22HPD058Q

South Jamaica Gateway

Environmental Assessment Statement (EAS)

PREPARED FOR

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NYC Department of Housing Preservation and Development

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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* South Jamaica Gateway Rezoning and UDAAP

3. *Reference Numbers*

CEQR REFERENCE NUMBER (to be assigned by lead agency)	BSA REFERENCE NUMBER (if applicable)
22HPD058Q	
ULURP REFERENCE NUMBER (if applicable)	OTHER REFERENCE NUMBER(S) (if applicable) (*e.g.*, legislative intro, CAPA)

4a. *Lead Agency Information*			**4b. *Applicant Information***		
NAME OF LEAD AGENCY New York City Department of Housing Preservation and Development			NAME OF APPLICANT Fulcrum Properties LLC; The Briarwood Organization, LLC; and Moses Sole Realty LLC; NYC Department of Housing Preservation and Development (NYC HPD)		
NAME OF LEAD AGENCY CONTACT PERSON Anthony Howard Director of Environmental Planning			NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON Jack Heaney		
ADDRESS 100 Gold Street			ADDRESS 153 E 96th Street, 1A		
CITY NY	STATE NY	ZIP 10038	CITY NY	STATE NY	ZIP 10128
TELEPHONE (212) 863-7248	EMAIL howarda@hpd.nyc.gov		TELEPHONE 917-903-0742	EMAIL jack@fulcrumprop.com	

5. *Project Description*

The Applicant, Fulcrum Properties, LLC; The Briarwood Organization LLC; and Moses Sole Realty LLC, along with NYC HPD, are seeking discretionary actions to facilitate the development of two mixed-use residential and community facility buildings a total of approximately 143 affordable housing units, plus two units for superintendents in the South Jamaica neighborhood of Queens Community District 12 (the Proposed Project).

Development Site A, located at 106-01 Guy R. Brewer Boulevard (Block 10161, Lots 1, 3 and 9), would contain a nine-story mixed use building with approximately 58,586 gross square feet (gsf) of floor area including approximately 79 Affordable Independent Residences for Seniors (AIRS) (including one superintendent unit) and approximately 4,353 gsf of community facility space for the faith-based Godian Fellowship.

Development Site B, located at 162-02 Tuskegee Airmen Way (Block 10129, Lots 1, 3 and 4), would contain a nine-story mixed use building with approximately 64,885 gsf of floor area, including approximately 66 dwelling units (one of which is a superintendent unit), including 20 units in compliance with Option 2 of the Mandatory Inclusionary Housing (MIH) program, and approximately 11,949 gsf of community facility space for the non-profit Thomas White Jr. Foundation. In addition, 16 parking spaces would be provided on site.

The Applicant is seeking a zoning map amendment from R5D, R4, R5B and R5D/C1-4 to R7A/C1-4 of portions of block fronts containing Blocks 10129, Lots 1, 3, portion of 68, 69, de minimus portions of Lots 13 and 14; and Block 10129, Lots 1, 3, 4, 6, 7, 9, 10, and 11 (the Rezoning Area), a zoning text amendment to establish the Rezoning Area as a MIH area, the establishment of an Urban Development Action Area (UDAA) and Urban Development Action Area Program (UDAAP), disposition of two City-owned lots through the UDAAP (Block 10161, Lots 3 and 9), and Senior Affordable Rental Apartments (SARA), Neighborhood Construction Program (NCP), and Low Income Housing Tax Credit (LIHTC) financing. Together, these are the Proposed Actions for the Proposed Project. The Proposed Actions would facilitate the development of two nine-story buildings with 143 units, plus two units for superintendents (up to 150 units) and

updated community facility space for Godian Fellowship and the Thomas White Jr. Foundation, as described above.

Project Location

BOROUGH Queens	COMMUNITY DISTRICT(S) 12	STREET ADDRESS 162-02 Tuskegee Airmen Way and 106-01 Guy R. Brewer Blvd
TAX BLOCK(S) AND LOT(S) Block 10161, Lots 1, 3, 9, portion of 68, 69, de minimus portions of Lots 13 and 14; and Block 10129, Lots 1, 3, 4, 6, 7, 9, 10, and 11		ZIP CODE 11433

DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS The two Development Sites are located along the block front along Tuskegee Airmen Way. Bounded by Tuskegee Airmen Way to the north, 164th Street to the east, interior blocks to the south, and Union Hall Street to the west.

EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY	ZONING SECTIONAL MAP NUMBER 14d
R5D/C1-4, R4, R5B, and R5D	

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	☐ FUNDING OF CONSTRUCTION, specify:
☐ RULEMAKING	☐ POLICY OR PLAN, specify:
☐ CONSTRUCTION OF PUBLIC FACILITIES	☐ FUNDING OF PROGRAMS, specify:
☐ 384(b)(4) APPROVAL	☐ PERMITS, specify:

☒ OTHER, explain: Senior Affordable Rental Apartments ("SARA"), Neighborhood Construction Program ("NCP") and Low Income Housing Tax Credit ("LIHTC") financing through HPD

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.): Development Site A: 10,314 Development Site B: 10,416 — Waterbody area (sq. ft) and type:

Roads, buildings, and other paved surfaces (sq. ft.): Development Site A: — Other, describe (sq. ft.):

10,314
Development Site B: 10,416

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): 123,471 gsf

NUMBER OF BUILDINGS: 2

GROSS FLOOR AREA OF EACH BUILDING (sq. ft.): Development Site A: 58,586 gsf ; Development Site B: 64,885 gsf

HEIGHT OF EACH BUILDING (ft.): 95

NUMBER OF STORIES OF EACH BUILDING: 9

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:

Development Site A: 10,314
Development Site B: 10,416

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

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: Dev Site A- 5,647 sf, Dev Site B- 10,806 sf (two cellar areas) sq. ft. (width x length)

VOLUME OF DISTURBANCE: 56,470 (Dev Site A), 118,866 (Dev Site B- already disturbed) cubic ft. (width x length x depth)

AREA OF PERMANENT DISTURBANCE: same as above, however Dev Site B is already disturbed 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.)	107,169 gsf		16,515	
Type (*e.g.,* retail, office, school)	143 (up to 150 for analysis) units		faith based and non-profit	

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

If "yes," please specify:

NUMBER OF ADDITIONAL RESIDENTS: up to 426

NUMBER OF ADDITIONAL WORKERS: up to 20

Provide a brief explanation of how these numbers were determined: Potential residents were calculated using the maximum number of potential units (150). The average household size of 3.80 was applied to the affordable (up to 70) units (2017-2021 ACS- South Jamaica NTA average household size); the 80 senior units would conservatively have a maximum of 2 residents each (per applicant). 1 employee per 333 gsf of community facility use and 1 employee per 25 residential units (CEQR Technical Manual)

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): 2026

ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: 24

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: community facility

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.		
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 Part II		
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. see attachment		
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: Former auto repair activities on Projected Development Site A. No RECs identified for Projected Development Site B.	☐	☐
(j) Based on the Phase I Assessment, is a Phase II Investigation needed? See Hazardous Materials Chapter	☒	☐
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): 7,577		
○ 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): 14,406,460 annual mbtu		
(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		

	YES	NO
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Air Quality; 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.		
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.

Construction activities are expected to be standard in nature and would be up to 24 months.

Governmental oversight of construction in New York City is extensive and involves a number of City, State, and Federal agencies, each with specific areas of responsibility, including the New York City Department of Buildings, the New York City Department of Environmental Protection, the New York City Fire Department, the New York City Department of Transportation Office of Construction Mitigation and Coordination (DOT OCMC), New York City Transit, the New York City Landmarks Preservation Commission, the New York State Department of Environmental Conservation, the New York State Department of Labor, the U.S. Environmental Protection Agency, and the Occupational Safety and Health Administration. The project would comply with the requirements of the New York City Noise Control Code, which limits construction activities to weekdays between the hours of 7:00 AM and 6:00 PM (absent a permit), requires that a Construction Noise Mitigation Plan be implemented, and sets noise limits for specific pieces of construction equipment. All travel lanes would remain open during construction. There would be no impacts to resources in the area as shown in the EAS, and therefore no impacts to resources due to construction. As a result, any effects from the construction of the project would be considered short term and insignificant. In the event that any closure of any portion of sidewalk elements is needed, it would be fully addressed by a permit and a Pedestrian Access Plan as required by the New York City DOT OCMC prior to the closure so that impacts would not occur.

Based on the limited duration of project construction, the project's adherence to New York City's stringent requirements related to construction, a preliminary construction 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
Allison Ruddock	05/23/2024

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 Planning - HPD	City of New York - Department of Housing Preservation and Development
NAME	DATE
Anthony Howard	05/24/2024

SIGNATURE 

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, City of New York - Department of Housing Preservation and Development 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 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 that the proposed project:

Please see attached negative declaration dated May 24, 2024.

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).

TITLE	LEAD AGENCY
Director, Environmental Planning - HPD	City of New York - Department of Housing Preservation and Development
NAME	DATE
Anthony Howard	05/24/2024
SIGNATURE	



EAS Figures

Figure 1 Project Area Map

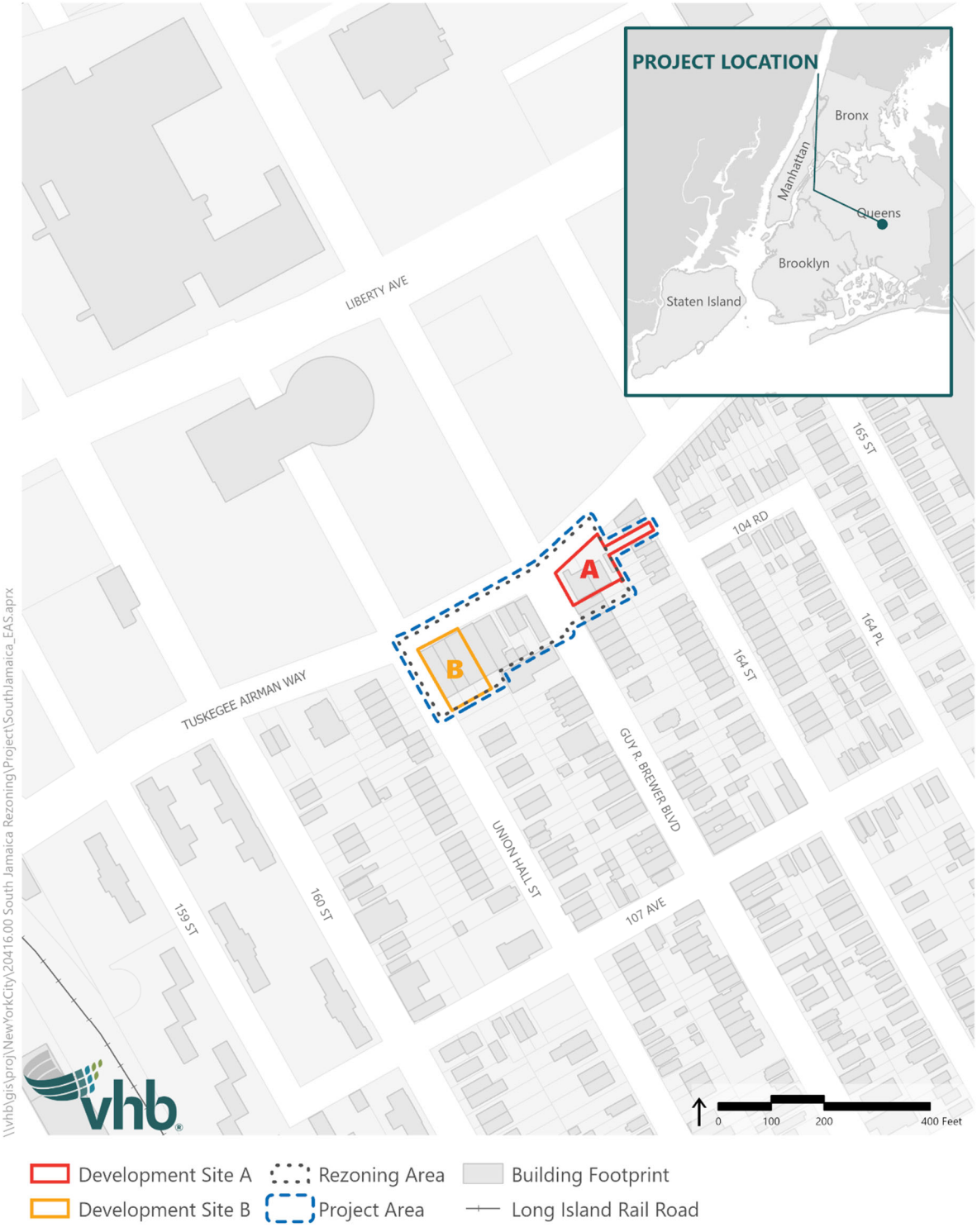


Figure 1 Project Area Map

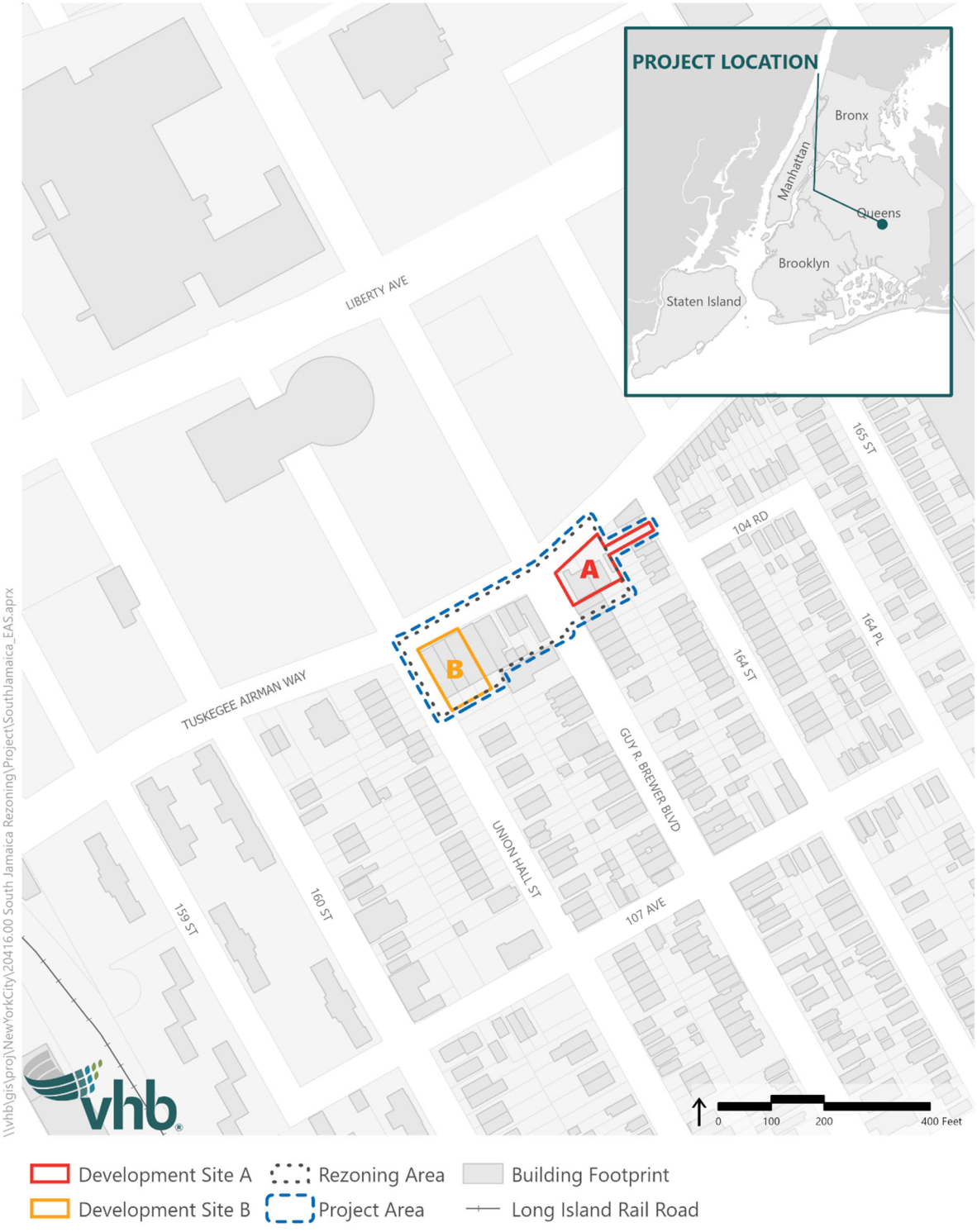


Figure 2 Tax Map



Figure 3 Existing Zoning Map



Figure 4 Proposed Zoning Map

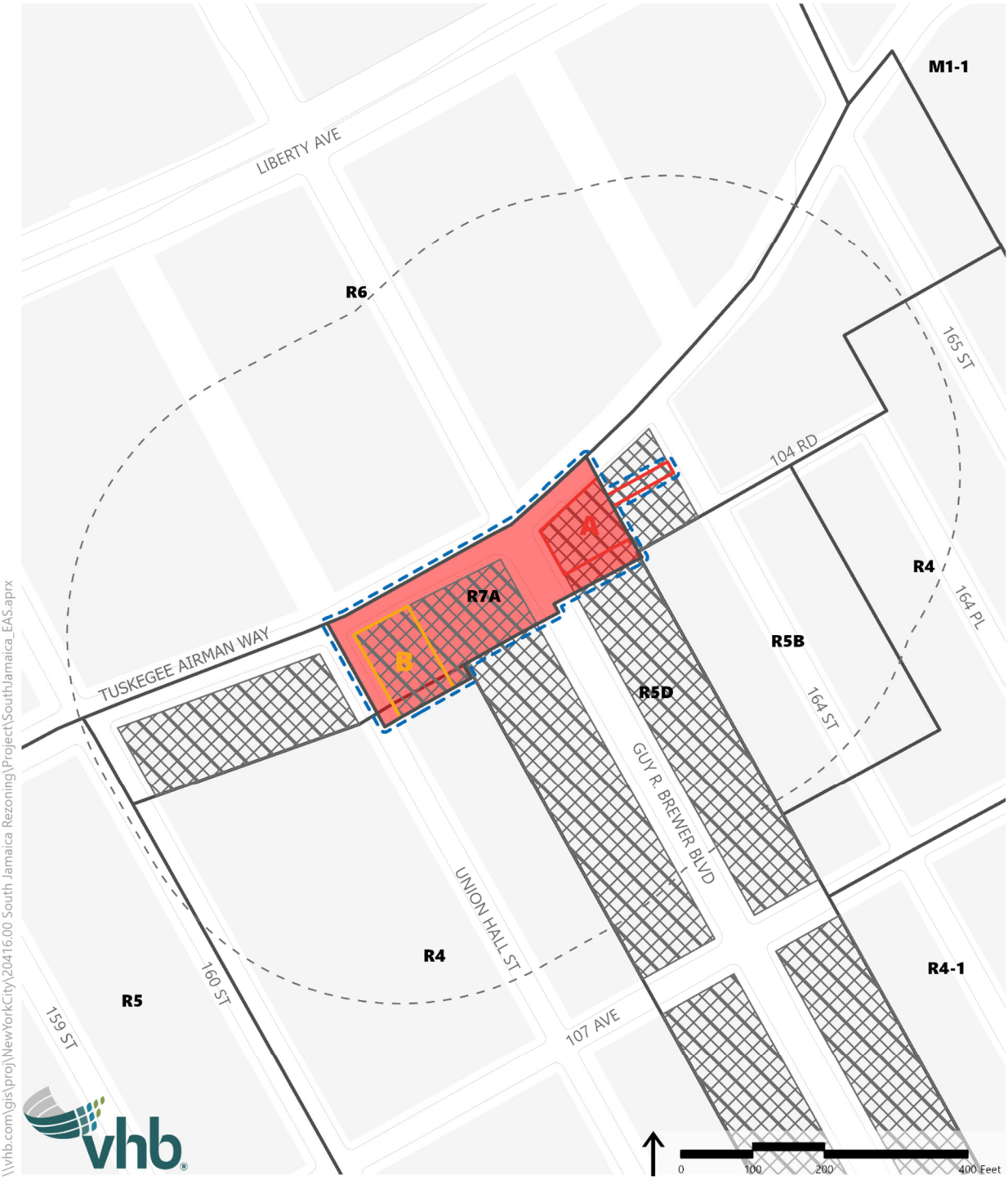


Figure 5 Land Use Map



Figure 6 Photo Key Map



Photo 1 Development Site A, Block 10161, Lot 1



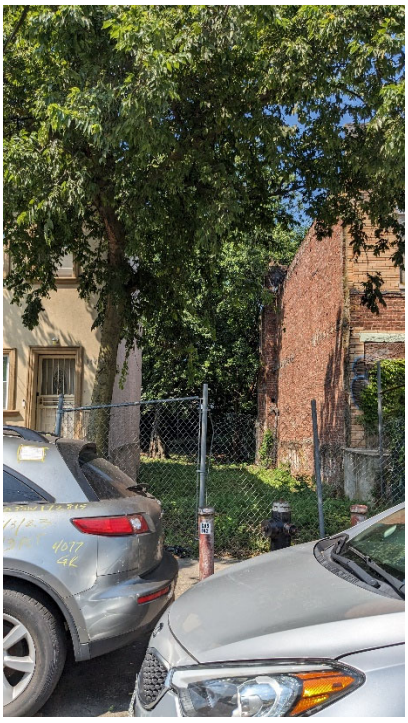
View facing southeast on Tuskegee Airmen Way near Guy R. Brewer Blvd. (Photo captured 7/12/2023)

Photo 2 Development Site A, Block 10161, Lot 3



View facing southeast on Tuskegee Airmen Way near Guy R. Brewer Blvd. (Photo captured 7/12/2023)

Photo 3 Development Site A, Block 10161, Lot 9



View facing west on 164th Street near Tuskegee Airman Way (Photo captured 7/12/2023)

Photo 4 Development Site B, Block 10129 Lots 1, 3, and 4



View facing southeast on Tuskegee Airmen Way near Union Hall Street. (Photo captured 7/12/2023)

Photo 5 Project Area Block 10161, Lot 69



View facing southeast on Guy R. Brewer Blvd. near Tuskegee Airmen Way (Photo captured 7/12/2023)

Photo 6 Project Area Block 10129, Lots 6 and 7



View facing south on Tuskegee Airmen Way near Guy R. Brewer Blvd. (Photo captured 7/12/2023)

Photo 7 Project Area Block 10129, Lots 9, 10, and 11



View facing south on Tuskegee Airmen Way near Guy R. Brewer Blvd. (Photo captured 7/12/2023)

Part I: Project Description

This section provides descriptive information about the requested discretionary land use action(s) and the development project that could be facilitated by the requested actions. The purpose of this section is to convey project information relevant to the environmental review.

Introduction

The Applicants, Fulcrum Properties, LLC; The Briarwood Organization LLC; and Moses Sole Realty LLC and co-applicant, the NYC Department of Housing Preservation and Development (HPD), are seeking actions to facilitate the development of two mixed-use residential and community facility buildings in the South Jamaica neighborhood of Queens Community District 12 (the Proposed Project). The Applicants are seeking a zoning map amendment from R5D, R4, R5B, and R5D/C1-4 to R7A/C1-4 for portions of block fronts on Blocks 10129 and 10161 (the Rezoning Area) (the existing C1-4 district mapped within 100 feet from the nearest street would remain), a zoning text amendment to establish the Rezoning Area as a Mandatory Inclusionary Housing (MIH) area, the establishment of an Urban Development Action Area (UDAA) under the Urban Development Action Area Program (UDAAP), and disposition of two City-owned lots. The Applicants are also seeking Senior Affordable Rental Apartments (SARA), Neighborhood Construction Program (NCP), and Low Income Housing Tax Credit (LIHTC) financing through HPD. Collectively, these are known as the Proposed Actions which will facilitate the development of the Proposed Project, also referred to as the South Jamaica Gateway Project. The Proposed Project would include the development of two new predominantly residential buildings comprised of 143 affordable and senior housing units, plus two units for superintendents, and an updated community facility space for the Godian Fellowship and Thomas White Jr. Foundation.

Project Area

The Project Area is located within the Jamaica neighborhood of Queens Community District 12 and consists of parcels within two blocks along Tuskegee Airmen Way and Guy R. Brewer Boulevard. The Project Area contains the Rezoning Area and Development Sites, all of which are described below.

Project Area

The Project Area encompasses the following blocks and lots (See **Figure I-1**):

- Queens Block 10161, Lots 1, 3, 9 and 69. Portions of Lots 13, 14, and 68 also fall within the Project Area.
- Queens Block 10129, Lots 1, 3, 4, 6, 7, 9, 10, and 11.

The Project Area consists of the lots within the two Development Sites and the Rezoning Area described below. It is generally bounded by Tuskegee Airmen Way to the north, Union Hall Street to the west, 164th Street to the east, and a line approximately 100 to 125 feet south of Tuskegee Airmen Way to the south. Block 10129, Lots 3 and 9 are City-owned and managed by the New York City Department of Housing Preservation and Development (HPD).

Rezoning Area

The Rezoning Area encompasses the following blocks and lots:

- Queens Block 10161, Lots 1, 3, and 69. Portions of Lots 13, 14, and 68 also fall within the rezoning area.
- Queens Block 10129, Lots 1, 3, 4, 6, 7, 9, 10, and 11.

The Rezoning Area excludes Block 10161, Lot 9. Six other properties fronting on Tuskegee Airmen Way, outside of the Development Sites, are included within the Rezoning Area. Block 10219, Lot 6 contains a one-story church. On Lot 7, adjacent to the church, is a two-story laundromat with a driveway. Lots 9 and 10 on the same block contain attached two-story, multifamily walk-up buildings, and the adjacent Lot 11 has a mixed-use three-story building with ground floor retail and residential above. The Rezoning Area also contains Block 10161, Lot 69 which contains a vacant three-story building. The other Lots within the Rezoning Area are discussed below.

Figure I-1 Site Location Map



Development Sites

The Applicant team is proposing to build two new buildings on two sites:

Development Site A: Godian Fellowship

The first proposed new building is the Godian Fellowship (Development Site A), which would be constructed on Block 10161, Lots 1, 3, and 9 in the eastern portion of the Project Area. Together, the Development Site A lots total 10,314 square feet (sf). Development Site A is currently vacant, but was most recently improved with a 4,000-gross-square-foot (gsf) one-story modular building that once housed the services provided by Godian Fellowship Church. Lot 9 is vacant and unimproved. Within Development Site A, Lots 3 and 9 are owned by HPD while Lot 1 is owned by Godian Fellowship.

Development Site B: Thomas White, Jr. Foundation (TWF)

TWF offices (Development Site B) would be constructed on Block 10129, Lots 1, 3, and 4 in the western portion of the Project Area. Together, the Development Site B lots total 10,416 sf and are currently improved with a one-story, approximately 7,695-gsf building that contains the offices of the TWF. The Foundation owns all three lots, and is a non-profit that provides drug prevention programming, educational opportunities to high school and college students, and partners with local organizations for educational programming.

Area Context and History

The Project Area is located in Jamaica, just south of the York College CUNY campus (**Figure I-2**). Directly north of the Project Area is the Health and Physical Education Building of York College. The Jamaica Station transit hub is located north of the Project Area and York College and includes stops for the Long Island Rail Road (LIRR), the JFK AirTrain, three subway lines (including the E, J, and Z lines at Archer Avenue), and multiple bus lines.

Due to its access to the LIRR and subway and bus lines serving Queens, Downtown Jamaica was a major commercial center in the early 20th century. Over time, employment and commercial and residential investment declined. In response to local planning efforts for revitalization in the early 2000s, the City Planning Commission (CPC) undertook a rezoning in 2007 to increase density, decrease outdated commercial parking requirements, and redevelop blighted properties near the Jamaica LIRR complex. Known as the Jamaica Plan, the rezoning involved zoning map and text amendments, the creation of the Jamaica Gateway Urban Renewal Area (JGURA), and disposition of city land. The rezoning affected 368 City Blocks within Jamaica. The 2007 *Jamaica Plan Final Environmental Impact Statement* (FEIS) assessed 186 projected development sites and 420 potential development sites, several of which are located in the Project Area:

- Block 10161, Lot 1 was identified as Site 477-Q, projected to be developed with 7,017 sf of commercial space.
- Block 10161, Lots 3 and 9, (as well as Lot 52, which is outside the Project Area) were identified as Site 478-Q, projected to be developed with 7,289 sf of commercial space.
- Block 10129, Lot 7 was identified as Site 433-Q, projected to be developed with 4,039 sf of commercial space.

