NEGATIVE DECLARATION (Use of this form is optional)

Statement of No Significant Effect

Pursuant to Executive Order 91 of 1977, as amended, and the Rules of Procedure for City Environmental Quality Review, found at Title 62, Chapter 5 of the Rules of the City of New York and 6 NYCRR, Part 617, State Environmental Quality Review, the Department of City Planning, acting on behalf of the City Planning Commission assumed the role of lead agency for the environmental review of the proposed project. Based on a review of information about the project contained in this environmental assessment statement 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 that finds the proposed project:
and related actions sought before the City Planning Commission would have no significant effect on the quality of the environment. Reasons supporting this Determination are noted below.

Hazardous Materials, Air Quality, and Noise:

1. An (E) designation (E-484) for hazardous materials, air quality, and noise has been incorporated into the proposed actions. Refer to "Determination of Significance Appendix: (E) Designation" for a list of the sites affected by the proposed (E) Designation and applicable (E) Designation requirements. The analyses conducted for hazardous materials, air quality, and noise conclude that with the (E) Designation requirements in place, the Proposed Action would not result in significant adverse impacts to hazardous materials, air quality, or noise.

Land Use, Zoning and Public Policy:

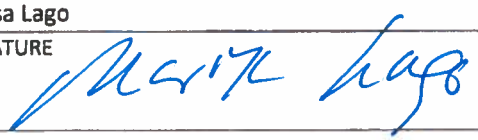
2. This EAS includes a detailed Land Use, Zoning, and Public Policy section. This section concludes that the Proposed Action, which would facilitate construction of new mixed-use buildings within the Project Area, would not generate new land uses that would be incompatible with current land uses within the Study Area, as the Study Area currently contains mixed-use residential and commercial land uses. The analysis further concludes that there would be no significant adverse impacts related to Zoning. As the proposed R7D/C2-2 zoning district would facilitate developments contextually similar in terms of bulk and use with other buildings in adjacent areas mapped with RS and R6 zoning districts. Additionally, in terms of Public Policy, while this Project Area is located within a FRESH Zone, the Public Policy analysis concludes that the proposed C2-4 commercial overlay would permit supermarkets as-of-right, and as such would not adversely impact the FRESH public policy.

Open Space:

3. This EAS includes a detailed Open Space section. The Open Space analysis discloses the incremental difference between the No-Action and With-Action conditions would decrease the Open Space Ratio for both active and passive use by 4.33 percent, while this is below the 5 percent impact threshold established in the CEQR Technical Manual, the existing Open Space Ratio within the Open Space Study Area is 0.37 acres per 1,000 residents, below established planning goals of 2.50 acres of active and passive open space per 1,000 residents. As such, a detailed analysis was performed that included a qualitative assessment which concluded that while the Open Space Study Area is presently lacking in open space resources, these conditions are offset by three open space resources within one mile of Directly Affected Area. These Include Bronx River Park Reservation and Wakefield Park, both in Yonkers (Westchester County) as well as Van Cortlandt Park in the Bronx, a large destination park with ample active and passive open space resources. Due to the Directly Affected Area's location close to these resources, the Open Space analysis concludes that no significant adverse Impacts with respect to Open Space are foreseeable.

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
Deputy Director, Environmental Assessment and Review Division	Department of City Planning, acting on behalf of the City Planning Commission
NAME	**DATE**
Olga Abinader	August 17, 2018
SIGNATURE	

TITLE Chair, Department of City Planning	
NAME Marisa Lago	DATE August 20, 2018
SIGNATURE 	

(E) Designations Addendum

To ensure that there would be no significant adverse hazardous material, air quality or noise impacts associated with the proposed project, an E designation **(E-484)** will be placed on the project sites as follows:

The E designation requirements related to hazardous materials, air quality, and noise would apply to:

Projected Development Site 1:
Block 5087, Lots 1, 9 and 12

Projected Development Site 2:
Block 5087, Lots 16 and 18

Projected Development Site 3:
Block 5087, Lots 22, 24, 28, 33 and 128

Projected Development Site 4:
Block 5087, Lot 40

Projected Development Site 5
Block 5087, Lot 48

Potential Development Site A
Block 5087, Lots 13 and 65

Potential Development Site B
Block 5087, Lots 14 and 65

Potential Development Site C
Block 5087, Lots 20 and 65

Potential Development Site D
Block 5087, Lots 53 and 54

Potential Development Site E
Block 5087, Lots 55 and 58

Hazardous Materials

Task 1:

The applicant submits to OER, for review and approval, a Phase 1A of the site along with a soil and groundwater 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 sampling data. Guidelines and criteria for selecting sampling locations and collecting samples are provided by OER upon request.

