Environmental Assessment Statement

231-06 Northern Boulevard Rezoning

PREPARED BY

vhb

1 Penn Plaza
New York, NY 10119
212.857.7350

March 2022

Table of Contents

Section Page

EAS Figures

Part I: Project Description ..... Part I-1

Introduction ..... Part I-1
Development Site ..... Part I-1
Project Area ..... Part I-1
Proposed Action ..... Part I-5
Proposed Project ..... Part I-5
Project Purpose and Need ..... Part I-5
Analysis Framework and Reasonable Worst-Case Development Scenario ..... Part I-6
Future No-Action Condition ..... Part I-6
Future With-Action Condition ..... Part I-6
Increment for Analysis ..... Part I-7
Analysis (Build Year) ..... Part I-7

Part II: Supplemental Analysis ..... Part II-1

Introduction ..... Part II-1
Land Use, Zoning, and Public Policy ..... Part II-2
Socioeconomic Conditions ..... Part II-2
Community Facilities and Services ..... Part II-2
Open Space ..... Part II-3
Introduction ..... Part II-3
Direct Effects ..... Part II-3
Indirect Effects ..... Part II-3
Shadows ..... Part II-3
Historic and Cultural Resources ..... Part II-4
Archaeological Resources ..... Part II-4
Architectural Resources ..... Part II-4
Urban Design and Visual Resources ..... Part II-5
Natural Resources ..... Part II-5
Hazardous Materials ..... Part II-5
Water and Sewer Infrastructure ..... Part II-6
Water Supply ..... Part II-6
Wastewater and Stormwater ..... Part II-6

Solid Waste and Sanitation Services....Part II-6
Energy....Part II-6
Transportation....Part II-7
Air Quality....Part II-7
Greenhouse Gas Emissions and Climate Change....Part II-7
Noise....Part II-8
Public Health....Part II-8
Neighborhood Character....Part II-8
Construction....Part II-9

Introduction....1-1

Land Use, Zoning, and Public Policy....2-1

Introduction....2-1
Methodology....2-2
Assessment....2-2
Existing Conditions....2-2
No-Action Condition....2-7
With-Action Condition....2-7
Conclusion....2-9

Shadows....3-1

Introduction....3-1
Shadows Analysis....3-3

Urban Design and Visual Resources....4-1

Introduction....4-1
Methodology....4-2
Study Area....4-3
Preliminary Assessment....4-3
Existing Conditions....4-3
No-Action Condition....4-8
With-Action Condition....4-8
Conclusion....4-12

Hazardous Materials....5-1

Introduction....5-1
Methodology....5-2
Preliminary Assessment....5-2
Existing Conditions....5-2
Future No-Action Condition....5-6
Future With-Action Condition....5-6
Conclusion....5-8

Transportation 6-1

Introduction 6-1
Level 1 Screening Assessment (Trip Generation) 6-3
Travel Demand Factors 6-3
Level 1 Screening Results 6-5
Level 2 Screening Assessment (Trip Assignment) 6-5
Detailed Analysis Methodology 6-10
Traffic 6-10
Vehicle and Pedestrian Safety 6-11
Existing Conditions 6-11
Traffic 6-11
No-Action Conditions 6-17
Traffic 6-17
With-Action Conditions 6-22
Traffic 6-22
Parking 6-27
Vehicle and Pedestrian Safety 6-29
Conclusion 6-30

Air Quality 7-1

Introduction 7-1
Air Quality Standards 7-2
Regulatory Context 7-3
Pollutants of Concern 7-4
Impact Criteria 7-5
Background Concentrations 7-6
Methodology 7-6
Mobile Sources 7-6
Stationary Sources 7-7
Assessment 7-8
Mobile Sources 7-8
Stationary Sources 7-8
Conclusion 7-8

Neighborhood Character 8-1

Introduction 8-1
Methodology 8-2
Study Areas 8-2
Preliminary Assessment 8-2
Conclusion 8-4

List of Tables

Table No.	Description	Page
Table I-1	Comparison of Uses in the No-Action and With-Action Conditions/RWCDS	Part I-7
Table II-1	Comparison of Uses in the No-Action and With-Action Conditions/RWCDS	Part II-1
Table 6-1	Travel Demand Characteristics	6-4
Table 6-2	Trip Generation Summary – Person Trips	6-5
Table 6-3	Trip Generation Summary – Vehicle Trips	6-5
Table 6-4	Existing Traffic Levels of Service	6-15
Table 6-5	No-Action Traffic Levels of Service	6-20
Table 6-6	With-Action Traffic Levels of Service	6-25
Table 6-7	Projected Weekday Parking Demand	6-28
Table 6-8	Projected Saturday Parking Demand	6-29
Table 6-9	Vehicle and Pedestrian Crash Summary	6-30
Table 7-1	National Ambient Air Quality Standards	7-3
Table 7-2	Background Concentrations	7-6
Table 8-1	Potential for Moderate Effects by Contributing Technical Area	8-3

List of Figures

Figure No.	Description	Page
Figure I-1	Site Location	Part I-2
Figure I-2	Existing Zoning Map	Part I-3
Figure I-3	Proposed Zoning	Part I-4
Figure I-4	Site Rendering	Part I-5
Figure 2-1	Land Use Map	2-4
Figure 2-2	Zoning Map	2-6
Figure 4-1	Study Area Photograph Location Map	4-4
Figure 4-2	Building Massings: View from Northern Boulevard	4-9

Figure 4-3 Massing Diagram (Northeast View) 4-10
Figure 4-4 Massing Diagram (Northwest View) 4-11
Figure 6-1 Project Location 6-2
Figure 6-2 Traffic Project-Generated Trips – Weekday PM Peak Hour 6-7
Figure 6-3 Traffic Project-Generated Trips – Saturday Midday Peak Hour 6-7
Figure 6-4 Traffic Project-Generated Trips – Saturday PM Peak Hour 6-8
Figure 6-5 Traffic Analysis Locations 6-9
Figure 6-6 2017 Existing Traffic Volumes – Weekday PM Peak Hour 6-13
Figure 6-7 2017 Existing Traffic Volumes – Saturday Midday Peak Hour 6-13
Figure 6-8 2017 Existing Traffic Volumes –Saturday PM Peak Hour 6-14
Figure 6-9 2023 No-Action Traffic Volumes – Weekday PM Peak Hour 6-18
Figure 6-10 2023 No-Action Traffic Volumes – Saturday Midday Peak Hour 6-18
Figure 6-11 2023 No-Action Traffic Volumes – Saturday PM Peak Hour 6-19
Figure 6-12 2023 With-Action Traffic Volumes – Weekday PM Peak Hour 6-23
Figure 6-13 2023 With-Action Traffic Volumes – Saturday Midday Peak Hour 6-23
Figure 6-14 2023 With-Action Traffic Volumes –Saturday PM Peak Hour 6-24

List of Photos

Figure No.	Description	Page

Photo 4-1 Northern Boulevard protected bike path 4-6
Photo 4-2 Pedestrian crossing at Alameda Avenue 4-6
Photo 4-3 Car dealership on Northern Boulevard 4-6
Photo 4-4 Automotive uses along Northern Boulevard 4-6
Photo 4-5 Aley Pond Golf Center and landscaped Strip 4-6
Photo 4-6 Hanford Street looking north 4-6
Photo 4-7 Single-family residence on Hanford Street (1) 4-7
Photo 4-8 Single-family residence on Hanford Street (2) 4-7
Photo 4-9 Single-family residence on Hanford Street (3) 4-7
Photo 4-10 Multi-family building on Hanford Street 4-7
Photo 4-11 Looking east along Northern Boulevard 4-7

Photo 4-12 Entrance to Alley Pond Park on 234th Street 4-7

Appendices

Appendix A ..... Waterfront Revitalization Program

Appendix B ..... Historic Resources

Appendix C ..... Natural Resources

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* 231-06 Northern Boulevard Rezoning

3. *Reference Numbers*

CEQR REFERENCE NUMBER (to be assigned by lead agency)	BSA REFERENCE NUMBER (if applicable)
22DCP102Q	
ULURP REFERENCE NUMBER (if applicable)	OTHER REFERENCE NUMBER(S) (if applicable) (*e.g.*, legislative intro, CAPA)
210394ZMQ	

4a. *Lead Agency Information*			**4b. *Applicant Information***		
NAME OF LEAD AGENCY			NAME OF APPLICANT		
New York City Department of City Planning			Twin Deer Group, LLC		
NAME OF LEAD AGENCY CONTACT PERSON			NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON		
Stephanie Shellooe, AICP, Director, EARD			Jennifer Hong		
ADDRESS 120 Broadway, 31st Floor			ADDRESS 450 Remsens Lane		
CITY New York	STATE NY	ZIP 10271	CITY Oyster Bay	STATE NY	ZIP 11711
TELEPHONE 212-720-3328	EMAIL sshellooe@planning.nyc.gov		TELEPHONE (914) 941-0086	EMAIL jenhong@jenniferhong.com	

5. *Project Description*

The applicant, Twin Deer Group LLC, is seeking a zoning map amendment to rezone eleven lots in the Douglaston neighborhood of Queens Community District 11 (the Project Area) from a R1-2 zoning district to a R1-2 zoning district with a C2-2 commercial overlay (the Proposed Action). The Proposed Action would facilitate the development of a two-story, approximately 15,834-gross square foot enlargement of an existing 13,901-gross square foot restaurant (the Proposed Project) located on Queens Block 8164, Lots 15, 22, 30, 43, 122, 130, and 230 (Projected Development Site 1).

Project Location

BOROUGH Queens	COMMUNITY DISTRICT(S) 11	STREET ADDRESS 231-06 Northern Boulevard
TAX BLOCK(S) AND LOT(S) Block 8164, Lots 15, 22, 30, 43, 122, 130, and 230; Block 8165, Lots 23 and 25; Block 8166, Lots 20 and 25		ZIP CODE 11362

DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS The Project Area is bounded by Northern Boulevard to the north, Long Island Expressway to the south, Douglaston Parkway to the east, and Cross Island Parkway to the west.

EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY R1-2 | ZONING SECTIONAL MAP NUMBER 11A

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 If "yes," specify:

Other City Approvals Subject to CEQR (check all that apply)

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

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.): 124,840 sf
Waterbody area (sq. ft) and type:
Roads, buildings, and other paved surfaces (sq. ft.): 124,840 sf
Other, describe (sq. ft.):

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): 29,735 gsf
of which 13,901 gsf is existing restaurant
NUMBER OF BUILDINGS: 1
GROSS FLOOR AREA OF EACH BUILDING (sq. ft.): 29,735 gsf
HEIGHT OF EACH BUILDING (ft.): 30
NUMBER OF STORIES OF EACH BUILDING: 2

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: 69,445 sf
The total square feet not owned or controlled by the applicant: 55,395 sf

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: 69,445 sq. ft. (width x length)
VOLUME OF DISTURBANCE: 694,450 cubic ft. (width x length x depth)
AREA OF PERMANENT DISTURBANCE: 69,445 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.)		29,735 including 13,901 existing		
Type (*e.g.,* retail, office, school)	units	Eating and Drinking (Restaurant)		

Does the proposed project increase the population of residents and/or on-site workers? ☒ YES ☐ NO
If "yes," please specify: NUMBER OF ADDITIONAL RESIDENTS: NUMBER OF ADDITIONAL WORKERS: 48
Provide a brief explanation of how these numbers were determined: 1 worker per 333.3 gsf of additional restaurant space

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): 2023

ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: 18 months		
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:

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. See Section 2		
(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. See Appendix A		
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		
○ **Child Care Centers:** 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)	☐	☒
○ **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)	☐	☒
○ **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)	☐	☒
○ **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 proposed project change or eliminate existing open space?	☐	☒
(b) Is the project located within an under-served area in the Bronx, Brooklyn, Manhattan, Queens, or Staten Island?	☐	☒
○ If "yes," would the proposed project generate more than 50 additional residents or 125 additional employees?	☐	☐
(c) Is the project located within a well-served area in the Bronx, Brooklyn, Manhattan, Queens, or Staten Island?	☒	☐
○ If "yes," would the proposed project generate more than 350 additional residents or 750 additional employees?	☐	☒
(d) If the project in located an area that is neither under-served nor well-served, would it generate more than 200 additional residents or 500 additional employees?	☐	☐

	YES	NO
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		
(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 Appendix C		
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 Form, and submit according to its instructions.		
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) 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?	☐	☒
(c) 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 Appendix 1 (including nonconforming uses)?	☒	☐
(d) 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?	☒	☐
(e) 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)?	☒	☐
(f) 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?	☐	☒
(g) 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?	☒	☐
(h) Has a Phase I Environmental Site Assessment been performed for the site?	☒	☐
○ If "yes," were Recognized Environmental Conditions (RECs) identified? Briefly identify: See Section 4	☒	☐
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?	☐	☐

	YES	NO
(f) Would the proposed project be located in an area that is partially sewered or currently unsewered?	☐	☒
(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): 12,048		
○ 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): 3,424,894 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 or bus 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) or 200 subway trips per station or line?	☐	☐
○ 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?	☐	☐
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 124 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. See Section 8		
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.		

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
Catherine Zinnel	March 11, 2022

SIGNATURE Catherine Zinnel

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:

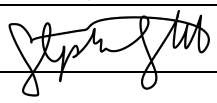
☐ **Positive Declaration**: If the lead agency has determined that the project may have a significant impact on the environment, and if a Conditional Negative Declaration is not appropriate, then the lead agency issues a *Positive Declaration* and prepares a draft Scope of Work for the Environmental 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 Assessment and Review Division	City Planning Commission
NAME	**DATE**
Stephanie Shellooe, AICP	March 11, 2022

SIGNATURE 

NEGATIVE DECLARATION

Statement of No Significant Effect

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

Reasons Supporting this Determination

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

Land Use, Zoning, and Public Policy

A detailed analysis of land use, zoning, and public policy is included in this EAS. The applicant, Twin Deer Group, LLC, is seeking a zoning map amendment to rezone Queens Block 8164, Lots 15, 22, 30, 43, 122, 130 and 230, Block 8165, Lots 23 and 25; and Block 8166, Lots 20 and 25 (the proposed rezoning area) in the Douglaston neighborhood of Queens Community District 11, from an R1-2 zoning district to an R1-2 zoning district with a C2-2 commercial overlay (the proposed action). The proposed action would facilitate the development of a two-story, approximately 15,834 gross-square-foot (gsf) enlargement of an existing 13,901 gsf restaurant, resulting in an approximately 29,735-gsf restaurant with a maximum building height of 30 feet (the proposed project) located on Queens Block 8164, Lots 15, 22, 30, 43, 122, 130, and 230 (projected development site 1). The proposed action would facilitate the expansion of an existing, long-standing restaurant located along a major thoroughfare, and would be compatible with existing surrounding uses. The proposed commercial overlay would permit local retail and service uses within the proposed rezoning area; however, it would not introduce a new land use and would be consistent with existing land use patterns. The proposed action would bring the existing restaurant use on the development site into conformance with the use provisions of the New York City Zoning Resolution (ZR) and would not result in an adverse zoning impact. In addition, the proposed action would not have an adverse impact with respect to relevant public policies. The proposed rezoning area is located within the coastal zone, and the proposed action would be consistent with all applicable policies of the Waterfront Revitalization Program (WRP #21-202). The analysis concludes that the proposed action would not result in significant adverse land use, zoning, or public policy impacts, and no further analysis is required.

Shadows

A detailed analysis related to shadows is included in this EAS. Using a maximum proposed building height of 39'-10" for projected development site 1 (with bulkhead), the shadows screening assessment identified one sunlight-sensitive open space resource within the shadow study area, Alley Pond Park. The detailed shadows analysis results indicate that the project generated shadow would cast incremental shadows on portions of Alley Pond Park on the May 6th analysis day for 37 minutes, on the June 21st analysis period for 1 hour and 4 minutes, and on the December 21st analysis period for 51 minutes. Two areas of Alley Pond Park are reached by project-generated shadow – passive open space areas (that are not publicly accessible) located adjacent to the western boundary of projected development site 1; Alley Pond Golf Center, which is composed of a parking lot and passive open space, on the northern side of Northern Boulevard across the street from (north of) the site. The analysis findings demonstrate that vegetation in the affected portions of Alley Pond Park would continue to receive adequate sunlight of at least four to six hours, per the guidance in the 2020 CEQR Technical Manual found in Chapter 8, Shadows, on the affected analysis dates. The usability and viability of each resource, with respect to the survival of vegetation and the enjoyment of public recreation areas, would not be jeopardized as a result of project-generated incremental shadows. Therefore, the analysis concludes that the proposed action would not result in significant adverse shadow impacts, and no further analysis is required.

Urban Design and Visual Resources

A detailed analysis related to urban design and visual resources is included in this EAS. The with-action condition assumes that the applicant would construct a 15,834-gsf enlargement of the existing 13,901-gsf, one-story restaurant, resulting in a two-story, 29,735-gsf building; as well as 37 additional parking spaces, resulting in a 143-space accessory surface parking lot. The two existing vacant lots (Block 8164, Lots 22 and 122) toward the western end of projected development site 1, currently fenced from the sidewalk, would be redeveloped with an active use. The addition of a second story would be consistent with the character and scale of the existing building and remainder of the project area, and new landscaped areas would provide a visual buffer between pedestrians and the enlarged building and parking lot. Although the proposed action would introduce additional building height, the comparative massing diagrams depicting the potential development under the no-action and with action conditions demonstrate that the development with the proposed actions would remain compatible with the scale and character of other buildings within the surrounding area. Visual resources proximate to the rezoning are limited to natural features associated with Alley Pond Park (i.e., wetlands, forested area, etc.); however, because dense tree cover buffers the majority of the park from surrounding area, no prominent features of the are visible from projected development site 1 or the rezoning area. Therefore, the analysis concludes that the proposed action would not result in significant adverse impacts to urban design or visual resources, and no further analysis is required.

Transportation

A detailed analysis related to transportation (vehicular traffic) is included in this EAS. As the incremental increase in project-generated vehicle trips would exceed the 2020 CEQR Technical Manual threshold of 50 vehicle trips per hour, a detailed analysis of operating conditions is provided at three intersections (Northern Boulevard and Northbound Cross Island Parkway On-Ramp, Northern Boulevard and Douglaston Parkway, and Northern Boulevard at the entrance to the enlarged parking lot at projected development site 1). The results of a comparison between the level of service (LOS) under the2023 no-action condition and LOS under the 2023 with-action condition indicate that no significant traffic impacts are expected to occur at the analysis locations per criteria established in the 2020 CEQR Technical Manual. None of the analyzed intersections can be considered a high crash location as a result of the proposed action. In addition, a comparison of the parking demand and available on- and off-street parking supply concluded that there would be enough parking spaces to accommodate the parking demand under the 2023 with action condition. Therefore, the analysis concludes that the proposed action would not result in significant adverse impacts to transportation, and no further analysis is required.

Project Name: 231-06 Northern Boulevard Commercial Overlay
CEQR # 22DCP102Q
SEQRA Classification: Unlisted

Hazardous Materials, Air Quality
An (E) designation (E-663) related to hazardous materials and air quality would be established as part of the approval of the proposed action. Refer to "Determination of Significance Appendix: (E) designation" for the applicable (E) designation requirements. The hazardous materials and air quality analyses conclude that with the (E) designation in place, the proposed action would not result in a significant adverse impact related to hazardous materials or air quality.

No other significant effects upon the environment that would require the preparation of a Draft Environmental Impact Statement are foreseeable. This Negative Declaration has been prepared in accordance with Article 8 of the New York State Environmental Conservation Law (SEQRA). Should you have any questions pertaining to this Negative Declaration, you may contact Stacey Barron at (212) 720-3419.

TITLE	LEAD AGENCY
Director, Environmental Assessment and Review Division	Department of City Planning on behalf of the City Planning Commission 120 Broadway, 31st Fl. New York, NY 10271 | 212.720.3328
NAME Stephanie Shellooe, AICP	DATE March 11, 2022
SIGNATURE	

TITLE	
Chair, City Planning Commission	
NAME Dan Garodnick	DATE March 14, 2022
SIGNATURE	

Project Name: 231-06 Northern Boulevard Commercial Overlay
CEQR # 22DCP102Q
SEQRA Classification: Unlisted

Determination of Significance Appendix

The proposed action was determined to have the potential to result in changes to development on the following site:

Development Site	Borough	Block and Lot
Projected Development Site 1	Queens	Block 8164, Lots 15, 22, 30, 43, 122, 130, and 230

(E) Designation Requirements

To ensure that the proposed action would not result in significant adverse impacts related to hazardous materials and air quality, an (E) designation (**E-663**) would be established as part of approval of the proposed action on **Projected Development Site 1** as described below:

Development Site	Hazardous Materials	Air Quality	Noise
Projected Development Site 1	X	X	

Hazardous Materials

The (E) designation requirements applicable to **Projected Development Site 1** for hazardous materials would apply as follows:

Task 1-Sampling Protocol

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

Task 2-Remediation Determination and Protocol

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

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

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

Project Name: 231-06 Northern Boulevard Commercial Overlay
CEQR # 22DCP102Q
SEQRA Classification: Unlisted

Air Quality

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

> ***Projected Development Site 1:*** *Any new commercial development or enlargement on the above-referenced property must exclusively use natural gas in any fossil fuel-fired heating, ventilating and air conditioning (HVAC) or hot water equipment. The stack must be located on the proposed addition at least 37 feet and eight inches above grade to avoid any significant adverse air quality impacts.*

EAS Figures

Figure 1 Project Area Map

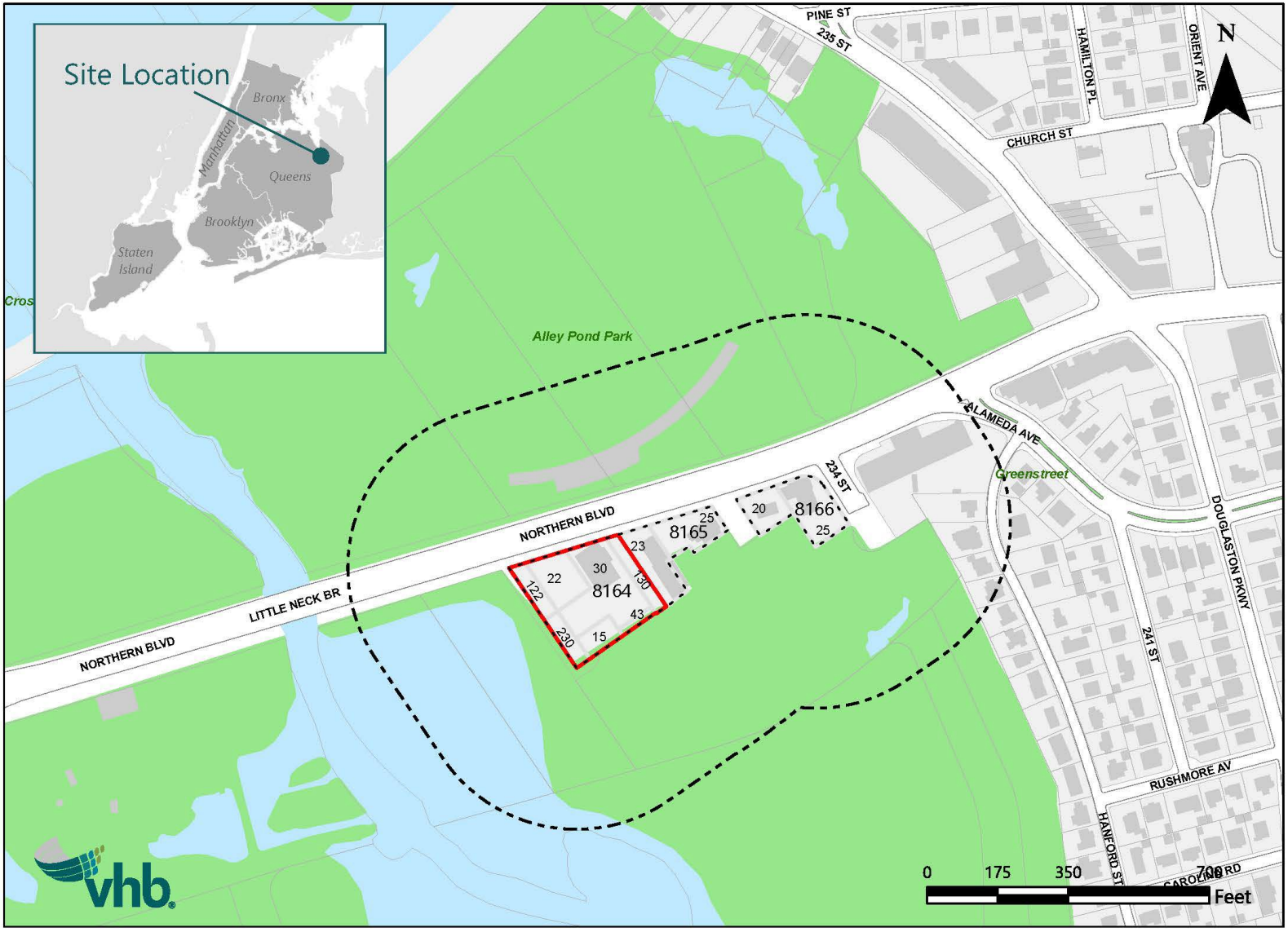


Figure 2 Tax Map



Figure 3 Existing Zoning Map

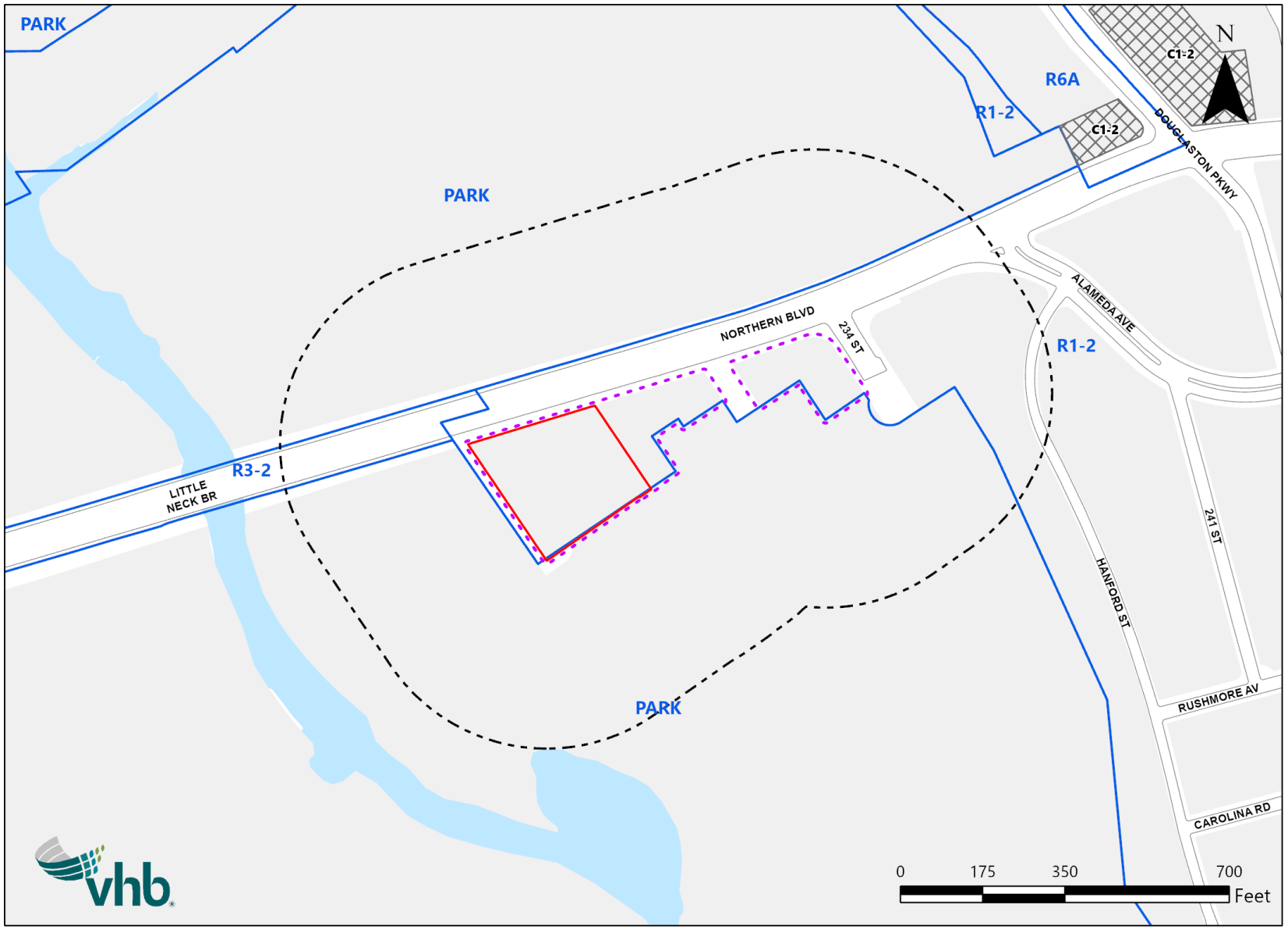


Figure 4 Proposed Zoning Map

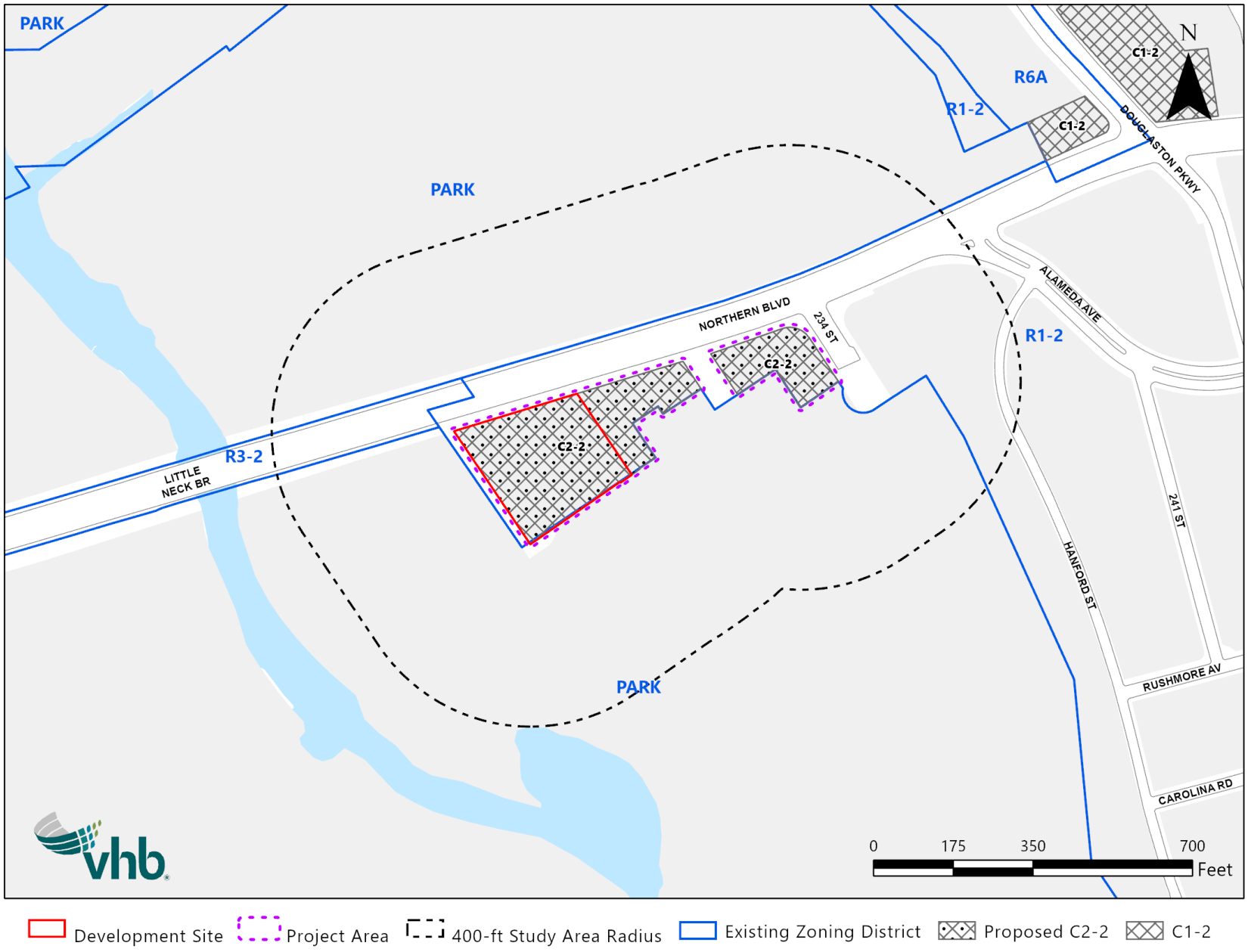


Figure 5 Land Use Map

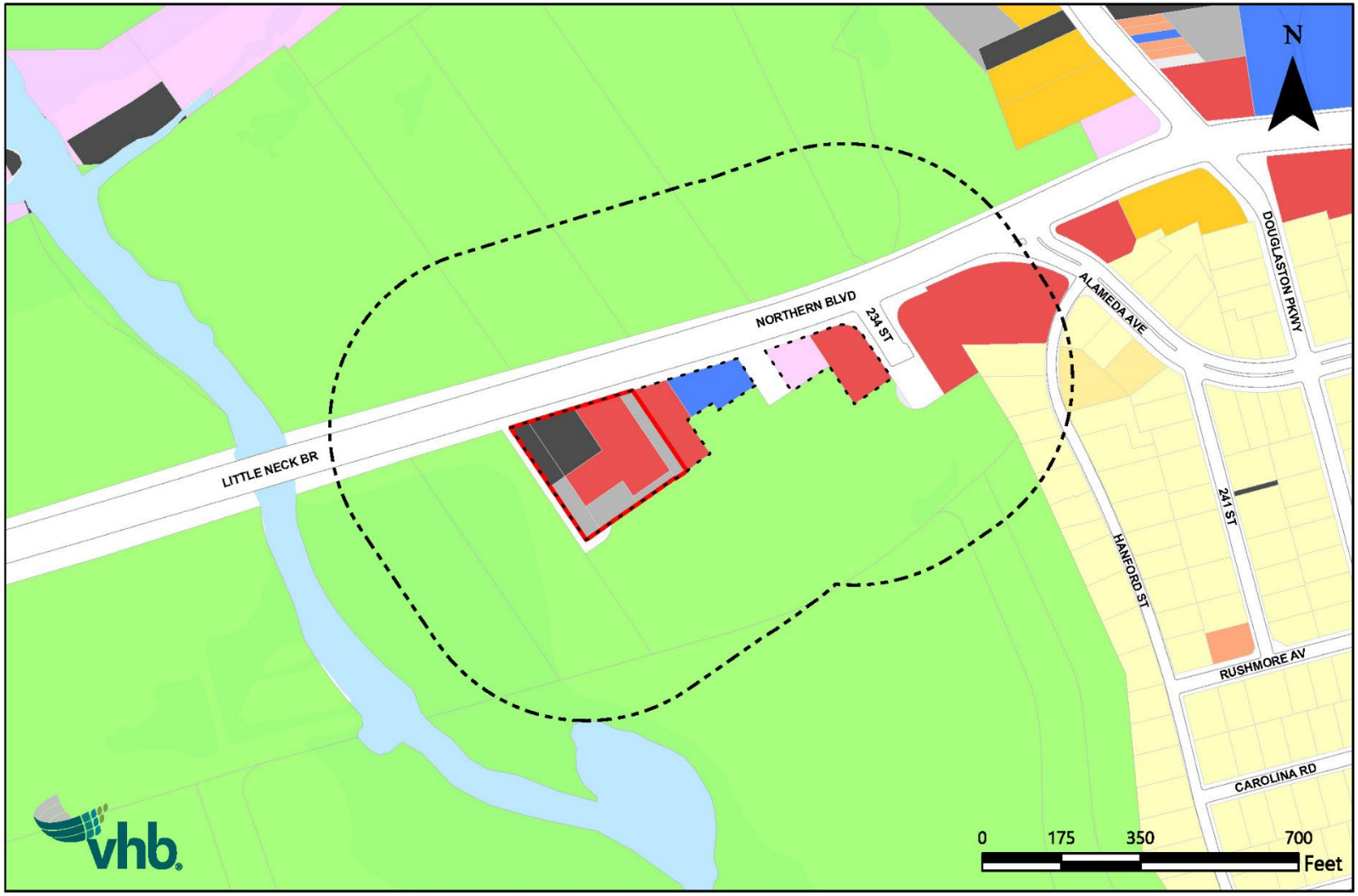


Figure 6 Photo Key Map



Photo 1 Development Site from Northern Boulevard Looking South East



8/25/21

Photo 2 Mizumi Restaurant Looking South from Northern Boulevard



8/25/21

Photo 3 Development Site Looking South from Northern Boulevard



8/25/21

Photo 4 Mizumi Restaurant Parking Lot



8/25/21

Photo 5 Little Neck Car Wash in Project Area on Northern Boulevard Looking South



8/25/21

Photo 6 Vacant Building in Project Area on Northern Boulevard Looking South



8/25/21

Photo 7 Garage Building in Project Area on Northern Boulevard Looking South



8/25/21

Photo 8 Northern Boulevard and 234th Street Looking South. East End of Project Area



8/25/21

Part I: Project Description

Introduction

The applicant, Twin Deer Group, LLC, is seeking a zoning map amendment to rezone eleven lots in the Douglaston neighborhood of Queens Community District 11 (the Project Area) from a R1-2 zoning district to a R1-2 zoning district with a C2-2 commercial overlay (the Proposed Action). The Proposed Action would facilitate the development of a two-story, approximately 15,834-gross-square-foot enlargement of an existing 13,901-gross square foot restaurant (the Proposed Project) located on Queens Block 8164, Lots 15, 22, 30, 43, 122, 130, and 230 (Projected Development Site 1).

Development Site

Projected Development Site 1 consists of Queens Block 8164, Lots 15, 22, 30, 43, 122, 130 and 230, all of which are controlled by the applicant (see **Figure 1**). Lots 15, 30, 43, 130 and 230 are currently improved with a one-story and cellar building. The building is approximately 13,901 gross square feet (gsf) and measures 19 feet, six inches in height. It is occupied by Mizumi restaurant, which is operated by the applicant.

Projected Development Site 1 also includes Lots 22 and 122, which were previously occupied by a gas station that are now vacant; the gas station building was demolished in 2015. Projected Development Site 1 has a total of approximately 281 feet of frontage on Northern Boulevard, a maximum depth of 294 feet, and a total area of 68,807 square feet (sf).

Project Area

The Project Area consists of Projected Development Site 1 as well as Block 8165, Lots 23 and 25 and Block 8166, Lots 20 and 25 (see **Figure 1**). The Project Area is bounded by Northern Boulevard to the north, Long Island Expressway to the south, Douglaston Parkway to the east, and Cross Island Parkway to the west. The Project Area abuts an undeveloped portion of Alley Pond Park to its south and west. A golf driving range within Alley Pond Park is located to the north of the site, across Northern Boulevard.

The majority of the properties that are located within the Project Area and outside of Projected Development Site 1 are improved with commercial uses. The commercial uses include a one-story, car wash building (Block 8165, Lot 23) and several automotive repair shops (Block 8166, Lots 20 and 25). There is also a community facility use, a house of worship, that is currently vacant. It is located on what was formerly an abandoned storage yard (Block 8165, Lot 25). The Project Area has a total area of approximately 152,000 sf and is located within the mapped Coastal Zone of the New York City Waterfront Revitalization Program (WRP).

Surrounding the Project Area is Alley Pond Park, which is approximately 635 acres. The built environment to the east of the Project Area includes a car dealership as well as single-family detached homes.