E-Designation 175 was placed on the Development Sites to memorialize a commitment specific to noise attenuation requirements; a minimum attenuation of 35 dBA and alternative ventilation.

Proposed Actions

The Applicants are requesting several actions, including:

- A zoning map amendment from R5D, R4, R5B, and R5D/C1-4 to R7A/C1-4 for portions of block fronts on Blocks 10129 and 10161 (the Rezoning Area). The existing C1-4 district mapped within 100 feet from the nearest street would remain;
- A zoning text amendment to establish the Rezoning Area as an MIH area;
- Urban Development Action Area ("UDAA") designation and approval of an Urban Development Action Area Project ("UDAAP") for Development Site A and disposition of City-owned property;
- Senior Affordable Rental Apartments (SARA), Neighborhood Construction Program (NCP), and Low Income Housing Tax Credit (LIHTC) financing through HPD.

See **EAS Figure 4** and **EAS Figure 5** for the current and proposed zoning maps.

Proposed Project

The Applicants propose to demolish the existing facility on Development Site B and construct two new buildings on the two Development Sites (see **Figure I-3**).

On Development Site A, the Applicants would construct a nine-story, approximately 58,586-gross-square-foot (gsf) building containing up to 79 dwelling units and approximately 4,353 gsf of space for the Godian Fellowship Church on the ground floor and in the cellar. The church use would be a continuation of church activities that used to take place on the site, but in an expanded and improved space. There would also be 11 parking spaces provided on site and space for a resident and community garden on Lot 9. The building would be 95 feet tall with an additional 15 feet for the bulkhead. The residential units would be 100% Affordable Independent Residences for Seniors (AIRS) units.

On Development Site B, the Applicants would construct an approximately 64,885-gsf building containing 66 dwelling units and approximately 11,949 sf of community facility use on the ground and cellar floors for offices of TWF. The building would be nine stories tall and 95 feet in height, with an additional 15 feet of bulkhead. In addition, 16 parking spaces would be provided on site. For Developmental Site B, 20 residential units would be affordable in compliance with Option 2 under the City's MIH program, although all dwelling units would be income-restricted.

Figure I-2 Site Context Map

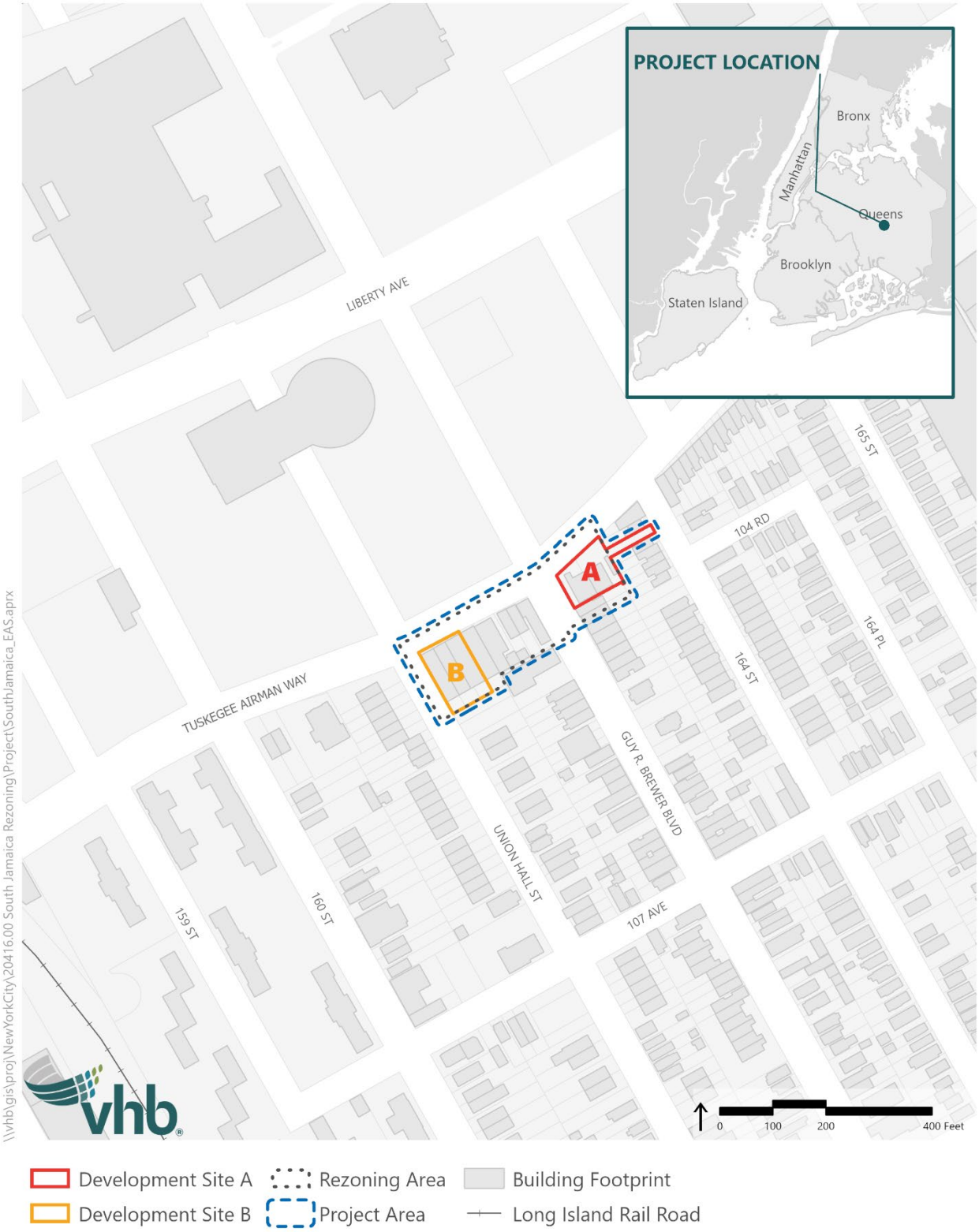


Figure I-3 Illustrative Massing of the Proposed Project



Source: The Briarwood Organization LLC; Moses Sole Realty LLC; Fulcrum; and RKTB Architects

Project Purpose and Need

The Proposed Actions would facilitate the development of two mixed-use residential and community facility buildings. The rezoning would allow for 143 units of 100% affordable housing across two developments with units for low-income seniors, the formerly homeless, and families.

Currently, the Development Sites are located in an area that is mapped with an R5D zoning district; small portions of Development Sites A and B are also located within R5B and R4 districts, respectively. The areas mapped within the R5D district are also mapped with a C1-4 overlay. In R5D zoning districts, residential uses are permitted with a maximum of 2.0 FAR. In R4 districts, residential uses are permitted with a maximum of 0.75 FAR. In R5B districts, residential uses are permitted with a maximum of 1.35 FAR. C1 overlay districts permit small retail and service shops that serve the immediate needs of surrounding residential communities. A commercial FAR of 1.0 is permitted. The depth of overlay is 100 feet and one accessory parking per 1,000 square feet of space is required.

The proposed zoning to an R7A zoning district, when paired with MIH, would increase the allowable FAR for residential uses: residential uses are permitted at 4.6 FAR, AIRS uses are permitted at 5.01 FAR, and community facility uses are permitted at 4.0 FAR. The Zoning Text Amendment to map an MIH area coterminous with the Rezoning Area would ensure residential development within the Project Area include a component of permanently affordable housing. As such, the proposed Zoning Map and Text Amendments would facilitate the development of up to 79 AIRS units, 20 affordable units pursuant to Option 2 of the City's MIH program, and 66 units of income-restricted housing in a neighborhood where the demand for affordable housing options is high. Absent the rezoning, redevelopment for residential use would not be financially feasible, and therefore the proposed affordable units would not be built and available to the neighborhood, and the two development sites would remain underutilized. The proposed R7A/C1-4 district to be located on the border between the institutional land to the north of Tuskegee Airmen Way and high-density downtown Jamaica beyond, and the lower rise residential neighborhood to the south, would not disrupt

the existing context of the surrounding area as it would serve as a transition between the two distinct characters of the surrounding area. Furthermore, the design and usability of both buildings are no longer functioning for the long-standing community facilities that operate out of them. As such, the Proposed Actions would facilitate the construction of expanded and improved space for the Godian Fellowship Church and TWF.

Additionally, the Proposed Actions would conform to the relevant standards and regulations of The Jamaica Plan by expanding opportunities for new residential and mixed-use development at a range of scales appropriate to surrounding building patterns near transit and highway access.

Analysis Framework

For the purpose of the environmental analyses, the No-Action condition represents the future absent the Proposed Actions and serves as the baseline by which the Proposed Actions (or With-Action condition) are compared to determine the potential for significant environmental impacts. The difference between the No-Action and With-Action conditions represents the increment to be analyzed in the CEQR process.

Analysis (Build Year)

Assuming project approvals in 2024 and an up to 24-month construction period, it is estimated that the project would be built and operational by 2026.

Future No-Action Condition

While the Jamaica Plan (CEQR# 05DCP081Q) projected development for certain of the lots within the Project Area, for purposes of this environmental review, it is assumed that absent the Proposed Actions (the No-Action condition), the buildings on the Development Sites will continue to operate as in existing conditions and that no other sites within the Project Area will be redeveloped under future No-Action conditions.[1]

Future With-Action Condition

As stated previously, in the future With-Action condition, the Applicant is seeking a zoning map amendment, a zoning text amendment, and the establishment of an UDAA and an UDAAP for the Project Area in order to facilitate the development of two mixed-use residential and community facility buildings as described above, under **Proposed Project**.

For the purposes of conservative analysis, a slightly larger unit count is analyzed as the With-Action Condition to account for any changes that occur as financing is agreed upon. Additional units (up to 70 units for Development Site B) are studied, because it may be possible to include more units without having to adjust the Proposed Project's floor area. However, the UDAAP action will define the allowable number of units. Therefore, there are additional dwelling units and parking spaces examined under the With-Action condition

[1] Block 10129, Lot 7 was identified as a projected development site in the Jamaica Plan to be redeveloped to the maximum FAR of 2.0 with 4,039 sf of commercial and 5 dwelling units by 2015, but this assumption is not accounted for in the No Action condition since it has not occurred and the Jamaica Plan build year has passed.

than described under **Proposed Project** above. As shown in **Table I-1**, a total of 123,471 gsf containing up to 16,515 gsf of community facility use and 150 units is analyzed under the With-Action condition. Of the residential units, 78 senior units are assumed, while the rest are assumed for conservative purposes to be for families making 80% AMI or less.

Block 10129, Lots 6, 7, 9, 10, 11, and Block 10161, Lots 13, 14, 68, and 69 are within the Project Area, but not within the Development Sites, and are not considered soft sites. All lots are below 5,000 sf and under separate ownership. Therefore, according to the *CEQR Technical Manual*, these are not considered soft sites.

Increment for Analysis

In the future with the Proposed Actions, the Development Sites would be redeveloped with two mixed-use residential and community facility buildings with a total of up to 150 units. The incremental increase in development compared to existing and future conditions without the Proposed Actions is shown in **Table I-1**.

Table I-1 Future No-Action and With-Action Comparison

Development Site	Use	No-Action Condition	With-Action Condition	Increment
Development Site A	Residential	0	54,233	+54,233
	AIRS Units	*0*	*80*	*+80*
	Community Facility	4,000	4,353	+353
	Parking Spaces	0	*17*	*17*
Development Site B	Residential	0	52,936	+52,936
	Affordable Units[1]	*0*	*70*	*+70*
	Community Facility	7,695	11,949	+4,254
	Parking Spaces	0	*17*	*17*
Total Residential GSF		0	107,169	+107,169
Total Units		*0*	*150*	*+150*
Total Community Facility GSF		11,695	16,515	4,820
Total Parking		0	*34*	*+34*
Total GSF		11,695	123,471	+111,776

Notes:

[1] It should be noted that up to 20 units would be affordable in compliance with Option 2 of the City's MIH program, whereas the remaining 50 units would be income-restricted units.

Part II: Supplemental Analysis

Additional Technical Information for EAS Form

Introduction

An analysis framework has been established to assess the potential for the Proposed Actions to result in significant adverse environmental impacts as discussed in **Part I: Project Description**.

The Proposed Actions would result in a net increase of approximately 107,169 gsf of residential space (assumed to be up to 150 units) and up to 4,820 gsf of community facility space (see **Table I-1** in **Part I: Project Description**).

Provided below are preliminary screening analyses, conducted based on guidelines presented in the *2021 CEQR Technical Manual* in order to determine whether further analysis of a given technical area is necessary to determine the potential for significant adverse impacts to the environment in that area.

Land Use, Zoning, and Public Policy

According to the *CEQR Technical Manual,* a land use analysis is warranted for projects that would affect land use or change zoning on a site. Because the Proposed Actions would result in a zoning map amendment and zoning text amendment, a land use, zoning and public policy analysis is warranted. See **Section 2, Land Use, Zoning, and Public Policy.**

Community Facilities and Services

The *CEQR Technical Manual* states that a community facilities assessment is appropriate if a project would have a direct effect on a community facility (e.g., schools, childcare facilities, libraries, healthcare facilities, and police and fire protection services) or if it would have an indirect effect by introducing new populations that would overburden existing facilities. The manual further states that for public schools, libraries, and childcare centers, potential impacts depend on the size, income characteristics, and age distribution of the new population.

The Proposed Actions would not directly affect any community facilities. On Development Site A, the Godian Fellowship outreach building is currently vacant, and the organization is in need of new facilities. On Development Site B, there are currently offices for Thomas White Foundation, which function as non-profit space. The existing facilities would be improved on both sites under the With-Action condition, and therefore there would be no direct effect to community facilities and services.

The Proposed Actions would result in an increment of up to 150 units, 80 of which would be reserved for seniors.

The Queens threshold for a childcare analysis is 139 affordable units that would generate child care aged children, which the With-Action condition would not exceed. Assuming the senior units would not generate school aged children, the With-Action condition would generate an estimated 16 elementary students, 6 intermediate students, and 7 high school students, based on school multipliers for CSD 28, and therefore does not exceed the thresholds that warrant a schools analysis. The With-Action condition also does not exceed the thresholds warranting study of libraries, police and fire services, or health care facilities. Therefore, no community facilities assessment is warranted.

Open Space

The *CEQR Technical Manual* recommends performing an open space assessment if a project would result in either a direct or indirect effect on open space.

A proposed action would have a direct effect on an open space if it causes the physical loss of public open space because of encroachment onto the space or displacement of the space; changes the use of an open space so that it no longer serves the same user population; limits public access to an open space; or results in increased noise or air pollutant emissions, odor, or shadows that would affect the usefulness of a public open space, whether on a permanent or temporary basis. A proposed project can also directly affect an open space by enhancing its design or increasing its accessibility to the public. The Proposed Actions would not cause displacement or changes to existing open space resources, therefore an open space analysis for direct effects is not warranted.

Indirect effects may occur when the population generated by the proposed project overtaxes the capacity of existing open spaces so that their service to the future population of the affected area would be substantially or noticeably diminished. All 150 units in the With-Action condition would be a mix of senior units and family units, as described in **Part I:**

Project Description and is expected to generate a population of 426residents.[1] Therefore, an open space analysis for indirect effects on residents is warranted. See **Section 3, Open Space.**

Shadows

The *CEQR Technical Manual* recommends a shadows assessment for proposed actions that would result in new structures (or additions to existing structures) greater than 50 feet in height or located adjacent to, or across the street from, a sunlight-sensitive resource. Such resources include publicly accessible open spaces, sunlight-sensitive natural features, or historic resources with sun-sensitive features.

The Proposed Actions would result in a structure greater than 50 feet in height. Therefore, a shadows analysis is warranted. See **Section 4, Shadows**.

Historic and Cultural Resources

The With-Action condition would result in in-ground disturbance in an area not previously excavated on Development Site A. Site A was previously reviewed by LPC during the *Jamaica Plan FEIS* and is encompassed by Sites 477-480. Correspondence with LPC dated August 22, 2006 in Appendix F of the *Jamaica Plan FEIS* demonstrates that the area was determined to be without archaeologically sensitive resources; this is also summarized in Table 7-1 in Chapter 7 Historic Resources of that FEIS. A letter dated March 28, 2023 from LPC confirmed that there was no archaeological significance on any of the Development Site properties (see **Appendix B**). Therefore, an archaeological assessment is not warranted.

Furthermore, there are no New York City or New York State listed or eligible architectural resources within 400 feet of the study area according to the New York State Office of Parks, Recreation and Historic Preservation (SHPO) Cultural Resources Information System (CRIS) and the correspondence with LPC from the *Jamaica Plan FEIS* dated September 13, 2005. A letter dated March 28, 2023 from LPC confirmed that there was no architectural significance on any of the Development Site properties (see **Appendix B**). Therefore an assessment of architectural resources are not warranted.

Urban Design and Visual Resources

According to the methodologies of the *CEQR Technical Manual,* if a project requires actions that would result in physical changes to a project site beyond those allowable by existing zoning and which could be observed by a pedestrian from street level, a preliminary assessment of urban design and visual resources should be prepared. The With-Action condition would result in physical changes to the Development Sites beyond those allowable by existing zoning. Therefore, a preliminary assessment of urban design is warranted, see **Section 5, Urban Design and Visual Resources.**

[1] Based on an average household size of 3.804 for the South Jamaica NTA (2017-2021 ACS) for family units, and 2 people per senior unit.

Natural Resources

As stated in the *CEQR Technical Manual,* a natural resource is defined as a plant or animal species as well as any area either capable of providing habitat for plant and animal species or capable of functioning to support environmental systems and maintain the City's environmental balance (e.g., surface and groundwater, wetlands, landscaped areas, gardens, and built structures used by wildlife). An assessment of natural resources is appropriate if a natural resource exists on or near a project site, or if there is a potential for impacts related to stormwater and shadows. The Development Sites are located in a fully developed area of Queens. Therefore, the Proposed Actions would not have the potential to affect natural resources, and no further analysis is warranted. However, the Development Sites are Located within the Jamaica Bay Watershed (see **Appendix A** for **Jamaica Bay Form**).

Hazardous Materials

Phase Is have been conducted for the two Development Sites. These Phase Is are described in **Section 6, Hazardous Materials**.

As described in the *CEQR Technical Manual,* a hazardous materials (E) Designation is an institutional control that provides a mechanism to ensure that testing for and mitigation and/or remediation of hazardous materials, if necessary, are completed prior to, or as part of, future development of an affected site, thereby eliminating the potential for a hazardous materials impact. In connection with the *Jamaica Plan FEIS*, an (E) Designation for hazardous materials (E-175) was placed on Block 10161, Lots 1, 3, and 9 and Block 10129, Lot 7 within the Project Area. Development Site A (Block 10161, Lots 1, 3, and 9) has an (E) Designation for Window Wall Attenuation and Alternate Ventilation, but no Recognized Environmental Conditions (RECs). Development Site B (Block 10129, Lots 1, 2, and 3) has no (E) Designation and no identified RECs.

Water and Sewer

The Proposed Project is located in a separately sewered area and within the Jamaica Bay Watershed (see **Appendix A**). Together the two Development Sites are less than one acre and would not result in changes to impervious surface area as the two Development Sites are or were recently occupied with community facility buildings. The project would not result in an exceptionally large demand for water, and the Proposed Project would conform to the City's unified stormwater rule. Therefore, further assessment is not warranted and no impacts to water and sewer would result.

Transportation

According to the *CEQR Technical Manual,* detailed transportation analyses may be warranted if a proposed project results in 50 or more vehicle trips and/or 200 or more transit/ pedestrian trips during a given peak hour. Per Table 16-1, the project is in Zone 3, which has a residential threshold of 200 units and a community facility threshold of 25,000 sf. The proposed increment of 150 residential units accounts for approximately 75 percent of the threshold, and the community facility space increment of 4,820 sf for approximately 19 percent of the threshold. Together, they do not exceed 100 percent, and therefore no further analysis is warranted.

Air Quality

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 CEQR, an air quality assessment determines both a proposed project's effects on ambient air quality as well as the effects of ambient air quality on the project. As discussed in the *CEQR Technical Manual*, a proposed project may potentially result in the following types of air quality impacts:

- Potential impacts from mobile sources introduced by a project.
- Potential impacts from potential air pollutant sources introduced by a project, such as:
  - Emissions from a project's heating, ventilation, and air conditioning (HVAC) system
  - Emissions from a project's enclosed parking garage.
- Potential impacts on the With-Action condition from either manufacturing/processing facilities or large/major sources that are located near the Development Sites.

As discussed in the Transportation section above, a detailed transportation analyses may be warranted if a proposed project results in 50 or more vehicle trips. Since the With-Action condition will not exceed this threshold, there is no potential for an air quality impact from an increase in traffic and a mobile source analysis is not warranted. An assessment of the potential impacts of emissions from the projects heating, ventilation, and air conditioning (HVAC) on surrounding existing or future land uses, and potential impacts to the With-Action condition from industrial sources surrounding the Project Area are warranted, See **Section 7, Air Quality**.

Noise

As discussed in the 2020 *CEQR Technical Manual*, a noise analysis is appropriate if an action would generate mobile or stationary sources of noise or would introduce noise-sensitive receptors in an area with high ambient noise levels. Mobile sources include vehicular traffic; stationary sources include rooftop equipment such as emergency generators, cooling towers, and other mechanical equipment.

Development Site A is subject to an (E) Designation (E-175) from the Jamaica Plan FEIS. A mobile source analysis is not warranted but an analysis for Development Site B regarding stationary sources and sensitive receptors is, see **Section 8, Noise**.

Construction

Construction impacts, although temporary, can include disruptive and noticeable effects resulting from an action. Determination of their significance and need for mitigation is generally based on the duration and magnitude of the impacts. Construction impacts are considered when construction activity could affect traffic conditions, archaeological resources, the integrity of historic resources, community noise levels, and area air quality conditions. In addition, because soils may be disturbed during construction, any action proposed for a site that has been found to have the potential to contain hazardous materials should also consider the potential construction impacts that could result from contamination.

A construction assessment is typically warranted for construction activities (a) lasting longer than two years; (b) located along an arterial highway or major thoroughfare; (c) involving the closing, narrowing, or otherwise impeding of traffic, transit, or pedestrian elements; (d) involving multiple buildings; (e) involving the operation of several pieces of diesel equipment in a single location; (f) resulting in the closure or disruption of a community facility service; (g) located within 400 feet of a historic or cultural resource; (h) disturbing a site containing or adjacent to a natural resources; and/or (i) occurring on multiple sites in the same geographic area.

Construction of the With-Action condition would occur over an up to 24-month period (the same construction period as the No-Action condition). Therefore, no further analysis is warranted.

1

Introduction

As discussed in **Part II: Supplemental Analysis** of this Environmental Assessment Statement (EAS), several technical areas were identified for further analysis:

- Land Use, Zoning, and Public Policy
- Open Space
- Shadows
- Urban Design and Visual Resources
- Hazardous Materials
- Air Quality
- Noise

Analysis of these areas follow in **Section 2** through **Section 8**.

2

Land Use, Zoning, and Public Policy

This section considers the potential for a proposed project to result in significant adverse impacts to land use, zoning, and public policy. Under the guidelines of the *2021 City Environmental Quality Review (CEQR) Technical Manual*, this analysis evaluates the uses in the area that may be affected by a proposed project and determines whether it is compatible with land use, zoning, and public policy conditions, or may otherwise affect them. The analysis also considers a proposed project's compatibility with zoning regulations and other public policies applicable to the area.

Introduction

This analysis of land use, zoning and public policy follows the guidelines set forth in the *2020 CEQR Technical Manual*. It characterizes the existing conditions in the area surrounding the Project Area and addresses potential impacts to land use, zoning, and public policy that would be associated with the Proposed Actions.

As described in **Part I: Project Description**, the Applicants Fulcrum Properties, LLC; The Briarwood Organization LLC; and Moses Sole Realty LLC and co-applicant the NYC Department of Housing Preservation and Development (HPD) are seeking several actions to facilitate the development of two mixed-use residential and community facility buildings (the With-Action condition). The With-Action condition buildings, Godian Fellowship (Development Site A) and Thomas White Foundation (Development Site B), would total approximately 123,471 (gross

square feet (gsf) and contain up to 150 residential units. One building would contain mixed-income units under the Mandatory Inclusionary Housing (MIH) Program and the other a 100% Affordable Independent Residences for Seniors (AIRS) units. Actions include a zoning map amendment from R5D, R5D/C1-4, R4 and R5B to R7A/C1-4 for portions of block fronts on Blocks 10129 and 10161 (the Rezoning Area) (the existing C1-4 district mapped within 100 feet from the nearest street would remain), as seen on **Figure 2-1;** a zoning text amendment to establish the Rezoning Area as an MIH area; and the establishment of an Urban Development Action Area (UDAA) under the Urban Development Action Area Program (UDAAP), and disposition of two City-owned lots. The Applicants are also seeking Senior Affordable Rental Apartments (SARA), Neighborhood Construction Program (NCP), and Low Income Housing Tax Credit (LIHTC) financing through HPD.

Methodology

This analysis of land use, zoning, and public policy follows the guidelines set forth in the *CEQR Technical Manual* for a preliminary assessment (Section 320). According to the *CEQR Technical Manual*, a preliminary land use and zoning assessment:

- Describes existing and future land uses and zoning information, and describes any changes in zoning that could cause changes in land use;
- Characterizes the land use development trends in the area surrounding the Project Area that might be affected by a proposed action; and
- Determines whether a proposed project is compatible with those trends or may alter them.

The following assessment method was used to determine the potential for a proposed project to result in significant adverse impacts on Land Use, Zoning, and Public Policy:

1. Establish a "study area", a geographic area surrounding the Project Area to determine how a proposed project may affect the immediate surrounding area. For this assessment, a study area of 400 feet surrounding the development site was used.
2. Identify data sources, including any public policies (formal plans, published reports) to be used to describe the existing and No-Action conditions related to Land Use, Zoning, and/or Public Policy.
3. Assess a proposed project's potential effects on Land Use, Zoning and Public Policy to determine whether a proposed project is consistent with or conflicts with area land uses, zoning, or the identified policies.
    - If a proposed project could conflict with the identified policies, a detailed assessment would be conducted; or
    - If a proposed project is found to not conflict with the identified policies, no further assessment is needed.

The study area for this analysis is the area within 400 feet of the Project Area—which, for the With-Action condition, is generally bounded by 165th Street to the east, 107th Avenue to the south, just east of 160th Street to the west, and Liberty Avenue to the north (see **Figure 2-1**). This is the area in which the With-Action condition would be most likely to have effects in terms of land use, zoning, and public policy.

Figure 2-1 Land Use Map



Assessment

Existing Conditions

Land Use

Development Sites

The Development Sites consist of two distinct sites—Development Site A, on Block 10161, and Development Site B, on Block 10129. Both sites are generally bounded by Tuskegee Airmen Way to the north, Union Hall Street to the west, 164th Street to the east, and a line approximately 100 to 125 feet (ft) south of Tuskegee Airmen Way to the south. Development Site A lies on the east side of the Project Area and Development Site B lies on the west.

Development Site A: Godian Fellowship

Godian Fellowship is located at 106-01 Guy R. Brewer Boulevard on Block 10161, Lots 1, 3, and 9, at the corner of Guy R. Brewer Boulevard and Tuskegee Airmen Way. Lots 1 and 3, irregularly shaped, neighbor each other along Tuskegee Airmen Way at the northwest corner of the block, and Lot 9 extends east as a limb that perpendicularly connects to Lot 3. Characteristics of the lots within the Development Site A include the following:

- Lot 1 (106-01 Guy R. Brewer Boulevard), which is owned by Godian, is approximately 3,735 square feet (sf) in area, is vacant land with a recently demolished community facility building which spanned Lots 1 and 3.
- Lot 3 (163-10 Tuskegee Airmen Way), which is owned by the City of New York is approximately 4,865 sf in area, is also a vacant lot with a recently demolished community facility building.
- Lot 9 (104-10 164th Street), which is owned by the City of New York is a vacant lot measuring at about 1,710 sf, with an 18-ft frontage.

Development Site B: Thomas White Foundation

TWF is located at 162-02 Tuskegee Airmen Way, on Block 10129, Lots 1, 3, and 4, at the corner of Tuskegee Airmen Way and Union Hall Street. All three lots neighbor each other along Tuskegee Airmen Way at the northwest corner of the block. Characteristics of the lots within the Development Site B include the following:

- Lot 1 (162-02 Tuskegee Airmen Way), which is owned by TWF, is 3,146 sf in area, and is improved with a one-story community facility building that contains 7,695 sf and spans Lots 1, 3, and 4.
- Lot 3 (162-04 Tuskegee Airmen Way), which is owned by TWF, is 3,670 sf in area, and is improved with a one-story community facility building that contains 7,695 sf and spans Lots 1, 3, and 4.
- Lot 4 (162-06 Tuskegee Airmen Way), which is owned by TWF, is 3,588 sf in area, and is improved with a one-story community facility building that contains 7,695 sf and spans Lots 1, 3, and 4.

