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.

1. **Hazardous Materials, Air Quality and Noise**

An (E) Designation (E-533) 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 the applicable (E) designation requirements. The analysis for hazardous materials, air quality, and noise concluded that with the (E) designation requirements in place, the proposed actions would not result in significant adverse impacts.

2. **Land Use, Zoning and Public Policy**

The EAS includes a Land Use, Zoning and Public Policy analysis which concludes that the proposed actions would facilitate development of underutilized property in order to provide market rate and affordable housing which is representative of the general development trend in the area which has resulted in the conversion of underutilized and vacant lands to residential and commercial uses. The EAS further concludes that the proposed actions could alter existing development patterns in the future, but would be in compliance with City policies to encourage the development of new housing, especially affordable housing, in underutilized areas of the City. The proposed actions would not cause any impacts with respect to zoning or public policy.

3. **Open Space**

A detailed analysis of the effects of the proposed actions on Open Space was conducted and it was determined that no significant impacts on any open space resources. A significant adverse open space impact may occur if a proposed action would reduce the open space ratio by more than five percent in areas that are currently below the City's median community district open space ratio of 1.5 acres per 1,000 residents. In areas that are extremely lacking in open space, a reduction as little as one percent may be considered significant.

The total residential study area open space ratio would decrease by 0.9% percent or 0.02084 acres per 1,000 residents; the active residential study area open space ratio would decrease by 0.9% percent or 0.00014 acres per 1,000 residents; and the passive residential study area open space ratio would decrease by 0.9% to 0.00005 acres per 1,000 residents. The total, active, and passive open space ratios would remain below the City's guideline ratios of 2.5 acres, 2.0 acres, and 0.5 acres (respectively) per 1,000 residents. However, the proposed actions would not result in significant direct impacts on any open space, and would result in negligible decrease in the future with the action open space ratios within the project study areas. The proposed actions would not result in any adverse shadow, air, noise, or other environmental impacts that would affect the usefulness of any study area open space. In addtion, there are two playgrounds outside the 1/2 mile study area, a community garden within the study area which was not included in the quantitative analysis, and a private residential open space on Projected Development Site 1 which would help satisfy some of the active and passive open space needs. The analysis concludes that the proposed actions would not result in any significant adverse impact on Open Space resources.

4. **Urban Design and Visual Resources**

The Urban Design and Visual Resources analysis concludes that the proposed actions would not have the potential to affect urban design and visual resources in the study area. The proposed actions would facilitate the development of residential and local retail uses and accessory parking on 5 parcels which would represent a transitional building form relative to surrounding development patterns. The proposed project would not block view corridors or a natural or built visual resource that is rare in the area or considered a defining feature of the neighborhood. It is therefore concluded that the proposed actions would not result in significant adverse impacts on Urban Design and Visual Resources.

No other significant effects upon the environment that would require the preparation of a Draft Environmental Impact Statement are foreseeable. This Negative Declaration has been prepared in accordance with Article 8 of the New York State Environmental Conservation Law (SEQRA).

TITLE	LEAD AGENCY
Acting Director, Environmental Assessment and Review Division	Department of City Planning, acting on behalf of the City Planning Commission
NAME Olga Abinader	DATE 4/19/2019
SIGNATURE	

TITLE	
Chair, Department of City Planning	
NAME Marisa Lago	DATE 4/22/2019
SIGNATURE	

Appendix 1: (E) Designations

To ensure that there would be no significant adverse hazardous material, air quality or noise impacts associated with the proposed project, an E designation (E-533) will be placed on the project sites as follows:

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

Projected Development Site 1:
Block 645, Lots 36, 37, 38, 40, 42

Projected Development Site 2:
Block 645, Lot 15

Projected Development Site 3:
Block 645, Lot 44, 45, 46, 47

Projected Development Site 4:
Block 645, Lot 25, 28, 30, 31, 126, 127

Projected Development Site 5:
Block 645, Lot 32, 33, 34, 35, 131

Hazardous Material

Task 1-Sampling Protocol
The applicant submits to OER, for review and approval, a Phase I of the site along with a soil, groundwater and soil vapor testing protocol, including a description of methods and a site map with all sampling locations clearly and precisely represented. If site sampling is necessary, no sampling should begin until written approval of a protocol is received from OER. The number and location of samples should be selected to adequately characterize the site, specific sources of suspected contamination (i.e., petroleum based contamination and non-petroleum based contamination), and the remainder of the site's condition. The characterization should be complete enough to determine what remediation strategy (if any) is necessary after review of sampling data. Guidelines and criteria for selecting sampling locations and collecting samples are provided by OER upon request.

Task 2-Remediation Determination and Protocol
A written report with findings and a summary of the data must he submitted to OER after completion of the testing phase and laboratory analysis for review and approval. After receiving such results, a determination is made by OER if the results indicate that remediation is necessary. If OER determines that no remediation is necessary, written notice shall be given by OER.

If remediation is indicated from test results, a proposed remediation plan must be submitted to OER for review and approval. The applicant must complete such remediation as determined necessary by OER. The applicant should then provide proper documentation that the work has been satisfactorily completed.

A construction-related health and safety plan should be submitted to OER and would be implemented during excavation and construction activities to protect workers and the community from potentially significant adverse impacts associated with contaminated soil, groundwater and/or soil vapor. This plan would be submitted to OER prior to implementation.

Air Quality

Block 645, Lots: 36, 37, 38, 40, 42 (Projected Development Site 1): Any new residential or commercial development on the above-referenced property must exclusively use natural gas as the type of fuel for heating, ventilating, air conditioning (HVAC) systems and hot water systems, ensure that the stack(s) is located at the highest tier and at least 88 feet above grade, and at least 40 feet from the lot line facing 37th Street to avoid any potential significant air quality impacts.

Block 645, Lot 15 (Projected Development Site 2): Any new residential or commercial development on the above-referenced property must exclusively use natural gas as the type of fuel for heating, ventilating, air conditioning (HVAC) systems and hot water systems, ensure that the stack(s) is located at the highest tier and at least 48 feet above grade, and at least 40 feet from the lot line facing 38th Street to avoid any potential significant air quality impacts.

Block 645, Lots: 44, 45, 46, 47 (Projected Development Site 3): Any new residential or commercial development on the above-referenced property must exclusively use natural gas as the type of fuel for heating, ventilating, air conditioning (HVAC) systems and hot water systems, ensure that the stack(s) is located at the highest tier and at least 68 feet above grade, and at least 40 feet from the lot line facing 37th Street, and at least 58 feet from the lot line facing 34th Avenue to avoid any potential significant air quality impacts.

Block 645, Lots: 25, 28, 30, 31, 126, 127 (Projected Development Site 4): Any new residential or commercial development on the above-referenced property must exclusively use natural gas as the type of fuel for heating, ventilating, air conditioning (HVAC) systems and hot water systems, ensure that the stack(s) is located at the highest tier and at least 68 feet above grade, and at least 40 feet from the lot line facing 38th Street to avoid any potential significant air quality impacts.

Block 645, Lots: 32, 33, 34, 35, 131 (Projected Development Site 5): Any new residential or commercial development on the above-referenced property must exclusively use natural gas as the type of fuel for heating, ventilating, air conditioning (HVAC) systems and hot water systems, ensure that the stack(s) is located at the highest tier and at least 68 feet above grade, and at least 40 feet from the lot line facing 37th Street, and at least 55 feet from the Projected Development Site 5 lot line facing 35th Avenue to avoid any potential significant air quality impacts.

The E designation requirements related to noise would apply to:

Projected Development Site 4:
Block 645, Lot 25, 28, 30, 31, 126, 127

Noise

In order to ensure an acceptable interior noise environment, future residential uses must provide a closed-window condition with a minimum of 28 dB(A) window/wall attenuation on façades facing 34th Avenue and 37th Street in order to maintain an interior noise level of 45 dB(A). To maintain a closed window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, central air conditioning.