Figure 1 Site Location

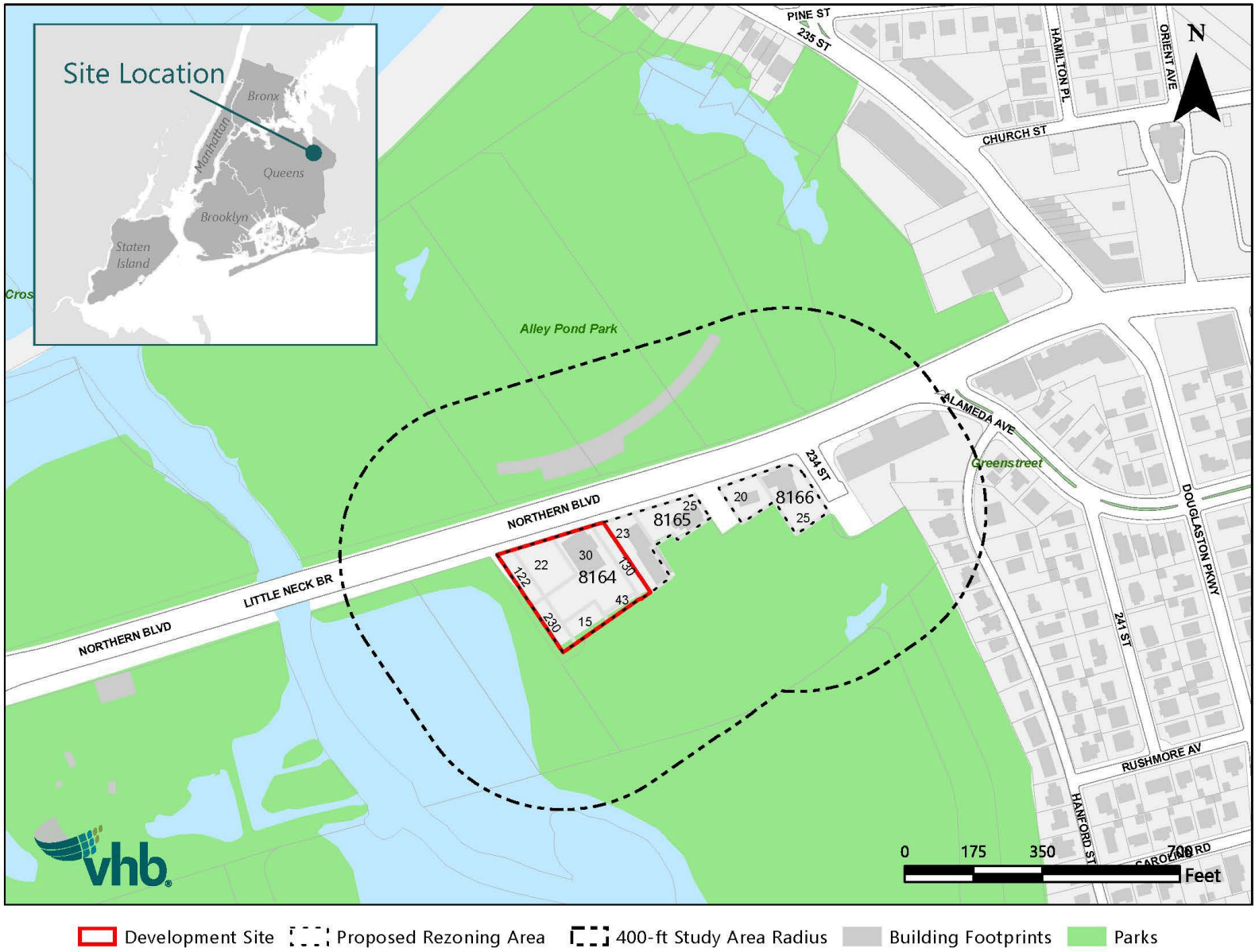


Figure 2 Existing Zoning Map

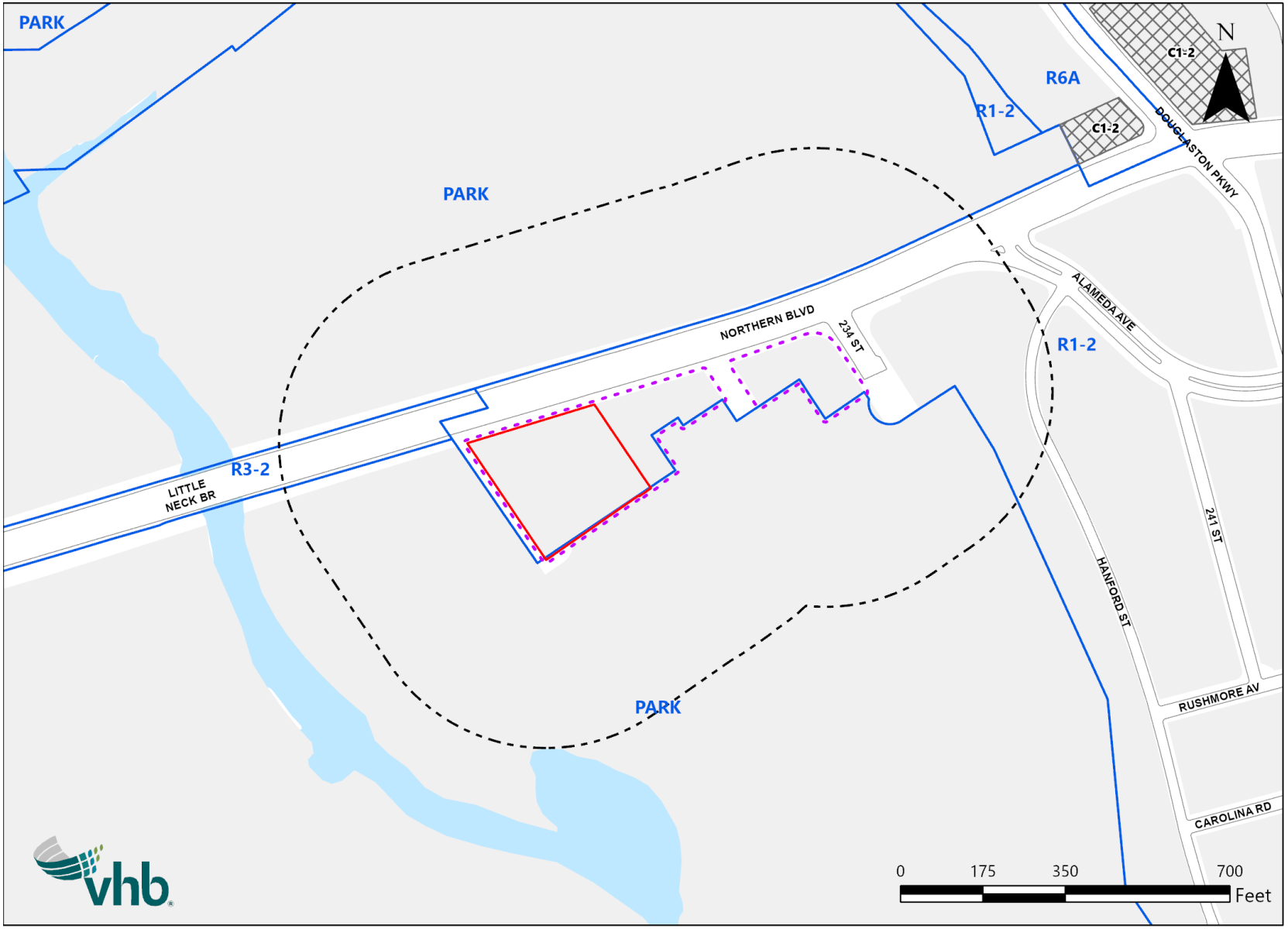
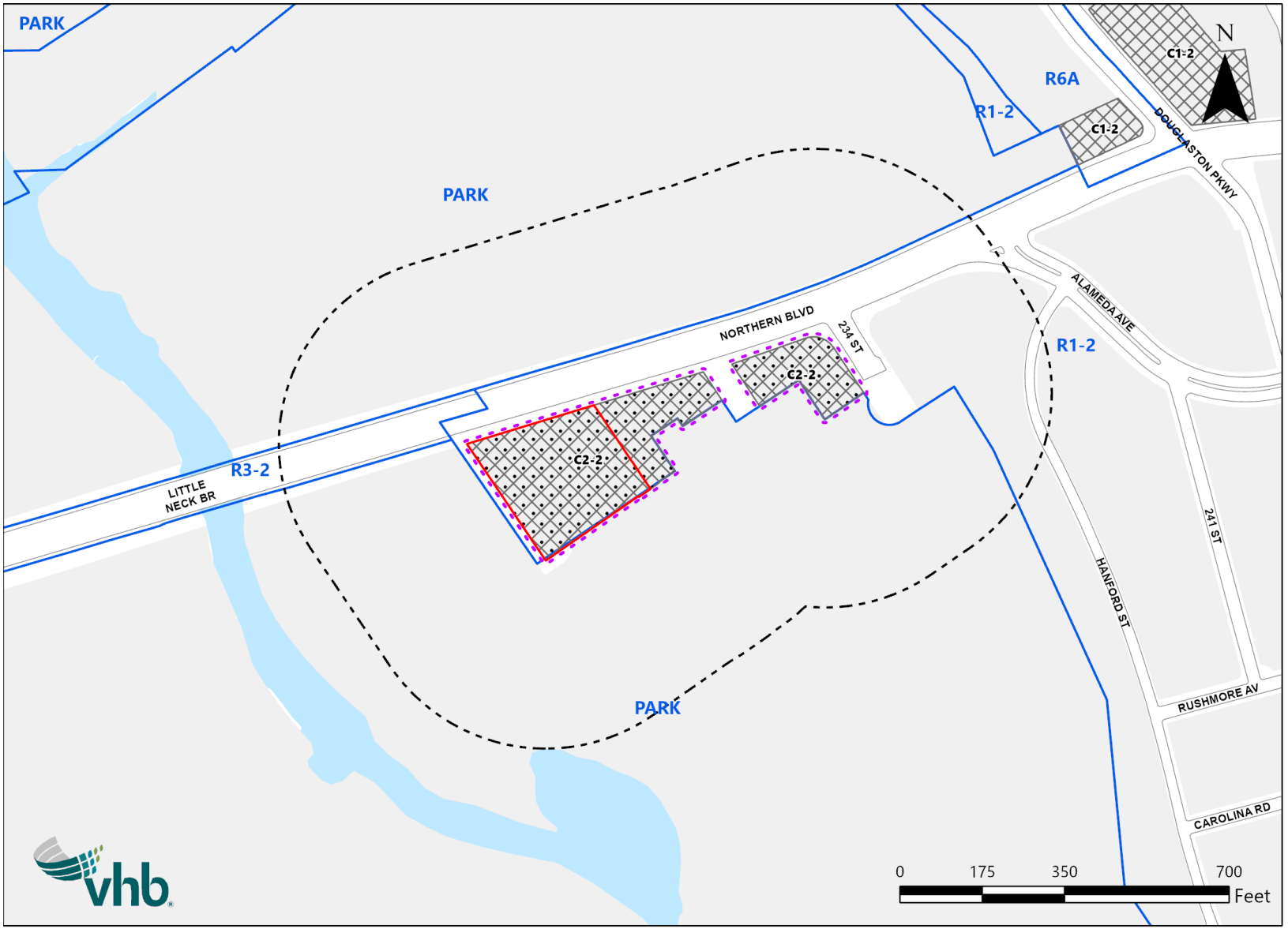


Figure 3 Proposed Zoning



Proposed Action

The applicant is requesting the following action:

› A zoning map amendment to rezone the Project Area, including Projected Development Site 1, from R1-2 to R1-2 with a C2-2 commercial overlay.

Proposed Project

The Proposed Project would include development of a two-story, approximately 15,834-sf enlargement of an existing 13,901-gsf restaurant onto the adjoining former gas station property, resulting in an approximately 29,735-gsf restaurant with a maximum building height of 30 feet (see **Figure 4**). Pursuant to Appendix G of the New York City Building Code, commercial uses at Projected Development Site 1 would be elevated to a design flood elevation (DFE) of 14 feet. The Proposed Project would include a 143-space surface parking lot, which would be accessed by two curb cuts on Northern Boulevard. The eastern most driveway is signal controlled and the western most driveway would operate as right-in/right-out only.

Figure 4 Illustrative Site Rendering



Project Purpose and Need

Currently, the Project Area is zoned R1-2, which is intended for low-density, single-family, detached homes on spacious lots. The Proposed Action would bring the existing restaurant located within Projected Development Site 1 into conformance with the use provisions of the

New York City Zoning Resolution. It is the applicant's opinion that commercial use is an appropriate use for the Project Area, given that it fronts onto Northern Boulevard, a major thoroughfare with similar commercial uses in adjacent neighborhoods. Commercial use is also consistent with the character of the surrounding area. Immediately to the east of the Project Area is a one-story car dealership (Block 8167, Lot 1) and across the street is a golf driving range located within the boundaries of Alley Pond Park. Further east on the southern portion of Northern Boulevard is a three-story commercial office building that was built pursuant to a BSA variance (Block 8178, Lot 1) in 1989. It is followed by a legally non-conforming and legally non-compliant six-story, multi-family residential building, located at the southwest corner of Northern Boulevard and Douglaston Parkway, which was built subject to vesting rights conferred by the BSA in 1963. The northwest corner of Northern Boulevard and Douglaston Parkway is the project area of the recently approved Douglaston Parkway Rezoning (R1-2 to R6A and R6A/C1-2), which was approved in March 2019 (C 060432 ZMQ, N 180281 ZRQ) and contains several six- to seven-story, residential buildings. On the northeast corner are several local retail uses within an existing C1-2 district.

It is the applicant's opinion that the Proposed Action would allow the applicant to make productive use of Projected Development Site 1, return a vacant former gas station to economic use, and allow a well-attended restaurant to expand its service.

Analysis Framework and Reasonable Worst-Case Development Scenario

Future No-Action Condition

Absent the approval of the Proposed Action, the Project Area would remain mapped with a R1-2 zoning district. The existing conditions at Projected Development Site 1 would persist and the applicant would continue to operate the existing 13,901-gsf restaurant, as they have since 2010. The existing conditions would also persist at the other properties within the Project Area.

Future With-Action Condition

In the Future With-Action condition, the applicant would construct a 15,834-gsf enlargement of the existing 13,901-gsf restaurant located on Projected Development Site 1, which would bring the building to a total of approximately 29,735-gsf, including a new second floor. Pursuant to Appendix G, commercial uses at Projected Development Site 1 would be elevated to a design floor elevation (DFE) of 14 feet. Approximately 143 parking spaces would be provided at grade.

The existing conditions would continue at the other properties within the Project Area. The following properties meet the "soft site" criteria described in the *CEQR Technical Manual*. Specifically, each site is greater than 5,000 sf and, under the Proposed Actions, would be built to less than half of the permitted FAR:

- Block 8165, Lot 23, which is improved with a one-story carwash building
- Block 8166, Lot 20, which improved with a one-story automotive repair shop
- Block 8166, Lot 25, which is also improved with a one-story automotive repair shop

However, the above three sites are controlled by different ownership, which limits redevelopment potential. The sites have also been used for auto-related purposes, under the jurisdiction of the BSA, since 1993, 1938, and 1948, respectively. This history of continued use does not suggest that an assemblage would be likely.

Further, the accessory parking requirements for commercial use constrains the redevelopment potential of the above three sites. For example, under the Proposed Actions, Block 8165, Lot 23 could hypothetically be redeveloped with conforming commercial uses up to a maximum FAR of 1.0, or 14,695 zoning square feet (zsf). The accessory parking requirement under the Proposed Actions is one parking space per 300 zsf of commercial use, or 49 spaces. If each parking space is assumed to be approximately 300 sf, the required area devoted to parking would be 14,700 sf—meaning it would not be possible to construct a building that maximizes FAR, includes ground floor space, and fulfills the parking requirement at grade.

The property located on Block 8165, Lot 25 is improved with a detached house of worship that is currently vacant. It is the applicant's understanding that the property is in contract to be sold to the adjacent carwash (located on Block 8165, Lot 23) to augment its current business operations. However, a carwash is not permitted on an as-of-right basis in with Future With-Action condition and would require a discretionary approval.

Increment for Analysis

For environmental analysis purposes, a Reasonable Worst-Case Development Scenario (RWCDS) has been identified for the 2023 analysis year (Build Year) using standard methodologies as described in the *2020 CEQR Technical Manual* guidance.

The incremental difference between the Future No-Action condition and Future With-Action condition is the basis for the impact category analyses in this Environmental Assessment Statement (EAS). **Table 1** provides a comparison of the Future No-Action and Future With-Action conditions.

Table 1 Comparison of Uses in the No-Action and With-Action Conditions/RWCDS

	Existing/No-Action Condition	With-Action Condition	Increment
Commercial GSF	13,901	29,735	+15,834
Total GSF	13,901	29,735	+15,834
Accessory Parking	106	143	+37

Analysis (Build Year)

Assuming completion of ULURP in 2022, and an anticipated construction period of 18 months, it is anticipated that the Proposed Project would be completed in 2023.

Part II: Supplemental Analysis

Additional Technical Information for EAS Short Form

Introduction

An analysis framework has been established to assess the potential for the Proposed Action to result in significant adverse environmental impacts. Assessment of the impacts of the Proposed Action is based on when the full effects of the Proposed Action are expected to have occurred. It is anticipated that the Proposed Project will be constructed and operational by 2023.

Based on existing conditions, observed trends, and known and expected changes, a development scenario was prepared for the future without the Proposed Action (No-Action condition) in the 2023 build year. The No-Action condition was used as a baseline to identify the potential impacts of the Proposed Action. From the possible development scenarios that were considered both reasonable and likely to occur as a result of the Proposed Action, the one with the worst environmental effects is analyzed in the future with the Proposed Action (the With-Action condition) as the Reasonable Worst Case Development Scenario (RWCDS).

The potential impacts of the Proposed Action on the environment are determined based on a comparison of the No-Action condition to the With-Action condition. A summary of the comparison, or analysis framework, is provided in **Table 1**.

Table 1 Comparison of Uses in the No-Action and With-Action Conditions/RWCDS

	Existing/No-Action Condition	With-Action Condition	Increment
Commercial GSF	13,901	29,735	+15,834
Total GSF	13,901	29,735	+15,834
Accessory Parking	106	143	+37

The overall increment between the No-Action condition and the With-Action condition resulting from the Proposed Action is an increase of approximately 15,834 gross square feet (gsf) and 37 accessory parking spaces.

Provided below are preliminary screening analyses, based on the guidelines presented in the *2020 CEQR Technical Manual*, to determine whether further analysis of a given technical area is necessary to identify the potential for significant adverse impacts to the environment in that area. For those areas where further analysis is warranted, an assessment is provided in a separate section.

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 Action would result in a change of zoning, and because the Project Area is located within the City's coastal zone, an analysis of land use, zoning, and public policy is warranted. See **Section 2, Land Use, Zoning, and Public Policy**.

Socioeconomic Conditions

The socioeconomic character of an area includes its population, housing, and economic activity. Socioeconomic changes may occur when a project directly or indirectly changes any of these elements. Although socioeconomic changes may not result in impacts under CEQR, they are disclosed if they would affect land use patterns, low-income populations, the availability of goods and services, or economic investment in a way that changes the socioeconomic character of the area.

According to the *CEQR Technical Manual,* the principal issues of concern with respect to socioeconomic conditions are whether a proposed project would result in significant adverse impacts due to: (1) direct residential displacement; (2) direct business displacement; (3) indirect residential displacement; (4) indirect business displacement due to increase rents; (5) indirect business displacement due to retail market saturation; and (6) adverse effects on a specific industry. The *CEQR Technical Manual* identifies the following thresholds for an analysis of socioeconomic conditions: whether a project would directly displace more than 500 residents or 100 employees; introduce more than 200 residential units or more than 200,000 sf of commercial space; or affect a specific industry.

The Proposed Action would not result in direct residential or business displacement, nor would it introduce more than 200 residential units or 200,000 sf of commercial space as compared to the No-Action condition. Therefore, an assessment of socioeconomic conditions is not warranted.

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, child care facilities, libraries, health care facilities, 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 Action would not physically alter or displace any community facilities, nor would it result in a new residential population that would create new demands public schools, childcare facilities, libraries, healthcare facilities, and police/fire services. Therefore, an assessment of community facilities and services is not warranted.

Open Space

Introduction

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

A proposed project 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.

Indirect effects may occur when the population generated by a 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. The *CEQR Technical Manual* provides different thresholds for the assessment of indirect effects based on whether the area is considered underserved or well-served in terms of open space. Based on open space maps provided in the manual, the project area is considered a well-served area, and as such, the threshold for an analysis of potential indirect effects is whether the project would introduce more than 350 additional residents or 750 additional employees.

Direct Effects

The Proposed Action would not result in any direct effects on open space.

Indirect Effects

The Proposed Action would not result in the introduction of more than 350 additional residents or 750 additional employees. Therefore, an assessment of open space is not warranted.

Shadows

The *CEQR Technical Manual* requires a shadows assessment for projects that would either result in new structures (or additions to existing structures) greater than 50 feet in height or result in any increase in structure height 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 Action would not result in any increase in structure height over the No-Action condition in excess of 50 feet. In the No-Action condition, the existing conditions would persist; the existing building is 19 feet, 6 inches in height. In the With-Action condition, an extension to the existing building would be constructed; the extension would be 30 feet in height.

The Proposed Project is adjacent to a sunlight-sensitive resource, Alley Pond Park, which abuts the Project Area to the north and west. For this reason, a shadows assessment is warranted. See **Section 3, Shadows**.

Historic and Cultural Resources

According to the *CEQR Technical Manual,* a historic and cultural resources assessment is warranted if there is the potential to affect either archaeological or architectural resources; the manual further recommends that a historic resources assessment be prepared if a project would result in any of the following actions: in-ground disturbance; new construction, demolition, or significant physical alteration of any building, structure, or object; the change in scale, visual prominence, or visual context of any building, structure, or object or landscape feature; or the screening or elimination of publicly accessible views, even if no known historic resources are located nearby.

Archaeological Resources

Archaeological resources are physical remains, usually subsurface, of the prehistoric, Native American, and historic periods—such as burials, foundations, artifacts, wells, and privies. Archaeological resources are considered only in those areas where new in-ground disturbance is likely to occur. The Proposed Project would result in new in-ground disturbance on Projected Development Site 1. As part of a 2018 Environmental Assessment Statement (EAS) that was prepared for the NYC Board of Standards and Appeals, the LPC was contacted and, in a response dated May 16, 2018, indicated that no archaeological significance is associated with Projected Development Site 1. See **Appendix B, Historic Resources**.

Architectural Resources

Architectural resources generally include historically important buildings, structures, objects, sites, and districts. Historic and cultural resources include designated New York City Landmarks (NYCLs) and Historic Districts; properties calendared for consideration as NYCLs by the New York City Landmarks Preservation Commission (LPC) or determined eligible for NYCL designation (NYCL-eligible); properties listed on the State and National Register of Historic Places (S/NR) or formally determined eligible for S/NR listing (S/NR-eligible), or properties contained within a S/NR listed or eligible district; properties recommended by the New York State Board for listing on the S/NR; National Historic Landmarks (NHLs); and potential historic resources (i.e., properties not identified by one of the programs listed above, but that appear to meet their eligibility requirements).

Within the 400-foot study area, there are no significant architectural resources. As part of a 2018 Environmental Assessment Statement (EAS) that was prepared for the NYC Board of Standards and Appeals, the LPC was contacted and, in a response dated May 16, 2018, indicated that no architectural significance is associated with Projected Development Site 1. **Appendix B, Historic Resources**. Therefore, an assessment of historic resources is not warranted.

Urban Design and Visual Resources

According to the methodologies of the *CEQR Technical Manual,* if a project 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 Proposed Action would result in an increase in the allowable FAR on Projected Development Site 1. Therefore, an assessment of urban design and visual resources is warranted. See **Section 4, Urban Design and Visual Resources**.

Natural Resources

As stated in the *CEQR Technical Manual,* a natural resource is defined as a plant or animal species and any area 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 the project site, or if there is a potential for impacts related to stormwater and shadows.

Project Development Site 1 is contiguous to ecologically valuable tidal wetland and freshwater wetland habitats within Alley Pond Park, including the High Salt Marsh, Low Salt Marsh, Tidal Creek, Shallow Emergent Marsh, and shrub Swamp communities.[1] The many ecological functions provided by these communities include high primary productivity and vegetative diversity, flood and erosion control functions, pollutant and nutrient sequestration, and habitat for terrestrial and aquatic wildlife, including birds, mammals, amphibians, reptiles, fish, insects, shellfish, and other aquatic invertebrates. In particular, the tidal wetland communities also provide important spawning, nursery, forage, and/or shelter habitat for a wide variety of marine finfish species. The five wetland communities are ranked by the NYNHP as demonstrably or apparently secure globally and range from demonstrably secure to limited acreage within New York State.

The New York State Department of Environmental Conservation (NYSDEC) regulates tidal wetlands under Article 25 of the Environmental Conservation Law (Tidal Wetlands Act) and its implementing regulations (6 NYCRR Part 661). The NYSDEC also regulates freshwater wetlands under Article 24 of the Environmental Conservation Law (Freshwater Wetlands Act) and its implementing regulations (6 NYCRR Parts 663 and 664). The NYSEC requires permits for various land uses and activities within tidal and freshwater wetlands and their respective buffers or "adjacent areas" (300 feet for tidal wetlands and 100 feet for freshwater wetlands). Although the proposed development activities would not occur within tidal or freshwater wetlands, portions of Projected Development Site 1 are located within the regulated adjacent areas of tidal and freshwater wetlands located within Alley Pond Park.

The applicant has applied for and obtained tidal and freshwater wetland permit authorizations from the NYSDEC (Tidal Wetlands Permit No. 2-6303-00310/00003, issued September 13, 2018, and Freshwater Wetlands Permit No. 2-6303-00310/00006, issued

[1] Based on site observations and the descriptions provided in the 2014 New York Natural Heritage Program (NYNHP) publication *Ecological Communities of New York State*, a guidance document that provides detailed descriptions, distribution ranges, and global and state rarity rankings for most habitats found within New York State.

September 13, 2018, see **Appendix C, Natural Resources**). Regulated activities undergo a rigorous review by the NYSDEC during the permit application process to ensure that any potential impacts that are identified are avoided, minimized, and/or mitigated.

The tidal and freshwater wetland permits issued by the NYSDEC for the Proposed Action include various general and site-specific conditions, requirements, prohibitions, and best management practices designed to protect tidal wetlands, freshwater wetlands, and adjacent upland habitats, pursuant to Articles 24 and 25 of the New York State Environmental Conservation Law. These include:

- Erosion and sediment control measures, including installation of straw bales, filter fabric and other practices that are to be installed prior to commencement of work and maintained throughout project work.
- Installation of a construction barrier between work areas and protected resources.
- Seeding and mulching of exposed soils.
- Use of clean fill material only.
- Site grading requirements.
- Pollution controls.
- Site inspections by the NYSDEC, at their discretion.

Though a diverse range of natural resources occurs in the area surrounding Projected Development Site 1, the limited nature and extent of the Proposed Project would not result in direct or indirect effects to natural resources. The Proposed Action has been thoroughly reviewed and has been issued an approval by the NYSDEC, which is the New York State agency charged with protecting the tidal and freshwater wetland habitats that occur in the vicinity of Projected Development Site 1, and the NYSDEC's permit approvals for the Proposed Action include various general and site-specific conditions, requirements, prohibitions, and best management practices designed to protect tidal wetlands, freshwater wetlands, and adjacent upland habitats, pursuant to Articles 24 and 25 of the New York State Environmental Conservation Law. Based on the foregoing, further assessment of natural resources is not warranted.

Hazardous Materials

According to the *CEQR Technical Manual,* a hazardous materials assessment is conducted when elevated levels of hazardous materials exist on a site, when an action would increase pathways to their exposure, either human or environmental, or when an action would introduce new activities or processes using hazardous materials, thereby increasing the risk of human or environmental exposure. Because the Proposed Action would result in new in-ground disturbance, an assessment of hazardous materials is warranted. See **Section 5, Hazardous Materials**.

Water and Sewer Infrastructure

According to the *CEQR Technical Manual,* a water and sewer infrastructure assessment analyzes whether a proposed action may adversely affect New York City's water distribution

or sewer system and, if so, assesses the effects of the action to determine whether the impact is significant.

Water Supply

According to the *CEQR Technical Manual*, a preliminary water supply infrastructure analysis is necessary if the project would result in an exceptionally large demand for water (i.e., over 1 million gallons per day [gpd]), or is located in an area that experiences low water pressure (i.e., areas at the end of the water supply distribution system such as the Rockaway Peninsula and Coney Island). Because the Proposed Project would not generate exceptionally large demand, nor is it located in an area that experiences low water pressure, an assessment of water supply is not warranted.

Wastewater and Stormwater

With regard to wastewater and stormwater conveyance, the *CEQR Technical Manual* states that a preliminary infrastructure analysis would be needed if a project is located in a separately sewered area, in an existing R1 zoning district, and would result in incremental development over the No-Action scenario of more than 25 residential units or 50,000 sf of commercial space, public facility, and institution and/or community facility space. Because the Proposed Project is located in a separately sewered area (according to NYC DEP maps) and would not exceed 50,000 sf of commercial space, an assessment of wastewater and stormwater is not warranted.

Solid Waste and Sanitation Services

The *CEQR Technical Manual* states that an assessment of solid waste and sanitation services is warranted if a project has the potential to result in a substantial increase in solid waste production that could overburden available waste management capacity or otherwise be inconsistent with the City's Solid Waste Management Plan (SWMP) or with state policy related to the City's integrated solid waste management system. According to the *CEQR Technical Manual*, actions resulting in substantial waste generation, defined as 50 tons (100,000 pounds) per week or more, warrant additional analysis for effects on solid waste and sanitation services. Because the Proposed Action would not result in a substantial increase in solid waste production, an assessment of solid waste and sanitation services is not warranted.

Energy

According to the *CEQR Technical Manual,* a detailed assessment of energy impacts is only required for projects that would significantly affect the transmission or generation of energy or that would result in substantial consumption of energy. The Proposed Action would not affect the transmission or generation of energy, nor would it result in a substantial consumption of energy. Therefore, the effect of the Proposed Action on the transmission or generation of energy does not require further analysis.

Transportation

According to the *CEQR Technical Manual,* detailed transportation analyses may be warranted if a project results in 50 or more vehicle trips and/or 200 or more transit/pedestrian trips during a given peak hour. Based on a preliminary assessment, the Proposed Project would generate an increase of 50 vehicle trips in one or more peak hours and generate 50 or more vehicles per hour during one or more the peak hours through one or more intersections. For this reason, a detailed traffic analysis is warranted. See **Section 6, Transportation**.

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 a project from either manufacturing/processing facilities or large/major sources that are located near the project site.

Because the Proposed Project would result in incremental vehicular trips, an analysis of mobile sources is warranted. A stationary source air quality analysis will be conducted and will focus on an assessment of the project's HVAC systems to affect uses in the surrounding area. The air quality assessment will also consider potential impacts onto the project from manufacturing/process facilities or large/major sources that are located near the project site. See **Section 7, Air Quality**.

Greenhouse Gas Emissions and Climate Change

According to the *CEQR Technical Manual,* GHG assessments are appropriate for projects in New York City requiring an EIS that would result in the development of 350,000 square feet or greater. Because the Proposed Project does not exceed this threshold, no further analysis is warranted.

Depending on the sensitivity, location, and useful life of development resulting from a proposed action, it may be appropriate to include discussion of the potential effects of climate change in environmental review. Rising sea levels and increases in storm surge and coastal flooding are the most immediate threats in New York City for which site-specific conditions can be assessed, and an analysis of climate change may be deemed warranted for sites located within the current 100- or 500-year flood zone, as delineated in the FEMA PFIRMs, or within future 100-year flood zones as projected by the New York City Panel on Climate Change, as appropriate. Because the Proposed Project is subject to a consistency

review under the Waterfront Revitalization Program (see **Section 2, Land Use, Zoning, and Public Policy**), an assessment of green gas emissions and climate change is not warranted.

Noise

As discussed in the *2020 CEQR Technical Manual*, a noise analysis is appropriate if a project would generate mobile or stationary sources of noise or would introduce noise-sensitive receptors in an area with high ambient noise levels. Specifically, an analysis would be required if: a project generates or reroutes vehicular traffic; introduces receptors near a heavily trafficked thoroughfare, or within one mile of an existing flight path, or within 1,500 feet of existing rail activity (and with a direct line of sight to that rail facility); results in a playground; causes a stationary source to be operating within 1,500 feet of a receptor (with a direct line of sight to that receptor); includes unenclosed mechanical equipment for manufacturing or building ventilation purposes; or would be located in an area with high ambient noise levels resulting from stationary sources.

The Proposed Project is not located in proximity to any sensitive receptors, nor would it increase mobile sources such that noise levels would be changed. In addition, the Proposed Project does not introduce noise-sensitive receptors, nor is it not anticipated to include any substantial stationary source noise generators, such as unenclosed cooling or ventilation equipment, loudspeaker systems, stationary diesel engines, or other similar types of uses. The design and specifications for mechanical equipment—such as heating, ventilation, and air conditioning (HVAC) systems—would incorporate 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 will ensure that mechanical equipment does not result in any significant increases in noise levels, either by itself or cumulatively with other project noise sources. Therefore, a noise analysis is not warranted.

Public Health

According to the guidelines of the *CEQR Technical Manual*, a public health assessment may be warranted if an unmitigated significant adverse impact is identified in other CEQR analysis areas, such as air quality, water quality, hazardous materials, or noise. As detailed in the EAS, no significant unmitigated adverse impacts would occur in the areas of air quality, water quality, hazardous materials, or noise. Therefore, an assessment of public health is not warranted.

Neighborhood Character

As discussed in the *CEQR Technical Manual*, an analysis of neighborhood character is warranted when a project has the potential to result in significant adverse impacts in any of the following technical areas: land use, zoning, and public policy; socioeconomic conditions; open space; historic and cultural resources; urban design and visual resources; shadows; transportation; or noise. In addition, an assessment may be warranted when there is a combination of moderate effects in these technical areas that, when considered together, may affect the defining elements of neighborhood character. Because the Proposed Action detailed analyses were conducted for shadows and transportation, an assessment of neighborhood character analysis is warranted. See **Section 8, Neighborhood Character**.

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 natural resources; and/or (i) occurring on multiple sites in the same geographic area.

The anticipated period of construction associated with the Proposed Project is 18 months. While the Proposed Project is located along a major thoroughfare, it is not anticipated that construction would impede traffic, transit, or pedestrian elements. Construction of the Proposed Project would not result in closure of a community facility or be located within 400 feet of a historic or cultural resource. While Projected Development Site 1 is adjacent to natural resources, the applicant will adhere to the Environmental Conservation Law (ECL), all applicable regulations, and all conditions included in the NYS DEC permit dated September 13, 2018 (see **Appendix C, Natural Resources**). Therefore, a construction analysis is not 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
- Shadows
- Urban Design and Visual Resources
- Hazardous Materials
- Transportation
- Air Quality
- Neighborhood Character

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

2

Land Use, Zoning, and Public Policy

This section considers the potential for the proposed project to result in significant adverse impacts to land use, zoning, and public policy. Under the guidelines of the *2020 City Environmental Quality Review (CEQR) Technical Manual*, this analysis evaluates the uses in the area that may be affected by the proposed project and determines whether the proposed project is compatible with land use, zoning, and public policy conditions, or may otherwise affect them. The analysis also considers the proposed project's compatibility with zoning regulations and other public policies applicable to the area.

Introduction

The applicant, Twin Deer Group, LLC, is seeking a zoning map amendment to rezone the Project Area (see **Part I: Project Description**) from a R1-2 zoning district to a R1-2 zoning district with a C2-2 commercial overlay (the Proposed Action). The Proposed Action would facilitate the development of a two-story, approximately 15,834-gross square foot enlargement of an existing 13,901-gross square foot restaurant (the Proposed Project) located on Projected Development Site 1.

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 site that might be affected by the proposed action; and
- Determines whether the proposed project is compatible with those trends or may alter them.

The following assessment method was used to determine the potential for the 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 site to determine how the proposed project may affect the immediate surrounding area. For this assessment, a study area of 400 feet surrounding Projected Development Site 1 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 the proposed project's potential effects on land use, zoning and public policy to determine whether the 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 the proposed project is found to not conflict with the identified policies, no further assessment is needed.

Assessment

Existing Conditions

Land Use

Development Site and Project Area

The Project Area consists of Block 8164, Lots 15, 22, 30, 43, 122, 130 and 230, Block 8165, Lots 23 and 25, and Block 8166, Lots 20 and 25. The Project Area is bounded by Northern Boulevard to the north, Long Island Expressway to the south, Douglaston Parkway to the east, and Cross Island Parkway to the west. It has a total area of approximately 124,840 square feet (sf).

Projected Development Site 1 consists of Block 8164, Lots 15, 22, 30, 43, 122, 130 and 230. It is currently improved with a commercial use, a 13,901-gross-square-foot (gsf) restaurant with 106 accessory parking spaces, which has been operated by the applicant since 2010. The existing restaurant is a one-story and cellar building that measures 19 feet, six inches in

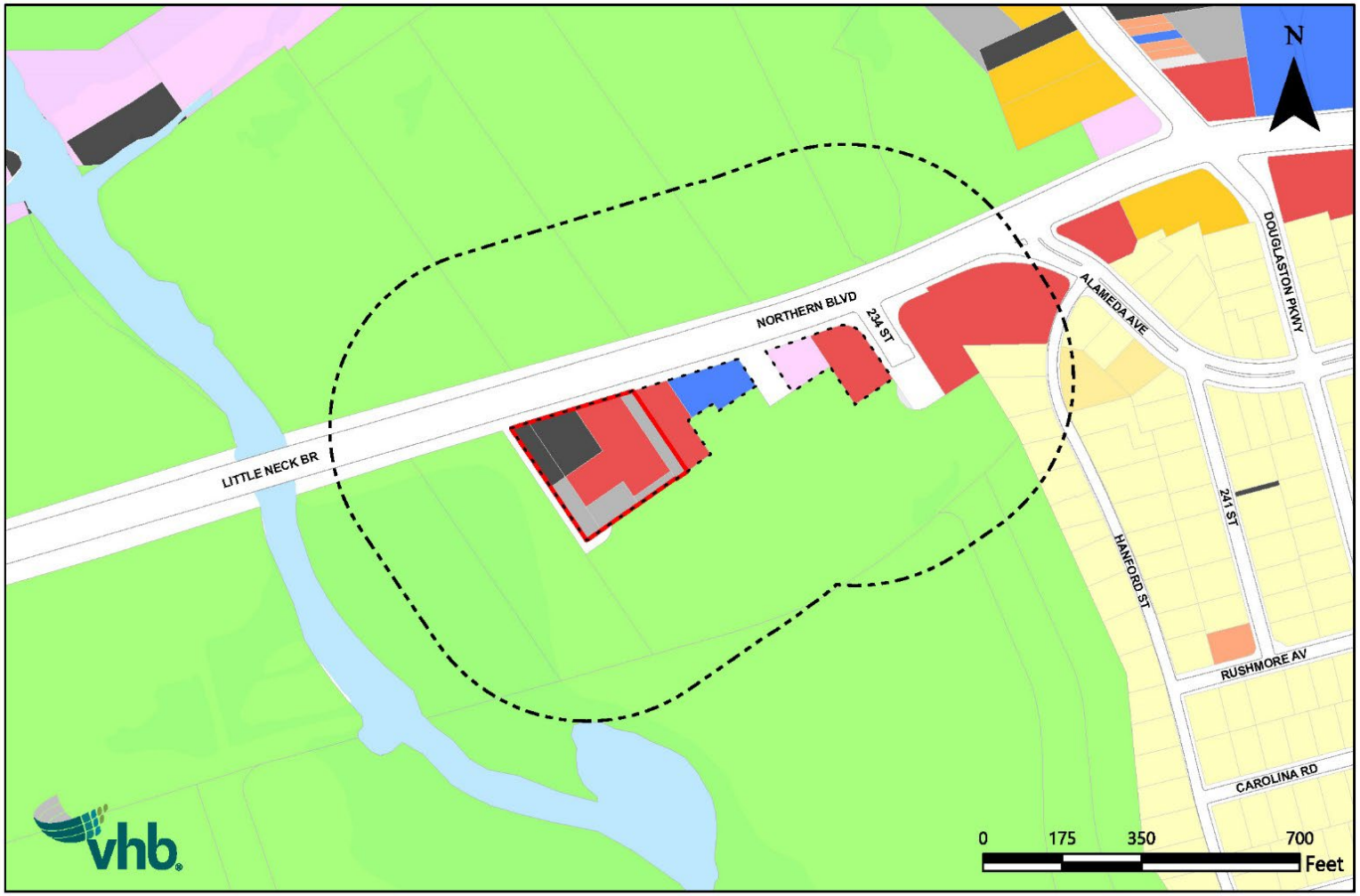
height. In addition, a portion of Projected Development Site 1 is currently vacant; Lots 22 and 122 were improved with a gas station building that was demolished in 2015. Projected Development Site 1 is located on the western portion of the Project Area and has approximately 281 feet of frontage on Northern Boulevard, a maximum depth of 294 feet, and a total area of 69,445 sf.

Beyond Projected Development Site 1, most of the properties that are located within the Project Area are improved with commercial uses. They include a one-story car wash building (Block 8165, Lot 23) and two automotive repair shops (Block 8166, Lots 20 and 25). There is also a community facility use, a house of worship, that is currently vacant (Block 8165, Lot 25).

Study Area

The study area is predominantly characterized by parkland, with commercial uses along Northern Boulevard and residential uses on its eastern edge (see **Figure 2-1**). As described above, the Project Area is located on the south side of Northern Boulevard and is primarily comprised of commercial uses. The portion of the study area to the north of Northern Boulevard is comprised of Alley Pond Park; it includes the Alley Pond Golf Center. The portion of the study area that is located to the south and west of the Project Area is an undeveloped section of Alley Pond Park. To the east of the Project Area is a single commercial use, the East Hills Chevrolet of Douglaston, a car dealership. The southeast portion of the study area contains four detached single-family homes.

Figure 2-1 Land Use Map



Zoning

Development Site and Project Area

The Project Area has been zoned R1-2 since 1961 (see **Figure 2-2**Error! Reference source not found.). R1-2 districts are low density neighborhoods of large, single-family detached homes on spacious lots. The maximum floor area ratio of 0.5 and the sizeable required lot area tend to produce big, roomy houses. Specifically, the minimum lot area in a R1-2 district is 5,700 sf, with a minimum lot width of 60 feet, a minimum rear yard of 30 feet, and two side yards at a minimum of 8 feet each. The maximum building height is governed by the sky exposure plane. One parking space is required for each dwelling unit.

The commercial uses located in the Project Area operate subject to BSA variances. BSA variances were granted for both the existing restaurant located on Projected Development Site 1, which has been operated by the applicant since 2010, as well as the previous automotive service station use of Projected Development Site 1 (BSA Cal. No. 308-75-BZ; BSA Cal. No. 9-10-BZ; BSA Cal. No. 616-71-BZ).

Study Area

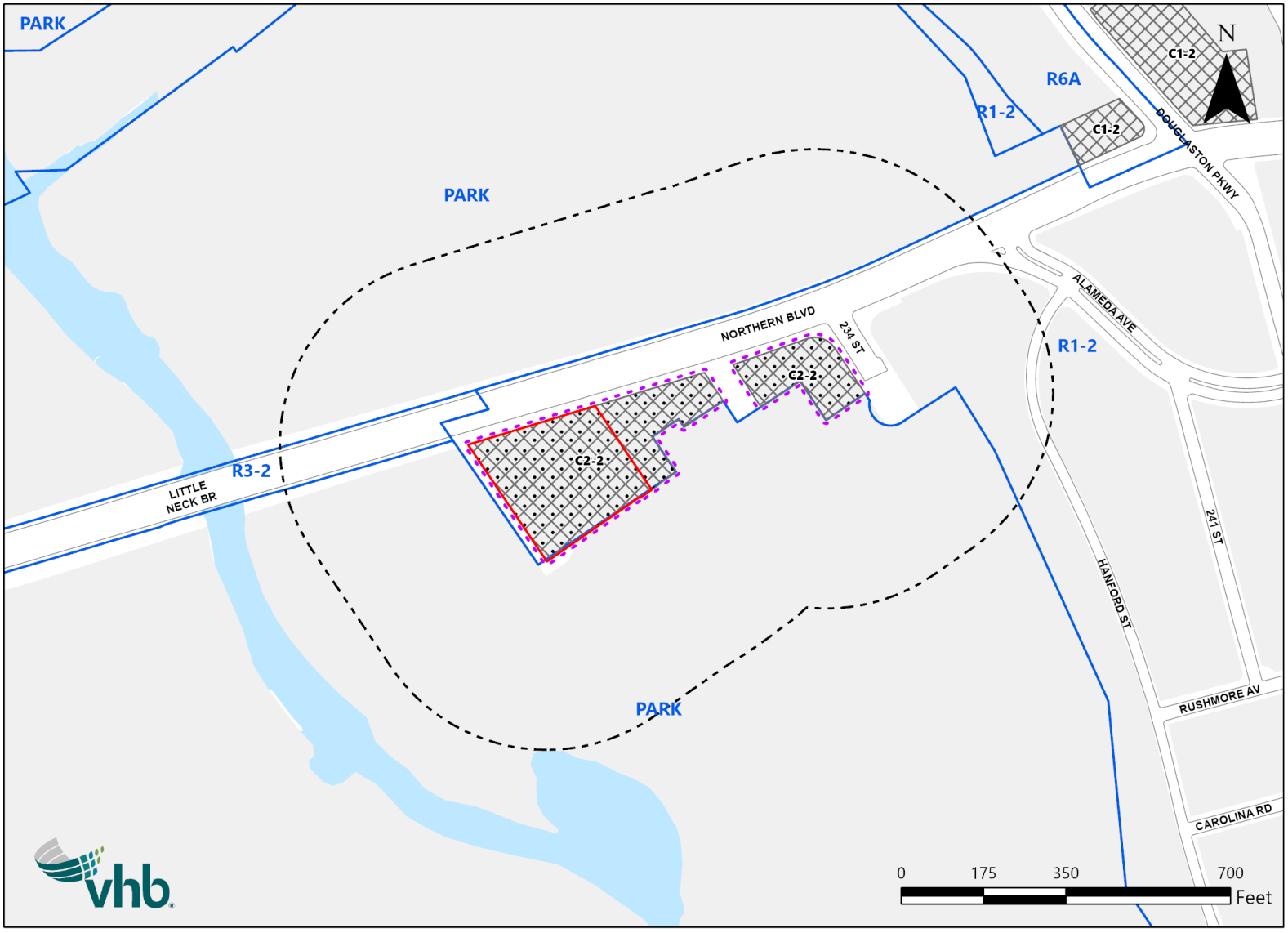
The portions of the study area to the north, south, and west of the Project Area are mapped parkland. The portions of the study area to the east and southeast of the Project Area are zoned R1-2 (described above). The southeastern portion contains detached single-family homes, which are characteristic of R1-2 zoning districts, while the commercial use located directly east of the Project Area operates subject to a BSA variance.

Outside the study area, to the northeast, is an area zoned R6A with a C1-2 overlay. Located at the intersection of Northern Boulevard and Douglaston Parkway, this area was included in the recently approved Douglaston Parkway Rezoning (R1-2 to R6A and R6A/C1-2), which was approved in March 2019 (C 060432 ZMQ, N 180281 ZRQ) and contains several six-to seven story residential buildings.