Project Area

As outlined in **Part I: Project Description**, the Project Area consists of the two Development Sites and an additional six lots on Blocks 10161 and 10129. Characteristics of the lots within the Rezoning Area outside the Development Sites on Block 10161 include the following:

- Lot 68 (106-09 Guy R. Brewer Boulevard) is 2,000 sf in area and is improved with a three-story residential building containing 3,300 sf. Only the northern portion of Lot 68 (to a depth of 11.16 ft) falls within the Rezoning Area.
- Lot 69 (106-07 Guy R. Brewer Boulevard) is 2,000 sf in area and is improved with a three-story residential building containing 3,300 sf.
- On Block 10161, the Rezoning Area also includes de minimis portions (<100 sf) of Lots 13 and 14.

Characteristics of the lots within the Rezoning Area outside the Development Sites on Block 10129 include the following:

- Lot 6 (162-08 Tuskegee Airmen Way), which is owned by Nazareth Holiness Church, is 3,600 sf in area, and is improved with a one-story community facility building that contains 2,660 sf.
- Lot 7 (162-14 Tuskegee Airmen Way), which is 4,752 sf, is improved with a two-story mixed retail and residential building containing 4,080 sf.
- Lot 9 (162-18 Tuskegee Airmen Way), which is 2,323 sf in area, is improved with a two-story multifamily residential building containing 2,160 sf.
- Lot 10 (162-20 Tuskegee Airmen Way), which is 2,020 sf in area, is improved with a two-story multifamily residential building containing 2,160 sf.
- Lot 11 (162-24 Tuskegee Airmen Way), which is 2,574 sf in area, is improved with a three-story mixed-use building containing 5,220 sf.

The Project Area consists of all the lots in the Rezoning Area and the Development Sites, but excludes Block 10161, Lot 9, which is discussed above.

Study Area

The Development Sites and Project Area are located within the South Jamaica neighborhood Community District 12. As shown in **Figure 2-1** and **Table 2-1**, the study area is predominately characterized by residential, commercial, and institutional uses and is generally bounded by 165th Street to the east, 107th Avenue to the south, just east of 160th Street to the west, and Liberty Ave to the north.

Directly north of the Development Site is the 50-acre York College campus. York College was founded in 1966 and is a public senior college within the City University of New York (CUNY) system. Enrolling 8,000 students a year, the campus has academic buildings, a performing arts center, and a health and physical education facility that includes athletic and parking facilities alongside classrooms. One of the campus blocks houses the Health and Physical Education building, which has amenities such as an outdoor track and courts that stretch two blocks to the west (see **Figure 2-1**). Blocks 10159 and 10160, to the east of the Health and Physical Education building in the northeast corner of the study area, are largely vacant and under the same ownership as York College, however a portion of Block 10159 is used as a parking lot. Much of the campus is surrounded by plazas and open green space, but the campus is fenced off and not accessible to the public.

On Block 10159 to the northwest corner of the block and at the intersection Liberty Avenue and Guy R Brewer Boulevard is the Methodist Cemetery. The cemetery is owned and managed by the First Methodist Church of South Jamaica and is fenced off for protection. The cemetery is not open to the public. Thus, there are no publicly accessible open spaces within the study area.

To the south of the Project Area, along Guy R. Brewer Boulevard, there is a mix of commercial and residential use mostly composed of ground floor retail with one or two floors of apartments above. Commercial uses consist of salons, restaurants, and small stores and offices. There are also institutional uses in the form of religious institutions. There are also some vacant lots scattered throughout the area. Single- and two-family buildings are also prevalent and mostly two to three stories in height with yards or parking in the front. This residential trend continues on Union Hall Street to the southwest.

The blocks immediately to the east of the project blocks and south of Tuskegee Airmen Way are primarily one and two family residential of the same character as the blocks to the south. There are a few vacant lots and a transition to industrial uses to the far northeast of the study area. These uses include warehouses and self-storage as well as New York City Transit's Jamaica Bus Depot which is two blocks east of Development Site A outside the study area.

The western portion of the study area is similar to the southern and eastern portions and is mainly composed of one- and two-family residential buildings that are up to three stories. There are also additional churches fronting Tuskegee Airmen way. Just outside the study area to the west are the NYCHA south Jamaica public housing developments which range in three to seven stories in height and are surrounded by open spaces.

Table 2-1 Study Area Generalized Land Uses

Land Use	Number of Tax Lots[2]	Percentage of Total Lots (%)	Lot Area (sf)	Percentage of Total Lot Area (%)
One & Two Family Residential	132	65.67%	354,933	33.26%
Multifamily Walkup Residential	14	6.97%	30,797	2.89%
Mixed Commercial/Residential	21	10.45%	54,400	5.10%
Commercial and Office	4	1.99%	12,996	1.22%
Industrial & Manufacturing	1	0.50%	12,000	1.12%
Public Facilities and Institutions	8	3.98%	339,186	31.79%
Open Space	1	0.50%	15,625	1.46%
Vacant Land	20	9.95%	247,079	23.16%
Total	**201**	**100%[1]**	**1,067,016**	**100%[1]**

Source: Map PLUTO 19v1

[1] Numbers may not add up to 100% due to rounding

[2] All Lots intersecting the 400-foot radius study area were included in analysis

Zoning

Development Sites and Project Area

As shown in **Figure 2-2**, the Project Area is in a R5D residential zoning district with a C1-4 Commercial Overlay. The R5D zoning district with the C1-4 overlay spans three blocks south of the Project Area along Guy R. Brewer Boulevard between Tuskegee Airmen Way and 109th Avenue and runs along Tuskegee Airmen Way between 160th Street and 164th Street.

R5D are contextual R5 districts designed to encourage residential growth along major corridors and serve as a transition zone between lower-density districts and moderate-density districts. R5D allows for a maximum floor area ratio (FAR) of 2.0, a height limitation of 40 feet and required off street parking for 66% of the dwelling units. Parking requirements are lower for Income-Restricted Housing Units.

A small portion of the Development Sites are also located within R4 and R5B districts. R4 districts allow all types of housing at a FAR of 0.75, plus an attic allowance of up to 20 percent for inclusion of space under the pitched roof common to these districts. This district usually produces buildings with three stories. Detached houses must have two side yards that total at least 13 feet and each one must be at least five feet wide. Semi-detached buildings need one side yard with a minimum width of eight feet. The maximum street wall length for a building on a single zoning lot is 185 feet. One off-street parking space is required for each dwelling unit.

R5B is a contextual district in which the residential bulk and density regulations differ from corresponding non-contextual districts. R5B districts provide a transition between lower-and

higher-density neighborhoods and allow for a FAR of 1.35 for residential uses, whereas the R5 district allows for a maximum FAR of 1.25. R5B districts aim to preserve neighborhood character through height, setback, front yard, and curb cuts regulations and primarily consist of three-story rowhouses. Maximum street wall height is 30 feet, above which a building slopes or is set back to a maximum height of 33 feet. A building's front yard must be at least five feet deep and cannot exceed the depth of adjacent front yards. Curb cuts are only permitted on zoning lots with frontages of more than 40 feet. If off-street parking is required, on-site spaces must be provided for two-thirds of the dwelling units though front yard parking is strictly prohibited.

The C1-4 districts are commercial overlays mapped within residence districts along streets that serve local retail needs for lower to medium-density neighborhoods. C1-4 districts allow for a maximum FAR of 1.0 for commercial uses within a R5D zoning district and has an accessory parking requirement of one per 1,000 sf of commercial use. These districts permit smaller retail establishments, including neighborhood grocery stores, restaurants and beauty parlors. The residential bulk in these districts are governed by the residence district within which the overlay is mapped, in this case being R5D.

Figure 2-2 Existing Zoning Map



Study Area

Beyond the zoning districts that fall over the Project Area, the study area also includes R6, R5B, and R4 districts.

The area directly north of the Project Area is zoned R6. R6 districts are widely mapped in built-up, medium-density areas. Development within the R6 district is allowed by either standard height factor regulations or Quality Housing regulations. Under standard height factor regulations, a maximum FAR of 2.43 is permitted, and building height is governed by a sky exposure plane beginning at a height of 60 feet. Under Quality Housing regulations, maximum FAR and building height are dependent on street width and participation in the Inclusionary Housing Program. On narrow streets, a maximum FAR of 2.20 and building height of 55 feet is permitted; on wide streets, a maximum FAR of 3.00 and 75 feet are permitted. Under the Inclusionary Housing Program, maximum FAR is increased to 2.42 and 3.60, respectively, and maximum height is increased to 115 feet.

To the southeast of the Project Area, are additional R5B contextual and R4 residential zoning districts. R5B is a contextual district in which the residential bulk and density regulations differ from corresponding non-contextual districts. R5B districts provide a transition between lower-and higher-density neighborhoods and allow for a FAR of 1.35 for residential uses, whereas the R5 district allows for a maximum FAR of 1.25. R5B districts aim to preserve neighborhood character through height, setback, front yard and curb cuts regulations and primarily consist of three-story rowhouses. Maximum street wall height is 30 feet, above which a building slopes or is set back to a maximum height of 33 feet. A building's front yard must be at least five feet deep and cannot exceed the depth of adjacent front yards. Curb cuts are only permitted on zoning lots with frontages of more than 40 feet. If off-street parking is required, on-site spaces must be provided for two-thirds of the dwelling units though front yard parking is strictly prohibited.

R4 residential zoning districts allow all types of housing but typically produce three story homes with pitched roofs. R4 districts allow for a FAR of 0.75, plus an attic allowance of up to 20% for inclusion of space under pitched roofs. In order to create third floors in R4 districts, perimeter walls may rise up to 25 feet before being set back to the maximum building height of 35 feet. Front yards must be 10 feet deep or greater than 18 feet for on-site parking. Detached houses must have two side yards with at least 13 feet in length and 5 feet of width on each side. Semi-detached houses are required one side yard with a width of at least 8 feet. Buildings cannot exceed a street wall length of more than 185 feet per single zoning lot.

Public Policy

The Jamaica Plan

In September 2007, the City Council adopted a proposal by the Department of City Planning (DCP) to establish a Special Downtown Jamaica District and rezone 368 blocks within Queens Community Districts 12 and 8. The Project Area is located within that Rezoning Area, but is outside the Special Downtown Jamaica District. These and other related actions, collectively known as The Jamaica Plan, aimed to create new economic growth and housing through mixed-use, transit-oriented development in Downtown Jamaica. In doing so, The Jamaica

Plan intended to create a vibrant center of office, retail, entertainment, residential, and community facility uses within the neighborhood.

The Special Downtown Jamaica District and zoning changes of The Jamaica Plan established development standards aimed at promoting and protecting the public health, safety and general welfare of the Downtown Jamaica community. In pursuit of these goals, the rezoning included the following specific purposes:

- Expand the CBD and encourage redevelopment and economic growth to complement existing building patterns;
- Expand opportunities for new residential and mixed-use development at a range of scales appropriate to surrounding building patterns near transit and highway access;
- Preserve lower density residential neighborhoods;
- Provide direction and flexibility for growth in industrial areas with long-term potential; promote synergy with adjacent institutional, business and residential communities; and
- Reinforce certain industrial areas and allow for growth.

PlaNYC/OneNYC 2050

In 2011, the Mayor's Office of Long-Term Planning and Sustainability released an update to PlaNYC: A Greener, Greater New York. PlaNYC represents a comprehensive and integrated approach to planning for New York City's future. It includes policies to address three key challenges that the City faces over the next twenty years: population growth; aging infrastructure; and global climate change. In the 2011 update, elements of the plan were organized into ten categories—housing and neighborhoods, parks and public space, brownfields, waterways, water supply, transportation, energy, air quality, solid waste, and climate change—with corresponding goals and initiatives for each category.

In April 2015, the Mayor's Office of Sustainability and the Mayor's Office of Recovery and Resiliency released OneNYC, a comprehensive plan for a sustainable and resilient city. OneNYC represents a reworking of the sustainability plan for the City, known as PlaNYC: A Greener, Greater New York, discussed above. Like PlaNYC, growth, sustainability, and resiliency remain at the core of OneNYC, but promoting economic equity is a guiding principle throughout the plan. OneNYC has since been updated to OneNYC 2050, which was released in 2019 and consists of eight goals and thirty initiatives.

The goals of the plan are:

- A Vibrant Democracy through empowering participation, welcoming immigrants, promoting justice and equal rights, and promoting democracy and civic innovation
- An Inclusive Economy through good paying jobs and job training, economic security through fair wages and benefits, expanded decision making power of workers and communities,
- Thriving Neighborhoods through affordable housing, access to neighborhood open spaces and cultural resources, community safety, and place-based community planning.
- Healthy Lives through high quality, accessible health care, addressing health and mental health needs of communities, making healthy lifestyles easier, and designing a healthy physical environment.

- Equity and Excellence in Education through early childhood education, equity in K-12 opportunity, and increasing integration, diversity, and inclusion in NYC schools.
- A Livable Climate through carbon neutrality and clean electricity, resilience, economic opportunities through climate action, and climate accountability and justice.
- Efficient Mobility through modern mass transit, safe and accessible streets, reduced congestion and emissions, and regional and global connections
- Modern Infrastructure through investments in core physical infrastructure and hazard mitigation, digital infrastructure improvement, and best practices for asset maintenance and capital project delivery.

In April 2023, *PlaNYC: Getting Sustainability Done* was published as part of the fifth in a series of climate action plans released by the City. This iteration of the plan focuses on measures to protect New Yorkers from climate threats, measures to improve quality of life, and measures to build the green economic engine.

Housing Blueprint

The City released Mayor Adams's affordable housing plan, "Housing our Neighbors: A New York City Blueprint for Housing and Homelessness," in 2022 to tackle New York City's affordable housing crisis and provide safe, high-quality, and affordable homes. To achieve this goal, the plan outlines six initiatives:

- Transform NYCHA and prioritize resident engagement and input
- Improve services and create supportive housing for New Yorkers experiencing homelessness
- Create and preserve affordable housing to meet the need for more housing
- Improve housing quality, sustainability, and resiliency to keep New Yorkers healthy and safe
- Remove administrative burdens so New Yorkers can get the help they need
- Focus on equity – from increasing homeownership opportunities to supporting M/WBEs

No-Action Condition

While The Jamaica Plan rezoning projected development for certain of the lots within the Project Area, for purposes of this environmental review, it is assumed that absent the Proposed Actions (the No-Action condition), the buildings on the Development Sites will continue to operate as in existing conditions and that no other sites within the Project Area will be redeveloped under future No-Action conditions.

Land Use

No new land uses or changes in land use would occur within the Project Area or study area under the future No-Action condition, as conditions would remain the same as existing

Zoning

There are no anticipated zoning changes within the study area under the No-Action condition. The Project Area and study area would continue to be governed by the various zoning regulations in the area, as described in the existing conditions section above.

Public Policy

In the future No-Action condition, there are no known public policy changes that are anticipated to affect the Project Area or study area.

With-Action Condition

Under the With-Action condition, the Proposed Actions detailed **Part I: Project Description**, would facilitate the development of two mixed-use residential and community facility buildings.

On Development Site A, the Applicants would construct a nine-story building of approximately 58,586 gross square feet (gsf) containing up to 79 dwelling units and 4,353 gsf of space for Godian Fellowship Church on the ground floor and in the cellar. The proposed development would be 95 feet in height with an additional 15 feet for the bulkhead. Development Site A would also contain 11 on-site parking spaces and a community garden for its residents.

On Development Site B, the Applicants would construct a nine-story building of approximately 64,885 gsf containing 66 dwelling units. Approximately 11,949 gsf of the total space would house the offices of TWF on the ground and cellar floors. The proposed development would be 95 feet in height with an additional 15 feet for the bulkhead and would also house 16 parking spaces on-site. As on Development Site A, the residential units would affordable in compliance with MIH Option 2, although all units would be income-restricted.

Land Use

The Proposed Actions would facilitate a change in land use under the future With-Action condition, as compared to the future No-Action condition, with the introduction of a mixed-use residential and community facility building on the currently vacant Development Sites. Community facility and residential uses are prevalent throughout the study area, but the With-Action condition is somewhat unique in integrating the two uses together and including multifamily housing on each site. As discussed above, the study area is characterized predominately by residential, institutional and commercial uses, with mixed-use commercial/residential uses prevalent within the southern portion of the study area, and community facility use dominating the northern portion. The With-Action condition would be consistent with the residential and commercial uses in the surrounding area as it would add to the residential density and community facilities of the study area south of York College. The With-Action condition would also serve as a continuation of the affordable housing corridor that already exists two blocks west of the Project Area. The existing NYCHA south Jamaica public housing developments range from three to seven stories in height and are surrounded by open spaces. The With-Action condition would stand nine stories in height and would introduce a community garden to the neighborhood. The continuation of a mid-rise affordable housing corridor could serve as a transition along Tuskegee Airmen Way from the large institutional uses to the north towards the mixed-use neighborhood to the south. Furthermore, it would activate currently vacant land on Development Site A and provide improved spaces to two long-standing community facility uses in the community.

Further, land use changes as a result of the With-Action condition would be consistent with what is envisioned for land uses under The Jamaica Plan, PlaNYC/OneNYC 2050 and Housing New York: A Five-Borough, Ten-Year Plan. Thus, significant adverse impacts to land use are not expected.

Zoning

As detailed in **Part I: Project Description**, the Proposed Actions would include the following zoning changes (**Figure 2-3**):

Zoning Map Amendment

The Applicants are seeking a zoning map amendment to Zoning Map 14d to rezone the Rezoning Area from R5D, R5D/C1-4, R4, and R5B to R7A/C1-4 of portions of block fronts on Blocks 10129 and 10161.

The proposed zoning map amendment would facilitate the construction of mixed affordable housing and community facility developments of 95 feet in height and with FARs of 4.37 and 4.56 on Development Sites A and B.

Zoning Text Amendment

A zoning text amendment to Appendix F of the Zoning Resolution (ZR), "Mandatory Inclusionary Housing Areas," would establish a MIH Area that is coterminous with the Rezoning Area.

This action would ensure that future residential development on the Development Site would be affordable in perpetuity under MIH Option 1 or Option 2. Option 1 would allow for 25% of the units to be set aside for households averaging an income of 60% of the Area Median Income (AMI) (which is $47,000 on average). Option 2 would allow for 30% of the units to be set aside for households averaging 80% of the AMI (which is $62,000 on average). However, for the With-Action condition, all the proposed units would be affordable to a mix of families and seniors and include a set aside for formerly homeless individuals.

Establishment of the Urban Development Action Area (UDAA) and Urban Development Action Area Program (UDAAP)

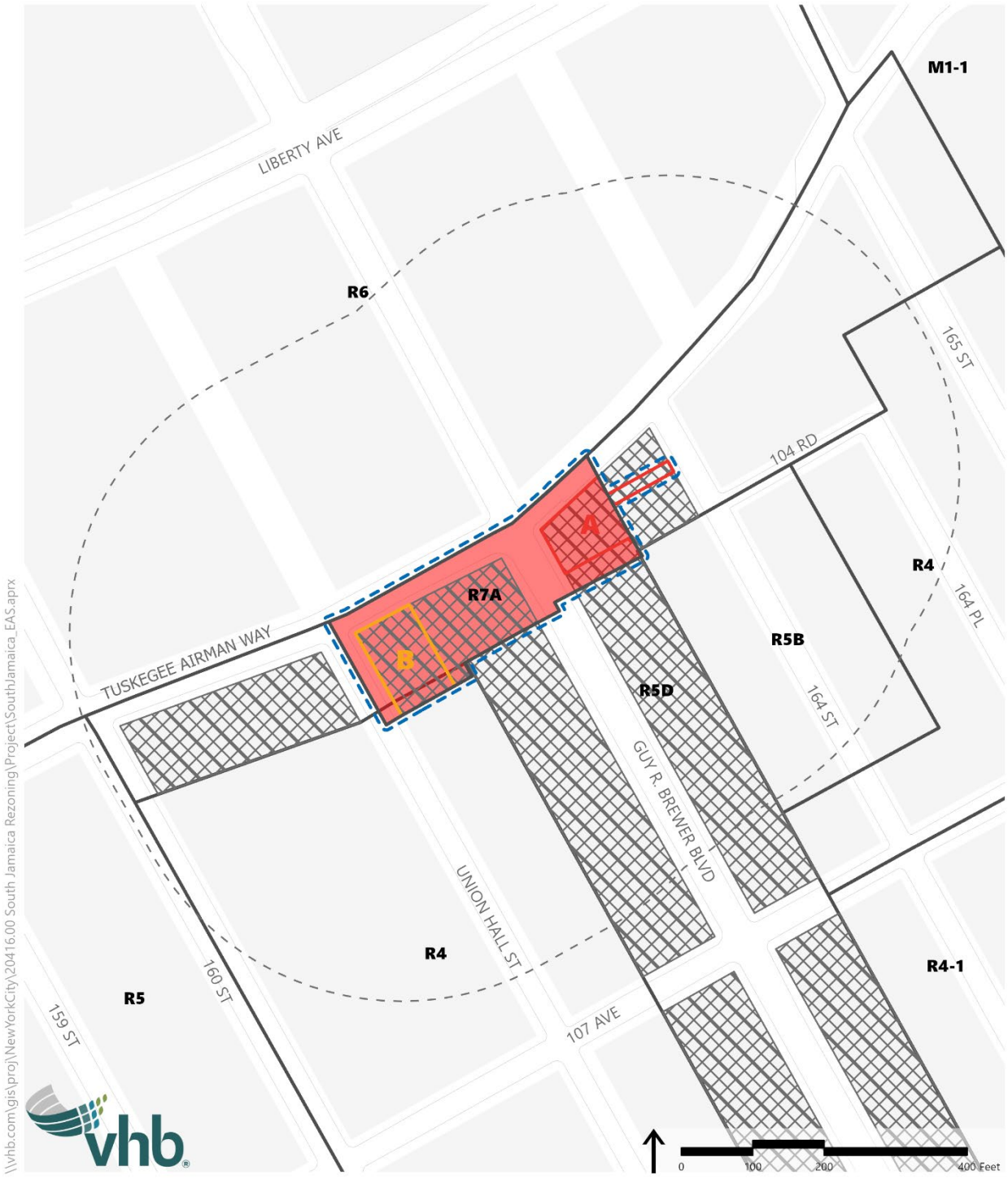
The With-Action condition is eligible for an Urban Development Action Area designation as it would include the construction of two new housing developments on former city-owned land (Block 10161, Lots 3 and 9). With the exception of Lot 1 on Development Site A, all other lots in both Development Sites are either currently owned by HPD or were formerly owned by the City before being transferred to the Thomas Jr. White Foundation, Inc. and Godian Fellowship Inc.

Upon UDAAP designation, the With-Action condition would be eligible for the Urban Development Action Area Program, in which Applicants would receive up to a 20-year exemption from real estate taxes on the assessed value of the buildings. The exemption does not, however, affect taxes on land value. UDAAPs allow for disposition of publicly-owned property. Under the With Action Condition, HPD would dispose of Lots 3 and 9 of Development Site A to the Applicant.

Discussion

These actions would increase the density and building height permitted on the Development Sites and ensure that residential development within the Project Area contains affordable housing in perpetuity. Though the Proposed Actions would change the zoning designation

Figure 2-3 Proposed Zoning Map



of the Project Area, the proposed changes are in keeping with the purpose and goals of The Jamaica Plan, which encourages the development of affordable housing. In accordance with this goal, the proposed Zoning Map Amendment and Zoning Text Amendment would facilitate the development of affordable housing on the Development Site. As such, compared to the future No-Action condition, the With-Action condition would provide substantial benefits to the surrounding community by increasing the affordable housing stock.

Public Policy

The Proposed Actions would not result in any changes to public policies affecting the study area. As discussed below, the Proposed Actions would be consistent with, and supportive of, public policies relevant to the study area.

The Jamaica Plan

Redevelopment of the Development Sites would conform to the relevant standards and regulations of The Jamaica Plan. As such, the Proposed Actions would advance the objectives of The Jamaica Plan and support some of the specific purposes, as detailed below.

Expand opportunities for new residential and mixed-use development at a range of scales appropriate to surrounding building patterns near transit and highway access;

The Proposed Actions would introduce up to 150 new housing units to the Downtown Jamaica neighborhood, and would include improved community facility space for long standing community organizations. In providing new affordable housing units, the Proposed Actions would promote an improved living environment, in support of this purpose. Furthermore, the buildings would be designed to be appropriately scaled for creation of affordable housing and its location on a busy thoroughfare with transit access and across from a major institutional use.

PlaNYC/OneNYC 2050

The Proposed Actions would also support some of the initiatives outlined in OneNYC 2050, as detailed below.

Goal 3: Thriving Neighborhoods

Initiative 9: Ensure all New Yorkers have access to safe, secure, and affordable housing

This goal is focused around fostering communities that have safe and affordable housing, and are well-served by parks, cultural resources, and shared spaces. As noted, the Proposed Actions would introduce up to 150 new housing units to the Downtown Jamaica neighborhood, with a mix of affordable and senior supportive housing. As such, the Proposed Actions would be in support of this initiative by expanding the City's affordable housing stock.

Goal 4: Healthy Lives

Initiative 13: Guarantee high-quality, affordable, and accessible health care for all New Yorkers

This goal is focused around reducing inequities in health outcomes by guaranteeing health care and facilitating both healthy lifestyles and a healthy physical environment. The Proposed Actions would expand the Development Site's existing health center use. The health center would provide clinical services and primary medical and psychiatric care to residents of the building and the neighborhood. In doing so, the Proposed Actions would expand the health services available to residents, in support of this initiative.

Goal 6: A Livable Climate

Initiative 20: Achieve carbon neutrality and 100 percent clean electricity

This goal is focused around reducing emissions and creating gains in efficiency across all buildings and infrastructure. Under Local Law 32 of 2017, all new buildings must be built to the latest energy efficiency standards. The With-Action condition would comply with Local Law 32.

Housing Blueprint

The Proposed Actions would introduce up to 150 housing units for seniors and families. As such, the Proposed Actions would contribute to achieving the City's goal of creating new affordable housing units.

Conclusion

As described above, the Proposed Actions would result in the rezoning and redevelopment of two sites, Godian Fellowship Inc. and TWF. Both current community facilities would be replaced with two mixed-use residential and community facility buildings of nine floors in height and with FARs of 4.37 and 4.56. The Proposed Actions would provide additional affordable housing units to the neighborhood with a 100% affordable senior housing building and a building affordable under MIH Option 2. In addition, the Proposed Actions would enhance the community facility uses currently found on site through amenities such as a community garden and on-site parking. Though greater in density, the use of the subject property (i.e., residential and community facility) would be consistent with the residential character of the study area. Plus, by providing affordable and senior housing, and given the proximity of same to transportation resources, the Proposed Actions would support the goals of The Jamaica Plan and Housing New York 2.0. Based on the foregoing, the With-Action condition would not result in any significant adverse impacts to land use, zoning, or public policy.

3

Open Space

This section assesses the potential impacts of the Proposed Actions on open space. The *2021 City Environmental Quality Review (CEQR) Technical Manual* defines open space as publicly or privately-owned land that is publicly accessible and available for leisure, play, or sport, or is set aside for the protection and/or enhancement of the natural environment.

Introduction

This section assesses the potential effects on open space that could result from the Proposed Actions. Open space is defined as publicly- or privately-owned land that is publicly accessible and operates, functions, or is available for leisure, play, or sport, or set aside for the protection and/or enhancement of the natural environment. Open space that is used for sports, exercise, or active play is classified as active, while open space that is used for relaxation, such as sitting or strolling, is classified as passive. According to the *2021 CEQR Technical Manual*, an analysis of open space is conducted to determine whether a proposed action would have a direct impact resulting from the elimination or alteration of open space and/or an indirect impact resulting from overtaxing available open space.

As described in **Part 1: Project Description**, the Applicants are seeking several discretionary approvals from the City Planning Commission (CPC), including a zoning map amendment, zoning text amendments, and the establishment of an Urban Development Action Area to facilitate the development of two mixed-used residential and community facility and

residential buildings on the Development Sites, totaling approximately 123,471 (up to 150) new units.

Therefore, in accordance with CEQR guidelines, this open space analysis of the Proposed Actions evaluates the change in residential population relative to the total amount of open space in the study area. The anticipated number of net new workers would not trigger a non-residential analysis.

