NYC PLANNING

ENVIRONMENTAL ASSESSMENT AND REVIEW DIVISION

Marisa Lago, *Director*
Department of City Planning

79 Arverne Development LLC
c/o Jay Segal
Greenberg Traurig, LLP
200 Park Avenue
New York, NY 10166

Re:	**Beach 79 Self Storage Rezoning**
CEQR No.	20DCP138Q
ULURP No(s).	**C**200299ZMQ
SEQRA Classification:	Type I
Queens Community District:	QN14

Dear Jay Segal,

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

Enclosed is the Negative Declaration for CEQR No. 20DCP138Q, Beach 79 Self Storage Rezoning, including supporting statements for the finding that the proposed actions would not have a significant adverse impact on the environment. The Negative Declaration was issued on 6/7/2021.

Sincerely,

Stephanie Shellooe, AICP, Deputy Director — June 7, 2021 (Date)

cc: Project File
Marisa Lago, Chair
City Planning Commissioners
Raju Mann, Director, City Council Land Use Division
Donovan Richards, Queens Borough President
Queens Community Board QN14

Olga Abinader, *Director,* (212) 720-3493 | oabinad@planning.nyc.gov
Stephanie Shellooe, AICP, *Deputy Director,* (212) 720-3328 | sshellooe@planning.nyc.gov
120 Broadway, 31st Floor, New York, N.Y. 10271 | Fax: (212) 720-3488

NEGATIVE DECLARATION

Statement of No Significant Effect

Pursuant to Executive Order 91 of 1977, as amended, and the Rules of Procedure for City Environmental Quality Review, found at Title 62, Chapter 5 of the Rules of the City of New York and 6 NYCRR, Part 617, State Environmental Quality Review, the Department of City Planning acting on behalf of the City Planning Commission assumed the role of lead agency for the environmental review of the proposed actions. Based on a review of information about the project contained in this environmental assessment statement (EAS) and any attachments hereto, which are incorporated by reference herein, the lead agency has determined that the proposed actions would not have a significant adverse impact on the environment.

Reasons Supporting this Determination

The above determination is based on information contained in this EAS, which finds the proposed actions sought before the City Planning Commission would not have a significant adverse impact on the environment. Reasons supporting this determination are noted below.

Land Use, Zoning, and Public Policy

A detailed analysis of land use, zoning, and public policy is included in the EAS. The applicant, 79 Arverne Development LLC, seeks a zoning map amendment for the project area to modify the underlying zoning district from M1-1 to M1-2 in the Arverne neighborhood of Queens Community District 14. The proposed rezoning to an M1-2 district would facilitate a new self-storage facility that would not be permitted in the existing M1-1 district. In the future with the proposed actions, the project site (Block 16100, Lots 14, 16, and 18) will comprise two buildings. Building A (Block 16100, Lot 14) would remain in its existing condition, housing approximately 34,541 gross square foot (gsf) of light industrial uses, and a new building, Building B (Block 16100, Lots 16 and 18), would be constructed as an approximately 146,000 gsf self-service storage facility. The project area is bounded by an imaginary line located 80 feet west of and parallel to Beach 77th Street to the east, the Pierhead/Bulkhead line of the Barbadoes Basin of Jamaica Bay to the north, an imaginary line located 200 feet to the east of, and parallel to, Beach 80th Street to the west, and the centerline of Rockaway Freeway to the south. The proposed project would result in similar development as compared to the No-Action condition and would be constructed as-of-right in the proposed M1-2 zoning district. The proposed rezoning area is located within the coastal zone, and the proposed action would be consistent with all applicable policies of the Waterfront Revitalization Program (WRP # 18-091). The proposed actions would not result in significant adverse land use, zoning, or public policy impacts.

Shadows

A detailed analysis related to shadows is included in this EAS. The shadows screening analysis identified a total of four sunlight sensitive resources that are wholly or partially within the shadow study area, including two open space resources and two natural resources. The shadows analysis indicates that the proposed project could cast incremental shadows on Barbadoes Basin for up to 6 hours, 2 minutes on the December 21 analysis period, and on Brandreth Creek for up to 1 hour, 56 minutes on the March 21/September 21 analysis period. However, the analysis findings demonstrate that the usability and viability of each resource, both as a natural ecosystem and public recreation area, would not be jeopardized as a result of project-generated incremental shadows; and that large portions of the basin and creek, which are connected, would remain sunlit during the incremental shadow durations. Therefore, the proposed actions would not result in significant adverse shadow impacts.

Natural Resources

An analysis related to natural resources is included in this EAS. The analysis indicates that the With-Action condition would be compatible with the existing ecological conditions that occur within the project area and much of the surrounding area. The results also show that benefits would be achieved under the With-Action condition, including increased area of vegetated waterfront communities, increased native plant diversity, improved habitat opportunities for wildlife, a reduction in impervious surfaces, and a reduction in non-native/invasive plant species along the waterfront area. Adverse impacts to wetlands and surface waters are not anticipated, and based on the shadows analysis results, no adverse shading impacts are anticipated for protected and/or special-status species. The With-Action condition would further create a vegetated shoreline buffer between developed portions of the project area and Barbadoes Basin, and stormwater from the project area would be captured without conveyance to either water body. The proposed actions would also be subject to NYSDEC permitting conditions designed to protect Barbadoes Basin and Brandreth Creek from potential adverse impacts. Therefore, the proposed actions would not result in significant adverse impacts to natural resources.

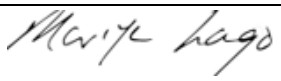
Hazardous Materials and Air Quality

An (E) designation (E-624) related to hazardous materials and air quality would be established as part of the approval of the proposed actions. Refer to "Determination of Significance Appendix: (E) designation" for the applicable (E) designation requirements. The hazardous materials and air quality analyses conclude that with the (E) designation in place, the proposed actions 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 at +1 212-720-3419.

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 | 212.720.3493
NAME Olga Abinader	DATE June 4, 2021
SIGNATURE	

Project Name: Beach 79 Self Storage Rezoning
CEQR # 20DCP138Q
SEQRA Classification: Type I

TITLE Chair, City Planning Commission	
NAME Marisa Lago	DATE June 7, 2021
SIGNATURE 	

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Determination of Significance Appendix

The Proposed Action(s) were determined to have the potential to result in changes to development on the following site(s):

Development Site	Borough	Block and Lot
Projected Development Site 1	Queens	Block 16100, Lots 14, 18, and 20

(E) Designation Requirements

To ensure that the proposed actions would not result in significant adverse impacts related to hazardous materials and air quality, an (E) designation (**E-624**) would be established as part of approval of the proposed actions 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.

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Air Quality

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

> ***Projected Development Site 1, Block 16100, Lot 14 (Building A):*** *Any new light manufacturing development on the above-referenced property must ensure that the heating, ventilating, and air conditioning (HVAC) systems and hot water equipment stack is located at the highest tier or at least 35 feet above to avoid any potential significant adverse air quality impacts.*
>
> ***Projected Development Site 1, Block 16100, Lots 18 and 20 (Building B):*** *Any new self-storage development on the above-referenced property must ensure that the heating, ventilation, and air conditioning (HVAC) systems and the hot water equipment stack is located at the highest tier or at least 107 feet above to avoid any potential significant adverse air quality impacts.*