R6A is a contextual zoning district where the Quality Housing bulk regulations are mandatory. These regulations produce high lot coverage, six- to eight-story apartment buildings set at or near the street line. R6A districts allow a maximum FAR of 3.0. Above a minimum base height of 40 feet, the building must set back by at least 10 feet on a wide street and 15 feet on a narrow street before rising to a maximum height of 70 feet (or 75 feet with a qualifying ground floor). Higher maximum FAR and heights are available for buildings that provide affordable housing. Off-street parking is generally required for 50 percent of a building's dwelling units, but requirements are lower for income-restricted housing units and in certain areas, such as within the Transit Zone.

Commercial overlays are mapped along streets that serve local retail needs. Typical retail uses include neighborhood grocery stores, restaurants, and beauty parlors. When commercial districts are mapped in R1 through R5 districts, the maximum commercial FAR is 1.0; when mapped in R6 through R10 districts, the maximum commercial FAR is 2.0. Commercial buildings are subject to commercial bulk rules, while residential bulk is governed by the residence district in which the overlay is mapped. In R6A districts, required accessory parking is 1 parking space per 300 sf.

Figure 2-2 Zoning Map



Public Policy

Officially adopted and promulgated public policies also describe the intended use applicable to an area or site(s) in the city. Some of these policies have the force of law, while others describe general goals. They can help define the existing and future context of the land use and zoning of an area. A preliminary assessment of public policy should identify and describe any public policies, including formal plans or published reports, which pertain to the study area. If a proposed project could potentially alter or conflict with identified policies, a detailed assessment should be conducted; otherwise, no further analysis of public policy is necessary. The public policies relevant to the Proposed Actions include Zoning for Coastal Flooding Resiliency (ZCFR) and the Waterfront Revitalization Program (WRP).

Zoning for Coastal Flood Resiliency

DCP updated the Flood Resilience Zoning Text (the "2013 Flood Text") and Special Regulations for Neighborhood Recovery ("2015 Recovery Text"), which were adopted on an emergency-basis after Hurricane Sandy. These zoning text amendments were adopted to advance the reconstruction of storm-damaged properties and enable new and existing buildings to comply with flood-resistant construction standards set forth in Appendix G of the New York City Building Code. Since then, these rules expired and DCP updated and made permanent these rules. As currently set forth by DCP, the updated and permanent rules:

- Expand the geography where optional zoning rules apply to the 0.2 percent annual chance floodplain, in addition to the 1 percent annual chance floodplain, to facilitate buildings to make investments in small resiliency improvements or otherwise proactively meet or exceed flood-resistant construction standards;
- Allow optional flexibility to measure the building envelope from a reference plane that can be placed anywhere between the Design Flood Elevation (DFE) and 10 feet above grade (for lots where at least a portion is located within the 1 percent annual chance floodplain) or a reference plane that can be placed anywhere between grade and 5 feet above grade (for lots where at least a portion is located within the 0.2 percent annual chance floodplain), so building owners can accommodate projected sea level rise when designing new buildings or retrofitting existing ones;
- Allow wet-floodproofed ground floors to be exempted from floor area, and a portion of dry floodproofed non-residential ground floors to be exempted from floor area under certain circumstances, to better create accessible and inviting streetscapes;
- Allow flexibility for existing non-compliant and/or non-conforming buildings to be retrofitted or reconstructed to meet or exceed flood-resistant construction standards, under certain circumstances;
- Allow more flexibility with permitted obstruction rules for buildings to locate mechanical, electrical and plumbing equipment above the DFE, including emergency generators, and allow flood protection measures as permitted obstructions on open areas;
- Create rules that facilitate the reconstruction of damaged buildings to allow the City to more quickly recover from future disasters and that limit the growth of nursing homes with residents who have negative health consequences when subject to mandatory evacuation;

- Require buildings utilizing the allowances in the text amendment to meet streetscape mitigation regulations to help alleviate the effects of elevated access and potential blank walls caused by resiliency needs;
- Modify provisions applying in the waterfront areas to ensure that existing waterfront regulations allow sites to incorporate flood risk and sea level by giving flexibility in grading and shoreline design.

The text amendment is expected to be in public review concurrent with the Proposed Action. Since these zoning changes would affect Projected Development Site 1, their relevant and applicable effects (as currently known) will be analyzed as part of this environmental review in order to provide a conservative analysis.

Waterfront Revitalization Program

Projected Development Site 1 is located within the Coastal Zone Boundary. Therefore, policies related to the Waterfront Revitalization Program (WRP) apply to the Proposed Project.

The WRP is the City's principal Coastal Zone management tool and establishes a broad range of public policies for the City's coastal areas. The guiding principle of the WRP is to maximize the benefits derived from economic development, environmental conservation, and public use of the waterfront, while minimizing the conflicts among these objectives. The WRP was originally adopted in 1982. The recent revisions include incorporation of climate change and sea level rise considerations to increase the resiliency of the waterfront area, promotion of waterfront industrial development as well as commercial and recreational waterborne activities, increased restoration of ecologically significant areas, and best practices for the design of waterfront open spaces. Because Projected Development Site 1 is located in the Coastal Zone, and requires local, State, and/or Federal discretionary actions or review, an assessment of the Proposed Project's consistency with applicable WRP policies was conducted (see **Appendix A**).

No-Action Condition

Absent the Proposed Action (the future No-Action Condition), Projected Development Site 1 would continue to be occupied by the existing restaurant, which contains 13,901 gsf, and 106 accessory parking spaces. All other lots within the Project Area are also expected to remain in their existing condition.

Land Use

In the future No-Action condition, the land use and the character of the study area would remain the same. There are no new developments anticipated within the 400-foot study area under the No-Action Condition.

Zoning

There are no other anticipated zoning changes within the study area in the future No-Action condition. The Project Area will continue to be governed by the various zoning regulations found 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

The Proposed Actions would facilitate development of the Proposed Project, a two-story, approximately 15,834-sf enlargement of an existing 13,901-gsf restaurant onto the adjoining former gas station property, resulting in an approximately 29,735-gsf restaurant with a maximum building height of 30 feet. Pursuant to the requirements of Appendix G of the New York City Building Code, commercial uses at Projected Development Site 1 would be elevated to a design flood elevation (DFE) of 14 feet. The Proposed Project would include a 143-space surface parking lot, which would be accessed by two curb cuts on Northern Boulevard. The eastern most driveway is signal controlled and the western most driveway would operate as right-in/right-out only.

Land Use

The Proposed Action would not introduce a new land use to the study area. Instead, it would facilitate the expansion of an existing restaurant that has operated continuously on Projected Development Site 1 since 2010. In the With-Action condition, the Project Area would maintain the same land uses as under the No-Action condition. Commercial use is appropriate for the Project Area, as it fronts Northern Boulevard, a major thoroughfare. Commercial use is also consistent with the character of the surrounding area. For these reasons, the Proposed Project would have no adverse land use impacts to the area.

Zoning

As detailed in **Part I: Project Description**, the applicant is requesting a zoning map amendment to rezone the Project Area, including Projected Development Site 1, from R1-2 to R1-2 with a C2-2 commercial overlay.

As described above, commercial overlays are mapped along streets that serve local retail needs. Typical retail uses include neighborhood grocery stores, restaurants, and beauty parlors. C2 districts permit a slightly wider range of uses, such as funeral homes and repair services. When commercial districts are mapped in R1 through R5 districts, the maximum commercial FAR is 1.0; when mapped in R6 through R10 districts, the maximum commercial FAR is 2.0. Commercial buildings are subject to commercial bulk rules, while residential bulk is governed by the residence district in which the overlay is mapped. In R1-2 districts, required accessory parking is 1 parking space per 150 sf.

The Proposed Action would bring the existing restaurant located on Projected Development Site 1 into conformance with the use provisions of the New York City Zoning Code. It would also allow the applicant to make productive use of Projected Development Site 1, return the site of a former vacant gas station to a productive economic use, and allow a popular restaurant to better serve its patrons in the community.

In addition, the Proposed Action is consistent with the existing land uses within the Project Area and with zoning in the surrounding area. For example, the recent Douglaston Parkway Rezoning (C 060432 ZMQ, N 180281 ZRQ), which is located northeast of the Project Area,

mapped a commercial overlay on a residential zoning district (R1-2 to R6A and R6A/C1-2). For these reasons, the Proposed Actions would have no adverse zoning impacts to the area.

Public Policy

Zoning for Coastal Flood Resiliency

The implementation of ZCFR would allow developers to opt to measure height from a Reference Plane up to 10 feet' above the Design Flood Elevation, which could result in a building up to 10 feet' taller. The Proposed Project is consistent with the proposed ZCFR given that the proposed lobby hall, kitchen and dining area would be elevated above the design flood elevation. Therefore, the current design of the proposed building would both meet resiliency needs and the purpose of the Proposed Project.

Waterfront Revitalization Program

Given that Projected Development Site 1 is located within the Coastal Zone Boundary, the Proposed Action is subject to review for its consistency with the City's Waterfront Revitalization Program. In accordance with the guidelines of the *CEQR Technical Manual*, an evaluation of the Proposed Project's consistency with the WRP policies was undertaken. This preliminary evaluation requires completion of the WRP Consistency Assessment Form (CAF), which contains a series of questions designed to screen out those policies that would have no bearing on a consistency determination for a proposed action (see **Appendix A**). The CAF lists the WRP policies and indicates whether the proposed project would promote or hinder that policy, or if that policy would not be applicable. For any policies which may be affected, this section provides additional information. As detailed in **Appendix A**, the Proposed Project would be consistent with WRP policies.

Conclusion

As described above, the Proposed Actions would result in the expansion of the existing restaurant that has been in continuous operation on Projected Development Site 1 since 2010. The Proposed Project would be consistent with the land use pattern in the study area, as it would not introduce any new land uses and would maintain the same land uses as in the existing conditions. The Proposed Project would bring the existing restaurant into conformance and be consistent with zoning in the surrounding area. Overall, the Proposed Project would allow the applicant to make productive use of Projected Development Site 1, return the site of a former vacant gas station to productive economic use, and allow a popular restaurant to better serve its patrons in the community. Therefore, the Proposed Project would not result in any significant adverse impacts to land use, zoning, or public policy.

3

Shadows

A shadow is defined in the *2020 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

According to the *CEQR Technical Manual*, a shadows assessment is required for proposed actions that would either result in new structures (or additions to existing structures) greater than 50 feet in height or result in any increase in structure height 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. 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.

The Proposed Action would not result in any increase in structure height over the No-Action condition in excess of 50 feet. In the No-Action condition, the existing conditions would persist; the existing building is 19 feet, 6 inches in height. In the With-Action condition, an

extension to the existing building would be constructed; the extension would be 30 feet in height. The Proposed Project is adjacent to a sunlight-sensitive resource, Alley Pond Park, which abuts the Project Area to the north and west. Therefore, a shadows assessment is warranted.

The following shadows assessment was initially conducted for the Proposed Project as part of a 2018 Environmental Assessment Statement (EAS) that was prepared for the NYC Board of Standards and Appeals and updated in November 2021. It finds that Alley Pond Park is subject to shadow on three analysis days (May 6, June 21, and December 21). However, the shadow is of minimal duration and would not threaten the viability of vegetation, nor would it affect the public's use of the resource. Therefore, there would be no significant adverse impact from the Proposed Project with respect to shadows and no further analysis is warranted.

2.3 SHADOWS

The *CEQR Technical Manual* defines a shadow 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. An incremental shadow is the additional or new shadow that a building or other built structure resulting from a proposed project would cast on a sunlight-sensitive resource during the year. The sunlight-sensitive resources of concern are those resources that depend on sunlight or for which direct sunlight is necessary to maintain the resource's usability or architectural integrity, including public open space, architectural resources and natural resources. Shadows can have impacts on publicly accessible open spaces or natural features by adversely affecting their use and important landscaping and vegetation. In general, increases in shadow coverage make parks feel darker and colder, affecting the experience of park patrons. Shadows can also have impacts on historic resources whose features are sunlight-sensitive, such as stained-glass windows, by obscuring the features or details, which make the resources significant.

The duration and dimensions of Shadows are determined by the geographic location of the area from which the shadow is cast and the time of day and season. Shadows cast during the morning and evening, when the sun is low in the sky, are longer, while midday shadows are shorter in length. Shadows in winter, when the sun arcs low across the southern sky, are also longer throughout the day than at corresponding times in spring and fall seasons. In summer, the high arc of the sun casts shorter shadows than at any other time of year, and early and late shadows during the summer are cast towards the south than shadows cast in early and late winter months.

The *CEQR Technical Manual* states that a shadow assessment considers projects that result in new shadows long enough to reach a sunlight-sensitive resource. Therefore, a shadow assessment is warranted only if the project would either result in:

> (a) new structures (or additions to existing structures including the addition of rooftop mechanical equipment) of 50 feet or more; or, (b) be located adjacent to, or across the street from, a sunlight-sensitive resource. However, a project located adjacent to or across the street from a sunlight-sensitive open space resource (which is not a designated New York City Landmark or listed on the State/National Registers of Historic Places, or eligible for these programs) may not require a detailed shadow assessment if the project's height increase is ten feet or less.

The sunlight-sensitive resources of concern are those resources that depend on sunlight or for which direct sunlight is necessary to maintain the resource's usability or architectural integrity, including public open space, architectural resources and natural resources. In general, shadows on city streets and sidewalks or on other buildings are not considered significant. Some open spaces also contain facilities that are not sensitive to sunlight. These are usually paved such as handball or basketball courts, contain no seating areas and no vegetation, no unusual or historic plantings, or contain only unusual or historic plantings that are shade tolerant. These types of facilities do not need to be analyzed for shadow impacts. Additionally, it is generally not necessary to assess resources located to the south of projected development sites, as shadows cast by the

action-generated development would not be cast in the direction of these resources. Furthermore, shadows occurring within one and one-half hour of sunrise or sunset generally are not considered significant in accordance with the *CEQR Technical Manual*.

The Proposed Action would introduce a 31'-8" tall building, that has a maximum height of 39'-10" at top of elevator/stair bulkhead near the center of the its Northern Blvd. facing façade and in the rear facing south (these locations are delineated by boxes shown on Figure 2.3-2: Tier 1 Shadow Assessment. Although the building is less than 50 feet tall, as the proposed building is proximate to sunlight sensitive resources, a shadow assessment must be performed.

2.3.1 Preliminary Shadow Screening Assessment

The shadow assessment begins with a preliminary screening assessment to ascertain whether a project's shadow may reach any sunlight-sensitive resources at any time of the year. If the screening assessment does not eliminate this possibility, a detailed shadow analysis may be warranted to determine the extent and duration of the net incremental shadow resulting from the project. The effects of shadows on a sunlight-sensitive resource are site-specific; therefore, as directed in the *CEQR Technical Manual*, the screening assessment was performed for the relevant project site to determine whether it falls within the range of maximum possible shadow cast on potential sunlight sensitive resources as described above.

To determine this, a Tier 1 Screening Assessment was performed in accordance with the *CEQR Technical Manual*:

1. A base map was developed that illustrates the proposed site location in relationship to any sunlight-sensitive resources.
2. The longest shadow study area was then determined, which encompasses the site of the proposed project and a perimeter around the site's boundary with a radius equal to the longest shadow that could be cast by the proposed structure, which is 4.3 times the height of the structure that occurs on December 21st, the winter solstice.

A base map as shown in **Figure 2.3-1** was prepared which identifies the sunlight sensitive resources within the surrounding area. The map identifies the location Alley Pond Park and the boundary of tidal wetlands associated with Little Neck Bay. As indicated below in **Figure 2.3-1: *Sunlight Sensitive Resources***, the proposed building is approximately 150 feet from the delineated Tidal Wetland directly adjacent to non-recreational areas of Alley Pond Park open space.

To assess whether the Proposed Development could impact any sunlight-sensitive resources within the two Green Streets, Belt Parkway/Shore Parkway, or Homecrest Playground, a Tier 1 Shadow Analysis was performed (**Figure 2.3-2**). A buffer map was prepared to display the maximum possible shadow from various elements of the Proposed Development, to account for the overall height of the building at roof top with parapet (31-8"') and at the two bulk head locations at the front and rear of the building for vertical circulation (approximately 40' at each location. As

shown in Figure, 2.2-3 the multiple massing heights of the proposed addition were multiplied by 4.3 (the CEQR Technical Manual multiplier representing the maximum shadow cast from any object as being 4.3 times its height) to determine the maximum shadow that could be cast. As shown below in Figure **2.2-2**, the maximum possible shadow from the Proposed Development would cast over small portions of Alley Pond Park to the north, southeast and southwest but would not reach the wetland associated with Little Neck Bay. Pursuant to CEQR methodology, a Tier 2 Shadow Analysis is required.

Figure 2.3-1: Sunlight Sensitive Resources Basemap



Figure 2.3-2: Tier 1 Shadow Assessment



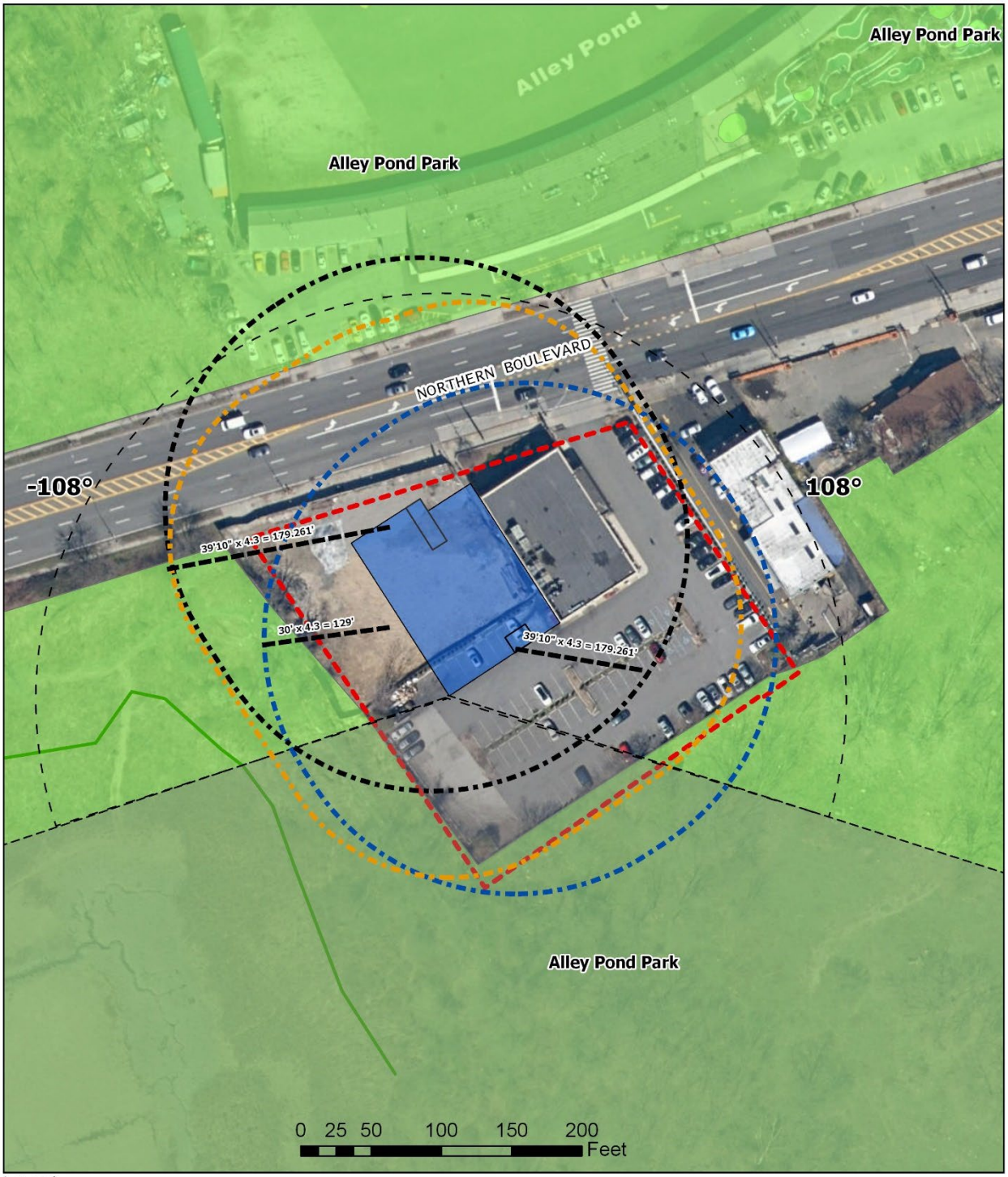
2.3.3 Tier 2 Screening Assessment

The *CEQR Technical Manual* states that if any portion of a sunlight-sensitive resource lies within the longest shadow study area, a Tier 2 screening assessment should be performed. Because of the path the sun travels across the sky in the northern hemisphere, no shadow can be cast in a triangular area south of any given project site. In New York City, this area lies between -108 and +108 degrees from true north. For a Tier 2 screening assessment, sunlight-sensitive resources within the triangular area cannot be shaded by new development sites and are screened out. The complementing portion to the north within the longest shadow study area is the area that can be shaded by the proposed project.

As shown in **Figure 2.3-3** below, the Tier 2 screening assessment showed that one open space resource, Alley Pond Park – (Open Space Resource 1) to the north across from Northern Blvd, and to the southwest and southeast of the project site under the Tier 1 analysis, can still be reached by a potential shadow from the Proposed Development outside the triangular area where no shadow can be cast.

Open Space Resource 1: Alley Pond Park is a large public park comprising 655 acres and is considered a Special Natural Waterfront Area (SNWA) and the Recognized Ecological Complex (REC) per CEQR. The Park itself is ecologically and recreationally diverse. The areas of Alley Pond Park that are reached by Shadow include two passive open space areas, directly adjacent to the site to the south and west that are not particularly publicly accessible and the Alley Pond Golf Center to the North – which is almost all asphalt parking lot directly adjacent to Northern Blvd – across the street from the proposed expansion at the Applicant Site.

Figure 2.3-3: Tier 2 Shadow Assessment



2.3.4 Tier 3 Screening Assessment

The *CEQR Technical Manual* states that a detailed shadow analysis is warranted when the screening analyses does not rule out the possibility that project-generated shadows would reach any sunlight-sensitive resources. The purpose of the detailed analysis is to determine the extent and duration of new incremental shadows that fall on a sunlight-sensitive resource as a result of the proposed project. The results of the detailed shadow analyses on the identified resources of concern are summarized in **Table 2.3-1** and visualized in **Figures 2.3-4 – 2.3-10**.

Table 2.3-1 Detailed Shadow Analysis Summary

Analysis Date	December 21	March 21	May 6	June 21
Analysis Period	**8:51 a.m. – 2:53 p.m.**	**7:36 a.m. – 4:29 p.m.**	**6:27 a.m. – 5:18 p.m.**	**5:57 a.m. – 6:01 p.m.**
Open Space Resource 1: Alley Pond Park				
Shadows Enter/ Exit Time	8:51 a.m. – 9:42 a.m.		6:27 a.m. – 7:04 a.m.	5:57 a.m. - 7:01 a.m.
Shadow Duration	51 min		37 min	1 h 4 min

Note: Daylight Saving Time not used/applied (per CEQR)

Sensitive Receptor Detailed Shadow Analysis

Alley Pond Park (Resource 1) is Alley Pond Park is a large public park comprising 655 acres and is considered a Special Natural Waterfront Area (SNWA) and the Recognized Ecological Complex (REC) per CEQR. The Park itself is ecologically and recreationally diverse. The areas of Alley Pond Park that are reached by Shadow include passive open space areas, directly adjacent to the site to the west that are not publicly accessible and the Alley Pond Golf Center to the North – which is almost all asphalt parking lot directly adjacent to Northern Blvd – across the street from the proposed expansion at the Applicant Site. The shadow increments throughout each analysis day are shown below in **Figure 2.3-4** through **Figure 2.3-6**. Shadows only reach Resource 1 on May, June and December periods. The following is an assessment of project-generated shadows on Alley Pond Park for each of the representative analysis dates:

On May 6th, the project-generated shadow from the proposed expansion to Resource 1 enters at 6:27 a.m. and exits at 7:04 a.m. a duration of only 37 minutes as Shown in **Figure 2.3-4.**

On June 21st, the project-generated shadow from proposed expansion to Resource 1 enters at 5:57 a.m. and exits at 7:01 a.m. a duration of only 1 hour and 4 minutes as Shown in **Figure 2.3-5.**

On December 21st, the project-generated shadow from proposed expansion to Resource 1 enters at 8:51 a.m. and exits at 9:42 a.m. a duration of only 51 minutes as Shown as shown in **Figure 2.3-6.**

Figure 2.3-4: Tier 3 Shadow Assessment: December



Figure 2.3-5: Tier 3 Shadow Assessment: March September

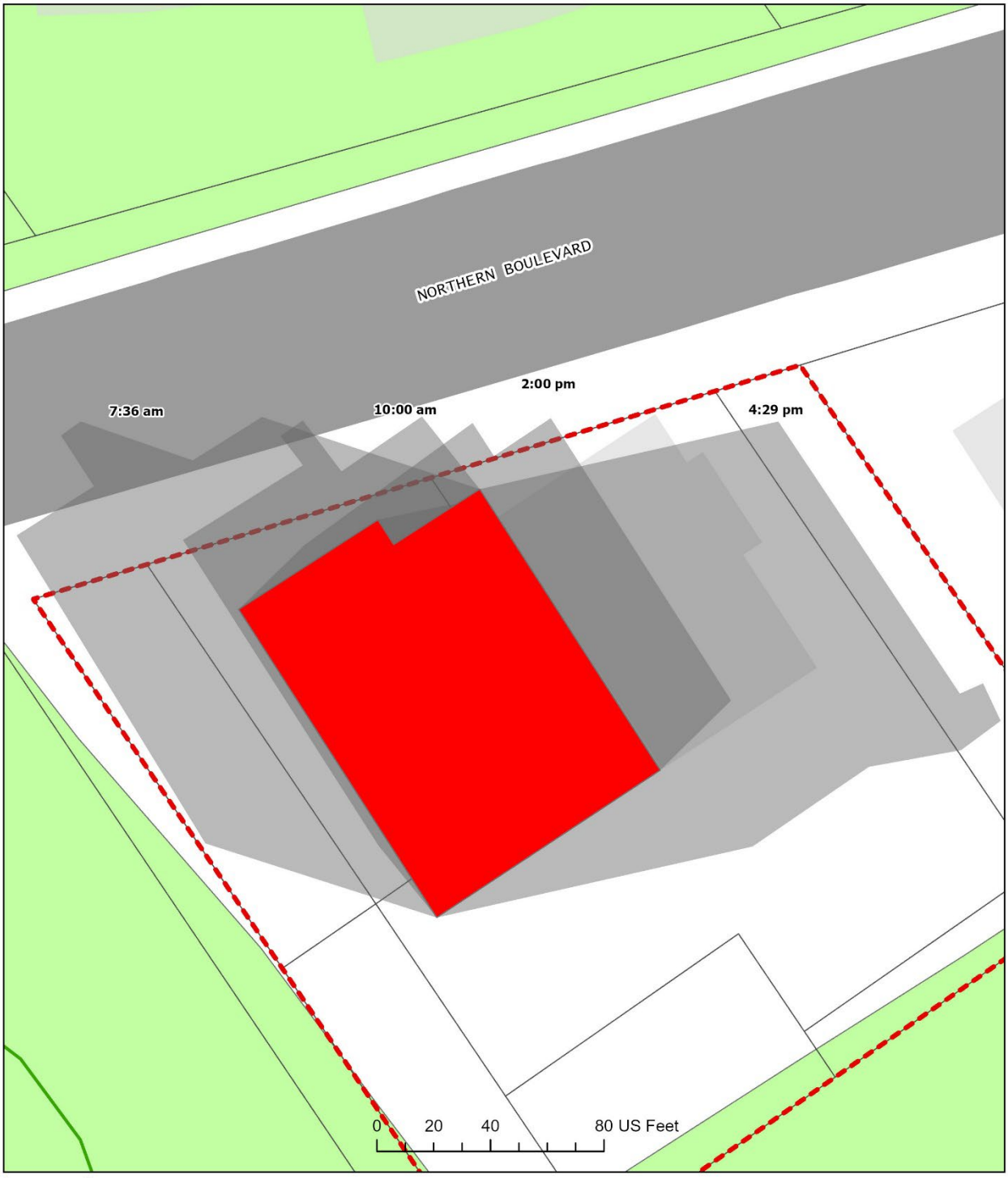


Figure 2.3-6: Tier 3 Shadow Assessment: May August

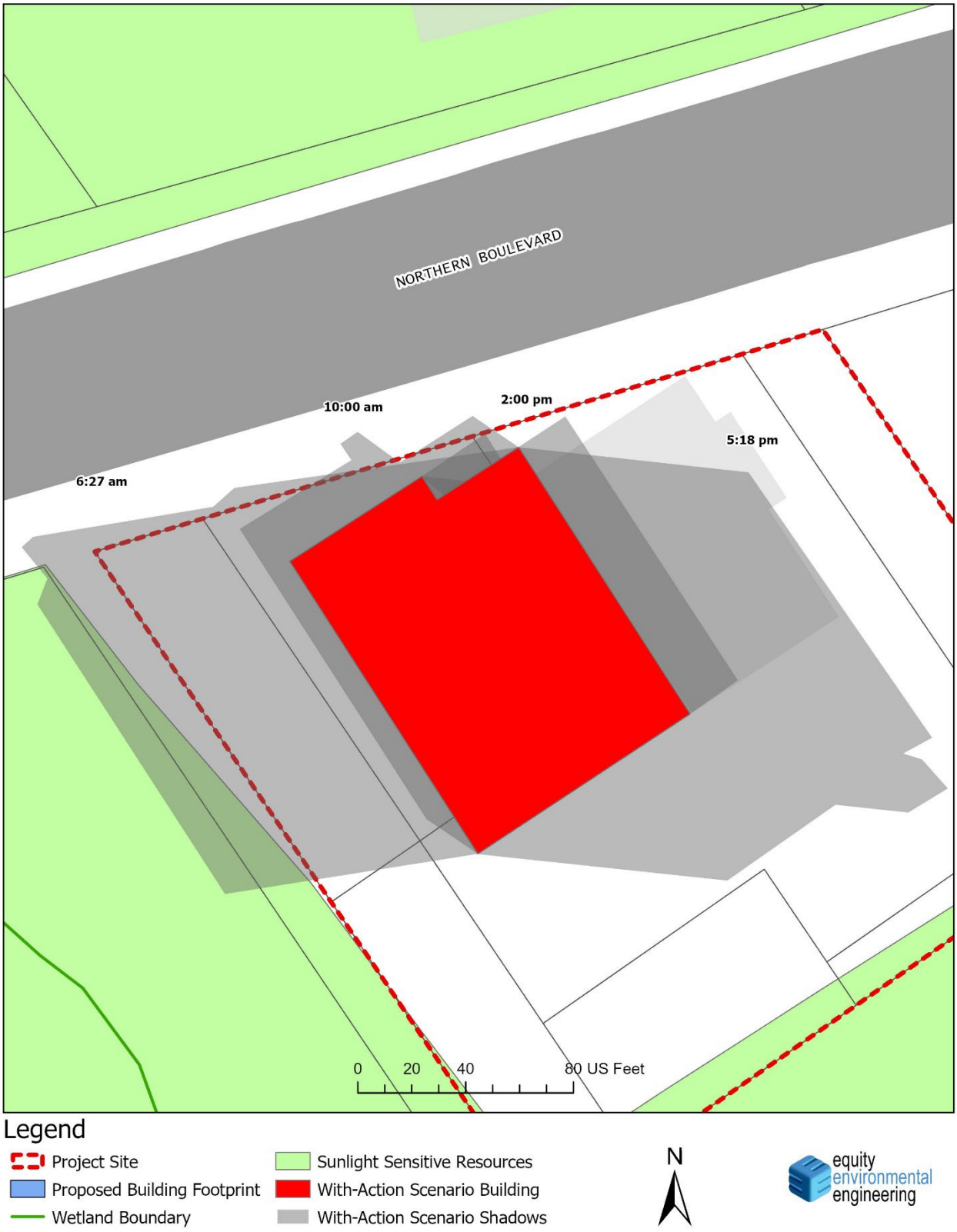
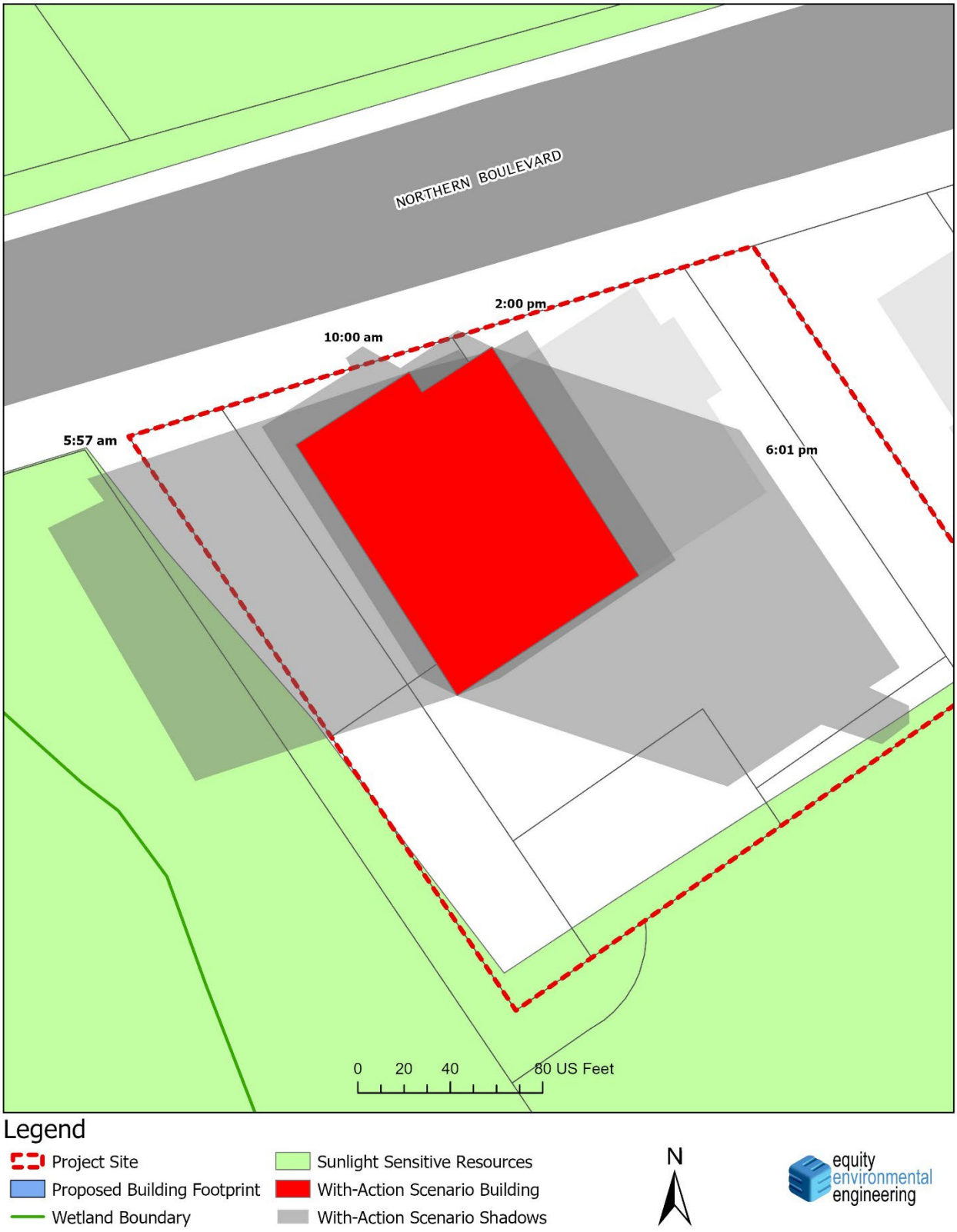


Figure 2.3-5: Tier 3 Shadow Assessment: June



Determination of Shadow Impact Significance

The *CEQR Technical Manual* states that the determination of significance of shadow on a sunlight-sensitive resource is based on: (1) the information resulting from the detailed shadow analysis describing the extent and duration of incremental shadows; and (2) an analysis of the resource's sensitivity to reduced sunlight. The goal of the assessment is to determine whether the effects of incremental shadows on a sunlight-sensitive resource are significant under CEQR. A shadow impact occurs when the incremental shadow from a proposed project falls on a sunlight-sensitive resource or feature and reduces its direct sunlight exposure. Determining whether this impact is significant or not, under CEQR, depends on the extent and duration of the incremental shadow and the specific context in which the impact occurs.

For open space and natural resources, the uses and features of a resource is an indicator of its sensitivity to shadows. Shadows occurring during the cold-weather months generally do not affect the growing season of outdoor vegetation; however, their effects on other uses and activities should be assessed. This sensitivity is assessed for warm-weather-dependent features (such as wading pools and sand boxes) or vegetation that could be affected by a loss of sunlight during the growing season, and for features (such as benches) that could be affected by a loss of winter 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 often a minimum requirement. Where the incremental shadows from the project fall on sunlight-sensitive features or uses, the analysis assesses the loss of sunlight relative to sunlight that would be available without the project.

As stated in the *CEQR Technical Manual*, to determine impact significance, 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 sunlight-sensitive feature of the resource is already subject to substandard sunlight (i.e., less than minimum time necessary for its survival).

Open Space Utilization - A substantial reduction in the usability of open space as a result of increased shadow.

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.

Sensitive Resource Impact Assessment

Alley Pond Park

This resource is composed of passive open space to the south and west of the Project Site and composed of an accessory parking lot to a golf center to the north and passive park space. The Park is only subject to shadows on three of the study dates, May 6th, June 21st, and December

21st – all at first light in the morning. As the amount of shadow cast on these resources has minimal duration – all at approximately 1 hour or less during earliest light – this would not affect vegetation, the utilization of the recreational spaces or result in elimination of light from the resource - as such no significant impact would occur from the proposed action.

Conclusion

The portions of Alley Pond Park abutting the project site is a natural area that is not improved for public use. Further, the portion of Alley Pond Park to the North affected by shadow from the proposed development at the Project Site is a parking lot associated with the Alley Pond Golf Center and a small piece of adjacent passive wooded areas. Consequently, any incremental shadow would not affect recreational use or enjoyment of the area. According to the CEQR Technical Manual, a minimum of four to six hours of direct sunlight during the growing season is typically required for healthy vegetation. Because of the project site's location north and east of Alley Pond Park, it would only cast shadows on the park during early morning periods. There are no other buildings nearby that cast shadows on the portion of Alley Pond Park that could be affected by shadows associated with the proposed restaurant enlargement. Therefore, any area of the park affected by project-generated shadows would be in sunshine for much of the day and would receive adequate sunlight to support vegetation growth. Based on this, a detailed shadow analysis is not warranted and no further assessment is required.

4

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

This section considers the potential for the Proposed Project to result in significant adverse urban design and visual resources impacts. As defined in the *2020 City Environmental Quality Review (CEQR) Technical Manual*, urban design is the totality of components that may affect a pedestrian's experience of public space. 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.

Based on the *CEQR Technical Manual*, a preliminary assessment of urban design and visual resources is appropriate when there is the potential for a pedestrian to observe, from street level, a physical alteration beyond that allowed by existing zoning. As described in **Part I: Project Description**, the applicant is seeking a zoning map amendment to rezone the Project Area from a R1-2 zoning district to a R1-2 zoning district with a C2-2 commercial overlay (the Proposed Action). Because the Proposed Action would result in an increase in the allowable FAR on Projected Development Site 1, an assessment of urban design and visual resources is warranted.

As defined by the *CEQR Technical Manual*, there is one visual resource within the 400-foot radius of the Project Area: Alley Pond Park, a public park. Therefore, a preliminary assessment of visual resources is also warranted.

Methodology

In accordance with the *CEQR Technical Manual* guidelines, the following preliminary urban design assessment considers a 400-foot study area where the Proposed Action 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, if known, is included in a preliminary assessment:

- A concise narrative of the existing study 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 Site with immediate context;
- Zoning and floor area calculations of the existing and future No-Action and With-Action conditions;
- Building massing and building heights; and
- A three-dimensional representation of the future With-Action and No-Action condition streetscape.

If the preliminary assessment determines that a change to the pedestrian experience is minimal and unlikely to disturb the vitality, walkability, or visual character of the study area, then no further assessment is necessary. However, if it shows that changes to the pedestrian environment 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, 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 Action would alter the pedestrian experience.

Study Area

The urban design and visual resources study area is typically defined as the area within 400 feet of the Project Area. For this project, the study area is generally bounded by Alameda Avenue to the east and Alley Pond Park to the north, west, and south (see **Figure 4-1**). This is the area where the Proposed Action would be most likely to have effects in terms of urban design and visual resources. A field survey was conducted on April 7, 2020 to document existing conditions in the study area. Representative photos of the study area are included in the discussion below.

Preliminary Assessment

Existing Conditions

Development Site and Project Area

Projected Development Site 1 consists of Block 8164, Lots 15, 22, 30, 43, 122, 130 and 230. Lots 15, 30, 43, 130 and 230 are currently improved with a one-story and cellar building. The building is approximately 13,901 gsf and measures 19 feet, six inches in height. It is occupied by Mizumi restaurant, which is operated by the applicant. The existing building is set back from the lot line. It is oriented tangent to the sidewalk with a landscaped area providing a buffer between the building and the sidewalk. Building entrances are located on the eastern side of the building.

Projected Development Site 1 also contains Lots 22 and 122, which were previously occupied by a gas station and are now vacant; construction fencing around these lots separates them from the sidewalk. See **EAS Figures** for photographs of Projected Development Site 1 and Project Area.

The Project Area includes Projected Development Site 1 as well as Block 8165, Lots 23 and 25 and Block 8166, Lots 20 and 25 in the Douglaston neighborhood of Queens Community District 11. It is located along the south side of Northern Boulevard just west of 234th Street. The Project Area abuts an undeveloped portion of Alley Pond Park to the south and west. Lots within the Project Area that are not within Projected Development Site 1 are primarily characterized by one-story buildings used for automotive-related uses. Block 8165, Lot 23 is improved with a car wash facility and Block 8166, Lots 20 and 25 are improved with two automotive repair shops. Block 8165, Lot 25, is improved with a single-story wood and brick house of worship that is currently vacant.

Study Area

Study area photographs are included in **Photo 4-1** through **Photo 4-12** below. All of the photos for this assessment were taken on April 7, 2020.

Figure 4-1 Study Area Photograph Location Map



Urban Design

The study area is divided by Northern Boulevard, which runs east-west and connects the study area to surrounding neighborhoods in Queens and Nassau County. The portion of this roadway within the study area is gently sloped with a higher elevation at the eastern portion of the study area. Northern Boulevard is a four-lane, two-way road with a two-way bike path on the northern side of the street. The bike path is separated from the road by concrete dividers and plastic bollards (see **Photo 4-1**). On-street parking is not available on this section of Northern Boulevard. There is a pedestrian cross walk and traffic signal adjacent to Projected Development Site 1 as well as at the eastern boundary of the study area at the intersection of Alameda Avenue and Northern Boulevard (see **Photo 4-2**). The sidewalks along Northern Boulevard are wide and generally in good condition with few cracks, bumps, or impediments.