Methodology

Per guidance in the *CEQR Technical Manual*, an open space analysis is generally conducted if a proposed project would generate more than 200 new residents or 500 new employees. As shown in **Table 3-1**, the With-Action condition would introduce a new residential population above the 200-resident threshold, and thus a residential open space analysis is necessary. The anticipated number of workers introduced by the With-Action condition is not expected to exceed 500. Therefore, a non-residential open space analysis is not required.

Table 3-1 Future No-Action and With-Action Population/Employment Summaries

Use	Existing Conditions	Future No-Action Condition	Future With-Action Condition	Increment
Residential (gsf)	0	0	107,169	+107,169
Community Facility (gsf)	11,695	11,695	16,515	+4,820
Population/Employment				
Residents[1]	0	0	426	+426
Workers[2]	35	35	56	+20

Notes:

[1] Based on the average household size of 3.80 people within the South Jamaica NTA (2017-2021 5-year ACS) for the affordable and formerly homeless units, and 2 residents per senior unit.

[2] 1 employee per 25 dwelling units, 1 employee per 333 gsf of community facility space assumed

Direct Effects Analysis

Consistent with the *CEQR Technical Manual*, a direct effects analysis should be performed if a With-Action condition would directly affect open space conditions by causing the loss of public open space; changing the use of an open space so that it no longer serves the same user population; limiting public access to an open space; or increasing noise or air pollutant emissions, odor, or shadows that would temporarily or permanently affect the usefulness of a public open space. A project can also directly affect an open space by enhancing its design or increasing its accessibility to the public. The With-Action condition would not result in the physical loss or direct displacement of publicly accessible open space or increase access to open space, and thus no direct effects analysis is warranted.

Indirect Effects Analysis

The *CEQR Technical Manual* states that indirect effects may occur when the population generated by a project would overtax the capacity of open spaces so that their service to the future population of the affected area would be substantially or noticeably diminished. The With-Action condition would result in a net increase of up to 150 units and approximately

426 residents and 20 workers compared to the future No-Action condition.[1] Therefore, only a residential analysis of indirect effects is warranted. The purpose of the indirect effects analysis is to quantitatively assess the adequacy of open space in the study area for existing and potential future users based on an inventory of open space resources and the effect of the residential population increase anticipated with the With-Action condition as well as any population increase in the No-Action Condition due to other planned or proposed developments.

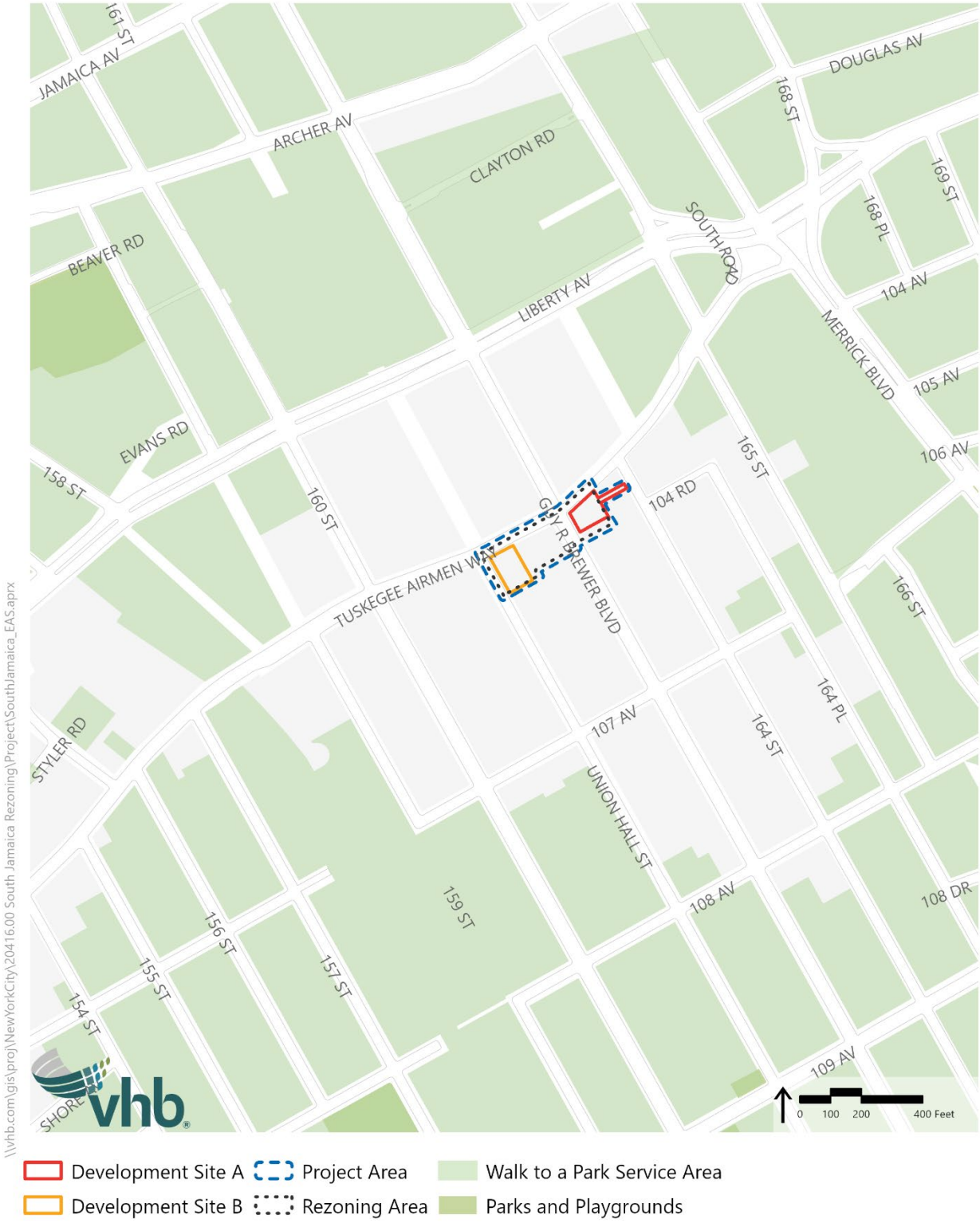
Specifically, an indirect effects analysis includes:

- Identification of the open space user groups: residents. To determine the number of residents to be included in the analysis, population data from the 2014-2018 5-year American Community Survey were compiled for census tracts within the study area.
- An inventory of all publicly accessible open spaces in the study area, using secondary sources supplemented with field surveys.
- A quantitative assessment of the open space ratio in the study area—calculated as the ratio of open space acreage to user population—compared to benchmarks established in the *CEQR Technical Manual*. These include the optimal ratio for resident populations, which is 2.0 acres of active open space per 1,000 residents and 0.5 acres of passive open space per 1,000 residents.
- An evaluation of qualitative factors affecting open space resources.

According to the *CEQR Technical Manual*, projects that may result in significant quantitative impacts on open space resources, are typically further assessed in a qualitative assessment to determine the overall significance of the impact.

[1] This is a conservative assumption for the With-Action condition that assumes more units than the Proposed Project (see discussion in Part I: Project Description).

Figure 3-1 Walk to a Park Service Area



Walk-to-a-Park Initiative

New York City, as part of the OneNYC 2050 Building a Strong and Fair City plan, has put forth a goal for 85 percent of New York City residents living within a walking distance of a park by 2030. To help the City reach this goal, NYC Parks has a Walk-to-a-Park initiative that focuses on increasing access to parks and open space in areas of the City where residents live further than a walk to a park. According to Walk-to-a-Park service area geographic data provided by the City, the Rezoning Area is located within a walk gap area (see **Figure 3-1**). Therefore, a detailed assessment is warranted.

Open Space Study Area

According to the *CEQR Technical Manual*, the first step in an open space analysis is to define and map a study area to allow analysis of both the open spaces and the population using those open spaces within a specified distance of a project. The size of the study area is based on the distance a person may be reasonably assumed to walk to reach a local open space. Residents use both passive and active open spaces and travel up to a half-mile from their places of residence—to reach open spaces.

The residential study area comprises the area within a half-mile distance from the Project Area.

Pursuant to *CEQR Technical Manual* guidance, the residential study area comprises all census tracts that have at least 50 percent of their area located within a half-mile radius of the Project Area. Six census tracts in Queens County have at least 50 percent of their area located within a half-mile of the Project Area: Tracts 246, 254, 258, 260, 440, and 446.01. See **Figure 3-2** for the open space study area and census tracts.

Figure 3-2 Residential Open Space Study Area Map



Impact Assessment

The adequacy of open space in the study area is based on ratios of usable open space acreage to the study area populations (the "open space ratios"). The *CEQR Technical Manual* outlines the following guidelines for residential assessments:

› The City attempts to achieve a ratio of 2.50 acres per 1,000 residents for large-scale proposals. Ideally, this would consist of 0.50 acres of passive open space and 2.00 acres of active open space per 1,000 residents. However, these goals are often not feasible for many areas of the City and they do not constitute an impact threshold. Rather, it is a benchmark that represents how well an area is served by its open space.

The determination of significant adverse impacts is based on how a project would change the open space ratios in a study area, as well as qualitative factors not reflected in the quantitative assessment. According to the *CEQR Technical Manual*, if a project would reduce an open space ratio and consequently result in overburdening existing facilities, or if it would substantially exacerbate an existing deficiency in open space, it may result in a significant impact on open space resources. In general, if (1) a study area's open space ratios fall below City guidelines, and (2) a project would result in a decrease in the open space ratio greater than the percent change threshold associated with OSR ranges, it could be considered a substantial change requiring additional analysis. However, in areas that have been determined to be extremely lacking in open space, a reduction as small as one percent may be considered significant, warranting further analysis (see **Table 3-2**).

Table 3-2 Percent Change Guidance to Determine Possible Open Space Impact

Total Open Space Ratio Range	Active Open Space Ratio Range	Passive Open Space Ratio Range	Percentage Change in Open Space Ratio Signifying a Possible Adverse Open Space Impact
2.01 to 2.50 or greater	1.61 to 2.0 or greater	0.41 to 0.50 or greater	5%
1.51 to 2.00	1.21 to 1.60	0.31 to 0.40	4%
1.01 to 1.50	0.81 to 1.20	0.21 to 0.30	3%
0.51 to 1.00	0.41 to 0.80	0.11 to 0.20	2%
0.50 or less	0.01 to 0.40	0.01 to 0.10	1%

*2.5 OSR is the planning goal in NYC, with optimal distribution goal of 2.0 Active OSR and 0.5 Passive OSR

Screening Analysis

A preliminary analysis was conducted to understand the total open space ratio and percent change and is included below in the Detailed Assessment. As shown in the With-Action Condition section, the total open space ratio change is less than the percentage change signifying a potential impact. The total open space ratio would be reduced from 0.75 acres per 1,000 residents in the No-Action condition to 0.73 acres per 1,000 residents in the With-Action condition. This is a raw decrease of 0.013 acres per 1,000 residents and a 1.7 percent decrease in overall open space ratio. Therefore, this indicates that a detailed assessment is not warranted. However, due to the project being in a walk-to-a-park gap area, a detailed assessment was performed and includes the active and passive ratios as well as a qualitative analysis to be conservative.

Detailed Assessment

Existing Conditions

Study Area Population

The existing estimated residential population in the study area is shown in **Table 3-3.** Based on the 2017-2021 5-year American Community Survey (ACS) data, the six census tracts in the open space study area contain a total residential population of 24,936.

Table 3-3 Existing Population in the Residential Study Area

Census Tract	Residential Population
246	0
254	11,402
258	2,212
260	2,984
440	4,503
446.01	3,835
Total	**24,936**

Source: 2017-2021 ACS 5-year estimates.

Study Area Open Space Resources

Open space as per *CEQR Technical Manual* guidelines is defined as an area that is accessible to the public on a constant and regular basis, including for designated daily periods. Publicly accessible open space may be under government or private jurisdiction and includes open space designated through regulatory approvals, such as public plazas. Private open space—that which is not publicly-accessible or is available only to limited users and is not available to the public on a constant and regular basis—is not included in CEQR-compliant quantitative open space analyses.

In addition to the distinction between public and private open spaces, individual spaces may also be classified as either active or passive, according to the types of activities for which the

space is primarily used. Open space that is used for sports, exercise, or active play is classified as active and consists mainly of recreational facilities, while open space that is used for relaxation, such as a plaza, is classified as passive. Some types of open space facilities, such as esplanades, may be devoted to both active and passive uses.

In conducting the open space analysis for the Proposed Actions, publicly accessible open spaces within the study area were inventoried. The open space resources were identified by their location, owner, features, total acreage, and acreage of passive and active areas. The secondary sources for this analysis included land use and geographic PLUTO data at the tax lot level and additional data provided by the New York City Department of Parks (NYC Parks). According to the *CEQR Technical Manual*, public open space does not include Greenstreets, malls without seating, or sidewalks.

All of the publicly accessible open space resources that include passive and active open space within the study area are shown in **Figure 3-2** and listed in **Table 3-4**.

Table 3-4 Existing Study Area Open Spaces

Map No.	Name	Owner/ Agency	Features and Amenities	Total Acres	Active (Acres)	Passive (Acres)
O1	Prospect Cemetery	NYC Parks	Trees, plantings, historic landmark	3.50	0	3.50
O2	Detective Keith L. Williams Park	NYC Parks	Recreation center, outdoor pool, playgrounds, running track, tennis court, basketball court	7.68	6.68	1.00
O3	Latimer Playground	NYC Parks/DOE	Handball courts, playground, spray showers, basketball courts	1.08	1.08	0
O4	Jamaica Playground	NYC Parks/DOE	Handball court, basketball court, playground	2.46	2.46	0
O5	Marconi Park	NYC Parks	Handball courts, soccer field, playgrounds, spray showers	4.63	3.63	1.00
			Residential Study Area Total	**19.35**	**13.85**	**5.50**
			Percent of Study Area Open Space	**100%**	**71.58%**	**28.42%**

Source: NYC Department of Parks and Recreation

The study area contains five open space resources. These five resources are a mix of neighborhood parks, playgrounds, plazas, and cemeteries, and comprise about 19.35 total acres of open space, of which approximately 14 is active and 5.50 is passive.

The largest open spaces within the study area are Prospect Cemetery and Detective Keith L. Williams Park. Historic Prospect Cemetery sits to the north of the Development Sites and totals 3.50 acres of leisure walking trails with tree plantings. Prospect Cemetery is a designated city landmark and is one of the oldest intact cemeteries in New York. Detective Keith L. Williams Park is five blocks east of the Development Sites and totals 7.68 acres. It contains playgrounds, a recreation center, tennis courts, a running track, bathrooms, and an outdoor pool.

Additional parks and playgrounds in the study area are to the south of the Development Sites, and include Marconi Park, Jamaica Playground, and Latimer Playground. These resources contain a mix of passive and active open space, and include amenities like fields, courts, playgrounds, and shaded lawns. There are also several plazas and Privately-Owned

Public Spaces (POPS) in the study area, with several small community gardens south of the Development Sites. The three community gardens that fall within the study area: George Washington Carver Botanical Garden, Tree of Life Organic Garden, and McKinley's Children's Garden are run by NYC Parks GreenThumb and are only open to the public at times designated by the garden volunteers.

As mentioned above, although open space resources occur in the study area, the Rezoning Area is located within a walk gap area.

Adequacy of Open Spaces

Quantitative Assessment

Using *CEQR Technical Manual* guidelines, the adequacy of open space was first analyzed quantitatively by comparing the ratio of existing active and passive open space acreage in the study area per 1,000 residents with the CEQR benchmark of 2.0 acres of active open space and 0.5 acres of passive open space per 1,000 residents.

The existing residential population of the study area was estimated at 24,936. The residential study area has an overall open space ratio of 0.776 acres per 1,000 residents (see **Table 3-5**), which is below the City's goal of 2.5 acres per 1,000 residents. The study area's current residential passive open space ratio is 0.221 acres per 1,000 residents, which is below the City's goal of 0.5 acres per 1,000 residents. The study area's residential active open space ratio is 0.555 acres per 1,000 residents, which is below the City's guideline of 2.0 acres per 1,000 residents. Thus, based on the quantitative analysis, there is an existing deficiency in open space to serve the residential population of the study area.

Table 3-5 Existing Conditions – Adequacy of Open Space Resources in Residential Half-Mile Study Area

Population	Open Space Acreage		Ratios*	DCP Guidelines
24,936	Active	13.85	0.555	2.00
	Passive	5.50	0.221	0.50
	Total	**19.35**	**0.776**	**2.50**

Source: ACS 2014-2018 5-year estimates, DPR
*Acres per 1,000 people

Qualitative Assessment

As mentioned above, the study area contains five open space resources. These five resources are a mix of neighborhood parks, playgrounds, plazas, and cemeteries, and comprise about 19.35 total acres of open space, of which approximately 14 is active and 5.50 is passive.

While not within the residential study area, there are some notable open spaces within a half-mile from the Development Sites that residents of the With-Action condition would be expected to visit. Rufus King Park is three blocks northwest of the Development Sites and totals 11.5 acres. It contains fields and gardens, a playground, picnic areas, bathrooms, walking paths, eateries, and King Manor Museum, the 18th century historic house of Rufus

King himself. Another important resource is the York College campus located directly north of the Development Sites. York College holds conservatively more than 13 acres of plazas, fields, and courts however, a desktop search and field survey confirmed that these resources were fenced off and not accessible to the public. These resources were not considered in the quantitative open space analysis but noted for the importance to the York College student community and thus, demand for other open spaces may be less. Furthermore, open space and playgrounds are found throughout the South Jamaica Houses within the study area located south of Tuskegee Airmen Way between 158th Street and 160th Street. Approximately 2,260 residents live in the Jamaica houses (or 10 percent of the study area population), but the open spaces associated with them are not included in the analysis per CEQR guidelines.

No-Action Condition

As described in the **Methodology** section above, the No-Action condition accounts for population growth and changes expected to the inventory of open space resources.

Under the No-Action Condition, the buildings on the Development Sites and in the Project Area will continue to operate as in existing conditions.

Study Area Population

New development in the residential study area would result in an additional 1,080 residential units, increasing the residential population by 4,104 for a total residential population of 29,040 persons in 2026 (see **Table 3-6**).

Table 3-6 No-Action Projects in the Residential Study Area

Development Name/Location	Total GSF	Residential Units	Estimated Residents[1]
160-05 Archer Avenue/ 92- 27 160th St	326,000	315	1,197
92-33 Guy R Brewer Blvd	542,016	605	2,299
89-26 162 St	150,977	71	270
89-25 162 St	83,664	89	338
Total	**1,102,657**	**1,080**	**4,104**

Source: New York City Department of Buildings, New York City Department of City Planning
Notes;
[1] Based on the Average Household Size for the study area census tracts of 3.80 (2017 5yr ACS)

Study Area Open Spaces

In the No-Action condition, there are several proposed park improvement projects planned within the study area. None of the proposed improvements would add new park space. The proposed park improvement projects are as follows:

- The multipurpose play area and playground will be reconstructed in Jamaica Playground
- There are planned reconstructions of the running track, tennis courts, basketball courts, and playground in Detective Keith L. Williams Park

› The Liberty Pool deck within Detective Keith L. Williams Park will be newly improved

Furthermore, several projects pertaining to open space were awarded Downtown Revitalization Initiative (DRI) funding as part of the Downtown Jamaica Downtown Revitalization Initiative Strategic Investment Plan.[2] These include the creation of a public space at the Archer Archways at 159th Street and pedestrian space at Jamaica Center as part of revitalizing the Downtown Jamaica Gateway. Since timing and scale is uncertain on these projects, they were not included in the analysis. However, it is expected that they would contribute to slight increases in passive open space under the No-Action condition.

Adequacy of Open Spaces

In the No-Action condition, the open space ratios in the residential study area would decrease slightly but would remain below the City's guidelines. The total open space ratio would decrease from 0.776 acres per 1,000 residents to 0.666 acres per 1,000 residents and would remain below the guideline of 2.5 acres per 1,000 residents. The active open space ratio would decrease to 0.477 acres per 1,000 residents and the passive open space ratio would also decrease to 0.189 acres per 1,000 residents. As in existing conditions, the active and passive open space ratios would fall below the City's guideline of 2.0 acres of active space and 0.5 acres of passive open space per 1,000 residents (see **Table 3-7**).

Table 3-7 No-Action Condition – Adequacy of Open Space Resources in Residential Half-Mile Study Area

Population	Open Space Acreage		Ratios*	DCP Guidelines
29,040	Active	13.85	0.477	2.00
	Passive	5.50	0.189	0.50
	Total	**19.35**	**0.666**	**2.50**

*Acres per 1,000 people

With-Action Condition

The Applicants are seeking to develop two mixed-use residential and community facility buildings with a private garden and parking on the two Development Sites in the Project Area.

Study Area Population

In the With-Action condition, with the introduction of up to 150 units, estimated to introduce approximately 426 residents, the total residential population would be 29,466 in the study area.

[2] https://www.ny.gov/downtown-revitalization-initiative/jamaica

Adequacy of Open Spaces

Quantitative Assessment

Under the With-Action condition, the open space ratio for the residential population would decrease only slightly from the No-Action condition open space ratio (see **Table 3-8**). The total open space ratio would be reduced from 0.666 acres per 1,000 residents in the No-Action condition to 0.657 acres per 1,000 residents in the With-Action condition. This is a raw decrease of 0.009 acres per 1,000 residents and a 1.4 percent decrease in overall open space ratio. The active and passive open space ratios would also be reduced slightly: from 0.477 acres and 0.189 acres per 1,000 residents to 0.470 and 0.187 acres per 1,000 residents, respectively.

As described previously, a proposed project could result in a significant adverse open space impact if a study area's open space ratios fall below City guidelines, and if a project would result in a decrease in the open space ratio greater than the percent change threshold associated with OSR ranges. According to **Table 3-2**, the overall open space ratio falls within the range of 0.50 and 1.00. Therefore, a percent change in the overall open space ratio of over 2 percent would be considered an adverse impact. The Proposed Actions would not result in a decrease of the open space ratio of more than 2 percent, and therefore, no significant adverse impact would result. Because the active and passive open space ratios changes are also below 2 percent and 3 percent, respectively, the age distribution and condition and utilization of the open space resources were not considered. Thus, significant adverse impacts on the active and passive open space resources are not anticipated as a result of the Proposed Actions.

Table 3-8 With-Action Condition – Adequacy of Open Space Resources in Residential Half-Mile Study Area

Population	Open Space Acreage		Ratios*	DCP Guidelines
29,466	Active	13.85	0.470	2.00
	Passive	5.50	0.187	0.50
	Total	**19.35**	**0.657**	**2.50**

*Acres per 1,000 people

Qualitative Assessment

The Proposed Actions include a resident garden on the site of the proposed Godian Fellowship building (Development Site A) that was not included in the open space analysis. Furthermore, there would be multiple terraces accessible to building residents, with three open air terraces on Development Site A and two on Development Site B. It is expected that the garden and terrace spaces would partially offset the demand for area open spaces from the addition of new residents. Additionally, these spaces would provide more immediate access to residents since the Rezoning Area is located in a walk gap area. Furthermore, there are several green streets and larger parks like Rufus King Park and St. Albans Park that are less than two blocks away from the study area that would be accessible to residents, as well

as the mentioned open space improvements as part of the Downtown Jamaica DRI discussed under the No-Action condition.

Conclusion

Under the With-Action condition, the total open space ratio for the residential population would decrease by 1.4 percent compared to the No-Action condition open space ratio: 0.666 to 0.657 acres per 1,000 residents, and the study area would continue to have open space ratios below the guideline of 2.50 acres per 1,000 residents and below the citywide median of 1.50 acres per 1,000 residents.

The active and passive open space ratios would also decrease slightly (see **Table 3-9**). The Proposed Actions would not result in a greater than 2 percent decrease in the open space ratio, and therefore no significant adverse impact to open space resources would result.

There are several existing and planned open space resources within a half-mile walking distance that were not included in the quantitative open space analysis, including the 11.5-acre Rufus King Park located at the edge of the study area north of the Development Sites. The open spaces associated with York College campus and the South Jamaica Houses are also within the half-mile radius, and total to more than two acres, and if considered in the quantitative analysis, would greatly improve the open space ratios in the study area, though they would not greatly affect the percent change overall. Furthermore, there are three community gardens within the study area—George Washington Carver Botanical Garden, Tree of Life Organic Garden, and McKinley's Children's Garden—that are open to the public on an informal schedule. As mentioned above, open space improvements as part of the Downtown Jamaica DRI are funded and anticipated in the future, but also not included in the quantitative analysis.

On-site open spaces including a resident garden and multiple terraces would be accessible to building residents. It is expected that the garden and terrace spaces would partially offset the demand for area open spaces from the addition of new residents and would provide more immediate access to residents since the Rezoning Area is located in a walk gap area.

Therefore, due to the small percent change in open space ratios expected with approval of the Proposed Actions in combination with the noted open space resources not included in the quantitative analysis, there would be no significant adverse impact to open space.

Table 3-9 Change in Open Space Ratios

	No-Action*	With-Action*	Percent Change (%)	Raw Change
Active	0.477	0.470	-1.5	-0.007
Passive	0.189	0.187	-1.1	-0.002
Total	**0.666**	**0.657**	**-1.4**	**-0.009**

*Acres per 1,000 people

4

Shadows

A shadow is defined in the *2021 CEQR Technical Manual* as the condition that results when a building or other built structure blocks the sunlight that would otherwise directly reach a certain area, space, or feature. The purpose of this section is to assess whether new structures may cast shadows on sunlight sensitive publicly accessible resources or other resources of concern such as natural resources, and to assess the significance of their impact.

Introduction

The *2021 CEQR Technical Manual* states that a shadows assessment is warranted for proposed actions that would result in new structures greater than 50 feet in height or located adjacent to, or across the street from, a sunlight-sensitive resource. Such resources include publicly accessible open spaces, important sunlight-sensitive natural features, or historic resources with sun-sensitive features. A significant adverse shadow impact occurs when the incremental shadow added by a proposed project falls on a sunlight-sensitive resource and substantially reduces or completely eliminates direct sunlight exposure, thereby significantly altering the public's use of the resource or threatening the viability of vegetation or other resources.

Until recently, Development Site A contained an approximately 12-foot-tall modular building (as measured to the top of the roof, not the top of the mechanical bulkhead). Development Site B currently contains an approximately 14-foot tall, one-story office building (as

measured to the top of the roof, not the top of the mechanical bulkhead). The Proposed Actions would result in a nine-story building, which would measure 95 feet in height without the mechanical bulkhead and 110 feet in height with the bulkhead on each of the Development Sites. Because the With-Action condition is introducing buildings greater than 50 feet in height, a shadows assessment has been provided.

Methodology

According to the *2021 CEQR Technical Manual*, the longest shadow a structure will cast in New York City, except for periods close to dawn or dusk, is 4.3 times its height. In accordance with the *CEQR Technical Manual*, a preliminary screening assessment is conducted to ascertain whether shadows resulting from a project could reach any sunlight-sensitive resource at any time of year; if the preliminary assessment indicates that, in the absence of intervening buildings, shadows from a project could reach sunlight-sensitive resources on any of the representative analysis days, a detailed analysis is typically warranted.

Sunlight-Sensitive Resources

The *CEQR Technical Manual* defines sunlight-sensitive resources as those resources that depend on sunlight or for which direct sunlight is necessary to maintain the resource's usability or architectural integrity. The following are considered to be sunlight-sensitive resources: [1]

- Public open space (e.g., parks, beaches, playgrounds, plazas, schoolyards, greenways, and landscaped medians with seating). Planted areas within unused portions of roadbeds that are part of the Greenstreets program are also considered sunlight-sensitive resources. The uses and vegetation in an open space establish its sensitivity to shadows. This sensitivity is assessed for both (1) warm-weather-dependent features like wading pools and sand boxes, or vegetation that could be affected by loss of sunlight during the growing season (i.e., March through October); and (2) features, such as benches, that could be affected by a loss of winter sunlight. Uses that rely on sunlight include passive uses, such as sitting or sunning; active uses, such as playfields or paved courts; and such activities as gardening, or children's wading pools and sprinklers. Where lawns are actively used, the turf requires extensive sunlight. Vegetation requiring direct sunlight includes the tree canopy, flowering plants, and plots in community gardens. Generally, four to six hours a day of sunlight, particularly in the growing season, is a minimum requirement.
- Features of historic architectural resources that depend on sunlight for their enjoyment by the public. Only the sunlight-sensitive features are considered, as opposed to the entire architectural resource. Sunlight-sensitive features include the following: design elements that are part of a recognized architectural style that depends on the contrast between light and dark (e.g., deep recesses or voids such as open galleries, arcades, recessed balconies, deep window reveals, and prominent rustication); elaborate, highly carved ornamentation; stained-glass windows; exterior building materials and color that

[1] According to the *CEQR Technical Manual*, City streets, sidewalks, and private open spaces (such as private residential front and back yards, stoops, and vacant lots) are not considered to be sunlight-sensitive resources.

depend on direct sunlight for visual character (e.g., the polychromy (multicolored) features found on Victorian Gothic Revival or Art Deco façades); historic landscapes, such as scenic landmarks including vegetation recognized as an historic feature of the landscape; and structural features for which the effect of direct sunlight is described as playing a significant role in the structure's importance as an historic landmark.