Task 2:

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 remediation plan must be submitted to OER for review and approval. The applicant must complete such remediation as determined necessary by OER. The applicant should then provide proper documentation that the work has been satisfactorily completed.

An OER-approved construction-related health and safety plan 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.

Air Quality

To prevent Project-on-Existing and Project-on-Project air quality impacts from stationary sources, an (E) designation (E-484) will be assigned to the Project building for air quality. By placing (E) designations on sites where there is a known or potential environmental concern, the potential for an adverse impact to human health and the environment resulting from the Proposed Action would be reduced or avoided. The (E) designation provides the impetus to identify and address facilities, activities or environmental conditions so that significant adverse impacts during site development would be reduced. The New York City Office of Environmental Remediation (OER) would provide regulatory oversight of the environmental investigation and remediation during this process. Building permits are not issued by the DOB without prior OER approval of the investigation and/or remediation pursuant to the provisions of Section 11 15 of the New York City Zoning Resolution (Environmental Requirements). The requirements of (E) designation (E-484) are summarized as follows:

Projected Development Site	Block	Lot	Proposed (E) Designation
1	5087	1, 9 and 12	Any new residential and/or commercial development on Block 5087, Lot 1, 9 and 12 must exclusively use natural gas as the type of fuel for HVAC systems, and ensure that the heating, ventilating and air conditioning stack(s) is located at least 137 feet above grade and at least 59 feet away from the westerly lot line facing E. 240th Street and at least 20 feet away from the northerly lot line facing White Plains Road, to avoid any potential significant air quality impacts.

Projected Development Site	Block	Lot	Proposed (E) Designation
2	5087	16 and 18	Any new residential and/or commercial development on Block 5087, Lot 16 and 18 must exclusively use natural gas as the type of fuel for HVAC systems, and ensure that the heating, ventilating and air conditioning stack(s) is located at least 124 feet above grade and at least 66 feet away from the westerly lot line facing E. 240th Street and at least 9 feet away from the easterly lot line facing E. 241st Street, to avoid any potential significant air quality impacts.
3	5087	22, 24, 28, 33 and 128	Any new residential and/or commercial development on Block 5087, Lot 22, 24, 28, 33 and 128 must exclusively use natural gas as the type of fuel for HVAC systems, and ensure that the heating, ventilating and air conditioning stack(s) is located at least 137 feet above grade and at least 102 feet away from the easterly lot line facing E. 241st Street and at least 10 feet away from the northerly lot line facing White Plains Road, to avoid any potential significant air quality impacts.
4	5087	40	Any new residential and/or commercial development on Block 5087, Lot 40 must exclusively use natural gas as the type of fuel for HVAC systems, and ensure that the heating, ventilating and air conditioning stack(s) is located at the highest tier or at least 118 feet above grade and at least 70 feet away from the easterly lot line facing E. 241st Street and at least 70 feet away from the southerly lot line facing Furman Avenue, to avoid any potential significant air quality impacts.
5	5087	48	Any new residential and/or commercial development on Block 5087, Lot 48 must exclusively use natural gas as the type of fuel for HVAC systems, and ensure that the heating, ventilating and air conditioning stack(s) is located at the highest tier or at least 118 feet above grade and at least 60 feet away from the southerly lot line facing Furman Avenue, to avoid any potential significant air quality impacts.
Potential Development Site	**Block**	**Lot**	**Proposed (E) Designation**
A	5087	13 and 65	Any new residential and/or commercial development on Block 5087, Lot 13 and part of 65 must exclusively use natural gas as the type of fuel for HVAC systems, and ensure that the heating, ventilating and air conditioning stack(s) is located at least 120 feet above grade and at least 14 feet away from the easterly lot line facing E. 241st Street and at least 52 feet away from the southerly lot line facing Furman Avenue, to avoid any potential significant air quality impacts.
B	5087	14 and 65	Any new residential and/or commercial development on Block 5087, Lot 14 and part of 65 must exclusively use natural gas as the type of fuel for HVAC systems, and ensure that the heating, ventilating and air conditioning stack(s) is located at the highest tier or at least 118 feet above grade and at least 30 feet away from the westerly lot line facing E. 240st Street, to avoid any potential significant air quality impacts.