Much of the study area is characterized by one-story commercial buildings with accessory parking, which generally results in large areas of pavement adjacent to sidewalks and the street. Commercial properties are primarily geared toward automotive uses, including a car wash, car dealership, and auto repair shops (see **Photo 4-3** and **Photo 4-4**). The Alley Pond Golf Center, a recreational facility located across the street from Projected Development Site 1, is a prominent building within the study area given its length along the roadway and large accessory parking lot (see **Photo 4-5**). The building is set back from the road and a landscaped strip provides a visual buffer between the road and the parking area.

Hanford Street presents a different urban design character than the remainder of the study area. Hanford Street is a one-way, single-lane residential street in the southeastern portion of the study area. On-street parking is available and the sidewalk only runs along the eastern side of the street; it is narrow and, at times, impeded by overgrown shrubs and utility poles (see **Photo 4-6**). Detached single-family houses in this portion of the study area are primarily pre-war with exteriors of brick and stucco. The buildings are set back from the street, and generally tend to be spacious residences with driveways and no garages. A two-story, brick multi-family residence sits slightly elevated along Hanford Street with stairs and a ramp leading to the entrance (see **Photo 4-7** to **Photo 4-10**).

There are two areas within the study area that are used for recreation, the Alley Pond Golf Center and Alley Pond Park, which are discussed in more detail below. Alley Pond Park is densely vegetated, particularly in the western and northern portions of the study area.

Visual Resources

The only visual resource in the study area is Alley Pond Park. Alley Pond Park is located to the north, south, and west of the Project Area, and therefore is a prominent visual feature of the study area. It is composed of forests and wetlands with a few recreational earthen paths and is visible at the western edge of the study area as well as along the northern side of Northern Boulevard (see **Photo 4-11**). The park has an informal entrance at the end of 234th Street that is obscured from view by vehicles that park along the street end (see **Photo 4-12**). Portions of Alley Pond Park are visible both to and from Projected Development Site 1.

Photo 4-1 Northern Boulevard protected bike path



Photo 4-2 Pedestrian crossing at Alameda Avenue



Photo 4-3 Car dealership on Northern Boulevard



Photo 4-4 Automotive uses along Northern Boulevard



Photo 4-5 Aley Pond Golf Center and landscaped Strip



Photo 4-6 Hanford Street looking north



Photo 4-7 Single-family residence on Hanford Street (1)



Photo 4-8 Single-family residence on Hanford Street (2)



Photo 4-9 Single-family residence on Hanford Street (3)



Photo 4-10 Multi-family building on Hanford Street



Photo 4-11 Looking east along Northern Boulevard



Photo 4-12 Entrance to Alley Pond Park on 234th Street



No-Action Condition

As described in **Part I: Project Description**, absent the Proposed Action (the future No-Action condition), the Project Area would remain mapped with a R1-2 zoning district. The existing conditions at Projected Development Site 1 would persist and the applicant would continue to operate the existing 13,901-gsf restaurant, as they have since 2010. The existing urban design and visual conditions would also continue to persist at the other properties within the Project Area.

There are no new planned developments within the 400-foot study area that are expected to be completed by the analysis year.

With-Action Condition

Development Site and Project Area

As described in **Part I: Project Description**, in the future With-Action condition, Projected Development Site 1 would be rezoned to R1-2 with a C2-2 commercial overlay. The Proposed Action would enable the applicant to construct a 15,834-gsf enlargement of the existing 13,901-gsf restaurant, which would bring the building to a total of approximately 29,735-gsf, including a new second floor. The building would have a maximum height of 30 feet. Pursuant to Appendix G of the New York City Building Code, commercial uses at Projected Development Site 1 would be elevated to a design flood elevation (DFE) of 14 feet.

The Proposed Project would be set back from the lot line to allow space for planned landscaped areas. It would include a 143-space surface parking lot, which would be accessed by two curb cuts on Northern Boulevard. The eastern most driveway is signal controlled and the western most driveway would operate as right-in/right-out only.

It is expected that the other lots within the Project Area outside of Projected Development Site 1 would remain in their existing conditions. Refer to **Figure 4-2**, **Figure 4-3**, and **Figure 4-4** for a visualization of the future No-Action and With-Action conditions.

Urban Design

The Proposed Project would be consistent with the existing urban design character of the study area. The Proposed Action would facilitate redevelopment of two vacant lots on Projected Development Site 1 with a new, modern addition to the existing restaurant building. The Proposed Project includes construction of a second story, as shown in **Figure 4-2**, which would be consistent with the character and scale of the existing building and remainder of the Project Area.

The With-Action condition would also improve the pedestrian experience as compared with the No-Action condition. The Proposed Action would facilitate the redevelopment of vacant lots on Projected Development Site 1, currently fenced from the sidewalk, with an active use. As described above, the Proposed Project would be set back from the lot line to allow space for planned landscaped areas, which would provide a visual buffer between pedestrians and the new structure. The new structure would complement the Golf Center across the street with a similar wood paneled façade. Therefore, the Proposed Action would not result in any adverse impacts to the urban design character of the study area.

Visual Resources

As mentioned above, Alley Pond Park is primarily composed of wetlands, meadows, and forested areas with a few recreational earthen paths. There are no prominent features in Alley Pond Park that can be seen from Projected Development Site 1 or the Project Area, as dense tree cover buffers the majority of the park from the roadway. Because the Proposed Project would incorporate an addition to an existing building, visual conditions in and around the park are not anticipated to change as a result of the Proposed Action. Therefore, no significant impacts to this visual resource are anticipated.

Figure 4-2 Building Massings: View from Northern Boulevard

No-Action Condition



With-Action Condition



For illustrative purposes

Figure 4-3 Massing Diagram (Northeast View)

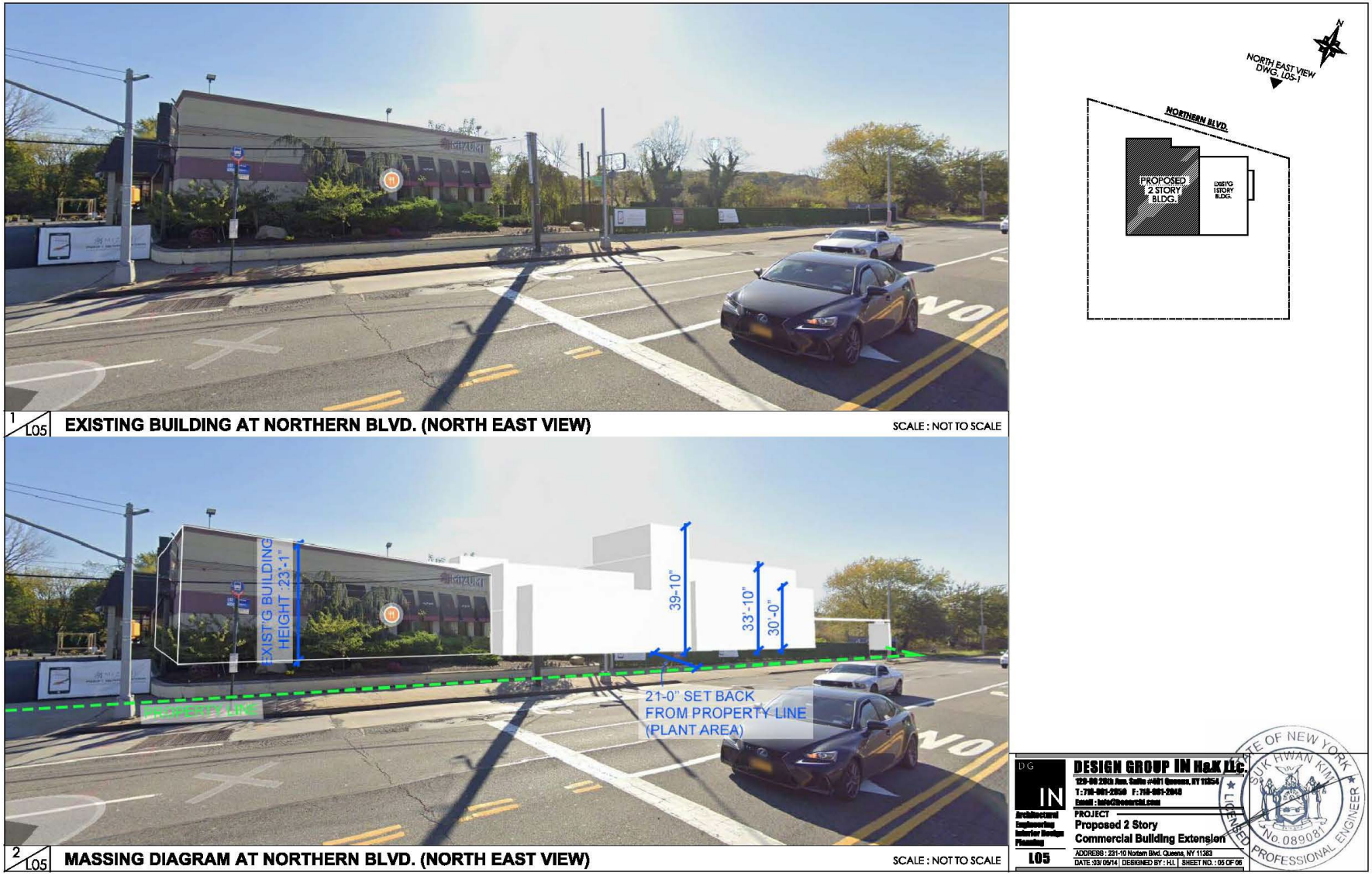
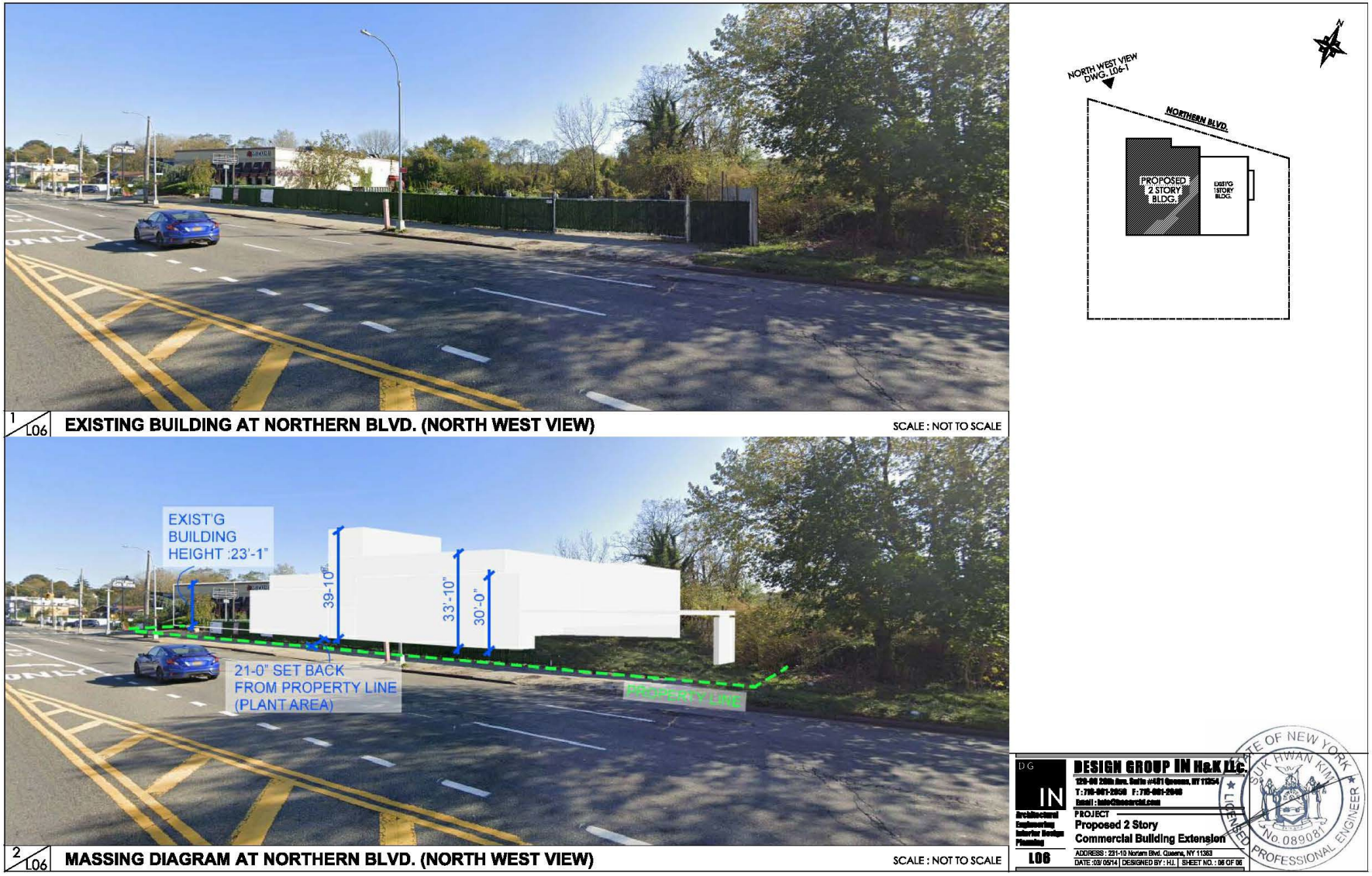


Figure 4-4 Massing Diagram (Northwest View)



Conclusion

The With-Action condition would be compatible with the urban design character of the study area and would be consistent with the surrounding building form and streetscape. The Proposed Project would improve two vacant lots with a new, modern building addition, bringing renewed vibrancy to Projected Development Site 1 and elevating visual conditions with the inclusion of a planned landscaped area along the sidewalk. No significant impacts to the nearby visual resource, Alley Pond Park, are anticipated.

Based on the above analysis, the Proposed Action would not result in a significant adverse impact on urban design or visual resources, and no further analysis is necessary.

5

Hazardous Materials

This section assesses whether the Proposed Project 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, methane, polychlorinated biphenyls (PCBs), 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.

As indicated in the *CEQR Technical Manual*, the hazardous materials (E) designation is an institutional control that may be placed on a site to establish a hazardous materials review and approval framework. It provides a mechanism to ensure that testing for and remediation of hazardous materials, if necessary, are completed prior to future development of an affected site, thereby eliminating the potential for a hazardous materials impact. (E)

designated parcels are administered under the authority of the New York City Mayor's Office of Environmental Remediation (OER).

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 Proposed Project.

Methodology

The potential for hazardous materials was evaluated based on the following documents:

- Phase I Environmental Site Assessment (ESA), dated April 11, 2018, prepared by Advanced Cleanup Technologies, Inc. (ACT);
- Phase II ESA, dated December 2018, prepared by ACT; and
- Phase I ESA, dated October 16, 2020, prepared by ACT

As indicated in **Part I: Project Description**, the Proposed Action would facilitate the development of a two-story, approximately 15,834-square foot enlargement of an existing 13,901-gross square foot restaurant (the Proposed Project) located on Queens Block 8164, Lots 15, 22, 30, 43, 122, 130, and 230 (Projected Development Site 1).

Preliminary Assessment

Existing Conditions

As indicated in **Part I: Project Description**, and detailed above, Projected Development Site 1 is located at 231-06 to 231-12 Northern Boulevard. Projected Development Site 1 consists of a one-story commercial building, paved parking lot, and a fenced-in vacant lot (formerly a gasoline service station). The commercial building is occupied by a restaurant and has a full basement and crawlspace. The Project Area consists of Projected Development Site 1 as well as Block 8165, Lots 23 and 25 and Block 8166, Lots 20 and 25. The Project Area is situated along the south side of Northern Boulevard, north of the Long Island Expressway, west of Douglaston Parkway, and east of the Cross Island Parkway. The Project Area abuts an undeveloped portion of Alley Pond Park to its south and west. A golf driving range within Alley Pond Park is located to the north of the site, across Northern Boulevard.

Phase I Environmental Site Assessment (2018)

A Phase I ESA was prepared for Lots 22 and 122 of Projected Development Site 1 by ACT in April 2018 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 Phase I ESA was completed for a portion of Projected Development Site 1 that had previously been improved with a gasoline service station and is now vacant (the "subject

property"), and included analyses as specified in the ASTM Method E1527-13. The goal of the 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, ground water, or surface water of the property.

Per the current ASTM Standard, the Phase I ESA reviewed 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 also included reconnaissance of the subject property and surrounding neighborhood.

As stated in the current ASTM Practice E1527-13, there may be environmental issues or conditions at the Project Site, which may be requested by the user to be addressed as part of the Phase I ESA, which are not covered within the scope of ASTM Practice E1527-13. These issues are referred to as "non-scope considerations" and include evaluations relating to asbestos, lead-based paint, mold, etc. Of these added considerations, only radon was evaluated as part of the Phase I ESA.

Based upon the information provided in the 2018 Phase I ESA, the following findings were identified:

› The topography of the area has a slight downward slope to the northwest. The vicinity of the site is approximately 3 feet above mean sea level. The subject property is located in a commercial area and adjoins wetlands of Little Neck Bay. The immediate vicinity of the subject property contains commercial; buildings and wetlands. The nearest surface body of water is Alley Creek, located 500 feet to the west and Little Neck Bay located several hundred feet to the north.

› At the time of the assessment, the subject property (Lots 22 and 122) was improved with a one-story gasoline service station.

The assessment identified the following two RECs in connection with the subject property:

› As of the date of preparation, an open New York State Department of Environmental Conservation (NYSDEC) Spill No. 12-07331 existed at the site, relating to soil contamination discovered during tank removal activities.

› A review of current (as of 2018) and historical uses of the subject property; including an extensive history of gasoline storage and service station usage and an active gasoline spill, indicates that a vapor encroachment condition may exist at the subject property.

The following historical recognized environmental condition (HREC) was identified at the subject property:

› Closed NYSDEC Spill Nos. 98-09894 and 05-11622, relating to a small amount of petroleum product discovered in a manhole; and a gasoline spill caused by equipment failure, respectively.

The 2018 Phase I ESA references several previous environmental investigations, as detailed below:

› On June 14, 2012, ACT personnel collected groundwater samples from three existing onsite monitoring wells. Concentrations of gasoline constituents ranged from 5.5

micrograms per liter (ug/L) in a monitoring well west of existing underground storage tanks to 142 ug/L in the monitoring well adjacent to the gas station pump islands.

- On August 16, 2012, ACT prepared a Phase I ESA for the subject property. The Phase I ESA concluded that there were no RECs associated with the site. The Phase I also concluded that there was one HREC relating to closed NYSDEC Spill No. 98-09894 and that residual impacted soil identified during closure of petroleum storage facilities should be properly removed and disposed of.
- On November 28, 2012, Sovereign Consulting, Inc. (Sovereign) produced a report entitled "Tank Excavation Assessment Report and Closure Report." The report provided details of underground storage tank (UST) closures, soil excavation and disposal and indicated that three 4,000-gallon gasoline USTs and eight 550-gallon gasoline USTs were removed from the site along with 309.35 tons of impacted soil. The report also requested closure of the active spill number 12-07331.
- On July 26, 2013, Sovereign produced an update report, which described the results of a groundwater sampling event conducted on July 17, 2013. A slight increase in dissolved gasoline constituents was noted. On August 22, 2013, the NYSDEC issued a letter requesting the installation and sampling of two additional monitoring wells. In accordance with NYSDEC instructions, two new monitoring wells were installed and sampled. Additional impacted soil was also excavated and disposed off-site.
- A September 14, 2016 Spill Closure Report prepared by ACT summarized the investigations and remedial activities to date, including the excavation and removal of an additional 62.53 tons of impacted soil, collection and analysis of five endpoint soil samples and the performance of two groundwater monitoring events. The report recommended closure of the active spill in light of these additional remedial activities.
- A March 22, 2017 letter from the NYSDEC requested an additional round of groundwater sampling. On April 7, 2017, ACT performed the additional groundwater sampling and summarized the results in a Groundwater Monitoring Report dated May 12, 2017. The report was transmitted to the NYSDEC, which acknowledged improving trends in groundwater quality. However, the spill number was kept active pending the property's redevelopment.

Phase II Environmental Site Assessment (2018)

Based upon the results of the Phase I ESA, ACT conducted an updated Phase II ESA at the subject property (Lots 22 and 122) to investigate and/or address the previously identified RECs in the April 2018 Phase I ESA. The results of the investigation field activities were summarized in a Phase II ESA report dated December 2018.

To investigate the RECs, ACT and its subcontractors conducted a site inspection to identify updated site conditions and physical obstructions; performed a geophysical survey over accessible areas of the site; installed eight (8) soil borings and collected 16 soil samples for laboratory analysis; installed four (4) groundwater monitoring wells to establish groundwater flow direction and collected four (4) groundwater samples for laboratory analysis; and installed five (5) soil vapor probes and collected five (5) samples for analysis. Based upon the field work conducted, the following findings, conclusions, and recommendations were provided:

- Soil beneath the subject property consists of marine sediment containing discontinuous layers of silt and clay beneath topsoil, construction debris and medium to coarse sand and gravel;
- Unsaturated soil exceeding NY Part 375 Unrestricted Use Soil Cleanup Objectives (UUSCOs), Restricted Use SCOs, and Commercial Use SCOs was identified beneath the subject property.
- Groundwater is present at approximately 6-feet below grade surface (ft bgs) and flows to the west towards Alley Creek;
- Groundwater is primarily impacted by non-chlorinated VOCs and SVOCs above water quality standards that are likely associated with historical onsite gasoline station uses. However, trichloroethene detected in groundwater along Northern Boulevard beneath the northwest corner of the subject property is likely the result of an upgradient source;
- Trichloroethene was the only VOC detected in soil vapor above NYSDOH guidelines. It's presence at a relatively low level in only one of 5 soil vapor samples indicates that it is not an area-wide concern.
- At the time, the subject property was under consideration for redevelopment and the Phase II ESA indicated future redevelopment would include engineering controls, including a composite cover and waterproofing system. The removal of impacted soil along with the above engineering controls would provide protection to public health and the environment.
- ACT requested closure of NYSDEC Spill No. 12-07331 in light of the proposed redevelopment and mitigative measures.

Phase I Environmental Site Assessment (2020)

A updated Phase I ESA was prepared for Projected Development Site 1 (Lots 15, 22, 30, 43, 122, 130, and 230) by ACT in October 2020 in accordance with ASTM Practice E1527-13, inclusive of the "All Appropriate Inquiry" requirement amended in the Federal Register on December 30, 2013.

Based upon the information provided in the 2020 Phase I ESA, the following findings were identified:

- Projected Development Site 1 consists of a one-story commercial building, parking lot, and a fenced-in vacant lot formerly utilized as a gasoline service station. The commercial building is occupied by the Mizumi Restaurant and is improved with a full basement and crawlspace. The building is approximately 6,825 square feet (sf) in area and the property is approximately 69,445 sf.
- The subject property is located along the southern side of Northern Boulevard between 234th Street to the east and Cross Island Parkway to the west. Electric, water, and natural gas services enter the property underground from the north. The electric and water utility meters are located in the crawl space. Heat is supplied to the building by natural gas-fired heating, ventilation and air conditions (HVAC) equipment located on the roof. Hot water is supplied to the building by natural gas hot water tanks located in the basement. The natural gas meter was not identified at the time of the Phase I ESA site reconnaissance. The property is connected to the municipal sewer system.
- The subject property is listed as containing the following USTs:

- Three (3) 4,000-gallon gasoline USTs, removed on October 24, 2012;
- Eight (8) 550-gallon gasoline USTs, removed on October 24, 2012; and
- Three (3) 550-gallon gasoline USTs, removed on November 1, 1998.

› The subject property was developed between 1903 and 1934 when a one-story gasoline service station with three gasoline tanks was constructed. By 1982, the gasoline service station had been replaced with another one-story gasoline service station and a one-story commercial building was also constructed. The property remained substantially unchanged through 1988, as reported in the Phase I ESA. However, the subject property is currently vacant and all former gasoline station buildings were demolished.

The following REC was identified with respect to Projected Development Site 1:

› Contaminated soil, groundwater, and soil vapor addressed under open NYSDEC Spill No. 12-07331, which was opened upon discovery of petroleum-related soil contamination during the course of tank removal activities. The spill is currently being investigated and remediated with regulatory oversight provided by the NYSDEC.

The following HREC was identified at Projected Development Site 1:

› Closed NYSDEC Spill Nos. 98-09894 and 05-11622, relating to a small amount of petroleum product discovered in a manhole; and a gasoline spill caused by equipment failure, respectively.

Future No-Action Condition

In the No-Action condition, the Project Area would remain mapped with a R1-2 zoning district. The existing conditions at Projected Development Site 1 would persist and the applicant would continue to operate the existing 13,901-gsf restaurant, as they have since 2010. The existing conditions would also persist at the other properties within the Project Area.

The open NYSDEC Spill No. 12-07331 would still undergo investigation and remediation under the No-Action condition, but any potential additional contamination would remain in place and undiscovered. The lots that contained the former gasoline service station would not undergo additional investigation and remediation. No engineering controls or institutional controls would be implemented under a Remedial Action Plan.

Additionally, under the No-Action condition, no further assessment or remediation of hazardous materials would be conducted and an (E) designation for Hazardous Materials would not be applied to Projected Development Site 1.

Future With-Action Condition

In the Future With-Action condition, the applicant would construct a 15,834-sf enlargement of the existing restaurant, which would bring the building to a total of approximately 29,735 sf, including a new second floor. To avoid impacts from potential future flood events, the commercial uses at Projected Development Site 1 would be elevated to a design floor elevation of 14 feet. An additional 143 parking spaces would be provided at grade.

Under the Future With-Action condition, removal of impacted soil would also occur during redevelopment. Implementation of these measures would facilitate the closure of the active NYSDEC spill incident. In addition, to further preclude the potential for significant adverse

impacts related to hazardous materials, an (E) Designation (E-663) would be incorporated into the rezoning for the Project Site. The applicable (E) Designation text would be applied to Projected Development Site 1 (Block 8134, Lots 15, 22, 30, 43, 122, 130 and 230). With the placement of the (E) Designation, further hazardous materials assessments would be directed through New York City Mayor's Office of Environmental Remediation (OER). The (E) Designation process generally begins with preparation of a Phase I ESA to determine potential RECs and Areas of Concern (AOC) that may require additional investigation. Given the recent investigation and remedial action conducted on portions of Projected Development Site 1 under NYSDEC regulatory oversight, the (E) Designation process would likely utilize existing data to supplement any additional supplemental investigation that may be required by OER under the (E) Designation requirements for the remaining uninvestigated portions of Projected Development Site 1. The applicable text for the (E) Designation to be applied to Block 8164, Lots 15. 22, 30, 43, 122, 130 and 230 would be as follows:

Task 1: Sampling Protocol

Prior to construction, the applicant submits to OER, for review and approval, a Phase II Investigation protocol, including a description of methods and a site map with all sampling locations clearly and precisely represented.

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 excavation and construction activities to protect workers and the community from potentially significant adverse impacts associated with contaminated soil and/or groundwater. This plan would be submitted to OER for review and approval prior to implementation.

In addition to the above, regulatory requirements relating to ACM, LBP and PCB-containing building materials would be followed as part of standard demolition and site redevelopment practices.

Given these measures, the future With-Action condition would not result in any significant adverse impacts relating to hazardous materials.

Conclusion

Potential additional impacts relating to hazardous materials would be identified and investigated prior to subsurface disturbance as required by an (E) Designation for hazardous materials on Projected Development Site 1. Any potential supplemental investigation and remedial action that may be required would also be administered as part of the (E) Designation protocol under the regulatory oversight of OER.

In addition to the above, regulatory requirements pertaining to ACM, LBP, PCBs, and chemical use and storage would be followed where necessary.

With the implementation of these measures, no significant adverse impacts related to hazardous materials would result from the Proposed Actions.

6

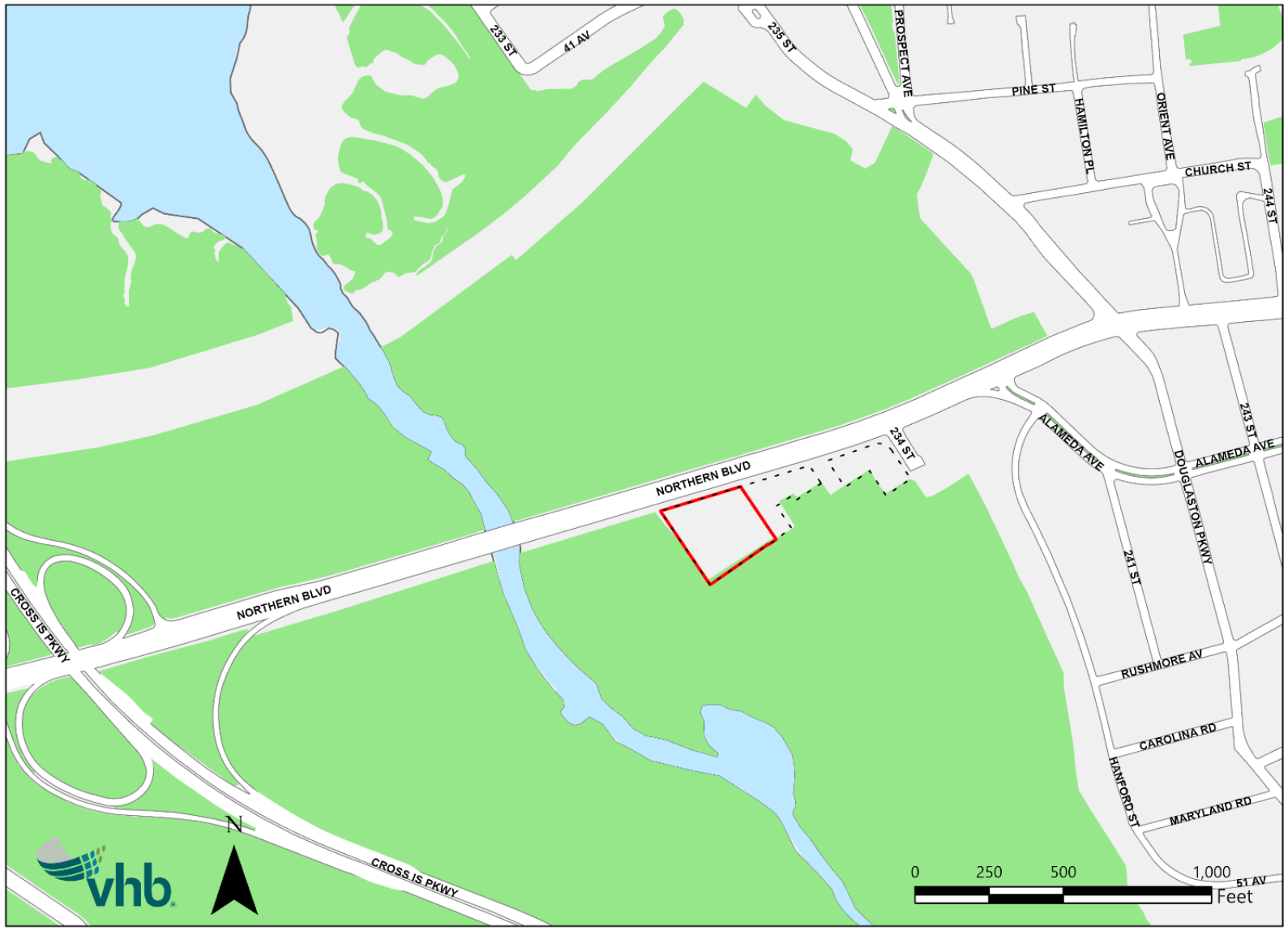
Transportation

The objective of the transportation analyses is to determine whether a Proposed Project may have a potential significant impact on traffic operations and mobility, public transportation facilities and services, pedestrian elements and flow, safety of all roadway users (pedestrians, cyclists, transit users and motorists), on- and off-street parking, or goods movement.

Introduction

The Proposed Project would consist of the expansion of the Mizumi restaurant located on Northern Boulevard in the Douglaston section of Queens, NY. The site is located between the Cross Island Parkway and 234th Street, across from the Alley Pond Golf Center. The Proposed Project would add 15,834 square feet (sf) of total restaurant space to the existing 7,076 sf restaurant onto the adjacent vacant lot immediately west of the site; the vacant lot was formerly the site of a gas and service station which has since been demolished. **Figure 6-1** shows the location of Projected Development Site 1.

Figure 6-1 Project Location



According to the *2020 CEQR Technical Manual* procedures for transportation analysis, a two-tiered screening process is undertaken to determine whether a quantified analysis is necessary. The first step, the Level 1 (Trip Generation) screening, determines whether the volume of peak hour person and vehicle trips generated by the Proposed Project would remain below the minimum thresholds further study. These thresholds are:

- 50 peak hour vehicle trip ends;
- 200 peak hour subway/rail or bus transit riders; and
- 200 peak hour pedestrian trips.

If the Proposed Project results in increments that would exceed any of these thresholds, a Level 2 (Trip Assignment) screening assessment is performed. Under this assessment, project-generated trips that exceed Level 1 thresholds are assigned to and from a development site through their respective networks (streets, bus and subway lines, sidewalks, etc.) based on expected origin-destination patters and travel routes. If Level 2 thresholds are exceeded, more detailed analyses are conducted.

Level 1 Screening Assessment (Trip Generation)

Travel Demand Factors

The travel demand factors used to calculate the projected number of trips were obtained from driveway surveys conducted at the Mizumi restaurant, which were reviewed and approved by the New York City Department of Transportation (NYCDOT), and from information for similar uses from previously certified New York City environmental impact studies such as the *Douglaston Parkway and Northern Boulevard Rezoning EAS (2018)*. **Table 6-1** provides the travel demand assumptions used for the weekday PM, Saturday midday, and Saturday PM peak hours.

Table 6-1 Travel Demand Characteristics

Rates	Weekday PM Peak Hour	Saturday Midday Peak Hour	Saturday PM Peak Hour
Daily Person Trip Gen Rate	96[1] per 1,000 sf	136[1] per 1,000 sf	
Temporal Distribution	13.0%[1]	10.1%[1]	14.6%[1]
Modal Split			
Auto	92%[2]	92%[2]	92%[2]
Taxi	7%[2]	7%[2]	7%[2]
Walk/Other	1%[2]	1%[2]	1%[2]
Vehicle Occupancy			
Auto	2.63[1]	2.28[1]	2.45[1]
Taxi	2.63[1]	2.28[1]	2.45[1]
Directional Split (In/Out)	51% / 49%[1]	50% / 50%[1]	51% / 49%[1]
Delivery Trip Gen Rate	3.6[3] per 1,000 sf	3.6[3] per 1,000 sf	
Temporal Distribution	1.0%[3]	0.0%[3]	0.0%[3]

Delivery trip directional distribution: 50% in / 50% out

Source:

[1] Driveway surveys conducted at the Mizumi restaurant in October 2018

[2] Assumptions based on local characteristics

[3] *Douglaston Parkway and Northern Boulevard Rezoning EAS (2018)*; assumed Saturday PM peak hour delivery temporal distribution similar to Saturday midday peak hour

Person trip generation rates, temporal and directional distributions, and vehicle occupancies for the proposed restaurant addition were developed from driveway surveys conducted at the Mizumi restaurant in October 2018, which were reviewed and approved by NYCDOT.

Daily trip generation rates of 96 and 136 trips per 1,000 sf were used for the weekday and Saturday, respectively. Temporal distributions of 13 percent, 10.1 percent and 14.6 percent were used for the weekday PM, Saturday midday, and Saturday PM peak hours, respectively. The modal splits for each peak hour was assumed to be 92 percent by auto, 7 percent by taxi, and 1 percent by walk/other – these assumptions are reflective of the characteristics of the area and may be considered to be conservative since it is possible that a modest number of trips would be made by bus. The average vehicle occupancy of 2.64 person, 2.28 persons, and 2.45 persons per vehicle were used for the weekday PM, Saturday midday, and Saturday PM peak hours, respectively. Directional splits of 51 percent "in" and 49 percent "out" were used for both the weekday PM and Saturday PM peak hours, and 50 percent "in" and 50 percent "out" for the Saturday midday peak hour.

Delivery trip generation rates of 3.60 daily truck trips per 1,000 sf were used for the weekday and Saturday and were obtained from the *Douglaston Parkway and Northern Boulevard EAS (2018)*. Delivery temporal distributions of 1 percent for the weekday PM peak hour and 0 percent for the Saturday midday peak hour, were also obtained from the *Douglaston Parkway and Northern Boulevard EAS (2018)*. It was assumed that Saturday PM peak hour delivery temporal distribution would be similar to the Saturday midday peak hour.

Level 1 Screening Results

Transit and Pedestrians

The number of person trips generated by the Proposed Project are summarized in **Table 6-2** below. The vast majority of trips would be made by auto and no more than four pedestrian walk trips are expected to be generated during the peak hours analyzed. Project-generated pedestrian trips would not be expected to exceed the *2020 CEQR Technical Manual* Level 1 screening thresholds of 200 pedestrian trips per hour during any of the peak hours and further analyses are not needed.

Table 6-2 Trip Generation Summary – Person Trips

	Weekday PM Peak Hour			Saturday Midday Peak Hour			Saturday PM Peak Hour		
Mode	**In**	**Out**	**Total**	**In**	**Out**	**Total**	**In**	**Out**	**Total**
Auto	93	88	181	100	100	200	149	141	290
Taxi	7	7	14	8	8	16	11	11	22
Walk	1	1	2	1	1	2	2	2	4
Total	**101**	**96**	**197**	**109**	**109**	**218**	**162**	**154**	**316**

Traffic and Parking

Table 6-3 summarizes the total peak hour vehicle trips ("ins" plus "outs") for the Proposed Project, which would generate 80 vehicles per hour (vph) (41 "ins" and 39 "outs) during the weekday PM peak hour, 104 vph (52 "ins" and 52 "outs") during the Saturday midday peak hour, and 135 vph (69 "ins" and 66 "outs") during the Saturday PM peak hour. Since the volume of vehicle trips generated by the Proposed Project would exceed the 50-vehicle trip threshold during all peak hours, a Level 2 trip assignment was conducted to determine the scope of the detailed traffic analysis.

Table 6-3 Trip Generation Summary – Vehicle Trips

	Weekday PM Peak Hour			Saturday Midday Peak Hour			Saturday PM Peak Hour		
Mode	**In**	**Out**	**Total**	**In**	**Out**	**Total**	**In**	**Out**	**Total**
Auto	35	33	68	44	44	88	61	58	119
Taxi	6	6	12	8	8	16	8	8	16
Truck	0	0	0	0	0	0	0	0	0
Total	**41**	**39**	**80**	**52**	**52**	**104**	**69**	**66**	**135**

Level 2 Screening Assessment (Trip Assignment)

As shown above, the number of trips generated by the Proposed Project would exceed the *2020 CEQR Technical Manual* Level 1 screening thresholds for vehicle trips during the peak hours analyzed. Project-generated trips were assigned through the surrounding street network based on expected routes to and from the project site.

The Proposed Project would have two curb cuts for site access – the existing Mizumi restaurant driveway which would operate as it does in existing conditions, and an additional curb cut on the west side of the restaurant for eastbound Northern Boulevard traffic making right turns into the site and right turns exiting the site. The existing restaurant driveway is signal controlled, and the proposed west driveway would be stop controlled.

Traffic assignments were based on regional knowledge of the adjacent neighborhoods and nearby roadway network. Approximately 40 percent of the project-generated trips were assumed to arrive via the northbound Cross Island Parkway exit ramp onto Northern Boulevard west of the restaurant, due to connectivity with both eastbound and westbound Long Island Expressway (I-495), Grand Central Parkway, and points south of the site. Approximately 25 percent of the trips were assumed to originate from neighborhoods west of the site and arrive via eastern Northern Boulevard. Another 25 percent of trips were assumed to originate from neighborhoods east of the site and arrive via western Northern Boulevard and Douglaston Parkway. Ten percent of the trips were assumed to arrive via the southbound Cross Island Parkway from areas north of the site. All trips were expected to make the reverse trip to their respective origins when leaving the project site.

