heating, ventilating, air conditioning (HVAC) and hot water system to avoid any potential significant adverse air quality impacts.

Noise

The E designation requirements related to noise would apply to:

Projected Development Site 1:
Block 1321, Lots 12, 15, 16 and 17

Projected Development Site 2:
Block 1321, Lot 7

Projected Development Site 3:
Block 1321, Lot 19

Projected Development Site 4:
Block 1321, Lot 10

The E designation language related to noise is as follows:

Block 1321, Lots 12, 15, 16, and 17 (Projected Development Site 1): In order to ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed-window condition with a minimum of 28 dB(A) window/wall attenuation on all facades facing south (Queens Boulevard) and 33 dB(A) of attenuation on all facades facing east (53rd Street), north (Roosevelt Avenue), and west (52nd Street) for floors at or below the third floor (30 ft) and 35 dB(A) of attenuation for floors above the third floor (30 ft) to maintain an interior noise level of 45 dB(A). To maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, air conditioning.

Block 1321, Lot 7 (Projected Development Site 2): In order to ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed-window condition with a minimum of 28 dB(A) window/wall attenuation on all building's facades in order to maintain an interior noise level of 45 dB(A). In order to maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, central air conditioning or air conditioning sleeves containing air conditioners.

Block 1321, Lot 19 (Projected Development Site 3): In order to ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed-window condition with a minimum of 33 dB(A) window/wall attenuation on all building's facades for floors at or below the third floor (30 ft) and 35 dB(A) of attenuation for floors above the third floor (30 ft) in order to maintain an interior noise level of 45 dB(A). In order to maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, central air conditioning or air conditioning sleeves containing air conditioners.

Block 1321, Lot 10 (Projected Development Site 4): In order to ensure an acceptable interior noise environment, future residential/community facility uses must provide a closed-window condition with a minimum of 28 dB(A) window/wall attenuation on all building's facades in order to maintain an interior noise level of 45 dB(A). In order to maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, central air conditioning or air conditioning sleeves containing air conditioners.