- Natural resources where the introduction of shadows could alter the resource's condition or microclimate. Such resources could include surface water bodies, wetlands, or designated resources such as coastal fish and wildlife habitats.

Preliminary Assessment

The preliminary screening assessment consists of three tiers of analysis:

- **Tier 1 Screening:** The first tier determines a simple radius around the proposed building representing the longest shadow that could be cast. If there are sunlight-sensitive resources within the radius, the analysis proceeds to the second tier.
- **Tier 2 Screening:** The second-tier analysis reduces the area that could be affected by project-generated shadows by accounting for a specific range of angles that can never receive shade in New York City due to the path of the sun in the northern hemisphere. According to the *CEQR Technical Manual*, shadows cannot be cast within New York City within 108 degrees from True North. Topographic lines are included to demonstrate the terrain of the area.
- **Tier 3 Screening:** If the second tier of analysis does not eliminate the possibility of new shadows on sunlight-sensitive resources, a third tier of screening analysis further refines the area that could be reached by new shadows by looking at specific representative days of the year and determining the maximum extent of shadow over the course of each representative day. For the Tier 3 screening, three-dimensional modeling software with the capacity to model shadows is used, and the maximum building envelope that could be achieved as a result of a proposed project is modeled and geo-located within the program. Terrain, which has been included in the Tier 1 and Tier 2 Screenings, is also incorporated into the model to account for how changes in elevation throughout the study area can influence shadows that could be cast by a proposed project. The representative analysis days are December 21 (winter solstice), June 21 (summer solstice), March 21/September 21 (vernal/autumnal equinox), and May 6/August 6 (halfway between summer solstice and the equinoxes). The modeling software is also used to approximate times that shadows cast from a proposed project could enter and exit a resource.

Detailed Assessment

As noted above, if the Tier 3 screening indicates that, in the absence of intervening buildings, shadows from a proposed project would reach a sunlight-sensitive resource on any of the representative analysis days, a detailed shadow analysis would be warranted. Because existing buildings (or No-Action buildings) may already cast shadows on a sun-sensitive resource, a proposed project may not result in additional (incremental) shadows upon that resource. The detailed shadow analysis models a baseline condition (future No-Action) that is compared to the future condition resulting from a proposed project (future With-Action)

to illustrate the shadows cast by the No-Action development and distinguish the additional (incremental) shadow cast by the project. The detailed shadows analysis uses a combination of Geographic Information Systems (GIS) 3D modeling and modeling in Sketchup, as well as GIS data provided publicly.

For the With-Action condition, only Tier 1 and Tier 2 Preliminary Assessment were necessary, as explained below.

Determination of Significance

As described in the *CEQR Technical Manual*, an incremental shadow is generally not considered significant when its duration is no longer than 10 minutes at any time of year and the resource continues to receive substantial direct sunlight. A significant shadow impact generally occurs when an incremental shadow of 10 minutes or longer falls on a sunlight-sensitive resource and results in one of the following:

- Vegetation: a substantial reduction in sunlight available to a sunlight-sensitive feature of the resource to less than the minimum time necessary for its survival (when there was sufficient sunlight in the future without the project), or a reduction in direct sunlight exposure where the sensitive feature of the resource is already subject to substandard sunlight (i.e., less than the minimum time necessary for its survival).
- Historic and cultural resources: a substantial reduction in sunlight available for the enjoyment or appreciation of the sunlight-sensitive features of an historic or cultural resource.
- Open space utilization: a substantial reduction in the usability of open space as a result of increased shadow, with consideration given to anticipated new users and the open space's utilization rates throughout the affected time periods as well as to the inventory of available open space resources in the study area.
- For any sunlight-sensitive feature of a resource: complete elimination of all direct sunlight on the sunlight-sensitive feature of the resource, when the complete elimination results in substantial effects on the survival, enjoyment, or, in the case of open space or natural resources, the use of the resource.

In general, a significant adverse shadow impact occurs when the incremental shadow added by a proposed action falls on a sunlight-sensitive resource and substantially reduces or completely eliminates direct sunlight exposure, thereby significantly altering the public's use of the resource or threatening the viability of vegetation or other resources.

Preliminary Assessment

Tier 1 and 2 Screening

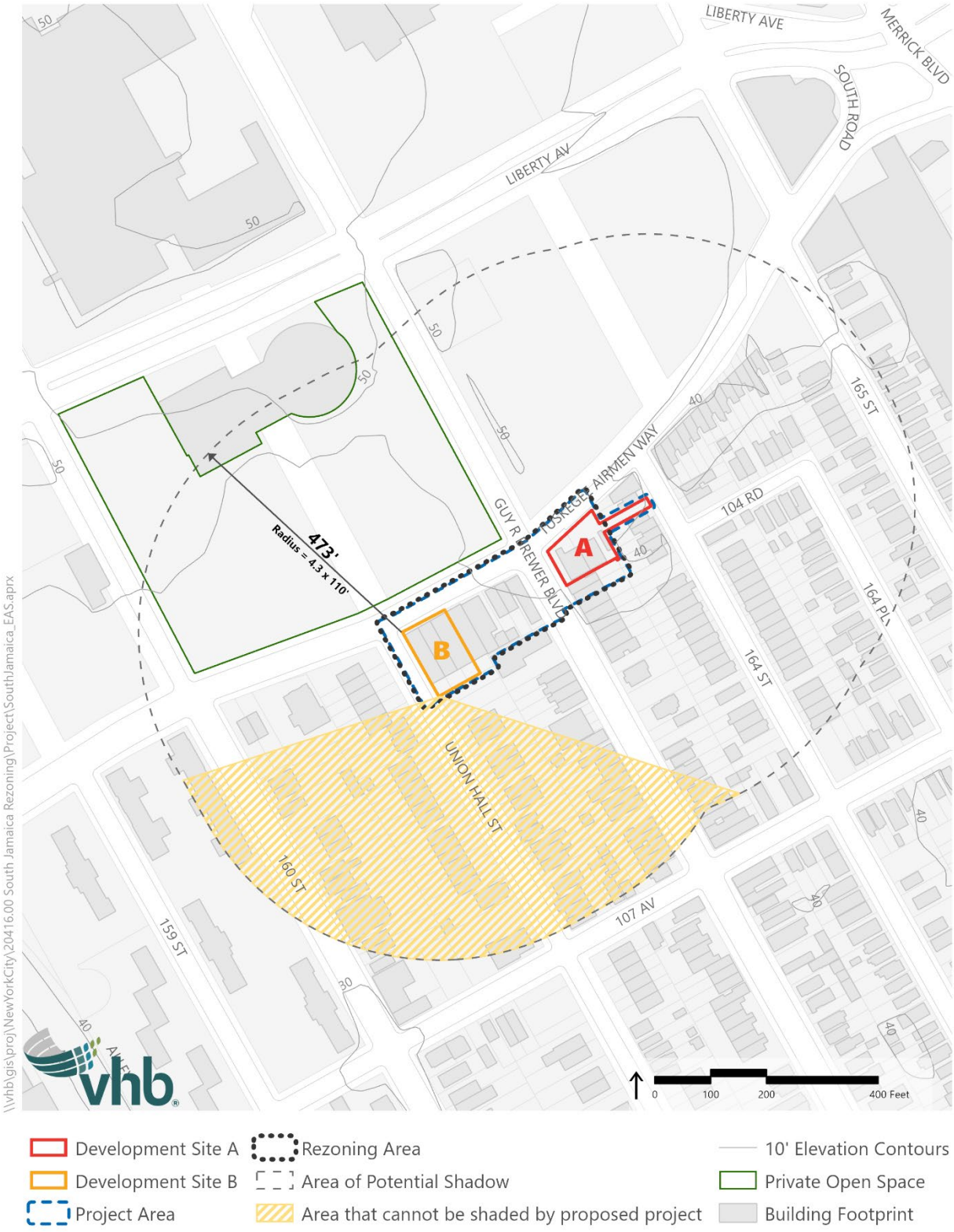
As described above, the With-Action condition would consist of approximately two 110-foot-tall buildings (including the approximately 15-foot-tall bulkhead) on each Development Site and could cast a maximum shadow up to 4.3 times the building height, equaling approximately 473 feet (see **Figure 4-1**). There are no publicly accessible open spaces, historical resources, or natural resources within the potential shadow sweep. There is open space associated with the York College campus that is not open to the public located directly

north of the Project Area. It contains a large fenced-in grass field with some trees to the north surrounding the building. There are no other landscaping, walkways, or sports facility improvements to the area. The *CEQR Technical Manual* notes that private open spaces not considered in the Open Space analysis also do not meet the requirements to be a sunlight-sensitive resource for the shadows analysis. Publicly accessible university campuses are also considered open space. However, this space is not a publicly accessible part of York Colleges campus, and therefore was not considered to be a sunlight sensitive resource. Thus, it was not included in the analysis. The area directly north of Development Site A is similarly an unimproved grass field surrounded by a fence that is inaccessible to the public, and mainly contains parking.

Conclusion

The Tier 1 and 2 shadows screening conducted for the With-Action condition determined that no sunlight-sensitive features would fall under the potential shadow sweep (see **Figure 4-1**). An open space area located to the north of the Project Area is associated with the York College campus, but because the area is not open to the public and features vegetation limited to a grassed field, it does not meet the requirements for a sunlight-sensitive resource as set forth in the *CEQR Technical Manual*. Thus, significant adverse shadows impacts from the With-Action condition are not anticipated and further analysis is not warranted.

Figure 4-1 Tier 1 and Tier 2 Screening



5

Urban Design and Visual Resources

An urban design assessment under CEQR considers whether and how a project may change the experience of a pedestrian in the study area. The assessment focuses on the components of a proposed project that may have the potential to alter the arrangement, appearance, and functionality of the built environment.

Introduction

Urban design is the totality of components that may affect a pedestrian's experience of public space. To determine if the Proposed Actions have the potential to change the pedestrian experience, an urban design assessment under CEQR guidelines focuses on the components of the Proposed Actions that may alter the arrangement, appearance, and functionality of the built environment from the pedestrian's perspective. In accordance with the *2020 CEQR Technical Manual*, a preliminary assessment of urban design 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 regulations. 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.

The Proposed Actions would result in zoning districts that have different bulk and dimensional regulations than those of the existing zoning district within the Project Area. Thus, an urban design and visual resources analysis is warranted.

Methodology

In accordance with the *CEQR Technical Manual* guidelines, the following preliminary urban design and visual resources assessment considers a 400-foot radius study area where the Proposed Actions would be most likely to influence the built environment. The preliminary assessment focuses on those project elements that have the potential to alter the built environment, or urban design, of the Project Area, which is collectively formed by the following components:

- **Street Pattern and Streetscape:** The arrangement and orientation of streets define location, flow of activity, street views, and create blocks on which buildings and open spaces are arranged. Other elements including sidewalks, plantings, streetlights, curb cuts, and street furniture also contribute to an area's streetscape.
- **Buildings:** A building's size, shape, setbacks, pedestrian and vehicular entrances, lot coverage, and orientation to the street are important urban design components that define the appearance of the built environment.
- **Open Space:** Open space includes public and private areas that do not contain structures, including parks and other landscaped areas, cemeteries, and parking lots.
- **Natural Features:** Natural features include vegetation and geologic and aquatic features that are natural to the area.
- **View Corridors and Visual Resources:** Visual resources include significant natural or built features, including important view corridors, public parks, landmark structures or districts, or otherwise distinct buildings.

The following information is included in a preliminary assessment:

- A narrative describing the existing Project Area, and conditions under the future No-Action and With-Action conditions;
- An aerial photograph of the study area and ground-level photographs of the Project Area with immediate context;
- Zoning and floor area calculations of the existing, future No-Action, and future With-Action conditions;
- Lot and tower coverage, and building heights;
- A three-dimensional representation of the future No-Action (if relevant) and With-Action condition streetscape; and
- A pedestrian wind condition analysis as necessary pursuant to Section 230 of the *CEQR Technical Manual*.

If the preliminary assessment determines that a change to the pedestrian experience is minimal and unlikely to disturb the vitality, walkability, or the visual character of the area, then no further assessment is warranted. However, if it shows that changes to the pedestrian environment and/or visual resources are significant enough to require greater explanation and further study, then a detailed analysis may be appropriate.

The following preliminary urban design and visual resources assessment follows these guidelines and provides a characterization of existing conditions followed by a description of urban design and visual resources under the future No-Action and With-Action conditions,

and an analysis determining the extent to which physical changes resulting from the Proposed Actions would alter the pedestrian experience. Per the criteria listed in Section 230 of the *CEQR Technical Manual*, a pedestrian wind condition analysis is not warranted for the Proposed Actions as the Project Area is not located in a high wind location, such as directly along the waterfront; instead, the Project Area is in a location where wind conditions from the waterfront are attenuated by existing buildings.

As discussed in **Part II: Supplemental Analysis**, the study area does not contain any designated historic resources. The study area also does not contain any views to or from the Project Area of the waterfront or public parks. Based on the above, the study area does not contain visual resources, and as such, an analysis of visual resources is not warranted.

Study Area

The urban design and visual resources study area is typically defined as the area within 400 feet the Project Area which, for the With-Action condition is generally bounded by a line approximately 200 feet south of and parallel to Liberty Avenue, 160th Street to the west, 165th Street to the east, and a line approximately 90 feet north of and parallel to 107th Avenue. A field survey was conducted on September 13, 2021 to document existing conditions in the study area and conditions were confirmed to be the same on January 17, 2023. Representative photographs of the study area are included in the discussion below. **Figure 5-1** provides a key map depicting the location from which each photograph was captured as well as the viewpoint direction.

Figure 5-1 Study Area Photograph Location Map



Preliminary Assessment

Existing Conditions

Project Area

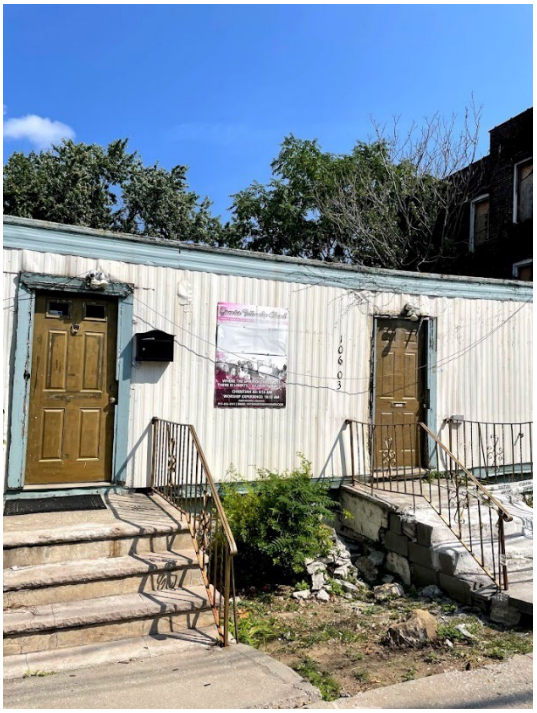
Development Site A: Godian Fellowship Church

Development Site A is comprised of Block 10161, Lots 1, 3, and 9 and is in the eastern portion of the Project Area. Until recently, Lots 1 and 3 were improved with a 4,000 gsf approximately 12 feet, one-story modular building made of wood with a flat roof and stairs leading up to the entrance. The building once housed the services provided by Godian Fellowship Church, then was vacant and in disrepair (see **Photo 5-1**). The remainder of the site is surrounded by a chain-link fence and is unpaved and unimproved. Similarly, Lot 9 is vacant and unimproved with overgrown vegetation (see **Photo 5-2**).

Development Site B: Thomas White Foundation

Development Site B consists of Block 10129, Lots 1, 3, and 4 and is located in the western portion of the Project Area. It is currently improved with a one-story, approximately 7,695-gsf building that contains the offices of the Thomas White Foundation. The site features a one-story, 14-foot-tall brick building that forms a streetwall with the adjacent buildings at the lot line with a flat roof (see **Photo 5-3**).

Photo 5-1 Development Site A – Former Godian Fellowship Church[1]



Entrance to the former, low-rise vacant building on Development Site A
Photo captured on July 12, 2023
Note: [1] The former Godian Fellowship Church was demolished and Development Site A is now fully vacant.

Photo 5-2 Development Site A – Vacant Portion[1]



Vacant portion of Development Site A with overgrown vegetation and a chain-link fence with the former, low-rise vacant building
Photo captured on July 12, 2023
Note: [1] The former Godian Fellowship Church was demolished and Development Site A is now fully vacant.

Photo 5-3 Development Site B



Thomas White Foundation building on Development Site B
Photo captured on July 12, 2023,

Photo 5-4 Building on Lot 69 of the Project Area



Mid-rise multifamily building directly south of Development Site A
Photo captured on July 12, 2023,

Remainder of the Project Area

Directly south of Development Site A is a multi-family three-story brick building (Block 10161, Lot 69) with parapet treatments that rises to a height of approximately 31 feet (see **Photo 5-4**). The Rezoning Area also catches a portion of the adjacent Lot 68.

The buildings within the Project Area east of Development Site B on Block 10129 mostly consist of low density one to three story residential and commercial buildings clad in brick or stone. Adjacent to the Development Site is a one-story, flat roofed church with signage that is a similar height and design as the building on Development Site B which continues the streetwall along Tuskegee Airmen Way (Lot 6). Adjacent to the church is a two-story mixed-use building with a vacant commercial space that used to be a laundromat on the ground floor with bright signage and a single-family residential unit on the second floor with a brick façade and parapet treatment (Lot 7). Further east is a three-unit apartment building that features a façade with textured tiling, a flat roof with limited parapet treatments, and an entrance that is flush with the lot line (Lots 9 and 10). Directly east of the apartment building is another mixed-use building with a deli on the ground floor that contains signage and large windows with additional advertisements and residential units in the floors above (Lot 11). The building has a flat roof and a stucco façade with brick lining the edges (see **Photo 5-5**). Small portions of the rear yards of Lots 13 and 14 are also within the Rezoning Area.

Study Area

Urban Design

Streets

The study area is generally divided by Tuskegee Airmen Way, a 70-foot wide two-way, east-west thoroughfare, and Guy R. Brewer Boulevard, a 70-foot wide two-way thoroughfare that runs north to south connecting Jamaica Avenue to JFK Airport. The southern portion of the study area is generally characterized by regularly shaped blocks organized along a typical street grid. However, north of Tuskegee Airmen Way are the superblocks formed by York College that have little streetscape and contain parking lots and fields. The Q112, Q111, and Q114 bus routes runs through the study area along these two roads. The sidewalks along Tuskegee Airmen Way are lined with street trees at regular intervals with narrow sidewalks separated by a chain-link fence for pavements directly adjacent to York College (see **Photo 5-6**). Street trees are also interspersed among traffic poles and tend to feature more mature and larger trees along Guy R. Brewer Boulevard (see **Photo 5-7**). There are also garbage receptacles on corners to the south of the study area near 107th Street. The remainder of the streets in the study area are narrow one-way or two-way roads that line the low-density residential buildings. Limited grassed areas line both sides of the study area roadways (see **Photo 5-8**). As on-street parking is permitted throughout the study area, parked cars typically line both sides of the roadways. There are crosswalks on the block ends throughout the study area, with the exception of the north-south crosswalks on Union Hall Street and Tuskegee Airmen Way.

Photo 5-5 Mixed-use buildings in the Project Area



View facing southwest on Tuskegee Airmen Way towards mixed-use buildings to the east of Development Site B
Photo captured July 12, 2023

Photo 5-6 Tuskegee Airmen Way



View facing west on Tuskegee Airmen Way, wide two-way road
Photo captured July 12, 2023

Photo 5-7 Guy R Brewer Boulevard



View facing northwest on Guy R Brewer Boulevard, a wide two-way road that run north-south
Photo captured July 12, 2023

Photo 5-8 164th Street



View facing south on 164th Street a narrow two-way road with low-rise residential buildings
Photo captured July 12, 2023

Buildings

As mentioned above, Tuskegee Airmen Way creates a boundary between the superblocks occupied by York College to the north of the roadway and lower density mixed uses to the south of the roadway. York College is bounded by Archer Avenue to the north, the Long Island Railroad City Zone line to the west, Tuskegee Airmen Way to the south, and 165th Street to the east. The portion of the campus that falls within the study area features a low-rise warm-toned brick building with a dome-shaped wing to the east that can be accessed from Liberty Avenue. The remainder of the lot consists of unimproved grass fields surrounded by chain-link fencing (see **Photo 5-9**). A cemetery is located on the northwest corner of the adjacent lot west of York College that is raised from street-level and is surrounded by a retaining wall with a combination of cast-iron and chain-link fencing on

top. The remainder of the lot features York College's sports facilities in the form of tennis courts and track fields that are separated from the street with trees and fencing. The lot directly east is also owned by York College and contains overgrown vegetation, grassy fields, and a paved surface parking lot surrounded by a chain link fence.

Photo 5-9 Health building in York College



View facing north on dome-shaped building with warm-toned brick facades in York College
Photo captured July 12, 2023

South of Tuskegee Airmen Way are a mix of building forms that are correlated with their land uses. Residential uses are the predominant land use in the study area. Residential buildings are one- to three-stories in height, and typically contain gabled or flat roofs. Façade treatments are predominantly brick and vinyl siding. The study area contains a mix of detached and attached houses. Attached houses are typically designed as townhouses of one or two conjoined buildings with flat roofs, brick facades, and parapet treatments primarily located along 164th Street. Attached houses also contain about five conjoined buildings with pitched roofs, separated from neighboring attached houses by narrow concrete pathways and are separated from the street with fencing and surface parking located primarily along Union Hall Street (see **Photo 5-10**). Detached houses are similarly separated from neighboring houses by concrete pathways and driveways. Street wall conditions within the residential areas vary, though many houses contain narrow front yards improved with paved patio areas or minimal lawn and landscaped areas. Fencing, typically metal or chain-link, often line the boundaries of the front yards. Some houses are built up to the street wall, or contain improvements (i.e., stoops). Multifamily walkup buildings are interspersed with mixed-use buildings throughout the study area, located primarily Guy R. Brewer Boulevard. These buildings are similarly set back from the street with fencing, though these units generally have flat roofs and are primarily attached.

Similar to multifamily buildings, mixed-use buildings are concentrated along Guy R. Brewer Boulevard. These buildings are typically one- and two-story brick structures that are attached forming a street wall and follow a similar design to townhouse buildings. Roofs are flat, though some contain peaked parapet treatments. The ground floors contain awnings, signage, and advertisements associated with the commercial uses, although some storefronts appear to be vacant. Ground floors also typically contain large windows and commercial displays (see **Photo 5-11**).

Photo 5-10 Attached residential buildings



View facing west on Union Hall Street towards attached one- and two-family residential buildings
Photo captured July 12, 2023

Photo 5-11 Awnings and signage on local retail buildings

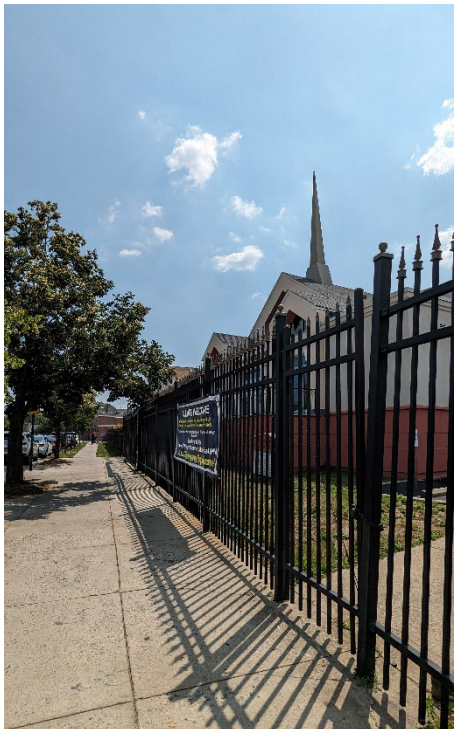


View facing southeast towards ground-floor retail and mixed-use buildings on Guy R Brewer Boulevard
Photo captured July 12, 2023

Public facilities in the study area mainly occur in the form of churches. These are typically midrise buildings with two or three stories setback from the street with stairs leading up to the entrance. They feature stucco or brick facades, a spire in the center, and signage surrounded by chain-link or cast-iron fencing (see **Photo 5-12**). Other churches are located on the ground floor of multi-family residential buildings and are built to the lot line, contributing to uniform streetwalls along the main commercial corridors.

Vacant lots are also interspersed throughout the study area and are typically unpaved and overgrown with vegetation and with some evidence of illegal dumping. Some are separated from the street with a chain-link fence (see **Photo 5-13**).

Photo 5-12 Church on Tuskegee Airmen Way



View facing southeast on Tuskegee Airmen Way
Photo captured July 12, 2023 September 13. 2021, confirmed 1/17/2023

Photo 5-13 Vacant lot on 164th Street



View facing south towards 107th Ave with overgrown vegetation on 164th Street
Photo captured July 12, 2023

No-Action Condition

As described in **Part I: Project Description**, absent the Proposed Actions, no development is expected to occur on the Project Area and existing conditions would remain unchanged in the No-Action condition. The Development Sites will continue to operate as in existing conditions and no other sites within the Project Area will be redeveloped under the future No-Action condition.

With-Action Condition

As described in **Part I: Project Description**, in the With-Action condition, the Development Sites would be redeveloped with two mixed-use residential and community facility buildings with a total of up to 150 units.

Development Site A would be developed as a nine-story building that is 95 feet tall at the southeast corner of Guy R. Brewer Boulevard and Tuskegee Airmen Way. Under the With-Action condition it would be developed with up to 58,586 gsf including up to 79 dwelling and 4,353 gsf of community facility space. It would also have 11 parking spaces. The Church space and parking would be located on the first floor of the building. The Church would be accessed via entrances along the Guy R. Brewer Boulevard frontage, while the residential

entrance would be located on portion of the building fronting Tuskegee Airmen Way. Vehicles would be able to enter and exit the parking from Tuskegee Airmen Way through a 20-foot-wide curb cut. The building would have a street wall at the lot line and have setbacks on the northwestern and southeastern corners of the building, away from the corner, stepping down in height to more closely match the neighboring buildings. Two street trees with benches would be installed on the sidewalk fronting Guy R. Brewer Boulevard and one street tree with a bench would be installed on the sidewalk on Tuskegee Airmen Way. Lot 9 would be improved with a garden that contains landscaping, trees, and walkways to be used by residents and would be accessed from an entrance on 164th Street. A rooftop terrace would also be provided for residents on the seventh floor, ninth floor, and rooftop of the proposed building.

Development Site B would be also improved as a nine-story building that is 95 feet tall on the corner of Union Hall Street and Tuskegee Airmen Way. It would include up to 66 units within 52,936 gsf of residential space, plus 11,949 gsf of community facility space, as well as 16 parking spaces. The non-profit space for TWF would be located on the cellar and ground floor. The community facility space would be accessed via entrances along Union Hall Street and Tuskegee Airmen Way, while the residential entrance would be located on portion of the building fronting along Union Hall Street. Vehicles would be able to enter and exit the parking lot from Union Hall Street through a 20 feet wide curb cut. One street tree would be planted on the sidewalk fronting Tuskegee Airmen Way. A rooftop terrace would also be provided for residents on the eighth floor and the rooftop of the proposed building.

Urban Design

The Proposed Action would facilitate a change in the visual character of Development Site A and Development Site B, with increased height and building bulk. On Development Site A, the now vacant site would be developed with a building with setbacks after the fourth and sixth floors. The building on Development Site B would be 85 feet greater in height as compared to the No-Action condition and have similar setbacks to those proposed in Development Site A. Both Development Sites are adjacent to residential blocks composed largely of one- to three-story single-family and multi-family homes and across the street from the fields behind York College. The With-Action condition buildings would be taller and have a higher density compared with the built condition of the residential portions of the study area. However, although the With-Action condition would introduce buildings that are greater in height and bulk than the surrounding buildings, as shown in **Figure 5-2** and **Figure 5-3** below, the With-Action condition has been designed to integrate with the existing built environment of its surroundings.