Based on the traffic assignments detailed above and shown in **Figure 6-2** through **Figure 6-4**, detailed level of service analyses were performed at three intersections for the weekday PM, Saturday midday, and Saturday PM peak hours. The traffic study locations are shown in **Figure 6-5** and listed below:

- Northbound Northern Boulevard and Cross Island Parkway On-Ramp
- Northern Boulevard and Mizumi Driveway
- Northern Boulevard and Douglaston Parkway

Figure 6-2 Traffic Project-Generated Trips – Weekday PM Peak Hour

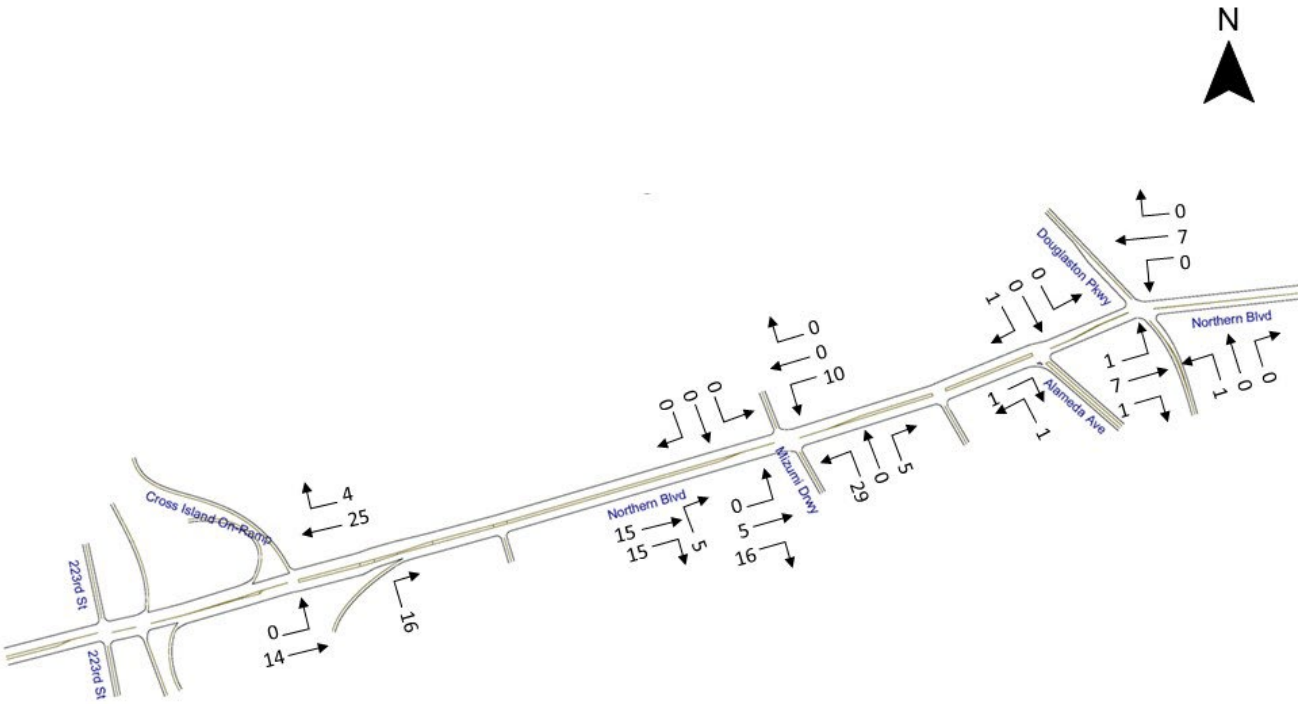


Figure 6-3 Traffic Project-Generated Trips – Saturday Midday Peak Hour

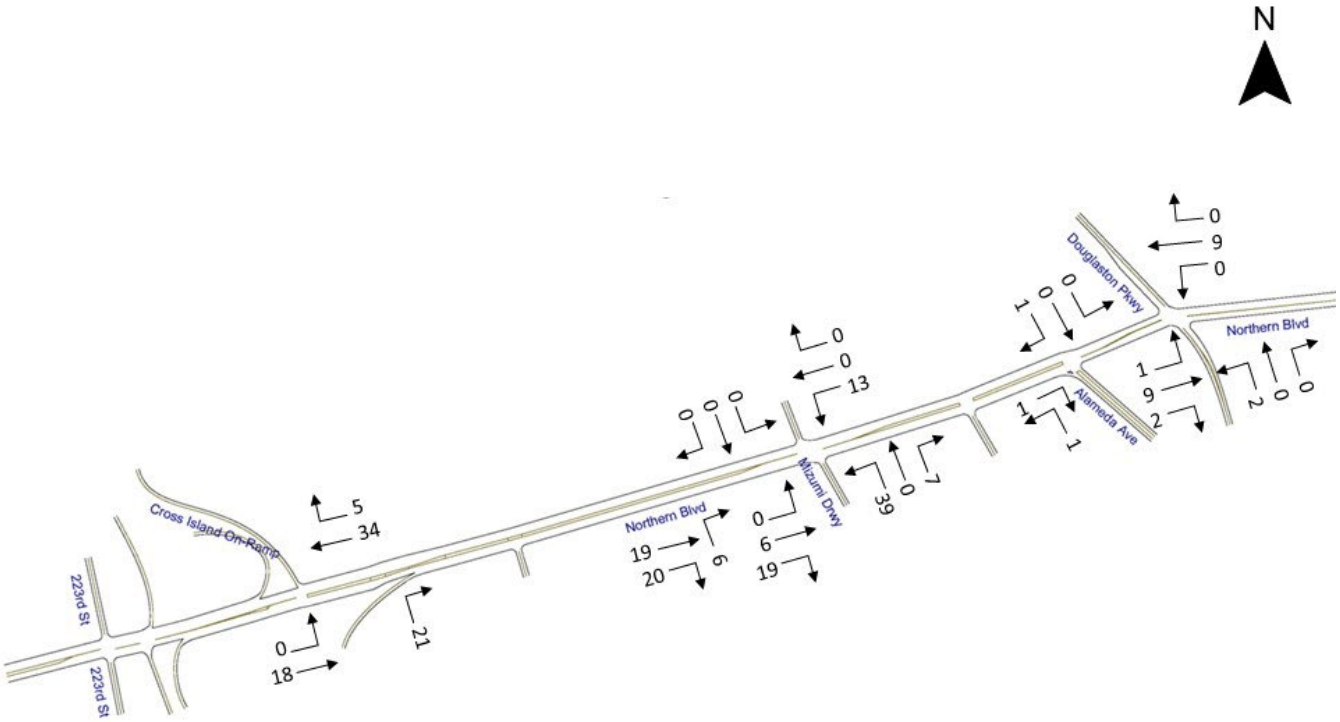


Figure 6-4 Traffic Project-Generated Trips – Saturday PM Peak Hour

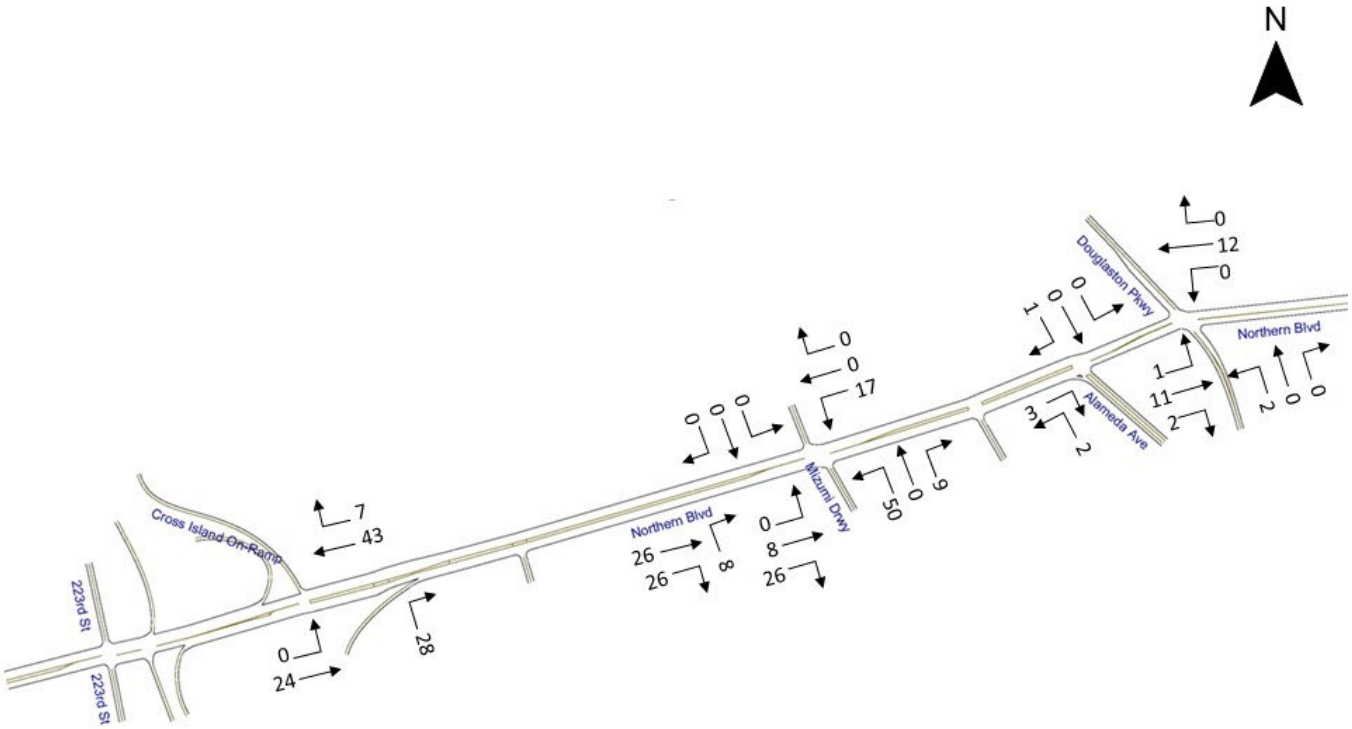
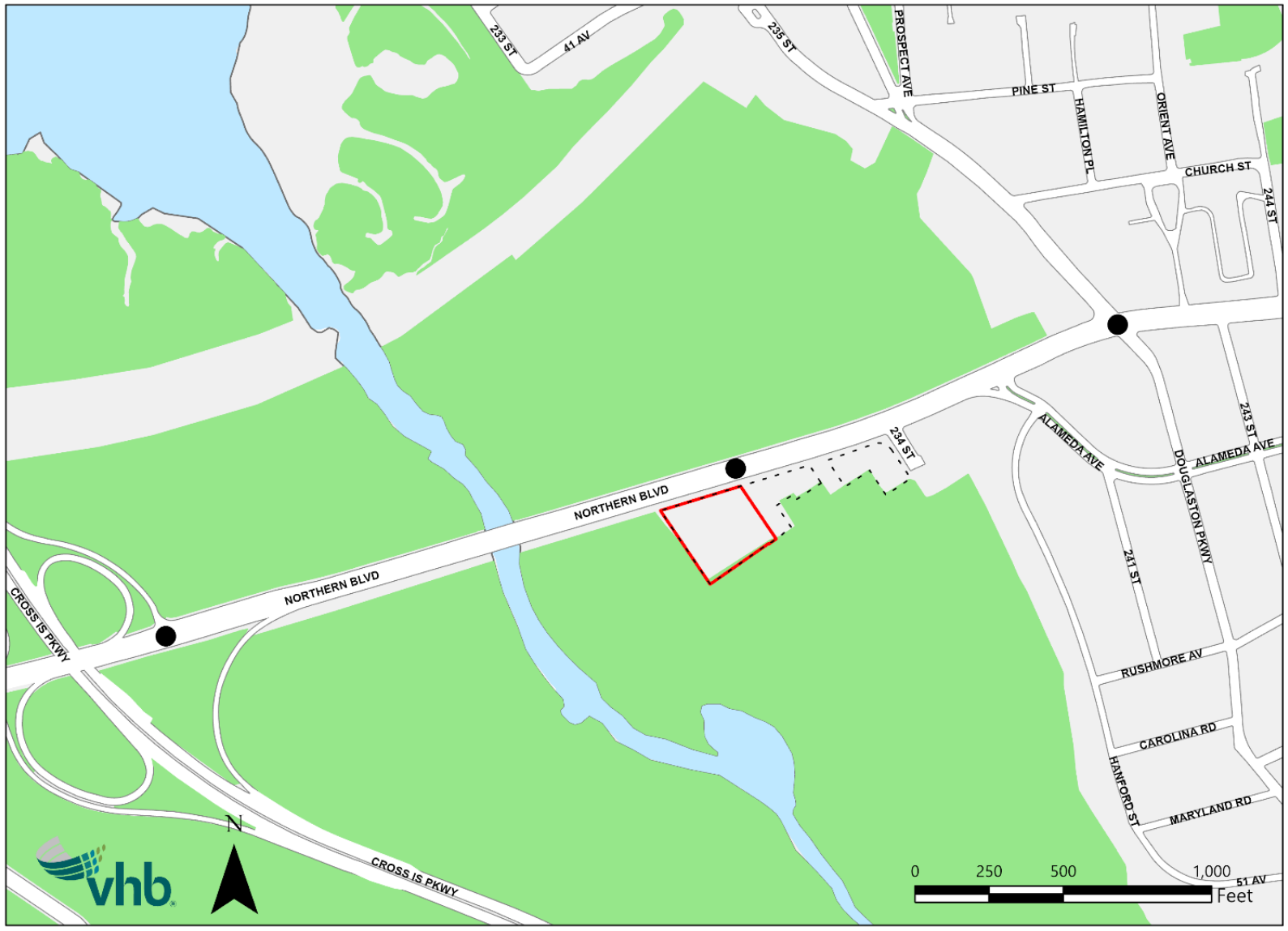


Figure 6-5 Traffic Analysis Locations



Detailed Analysis Methodology

The Level 1 and Level 2 screening assessment shows that more detailed traffic analyses are needed. Further analyses were conducted using methodologies in the *CEQR Technical Manual* and are described below.

Traffic

The operation of all signalized and unsignalized intersection analysis locations were assessed using Synchro software which are based on methodologies presented in the *Highway Capacity Manual (HCM)*. The HCM procedures evaluate the levels of service (LOS) for signalized and unsignalized intersections using average stop control delay, in seconds per vehicle, as described below.

- LOS A describes operations with very low delays, i.e., 10.0 seconds or less per vehicle. This occurs when signal progression is extremely favorable, and most vehicles arrive during the green phase. Most vehicles do not stop at all.
- LOS B describes operations with delays in excess of 10.0 seconds up to 20.0 seconds per vehicle. This generally occurs with good progression and/or short cycle lengths. Again, most vehicles do not stop at the intersection.
- LOS C describes operations with delays in excess of 20.0 seconds up to 35.0 seconds per vehicle. These higher delays may result from fair progression and/or longer cycle lengths. The number of vehicles stopping is noticeable at this level, although many still pass through the intersection without stopping.
- LOS D describes operations with delays in excess of 35.0 seconds up to 55.0 seconds per vehicle. At LOS D, the influence of congestion becomes more noticeable. Longer delays may result from some combination of unfavorable progression, long cycle lengths, or high volume-to-capacity (v/c) ratios. Many vehicles stop, and the proportion of vehicles not stopping declines.
- LOS E describes operations with delays in excess of 55.0 seconds up to 80.0 seconds per vehicle. These high delay values generally indicate poor progression, long cycle lengths, and high v/c ratios.
- LOS F describes operations with delays in excess of 80.0 seconds per vehicle. This is considered to be unacceptable to most drivers. This condition often occurs with oversaturation, i.e., when arrival flow rates exceed the capacity of the intersection. It may also occur at high v/c ratios with cycle failures. Poor progression and long cycle lengths may also contribute to such delays. Often, vehicles do not pass through the intersection in one signal cycle.

Based on the *CEQR Technical Manual* guidelines, LOS A, B, and C are considered acceptable, LOS D is generally considered marginally acceptable up to mid-LOS D (45 seconds of delay for signalized intersections) and unacceptable above mid-LOS D, and LOS E and F indicate congestion. These guidelines are applicable to individual traffic movements and overall intersection levels of service.

For unsignalized intersections, delay is defined as the total elapsed time from when a vehicle stops at the end of the queue until the vehicle departs from the stop line: LOS A describes operations with very low delay, i.e., 10.0 seconds or less per vehicle; LOS B describes

operations with delays in excess of 10.0 seconds up to 15.0 seconds; LOS C has delays in excess of 15.0 seconds up to 25.0 seconds; LOS D, excess of 25.0 seconds up to 35.0 seconds per vehicle (mid-LOS D is considered to be the limit of acceptable delay); and LOS E, excess of 35.0 seconds up to 50.0 seconds per vehicle. LOS F describes operation with delays in excess of 50.0 seconds per vehicle, which is considered unacceptable to most drivers. This condition exists when there are insufficient gaps of suitable size in a major vehicular traffic stream to allow side street traffic to cross safely.

Significant Impact Criteria

The assessment of potential significant traffic impacts of a proposed project is based on significant impact criteria defined in the *CEQR Technical Manual*. No-Action LOS A, B, or C conditions that deteriorate to unacceptable LOS D, E, or F in the future With-Action condition are considered a significant traffic impact.

For future No-Action LOS A, B, or C conditions that deteriorate to unacceptable LOS D, mitigation to mid-LOS D (45.0 seconds of delay for signalized intersections and 30.0 seconds of delay for unsignalized intersections) needs to be considered to fully mitigate the impact.

For a No-Action LOS D, an increase of delay by five or more seconds in the With-Action condition is considered a significant impact if the With-Action delay meets or exceeds 45.0 seconds. For a No-Action LOS E, the threshold is a four second increase in With-Action delay; for a No-Action LOS F, a three second increase in delay in the With-Action condition is significant. For unsignalized intersections, for the minor street to generate a significant impact, 90 passenger car equivalents (PCEs) must be identified in the With-Action condition in any peak hour.

Vehicle and Pedestrian Safety

An evaluation of vehicular and pedestrian safety is necessary for traffic analysis locations that have been identified as high-crash locations, where 48 or more total reportable and non-reportable crashes or five or more pedestrian/bicyclist injury crashes occurred in any consecutive 12 months of the most recent three-year period for which data are available. For these locations, crash trends are identified to determine whether projected vehicular and pedestrian traffic would further impact safety at these locations. The determination of potential significant safety impacts depends on the type of area where the proposed project is located, traffic volumes, crash types and severity, and other contributing factors. Where appropriate, measures to improve traffic and pedestrian safety are identified.

Existing Conditions

Traffic

Study Area

Projected Development Site 1 is located along Northern Boulevard, east of the Cross Island Parkway and west of Douglaston Parkway. Northern Boulevard is a major east-west arterial varying from approximately 70-feet to 80-feet wide. Eastbound Northern Boulevard consist of two to three travel lanes and westbound Northern Boulevard generally consists of two

travel lane with a protected two-way bike lane along the north curb. A striped median is provided along the center of the roadway except at selected intersections where left turn lanes provided. Parking is prohibited along the eastbound direction during the weekday PM commuter period (4 PM to 7 PM) to provide an additional travel lane. This segment of Northern Boulevard also services the Q12, QM3, and N20G bus routes.

Douglaston Parkway, located at the eastern end of the study area, is a two-way north-south roadway, with one travel lane in each direction, and exclusive turn lanes at Northern Boulevard (left turn in the northbound direction and right turn in the southbound direction). North of Northern Boulevard, Douglaston Parkway is approximately 50 feet wide with parking on both sides of the street. South of Northern Boulevard, Douglaston Parkway is approximately 30 feet wide with no on-street parking.

The Cross Island Parkway is a major north-south limited access highway with three ravel lanes in each direction. It provides connections to the Whitestone Expressway (I-678) and the Throgs Neck Expressway (I-295) to the north, and the Long Island Expressway (I-495), Grand Central Parkway, and southeast Queens to the south.

Roadway Network

Traffic counts in the study area were conducted for the weekday PM, Saturday midday, and Saturday PM peak periods using manual intersection turning movement counts (TMCs) and 24-hour Automatic Traffic Recorder (ATR) machine counts. TMC and ATR counts were initially conducted in November 2014, and in consultation with NYCDOT, validated with May 2017 NYCDOT data to develop the 2017 existing condition volumes. An assessment of these volumes in conjunction with driveway counts was performed to determine the peak hours of 6 PM to 7 PM for the weekday PM peak hour, 1 PM to 2PM for the Saturday midday peak hour, and 6 PM to 7 PM for the Saturday PM peak hour.

In the eastbound direction along Northern Boulevard, traffic volumes range from approximately 1,550 vph to 1,895 vph in the weekday PM peak hour. On Saturday, traffic volumes typically range from approximately 1,345 vph to 1,650 vph in the midday peak hour and from approximately 1,255 vph to 1,425 vph in the PM peak hour.

In the westbound direction, traffic volumes along Northern Boulevard range from approximately 1,670 vph to 1,795 vph in the weekday PM peak hour. On Saturday, traffic volumes typically range from approximately 1,340 vph to 1,450 vph in the midday peak hour and from approximately 1,630 vph to 1,855 vph in the PM peak hour.

Douglaston Parkway consists of traffic volumes of approximately 220 vph to 235 vph during each of the peak hours in the northbound direction. In the southbound direction, traffic volumes are approximately 340 vph to 380 vph in the weekday PM and Saturday midday peak hours, and approximately 230 vph in the Saturday PM peak hour.

Traffic volumes accessing the northbound Cross Island Parkway from Northern Boulevard (both the westbound right turn and eastbound left turn onto the on-ramp) are approximately 805 vph in the weekday PM peak hour, 595 vph in the Saturday midday peak hour, and 840 vph in the Saturday PM peak hour. Volumes turning onto eastbound Northern Boulevard from the northbound Cross Island Parkway off-ramp range from approximately 105 vph to 135 vph during the three peak hours.

Existing traffic volumes are shown in **Figure 6-6** through **Figure 6-8**.

Figure 6-6 2017 Existing Traffic Volumes – Weekday PM Peak Hour

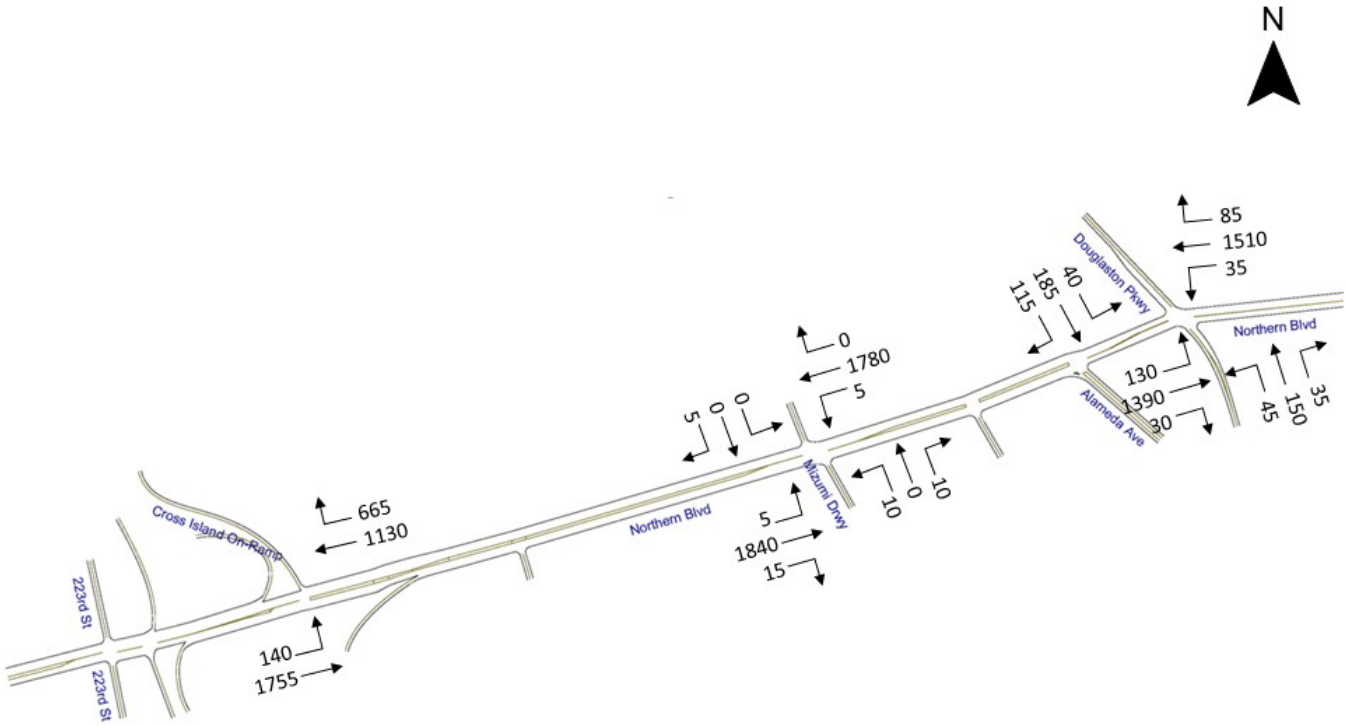


Figure 6-7 2017 Existing Traffic Volumes – Saturday Midday Peak Hour

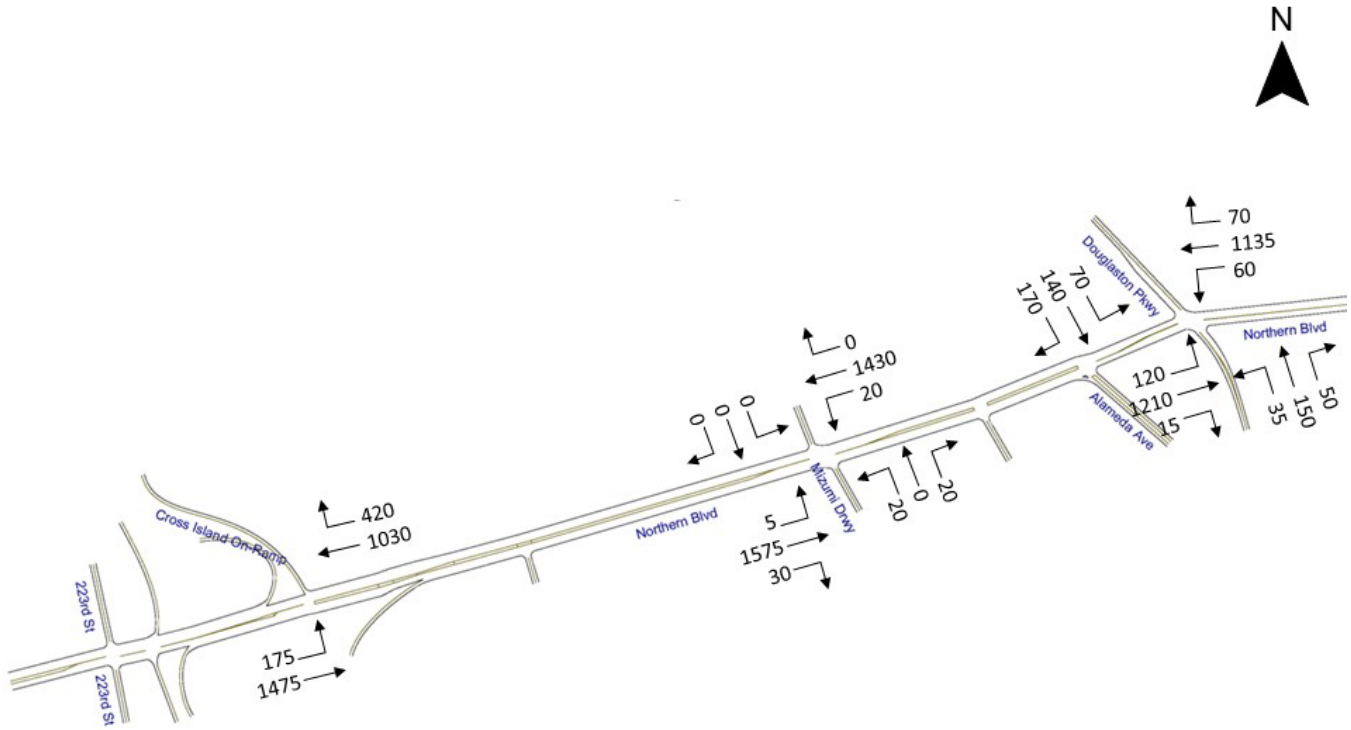
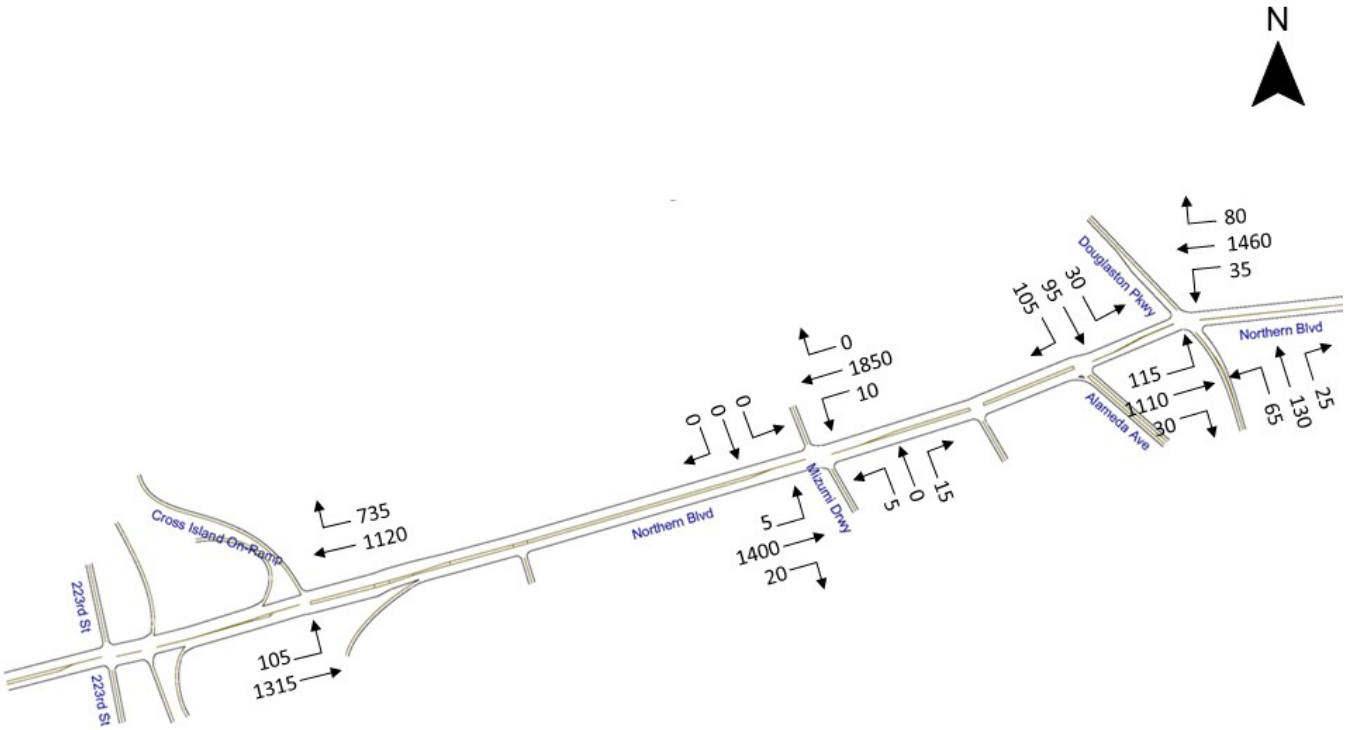


Figure 6-8 2017 Existing Traffic Volumes –Saturday PM Peak Hour



Levels of Service

Detailed existing traffic levels of service are provided in **Table 6-4**.

Table 6-4 Existing Traffic Levels of Service

Intersection & Approach		Weekday PM Peak Hour				Saturday Midday Peak Hour				Saturday PM Peak Hour			
		Mvt	V/C	Ctrl Delay[1]	LOS	Mvt	V/C	Ctrl Delay[1]	LOS	Mvt	V/C	Ctrl Delay[1]	LOS
Northern Boulevard and Northbound Cross Island Parkway On-Ramp													
Northern Boulevard	EB	L	0.41	38.3	D	L	0.50	39.1	D	L	0.31	37.1	D
		T	0.47	3.2	A	T	0.41	3.0	A	T	0.37	2.6	A
	WB	T	0.59	3.5	A	T	0.54	13.1	B	T	0.58	12.1	B
		R	0.89	15.9	B	R	0.58	18.6	B	R	0.98	37.8	D
Overall Intersection[2]		-	**0.80**	**7.1**	**A**	-	**0.60**	**10.8**	**B**	-	**0.83**	**15.2**	**B**
Northern Boulevard and Mizumi Driveway													
Northern Boulevard	EB	L	0.10	7.9	A	L	0.06	16.4	B	L	0.10	19.7	B
		TR	0.66	13.0	B	TR	0.59	19.0	B	TR	0.53	17.8	B
	WB	L	0.08	12.1	B	L	0.25	13.7	B	L	0.10	11.7	B
		TR	0.92	20.2	C	TR	0.77	13.0	B	TR	0.94	23.0	C
Mizumi Driveway	NB	LTR	0.07	36.3	D	LTR	0.15	37.4	D	LTR	0.07	36.2	D
Golf Range Driveway	SB	LTR	0.02	35.5	D	LTR	0.00	0.0	A	LTR	0.00	0.0	A
Overall Intersection[2]		-	**0.68**	**16.7**	**B**	-	**0.58**	**16.4**	**B**	-	**0.69**	**20.8**	**C**

Table 6-4 Existing Traffic Levels of Service

Intersection & Approach		Weekday PM Peak Hour				Saturday Midday Peak Hour				Saturday PM Peak Hour			
		Mvt	V/C	Ctrl Delay[1]	LOS	Mvt	V/C	Ctrl Delay[1]	LOS	Mvt	V/C	Ctrl Delay[1]	LOS
Northern Boulevard and Douglaston Parkway													
Northern Boulevard	EB	L	0.67	55.1	E	L	0.58	41.3	D	L	0.59	53.1	D
		TR	0.95	40.4	D	TR	0.84	27.9	C	TR	0.78	25.5	C
	WB	L	0.18	20.9	C	L	0.29	19.2	B	L	0.16	15.4	B
		TR	0.97	45.3	D	TR	0.85	31.6	C	TR	0.97	44.8	D
Douglaston Parkway	NB	L	0.29	38.9	D	L	0.21	36.6	D	L	0.28	37.2	D
		TR	0.50	41.2	D	TR	0.55	42.7	D	TR	0.41	39.0	D
	SB	LT	0.68	48.6	D	LT	0.89	73.2	E	LT	0.35	37.9	D
		R	0.22	26.2	C	R	0.32	27.8	C	R	0.19	25.9	C
Overall Intersection[2]		**-**	**0.85**	**42.8**	**D**	**-**	**0.83**	**33.8**	**C**	**-**	**0.75**	**36.7**	**D**

[1] Control delay is measured in seconds per vehicle.

[2] Overall intersection v/c ratio is the critical lane groups' v/c ratio.

The summary overview of existing conditions indicates that:

- In the weekday PM peak hour, all intersections operate at overall LOS D or better; no intersection operates at overall LOS E or F. "Overall" LOS E or F means that serious congestion exists – either one specific traffic movement has severe delays or two or more of the specific traffic movements at the intersection are at LOS E or F with significant delays (the overall intersection level of service is a weighted average of all individual traffic movements). Three individual traffic movements operate at unacceptable LOS D or LOS E (e.g. left turns from one street to another, through traffic on one street passing through the intersection, etc.)
- In the Saturday midday peak hour, all intersections operate at overall LOS C or better, and one individual traffic movement operates at LOS E.
- In the Saturday PM peak hour, all intersections operate at overall LOS D or better, and one individual traffic movement operates at unacceptable LOS D.

Traffic movements operating at unacceptable levels of service were identified at the intersection of Northern Boulevard and Douglaston Parkway and are listed below:

- Eastern Northern Boulevard left-turn movement (weekday PM and Saturday PM)
- Westbound Northern Boulevard shared through-right movement (weekday PM)
- Southbound Douglaston Parkway shared left-through movement (weekday PM and Saturday midday)

No-Action Conditions

Traffic

Traffic Volumes

This section establishes the baseline (No-Action) condition against which potential impacts of the proposed project can be identified. Future year conditions were analyzed for the year 2023. No-Action traffic volumes were established by applying a background growth rate of 0.50 percent per year for the first five years (years 2017 to 2022) and a growth rate of 0.25 percent per year for the sixth year (2023) in accordance with *CEQR Technical Manual* guidelines for Queens projects. This background growth was applied to existing traffic volumes and accounts for smaller projects and general increases in travel demand. One background development project, the *Douglaston Parkway and Northern Boulevard Rezoning EAS (2018),* was identified and incorporated in the 2023 No-Action condition analyses. The project consisted of approximately 83 residential dwelling units and 12,678 gross square feet of restaurant space. No-Action condition traffic volumes for the weekday PM, Saturday midday, and Saturday PM peak hours are shown in **Figure 6-9** through **Figure 6-11**. In the future condition, peak hour traffic volumes along Northern Boulevard in front of the site are expected to increase by approximately 5 vph to 15 vph in the eastbound direction and by approximately 15 vph to 25 vph in the westbound direction.

One roadway improvement was identified within the study area and was incorporated into the 2023 No-Action analysis - the restriping of the westbound approach at Northern Boulevard and Douglaston Parkway to include a right turn lane. Signal timing modifications implemented by NYCDOT since 2017 were also incorporated into the analysis.

Figure 6-9 2023 No-Action Traffic Volumes – Weekday PM Peak Hour

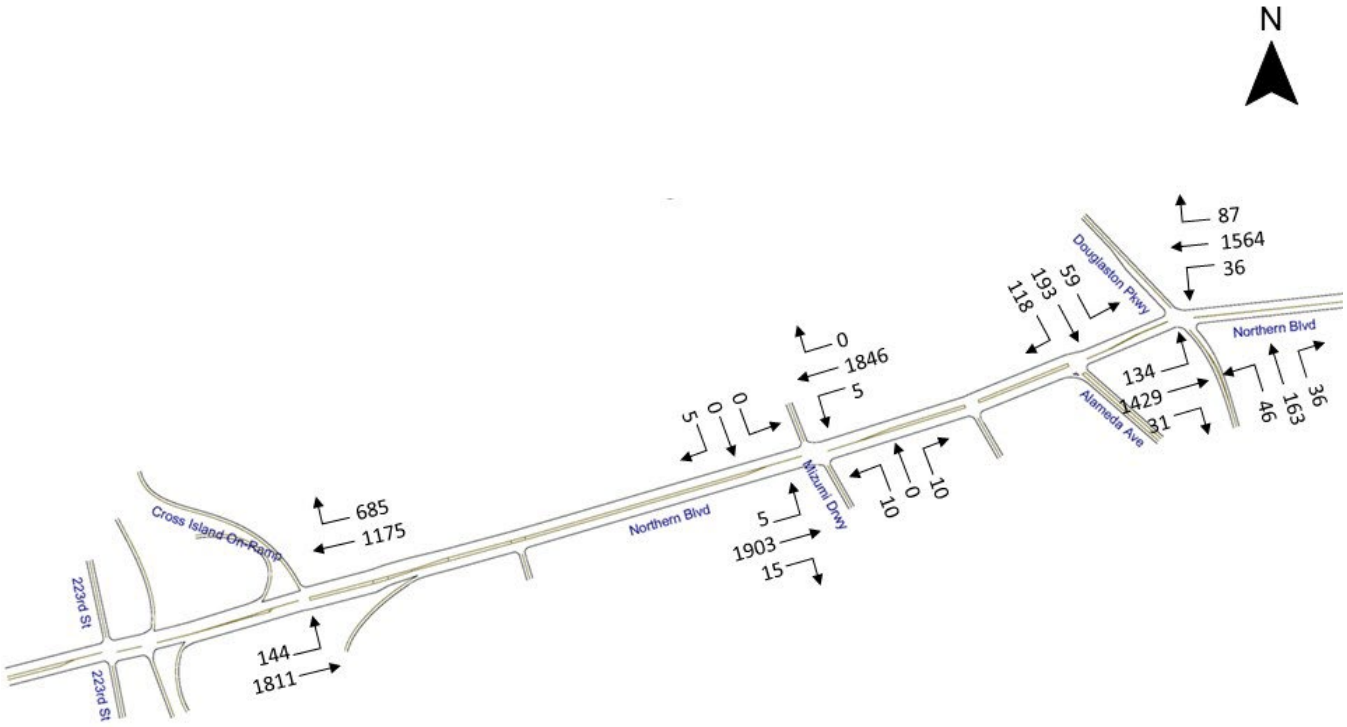


Figure 6-10 2023 No-Action Traffic Volumes – Saturday Midday Peak Hour

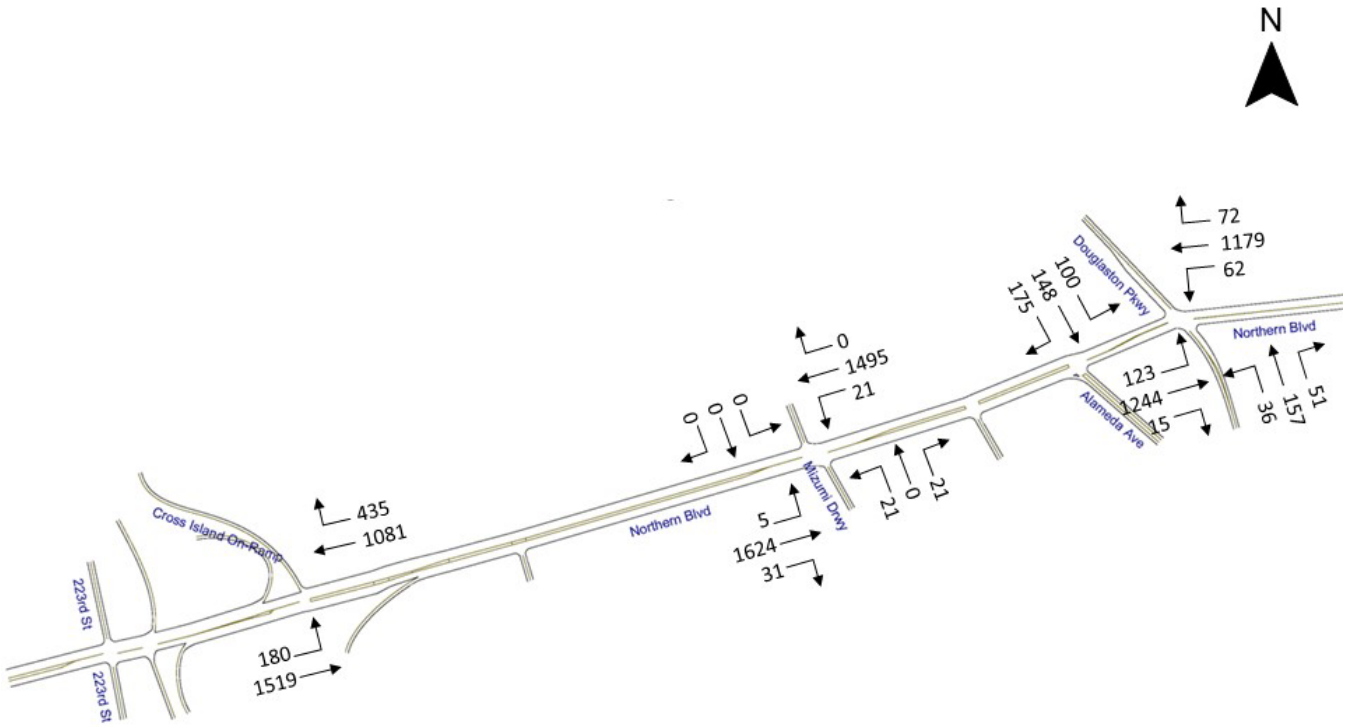
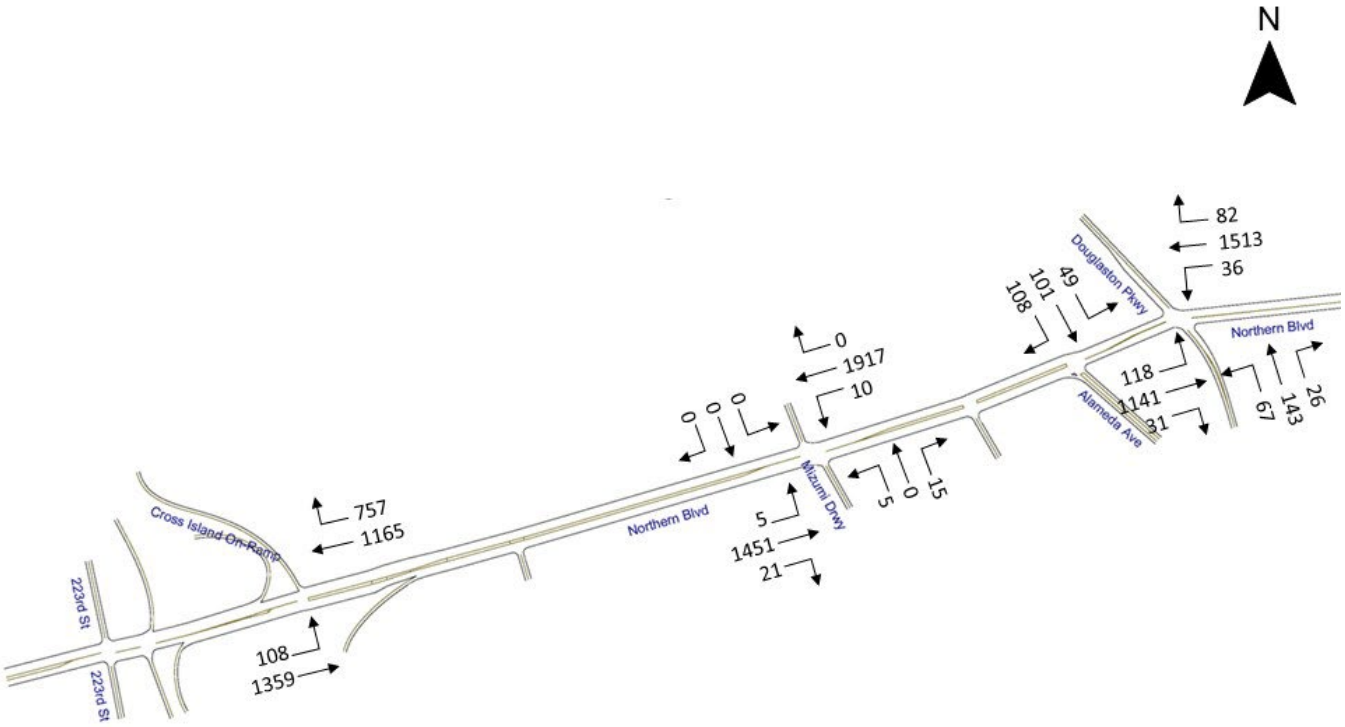


Figure 6-11 2023 No-Action Traffic Volumes – Saturday PM Peak Hour



Levels of Service

Based on the traffic volume increases and roadway changes discussed above, the 2023 No-Action traffic levels of service were determined for the three analysis locations. Detailed traffic levels of service are provided in **Table 6-5**.