Potential Development Site	Block	Lot	Proposed (E) Designation
C	5087	20 and 65	Any new residential and/or commercial development on Block 5087, Lot 20 and part of 65 must exclusively use natural gas as the type of fuel for HVAC systems, and ensure that the heating, ventilating and air conditioning stack(s) is located at the highest tier or at least 118 feet above grade and at least 30 feet away from the northerly lot line facing White Plains Road, to avoid any potential significant air quality impacts.
D	5087	53 and 54	Any new residential and/or commercial development on Block 5087, Lot 53 and 54 must exclusively use natural gas as the type of fuel for HVAC systems, and ensure that the heating, ventilating and air conditioning stack(s) is located at least 121 feet above grade and at least 30 feet away from the easterly lot line facing E. 241st Street and at least 20 feet away from the northerly lot line facing White Plains Road, to avoid any potential significant air quality impacts.
E	5087	55 and 58	Any new residential and/or commercial development on Block 5087, Lot 55 and 58 must exclusively use natural gas as the type of fuel for HVAC systems, and ensure that the heating, ventilating and air conditioning stack(s) is located at least 135 feet above grade and at least 40 feet away from the easterly lot line facing E. 241st Street and at least 40 feet away from the southerly lot line facing Furman Avenue, to avoid any potential significant air quality impacts.

Noise

Block 5087, Lots 1, 9, and 12 (Projected Development Site 1)
To ensure an acceptable interior noise environment, the building façade(s) or future development at Projected Development Site 1 must provide minimum composite building façade attenuation of 41 dBA along the west façade, 31 dBA along the north façade, and 33 dBA along the south façade, to ensure an interior L10 noise level not greater than 45 dBA for residential uses or not greater than 50 dBA for commercial uses. To maintain a closed-window condition in these areas, an alternate means of ventilation that brings outside air into the buildings without degrading the acoustical performance of the building façade(s) must also be provided.

Block 5087, Lots 40, 48, 53, 54, 55, and 58 (Projected Development Sites 4 & 5; Potential Development Sites D & E)
To ensure an acceptable interior noise environment, the building façade(s) or future development at Projected Development Sites 4 and 5, and Potential Development Site D and E must provide minimum composite building façade attenuation of 41 dBA along the west façade and 33 dBA along all other facades, to ensure an interior L10 noise level not greater than 45 dBA for residential uses or not greater than 50 dBA for commercial uses. To maintain a closed-window condition in these areas, an alternate means of ventilation that brings outside air into the buildings without degrading the acoustical performance of the building façade(s) must also be provided.

Block 5087, Lots 13, 14, 16, 18, 20 and 65 (Projected Development Site 2; Potential Development Sites A, B, and C)
To ensure an acceptable interior noise environment, the building façade(s) or future development at Projected Development Site 2 and Potential Development Sites A, B, and C must provide

minimum composite building façade attenuation of 33 dBA along the east façade, to ensure an interior L10 noise level not greater than 45 dBA for residential uses or not greater than 50 dBA for commercial uses. To maintain a closed-window condition in these areas, an alternate means of ventilation that brings outside air into the buildings without degrading the acoustical performance of the building façade(s) must also be provided.

Block 5087, Lots 22, 24, 28, 33, and 128 (Projected Development Site 3)
To ensure an acceptable interior noise environment, the building façade(s) or future development at Projected Development Site 3 must provide minimum composite building façade attenuation of 38 dBA along the south façade and 33 dBA along the west façade, to ensure an interior L10 noise level not greater than 45 dBA for residential uses or not greater than 50 dBA for commercial uses. To maintain a closed-window condition in these areas, an alternate means of ventilation that brings outside air into the buildings without degrading the acoustical performance of the building façade(s) must also be provided.