The With-Action condition buildings on both Development Sites would reach a total height of approximately 95 feet along Tuskegee Airmen Way. The Development Sites would have three story bases and setbacks to relate to the surrounding building heights. Development Site A would step down to a height of 75 feet on the southwestern and northeastern corners and have another setback at 40 feet on the southwestern corner of the building. Development Site B would similarly step-down to a height of 75 feet on the southwestern corner of the building at the sixth floor and have another setback at approximately 45 feet at the fifth floor. This would create the effect of increase bulk along Tuskegee Airmen Way and less bulk to the south and east where there are adjacent buildings to better integrate the

buildings with the height of the surrounding structures. Taller development is appropriate along Tuskegee Airmen Way, where existing buildings in the study area rise to 35 feet, given that it is a wide road and fronts the superblocks that form the York College Campus. The With-Action condition would remain compatible with the scale and character of other buildings within the area. Therefore, the proposed buildings, though greater in bulk than the No-Action condition, are appropriate for their location within the larger neighborhood.

Furthermore, for such a prominent location that is served by public transit with a mix of uses, the Development Sites are currently underutilized. Until recently, Development Site A was improved with a vacant building in disrepair with the remainder of the site vacant and overgrown with vegetation while Development Site B features a 14-foot-tall building with no transparency along its long streetwall. The design and usability of the building is no longer functioning for the long-standing community facilities that operate out of them. The With-Action condition would therefore represent an improvement over current visual conditions, by activating the streetscape and improving both Development Sites with upgraded structures. The With-Action condition would also provide upgraded facilities to the Godian Fellowship Church and the Thomas White Foundation and introduce open space amenities for residents in the form of a garden and terraces. Furthermore, the With-Action condition would integrate design features that improve the streetscape in the form of street trees with benches. Moreover, curb cuts along Tuskegee Airmen Way and Union Hall Street would provide vehicle access points into the buildings while also facilitating safe pedestrian flow.

Overall, although the Proposed Actions would result in changes to the urban design of the Development Sites, the With-Action condition would incorporate design components to improve the integration of the Development Sites and its surrounding uses and would introduce buildings that are appropriate in height and bulk for its location. As such, the With-Action condition would not result in significant adverse impacts to urban design.

Figure 5-2 Illustrative Massings of Development Site A

No-Action Condition



Photo captured September 13. 2021, confirmed 1/17/2023

With-Action Condition



Source: Fulcrum Properties, LLC, RKTB Architects

Figure 5-3 Illustrative Massings of Development Site B

No-Action Condition



Photo captured September 13. 2021, confirmed 1/17/2023

With-Action Condition



Source: Fulcrum Properties, LLC, RKTB Architects

Conclusion

Overall, the With-Action condition would be compatible with the urban design character of the study area, due to the design of the buildings within the areas context. The With-Action condition would introduce additional building height and bulk to the study area. However, given the building's setback and variations in height that create a step-down effect, the With-Action condition would be compatible with the scale and character of nearby buildings. Furthermore, taller development is appropriate along Tuskegee Airmen Way, where existing buildings in the study area rise to 35 feet, given that it is a wide road and fronts the superblocks that form the York College Campus. Therefore, the Proposed Actions would not result in a significant adverse impact on urban design and no further analysis is necessary.

6

Hazardous Materials

This section assesses whether the With-Action condition may increase the exposure of people or the environment to hazardous materials, and, if so, whether this increased exposure would result in potential significant public health or environmental impacts.

Introduction

A hazardous material is any substance that poses a threat to human health or the environment. Substances that can be of concern include, but are not limited to, heavy metals, volatile and semi-volatile organic compounds (VOCs and SVOCs), methane, polychlorinated biphenyls (PCBs), per- and polyfluoroalkyl substances (PFAS), and hazardous wastes (defined as substances that are chemically reactive, ignitable, corrosive or toxic).

According to the *CEQR Technical Manual*, the potential for significant impacts from hazardous materials can occur when:

- hazardous materials exist on a site;
- an action would increase pathways to their exposure; or
- an action would introduce new activities or processes using hazardous materials.

This section presents the findings of the hazardous materials assessment and identifies potential issues of concern with respect to workers, the community, and/or the environment during construction and after implementation of the With-Action condition.

Methodology

The potential for hazardous materials at the Development Sites was evaluated in Phase I Environmental Site Assessments (ESAs), dated March 2020 prepared by Tenen Environmental, LLC (Tenen). The Phase I ESAs were prepared for Development Sites A and B in accordance with ASTM Practice E1527-13, inclusive of the "All Appropriate Inquiry" requirement amended in the Federal Register on December 30, 2013. The United States Environmental Protection Agency (EPA) "All Appropriate Inquiry" requirement establishes specific regulatory requirements for conducting appropriate inquiries into the previous ownership, uses, and environmental conditions of a property for the purposes of qualifying for certain landowner liability protections under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA).

The goal of a Phase I ESA process is to identify "Recognized Environmental Conditions" (RECs), which means the presence or likely presence of any hazardous substances or petroleum products on a property under conditions that indicate an existing release, a past release, or a material threat of release of any hazardous substances or petroleum products into structures on the property or into the ground, groundwater, or surface water of the property. Per the ASTM Standard, a Phase I ESA reviews a variety of information sources, including current and historic Sanborn Fire Insurance Maps and aerial photographs; state and federal environmental regulatory databases identifying listed sites; and local environmental records. The Phase I ESA summarized herein also included reconnaissance of the Development Site and surrounding neighborhood.

As stated in Practice E1527-13, there may be environmental issues or conditions at the site, which may be requested by the user to be addressed as part of the Phase I ESA, which are not covered within the Practice. These additional environmental issues (or non-scope considerations) could evaluate for the potential presence of radon, lead-based paint (LBP), asbestos-containing materials (ACM), wetlands, and mold and water damage. Additional environmental issues, or non-scope considerations, are typically characterized in a Phase I ESA as Business Environmental Risks (BERs), which are risks that can have a material environmental or environmentally driven impact on the business associated with the current or planned use of a parcel of commercial real estate, not necessarily limited to those environmental issues required to be investigated.

As indicated in **Part I: Project Description**, the Applicant proposes to demolish the existing facilities on the two Development Sites and construct two new buildings.

Preliminary Assessment

Existing Conditions

As indicated in **Part 1: Project Description**, Development Site A consists of Block 10161, Lots 1, 3, and 9 and is in the eastern portion of the Project Area. Together, the Development Site A lots total 10,314 sf. Until recently, Lots 1 and 3 were improved with a 4,000-gsf, one-story, 12-foot-tall modular building that once housed the services provided by Godian Fellowship Church. The building was constructed in 1991 but fell into disrepair prior to its demolition. Lot 9 is vacant and unimproved. Development Site B consists of Block 10129,

Lots 1, 3, and 4 and is located in the western portion of the Project Area. Together the Development Site B lots total 10,416 sf. It is currently improved with a one-story, 14-foot-tall, approximately 7,695-gsf building that was constructed in 1931 and contains the offices of the Thomas White Foundation.

Phase I Environmental Site Assessment, Development Site A

A Phase I ESA, dated March 2020, was prepared by Tenen for Development Site A and included analyses as specified in the ASTM Method E1527-13. At the time the Phase I ESA was prepared, Development Site A was improved with two adjoining trailers but was vacant.

The following findings were provided in the Phase I ESA:

- Development Site A has a topographic elevation of approximately 42 feet above mean sea level (amsl).
- Groundwater beneath Development Site A is estimated to be between 19 and 22 feet below ground surface (bgs). Groundwater flow is assumed to flow to the south-southwest.
- Based on a review of historical resources reviewed as past of the Phase I ESA, Development Site A was developed with a dwelling by 1901. By 1912, the dwelling was demolished and two commercial buildings (stores) were developed on the westernmost portions, and a two-story residential building was developed on the easternmost portions. By 1926, the central portion of Development Site A was developed with a commercial building. The westernmost buildings were demolished by 1981 and the central building was demolished by 1988; these lots were occupied by a public use building by 1991. The residential building on the easternmost portion of Development Site A was demolished by 1992 and the parcel remained vacant through 2017, the date of the most recent available historical source. A review of historic Sanborn maps indicated past residential and commercial use at Development Site A, and residential, commercial, and institutional (religious) use of adjoining properties. Commercial use of Development Site A included auto repair, which likely involved the use and disposal of hazardous materials and petroleum.
- The Phase I ESA indicated no regulatory agency database listings for Development Site A with the potential to affect subsurface environmental conditions. Furthermore, no adjacent or surrounding regulatory agency database listings were identified with the potential to have affected subsurface environmental conditions at Development Site A.
- During the Phase I ESA Site reconnaissance, no conditions on Development Site A, or on the adjacent/surrounding properties, were observed to have the potential to affect subsurface environmental conditions.

Based upon the results of the Phase I ESA, the following REC was identified for Development Site A:

- Historic use of Development Site A for auto repair.

Phase I Environmental Site Assessment, Development Site B

A Phase I ESA, dated March 2020, was prepared by Tenen for Development Site B and included analyses as specified in the ASTM Method E1527-13. At the time the Phase I ESA was prepared, Development Site B was improved with a one-story commercial building.

The following findings were provided in the Phase I ESA:

- Development Site B has a topographic elevation of approximately 40 feet amsl.
- Groundwater beneath Development Site B is estimated at approximately 18 feet bgs. Groundwater flow is assumed to flow to the south-southwest.
- Based on a review of historical resources reviewed as part of the Phase I ESA, Development Site B was developed some time prior to 1926 with a one-story building. The City Directory listings document historic residential and commercial use. Non-residential uses of Development Site B included furniture storage and mental health and rehabilitation centers.
- The Phase I ESA indicated no regulatory agency database listings for Development Site B with the potential to affect subsurface environmental conditions. Furthermore, no adjacent or surrounding regulatory agency database listings were identified with the potential to have affected subsurface environmental conditions at Development Site B.
- Based on the Phase I ESA Site reconnaissance, the building on Development Site B was observed to be improved with a rooftop heating, ventilation, and air conditioning (HVAC) system. The interior of the existing building consisted of offices, conference rooms, a computer lab, kitchens, and bathrooms. A supply closet containing maintenance and cleaning products was observed, with no visual evidence of a release.
- The basement level included storage, utility meters, a sprinkler system and hot water tanks. A boiler room equipped with one (1) 275-gallon No. 2 fuel oil aboveground storage tank (AST) was observed. The AST is reportedly out-of-service and no longer utilized as a fuel source. The condition of the AST was noted with no visual staining or odors.
- During the Phase I ESA Site reconnaissance, no adjacent or surrounding properties were observed to have the potential to affect subsurface environmental conditions at Development Site B.

Based upon the results of the Phase I ESA, there were no RECs identified for Development Site B. It should be noted the Phase I ESA did not evaluate the potential presence of asbestos, lead, and PCBs in building materials. However, given the age of the existing building (constructed some time prior to 1926), there is a potential for ACM, LBP, and PCBs to be present in building features and materials in the existing building.[1]

Future No-Action Condition

While the Jamaica Rezoning projected development for certain lots within the Project Area, for purposes of this environmental review, it is assumed that in the No-Action condition, the Development Sites will continue to operate as in existing conditions and that no other sites within the Project Area will be redeveloped under future No-Action conditions.

Under the No-Action condition, an (E) Designation for hazardous materials may not be applied, and the potential impacts of historic auto repair activities identified in the Phase I ESA would not be investigated or mitigated. Furthermore, under the No-Action condition, the existing building on Development Site B would not be demolished. As such, any

[1] Despite the Phase I ESA determining that there were no RECs, NYCDEP determined that a Phase II investigation was needed "based on the historical on-site and/or surrounding area land uses including suspected historic urban fill on the subject property."

potential ACM, LBP, and PCB-containing building materials on Development Site B would go unmitigated and similarly remain in-place.

Future With-Action Condition

As stated in **Part I: Project Description**, in the future With-Action condition, the Applicants would develop two mixed-use residential and community facility buildings.

Under the With-Action condition, the Phase I ESAs for Development Sites A and B were submitted to the lead agency and NYCDEP for review. In a letter dated January 12, 2023, NYCDEP requested that Phase II Work Plans and Health and Safety Plans (HASP) be developed for both Development Sites. Phase II Work Plans and HASPs were submitted to the lead agency and NYCDEP. In a letter dated September 1, 2023, NYCDEP provided additional direction regarding how the Phase II investigations and reporting should be conducted and concluded that the Work Plans and HASPs are acceptable (see **Appendix C**). The Proposed Project would follow the requirements outlined by the New York City Office of Environmental Remediation (OER) under the (E) Designation Program.

The Proposed Actions would include an (E) Designation for hazardous materials (E-768), which would be applied to Block 10161, Lots 1, 3, and 9, as well as Block 10129, Lots 1, 3, and 4. Applying an (E) Designation for hazardous materials provides a mechanism for regulatory oversight for future remedial action as a post-demolition and/or pre-construction requirement that would reduce, or eliminate, the potential for future risk or exposure as it relates to hazardous materials and the conditions identified in this assessment. Compliance in association with the hazardous materials (E) Designation on the Development Sites would be conducted under the administration of OER. The applicable text for the (E) Designation to be applied to the Development Sites would be as follows:

Task 1: Sampling Protocol

The applicant submits to OER, for review and approval, a Phase I for 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 sample sites should be selected to adequately characterize the site, the specific source 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 the 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 be 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 the test results, a proposed Remedial Action Work Plan (RAWP) must be submitted to OER for review and approval. The applicant must complete such remediation as determined necessary by OER in accordance with the approved RAWP. The applicant should then provide proper documentation that remedial action has been satisfactorily completed.

An OER-approved construction-related Health and Safety Plan (CHASP) would be implemented during evacuation and construction and 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.

Given the above, the With-Action condition would not result in significant adverse impacts related to hazardous materials.

Conclusion

By implementing the OER-approved investigation and remediation measures including appropriate engineering/institutional controls into the development, as well as incorporating health and safety procedures into the construction, it is expected that no potential exposure or significant adverse impacts related to hazardous materials would occur during or after construction of the Proposed Project.

Given the above, the Proposed Actions would not result in any significant adverse impacts relating to hazardous materials for the Development Sites.

7

Air Quality

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 referred to as "stationary sources"; or by a combination of both. Under CEQR, an air quality assessment determines both a proposed project's effects on ambient air quality as well as the effects of ambient air quality on the project.

Introduction

This section examines the potential for air quality impacts from the proposed developments on Development Site A and Development Site B with a 95-foot-tall building on each site. According to the *2021 CEQR Technical Manual*, air quality impacts can be characterized as either direct or indirect impacts. Direct impacts result from emissions generated by stationary sources, such as stack emissions from on-site fuel burned for boilers and heating, ventilation, and air conditioning (HVAC) systems. Indirect effects are caused by off-site emissions associated with a project, such as emissions from on-road motor vehicles ("mobile sources") traveling to and from a development site.

Consistent with the *CEQR Technical Manual*, air quality analyses for a proposed project focus on the following potential areas of concern:

- Potential impacts from mobile sources introduced by a project;
- Potential impacts from emissions from a project's heating, ventilation, and air conditioning (HVAC) systems;

- Potential impacts from emissions from a project's enclosed parking garage;
- Potential impacts on a proposed project from either manufacturing/processing facilities or large/major sources that are located near the project site.

The With-Action condition would introduce parking spaces that would be integrated into the ground floor of the proposed developments instead of as a separate parking garage, and therefore, an assessment of emissions from such a facility is not warranted.

Therefore, this analysis focuses on the following:

- An assessment of potential impacts of emissions from the mobile sources;
- An assessment of emissions from the project's HVAC systems to affect both the project itself ("project-on-project") and uses in the surrounding area ("project-on-existing") of similar or greater height;
- An assessment of the potential for manufacturing/processing facilities or large/major sources that are located near the project block to affect the proposed developments.

Air Quality Standards

In accordance with the requirements of the Clean Air Act (CAA), as amended 1990, the EPA has promulgated National Ambient Air Quality Standards (NAAQS) (40 CFR Part 50) for pollutants considered harmful to public health and the environment. The CAA established two types of national air quality standards. Primary standards set limits to protect public health, including the health of sensitive populations such as the sick, children, and the elderly. Secondary standards set limits to protect public welfare, including protection against decreased visibility, damage to animals, crops, vegetation, and buildings.

The EPA Office of Air Quality Planning and Standards (OAQPS) has set NAAQS for six principal pollutants, which are called "criteria" pollutants. These six pollutants are ozone, carbon monoxide (CO), nitrogen dioxide (NO_2), sulfur dioxide (SO_2), particulate matter less than 10 microns in diameter (PM_{10}) and less than 2.5 microns in diameter ($PM_{2.5}$), and lead (Pb). EPA reviews and revises these standards periodically.

The State of New York has adopted similar standards as those set by the EPA, and has state-specific standards for sulfur dioxide, particulates, fluorides, and hydrogen sulfide. The NAAQS are presented in **Table 7-1**.

Federal ambient air quality standards do not exist for non-criteria pollutants; however, the New York State Department of Environmental Conservation (NYSDEC) has issued standards for certain non-criteria compounds, including beryllium, gaseous fluorides, and hydrogen sulfide. NYSDEC has also developed guidance document DAR-1 (February 2021), which contains a compilation of annual and short term (1-hour) guideline concentration thresholds for these compounds. The NYSDEC's DAR-1 guidance thresholds represent ambient levels that are considered safe for public exposure. EPA has also developed guidelines for assessing exposure to non-criteria pollutants. These exposure guidelines are used in health risk assessments to determine the potential effects to the public.

Table 7-1 National Ambient Air Quality Standards

Pollutant	Primary/ Secondary	Averaging Level	Level	Form
Carbon Monoxide (CO)	Primary	8 hours	9 ppm	Not to be exceeded more than once per year
		1 hour	35 ppm	
Lead (Pb)	Primary and secondary	Rolling 3-month average	0.15 µg/m^3 (1)	Not to be exceeded
Nitrogen Dioxide (NO_2)	Primary	1 hour	100 ppb	98th percentile of 1-hour daily maximum concentrations, averaged over 3 years
	Primary and secondary	1 year	53 ppb (2)	Annual mean
Ozone (O_3)	Primary and secondary	8 hours	0.070 ppm (3)	Annual fourth-highest daily maximum concentration, averaged over 3 years
Particulate Matter ($PM_{2.5}$)	Primary	1 year	12.0 µg/m^3	Annual mean, averaged over 3 years
	Secondary	1 year	15.0 µg/m^3	Annual mean, averaged over 3 years
	Primary and secondary	24 hours	35 µg/m^3	98th percentile, averaged over 3 years
Particulate Matter (PM_{10})	Primary and secondary	24 hours	150 µg/m^3	Not to be exceeded more than once per year on average over 3 years
Sulfur Dioxide (SO_2)	Primary	1 hour	75 ppb(4)	99th percentile of 1-hour daily maximum concentrations, averaged over 3 years
	Secondary	3 hours	0.5 ppm	Not to be exceeded more than once per year

Notes:

(1) In areas designated nonattainment for the Pb standards prior to the promulgation of the current (2008) standards, and for which implementation plans to attain or maintain the current (2008) standards have not been submitted and approved, the previous standards (1.5 µg/m3 as a calendar quarter average) also remain in effect.

(2) The level of the annual NO_2 standard is 0.053 ppm. It is shown here in terms of ppb for the purposes of clearer comparison to the 1-hour standard level.

(3) Final rule signed October 1, 2015, and effective December 28, 2015. The previous (2008) O_3 standards additionally remain in effect in some areas. Revocation of the previous (2008) O_3 standards and transitioning to the current (2015) standards will be addressed in the implementation rule for the current standards.

(4) The previous SO_2 standards (0.14 ppm 24-hour and 0.03 ppm annual) will additionally remain in effect in certain areas: (1) any area for which it is not yet 1 year since the effective date of designation under the current (2010) standards, and (2) any area for which an implementation plan providing for attainment of the current (2010) standard has not been submitted and approved and which is designated nonattainment under the previous SO_2 standards or is not meeting the requirements of a SIP call under the previous SO_2 standards (40 CFR 50.4(3)). A SIP call is a USEPA action requiring a state to resubmit all or part of its State Implementation Plan to demonstrate attainment of the required NAAQS.

Source: EPA NAAQS Table, https://www.epa.gov/criteria-air-pollutants/naaqs-table, accessed May 2020

Pollutants of Concern

Air pollution is of concern because of its demonstrated effects on human health. Of special concern are the respiratory effects of the pollutants and their potential toxic effects, as described below.

Carbon monoxide (CO) is a colorless and odorless gas that is a product of incomplete combustion. Carbon monoxide is absorbed by the lungs and reacts with hemoglobin to reduce the oxygen carrying capacity of the blood. At low concentrations, CO has been shown to aggravate the symptoms of cardiovascular disease. It can cause headaches, nausea, and at sustained high concentration levels, can lead to coma and death.

Particulate matter is made up of small solid particles and liquid droplets. PM_{10} refers to particulate matter with a nominal aerodynamic diameter of 10 micrometers or less, and $PM_{2.5}$ refers to particulate matter with an aerodynamic diameter of 2.5 micrometers or less. Particulates can enter the body through the respiratory system. Particulates over 10 micrometers in size are generally captured in the nose and throat and are readily expelled from the body. Particulates smaller than 10 micrometers, and especially particles smaller than 2.5 micrometers, can reach the air ducts (bronchi) and the air sacs (alveoli) in the lungs. Particulates are associated with increased incidence of respiratory diseases, cardiopulmonary disease, and cancer.

Nitrogen oxides (NO_X), the most significant of which are nitric oxide (NO) and nitrogen dioxide (NO_2), can occur when combustion temperatures are extremely high (such as in engines) and atmospheric nitrogen gas combines with oxygen gas. NO is relatively harmless to humans but quickly converts to NO_2. Nitrogen dioxide has been found to be a lung irritant and can lead to respiratory illnesses. Nitrogen oxides, along with VOCs, are also precursors to ozone formation.

Sulfur Dioxide (SO_2) emissions are the main components of the "oxides of sulfur," a group of highly reactive gases from fossil fuel combustion at power plants, other industrial facilities, industrial processes, and burning of high sulfur containing fuels by locomotives, large ships, and non-road equipment. High concentrations of SO_2 will lead to formation of other sulfur oxides. By reducing the SO_2 emissions, other forms of sulfur oxides are also expected to decrease. When oxides of sulfur react with other compounds in the atmosphere, small particles that can affect the lungs can be formed. This can lead to respiratory disease and aggravate existing heart disease.

Non-criteria pollutants may be of concern in addition to the criteria pollutants discussed above. Non-criteria pollutants are emitted by a wide range of man-made and naturally occurring sources. These pollutants are sometimes referred to as hazardous air pollutants (HAP) and when emitted from mobile sources, as Mobile Source Air Toxics (MSATs). Emissions of non-criteria pollutants from industrial sources are regulated by the United States Environmental Protection Agency (EPA).

Regulatory Context

The 1990 CAA with Amendments resulted in states being divided into attainment and non-attainment areas, with classifications based upon the severity of their air quality problems. Air quality control regions are classified and divided into one of three categories: attainment, unclassified, or non-attainment depending upon air quality data and ambient concentrations of pollutants. Attainment areas are regions where ambient concentrations of a pollutant are below the respective NAAQS; non-attainment areas are those where concentrations exceed the NAAQS. Maintenance areas are former non-attainment that achieved attainment. An unclassified area is a region where data are insufficient to make a determination and is

generally considered as an attainment area for administrative purposes. A single area can be in attainment of the standards for some pollutants while being in non-attainment for others.

Queens County is designated as a serious non-attainment area for the 2008 8-hour ozone standard and a moderate non-attainment area for the 2015 8-hour ozone standard. Both designations are part of a larger New York-Northern New Jersey-Long Island, NY-NJ-CT non-attainment area. The county has been designated as a maintenance area for CO as of May 20, 2002 and for the 2006 $PM_{2.5}$ standard as of April 18, 2014. Queens County is in attainment for all other criteria pollutants (PM_{10}, Pb, NO_2, and SO_2).

Impact Criteria

The predicted concentrations of pollutants of concern associated with a proposed project are compared with either the NAAQS for criteria air pollutants or ambient guideline concentrations for non-criteria pollutants. In general, if a project would cause the standards for any pollutant to be exceeded, it would likely result in a significant adverse air quality impact.

New York City uses *de minimis* criteria to determine a project's potential to result in a significant adverse $PM_{2.5}$ impact under CEQR. The *de minimis* criteria are as follows:

- Predicted increase of more than half the difference between the background concentration and the 24-hour standard;
- Annual average $PM_{2.5}$ concentration increments which are predicted to be greater than 0.1 $\mu g/m^3$ 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 at a distance from a roadway corridor similar to the minimum distance defined for locating neighborhood scale monitoring stations); or
- Annual average $PM_{2.5}$ concentration increments which are predicted to be greater than 0.3 $\mu g/m^3$ at a discrete receptor location (elevated or ground level).

Background Concentrations

Background concentrations are ambient pollution levels associated with existing stationary, mobile, and other emission sources from the area and not associated with the With-Action condition. The With-Action condition is expected to affect ambient concentrations of NO_2 and $PM_{2.5}$. Three years of monitoring data (2018 to 2020) from the representative monitoring stations were used to develop background concentrations for pollutants of concern (see **Table 7-2**). $PM_{2.5}$ 24-hour and annual concentrations and 1-hour and annual NO_2 background concentrations were developed from monitoring data collected from the Queens College monitoring station at 65-30 Kissena Boulevard. These concentrations were estimated using the form of the NAAQS (see **Table 7-1**, Form column for information).

Table 7-2 Background Concentrations (2018-2020)

Pollutant	Averaging Time	Monitoring Location	Background Concentration
Nitrogen Dioxide	1-Hour	Queens College	53 ppb
	Annual		13.7 ppb
Particulate Matter ($PM_{2.5}$)	24-Hour	Queens College	16.7 µg/m^3
	Annual		5.8 µg/m^3

The *CEQR Technical Manual de minimis* threshold for the 24-hour $PM_{2.5}$ concentrations was estimated to be 9.2 µg/m^3.

Methodology and Screening Analyses

Mobile Sources

A screening analysis of mobile source emissions of Carbon Monoxide (CO) and Particulate Matter (PM) on ambient pollutant levels in the study area was conducted per *CEQR Technical Manual* guidance. For the project's study area, as described in Chapter 17, Sections 210 and 311 of the *CEQR Technical Manual*, the threshold for conducting an analysis of CO emissions corresponds to 170 project-generated vehicles at a given intersection in the peak hour. The need for conducting an analysis of PM emissions is based on road type and the number of project-generated peak hour heavy-duty diesel vehicles (or its equivalency in vehicular $PM_{2.5}$ emissions) as determined using the worksheet provided on page 17-12 of the *CEQR Technical Manual*. Autos are assumed to be LDGT1 and trucks, such heavy-duty delivery trucks are assumed to be HDDV8B in the worksheet.

Stationary Sources

HVAC Analysis

As described in **Part 1: Project Description**, the proposed developments in the Project Area would result in two new, nine-story, mixed-use residential and community facility buildings—one located on Development Site A and a second building on Development Site B. It is proposed that the HVAC system will be an electric heat pump system with shared rooftop condensers. Domestic hot water is also intended to be central electric heat pump but it is possible that it will need to be gas fired. Therefore, it is assumed that each of the buildings would have boiler stacks used for their individual HVAC and hot-water systems for conservative analysis purposes. Thus, an air quality analysis is required to assess the potential for emissions from each of the HVAC and hot-water systems to significantly impact each other (project-on-project impact), and existing buildings (project-on-existing impacts).

CEQR Graphical Screening (HVAC Screening Analysis)

As described in Section 220 and Section 322 in Chapter 17 of the *CEQR Technical Manual*, for single-building projects that would use fossil fuels (i.e., No. 2 fuel oil or natural gas) for HVAC systems, a preliminary stationary source screening analysis is typically warranted to

evaluate the potential for impacts on existing buildings from HVAC systems emissions for the With-Action condition (project-on-existing impact) and the potential for impacts on the proposed buildings (project-on-project impact). The *CEQR Technical Manual* provides screening nomographs based on fuel type, proposed building use, distance from the source to the nearest receptor buildings with similar or greater heights, and floor area of development resulting from the With-Action condition. Based on the development sizes, if the distances from Projected Development Sites A and B to the nearest buildings of similar or greater height, including the proposed buildings, are less than the minimum required distances determined, there is the potential for a significant air quality impact from the project's boilers, and further and more detailed analysis needs to be conducted.