Table 6-5 No-Action Traffic Levels of Service

Intersection & Approach		Weekday PM Peak Hour				Saturday Midday Peak Hour				Saturday PM Peak Hour			
		Mvt	V/C	Ctrl Delay[1]	LOS	Mvt	V/C	Ctrl Delay[1]	LOS	Mvt	V/C	Ctrl Delay[1]	LOS
Northern Boulevard and Northbound Cross Island Parkway On-Ramp													
Northern Boulevard	EB	L	0.42	38.4	D	L	0.51	39.3	D	L	0.32	37.2	D
		T	0.49	3.2	A	T	0.42	3.1	A	T	0.38	2.7	A
	WB	T	0.61	3.9	A	T	0.57	12.8	B	T	0.60	11.3	B
		R	0.92	18.3	B	R	0.60	18.1	B	R	1.01	40.7	D
Overall Intersection[2]		-	**0.82**	**7.8**	**A**	-	**0.62**	**10.7**	**B**	-	**0.86**	**15.6**	**B**
Northern Boulevard and Mizumi Driveway													
Northern Boulevard	EB	L	0.10	7.4	A	L	0.08	18.5	B	L	0.10	20.7	C
		TR	0.68	12.8	B	TR	0.63	20.6	C	TR	0.56	19.4	B
	WB	L	0.09	12.3	B	L	0.30	16.3	B	L	0.12	13.8	B
		TR	0.95	24.9	C	TR	0.83	15.1	B	TR	1.00	36.7	D
Mizumi Driveway	NB	LTR	0.07	36.3	D	LTR	0.16	38.4	D	LTR	0.07	37.0	D
Golf Range Driveway	SB	LTR	0.02	35.5	D	LTR	0.00	0.0	A	LTR	0.00	0.0	A
Overall Intersection[2]		-	**0.70**	**18.9**	**B**	-	**0.61**	**18.3**	**B**	-	**0.72**	**29.0**	**C**

Table 6-5 No-Action Traffic Levels of Service

Intersection & Approach		Weekday PM Peak Hour				Saturday Midday Peak Hour				Saturday PM Peak Hour			
		Mvt	V/C	Ctrl Delay[1]	LOS	Mvt	V/C	Ctrl Delay[1]	LOS	Mvt	V/C	Ctrl Delay[1]	LOS
Northern Boulevard and Douglaston Parkway													
Northern Boulevard	EB	L	0.69	54.9	D	L	0.58	40.3	D	L	0.61	53.6	D
		TR	0.98	44.8	D	TR	0.86	29.6	C	TR	0.80	26.9	C
	WB	L	0.19	22.2	C	L	0.33	21.0	C	L	0.17	16.3	B
		T	0.95	40.7	D	T	0.81	29.7	C	T	0.95	40.6	D
		R	0.12	16.3	B	R	0.13	16.4	B	R	0.12	16.3	B
Douglaston Parkway	NB	L	0.35	41.2	D	L	0.27	38.6	D	L	0.31	38.3	D
		TR	0.54	42.2	D	TR	0.57	43.4	D	TR	0.46	40.0	D
	SB	LT	0.93	77.5	E	LT	1.20	165.4	F	LT	0.50	42.1	D
		R	0.22	26.3	C	R	0.32	28.0	C	R	0.20	26.0	C
Overall Intersection[2]		-	**0.93**	**44.3**	**D**	-	**0.93**	**41.2**	**D**	-	**0.77**	**35.0**	**C**

[1] Control delay is measured in seconds per vehicle.

[2] Overall intersection v/c ratio is the critical lane groups' v/c ratio.

The summary overview of 2023 No-Action conditions indicates that:

- In the weekday PM peak hour, no intersections would operate at overall LOS E or F, the same as existing conditions. Two movements would operate at unacceptable LOS D or E, compared to three in the existing conditions; the reduction in movements at unacceptable levels of service was due to the restriping of the westbound Northern Boulevard approach at Douglaston Parkway which provided additional roadway capacity at this intersection.
- In the Saturday midday peak hour, no intersections would operate at overall LOS E or F, the same as existing conditions. One movement would operate at LOS F, compared to one movement at LOS E in existing conditions.
- In the Saturday PM peak hour, no intersections would operate at overall LOS E or F, the same as existing conditions. One movement would operate at LOS D, the same as in existing conditions.

Traffic movements operating at unacceptable levels of service were identified at the intersection of Northern Boulevard and Douglaston Parkway and are listed below:

- Eastbound Northern Boulevard left-turn movement (weekday PM and Saturday PM)
- Southbound Douglaston Parkway shared left-through movement (weekday PM and Saturday midday)

With-Action Conditions

The Proposed Project would add 15,834 square feet (sf) of total restaurant space to the existing 7,076 sf restaurant. An additional unsignalized entrance would be provided west of the restaurant for eastern Northern Boulevard traffic making right-turns into the project site, and right-turns for trips exiting the site. The Proposed Project would provide 143 parking spaces on-site. During the restaurant's peak operations, i.e., Saturday dinnertime, the restaurant would expand valet parking operations and the parking capacity would increase to 183 parking spaces.

Traffic

Traffic Volumes

Overall, the Proposed Project would generate a total of 80 vph (41 "ins" and 39 outs) during the weekday PM peak hour, 104 vph (52 "ins" and 52 "outs") during the Saturday midday peak hour, and 135 vph (69 "ins) and 66 "outs) during the Saturday PM peak hour. These vehicle trips were distributed as described in the Level 2 screening assessment and would result in modest traffic volume increases to individual intersections within the traffic study area. Peak hour traffic volumes along Northern Boulevard in front of the project site are expected to increase by approximately 30 vph to 50 vph in the eastbound direction and approximately 10 vph to 20 vph in the westbound direction. The total With-Action traffic volumes for the weekday PM, Saturday midday, and Saturday PM peak hours are shown in **Figure 6-12** through **Figure 6-14**.

Figure 6-12 2023 With-Action Traffic Volumes – Weekday PM Peak Hour

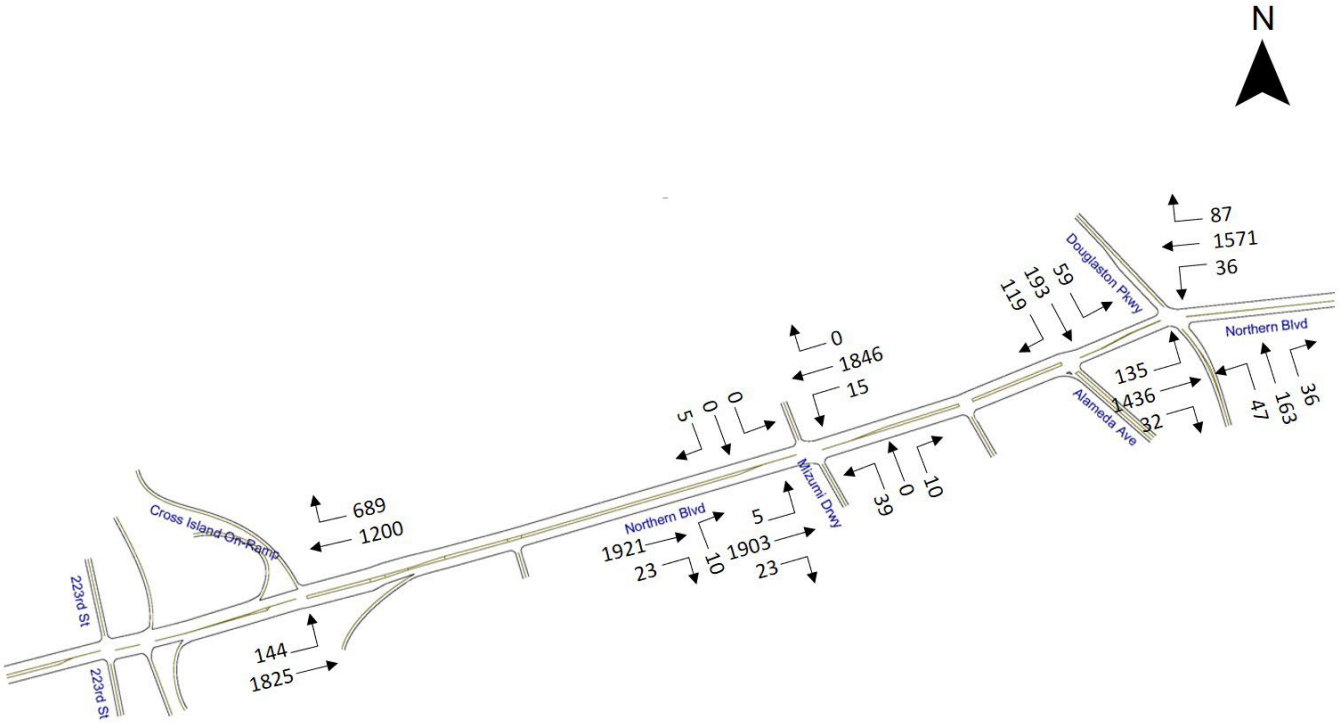


Figure 6-13 2023 With-Action Traffic Volumes – Saturday Midday Peak Hour

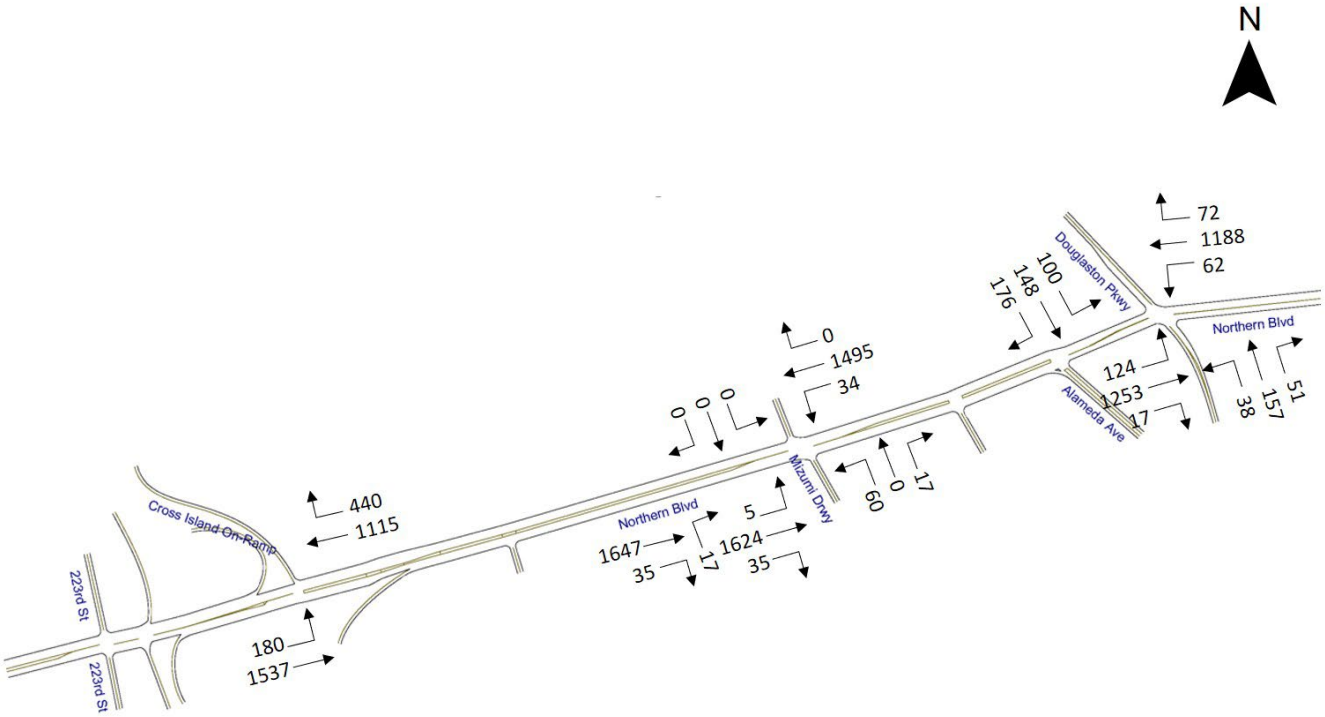
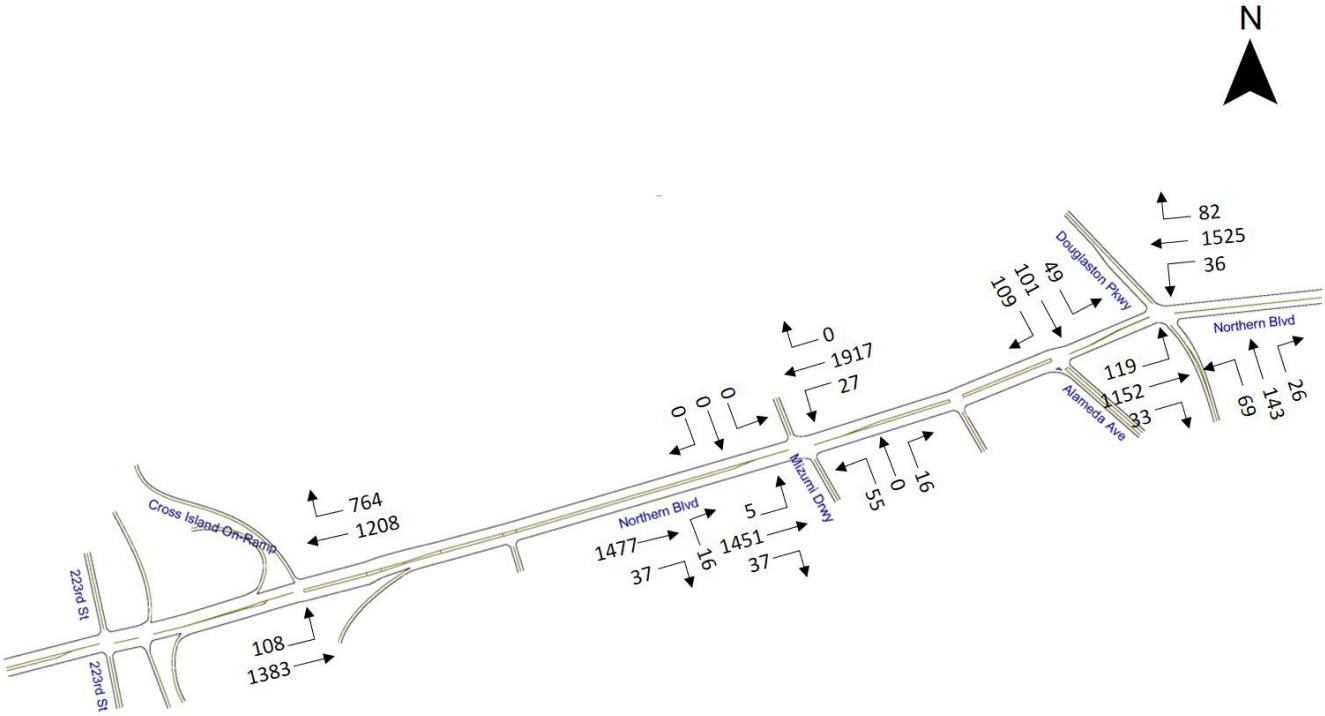


Figure 6-14 2023 With-Action Traffic Volumes –Saturday PM Peak Hour



Levels of Service

Based on the traffic volume increments shown above, the 2023 With-Action traffic levels of service were determined for the analysis locations. Detailed traffic levels of service are shown in **Table 6-6.**

Table 6-6 With-Action Traffic Levels of Service

Intersection & Approach		Weekday PM Peak Hour				Saturday Midday Peak Hour				Saturday PM Peak Hour			
		Mvt	V/C	Ctrl Delay[1]	LOS	Mvt	V/C	Ctrl Delay[1]	LOS	Mvt	V/C	Ctrl Delay[1]	LOS
SIGNALIZED INTERSECTIONS													
Northern Boulevard and Northbound Cross Island Parkway On-Ramp													
Northern Boulevard	EB	L	0.42	38.4	D	L	0.51	39.3	D	L	0.32	37.2	D
		T	0.49	3.3	A	T	0.43	3.1	A	T	0.38	2.7	A
	WB	T	0.63	4.9	A	T	0.59	12.9	B	T	0.62	11.6	B
		R	0.92	20.5	C	R	0.61	18.4	B	R	1.02	44.2	D
Overall Intersection[2]		-	**0.83**	**8.5**	**A**	-	**0.62**	**10.8**	**B**	-	**0.87**	**16.4**	**B**
Northern Boulevard and Mizumi Driveway													
Northern Boulevard	EB	L	0.10	7.5	A	L	0.08	18.5	B	L	0.10	20.4	C
		TR	0.69	12.9	B	TR	0.63	20.6	C	TR	0.57	19.4	B
	WB	L	0.30	17.0	B	L	0.50	24.4	C	L	0.31	16.5	B
		TR	0.95	24.8	C	TR	0.83	15.1	B	TR	1.00	36.5	D
Mizumi Driveway	NB	LTR	0.19	38.3	D	LTR	0.32	41.6	D	LTR	0.29	41.0	D
Golf Range Driveway	SB	LTR	0.02	35.5	D	LTR	0.00	0.0	A	LTR	0.00	0.0	A
Overall Intersection[2]		-	**0.73**	**19.1**	**B**	-	**0.65**	**18.7**	**B**	-	**0.77**	**29.0**	**C**

Table 6-6 With-Action Traffic Levels of Service

Intersection & Approach		Weekday PM Peak Hour				Saturday Midday Peak Hour				Saturday PM Peak Hour			
		Mvt	V/C	Ctrl Delay[1]	LOS	Mvt	V/C	Ctrl Delay[1]	LOS	Mvt	V/C	Ctrl Delay[1]	LOS
Northern Boulevard and Douglaston Parkway													
Northern Boulevard	EB	L	0.70	55.5	E	L	0.59	40.1	D	L	0.61	53.9	D
		TR	0.99	46.2	D	TR	0.87	30.2	C	TR	0.81	27.3	C
	WB	L	0.19	22.4	C	L	0.33	21.4	C	L	0.18	16.6	B
		T	0.95	41.4	D	T	0.82	30.0	C	T	0.95	41.8	D
		R	0.12	16.3	B	R	0.13	16.4	B	R	0.12	16.3	B
Douglaston Parkway	NB	L	0.35	41.4	D	L	0.28	39.1	D	L	0.32	38.5	D
		TR	0.54	42.2	D	TR	0.57	43.4	D	TR	0.46	40.0	D
	SB	LT	0.93	77.5	E	LT	1.20	165.4	F	LT	0.50	42.1	D
		R	0.22	26.4	C	R	0.33	28.0	C	R	0.20	26.0	C
Overall Intersection[2]		**-**	**0.93**	**45.1**	**D**	**-**	**0.93**	**41.4**	**D**	**-**	**0.77**	**35.7**	**D**
SIGNALIZED INTERSECTIONS													
Northern Boulevard and Mizumi West Driveway													
Mizumi West Driveway	NB	R	-	14.8	B	R	-	13.7	B	R	-	12.9	B
Overall Intersection[2]		**-**	**-**	**14.8**	**B**	**-**	**-**	**13.7**	**B**	**-**	**-**	**12.9**	**B**

[1] Control delay is measured in seconds per vehicle.

[2] Overall intersection v/c ratio is the critical lane groups' v/c ratio.

The summary overview of 2023 With-Action conditions indicates that:

- In the weekday PM peak hour, no intersections would operate at overall LOS E or F, the same as No-Action conditions. Three movements would operate at unacceptable LOS D, LOS E, or LOS F, compared to two in the No-Action condition.
- In the Saturday midday peak hour, no intersections would operate at overall LOS E or F, the same as No-Action conditions. One movement would operate at LOS F, the same as No-Action conditions.
- In the Saturday PM peak hour, no intersections would operate at overall LOS E or F, the same as No-Action conditions. One movement would operate at unacceptable LOS D, the same as No-Action conditions.

Traffic movements that operate at unacceptable levels of service under the No-Action condition would continue to do so under the With-Action condition; one additional movement would be expected to operate at unacceptable levels of service as a result of the Proposed Project – the eastbound Northern Boulevard shared through-right movement at Northern Boulevard at Douglaston Parkway during the weekday PM peak hour.

A comparison of the No-Action and With-Action conditions indicates that no significant traffic impacts are expected to occur at the analysis locations per criteria established in the *CEQR Technical Manual* as a result of the Proposed Project.

Parking

The Proposed Project would provide 143 on-site accessory parking spaces, which could be expanded to 183 valet spaces during the peak dining periods. **Table 6-7** and **Table 6-8** provides the projected parking demand generated by the Proposed Project for weekdays and Saturdays, respectively. The projected weekday parking demand would be fully accommodated throughout the day; the weekday peak parking demand of 127 spaces would occur during the 12 PM to 1 PM hour.

The projected Saturday parking demand would be fully accommodated throughout the day with the exception of the Saturday evening peak period between 5 PM and 9 PM where the demand would exceed the 143 spaces provided. During the Saturday evening peak period, the Proposed Project could provide 40 additional spaces on-site through expansion of valet operations. In addition, a survey of on-street parking along the south block face of Northern Boulevard in front of Projected Development Site 1 (i.e., approximately 500 feet east and 800 feet west of the site) found that there are 47 on-street spaces available during this time. Therefore, the combined on-site valet parking plus immediate off-street parking (totaling a capacity of 230 parking spaces) would be sufficient to accommodate the Saturday peak parking demand of 199 spaces (during the 7 PM to 8 PM hour).

Table 6-7 Projected Weekday Parking Demand

Hour	In	Out	Parking Demand	Percent Occupied	Spaces Available
12 AM - 1 AM	0	0	0	0%	143
1 AM - 2 AM	0	0	0	0%	143
2 AM - 3 AM	0	0	0	0%	143
3 AM - 4 AM	0	0	0	0%	143
4 AM - 5 AM	0	0	0	0%	143
5 AM - 6 AM	0	0	0	0%	143
6 AM - 7 AM	0	0	0	0%	143
7 AM - 8 AM	0	0	0	0%	143
8 AM - 9 AM	0	0	0	0%	143
9 AM - 10 AM	6	0	6	4%	137
10 AM - 11 AM	25	14	17	12%	126
11 AM - 12 PM	60	14	63	44%	80
12 PM - 1 PM	107	43	127	89%	16
1 PM - 2 PM	31	74	84	59%	59
2 PM - 3 PM	23	82	25	17%	118
3 PM - 4 PM	14	19	20	14%	123
4 PM - 5 PM	14	8	26	18%	117
5 PM - 6 PM	43	19	50	35%	93
6 PM - 7 PM	80	48	82	57%	61
7 PM - 8 PM	81	48	115	80%	28
8 PM - 9 PM	29	60	84	59%	59
9 PM - 10 PM	2	59	27	19%	116
10 PM - 11 PM	4	31	0	0%	143
11 PM - 12 AM	0	0	0	0%	143

Table 6-8 Projected Saturday Parking Demand

Hour	In	Out	Parking Demand	Percent Occupied	Spaces Available [1]
12 AM - 1 AM	0	0	0	0%	143
1 AM - 2 AM	0	0	0	0%	143
2 AM - 3 AM	0	0	0	0%	143
3 AM - 4 AM	0	0	0	0%	143
4 AM - 5 AM	0	0	0	0%	143
5 AM - 6 AM	0	0	0	0%	143
6 AM - 7 AM	0	0	0	0%	143
7 AM - 8 AM	0	0	0	0%	143
8 AM - 9 AM	0	0	0	0%	143
9 AM - 10 AM	0	0	0	0%	143
10 AM - 11 AM	22	16	6	4%	137
11 AM - 12 PM	57	4	59	41%	84
12 PM - 1 PM	119	49	129	90%	14
1 PM - 2 PM	86	86	129	90%	14
2 PM - 3 PM	41	119	51	36%	92
3 PM - 4 PM	24	61	14	10%	129
4 PM - 5 PM	35	6	43	30%	100
5 PM - 6 PM	127	4	166	79%	64
6 PM - 7 PM	119	113	172	82%	58
7 PM - 8 PM	113	86	199	95%	31
8 PM - 9 PM	51	106	144	69%	86
9 PM - 10 PM	8	103	49	34%	94
10 PM - 11 PM	12	51	10	7%	133
11 PM - 12 AM	0	10	0	0%	143

Notes:

1. To accommodate the Saturday evening peak period demand, the Proposed Project would expand valet operations between 5 PM and 9 PM, increasing the on-site capacity from 143 spaces to 183 spaces. Another 47 spaces are available on-street along Northern Boulevard approximately 500 feet east and 800 feet west of Projected Development Site 1 for a total capacity total of 230 parking spaces.

Vehicle and Pedestrian Safety

Crash data were obtained for the study area intersections from NYCDOT for the most recent three-year period for which such data are available (2015 through 2017). This information is based on data provided by the New York State Department of Transportation (NYSDOT), New York State Department of Motor Vehicles (NYSDMV), and New York City Police Department (NYPD).

The crash data detail reported crashes (crashes resulting in death, injury, or property damage in excess of $1,000), fatalities, injuries, and pedestrian and bicycle injuries annually. According to the *CEQR Technical Manual,* an intersection is considered a high-crash location when there are 48 or more total reportable and non-reportable crashes, or five or more

pedestrian/bicyclist injury crashes in any consecutive 12 months during the most recent three-year period for which data are available.

Table 6-9 presents a summary of total crashes at the study area intersections during the three-year period of 2015 through 2017, and shows total fatalities, injuries, and pedestrian and bicycle crashes. As shown in the table, vehicular and pedestrian crash thresholds are not exceeded at any of the analysis intersections. No crashes were reported at the intersection of Northern Boulevard and the Mizumi Driveway.

Table 6-9 Vehicle and Pedestrian Crash Summary

Intersection		Total Crashes by Year					Pedestrian Crashes by Year			Bicycle Crashes by Year		
North-South Roadway	East-West Roadway	2015	2016	2017	Total Fatalities	Total Injuries	2015	2016	2017	2015	2016	2017
Northbound Cross Island Parkway On-Ramp	Northern Boulevard	3	1	1	0	4	0	0	0	0	0	0
Douglaston Parkway	Northern Boulevard	8	9	8	0	20	1	0	1	0	0	0

Denotes a high crash location

Source: NYSDOT/NYSDMV (2015-2017)

Conclusion

Detailed traffic analyses were conducted at three existing intersections and a new driveway location created as part of the Proposed Project during the weekday PM, Saturday midday, and Saturday PM peak hours, and determined that the Proposed Project would not generate significant adverse traffic impacts at any of these locations based on criteria established in the *CEQR Technical Manual*.

A comparison of the Proposed Project's parking demand and available on- and off-street parking supply concluded that there would be enough parking spaces to accommodate the project's parking demand.

Overall, the Proposed Project would not result in significant adverse transportation impacts.

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, 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 Project. The Proposed Action would develop a two-story, approximately 15,834-square foot enlargement of an existing 13,901-gross-square-foot (gsf) restaurant located on Northern Boulevard in Queens. The proposed addition plans to have its own natural gas-fired boiler with the stack on the roof of the proposed enlargement. The proposed stack will be higher than the existing restaurant building.

Consistent with the *2020 CEQR Technical Manual*, air quality analyses for a proposed project focus on three main areas of potential concern:

- Potential impacts from mobile sources introduced by a project
- Potential impacts from stationary 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 proposed project from either manufacturing/processing or large/major sources in the close vicinity of the project.

The proposed project would not introduce any parking garages, and therefore, an assessment of emissions from such a facility is not warranted.

Therefore, this analysis focuses on the following:

› An assessment of the potential for air quality impacts from mobile sources generated by the project.
› Potential impacts from the parking lot that will have additional traffic as a result of the project.
› Potential impacts of the HVAC emissions on the existing buildings.
› An assessment of the potential for manufacturing/processing facilities or large/major sources that are located near the project block to affect the Proposed Project.

Air Quality Standards

In accordance with the requirements of the Clean Air Act (CAA), as amended 1990, the U.S. Environmental Protection Agency (EPA) has promulgated National Ambient Air Quality Standards (NAAQS) (40 CFR part 50) for pollutants considered harmful to public health and the environment. The Clean Air Act established two types of national air quality standards. Primary standards set limits to protect public health, including the health of sensitive populations such as 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). These standards are reviewed from time to time and may be revised.

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

In addition to criteria pollutants, there are other pollutants, air toxics, not included by the EPA in the list of principal pollutants. 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). No federal ambient air quality standards have been promulgated for toxic air pollutants. However, EPA and New York State Department of Environmental Conservation (NYSDEC) have issued guidelines that establish acceptable ambient levels for these pollutants based on human exposure.

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 NO2 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) O3 standards additionally remain in effect in some areas. Revocation of the previous (2008) O3 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 SO2 standards or is not meeting the requirements of a SIP call under the previous SO2 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

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 areas. 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).

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 (PM) 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 atmosphere nitrogen gas combines with oxygen gas. NO is relatively harmless to humans but quickly converts to NO2. 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).

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 (August 2016), 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.

The proposed project may impact CO emissions, if mobile sources are of concern. PM, NO_x, SO_2 and air toxic emissions may be of concern should manufacturing/processing facilities or large/major sources be identified to impact the Proposed Project.

Impact Criteria

The predicted concentrations of pollutants of concern associated with a proposed project are compared with either the National Ambient Air Quality Standards 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. In addition, the City's de minimis criteria are also used to determine significance of impacts for CO and $PM_{2.5}$.

CO De Minimis Criteria

New York City has developed de minimis criteria to assess the significance of the increase in CO concentrations that would result from the impact of project-generated mobile sources, as set forth in the *CEQR Technical Manual*. These criteria set the minimum change in CO concentration that defines a significant adverse environmental impact. Significant increases of CO concentrations in New York City are defined as:

- An increase of 0.5 ppm or more in the maximum eight-hour average CO concentration at a location where the predicted No-Action eight-hour concentration is equal to or between 8.0 and 9.0 ppm; or
- An increase of more than half the difference between baseline (i.e., No-Action) concentrations and the eight-hour standard, when No-Action concentrations are below 8.0 ppm.

$PM_{2.5}$ De Minimis Criteria

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 PM2.5 concentration increments which are predicted to be greater than 0.1 µg/m3 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 PM2.5 concentration increments which are predicted to be greater than 0.3 µg/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 proposed project. The latest three years of monitoring data (2017 to 2019) from the representative monitoring stations were used to develop background concentrations for pollutants of concern (see **Table 7-2**). Monitored observations for all pollutants were 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**, column Form for information).

Table 7-2 Background Concentrations

Pollutant	Averaging Time	Background Concentration	Unit
Carbon Monoxide	1-Hour	1.7	ppm
	8-Hour	1.2	
Nitrogen Dioxide	1-Hour	55	ppb
	Annual	14.6	
Particulate Matter ($PM_{2.5}$)	24-Hour	17.7	µg/m^3
	Annual	6.8	

The *CEQR Technical Manual de minimis* threshold for the 24-hour $PM_{2.5}$ concentrations was estimated to be 8.7 µg/m^3 from the JHS 126 observations.

Methodology

Mobile Sources

The impacts of trips generated by the project and impacts of the increased trips at the parking lot will be analyzed using *CEQR Technical Manual* screening approach.

Screening Analysis from Project-Generated Mobile Trips

A screening analysis of mobile source CO emissions on ambient pollutant levels in the study area was conducted per 2020 *CEQR Technical Manual* guidance as described in Chapter 17, Sections 210 and 311 of the *CEQR Technical Manual*. The threshold for conducting an

analysis of CO emissions is 170 project-generated vehicles at a given intersection in the peak hour, which the Proposed Project would not exceed. The Proposed Project is not expected to generate any heavy-duty diesel trips. The equivalent number of truck-trips were compared to the PM thresholds using the *CEQR Technical Manual* spreadsheet based on guidance described in Sections 210 and 311.

Parking Facilities

Under the With-Action condition, it is anticipated that the project site would introduce about 40 new parking spaces to the existing parking lot next to the restaurant. The most active hour for the parking lot will be the Saturday PM peak hour, the project peak hour. Impacts of the additional parking will be assessed qualitatively.

Stationary Sources

HVAC Analysis

As described in Sections 312.1 and 322.1 in Chapter 17 of the 2020 *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 a proposed project. Such an analysis is warranted if there are nearby buildings with heights similar to or greater than the stack of the proposed building.

The proposed addition to the existing restaurant building, the Proposed Project, will have an HVAC stack that is taller than any surrounding buildings within the 400-foot radius. An HVAC screening analysis will be conducted, however, to determine the critical distance to the buildings of similar or greater height that could be potentially affected by the Proposed Project.

Industrial Source Analysis

As described in Section 220 and Section 321 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 321 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 Sources

Screening Analysis

The project-generated trips will be only by passenger cars. The number of generated trips at any intersection will be below the CEQR threshold for Queens, 170 trips. No adverse carbon monoxide impacts are anticipated from the project and no further analysis is needed for mobile source CO. The impacts of equivalent heavy-duty emissions were estimated using CEQR worksheet. The peak hour trips will be below the thresholds for the affected roadway links. Therefore, no adverse PM impacts from the mobile sources of the proposed project are anticipated.

Impacts from Parking Lot

The existing restaurant parking will be expanded to include about 40 extra spaces. The highest activity, the most ins and outs of the parking lot, happens in the project's peak hour, the Saturday PM peak. However, the number of additional trips to and from parking lot due to expansion will not be large. CO impacts of the additional trips is not anticipated to produce significant adverse air quality impacts.

Stationary Sources

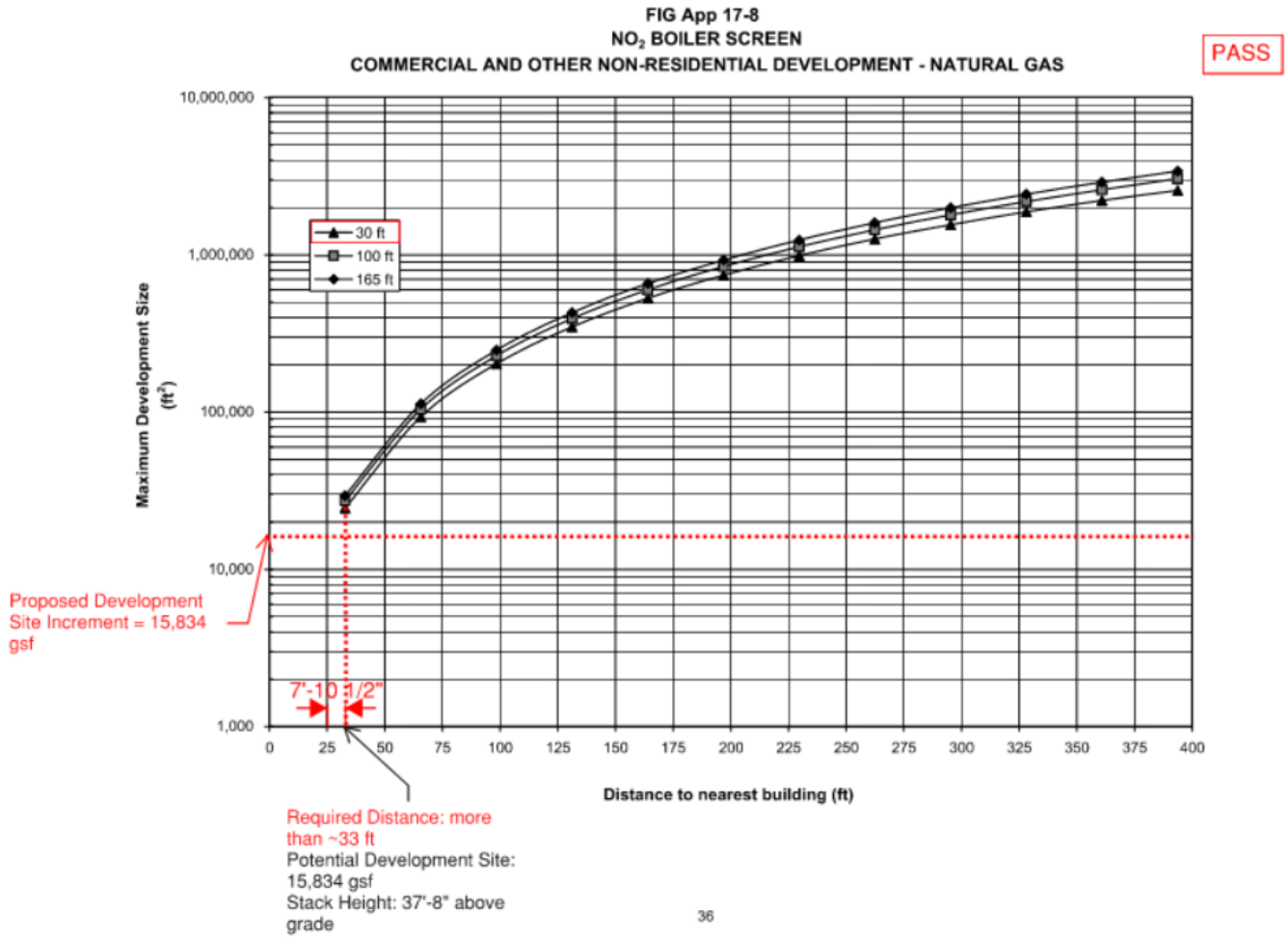
HVAC Analysis

An HVAC screening analysis following the 2020 *CEQR Technical Manual* procedures was conducted to assess the effects of the Proposed Development on surrounding buildings. The Proposed Development is projected to add a 15,834 gsf, two-story, 32-foot-tall addition to the existing one-story restaurant of 13,901 gsf. The existing restaurant uses natural gas for its heating and ventilation system and the proposed addition would also use natural gas. According to the building design the proposed HVAC stack would rise six feet above the roof for a total height of a little less than 38 feet above grade.

A screening analysis performed for the Proposed Project indicated that the closest sensitive land uses, Alley Pond Golf Center across the Northern Boulevard, and the church at 232-20 Northern Boulevard, are one-storied buildings, lower than the Proposed Project. According to the HVAC screening on Figure 7-1 the minimum screening distance necessary to avoid potential adverse air quality impacts was determined to be 33 feet. The distance between the proposed HVAC stack location and the Golf Center is 200 feet. The distance to 232-20

Northern Boulevard is approximately 270 feet. Both distances are greater than the required distance between the proposed addition and the receptor building. Thus, no significant air quality impacts are expected from the HVAC systems of the Proposed Project and further analysis is not required.

Figure 7-1 HVAC Screening Analysis



To ensure that there are no significant adverse impacts from the HVAC system of the Proposed Project, certain restrictions related to the stack height would be required through the mapping of an (E) designation for air quality.

The (E) designation text would be as follows:

Block 8164, Lots 15, 22, 30, 43, 122, 130, and 230 – Proposed Development Site

Any new commercial development or enlargement on the above-referenced property must exclusively use natural gas in any fossil fuel-fired heating, ventilating and air conditioning (HVAC) or hot water equipment. The stack must be located on the proposed addition at least 37 feet and eight inches above grade to avoid any significant adverse air quality impacts.

Industrial, Large/Major Sources Analyses

No large or major sources were identified within 1,000-feet radius of the Proposed Project. Therefore, no impacts from such facilities are expected and no analysis of impacts on the proposed addition is needed.

There are no industrial, manufacturing, or processing facilities within 400-foot radius of the proposed addition to the restaurant. Thus, no air toxic impact on the proposed addition are anticipated and no further analysis of such impacts is required.

Conclusion

The proposed addition to the existing Mizumi restaurant building should use natural gas HVAC and hot water equipment and have a stack located on the proposed addition at least 37 feet and 8 inches above grade to avoid adverse air quality impacts. With application of an (E) designation for air quality, no significant adverse impacts from the HVAC or hot water emissions of the proposed addition on the existing buildings are expected.

The number of project-generated trips will be below the 2020 CEQR thresholds. No adverse air quality impacts are expected from the mobile sources generated by the project. Similarly, no significant adverse air quality impacts are anticipated from the expansion of the project's parking lot.

No large or major sources or manufacturing and processing facilities were identified in the close vicinity of the Proposed Project, and, therefore, no air quality impacts of such facilities on the Proposed Project are expected.

As a result, no significant adverse air quality impacts from or on the Proposed Project are expected.

8

Neighborhood Character

This section considers how the Proposed Action would affect neighborhood character, which is defined as the elements of the environment that combine to create the context and feeling of a neighborhood.

Introduction

As defined within the manual, neighborhood character is an amalgam of various elements that give neighborhoods a distinct "personality," including land use, urban design and visual resources, historic resources, socioeconomic conditions, transportation, and noise. Not all of these elements affect neighborhood character in all cases; a neighborhood usually draws its distinctive character from a few defining elements. According to the *CEQR Technical Manual*, neighborhood character impacts are rare and occur under unusual circumstances.

As described in **Part I: Project Description**, the Proposed Project would result in the development of a two-story, approximately 15,834-gross-square-foot (gsf) enlargement of an existing 13,901-gross square foot restaurant located on Queens Block 8164, Lots 15, 22, 30, 43, 122, 130, and 230 (Projected Development Site 1). This section presents a preliminary assessment of neighborhood character, prepared in conformance with the guidelines set forth in the *CEQR Technical Manual* and using information from the technical analyses presented in other relevant sections of this EAS.

Methodology

As described in the *CEQR Technical Manual*, an assessment of neighborhood character is generally appropriate when a proposed project has the potential to result in significant adverse impacts in one or more of the following technical areas: land use, zoning, and public policy; socioeconomic conditions; open space; historic and cultural resources; urban design and visual resources; shadows; transportation; or noise. Per the *CEQR Technical Manual*, even if a project does not have the potential to result in a significant adverse impact in any specific technical area(s), additional analysis may be required based on the potential for a combination of "moderate effects" in more than one area.[1] As detailed in the previous sections of this EAS, the Proposed Project would not result in any significant adverse impacts in the above technical areas. Therefore, this assessment focuses on the potential for the Proposed Project to affect neighborhood character through a combination of effects on the contributing elements of neighborhood character that warranted detailed analysis (shadows and transportation).

Study Areas

The study area for the neighborhood character analysis is consistent with the study areas in the relevant technical areas assessed under CEQR that contribute to the defining elements of the neighborhood.

Preliminary Assessment

Table 8-1 below describes the Proposed Project's potential for moderate effects by contributing technical area.

[1] A "moderate" effect is generally defined in the *CEQR Technical Manual* as an effect that is reasonably close to the significant adverse impact threshold for a particular technical analysis area.

Table 8-1 Potential for Moderate Effects by Contributing Technical Area

Contributing Technical Area	Potential for Moderate Effects
Land Use, Zoning, and Public Policy	No potential for moderate effects. While adoption of the Proposed Action would result in a change in zoning, it would not introduce a new land use. Rather the Proposed Action would bring an existing restaurant into conformance and be consistent with zoning in the study area.
Socioeconomic Conditions	No potential for moderate effects. None of the screening criteria listed in Part II of the EAS Form were exceeded.
Open Space	No potential for moderate effects. None of the screening criteria listed in Part II of the EAS Form were exceeded.
Historic & Cultural Resources	No potential for moderate effects. None of the screening criteria listed in Part II of the EAS Form were met.
Urban Design & Visual Resources	No potential for moderate effects. The Proposed Action would facilitate redevelopment of two vacant lots and improve the pedestrian experience. The Proposed Project would be consistent with the existing urban design of the study area. Visual conditions in and around Alley Pond Park are not anticipated to change as a result of the Proposed Action.
Shadows	No potential for moderate effects. The Proposed Project has the potential to cast shadows on limited portions of Alley Pond Park. However, the incremental shadow is limited in duration and the Proposed Project would not result in significant adverse shadow impacts.
Transportation	No potential for moderate effects. Detailed traffic analyses at three existing intersections and a new driveway location created as part of the Proposed Project determined that the Proposed Project would not generate significant adverse traffic impacts at any of these locations. The Proposed Project's parking demand and available on- and off-street parking supply concluded that there would be adequate parking spaces to accommodate the project's parking demand.
Noise	No potential for moderate effects. None of the screening criteria listed in Part II of the EAS Form were met.

As described in **Table 8-1** above, the Proposed Project would not have the potential for moderate effects. Accordingly, the Proposed Project does not have the potential to result in a significant adverse neighborhood character impact due to a combination of moderate effects. Further, the Proposed Project would be consistent with the defining features of the neighborhood, which are as follows:

- Northern Boulevard, a four-lane, two-way road that functions as a commercial corridor, with low-rise commercial buildings, large accessory parking lots, a two-way bike path, and wide sidewalks that are generally in good condition;
- Alley Pond Park, a densely vegetated park with composed of forests and wetlands with a few recreational earthen paths; and
- Hanford Street, a one-way street with low-rise, detached single-family homes that are spacious and set back from the street.

Conclusion

The Proposed Action would facilitate development of a two-story, approximately 15,834-gross-square-foot (gsf) enlargement of an existing 13,901-gross square foot restaurant. The Proposed Project would be consistent with existing land use and zoning and its height would be consistent with the low-rise buildings that are characteristic of the study area. The Proposed Action would facilitate the redevelopment of two vacant lots, thereby improving the pedestrian experience. It would not result in any significant adverse impacts on views to and from Alley Pond Park, the sole visual resource within the study area, nor would it result in significant adverse shadow impacts. As the Proposed Project would not significantly alter the existing land use, shadows, urban design and visual resources, historic resources, socioeconomic conditions, transportation, or noise character of the surroundings, no significant adverse neighborhood character impacts would result.

Appendix A: Waterfront Revitalization Program

FOR INTERNAL USE ONLY	WRP No. 21-202
Date Received: _____	DOS No. _____

NEW YORK CITY WATERFRONT REVITALIZATION PROGRAM
Consistency Assessment Form

Proposed actions that are subject to CEQR, ULURP or other local, state or federal discretionary review procedures, and that are within New York City's Coastal Zone, must be reviewed and assessed for their consistency with the *New York City Waterfront Revitalization Program (WRP)* which has been approved as part of the State's Coastal Management Program.

This form is intended to assist an applicant in certifying that the proposed activity is consistent with the WRP. It should be completed when the local, state, or federal application is prepared. The completed form and accompanying information will be used by the New York State Department of State, the New York City Department of City Planning, or other city or state agencies in their review of the applicant's certification of consistency.

A. APPLICANT INFORMATION

Name of Applicant: Twin Deer Group, LLC

Name of Applicant Representative: Jennifer Hong

Address: 450 Remsens Lane, Oyster Bay, NY 11711

Telephone: 914-941-0086 Email: jenhong@jenniferhong.com

Project site owner (if different than above): _____

B. PROPOSED ACTIVITY

If more space is needed, include as an attachment.

1. Brief description of activity

The applicant, Twin Deer Group, LLC, is seeking a zoning map amendment to rezone eleven lots in the Douglaston neighborhood of Queens Community District 11 (the Project Area) from a R1-2 zoning district to a R1-2 zoning district with a C2-2 commercial overlay (the Proposed Action). The Proposed Action would facilitate the development of a two-story, approximately 15,834-gross square foot enlargement of an existing 13,901-gross square foot restaurant (the Proposed Project) located on Queens Block 8164, Lots 15, 22, 30, 43, 122, 130, and 230 (the Development Site).

2. Purpose of activity

Currently, the Project Area is zoned R1-2, which is intended for low-density, single-family, detached homes on spacious lots. The Proposed Action would bring the existing restaurant located on the Development Site into conformance. Commercial use is an appropriate use for the Project Area, given that it fronts onto Northern Boulevard, a major thoroughfare. Commercial use is also consistent with the character of the surrounding area. The Proposed Action would allow the applicant to make productive use of the Development Site, return a vacant former gas station to economic use, and allow a popular restaurant to expand to better serve its patrons in the community.

C. PROJECT LOCATION

Borough: Queens Tax Block/Lot(s): Block 8164, Lots 15, 22, 30, 43, 122, 130, and 230

Street Address: 231-06 Northern Boulevard, Queens, NY 11362

Name of water body (if located on the waterfront): Alley Creek, Little Neck Bay

D. REQUIRED ACTIONS OR APPROVALS

Check all that apply.

City Actions/Approvals/Funding

City Planning Commission ☑ Yes ☐ No

- ☐ City Map Amendment
- ☑ Zoning Map Amendment
- ☐ Zoning Text Amendment
- ☐ Site Selection – Public Facility
- ☐ Housing Plan & Project
- ☐ Special Permit
  (if appropriate, specify type: ☐ Modification ☐ Renewal ☐ other) Expiration Date: _____
- ☐ Zoning Certification
- ☐ Zoning Authorizations
- ☐ Acquisition – Real Property
- ☐ Disposition – Real Property
- ☐ Other, explain: _____
- ☐ Concession
- ☐ UDAAP
- ☐ Revocable Consent
- ☐ Franchise

Board of Standards and Appeals ☐ Yes ☑ No

- ☐ Variance (use)
- ☐ Variance (bulk)
- ☐ Special Permit
  (if appropriate, specify type: ☐ Modification ☐ Renewal ☐ other) Expiration Date: _____

Other City Approvals

- ☐ Legislation
- ☐ Rulemaking
- ☐ Construction of Public Facilities
- ☐ 384 (b) (4) Approval
- ☐ Other, explain: _____
- ☐ Funding for Construction, specify: _____
- ☐ Policy or Plan, specify: _____
- ☐ Funding of Program, specify: _____
- ☐ Permits, specify: _____

State Actions/Approvals/Funding

- ☐ State permit or license, specify Agency: _____ Permit type and number: _____
- ☐ Funding for Construction, specify: _____
- ☐ Funding of a Program, specify: _____
- ☐ Other, explain: _____

Federal Actions/Approvals/Funding

- ☐ Federal permit or license, specify Agency: _____ Permit type and number: _____
- ☐ Funding for Construction, specify: _____
- ☐ Funding of a Program, specify: _____
- ☐ Other, explain: _____

Is this being reviewed in conjunction with a Joint Application for Permits? ☐ Yes ☐ No

E. LOCATION QUESTIONS

1.	Does the project require a waterfront site?	☐ Yes	☑ No
2.	Would the action result in a physical alteration to a waterfront site, including land along the shoreline, land under water or coastal waters?	☑ Yes	☐ No
3.	Is the project located on publicly owned land or receiving public assistance?	☐ Yes	☑ No
4.	Is the project located within a FEMA 1% annual chance floodplain? *(6.2)*	☑ Yes	☐ No
5.	Is the project located within a FEMA 0.2% annual chance floodplain? *(6.2)*	☑ Yes	☐ No
6.	Is the project located adjacent to or within a special area designation? *See Maps – Part III of the NYC WRP. If so, check appropriate boxes below and evaluate policies noted in parentheses as part of WRP Policy Assessment (Section F).*	☐ Yes	☐ No

- ☐ Significant Maritime and Industrial Area (SMIA) (*2.1*)
- ☑ Special Natural Waterfront Area (SNWA) (*4.1*)
- ☐ Priority Maritime Activity Zone (PMAZ) (*3.5*)
- ☐ Recognized Ecological Complex (REC) (*4.4*)
- ☐ West Shore Ecologically Sensitive Maritime and Industrial Area (ESMIA) (*2.2, 4.2*)

F. WRP POLICY ASSESSMENT

Review the project or action for consistency with the WRP policies. For each policy, check Promote, Hinder *or* Not Applicable (N/A). *For more information about consistency review process and determination, see* ***Part I*** *of the NYC Waterfront Revitalization Program. When assessing each policy, review the full policy language, including all sub-policies, contained within* ***Part II*** *of the WRP. The relevance of each applicable policy may vary depending upon the project type and where it is located (i.e. if it is located within one of the special area designations).*

For those policies checked Promote *or* Hinder, *provide a written statement on a separate page that assesses the effects of the proposed activity on the relevant policies or standards. If the project or action promotes a policy, explain how the action would be consistent with the goals of the policy. If it hinders a policy, consideration should be given toward any practical means of altering or modifying the project to eliminate the hindrance. Policies that would be advanced by the project should be balanced against those that would be hindered by the project. If reasonable modifications to eliminate the hindrance are not possible, consideration should be given as to whether the hindrance is of such a degree as to be substantial, and if so, those adverse effects should be mitigated to the extent practicable.*

		Promote	Hinder	N/A
1	**Support and facilitate commercial and residential redevelopment in areas well-suited to such development.**	☑	☐	☐
1.1	Encourage commercial and residential redevelopment in appropriate Coastal Zone areas.	☑	☐	☐
1.2	Encourage non-industrial development with uses and design features that enliven the waterfront and attract the public.	☐	☐	☑
1.3	Encourage redevelopment in the Coastal Zone where public facilities and infrastructure are adequate or will be developed.	☑	☐	☐
1.4	In areas adjacent to SMIAs, ensure new residential development maximizes compatibility with existing adjacent maritime and industrial uses.	☐	☐	☑
1.5	Integrate consideration of climate change and sea level rise into the planning and design of waterfront residential and commercial development, pursuant to WRP Policy 6.2.	☑	☐	☐

		Promote	Hinder	N/A
2	**Support water-dependent and industrial uses in New York City coastal areas that are well-suited to their continued operation.**	☐	☐	☑
2.1	Promote water-dependent and industrial uses in Significant Maritime and Industrial Areas.	☐	☐	☑
2.2	Encourage a compatible relationship between working waterfront uses, upland development and natural resources within the Ecologically Sensitive Maritime and Industrial Area.	☐	☐	☑
2.3	Encourage working waterfront uses at appropriate sites outside the Significant Maritime and Industrial Areas or Ecologically Sensitive Maritime Industrial Area.	☐	☐	☑
2.4	Provide infrastructure improvements necessary to support working waterfront uses.	☐	☐	☑
2.5	Incorporate consideration of climate change and sea level rise into the planning and design of waterfront industrial development and infrastructure, pursuant to WRP Policy 6.2.	☐	☐	☑
3	**Promote use of New York City's waterways for commercial and recreational boating and water-dependent transportation.**	☐	☐	☑
3.1.	Support and encourage in-water recreational activities in suitable locations.	☐	☐	☑
3.2	Support and encourage recreational, educational and commercial boating in New York City's maritime centers.	☐	☐	☑
3.3	Minimize conflicts between recreational boating and commercial ship operations.	☐	☐	☑
3.4	Minimize impact of commercial and recreational boating activities on the aquatic environment and surrounding land and water uses.	☐	☐	☑
3.5	In Priority Marine Activity Zones, support the ongoing maintenance of maritime infrastructure for water-dependent uses.	☐	☐	☑
4	**Protect and restore the quality and function of ecological systems within the New York City coastal area.**	☑	☐	☐
4.1	Protect and restore the ecological quality and component habitats and resources within the Special Natural Waterfront Areas.	☑	☐	☐
4.2	Protect and restore the ecological quality and component habitats and resources within the Ecologically Sensitive Maritime and Industrial Area.	☐	☐	☑
4.3	Protect designated Significant Coastal Fish and Wildlife Habitats.	☐	☐	☑
4.4	Identify, remediate and restore ecological functions within Recognized Ecological Complexes.	☐	☐	☑
4.5	Protect and restore tidal and freshwater wetlands.	☑	☐	☐
4.6	In addition to wetlands, seek opportunities to create a mosaic of habitats with high ecological value and function that provide environmental and societal benefits. Restoration should strive to incorporate multiple habitat characteristics to achieve the greatest ecological benefit at a single location.	☐	☐	☑
4.7	Protect vulnerable plant, fish and wildlife species, and rare ecological communities. Design and develop land and water uses to maximize their integration or compatibility with the identified ecological community.	☐	☐	☑
4.8	Maintain and protect living aquatic resources.	☐	☐	☑

		Promote	Hinder	N/A
5	**Protect and improve water quality in the New York City coastal area.**	☑	☐	☐
5.1	Manage direct or indirect discharges to waterbodies.	☑	☐	☐
5.2	Protect the quality of New York City's waters by managing activities that generate nonpoint source pollution.	☑	☐	☐
5.3	Protect water quality when excavating or placing fill in navigable waters and in or near marshes, estuaries, tidal marshes, and wetlands.	☐	☐	☑
5.4	Protect the quality and quantity of groundwater, streams, and the sources of water for wetlands.	☐	☐	☑
5.5	Protect and improve water quality through cost-effective grey-infrastructure and in-water ecological strategies.	☐	☐	☑
6	**Minimize loss of life, structures, infrastructure, and natural resources caused by flooding and erosion, and increase resilience to future conditions created by climate change.**	☑	☐	☐
6.1	Minimize losses from flooding and erosion by employing non-structural and structural management measures appropriate to the site, the use of the property to be protected, and the surrounding area.	☑	☐	☐
6.2	Integrate consideration of the latest New York City projections of climate change and sea level rise (as published in *New York City Panel on Climate Change 2015 Report, Chapter 2: Sea Level Rise and Coastal Storms*) into the planning and design of projects in the city's Coastal Zone.	☑	☐	☐
6.3	Direct public funding for flood prevention or erosion control measures to those locations where the investment will yield significant public benefit.	☐	☐	☑
6.4	Protect and preserve non-renewable sources of sand for beach nourishment.	☐	☐	☑
7	**Minimize environmental degradation and negative impacts on public health from solid waste, toxic pollutants, hazardous materials, and industrial materials that may pose risks to the environment and public health and safety.**	☑	☐	☐
7.1	Manage solid waste material, hazardous wastes, toxic pollutants, substances hazardous to the environment, and the unenclosed storage of industrial materials to protect public health, control pollution and prevent degradation of coastal ecosystems.	☐	☐	☑
7.2	Prevent and remediate discharge of petroleum products.	☑	☐	☐
7.3	Transport solid waste and hazardous materials and site solid and hazardous waste facilities in a manner that minimizes potential degradation of coastal resources.	☐	☐	☑
8	**Provide public access to, from, and along New York City's coastal waters.**	☐	☐	☑
8.1	Preserve, protect, maintain, and enhance physical, visual and recreational access to the waterfront.	☐	☐	☑
8.2	Incorporate public access into new public and private development where compatible with proposed land use and coastal location.	☐	☐	☑
8.3	Provide visual access to the waterfront where physically practical.	☐	☐	☑
8.4	Preserve and develop waterfront open space and recreation on publicly owned land at suitable locations.	☐	☐	☑

		Promote	Hinder	N/A
8.5	Preserve the public interest in and use of lands and waters held in public trust by the State and City.	☐	☐	☑
8.6	Design waterfront public spaces to encourage the waterfront's identity and encourage stewardship.	☐	☐	☑
9	**Protect scenic resources that contribute to the visual quality of the New York City coastal area.**	☑	☐	☐
9.1	Protect and improve visual quality associated with New York City's urban context and the historic and working waterfront.	☐	☐	☑
9.2	Protect and enhance scenic values associated with natural resources.	☑	☐	☐
10	**Protect, preserve, and enhance resources significant to the historical, archaeological, architectural, and cultural legacy of the New York City coastal area.**	☐	☐	☑
10.1	Retain and preserve historic resources, and enhance resources significant to the coastal culture of New York City.	☐	☐	☑
10.2	Protect and preserve archaeological resources and artifacts.	☐	☐	☑

G. CERTIFICATION

The applicant or agent must certify that the proposed activity is consistent with New York City's approved Local Waterfront Revitalization Program, pursuant to New York State's Coastal Management Program. If this certification cannot be made, the proposed activity shall not be undertaken. If this certification can be made, complete this Section.

"The proposed activity complies with New York State's approved Coastal Management Program as expressed in New York City's approved Local Waterfront Revitalization Program, pursuant to New York State's Coastal Management Program, and will be conducted in a manner consistent with such program."

Applicant/Agent's Name: Catherine Zinnel

Address: VHB, 1 Penn Plaza, New York, NY 10119

Telephone: 646.809.8020 Email: czinnel@vhb.com

Applicant/Agent's Signature: Catherine Zinnel

Date: 3/11/22

Submission Requirements

For all actions requiring City Planning Commission approval, materials should be submitted to the Department of City Planning.

For local actions not requiring City Planning Commission review, the applicant or agent shall submit materials to the Lead Agency responsible for environmental review. A copy should also be sent to the Department of City Planning.

For State actions or funding, the Lead Agency responsible for environmental review should transmit its WRP consistency assessment to the Department of City Planning.

For Federal direct actions, funding, or permits applications, including Joint Applicants for Permits, the applicant or agent shall also submit a copy of this completed form along with his/her application to the NYS Department of State Office of Planning and Development and other relevant state and federal agencies. A copy of the application should be provided to the NYC Department of City Planning.

The Department of City Planning is also available for consultation and advisement regarding WRP consistency procedural matters.

New York City Department of City Planning
Waterfront and Open Space Division
120 Broadway, 31st Floor
New York, New York 10271
212-720-3696
wrp@planning.nyc.gov
www.nyc.gov/wrp

New York State Department of State
Office of Planning and Development
Suite 1010
One Commerce Place, 99 Washington Avenue
Albany, New York 12231-0001
518-474-6000
www.dos.ny.gov/opd/programs/consistency

Applicant Checklist

- ☐ Copy of original signed NYC Consistency Assessment Form
- ☐ Attachment with consistency assessment statements for all relevant policies
- ☐ For Joint Applications for Permits, one (1) copy of the complete application package
- ☐ Environmental Review documents
- ☐ Drawings (plans, sections, elevations), surveys, photographs, maps, or other information or materials which would support the certification of consistency and are not included in other documents submitted. All drawings should be clearly labeled and at a scale that is legible.
- ☐ Policy 6.2 Flood Elevation worksheet, if applicable. For guidance on applicability, refer to the WRP Policy 6.2 Guidance document available at www.nyc.gov/wrp

Appendix A: Waterfront Revitalization Program Consistency Assessment

WRP Consistency Assessment

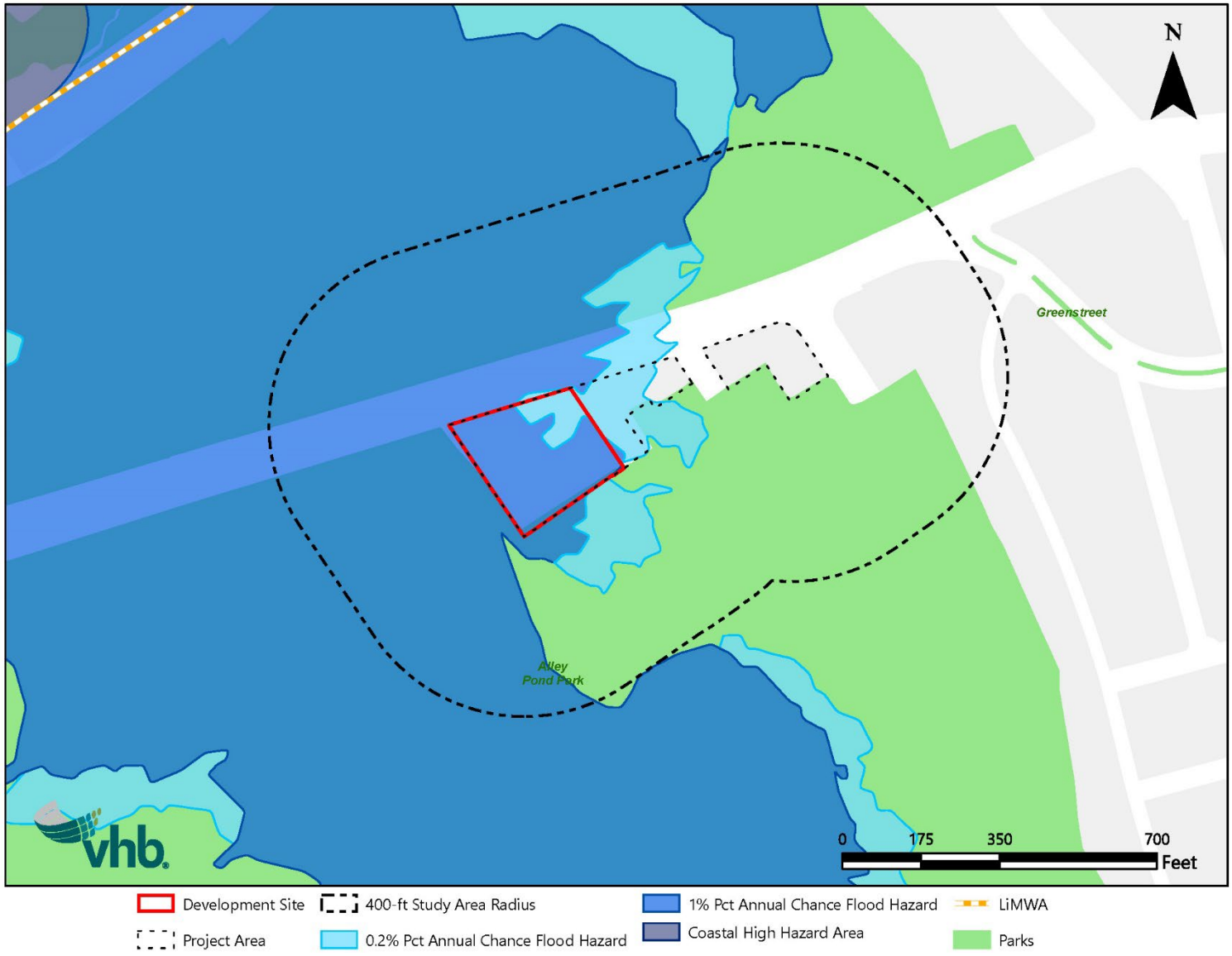
The New York City Waterfront Revitalization Program (WRP) establishes the City's policies and objectives for maximizing benefits derived from economic development, environmental preservation, and public use of the waterfront, while minimizing the conflicts among those objectives. The Project Area is located within the City's Coastal Zone (**Figure A-1**). Therefore, the Proposed Action is subject to the policies of New York City's Waterfront Revitalization Program (WRP).

The WRP Consistency Assessment Form (CAF) is used to identify the relevant WRP policies; the CAF is included in this appendix (WRP # 21-202). For all relevant policies, a written assessment to determine consistency with the applicable WRP policy is provided.

As described in **Part I: Project Description**, the applicant is seeking a zoning map amendment to rezone the Project Area, including Projected Development Site 1, from R1-2 to R-1-2 with a C2-2 commercial overlay (the Proposed Action). The Proposed Action would facilitate development of a two-story, approximately 15,834-gsf enlargement of an existing 13,901-gsf restaurant, which would bring the building to a total of approximately 29,735-gsf. Approximately 143 parking spaces and two curb cuts would be provided.

The applicant previously submitted a WRP CAF (WRP # 18-108) in connection to a request for a variance from the New York City Board of Standards and Appeals. On December 4, 2018, the New York City Department of City Planning Waterfront Open Space Division, on behalf of the New York City Coastal Commission, found that the actions would not substantially hinder the achievement of any WRP policy and thereby determined that the project was consistent with the WRP policies. The below responses are largely consistent with the 2018 WRF CAF; upon further consultation with the applicant, all building features will be elevated above the City's current requirements to account for projected seal level rise (a Design Flood Elevation of 14.5 feet NAVD88).

Figure A-1 Flood and Coastal Zone Map



Policy 1: Support and facilitate commercial and residential redevelopment in areas well suited to such development

Policy 1.1: Encourage commercial and residential redevelopment in appropriate Coastal Zone areas.

The Proposed Action would permit enlargement of the existing one-story restaurant at a site that has historically been used as a non-conforming eating and drinking establishment since its original construction in or about 1959. On August 3, 2010, the New York City Board of Standards and Appeals (BSA) granted a variance to permit the re-establishment of the proposed commercial use within the existing building (under BSA Cal. No. 9-10-BZ). The underutilized former gasoline service station property will be redeveloped with a commercial use, which will promote economic development and enhance the City's tax base. To the immediate east of Projected Development Site 1 are a car wash, several automotive repair shops, and a car dealership. Therefore, Projected Development Site 1 is well suited for commercial use, and the Proposed Action is consistent with this policy.

Policy 1.3: Encourage redevelopment in the Coastal Zone where public facilities and infrastructure are adequate or will be developed.

Projected Development Site 1 is well served by mass transit and access to regional highways through the nearby Cross Island Parkway, Douglaston Parkway, and Long Island Expressway. The Proposed Project would serve residents in the surrounding residential neighborhoods. The Proposed Action would allow a local commercial use to be located on the more heavily trafficked Northern Boulevard, a major east and west bound commercial and residential corridor. A commercial use at this location is consistent with those located adjacent to Projected Development Site 1 as well as within the C1-2 overlay mapped along the intersection eastern side of Douglaston Parkway. The Proposed Action would facilitate development that is well suited for the area, as the surrounding area is developed with supportive public facilities and infrastructure. Therefore, the Proposed Action is consistent with this policy.

Policy 1.5: Integrate consideration of climate change and sea level rise into the planning and design of waterfront residential and commercial development, pursuant to WRP Policy 6.2.

Projects should consider potential risks related to coastal flooding to features specific to each project, including, but not limited to, critical electrical and mechanical systems, residential living areas, and public access areas.

As described further below under Policy 6.2, the Proposed Project would minimize the impacts of flooding and would employ flood provisions specified under Appendix G of the NYC Building Code. Therefore, the Proposed Action is consistent with Policy 1.5.

Policy 4: Protect and restore the quality and function of ecological systems within the New York City coastal areas

Policy 4.1: Protect and restore the ecological quality and component habitats and resources within the Special Natural Waterfront Areas.

The Proposed Action would effectuate infill on a developed street with commercial development that is consistent with surrounding built form and land use. The Proposed Action would involve remediation of a site formerly used as and developed with a gasoline service station. There would not be any increase in impermeable surfaces, and all storm water would be handled by on-site detention and filtration. This would ensure that redevelopment does not adversely affect the habitat value of the adjacent area of Fort Totten/Alley Pond Park. The commercial use effectuated by the Proposed Action would not result in industrial pollution that would impact off-site resources. The Proposed Project would not result in habitat fragmentation, interrupt the free exchange of biological communities, or encroach on the adjacent SNWA, Significant Coastal Fish and Wildlife Habitats, or impact endangered or critical natural resources.

The remediation and construction activities associated with the Proposed Action would not occur within or directly disturb the tidal or freshwater wetlands located proximate to Projected Development Site 1. However, portions of Projected Development Site 1 are located within the New York State Department of Environmental Conservation (NYS DEC) regulated adjacent areas of tidal and freshwater wetlands within Alley Pond Park. Accordingly, the applicant has obtained tidal and freshwater wetland permit authorizations from the NYS DEC (Tidal Wetlands Permit No. 2-6303-00310/00003, issued September 13, 2018, and Freshwater Wetlands Permit No. 2-6303-00310/00006, issued September 13, 2018). The Proposed Action underwent a rigorous review by the NYS DEC and the tidal and freshwater wetland permits issued by the NYS DEC for the Proposed Action include various general and site-specific conditions, requirements, prohibitions, and best management practices designed to protect tidal wetlands, freshwater wetlands, and adjacent upland habitats, including during the Proposed Project's remediation and construction periods, pursuant to Articles 24 and 25 of the New York State Environmental Conservation Law. These include:

- Use of erosion and sediment control measures, including straw bales, filter fabric, and other practices that are to be installed prior to commencement of work and maintained throughout project work;
- Installation of a construction barrier between work areas and protected resources;
- Seeding and mulching of exposed soils to minimize erosion and sedimentation;
- Use of clean fill material only and various other pollution controls;
- Grading requirements for disturbed areas to match surrounding grades; and
- Site inspections by the NYSDEC technical staff, at agency discretion.

Therefore, the Proposed Action is consistent with this policy and would include measures to ensure that redevelopment does not adversely affect the habitat value of the adjacent area of Alley Pond Park.

Policy 4.5: Protect and restore tidal and freshwater wetlands.

Projected Development Site 1 is located within 150-feet of a tidal wetland boundary (see **Figure A-2**). Two delineated wetlands are located within the 400-foot Project Area, Wetland ESS 1 and Wetland EPH 1. Both wetlands are tidal, irregularly inundated, and directly abut tributaries to Traditionally Navigable Waters (TNWs). Currently, 0.27 acres or 11,761.2 sf of Projected Development Site 1, including the western section of the parking lot and now demolished Getty Gas Station at the northwest corner, are within the delineated tidal wetland adjacent area. The Proposed Project seeks to extend an existing building onto the site of the previous Getty Gas Station and provide parking where previous asphalt access drive and parking were located accessory to the gas station. No new area of encroachment upon the delineated tidal wetland adjacent area will occur as a result of the Proposed Project. However, any redevelopment of the site is subject to NYS DEC review and authorization.

Accordingly, the applicant has obtained tidal and freshwater wetland permit authorizations from the NYS DEC (Tidal Wetlands Permit No. 2-6303-00310/00003, issued September 13, 2018, and Freshwater Wetlands Permit No. 2-6303-00310/00006, issued September 13, 2018). As explained in response to **Policy 4.1**, the Proposed Action underwent a rigorous review by the NYS DEC and the tidal and freshwater wetland permits issued by the NYS DEC for the Proposed Action include various general and site-specific conditions, requirements, prohibitions, and best management practices designed to protect tidal wetlands, freshwater wetlands, and adjacent upland habitats, including during the Proposed Project's remediation and construction periods, pursuant to Articles 24 and 25 of the New York State Environmental Conservation Law.

In addition, the Proposed Project includes a Storm Water Pollution Prevention Plan per the requirements of NYS Pollutant Discharge Elimination System General Permit that will provide mitigation measures to ensure that construction activity will not have an adverse impact on the adjacent wetlands. The storm water detention and filtration proposed as a component of the Proposed Project would ensure that nearby tidal wetlands are protected.

Policy 5: Protect and Improve water quality in the New York City coastal areas

Policy 5.1: Manage direct or indirect discharges to waterbodies.

The Proposed Project includes a subsurface stormwater detention tank with a 141,581-gallon capacity that allows for stormwater infiltration while slowing the release of stormwater to the sewer system.

The stormwater volume is calculated per the redevelopment guidelines set forth by NYS DEC, the governing body for the storm water runoff at Projected Development Site 1. Per the DEC, the 1.5 in storm must be treated on site. This storm correlates to the 90th percentile storm (meaning 90% of all 24-hour rain events in a year are treated). The bioretention planters in combination with the detention chamber treat the runoff from this storm. The NYS DEC conveyance guidelines require the project to mitigate the 10-year storm (5.95 in). The detention chamber size shown on the plans is sized to handle the 100-year storm (using the redevelopment calculation method). This chamber will be

empty most of the time as the 100-year storm only has a 1% chance of happening in a year. Therefore, the project promotes Policy 5.1 by improving the existing management of direct or indirect discharges.

Policy 5.2: Protect the quality of New York City's waters by managing activities that generate nonpoint source pollution.

As stated above, the Proposed Project includes a subsurface stormwater detention tank with a 141,581- gallon capacity that allows for stormwater infiltration while slowing the release of stormwater to the sewer system. A series of pipes connect overflow from the bioretention planters to the detention chamber (below grade). Downspouts from the building are directly connected to the detention chamber. Each downspout requires a pre-treatment filter that can remove debris and trash prior to entering the detention chamber. The bioretention planters are designed based on the NYS DEC stormwater management guidelines.

All control measures will comply with the Stormwater Pollution Prevention Plan (SWPPP). Control measures are indicated in the plans, and additional measures shall be implemented if conditions change or warrant additional control measures. Temporary sedimentation entrapment areas will prevent silt-laden runoff from Projected Development Site 1. With these stormwater management features in place, non-point source pollution and discharge into coastal waters will be managed to avoid impact. Additionally, the proposal includes sustainable stormwater practices such as the provision of a detention tank to capture for stormwater runoff and bioretention planters. Lastly, the proposed commercial use would not result in the generation of hazardous substances and would thereby not result in pollution to adjacent waterways. Accordingly, the Proposed Action is consistent with Policy 5.2.

Policy 6: Minimize loss of life, structures, infrastructure, and natural resources caused by flooding and erosion, and increase resilience to future conditions created by climate change

Policy 6.1: Minimize losses from flooding and erosion by employing non-structural and structural management measures appropriate to the site, the use of the property to be protected, and the surrounding area.

See response to **Policy 6.2**, below. The Proposed Action would permit enlargement of the existing one-story restaurant that has historically been used as a non-conforming eating and drinking establishment since its original construction in or about 1959. As proposed, all building features will be elevated above the City's current requirements to account for projected sea level rise (a Design Flood Elevation of 14.5 feet NAVD88).

The Proposed Action requires compliance with NYC Building Code Appendix G. Appendix G requires any new development, or substantially improved properties, located in whole or in part within the floodplain to comply with the flood resistant construction standards of the Building Code. Compliance with Appendix G is discussed below.

Policy 6.2: Integrate consideration of the latest New York City projections of climate change and sea level rise (as published in New York City Panel on Climate Change 2015 Report, Chapter 2: Sea Level Rise and Coastal Storms) into the planning and design of projects in the city's Coastal Zone.

Guidance provided by DCP includes a detailed methodology to determine the consistency of a project with Policy 6.2. This guidance identifies three basic steps to determine the consistency of a project with this policy: (1) identify vulnerabilities and consequences; (2) identify adaptive strategies; and (3) assess policy consistency. This assessment is based on a drawings provided by the project architect (see **Figure A-3** and **Figure A-4**).

1. Identify vulnerabilities and consequences

1(a). Complete the Flood Elevation Worksheet to identify current and future flood elevations in relation to the elevations of the site and project features.

See attached Flood Evaluation Worksheet.

1(b). Identify any project feature that may be located below the elevation of the 1-Percent Floodplain over the lifespan of the project under any sea level rise scenario.

For this assessment, building features are defined in one of four categories:

- (1) Vulnerable: project features that have the potential to incur significant damage if flooded;
- (2) Critical: project features that if damaged would have severe impacts on the project and its ability to function as designed;
- (3) Potentially hazardous: project features that if damaged or made unsecure by flooding could potentially adversely affect the health and safety of the public and the environment; and
- (4) Other: project features that are entirely open and unenclosed spaces, except the open storage of potentially hazardous materials, which may be damaged by flooding, but are not likely to present significant consequences and are more easily repaired.

The Flood Elevation Worksheet was prepared for the Approved Project and is provided in this Appendix below. This tool identifies current and future flood elevations in relation to the elevations of the site and project features, presents a range of future flood elevations in relation to the elevations of the site and project features, and presents a range of future flood elevations as affected by sea level rise, from high (90th percentile) to low (10th percentile), where the "high estimate" represents a high-end projected increase in flood elevation.

According to the NYC Panel on Climate Change (NPCC), sea level rise projections in the middle range (25th to 75th percentile) in New York City are likely to have an increase of 4 to 8 inches by the 2020s, 11 to 21 inches by the 2050s, 18 to 39 inches by the 2080s, and 22 to 50 inches by 2100. Under the "high estimate" scenario (90th percentile), sea level rise projections reach 10 inches by the 2020s, 30 inches by the 2050s, 58 inches by the 2080s, and 75 inches by 2100. Sea level rise projections are relative to a 2000-2004 base period (the most recent projections from the NPCC were issued in 2015). According to 2015 Preliminary Flood

Insurance Rate Maps (FIRMs), the Project Area is located within the 1% annual chance flood hazard area, Coastal Zone A, with a BFE of +13 feet NAVD88 (see attached worksheet).

The Proposed Project is anticipated to have a lifespan of about 50 years, or until 2073, when adaptive reuse in the form of major rehabilitation or reconstruction is assumed. The Proposed Project is evaluated for projected flood levels through 2100 (the farthest data projection currently available).

The only features of the Proposed Project that would be located below the current 1% annual chance flood elevation are the proposed crawl space, which would be constructed at an elevation of 6.4 feet NAVD88, and covered parking lot, which would be constructed at an elevation of 9 feet NAVD88. The proposed lobby hall and toilet, which would be constructed at an elevation of 15.5 feet NAVD88, would be at the 1% chance flood elevation in the 2050s, under the high SLR projection. Beginning in the 2080s, both the proposed lobby hall and toilet and the proposed lobby lounge and kitchen, which would be constructed at an elevation of 16.8 feet NAVD88, would be below the 1% annual chance flood elevation in the 2080s (under the mid- and high SLR projections, respectively).

Figure A-2 Illustrative Landscaping Plan with Tidal Wetland Boundaries

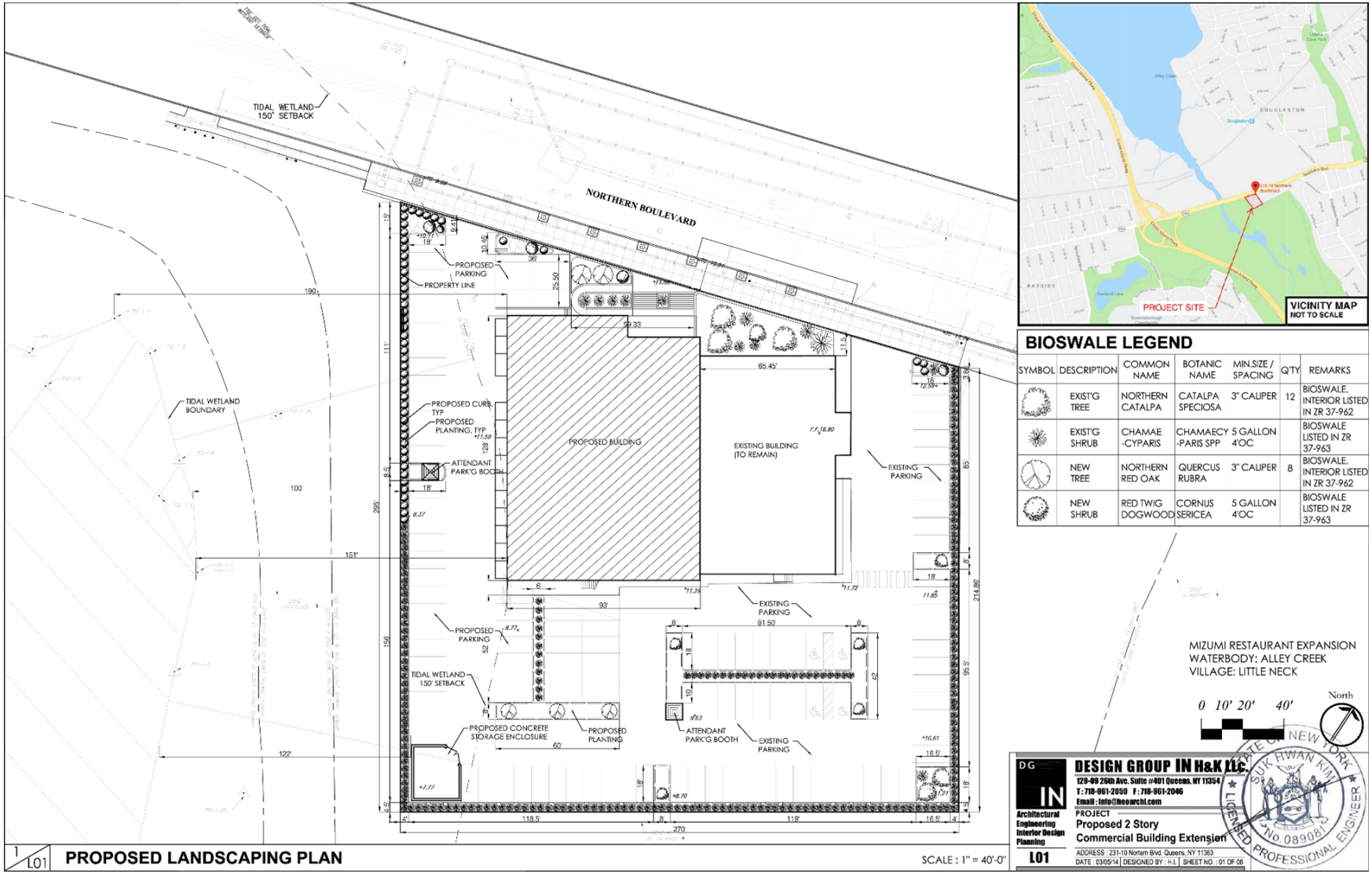


Figure A-3 Proposed A and B Sections

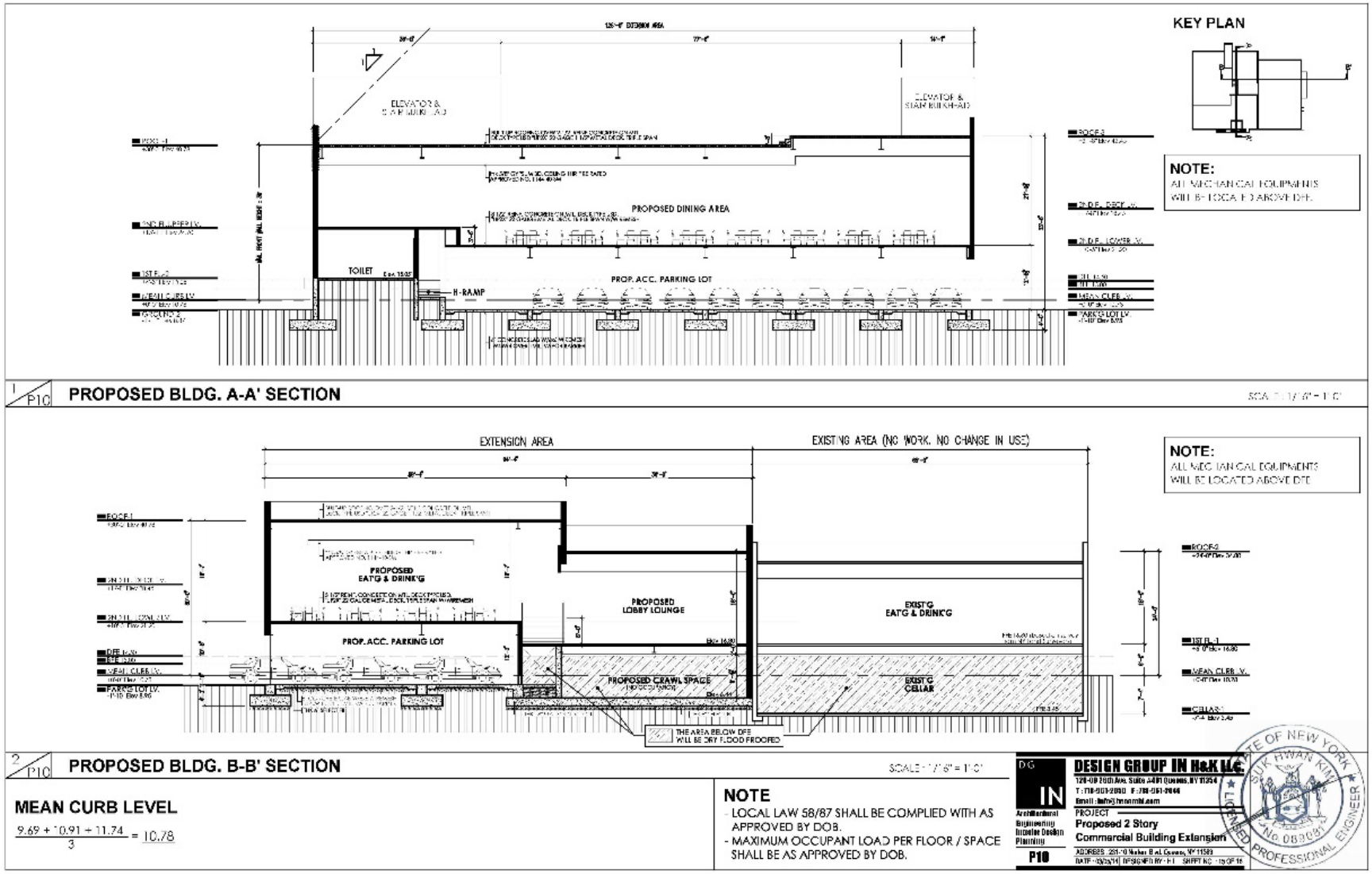
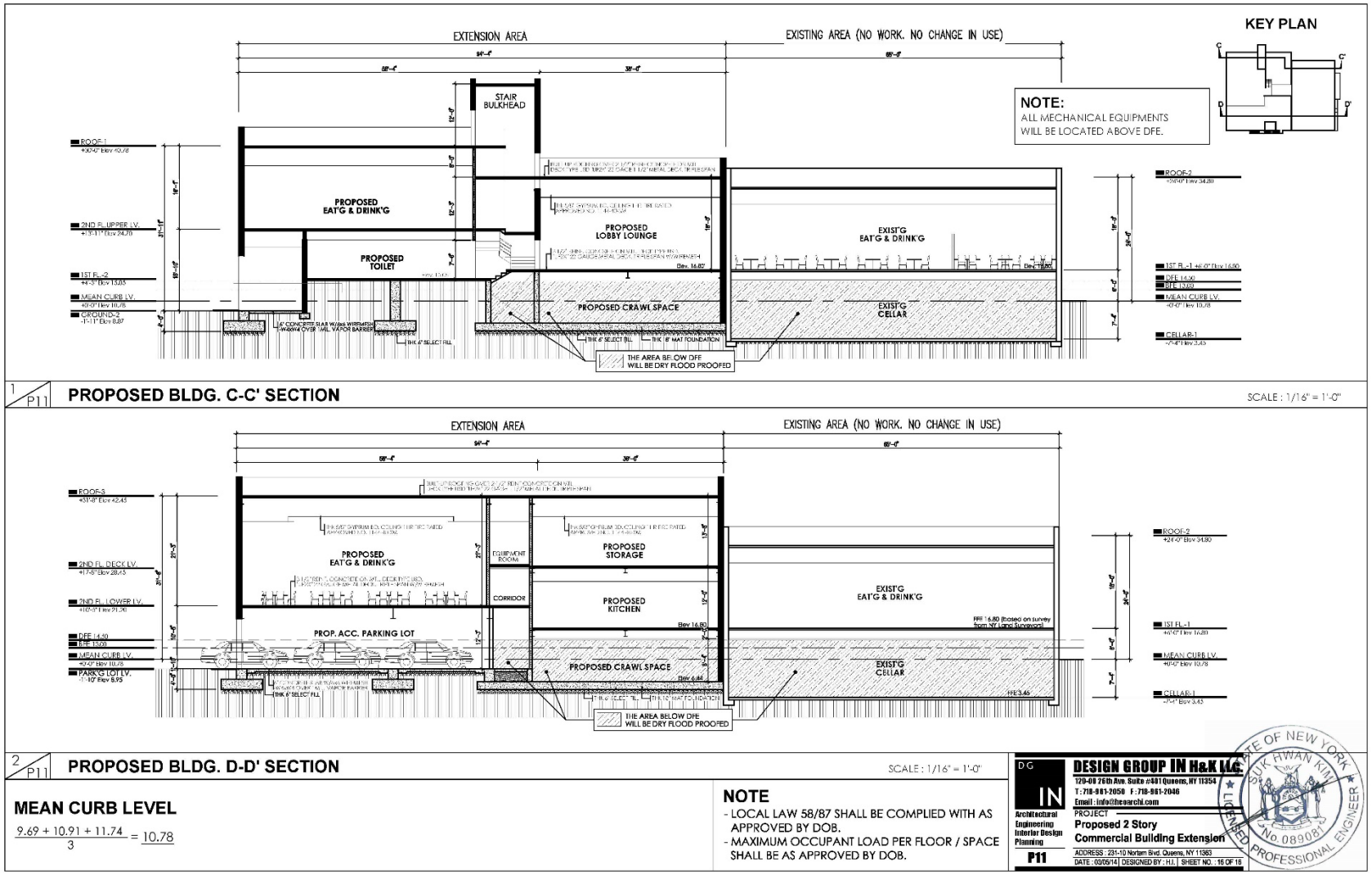


Figure A-4 Proposed C and D Sections



1(c). Identify any vulnerable, critical, or potentially hazardous features that may be located below the elevation of Mean Higher High Water over the lifespan of the project under any sea level rise scenario.