Industrial Source Analysis

As described in Section 220 and Section 322 in Chapter 17 of the *CEQR Technical* Manual, an air quality assessment is required to evaluate the potential impacts of air toxics emissions from ventilation exhaust systems of manufacturing or processing facilities within a 400-foot radius of a project site when a project would result in new sensitive uses (particularly residences, schools, hospitals, or parks). If any sources are identified, a screening analysis is performed based on Table 17-3 in Chapter 17 of the *CEQR Technical Manual*. The screening table provides the maximum 1-hour, 8-hour, 24-hour and annual average modeled values based on a generic emission rate of 1 gram per second of a pollutant from a 20-foot-tall point source for the distances between 30 feet and 400 feet from the receptor of same height. Potential impacts predicted from the industrial source of concern based on the screen table are compared with the short-term guideline concentrations (SGCs) and annual guideline concentration (AGCs) recommended in NYSDEC's DAR-1 AGC/SGC Tables. If a proposed project fails the above screening analysis, or the screening analysis methodology is not applicable to the project, further refined analysis using EPA's AERSCREEN and/or AERMOD model is warranted to determine any potential for significant adverse impacts.

Large or Major Source Analysis

As described in Section 220 and Section 322 in Chapter 17 of the *CEQR Technical Manual*, an air quality assessment is required to evaluate the potential impacts of emissions from a "large" or "major" emission source within a 1,000-foot radius of a project site. "Major" sources are identified as those sources located at Title V facilities that require Prevention of Significant Deterioration permits. "Large" sources are identified as sources located at facilities that require a State Facility Permit. A detailed analysis is usually performed for such sources, if any are identified, to determine any potential for significant adverse impact.

Assessment

Mobile Source Analysis

A screening analysis was conducted for the intersections near the Development Sites. The DCP CEQR App was used to generate the maximum trip increments for each Development Site. Development Site A would generate 28 passenger vehicle trips during the PM peak hour and would have a residential entry on South Road, which is an arterial road. Thus, the number of incremental vehicular trips for Development Site A would be lower than the

$PM_{2.5}$-based screening threshold of 23 truck equivalents for arterial roads. Development Site B would generate 24 passenger vehicle trips during the PM peak hour and would have a residential lobby entrance on Union Hall Street which is a paved road. Thus, the number of incremental vehicular trips for Development Site B would be lower than the $PM_{2.5}$-based screening threshold of 12 truck equivalents for paved roads. In addition to each site passing the $PM_{2.5}$-based screening threshold, the incremental vehicular trips would be lower than the *CEQR Technical Manual* CO-based screening threshold of 170 vehicles per hour for both sites combined. Therefore, the With-Action condition would not result in significant adverse air quality impacts from mobile sources.

HVAC Analysis

HVAC Screening Analysis

Under the With-Action condition, the Applicants intend to use electric HVAC systems for the proposed buildings but may use natural gas for hot-water heaters. The HVAC CEQR screening procedures do not distinguish between HVAC and hot-water heaters. The screening is based on the gross square footage of the building, assuming both systems use the same fuel—natural gas, in this case. If such conservative screening passes for both HVAC and hot-water systems, it will certainly pass for hot-water heaters alone, which will use only a fraction of the total fuel and exhaust only a fraction of total emissions.

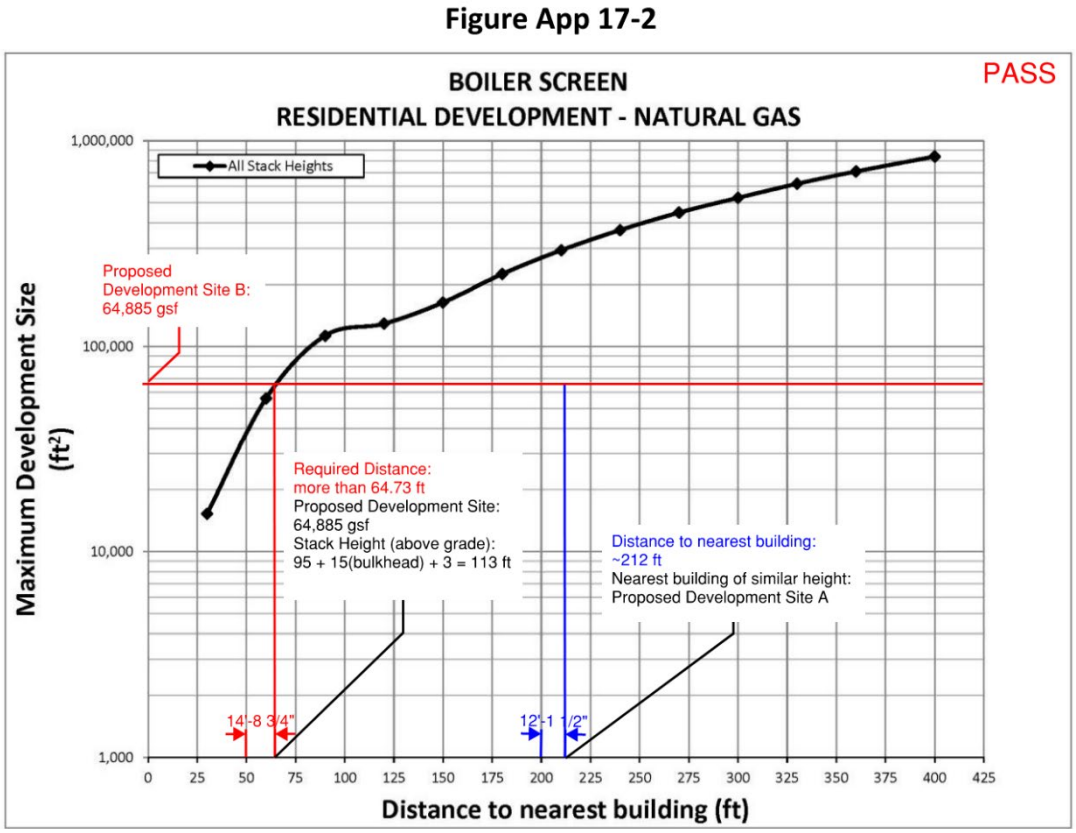
A conservative HVAC screening analysis following the *CEQR Technical Manual* procedures was conducted to estimate effects of the proposed buildings' HVAC systems. The With-Action condition would consist of one building on Development Site A and one building on Development Site B:

- **Development Site A Building:** a nine-story, 110-foot-tall (with bulkhead) mixed-use building totaling approximately 58,586 gsf
- **Development Site B Building:** a nine-story, 110-foot-tall (with bulkhead) mixed-use building totaling approximately 64,885 gsf

Consistent with *CEQR Technical Manual* guidelines, it is assumed that the stacks for the Development Site A building and Development Site B building would rise three feet above their bulkheads for a total height of 113 feet for both. The screening analysis was first performed for the Development Site B building as it is the larger (has more gsf) of the two buildings and therefore should have greater restrictive distance. Therefore, if the screening passes for Development Site B, it would also pass for Development Site A.

The screening analysis performed for the Development Site B building indicated that proposed Development Site A building would be the closest building of equal height to the Development Site B building. The distance between the western façade of the Development Site A building and the eastern façade of the Development Site B building is approximately 212 feet. Assuming a total development size of approximately 64,885 square feet, the minimum screening distance necessary to avoid potential adverse air quality impacts was determined to be approximately 65 feet, assuming natural gas is used for the HVAC and hot-water systems (see **Figure 7-1**).

Figure 7-1 Building Screening – Development Site B



Source: 2021 CEQR Technical Manual

Since the distance between the proposed source building and the closest receptor building is 212 feet, the minimum screening distance necessary to avoid potential adverse air quality impacts was met for both proposed buildings, assuming natural gas for the HVAC and hot-water systems. Thus, no significant air quality impacts are expected from the HVAC systems of the Development Sites resulting from the Proposed Actions, and further analysis is not required.

Industrial Source Analysis

To assess potential air quality impacts on the With-Action condition from existing industrial sources that emit toxic air contaminants, an investigation of existing land uses within a 400-foot radius of the Project Area was conducted to identify potential sources and determine if there are active permits associated with those sources.

As a first step, land use maps were reviewed to identify surrounding land uses that could have NYCDEP-issued industrial permits (i.e., sites classified as Industrial/Manufacturing, Transportation/Utility, or Public Facilities/Institutions). Once the potential facilities were identified, an additional review of NYCDEP's Clean Air Tracking System (NYCDEP CATS) was undertaken to assess whether the potential facilities have associated permits.

Once the potential facilities were identified, an additional review was undertaken to assess whether the potential facilities have associated permits; the following sources were reviewed:

NYCDEP's Clean Air Tracking System (NYCDEP CATS), New York City's Open Accessible Space Information System Cooperative (OASIS) database, telephone directory listings, available aerial photos provided by Google and Bing, and internet websites.

No permit records were found in the database. Therefore, no significant adverse impacts from existing industrial sources on the proposed developments are anticipated, and no further analysis is warranted.

"Large" or "Major" Source Analysis

To assess the potential impacts of any "large" or "major" sources on the proposed developments, the NYSDEC Title V and State Facility Permit website were reviewed along with aerial photos provided by Google and Bing.[1,2] Based on this review, there are no existing "large" or "major" emission sources within a 1,000-foot radius of the Project Area. Therefore, no significant adverse impacts from existing "large" or "major" emission sources on the proposed development are anticipated, and no further analysis is warranted.

Conclusion

The project-generated mobile source trips would be below the CEQR thresholds for CO and PM, and thus, no potential for significant adverse air quality impacts from mobile sources is expected.

Screening analysis of the impacts of emissions from the With-Action condition HVAC and hot-water systems indicated that there is no potential for significant adverse air quality impacts.

In addition, no existing industrial sources were found within a 400-foot radius of the Project Area, and no "large" or "major" emission sources were identified within a 1,000-foot radius.

Therefore, there would be no significant adverse air quality impacts as a result of the With-Action condition.

[1] NYSDEC Title V- http://www.dec.ny.gov/dardata/boss/afs/issued_atv.html

[2] State Permit- http://www.dec.ny.gov/dardata/boss/afs/issued_asf.html

8

Noise

The goal of this section is to determine whether the Proposed Actions may increase noise exposure at existing sensitive receptors and whether new receptors would be introduced into an acceptable ambient noise environment.

Introduction

The Proposed Actions would facilitate the development of two mixed-use residential and community facility buildings in the Jamaica neighborhood of Queens Community District 12. The Project Area encompasses Block 10161, Lots 1, 3, 9 and 69 and Block 10129, Lots 1, 3, 4, 6, 7, 9, 10, and 11. Development Site A would be on Block 10161 lots 1, 3, and 9 and Development Site B would be on Block 10129 Lots 1, 3 and 4.

Per the *2021 CEQR Technical Manual*, a noise analysis is appropriate if an action would generate mobile or stationary sources of noise or would be located in an area with high ambient noise levels. Mobile sources include vehicular traffic; stationary sources include rooftop equipment such as emergency generators, cooling towers, and other mechanical equipment.

The noise assessment includes the following:

- Background on metrics used to describe noise;
- The methodology and criteria used to assess potential impacts;
- An assessment of the potential for the proposed development to significantly affect existing receptors due to the introduction of new mobile or stationary sources;

› A summary of an existing noise e-designation (E-175) and how it applies to the Proposed Project; and

An evaluation of the ambient sound levels at new receptor locations.

Noise Background

Noise is defined as unwanted or excessive sound. Sound becomes unwanted when it interferes with normal activities such as sleep, work, or recreation. How people perceive sound depends on several measurable physical characteristics. These factors include:

› Level - Sound level is based on the amplitude of sound pressure fluctuations and is often equated to perceived loudness.

› Frequency - Sounds are comprised of acoustic energy distributed over a variety of frequencies. Acoustic frequencies, commonly referred to as tone or pitch, are typically measured in Hertz (Hz). Pure tones have energy concentrated in a narrow frequency range and can be more audible to humans than broadband sounds. Sound levels are most often measured on a logarithmic scale of decibels (dB). The decibel scale compresses the audible acoustic pressure levels which can vary from the threshold of hearing (0 dB) to the threshold of pain (120 dB). Because sound levels are measured in dB, the addition of two sound levels is not linear. Adding two equal sound levels results in a 3 dB increase in the overall level. Research indicates the following general relationships between sound level and human perception:

  - A 3-dB increase is a doubling of acoustic energy and is the threshold of perceptibility to the average person.
  - A 10-dB increase is a tenfold increase in acoustic energy and is perceived as a doubling in loudness to the average person.

Audible sound is comprised of acoustic energy over a range of frequencies typically from 20 to 20,000 Hz. The human ear does not perceive sound levels at each frequency as equally loud. To compensate for this phenomenon in perception, a frequency filter known as A-weighting (dBA) is used to evaluate environmental noise levels. **Table 8-1** presents a list of common outdoor and indoor sound levels.

Table 8-1 Common Indoor and Outdoor Sound Levels

Outdoor Sound Levels	Sound Pressure µPa		Sound Level dBA	Indoor Sound Levels
	6,324,555	-	110	Rock Band at 5 m
Jet Over-Flight at 300 m		-	105	
	2,000,000	-	100	Inside New York Subway Train
Gas Lawn Mower at 1 m		-	95	
	632,456	-	90	Food Blender at 1 m
Diesel Truck at 15 m		-	85	
Noisy Urban Area—Daytime	200,000	-	80	Garbage Disposal at 1 m
		-	75	Shouting at 1 m
Gas Lawn Mower at 30 m	63,246	-	70	Vacuum Cleaner at 3 m
Suburban Commercial Area		-	65	Normal Speech at 1 m
	20,000	-	60	
Quiet Urban Area—Daytime		-	55	Quiet Conversation at 1 m
	6,325	-	50	Dishwasher Next Room
Quiet Urban Area—Nighttime		-	45	
	2,000	-	40	Empty Theater or Library
Quiet Suburb—Nighttime		-	35	
	632	-	30	Quiet Bedroom at Night
Quiet Rural Area—Nighttime		-	25	Empty Concert Hall
Rustling Leaves	200	-	20	
		-	15	Broadcast and Recording Studios
	63	-	10	
		-	5	
Reference Pressure Level	20	-	0	Threshold of Hearing

µPA: MicroPascals describe pressure. The pressure level is what sound level monitors measure.
dBA: A-weighted decibels describe pressure logarithmically with respect to 20 µPa (the reference pressure level).
Source: Highway Noise Fundamentals, Federal Highway Administration, September 1980.

Because sound levels change over time, a variety of sound level metrics can be used to describe environmental noise. The following is a list of sound level descriptors that are used in the noise analysis:

- L10 is the sound level which is exceeded for 10 percent of the time during a given time period. Therefore, it represents the higher end of the range of sound levels. The unit is commonly used in the *2021 CEQR Technical Manual* to evaluate acceptable thresholds for noise exposure for new receptors that would be introduced by a proposed development.
- Leq is the energy-average A-weighted sound level. The Leq is a single value that is equivalent in sound energy to the fluctuating levels over a period of time. Therefore, the Leq considers how loud noise events are during the period, how long they last, and how many times they occur. Leq is commonly used to describe environmental noise and relates well to human annoyance. In accordance with the *2021 CEQR Technical Manual*,

the Leq sound level is used to assess the potential for significant increases in noise due to a proposed development at existing receptors in the study area.

Assessment Methodology

This noise analysis considers two receptor types when evaluating noise for the Development Sites; existing and new receptor(s). Since the Proposed Project would introduce new residences and community facility space, these are considered "new receptors."

The analysis also considers "existing receptors" which are the current noise-sensitive uses, such as residential and commercial properties surrounding the Development Sites. The following describes the results of the noise assessment for these two types of receptors.

Noise Assessment for Existing Receptors

Noise impact at existing nearby sensitive receptors is assessed according to the relative increase between No-Action and With-Action sound levels. Noise impact is assessed according to the increase in the Leq sound level in accordance with the *2020 CEQR Technical Manual*. If mobile or stationary sources associated with the Proposed Project would increase Leq sound levels by 3 dB or more and absolute levels would exceed 65 dBA Leq, the Proposed Project would cause a significant adverse impact prior to mitigation. Additionally, if No-Action condition noise levels are 60 dBA Leq or less, a 5-dB increase would be considered a significant adverse noise impact.

Mobile Sources

According to Table 16-1 of the *CEQR Technical Manual,* a transportation analysis is warranted if the Proposed Actions would introduce residential units or community facility space which would exceed certain thresholds. The Proposed Actions would introduce 145 residential units, which is approximately 72 percent of the threshold, and 4,966 sf of community facility space, which is approximately 20 percent of the threshold. Since together the Proposed Actions would not exceed 100 percent of the thresholds, no further transportation analysis is warranted. Because of the high existing volumes of traffic near the Project Area and the limited amount of vehicle trip generation due to the Proposed Actions, traffic volumes would not double, noise levels would not increase by 3 dBA or more, and there would not be a significant adverse noise impact due to mobile sources.

Stationary Sources

The Proposed Project is not anticipated to include any substantial stationary source noise generators, such as unenclosed cooling or ventilation equipment, loudspeaker systems, stationary diesel engines, car washes, or other similar types of uses. The design and specifications for the mechanical equipment, such as heating, ventilation, and air conditioning, are not known at this time. As the project design advances, mechanical equipment would be selected that incorporates sufficient noise reduction to comply with applicable noise regulations and standards, including the standards contained in the revised New York City Noise Control Code. This would ensure that mechanical equipment does not result in any significant increases in noise levels by itself or cumulatively with other project noise sources.

Noise Assessment for New Receptors

With-Action noise conditions at new sensitive receptors that would be introduced by the Proposed Project are evaluated according to absolute exterior sound level. The noise exposure guidelines for acceptable ambient conditions depend on the type of land use; for residential and community facility spaces, the goal is to maintain interior noise levels of 45 dBA or lower. With-Action exterior sound levels are evaluated to determine if receptors would be in an acceptable ambient sound level environment. Exterior ambient sound levels exceeding 70 dBA (L_{10}) at residential and community facility receptors during the daytime (7 AM to 10 PM) are considered to be Marginally Unacceptable. Exterior sound levels exceeding 80 dBA (L_{10}) are considered Clearly Unacceptable. If there would be Marginally Unacceptable or Clearly Unacceptable ambient noise conditions, there is a need to provide window/wall sound attenuation that is sufficient to reduce interior sound levels to acceptable levels.

Noise Exposure Guidelines

The *2021 CEQR Technical Manual* provides noise exposure guidelines for assessing ambient noise conditions at new residential and community facility receptors, as shown in **Table 8-2**.

Table 8-2 Noise Exposure guidelines for Use in City Environmental Impact Review

Receptor Type	Time Period	Acceptable External Exposure	Marginally Acceptable External Exposure	Marginally Unacceptable External Exposure	Clearly Unacceptable External Exposure
Residential or Community Facility	7 AM to 10 PM	L10 ≤ 65 dBA	65 < L10 ≤ 70 dBA	70 < L10 ≤ 80 dBA	L10 > 80 dBA
	10 PM to 7 AM	L10 ≤ 55 dBA	55 < L10 ≤ 70 dBA	70 < L10 ≤ 80 dBA	L10 > 80 dBA

Source: Table 19-2, 2021 *CEQR Technical Manual*.

Noise Attenuation Measures

The most common measure for reducing interior noise from ambient sources is to specify sufficient outdoor-to-indoor sound attenuation for the proposed building. As shown in **Table 8-3**, the required level of attenuation varies based on the exterior sound levels and type of receptor.

Table 8-3 Required Attenuation Values to Achieve Acceptable Interior Noise Levels

	Marginally Unacceptable				Clearly Unacceptable
With-Action Sound Level	$70<L_{10}\leq73$	$73<L_{10}\leq76$	$76<L_{10}\leq78$	$78<L_{10}\leq80$	$80<L_{10}$
Attenuation A	(I) 28 dBA	(II) 31 dBA	(III) 33 dBA	(IV) 35 dBA	$36+(L_{10}-80)^{B}$ dBA

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

[B] Required attenuation values increase by 1 dBA increments for L10 values greater than 80 dBA.

Source: New York City Department of Environmental Protection (*2020 CEQR Technical Manual*, Table 19-3)

The composite outdoor-to-indoor transmission classification (OITC) value of the window-wall structure is used to determine the necessary sound attenuation. Sound attenuation measures would be achieved through construction materials and techniques with sufficient OITC-rated windows and walls. To implement these attenuation requirements, an (E) Designation for noise is typically applied to specify the appropriate amount of window/wall attenuation and the need for alternate means of ventilation.

As part of the Downtown Jamaica Redevelopment Plan (the "Jamaica Plan") Environmental Impact Statement (CEQR No. 05DCP081Q), a noise analysis was conducted for Potential Development Sites in that study area. The Jamaica Plan EIS determined that a minimum 35 OITC was required for these blocks and lots and implemented an (E) Designation (E-175) to ensure that acceptable interior noise conditions would be provided for potential developments. The Jamaica Plan Potential Development Sites 477-Q and 478-Q include Block 10161 Lots 1, 3, and 9. These lots are located within the Project Area and Development Site A. For Development Site B, a new (E) designation, E-768, will ensure that the required window/wall attenuation to maintain an interior noise level of 45 dBa.

The following (E) designation noise text would apply for both Development Site A and Development B:

"In order to ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed window condition with a minimum of 35 dBA window/wall attenuation on all façades in order to maintain an interior noise level of 45 dBA. 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."

This commitment would be included in the Regulatory Agreement between HPD and the Applicants to ensure that the developments would not result in any significant noise impacts from existing ambient sound.

A Notice-to-Proceed (NTP) will be obtained from New York City Office of Environmental Remediation (NYC OER) and a stamped architect's certification letter detailing the implementation of the noise attenuation and alternative means of ventilation will be submitted to HPD before closing.

With this commitment, no significant adverse impacts related to noise are expected and no further analysis is warranted.

Conclusion

A noise assessment was conducted to determine whether the Proposed Project would significantly increase sound levels from mobile and stationary sources at existing noise receptors adjacent to the Development Sites, and if new noise receptors that would be introduced by the Proposed Project would be in an acceptable ambient sound level environment.

The assessment determined that there would not be significant adverse noise impact to existing receptors due to stationary of mobile sources.

The Project Area includes blocks and lots that were previously identified as Potential Development Sites within the Jamaica Plan EIS. An (E) Designation (E-175) was implemented as part of the EIS. The Jamaica Plan Potential Development Sites 477-Q and 478-Q include

Block 10161 Lots 1, 3, and 9. These lots are located within the Project Area and Development Site A. For Development Site B, a new (E) designation, E-768, will ensure that the required window/wall attenuation to maintain an interior noise level of 45 dBa.

A NTP will be obtained from NYC OER and submitted to HPD prior to closing of financing. This protocol will be required through provisions contained in the Land Disposition Agreement and/or Regulatory Agreement(s) between HPD and the project sponsors.

With this commitment, no significant adverse impacts related to noise are expected and no further analysis is warranted.

Appendix A: Jamaica Bay Watershed Protection Plan

Print Form

Jamaica Bay Watershed Protection Plan
Project Tracking Form

The Jamaica Bay Watershed Protection Plan, developed pursuant to Local Law 71 of 2005, mandates that the New York City Department of Environmental Protection (DEP) work with the Mayor's Office of Environmental Coordination (MOEC) to review and track proposed development projects in the Jamaica Bay Watershed (http://www.nyc.gov/html/oec/downloads/pdf/ceqr/Jamaica_Bay_Watershed_Map.jpg) that are subject to CEQR in order to monitor growth and trends. If a project is located in the Jamaica Bay Watershed, (the applicant should complete this form and submit it to DEP and MOEC. This form must be updated with any project modifications and resubmitted to DEP and MOEC.

The information below will be used for tracking purposes only. It is not intended to indicate whether further CEQR analysis is needed to substitute for the guidance offered in the relevant chapters of the CEQR Technical Manual.

A. GENERAL PROJECT INFORMATION

1. CEQR Number: 22HPD058Q 1a. Modification ☐
2. Project Name: South Road Rezoning
3. Project Description:

The applicants are seeking actions for zoning map and text amendments from R5D/C1-4 to R7A/C1-4 in order to facilitate the development of two 9 story mixed-use community facility and affordable residential buildings, site A will total to 10,314 sf and site B will total to 10,416 sf.

4. Project Sponsor: Fulcrum Properties LLC; The Briarwood Organization, LLC; and Moses Sole Realty, LLC
5. Required approvals: CEQR and ULURP
6. Project schedule (build year and construction schedule): 2025

B. PROJECT LOCATION:

1. Street address: 106-01 Guy Brewer Blvd and 162-02 Tuskegee Airmen Way
2. Tax block(s): 10161 and 10129 Tax Lot(s): 1, 3, 9, 68, 69, 13, 14 and 1, 3, 4, 6, 7, 9, 10, 11
3. Identify existing land use and zoning on the project site: R5D/C1-4, Residential and Commercial
4. Identify proposed land use and zoning on the project site: R7A/C1-4, Residential and Commercial
5. Identify land use of adjacent sites (include any open space): Residential, Commerical, and Institutic
6. Describe existing density on the project site and the proposed density:

Existing Condition	Proposed Condition
Church- 4,000 gsf and Offices- 7,695 gsf	two mixed use buildings totaling 120,683 gsf

7. Is project within 100 or 500 year floodplain (specify)? ☐ **100 Year** ☐ **500 Year** ☒ **No**

C. GROUND AND GROUNDWATER

1. Total area of in-ground disturbance, if any (in square feet): Dev Site A- 5,647 sf, Dev Site B- 10,806 sf (two cellar areas, Dev B already disturbed)
2. Will soil be removed (if so, what is the volume in cubic yards)? TBD
3. Subsurface soil classification:
   (per the New York City Soil and Water Conservation Board): Urban Land-Flatbush Complex
4. If project would change site grade, provide land contours (**attach** map showing existing in 1' contours and proposed in 1' contours).
5. Will groundwater be used (list volumes/rates)? ☐ **Yes** ☒ **No**

   Volumes: Rates:
6. Will project involve dewatering (list volumes/rates)? ☐ **Yes** ☒ **No**

   Volumes: Rates:
7. Describe site elevation above seasonal high groundwater:

   According to the Phase I prepared for the site by ERM, groundwater table is approximately 20 feet below grade in the area.

D. HABITAT

1. Will vegetation be removed, particularly native vegetation? ☐ **Yes** ☒ **No**

   If YES,
   - **Attach** a detailed list (species, size and location on site) of vegetation to be removed (including trees >2" caliper, shrubs, understory planting and groundcover).
   - **List** species to remain on site.
   - **Provide** a detailed list (species and sizes) of proposed landscape restoration plan (including any wetland restoration plans).
2. Is the site used or inhabited by any rare, threatened or endangered species? ☐ **Yes** ☒ **No**
3. Will the project affect habitat characteristics? ☐ **Yes** ☒ **No**

   If YES, describe existing wildlife use and habitat classification using "Ecological Communities of New York State." at http://www.dec.ny.gov/animals/29392.html.

   Note for D.1. (above)- The tree on site A that will likely be removed is non-native, Ailanthus altissima
4. Will pesticides, rodenticides or herbicides be used during construction? ☐ **Yes** ☒ **No**

   If YES, estimate quantity, area and duration of application.
5. Will additional lighting be installed? ☒ **Yes** ☐ **No**

   If YES and near existing open space or natural areas, what measures would be taken to reduce light penetration into these areas?

   there are no public open spaces or natural areas near the Proposed Project

E. SURFACE COVERAGE AND CHARACTERISTICS

(describe the following for both the existing and proposed condition):

	Existing Condition	Proposed Condition
1. ***Surface area:***		
Roof:	site A- 3,725 gsf & site B - 8,635 gsf	site A- 6,841 gsf & site B 6,251 gsf
Pavement/walkway:	site A- 168 gsf & site B - 1,070 gsf	
Grass/softscape:	site A- 10,937 gsf & site B- 700 gsf	site A- 1,710 gsf
Other (describe):		site A parking lot ~5,546 gsf & site B parking lot ~4,617 gsf
2. ***Wetland*** (regulated or non-regulated) area and classification:	n/a	
3. ***Water surface area:***	n/a	

4. ***Stormwater management*** (describe):

Existing – how is the site drained?

combine sewer

Proposed – describe, including any infrastructure improvements necessary off-site:

same as existing

Appendix B: Jamaica Plan LPC Correspondence

Appendix F: New York City Landmarks Preservation Commission Correspondence

THE CITY OF NEW YORK LANDMARKS PRESERVATION COMMISSION
1 Centre St., 9N, New York, NY 10007 (212) 669-7700

ENVIRONMENTAL REVIEW

DCP /05DCP081Q — 06/20/07
PROJECT NUMBER — DATE RECEIVED

PROJECT DWNTWN JAMAICA REDEV PLAN: DOWNTOWN JAMAICA REDEVELOPMEN

FAX
1 pg
TO Cara McAteer
6/22/07

[ ] No architectural significance
[ ] No archaeological significance
[X] Designated New York City Landmark or Within Designated Historic District
[X] Listed on National Register of Historic Places
[X] Appears to be eligible for National Register Listing and/or New York City La Designation
May be archaeologically significant; requesting additional materials

The LPC is in receipt of the following chapters of the draft FEIS, dated 6/19/07: Historic Resources, Shadows, Historic Resource comments, and photos of additional potential architectural properties. The chapters are acceptable.

Determinations of the additional potential architectural properties are as follows:

1. 115-90 Ave., All Nations Apostolic Tabernacle, not eligible.
2. 89-31 161 St., S/NR eligible,
3. 162-10 Hillside Ave., Old Jamaica HS, LPC and S/NR eligible.
4. 88-11 Sutphin Blvd., Queens County Superior Court, LPC and S/NR eligible.
5. 89th Ave. and 153rd St., Mary Immaculate Hospital, S/NR eligible.
6. Parsons Blvd. at 89th Ave., Presentation of the Blessed Virgin Mary Church Complex, S/NR ~~eligible~~ listed.
7. 163-08 Jamaica Ave., S/NR eligible
8. 89-60 164th St., First Presbyterian Church in Jamaica Complex, not eligible.
9. 93-05 168th St, 104th Field Artillery Armory, S/NR eligible.

2007 JUN 22 PM 12:33
DEPT OF CITY PLANNING
ENVIRONMENTAL REVIEW DIV.

COMMENTS

SIGNATURE — 06/22/07
DATE

THE CITY OF NEW YORK LANDMARKS PRESERVATION COMMISSION
1 Centre St, 9N, New York, NY 10007 (212) 669-7700

ENVIRONMENTAL REVIEW

DCP/05DCP081Q — PROJECT NUMBER

01/25/06 — DATE RECEIVED

PROJECT

DWNTWN JAMAICA REDEV PLAN: DOWNTOWN JAMAICA REDEVELOPMEN

[ ] No architectural significance

[ ] No archaeological significance

[ ] Designated New York City Landmark or Within Designated Historic District

[ ] Listed on National Register of Historic Places

[ ] Appears to be eligible for National Register Listing and/or New York City Landmark Designation

[X] May be archaeologically significant; requesting additional materials

COMMENTS

The LPC is in receipt of the, "Downtown Jamaica Redevelopment Plan, Archaeological Assessment Report Parts I and II," prepared by Dr. Celia Bergoffen and dated January 15, 2006.

The LPC concurs with Dr. Bergoffen's conclusions that B 9754 Lot 25, B 9764 L 77, 97, B 9908 L 10, B 10095 L 32, B 10107 L 73, 82, 84, 86, 130, B 10108 L 305, 348, B 10109 L 31, 44, B 10115 L 53, B 10151 L 7, and B 10156 L 17 may have the potential to contain potentially significant archaeological resources which may be impacted by this action. We also concur that B 10107 L 77, 138, 142, B 10108 L 312, 319, 316, B 10113 L 71, and B 10151 L 75 and 116 do not have such potential. We further note that B 9754 L 25 has the potential to contain human remains.

Please send another bound copy of the report to the LPC for the City Hall Library.

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ENVIRONMENTAL REVIEW DIV.

Amanda Sutphin — SIGNATURE

02/08/06 — DATE

THE CITY OF NEW YORK LANDMARKS PRESERVATION COMMISSION
1 Centre St., 9N, New York, NY 10007 (212) 669-7700

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ENVIRONMENTAL REVIEW DIV

ENVIRONMENTAL REVIEW

DCP /05DCP081Q 05/24/05
PROJECT NUMBER DATE RECEIVED

PROJECT DWNTWN JAMAICA REDEV PLAN: DOWNTOWN JAMAICA REDEVELOPMEN

[ ] No architectural significance

[ ] No archaeological significance

[X] Designated New York City Landmark or Within Designated Historic District

[X] Listed on National Register of Historic Places

[X] Appears to be eligible for National Register Listing and/or New York City Landmark Designation

[X] May be archaeologically significant; requesting additional materials

COMMENTS

The LPC is in receipt of the EAS of May 20, 2005. The following are architectural comments only. Archaeology comments are under separate cover.

The following properties are within the project area and are LPC designated. S/NR determinations are listed in the text:

First Reformed Church of Jamaica, 153-10 Jamaica Ave., S/NR
Rufus King House, Jamaica Ave. and 150th St., S/NR
Grace Episcopal Church and Graveyard, 155-03 Jamaica Ave., S/NR
La Casina, 90-33 160th St., S/NR
Suffolk Title and Guarantee Co. Building, 90-04 161 St.
Sidewalk Clock, 161-11 Jamaica Ave., S/NR
Loew's Valencia Theater, 165-11 Jamaica Ave.
J. Kurtz and Sons Store, 162-24 Jamaica Ave., S/NR
The Register, 161-04 Jamaica Ave., S/NR
St. Monica's Church, 94-20 160th St., S/NR
Prospect Cemetery, 159 St. at Beaver Rd., S/NR

The following property has been LPC heard and is S/NR listed:

Jamaica Savings Bank, 161-02 Jamaica Ave.

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Gina Santucci 09/13/05
SIGNATURE DATE

THE CITY OF NEW YORK LANDMARKS PRESERVATION COMMISSION
1 Centre St., 9N, New York, NY 10007, (212) 669-7700

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ENVIRONMENTAL REVIEW DIV.

ENVIRONMENTAL REVIEW

DCP/05DCP081Q — PROJECT NUMBER

09/09/05 — DATE RECEIVED

PROJECT DWNTWN JAMAICA REDEV PLAN; DOWNTOWN JAMAICA REDEVELOPMEN

( ) No architectural significance

( ) No archaeological significance

(X) Designated New York City Landmark or Within Designated Historic District

(X) Listed on National Register of Historic Places

(X) Appears to be eligible for National Register Listing and/or New York City Landmark Designation

(X) May be archaeologically significant; requesting additional materials see previous revie

COMMENTS supplement / addendum 9/8/2005. Portions of the study area appear to be disturbed by 20th century construction of building(s) on the front and rear portions of the lot(s)or to have low archeological potential. There are no further archeological concerns for these lots indicated as follows: 4104550017, 4099500006, 4098350032, 4098350030, 4098350028, 4098350026, 4098350023, 4104990059, 4104990057, 4102090115, 4098350033.
q05DCP081q09092005q0dwtnJAMAICArezoneSUPPLEMENTusf

Amanda Sutphin — SIGNATURE

09/09/05 — DATE

THE CITY OF NEW YORK LANDMARKS PRESERVATION COMMISSION
1 Centre St., 9N, New York, NY 10007 (212) 669-7700

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ENVIRONMENTAL REVIEW

DCP/05DCP081Q — PROJECT NUMBER

05/25/05 — DATE RECEIVED

PROJECT DWNTWN JAMAICA REDEV PLAN: DOWNTOWN JAMAICA REDEVELOPMEN

( ) No architectural significance

( ) No archaeological significance

( ) Designated New York City Landmark or Within Designated Historic District

( ) Listed on National Register of Historic Places

( ) Appears to be eligible for National Register Listing and/or New York City Landmar Designation

(X) May be archaeologically significant; requesting additional materials

COMMENTS

Archaeology only:

LPC review of archaeological sensitivity models and historic maps indicates that there is potential for the recovery of remains from human burials, 19th Century and Native American occupation for the Borough, Block and Lot locations within the study area as indicated in the attached table. Accordingly, the Commission recommends that an archaeological documentary study be performed for these locations to clarify these initial findings and provide the threshold for the next level of review, if such review is necessary (see CEQR Technical Manual 2001).

Portions of the study area appear to be disturbed by 20th century construction of building(s) on the front and rear portions of the lot(s) or to have low archeological potential. There are no further archeological concerns for these lots as indicated in the attached table.

q05DCP081q08026005q0dwtnJAMAICArezoneFINALtexttdl5USF

Amanda Sutphin — SIGNATURE

08/29/05 — DATE

THE CITY OF NEW YORK LANDMARKS PRESERVATION COMMISSION
1 Centre St., 9N, New York, NY 10007 (212) 669-7700

ENVIRONMENTAL REVIEW

DCP /05DCP081Q — PROJECT NUMBER

01/11/07 — DATE RECEIVED

PROJECT

DWNTWN JAMAICA REDEV PLAN: DOWNTOWN JAMAICA REDEVELOPMEN

[ ] No architectural significance

[ ] No archaeological significance

[X] Designated New York City Landmark or Within Designated Historic District

[X] Listed on National Register of Historic Places

[X] Appears to be eligible for National Register Listing and/or New York City Landmark Designation

[X] May be archaeologically significant; requesting additional materials

COMMENTS

The LPC is in receipt of Chapter 6, "Shadows", dated 1/8/07, including Figures 6-44 through 6-54, of the DEIS. Comments regarding project generated shadow impacts to Grace Episcopal Church and Graveyard, 155-03 Jamaica Ave., (LPC designated and S/NR listed) are as follows.

Based on guidance provided in the CEQR Technical Manual: 2001, Chapter E, "Shadows": section 323, "What Shadow is Attributable to the Proposed Action", page 3E-14; section 324, "Duration of the Project Shadows", page 3E-14; section 325, "Estimating the Relative Loss of Sunlight from Project Shadows", page 3E-18; and section 400, "Determining Impact Significance", page 3E-19, the LPC notes that there appears to be a potential for a significant adverse impact to the historic property as a result of the duration and incremental coverage of project generated shadows on the sun sensitive historic resource during all four analysis periods (Table 6-2) on page 6-6.

Options for mitigation, and alternatives that reduce or eliminate the impacts should be disclosed and discussed in the DEIS.

1/26 AMT AGUILAR

Gina Santucci — SIGNATURE

01/26/07 — DATE

THE CITY OF NEW YORK LANDMARKS PRESERVATION COMMISSION
1 Centre St, 9N, New York, NY 10007 (212) 669-7700

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ENVIRONMENTAL REVIEW

DCP/05DCP081Q 08/22/06

PROJECT NUMBER DATE RECEIVED

PROJECT DWNTWN JAMAICA REDEV PLAN: DOWNTOWN JAMAICA REDEVELOPMENT

[ ] No architectural significance

[ ] No archaeological significance

[X] Designated New York City Landmark or Within Designated Historic District

[X] Listed on National Register of Historic Places

[X] Appears to be eligible for National Register Listing and/or New York City Landmark Designation

[X] May be archaeologically significant; requesting additional materials

COMMENTS For archaeological resources only:

The LPC is in receipt of the draft chapter 7 dated August 2, 2006. We note that although chapter 24 is referred on page 7-19, we did not receive a copy.

The LPC notes that the DCP has determined that Projected Development Sites 161, 246, and 417 and Potential Development Sites 118, 411, 416, 420, and 423 are expected to be developed with or without this action, and therefore DCP has determined that the destruction of archaeological resources on these sites would not be considered an impact. DCP has also determined that impacts to potentially significant archaeological resources in potential development sites 160, 401, 410, 463, and 475 may occur as a result of these actions, but that such impacts are unavoidable adverse impacts. These decisions are within the purview of DCP as lead agency.

Amanda Sutphin 08/25/06

SIGNATURE DATE

Appendix B: LPC 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: HOUSING PRESERVATION AND DEV. / LA-CEQR-Q
Project: SOUTH JAMAICA GATEWAY
Date Received: 3/17/2023

Properties with no Architectural or Archaeological significance:

1) 162-02 TUSKEGEE AIRMEN WAY, BBL: 4101290001
2) 162-04 TUSKEGEE AIRMEN WAY, BBL: 4101290003
3) 162-06 TUSKEGEE AIRMEN WAY, BBL: 4101290004
4) 106-01 GUY R BREWER BLVD, BBL: 4101610001
5) 163-10 TUSKEGEE AIRMEN WAY, BBL: 4101610003
6) 104-10 164 STREET, BBL: 4101610009

Gina Santucci

3/28/2023

SIGNATURE DATE

Gina Santucci, Environmental Review Coordinator

File Name: 36984_FSO_DNP_03282023.docx

Appendix C: DEP 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

January 12, 2023

Anthony Howard
Deputy Director, Environmental Planning
New York City Department of Housing Preservation and Development
100 Gold Street
New York, NY 10038

Re: South Jamaica Gateway Rezoning
Block 10161, Lots 1, 3, 9, 13, 14, 68, 69 and Block 10129, Lots 1, 3, 4, 6, 7, 9, 10, and 11
CEQR # 22HPD058Q

Dear Mr. Howard:

The New York City Department of Environmental Protection, Bureau of Sustainability (DEP) has reviewed the March 2020 Phase I Environmental Site Assessments (Phase I), the December 2022 Phase II Work Plan (Phase II Work Plan) and the November 2022 Health and Safety Plan (HASP) prepared by Tenen Environmental, LLC., on behalf of Fulcrum Properties, LLC., The Briarwood Organization, LLC., Moses Sole Realty, LLC., Godian Fellowship Inc. and Thomas White, Jr. Foundation Inc. (applicant), for the above referenced project generally bounded by Tuskegee Airmen Way to the north, Union Hall Street to the west, 164th Street to the east, and a line approximately 115 feet south of Tuskegee Airmen Way to the south in the Jamaica neighborhood of Queens Community District 12. It is our understanding that the applicant is seeking:

1. The disposition of two city-owned lots (Block 10161, Lots 3 and 9).
2. A zoning map amendment from the New York City Department of City Planning to rezone portions of Blocks 10129 and 10161 from a R5D and R5D/C1-4 zoning districts to a R7A and R7A/C1-4 zoning districts.
3. A zoning text amendment to Appendix F of the Zoning Resolution to designate the project area as a Mandatory Inclusionary Housing Area.
4. The establishment of an Urban Development Action Area and an Urban Development Action Area Program.

The proposed action would facilitate the development of two nine-story buildings with a up to 143 affordable and senior residential units and updated community facility space for Godian Fellowship and Thomas White, Jr. Foundation Inc. (TWF). The Project Area consists of the lots within the two Development Sites and the Rezoning Area. The applicant team is proposing to build two new buildings on two sites: Godian Fellowship (Development Site A), which would be constructed on Block 10161, Lots 1, 3, and 9 and TWF offices (Development Site B) would be constructed on Block 10129, Lots 1, 3, and 4. On Development Site A, the applicant would construct a nine-story, approximately 56,900 gross-square-foot (gsf) building containing up to 62 dwelling units and approximately 5,000 gsf of space for the Godian Fellowship Church on the ground floor. On Development Site B, the applicant would construct an approximately 65,000-gsf building containing 60 dwelling units and approximately 11,550 sf of community facility use on the ground and cellar floors for offices of TWF. Block 10129, Lots 6, 7, 9, 10, 11, and Block 10161, Lot 13, 14, 68, and 69 are

within the Project Area, but not within the Development Sites, and are not considered soft sites. It should be noted that Development Site A is currently vacant and contains two trailers, while Development Site B is currently developed with a single-story commercial building.

Development Site A (Block 10161, Lots 1, 3, and 9)

The March 2020 Phase I report revealed that historical on-site and surrounding area land-uses consists of residential, commercial and institutional uses including the Godian Operation of Outreach, an auto repair shop, a grocery store, a paint warehouse, churches, an undertaker, a woodworking facility, the Long Island Drug Company, a cemetery, a deli and grocery, a barbershop, as well as several residential buildings. Regulatory databases such as the New York State Department of Environmental Conservation (NYSDEC) SPILLS, Leaking Storage Tanks (LTANKS), Resource Conservation and Recovery Act Generators, and Petroleum Bulk Storage (PBS) Underground Storage Tanks (USTs) and PBS Aboveground Storage Tanks (ASTs) identified several sites in close proximity to the project site. The SPILLS database reported six spills within a 1/8-mile radius of the project site, the PBS USTs and the PBS ASTs databases reported six USTs and 10 ASTs within a 1/4-mile radius of the project site and the LTANKS database reported 36 LTANKS within a 1/2-mile radius of the project site.

The December 2022 Phase II Work Plan proposes to install six soil borings (SB-1 through SB-6), three groundwater monitoring wells (MW-1, MW-2 and MW-3) and three soil vapor probes (SV-1, SV-2 and SV-3) at the project site. All soil borings will be advanced to approximately two feet below development depth; approximately 12 feet below grade surface (bgs) for soil borings SB-1, SB-2, and SB-3 and approximately four feet bgs for soil borings SB-4, SB-5, and SB-6. At a minimum, two soil samples will be collected from each boring; one soil sample will be collected from the 0 - 2 feet bgs interval and the second soil sample will be collected from the two-foot interval directly below development depth (10 - 12 ft bgs for soil borings SB-1, SB-2, and SB-3 and 2 - 4 feet bgs for soil borings SB-4, SB-5, and SB-6). In addition, a third soil sample will be collected at the location of highest contamination (if encountered) in each boring as determined by photoionization detector readings and/or visual or olfactory observations. Twelve 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 8082A and Target Analyte List (TAL) metals via EPA Methods 6010 and 7471 (filtered and unfiltered for groundwater samples). Three soil vapor samples will also be collected and analyzed for VOCs via EPA Method TO-15.

Development Site B (Block 10129, Lots 1, 3, and 4)

The March 2020 Phase I report revealed that historical on-site and surrounding area land-uses consists of residential, commercial and institutional uses including a furniture storage facility, a mental health and rehabilitation center, a warehouse, churches, a hospital, a cemetery, a movie theater, parking garages, a tin smith, auto repair shops, a tire service shop, a gasoline storage facility, an oil burner storage facility, the Long Island Drug Company, a school, a metal working facility, an undertaker, a woodworking facility, as well as several residential buildings. Regulatory databases such as the NYSDEC SPILLS, LTANKS, Resource Conservation and Recovery Act Generators, and PBS USTs and PBS ASTs identified several sites in close proximity to the project site. The SPILLS database reported three spills within a 1/8-mile radius of the project site, the PBS USTs and the PBS ASTs databases reported five USTs and three ASTs within a 1/4-mile radius of the project site and the LTANKS database reported 36 LTANKS within a 1/2-mile radius of the project site.

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

Development Site A (Block 10161, Lots 1, 3, and 9)
Phase II Work Plan

- HPD should instruct the applicant that a minimum of two (2) additional soil borings should be installed on the subject property. The additional soil borings should be installed within the footprint of the proposed garden (Lot 9) and within the proposed cellar footprint near the corner of South Road and Guy R Brewer Boulevard (Lot 1). The proposed sampling locations should also be depicted on Figure 3, Proposed Sample Locations.

- HPD should instruct the applicant that a minimum of two (2) additional soil vapor implants should be installed on the subject property, within the proposed slab-on-grade footprint. The additional soil vapor implants should be installed near soil borings SB-4 and SB-5. The proposed sampling locations should also be depicted on Figure 3, Proposed Sample Locations.

- HPD should instruct the applicant that if underground storage tank (UST) areas are identified at the site, additional test borings should be advanced to adequately characterize the UST areas. A minimum of two test borings should be advanced per tank cluster. Test borings should be advanced within two feet of the tanks, if possible, and to a minimum depth of five feet below the tank invert for the collection of representative soil samples. Surface and subsurface soil samples should be collected from each soil boring as described in section 4.0 and analyzed for VOCs via EPA Method 8260, SVOCs via EPA Method 8270, pesticides via EPA Method 8081, PCBs via EPA Method 8082, and TAL metals.

HASP

- HPD should instruct the applicant that as a standard requirement, the HASP should include VOCs, SVOCs, pesticides, PCBs, and heavy metals (specifically arsenic, lead, and mercury) as potential chemicals of concern. All associated information fact sheets or safety data sheets for these potential chemicals of concern should be included.

HPD should instruct the applicant that a revised Phase II Work Plan and HASP should be submitted for DEP review and approval prior to the start of any fieldwork.

Development Site B (Block 10129, Lots 1, 3, and 4)

- HPD should inform the applicant that based on the historical on-site and/or surrounding area land uses including suspected historic urban fill on the subject property, a Phase II Environmental Site Assessment (Phase II) is necessary to adequately identify/characterize the surface and subsurface soils, groundwater and soil vapor of the subject property, and to inform and disclose the measures necessary to avoid impacts from hazardous materials. A Phase II Investigation Protocol/Work Plan summarizing the proposed drilling, soil, groundwater and soil vapor sampling activities should be developed in accordance with the *City Environmental Quality Review Technical Manual* and submitted for DEP review and approval. The Work Plan should include blueprints and/or site plans displaying the current surface grade and sub-grade elevations and a site map depicting the proposed soil, groundwater and soil vapor sampling locations. Soil and groundwater samples should be collected and analyzed by a New York State Department of Health (NYSDOH) Environmental Laboratory Approval Program (ELAP) certified laboratory for the presence of

VOCs by EPA Method 8260, SVOCs by EPA Method 8270, pesticides by EPA Method 8081, PCBs by EPA Method 8082, and TAL metals (filtered and unfiltered for groundwater samples). The soil vapor sampling should be conducted in accordance with the NYSDOH October 2006 Guidance for Evaluating Soil Vapor Intrusion in the State of New York. The soil vapor samples should be collected and analyzed by a NYSDOH ELAP certified laboratory for the presence of VOCs by EPA Method TO-15. An Investigation HASP should also be submitted for DEP review and approval.

- HPD should also instruct the applicant that the Phase II Work Plan and HASP should be submitted for DEP review and approval prior to the start of any fieldwork.

Future correspondence and submittals related to this project should include the following CEQR # **22HPD058Q.** If you have any questions, you may contact Ms. Cassandra Scantlebury at (718) 595-6756.

Sincerely,

Wei Yu
Deputy Director, Hazardous Materials

cc: R. Weissbard
T. Estesen
C. Scantlebury
M. Wimbish
A. Schaefer - HPD

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

September 1, 2023

Alexander Schaefer
Deputy Director, Environmental Planning
New York City Department of Housing Preservation and Development
100 Gold Street
New York, NY 10038

Re: South Jamaica Gateway Rezoning
Block 10161, Lots 1, 3, 9, 13, 14, 68, and 69 and Block 10129, Lots 1, 3, 4, 6, 7, 9, 10, and 11
CEQR # 22HPD058Q

Dear Mr. Schaefer:

The New York City Department of Environmental Protection, Bureau of Sustainability (DEP) has reviewed the May 2023 and August 2023 Phase II Work Plans (Work Plan) and the May 2023 and August 2023 Health and Safety Plans (HASP) prepared by Tenen Environmental, LLC., on behalf of Fulcrum Properties, LLC., The Briarwood Organization, LLC., Moses Sole Realty, LLC., Godian Fellowship Inc. and Thomas White, Jr. Foundation Inc. (applicant), for the above referenced project generally bounded by Tuskegee Airmen Way to the north, Union Hall Street to the west, 164th Street to the east, and a line approximately 115 feet south of Tuskegee Airmen Way to the south in the Jamaica neighborhood of Queens Community District 12. It is our understanding that the applicant is seeking the disposition of two city-owned lots (Block 10161, Lots 3 and 9); a zoning map amendment from the New York City Department of City Planning to rezone portions of Blocks 10129 and 10161 from a R5D and R5D/C1-4 zoning districts to a R7A and R7A/C1-4 zoning districts; a zoning text amendment to Appendix F of the Zoning Resolution to designate the project area as a Mandatory Inclusionary Housing Area; and the establishment of an Urban Development Action Area and an Urban Development Action Area Program. The proposed action would facilitate the development of two nine-story buildings with up to 143 affordable and senior residential units and updated community facility space for Godian Fellowship and Thomas White, Jr. Foundation Inc. (TWF). The Project Area consists of the lots within the two Development Sites and the Rezoning Area. The applicant is proposing to build two new buildings on two sites: Godian Fellowship, which would be constructed on Block 10161, Lots 1, 3, and 9 (Development Site A) and TWF offices would be constructed on Block 10129, Lots 1, 3, and 4 (Development Site B). On Development Site A, the applicant would construct an approximately 56,900 gross-square-foot (gsf) building containing up to 62 dwelling units and approximately 5,000 gsf of space for the Godian Fellowship Church on the ground floor. On Development Site B, the applicant would construct an approximately 65,000-gsf building containing 60 dwelling units and approximately 11,550 square feet of community facility use on the ground and cellar floors for offices of TWF. Block 10129, Lots 6, 7,

9, 10, 11, and Block 10161, Lot 13, 14, 68, and 69 are within the Project Area, but not within the Development Sites, and are not considered soft sites.

Development Site A (Block 10161, Lots 1, 3, and 9)

The May 2023 Phase II Work Plan proposes to install eight soil borings (SB-1 through SB-8), three groundwater monitoring wells (MW-1, MW-2 and MW-3) and five soil vapor probes (SV-1 through SV-5) at the project site. All soil borings will be advanced to approximately two feet below development depth; approximately 12 feet below grade surface (bgs) for soil borings SB-1, SB-2, SB-3 and SB-8 and approximately four feet bgs for soil borings SB-4, SB-5, SB-6 and SB-7. At a minimum, two soil samples will be collected from each boring; one soil sample will be collected from the 0-2 feet bgs interval and the second soil sample will be collected from the two-foot interval directly below development depth (10-12 feet bgs for soil borings SB-1, SB-2, SB-3, SB-8 and 2-4 feet bgs for soil borings SB-4, SB-5, SB-6 and SB-7). In addition, a third soil sample will be collected at the location of highest contamination (if encountered) in each boring as determined by photoionization detector (PID) readings and/or visual or olfactory observations. Soil and groundwater samples will be collected and 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 (TAL) metals by EPA Methods 6010 and 7471 (filtered and unfiltered for groundwater samples). Five soil vapor samples will also be collected and analyzed for VOCs by EPA Method TO-15.

Development Site B (Block 10129, Lots 1, 3, and 4)

The August 2023 Phase II Work Plan proposes to install five soil borings (SB-1 through SB-5), three groundwater monitoring wells (MW-1, MW-2 and MW-3) and four soil vapor probes (SV-1 through SV-4) at the project site. All soil borings will be advanced to approximately two feet below development depth; approximately 14 feet bgs for soil borings SB-1 and SB-5 and approximately six feet below basement grade (bbg) for soil borings SB-2, SB-3, and SB-4. At a minimum, two soil samples will be collected from each boring; one soil sample will be collected from the 0-2 feet bgs or 0-2 feet bbg interval and the second soil sample will be collected from the two-foot interval directly below development depth (12-14 feet bgs for soil borings SB-1 and SB-5 and 4-6 feet bbg for soil borings SB-2, SB-3, and SB-4). In addition, a third soil sample will be collected at the location of highest contamination (if encountered) in each boring as determined by PID and/or visual or olfactory observations. Soil and groundwater samples will be collected and analyzed for VOCs by EPA Method 8260, SVOCs by EPA Method 8270, pesticides by EPA Method 8081, PCBs by EPA Method 8082 and TAL metals by EPA Methods 6010 and 7471 (filtered and unfiltered for groundwater samples). Four soil vapor samples will also be collected and analyzed for VOCs by EPA Method TO-15.

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

Development Site A (Block 10161, Lots 1, 3, and 9)

Work Plan

- HPD should instruct the applicant that soil samples collected should be discrete (grab) samples.

- HPD should instruct the applicant that soil vapor sampling should typically be performed, at a minimum, to the two-foot interval below the depth of the project excavation or between one and two feet above the groundwater interface (whichever is encountered first).

Development Site B (Block 10129, Lots 1, 3, and 4)

Work Plan

- HPD should instruct the applicant that soil samples collected should be discrete (grab) samples.

- HPD should instruct the applicant that soil vapor sampling should typically be performed, at a minimum, to the two-foot interval below the depth of the project excavation or between one and two feet above the groundwater interface (whichever is encountered first).

- HPD should instruct the applicant that the proposed soil, groundwater, and soil vapor sampling locations should be individually labeled (i.e., SB-1, MW-1, SV-1, etc.) in Figure 3.

DEP finds the May 2023 and August 2023 Phase II Work Plans and HASPs for the proposed investigation acceptable, as long as the aforementioned information is incorporated into the Work Plans. HPD should inform the applicant that upon completion of the investigation activities, the applicant should submit a detailed Phase II report 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 the 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 # **22HPD058Q**. If you have any questions, you may contact me at (718) 595-4358.

Sincerely,

Wei Yu
Deputy Director, Hazardous Materials

c: R. Weissbard
T. Estesen
M. Wimbish
A. Howard – HPD