Based on the range of sea level rise predictions described above, Mean Higher High Water (MHHW) at the National Oceanic and Atmospheric Administration (NOAA) Station nearest the Project Area could range up to 9.97 feet NAVD88 by 2100 under the "high estimate" (90th percentile) scenario. As shown in **Figure A-3** and **Figure A-4**, the proposed crawl space (which would be built to an elevation of 6.4 feet NAVD88) would be below MHHW beginning in the 2080s (under the high-mid SLR projections). By 2100, both the proposed crawl space and the proposed covered parking lot (which would be built to an elevation of 9 feet NAVD88) would be below MHHW (under the mid- and high SLR projections, respectively).

1(d). Describe how any additional coastal hazards are likely to affect the project, both currently in the future, such as waves, high winds, or debris.

Projected Development Site 1 is located within Coastal Zone A, which is not subject to high velocity wave action but is still considered a high-risk flooding area. In Coastal Zone A, the principal source of flooding will be astronomical tides, storm surges, seiches, or tsunamis, not riverine flooding. However, the Proposed Project would not contain any materials or substances that, if made insecure, would result in a threat to public health or the environment.

2. Identify adaptive strategies

2(a). For any features identified in Step 1(b), identify adaptive strategies:

As discussed above, the proposed crawl space would be located below the current 1% annual chance flood elevation (at an elevation of 6.4 feet NAVD88). The proposed crawl space would not be occupiable and all mechanical equipment would be located above the DFE; the proposed equipment room is at an elevation of 28.5 feet NAVD88. The portion of the building that would be located below the DFE would be dry floodproofed, thereby preventing water from entering the structure during a flood event.

In addition, the covered parking lot would also be located below the current 1% annual chance flood elevation (at an elevation of 9 feet NAVD88). While the parking lot is not considered a vulnerable, critical, or potentially hazardous building feature, adaptive measures such as use of flood resistant materials will be adopted by the applicant, and vehicles will be moved in anticipation of an emergency.

The proposed lobby hall and toilet, which would be constructed at an elevation of 15.5 feet NAVD88, would be at the 1% chance flood elevation in the 2050s (under the high SLR projection). Beginning in the 2080s, both the proposed lobby hall and toilet and the proposed lobby lounge and kitchen, which would be constructed at an elevation of 16.8 feet NAVD88, would be below the 1% annual chance flood elevation in the 2080s (under the mid- and high SLR projections, respectively). The applicant will adopt adaptive strategies to protect improve these building features from flooding, as needed, including the use of water-resistant flooring; rigid, closed-cell foam insulation; removable or hinged wainscot

panels; chair rail molding over a gap in the wallboard to prevent wicking; and extra-wide snap on baseboards. These building-scale resiliency controls would help protect the Proposed Project and reduce the susceptibility of the interior space to water damage.

2(b). Describe any additional measures being taken to protect the project from additional coastal hazards, such as waves, high winds, or debris.

Measures to protect the Proposed Project from additional coastal hazards include resilient landscaping materials and plant species as well as flood resistant construction materials.

2(c). Describe how the project would affect the flood protection of adjacent sites, if relevant. How would the project lead to increased flooding on adjacent sites? How would the project protect upland sites from coastal hazards? Does the project complement or conflict with planned, adjacent flood protection projects?

The Proposed Project would not increase impervious surfaces. Nevertheless, a roof garden is designed to absorb and infiltrate rainwater. This potentially eliminates any increase in storm water runoff that could have been caused by the Proposed Action. The Proposed Project also includes a bio-swale to divert any sheet flow runoff from the proposed parking lot into any sensitive resources in the SNWA. Furthermore, it would not introduce any hazardous features that would impact the health, safety, or welfare of surrounding residents in the event of a flood. Therefore, the Proposed Action would not adversely affect the flood protection of adjacent sites.

3. Assess policy consistency

The Proposed Action will advance Policy 6.2 by protecting all affected building features through flood damage reduction elements and adaptive measures as described above under Adaptive Strategies. Additionally, no hazardous features exist on-site, nor would they be introduced. Further, the applicant has been educated on future building-scale resiliency measures and adaptive strategizes to minimize the potential damage to site-specific vulnerable features. Therefore, the Proposed Action is consistent with Policy 6.2 of the Waterfront Revitalization Program and would not jeopardize the intent of the WRP. The Proposed Action would comply with Appendix G of the Building Code and construction would be performed pursuant to a Stormwater Pollution Prevention Plan/Erosion Control Plan, and the applicant would consider the employment of future building scale resiliency measures based on the future flood projections. These future building-scale resiliency measures and adaptive strategizes would minimize the potential damage to site-specific vulnerable or critical features. Therefore, the Proposed Action is consistent with Policy 6.2 of the Waterfront Revitalization Program.

Policy 7: Minimize environmental degradation and negative impacts on public health from solid waste, toxic pollutants, hazardous materials, and industrial materials that may pose risks to the environment and public health and safety

Policy 7.2: Prevent and remediate discharge of petroleum products.

The Proposed Action will allow for enlargement of the existing restaurant onto adjoining Tax Lots 22 and 122, which have been used as a gasoline service station since approximately 1948. The former gas station consisted of repair bays, gas pumps, and underground gasoline and diesel storage tanks, which have all been removed as part of site closure activities within the last several years. As a result of the historical service station use, this gas station parcel (Tax Lots 22 and 122) of Projected Development Site 1 is contaminated by petroleum-related compounds and will require extensive remediation prior to the development of the property.

The project architect has provided an extensive workplan of proposed remedial measures and cost estimates for redevelopment of the contaminated historical gas station property. There are presently no petroleum storage tanks or any active discharge operations at Projected Development Site 1. However, due to the presence of soil and groundwater contamination from former gasoline service station operations, an on-site storm water runoff retention and treatment system will be developed to minimize adverse impacts to nearby coastal zones. Further, the tidal and freshwater wetland permits issued by the NYS DEC for the Proposed Action require various general and site-specific conditions, requirements, prohibitions, and best management practices to protect tidal wetlands, freshwater wetlands, and adjacent upland habitats, pursuant to Articles 24 and 25 of the New York State Environmental Conservation Law (see **Policy 4.1**). Therefore, the proposed remedial measures and flood damage reduction elements would advance and promote policy 7.2.

Policy 9: Protect scenic resources that contribute to the visual quality of the New York City coastal area

Policy 9.2: Protect scenic values associated with natural resources.

Projected Development Site 1 is located within a coastal zone, adjacent to a Special Natural Waterfront Area (Long Island Sound/ East River), Significant Coastal Fish and Wildlife Habitats (Little Neck Bay, Udall's Cove, and part of Alley Pond Park), and to a Recognized Ecological Complex (Alley Pond Park). The Proposed Action will not introduce any structures or activities that interrupt landscapes. The new development will be designed to complement the scenic character of natural resources, thereby meeting the goals consistent with this policy. Therefore, the proposed architectural elements would advance and promote policy 9.2.

NYC Waterfront Revitalization Program - Policy 6.2 Flood Elevation Workhsheet

COMPLETE INSTRUCTIONS ON HOW TO USE THIS WORKSHEET ARE PROVIDED IN THE "CLIMATE CHANGE ADAPTATION GUIDANCE" DOCUMENT AVAILABLE AT www.nyc.gov/wrp

Enter information about the project and site in highlighted cells in Tabs 1-3. Tab 4, "Summary Charts" contains primary results. Tab 5, "0.2%+SLR" produces charts to be used for critical infrastructure or facilities. Tab 6, "Calculations" contains background computations. Appendix A contains tide elevations for station across the city to be used for the elevation of MHHW if a site survey is not available. Non-highlighted cells have been locked.

Background Information	
Project Name	231-06 Northern Boulevard Rezoning EAS
Location	231-06 Northern Boulevard, Queens, NY
Type(s)	☑ Residential, Commercial, Community Facility ☐ Parkland, Open Space, and Natural Areas ☐ Tidal Wetland Restoration ☐ Critical Infrastructure or Facility ☐ Industrial Uses ☐ Over-water Structures ☐ Shoreline Structures ☐ Transportation ☐ Wastewater Treatment/Drainage ☐ Coastal Protection
Description	The Proposed Action would facilitate the development of a two-story, approximately 15,834-gross square foot enlargement of an existing 13,901-gross square foot restaurant, which would bring the building to a total of approximately 29,736-gross square feet. Commercial uses at Projected Development Site 1 would be elevated to a design floor elevation of 14.5 feet. Approximately 143 parking spaces and two curb cuts would be provided.
Planned Completion Date	2023
Expected Project Lifespan	50 Years

The New York City Waterfront Revitalization Program Climate Change Adaptation Guidance document was developed by the NYC Department of City Planning. It is a guidance document only and is not intended to serve as a substitute for actual regulations. The City disclaims any liability for errors that may be contained herein and shall not be responsible for any damages, consequential or actual, arising out of or in connection with the use of this information. The City reserves the right to update or correct information in this guidance document at any time and without notice.

For technical assistance on using this worksheet, email wrp@planning.nyc.gov, using the message subject "Policy 6.2 Worksheet."

Last update: Sept. 7, 2018

Establish current tidal and flood heights.

	FT (NAVD88)	Feet	Datum	Source
MHHW	3.72	**3.72**	**NAVD88**	*NOAA Tides and Currents - Willets Point*
1% flood height	13.00	**13.00**	**NAVD88**	*NYC Flood Hazard Mapper*
Design flood elevation	14.50	**14.50**	**NAVD88**	
As relevant:				
0.2% flood height	13.00	13.00	**NAVD88**	*Nearest 1% flood height used in absence of 0.2% number*

Data will be converted based on the following datums:

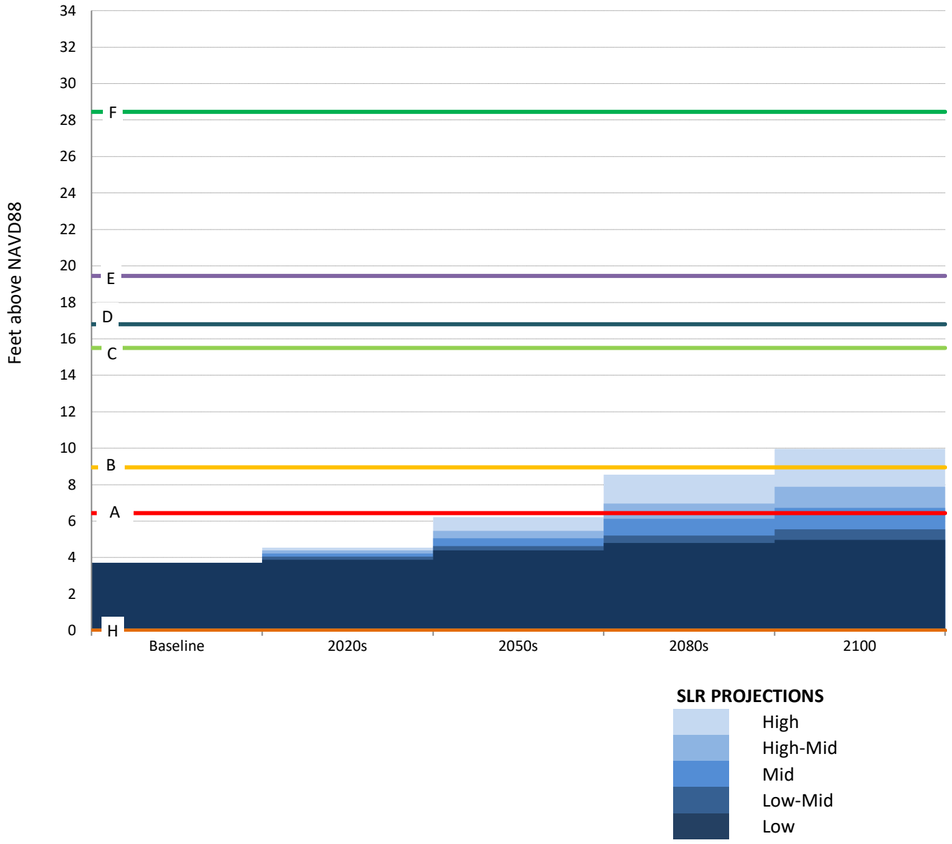
Datum	FT (NAVD88)
NAVD88	*0.00*
NGVD29	*-1.10*
Manhattan Datum	*1.65*
Bronx Datum	*1.51*
Brooklyn Datum (Sewer)	*0.61*
Brooklyn Datum (Highway)	*1.45*
Queens Datum	*1.63*
Richmond Datum	*2.09*

Describe key physical features of the project.

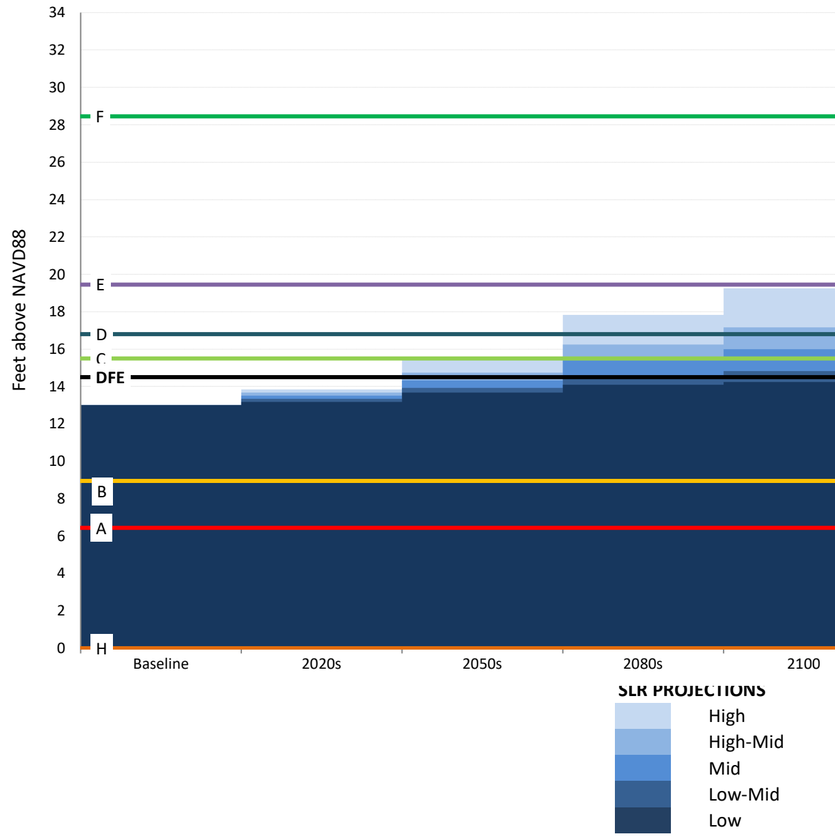
Feature *(enter name)*	Feature Category	Lifespan	Elevation	Units	Datum	Ft	Ft Above NAVD88	Ft Above MHHW	Ft Above 0.2% flood height
A	☑ Vulnerable ☐ Critical ☐ Potentially Hazardous ☐ Other	50 years	6.4	Feet	NAVD88	*6.4*	*6.4*	*2.7*	*-6.6*
Proposed Crawl Space									
B	☐ Vulnerable ☐ Critical ☐ Potentially Hazardous ☑ Other	50 years	9.0	Feet	NAVD88	*9.0*	*9.0*	*5.2*	*-4.1*
Proposed Covered Parking Lot									
C	☑ Vulnerable ☐ Critical ☐ Potentially Hazardous ☐ Other	50 years	15.5	Feet	NAVD88	*15.5*	*15.5*	*11.8*	*2.5*
Proposed Lobby Hall and Toilet									
D	☑ Vulnerable ☐ Critical ☐ Potentially Hazardous ☐ Other	50 years	16.8	Feet	NAVD88	*16.8*	*16.8*	*13.1*	*3.8*
Proposed Lobby Lounge and Kitchen									
E	☑ Vulnerable ☐ Critical ☐ Potentially Hazardous ☐ Other	50 years	19.5	Feet	NAVD88	*19.5*	*19.5*	*15.7*	*6.5*
Proposed Dining Area									
F	☐ Vulnerable ☑ Critical ☐ Potentially Hazardous ☐ Other	50 years	28.5	Feet	NAVD88	*28.5*	*28.5*	*24.7*	*15.5*
Proposed Equipment Room									
G	☐ Vulnerable ☐ Critical ☐ Potentially Hazardous ☐ Other			Feet	NAVD88				
H	☐ Vulnerable ☐ Critical ☐ Potentially Hazardous ☐ Other			Feet	NAVD88				

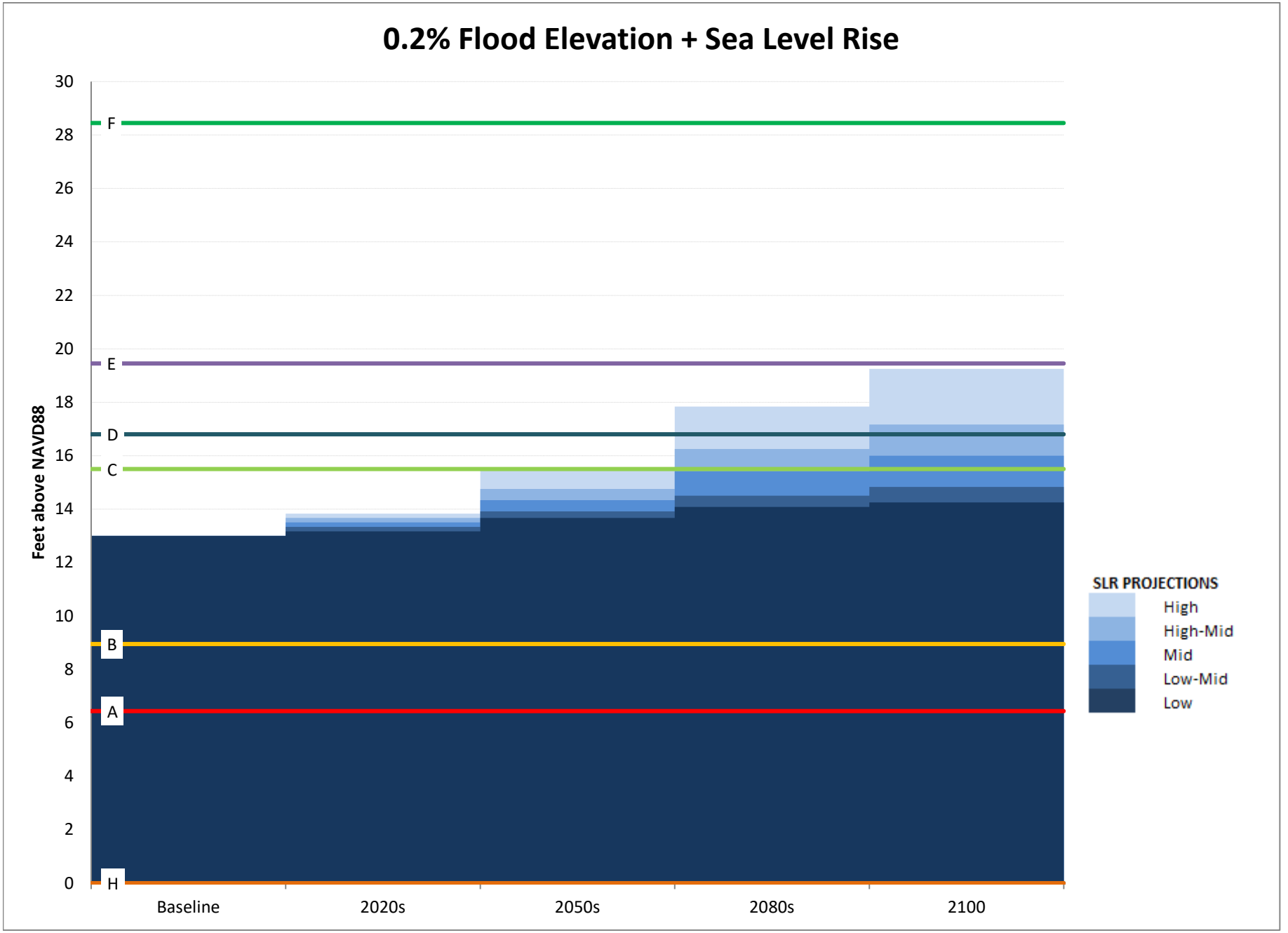
Assess project vulnerability over a range of sea level rise projections.

Mean Higher High Water + Sea Level Rise



1% Flood Elevation + Sea Level Rise




0.2% Flood Elevation + Sea Level Rise
Feet above NAVD88
30
28
26
24
22
20
18
16
14
12
10
8
6
4
2
0
F
E
D
C
B
A
H
Baseline
2020s
2050s
2080s
2100
SLR PROJECTIONS
High
High-Mid
Mid
Low-Mid
Low

	SLR (ft)					
	Low	**Low-Mid**	**Mid**	**High-Mid**	**High**	
Baseline	0.00	0.00	0.00	0.00	0.00	**2014**
2020s	0.17	0.33	0.50	0.67	0.83	**2020s**
2050s	0.67	0.92	1.33	1.75	2.50	**2050s**
2080s	1.08	1.50	2.42	3.25	4.83	**2080s**
2100	1.25	1.83	3.00	4.17	6.25	**2100**

	MHHW+SLR (ft above NAVD88)				
	Low	**Low-Mid**	**Mid**	**High-Mid**	**High**
Baseline	3.72	3.72	3.72	3.72	3.72
2020s	3.89	4.05	4.22	4.39	4.55
2050s	4.39	4.64	5.05	5.47	6.22
2080s	4.80	5.22	6.14	6.97	8.55
2100	4.97	5.55	6.72	7.89	9.97

	1%+SLR (ft above NAVD88)				
	Low	**Low-Mid**	**Mid**	**High-Mid**	**High**
Baseline	13.00	13.00	13.00	13.00	13.00
2020s	13.17	13.33	13.50	13.67	13.83
2050s	13.67	13.92	14.33	14.75	15.50
2080s	14.08	14.50	15.42	16.25	17.83
2100	14.25	14.83	16.00	17.17	19.25

	0.2%+SLR (ft above NAVD88)				
	Low	**Low-Mid**	**Mid**	**High-Mid**	**High**
Baseline	13.00	13.00	13.00	13.00	13.00
2020s	13.17	13.33	13.50	13.67	13.83
2050s	13.67	13.92	14.33	14.75	15.50
2080s	14.08	14.50	15.42	16.25	17.83
2100	14.25	14.83	16.00	17.17	19.25

	0	1
A	6	6.44
B	9	8.95
C	15.5	15.5
D	16.8	16.8
E	19.45	19.45
F	28.45	28.45
G	0	0
H	0	0
DFE	14.50	14.50

SLR (in)				
Low	**Low-Mid**	**Mid**	**High-Mid**	**High**
0	0	0	0	0
2	4	6	8	10
8	11	16	21	30
13	18	29	39	58
15	22	36	50	75

NOAA Tide Station Data

(to be used only when a site survey is unavailable)

Station ID	*Station Name*	*Source MHHW (Feet, NAVD88)**	*Adjusted MHHW (Feet, NAVD88)**	*Source*
8518687	Queensboro Bridge	2.27	2.60	NOAA Tides and Currents
8530095	Alpine	2.11	2.44	NOAA Tides and Currents
8516614	Glen Cove	3.72	4.05	NOAA Tides and Currents
8516990	Willets Point	3.72	4.05	NOAA Tides and Currents
8518639	Port Morris	3.33	3.66	NOAA Tides and Currents
8518699	Williamsburg Bridge	2.14	2.47	NOAA Tides and Currents
8518750	The Battery	2.28	2.61	NOAA Tides and Currents
8531680	Sandy Hook	2.41	2.74	NOAA Tides and Currents
8518490	New Rochelle	3.71	4.04	NOAA Tides and Currents
8531545	Keyport	2.66	2.99	NOAA Tides and Currents
8516891	Norton Point	2.08	2.41	NOAA VDATUM
8517201	North Channel	2.72	3.05	NOAA Tides and Currents
8517137	Beach Channel	2.10	2.43	NOAA VDATUM
8517756	Kingsborough	2.13	2.46	NOAA VDATUM
8519436	Great Kills	2.22	2.55	NOAA VDATUM
8531142	Port Reading	2.82	3.15	NOAA VDATUM
8519483	Bergen Point	2.56	2.89	NOAA VDATUM
8519050	USCG	2.28	2.61	NOAA Tides and Currents
8518902	Dyckman St	2.01	2.34	NOAA Tides and Currents
8517251	Worlds Fair Marina	3.59	3.92	NOAA VDATUM
8518668	Horns Hook	2.54	2.87	NOAA VDATUM
8518643	Randalls Island	2.60	2.93	NOAA VDATUM
8518526	Throggs Neck	3.68	4.01	NOAA Tides and Currents

* MHHW values include an addition 0.33 feet to account for changes in sea level since the 1983-2001 tidal epoch.



Appendix B: Historic Resources

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: DEPARTMENT OF CITY PLANNING / LA-CEQR-Q
Project: NORTHERN BLVD REZONING
Date received: 5/2/2018

Properties with no Architectural or Archaeological significance:

1) ADDRESS: 231-06 Northern Boulevard, BBL: 4081640022
2) ADDRESS: 231-06 Northern Boulevard, BBL: 4081640122
3) ADDRESS: 231-10 Northern Boulevard, BBL: 4081640030
4) ADDRESS: 231-10 Northern Boulevard, BBL: 4081640130
5) ADDRESS: 231-06 Northern Boulevard, BBL: 4081640230
6) ADDRESS: 232 Street, BBL: 4081640043
7) ADDRESS: 231 Street, BBL: 4081640015



5/16/2018

SIGNATURE DATE
Gina Santucci, Environmental Review Coordinator

File Name: 33330_FSO_DNP_05082018.doc

Appendix C: Natural Resources

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Permits, Region 2
47-40 21st Street, Long Island City, NY 11101
P: (718) 482-4997 I F: (718) 482-4975
www.dec.ny.gov

September 13, 2018

Jason Loiselle
483 10th Ave, Suite 325
New York, NY 10018

Re: NYSDEC Permit No. 2-6303-00310/00003
231-10 Northern Blvd, Queens, NY 11362
ECL Article 25 -Tidal Wetlands
ECL Article 24 Freshwater Wetlands
NOTICE OF PERMIT ISSUANCE

Dear Mr. Loiselle,

Enclosed is your permit. Please read it carefully. You are required to comply with all conditions of the permit.

Please note that Natural Resources Condition 3 of the permit requires submittal of the attached "Notice of Intent to Commence Work" at least 5 days prior to the start of the permitted activity. Also, please note that Natural Resources Condition 4 of the permit requires submittal of the attached "Notice of Completion of Work" within 10 days of the completion of work.

If you have any technical questions, please contact the Division of Marine Resources at (718) 482-6464 or the Division of Fish and wildlife at (718) 482-4922. If you have any administrative questions, please contact me at (718) 482-4909.

Sincerely,

N. Katz

Noah Katz
Environmental Analyst

PERMIT

Under the Environmental Conservation Law (ECL)

Permittee and Facility Information

Permit Issued To:
Kenfa Madison LLC
162 Madison Ave
New York, NY 10016

Facility:
CHIANG PROPERTY
231-10 NORTHERN BLVD
QUEENS, NY 11362

Facility Location: in QUEENS COUNTY **Village:** Queens
Facility Principal Reference Point: NYTM-E: 605.553 NYTM-N: 4513.687
Latitude: 40°46'02.6" Longitude: 73°44'57.6"
Project Location: 231-10 Northern Blvd
Authorized Activity: The enlargement of an existing one-story restaurant and addition of a second floor.

Permit Authorizations

Tidal Wetlands - Under Article 25
Permit ID 2-6303-00310/00003
New Permit Effective Date: 9/13/2018 Expiration Date: 12/31/2023
Freshwater Wetlands - Under Article 24
Permit ID 2-6303-00310/00006
New Permit Effective Date: 9/13/2018 Expiration Date: 12/31/2023

NYSDEC Approval

By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, and all conditions included as part of this permit.

Permit Administrator: STEPHEN A WATTS, Regional Permit Administrator
Address: NYSDEC Region 2 Headquarters
47-40 21st St
Long Island City, NY 11101 -5401

Authorized Signature: _____ Date 09/13/2018

Permit Components

NATURAL RESOURCE PERMIT CONDITIONS

GENERAL CONDITIONS, APPLY TO ALL AUTHORIZED PERMITS

NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

NATURAL RESOURCE PERMIT CONDITIONS - Apply to the Following Permits: TIDAL WETLANDS; FRESHWATER WETLANDS

1. **Conformance With Plans** All activities authorized by this permit must be in strict conformance with the approved plans submitted by the applicant or applicant's agent as part of the permit application. Such approved plans were prepared by the entities described and cited in Natural Resources permit condition 2.

2. **Conformance with Plans Addendum** All work is to be performed in conformance with the Project Plans prepared by Sherwood Design Engineers for Building Expansion, Mizumi Restaurant, 231-1-Northern Blvd, Queens, New York, Project No. 18-045, Drawing Nos. C1.0, C4.0, C4.1, dated 06/01/18, received by NYS DEC on July 27, 2018.

3. **Notice of Intent to Commence** At least five (5) days prior to the start of work, Permittee must complete and submit the attached Notice of Intent to Commence Work form to the NYS DEC Bureau of Habitat, 47-40 21st Street, Long Island City, NY 11101. Permittee must also provide notification in writing promptly upon any resumption of work after more than six months of inactivity.

4. **Notice of Completion of Work** Within ten (10) days of the completion of work, Permittee must complete and submit the attached Notice of Completion of Work form to NYSDEC Bureau of Habitat, 47-40 21st Street, Long Island City, New York 11101.

5. **Post Sign and Permit** A DEC permit sign shall be posted and protected from the weather, in a conspicuous outdoor location at the project site. This sign is to be posted for the duration of work authorized by this permit.

6. **Prior Approval of Changes** If Permittee desires to make any changes in construction techniques, species to be planted, the site plan, any mitigation activity, scheduling or staging of construction, or any other aspect of this project. Permittee shall submit a written request to make such proposed changes to DEC, and shall not make such changes unless authorized in writing by DEC.

7. **Erosion/Sediment Control** All sediments are to be retained on the construction site; no deposition of sediment is to occur in wetlands or other areas to be left in a natural condition. This retention is to be accomplished by placing straw bales, filter fabric or other barriers to erosion around the excavation site and between areas of construction and areas to be left in a natural condition. Erosion control measures are to be in place before any other construction activity begins and are to be maintained until a permanent cover of vegetation is established.

8. **Construction Barrier** A temporary fence or other barrier to movement is to be placed between construction areas and any areas, including freshwater wetlands and adjacent areas, which are to remain in a natural condition. This fence shall be maintained until all work is completed.

9. **Seeding of Bare Soil** All areas in which bare soil is exposed are to be seeded with a fast growing grass mix within two weeks of the conclusion of any period of active work or upon DEC instructions. Seeding is to be repeated as needed to establish a thick ground cover. When winter weather prevents growth of grass, such areas are to be covered with mulch and seeded as soon as allowed by growing conditions. Areas of bare soil are not to persist for more than four weeks.

10. **Fill Material** Fill material shall consist only of clean inorganic sand, gravel, stone, or soil. No other materials are to be used unless specifically allowed by this permit.

11. **Site Grading** All graded areas are to match smoothly the elevation and contours of the adjacent undisturbed land.

12. **Minimize Impacts to Natural Resources** All work is to be accomplished so as to minimize adverse impacts to freshwater wetlands, wildlife, water quality, and natural resources.

13. **City and State Regulations for Conservaton, Treatment and Function** Permittee shall ensure that all constructed water supply systems and wastewater disposal systems comply with both City and State regulations for conservation, treatment and function.

14. **State Not Liable for Damage** The State of New York shall in no case be liable for any damage or injury to the structure or work herein authorized which may be caused by or result from future operations undertaken by the State for the conservation or improvement of navigation, or for other purposes, and no claim or right to compensation shall accrue from any such damage.

15. **State May Order Removal or Alteration of Work** If future operations by the State of New York require an alteration in the position of the structure or work herein authorized, or if, in the opinion of the Department of Environmental Conservation it shall cause unreasonable obstruction to the free navigation of said waters or flood flows or endanger the health, safety or welfare of the people of the State, or cause loss or destruction of the natural resources of the State, the owner may be ordered by the Department to remove or alter the structural work, obstructions, or hazards caused thereby without expense to the State, and if, upon the expiration or revocation of this permit, the structure, fill, excavation, or other modification of the watercourse hereby authorized shall not be completed, the owners, shall, without expense to the State, and to such extent and in such time and manner as the Department of Environmental Conservation may require, remove all or any portion of the uncompleted structure or fill and restore to its former condition the navigable and flood capacity of the watercourse. No claim shall be made against the State of New York on account of any such removal or alteration.

16. **State May Require Site Restoration** If upon the expiration or revocation of this permit, the project hereby authorized has not been completed, the applicant shall, without expense to the State, and to such extent and in such time and manner as the Department of Environmental Conservation may lawfully require, remove all or any portion of the uncompleted structure or fill and restore the site to its former condition. No claim shall be made against the State of New York on account of any such removal or alteration.

17. **Precautions Against Contamination of Waters** All necessary precautions shall be taken to preclude contamination of any wetland or waterway by suspended solids, sediments, fuels, solvents,

lubricants, epoxy coatings, paints, concrete, leachate or any other environmentally deleterious materials associated with the project.

GENERAL CONDITIONS - Apply to ALL Authorized Permits:

1. **Facility Inspection by The Department** The permitted site or facility, including relevant records, is subject to inspection at reasonable hours and intervals by an authorized representative of the Department of Environmental Conservation (the Department) to determine whether the permittee is complying with this permit and the ECL. Such representative may order the work suspended pursuant to ECL 71- 0301 and SAPA 401(3).

The permittee shall provide a person to accompany the Department's representative during an inspection to the permit area when requested by the Department.

A copy of this permit, including all referenced maps, drawings and special conditions, must be available for inspection by the Department at all times at the project site or facility. Failure to produce a copy of the permit upon request by a Department representative is a violation of this permit.

2. **Relationship of this Permit to Other Department Orders and Determinations** Unless expressly provided for by the Department, issuance of this permit does not modify, supersede or rescind any order or determination previously issued by the Department or any of the terms, conditions or requirements contained in such order or determination.

3. **Applications For Permit Renewals, Modifications or Transfers** The permittee must submit a separate written application to the Department for permit renewal, modification or transfer of this permit. Such application must include any forms or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing. Submission of applications for permit renewal, modification or transfer are to be submitted to:

Regional Permit Administrator
NYSDEC Region 2 Headquarters
47-40 21st St
Long Island City, NY11101 -5401

4. **Submission of Renewal Application** The permittee must submit a renewal application at least 30 days before permit expiration for the following permit authorizations: Freshwater Wetlands, Tidal Wetlands.

5. **Permit Modifications, Suspensions and Revocations by the Department** The Department reserves the right to exercise all available authority to modify, suspend or revoke this permit. The grounds for modification, suspension or revocation include:

a. materially false or inaccurate statements in the permit application or supporting papers;

b. failure by the permittee to comply with any terms or conditions of the permit;

c. exceeding the scope of the project as described in the permit application;

d. newly discovered material information or a material change in environmental conditions, relevant technology or applicable law or regulations since the issuance of the existing permit;

e. noncompliance with previously issued permit conditions, orders of the commissioner, any provisions of the Environmental Conservation Law or regulations of the Department related to the permitted activity.

6. **Permit Transfer** Permits are transferrable unless specifically prohibited by statute, regulation or another permit condition. Applications for permit transfer should be submitted prior to actual transfer of ownership.

NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification
The permittee, excepting state or federal agencies, expressly agrees to indemnify and hold harmless the Department of Environmental Conservation of the State of New York, its representatives, employees, and agents ("DEC") for all claims, suits, actions, and damages, to the extent attributable to the permittee's acts or omissions in connection with the permittee's undertaking of activities in connection with, or operation and maintenance of, the facility or facilities authorized by the permit whether in compliance or not in compliance with the terms and conditions of the permit. This indemnification does not extend to any claims, suits, actions, or damages to the extent attributable to DEC's own negligent or intentional acts or omissions, or to any claims, suits, or actions naming the DEC and arising under Article 78 of the New York Civil Practice Laws and Rules or any citizen suit or civil rights provision under federal or state laws.

Item B: Permittee's Contractors to Comply with Permit
The permittee is responsible for informing its independent contractors, employees, agents and assigns of their responsibility to comply with this permit, including all special conditions while acting as the permittee's agent with respect to the permitted activities, and such persons shall be subject to the same sanctions for violations of the Environmental Conservation Law as those prescribed for the permittee.

Item C: Permittee Responsible for Obtaining Other Required Permits
The permittee is responsible for obtaining any other permits, approvals, lands, easements and rights-of-way that may be required to carry out the activities that are authorized by this permit.

Item D: No Right to Trespass or Interfere with Riparian Rights
This permit does not convey to the permittee any right to trespass upon the lands or interfere with the riparian rights of others in order to perform the permitted work nor does it authorize the impairment of any rights, title, or interest in real or personal property held or vested in a person not a party to the permit.

NOTICE OF INTENT TO COMMENCE WORK

Date: _____

NYSDEC Natural Resources
Attn. Habitat Supervisor
N.Y.S.D.E.C Region 2 Office
47-40 21st Street
Long Island City, N.Y. 11101

Re: NYSDEC Permit No. 2-6303-00310/00003
231-10 Northern Blvd
Queens, NY 11362

Dear NYSDEC Habitat Supervisor:

In accordance with Natural Resource Condition 3 of the referenced permit, I hereby serve notice to commence work on _____, 20____.

This is also to certify that, having read this entire permit, I am fully aware of and understand the general and natural resource conditions therein, and agree to comply with all such conditions further understand that prior to undertaking any modification to the subject work, I must seek and receive written approval of the NYSDEC Regional Permit Administrator.

_____
Signature of Permittee

_____
Name of Permittee (please print)

_____
Signature of Contractor

_____
Name of Contractor (please print)

_____
Street Address of Contractor

_____
City, State, & Zip Code of Contractor

_____
Telephone Number of Contractor

WARNING

The permittee and his contractor (if any) are required to follow all permit conditions. Violations of the permit may lead to legal action, including the imposition of substantial monetary fines and corrective work.

cc: Environmental Permits
Marine Resources

NOTICE OF COMPLETION OF WORK

Date: _____

NYSDEC Natural Resources
Attn. Natural Resources Supervisor
N.Y.S.D.E.C Region 2 Office
47-40 21st Street
Long Island City, N.Y. 11101

Re: NYSDEC Permit No. 2-6303-00310/00003
231-10 Northern Blvd
Queens, NY 11362

Dear NYSDEC Natural Resources Supervisor:

In accordance with Natural Resource Condition 4 of the referenced permit, I hereby serve notice that the work allowed by the above referenced permit has been completed as of _____, 20____, consistent with the requirements of the above referenced permit.

_____
Signature of Permittee

_____
Name of Permittee (please print)

_____
Signature of Contractor

_____
Name of Contractor (please print)

_____
Street Address of Contractor

_____
City, State, & Zip Code of Contractor

_____
Telephone Number of Contractor

cc: Environmental Permits
Marine Resources

95-20-1 (8/87)—9d

New York State
Department of Environmental Conservation

NOTICE

The Department of Environmental Conservation (DEC) has issued permit(s) pursuant to the Environmental Conservation Law for work being conducted at this site. For further information regarding the nature and extent of work approved and any Departmental conditions on it, contact the Regional Permit Administrator listed below. Please refer to the permit number shown when contacting the DEC.

Regional Permit Administrator

Permit Number 2-6303-00310/00003

Expiration Date 12/31/2023

Stephen A. Watts III
47-40 21st Street
LIC, NY 11101
(718) 482-4997

NOTE: This notice is **NOT** a permit